

**North Carolina Commission on  
the Administration of Law and Justice**

**Committee on Criminal Investigation and  
Adjudication**

**Implementation of a Criminal Caseflow  
Management Plan**

**Presented by:**

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## *Key Elements of the Report*

- ✓ Cases are not being resolved timely in North Carolina's trial courts.
- ✓ Trial court delay impacts the delivery of justice.
- ✓ Some North Carolina practices do not conform with best practices or the principles of caseflow management.
- ✓ Benefits will result from implementing an effective caseflow management system.
- ✓ The NCSC report makes recommendations for improvement and sets forth a rubric for North Carolina to improve caseflow management statewide.

# Cases are not being resolved timely. Conformance with Time Standards

## NCSC Model Time Standards

Felony Cases: 75% disposed within 90 days

Misdemeanor Cases: 75% disposed within 60 days

## North Carolina Time Standards

Felony Cases: 50% within 120 days

Misdemeanor Cases: 75% within 60 days

## North Carolina Time to Disposition

Felony Cases: the median: 244 days

Misdemeanor Cases: the median:

Superior Court: 188 Days

District Court: 145 days

# Practices that Do Not Conform with Best Practices and Need Attention

- 👉 District Attorney/Court calendaring of cases
- 👉 Court Settings/Continuances – Not all court settings result in meaningful court hearings.
- 👉 Defendants, witnesses and victims wait long times in the courtroom for cases to be called for hearing
- 👉 Detainees wait long times in the county jails for their day in court.
- 👉 DAs schedule cases according to the law enforcement officer's monthly court date.
- 👉 NC needs a single definition of a case in order to know and compare case filings, age and dispositions.

# Benefits from an Improved Caseflow Management Program

- Reduced cost of pre-trial detention
- Reduced security risks of transporting detainees
- Reduced cost to taxpayers of state and local officials participating in unproductive court hearings
- Reduced cost to victims, defendants and their families who miss work and lose pay to attend unproductive hearings
- Enhanced public trust and confidence in the criminal justice system

# Recommendations for Improvement

- The Supreme Court should manage a coordinated state-wide effort to improve caseflow management and should establish rules of practice that enhance the just and timely scheduling of cases.
- The AOC should adopt a single definition of a case and establish meaningful management reports.
- District Attorneys and Judges should take steps to make every court hearing a meaningful event by conducting effective administrative settings
- The Supreme Court should consider whether Magistrates may assign counsel and/or set first appearances in court as administrative settings.

# A Rubric to Engage in Improvement

- The Supreme Court should establish a board or council responsible for overall strategy and
  - To review existing statutes, rules and practices
  - To recommend rules to reduce delay
  - To establish and monitor pilot projects
- The Supreme Court should direct the AOC
  - To take steps to improve the quality of data
  - To develop templates to enable all courts to establish local case docketing plans
  - To provide training and assistance to local court on how to engage in caseflow management improvement.