

Case study on an unmanageable case management quandary

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The criminal justice system in the US operates as a network of three distinctive agencies, which include law enforcement, the court system and rehabilitation agency. The law enforcement is charged with the duty of capturing offenders and taking them to court, where the court process determines the course of action to be taken against the offenders. When the action involves sending these culprits to rehabilitation centers they are given different types of punishment depending on their offenses. However, the court has many duties beside judgment of offenders, such as the civil issues like traffic violations. Therefore, with all the duties facing the court system court administrators face myriad of challenges in the management of the court with various needs in human power.

The selection and assignment of judges is based on experience, skills, training and interests. However, there has been a perception that the court management has been lacking leading to an increase in the backlog of cases. Court administrators are charged with the duty of ensuring flow of the cases until they reach disposition. The challenges of assigning a permanent judge in the juvenile court are the perception of inferiority for the juvenile court judges as compared to other judges in the normal courts. There has been an increase in the cases of juvenile cases and assigning a permanent judge these tasks would be tiring to the judges. In addition, handling the children and families in the juvenile cases involves a lot of emotions, which might affect the judge in the disposition of these cases. Therefore, there are some state officials such as referees, masters, judicial officers and commissioners, sent to work with, since the judges in the juvenile courts cannot handle all the work on themselves.

If the task is assigned to a judge with no interest in the juvenile judicial system, it would lead to an unfulfilling career of the judge. Therefore, when assigning permanent judges in the juvenile court the administrator should consider the interest of such a judge in the juvenile court. The payment of a judge in the juvenile court is less as compared to the judges in the normal court, since juvenile court is regarded as a lesser court. The judicial officials employed in the juvenile court have also complained that their duties are less as compared to those of the judge. In addition, the judicial officers lack political power in the community they operate. The juvenile court system is also characterized with less judicial officers as compared to the normal court.

The juvenile court has long had problems in attracting competent judges since the majority of the competent judges operate in the normal courts. The inability to attract competent judges in the juvenile court has been attributed to various factors. For example, there has been perception by the judges that the substance of the work performed in the juvenile court is not considered legal. From the early periods a juvenile judge there was a perception that juvenile judges did not have to have any experience. There are few legal rights considered in the juvenile court and juvenile court was created a social institution with legal trimmings. There was a perception that the law was unnecessary, when dealing with various issues affecting the youth. However there has been a paradigm change, where in majority states the law required juvenile judges to be lawyers.

Assigning a permanent judge in the juvenile court may also hinder career progress, as the juvenile court occupies a low status in the society. In most

cases, the juvenile courts are assigned to fresh judges who are made to believe that they will be promoted after learning the ropes in the family. Permanent assignment of a judge in the juvenile court will also lead to isolation from other experienced judges, since the juvenile courts are isolated from the mainstream legal system.

However, there are various benefits associated with assigning a permanent judge to the juvenile courts. For example, the judge will be able to develop experience in issues affecting the youth and families in the society. This will lead to the improvement of the juvenile court case management, where the cases will be disposed off at a high rate. It will also facilitate consistency in decision making, as well as increased certainty of different outcomes.

Assigning a permanent judge will also facilitate increased flexibility and speed due increased specialization of the judges in the process of decision making.

The increase in backlog of cases in the court system calls for change in the management of the court system. Therefore, there various recommendations that can be put forward in regard to improving the management in the court system. For example, there is a need for more training for the judges to enable them to understand the hybrid system and adopts new technologies. This will reduce the period required for a disposition of the cases such as the delayed criminal cases, which lasted for one month. There is also need for consistency of hearing by the judges rather than random hearing by judges to facilitate faster expedition if judgment. The increased rotation of the judges may lead to increased delay for disposition of justice to such cases.

References

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