

**Organizational Performance:**

**A Review of Performance Measures and Tools**

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# **ORGANIZATIONAL PERFORMANCE: A REVIEW OF PERFORMANCE MEASURES AND TOOLS**

**Alexis Allen**

## **Abstract**

Developing and implementing standard performance measures and management tools plays an important role for courts striving to meet internal and external compliance and legislative requirements and standards. When court leaders establish a culture where high performance is necessary, they must also establish and use ways to track performance. Performance measures help courts get on track, provide guidance, and provide court leaders with the tools they need to manage the administration of justice with data and facts. Performance measures directly apply to day-to-day functions and effective case management. The Tempe Municipal Court, a court of limited jurisdiction located in urban Maricopa County, Arizona, currently tracks and analyzes performance data and wants to further develop how performance data is used to manage the Court. The objective of this project is to help the Tempe Municipal Court identify meaningful performance measures and/or performance tools to help with the process of managing with data to ensure the mission of the court. The Tempe Municipal Court mission is to provide the community with an independent judiciary and aims to enhance public trust and confidence in our court system.

The Court is committed to achieving organizational goals and requirements to ensure effective and efficient administration of justice. The Tempe Municipal Court wants to know “we are doing what we should be doing” and that “we are doing it the right way.” The Court wants to identify and utilize performance measurements and/or tools to assist with finding balance between day-to-day operational needs and the standards and legislative requirements set by the

Arizona Supreme Court and the Administrative Office of Courts (AOC). To assist with this process, the author looked to other Arizona municipal courts to see if, and how, they use performance measures and performance management to guide their courts' performance.

This paper explored ways in which performance measurements and performance tools are used in municipal courts in Arizona and if those courts agree or disagree with their usefulness. The research examines existing performance measurements and performance management tools in an effort to: 1) determine what specific performance measures and/or tools can be used to ensure the quality of overall organizational performance, and 2) determine how these measures and/or tools will help courts manage with data. To meet these goals; the author developed a survey to gather information from other Arizona municipal courts with similar case volume and/or size on their usage of performance measures and/or performance management tools. This process also, provided the author with an opportunity to reach out to courts in sister cities and counties in hopes to learn from their best practices. Learning from others that have either started in the same place as the Tempe Municipal Court or have the same goal as Tempe will facilitate the path to standardization and consistency.

Eighty-six percent of the surveyed courts collect performance data and use the data for performance management, performance improvement, pay-for-performance rates, and/or benchmarking, and believe, "what gets measured can be managed." The research also provides a way for courts to share different types of performance tools and how those tools are used to further analyze performance data and develop court policies and procedures. Based on the findings, the author recommends the Court develop and/refine collected performance data. There are a variety of theories, tools, and approaches that already exist and the usefulness of performance data varies

throughout the court community. Indeed, this research is only the beginning of an ongoing process that will build onto the Courts' current foundation of managing with data.

### **Introduction**

“Courts exist to do justice, to guarantee liberty, to enhance social order, to resolve disputes, to maintain rule of law, to provide for equal protection, and to ensure due process of law” (National Association for Court Management, 2013). How can courts determine they are accomplishing their set purpose? How do court leaders identify and gather the needed tools and resources to support this purpose? Examining how courts use specific performance measures and/or tools is useful to courts looking to answer the above stated questions and to ensure quality of overall organizational performance. Developing and implementing standard performance measures and management tools plays an important role for courts striving to meet internal and external compliance and legislative requirements and standards.

When court leaders establish a culture where high performance is necessary they must also establish and use ways to track performance. Setting internal standards requires guidance and support from all involved. Performance measures help courts get on track with standardization related to performance, provide guidance to gather and use performance data, and provide court leaders with the tools they need to manage the administration of justice with data and facts. “Organizations are ultimately the result of people doing things together for a common purpose” (Schein, 2004, p. 191). Bringing focus to certain areas of a court and measuring the inputs and outputs are key elements when setting organizational goals and achieving those goals.

The people, specifically judges and administrators involved in achieving the set purpose of courts need ways to tie what all court staff do to the bigger picture, which is providing a

public service through fair and impartial administration of justice. Performance measures directly apply to day-to-day functions and effective case management. Courts have to be prepared to do more than simply track performance. Courts have to be willing and able to do something with the gathered data and facts. Follow-through on results will be hard work and take true commitment. Courts must be willing to make improvements, when possible, and be ready to totally change or reengineer business processes, when necessary. Schein (2004) states, “the relationship between the individual and the organization can, therefore, be thought of as the most fundamental dimension around which to build the best and most successful organization” (p. 191). Schein (2004) also believes, “culture is both a dynamic phenomenon that surrounds us at all times, being constantly enacted and created by our interactions with others and shaped by leadership behavior, a set of structures, routines, rules, and norms that guide and constrain behavior” (p. 1).

The objective of this project, and to ensure the mission of the court is upheld, is to help the Tempe Municipal Court identify meaningful performance measures and/or performance tools to help with the process of managing with data. The Tempe Municipal Court is one of 170 limited jurisdiction courts in Arizona. During fiscal year 2011-2012, The Tempe Municipal Court was the fifth largest Municipal Court in the state in terms of case volume (Administrative Office of the Courts, 2013a). In fiscal year 2011-2012, the Court had the highest case-to-personnel ratio and second highest revenue-to-expenditure ratio of the six largest municipal courts in Maricopa County (Administrative Office of the Courts, 2013c). The Court has three criminal judges, two commissioners, and 33 non-judicial staff (see Appendix – A - Tempe Municipal Court Organizational Chart). There are three working teams in the Court. The criminal division is responsible for all criminal misdemeanors, criminal traffic, criminal local ordinance violation, and petty offenses. The civil division processes all civil traffic, most local

ordinance violations, including parking citations, order of protections and injunctions against harassment. Financial Services processes all in-coming mail to screen for payments, processes all payment transactions, tax interceptions, and financial screening for time payment contract requests.

According to the 2013 State of the Court, the Tempe Municipal Court is committed to implementing practices that improve public access, accountability, and operational efficiencies (see Appendix – B - Tempe Municipal Court 2013 State of the Court Executive Summary).

When organizations have a purpose or goal, that information must be communicated to the people involved in achieving the set purpose and goal. As Schein (2004) states, culture not only fulfills the function of providing stability, meaning, and predictability in the present, but is the result of functionally effective future decision making. In 2010, the Tempe Municipal Court's mission statement was updated to reflect the goal and purpose:

The Tempe Municipal Court is committed to providing the community with an independent judiciary, which serves the public by the fair and impartial administration of justice resulting in the enhancement of public trust and confidence in our court system (Tempe Judicial Officers, 2010).

The purpose of this research was to start the process of identifying key areas in which performance measures and performance tools may help the Court manage with data. The Court is committed to achieving organizational goals and requirements to ensure effective and efficient administration of justice. The Tempe Municipal Court collects a variety of data elements and wants to use performance measures and/or performance tools to ensure or develop ways to achieve basic goals, including but not limited to, access and fairness, reliability and integrity, and managerial effectiveness and compliance with set standards and requirements. Specifically, the Tempe Municipal Court wants to know “we are doing what we should be doing” and that “we

are doing it the right way.” The Court wants to identify and utilize performance measurements and/or tools to assist with finding balance between day-to-day operational needs and standards and legislative requirements set by the Arizona Supreme Court and the AOC.

The author explored ways in which performance measurements and performance tools may be used in municipal courts in Arizona, and if, those courts agree or disagree with their usefulness. The author examined existing performance measurements and performance tools to help the Tempe Municipal Court collect the right data and identify ways to use the data collected to maintain or improve efficiencies. To accomplish this task this paper addressed the following questions:

- Can performance measures and/or tools help ensure compliance with legislative statutes, ordinances, rules, orders and standards?
- What specific performance measures and/or tools can be used to ensure quality of overall organizational performance and how will these measures and/or tools help courts manage with data?
- What can be learned by reviewing how other Arizona municipal courts use performance measures and performance management? Can the results or lack of results help with identifying and establishing useful and measureable performance measures and/ or tools?

To answer the above questions, the author reviewed and discussed literature on existing performance measures, performance tools, and performance management theories. The author developed a survey to gather information from other Arizona municipal courts on their usage of performance measures and/or performance management tools. Through the survey, the author also, sought to gain a better understanding of how other courts believe performance measurements and performance management may be useful. The author also identified and discussed related requirements and standards set by legislation and/or the AOC. Published AOC operational review data and guidelines were reviewed to see if, and how, performance measures

and/or performance tools can help identify and address key areas of operational performance. Finally, the author reviewed data elements collected by the Tempe Municipal Court to see how they may be used more efficiently or if new practices need to be developed to identify possible gaps. The author used the resulting data to recommend ways that the Court can move forward with the goal of managing with data. These efforts will ultimately provide the community with a judiciary that serves the public through fair and impartial administration of justice, ideally resulting in the enhancement of public trust and confidence in our court system.

## Literature Review

Planning for the future and setting new goals often begins with a process of reviewing the past. A lot can be learned through the process of reviewing how and why performance standards, performance measures, and performance management are important to the administration of justice. In The Federalist No. 17, Alexander Hamilton argued “the ordinary administration of criminal and civil justice...contributes, more than any other circumstance, to impressing upon the minds of the people affection, esteem, and reverence towards the government” (Wheeler, 1998, p. 1). Hamilton believed that state courts were the nation’s preeminent instruments for justice and as such, were the “great cement of society.” With such strong beginnings, it is no surprise that Friedman observed, “as long as there have been courts there have been defenders and critics of their performance and arguments over how to change their administration” (Friedman, 1998). According to Wheeler (1998), “disputes about how courts should be organized and administered, disputes that have engaged the energy of many diverse groups with a stake in what courts do- are hardly new to the twentieth century” (p. 3). It seems courts have always had the need to find ways to identify and address concerns related to performance.

However, courts looking to use performance standards and management tools as a means to ensure justice must have a firm idea of why standards and management tools were developed. Courts must know what type of performance measures and tools exist and the potential benefits tied to measuring and being accountable for performance. A review of the literature can serve several purposes. Court leaders looking for ways to manage with data may find answers to questions posed years before. Court leaders may also find ideas embedded in the past that provide a different perspective to lead them down a path of standardization and consistency.

Having ways to identify and demonstrate court effectiveness is directly related to the court's ability to provide fair and impartial administration of justice. Court leaders must be prepared to evaluate how well their courts are doing in providing the basic needs and requirements of the court system. Moreover, leaders who want to measure performance have to be prepared to do something with the results.

To measure performance, court leaders must first understand what performance measures are and how they can be useful. According to Ostrom and Hanson (2010), "performance measurement is the ongoing monitoring and reporting of program accomplishments, particularly progress towards pre-established goals" (p. 41). "Performance measurement address the adequacy of resources, the type or level of program activities undertaken, the direct products and services delivered by a program, and/or the results of those products and services" (Ostrom & Hanson, 2010, p. 41).

More importantly than engaging in the measurement of performance, leaders must be willing to make changes and advancements in their organizations to meet the standards tied to high performance. Courts share many of the same pressures as other organizations, including but not limited to, harsh economic times, severe resource constraints, and shifts in responsibilities over-night. Gerald Sentell (1994) believes, "organizations must become simultaneously:

- Fast – to seize new opportunities or respond instantaneously to unpredictable and dynamic changes in the marketplace;
- Focused - to simultaneously optimize both customer satisfaction and organizational excellence; and
- Flexible – to accommodate significant, rapid, and unpredictable change without experiencing costly organizational trauma" (p. xii).

Collecting performance data and using it can help courts be fast, focused, and flexible when changes are necessary and required. According to Sentell (1994), becoming fast, focused, and

flexible are qualities and traits leaders must have to plan and lead change to create high performance organizations.

How can courts determine how well they are performing basic needs and requirements? Before 1987, there really were no set standards against which courts to compare themselves. In August 1987, the National Center for State Courts (NCSC) with funding from the Bureau of Justice Assistance (BJA) formed the Commission on Trial Court Performance Standards (TCPS), “to develop a system to measure the performance of the nation’s general jurisdiction state trial courts” (BJA, Trial Court Performance Standards, 1997, p.1). The Commission, established a set of TCPS, the first draft of the standards was completed in 1989. Throughout the process, the Commission sought comments and feedback from the court community. Copies of the TCPS were distributed to judges, administrators, and other justice partners to solicit reactions and insight on their developments. According to the Trial Court Performance Standards (1997), the final version of the standards was completed in 1990, and identified 22 standards with five broad guiding performance areas:

- **Access to Justice:** trial courts should ensure that the structure and machinery of the courts are accessible to those they serve.
- **Expedition and Timeliness:** trial courts should meet their responsibilities in a timely and expeditious manner.
- **Equality, Fairness and Integrity:** trial courts should provide due process and equal protection of the law to all who have business before them.
- **Independence and Accountability:** trial courts should establish their legal and organizational boundaries, monitor and control their operations, and account publicly for their performance.
- **Public Trust and Confidence:** trial courts should work to instill public trust that courts are accessible, fair and accountable.

After their release, the Commission put the standards through a testing phase to determine if the measures made sense in a real court environment. Members of the commission wanted to know if the data actually exists or could be obtained, and if the information from the measures would be helpful to those who worked in the courts. The testing phase gave further insight and the Commission modified, replaced, and eliminated some of the measures. “The measures use a variety of data collection methods and techniques, including: observation and simulations, structured interviews, case and administrative record reviews and searches, survey of various reference groups, such as the general public, court employees, and members of the media, and group techniques, such as brainstorming and focus groups” (Casey, 1998, p. 26).

Performance measurement and performance management standards help court leaders identify problems, provide factual information for critical thinking, and give guidance as to alternative ways to address and resolve identified concerns. The standards provide a lens for courts to see overall performance that includes every member and activity of the court. Throughout the published literature on the standards it is clear that the standards are meant, and should be used, to evaluate and guide courts down the path of standardization and consistency in inputs and outputs.

The Trial Court Performance Standards provided a successful starting point for documenting and examining court performance, which led to the development of CourTools by the NCSC. The NCSC (2005) developed CourTools:

By integrating the major performance areas defined by the TCPS’ with relevant concepts from other successful public and private-sector performance measurement systems, to provide the judiciary with tools to demonstrate effective stewardship of public resources

and the ability to be responsive and accountable to the public and maintain the independence courts need to deliver fair and equal justice (NCSC, 2005).

CourTools integrated carefully selected performance measures, provided direction for capturing and documenting performance, and consolidated the 22 TCPS's into 10 measures. As courts look forward they are now not only looking for ways to measure performance, but to also have ways to respond, to do something with the measures. CourTools help courts deal with the challenges involved in measuring performance by providing understandable steps to make the process of measuring easier. Clarifying performance goals, developing a measurement plan, and documenting success are a few of the efforts CourTools support. The NCSC (2005) believes, "effective measurement is key to managing court resources efficiently, letting the public know what courts have achieved, and helping identify the benefits of improved court performance" (NCSC, 2005).

CourTools identifies five reasons to assess performance. The first is to understand *the perceptions and beliefs of court insiders*. Many court insiders have a different view and/or understanding of what is really going on in their court. Performance measures and performance evaluation allow insiders and outsiders to verify what they believe to be true as fact. Second, *courts deal with a large diverse audience including litigants, attorneys, the public, and funding authorities and performance measurements and assessments allow courts to focus on areas of importance to that audience*. Identifying and measuring key elements of performance allow courts to better serve the public by avoiding incorrect assumptions. Third, *clear outcomes help inspire greater creativity among court personnel*. When court personnel have a clear understanding of desired and appropriate outcomes they become more engaged on the best ways to accomplish the task. Fourth, *performance data can be and should be used in preparing,*

*justifying, and presenting budgetary requests.* By using performance data courts have the ability to make requests on evidence-based findings. Documented performance protects court leaders from criticism that budgetary requests are set due to a personal preference and instead ensure that they are based on the needs of the court. Performance data allow courts to manage with data by identifying areas that need more management oversight, areas that need improved business practices, and providing essential indicators on how well set goals are being achieved. Fifth, and finally, *collecting and providing performance assessment demonstrates the value courts places on the critical services required as part of the third branch of government.* For courts to maintain and enhance effective judicial governance and accountability, they must have a way to track and communicate how well they are operating. Performance assessment allows courts to set and highlight performance goals and achievements. Courts can use performance data and establish performance areas to improve and to develop high performance standards.

Courts share many of the same pressures as other organizations, but they are also in a unique position because many of their goals and standards also have to meet legislative and other requirements. Courts have to align their missions and visions to equal access to justice and how to get there. To accomplish this, courts must develop performance measures and ways to communicate performance levels. To develop and communicate what performance measures and performance areas are, court leaders and others involved must first understand the terms. According to Ostrom and Hanson (2010), “performance areas are categories of activities and consequences of activities that bear upon the goals of a court” (p. 41). “Performance areas are intended to illuminate and establish what a court should be concerned about if it wants to be high performing and fulfill its institutional mission” (Ostrom & Hanson 2010, p. 41). Performance measurements provide specific indicators and information to tell courts about their services and

the processes involved. “Performance measures are intended to help courts see, if they are meeting their intended goals, customer satisfaction, control over business processes, and improvements as necessary” (Ostrom & Hanson 2010, p. 42). To reach these goals courts can use “a road map for improving court management” by using a High Performance Court Framework (HPCF, p. iv).

A review of the literature relating to high performing courts reveals and clarifies what court leaders and court staff can do to produce high quality administration of justice and develop the plans to maintain that high level of quality. The HPCF provides a means for courts to focus on key administrative principles that clarify high performance. They also provide ways courts can promote common goals set purposes related to performance. According to the High Performance Court Framework (2010), the six key elements of HPCF are:

- **Administrative Principles**- define high performance, they indicate the kind of administrative processes judges and managers consider important and care about
- **Managerial Culture** – is the way judges and managers believe work get done. Building a supportive culture is key a achieving high performance;
- **Perspective** – of a high performing court include: customer, internal operating, innovation, and social value;
- **Performance Measurement** – builds on CourTools to provide a balanced assessment in areas covered by the customer and internal operating perspectives;
- **Performance Management** – concerns the innovation perspective and uses performance results to refine court practices on the basis of evidence-based innovations. It also fulfills the social value perspective by communicating job performance to the public and policy makers; and
- **The Quality Cycle** – is a dynamic, iterative process that links the five preceding concepts into a chain of action supporting ever-improving performance.

The HPCF has been identified as a tool for court administration to use in its on-going effort to refine problem-solving techniques to improve court performance. “The rationale for the

HPCF is to encourage court leaders to strive for excellence in the administration of justice and to better communicate their efforts to a wide audience, including members of the public and policy makers” (Ostrom & Hanson 2010, p. iv). The HPCF builds onto previous work related to performance, i.e., TPCS and CourTools, and introduces new ideas and practices. According to Ostrom and Hanson (2010), “the framework is a hybrid between an educational tool serving to document the elements of high quality administration and a guide offering step-by-step procedures to use in concrete situations” (pg. iv). The HPCF encourages and facilitates collective decision-making. According to Harris (2009), “making a decision implies that there are alternative choices to be considered, and in such a case we want not only to identify as many of these alternatives as possible but to choose the one that (1) has the highest probability of success or effectiveness and (2) best fits with our goals, desires, lifestyle, values, and so on” (par. 3). Positive and constructive decision-making has direct ties to collecting and analyzing performance data. Performance data provides court leaders with the information they need to consider alternatives, to celebrate and encourage successes, and when necessary, alter goals. Court leaders at all levels are able to make better decisions when they are informed with relevant data. Performance data gives court leaders the ability to make rational decisions that can then be supported by data.

Court leaders must find ways to use performance data to guide operational performance while also increasing the public’s trust in the court system. A way to do this is to identify and develop performance management methods that fit the needs of the court and allow information to be shared externally. The National Performance Management Advisory Commission is a group that looks for ways to improve focus on producing results that benefit the public and help court management become more synonymous with public-sector performance management

techniques. According to The National Performance Management Advisory Commission (2010), “performance management in the public sector is an ongoing, systematic approach to improving results through evidence-based decision making, continuous organizational learning, and a focus on accountability for performance” (p.3). Performance management can be integrated into all aspects of an organization’s day-to-day operational practices and can assist with achieving and improving results that directly affect the public. The Commission on Performance Management (2010) states, “officials, managers, and employees at all levels must be accountable not just for following processes, but for producing results the public needs, and performance management is not only a professional expectation for public officials and employees but also an ethical expectation” (p. 4). Performance management can help address challenges, i.e., “the need to focus the organization on results that are important for stakeholders, the need to improve results within resource constraints, the need to engage all public employees, not just top officials and managers, in finding ways to better serve the public in an era of complexity and rapid changes in the environment, the need to gain and keep the public’s trust and confidence” (The National Performance Management Advisory Commission 2010, p. 5).

For court leaders looking to use performance management, the Commission on Performance Management discusses the differences between performance measurements and performance management. Often performance measurement and performance management are viewed and used interchangeably. It is also a common practice for governmental entities to measure inputs and outputs with less focus on efficiency and effectiveness. Collecting, tracking, and even reporting key elements of statistical information is not enough to lead an organization down a path of consistency and standardization. According to the Commission on Performance Management (2010), “although measurements are a critical component of performance

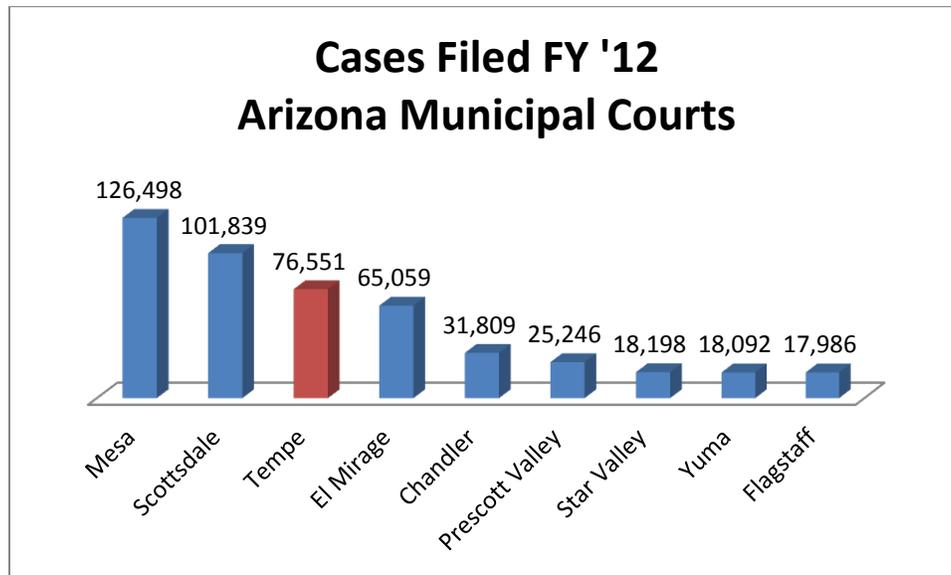
management, measuring and reporting alone have rarely led to organizational learning and improving outcomes” (p. 3). The clarification between measurement and management can help court leaders use these tools to provide the community with an independent judiciary, which serves the public by the fair and impartial administration of justice. The literature described here will help the Tempe Municipal Court clarify and examine the usefulness of current collections of performance data. Specifically, the author designed a survey to incorporate actual data concepts described in the literature and to solicit opinions and current practices in use today by municipal courts in Arizona.

## **Methods**

Literature on performance measurement and performance management suggests the need to identify and demonstrate a court's effectiveness and its ability to provide fair and impartial administration of justice, have ongoing monitoring and reporting of program accomplishments, and establish goals and problem-solving techniques to improve court performance. The above key areas of focus for performance measures and performance management were used to develop survey questions to solicit information from other Arizona municipal courts. The survey first sought to gather information on what, if any, performance measurement tools courts were using and then explored key elements of how and why courts believe performance measurements and performance management can be or are being used in their courts. The purpose of the survey was to gather the perspective of Arizona municipal courts to see if court leaders and staff believed standard performance measures and/or tools help ensure compliance with legislative and/or AOC requirements and standards. Another goal of the survey was to determine if specific performance measures and/or tools could be used to ensure quality of overall organizational performance and how those measures and/or tools help courts manage with data. Finally, the author sought to simply explore what could be learned by reviewing how other Arizona municipal courts use performance measures and performance management.

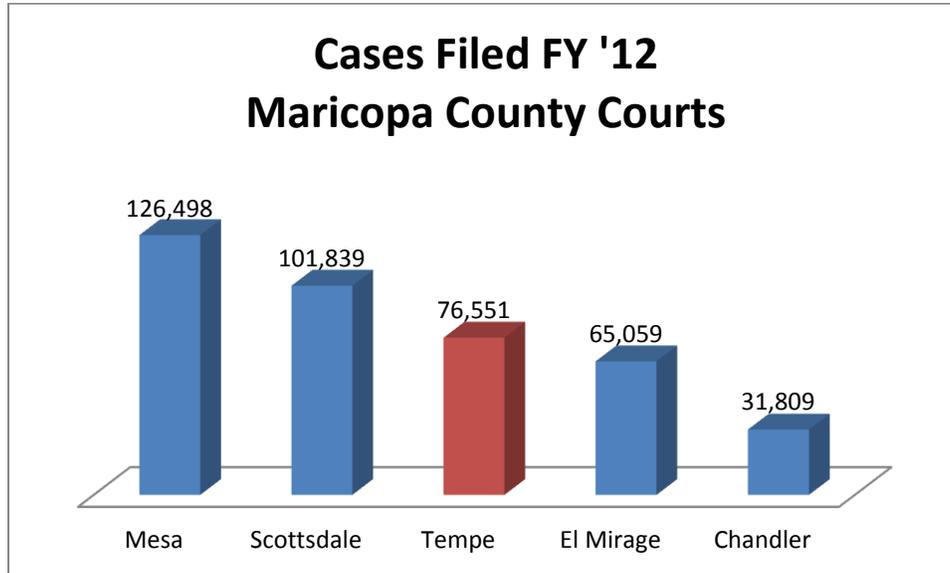
The survey participants were selected by examining basic demographic and court filing information identifying those most similar to Tempe Municipal Court. The Tempe Municipal Court is located in urban Maricopa County, Arizona and has an approximate population of 166,000 people (U.S. Census 2013). In fiscal year 2011-2012, the court received 76,551 filings and served their community with 40 full-time and part-time court staff including judicial officers (AOC, 2013a/b).

Nine courts were selected. All nine courts were courts of limited jurisdiction, holding jurisdiction over criminal misdemeanor, petty offenses, criminal traffic, civil traffic, local ordinances, and protective orders all having a similar case volume in fiscal year 2012 (see Figure 1).



**Figure 1. Cases filed fiscal year 2012 Arizona Municipal Courts**

More specifically, Mesa, Scottsdale, El Mirage, and Chandler were selected to participate in the performance survey as they are located within the county of Maricopa and shared a common case volume with the Tempe Municipal Court in fiscal year 2011-2012 (see Figure 2). Mesa, Scottsdale, and Chandler are also neighboring cities to the City of Tempe.



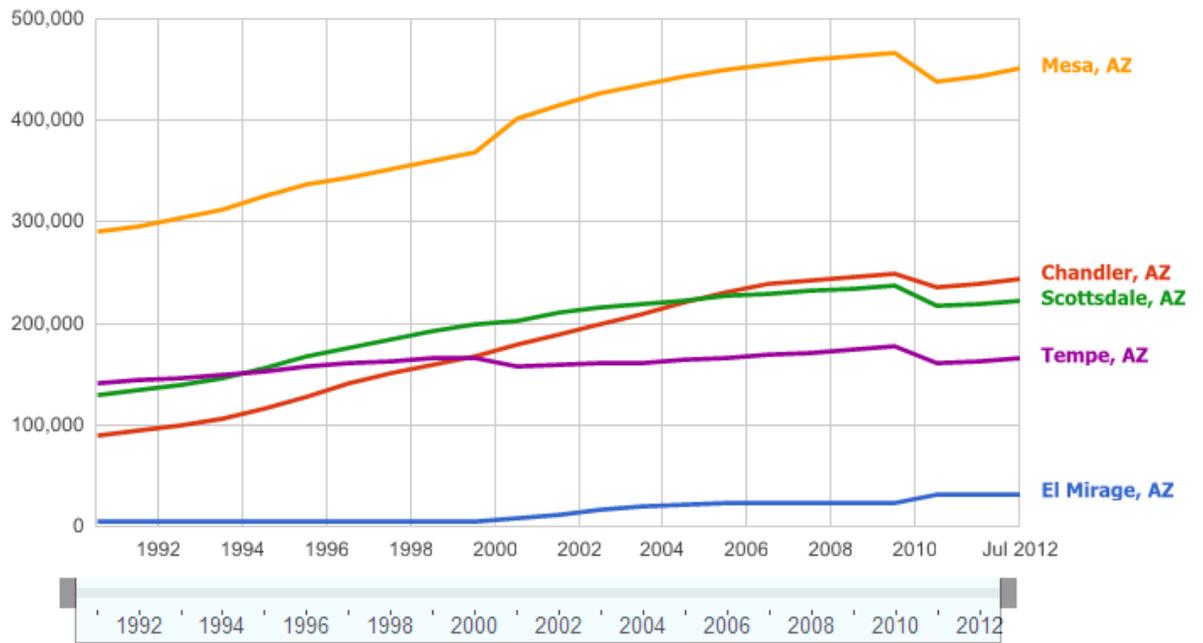
**Figure 2. Cases filed fiscal year 2012 in Maricopa County Courts**

The Mesa Municipal Court is located in urban Maricopa County, Arizona and serves an approximate population of 452,000 people with 80 full-time court staff including judicial officers (U.S. Census, 2013 and AOC, 2013b). In fiscal year 2011-2012, Mesa received 126,498 filings (AOC, 2013a).

The Scottsdale Municipal Court has an approximate population of 223,000 within Maricopa County, Arizona (U.S. Census, 2013). In fiscal year 2011-2012, the court received 101,839 filing and processed those filings with 86.5 full-time and part-time staff including judicial officers (AOC, 2013a/b).

The El Mirage Court is also located in Maricopa County, Arizona with an approximate population of 32,000 (U.S. Census, 2013). In fiscal year 2011-2012, the court received 65,059 filings and served the public with 11 full-time and part-time court staff including judicial officers (AOC, 2013a/b).

The Chandler Municipal Court has an approximate population of 245,000 within Maricopa County, Arizona (U.S. Census, 2013). In fiscal year 2011-2012, the court received 31,809 filing and processed those filings with 46.5 full-time and part-time staff including judicial officers (AOC, 2013a/b).

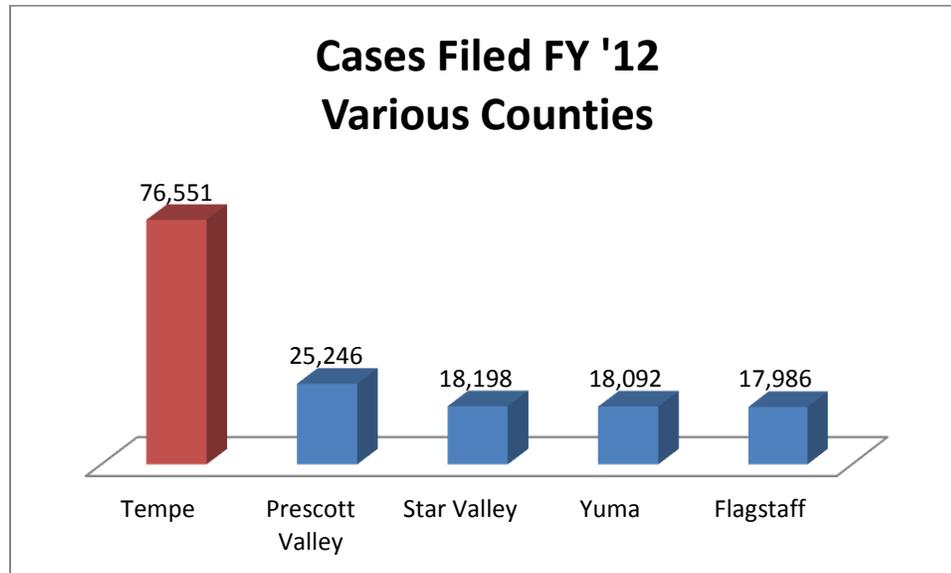


Data from U.S. Census Bureau Last updated: Sep 25, 2013

**Figure 3. Population Chart – Arizona Municipal Courts in Maricopa County**

*The population figures for courts in the Maricopa County range from 65,000 to 452,000 people (see Figure 3).*

Additionally, Prescott Valley, Star Valley, Yuma, and Flagstaff were selected to participate in the performance survey as they shared a common case volume with the Tempe Municipal Court, but were located within a county other than Maricopa (see Figure 4). Each court is located in a different county in Arizona, but allowed for comparison with limited jurisdiction courts with similar filings.



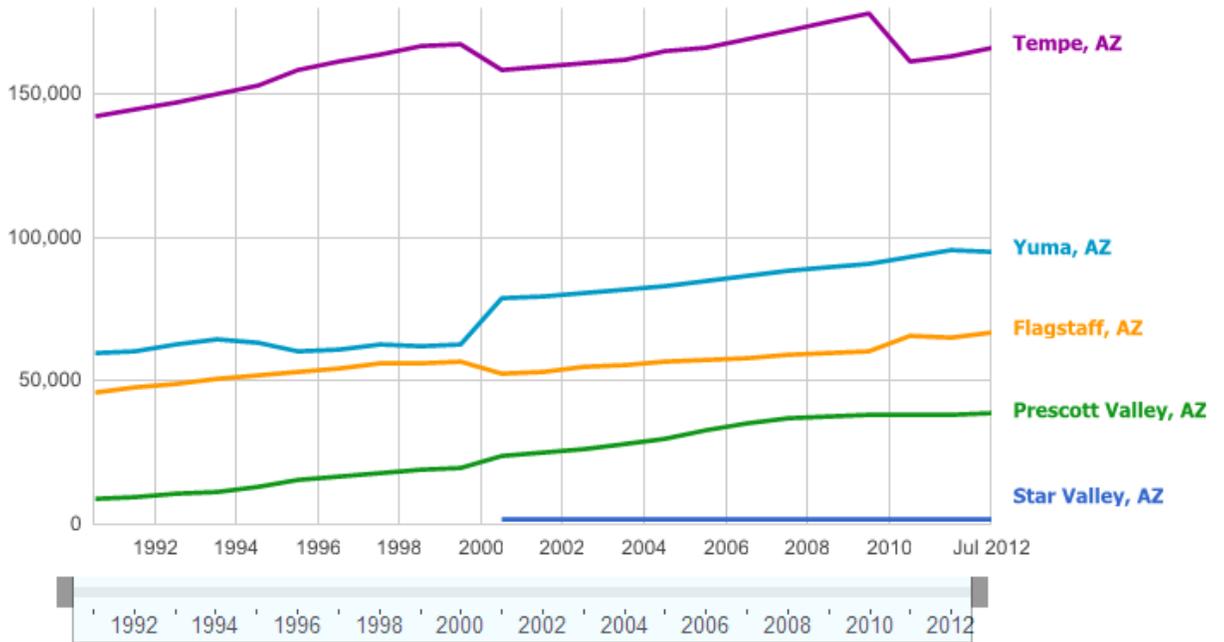
**Figure 4. Cases filed fiscal year 2012 in various Counties**

The Prescott Valley Municipal Court is located in Yavapai County, Arizona with an approximate population of 39,000 (U.S. Census, 2013). In fiscal year 2011-2012, the court received 25,246 filings and served the public with eight full-time and part-time court staff including judicial officers (AOC, 2013a/b).

The Star Valley Municipal Court is located in Gila County, Arizona with an approximate population of 2,200 (U.S. Census, 2013). In fiscal year 2011-2012, the court received 18,198 filings and served the public with five part-time court staff including a judicial officer (AOC, 2013a/b).

The Yuma Municipal Court is located in Yuma County, Arizona with an approximate population of 95,000 (U.S. Census, 2013). In fiscal year 2011-2012, the court received 18,092 filings and served the public with 19.5 full-time and part-time court staff including judicial officers (AOC, 2013a/b).

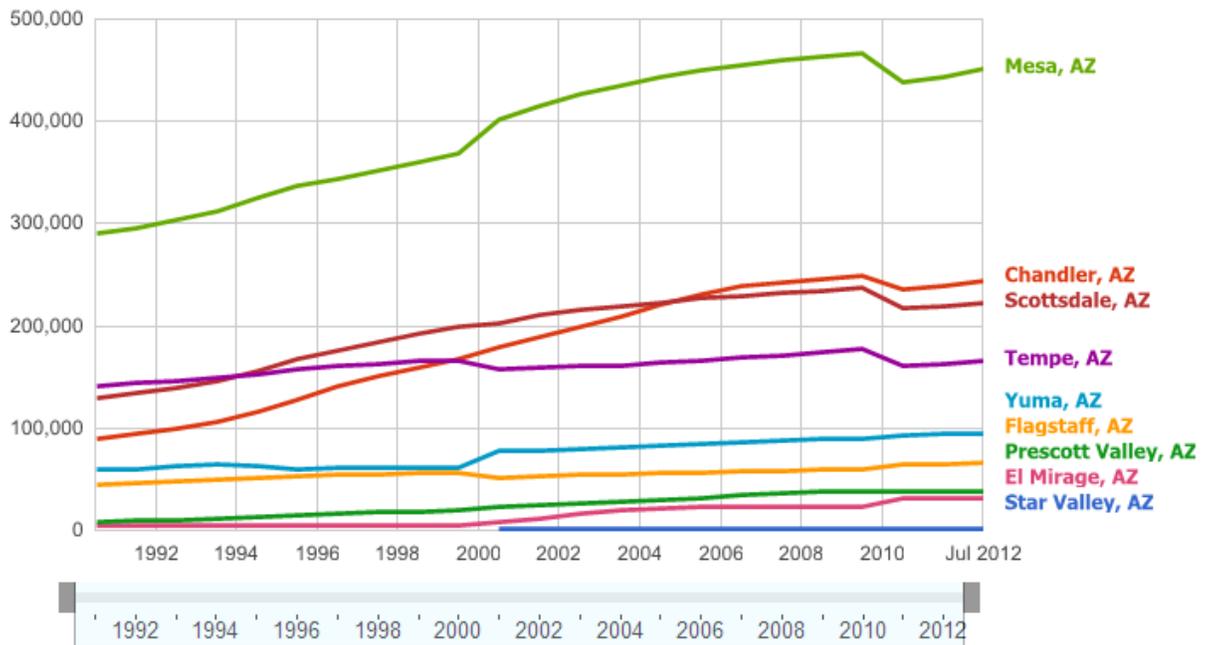
The Flagstaff Municipal Court is located in Coconino County, Arizona with an approximate population of 67,000 (U.S. Census, 2013). In fiscal year 2011-2012, the court received 17,986 filings and served the public with 30.5 full-time and part-time court staff including judicial officers (AOC, 2013a/b).



Data from U.S. Census Bureau Last updated: Sep 25, 2013

**Figure 5. Population Chart – Arizona Municipal Courts in Various Counties**

*The population figures for courts outside of Maricopa County range from 2,200 to 95,000 people (see Figure 5).*



Data from U.S. Census Bureau Last updated: Sep 25, 2013

**Figure 6. Population Chart – Arizona Municipal Courts**

*The total population range for all the surveyed courts ranges from 2,200 to 452,000 people, providing a diverse population group (see Figure 6).*

Once the survey participants were identified, the next step was to develop a strategy to administer the survey to the individual courts. A written survey delivered electronically (online) was the most appropriate and efficient method. The format of the survey was an important factor in gaining the cooperation of the respondents and increasing the response rate, as the amount of time (or lack thereof) to complete the survey would impact the resulting response rate. The survey design was based on common survey development suggestions and the layout was uncluttered and easy to use. The first survey tool used was SmartLiteWebQuiz XP, which is an on-line survey tool used internally in the City of Tempe. During the pre-test phase of the survey tool, it was discovered the WebQuiz software was located on the city’s intranet site and was unavailable to anyone outside the city’s network. The next survey tool selected was QuestBase, which is also SmartLite software that was compatible with Internet Explorer, FireFox, Chrome,

Safari, Windows, Macintosh, Linux, iPad, and Android software and hardware. The QuestBase online survey tool allowed multiple question types, custom field development, preview and final view functionally, and easy step-by-step instructions to publish the assessment.

To increase the response rate, efforts were made to contact the individual court administrators either through face-to-face contact or via telephone to explain the survey and solicit their help. The court administrators were very critical to the success of the adoption of online survey methodology. They were the main point of contact and were asked to share the survey with the requested participants. Face-to-face contact was difficult to accomplish when surveying courts located across the state. Fortunately, the Limited Jurisdiction Court Administrators Association of Arizona (LJCAA) allowed for face-to-face contact for many of the limited jurisdiction courts selected as participants. The LJCAA is a non-profit organization consisting of court administrators, executives, and managers within the limited jurisdiction courts of Arizona, with members from large and small municipal courts across the state. The purpose of the LJCAA is to “improve the limited jurisdiction courts in Arizona by reviewing and influencing policies and procedures impacting the majority of limited jurisdiction courts, to enhance the professional level of court administration and court administrators in the limited jurisdiction courts, and to provide networking and communication between members” (LJCAA, 2013). A LJCAA meeting served as the perfect setting for the author to communicate the importance of the survey for the administrators in attendance and obtain contact information for those who were not.

Initially, the author contacted a member of court administration for all of the selected courts and all agreed to participate in the survey. The administrators were asked to complete the survey along with a supervisor and one line-level staff member for a total of three respondents

per court. To support the face-to-face and/or telephone conversations with the administrators an e-mail message was developed to further explain why the survey was taking place and why their court was selected, (see Appendix C – Court Administrator Contact E-mail). The survey was delivered to each court administrator; an excerpt of the e-mail is below:

*I am examining how performance measures and/or management tools may help the Tempe Municipal Court ensure quality of overall organizational performance. The information gathered may also be helpful to courts looking to develop and implement standard performance measures and/or management tools. I am contacting you to solicit your help to gather this information. I am interested in collecting data from your court because your court experienced a similar case volume in fiscal year 2012 as the Tempe Municipal Court.*

*The following survey is designed to identify and review if, how, and/or why courts use performance measures and performance management tools. To gather the perspective from multiple levels in the court structure I would like to request the survey be taken by..*

The survey was attached to the e-mail as a hyperlink, which took the respondents directly to the performance measurements and performance management survey in the QuestBase application. The survey was disturbed on August 26, 2013. Survey participants were asked to complete the survey no later than September 6, 2013.

As mentioned above, literature on performance measurement and performance management suggests the need to identify and demonstrate court effectiveness and its ability to provide fair and impartial administration of justice, have ongoing monitoring and reporting of program accomplishments, and establish goals and problem-solving techniques to improve court performance. The author developed the survey to gain an understanding of how courts were using performance measurements and performance management. The survey was broken into sections. The first series of questions gathered information on: if performance data was collected, the purpose of the collected data, and what type of performance tools were used. The next series of questions asked for specific ways performance measurements and performance management are used in their courts or may be used in courts more generally. The last section of questions

asked participants to provide their opinion on how performance measurement and performance management tools should be used in their court. The survey participants were asked to select answers ranging from ‘completely disagree’ to ‘completely agree.’

The survey was pre-tested through review by the project supervisor from the National Center of State Courts and by peers in the court community. The pre-test revealed the need to reduce the number of questions in the survey. A number of peer reviewers stated, “there were too many questions and they seemed to be running together.” Peer reviewers also asked for clarification on a few questions, because they were unsure what the question was asking. Based on feedback, the survey questions were reduced resulting in a total of 30 questions. Questions were also rephrased to simplify and clarify their meaning.

Part of the process to understand how performance measures and tools may be helpful to courts also involved identifying and reviewing requirements and/or standards set by legislation or by the AOC. Elements of compliance and standards were reviewed using AOC published operational review data and guidelines. Each year the AOC publishes “Common Operational Review Findings in Limited Jurisdiction Courts.” During fiscal year 2012, the AOC conducted 18 operational reviews and those findings were taken into consideration during the research of this project. The published findings provided the author with potential performance measurement questions courts may want to review as they develop performance measurements and performance management tools. Court processes and procedures vary, but municipal courts can find themselves facing similar needs to measure performance and identify areas of concern. AOC operational reviews are comprised of sections related to several case processing areas including driving under the influence (DUI) cases, court ordered enforcement, warrants, civil traffic cases, and financial management practices.

The Tempe Municipal Court's current performance measures were also taken into consideration during the development of the survey questions. The court's current statistical data collection process was used as a guide as to what may be gathered and analyzed by other limited jurisdiction courts. The Court gathers a variety of data related to case filing and filing types. The court reports the data to the AOC on a quarterly basis and to the Court's local funding source. The Court collects data on cases filed, charges filed, docket scheduling, telephone calls, motions filed, and more. Court staff divide the statistical data into two separate spreadsheets, one for the criminal division and one for the civil division (see Appendix E and F – Tempe Municipal Court Workload Indicators). On a monthly basis, the management team reviews the statistical data to identify areas of significant increases or declines. The questions posed in the survey were developed keeping in mind the common findings identified by the AOC and Tempe's current performance measurement process.

Reviewing common findings of other Arizona limited jurisdiction courts was also an important part of developing survey questions on the usefulness of performance measures and performance management. The common findings provided a baseline for key areas that courts should be concerned with when gathering and analyzing performance data. Questions specific to day-to-day case processing, case-flow inefficiencies, overall operational effectiveness, and time standards were asked of each of the surveyed courts.

Survey responses were high. Three survey responses were requested from each court. The survey requested a response from one court administrator, one court supervisor, and one front-line court staff member from each court. Of the 27 requested survey responses, 22 participants or 81 percent completed the survey. Three participants failed to identify their court and left the court field on the survey blank. In the county of Maricopa, 12 participants completed the survey, including 3 from Tempe, 3 from Mesa, 2 from Scottsdale, 2 from Chandler, and 2 from El Mirage. In the county of Yuma, Yuma Municipal Court, 3 participants completed the survey. In the county of Coconino, 2 participants from Flagstaff Municipal Court submitted a response, in the county of Gila, 1 participant from Star Valley Municipal Court submitted a response, and in the county of Yavapai, 1 participant from Prescott Valley Municipal Court submitted a response (see Table 1).

**Table 1. Number of Survey Responses**

<b>Maricopa County Courts</b>	<b>Survey Responses</b>
Tempe	3
Mesa	3
Scottsdale	2
Chandler	2
El Mirage	2
<b>Other County Courts</b>	<b>Survey Responses</b>
Yuma	3
Flagstaff	2
Star Valley	1
Prescott Valley	1
Unknown	3
<b>Total Survey Responses</b>	<b>22</b>

## **Findings**

The data revealed in this section reflects the results obtained through the research methods described above. The data represents the comments and opinions of court administrators, supervisors, and line staff in Arizona municipal courts. The data identified how those courts believe performance measures may help ensure compliance and quality of work performance. Of the nine courts surveyed, seven or 86 percent collect performance data that they use for a variety of reasons, ranging from performance improvement/performance management to pay-for-performance rates. Thirty-nine percent of the courts surveyed collect performance data using CourTools as the performance tool. Twenty-two percent use both CourTools and High Performance Framework. The survey provided an open-ended comment section under each question and a number of the surveyed courts provided further insight into how they use performance measurement systems.

A Yuma Municipal Court supervisor commented, “we take examples from CourTools and create our own performance measurements.” Scottsdale Municipal Court, “uses all 10 CourTools to gather results from most court hearings to create ad-hoc reports such as: DUI case management reports and special case type evaluations based on performance data specific to the selected case type.” Mesa Municipal Court uses CourTools to collect performance data, but they also utilize Q-matic Customer Flow Management as a method to gauge performance and/or make improvements. Star Valley Municipal Court shared that they use DUI and other reports from their case management system to report statistical information to the AOC and to measure performance. Finally, Chandler Municipal Court uses CourTools to collect data on work processes that are measured for productivity levels. A high percentage of participants, 61

percent, use their preferred method of performance collection to analyze and/or to review data on a monthly basis.

### **Performance Measurement Data**

A goal of the survey was to identify how performance measurement data was used in other courts. The survey respondents were provided a number of options and asked to select all of the options that applied to their court. All 22 participants responded when asked to think about their court specifically, and identify how performance measurement data is currently used. Due to the fact that each participant was given the option to select multiple statements when considering their courts, the percentages displayed do not sum to 100 percent (see Figure 7 and Figure 8). The percentages reflect all 22 participants, but it must be noted that some of the *courts* are represented 3-fold and others only once. The participants were asked whether performance measures could help keep administrators, managers, and judges informed about what's going on in their courts, provide factual information for decision making, help balance the materials, equipment, and supplies needed, allow better communication between internal and external partners, and/or help with the connection between the work performed and the mission of the court.

Of the 22 responses, 55 percent selected option - 'all of the above' to identify how their courts use performance measurement data. For the respondents who did not select 'all of the above,' 32 percent selected option 'help keep administrators, managers, and judges informed about what matters and/or what's going on in the court', 27 percent selected option 'provide factual information used in decision making, budgeting, and evaluating services', and 23 percent selected option 'help provide a better understanding or connection between the work performed and the mission and goals of the court' (see Figure 7).

## Performance Measurement Usage (n=22)

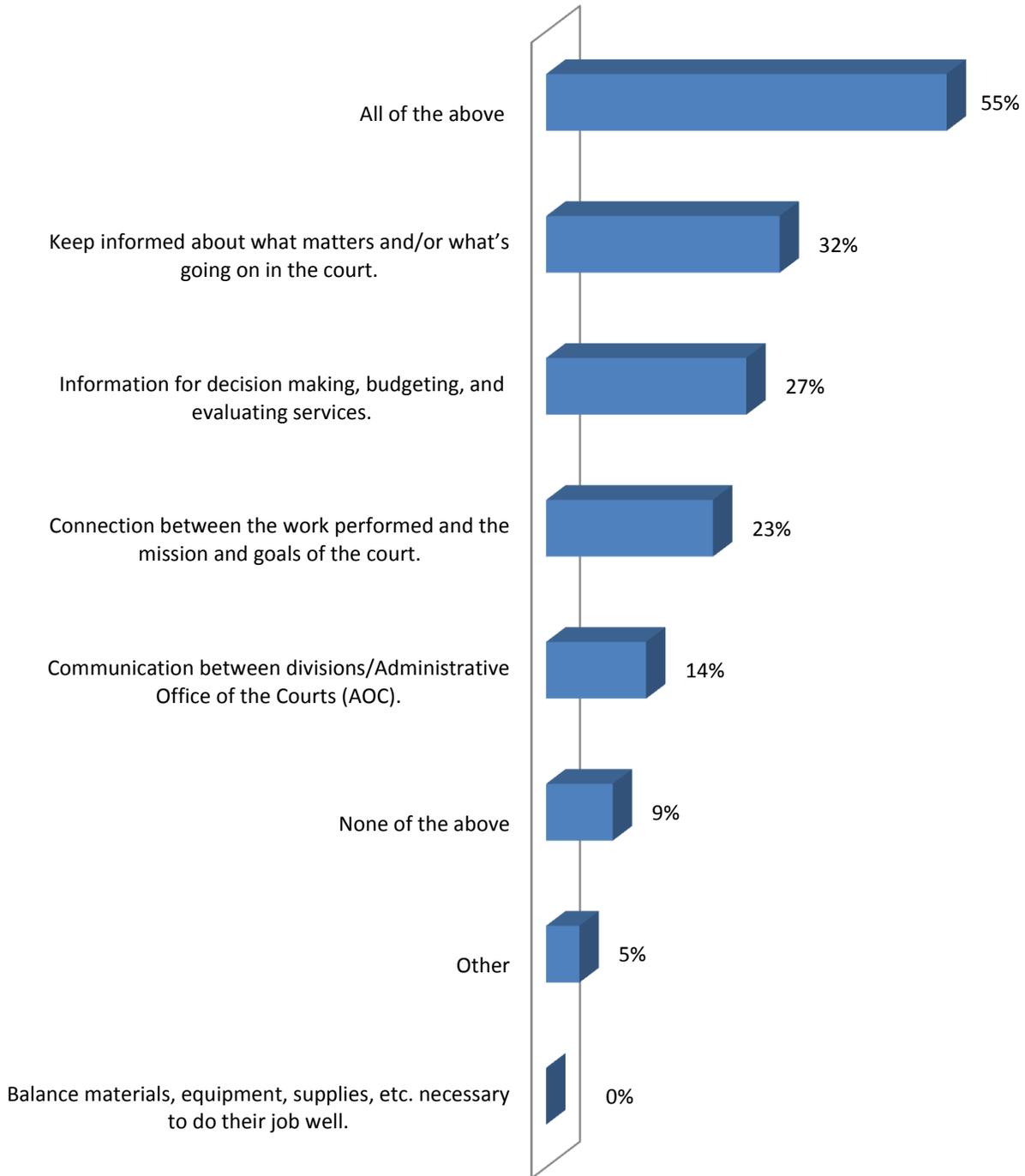


Figure 7. Performance Measurement Usage

To identify how Arizona municipal courts believe standard performance measures may help ensure compliance with legislative and AOC requirements and standards, five survey statements were identified to gather this information (see Table 2). Participants were given the options to agree or disagree (on a 5-point scale) with each statement. The author combined the two agree options (agree and completely agree) and the disagree options (disagree and completely disagree) to display the percent of agreement or disagreement (see Table 2). The five statements all received a high level of agreement ranging from 77 percent to 91 percent, with 77 percent being the lowest percentage of agreement. The highest percentage of all participants (91%, or 20 of 22) responded with agreement to “performance measurement data is used to develop best practices related to day-to-day processing.” The second highest percentage of all participants, 86 percent, responded with agreement to “what gets measures can be managed” and “performance data is used to identify overall case-flow inefficiencies” (see Table 2).

**Table 2. Abstract of Performance Measurement and Performance Management Survey**

<b>Survey Statement "Data is used to...."</b>	<b>Disagree</b>	<b>Neutral</b>	<b>Agree</b>	<b>% of Agreement</b>
Develop best practices related to day-to-day processing	0	2	20	91%
Measure what can be managed	0	3	19	86%
Identify overall case-flow inefficiencies	0	3	18	86%
Identify possible disconnects in day-to-day processing	1	4	17	77%
Ensure time standards are met	1	2	16	77%

*Note: “Disagree” combines response options “completely disagree” or “disagree” and “Agree” combines “completely agree” or “agree”*

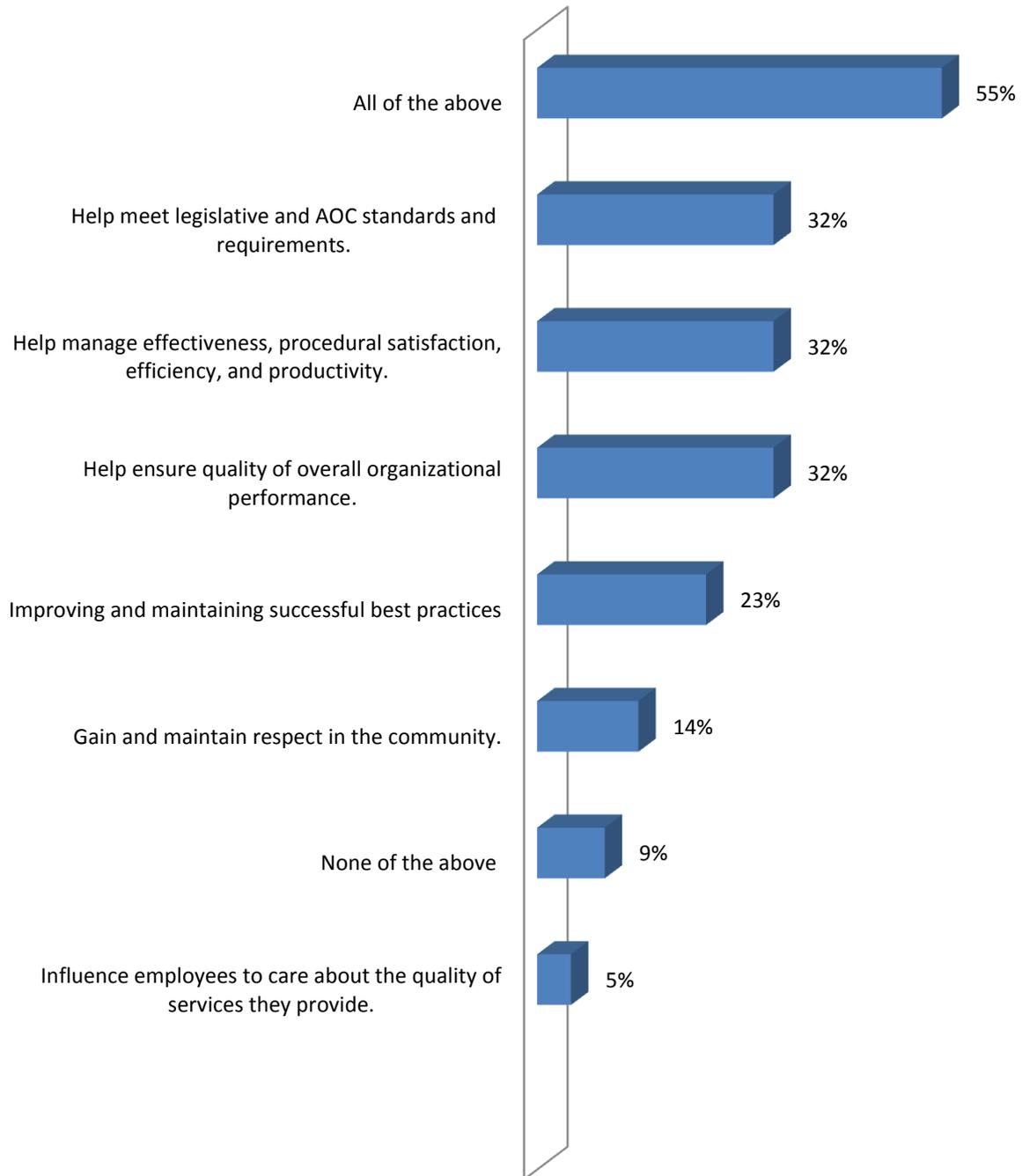
## **Performance Management Data**

Looking toward *performance management*, survey participants were asked to think about their court specifically, and how performance management is currently used. The survey options provided to the participants were to track opinions ranging from ‘help ensure quality of overall organizational performance’ to ‘help manage by bringing to light effectiveness, procedural satisfaction, efficiency, and productivity.’ Of the 22 respondents 12, or 55 percent, responded by selecting - ‘all of the above.’ The primary motive behind this series of options was to provide an emphasis on processes and compliance related to performance management. In identifying ways court leaders and their management teams can improve their focus and work towards becoming synonymous with performance management, three other options stood out from the others. Seven respondents (32%) selected each of the below options:

- Help ensure quality of overall organizational performance.
- Help manage by bringing to light effectiveness, procedural satisfaction, efficiency, and productivity.
- Help meet legislative and AOC standards and requirements.

The three above statements are aspects of learning and improving performance management and require leaders and managers to have relevant information to analyze and design improvements when needed (see Figure 8).

## Performance Management Usage (n=22)



*Figure 8. Performance Management Usage*

Performance measures and performance management have a variety of useful aspects. As evidenced by Table 3, performance measurements and performance management are viewed and used in different ways by Arizona municipal courts. Table 3 reflects percentages from questions asked to help gain an understanding as to how Arizona municipal courts use and/or do not use performance measurements and performance management to ensure quality of overall organizational performance and ways to manage with data. The author combined similar options, i.e. ‘completely agreed/agreed’ to display the percentages (see Table 3). A large percentage (87%) of the respondents agreed performance data is used to diagnose overall operational effectiveness. Ninety-one percent agreed that performance management is used to develop court policies and procedures. And 86 percent agreed that ‘court management use performance measures and performance management to know the court is doing what should be done - the right way’. The high percentages of agreement for the above statements show that Arizona municipal courts use or believe performance measurements and performance management are used to ensure and diagnose overall organizational performance (see Table 3).

Eighty-seven percent of the respondents felt strongly that performance measurement data is used to diagnose overall operational effectiveness. Three other questions were identified to provide insight to the usefulness, or lack thereof, for performance measures and performance management. Of the questions asked to identify the usefulness of performance measurements and performance management, ‘court staff are educated or receive training on performance monitoring and management’ received the lowest level of agreement (only 41% agreed). Scottsdale Municipal Court provided further insight, commenting, *“the court has not actively educated staff on court performance measures and management, but they plan on doing it soon.”*

Fifty-nine percent agreed that ‘court management in your court routinely communicate to staff the importance of performance measures and performance management.’ Where 64 percent agreed that ‘performance measurements are shared internally to show what has been done to improve performance and refine practices’ (see Table 3).

**Table 3. Abstract of Performance Measurement and Performance Management Survey**

<b>Survey Statement</b>	<b>Disagree</b>	<b>Neutral</b>	<b>Agree</b>	<b>% of Agreement</b>
Performance management is used to develop court policies and procedures	0	2	20	91%
Performance measurement data is used to diagnose overall operational effectiveness	0	3	19	87%
Performance measures and performance management to know "the court is doing what should be done - the right way"	0	3	19	86%
Performance measurements are shared internally to show what has been done to improve performance and refine practices	1	6	14	64%
The importance of performance measures and performance management is communicated with staff	4	5	13	59%
Performance measurements are shared with Legislative and Executive branches to communicate how well the court is meeting its responsibilities	3	3	12	55%
Court staff are educated or receive training on performance monitoring and management	8	3	9	41%

*Note: "Disagree" combines response options "completely disagree" or "disagree" and "Agree" combines "completely agree" or "agree"*

## **AOC Common Operational Review Findings in Limited Jurisdiction Courts**

The AOC publishes common operational review findings based off evaluations conducted statewide in an effort to maintain accountability and public trust in the Arizona court system. The evaluations are designed to assist the AOC in fulfilling mandates and to have administrative supervision over all state courts by determining if courts are complying with applicable statutes and rules. The evaluations produce findings that provide Arizona courts with a baseline as to what they should focus their attention toward when identifying and developing performance measurement and performance management processes. The findings describe detailed gaps in compliance and/or areas of oversight. The findings in this section were reviewed to determine their relevance in the process, as well as to narrow the focus of performance measures and performance management development. Some common themes identified during the review of the common findings were related to inconsistencies in using mandated forms and completing all portions of forms, following written court procedures and failure to take timely enforcement action in instances of non-compliance. According to the AOC Common Operational Review Findings in Limited Jurisdiction Courts (2012), the most common findings in 2012 were:

### **DUI Case Processing:**

- *Financial Questionnaire* – Arizona Rules of Criminal Procedure (ARCP), Rule 6.4(b), requires the court to determine indigence based on the defendant's financial resources on a form approved by the Supreme Court. Courts did not consistently utilize the Supreme Court approved financial questionnaire before appointing counsel.
- *Mandatory Sentencing/Sentencing Documentation* – Arizona Revised Statute (A.R.S.) 13-607 requires courts to provide a judgment of guilt and sentence document for certain offenses and lists the information required in the form. Courts did not consistently

complete all portions of the judgment of guilt or the forms did not contain all information required.

- *Disposition Reporting to the Department of Public Safety (DPS)* – ARCP, Rule 4.2(a)(8), states that for defendants charged with a violation of “Title 13, Chapter 14, or Title 28, Chapter 4, or a domestic violence offense, as defined in A.R.S. 13-3601, the court shall order that the defendant be fingerprinted at a designated time and place if it appears that the defendant was not previously fingerprinted.” AOC found incomplete information on file with DPS records as compared to adjudicated DUI files reviewed at the court.

**Court-Ordered Enforcement:**

- *Monetary Enforcement/Timeliness* – Courts did not take timely enforcement action (or the case file did not contain any documented action) in instances of defendants’ non-compliance with the court’s order to pay established amounts at established intervals.
- *Docketing Compliance/Non-compliance* – A.R.S. 22-312 and 22-422 require the court to maintain a current docket containing each action and proceeding. Courts did not consistently docket compliance or non-compliance with non-monetary court-ordered obligations.

**Warrants:**

- *A.R.S. 13-3904 (Violation of Promise to Appear) Warrant/Complaints* – Courts did not properly add the charge to the CMS. Courts also incorrectly issued a warrant pursuant A.R.S. 13-3904(A) for failure to appear at a court appearance other than the first, erroneously adding a class 2 misdemeanor to the defendant’s record.

- *A.R.S. 13-2506 (Violation of Promise to Appear) Warrant/Complaints* – For violations of A.R.S. 13-2506 the prosecutor must file a complaint alleging the offense and a vast majority of courts improperly issue a failure to appear complaint.

**Civil Traffic Case Processing:**

- *Timeliness* – Courts did not adhere to their own policies regarding the timeframe within which to impose a default judgment in civil traffic cases.
- *Civil Traffic Financial Assessment* – A.R.S. 28-121 prescribes that except as otherwise provided, the base fine for civil traffic violations shall not exceed \$250.00. Courts did not assess the appropriate amount according to statute, or assessed more than is permissible by law.
- *Entering Disposition for all Charges* – Courts did not enter dispositions for all charges in civil traffic cases. As a result, the courts have an increasing number of civil traffic cases in a “pending” status incorrectly.

**Financial Management Practices:**

- *Manual Receipts not Reviewed/Not Cross-referenced* – Arizona Minimum Accounting Standards (MAS) 1.5.f requires that a person reviewing manual receipts verify the receipts are recorded in the automated system. In many cases, courts failed update the automated system correctly.
- *Voided Receipts* – Arizona MAS H.1 requires verification of all disbursements, deposits, voided receipts, and daily and monthly reconciliations and further requires documentation of the verification.
- *Outstanding Bond Reconciliation* – Arizona MAS N requires the court to monthly review all pending and outstanding bonds posted more than 90 days and bond records to

determine the status of the bonds based on court order, i.e., is the bond still active, waiting for defendant to appear.

The AOC does not provide the percentage of courts that received the findings described above; however, the AOC does provide that 18 operational reviews were completed in 2012. The findings are broken into individual sections that relate to common case processing practices and even though Arizona municipal courts differ in many ways i.e., size, case filings, personnel, and procedures, the findings identified above were shared in all 18 courts. According to AOC 2013, “while each court’s processes and procedures may vary, the operational reviews often identify the same type of issues from court to court” (AOC, 2013d). The findings are a mixture of legislative requirements and AOC requirements and standards. The common findings are specific to day-to-day case processing, case-flow inefficiencies, overall operational effectiveness, and time standards. The findings of other Arizona municipal courts will assist the Tempe Municipal Court in identifying possible areas of concern and areas of non-compliance. The common findings identify areas the Tempe Municipal Court can use to narrow-in and define performance areas where measures and performance tracking are necessary. Using these findings will diagnose Tempe’s internal case processing methods and help the Court achieve compliance and make improvements. The findings in the above section provide guidance toward the next phase of the project and will further assist the Tempe Municipal Court in identifying and developing meaningful performance measures and performance management processes.

## **Performance tracking – Tempe Municipal Court**

As mentioned previously, the Tempe Municipal Court management team reviews statistical data on a monthly basis. Operating statistics for the civil and criminal divisions is an agenda item listed for every monthly management team meeting. The management team reviews a variety of data, including but not limited to, cases filed, charges filed, hearing and trial type settings, correspondence received, cashier activity, motion filings, and warrants issued. The data is reviewed for the fiscal year, looking to year-to-date percentages, average per month percentages, and previous fiscal year totals. The data is also used to help calculate projected totals for the current fiscal year. The review of the Tempe Municipal Court performance data revealed that collected and reviewed data is specific to case types and court activity. The data is used as a workload indicator and not to identify how well the individual tasks were performed or completed. The data is a tool that identifies internal court operations related to specific cases types and case-flow. The collected data is shared with internal and external justice partners, the public, the media when requested, and provided to the Arizona Supreme Court and the Administrative Office of Courts. The information gathered is to allow the Court to manage court resources efficiently, identify the benefits of improved court performance, and demonstrate effective stewardship of public resources.

## Conclusions and Recommendations

The collected survey data, data elements collected by the Tempe Municipal Court, and published AOC operational review data and guidelines form the following conclusions and recommendations. These recommendations will move the Tempe Municipal Court forward in its goal of managing with data and will provide the community with an independent judiciary which serves the public by the fair and impartial administration of justice and fulfills the Court's mission.

**Conclusion 1: There are specific performance measures and/or tools that can be used to assist with quality of overall organizational performance, but specification may be desirable.**

The TCPS provided a starting point to help courts identify and define performance areas toward a path of standardization and consistency. Integrating the major performance areas of the TCPS, CourTools, and HPCF provides courts with performance measures and/or tools that are directly relevant to courts in the 21<sup>st</sup> century. The high percentage of courts surveyed (86% or 7 of the 9) indicate that municipal courts in Arizona are using performance measures to guide performance improvement, set pay-for-performance rates, bench-marking, and performance management development. All of the purposes described above are relevant and useful to courts looking to maintain high levels of overall organizational performance. TCPS, CourTools, and HPCF all provide ways for courts to establish performance expectations and measurement guidelines to evaluate the actual performance in a court environment. CourTools and HPCF are useful tools used to identify, resolve, and communicate quality organizational performance. There are aspects of each tool that may or may not directly fit the needs of the Tempe Municipal Court. Five of the surveyed courts provided that they use CourTools and HPCF, but they also

expand or create their own performance measurement to gauge court performance. Based on the information provided by other Arizona municipal courts, the Tempe Municipal Court may need to replace or expand upon existing measures and/or tools to fit the needs of the Court.

**Recommendation 1: Utilize the theories, measurement tools, and guidelines defined and discussed by TCPS, CourTools, and HPCF to identify, refine, and develop meaningful performance measures, management tools and practices to fit the needs for the Tempe Municipal Court.**

The Tempe Municipal Court should pull key elements of the above theories and measurement tools to fit the needs of Court. The Court should review the current data elements collected for additional elements the Court could/should collect to develop management tools. Using the structure provided by TCPS, CourTools, and HPCF will be key in the development of performance management practices specific to the Tempe Municipal Court. The theories, tools, and guidelines should be shared throughout the Court. However, sharing the ideas with the management team will not be enough; all court personnel will need to be involved. Twenty-three percent of the participants believed performance measurement data provides a better understanding or connection between the work performed and the mission and goals of the court. Building the knowledge base of all involved will increase the success of a new process. It is recommended the theories be discussed and reviewed in management team meetings and then also reviewed and discussed in the structured monthly team meetings. CourTools provides that clear outcomes inspire greater creativity among court personnel and (23%) of the respondents agree. The teams should be asked to share how their teams could accomplish implementing performance measures and management tools to fit the Courts' needs.

**Conclusion 2: The Tempe Municipal Court has a good foundation to expand its performance measurement review process and begin development of a performance management process.**

The Tempe Municipal Court currently collects data elements identified in TCPS, CourTools, and HPCF, such as clearance rates, cost per case, and time to disposition. Sixty-one percent of the surveyed courts review statistical data on a monthly basis to gauge performance and set bench-marks. This percentage includes a response from the Tempe Municipal Court and reflects its current business process. The management team in the Tempe Municipal Court reviews the statistical data to identify trends, discuss the results, assess quality controls, and compare the data from the previous fiscal year to the current fiscal year. The management team also uses the data to determine the need for resources, i.e. staffing and/or coverage. The performance measurement discussions are part of the monthly management team meetings and along with many other pending and/or pressing issues. The data elements are reviewed at a high level to ensure the data was entered correctly and identifies areas that may require follow-up.

**Recommendation 2: Establish a separate forum to discuss the performance measurement data in further detail and use the data to guide performance management.**

The process of managing any type of organization, especially a court, involves the establishment of performance expectations and the ability to communicate those expectations with all involved. The management team needs to work with court personnel and “assure that policies, strategies, and services are in alignment, collect and analyze performance information, apply information to continuously improve results and become more efficient, use data more effectively to inform policy decisions, support accountability, both within the organization and to

the public, and provide understandable information on performance to the public” (National Framework, pg. viii).

Specifically, the Tempe Municipal Court should select two or three performance measurement categories from the civil and criminal division monthly statistics and discuss those items during a meeting specifically set for that purpose. Performance measurement and performance management must ultimately be a task and practice that judges and/or court management actively undertake on a day-to-day and monthly basis. The measurement category should be reviewed and revised to allow Court personnel the ability to gauge how well the individual tasks are being completed and not just the percentages of completion. The performance measures need to provide a lens to determine, if all legislative and operational requirements are being met and help the Court identify problems, provide factual information for critical thinking, and give guidance as to alternative ways to address and resolve the identified concerns.

**Conclusion 3: Standard performance measures and/or tools can help courts with compliance issues related to legislative and AOC requirements and standards.**

The AOC common operational review findings are published every year to provide courts with a resource to identify possible areas of concern in their courts. The published findings are a mixture of findings related to legislative requirements and AOC requirements and standards. The common findings provide a baseline for key areas courts should be concerned with when gathering and analyzing performance data. Findings specific to day-to-day case processing, case-flow inefficiencies, overall operational effectiveness, and time standards were identified and published in the 2012 AOC common findings. As a single survey statement, 32 percent of the survey respondents believe performance measures and performance management can help courts

with compliance issues. As an overall response, 55 percent agreed with this statement. According to AOC (2012), “operational reviews are conducted to determine whether limited jurisdiction courts are complying with applicable statutes, ordinances, rules, orders, and standards.”

**Recommendation 3: Use current and previous year operational review common findings to further define meaningful measures and management processes.**

Through the review of common findings, the Tempe Municipal Court can narrow the focus of the type of data collected and analyzed when dealing with performance measures. The Court should use the findings as a lens into internal case processing and performance measures. Guided by the common findings, the Court can determine if the right type of data elements are being collected to provide signs of non-compliance when dealing with day-to-day case processing, operational effectiveness and time standards. First, the Court should review the common findings, one at a time, and review the current workload indicators or statistics to ensure the data is collected to track each finding. Second, if the data is not collected, the Tempe Municipal Court should identify a process as to how to obtain the information. The Court should make every effort to collect the needed data as the first step toward managing the data.

**Conclusion 4: Guidance and further insight on performance measures and performance management from other Arizona municipal courts will enable the Tempe Municipal Court to identify and establish useful and measureable performance measures and/ or tools.**

Eighty-six percent of the courts surveyed collect performance data that they use for a variety of reasons, ranging from performance improvement/performance management to pay-for-performance rates. Each court utilizes existing performance tools and/or methods in different forms, either by employing the tools in the presented form or adding/subtracting areas to fit their

needs. Eighty-six percent of the surveyed courts believe ‘what gets measured can be managed’. The eighty-six percent also includes courts that do not currently collect performance data. The El Mirage Municipal Court Administrator commented, the Court is not currently collecting performance data, but it is the Court’s intention to move toward performance management in the near future. Seven of the nine courts surveyed recognize the value associated with data collection and in finding ways to manage with the provided data.

The Scottsdale Municipal Court defined performance measures and practices that work specifically for their court and has plans to further their efforts to manage with data. The Scottsdale Municipal Court uses the outcomes of specific measures to indicate where issues may exist and conducts analysis and/or invites focus group involvement. The same court has found that some measures provide a high level of concern and use group involvement to identify and develop policies and procedures to address the concerns. The Tempe Municipal Court and the Scottsdale Municipal Court are in neighboring cities that have common goals related to performance. These two factors will foster a process to share ideas and best practices and provide guidance for both courts.

**Recommendation 4: The Tempe Municipal Court should work with Scottsdale Municipal Court to gain further insight into performance measurement and performance management processes.**

Tempe Court Administration should schedule a meeting with Scottsdale Court Administration to discuss and collect best practices related to performance measures and management. The meeting will be the first step to help the Tempe Municipal Court to be in a better position to develop meaningful performance tools. Opening the doors of communication

with like municipal courts is an important element in the development of performance measures and performance management.

### **Concluding Remarks**

When a court has a sense of purpose it can become the central construct around the pursuit for excellence. When the sense of purpose is shared throughout an organization it can also help the members of the organization view their performance with pride. The Tempe Municipal Court is committed to the just and fair administration of justice and this shared sense of purpose serves as a cause and driver to attaining and maintaining organizational alignment and success. Enhancing and developing meaningful performance measures and performance management is one way the Court can obtain this goal. Performance measurement can provide a balanced assessment of key operational units in a court and performance management uses performance results to refine court practices on the basis of evidence-based innovations. The goal to maintain and enhance performance starts with words and statements toward a purpose, but the commitment will truly be reflected in the way the Court works together, from judges, to administration, to line staff, to make improvements and enhance overall performance.

Identifying key elements involved in implementing practices that improve public access, accountability, and operational efficiencies was the purpose of this paper. Helping the Court to identify and develop ways to know “we are doing what we should be doing” and that “we are doing it the right way” was the initial driver of this project. The review of literature surrounding performance measures and performance management served several purposes, one being to help the Tempe Municipal Court continue in its path to develop and maintain meaningful performance measures. Reviewing literature and looking to other Arizona municipal courts was only the start of the process to help the Court manage with data by using performance measures,

performance tools, and performance management. The Court wants to have ways to identify and demonstrate court effectiveness, because it is directly related to the Court's ability to provide fair and impartial administration of justice. According to Ostrom and Hanson (2010), "performance measurement is the ongoing monitoring and reporting of program accomplishments, particularly progress towards pre-established goals" (pg. 41). "Performance measurement address the adequacy of resources, the type or level of program activities undertaken, the direct products and services delivered by a program, and/or the results of those products and services" (Ostrom & Hanson, 2010, pg. 41).

Exploring ways in which performance measures and performance tools were used in other municipal courts in Arizona provided insight and guidance. The data collected through the survey can be used as a tool to gauge how other Arizona municipal courts view and use performance data. However, the goal was to identify and develop useful and meaningful performance measures and performance management techniques for the Tempe Municipal Court. Although the Court shares basic demographics and similar case volumes of other courts, it has different business practices and procedures that make sense and that fit the needs of Tempe Municipal Court. The Court can use the data collected through literature and survey information to find balance between day-to-day operational needs and standards, but must also look to what makes sense and what will work best for the Tempe Municipal Court.

Defined performance measures and performance management tools will help the Court identify problems or inefficiencies early and allow for issues to be addressed before they fester and spread. Collecting the right data and identifying ways to use that data will improve and maintain efficiencies. Overall, the Tempe Municipal Court currently collects performance data to place it on the right path to further define the focus of key administrative principles that clarify

high performance, promote common goals, and further develop the capacity to measure performance and learn to use the results for procedural refinements. These recommendations will serve as a guide to the Tempe Municipal Court to further analyze and discuss performance information and reach conclusions that will lead to changes and advancements intended to improve performance management and results.

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# Tempe Municipal Court

## 2013 State of the Court Executive Summary



It is my honor to present the nineteenth State of the Court report in a new Executive Summary format. Not only is the Tempe Municipal Court committed to protecting the rights of all people having business with the Court, but also, the Court's operational focus supports *Justice 2020*, the Arizona Judicial Branch's strategic plan for 2010-2015. Tempe Municipal Court continues to implement practices that improve public access, transparency, accountability, operational efficiencies and partnerships with other branches of government. It is important to note that these practices also align with Tempe City Council priorities of operational sustainability and accountability, as well as fostering an environment for education and learning. We have learned much from a review of what we have done in the past year and look forward to the year ahead. We will continue to remain focused on providing the highest standards of service to the public.

### Mission

*The Tempe Municipal Court is committed to providing the community with an independent judiciary, which serves the public by the fair and impartial administration of justice resulting in the enhancement of public trust and confidence*

MaryAnne Majestic  
Presiding Judge  
Tempe Municipal Court

### FAST FACTS

- ⇒ Tempe Municipal Court is one of 172 limited jurisdiction courts in Arizona and is the fifth largest Municipal Court in the State in terms of case volume.
- ⇒ The Court has the highest case-to-personnel ratio and second highest revenue-to-expenditure ratio of the six largest Municipal Courts in Maricopa County.
- ⇒ The Court has three Judges, two Commissioners and 33 staff positions.

### » 2012 Operational Efficiencies & Accomplishments «

- Cost-per-Case — \$48.93, lowest of the six largest Municipal Courts in Maricopa County.
- For every \$1 expended on Court operations, the Court collected \$2.84 in fines and fees in FY11/12.
- Collected \$293,843 in fines/fees and victim restitution by participating in Administrative Office of the Courts' Tax Intercept Program (TIP); used TIP's Nationwide Public Records Search program to assist collection efforts.
- Clearance Rate—107 percent, measured as the number of cases disposed compared to filed in FY11/12.
- Developed and implemented an interface with a new collection agency vendor.
- Worked with IT Dept. to enhance the case management system and develop reporting capabilities to better serve the public.
- Implemented Integrated Voice Response (IVR) and Integrated Web Response (IWR) payment processing.

### » Fostering Education; Learning; Improving Public Access «

- Partner with Tempe Social Services' Kids Zone for Law Day.
- Host Tempe Leadership Government Issues Day.
- Partner with Tempe Learning Center and Diversity office to plan customized on-site staff training.
- Participate in Mayor's Youth Advisory Committee Youth Town Hall.
- Judicial Officers instructing other judges statewide and updating judicial training materials.
- Redesigning accessibility process for the hearing impaired.
- Developed and use State-approved Language Access Plan to ensure access for limited-English speakers.

### » Community Outreach & Partnerships «

- Judge MaryAnne Majestic appointed Presiding Judge of the Maricopa County Regional Homeless Court by Judge Norman Davis, Presiding Judge, Superior Court in Maricopa County.
- Partner with Project Homeless Connect and Veteran Stand Down, collaborations of government agencies and community services to meet the needs of the homeless.
- Judge Majestic appointed Judicial Liaison to Commission on Homelessness and Poverty, and Liaison to Commission on Sexual Orientation and Gender Identity for American Bar Association.
- Mental Health Court continues as a model for other courts.
- Partner with Tempe Social Services' Adopt-A-Senior Program.
- Participate in local, regional and statewide community and court improvement efforts, including:
  - ◇ AZ Supreme Court Limited Jurisdiction Court Committee
  - ◇ AZ Supreme Court Defensive Driving Board
  - ◇ Tempe Coalition to Reduce Underage Drinking and Drug Use
  - ◇ Tempe Criminal Justice Advisory Committee

### » Looking Forward to 2013 «

- Continue ongoing Capital Improvement Project to improve public service and preserve City assets by improving the physical condition of the Court building.
- Complete an interface with the Department of Public Safety to enter criminal disposition information directly into the Arizona Criminal Justice Information System.
- Collaborate with IT Dept. on sustainability plan for the Court's case management system.
- Continue efforts to identify and develop meaningful performance measures.

## Appendix C Court Administrator Contact E-mail

Hello,

My name is Alexis Allen, Court Services Supervisor with the Tempe Municipal Court, and I am currently working on my project for the National Center for State Courts' Institute of Court Management (ICM) Fellows Program. The ICM Fellows Program (formerly the Court Executive Development Program) is the flagship program of the National Center for State Courts Institute for Court Management. The overall purpose of the Fellows Program is leadership development. The project involves gathering information from the court community on my topic, *Performance Measurement and Performance Management*. I am examining how performance measures and/or management tools may help the Tempe Municipal Court ensure quality of overall organizational performance. The information gathered may also be helpful to courts looking to develop and implement standard performance measures and/or management tools. I am contacting you to solicit your help to gather this information. I am interested in collecting data from your court because your court experienced a similar case volume in fiscal year 2012 as the Tempe Municipal Court.

The following survey is designed to identify and review if, how, and/or why courts use performance measures and performance management tools. To gather the perspective from multiple levels in the court structure I would like to request the survey be taken by:

- One line-level staff (lead clerk, clerk, court interpreter, or court trainer),
- One supervisor, and
- One member of upper management (administrator, deputy, or manager).

I do not anticipate the collection of the above information will take much time, 10 – 15 minutes. Your participation is greatly appreciated.

Please complete the survey no later than September 6, 2013.

Click on link below:

[Survey](#)

**\*\* (Administrator, deputy, or manager) - Please forward this e-mail to one front line staff member (lead clerk, clerk, court interpreter, or court trainer) and one supervisor to complete the survey.**

Alexis Allen | Court Services Supervisor | Tempe Municipal Court  
Desk: (480) 350-8055 | Fax: (480) 350-2790 | E-mail: [alexis\\_allen@tempe.gov](mailto:alexis_allen@tempe.gov)

**Appendix D**  
**Tempe Municipal Court**  
**Civil Traffic Workload Indicator FY 12**

Activity	Year to Date #'s	Average #'s per Month	Fiscal Year '12/13 Projected #'s	Fiscal Year '11/12 Totals	Percentage of Change Fiscal Year to Fiscal Year
Cases Filed	36,545	3,045	36,545	40,527	-10%
Charges Filed	43,845	3,654	43,845	47,843	-8%
Parking	24,704	2,059	24,704	21,863	13%
Light Rail	622	52	622	1,154	-46%
Traffic	21,608	1,801	21,608	26,227	-18%
Local and & Misc.	930	78	930	623	49%
Hearings	1,287	107	1,287	1,531	-16%
Courtroom 5	675	56	675	879	-23%
Courtroom 6	568	47	568	652	-13%
Motion Hearings	6	1	6	109	-94%
Courtroom 5	5	0	5	69	-93%
Courtroom 6	1	0	1	40	-98%
Walk In Docket	5,153	429	5,153	6,406	-20%
FTA Defaults	17,168	1,431	17,168	17,968	-4%
Set Aside Defaults	4,486	374	4,486	5,648	-21%
Appeals	36	3	36	27	33%
Correspondence Received	7,932	661	7,932	12,759	-38%
DDC Completions	3,974	331	3,974	7,150	-44%
DDC Continuances	580	48	580	1,428	-59%
Bicycle Diversion Completions	576	48	576	232	148%
Summons and Complaints	13,009	1,084	13,009	10,925	19%
Cashier Activity	28,512	2,376	28,512	56,709	-50%
Mail Payments Posted	13,342	1,112	13,342	16,402	-19%
Payment Contracts Issued	16,229	1,352	16,229	17,235	-6%
Closed Cases	54,594	4,550	54,594	35,605	53%
Phone Calls Offered	68,240	5,687	68,240	147,414	-54%
Phone Calls Answered	59,390	4,949	59,390	104,524	-43%
Petitions Filed	870	73	870	919	-5%
Order of Protection	589	49	589	613	-4%
Injunction Harassment	264	22	264	291	-9%
Injunction Workplace	17	1	17	15	13%
OP and HI Hearings	104	9	104	151	-31%
IVR PAYMENTS	18,708	1,559	18,708	3,245	477%
IWR PAYMENTS	17,591	1,466	17,591	2,505	602%
WEB TPCs Created	322	27	322	22	1364%

**Appendix E**  
**Tempe Municipal Court**  
**Criminal Workload Indicator FY 12**

ACTIVITY	Year to Date #'s	Average #'s per Month	Fiscal Year '12/13 Projected #'s	Fiscal Year '11/12 Totals	Percentage of Change Fiscal Year to Fiscal Year
CASES FILED	12,607	1,051	12,607	12,000	5%
CHARGES FILED	26,769	2,231	26,769	26,299	2%
PRISONERS	9,143	762	9,143	8,537	7%
AM DOCKET	7,645	637	7,645	7,037	9%
PM DOCKET	1,498	125	1,498	1,500	0%
INITIAL APPEARANCES (jail)	7,717	643	7,717	7,251	6%
ARRAIGNMENTS	5,483	457	5,483	5,598	-2%
FINAL ADJUDICATION	187	16	187	181	3%
PRE-TRIAL CONFERENCES	6,422	535	6,422	6,611	-3%
TRIALS	278	23	278	357	-22%
NON-JURY	261	22	261	345	-24%
JURY	20	2	20	12	67%
NJT DOCKET OTHER HRGS	205	17	205	203	1%
Calendar Call	71	6	71	78	-9%
Order to Show Cause	2,914	243	2,914	2,831	3%
Walk In's	2,967	247	2,967	2,724	9%
No Witness Review - MHC	376	31	376	425	-12%
Telephonic Hearing	34	3	34	27	26%
FILINGS	20,222	1,685	20,222	17,097	18%
MOTIONS	18,524	1,544	18,524	15,498	20%
Motion to Continue (MTC) by STATE	2,209	184	2,209	1,728	28%
MTC by DEFENSE	3,571	298	3,571	2,692	33%
MTC by PRO PER	3,587	299	3,587	3,372	6%
MTC by Public Defender	773	64	773	651	19%
Motion to Dismiss (MTD) STATE	4,483	374	4,483	3,463	29%
MTD by DEFENSE	120	10	120	88	36%
MTD by PRO PER	253	21	253	212	19%
MTD by Public Defender	16	1	16	13	23%
OTHER MOTIONS	3,512	293	3,512	3,279	7%
WARRANTS ISSUED	10,708	892	10,708	12,897	-17%
WARRANTS QUASHED	11,221	935	11,221	10,962	2%
APPEARANCE BONDS	3,768	314	3,768	3,858	-2%
APPEALS	31	3	31	35	-11%
CLOSED CASES	16,911	1,409	16,911	15,057	12%

**Appendix F**  
**Performance Measurement and Performance Management Survey**

**Performance Measurement and Performance Management Survey**

Court .....

**1** Does anyone in court management (presiding judge, court (deputy) administrator(s), managers, or supervisors) collect performance measurement data? (Examples including, but not limited to, clearance rate, time to disposition, customer satisfaction, and front counter and telephone statistics):

- A Yes  B No - if no, skip to question 5

**2** Does your court gather performance measurement data for the purposes of: Select all that apply

- |   |  |
|---|--|
| <input type="checkbox"/> A Performance management           | <input type="checkbox"/> B Performance improvement |
| <input type="checkbox"/> C Pay-for-performance rates        | <input type="checkbox"/> D Bench-marking           |
| <input type="checkbox"/> E All of the above                 | <input type="checkbox"/> F None of the above       |
| <input type="checkbox"/> G Other:use comment box, top right |  |

**3** Does your court use standard performance measurement systems to collect the data?

- |   |   |
|---|---|
| <input type="checkbox"/> A CourTools                        | <input type="checkbox"/> B High Performance Framework |
| <input type="checkbox"/> C Both                             | <input type="checkbox"/> D Neither                    |
| <input type="checkbox"/> E Other:use comment box, top right |   |

**4** How often is performance measurement data reviewed by court management?

- |  |   |
|--|---|
| <input type="radio"/> A More frequently than monthly | <input type="radio"/> B Monthly                             |
| <input type="radio"/> C Quarterly                    | <input type="radio"/> D Semi-annually                       |
| <input type="radio"/> E Annually                     | <input type="checkbox"/> F Other:use comment box, top right |

**5** Thinking about your court specifically, is performance measurement data currently used to: Select all that apply

- |  |
|--|
| <input type="checkbox"/> A Help keep administrators, managers, and judges informed about what matters and/or what's going on in the court.               |
| <input type="checkbox"/> B Provide factual information used in decision making, budgeting, and evaluating services.                                      |
| <input type="checkbox"/> C Help administrators, managers, and judges balance materials, equipment, supplies, etc. necessary to do their job well.        |
| <input type="checkbox"/> D Allow for better communication between divisions/internal and external departments/Administrative Office of the Courts (AOC). |
| <input type="checkbox"/> E Help provide a better understanding or connection between the work performed and the mission and goals of the court.          |
| <input type="checkbox"/> F All of the above  |
| <input type="checkbox"/> G None of the above   |
| <input type="checkbox"/> H Other:use comment box, top right  |

**6** Thinking about your court specifically, is performance management currently used to: Select all that apply

- A Gain and maintain respect in the community.
- B Give visibility and influence employees to care about the quality of services they provide.
- C Influence and be an integral part in improving and maintaining successful best practices.
- D Help ensure quality of overall organizational performance.
- E Help manage by bringing to light effectiveness, procedural satisfaction, efficiency, and productivity.
- F Help meet legislative and AOC standards and requirements.
- G All of the above
- H None of the above
- I Other:use comment box, top right

Thinking about your court specifically, do you agree/disagree with the following statements:

**7** What gets measured can be managed.

- A Completely disagree
- B Disagree
- C Neutral
- D Agree
- E Completely agree
- F Don't Know

**8** Performance measurement data is used to identify possible disconnects in day-to-day processing.

- A Completely disagree
- B Disagree
- C Neutral
- D Agree
- E Completely agree
- F Don't know

**9** Performance measurement data is used to identify overall case-flow inefficiencies.

- A Completely disagree
- B Disagree
- C Neutral
- D Agree
- E Completely agree
- F Don't know

**10** Performance measurement data is used to develop best practices related day-to-day processing.

- A Completely disagree
- B Disagree
- C Neutral
- D Agree
- E Completely agree
- F Don't know

**11** Performance measurement data is used to ensure time standards are met.

- A Completely disagree
- B Disagree
- C Neutral
- D Agree
- E Completely agree
- F Don't know

**12** Performance measurement data is used to develop future strategic agenda items.

- A Completely disagree
- B Disagree
- C Neutral
- D Agree
- E Completely agree
- F Don't know

**13** Performance measurement data is used to diagnose overall operational effectiveness.

- A Completely disagree
- B Disagree
- C Neutral
- D Agree
- E Completely agree
- F Don't know

**14** Performance measurement data is a tool used to assist with performance improvements.

- A Completely disagree     B Disagree     C Neutral     D Agree  
 E Completely agree     F Don't know

**15** Court management (judges, administrators, managers, supervisors) use performance data to develop policies and procedure.

- A Completely disagree     B Disagree     C Neutral     D Agree  
 E Completely agree     F Don't know

**16** Judges are actively involved in determining which performance measures are important, needed, and useful.

- A Completely disagree     B Disagree     C Neutral     D Agree  
 E Completely agree     F Don't know

**17** Court staff are educated or receive training on performance monitoring and management.

- A Completely disagree     B Disagree     C Neutral     D Agree  
 E Completely agree     F Don't know

**18** Court management (judges, administrators, managers, supervisors) in your court routinely communicate to staff the importance of performance measures and performance management.

- A Completely disagree     B Disagree     C Neutral     D Agree  
 E Completely agree     F Don't know

Thinking about your court specifically, Performance Measurements are:

**19** Shared internally to show what has been done to improve performance and refine practices.

- A Completely disagree     B Disagree     C Neutral     D Agree  
 E Completely agree     F Don't know

**20** Discussed with justice partners.

- A Completely disagree     B Disagree     C Neutral     D Agree  
 E Completely agree     F Don't know

**21** Shared with the Legislative and Executive branches to communicate how well the court is meeting its responsibilities.

- A Completely disagree     B Disagree     C Neutral     D Agree  
 E Completely agree     F Don't know

Thinking about your court specifically, Performance Management is used:

**22** To develop court policies and procedures.

- A Completely disagree       B Disagree       C Neutral       D Agree  
 E Completely agree       F Don't know

**23** To implement court policies and procedures.

---

- A Completely disagree       B Disagree       C Neutral       D Agree  
 E Completely agree       F Don't know

**24** As a means to plan for the future.

---

- A Completely disagree       B Disagree       C Neutral       D Agree  
 E Completely agree       F Don't know

**25** As a means to implement plans for the future.

---

- A Completely disagree       B Disagree       C Neutral       D Agree  
 E Completely agree       F Don't know

Court management (judges, administrators, managers, supervisors) in your court:

**26** Have been exposed to performance measurement and performance management tools.

---

- A Completely disagree       B Disagree       C Neutral       D Agree  
 E Completely agree       F Don't know

**27** Understand how performance measures and performance management can work together.

---

- A Completely disagree       B Disagree       C Neutral       D Agree  
 E Completely agree       F Don't know

**28** Use performance measures and performance management to know "the court is doing what should be done – the right way".

---

- A Completely disagree       B Disagree       C Neutral       D Agree  
 E Completely agree       F Don't know

**29** Are there tools, performance measures, and/or methods used in your court that you would like to share?

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.....  
.....  
.....  
.....  
.....  
.....  
.....  
.....

30 Please identify your position or role in the court:

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- Judge (Presiding, Commissioner)
- Court Administrator (Deputy, Manager, Director)
- Court Supervisor
- Court Staff (lead clerk, clerk, court interpreter, or court trainer)