



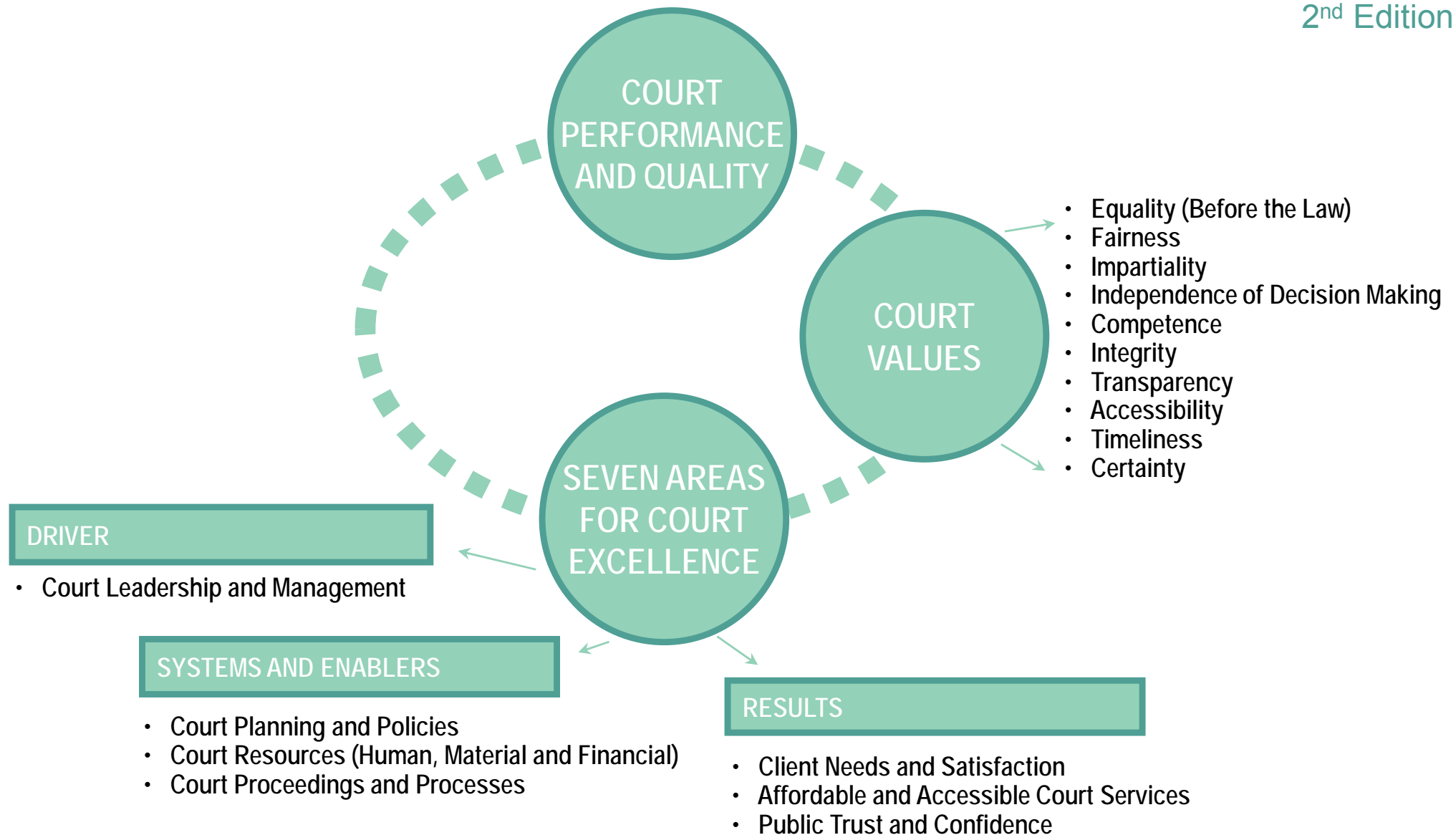
Global Measures of Court Performance in Victoria

Mike Vallance
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The International Framework for Court Excellence

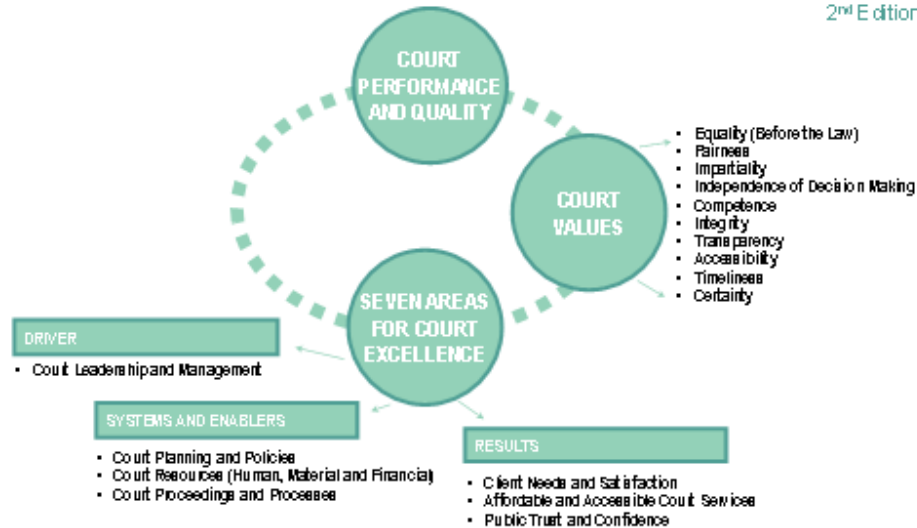
2nd Edition



Global Measures of Court Performance

The International Framework for Court Excellence

2nd Edition

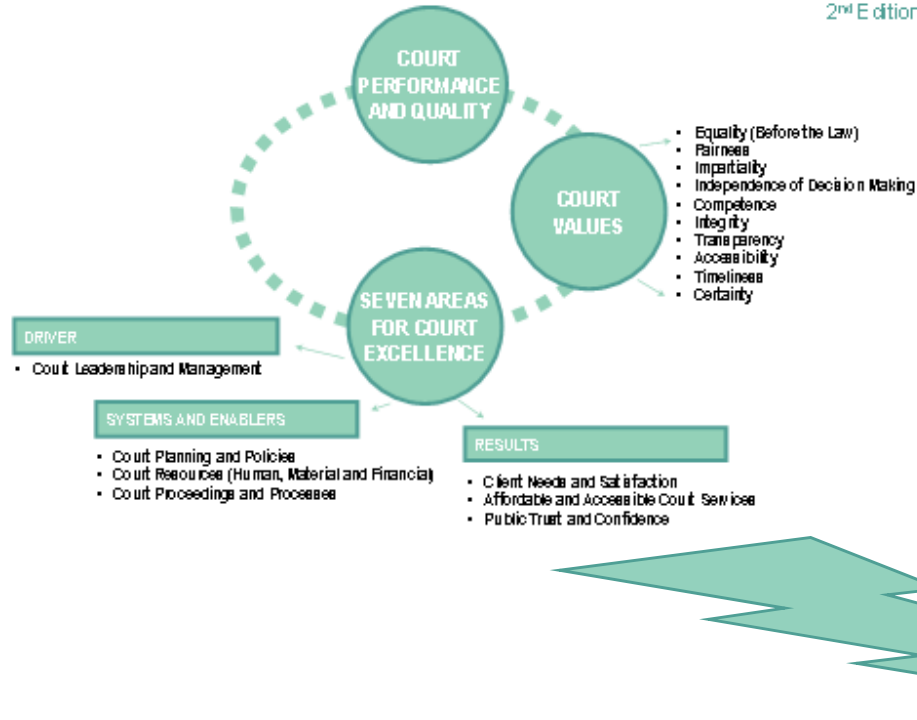


1	Court User Satisfaction
2	Access Fees
3	Case Clearance Rate
4	On-Time Case Processing
5	Pre-Trial Custody
6	Court File Integrity
7	Case Backlog
8	Trial Date Certainty
9	Employee Engagement
10	Compliance with Court Orders
11	Cost Per Case

Global Measures of Court Performance

The International Framework for Court Excellence

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Described as:

A suite of clear, actionable, **outcome oriented** core (strategic) performance measures

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Supreme Court Performance Reporting

Supreme Court of Victoria

- Has a long-term goal to be “an outstanding superior court”



International Framework for Court Excellence

- Has adopted the IFCE as its “foundation management model” to help it achieve its long-term goal



Global Measures of Court Performance

- Are part of the IFCE, so the Court has committed to using them as its suite of:
“**key performance measures**”



Supreme Court Strategy

Realising the Court's defined longer-term Goal

An Outstanding Superior Court

Demonstrated by a transition from being court-centric to being service-centric

Public value is achieved through a self-directing strategy that creates a centre for court excellence and forum of choice for litigators and maintains the respect and confidence of the community and government

Implemented via a suite of judiciary-led programs and achieved in line with the Court's foundation management model

Modernising Service Delivery

Reforming Service Delivery

Strategic Leadership

Further develop a strong, collegiate and independent Supreme Court that includes a demonstrated commitment to a collegiate, collaborative and co-operative judicial system in Victoria.

Paper-free e-Court

Key court delivery and support services offered by the Court are able to be done electronically and remotely to contemporary standards of security, functionality and cost.

The Commercial Court

The Commercial and Equity Division of the Trial Division will be restructured into an enlarged Commercial Court, including better integration of Associate Judges, a dedicated registry and introduction of the RedCrest electronic case management system.

Civil Procedures Reform

A program to continue the reform and modernisation of the Court's civil practice, procedures and processes, pursuant to the *Civil Procedure Act*, in collaboration with the County and Magistrates courts, and the Profession. This will include the promotion and enforcement of the overarching obligations of parties under the Act in matters before the Court.

Iconic Court Building

Work with the CSV Courts Council and Judicial Services to develop a legal precinct facilities master plan that advances the compelling need for a state-of-the-art court building (which complements court delivery of the future).

Civil Appeals in CoA

The Court will complete its reform of Civil Appeals processes and procedures, supported by legislative changes to the *Supreme Court Act*.

Trial Division Review

A major review will be undertaken of the Trial Division to examine how the Court can continue to meet growing demand, and ensure best use of its judicial, staff and other capacity. This will include a particular focus on the role of Associate Judges and Judicial Registrars in the Court. Pilot innovations will also be trialled in the Common Law Division, supported by continued improvements to the quality and capacity of registry services.

International Framework for Court Excellence
Seven Areas of Court Excellence

Court Leadership and Management

Court Planning and Policies

Court Resources

Court Proceedings and Processes

Client Needs and Satisfaction

Affordable and Accessible Court Services

Public Trust and Confidence

Court Leadership

Enhanced Strategic Planning

Implementation of contemporary, integrated and evidence-based planning is fundamental to achieving public value and self-management.

Court Performance Measures

Introduce the global measures of court performance as the Court's key performance measures.

Judicial Support

Continue to develop a flexible, adaptive workforce with high standard, excellent staff that judges may leverage off.

Healthy and Safe Court

Maintain a healthy and safe environment for those who work at and attend the court. Introduce further initiatives to enhance our environment.

Communication Strategy

Continued development and exploration of communications mediums to enhance effective communication for judges, staff, court users and the broader community.

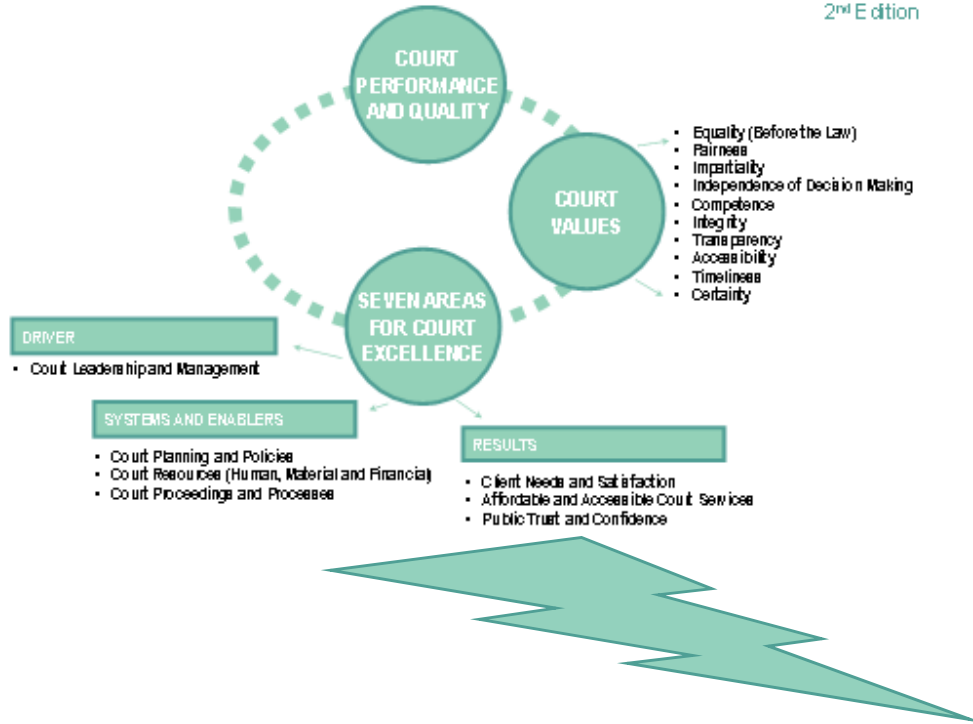
Secure People, Premises & Information

Continued refinement of infrastructure and procedures to ensure a secure and safe environment for all. Further development of protocols for enhanced information management.

Supreme Court Performance Reporting

The International Framework for Court Excellence

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Global Measures of Court Performance

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State-Level Performance Reporting

The State of Victoria

- Victorian Government publishes annual budget papers
- Describe Government income and expenditure for the year



Budget Paper No. 3 (BP3)

- Service Delivery budget paper relates to performance
- All public services, including Courts, report outcomes for quantity, timeliness, quality and cost



Victoria's Courts

- All Courts must define performance targets
- All Courts must report performance outcomes

State-Level Performance Reporting

State Government BP3 Court Performance Reporting

Up until 2016-2017

Quantity

The quantity measure allows government to monitor the collective quantity of output units to be delivered by courts and tribunals.

= the number of matters (criminal and civil) disposed per year

Timeliness

The timeliness measure allows government to monitor the collective timeliness of courts and tribunals service delivery.

= the % of criminal cases disposed of within 12 months of commencement

= the % of civil cases disposed of within 24 months of commencement

Quality

The quality measure allows government to monitor the collective expected level of service quality delivered by courts and tribunals.

= the quality of registry services

(did not prescribe what aspect of registry services should be measured)

Cost

The cost measure allows government to monitor the collective cost of the courts and tribunal output.

= the millions of dollars of total output cost

State-Level Performance Reporting

State Government BP3 Court Performance Reporting

Quantity
Timeliness

Quality

Cost

International Framework for Court Excellence Global Measures of Court Performance

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State-Level Performance Reporting

State Government BP3 Court Performance Reporting

As from 2016-2017

Quantity

Case Clearance Rate - monitors whether a court is keeping up with demands for judicial services in terms of its incoming caseload.

= finalised cases expressed as a percentage of initiated cases

Timeliness

On-Time Case Processing - indicates a court's achievement against the objective of providing services in an efficient manner.

= the percentage of cases disposed or otherwise resolved within established time reference points

Quality

Court File Integrity – demonstrates the effectiveness and efficiency of daily court operations and the fairness of judicial proceedings.

= the percentage of case files that meet established standards of availability, accuracy and completeness

Cost

Cost Per Case – indicates a courts' efficient and effective use of resources.

= average cost per case (civil and criminal)

Performance Reporting versus Performance Management

State Government BP3 Court Performance Reporting

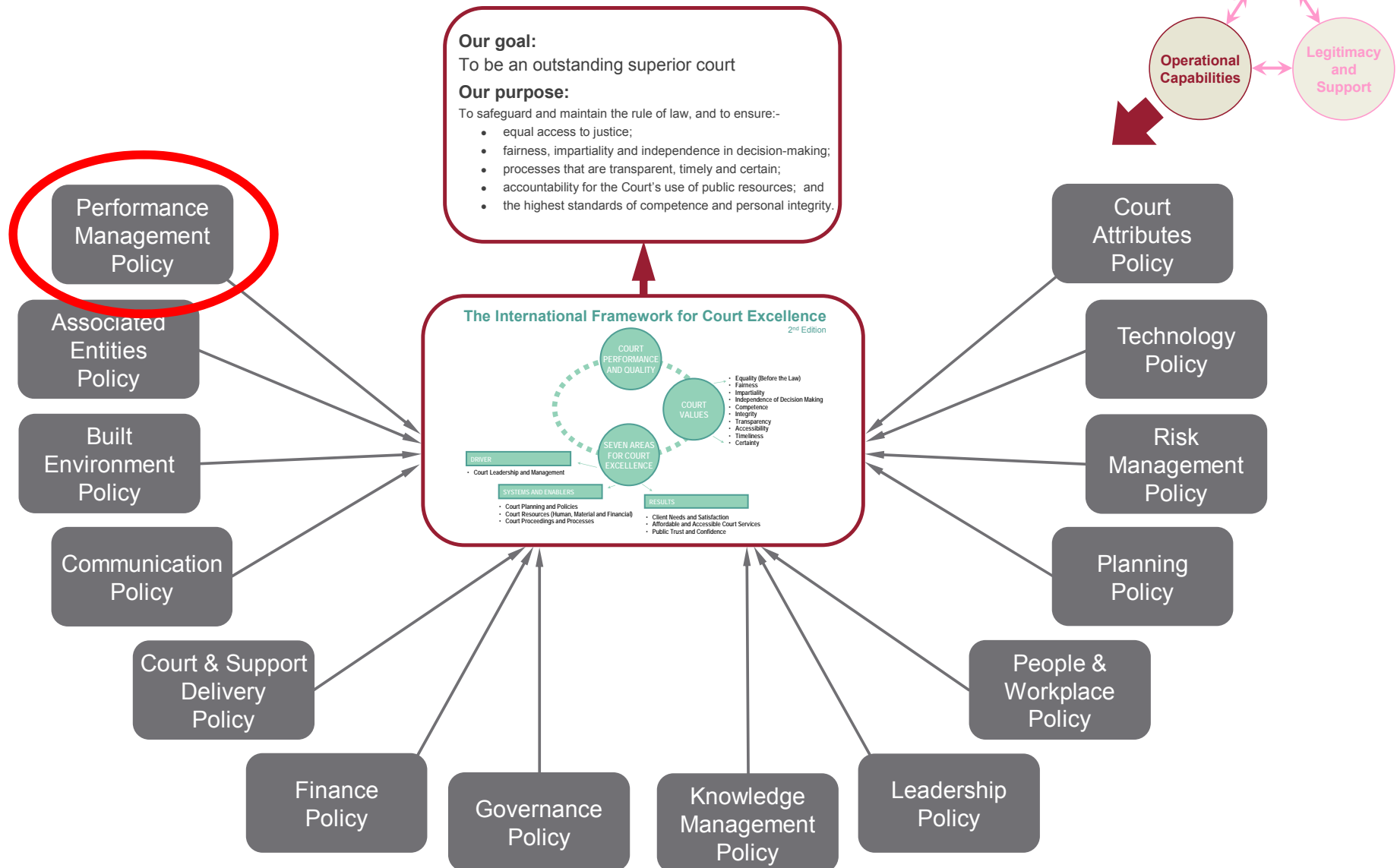
The defined purpose of BP3 is to
monitor public expenditure and
promote public accountability

Responsibility for performance improvement remains with each jurisdiction

Jurisdictions need to '**manage**' their performance
if they hope to improve their performance

Supreme Court Performance Management

Supreme Court of Victoria Policy Framework



Supreme Court Performance Management

Performance Management Policy

Performance Management Definition:

*“Performance management is the process of **monitoring, analysing and using** performance data on a regular basis to improve the quality of justice delivered by the Court”*

Performance Measures:

- Strong preference for ‘**outcome**’ key performance measures.
- Input and output measures, as required for mandatory reporting.

Performance Governance:

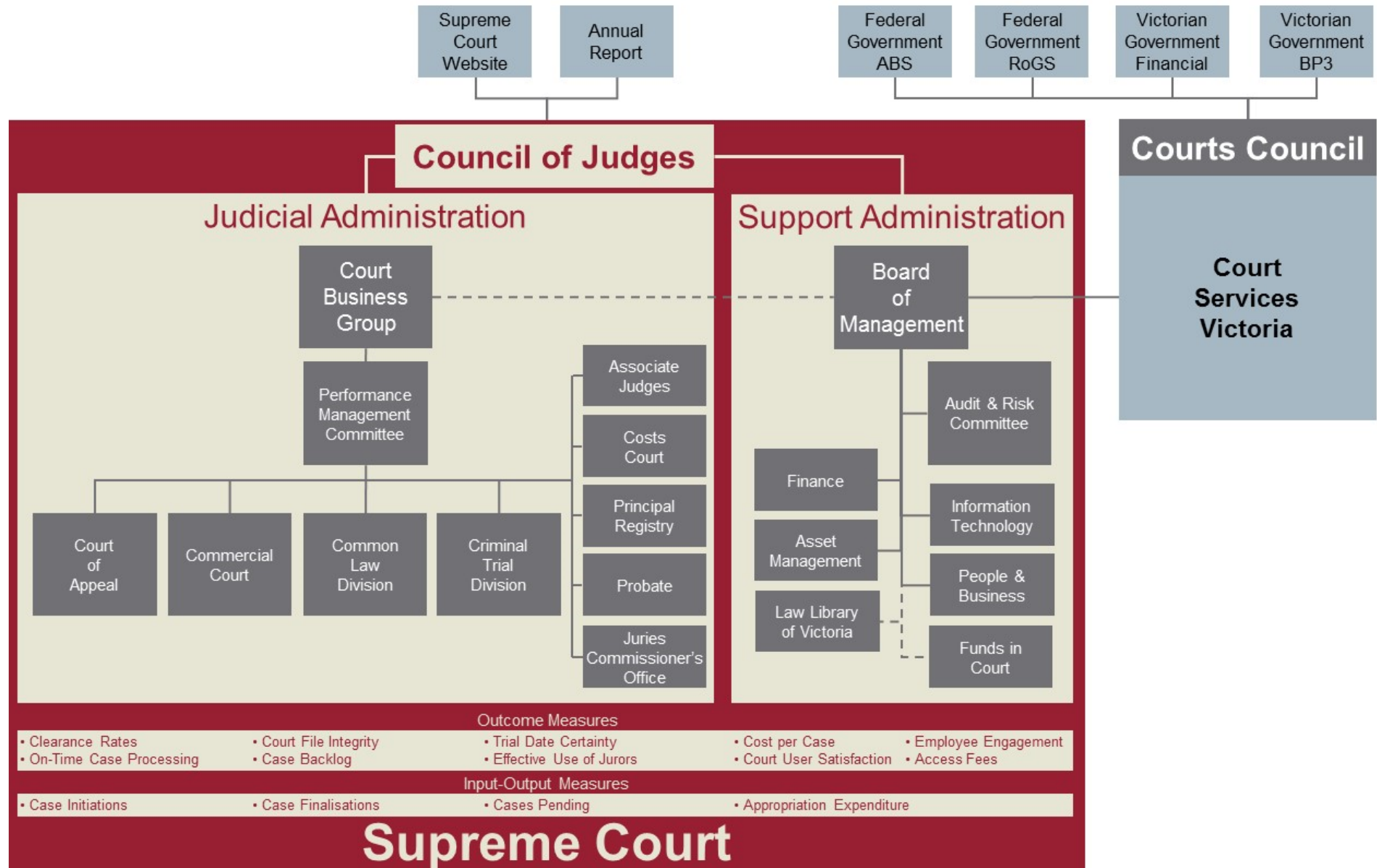
- System chosen by the Court to direct and manage its performance
- Includes accountability and control systems.

Performance Reporting:

- Mandatory Performance Reporting - as required by Federal and State governments
- Voluntary Performance Reporting - a system of structured, regular internal & external reports

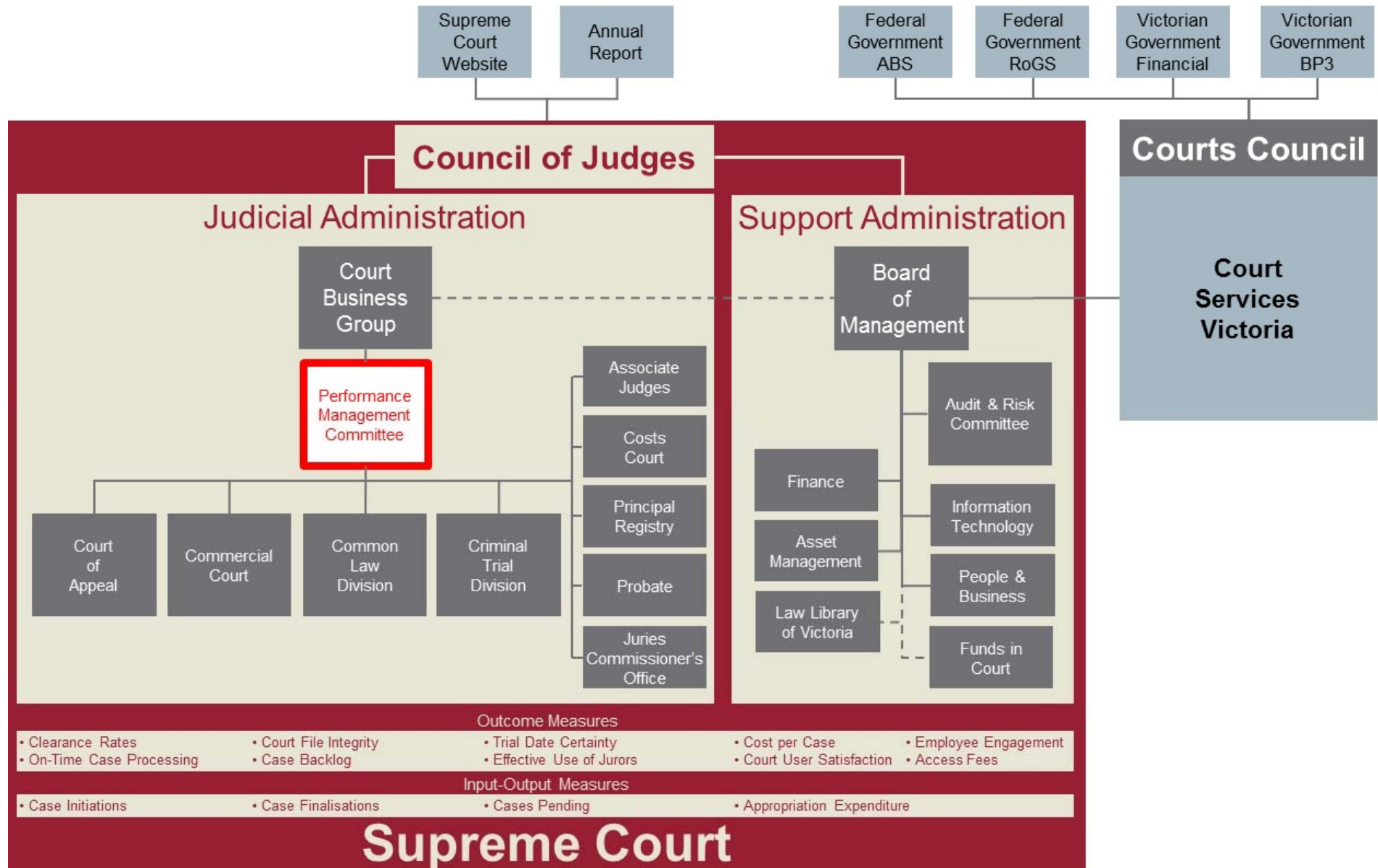
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Performance Management Governance Arrangement



Supreme Court Performance Management

Performance Management Governance Arrangement

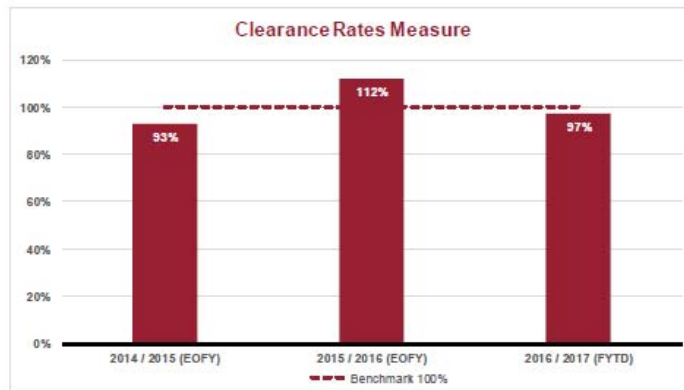


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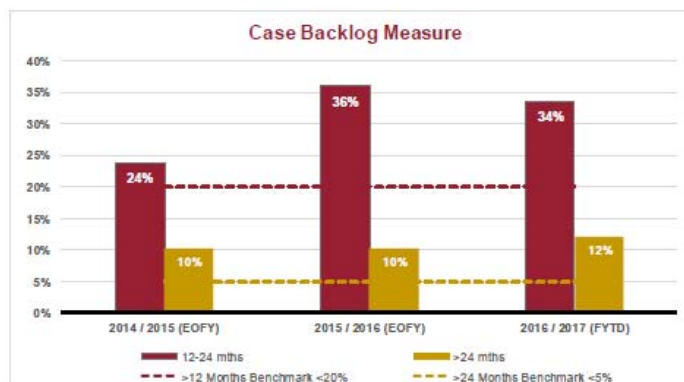
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2 Executive Summary

2.1 Key Performance Measures (Year to Date)



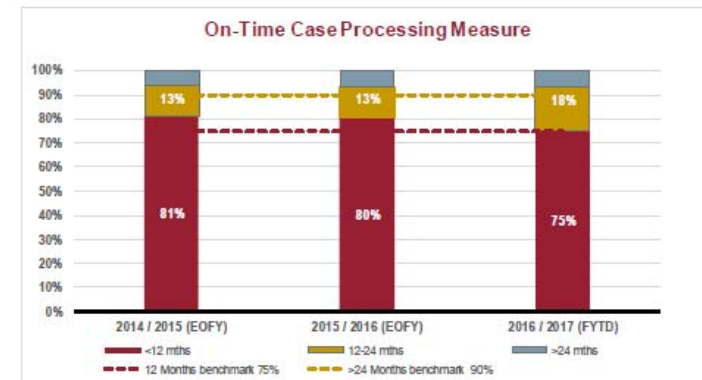
Clearance rates remained quite consistent throughout 2015/2016, with Court of Appeal - Civil (82%) being the only area below the 100% benchmark. However, this first quarter report for 2016/2017 sees Court of Appeal Civil (76%), Court of Appeal Criminal (79%) and Common Law (97%) all dipping below the 100% benchmark; resulting in a 5% drop in the overall outcome for the Court. It could be that the slight increase in initiations for the quarter in these areas (compared with the same period in 2015/2016) might explain this outcome.



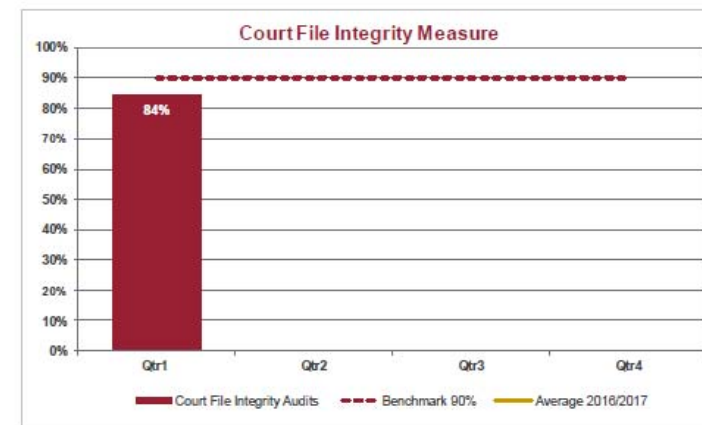
Outcomes for this measure continue to be significantly over the Court's benchmarks. While Court of Appeal performance is well within the benchmarks, the Commercial Court and Trial Division Criminal in particular are contributing to the high outcomes. There are known causes

Supreme Court of Victoria

for these outcomes being as high as they are. However, it may be worth checking whether the outcome for this measure will fall within benchmark levels once these extraordinary causes are addressed. It is worth keeping in mind that the Court is required to report this measure within the annual Report on Government Services.



With the exception of Common Law Division, all areas of the Court continue to finalise the majority of cases within prescribed timeframes. The Court may wish to consider the underlying causes that result in Common Law Division only finalising 64% of its cases within 12 months.



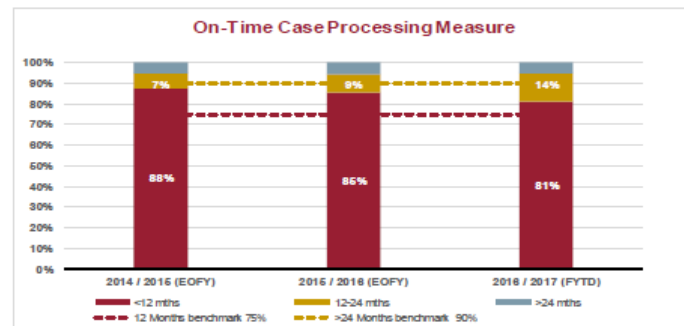
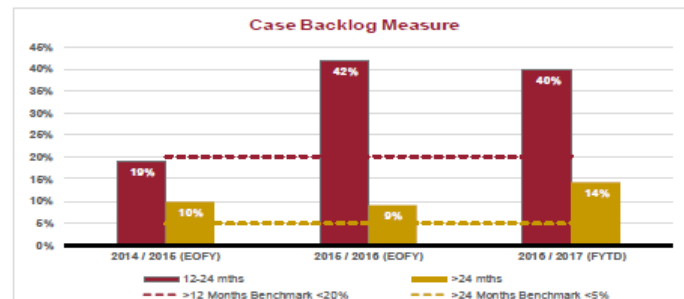
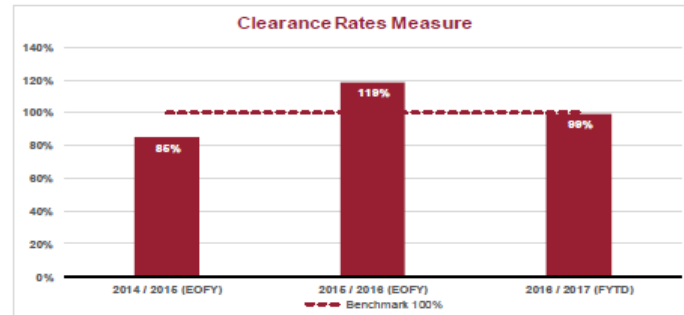
2016/2017 heralds the introduction of this measure as one that will be reported to the Victorian government as part of its Budget Paper N° 3 reporting process. A benchmark of 90% pass rate has been set for all jurisdictions. The Court is performing close to the benchmark level with 59 out of 70 files audited in September 2016 passing the process. Of

Supreme Court Performance Management

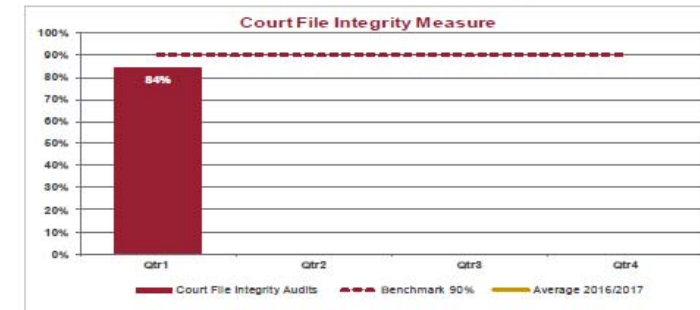
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3.3 Commercial Court Division

3.3.1 Key Performance Measures (Year to Date)



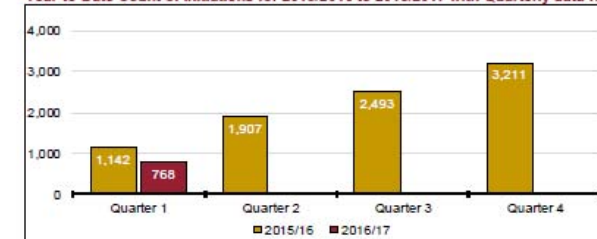
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3.3.2 Input and Output Measures (Year to Date)

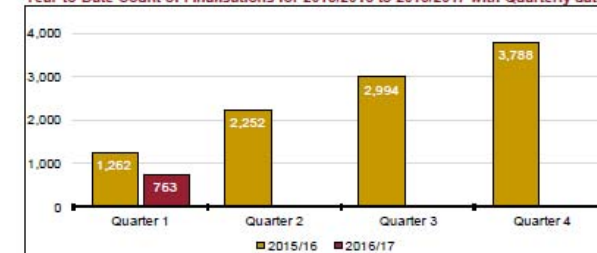
Initiations

Year-to-Date Count of Initiations for 2015/2016 to 2016/2017 with Quarterly data for 2016/2017



Finalisations

Year-to-Date Count of Finalisations for 2015/2016 to 2016/2017 with Quarterly data for 2016/2017



Year-to-Date Count of Initiations and Finalisations for 2015/2016 to 2016/2017

	Initiations		Finalisations		Clearance Rate	
	2015 / 2016	2016 / 2017	2015 / 2016	2016 / 2017	2015 / 2016	2016 / 2017
Numbers	1,142	768	1,262	763	111%	99%
Percentage difference		-32.75%		-39.54%		

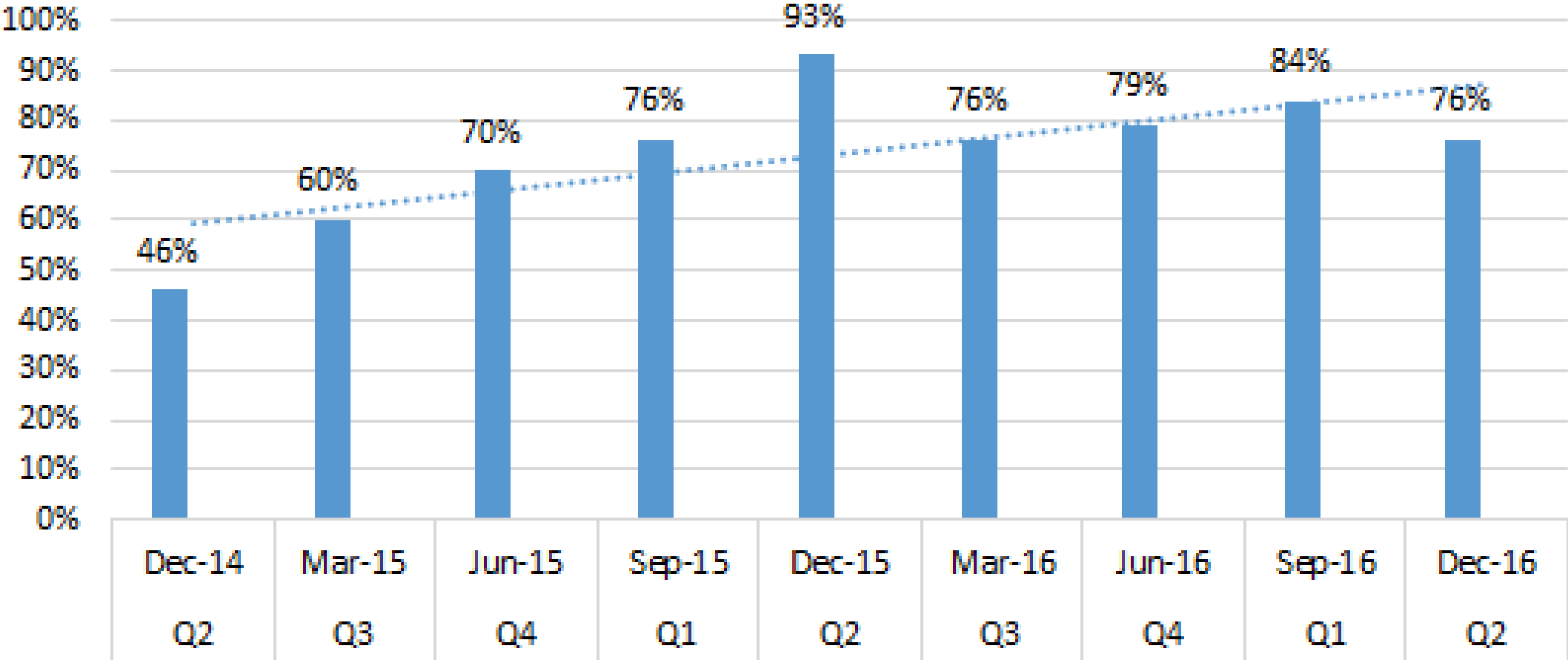
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Court File Integrity

- Availability Test
 - = amount of time it takes to retrieve a case file
- Accuracy Test
 - = agreement between case file summary and file contents
- Organisation Test
 - = how well arrangement of file contents meets Court requirements

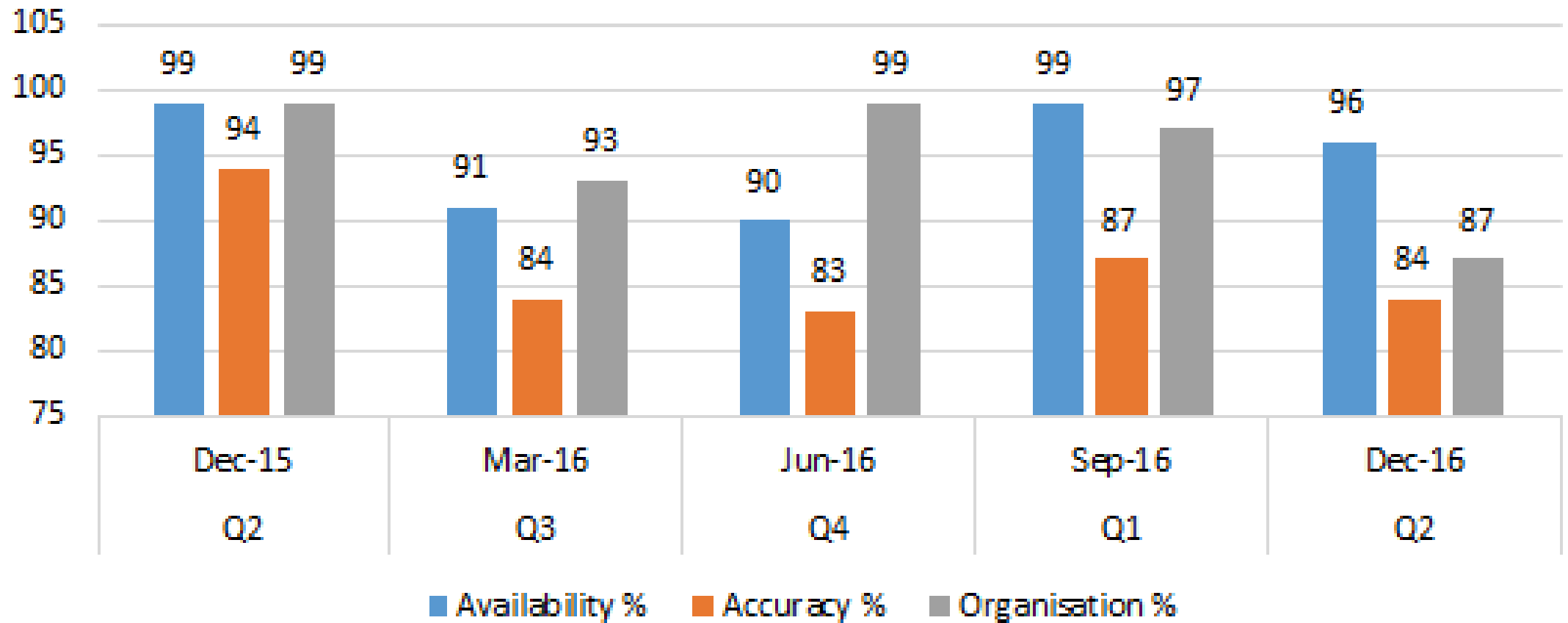
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Overall Performance
Court File Integrity Measure Audits



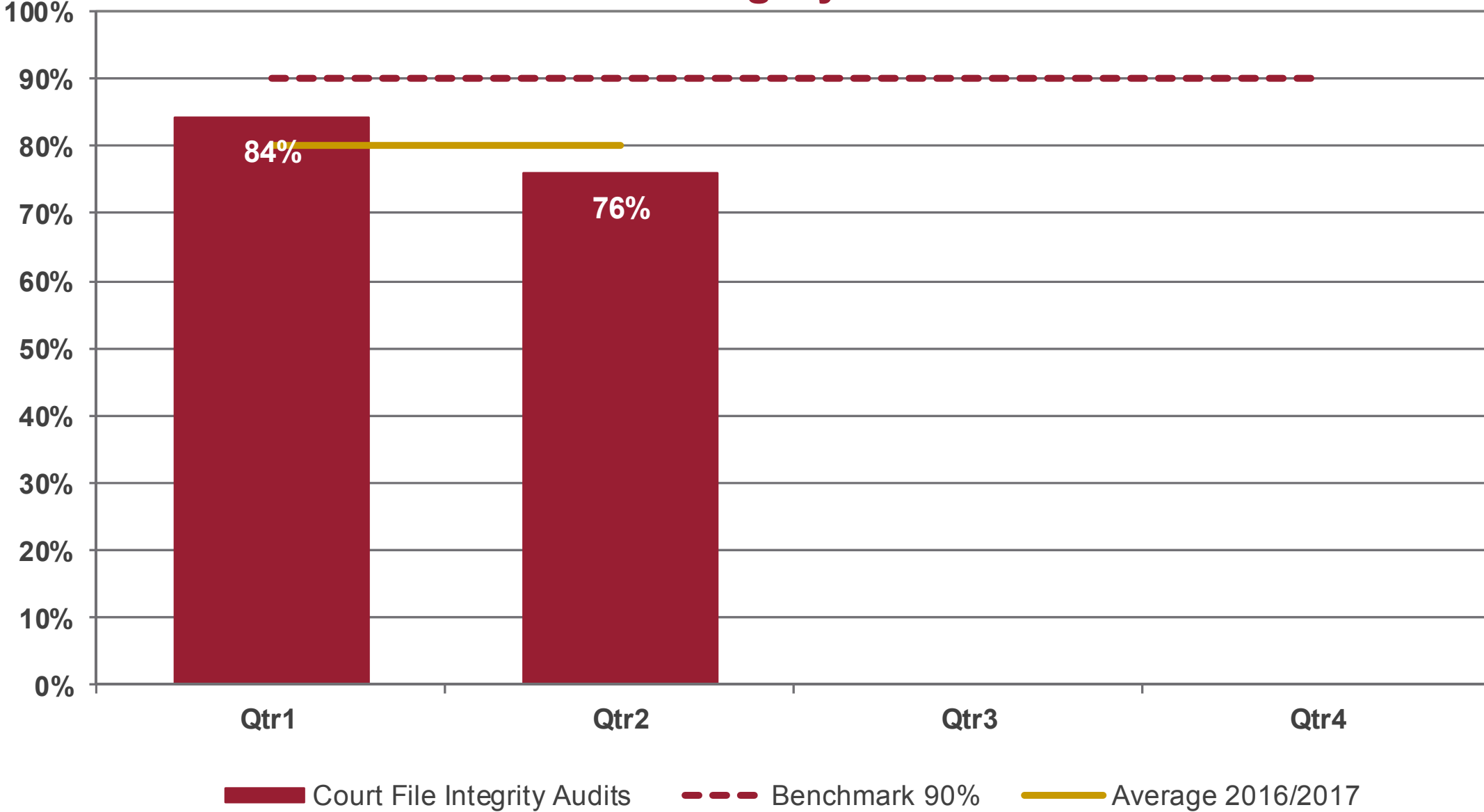
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Overall Performance
Court file integrity audits by measures



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Court File Integrity Measure



Supreme Court Performance Management

Some Operational Impacts of the Court File Integrity Measure

- Formal liaison forum between Registry and Chambers
- Induction training for Associates
- Measure is a routine agenda item on Registry staff meetings
- Rolling fortnightly spot audits of files in Registry
- Introduced as a measure within the individual performance and development plans for Registry staff

Closing Comments

- It is challenging for Court Leaders to monitor the outcomes of their court's performance not just how busy their court is (i.e. initiations and finalisations)
- We need to learn to use measures to manage and improve performance not just report performance
- The community expects its courts to keep pace with modern business practices, therefore, we need to make better use of technology to monitor current performance live through **performance dashboards**, rather than generating reports that show past performance

In this regard, I highly recommend tomorrow's session on
"Performance Dashboards at the Victorian Civil Administration Tribunal"



Thank You

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