MINISTRY OF NATIONAL SECURITY

BAHAMAS: BH- L1033 - Citizen Security and Justice Programme (CSJP)

Component III: Strengthening The Justice Administration System

Terms of Reference (ToR)

CONSULTANT: *To support the Judiciary identify and implement measures to reduce case processing times*

1. **Background**:

The Ministry of Finance of The Commonwealth of the Bahamas has received financing from the Inter- American Development Bank (IADB) to implement the Citizen Security and Justice Program. The overall objectives of this program are to: (i) improve behaviors for non-violent conflict resolution in New Providence; (ii) increase employability and employment of the at-risk youth population in New Providence, (iii) strengthen institutional capabilities of justice services, and (iv) reduce the recidivism rate among persons within the juvenile system. To support the third objective of the loan, the Ministry of National Security seeks to contract a consultant to *support the Judiciary identify and implement measures to reduce case processing times.*

1.1 Context:

Despite the commonly referenced 'backlog of court cases' in The Bahamas, there are no formally established performance standards for processing court cases. Utilizing the ICMS (integrated case management system), surveys, and expert assessments, this consultancy is designed to build on previous initiatives that sought to address this issue by defining performance standards for processing court cases and establishing methods to track their fulfillment.

Over the past six years, the Judiciary has undertaken a series of projects and studies to examine the best model to help increase the efficiency and efficacy of the court system by improving case processing times. Key among these efforts are:

- the "Swift Justice Pilot Project" and its accompanying evaluation report.
- reports by Consultant Linda Dobbs of May 2015, November 2015, July 2016, August 2016, September 2016, and December 2016.
- Added input of Sarkodie Mensah/ComSec, Ben Yallop/SME, Court Reporting and Calendaring, Judge Chapple/Case Management, Stuart Hill/Jury Summonsing, and others.

This consultancy will require defining the case processing duration for the Magistrate, Supreme and Coroners courts. The processing times may differ by the division in each respective court.

To enhance its performance, the Judiciary is implementing an Integrated Case Management System (ICMS) to automate workflows and notifications for more timely case processing. The ICMS is expected to be fully functional by December 2021. However, the ICMS does not yet have data defined for key performance indicators to facilitate analysis of court processing times.

2. **Objectives**:

The general objective of this consultancy is to support the Judiciary of the Bahamas' goal of reducing lengthy case processing time through improved court data analysis. Specifically, the consultant will:

- Assess the status of implementation of previous recommendations to reduce case processing times
- Define required data and metrics to develop a dashboard to track court performance by examining case processing times (times to disposition).
- Develop court performance indicators from data gathered by the ICMS (including case processing times), and
- Support the ICMS programmer develop a dashboard to facilitate the analysis of these indicators in an on-going (and possibly in real-time) basis within the ICMS.

3. **Specific Duties and Responsibilities**

- Prepare an initial report summarizing previous reports' recommendations for reducing case processing times and status of each recommendation's implementation. The report should also identify any new or additional issues that may have arisen since the last reports, provide recommendations to address such issues, assess the average and range of case processing times for each type of case, and propose standard case processing timelines.
- Prepare a second report identifying key performance indicators that affect case processing times that can be tracked by the ICMS and make recommendations for a Cases Progression Dashboard that will track, analyze and display data on the performance level of the courts.
- In coordination with the Judiciary and the ICMS provider, support launch of an online dashboard that can be integrated into the ICMS and/or automatically draw information into an external platform (see Annex PART 3 - Design a Cases Progression Dashboard that defines the dashboard and its functionality).
- Ensure cases are monitored, accurately counted, and tracked in the system (embedded in the ICMS – The Cases Progression Dashboard)
- Draft ToRs to support engagement of a Business Analyst to analyze data produced by the dashboard and the ICMS on an ongoing basis to enhance court performance

4. **<u>Deliverables</u>**:

The Consultant will collaborate with key persons of the Judiciary, the SME (CSJP) and for the purpose of setting up the dashboard, representative of the ICMS.

Develop a Work Plan:

The consultant will develop a workplan to define the approach to this consultancy. The plan will have milestones, defined metrics to be applied and a methodology for examining the court performance and developing the dashboard. The workplan will be the road map to the work of the consultant and help guide in the completion of activities. As example the plan would contain the following elements:

- Work Breakdown Structure
- Scope statement
- Quality management plan
- Stakeholder register
- Milestones with dates
- Required input from the client

Deliverable 1: Assessment Report – to be submitted within one month of contract signing

The assessment report should include:

a. *Demographics of the local judicial system*
b. *A reconciliation of recommendations put forward in previous related initiatives with actual implemented activities post these recommendations*
c. *Key stakeholder input (ie: the Judiciary, the Office of the Attorney General, Ministry of National Security, the Police, Dept. of Public Prosecutions, Dept. of Correctional Services, Social Services, Public Defender's Office and the Bahamas Bar Association)*
d. *New and previous outstanding issues that impact efficient case processing.*
e. *Information on forecasted impact of the ICMS on improving case processing times*

Deliverable 2: Design the Cases Progression Dashboard and Define Backlog – by the end of the 2nd month

The design will incorporate but not necessarily be limited to the following:

a. *Court Performance Indicators to be tracked in the ICMS inclusive of case processing times*
b. *An agreed definition of case backlog*
c. *Recommendations for improving efficiency as outlined in the assessment report*
d. *Recommendation on personnel needed to maintain the dashboard*

Deliverable 3: Set Up the Cases Progression Dashboard within the ICMS – by the middle of the 4th month

a. *Create the dashboard as part of the ICMS tailored to meet the needs of the judiciary*
b. *Test the functionality of the dashboard*
c. *Demonstrate the use of the dashboard*

Deliverable 4: Final Report, by end of 5th month – Submit a Final Report to include:

a. *Recommendations on sustaining gains achieved during the project*
b. *Recommendations on using data points produced by the Cases Progression Dashboard to strengthen the system; specifically, to improve the completion of cases*
c. *Recommendations on improving the interdependent work of separate justice sector institutions*
d. *Recommendations on policy areas needed to support the new environment*
e. *Recommendations on human and physical resources needed to adequately support the system and*
f. *Recommended budget needed to support the system*

5. Payment Schedule

This assignment should be completed during the period of 6 months

i. 10% upon signing of contract
ii. 25% upon acceptance of Deliverable 1
iii. 25% upon acceptance of Deliverable 2
iv. 25% upon acceptance of Deliverable 3
v. 15% upon acceptance of Deliverable 4

6. Organizational Relationship:

This position will collaborate with key personnel involved in the ICMS and related areas of the judiciary and report directly to the CSJP Project Manager.

7. **Qualifications, Knowledge and Experience**

- A degree and/or certified training preferably in Law, Criminal Justice, Data Analytics, Data Management and/or applied ICT, or other relevant area
- At least 3 years of experience in the past 10 years working on modernization projects applied to the judiciary and/or civil service sector
- 3 years of experience developing data driven dashboards and applied analytics
- Work on at least one similar project in the past 3 years
- Excellent analytical, written, and oral communication and presentation skills
- Experience working both independently and harmoniously with teams
  Experience working with dynamic projects that require flexibility and on-demand problem solving skills

8. Citizen Security & Justice Program Recourse

The Citizen Security and Justice Program reserves the right to withhold all, or a portion of payment if performance is unsatisfactory, if work outputs are incomplete, not delivered, or for failure to meet deadlines.

9. Application Requirements

Interested candidates shall submit the following:

- Cover Letter/Letter of interest (dated and signed), explaining why they are the most suitable for the work
- Curriculum Vitae (CV)
- Provide a short statement summarizing 3 recent experiences from the past 5 years, which demonstrates the applicant's knowledge, experience., skills and ability to successfully execute the consultancy or a recent performance evaluation that supports the same.

11. Obligations of Citizen Security and Justice Program, Project Implementation Unit

The Citizen Security and Justice Programs, Project Implementation Unit agrees to:

i) Review and provide feedback on consultancy deliverables;
ii) Provide the consultant with all necessary logistical support to ensure that the consultant undertakes the consultancy with reasonable efficiency;
iii) Provide consultant with all previous reports that should be reviewed and considered under this consultancy (inclusive of reports referenced in this ToR);
iv) Meet all the agreed cost related to the consultancy.
v) Provide relevant documents and make all necessary contacts as needed; and
vi) Guide the consultancy as needed.

12. Intellectual Property Rights

The Bahamas judiciary shall hold all property rights, such as copyright, patents and registered trademarks, on matters directly related to, or derived from, the work carried out through this contract. The consultant shall avoid copyright violations on all work related to this contract

Annex

(*Guidelines for the Consultancy*)

NOTES :

The consultant will first need to define what is backlog and when does it start. For the criminal division the start would be different than the civil division. The judiciary and consultant will need to agree on the formal definition of backlog to be applied to this project. Answering questions at what point does it start? The reduction strategy will need to consider the differences in the Supreme Court Vs. Magistrates court. The reduction strategy will also need to consider the different operational and workflows of the divisions within the court. For example, reducing the completion of cases in the criminal division will require a very different strategy in comparison to the family division. Developing the completion of cases dashboard is the first step.

The categories listed below make up the data points that will need to be obtained to design the completion of cases dashboard. In summary they are:

Case flows
Unit of measurement
Clearance rate
Case turnover ratio
Duration of proceedings
Disposition Time indicators
Rate of resolved cases within established timeframes
Age of pending proceedings
Number of adjournments during proceedings
Efficiency rate
Structural and organizational indicators

Below is a brief explanation and definition of each category for the purposes of this assignment.

Case flows: new cases, resolved cases and pending cases
a dashboard can be used for tracking a particular case against the following measures:

- Case processing time standards for that case type or case track
- Performance measures of cases of the same type or case track – case clearance rate, case processing time, cases progression (snapshot), trial date certainty
- Norms of continuances for that case type or case track

Pending cases on 1 January of the calendar year (PS = pending start)
New cases initiated in the calendar year (N)
Resolved cases in the calendar year (R)
Pending cases on 31.12 of the calendar year (PE= the end of the period)

	Pending cases on 1 January of the calendar year (PS = pending start)	New cases initiated in the calendar year (N)	Resolved cases in the calendar year (R)	Pending cases on 31.12 of the calendar year (PE= the end of the period)
Unit of Measurement				

Unit of measurement

The unit of measurement may be a single area of law, a division within a court, or a court in its entirety. The applied formula is:

$$PE = PS + N - R$$

It is important to precise that pending cases at the end of the period (PE) for period Xt, are the pending cases at the start of the period for the following period Xt+1.

Clearance Rate (CR): the ratio between the number of resolved cases (R) and the number of incoming cases.

$$Clearance\ Rate\ (\%) = \frac{Resolved\ cases\ in\ a\ period}{Incoming\ cases\ in\ a\ period} \times 100$$

Case Turnover ratio

This ratio measures the relation between the number of resolved cases and the number of unresolved cases at the end of period. It measures the frequency with which a judicial system or a court replaces the number of received cases.

$$Case\ Turnover\ Ratio = \frac{Number\ of\ resolved\ cases\ in\ a\ period}{Number\ of\ unresolved\ cases\ at\ the\ end\ of\ a\ period}$$

Duration of proceedings

The duration of proceedings is the most important and significant indicator for measuring the performance of judicial systems and their components.

There are two important indicators concerning the duration of judicial proceedings (both for civil cases and for criminal or administrative cases):

A) Actual duration
B) Prospective duration

The actual duration measures the laps of time between the date on which a new case is initiated and the date where a judgment is issued. In this regard, the completion of a case or trial may be regarded as the time when the operative part is read by the court (where such a procedure is provided for), or alternatively the later date on which the details of the judgment are filed. Both points in time have a statistical significance, as the reading of the operative part is useful for the purposes of the practical consequences for the parties, who at that time become aware of the outcome of their dispute, i.e., become officially aware of who has won and who has lost the case. With regard to criminal trials, it is the time when the defendant becomes aware of whether he or she has been found innocent or guilty. The second point in time is significant, in particular with respect to the activity of the judiciary and of court registries as the legal and administrative requirements relating to a procedure are all completed with the drafting and filing of the judgment.

The effective duration is a final indicator which is very precise concerning the time used in order to address a case. By extrapolating from historical data using specific statistical techniques, which rely on sophisticated modern software programs, it is possible to estimate the expected duration of "open" proceedings, i.e., those that have not yet been concluded.

However, legal systems do not always have a database containing information relating to the effective duration of all resolved proceedings. In order to avoid this challenge and ensure that a comparative indicator can be calculated for all judicial systems, , we generally use a formula from the logistics' theory. It measures the time a product stays in stock by its input and output flows. Such formula is reported below as **Disposition Time (DT).**

DT indicator determines the number of days necessary for a pending case to be solved in court and provides further insight into how a judicial system manages its flow of cases. This indicator compares the number of resolved cases during the observed period and the number of unresolved cases at the end of the observed period. 365 is divided by the number of resolved cases divided by the number of unresolved cases at the end, so as to be able to express it in number of days.

$$Calculated\ Disposition\,Time = \frac{365}{Case\ Turnover\ Ratio}$$

The result of the operation indicates the average prospective duration in days. DT can also be calculated as the ratio between the sets of proceedings pending at the end of the period [PE] and the sets of proceedings resolved during the reference period [R]. This formula corresponds to an intuitive logic. Where 100 cases are pending at the end of a given year and 50 cases are resolved during that year, it follows that the pending cases will be solved within two years.

Rate of resolved cases within the established timeframes:
Percentage of completed cases within a certain period of time. The period of time is the period regarded as the desirable, reasonable length of proceedings, or which is stipulated as such by law.

Age of pending proceedings:
The number of cases that are pending on a given date, grouped according to the year in which they started. Alternatively, the percentage of pending cases that have been open for longer than a set time limit (for example, percentage of cases pending for more than three years).

Number of adjournments during the proceedings:
The number of adjournments decided prior to the solving of the case.
This indicator may be calculated as the simple average of the adjournments recorded for each case.

There can be many reasons for adjournments. If we examine them all it is clear that responsibility may be, to varying degrees, equally shared between all participants in the trial. These range from service errors committed by registries to absences of judges, which are not always justified and mean that panels cannot be convened by using the agreements of counsels - which are necessary in some cases although, in others, result merely from delaying tactics. Obviously, there is also no lack of cases in which witnesses or the accused themselves fail to appear.

Efficiency rate (ER indicator):
The relation between the number of personnel used in a court in a year and the output of cases from the same court at the end of the year. Typically, this indicator is applied to homogeneous categories of activity such as civil justice, criminal sector, administrative tasks, etc.

Structural and organizational indicators:
The number of judges in relation to the population, judges' workload, number of lawyers in comparison with the number of judges, administrative staff in comparison with to judges. There are a series of very useful structural and organizational indicators to assess the adequacy of resources – both human and material – with regard to the efficiency and efficacy of judicial services. These include, for example:

- the ratio of judges reported to the population;

- the ratio between the number of judges working on a specific category of cases and the number of resolved cases per category;
- the ratio of judges reported to lawyers;
- the number of judges in comparison with the number of non-judicial staff.

The Assessment should include the following:

- The Impact of the e-scheduling on the cases clearance
- Digital recording and transcript generation – its role in the cases clearance rate, how often are clearing cases are due to parties requesting transcripts of proceedings?

The design will inform the development and implementation of strategy based on output of assessment study. The consultant will consider the following resources and required materials for review:

1. Document Review inclusive of:
   Prior diagnostic reports, studies, plans and proposals pertinent to backlog, delay in case disposition and case management in the justice system of The Bahamas, including those generated under the IDB-funded 'Pilot Project for a Swift Justice System in the Commonwealth of The Bahamas' (BH-T1037), in addition to the overall 'Swift Justice Initiative' managed by the Government of the Commonwealth of The Bahamas.

2. Site Visits and Consultations inclusive of:
   - One-on-one meetings, or virtual if prohibited by Covid;
   - At least one group workshop with key actors within relevant institutions of justice, including: the Judiciary; the OAG; the Royal Bahamas Police Force; the Office of the Department of Public Prosecutions; the Bahamas Department of Correctional Services, Social Services, the Public Defender's Office and representatives of the Bahamas Bar Association; and
   - Direct consultation with Anchor, the vendor contracted to deliver ICMS to improve delivery of services within the judiciary. The ICMS seeks to advance the development of the judicial ecosystem through its comprehensive Jworks application.

3. Process Review and Analysis inclusive of:
   - Assessment of the as-is business processes and workflows produced by Anchor Group. (Including manual and electronic case management processes in each institution/office); and
   - Documentation of the to-be processes for an Integrated Case Management System (ICMS) also produced by the Anchor Group.
   - Assessment of causes in delays for locating witnesses and bringing them to court

The output will be focused on a plan and strategy that includes the following:

1. Strategic Plan consisting of the following:
   - Examine legal structure, laws, acts and regulations that could be introduced to improve the reasons and causes of backlog.
   - Defines the degree to which the information and services are to be shared across agencies as part of interoperability requirement
   - Considers the current capacity, organizational strucutre needed to support the new environment, resources, strengths and weaknesses of the system, including existing processes and ICT capacity
   - Highlights the key challenges, bottlenecks, implications, opportunities and options based on outputs of the assessment phase
   - Identifies and presents best practice experiences and lessons learned from other commonwealth countries

PART 3: Design the Cases Progression Reduction Dashboard

The key output of part 3 will be to produce a case Cases Progression dashboard that will be implemented to support data driven decision making in an effort to reduce case Cases Progression.

In addition, case flow management, will need to be incorporated into the dashboard to track a particular case against the following measures:

- Case processing time standards for that case type or case track
- Performance measures of cases of the same type or case track
  - case clearance rate, case processing time, case Cases Progression (snapshot), trial date certainty
- Norms of continuances for that case type or case track

Addressing Backlog Causes

Correcting the imbalances of a backlog will require multiple approaches. Case demand needs to be matched with sufficient workforce supply, and process efficiencies. The court leadership must be provided with data points to enable them to follow the backlog reduction policy and see it as a priority. Finally, accountability structures must be suggested by the consultant to help monitor performance at all levels of the court and its divisions.

Strategies relating to workforce that this consultancy will consider and provide recommendations for the following:

- New staff positions
- Targeted staff redeployments
- Overtime pay
- Expedited hiring and on-boarding processes
- Contracting and/or partnering with private providers
- Use of temporary staff

Strategies to develop more efficient infrastructure and streamlined operations that the consultancy will examine and make recommendations on include:

- Policy changes such as paperwork reduction
- Accountability infrastructure to hold staff and leaders accountable to commitments
- Improvements to practice such as more consistent supervision

Data Collection

The level of detail and accuracy of a KPI is directly linked to the level of detail and accuracy of the ICMS which will store and analyze the relevant data. A detailed and reliable data source will be obtainable from the judiciary's ICMS called "'Jworks," to form the foundation for the creation of a detailed case Cases Progression dashboard.

The consultant will work with the ICMS vendor, Anchor Group, to set up and obtain data on a regular basis for developing the performance indicators. Below is a recommendation of the type of data that should be considered, this is however, not an exhaustive list and the consultancy should consider other data sources to achieve its overall objective and provide the judiciary with a complete case backlog reduction dashboard.

Data	Value
•number of parties in the case;	
• number of hearings conducted per case;	
• number of approved applications (interlocutory applications) to reschedule hearings;	
• length of procedural stages in each case (number of days for pre-trial stage, trial stage and post-trial stage);	
• number of documents/applications (or even pages) submitted in a case;	
• number of judgments rendered in each case (non-final decisions and final judgments that conclude the case);	
• number of cases disposed in each manner of disposition (non-final judgment, judgment on the merits, consent judgment, default judgment, etc.), number of judges per type of proceedings (civil, criminal, etc.).	

This open-ended list of data to drive KPIs illustrates the level of detail that the judiciary would like to reach. The data collection process and analysis by this consultancy are to be conducted for the purpose of designing a case Cases Progression dashboard and offering the judiciary the ability to make data driven decisions.

PART 4: Development and Implementation of Cases Progression Reduction Dashboard

The consultant will develop an active case Cases Progression dashboard, which will contain, but not be limited to the data represented in the following diagrams and accompanying information. Based on metrics which can be obtained from the Jworks ICMS the dashboard will be tailored to meet the needs of the judiciary. Please note that the diagrams presented below are for illustrative purposes to serve as a guide. It is recommended that the consultant examine the source of the diagrams and explanations located in the HANDBOOK ON COURT DASHBOARDS[1] for further details and ideas on best approaches.

[1] Strasbourg, 17 June 2021, *CEPEJ(2021)8REV1* EUROPEAN COMMISSION FOR THE EFFICIENCY OF JUSTICE (CEPEJ) HANDBOOK ON COURT DASHBOARDS

Overall court performance (C1)[2]

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2 Strasbourg, 17 June 2021, *CEPEJ(2021)8REV1* EUROPEAN COMMISSION FOR THE EFFICIENCY OF JUSTICE (CEPEJ) HANDBOOK ON COURT DASHBOARDS

The overall court performance dashboard provides a general overview of five of the six recommended KPIs in one screen. This dashboard views the performance of the entire court from a "top-level" perspective and lays a foundation for the following dashboards that will dive into detail.

Level of detail:

The upper filtering bar allows the users to select the court (a specific court or all courts of the same instance) and the case category they want to view (such as administrative, civil, commercial, criminal or all in sum). The data are presented over a period covering the last four years (2017-2020).

Content, visual representation and layout:

The upper-left building block uses a bar chart to visualize the annual case counts of incoming, resolved and pending cases. The upper-middle building block displays the clearance rate over time with the threshold value set at 100% as default. This visual point of reference allows the user to quickly spot a sub-optimal clearance rate and draw the relevant conclusions. In this respect, the threshold value is optional and could be changed to any other set goal (including the national average).

The upper-right building block displays the trends in the annual number of pending cases (year-over-year changes) using a column chart. Labels are displayed with absolute as well as relative (%) values to provide both perspectives.

The bottom-left building block displays age of pending cases by predefined age group (such as pending less than six month, less than twelve months, more than thirty-six months). The age groups are visualized via stacked bars with relative values – representing the proportion (%) of individual age categories out of all pending cases.

The bottom building block in the middle shows the calculated disposition time (CDT) as a trend over time while comparing the values of the selected court with the national average (that is, of all courts). Please note that the point of reference can be any goal value set by the court.

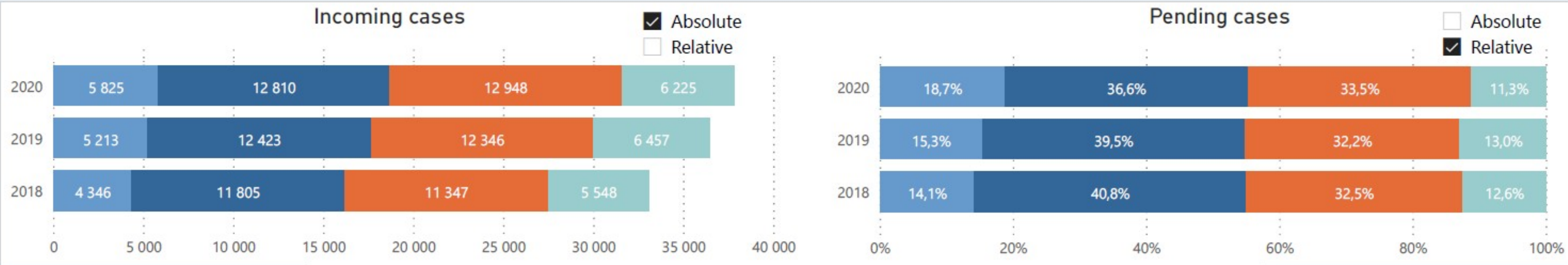
The bottom-right building block displays the average duration of proceedings divided into procedural stages (preparation, hearing and judgment stages). In this respect, judiciaries seeking to display the average for duration as a whole or feature other relevant stages (such as appeal or special recourse) can add this to the initial design.

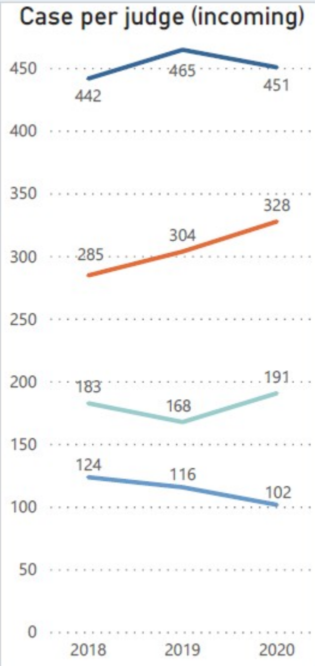
Special features:

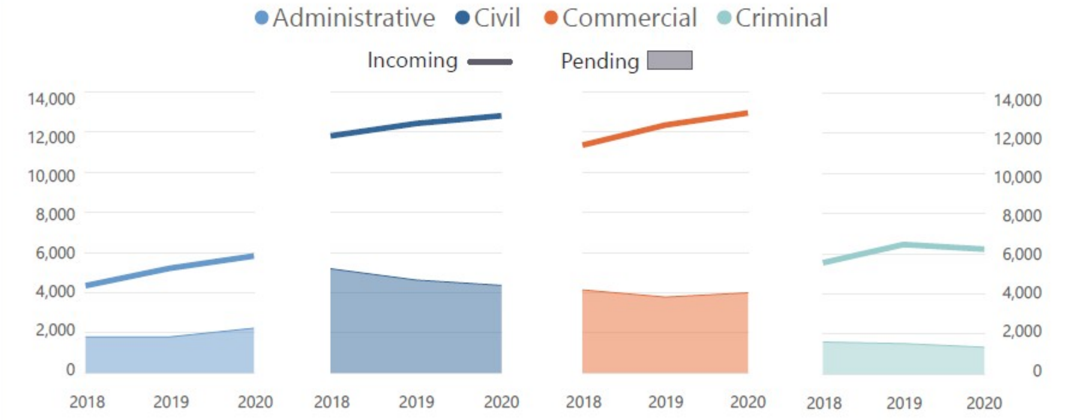
The dashboard uses interactive tooltips with additional information that appear when a user hovers the mouse cursor over a certain graph. For instance, the tooltips may display a breakdown of particular KPIs to compare between different case categories (for example, clearance rate displayed separately for administrative, civil, commercial and criminal cases).

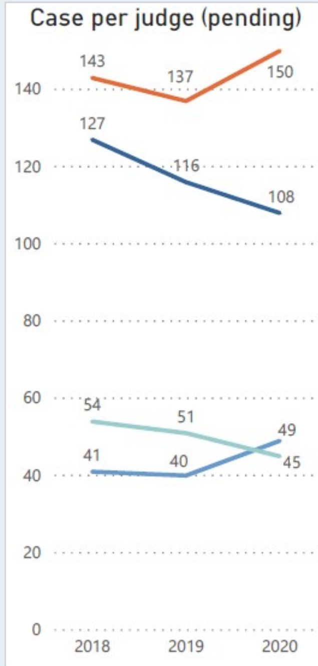
This general overview can also serve as an interactive selection menu in which clicking on individual elements (such as age of pending cases) will redirect the user to another dashboard page that elaborates on selected KPIs in further detail.

Incoming and pending cases in multiple case categories (C2)









Case category	Incoming 2018	Incoming 2019	Incoming 2020	Pending 2018	Pending 2019	Pending 2020
Administrative	-1,2%	16,6%	10,5%	-19,3%	-0,3%	19,5%
Civil	-2,6%	5,0%	3,0%	-4,1%	-12,1%	-6,1%
Commercial	-5,0%	8,1%	4,6%	1,6%	-9,4%	5,3%
Criminal	-16,9%	14,1%	-3,7%	-3,3%	-5,1%	-13,3%
Total	**-5,7%**	**9,3%**	**3,6%**	**-4,3%**	**-8,5%**	**1,7%**

The above dashboard (C.2) was originally designed to display the overall performance of multiple case categories. However, in the process of designing the dashboard, the limited space and the desire to display the data in detail resulted in a decision to divide the data between two dashboards. Therefore, dashboard C.2 focuses on incoming and pending cases, and the following dashboard (C.3) completes the portrait by displaying the KPIs regarding resolved cases.

Level of detail:

The dashboard displays yearly data of four case categories over a span of three years. The case categories are displayed in a custom, predefined order, which is kept consistently throughout all of the court-level dashboards presented here. Additionally, this template could also be used to display the case categories comparison at the national level (all courts).

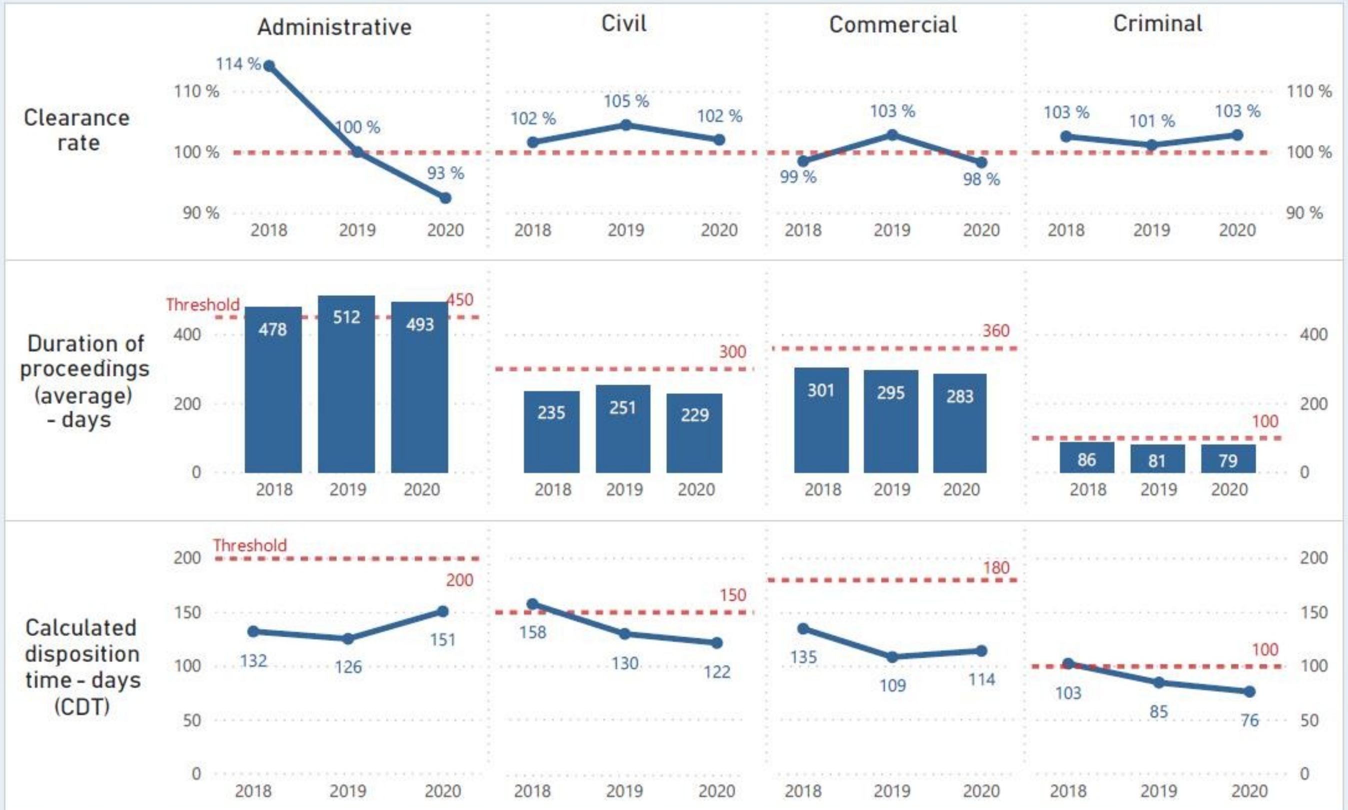
Content, visual representation and layout:

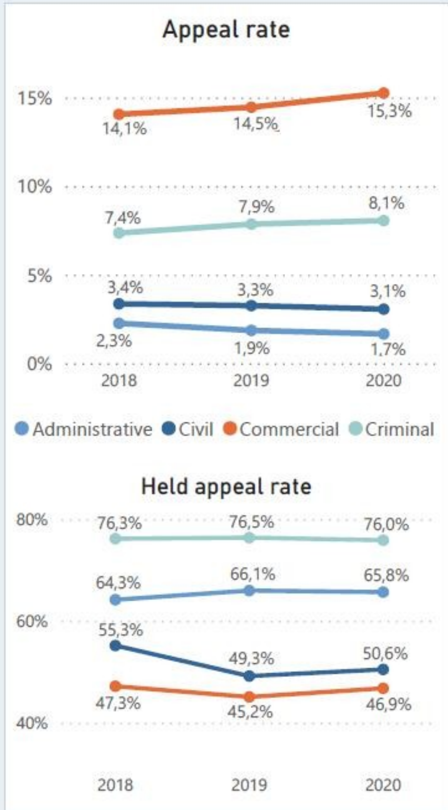
The top-left building block display the incoming cases and the top-right building block displays the pending cases. Both KPIs are displayed by individual case categories using a stacked bars chart. The user can switch between viewing absolute and relative (%) values – to see both perspectives. The middle building block consolidates the data on both KPIs into one chart using a combination of line chart and area chart.

The table in the bottom part of the dashboard displays the relative yearly changes in incoming and pending cases. An arrow symbol has been added to indicate an increase in the values. Additionally, a red color is used to draw the attention of the user to an increase in pending cases.

The lower-left and right building blocks display the average number of incoming and pending cases per judge. These components were added to illustrate the possibility of incorporating other related (optional) KPIs that can provide further context.

Resolved cases comparison between different case categories (C3)





Case category	Clearance rate	national avg.	CDT	national avg.	Duration	national avg.	Held AR	national avg.
Administrative	93%	99%	151	203	493	472	65,8%	57,3%
Civil	102%	103%	122	134	229	204	50,6%	51,9%
Commercial	98%	101%	114	161	283	273	46,9%	49,1%
Criminal	103%	105%	76	71	79	87	76,0%	67,7%
All	**99%**	**102%**	**116**	**129**	**206**	**204**	**55,7%**	**53,5%**

Case category	Timeframe - months			
	A	B	C	D
Administrative	18	24	30	**36**
Civil	18	**24**	30	36
Commercial	18	24	**30**	36
Criminal	**12**	18	24	36

The above dashboard displays a resolved cases comparison between different case **categories (C.3)** to complement the previous comparison shown in dashboard C.2. The level of detail remains the same, displaying the KPI breakdown by case categories over a span of three years.

Content, visual representation and layout:

The upper-left building block contains a comparison of selected KPIs per each case category: the clearance rate (including a highlighted 100% threshold); the average total duration of proceedings; and the calculated disposition time (both of which include a highlighted custom threshold for each case category that each court system may set for itself).

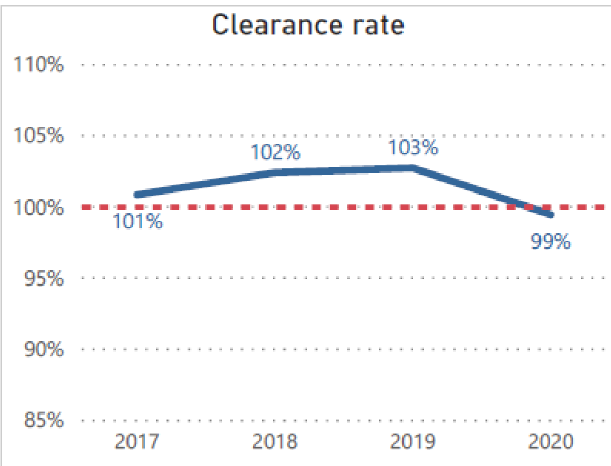
The upper building block on the right shows the appeal rate (proportion of the appealed cases out of the total resolved cases) and the held appeal rate (the proportion of appeal cases in which the appeal instance confirmed the first-instance decision). These two indicators were added to illustrate the possibility of including other relevant information and customizing the dashboard to one's own needs. In line with previous comparisons, the graphs contrast the individual case categories.

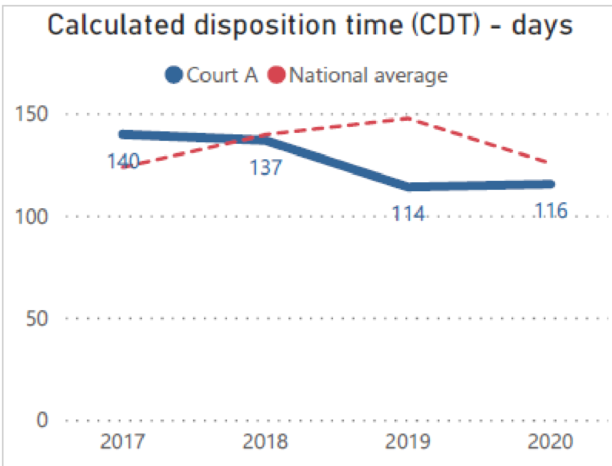
The bottom-left building block provides a table summary of current KPI levels and a national average (in grey) for comparison and context. A red color is used to draw attention to potential problems in performance.

The bottom-right building block shows a table indicating the timeframe goal that the court achieved (highlighted in blue). The information is provided for each case category (based on the age of pending cases), displaying the label of the timeframe (A, B, C, D) as well as the matching timeframe set for each case category (in months).

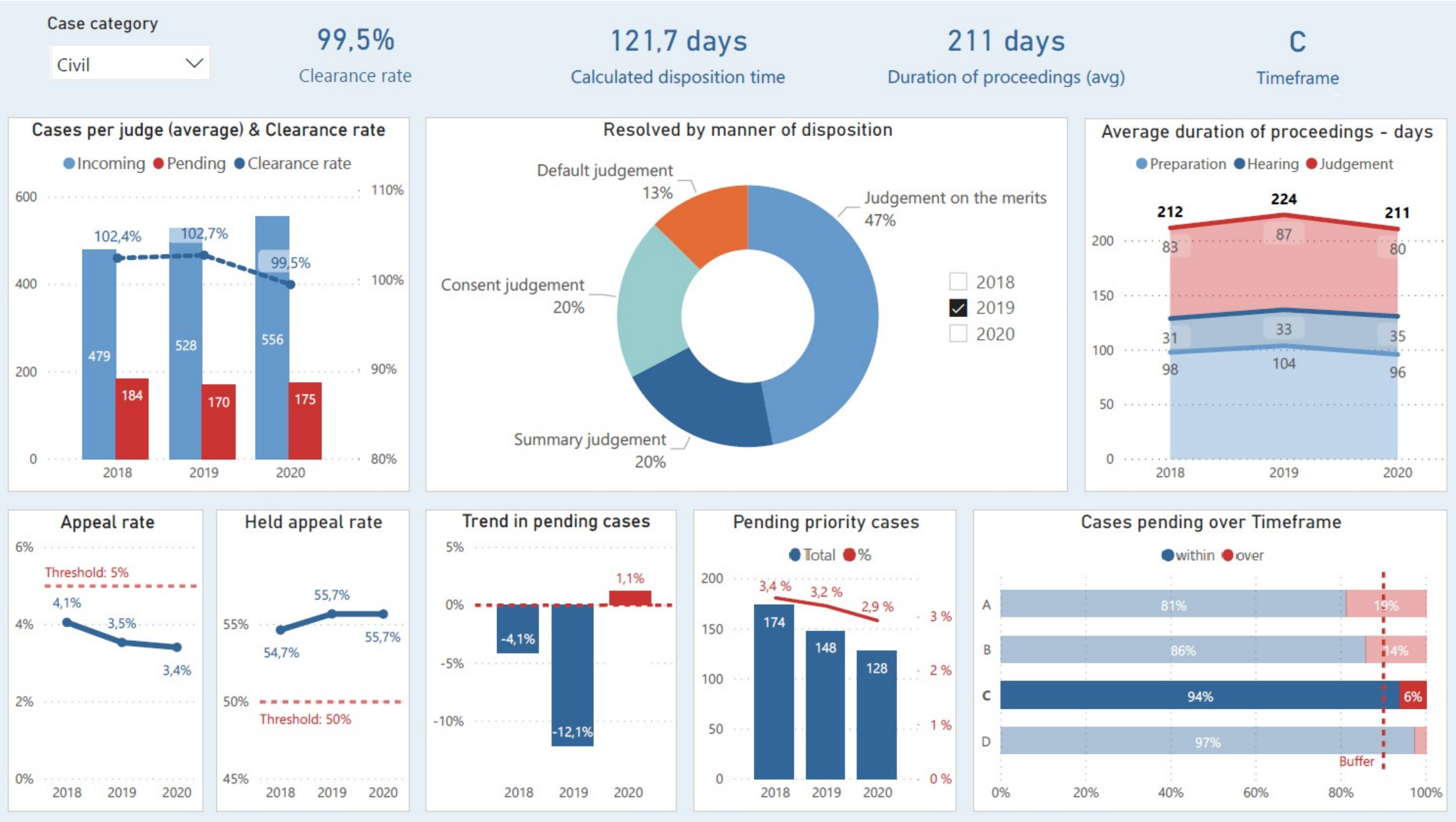
Adding benchmarks, average values and goals:

To provide additional context or a point of reference, KPIs in individual dashboard elements can be complemented with other values such as average values or goals. For example, a graph displaying calculated disposition time for a particular court can also feature an average value for all courts of the same type – to allow for a quick comparison of the court's performance against others. Alternatively, the graph may display a goal value set by the court – to monitor progress towards planned objectives. To give an example, a graph displaying a court's clearance rate can be enhanced by adding a benchmark line (such as 100%) so it is immediately recognizable which values are above or below the threshold and by how much.





Focus on an individual case category (C4)



In contrast to the previous dashboards, this dashboard **(C.4)** focuses in detail on a single case category (civil), providing the user with yet another (specific) level to observe. The advantage of this display is the ability to dive into detail and view specific elements that are more suitable to being displayed at the level of the individual case category instead of an aggregated display for all the case categories. For example, visualizing the aggregated data on manners of disposition for the whole court could be problematic, as the list of manners of disposition differ among the different case categories. For this reason, it is more suitable to display this KPI set per each case category separately.

<u>Content, visual representation and layout:</u>

This dashboard is composed of several sets of KPIs. Therefore, to avoid a cumbersome and difficult-to-read display, the choice of visualization and overall layout was kept simple enough. The top header includes a basic filtering toolbar (case categories filter) to highlight the current values of selected KPIs (clearance rate, average total duration of proceedings, calculated disposition time, timeframe).

The upper-left building block displays the incoming and pending cases per judge (average) together with clearance rate, by using a combination of column and a line chart. The case count may also be displayed as a total sum (instead of the average per judge).

The upper-center building block displays a segmentation of the resolved cases by the manners in which they were disposed of. The visual may include other manners of disposition – the four common examples were chosen for illustrative purposes.

The upper-right block presents the average duration of proceedings displayed by intermediate stages and stacked on top of each other to show the total duration as well.

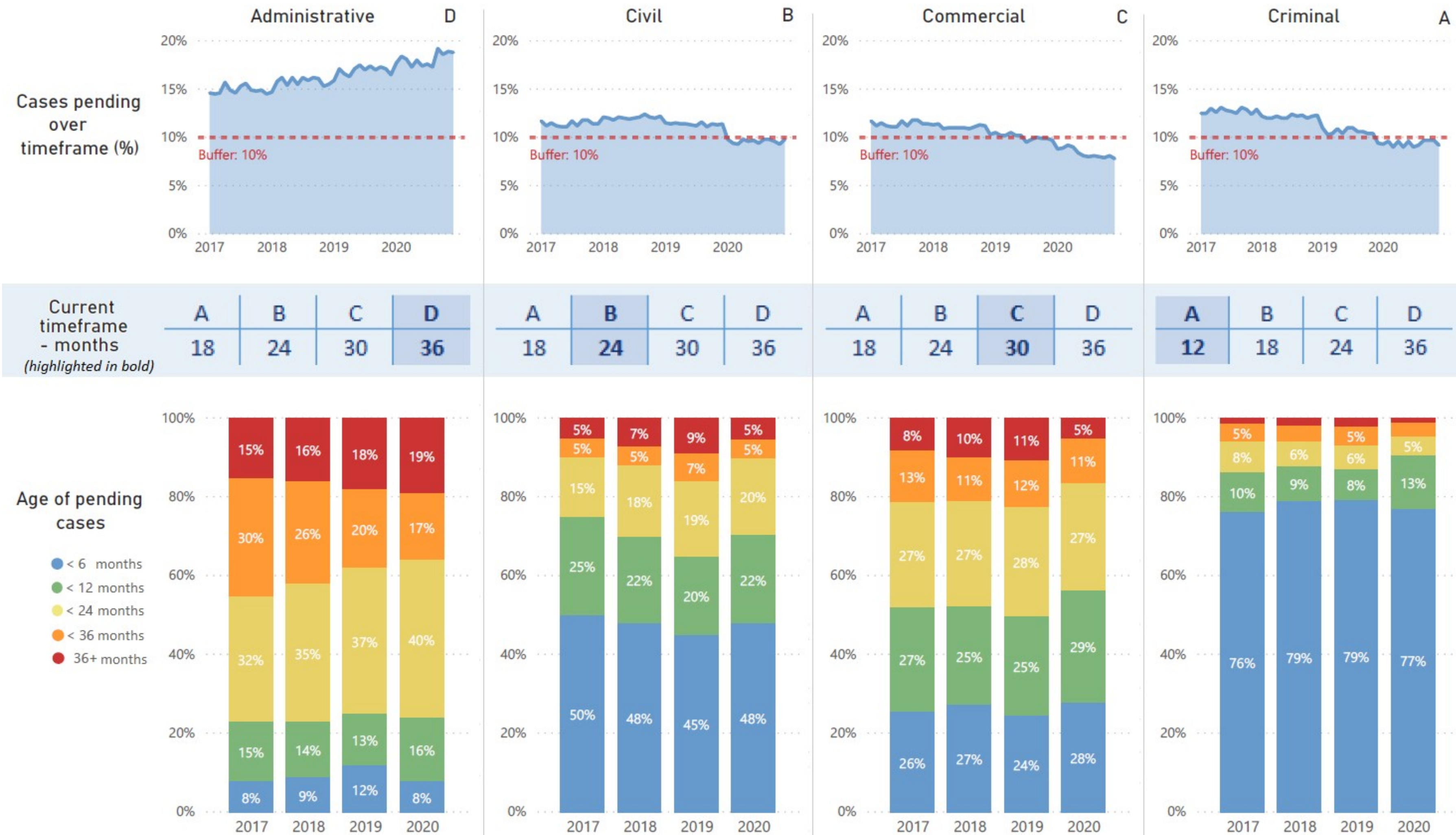
In the bottom-left corner, appeal rate and held appeal rate are complementing the set of recommended KPIs to illustrate the various customization options available. The display may also include a national average or other custom value (threshold) for reference.

The bottom blocks in the center display the trend in annual pending cases using a red color to draw attention to negative trends (an increase in the number of pending cases from one year to the next).

The priority cases (displayed as absolute and relative values) were included to illustrate the ability to put additional emphasis on certain important aspects of the recommended KPIs.

The bottom-right building block concludes the dashboard with the percentage of cases pending within and over the timeframe. The information is displayed for all timeframes (A, B, C, D) while highlighting the timeframe the court currently achieved (C). A 10% buffer is included to take into account potentially complex cases that are difficult to resolve within the standard timeframe.

Timeframes comparison between multiple case categories (C5)



The above dashboard displays a comparison of timeframes by case categories **(C.5),** and demonstrates that apart from examining the performance via a set of various KPIs, users can also focus in detail on just one specific topic – in this case, age of pending cases (the nature of the data also favors this kind of separate elaboration via multiple graphs as it leaves little room for other indicators).

Content, visual representation and layout

The upper row in the screen shows the percentage of cases pending over the current timeframe separately for each case category – with a 10% buffer to take into account complex cases (the current timeframe is indicated in the top-right corner of each area graph). If the value is below the buffer line, the court has less than 10% of cases pending over the timeframe and therefore achieves the goal. Conversely, if the value is above the buffer line, the court has more than 10% of cases pending over the timeframe and therefore does not meet the respective goal. The area chart displays the value as a trend over time, which lets the reader see the court's chronological progress towards the set goal.

The middle row displays the current timeframe, which is highlighted in a darker blue color and bold font. Apart from the label of the timeframe (A, B, C, D), the chart also shows the number of months (goal value) of all respective timeframes.

The lower part of the screen displays the age of pending cases by predefined age groups (trends over time) – using a stacked columns chart with the relative values (%) of the individual age categories. The age groups may of course be modified to fit one's own purposes and data structure.

PART 5: Development and Implementation of a Backlog Reduction Strategy

The solution will incorporate the causes of different types of cases. Consideration will be given to the impact of legislation and court rules to solve the root problems, which can be critical to reducing backlogs downstream

The upstream and downstream effects are critical to be incorporated in the solution. Backlogs never exist in a vacuum. Changes outside of the case system will be considered as part of the reduction plan.

Staff is a critical component of any backlog-reduction plan. The plan must examine incentives, required training, and forms of motivation. The solution will examine the concept of connecting the work to real impact. To help staff see/understand their impact, not just moving paperwork.

The reduction solution will also examine what areas of the process may be automated.

The solution will assess the process and the shadow process, and leverage data from the dashboard to understand which areas to target first. Focusing on highest-value adds. The perspectives of the critical stakeholders will be considered and their feedback will be incorporated into the solution.

Preventing future backlogs

Reducing a current backlog is as essential, as is preventing future backlogs. Maintaining manageable caseload sizes, regardless of fluctuations in volumes over time, is a critical strategy.

The dashboard will offer the ability of court leadership to constantly monitor case volume changes. The ability to react quickly is a key strategy to prevent future backlogs. In addition, this data will help the formulation of preventive policies for backlogs and practices to assist the court.