

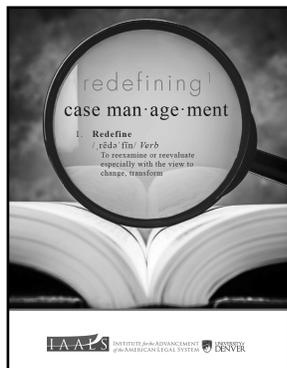


The Resource Page



NEW PUBLICATIONS

INSTITUTE FOR THE ADVANCEMENT OF THE AMERICAN LEGAL SYSTEM, *REDEFINING CASE MANAGEMENT* (2018) (32 pp.). <https://bit.ly/2JZbYda>



The Institute for the Advancement of the American Legal System (IAALS) is a national independent research center at the University of Denver, a “think tank” that seeks to create practical solutions for the challenges in the American legal system. IAALS has pursued a number of research projects addressing civil case management. In their latest report, *Redefining Case Management*, IAALS draws on their accumulated experience and tackles some of the cultural and systemic changes needed to implement more pervasive and effective case management. In addition to research, IAALS and its partners, such as the American College of Trial Lawyers and the National Center for State Courts, have been assisting jurisdictions with pilot reform projects since 2009. They have identified ten guidelines for case management and, through nearly a decade of experience, built on them:

- Case management (CM) should be right-sized to each case.
- CM should begin at filing and be ongoing.
- Processes should be consistently applied and systematized.
- An early CM conference is key.
- CM conferences should be used to address critical issues throughout the case.

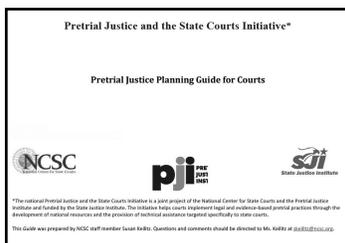
- Set a trial date early.
- Judges must be active in CM.
- Rule promptly.
- Discuss the ADR plan early.
- Monitor and measure your CM program for continuous improvement.

The full report provides detailed discussion of the role of civil CM and developments, as well as insights about the practical challenges of implementing a new CM program.

SUSAN KEILITZ, *PRETRIAL PLANNING GUIDE FOR COURTS, PRETRIAL JUSTICE AND THE STATE COURTS INITIATIVE* (2018) (37 pp.). <https://bit.ly/2K5BfhF>

SUE FERRERE, *ESTIMATING THE COSTS OF IMPLEMENTING PRETRIAL ASSESSMENT AND MONITORING SERVICES* (2018) (9 pp.). <https://bit.ly/2Ibc77D>

Pretrial practices in criminal courts, particularly pretrial detention decisions, are rapidly gaining in importance and attention. Efforts are underway across the country to invalidate or restrict the traditional bail systems and bond schedules. What has your jurisdiction done to prepare for the future of criminal pretrial services? The *Pretrial Justice and the State Courts Initiative* is a joint project of the National Center for State Courts and the Pretrial Justice Institute funded by the State Justice Institute. The Initiative seeks to help courts implement evidence-based pretrial practices for criminal cases.

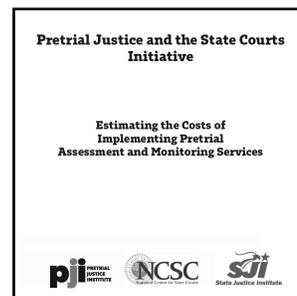


In this recently released publication pair, the Institute provides guidance for judges and court managers seeking to improve pretrial justice practices on a local or statewide level.

The Planning Guide describes a framework for assessing a jurisdiction’s current pretrial practices, identifying areas in need of change, identifying actions that

may be needed, and accessing resources to guide implementation. The Planning Guide provides a simple and easy-to-follow roadmap to strategic planning and implementation. It is organized in a series of worksheets laid out in a grid format with detailed descriptions of the steps to be taken. The worksheets also provide extensive examples of the steps along the path. Whether you have prior experience in project management or are new to this type of undertaking, the Planning Guide has plenty of value to offer specifically to help you analyze your court’s criminal pretrial practices and pursue changes.

A critical element of any new justice services undertaking is cost. However, few judges have much training or experience in estimating costs. In the context of an issue like criminal pretrial release, realistic cost estimation is particularly important because of the degree of



involvement of other community stakeholders—and outside funding sources that are political bodies. The Institute has provided a helpful report explaining how to estimate the costs of a pretrial assessment and monitoring-services program. Costs can vary widely depending on the nature of the program and the nature of the stakeholder involvement. For example, my home district has seen its budget for these services change over the years from over \$300,000 per year to a net zero budget to \$80,000 per year, all with increasing pressure to provide more services to more participants. Knowing how the numbers are likely to work and where the money goes is key when talking to your funding source and critical stakeholders. The Institute has produced a helpful guide to identifying the functions, needs, factors, and costs of the components of a pretrial system budget.