



BJA Bureau of Justice Assistance Fact Sheet

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Differentiated Case Management

Every case that goes to court imposes a unique set of demands on court resources. With the increasing volume and diversity of criminal and civil dockets in most courts, and the broad range of case types and case processing requirements presented, the traditional first-in/first-out, one-track-fits-all approach to case management is no longer either feasible or desirable. Differentiated Case Management (DCM) is a technique courts can use to tailor the case management process to the requirements of individual cases. DCM provides a mechanism for processing each case in accordance with the timeframe and judicial system resources required. Thus, each case can move as expeditiously as possible toward disposition, rather than waiting in line.

Background

In July 1987 the Bureau of Justice Assistance (BJA) of the Office of Justice Programs, U.S. Department of Justice, awarded a grant to EMT, a nonprofit organization based in California, to develop and provide technical assistance for DCM. Under this grant, DCM demonstration projects were implemented at five State trial courts in 1988. Responsibility for continuation of the DCM project was assumed by American University's School of Public Affairs in July 1989, aided by a BJA award for technical assistance to the BJA demonstration sites and assessment and documentation of DCM's key elements and results. Four additional demonstration sites were funded in 1989. American University's DCM grant was active through September 1992. American University currently provides limited technical assistance to courts interested in implementing DCM through a technical assistance grant funded by BJA.

Key Features of DCM Model

The DCM model offers three key features:

- ❑ **Development of multiple case processing tracks with different events and timeframes that reflect the range of case processing characteristics and requirements presented by the caseload**—Shortly after a case is filed, it is assigned to the applicable track based on criteria developed by the local judicial system. Some courts have only three tracks—simple, standard, and complex; other courts have six or more tracks specific to that court and subtracks as needed.
- ❑ **Improved organization of court events to ensure that each scheduled event occurs at a time and in a manner that promotes case disposition**—Court events such as preliminary hearings, motions, and evidentiary hearings are not automatically scheduled; instead, they are scheduled only for those tracks in which they are appropriate. For example, a predisposition conference would be scheduled for a major drug possession case assigned to a “complex” track, but would not be scheduled for a simple drug trafficking case assigned to a “simple” track. Only events that contribute to the case disposition process are scheduled, and each scheduled event is designed to promote case disposition. Thus, events that do not contribute to case resolution (such as pro forma calendar calls) are eliminated, and events that do contribute to case disposition (such as pretrial conferences) are scheduled at times when issues can be defined or disposition might reasonably be expected to occur.
- ❑ **Close case monitoring**—Monitoring individual cases both ensures that each case stays within

track procedures and timeframes and identifies unanticipated problems that may warrant track reassignment.

Benefits of DCM

Benefits attributed to DCM, as determined by demonstration site experience, include:

- ❑ Significantly greater scheduling certainty and more efficient use of resources, including:
 - Reduced disposition times.
 - Greater judicial productivity.
 - Fewer continuances.
 - Lower witness costs, including less police overtime.
 - Reduced pretrial detention costs.
 - Fewer bench warrants due to failures to appear.
- ❑ Increased coordination and cooperation among justice agencies, including:
 - More efficient coordination of individuals and tasks.
 - Earlier discovery and other information exchanges among attorneys.
 - Earlier availability of information needed for accurate case scheduling (for instance, the need for an interpreter and pre-sentence investigations).
- ❑ Improved quality of the judicial process, including:
 - Better attorney preparation due to more reliable court schedules.
 - Fewer witnesses “lost” due to delays or continuances.
 - Improved public respect for the judicial process.

DCM Implementation

According to the courts that implemented DCM, its success generally includes the following prerequisites:

- ❑ Commitment of major players in the judicial process (i.e., judges, prosecutors, and defense attorneys) to developing a system that differentiates among cases for processing purposes.
- ❑ Leadership of a key judge throughout the development and implementation of the DCM system and of an experienced administrator assigned to coordinate the effort.
- ❑ Willingness on the part of the court and the participating agencies to reorganize existing staff responsi-

bilities, if necessary, and to dedicate senior staff, at least initially, to screen cases at the time of filing.

- ❑ An information system that supports the operation, monitoring, and evaluation of the DCM system. For a large volume of cases, an automated information system may be necessary, but many jurisdictions have found a personal computer-based system to be adequate, at least initially.

How Much Will DCM Cost?

Budgeting for DCM implementation requires evaluation of existing resources. Many jurisdictions simply reorganize existing staff and redefine staff functions as necessary to support the requirements of the DCM system. For example, a court clerk might begin tracking the different types of cases on the court docket or monitoring cases proceeding on a given track. Costs specifically attributable to the DCM system include the need for adequate staff, management, and information resources both within the court and among participating agencies. The actual costs of implementing DCM will therefore be determined by the preimplementation adequacy of these resources.

What are DCM Services?

Limited, no-cost telephone technical assistance that provides general information and referrals is available to courts interested in implementing the DCM system. For technical assistance, contact American University, School of Public Affairs, at the telephone number and address listed below.

The publications *Differentiated Case Management Implementation Guide*, *Differentiated Case Management Program Brief*, and *BJA Information File* include all BJA and other Office of Justice Programs agency publications that pertain to DCM and are available from the BJA Clearinghouse. See “For Further Information” below.

What Courts Already Have DCM?

Courts currently practicing DCM include:

- ❑ **BJA Demonstration Projects:**
 - Virtually all of the demonstration courts that introduced DCM to their criminal caseloads have since extended it to their civil cases, and vice versa.
 - Differentiated Case Management Berrien County (St. Joseph), Michigan: Criminal cases, based on an early civil DCM program; later expanded to include a five-track drug court, including a treatment track.

Camden County, New Jersey: Criminal and civil cases.

Pierce County (Tacoma), Washington: Initially drug cases; later expanded to property cases, then to sexual assault cases, and then to the entire criminal docket.

Ramsey County (St. Paul), Minnesota: Initially civil cases; now, also criminal cases.

Wayne County (Detroit), Michigan: Criminal cases.

- Expedited Drug Case Management (applying DCM specifically to drug cases, to move them as expeditiously as possible toward disposition)

Middlesex County (New Brunswick), New Jersey: Drug cases.

Multnomah County (Portland), Oregon: Drug and property cases, including a track for drug treatment court cases.

Philadelphia, Pennsylvania, Court of Common Pleas: Originally, criminal nonjury cases; now, all criminal cases.

□ **Other Jurisdictions Adopting the BJA DCM Demonstration Model:**

- Federal Jurisdictions
Ten pilot districts in the Federal Court system.
- Statewide Jurisdictions
State of California (civil cases).
District of Columbia (drug cases).
State of Maryland (civil cases).
- Local Jurisdictions
Jefferson County (Birmingham), Alabama: Civil cases.

Pima County (Tucson), Arizona: Civil cases.
Ninth Judicial Circuit Court of Florida (Orlando): Criminal cases.

New Castle County (Wilmington), Delaware: Drug cases, including drug court treatment track.

Anne Arundel County (Annapolis), Maryland: Domestic relations cases.

Baltimore City, Maryland: Drug cases, including drug court treatment track, and civil cases.

Baltimore County, Maryland: Civil cases.

Montgomery County, Maryland: Criminal and civil cases.

For Further Information

For additional information about DCM, contact:

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Bureau of Justice Assistance Clearinghouse

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U.S. Department of Justice Response Center

1-800-421-6770

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