

# Page 1

Judges and court staff need to automate and manage their processes and that has led to a series of developmental steps since the beginning . The current state of the art is CCMSs will be that much configurable at the process level, and raises the question of what it means for a case management system to be adaptable.

Picture ; ccms 3

## 1. Purposes and Roles of Court Case Management Automation.

Our good friend, Judge Dory Reiling in her article in the June edition of the International Journal for Court Administration noted that the Consultative Council of European Judges (CCJE) identified that the most pressing concern about court automation "...is the risk [that] IT implementation poses to judicial freedom to determine procedures and to dispose cases." This concern regarding the role of court automation in court administration and judicial process is certainly shared by state courts. This has in turn has manifested itself in several different approaches to court case management automation.

The first approach will to use the CCMS as only a data repository. We often call these "passive" systems. But the problem is that the passive approach does not result in much benefit to the court's judges and staff except for the ability to track current inventory and generate case statistical reports of cases filed and cases disposed. We then in turn hear the complaint, "We spent all this time and money on automation and it has not resulted in any operational improvements."

A second approach will to try to develop "uniformity" in organization and court processes. This is the classic engineering method of standardizing operations. The problem is that different courts are different sizes, handle many different types of cases, and have different organizational structures or judicial management styles. There is an assumption that uniformity can be imposed (or at least mandated) from the top down. And this in turn leads to systemic paralysis as changes are often required to be approved by a committee, given that "reasonable minds can differ," or failure to achieve uniformity in most areas of operation.

And third, at a state level the court system will often implement different versions of the CCMS in different courts. Most often we see large metropolitan jurisdictions have their own separate CCMS or version of the system. But operational variations even among courts or counties with similar demographics can result in significant system work around to suit local preferences. Naming and counting things differently results in difficulties in searching and coordinating data and statistical reports with the remainder of the state.

## **2. Highly Configurable Systems.**

The CCMSs will be highly configurable. Some useful concept to address these problems of court automation will more reliable in CCMS

Configurability provides greater ability to adapt a system to fit court business processes and business rules, rather than force judges and court staff to change the way they conduct business to the way a CCMS works.

## **3. Adaptive Case Management.**

Giving judges, clerks and court staff the ability to perform and manage their work effectively and efficiently is the purpose of court automation. Related to the concept of configurability is adaptability of a CCMS should be able to accommodate a process change “on the fly.” In recent years the concept of Adaptive Case Management Systems (ACMS) should be emerged that recognizes that knowledge workers are best served by technology when they have case management tools that adapt to business needs which may be non-routine or unpredictable. A concise description of ACM found on slide 4 of [this presentation](#) is:

A productive system to support the organization and process structure It becomes the system of record for the business data entities and content involved. All processes are completely transparent, as per access authorization, and fully auditable. It enables non-technical business users in virtual organizations to seamlessly create/consolidate structured and unstructured processes from basic predefined business entities, content, social interactions, and business rules. It moves the process knowledge gathering from the template analysis/modeling/ simulation phase into the process execution phase in the life cycle. It collects actionable knowledge—without an intermediate analysis phase—based on process patterns created by business users.

One might also look at Slide 9 of [the presentation](#) that identifies 9 Major ACM Challenges.

Co-author of this article, John Matthias has also published articles in two books, Mastering the Unpredictable and Taming the Unpredictable on the Adaptive Case Management subject area that we have noted in the CTB [here](#) and [here](#) before.

Very generally, the point of ACM is that the systems should provide tools for differentiation and individualization to help their users to accomplish their work. This is in addition to Business Process Management Systems (BPMS) and the traditional CCMS will seeks to narrow the design functionality and create a control system and user behavior.

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