



**January**

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## Lawyers Journal

### **Administration and Management A message from Chief Justice Robert A. Mulligan**

The upcoming anniversary of the Monan Committee Report provides an opportunity to take stock of our court management reform efforts and set our course for the next five years. That heralded report was quite critical of court operations, citing long delays and inefficiencies. While acknowledging the high quality of justice, its findings of “managerial confusion” and “high cost, slow action and poor service” served as a wake-up call for everyone committed to the timely delivery of justice.

Since then, thousands of employees throughout the court system have rallied to adopt new practices that focus on accountability and continuous improvement. From clerk-magistrates and judges to probation officers and court officers, dedicated employees have supported wide-ranging changes in the way we manage the daily business of the Trial Court.

The 2003 report presented recommendations in three areas: leadership, accountability and disciplined resource allocation. And in my view, we have made strides in all three. We certainly have more to accomplish, but we have established a strong foundation for further progress.

Impressive, collaborative leadership by the Trial Court chief justices has achieved an ongoing transformation across all seven departments. The Court Management Advisory Board (CMAB), formed by the Legislature in the wake of the report, has provided us with valuable guidance. The board’s committed members from legal and business backgrounds have emphasized the need for empirically-based performance assessment to promote informed decision making and continuous improvement.

First, we needed to clarify expectations, which required the expansion of time standards to criminal and civil cases in all departments. We also set standards for staffing decisions by developing staffing models, which are used to prioritize critical needs and objectively allocate limited resources.

Next, we needed to assess how we fared in meeting those standards. Fortunately, the National Center for State Courts had just developed 10 CourTool measurements for assessing court performance. We adopted the four measures focused on timely case management, used varied data sources and, as the data quality improved, we began to see the impact of the adage “what gets measured gets done.”

The revitalization of MassCourts, the new case management system, under the leadership of Appeals Court Judge James McHugh and Chief Information Officer Craig Burlingame provided a critical foundation for this data collection and reporting in the departments where it had been introduced. Simultaneously, the data needs for the new measurements enhanced the ongoing development of MassCourts.

Perhaps most important, we moved on to develop a common set of challenging goals that would produce a beneficial impact on the timely disposition of cases. Certainly, there was risk in setting ambitious goals that might not be met. However, goal setting actually infused energy into our efforts, as we recognized the concept that falling short of a goal did not constitute failure.

Transparent reporting of the data represents another major Trial Court milestone and another risk-taking endeavor, but one essential to demonstrating seriousness in holding ourselves accountable. The summary of 2006 results was widely distributed and we now post data quarterly on our Web site.

The Trial Court’s venture into performance measurement continues to be a productive learning experience. We recently piloted a user survey focused on court accessibility and fairness. As we move forward, targeted data collection, along with effective analysis, audits and action plans will continue the momentum generated over the last five years.

Thanks to the energetic leadership of the Trial Court chief justices, committed support from the clerk-magistrates and the dedicated efforts of judges and countless court staff, we gradually are transforming a culture steeped in precedent and tradition to one of accountability and performance.

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