

CHAPTER 10

ATTITUDINAL CHANGE

10.1 Work Culture (Attitude)

Many courts fall short of the caseflow management objectives of delay reduction and prompt and affordable justice. At the core of any management lies the ability and will to manage. The judicial officers at the subordinate level not only should possess the basic concepts of organizational skill but also share the will to handle and manage the court affairs.

10.2 Attitudinal Change

For a case flow management program to work, there must be involvement and commitment to the program and the vision that it reflects. One critical element is commitment to the program by the bench, and another is the involvement and commitment of court staff members. Investment by others outside the court can also be essential to the program's ongoing success. In addition, it is important that those with an interest in the court process believe that they can in fact make the program work.¹

10.3 Role of Serving judicial officers,

Experts on caseflow management have found in their assessment of courts around the country that leadership is fundamental to the success of a caseflow management program. The leader in an effort to improve caseflow management is one who must motivate others

¹ See Clement Bezpld, Beatrice Monahan, and Wendy Schultz, "Moving State Courts Consciously and Creatively into the 21st Century: Using Vision to Point the Way," *State Court Journal* 17, no. 2 (spring 1993): 28, at 32.

to invest themselves in the proposed program.²

10.4 Work culture and environment

In a working environment, communication is critical to the improvement of caseflow management. The likelihood of success in the change effort is greatly enhanced if the court provides for good communication between judges and court staff, as well as broad consultation among court leaders, members of the practicing bar, and the key representatives of other institutional participants in the court process. Through a process of active communication, the court promoting improvement can undertake to modify attitudes and expectations in the 'local legal culture' by providing information about the need for change, building motivation to carry it out, and establishing broad organizational support to it.³

Courts that are successful with caseflow management put a high value on education generally and provide specific training in their caseflow management improvement programs.⁴

² David C. Steelman etc., *Caseflow Management*, National Center for State Courts, ed. 2000, p.88

³ *ibid* p. 97

⁴ *ibid* p.101

CHAPTER 11

IMPLEMENTATION OF E-GOVERNANCE AND ATTITUDINAL CHANGE – KARNATAKA EXPERIENCE

11.1 Tale of 187 Cases

The researcher had been hearing that in the Civil Court at Bangalore, the original suits as old as almost 40 years were pending but for one or the other reason, it was difficult to ascertain the correct age of such suits. One of the convenient methods of ascertaining the age of the suit is the case number which contains the year of the filing of the suit. But with the constitution of the City Civil Court at Bangalore in 1980, all the cases filed till that date were re-numbered and given case year being 1980.

11.1.1 'Delays' Identified through Information Technology

In order to find out the age-wise pendency of the cases, around August 2001, the researcher decided to create a database containing the case type, case number, case year, date of filing, nature of case, relief claimed, date of cause of action and the court halls in which the cases were pending. The appropriate entry forms were designed and the program was put under implementation for feeding of the relevant data. The data feeding was completed towards the end of November 2001. It revealed that in all 192 cases were pending. List of these cases were given to the Registrar of the City Civil Court, Bangalore for securing the records and to report whether the said cases were in fact pending and if so, what are the reasons for non-disposal of these cases for such a long time.

Year of Institution	No. of Pending Cases
1959-69	17
1970-75	46
1976-79	69
1980	55
TOTAL	187