

COURTRAN FROM THE USER'S POINT OF VIEW

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I would like to spend a few minutes describing the data preparation process for COURTRAN as the system exists in our court, and then I will turn to the uses of the reports.

Our court has a current criminal caseload of about 1300 criminal cases — that figure has been as high as 1600 during the time COURTRAN has been in existence. With the exception of about 250 cases in which the defendant is a fugitive or incompetent for trial, most of these cases are updated at least once per month, and many are updated several times in a given month. An update, in this framework, would be an action affecting the status of the case, the defendant's whereabouts, the identity of defense counsel, the assignment of a prosecutor, or a transfer of the case to another judge.

Thus, the data preparation involves the receipt, identification, coding and keypunching of no less than 1000 transactions, and generally about 3000 transactions per month. All of this, plus some tight control measures on input which I'll describe later on, is accomplished by a single person, whom we call a data processing assistant, and who was selected primarily on the following criteria:

1. She is knowledgeable and experienced in criminal case processing and had several years of experience in a variety of jobs in the court; so we knew she was flexible.
2. Because of her record with the court, we knew her to be a very accurate worker, with a conscientious concern for detail.
3. She is a good typist, an important consideration relating to keypunching.
4. Last, but perhaps most important, she asked to be considered for the job after observing operations from a distance for a month or so. A keen interest in this kind of work is a *sine qua non* for any system which depends for success on the efforts of a very small staff.

Only limited supervision has been available to the data processing assistant once the training period was completed. In turn, she has been primarily responsible for the training of two other people who serve in a back-up capacity when she is on vacation or otherwise out of the office.

Input to the system comes from five sources:

1. Records of courtroom transactions;
2. Log of papers filed over the counter in the Clerk's Office, such as attorney appearances, return of bench warrants, orders filed but not in open court, etc.
3. Notices of transfers of cases between judges;

4. Notices of reassignments of prosecutors as well as indictment lists from the U. S. Attorney's office; and
5. Notices of completion of pre-sentence investigations from the probation office.

The only one of these five input devices that was created expressly for COURTRAN is the probation office notice — all the others pre-existed the system and the only adjustment necessary was the making of one extra quick copy of each for the data processing assistant.

I would like to digress for a moment to the subject of paperflow and computer systems. The ideal way to install a computerized information system is to first overhaul, streamline and modernize paperflow, and then computerize the contents. For policy reasons, we did not have the time to do anything with paperflow before the computer was upon us, so we designed the computer system to be paperwork-independent. We know our paperflow, which depends on blotter entries of courtroom activities, is archaic in many respects, and we will be changing it soon. The advantage of COURTRAN is that it does not freeze our present system — we can change it as necessary with the single proviso that we allow for information flow to the computer. We will, of course, move toward source data encoding in the future.

To continue with COURTRAN input: As the data processing assistant receives the data, she reads the entry, codes the transaction directly on the input document with a red pen, and keypunches the entry directly from the document. We do not use a verifier — all keypunching is sight verified and the computer program scans for errors as well. Then the data processing assistant places the punched cards in a holding file, and files the input documents for reference during the edit phases. Most input is held in an active status for three months, retired to an inactive file for nine months, then destroyed.

At the end of each reporting period (this can be monthly, weekly, or daily, depending on reporting needs), after the data processing assistant has made sure she has received and processed all input for that period, she turns the data over to an operator for entry to computer. I might add, at this point, that the system is simple enough to operate so that our data processing assistant can actually perform the computer operation herself.

As for the matter of input control, all indictments are checked against a sequential number list

so that no indictment can be skipped and inadvertently left out of the system. In addition, the data processing assistant maintains a daily log of courtroom and office blotters, so that if a day is skipped, she can spot it immediately and check back with the courtroom clerk. Incidentally, courtroom clerks regularly submit a dated blank blotter if they had no criminal matters on a given day.

After the data has been taken by the computer operator, there are two edit phases; the first is the input-preprocessor edit, which verifies item count and identifies format errors. Since this edit consists of a listing of all input in the order in which it was placed in the holding file, with a flag on erroneous items, this listing provides an audit trail of each month's input. After errors found in the input edit have been corrected, the update program provides an error listing of inconsistent and invalid transactions. These are resolved, generally by telephone between the operator at the computer site and the data processing assistant at the court. Reports are then printed, transported to the court, and distributed to users. The turnaround period can be as short as 24 hours if there is a small number of errors, or at the outside, 72 hours.

Once the reports are in the hands of users, what happens to them? There are a wide variety of uses; while I can describe quite a few in the time allotted, I'm bound to skip some. Our court is on an individual calendar system; hence we provide to each judge a status report on his cases pending trial, a list of his cases awaiting sentence, both in docket number sequence, and an alphabetical listing of all defendants in his caseload. The same listings for the court as a whole are provided to the Chief Judge, the judge who is chairman of the Calendar Committee — the body responsible for policy and practice regarding the distribution of cases — and key Clerk's Office personnel. These are, on their face, simple directories and indices; but because they show data such as identity of defense counsel, prosecutor, case status, defendant whereabouts, and the date and nature of the most recent event in the case, they can be utilized to extract the facts necessary to formulate management decisions. For example, if a particular judge has a heavy caseload with a high proportion of inter-related and protracted narcotics conspiracy cases, will his murder, robbery and burglary caseload be held back and, if so, should there be a redistribution of such cases to other judges? Does the condition of some judges' caseloads indicate that they should be given specialized assistance in caseload management by provision of special train-

ing to their law clerks, courtroom clerks or other associated personnel?

While there is a legitimate question about the quality of justice rendered when arbitrary time limits are imposed on the judicial process, the much-quoted dictum that "Justice delayed is justice denied" is still a sound working principle. In an individual calendar system there are wide differences in the length of time that judges take to dispose of cases. One of the interesting questions that can be explored through the research capacities of COURTRAN is the identification of the judges who have the most events per case, what kind of events they are, and their comparative time lapses to disposition. Such an empirical analysis may lead to some new conclusions about the effectiveness of certain judicial practices for good utilization of judicial resources.

The reports on defendants awaiting sentence show which judge has the case, whether defendants were adjudged guilty by plea or verdict, whether or not they are undergoing some kind of specialized pre-sentence evaluation such as for Youth Corrections Act eligibility or a psychiatric evaluation, and how long they have been awaiting sentence. These data can be used by the court to project needs for additional probation officers, to detect regular peaks in sentencing caseloads if peaks do exist, and as a factual basis for the court's discussions with corrections officials on mutual problems. Incidentally, before COURTRAN, there was no such listing of defendants awaiting sentence available anywhere in the court.

There are other instances in which the court's relationship and communications with other elements of the criminal justice system are enhanced by the data available from the COURTRAN reports. For example, the U. S. Marshal's office, which in the Federal courts is responsible for apprehension of fugitive defendants, requested over a year ago a special report, which they receive monthly, listing all fugitive defendants in alphabetical order. A recent defendant-by-defendant check of their monthly fugitive list disclosed fifteen names on which the Marshal's warrant squad had no record. A docket check on those fifteen revealed that the Marshal's office had mislaid the records of thirteen bench warrants, and that in the two other cases, the defendants were actually fugitive but through a slip-up in the Clerk's Office no bench warrants had ever been issued. Score: fifteen fugitives from justice that nobody was looking for. In this as in other instances, the COURTRAN system proved more

reliable than other information available, and the ability to isolate particular classes of information made the checking process much faster and easier.

While the U.S. Attorney's office, the federal prosecutorial agency, receives a full set of almost all COURTRAN reports, we also produce a specialized set of reports designed expressly for their needs. From these prosecutor reports, they can determine which prosecutors are assigned to which pending cases, how many cases a given prosecutor has and before what judges, how old each prosecutor's caseload is, what it is made up of, and what status each case is in. Information that can be derived from the reports includes, among other data, each prosecutor's batting average by type of offense or by judge, data that can assist the U. S. Attorney in making effective personpower utilization decisions within his office.

There is a local felony court in the District of Columbia that shares with the Federal court a sizable defense bar. The Superior Court and the Federal Court are in the process of adopting the same identically numbered master file of active attorneys admitted to practice in D. C., the result of a cooperative effort by the two courts and the staff of the unified bar of the District of Columbia. While we do not at this writing have the capacity to look at our caseload in terms of each defense counsel's pending calendar, we will have that capacity very shortly. Since a single agency, the Public Defender Service, is responsible for coordinating the appointment of publicly reimbursed counsel in both courts, as well as providing its own lawyers for part of the caseload, the ability of the two court-based computer systems to interface on defense counsel and provide joint information to the Public Defender Service should prove highly useful to all three. The reports being planned can be used, like the U. S. Attorney's reports, to evaluate performance and guide the Public Defender Service in assessing training needs for appointed counsel.

The Police Department's ability to update arrest data with court dispositions is improved by the inclusion of an individual defendant's identification number and the criminal complaint report number, identifying the event, in the court's disposition report. This improvement in communication is obviously of interest to a much broader clientele than the components of the criminal justice system itself.

As time passes and more and more people become aware of the possibilities of COURTRAN, we acquire more users. Besides the Clerk's Office

and the judges, we now distribute reports to seven other offices in the court, and two more have indicated interest in receiving one or more of the reports or in having a report custom programmed for them. While there is always a danger with computer-based systems of churning out reams of reports that nobody uses, this does not seem to be the case with COURTRAN so far — those persons who have come and asked for reports seem to make use of them, and if the reports are late in arriving, the users are hammering at the door immediately, demanding to know where they are.

At a more mundane level, a number of costly, time-consuming and irritating clerical tasks have been supplanted by COURTRAN. Several reporting requirements of the Administrative Office of the U. S. Courts are performed in one-fourth to one-tenth the formerly required time with the help of the reports. The system prepares monthly in-house statistical analyses of criminal caseloads — an aggravating and expensive chore when done manually. The system also prints a monthly master pending calendar, eliminating a time-consuming and error-prone manual operation. The alphabetical listing of defendants puts a portable index of all pending cases on no less than sixteen desks and counters in key areas of our large building.

Not all conceivable questions about a criminal caseload can be answered directly from COURTRAN reports; we recently did a study of all defendants in jail solely because of cases pending in our court, requiring that we identify all defendants in jail, the cases on which they were committed, which court committed them, and the length of time they had been in custody. While two of those data elements were not yet available from COURTRAN, the ability to compare a COURTRAN-produced defendants-in-custody list with another listing produced by the Department of Corrections cut the time required to perform this study to one-tenth the time needed to do it manually.

While the system was not initially designed to take over clerical operations such as notice to counsel or preparation of judgments and commitments, it can be expanded into these areas in the future. Such expansion must await increased access by the court to computer facilities, implementation of on-line operation, and a decrease in the cost of such facilities.

My seven-year-old son always saves the frosting until after he has eaten the cake — in that respect, he's like his mother. To me, the best part of COURTRAN is what I have saved until last — the

management exception concept designed into the system.

Time parameters, chosen on the basis of realism as well as the court's judgment of ideal time lapses, have been built into the system at each stage of case processing. These time limits are tailored to the needs of our court -- any other court that adopted COURTRAN could determine its own parameters based on local conditions. The parameters provide the basis for a separate follow-up list of cases that have "dropped between the cracks." If, for example, an indictment has been returned and no arraignment has occurred within 20 days, the case will appear on the next follow-up list. If a scheduled date -- for status hearing, trial, sentence -- has elapsed and no court appearance has occurred and no continuance has been recorded, the case appears on the followup list. There have been instances in the past in which fugitive defendants have been arrested and jailed, the court's manual record system malfunctioned, and the defendants remained in jail for long periods of time awaiting a summons to court that never materialized. COURTRAN prevents that from happening by placing such cases in the exception category immediately. There are other cases in which a defendant was to have all charges dismissed at the time of sentencing of a co-defendant, everyone forgot, and the defendant lived for months under the cloud of an undisposed criminal charge. With COURTRAN, this cannot happen any more -- a 90-day period of inactivity with respect to such a defendant will produce an exception report.

The followup list, which groups cases by type of exception, is printed in two ways -- by judge, and as a master listing. The individual judge report goes to the judge and his staff; the master goes to the Chief Judge, the Clerk, the U. S. Attorney, the probation office, and to me. Any one of these people can get all the exceptions tracked down and reactivated before the next reporting period.

My own method of handling an exception goes as follows:

1. Check the docket;
2. Pull the case jacket and read it;
3. Consult with the courtroom clerk;
4. Call somebody -- prosecutor, defense counsel, or whoever can best get the engine started again;
5. Watch the next report to see that something constructive has happened to the case.

The first four of the preceding steps are an escalating series, and often it is not necessary to go through more than the first one to obtain the desired results. Step five, checking the next peri-

odic report, is a must for effective utilization of the system.

Whenever I consult with a judge's immediate staff, or anyone else in the court for that matter, about a specific case, I always carry the computer report with me, and I always point out that (a) my question originally arose from the COURTRAN report, and (b) it may be an error in COURTRAN and, if so, I'm anxious to see it corrected. The first point re-emphasizes the possibilities of COURTRAN for effective case management and the second point takes the staff member off the defensive. Sometimes the reason for the delay is known to the staff, but is not the sort of information that gets into a case file -- such as a key witness becoming ill and causing a continuance. Often, also, the information is known to chambers but has not been committed to the court's blotter system, such as a continuance granted by phone in chambers and not placed on a courtroom blotter. Thus, the followup report can be an inducement to more complete documenting of activity.

As is true in any situation, individuals vary greatly in their responses to such prodding; some judges' staffs have picked up the ball and run with it; direct consultation with them is rarely necessary. Some judges have low caseloads and/or excellent records systems in their own offices, and for them COURTRAN's chief utility is as a doublecheck. Other staffs are simply not oriented toward administration, and don't want to be, and we accept responsibility for the followup function for these chambers at the Clerk's Office level; this is not an onerous task because it's interesting and lends a sense of immediacy to our staff functions.

We have, by the way, run a series of show-and-tell type workshops for all users in the court, to identify for them the ways in which they themselves can use the system most effectively.

Finally, the court is in the final stages of developing its plan for the implementation of the new rule 50(b) of the Federal Rules of Criminal Procedure, requiring expedited disposition of criminal cases. While the specific details of our plan are not yet final, it is clear that the court is going to adopt some time limits from indictment to trial. COURTRAN puts the court in the position of being readily able to monitor all cases in light of these time limits, thus fulfilling one of the specific requirements of rule 50(b) for a reporting system. More important, COURTRAN can get into the act by providing listings on a weekly basis of cases

nearing the end of the time limits, thus allowing the court to make informed decisions about caseload distribution so as to comply with its own rule.

I think the most important aspect of the system is that it provides the court the basis for making informed decisions about the management of its business. While the courts are always going to be at the mercy of events beyond their control — crime rates, police arrest and charging rates, prosecutors'

decisions, grand jury decisions — we no longer need to feel that all we can do is struggle blindly. Now the court is able to define what we have, quickly and accurately, and classify it in any number of ways. Out of these definitions and classifications can come new ways of managing our caseload so that justice is far less frequently denied. Our greatest challenge, in utilizing COURTRAN, is to develop and implement those new management techniques.



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