

**STRATEGIC PLAN OF THE SUPREME COURT
MISSION STATEMENT,
GOALS, OBJECTIVES AND STRATEGIES
FIVE-YEAR PLAN (2000 - 2004)
AMENDED 10/10/00**

Mission Statement:

The mission of the Supreme Court of Louisiana is to protect and promote the rule of law, to ensure public trust, to use public resources efficiently, to ensure the highest professional conduct, integrity, and competence of both the bench and the bar, and to ensure the proper administration and performance of all courts under its authority.

Goal 1.0 To protect the rule of law.

Objectives:

- 1.1 To provide a reasonable opportunity for litigants to seek review in the Supreme Court of decisions made by lower tribunals.

Strategies:

1.1(a) Judicial Participation. The Supreme Court shall regularly schedule writ and opinion conferences for participation by all members of the Court.

1.1(b) Recusal. The Supreme Court shall develop rules delineating proper grounds for recusal and shall discourage recusal not based on these grounds. The Supreme Court shall invite the courts of appeal to provide input into the development of the new rule which will supplement the provisions of the statutes and the Canons on recusal.

1.1(c) Clerk of Court. The Supreme Court shall maintain a sufficient number of highly qualified staff and other resources in the Office of the Clerk of Court to support and facilitate its duties and responsibilities.

1.1(d) Judicial Staff. The Supreme Court shall maintain a sufficient number of highly qualified attorneys and support staff and other resources in each justice's office to support and facilitate its duties and responsibilities.

1.1(e) Central Staff. The Supreme Court shall maintain a sufficient number of highly qualified attorneys and support staff and other resources in the Office of the Central Staff to support and facilitate its duties and responsibilities.

1.1(f) Civil Staff. The Supreme Court shall maintain a sufficient number of highly qualified attorneys and support staff and other resources in the Office of the Civil Staff to support and facilitate its duties and responsibilities.

1.1(g) Law Library of Louisiana. The Supreme Court shall maintain a sufficient number of highly qualified law librarians and support staff and other resources in the Law Library of Louisiana to provide expeditious access to a full range of research materials in both print and electronic format as well as expert research assistance, and to meet its other duties and responsibilities.

1.2 To clarify, harmonize, and develop the law; and to strive to maintain uniformity in the jurisprudence.

Strategies:

1.2(a) Rulings and Opinions. The Supreme Court shall strive to render rulings and opinions that are clear and definitive of the law.

1.2(b) Judicial Legal Resources. The Supreme Court, through the Law Library of Louisiana, shall ensure that all justices and appropriate judicial employees have sufficient access to all necessary published and automated legal resources.

1.2(c) Opinion/Writ Application Data Bases. The Supreme Court shall encourage and support the development and maintenance of in-house data bases for opinions, writ applications, and other legal matters that come under the jurisdiction of this Court.

1.3 To provide a method for disposing of matters requiring expedited treatment.

Strategies:

1.3(a) Expeditious Determination of Certain Case Types. The Supreme Court, through the Clerk of Court and the Administrative Counsel, shall identify those case types that should be determined expeditiously, and shall continue to develop and implement court rules or procedures for the expeditious determination of those cases.

1.3(b) Development of Valid Grounds for Expedited Considerations. The Supreme Court shall develop and implement a Court rule indicating the valid grounds that should be indicated in any request for expedited treatment by this court.

1.3(c) Treatment of Expedited Matters. The Supreme Court shall continue to expedite consideration of those applications in which the applicant alleges valid grounds for expedited treatment.

1.3(d) Availability of Justices. The Supreme Court shall ensure that all justices are available at all times to fulfill the Court's duties and responsibilities.

1.4 To encourage courts of appeal to provide sufficient review to correct prejudicial errors made by lower tribunals.

Strategies:

1.4(a) Error Correction. The Supreme Court shall encourage the courts of appeal, in cooperation with the district judges, to identify difficult areas of law that appear to induce reversals. The Supreme Court shall encourage courts of appeal and district courts to develop strategies for reducing the occurrence of errors.

Goal 2.0 To promote the rule of law.

Objectives:

2.1 To ensure that adequate consideration is given to each case and that decisions are based on legally relevant factors, thereby affording every litigant the full benefit of the judicial process.

Strategies:

2.1(a) Clerk of Court. The Supreme Court shall maintain a sufficient number of highly qualified staff and other resources in the Office of the Clerk of Court to service the Offices of the Justices, the Central Staff, and the Civil Staff.

2.1(b) Judicial Staff. The Supreme Court shall maintain a sufficient number of highly qualified attorneys and support staff and other resources in each justice's office to ensure that each justice can give adequate consideration to each case and that decisions are based on legally relevant factors, thereby affording every litigant the full benefit of the judicial process.

2.1(c) Scheduling of Cases. The Supreme Court shall continuously improve the scheduling and consolidation of cases to be heard by the Court in order to ensure that the number of cases to be heard on a particular day are not too burdensome, that writs are ripe for consideration, and that every litigant gets the full benefit of the judicial process.

2.1(d) Central Staff. The Supreme Court shall maintain a sufficient number of highly qualified attorneys and support staff and other resources in the Office of the Central Staff to ensure that the Court can give adequate consideration to each criminal case and that decisions are based on legally relevant factors, thereby affording every litigant the full benefit of the judicial process.

2.1(e) Civil Staff. The Supreme Court shall maintain a sufficient number of highly qualified attorneys and support staff and other resources in the Office of the Civil Staff to ensure that the

Court can give adequate consideration to each civil case and that decisions are based on legally relevant factors, thereby affording every litigant the full benefit of the judicial process.

2.1(f) Writ Guidelines. The Supreme Court shall maintain and adjust, if necessary, the writ grant considerations set forth in Supreme Court Rule 10, Section 1, and shall direct appropriate staff attorneys to identify the presence of such factors in cases considered by the Court.

2.2 To ensure that decisions of the Supreme Court are clear and that full opinions address the dispositive issues, state the holdings, and articulate the reasons for the decision in each case.

Strategies:

2.2(a) Judicial Staff. The Supreme Court shall maintain a sufficient number of highly qualified attorneys and support staff and other resources in each justice's office to ensure that the decisions of each justice are clear and are dispositive of all relevant issues.

2.2(b) Central Staff. The Supreme Court shall maintain a sufficient number of highly qualified attorneys and support staff and other resources in the Office of the Central Staff to ensure that the Court's decisions in criminal cases are clear and are dispositive of all relevant issues.

2.2(c) Civil Staff. The Supreme Court shall maintain a sufficient number of highly qualified attorneys and support staff and other resources in the Office of the Civil Staff to ensure that the Court's decisions in civil cases are clear and are dispositive of all relevant issues.

2.2(d) Clarity of Opinions. The Supreme Court shall ensure that its opinions are clear and are dispositive of all relevant issues.

2.2(e) Quality Control of Opinions. The Supreme Court shall ensure that the accuracy of all opinions is verified in terms of substance and citations.

2.2(f) Directions to Lower Courts. The Supreme Court shall develop methods to ensure that its directions to lower courts are clear.

2.3 To resolve cases in a timely manner.

Strategies:

2.3(a) Time Standards. The Supreme Court shall continue to use or improve its time standards as a means of motivating and ensuring the timely processing of cases.

2.3(b) Use of Time Standards Measurements. The Supreme Court shall regularly measure its actual case processing against its adopted time standards as a means of motivating and ensuring the timely processing of cases.

2.3(c) Supreme Court Cases Under Advisement. The Supreme Court shall develop rules or other processes for disposing of all cases under advisement within the Supreme Court in a timely manner.

Goal 3.0 To ensure the public trust.

Objectives:

3.1 To ensure that the Supreme Court is procedurally, economically, and physically accessible to the public and to attorneys.

Strategies:

3.1(a) Programmatic Accessibility. The Supreme Court shall develop, adopt, and improve written policies and procedures for ensuring that the Supreme Court is accessible programmatically to the public and to attorneys especially with respect to the Americans with Disabilities Act (ADA) and other laws.

3.1(b) Procedural Accessibility. The Supreme Court, through the Clerk of Court, shall maintain trained persons to answer the public's questions about various Supreme Court procedures.

3.1(c) Economic Accessibility: Fees and Charges. The Supreme Court shall periodically review the fees and other user charges placed upon the public and attorneys using the Court's services to assure that such fees and charges are reasonable in terms of the principles of public economy and are compatible with the objective of ensuring economic accessibility.

3.1(d) Economic Accessibility: Criminal and Juvenile Matters. The Supreme Court shall work to ensure that qualified counsel is available to represent indigents in this Court. The Supreme Court shall also work to ensure that qualified attorneys are available to represent death row inmates who wish to make state post-conviction applications.

3.1(e) Communications Accessibility. The Supreme Court shall, to the extent economically feasible, obtain and maintain state-of-the-art telecommunications equipment, software, and processes to facilitate communication between the Court and the public.

3.1(f) Physical Accessibility. The Supreme Court shall develop, adopt, and continuously improve its policies and procedures for ensuring that the Court is physically accessible to the public and to attorneys especially with respect to the Americans with Disabilities Act (ADA) and other laws. The Court shall notify the Division of Administration (DOA) and the legislature of any problems affecting physical accessibility that may be under their respective jurisdictions and responsibilities.

3.1(g) Victim Accessibility. The Supreme Court shall develop guidelines for making all courts more accessible and convenient to the victims of crime.

3.1(h) Informational Accessibility. The Supreme Court shall continue to make accessible through the Louisiana Law Library at the lowest possible cost both printed and electronic research materials and research expertise to assist both the public and attorneys with their legal information needs.

3.1(i) Use of Web Site. The Supreme Court shall provide on its Web site information on the schedule and status of all cases before the Court.

3.1(j) Check List on Court Rules Affecting Filing. The Supreme Court shall develop and provide to the public a check list of items relating to the Court's filing requirements.

3.1(k) Security. The Supreme Court shall maintain a sufficient number of highly qualified security officers, properly equipped with all appropriate technology and other resources, to control, direct, and facilitate public and employee accessibility.

3.2 To facilitate public access to its decisions.

Strategies:

3.2(a) Law Library of Louisiana. The Supreme Court, through the Clerk of Court and the Law Library of Louisiana, shall continue to make available in both electronic and print formats the Court's opinions immediately upon release. The Law Library shall continue to assure the continuing acquisition, organization, preservation, and accessibility of all Louisiana legal materials by the most efficient, cost-effective means.

3.2(b) Web Site. The Supreme Court shall develop key-word search engines and other user-friendly systems for facilitating and expanding the public's use of the Court's Web Site to access the Court's opinions, orders, rules and other decisions in a timely and effective manner.

3.2(c) Notice of Opinions. The Clerk of Court shall continue to provide timely news releases on the Court's opinions to all major media in the state.

3.2(d) File Room. The Supreme Court shall maintain a sufficient number of highly qualified staff and other resources to ensure proper management and access to all filings, exhibits, and other public records needed by litigants, attorneys, court personnel and the public for use in cases or for historical purposes.

3.2(e) File Room Technology. The Supreme Court, through the Clerk of Court, shall continuously explore new and more effective technological ways of storing, archiving, and retrieving the Court's files and records.

3.3 To inform the public of its operations and activities.

Strategies:

3.3(a) Department of Community Relations. The Supreme Court shall maintain a sufficient number of highly qualified staff and other resources in the Judicial Administrator's Office to inform the public of the Court's operations and activities and to conduct outreach activities as authorized by the Court.

3.3(b) Public Information Program. The Supreme Court, through the Judicial Administrator, shall develop and implement a comprehensive program of public information for the Court.

3.3(c) Law Library of Louisiana. The Supreme Court, through the Law Library of Louisiana, shall develop and implement, in association with the Judicial Administrator, a supplemental program of public information.

3.3(d) Oral Arguments. As part of the overall program of public information described in Strategy 3.3(b) above, the Supreme Court shall from time to time, in its discretion, hold oral arguments at other locations in the state.

Goal 4.0 To ensure the highest professional conduct, integrity, and competence of both the bench and the bar.

Objectives:

4.1 To ensure the highest professional conduct, integrity, and competence of the bench.

Strategies:

4.1(a) Judicial College. The Supreme Court shall maintain sufficient and necessary resources in the Judicial College to continue and improve the provision of high quality continuing legal education and other education programs for members of the judicial branch.

4.1(b) Judicial College. The Supreme Court, through the Louisiana Judicial College, shall maintain and improve the quality and accessibility of the continuing legal education programs and other programs provided to the members of the judicial branch.

4.1(c) Judiciary Commission. The Supreme Court shall maintain a sufficient number of highly qualified attorneys and support staff and other resources for the Judiciary Commission in order to ensure the proper reception, investigation, and prosecution of complaints against judges accused of violating the Code of Judicial Conduct.

4.1(d) Judicial Professionalism. The Supreme Court shall continue to encourage and support professionalism among judges through advocacy, CLE requirements, training, and more effective use of the Court's adopted code of professionalism for judges.

4.1(e) Judicial Mentoring Program. The Supreme Court, through the Louisiana District Judges Association and the Louisiana Judicial College, shall facilitate the continuation and expansion of the judicial mentoring program to all courts in the state.

4.1(f) Judicial Ethics. The Supreme Court shall continue to provide a forum through the Supreme Court Committee on Judicial Ethics to receive inquiries from judges and to issue advisory opinions regarding the interpretation of the Canons of the Code of Judicial Conduct.

4.1(g) Cooperation with Judges. The Supreme Court shall maintain and improve communication and cooperation with judges and judicial associations at all levels of the judiciary.

4.1(h) Judicial Campaign Conduct. The Supreme Court shall create an Ad Hoc Committee to study the benefits and feasibility of creating a permanent Judicial Campaign Oversight Committee for the improvement of judicial campaign conduct.

4.1(i) Costs of Judiciary Commission Matters. The Supreme Court shall amend its rules regarding the costs of Judiciary Commission matters to provide for the taxing of a disciplined judge for all or any portion of the costs of the process of judicial discipline as may be recommended by the Commission.

4.2 To ensure the highest professional conduct, integrity, and competence of the bar.

Strategies:

4.2(a) Cooperation with the Louisiana State Bar Association (LSBA). The Supreme Court shall maintain and improve communication and cooperation with the LSBA.

4.2(b) Louisiana State Bar Association. The Supreme Court shall assist the Louisiana State Bar Association to maintain and expand its system of continuing legal education for attorneys in the state

4.2(c) Attorney Professionalism. The Supreme Court shall continue to encourage and support professionalism among attorneys through advocacy, CLE requirements, training, and more effective use of the Court's adopted code of professionalism for attorneys.

4.2(d) Attorney Disciplinary Board. The Supreme Court, through the Attorney Disciplinary Board, shall maintain a sufficient number of highly qualified attorneys and support staff and other resources to ensure the proper reception, investigation, and prosecution of complaints against lawyers accused of violating the Rules of Professional Conduct.

4.2(e) Supervision of the Practice of Law. The Supreme Court shall maintain and improve its supervision of the practice of law by ensuring the quality, competency and integrity of the bar admissions process, imposing sanctions in disciplinary matters, and requiring continuing legal education. As part of its supervision of the practice of law, the Supreme Court, upon recommendation of the Committee on Bar Admissions, shall develop and promulgate an interim procedure for allowing failed bar applicants to review and compare failed answers with representative good answers on the bar exam.

4.2(f) Encouragement of *Pro Bono* Activities. The Supreme Court shall continue to encourage members of the bar to participate in *pro bono* activities.

4.2(g) Prevention of Lawyer Misconduct. The Supreme Court shall create a Committee on the Prevention of Lawyer Misconduct to serve as a vehicle for continuing communication and dialogue between the law schools, the Attorney Disciplinary Board, the Louisiana State Bar Association, and the Court on matters and issues relating to the prevention of lawyer misconduct.

4.2(h) Transfer to Disability Inactive Status. The Supreme Court shall clarify its rules for Lawyer Disciplinary Enforcement concerning the transfer of attorneys to disability inactive status primarily as a means of protecting the public from attorneys declared to be incompetent or alleged to be incapacitated.

Goal 5.0 To use public resources efficiently.

Objectives:

5.1 To seek and obtain sufficient resources from the executive and legislative branches to fulfill all duties and responsibilities of the judiciary.

Strategies:

5.1(a) Judicial Budgetary Control Board. The Supreme Court, through the Judicial Administrator, shall continue to staff and otherwise support the Judicial Budgetary Control Board to obtain and manage sufficient resources to fulfill all duties and responsibilities of the judiciary.

5.1(b) Legislative/Executive Branch Coordination. The Supreme Court shall continue to communicate, coordinate, and cooperate with the legislative and executive branches on all matters relating to the needs of the judiciary.

5.1(c) Judicial Budget and Performance Accountability Program. The Supreme Court shall continue to develop and expand the Judicial Budget and Performance Accountability Program as a means of seeking and obtaining sufficient resources to fulfill all duties and responsibilities of the judiciary and as a means of maintaining public accountability. As part of this program, the Supreme Court, through the Judicial Administrator, shall cause to be performed at least one performance audit per year. Depending on the nature of the audit, all courts of appeal and district

courts shall cooperate with the Supreme Court in identifying and conducting performance audits of the court system.

5.1(d) Judicial Compensation Commission. The Supreme Court, through the Judicial Administrator and the Judicial Compensation Commission, established by Act 1077 of 1995, shall seek and obtain appropriate salary, benefits, other compensation, and emoluments for all judges in the state.

5.1(e) Supreme Court/Courts of Appeal Employee Pay Plan. The Supreme Court, through the Judicial Administrator, shall continue to staff and otherwise maintain and develop the pay plan for employees of the Supreme Court and the courts of appeal as a means of seeking and obtaining sufficient compensation to retain and attract highly qualified staff for assisting judges to fulfill their judicial duties and responsibilities.

5.1(f) Judicial Employee Compensation. The Supreme Court shall continue its efforts to secure salaries, benefits, other compensation, and emoluments appropriate to each type of employee and consistent with the Court's adopted pay plan and human resource policies.

5.1(g) Judicial and Employee Retirement and Group Benefits. The Supreme Court, through the Judicial Administrator and the Clerk of Court, shall ensure that all courts and all judicial employees are aware of how to access the benefits of their respective retirement and group benefit programs and are in compliance with the rules and regulations of such programs.

5.1(h) Judicial Financial Reform. The Supreme Court shall encourage the Judicial Administrator to study and make recommendations to the Court on ways to improve the financing of the judiciary. The Supreme Court shall communicate any approved recommendations to the executive and legislative branches.

5.1(i) Supreme Court Facilities. The Supreme Court shall continue to secure adequate quarters by advocating and pursuing the renovation of the 400 Royal St. site as the future home of the Supreme Court and other state entities. In the meantime, the Supreme Court shall ensure that resources are available to maintain its current building at 301 Loyola Avenue and to properly house the Supreme Court and its offices in such other locations as is necessary.

5.2 To manage the Court's caseload effectively and to use available resources efficiently and productively.

Strategies:

5.2(a) Office of the Clerk of Court. The Supreme Court, through the Clerk of Court, shall maintain and expand effective case management techniques, including the development and operation of a state-of-the-art case management information system.

5.2(b) Judicial Administrator's Fiscal Office and Clerk of Court. The Supreme Court shall continue to require the Fiscal Office of the Judicial Administrator and the Clerk of Court to manage the Court's fiscal resources efficiently and productively.

5.2(c) Judicial Internal Auditor. The Supreme Court shall continue to require the Judicial Internal Auditor to develop and maintain internal fiscal controls within all fiscal functions of the Court.

5.2(d) Internal Audit Committee. The Supreme Court shall create an Internal Audit Committee consisting of justices to ensure the timely implementation of internal fiscal controls within all fiscal functions of the Court.

5.2(e) Judicial Structure. The Supreme Court, through the Judicial Administrator, shall study ways to improve the judiciary's structure for greater efficiency and effectiveness. The Judicial Administrator shall invite and secure the active participation of the courts of appeal and the district courts in such studies. The Supreme Court shall communicate, at its discretion, the recommendations of the study to the executive and legislative branches.

5.2(f) Judicial Leave and Temporary Appointments in Limited and Specialized Jurisdiction Courts. The Supreme Court shall create a Committee on Judicial Leave and Temporary Appointments for the purpose of studying and making recommendations to the Supreme Court on matters relating to the improvement of policies concerning judicial leave and temporary appointments in limited and specialized jurisdiction courts.

5.3 To develop and promulgate methods for improving aspects of trial and appellate court performance.

Strategies:

5.3(a) Office of the Judicial Administrator. The Supreme Court shall maintain sufficient numbers of highly qualified professional and support staff and other resources in the Judicial Administrator's Office to develop and promulgate, in coordination with involved judges and their judicial associations, methods for improving aspects of trial and appellate court performance.

5.3(b) Judicial Budget and Performance Accountability Program. The Supreme Court shall continue to develop and expand the Judicial Budget and Performance Accountability Program as a means of improving aspects of trial and appellate court performance.

5.3(c) Judicial Council. The Supreme Court, through the Judicial Administrator, shall continue to staff and otherwise support the Judicial Council as a means of improving aspects of trial and appellate court performance. The Judicial Administrator shall continue to staff and support the work of the New Judgeship Committee of the Judicial Council in order to assist the legislature in determining the need for new judgeships. The Supreme Court, through the Judicial Administrator,

shall study and make recommendations to the Court on ways to improve the structure and operations of the Judicial Council.

5.3(d) CMIS. The Supreme Court, through the Judicial Administrator, shall continue to develop, and expand the Court Management Information System (CMIS) Project as a means of improving aspects of trial and appellate court performance. Included as part of the CMIS program are:

(1) The Louisiana Protective Order Registry (LPOR). The Judicial Administrator shall ensure that all protective orders generated throughout the state are entered into the Louisiana Protective Order Registry (LPOR) and updated as required to maintain the timeliness and the quality of the data. The Administrator shall maintain statistics on the number of protective orders processed by the Court annually and such other data as the Court may require. The Judicial Administrator shall make the protective orders available to law enforcement agencies and the judiciary via query into the LPOR database. The Administrator shall also forward valid protective orders to the NCIC-Protective Order File.

(2) Disposition Data. The Judicial Administrator shall ensure that all courts are electronically transmitting criminal, civil, traffic, and juvenile dispositions to CMIS. If courts are not doing so, the Judicial Administrator shall study the reasons therefor and shall report them to the Court together with his recommendations for improvement.

(3) Standardization of Data Collection. The Judicial Administrator shall standardize the data collection and reporting on filings and other information sent from appellate and trial courts to CMIS.

(4) Wide Area Network. The Judicial Administrator shall deploy and maintain a statewide Wide Area Network for connecting all courts to CMIS.

(5) Court Technology Studies. The Judicial Administrator, in collaboration with the Clerk of Court, shall conduct studies to determine the feasibility of implementing new technologies in Louisiana courts.

(6) Other Programs. The Judicial Administrator shall develop, implement, and maintain, in association with the Louisiana Conference of Appellate Court Judges, the Louisiana District Judges Association, the Louisiana Council of Juvenile and Family Court Judges and the Louisiana Association of Parish and City Court Judges, other technology programs for improving those aspects of the administration of justice identified in the Appellate Court Strategic Plan, the Trial Court Strategic Plan, the Courts of Limited Jurisdiction Strategic Plan, or this Strategic Plan.

5.3(e) Appellate Court Assistance Program. The Supreme Court, through the Judicial Administrator, shall develop, implement, and maintain, in association with the Conference of Appellate Court Judges and the respective chief judges and key staffs of each appellate court, an Appellate Court Performance Improvement Program for improving those aspects of the administration of justice identified in the Appellate Court Strategic Plan or this Strategic Plan.

5.3(f) Trial Court Assistance Program. The Supreme Court, through the Judicial Administrator, shall develop, implement, and maintain, in association with the Louisiana District Judges Association, a Trial Court Performance Improvement Program for improving those aspects of the administration of justice identified in the Trial Court Strategic Plan or this Strategic Plan.

5.3(g) Juvenile Court Assistance Program. The Supreme Court, through the Judicial Administrator, shall develop, implement, and maintain, in association with the Louisiana Council of Juvenile and Family Court Judges, the Louisiana District Court Judges Association, and the Louisiana Parish and City Court Judges Association, a juvenile court assistance program as a means of improving aspects of juvenile court performance. Included as part of the Juvenile Court Assistance Program are:

(1) The Louisiana Court Improvement Program (LCIP) The Judicial Administrator shall develop, implement, and maintain the Louisiana Court Improvement Program (LCIP), a federally-funded program for improving the adjudication of child abuse and neglect cases in the state and for collaborating with other parts of government and the private sector to ensure that abused and neglected children are provided permanent and safe homes as quickly as possible.

(2) Families in Need of Services (FINS) Assistance Program. The Judicial Administrator shall develop, implement, and maintain the Families in Need of Services Assistance Program (FINSAP). The program shall ensure that a uniform and consistent data base system is developed and installed in every FINS office for tracking and reporting FINS data. It shall also develop a need-based allocation formula for distributing the FINS appropriation, and shall otherwise develop ways for ensuring the effectiveness of the FINS processes.

(3) Juvenile Delinquency Assistance Program. The Judicial Administrator shall develop, implement, and maintain, in association with the Louisiana Council of Juvenile and Family Court Judges, the Louisiana District Court Judges Association, and the Louisiana Parish and City Court Judges Association, new programs relating to the improvement of the adjudication of delinquency cases.

(4) Integrated Juvenile Justice Information System. The Judicial Administrator shall continue to develop the Integrated Juvenile Justice Information System being piloted at the Orleans Parish Juvenile Court, and, upon full development, shall provide said system to all courts having juvenile jurisdiction in the state. The Supreme Court shall develop by rule requirements for the use of the system for case tracking, management, and reporting.

(5) Comprehensive Continuum of Children's Services. The Judicial Administrator shall expand efforts to support the initiative of the Governor's Children's Cabinet to develop and implement a comprehensive continuum of children's services in Louisiana.

(6) Study of the Resource Needs of the Four Juvenile Courts. The Judicial Administrator shall sponsor a pilot study of the resource needs of the four juvenile courts of the state. The study should examine the operating and capital needs of each court and the availability

of secured detention facilities and services, treatment services for children and parents, and alternative sanctions in each court's regional area. The study should also make recommendations for meeting the resource needs of each court. If successful, the pilot study can then be used to study over time the resource needs of other courts having juvenile jurisdiction in the state.

(7) Other Programs. The Judicial Administrator shall develop, implement, and maintain, in association with the Louisiana Council of Juvenile and Family Court Judges, the Louisiana District Court Judges Association, and the Louisiana Parish and City Court Judges Association, new programs for improving the adjudication of child support cases and other juvenile cases. The Judicial Administrator shall also develop, implement, and maintain such other programs for improving those aspects of the administration of juvenile justice as may be identified in the Appellate Court Strategic Plan, the Trial Court Strategic Plan, the Courts of Limited Jurisdiction Strategic Plan, or this Strategic Plan.

5.3(h) Courts of Limited Jurisdiction Strategic Plan. The Supreme Court shall appoint a Courts of Limited Jurisdiction Strategic Planning Commission to develop and recommend to the Supreme Court performance standards and a strategic plan for the courts of limited jurisdiction.

5.3(i) Cases Under Advisement Program. The Supreme Court, through the Judicial Administrator, shall continue to manage, report on, and enforce Court rules, orders and policies relating to cases under advisement as a means of improving aspects of district court performance.

5.3(j) Orders Program. The Supreme Court shall maintain a sufficient number of highly qualified staff and other resources to manage the Orders Program as a means of ensuring that ad hoc judges are available to perform judicial functions in an effective and timely manner whenever the need is legitimate.

5.3(k) General Counsel. The Supreme Court shall provide sufficient resources to support the work of the deputy judicial administrator/general counsel in rendering opinions, presenting information, and preparing orders relating to the administration of justice and the performance of the courts.

5.4 To use fair employment practices.

Strategies:

5.4(a) Human Resource Policies. The Supreme Court shall continue to develop and enforce fair employment policies for itself and for the courts of appeal as required by law or by good human resource management practice.

5.4(b) Human Resource Management Office. The Supreme Court shall maintain a sufficient number of highly qualified professional and support staff and other resources to develop and maintain fair employment practices in the Supreme Court and the courts of appeal.

Goal 6.0 To maintain the court's constitutional independence while observing the principle of cooperation with other branches of government.

Objectives:

6.1 To promote and maintain judicial independence.

Strategies:

6.1(a) Conference on Judicial/Legislative Relations. The Supreme Court shall request the leadership of the legislature to sponsor with the judiciary a conference for judges and legislators on the working relationship that ought to exist between the judiciary and the legislature on such matters as the judicial impact of legislation, judicial advocacy on matters relating to the administration of justice, procurement, and other matters of mutual concern.

6.1(b) Supreme Court Leadership. The Supreme Court shall continue to assert the constitutional rights and powers of the judicial branch. It shall also provide information to the media and the public about the need for judicial independence and the constitutional role and activities of the judiciary, coincidentally consistent with the recommendations of the Louisiana Supreme Court Advisory Committee for the Consumer Research and Service Development Project on Louisiana Courts.

6.1(c) Committee on Unfair Criticism of Bench and Bar. The Supreme Court shall request the Louisiana State Bar Association to establish a Committee on Unfair Criticism of Bench and Bar. The Committee shall be asked to develop an appropriate policy and plan for defining and addressing unfair criticism of the judiciary and the bar.

6.2 To cooperate with the other branches of state government.

6.2(a) Executive/Legislative Branch Coordination. The Supreme Court shall continue to communicate and cooperate with the legislative and executive branches on matters relating to the administration of justice and judicial resource needs.

**POTENTIAL EXTERNAL FACTORS AFFECTING
THE ABILITY OF THE SUPREME COURT
TO IMPLEMENT THIS STRATEGIC PLAN**

There are several external factors that may affect the ability of the Supreme Court to implement its strategic plan. Among these factors are:

The Fragmented Structure of the Judicial Branch. Many of the problems impairing judicial performance are deeply rooted in the chaotic way in which the judicial system is structured, governed, and financed.

The present set of fragmented arrangements includes more than 747 elected judges and justices of the peace spread over five layers of courts -- supreme court, courts of appeal, district courts, parish and city courts, and justices of the peace. It also includes 41 elected district attorneys, 69 elected clerks of court, 66 elected sheriffs, 64 coroners, approximately 390 elected constables serving justices of the peace, 50 elected city court constables, and 250 mayors or their designees managing mayors' courts -- all of whom exercise individual, independent authority and are funded through different financing mechanisms.

The current set of financial arrangements is equally bewildering and problematic. As part of these arrangements, local governments are required to carry the heavy burden of funding a large part of the operations of the courts, the district attorneys, and the coroners -- all of which are state constitutional functions. Citizens are also required to pay rather high fees, fines, court costs and assessments to also help pay for the costs of judicial branch functions. These arrangements create a condition of "rich" offices" and "poor" offices, and force agencies that should work together to fight one another for limited resources. Furthermore, the present funding arrangements prevent uniformity and consistency in judicial services, and threaten judicial impartiality by making judicial

functions too dependent on local governments and user-generated income. In addition, the current financing arrangements make it impossible for citizens and the legislature to understand the total amount of financing being provided to each agency, thus making public accountability virtually impossible.

The fragmentation of the structure of the judicial branch and the fragmentation of its funding seriously affect the Supreme Court's ability to gather data, to achieve effective coordination and collaboration within the system, and to improve judicial performance and the administration of justice.

Lack of Data. As a result of the fragmented structure and financing of the judicial branch, the judicial system lacks many types of data that would help the Supreme Court and the lower courts to manage and expedite cases and improve the administration of justice. This is particularly true in the district courts. In most judicial districts, the reason for the lack of data is the general lack of appropriate automated case management systems for capturing and reporting the information. To report data manually for hundreds and thousands of cases per month is time consuming and costly. Another factor is the time and cost of reprogramming. Even where information systems do exist, they may not be programmed to provide the type of information being requested.

Because of the constitutional and other factors affecting the structure and financing of the judicial branch, many judicial districts do not have, under the present system, the resources or the ability to generate the types of data needed to allocate resources properly, reduce delays, and, in general, manage cases more effectively. Some examples of the types of data that are currently not available within judicial district courts are provided in Exhibit 1 of this part of the Strategic Plan Of the Supreme Court.

The ability of family, juvenile, city and parish courts to generate needed data is also limited. Only a few of these types of courts have sophisticated management information systems capable of

generating needed data. The great majority of these courts are very limited in the types of data they can produce. Most are able to generate filing data on certain types of cases in terms of number filed and number terminated but the case typing is very limited, and case management information and specific disposition data are generally unavailable in an automated form.

The capacity to generate automated case management and disposition information is virtually non-existent within the jurisdictions of justices of the peace and the mayors courts, primarily because of the lack of financial, staffing, and technological resources in these jurisdictions.

The lack of data availability on case types, case management, and dispositions from the lower courts is a serious barrier to the Supreme Court's ability to develop better and more complete performance indicators and to use data to improve the performance of the judicial system as provided in this Strategic Plan, and the strategic plans of the courts of appeal and the trial courts.

Inter-Branch Cooperation and Good Faith. As the preface to this document states, the implementation of the Strategic Plan of the Supreme Court, and indeed the plans of the courts of appeal and the trial courts, will require the cooperation, collaboration, and good faith of all three branches of state government. Many of the strategies presented in the Plan of the Supreme Court cannot be implemented quickly. Many will require considerable time to be initiated much less implemented -- that is why the plan is set within a five-year time frame. Some of the strategies are simply the "best" or "most appropriate and useful things" the Court can do right now, given its resources, the fragmentation of the judicial system, and the lack of important and useful data. Given more resources and greater assistance from the other branches to address the problems of fragmentation and data unavailability, more can and should be done.

EXHIBIT 1
EXAMPLES OF DATA AVAILABILITY AND UNAVAILABILITY
IN THE DISTRICT COURTS

- **Filings by General Type of Case** (e.g., civil, criminal, traffic, juvenile, domestic) by parish in each judicial district). Each parish clerk of court provides data to the Supreme Court on the number of civil, criminal, and juvenile filings in each parish for the year. In all but fourteen of the parishes, the clerks are able to distinguish traffic filings from other criminal filings. In all but sixteen of the parishes, the clerks provide criminal filings broken down into felonies, misdemeanors, and DWIs. In most of the parishes, the clerks do not separate domestic filings from civil filings, nor do they break down juvenile filings into categories.)
 - **Specific Types of Cases** (e.g., capital cases, non-capital felonies, misdemeanors, DWIs, drug cases, ordinance violations, torts, workers compensation, complex litigation, divorce, alimony, property settlement, child custody, child support, juvenile delinquency, FINS, child abuse and neglect, termination of parental rights, adoption, juvenile traffic, etc.). Cases represent a different unit of count than filings. There can be and sometimes are multiple filings per single case, as, for example, when a district attorney elects to file separate bills of information on each charge in a single case. Cases count either the set of proceedings affecting a single defendant or the number of defendants in a set of proceedings affecting a single issue. However, virtually every system operated by a clerk of court is based on filings not cases.
 - **Judicial Workload Data Based on Separate Case-weights for Each Type of Case Being Handled.** Currently, workload data is estimated from data based primarily on the three types of generally reported filings -- civil, juvenile and criminal. Specific case-weighted data would greatly improve the assessment of the need for new judgeships, district attorneys, indigent defenders, and other resources.
 - **The Status of Various Types of Cases in the District Courts** (e.g., the maturity of the cases by type; compliance with statutory time lines or the Supreme Court's aspirational time standards; the number of continuances and other factors causing delay in the courts; etc.).
- **Crime Disposition Data.** Such data would be invaluable to courts for purposes of determining pre-trial releases and preparing pre-sentencing reports. Such data would also be important: to education/child care institutions for purposes of doing pre-employment checks; to the Immigration and Naturalization Service (INS) for purposes of preparing deportation proceedings against aliens convicted of certain crimes; to correctional institutions for notification of release dates and the prevention of lawsuits related to untimely release; and to law enforcement officials for the purpose of alerting officers to dangerous criminals and for compliance with the "Brady Act", "Jacob Wetterling Act", and other federal acts, and to enable the development and implementation of Integrated Criminal Justice Information Systems. Currently, as a result of great effort by the Supreme Court through its CMIS project, thirty six of the state's clerks of court are providing criminal disposition data on a regular basis to the Court. Eleven other clerks are electronically providing filing data but these clerks have, for a variety of reasons, not been able to reprogram their computers to supply the disposition information to the Court. Another seventeen clerks of court are not yet able to provide any electronic data to the Supreme Court.

- **Child Abuse and Neglect Case Information.** Recent legislation enacted by the Louisiana Legislature to comply with the federal Adoption and Safe Families Act shortens the mandatory time frames in which permanency plans must be developed and in which petitions for termination of parental rights must be filed. The legislation also maintains other specific time frames in which the various hearings relating to these types of case must be held. However, without adequate case management information, it is difficult to see how individual judges can properly manage these cases to meet these time lines effectively.

- **Expenditures of the Court System.** Currently, there is no entity in the state that can provide information on the total financing of the court system (or, for that matter, the entire judicial branch). Information is available annually on the total amount of money provided by the state to the court system and to other judicial branch agencies. But we do not know the revenues that are provided to each type of court by local government and by self-generated revenues. We also lack data on the system's expenditures by expenditure category or even as a whole.

PERFORMANCE INDICATORS

The following list of objectives and performance indicators shall be incorporated into the Judicial Appropriations Bill:

Objective 1.1 To provide a reasonable opportunity for litigants to seek review in the Supreme Court of decisions made by lower tribunals

Performance Indicators:

Number of Total Filings, 1999, 2000, 2001
Number of Total Appeals Filed, 1999, 2000, 2001
Number of Total Writs Filed, 1999, 2000, 2001
Number of Total Dispositions Rendered, 1999, 2000, 2001

Objective 2.3 To resolve cases in a timely manner

Performance Indicators:

Percentage of Non-criminal Case Applications Acted Upon Within Supreme Court Time Standard Relating to Days Between Filing and Action (Standard=120 days), 1999, 2000, 2001

Percentage of Criminal Case Applications Acted Upon Within Supreme Court Time Standard Relating to Days Between Filing and Action (Standard=120 days), 1999, 2000, 2001

Percentage of Pro Se Post Conviction Applications Acted Upon Within Supreme Court Time Standard Relating to Days Between Filing and Action (Standard=120 days), 1999, 2000, 2001

Percentage of Bar Disciplinary Filings Acted Upon Within Supreme Court Time Standard Relating to Days Between Filing and Action (Standard=120 days),
1999, 2000, 2001

Percentage of Opinions Rendered Within Supreme Court Time Standard Relating to Days Between Argument and Opinion (Standard=84 days),
1999, 2000, 2001

Objective 3.2 To facilitate public access to Supreme Court decisions

Performance Indicators:

Percentage of Written Opinions Available to the Public Within Five Days of Decision, 1999, 2000, 2001

Objective 3.3 To inform the public of its operations and activities

Performance Indicators:

Number of Outreach Programs, 1999, 2000, 2001

Number of Media Releases

on Court Decisions, 1999, 2000, 2001

on Other Matters, 1999, 2000, 2001

Number of Recipients of Releases

on Court Decisions, 1999, 2000, 2001

on Other Matters, 1999, 2000, 2001

Objective 4.1 To ensure the highest professional conduct, integrity, and competence of the bench

Performance Indicators:

Average Number of Hours Acquired Through Continuing Legal Education Per Judge, 1999, 2000

Number of Complaints Filed Against Judges and Justices of the Peace, 1999, 2000, 2001

Number of Complaints Against Judges Resolved or Disposed of in Calendar Year, 1999, 2000, 2001

Objective 4.2 To ensure the highest professional, conduct, integrity, and competence of the bar

Performance Indicators:

Average Number of Hours Acquired Through Continuing Legal Education Per Lawyer, 1999, 2000

Number of Complaints Filed Against Lawyers, 1999, 2000, 2001

Number of Complaints Filed Against Lawyers Resolved or Disposed of in Calendar Year, 1999, 2000, 2001