

## CREATING CHANGE IN RURAL COURTS:

### CASE MANAGEMENT IN THE SOUTHWESTERN JUDICIAL CIRCUIT OF GEORGIA

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#### ABSTRACT

This paper reviews the issues that strike the rural court system which serves one-quarter of the United States. Rural courts face the basic issues of all courts: limited resources and expanding caseloads. Funding maybe lacking because unlike their urban sisters, the rural courts are often not remembered by the media or the legislature. The research literature and studies of rural court issues, though limited and dated, find that the issues of comity, isolation, distance, and inertia differentiate the culture of the rural court from the urban.

Until January 2000, the Southwestern Judicial Circuit (SWJC), State of Georgia, employed two full-time general jurisdiction trial judges for a six county circuit. The appointment of a third judge and the possible addition of a circuit-wide criminal calendar clerk created a need for organizational change in the SWJC. Clear opportunities are available for increased case movement, timely dispositions, and improved record keeping. This paper addresses ways the SWJC can create effective cultural and organizational change that will benefit the constituents of the six counties.

The methodology used for the paper combines a literature review of rural court systems, case flow data collection and informal interviews with personnel in the SWJC. Several national standards for case management were used to establish objective criteria for SWJC's court management. These standards include the American Bar Association's (ABA) Time Standards, National Center for State Courts Trial Court Performance Standards, and corporate organizational operations. Rudimentary data is presented based on the case counting methods used in the State of Georgia. Further data was collected through informal interviews of the judicial staff of the SWJC and the six county superior court clerks' offices. A "Process Plan" to implement changes for improved case management concludes the paper.

The Process Plan is adapted from appropriate dispute resolution techniques, corporate business, and organizational design. Each phase of the plan is designed to show immediate small results in the work lives of the court employees. Employees are encouraged to take part in a structured decision making process that blends brainstorming and consensus-building developmental strategies with the no-nonsense realities of case statistics, limited resources and community interdependence. The Process Plan cuts away at the niggling idiosyncrasies of personality and tradition conflicts by focusing the participants on the self-defined problems of the court rather than the personalities that run it. Based on several studies of large corporations and by refocusing on the rural court as an organization, the Process Plan lays out steps for the self-diagnoses of problems and the creation of solutions. The premise of the Process Plan is to provide the SWJC with a short term (nine month) process that gives all stakeholders a voice in the decision making. Outside objective standards as listed above are for comparison and the Process Plan itself is a road map for change not a destination. Taking a lesson from corporate businesses that have successfully managed cultural change, the Process Plan asks each member of the court personnel to tackle issues facing them and develop solutions.

#### Phase I Taking Care of Business

This phase is meant to be a short cut or band-aid measure to allow the court to proceed with further planning.

#### Phase II Joint Diagnostic Teams

Involving all the court personnel in the planning and decision making for the court is time consuming in the beginning. The reward for deliberate and thoughtful planning with the persons who will deliver the service is a smooth implementation process.

#### Phase III Setting Common Visions and Goals

This reviews the court as an organization. The court is the instrument of impartial justice in the community. How does this get accomplished? Is the court producing a superior product? Are clients being served effectively? Do employees have the resources they need to do their jobs properly? What objective standards are available to establish whether or not the court is accomplishing its goals? Develop an overall Statement of Purpose.

#### Phase IV Generating Options

Does the court accomplish its daily tasks? What options are available? What resources? Can changes in responsibilities or a shift in priorities create options?

#### Phase V Implementation

Once priorities are set and buy-in is created with the court personnel, the implementation can begin. What if there are glitches? What are feedback loops? Who makes final decisions?

#### Phase VI Informal Evaluation

Are we meeting our overall Statement of Purpose? Are there visible signs of improvement? What needs to be revised?

#### Phase VII Evaluation

How does this court compare to national standards? What do the end users say about our service? Is this procedure written down somewhere for new court employees?

#### Phase VIII Completion and Maintenance

How does the court maintain existing standards? What needs revision? How do we not lose momentum?

Immediate changes and visible results are the key attention grabbers in the Process Plan. The high level of flexibility in the Process Plan allows the court employees to direct their energies to the specific needs of the court. The plan is intentionally content light and process heavy to focus participants on their own knowledge and ability to respond to problems. A facilitator is highly recommended for the first five stages. During Phase VII an outside evaluation would enhance the credibility of the organizational change. In the end, any plan is only as good as the effort that is behind it.

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