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Court Delay: Policy Implications For Court Managers

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Abstract

One of the most persistent policy issues for the courts has been the reduction of delay in case processing. Since the advent of state court administration in the 1930's, most major reform efforts have stressed making the courts more manageable and, in the process, expediting the flow of cases through the judiciary. Although the maxim "justice delayed is justice denied" has often been repeated in the literature on court reform, most of the focus has been on judges and attorneys as causes or cures of delay. This article examines delay as a mangement problem and focuses on the administrative role of court managers in improving case processing time. In this regard, the study reports the views and attitudes of court managers on the issue of delay as reported in a recent national survey.

Court reform has been a periodic, but persistent, issue for much of this century. During the past fifteen years reform of the judicial process has been a regular item on the broader agenda of criminal justice reform.

One aspect of court reform which is mentioned regularly is delay in the courts (see, for example, LaBar, 1975; Berkson, Hays, and Carbon, 1977; Eisenstein and Jacob, 1977; Levin, 1977; Hays, 1978; Neubauer, Lipetz, Luskin, and Ryan, 1981; and Feeley, 1983). The literature on reform is replete with mentions of, or allusions to, the maxim that "justice delayed is justice denied" (Wheeler and Whitcomb, 1977), and many reformers — practitioners and academics in the field of jurisprudence and social science — have referred to "the delay problem" or "the backlog dilemma" (Berkson, Hays, and Carbon, 1977).

The literature on court delay is voluminous yet unpersuasive. Many journals devoted to increasing our understanding of the criminal justice system regularly publish articles on the topic of delay. During the last decade several books and monographs have emerged with this singular concern. Yet,

despite intense scholarly interest, delay is still a basic fact of life in the courts (Church et. al., 1978) and remains the most elusive issue in court reform. The objectives of this paper are twofold. First, to sharpen our thinking about court delay, we gleaned from the literature commonalities in focus and conclusions. Essentially, this review is a response to the query: where have we been in the study of delay? The review will purposely be brief and to the point. The second objective follows from the first, in that the emphasis will be on where we are going in the study of court delay. While we cannot be so bold as to profess having a solution to delay, we do feel that a promising starting point rests with understanding the management of the courts. And, inasmuch as management refers to cases as well as people, the objective is to understand the actors involved in court administration, and in particular, the often overlooked role of management personnel.

The Study Of Delay: Consequences And Causes

Perhaps the most widely accepted, easily quantifiable way to treat the topic of delay is to consider it in terms of "case processing time" (Neubauer et al., 1981: 16-17; Neubauer, 1979) and examine the causes and consequences of delay in moving cases through the judicial system.

Consequences Of Delay

Whatever the causes of delay, a number of consequences (or costs) are assumed to accrue. The most broad-ranging consequence of delay is that, presumably, justice is not served when cases are delayed. The most frequently mentioned disservices to justice caused by delay are that society is not protected when defendants on bail are free to commit other crimes; deterrence is minimized when punishment is not swift; when a defendant cannot make bail, there is increased pressure to plea bargain; the state's case is weakened when evidence deteriorates and witnesses die, disappear, or forget; the public's confidence is eroded in the judicial process when jurors, witnesses, and victims are continually inconvenienced; and the resources of other parts of the criminal justice system, particularly jails, are strained (Berkson, Hays, and Carbon, 1977; Wheeler and Whitcomb, 1977; Neubauer, 1979; Neubauer et al., 1981).

Perhaps the issue of plea bargaining, more than any other, has been the focal point of much of the concern over delay (Heumann, 1978). Some writers view the trial process as the ultimate standard against which to assess justice. Anything else is less and an "atrophy of the criminal litigation process' (Greene, 1977: 235). However, several studies (Eisenstein and Jacob, 1977; Levin, 1977; Neubauer et al., 1981; Feeley, 1983), have concluded that case pressures and plea bargaining are not related to delay. As Neubauer et al. (1981: 6) note, our knowledge is still very limited in this area and "not only is there lack of agreement on specific costs of delay, there is also lack of documentation of the evils that flow from it."

In sum, the consequences of delay are uncertain at best, and at worst, indeterminant. Part of the difficulty in specifying the consequences of delay is that there is no absolute or objective set of standards to utilize as a benchmark. Much of what has been written is speculative: specifying, for example, the

linkage between delay and public confidence in the courts is based on little empirical fact. Perhaps what is lacking in our knowledge of the consequences of delay is offset by our understanding of its cause(s).

Causes of Delay

The conventional wisdom of court reform has been that delay is the product of heavy caseloads — civil and criminal — in trial courts, especially state courts (Neubauer, 1979). Beyond this simple statement, however, lie a multitude of factors which interact with each other causing or contributing to delay.

Among the most frequently mentioned causes of delay are: underfunding of state courts; population increases; increased litigiousness, especially in civil cases; the existence of laws governing personal morality, so-called "victimless crimes"; the inertia of judicial organizations; lack of management ability by judges and court clerks, or the underutilization of court administrators; and the practice of attorneys to seek, and judges to grant, continuances for many reasons (Berkson, 1977: 205-209). In addition to these causes, the following also have been enumerated: more formalized societal rules, increasing creation of legal rights, and lack of technological tools (Wheeler and Whitcomb, 1977: 16-17, 1970); procedural roadblocks — the various stages through which cases must pass, the difficulty of measuring the efficiency of professionals such as judges, and the complexity of case scheduling given dependence on a number of independent actors (Neubauer, 1979: 458 ff.); and, finally, lack of proper management, or lack of desire for proper management (Neubauer, et al., 1981: 432).

These commonly cited causes of delay can be classified into three categories:

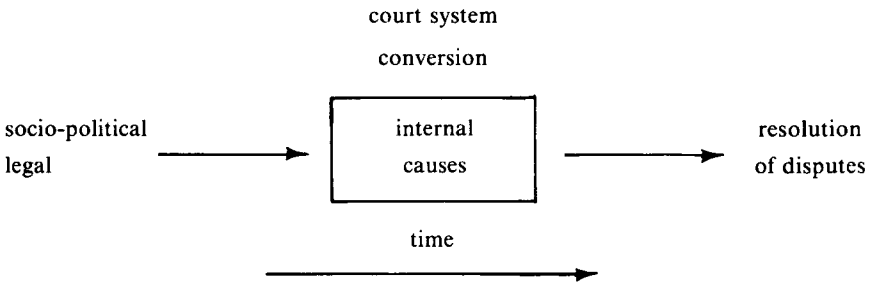
1) external socio-political pressures — for example, population increases, increased litigiousness, and underfunding of the courts;
2) external legal changes — such as increased creation of legal rights and what has been termed "overcriminalization";
3) internal behavioral factors — for example, judicial inertia, lack of management or interest in management, and complexity of case scheduling.

Much of the research done on court delay has attempted to address one cause or one category of causes. This neglects one very important point made by Feeley (1983: 182), namely that "delay is a blanket term covering a host of different problems caused by various factors, all requiring different responses. *Delay is not one problem; it is a variety of problems"* (emphasis added). There can be no specification of the delay problem; delay or backlog problems are not monolithic.

An heuristic device useful in organizing these dimensions of causes is provided by the systems model. As presented in Figure 1, this modified version of the systems model depicts the resolution of conflict as a function of the three categories identified above. External socio-political and legal causes are treated as inputs to the legal system and are not directly related to delay. That is, these two groups of variables are not perceived as causative, rather they are seen — in terms of the systems model — as demands (e.g., increased legal rights which require protection, interpretation, etc.) and/or support (e.g.,

underfunding). Demands, which include almost all of the "external causes," are acted upon within the courts. In this sense, they should not be, nor have they been found to be, related to delay. Thus, for example, courts of all sizes have delay problems (Feeley, 1983), and caseloads per judge; and the percentage of cases requiring trials are unrelated to the pace of litigation (Church et al., 1978).

Figure 1
A PARTIAL SYSTEMS MODEL OF DELAY



The crucial factors are those we have classified as internal causes — judicial inertia, mismanagement, complexity of case scheduling, etc. — that are found within the legal system. It is within the courts that demands are converted into outputs (decisions) with a by-product of this process being delay or lack of delay. The important point is that demands are converted or transformed into something else. Case processing time is a measure of how long it takes to convert demands into outputs. Delay results when conversion takes "too long." In his study of five metropolitan courts, Levin (1977: 192) asserts that, although delay is normally viewed as externally imposed upon courts, it is primarily a function of the "voluntary behavior of the judges, defense attorneys, and prosecutors." His conclusion is that delay is the result of functionally oriented behavior by members of the legal profession, including judges. This finding has been replicated in other studies that have focused on the actors involved in the conversion process (Church et al., 1978; Nardulli, 1978).

The essential point here is that delay is best understood in terms of what is going on within the courts. Perhaps for this reason, national commissions and reformers of every description have called for better management of the courts. Better management implies that the activities of individuals involved in the process can in some way be altered to accelerate the conversion process. Therefore, we will now turn to a discussion of court delay viewed as a management function.

Managing Court Delay

Management always has been an issue in the courts, but the critical concern has been at what level and how well the courts have been managed. The ultimate managers of court "business" — both adjudicative and nonadjudicative — are the judges. Responsibility for managing nonadjudicative functions has been shared with, or delegated to, another group of court actors — the court clerks. Additionally, for slightly more than a decade, the trend in many courts has been towards the appointment of a court administrator (Frieson, Gallas, and Gallas, 1971; Saari, 1982).

The literature on court administration has carefully developed the theme of nonadjudicative, administrative functions. For example, Butler (1977) has listed an array of duties normally associated with, or assigned to, court administrators. For our purposes, the two most relevant duties identified were jury management and caseflow management. However, in a 1982 survey of local court managers, some surprising results were obtained when respondents were asked whether a judge or a manager (court clerk and/or administrator) had the primary responsibility for these two functions (Taggart, Mays, and Hamilton, 1985). Table 1 shows the distribution of responses.

Table 1
CASE MANGEMENT RESPONSIBILITIES OF COURT MANAGERS AS REPORTED IN A 1982 SURVEY

	Primary Responsibility for:			
	Jury Management		Case Scheduling	
	no.	%	no.	%
manager	216	65.7	204	55.1
judge	100	30.4	150	40.5
both	9	2.7	15	4.1
someone else	4	1.2	4	1.1
	329	100.0	373	100.0
missing cases	51		7	

SOURCE: Taggart, Mays, and Hamilton, 1985.

As can be seen, managers report that they have exclusive responsibility for jury management and case scheduling in slightly more than half of the courts they represent. This would seem to indicate that these two functions are not clearly viewed as nonadjudicative by many judges, but that they reside in a grey area of shared functions and responsibilities. Although most of the prescriptive works on court administration identify these two areas as central to the process of controlling and managing the courts, Butler (1977) indicates that the broadly defined area of caseflow management is one of the key points of conflict in trial courts (also see, Taggart, Mays, and Hamilton, 1985).

In order to understand conflict within the courtroom work group, it is important to note that there are differences over what is to be done, and how it is to be accomplished. Saari (1982) particularly emphasizes that there is a difference in perspective between court managers, on the one hand, and professionals, such as judges and attorneys, on the other. Although all members of the courtroom work group may perceive their ultimate function as "doing justice," managers especially strive to bring order, control, and rationality to the caseflow process. Thus, management is often, although not always, manifested as bureaucracy, and judges and attorneys come from decidedly antibureaucratic or nonbureaucratic traditions (Saari, 1982).

Programs To Manage Delay

Even faced with basic philosophical differences within the courtroom work group, many courts have attempted to implement programs to solve "the problem" of court delay. Most of these programs emphasize greater efficiency and more control of the caseflow process. The effectiveness of such reforms is questionable and highly dependent on the informal expectations and practices of judges and attorneys (see Church et al., 1978). Unfortunately these delay reduction efforts have seldom taken cognizance of the differences in perspective of the various actors, nor of the different stakes these actors have in creating or controlling delay.

Typical of the remedies suggested has been the upgrading of court personnel, including a change from elected to appointed court clerks. However, "if this reform is politically impossible, and in many jurisdictions this appears to be the case, employment of well trained court administrators should be considered" (Berkson, 1977: 211). Another strategy is to limit the number of cases coming into the courts while increasing management control (Gazell, 1977). A final approach to addressing delay is through increasing judicial resources and the management activity of judges. Aldisert (1977), for example, maintains that delay can be managed with a sufficient number of judges and courtrooms, and through strict continuance policies and mandatory pretrial settlement conferences. It should be noted, however, that there is little agreement on the sufficiency or efficacy of the provisions.

In all delay reduction programs there is increasing awareness that "delay is not just a question of more efficiently managing the court docket and providing more resources. Rather the goals of the actors are inextricably intertwined with delay" (Neubauer and Cole, 1977: 194). Therefore, rather than merely looking at more efficient technical processing of cases, a number of individuals (e.g. Wheeler and Whitcomb, 1977; Levin, 1977; Church et al., 1978; Neubauer et al., 1981; and Feeley, 1983) have suggested that the attitudes and perceptions of the court actors may be the most critical variable in managing the courts, in general, and in delay reduction programs, in particular.

As of late, several researchers have made the theoretical transition to behavioral considerations and the role of courtroom actors (e.g. Eisenstein and Jacob, 1977; Clynch and Neubauer, 1981; Cole, 1975). Most of the emphasis on local legal culture (Church et al., 1978) or the "dynamics of court-

house justice" (Neubauer et al, 1981) has focused on a particular set of actors: judges, prosecuting attorneys, and defense attorneys. This does not treat court managers adequately or appropriately in most instances, and there is an emerging body of literature (e.g. Sarri, 1982) which notes a difference in perspective between managers and nonmanagers in the courts.

Court Managers' Perspectives On Delay

In order to assess the attitudes of court managers on a broad range of management issues, including delay, a survey was sent in late 1982 to members of the National Association for Court Administration and the National Association of Trial Court Administrators.[1] Although there are a number of court management organizations in the United States, these two organizations are most closely identified with local court management.

With the cooperation of NACA and NATCA and the National Center for State Courts, surveys were sent to 410 NACA members and 321 NATCA members. Of the surveys sent, 205 (50%) were returned from NACA members and 202 (62.9%) were returned by NATCA members, yielding an overall return rate of 55.7%. From the 407 surveys returned an additional 27 cases were eliminated because the individuals were not directly involved in court management positions. This left the number of usable cases at 380 or an approximate response rate of 52%.[2]

Dimensions of Delay

The members of the two organizations were asked to respond to a number of statements relating to the concepts of efficiency and delay.[3] Table 2 summarizes the distribution of responses. As the responses to the first three questions indicate, the managers come out pretty squarely in favor of speedy trials and minimizing backlogs. When looking at the responses to these three questions, there is little variation in the range of responses — over 90% of the managers feel speedy trials are important, that not every case deserves a jury trial, and that backlogs should be minimized or eliminated. The degree to which these attitudes differ from those of judges and lawyers cannot be ascertained with confidence, although recent studies suggest that these opinions are not nearly as universal (see, for example, Levin, 1977; Church et al., 1978; Nardulli, 1978). Levin, for instance, reports that lawyers seek and judges allow continuances as a deliberate strategy in litigating cases (1977: 208-209).

However, it should be noted that the last three questions show a greater dispersion of response, perhaps indicating that the managers do not perceive delay reduction/efficiency as unidimensional. To take the analysis one step further and to understand this variation, crosstabulations were run for the last three questions in Table 2 with the following variables:

1) Type of court — general trial jurisdiction or limited/specialized jurisdiction;
2) Caseloads — the total civil and criminal caseloads processed by the courts during the preceding year;
3) Case scheduling — whether or not the individual has primary responsibility for case scheduling in the court;

Table 2
FREQUENCIES OF RESPONSES ON QUESTIONS CONCERNING DELAY

	SA	A	N/O	D	SD
Speedy trials and rapid processing of cases is important. n = 374	196 (52.4)	168 (44.9)	6 (1.6)	4 (1.0)	-
Every case deserves a jury trial n = 369	2 (0.05)	6 (1.6)	24 (6.5)	136 (36.8)	201 (54.4)
Backlogs of cases should be minimized or eliminated where possible n = 370	238 (64.3)	121 (32.7)	3 (0.8)	5 (1.3)	3 (0.8)
The best system of justice is one which stresses efficiency n = 369	59 (15.9)	153 (41.4)	47 (12.7)	93 (25.2)	17 (4.6)
The courts should allow defendants time to prepare their cases, even if this results in delays n = 366	22 (6.0)	164 (44.8)	51 (13.9)	99 (27.0)	30 (3.2)
Swift justice is not the best justice if it does not allow every person to have his/her day in court n = 374	93 (24.9)	214 (57.2)	32 (8.5)	27 (7.2)	8 (2.1)

KEY: SA = Strongly Agree; A = Agree; N/O = Neutral, No Opinion; D = Disagree; SD = Strongly Disagree.

4) Jury scheduling — whether or not the individual has primary responsibility for jury scheduling.

In order to simplify the analysis, the categories "strongly agree" and "agree" were collapsed, as were those for "disagree" and "strongly disagree" and the "neutral/no opinion" category was eliminated. As Table 3 indicates only three of the relationships exhibit chi squares significant at the .05 level.[4] In general, attitudes on "stress(ing) efficiency," "allow(ing) delay," and case scheduling or jury management responsibilities. Institutional features do not account for variations in attitudes toward delay and efficiency. Yet, three of the correlations are significant and will now be explored.

First, responses to the statement, that "the best system of justice is one which stresses efficiency," were moderately and positively related to the caseloads of the courts. Analysis of this crosstabulation shows that larger caseloads are not related to a stress on efficiency; rather, in courts having the smallest caseloads, the managers tend to agree more clearly on stressing efficiency. In courts having the highest caseloads (more than 23,000 civil and/or criminal cases per year) the managers were almost equally divided in their opinions. Managers in larger courts are more likely to disagree that the best system of

Table 3
RELATIONSHIP BETWEEN ATTITUDES ON DELAY AND COURT CHARACTERISTICS (values are gammas)

	Type of court	Caseload	Case Sched.	Jury mgmt.
Stress efficiency	0.134	0.376*	-0.285*	0.010
Allow delays	-0.063	-0.042	0.117	0.222*
Swift justice	-0.227	-0.205	-0.087	0.205

*Chi square significant at .05 level

justice is one which stresses efficiency.

When comparing case scheduling responsibility with a stress on efficiency, it can be seen that when the manager does have the responsibility for caseflow management, he/she is more likely to support the proposition. One possible interpretation of such a relationship would be that administrators with case management responsibility feel that efficiency is a goal to be achieved in the performance of their duties, while those who do not have this administrative responsibility are more tolerant of judicial activities related to delay.

The final relationship that proved significant involved jury management. When comparing responsibility for this function with the statement that "the courts should allow defendants time to prepare their cases, even if this results in delays," a noteworthy relationship results. Court managers who have jury management responsibility are slightly less inclined to allow delays. Further explanation of this relationship requires an examination of the broader environment within which court managers operate. In order to do this an additional crosstabulation was run between jury management responsibility and responses to the statement: "It is necessary for court managers to consider the opinions of the general public in performing their duties." The result was a gamma of -0.247, significant at the .05 level. Thus, it seems that when managers have jury scheduling responsibilities, they are less tolerant of delays because they are more cognizant of public opinion and take into account the effect of public opinion on their actions.

To summarize, it appears that court managers support the abstract concept of efficiency irrespective of the caseloads of their courts. These data and previous studies seem to indicate differences in management perspectives between court professionals (judges and attorneys) and members of the court management staff (clerks and administrators). Court managers bear the immediate responsibility for managing caseflows and seem more compelled to keep cases moving. This difference of perspective between managers and non-managers has some obvious policy implications for the courts.

What does account for variations in responses to delay/efficiency if it is not the institutional factors examined above? To explore this question two additional explanatory variables were examined. The first was method of selection: elected or appointed. Court reform literature emphasizes the need to

replace or displace elected officials with appointed managers who are more sensitive to delay and the need for greater efficiency. While elected officials (all called clerks but one) represent a small part of the sample (n = 56), method of selection exhibits a counterintuitive relationship with the questions appearing in Table 2. It is the appointed officials who are more likely to support notions of delay. For the first three questions, all but one of the deviant responses are views of appointed managers.

In the remaining questions, elected officials are overwhelmingly "anti-delay" — the variation is discovered among the appointed managers. Thus, it appears that the advent of the appointed manager has not eliminated, but increased tolerance of delay. One factor that may account for the differences between elected and appointed administrators may be that the latter, due to their subordinate position to the judge, develop attitudes toward delay consistent with others in the courtroom work group.

The second variable that was examined was length of service, both in terms of years spent in their current position and total time in court management. Our working hypothesis was that the longer a manager has been in his/her current position (or in court administration) and the longer he/she has been a member of the local legal culture, the more tolerant he/she will be of delay in case processing. However, the expected relationship was not supported. Length of service was not associated with attitudes on delay. It would seem that managers have developed their attitudes irrespective of time spent in court administration.

Management Perspective and Delay-Reduction Policies

In dealing with the efficacy of delay-reduction programs, the first problem is that these programs often are implemented based on an intuitive, as opposed to an empirical, assessment of needs (see, for example, Feeley, 1983). There is no objective standard for delay — or conversely, for a "reasonable processing time"; thus unnecessary, controllable delay is perceived to be a feature of all courts.

As a result of addressing court delay on an intuitive level, programs are seldom, or poorly, evaluated, or have no followup. The major factor identified by most recent research, but overlooked in delay-reduction programs, is change in attitudes by court participants. If structural or organizational changes are made without concomitant changes in the attitudes of the actors, delay-reduction strategies will be largely ineffective (Levin, 1977). Not only must the actors' attitudes be taken into consideration, the differences and intensities of attitudes also must be taken into account. On this point most of the literature on court delay, including the vast amount of material on plea bargaining, has been silent on the role of the court manager. Not only are they an apparent part of the local legal culture and/or the courtroom work group, but often they are also directly and intimately concerned with the day-to-day responsibilities of caseflow management.

Conclusions

Although this research does not purport to deal with a representative,

random sample of all court managers, the respondents can be said to be representatives of a broad range of American trial courts. On this basis it may be said that court managers do hold views, sometimes very strongly, on the efficiency of the courts. These views appear to be distinctive from those of judges and lawyers. And, the administrative environment within which the managers operate influences their perceptions of the utility of jury trials, the causes and consequences of delay, and appropriate stresses on efficiency.

It would seem appropriate for future research to focus on the concept of the local legal culture and, finally, to take cognizance of the role of court managers as part of that culture. As Neubauer et al. (1981: 431) note: ". . . All actors in the criminal justice system may be responsible for unnecessary case processing time." If court managers are part of the problem(s), they must surely be part of the solution(s).

Notes

1 In 1985 these two organizations merged to form the National Association For Court Management.

2 For more information regarding the study design and sample, see G. Larry Mays and William Taggart, "Court Clerks, Court Administrators, And Judges: Conflict In Managing The Courts," Journal of Criminal Justice, 14:1, 1986, pp. 1-8.

3 The statements included in the survey relating to efficiency are based on Herbert Packer's (1968) two models of the criminal process. All statements were separated by other questions appearing in the survey instrument to avoid response problems.

4 The chi square statistic is a test of statistical significance most appropriately used when working with a simple random sample. It is employed here as a first order test to identify relationships deserving of further analysis. On this issue, see Babbie (1975) and Nachmias and Nachmias (1981).

Bibliography

Aldisert, Ruggero J.
1977 A metropolitan court conquers its backlog. In Larry C. Berkson, Steven W. Hays, and Susan J. Carbon, eds., Managing the State Courts. St. Paul MN: West Publishing Co.

Babbie, Earl
1975 The Practice of Social Research. Belmont Calif.: Wadsworth Publishing Co.

Berkson, Larry C.
1977 Delay and congestion in state court systems: an overview. In Larry

C. Berkson, Steven W. Hays, and Susan J. Carbon, eds., Managing the State Courts. St. Paul, MN: West Publishing Co.

Berkson, Larry C., Steven W. Hays, and Susan J. Carbon, eds.
1977 Managing The State Courts. St. Paul, MN: West Publishing Co.

Butler, Burton W.
1977 Presiding judges' perceptions of trial court administrators. Justice System Journal, 3, 2:181-198.

Church, Thomas Jr.
1978 Justice Delayed: The Pace of Litigation in Urban Trial Courts. Williamsburg, VA: National Center for State Courts.

Eisenstein, James and Herbert Jacob
1977 Felony Justice: An Organizational Analysis of Criminal Courts. Boston, MA: Little, Brown and Co.

Feeley, Malcolm M.
1983 Court Reform on Trial: Why Simple Solutions Fail. New York: Basic Books.

Frieson, Ernest C., Edward C. Gallas, and Nesta M. Gallas
1973 Managing The Courts. Indianapolis: Bobbs-Merrill Co.

Gazell, James
1977 Mitigating court congestion in three states. In Larry C. Berkson, Steven W. Hays, and Susan J. Carbon, eds., Managing the State Courts. St. Paul, MN: West Publishing Co.

Greene, Harold H.
1977 Court reform: what purpose? In Larry C. Berkson, Steven W. Hays, and Susan J. Carbon, eds., Managing the State Courts. St. Paul, MN: West Publishing Co.

Hays, Steven W.
1978 Court Reform. Lexington, MA: D.C. Heath and Co.

Heumann, Milton
1978 Plea Bargaining. Chicago, Il: University of Chicago Press.

LaBar Wesley
1975 The modernization of court functions: a review of court management and computer technology. Journal of Computers and Law, 5, 1:97-119.

Levin, Martin A.
1977 Urban Politics and the Criminal Courts. Chicago, Il: University of Chicago Press.

Nachmias, David and Chava Nachmias
1981 Research Methods In The Social Sciences. 2nd edition. New York: St. Martin's Press.

Nardulli, Peter F.
1978 The Courtroom Elite. Cambridge, MA: Ballinger Publishing Co.

Neubauer, David W.
1979 America's Courts and the Criminal Justice System. North Scituate, MA: Duxbury Press.

Neubauer, David W. and George F. Cole
1977 Court reform: a political analysis. In Russell R. Wheeler and Howard R. Whitcomb, eds., Judicial Administration. Englewood Cliffs, NJ: Prentice Hall.

Neubauer, David W., Marcia J. Lipetz, Mary Lee Luskin, and John P. Ryan
1981 Managing the Pace of Justice. Washington, D.C.: National Institute of Justice.

Packer, Herbert L.
1968 The Limits of the Criminal Sanction. Stanford, CA: Stanford University Press.

Saari, David
1982 American Court Management. Westport, CT: Quorum Books.

Taggart, William A., G. Larry Mays, and David Hamilton
1985 Caseflow management conflict in non-appellate state courts: some findings and implications for court administration. Justice Systems Journal, 10, 1:19-26.

Wheeler, Russell R. and Howard R. Whitcomb
1977 Judicial Administration. Englewood Cliffs, NJ: Prentice Hall.