

# **Roles and Actions of the Chief Judge and Court Administrator<sup>1</sup>**

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This article illustrates select roles and actions of the presiding or chief judge and court administrator. Competencies from the National Association for Court Management (NACM) are used as a starting point for framing the roles.

Court leaders, whether leadership (presiding or chief) judges or court managers, need to obtain and master certain competencies to be effective and demonstrate operational professionalism. These competencies support the court and judicial branch in maintaining its independence and credibility.

NACM has published information about court leader knowledge skills and abilities. NACM publications have highlighted these court leader roles and competencies.<sup>3</sup> Drawing from these NACM sources, and using direct personal experiences, four areas will be noted as examples of where leadership judges and court managers can perform important leadership actions. The four areas are:

- The role of the court
- Caseflow management
- Accountability of operational practices, and
- Strategic planning.

To orient the reader about the NACM Core competencies, the chart below depicts all of competency modules and competency areas. These competencies represent the knowledge, skills and abilities that court leaders need to be familiar with and be able to do.

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<sup>1</sup> A modified version of this article has been submitted for publication to the International Association of Court Administration.

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<sup>3</sup> NACM publications include: the NACM Core (Competencies) – a listing of thirteen competencies that court leaders should master and demonstrate – available at <http://nacmcore.org>; “The Core In Practice – a Guide to Strengthen Court Professionals through Application, Use and Implementation,” NACM 2015 Guide, available at [https://nacmnet.org/sites/default/files/Resources/TheCoreGuide\\_Final.pdf](https://nacmnet.org/sites/default/files/Resources/TheCoreGuide_Final.pdf); and “The Court Administrator – Court Administration: A Guide to the Profession,” NACM 2016 Guide, and available at [https://nacmnet.org/sites/default/files/publications/Guides/The\\_Court\\_Manual\\_Colorization\\_2016.pdf](https://nacmnet.org/sites/default/files/publications/Guides/The_Court_Manual_Colorization_2016.pdf).

National Association for Court Management - Court Leader Competencies <sup>4</sup>	
Modules	Competencies
Principle (Fundamental and Enduring Concepts)	
	Purposes and Responsibilities – Promoting and demonstrating why courts exist
	Public Trust and Confidence – Managing public perception
Practice (Day to Day Competencies)	
	Caseflow/Workflow – Ensuring processes and protocols for fair, timely case handling
	Operations Management – Leading related operational areas and support functions
	Public Relations – Informing and interacting with others
	Educational Development – Ensuring skilled staff
	Workforce Management - Attracting and engaging staff
	Ethics – Promoting ethical standards and codes of behavior
	Budget and Fiscal Management – Overseeing financial operations
	Accountability/Court Performance - Using performance measurement for operations
Vision (Competencies Supporting Strategic Vision and Leadership)	
	Leadership - Negotiating and setting vision and direction for organization
	Strategic Planning - Establishing goals and objectives
	Court Governance - Defining operational structures and standards

### Suggested Roles, Actions, and Competencies for Leaders to Act Upon

Four competencies will be used to illustrate the leadership roles and actions. They are:

- I. Purposes of courts
- II. Caseflow and workflow management
- III. Accountability and court performance
- IV. Strategic planning

Let me share examples of each.

- I. Purposes of the court.

It is important that court leaders (judges and administrators) recognize that the functions of the court have specific and vital roles in society (e.g., resolution of disputes and access to fair and impartial justice). As such these leaders should strive to demonstrate professional management and operation of the court. Beyond that the leaders should seek opportunities to inform other entities (local, regional groups, funding authorities) about the role of the court.

We know from research that many individuals do not understand the roles of courts. Public perceptions of the courts are sometimes formed from the latest movies or

<sup>4</sup> NACM Core Competencies from <http://nacmcore.org/>

television shows.<sup>5</sup> Those of us working in courts know that many functions are routine, not highly visible, yet very important to each court user or litigant, and important actions that can only be conducted in a court.

Court leaders should find any opportunity available to evaluate and assess operations and to state and explain the court role and business/outcomes of court daily work. Leaders can do this by: giving briefings and presentations, providing summary informational documents that orient and explain to others about the court and its functions, and by sharing details (to include statistics) about the work that occurs in the court each day.

## II. Caseflow management.

Caseflow management has been referred to as one of the foundational and rudimentary purposes of courts – the purpose of handling disputes and cases that have been filed. The leadership judge and all judges should become familiar with proven caseflow management principles and should support the court in practicing those principles. This can be done by agreeing to published policies (e.g., caseflow policies, continuance policies) and sharing those expectations with attorneys and litigants.

Court administrators can support caseflow management by ensuring ongoing dialogue with the leadership judge and all judges about how court operations support effective caseflow. The administrator can also ensure that all staff members understand why the court takes actions in support of effective and efficient caseflow.

## III. Strategic planning

Court leadership should seek ways to establish annual or periodic plans for the court to seek and accomplish operational innovations and changes. If a full-blown and comprehensive strategic plan is too difficult, grand or ambitious to create, court leaders may consider creating a simplified process. It can be a listing of annual projects to work on. This listing can consist of simplified list of projects or areas to be acted upon and completed within a desired time frame (e.g., one-year), coupled with project goals, actions, tasks and responsible parties.

A sample format for this list is included below in which space for two projects is indicated.<sup>6</sup> This listing can be used to record and then track project progress and events. It can also be used as a map or outline to inform court management as to where time, energy and resources are to be dedicated.

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<sup>5</sup> Research from the National Center for State Courts indicates that Americans are not familiar with government funding and US voters have perceptions about courts that may not be accurate. See <http://www.ncsc.org/2016survey>.

<sup>6</sup> A sample priority project template can be a simple listing of projects to undertake. Examples of list contents include the following elements: project name, goals and objectives, description of project actions, tasks to be completed, designated project leader, project and activity participants, and defined outcomes and results.

<b>"Sample" Court - Annual or Fiscal Year Priority Project List</b> <b>Fiscal Year XXXX / XXXX</b>		
<b>Project Elements</b>	<b>Project Name</b>	<b>Project Name</b>
<b>Description (Name) and Scope</b>	1. 2. 3.	1. 2. 3.
<b>Goals and Objectives</b>	1. 2. 3.	1. 2. 3.
<b>Actions</b>	1. 2. 3.	1. 2. 3.
<b>Tasks</b>	List	List
<b>Desired Outcomes</b>	List	List
<b>Budget/Fiscal Impact</b>	Detail costs/savings	Detail: costs/savings
<b>I.T. – Technology Involvement</b>	Yes/No	Yes/No
<b>Review/Approval by Judge(s)</b>	Yes/No	Yes/No
<b>Project Manager or Lead</b>	Name	Name
<b>Partners and Participants</b>	Names	Names
<b>Other Staff</b>	Names	Names

#### IV. Accountability and court performance

Being open and accountable about court operations has taken on greater importance in recent years. Government entities are increasingly expected to have statistics and performance metrics. Having and publishing measures allows court leaders to openly talk about work outcomes. Metrics also provide information for chief judges and court managers when deciding to make changes in practice, implement new programs, or address budget needs.

Chief judges should support the use of data and metrics. Court managers need to lead the work to record, tabulate, and report on the measures. Both judicial and administrative leaders should be conversant in what the data indicates. Both should not fear that the data may not be positive. Court leadership should be willing to use metrics to self-assess and to scrutinize operations. Data can also be used to rework and reengineer operations to make them more efficient, effective and provide improved access for court users, and justice partners. Data capturing techniques do not have to be high-tech. Low-tech methods may be useful, and can be migrated to an automated process where possible. Among performance metrics that have been useful are:

- Essential caseload metrics such as age of open-active cases, length of time to conclude and adjudicate cases, case clearance rates, and trial date certainty,
- Measures that inform about the work and resources deployed by a court,
- A workload inventory to clearly identify tasks, volumes, work assignments and redundancies, and
- Simplified counts of task transactions and public interactions.<sup>7</sup>

<sup>7</sup> For a full description of these measures and how they were used, see Cornell, J. "Court Performance Measures - What You Count, Counts!" *The Court Manager*, National Association for Court Management, Vol. 29, No. 1, Winter 2014.

## In Summary

In summary, four leadership areas have been shared, based upon experience. The chart below provides the competency areas with summary descriptions of suggested leadership actions.

<b>Court Leader Competencies with Judge and Administrator Actions</b>			
Modules and Competencies		Chief Judge Actions	Court Administrator Actions
<b>Principle (Fundamental and Enduring Principles)</b>			
Purposes of the Court	Why courts exist	<ul style="list-style-type: none"> <li>Present briefings to local officials</li> <li>Explain the roles of a court</li> <li>Seek ways to tell the story about court processes</li> <li>Seek ways to explain how the court is providing access and fairness</li> </ul>	<ul style="list-style-type: none"> <li>Present briefings to local officials</li> <li>Share reports with metrics and measures</li> <li>Ensure staff are fully conversant on court roles, and performance measures</li> </ul>
<b>Practice (Day to Day Competencies)</b>			
Caseflow Management	Processes and protocols for fair, timely, efficient case handling	<ul style="list-style-type: none"> <li>Recognize the importance or processes for case handling</li> <li>Support practices for judges and staff</li> <li>Communicate clearly about practices and objectives of caseflow management</li> </ul>	<ul style="list-style-type: none"> <li>Know proven caseflow best practices</li> <li>Fashion case handling on those practices</li> <li>Ensure judges and staff are provided with information about caseflow practices and results</li> </ul>
Accountability and Court Performance	Performance measurement to manage operations	<ul style="list-style-type: none"> <li>Support leadership use of data and metrics to detail court work outcomes, and being willing to disseminate information.</li> <li>Be conversant about data measures and what they signify</li> </ul>	<ul style="list-style-type: none"> <li>Find ways to count and measure work that the court performs</li> <li>Publish court metrics using different presentation styles</li> <li>Reengineer court practices</li> </ul>
<b>Vision (Competencies Supporting Strategic Vision and Leadership)</b>			
Strategic Planning	Planning for goals and objectives	<ul style="list-style-type: none"> <li>Support the use of project plans</li> <li>Link overall operations to the written plan and goals</li> </ul>	<ul style="list-style-type: none"> <li>Create listing of annual priority projects</li> <li>Discuss and share project goals and progress with administrative and support staff</li> </ul>

## Conclusion

Court leaders should continually be vigilant to identify ways they can share information about how and why courts operate, be able to effectively manage caseflow, and report using performance measures while planning and strategizing for the future. Four examples were shared here (purposes of the court, caseflow management, performance measurement and accountability, and strategic planning). If, as I did, you select an item from the example list and find ways to implement it, you may find that you are gaining ground in being able to talk about court functions and why the court is important. Best wishes!