

Managing Cases

AN EVALUATION
OF THE
CASE MANAGER
PROGRAM
IN
DELAWARE'S
SUPERIOR COURT

by
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and
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Introduction

In 1996, Delaware's Superior Court received a grant from the U. S. Bureau of Justice Assistance (BJA) to increase the efficiency of the judiciary by hiring administrative support. The grant provided funding for five criminal case manager positions to assist with managing aspects of the criminal case process. The case managers were also to provide administrative and technical support to the three commissioners so that they (the commissioners) could assume additional courtroom work. In turn, assistance to the commissioners would increase the amount of time available for the judges. Through the

provisions of this grant, Superior Court's goal was to increase trial availability for the judges, thus increasing the capacity to dispose cases and reduce delay.

In order to examine the effectiveness of the case manager program, the Superior Court contacted the Center for Community Development & Family Policy and the School of Urban Affairs & Public Policy at the University of Delaware to conduct a "process" evaluation of the program. A "process" evaluation is a systematic examination of the goals and implementation of the program.

The primary purpose of this evaluation was to document the "lessons learned" in order to improve effectiveness within the court. Qualitative data was collected from the Court Administrator, Case Managers, Prothonotaries, Commissioners and Judges.

The data that we gathered did the following:

(1) documented the new approach that Superior Court has taken with the added administrative support;

(2) identified the "lessons learned".

The evaluation questions that guided this inquiry were:

➤What were the perceived objectives of the program?

➤How has the program been implemented?

➤How did the program-as-implemented compare to the program intentions?

➤What were the perceptions of different participants in the program of:

(a) strengths?

(b) weaknesses?

(c) ways to improve in the future?

Superior Court of Delaware

Superior Court is Delaware's court of general jurisdiction. It has statewide original jurisdiction over criminal and civil cases, except equity cases and certain matters designated by statute over which the Court of Chancery has exclusive jurisdiction, and domestic relations matters which jurisdiction is vested with Family Court. The Court has exclusive jurisdiction over felonies and drug offenses, except those felonies and drug offenses involving minors. In civil cases the Court's authority to award damages is not subject to a monetary maximum.

The Court hears cases of personal injury, libel and slander, and contract claims. It also tries cases involving medical malpractice, legal malpractice, property cases involving mortgage foreclosures, mechanics liens, condemnations, appeals related to landlord-tenant disputes, and appeals from the Automobile Arbitration Board. Superior Court also has jurisdiction over involuntary commitments of the mentally ill to the Delaware State Hospital.

The Court serves as an intermediate appellate court, hearing appeals from the Court of Common Pleas, Family Court (adult criminal), and

more than fifty administrative agencies, including the Industrial Zoning and Adjustment Boards, and other quasi-judicial bodies. Appeals from Municipal Court are heard as second trials in Superior Court. Appeals from Superior Court may be taken on the record before the Supreme Court (Administrative Office of the Courts).

The Court's Caseload

In FY'97, Superior Court of Delaware total number of new cases filed, 8,056 filings, exceeded the previous year's record high number for the fourth year in a row, 7,620 filings. Both criminal and civil filings increased during FY'97 over 7 per cent and the case numbers are still growing (Administrative Office of the Courts: Annual Report of the Delaware Judiciary, 1997).

The court administrator, Tom Ralston, stated that Superior Court manages its growing caseload through differentiated case management, alternative dispute resolution methods, and a "customer service" focus in order to serve the public in pursuit of justice. The court's strategic plan is based upon the Trial Court Performance Standards, which emphasize the needs of those who are

served by the court, in addition to what the court itself should accomplish as an organization. One of the projects that exemplifies the court's "customer service" method of caseflow management is the case manager program.

The Court's Condition

In his own words, the Court Administrator describes the court's case processing activities before the case manager program was implemented and the circumstances to which it was to respond.

There were a number of factors which caused the court's workload to continue to increase. The court has moved from being a passive participant to an aggressive manager of its cases. The court has changed the way cases are processed, devising new approaches, tailored to the specific needs and characteristics of classes of cases.

The capacity of others to place demands on the court's time has increased. And the General Assembly continues to produce new requirements that apply to the processing of cases, without any recognition of the additional work imposed by those requirements. Each of these factors is why the court is expending more energy and resources than ever before to dispose each case.

Differentiated Case Management (DCM) is the practice of tailoring case management processes to the specific requirements of classes of cases. For example, murder cases are assigned to individual judges at the time of indictment. The assigned judge is responsible for all

aspects of the case until disposition. Because of the complexities surrounding sexual assault cases, most are assigned to a judge who decides all pretrial issues. Increasing numbers of juveniles facing serious felony charges are being prosecuted as adults. A judge in each county has been assigned to manage the court's juvenile caseload. The responsibility of managing individual cases, or groups of cases, requires judicial time.

Other occasional proceedings or incidental duties have, as the caseload has grown over the years, developed into substantial administrative assignments. One judge in each county is responsible for the assignment of cases, where the public defender has a conflict of interest, to court-appointed contractual attorneys. Petitions for the return of property seized in connection with the prosecution of criminal charges have become a separate caseload. Assigning cases and deciding petitions takes judicial time.

As more defendants are sentenced to incarceration, and all felony cases which result in the longer sentences are sentenced by Superior Court, the number of motions for reduction of sentence, motions for post-conviction relief and other correspondence from inmates have increased astronomically. Deciding these motions and responding to prisoner letters takes judicial time.

Similarly, the number of offenders serving probation sentences has accumulated over the years so that there are more than 16,000 offenders under the supervision of the Division of Probation and Parole. This potential base from which violation of probation (VOP) charges may be filed continues to expand. As the number of offenders on probation increases, so does the number of them who are arrested on new charges and placed on the VOP fast track. The increasing number of offenders serving at level 3 (intensive supervision) probation also means more VOP's are being filed. This expanding base of probationers also increases the number of

them who are cited for failure to pay financial obligations such as restitution, fines and an increasing number of surcharges. It also increases the number of tax intercept appeal hearings for offenders whose tax refunds are confiscated to pay their court-ordered obligations. Reading probation reports, deciding VOP charges, and conducting VOP fast track hearings, contempt hearings for failure to pay, and tax intercept appeal hearings- they all take judicial time.

Over the years, the number of outstanding warrants and capias has grown, increasing the number of capias and warrant returns and bail-setting/scheduling hearings, which are conducted. The increased number of defendants who fail to appear before the court results in more bail forfeiture hearings. These cases now require trials. Capias and warrant returns, scheduling hearings and bail and property forfeiture hearings take judicial time.

Another factor that affects workload is the increased capacity of criminal justice agencies to bring more work to the Court. The number of police officers, prosecutors, public defenders, members of the Bar have all increased over the years. Even if the number of new cases filed were constant, the number of issues to be addressed by judges continues to grow unabated. Therefore the criminal justice community's capacity for filing motions and taking cases to trial has grown. There are now three times more probation officers than judges, which places increasing demands on limited judicial time.

The evolution of these new caseloads, special assignments and other administrative duties have eroded the amount of time judges can be available for trial. The commissioners were intended to relieve the judges by taking on several of their duties, but now the commissioners are overloaded with duties without administrative support. These overloads have primarily centered around

judicial and support staff time, and have resulted from focusing on cases post-disposition via status conferences. (Interview with Tom Raiston, Court Administrator)

The case manager program was developed, funded by Bureau of Justice Assistance and implemented into Delaware's Superior Court System in order to respond to court delay and to facilitate case processing.

Purpose of the Case Manager Program

The goal of the case manager program is to increase the effectiveness of the quasi-judicial staff (commissioners) of the court, to develop data management improvements to maintain the progress within the court system and to increase trial availability for the judges. These functions entail developing and implementing a comprehensive case management system which includes documents, calendars, and reports for identifying, evaluating, scheduling, tracking and disposing of all criminal cases and miscellaneous matters referred to the judge or commissioner. The case managers assign criminal cases to the appropriate case track and assist in the

evaluation of specific cases for assignment to other available alternative treatment programs. Further, the case managers, when necessary, coordinate the assignment of a court-appointed attorney and assist in the design and implementation of monitoring processes to track case progress. The case managers prepare statistical reports for the commissioner to analyze the processing of the criminal caseload.

The case manager provides support for and directs all courtroom trial activity for the commissioner or judge, investigates and clarifies case facts, organizes evidence and prepares charts/tables. In addition, the case manager develops recommendations for suppression hearings, restitution disputes and property forfeiture cases. The case manager also coordinates the collection of legal research from law clerks and interacts with all court system personnel and components related to criminal matters in order to proceed to trial in an efficient and expeditious manner.

Another purpose of the case manager program is to develop a team working relationship with the judge or commissioner as well as other clerical staff

and various personnel in the Office of the Prothonotary to maintain open lines of communication. The case manager also maintains communication with personnel from all areas of Superior Court, attorney offices, prisons and other criminal justice related offices for purposes of providing relevant information on court events.

Each case filed has its own unique characteristics which necessitate individualized treatment. As a result, the case managers are also viewed as problem-solvers in criminal case processing, responsible for identifying problems that arise in the course of managing criminal proceedings from filing to disposition. The issues are then communicated to the judge, commissioner, or other court personnel in order to find a resolution to achieve the expeditious processing of cases.

The overarching purpose of the case manager program is to establish accountability in Superior Court's case processing. These case managers are a new addition to the criminal division of Superior Court. In the past they functioned as clerks in the Office of the Prothonotary and performed data entry duties

similar to an assembly line operation. One clerk would enter the case; another clerk would docket the case and hand it off to another clerk who would schedule the case. This process was tedious and time consuming and if a problem occurred during this process, no one was held accountable. With the creation of the case manager position, one person would manage the information and be held accountable for its accuracy. Court Administrator Tom Ralston illustrates the point:

A piece of paper comes into the Prothonotary's office, somebody clocks it in and then hands it off to somebody else and they docket it and then hand it off to someone else and they schedule it and hand it off etc. It was broken down into little pieces and each of those people doing those jobs were court clerks. Now what we are doing is one person needs to know more about a whole case from start to finish. This person needs to be able to do all of those steps because a lot of time is wasted in between the hand-offs and we are trying to move away from the assembly line mentality (to a system) where people feel a responsibility for these cases. It is not just a stack of paper that I have to move off of my desk tomorrow to someone else it is a case here and there is a person behind it. If you see something wrong we want it to come back to you.... We want to build that kind of accountability (Interview with Tom Ralston, Court Administrator).

Duties of the Case Managers

The primary objective of the case manager program is to increase the efficiency of the judiciary by providing administrative and technical support to three commissioners. These case managers have taken on several responsibilities normally conducted by judges. These activities entail:

1. *All capias returns*: Both courtroom and office duties, input information from the courtroom proceeding, clean the capias calendar and notify all criminal justice related offices of upcoming events (i.e. case scheduling, presentence office and judges chambers);
2. *Preliminary hearing*: Responsible for transferring paperwork from Court of Common Pleas to Superior Court and inputting the information into the system, make files and enters file into the criminal filing system;
3. *Grand Jury/Indictments*: Receives Grand Jury indictments, assigns arraignment dates and makes new files and files them away;
4. *Arraignments*: Case manager prepares files for the Commissioner by pulling the

calendar and printing worksheets to take to court. In court the case manager then records information and prepares Bail Bonds/ Commitments and releases if needed as well as enter the data into the system;

5. *Violation of Probation Hearings/ Sentencing*: These events are handled by the Commissioner and the case manager attends these hearings. The case manager pulls the files from the calendar and records the information at the time of hearing and then enters information into the system. The case manager may also have to prepare commitments and releases;

6. *Criminal Scheduling*: The case manager has access to the Commissioner's On-Time Calendar in which the case manager is responsible for entering all courtroom proceedings;

7. *Other Criminal duties* are reverse amenability hearings and misdemeanor pleas.

The criminal case managers are also assigned civil duties along with the Criminal duties. Such civil duties are:

➡ civil scheduling

➡ petitions for return of property

➡ non-dispositive civil motions

➡ tax intercept hearings

➡ involuntary commitment hearings

➡ any other assigned duties by the Commissioner or Judges

This chapter described the goals and activities assigned to the criminal case managers as intended in the implementation design in September 1997.

The succeeding chapters describe the evaluation and report the findings regarding the actual implementation plan and the perceptions of program participants as to how the program performed over the last two years.

Our Method

The general method used for this project was survey research. The data collection method most useful for this type of evaluation was face-to-face structured interviewing. The respondents selected for interviews were identified by the Superior Court as those persons who had the most complete knowledge of the program. The persons interviewed (in early 1999) included:

New Castle County:

- Three case managers
- The Prothonotary
- One commissioner
- One judge; (total=6)

Kent County:

- The case manager
- The Deputy Prothonotary
- The Prothonotary
- The Commissioner
- One judge (total=5);

Sussex County:

- The case manager
- The Commissioner
- The Deputy Prothonotary
- The Prothonotary
- One judge (total=5).

The interview questions for purposes of qualitative inquiry were developed with input from the Court Administrator (See Appendix A for the complete interview guides that were applied to all respondents). The interviews were audio-

taped to ensure accuracy. A sample of the interview questions included:

1. In general, what are the goals of the case manager program?
2. Did Superior Court, as an organization, provide you with the necessary means to carry out your activities? If yes, how? If not, how not?
3. Using the A, B, C, D & F grading system, how would you rate the performance of the case manager program regarding case processing, in general? Please indicate strengths and weaknesses.
4. What suggestions, if any, would you have for the Court to improve the case manager program?

Data Analysis Procedures

The first step in analyzing the data for the case manager program was transcribing the tapes and reviewing the verbatim responses to each interview question by each informant. This process allowed us to *describe* the responses. After reviewing the data, we analyzed the interviews by cross-interview analysis. Cross-interview analysis is a

process of grouping together answers from different respondents to common questions and analyzing different perspectives on central issues.

We used a structured interview guide approach in which the answers from different people were grouped by questions from the guide. The interview guide actually constituted a descriptive analytical framework for analysis. The data were organized by the ten interview questions.

Matrix or logical analysis was used to search for patterns among the informants. This procedure involved creating potential categories by crossing one dimension or typology with another and then working back and forth between the data and one's logical constructions. The idea was to move back and forth between interview questions and the actual data in a search for meaningful patterns and linkages. We found linkages that referred to goals, description of activities, resources available, rating performance, and ways for improvements. Once the patterns were identified, we drew preliminary conclusions and developed hypotheses about relationships.

Our Findings

The findings are organized by paralleling the research questions to the interview questions. There are seven sections that outline what we found with respect to the case manager program.

To reiterate, the research questions were:

1. What were the perceived objectives of the program?
2. How has the program been implemented?
3. How does the program-as-implemented compare to the program intentions?
4. What are the perceptions of

different participants in the program of (a) strengths? (b) weaknesses? (c) ways to improve in the future?

Each research question is linked to the appropriate interview question(s) that provided the information for the issue. The interview and research questions are stated for each section.

Section 1: Match of Planned Goals and Objectives to Perceived Goals and Objectives

Research questions:

- ➔What were the perceived objectives of the program?

⇒ How does the program-as-implemented compare to the program intentions?

Interview question:

⇒ In general, what are the goals of the case manager program?

The bullet points are the planned goals indicated in the federal grant and in the interview with the Court Administrator. The perceived goals as summarized are the comments made by respondents in each county.

Planned Goals & Objectives

⇒ Increase the effectiveness of quasi-judicial staff (commissioner)

⇒ To develop data management improvements to maintain caseflow progress

⇒ Increase the efficiency of the judiciary by hiring five case managers who will provide administrative and technical support to three commissioners and one master who will take on several responsibilities currently conducted by judges.

Perceived Goals & Objectives

New Castle County:

- ✓ Assist judge or commissioner
 - ✓ Research correct information
 - ✓ Flow of cases in fast & efficient way
 - ✓ Research in-depth information on cases
 - ✓ Inform judge
 - ✓ Cleanse the system
 - ✓ Help court system & outsiders thorough system to prevent mistakes
 - ✓ Get every case scheduled
 - ✓ Troubleshooters
 - ✓ Additional time to devote to a particular problem-issue
 - ✓ Facilitating case management
 - ✓ Help reduce delay on the criminal side
- #### ***Kent County:***
- ✓ Used for a specific judge or commissioner to help carry out their duties and advise them

✓ Help the court run smoother

✓ Have one person assigned to commissioner to research and problem solve for the commissioner

✓ To facilitate the case from start to finish

✓ Expedite the entire process

✓ Manage cases better in a more effective and efficient way

✓ Accomplish the objectives of the court.

✓ Improve administration of justice

Sussex County:

✓ Given certain task to perform for commissioner and judge

✓ Help the judge's secretaries to reduce their caseload

✓ Research for the judge

✓ Help the court to run better

✓ To help the prothonotaries

✓ Take some of the workload off of the judicial staff and the commissioner

✓ Data gathering

✓ Accountability

✓ Involved in implementing and planning

✓ Contribute to productivity

✓ One contact person move cases through quicker

✓ Make time more valuable

Summary: Planned Goals and Perceived Goals

When we compared the planned goals with the perceived goals, we found that, in general, they were relatively consistent. There was a difference, however, in the relationship of the case managers to the quasi-judicial and judicial staff. The planned goals articulated a role for the case managers as an assistant for the commissioners and the master. As each county carved its own niche for the case managers to fit the county's individual needs, that role was expanded. In New Castle County the case managers provided administrative and technical support for both the commissioner and judge. In Kent County the case manager assisted the commissioner mainly. In Sussex County the case manager assisted the judge mainly.

Section 2: Match of Planned Activities to Reported Activities

Research questions:

- How has the program been implemented?
- How does the program-as-implemented compare to the program intentions?

Interview question:

- What activities do you conduct as a case manager?

The bulleted items are the federally funded job description that was specified by the Court Administration Office in September 1997.

Planned Duties (Job Description)

- All capias returns
- Preliminary hearing
- Grand Jury/indictments
- Arraignments
- Violation of Probation hearings/sentencing
- Reverse Amenability hearings
- Misdemeanor pleas
- Criminal Scheduling

- Civil Scheduling
- Petitions for Return of Property
- Non-dispositive civil motions
- Tax intercept hearings
- Involuntary commitments hearings
- Any other assigned duties by the commissioner/judge

Reported Case Manager Activities

The activities that were reported for the case managers are listed below (Table 1). While there was some overlap of those activities across counties as reported by the respondents, there was also some variance with respect to the number of persons who mentioned the activity.

Table 1: Reported Case Manager Activities, by County

County	Activities (# of persons that mentioned the activity)
<p>New Castle</p>	<ul style="list-style-type: none"> • research the case (5) • case review (3) • assist and inform judge (3) • capias returns (3) • data entry (2) • ensure accuracy (2) • scheduling (2) • indictments (1) • make sure no motions pending (1) • analyze problems/checking and cross-checking to ensure accuracy • work on uncompleted projects (1) • arraignments (1)
<p>Kent</p>	<ul style="list-style-type: none"> • capias returns (4) • data entry (4) • scheduling (4) • preliminary hearings (3) • grand jury indictments (2) • arraignments (3) • violation of probation (1) • sentencing reversibility hearings (2) • misdemeanor pleas (1) • motions to reduction of bail (1) • any criminal matter referred to the commissioner (1) • civil duties (1) • research materials (1) • case review (1) • videophone hearings (1)
<p>Sussex</p>	<ul style="list-style-type: none"> • research for the judge (5) • videophone hearings (5) • habeus corpus/civil duties (4) • data entry (4) • capias returns (4) • Rule 9 warrant returns (3) • forfeiture hearings (1) • scheduling (1) • arraignments (1) • bond review (1) • inmate mail (1)

Table 2: Merged Activities List

<i>Activities</i>	<i>New Castle</i>	<i>Kent</i>	<i>Sussex</i>
Case Review	√	√	
Research the case	√	√	√
Indictments	√	√	
Assist & inform judge	√		√
Capias returns	√	√	√
Data entry	√	√	√
Scheduling events	√	√	√
Preliminary hearings		√	
Arraignments		√	√
Violation of probation	√	√	
Sentence reversibility hearings		√	
Misdemeanor pleas		√	
Civil duties		√	√
Videophone hearings		√	√
Rule 9 warrant returns			√
Other*	√	√	√

√=If three or more persons mention the activity in the county OR if the case manager only mentioned the activity.
 *=All other duties (process and informational activities) that only one or two persons (other than the case managers) mentioned. If the case manager stated a specific duty and he/she was the only one who mentioned it regardless of which county, the duty was listed as one of the merged activities. The case manager was the main individual who clearly knew what activities were conducted on a daily basis.

Comparison of the Planned Duties to Reported Duties

When comparing the planned duties to the merged activity table (Table 2), each county performed a job duty specified on the planned

duty list to some extent. We found that Kent County had a compelling match to the planned duties over the other two counties. It appeared that the three counties assigned duties to the criminal case managers based on individual

county needs and not so much following the exact intended duties specified by the federal grant. Kent County was the only county that did not deviate from the original duties specified for the federal grant.

Supporting Activities

This component of section two examines *research question*: How has the program been implemented?

Interview question: What activities do you undertake as the prothonotary or commissioner or judge with regard to the case manager program?

The various activities performed by the prothonotaries, the commissioners and the judges supported two distinctive themes. The two emerging themes were "active role" and "passive role" that were carried out by the incumbents in these three positions.

Active Role: The prothonotaries assumed supervisory activities and were involved in the case manager's daily activities. The responsibilities appeared to be consistent in all three counties. Such responsibilities were geared towards problem-

solving, direct communication with the case managers and monitoring the workload to ensure that the case manager was accomplishing the specified duties. A representative quote from a prothonotary illustrates the "active" role theme.

"...as their supervisor I just make sure that the job is being done. If there is a problem I intervene and if I don't think they are working, I tell them to get back to work." (Interview with prothonotary).

Passive Role:

In general, the commissioners and judges took on a relatively passive role regarding the case managers. However, in Sussex County, the judge was actively involved with the duties of the case manager. But the concern is that the case manager initially was to be assigned to the commissioner and not the judge. According to the BJA grant's statement of the purpose of the program, the commissioner was supposed to have active involvement with the case managers and function as the case manager's supervisor. From the interviews, the commissioners in all three counties had consistent responses as to what their activities were with respect to the case manager program. They all stated details of in-court work and all indicated that they did not

know much of what the case managers did outside of the courtroom. This could be perceived as a weakness for the program because the purpose of the program was to assist and provide administrative and technical support for the commissioners. Instead the case managers assisted and provided administrative support for either the judge, prothonotary or another judicial staff member. Our conclusion is that the commissioners were to have active involvement but instead took on a more passive role, and the judges were to undertake a passive role as well and did. In New Castle and Kent County the judges demonstrated the passive theme but the judge in Sussex County was more active.

To explain the "passive role" theme direct quotes from one commissioner and one judge illustrate the extent to their involvement in the case manager program.

Commissioner: " As far as supervising her I don't do that, I don't supervise her, I don't check on her, I don't get reports on how she is doing. I just know what she does when she comes into court. It's been fine, Its been one of those things working. I don't question it."

This quote illustrated this commissioner's lack of

involvement with the case manager, which was not consistent with the main objective of the case manager program, i.e., to provide administrative and technical support to the three commissioners. Given that objective, it would seem reasonable for the commissioner to be more conversant with the case manager's activities. That being said, the other two commissioners also could say exactly what the case manager duties were.

The judge's passive role, as illustrated by the comments below, was more understandable given the management of the court and the purposes of the program.

Judge: "With regards to this particular grant probably nothing other than having applied for it, which is important. But beyond that there are levels of oversight over the Prothonotary's office and the case managers. I am somewhat removed from that direct oversight but I have overall responsibility."

Section 3. Perceived Effects to the Implementation of the Case Manager Program

Research question:

➔ How has the program been implemented?

Interview questions:

➔ Do these activities represent a different approach to case processing than the approach before the case manager program was implemented? Why? Why not?

➔ In what ways, if any, have these activities changed case processing in Superior Court? How? How have they not?

There was consistent agreement across all three counties and all informants that the activities for the case manager program represented a different approach to case processing than Superior Court's operation prior to the implementation of the program. Table 3 illustrates the significant progression of the case manager program in all three counties and describes the activities before program implementation and compares those activities to the after-effects of the case manager program.

Tables 3a, 3b and 3c clearly show that the case manager

program was a different approach to case processing than the Court's operation before the case manager program was implemented. This program also changed criminal case processing in Superior Court as indicated by the informants. The respondents felt that now the court events were flowing better, the court system was more productive, was more efficient, was more effective, had greater accountability and better control and the judges were able to make informed decisions about the cases.

Table 3a: Perceived Progression of Activities, New Castle County

<i>Before</i>	<i>After</i>
1. A lot of incorrect data	1. Finding correct info./data
2. Problems in the system	2. Catching errors and correcting mistakes
3. Huge print-outs of capias returns	3. Videophone capias
4. Court clerks	4. Case managers
5. Not prepared for judges questions	5. Case managers necessity for judge to make informed decisions
6. Clerks did not have info. readily available	6. The information/research is now readily available w/case managers
7. Just winging it	7. Proactive case management
8. The judges did not see the background that was happening	8a. Judges can rule better because the court is better informed 8b. Case managers double-check info. and give judge summary of case 8c. Increased awareness level for all 8d. Not only helping Superior Court but helping the CJ system-wide
9. No control	9a. System is running smoother 9b. Speedier-move cases swiftly through system 9c. Cut down on cases being idle 9d. Increased efficiency 9e. More thorough 9f. Keeping process on track 9g. More effective
10. Outstanding capias weren't returned	10a. Now capias are returned faster 10b. Now getting arraignment dates scheduled faster
11. Issues triggered court events	11. Court appearances are more meaningful
12. Old system would recycle case reviews	12. Have been able to target the case review calendar
13. Judges relied on the attorneys for information	13. Now judges feel more comfortable and can rely on the case manager for accurate information about defendants

Table 3b: Perceived Progression of Activities, Kent County

<i>Before</i>	<i>After</i>
1. Walk-in process for capias	1a. Video process for capias 1b. Cracking down on outstanding capias
2. Every clerk was handling a piece of the process, duties were handled by too many people	2a. One centrally-located person handles the information 2b. Case manager handles the case from beginning to end in the process
3. Things were complicated	3a. Case processing is simpler 3b. The program helps the case go through the system quicker 3c. Have better control of the cases and the entire process 3d. Easier to manage
4. Commissioner did not have a case manager	4a. Now the commissioner has a case manager 4b. Have more information now
5. Activities were done more on a vertical level as opposed to a horizontal level	5a. Now things are done on a horizontal level as opposed to a vertical level 5b. Better accountability

Table 3c: Perceived Progression of Activities, Sussex County

<i>Before</i>	<i>After</i>
1. Did not research judge's inmate mail	1a. Now research judge's inmate mail 1b. The inmate mail is forwarded to the case manager, the judge receives inmate mail after research
2. Did not schedule forfeiture hearings	2. Now schedule forfeiture hearings
3. Did not conduct video conferences	3. Conduct video conferences
4. Court clerks handled cases	4. Case manager handles cases
5. Judge never gave the staff anything to investigate	5. Now the judge has the case manager investigating issues
6. Too many projects and no one to work on them	6a. The case manager works on extra projects that no one has time for 6b. Free up time for others to work on other duties or their assigned duties 6c. Expedite cases faster
7. The prothonotary did the judge's research	7. Now case manager does the judge's research
8. Had to follow-up on everything	8a. Don't have to follow-up anymore 8b. Able to depend upon staff 8c. Can track cases better 8d. Case manager program has given the staff a boost of confidence 8e. Case manager program opened the door between the chambers, the judge and commissioner with the staff 8f. The program has ensured accountability, responsibility and control 8g. More efficient 8h. Productivity has increased
9. There was not one person taking care of all capias and Rule9 warrants	9. Now one person takes care of all capias and Rule9 warrants
10. Fact-finding was only a judge's priority	10. Now the research aspect of the fact-finding the case manager does.

Section 4: Resources

Interview question:

➡ Did Superior Court, as an organization, provide you with the necessary means to carry out your activities? If yes, how? If no, how not?

All the informants answered "Yes" or believed in some form that Superior Court provided each of them with the proper resources to carry out their duties in the case manager program. The resources that were mentioned by the informants were characteristics of basic office equipment, i.e. comfortable work stations, desks, chairs, new computers, printers, a telephone, file cabinets and other office articles. Some mentioned such articles as up-dated computers with Windows 95 and digital recording capabilities, direct access to judicial computer systems such as the Delaware Justice Information System (DELJIS) and the Judicial Information Center (JIC) for purposes of downloading and monitoring cases.

In Kent and Sussex counties, Superior Court provided them with videophone equipment for video *capias*, which improved the *capias* return calendars. Superior Court also provided training sessions on how to

use various computer systems and offered courses for employee development.

However, most interesting was the comment of one prothonotary who stated that the way Superior Court provided her with the necessary resources was by being open to new and flexible ideas of case management. All informants stated that Superior Court provided them with the necessary means to carry out their duties.

Section 5. Performance Ratings

Research question:

➡ What are the perceptions of different participants in the program of (a) strengths? (b) weaknesses? (c) ways to improve in the future?

Interview questions:

➡ Using the A, B, C, D & F grading method we learned in school, how would you rate your own performance as a case manager/supervisor? Please indicate your strengths and weaknesses.

➡ Using the A, B, C, D & F grading system, how would you rate the performance of the case manager program regarding case processing, in general? Please indicate strengths and weaknesses.

Rating Self-Performance

Table 4 indicates that the case managers and the prothonotaries grade rating of their own performance in the case manager program. The overall ratings for self-performance for the case

Table 4: Ratings of Self-Performance

Grade Ratings	Case Manager	Prothonotary (Supervisor)
A	2	2
B	3	2
C	0	1
D	0	0
F	0	0
Total	5	5

manager program were mainly above average (A or B), except for one prothonotary who rated her performance a "C". This prothonotary felt that she could always improve on her supervisory skills and a supervisor is only as good as one's staff.

In order to further explain the ratings of performance that the respondents offered for themselves, we looked at their articulated strengths and weaknesses along two dimensions, skills and personality (Tables 5a and 5b).

Table 5a: Case Managers' Comments regarding Strengths & Weaknesses of Self Performance

Characteristic	Strengths	Illustrative Comments	Weaknesses	Illustrative Comments
Skills	<ul style="list-style-type: none"> •familiar w/court system, structure •familiar w/criminal justice computer systems •understand criminal case processing •involved a reasonable time frame for court events to complete duties •based on limited amount of case managers able to perform successfully 	<ul style="list-style-type: none"> • "I am familiar w/DELJIS system" • "I am familiar w/JIC system" • "I get everything done in a timely manner" • "I am very thorough in the information I gather" • "I am doing a good job the best that I can do" 	<ul style="list-style-type: none"> •limited skills •limited time •not enough case managers •hard to organize 	<ul style="list-style-type: none"> • "I need to learn some more things, sometimes I gather too much information and lots of times it is not needed." • "...not enough time to complete everything because of the limited courtroom time between judges and commissioners." • "There are times when I let and have a lot of stuff to do and I kind of let it get to me and I think I am never going to get out of this like my desk looks right now. I think sometimes I could get things done a little bit faster then what I have." • "It is hard to prioritize which to do first along with my regular duties."
Personality	<ul style="list-style-type: none"> •able to handle caseload/workload •want to perform well •over achiever 	<ul style="list-style-type: none"> • "doesn't bother me that it takes a while to do the research." • "I dig and dig for information to get the clearest picture." • "When I need help, I just ask." 	<ul style="list-style-type: none"> • need stress management/ can't handle stress •over achiever 	<ul style="list-style-type: none"> • "I think I give them too much information, lot of times it is not needed, overload." • "My weaknesses are it can be stressful at times and just under the gun at times." • "I just need to learn to relax with the court system." • "I think sometimes I could get things done a little bit faster then what I have."

Table 5b: Case Managers' Comments regarding Strengths & Weaknesses of Self Performance

Characteristic	Strengths	Illustrative Comments	Weaknesses	Illustrative Comments
Skills	<ul style="list-style-type: none"> •hired the right people (case managers) •good communication skills w/staff •excellent problem-solver •informative •open for change-management •great supervisory skills •accountability 	<ul style="list-style-type: none"> • "...have lots of duties is just glad hired people who are educated in what they do and can perform with little supervision." • "I try to inform them of everything that is going on if they have any ideas I am always open for those. I'm willing to change anything if anything at all that we could do easier for better, I am always for it." • "I think as far as my supervisory skills b/c I have a darn good staff I would say I think I am a pretty darn good supervisor b/c of my staff not b/c of me." 	<ul style="list-style-type: none"> •could do better job supervising/improve on supervisory skills •too many supervisory duties •time is limited 	<ul style="list-style-type: none"> • "I could probably do better supervising but i don't have the time...so overwhelmed...have lots of duties." • "I am a pretty darn good supervisor because of my staff not because of me being there everyday but because they are good."
Personality	<ul style="list-style-type: none"> •aware that always need to improve on self 	<ul style="list-style-type: none"> • "I don't think I am the best you always have to improve almost constantly." 	<ul style="list-style-type: none"> •not adequate (not making time to supervise) 	<ul style="list-style-type: none"> • "I do wish I could be more involved in what they do, because I am so involved in other things then with the case manager project they are on their own."

Rating Program Performance

Superior Court. All feel that the program has not only increased case productivity and accountability but increased job

Table 6 illustrates the overall grade rating of the case

Table 6: Rating the Case Manager Program

Grade Ratings	New Castle	Kent	Sussex
A	3	4.5*	4
B	3	.5*	1
C	0	0	0
D	0	0	0
F	0	0	0
Total	6	5	5

* The 4.5 and .5 are shown because one informant rated the case manager program between an "A" and a "B", the informant did not give an exact grade rating.

manager program regarding case processing in general. The majority (11 ½) rated the case manager program an "A". These informants stated that the program has been a plus for Superior Court and it has been an innovative method for criminal case processing.

satisfaction, confidence, and morale.

The informants also stated that they were aware how criminal case processing functioned before the case manager program was implemented compared to how criminal case processing is handled now in

We also examined the judgments of the strengths and weaknesses of the case manager program perceived by the program informants categorized by counties.

Table 7: Summary of Strengths and Weaknesses of the Case Manager Program Identified by Respondents

County	Strengths	Weaknesses
New Castle	<ul style="list-style-type: none"> • judges are more comfortable w/ case managers now • have judge's support • program very important not only for the court system but for other agencies and people • Victim of your own success • Success is due to the good people in the positions • improved the flow of cases • made court appearance more meaningful • prevented cases from falling through the cracks 	<ul style="list-style-type: none"> • hard to get attorneys to follow guidelines • because it is a new program it is going to take a while to follow the rules • need more staff • people tend to forget how bad things were • expectations seem to be higher each month • Victim of your own success • case managers are timid • case managers need to have a direct dialogue w/commissioners • commissioners need to make the phone calls instead of case managers
Kent	<ul style="list-style-type: none"> • able to start new things and able to get a handle on things have accomplished a lot of goals that the commissioner set out to do • good program, better accountability • great to get information from one person • great to have one person assigned to a file and who has knowledge of the case • job description is still the same, the case manager has not deviated from the original job description • helps that one person is the "point-man" • horizontal responsibility rather than vertical responsibility can not think of a better method 	<ul style="list-style-type: none"> • major weakness is the job description different in all three counties and they should not change the case manager duties without considering the effect on the overall duties of the position • only weakness is what any organization has when there are not enough people
Sussex	<ul style="list-style-type: none"> • helped process cases faster • helped a lot of people within the court system • helped track cases more efficiently • videophone hearings started w/the case manager program and now no one is falling through the cracks, things are getting done faster • very good program • it is being utilized by the judges • shifting the workload from the judges to the case manager someone who has the time • has given the staff a boost of confidence • case manager program opened the doors between chambers, judges/commissioners with the staff • tremendous difference in the efficiency and the productivity 	<ul style="list-style-type: none"> • need to decide what the job duties are going to be • need to work towards standardization and uniformity statewide • went through the program and worked with the case manager reluctantly

Section 6: Improvements

Research question:

➡What are the perceptions of different participants in the program of (a) strengths? (b) weaknesses? (c) ways to improve in the future?

Interview question:

➡What suggestions, if any, would you have for the court to improve the case manager program?

In each county the major improvement suggested for the court was to expand the case manager program and to obtain additional case managers for the criminal section of Superior Court.

The other suggested improvements were issues of consistency, better communication, pay-grade matters, informational concerns, process concerns,

Table 8: Summary of Improvements of the Case Manager Program Identified by Respondents, by County

County	Areas of Improvement
New Castle	<ul style="list-style-type: none"> • improve on incorrect information with certain judges • someone needs to make decision on confusion with incorrect information about charges vs. indictment • improve on personnel/need more staff • need more case managers/need for case managers to be assigned to particular judge/or assigned to a specific calendar • need to be more consistent with the system • better communication • give pay upgrades/better pay grades for the current staff • sentencing orders could be monitored a little bit better • make the commissioner the bad guy with respect to getting some of the problems solved • have case managers come to monthly Criminal Division meetings so they can perceive what the problem areas are
Kent	<ul style="list-style-type: none"> • need to realize that they are putting way to much work on one person; therefore, need more case managers for the criminal section • assign criminal case manager to a certain judge • training is needed, need time and resources to train individuals • judges should make decision on case rulings • case managers should manage the case file • expand it to other areas of criminal case processing
Sussex	<ul style="list-style-type: none"> • need to have the job duties clearly written out and clearly assigned to whoever is suppose to be assigned to those responsibilities • definite goals of exactly what the court is looking for and what it wants • need to look at the way we currently do business and perform an in-house audit to see how we can do things more efficiently and to get rid of the redundancy, reduce the paperwork • work towards standardization and uniformity statewide • need to expand the case manager program to tap into the many projects that have not started yet • should not restrain the case managers both empower them and make them a part of the project and then can get so much more done and so much more cooperation as well as many good ideas • need to obtain more case managers per judge • need to be able to delegate more information

organizational behavior and development. This clearly shows that the program is a successful one among the program participants because each informant wanted to expand the program. Table 8 describes by county the informants' suggestions for improving the case manager program.

Section 7. Expansion/Steps

Research question:

➡What are the perceptions of different participants in the program of (a) strengths? (b) weaknesses? (c) ways to improve in the future?

➡*Interview question:*

In your opinion, should Superior Court expand the program to other criminal case processing? Why? Why not? If yes, what steps should be taken to make that happen?

There is consistent agreement that the case manager program should be expanded to other areas of criminal case processing. There were fourteen informants that answered "Yes" that the program should definitely be expanded to other areas and two "Not sure". The two "Not sure", did not exactly rule out expansion; they just both stated that they would have to

consider the areas. They both were comfortable with the present case manager duties, but both also expressed the areas they would consider if the program were expanded.

As far as the ways to make the expansion possible were concerned, the informants did not mention steps. They mentioned functions or events of criminal case processing to which they would consider expanding the case manager program. Table 9 reveals the functions of criminal case processing that should be considered for expansion of the case manager program.

The informants expressed overwhelmingly that the case manager program should be expanded to a specialized area such as to a specific calendar or specific criminal event as opposed to various criminal case processing events or to a specific judge. The informants also mentioned considerable organization and personnel issues to consider for expansion. These functions are long-term outcomes that should be considered as the program progresses because these functions appear to be efficient and effective ways for improving this case manager program.

Table 9: Suggestion for Expanding the Case Manager Program

<i>Type of Expansion</i>	<i>Functions</i>	<i>Times Mentioned</i>
Expand to a specialized area (special assignment of cases or a specific calendar year)	• sentencing and bail motion	3
	• have case managers monitor Fast Track calendar	3
	• case manager monitor diversion calendar	2
	• case manager monitor arraignment calendar	2
	• expand to a case manager working on violation of probation	2
	• expand where dealing w/subject matter as opposed to a specific judge. so they are specialized in certain areas	2
	• have case managers assigned to specific duties or calendar like indictments	2
	• case manager assigned to habeus corpus, motions to reduce, Rule 61 applications	1
	• case manager handles all continuances	1
	• need to expand to restitution, need more assistance to keep track of restitution payments	1
	• suppression hearings	1
	• have case manager assigned to work on sex offender registration	1
	• capias	1
	• expand to other projects in the criminal area	1
	Total=23	
Expand to a specific judge	• assign case manager to each judge to manage	3
Expand by hiring additional managers	• need additional case manager positions	5
Organization/Personnel issues	• need to restructure the criminal system	3
	• upgrade criminal clerks to case managers	2
	• combine offices, the Prothonotary office and the scheduling office and the positions and make those people case managers w/specific responsibilities	2
	• have a case manager train other case managers or staff or just additional personnel for training	1
	• need to have the clerks doing their duties and the case managers assigned more duties b/c of 4-step pay difference and both are doing the same work	1
	• set up case managers in all divisions not just in criminal	1
	• conduct a study for effectiveness, efficiency, customer service on how Superior Court can improve and how case management program can help court be more efficient	1
	• expand to a Team concept so everyone is working together to make workload easier and boost morale	1
	• need career ladder	1
	• get cooperation of the state personnel office to have positions reclassified so that people duties can be expanded and paid accordingly	1
	• use drug money to make court system work better w/ case managers	1
	Total=15	



Our Conclusions

The purpose of the evaluation was to document the “lessons learned” from the implementation of the case manager program in order to improve the enterprise. The lessons were as follows:

1 We learned that the case managers provided administrative and technical support to the commissioners and judges as opposed to the commissioners and one master. Also, in each county the case manager performed the duties specified by the county’s individual judicial needs, whether that was assisting only the commissioner, only the judge

or both the commissioner and the judge.

2 The activities that were specified in the job description for the federally funded criminal case managers were performed to some extent in each county. However, Kent County was the only county that did not deviate from the original duties specified. The duties performed by the case managers were mainly activities of criminal case processing events, such as capias returns, arraignments, and indictments. The case managers also engaged in informational activities such as conducting extensive research on a case and performing data entry.

3 The third lesson confirmed what Superior Court might have expected, i.e., that the case manager program was a different approach to criminal case processing than the court employed previously. The case manager program has increased efficiency, helped judges to be more informed and has increased productivity and accountability as well as made court appearances more meaningful.

4 We learned was that there were strengths and weaknesses of the case manager program. All of the strengths implied that the case manager program has improved Superior Court and the criminal justice process in general. The weaknesses were not with the process but with two related issues: (1) rising expectations and (2) varying case manager responsibilities depending on location. Perhaps due to the program's success as perceived by participants, the expectations continue to rise for some case managers. However, that capacity is not without limits and, by extension, potential burn-out. Consequently, an expansion of the number of case managers might be considered. We found that the responsibilities of the case managers varied

across the counties. That was due, primarily, to the way in which each county defined its needs. However, the judicial staff indicated that the responsibilities should be uniform throughout the state.

5 The fifth lesson showed that the participants wanted to expand the criminal case managers to other areas of criminal case processing. The judicial staff overwhelmingly recommended that the case managers' responsibilities should be expanded to deal with a specific subject matter as opposed to a specific judge. For example, the case manager could be assigned to a specific calendar or specific criminal event. The judicial staff also highly recommended hiring more case managers whether that was upgrading more clerks positions to case managers or posting the position externally.

To conclude, the evaluation documented the new approach that Superior Court has taken with the added administrative support and identified the "lessons learned". The program has shown significant progress and, judging by this evaluation, is successful in improving Superior Court's case processing efforts.

Appendix A

Interview Guides for Case Manager Evaluation Project

Interview guide for Case Managers

1. What activities do you conduct as a case manager?
2. Do these activities represent a different approach to case processing than the approach before the case manager program was implemented? Why? Why not?
3. In what ways, if any, have these activities changed case processing in Superior Court? How? How have they not?
4. Did Superior Court, as an organization, provide you with the necessary means to carry out your activities? If yes, how? If no, how not?
5. Using the A, B, C, D & F grading method we learned in school, how would you rate your own performance as a case manager? Please indicate your strengths and weaknesses.
6. Using the same grading system, how would you rate the performance of the case manager program regarding case processing, in general? Please indicate strengths and weaknesses.
7. What suggestions, if any, would you have for the Court to improve the case manager program?
8. In your opinion, should Superior Court expand the program to other criminal case processing? Why? Why not? If yes, what steps should be taken to make that happen?

Interview guide for Prothonotary

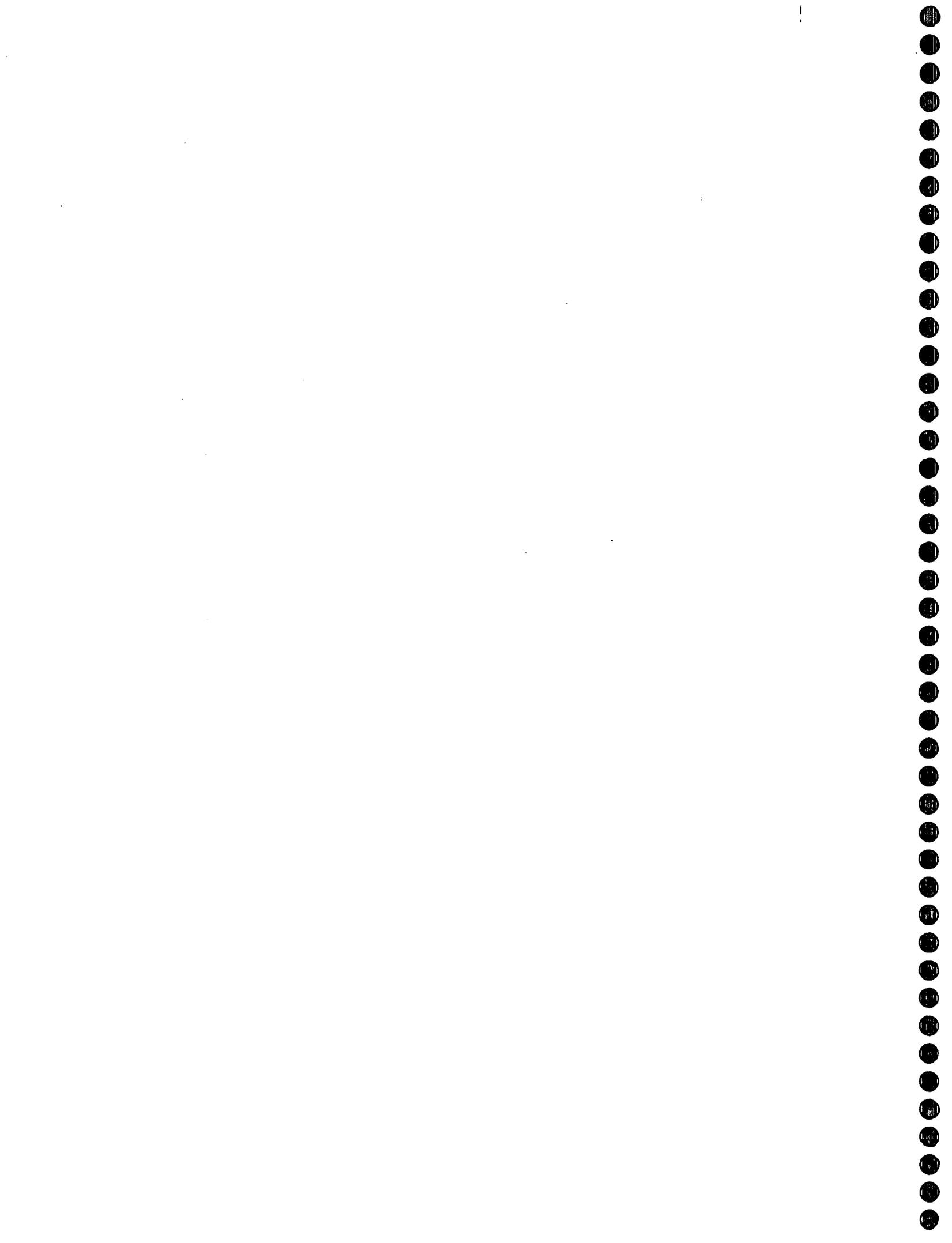
1. What activities do the case managers conduct?
2. Do these activities represent a different approach to case processing than the approach before the case manager program was implemented? Why? Why not?
3. In what ways, if any, have these activities changed case processing in Superior Court? How? How have they not?
4. What activities do you undertake as the supervisor of the case managers?
5. Using the A, B, C, D & F grading method we learned in school, how would you rate your own performance as the supervisor of the case manager(s)?
6. Using the same grading system, how would you rate the performance of the case manager program regarding case processing, in general? Please indicate strengths and weaknesses.
7. Did Superior Court, as an organization, provide you with the necessary means to carry out your activities as the supervisor of the case manager(s)? If yes, how? If no, how not?
8. What suggestions, if any, would you have for the Court to improve the case manager program?
9. In your opinion, should Superior Court expand the program to other criminal case processing? Why? Why not? If yes, what steps should be taken to make that happen?

Interview guide for Commissioner

1. What activities do the case managers conduct?
2. Do these activities represent a different approach to case processing than the approach before the case manager program was implemented? Why? Why not?
3. In what ways, if any, have these activities changed case processing in Superior Court? How? How have they not?
4. What activities do you undertake as a commissioner with regard to the case manager program?
5. Using the A, B, C, D & F grading method we learned in school, how would you rate your own performance as the supervisor of the case manager(s)?
6. Using the same grading system, how would you rate the performance of the case manager program regarding case processing, in general? Please indicate strengths and weaknesses.
7. Did Superior Court, as an organization, provide you with the necessary means to carry out your activities as a commissioner within the case manager program? If yes, how? If no, how not?
8. What suggestions, if any, would you have for the Court to improve the case manager program?
9. In your opinion, should Superior Court expand the program to other criminal case processing? Why? Why not? If yes, what steps should be taken to make that happen?

Interview guide for Judge

1. What activities do the case managers conduct?
2. Do these activities represent a different approach to case processing than the approach before the case manager program was implemented? Why? Why not?
3. In what ways, if any, have these activities changed case processing in Superior Court? How? How have they not?
4. What activities do you undertake as a judge with regard to the case manager program?
5. Using the A, B, C, D & F grading method we learned in school, how would you rate your own performance as the supervisor of the case manager(s)?
6. Using the same grading system, how would you rate the performance of the case manager program regarding case processing, in general? Please indicate strengths and weaknesses.
7. What suggestions, if any, would you have for the Court to improve the case manager program?
8. In your opinion, should Superior Court expand the program to other criminal case processing? Why? Why not? If yes, what steps should be taken to make that happen?







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