

**A STUDY ON COURT MANAGEMENT TECHNIQUES FOR
IMPROVING THE EFFICIENCY OF SUBORDINATE COURTS**

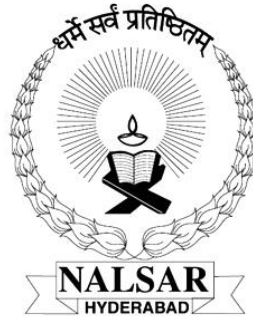
Submitted to



सत्यमेव जयते

**Department of Justice
Ministry of Law & Justice
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Prof (Dr.) Faizan Mustafa
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PREFACE

The issues of delays and pendency have been the bone of contention for the Indian Judiciary for a long time. Since the last five decades, the Judiciary, the Ministry of Justice, eminent thinkers and jurists have mooted several strategies to tackle the issues of delays and pendency in India.

There is no doubt that there has seen many positive actions from our legislators as well as the judiciary. Changes like over hauling the Criminal Procedure Code, setting up of several Tribunals, experimenting with Alternate Dispute Resolution mechanisms like setting up of Mediation centers at several District Courts have already been incorporated. One of the more innovative introductions to the schema of Indian Judiciary has been the introduction of court managers. Coupled with the need for effective and efficient court management practices, a lot of impetus is also given to computerization.

The introduction of management practices to the justice delivery system in India has been discussed for some time now. In a significant move, the thirteenth Finance Commission had allocated Rs. 5000 Crores for the period of 2010 – 2015 with an objective of improving the overall justice delivery system. Some of the initiatives included increasing the working hours of the courts, enhancing capacity of judicial officers and public prosecutors through training programmes, supporting creation or strengthening of a judicial academy in each state to facilitate such training and creation of the post of Court Managers in every judicial district to assist the judiciary in their administrative & capacity building functions.

The Court Managers, with MBA degrees, were expected to act like a support system to the judges to perform their administrative duties, thereby enabling the judges to devote more time to their judicial functions. The post of Court Manager was hence created in each judicial district to assist the Principal District and Session judges.

Five years have passed from the day the Finance Commission embarked on the journey to translate the Indian Judiciary into an effective and efficient system. The study aimed to assess the impact that court managers have been able to create towards the achievement of the goals that they were set out to. It is attempted to identify and share best practices that emerged from such practices that the recruited Court Managers have been able to develop.

The study was carried out at the national level with visits to 15 High Courts and 60 District Courts, involved the preparation of a detailed questionnaire and a structured interview guide to capture data and collection of data from close to 100 respondents on both qualitative and quantitative scales. The report brings out an objective analysis of the data that can help the stakeholders better understand the ground realities in the court management and administration.

The report provides a set of recommendations based on the analysis of data that can improve the system and yield better results.

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Chapter 1

Introduction

1. INTRODUCTION

1.1 Introduction to the Study

“The greatest drawback of the administration of justice in India today is delay... I am not aware of any country in the world where litigation goes on for as long a period as India [...]” *Nani Palkhiwala in “Delays in Administration of Justice”*¹

The issues of delays and pendency have been the bone of contention for the Indian Judiciary for a long time. Since the last 5 decades, the Judiciary, the Ministry of Justice, eminent thinkers and jurists have mooted several strategies to tackle the issues of delays and pendency in India. Hon’ble Justice Madan Lokur, Judge, Supreme Court of India had once remarked that quantifying pendency of cases would be a rude shock. He went on to state that with crores of cases already pending disposal, it would take more than 300 years to clear the backlog and that too if no new cases are registered during that time.²

This is just an indication of the immense load that our Hon’ble judges handle and the pressure they experience in order to clear as many cases as possible. It is recognized that India requires proper case management and also court administration systems to achieve the goal. There is no doubt that there have been many positive actions from our legislators and the judiciary to keep pendency at its minimum. Besides increasing the number of courts, appointment of Judges, appointment of court staff, specialized work force, modernization/digitization etc. changes such as overhauling the Criminal Procedure Code, setting up of several Tribunals, experimenting with Alternate Dispute Resolution mechanisms like setting up of Mediation centers at several District Courts have already been incorporated. One of the more innovative introductions to the schema of Indian Judiciary has been the introduction of court managers. Coupled with the need for

¹ Quoted in, Justice R. B. Mehrotra, “Court Management”, J.T.R.I. Journal, First Year, Issue 3, July – September, 1995.

² Justice Madan B. Lokur “Case Management and Court Administration” Law Commission of India International Conference on ADR and Case Management, New Delhi, May 3-4, 2003, available at http://lawcommissionofindia.nic.in/adr_conf/Justice_Lokur.pdf.

effective and efficient court management practices, a lot of impetus is also given to computerization.

1.2 Status of Judicial Delays in India³

Everlasting cases, prolonged delays, inexorable adjournments, high litigation costs annihilate the common man's confidence and trust in the justice delivery system of the country. While it is unpardonable to compromise on the temporal requirements of ascertaining facts and listening to arguments, time lapse in the pre-requisites and procedural formalities of the Court can be reduced. As Chief Justice Burger has noted:

"A sense of confidence in the courts is essential to maintain the fabric of ordered liberty for a free people and three things could destroy that confidence and do incalculable damage to society: that people come to believe that inefficiency and delay will drain even a just judgment of its value; that people who have long been exploited in the smaller transactions of daily life come to believe that courts cannot vindicate their legal rights from fraud and over-reaching; that people come to believe the law in the larger sense cannot fulfill its primary function to protect them and their families in their homes, at their work, and on the public streets"⁴

Major reasons cited for judicial delays are:

- a) Paucity of judges and court staff
- b) Inefficiency of the case management system
- c) Apathy towards use of technology in justice deliverance
- d) Absence of work culture in court rooms
- e) Predominance of 'Adjournment culture' in litigation

³ Former Chief Justice P N Bhagwati in his Law Day speech in 1985 stated: "I am pained to observe that the judicial system in the country on the verge of collapse..... Our judicial system is crashing under the weight of arrears. It is trite saying that justice delayed is justice denied. We often utter this platitudinous phrase to express our indignation at the delay in disposal of cases but this indignation is only at an intellectual and superficial level. Those who are seeking justice in our own Courts have to wait patiently for year and years to get justice. They have to pass through the labyrinth of one Court to another until their patience gets exhausted and they give up hope in utter despair.... The only persons who benefit by the delay in our Courts are the dishonest who can with impunity avoid carrying out their legal obligations for years and each affluent person who obtains orders and stays or injunctions against Government and public authorities and then continues to enjoy the benefits of such stay or injunction for years, often at the cost of public interest."

⁴ Warren Burger, Unites States Supreme Court Justice, "What's Wrong With the Courts: The Chief Justice Speaks Out", U.S. News & World Report (vol. 69, No. 8, Aug. 24, 1970) 68, 71 (address to ABA meeting, Aug. 10, 1970).

- f) Poor judges to population ratio (1 judge in every million)
- g) Inadequate infrastructure and ill-trained court staff

Statistics reveal that 2/3rd of the pending cases are criminal in nature which has led to over-crowded prisons with more than sixty-eight percent of the prison population still on remand. This questions the notion of justice since the possibility looms large that many under-trials might end up doing their full sentence without a full and fair trial. This plight has won India 142nd rank (out of 189 countries in the world) on The World Bank's Index of 'Ease of Doing Business'⁵. One of the key reasons cited by World Bank for this poor rank was the 'large pendency of cases in Indian courts and non-implementation of judicial reforms.'⁶ The World Bank, in its report submitted to the department of industrial policy and promotion (DIPP)⁷ has even suggested useful reforms that can be introduced to improve the situation through measures like performance evaluation system of judges; performance management evaluations to assess the liberal grant of adjournments etc. The report suggests India study the court management models of high ranking countries such as Malaysia (Rank: 18)⁸ and UAE (Rank: 22)⁹ in order to address the backlog issues. This very aspect has been the cynosure of discussions in several Law Commission Reports.

1.3 Methods to Reduce Backlogs

Given the stratified organization of the court and the massive workload, the importance of planning cannot be underrated. Strategic planning complemented by efficient paralegal staff would significantly impact both pendency and judicial reforms since it has four vital uses:

- i. Guide decisions about budgeting and allocation of resources.

⁵ World Bank, Ease of doing business index, 2014, <http://data.worldbank.org/indicator/IC.BUS.EASE.XQ/countries/1W?display=map>, accessed on 29-07-16.

⁶ Pradeep Thakur, "Case pendency brings India down on World Bank index", 17-01-15 <http://timesofindia.indiatimes.com/india/Case-pendency-brings-India-down-on-World-Bank-index/articleshow/45917019.cms>, accessed on 29-07-16.

⁷ Id.

⁸ Id.

⁹ Id.

- ii. Inform the court managers about performance of the individual units or individuals.
- iii. Bind judges and staff in sense of an organization and its goals.
- iv. Assist in responding to individual issues as they arise.¹⁰

“In India, previous Law Commissions and various Governmental Committees have suggested various directory time frames both as guidelines to Courts for the timely disposal of cases, and as standards by which delay in the system can be measured. However, all these suggestions are based on ad-hoc prescriptions rather than grounded in empirical analysis and observation.”¹¹ Another suggested mechanism and also used in some of the first world countries is the ‘case-specific time tables’ for minimizing delays in the disposal of cases.¹²

Several measures adopted by the Indian Judiciary to solve the problem include extension of the fast track courts, mobile courts, shift system in sub-ordinate courts, Lok Adalats and popularizing alternative dispute resolution mechanism and plea bargaining. Another factor that is cited to contribute to the reasons for such back logs is the ease with which adjournments are granted. Section 309 of Code of Criminal Procedure and Rule 1, Order XVII of Code of Civil Procedure deals with the adjournments and power of the court to postpone the hearing. These adjournments are granted only when the courts deems it necessary or advisable for reason to be recorded. It also gives discretion to the court to grant adjournment subject to payment of costs. These conditions unfortunately are not strictly followed and easy grant of adjournments increases the life cycle of the cases. The Malimath Committee, in fact, suggested to amend the procedural laws

¹⁰ Theodore J. Fetter, HANDBOOK OF COURT ADMINISTRATION AND MANAGEMENT, Public Administration and Public Policy/49, CRC press, 1992.

¹¹ Arrears and Backlog: Creating Additional Judicial (wo) manpower, Report No. 245, Law Commission of India, Government of India, July 2014, available at http://lawcommissionofindia.nic.in/reports/Report_No.245.pdf , p.6, counter ref: LAW COMMISSION OF INDIA, 230TH REPORT ON REFORMS IN JUDICIARY SOME SUGGESTIONS 1.61 (2009).

¹² Id., *Ramrameshwari Devi v. Nirmala Devi* (2011) 8 SCC 249. The Court observed: “*At the time of filing of the plaint, the trial Court should prepare complete schedule and fix dates for all the stages of the suit, right from filing of the written statement till pronouncement of judgment and the Courts should strictly adhere to the said dates and the said time table as far as possible. If any interlocutory application is filed then the same [can] be disposed of in between the said dates of hearings fixed in the said suit itself so that the date fixed for the main suit may not be disturbed.*”

to control adjournments and suggested that the High Courts should lay down exceptional circumstances when adjournments may be granted.¹³

Over a period of time several methods have been recommended to reduce backlogs in Indian judiciary. Some of the most frequently suggested methods for backlog reduction are as follows:

1.3.1 Increasing the number of judges

India has seen a rapid growth in the judicial system in the last two decades. “It is estimated that the number of Judges/Courts expanded six fold while the number of cases expanded by double that number – twelve fold. The judicial system is set to continue to expand significantly over the next three decades, rising, by the most conservative estimate, to at least about 15 crores of cases requiring at least some 75,000 Courts/Judges.”¹⁴ The sorry state of judge-population ratio can be understood if we do a comparative study in other jurisdictions.¹⁵

It is imperative that a system is put in place that minimizes the average life span of all cases while at the same time ‘maintaining quality and responsiveness of justice’¹⁶. Proportionate recruitment of legal and paralegal staff too has to be addressed while simultaneous attention to infrastructural needs of subordinate courts also addressed. Infrastructural concerns have been raised time and again¹⁷ but with little or no result.¹⁸

¹³ Report of the Committee on reforms of the criminal justice system, Government of India, Ministry of Home Affairs, Vol. 1, March 2003, available at http://www.mha.nic.in/hindi/sites/upload_files/mhahindi/files/pdf/criminal_justice_system.pdf, accessed on 29-07-15.

¹⁴ Policy and action plan, National Court management systems (NCMS), NCMS committee, Supreme Court of India, 2012, available at <http://supremecourtfindia.nic.in/ncms27092012.pdf>, accessed on 29-07-15.

¹⁵ C.J. Bharucha: Speech Delivered in Kerala organized by the Bar Council of India and Bar Council of Kerala Published in India Bar Review Vol XX VIII (4) 200, p. 2

¹⁶ Id.

¹⁷ Ref: National Judicial Infrastructure plan; Chief Justices conferences 2007, 08, 09.

¹⁸ See, Chief Justice A.S. Anand: Indian Judiciary & Challenges of 21st century. The Indian Journal of Public Administration July-Sept 1999 Vol XLV No. 3, p 299; Vandana Ajay Kumar, “Judicial Delays in India: Causes & Remedies”, Journal of Law, Policy and Globalization, vol. 4, 2012.

Bibek Debroy, “Justice Delivery in India – A Snapshot of Problems and Reforms”, ISAS working paper, 47/2008, Institute of South Asian Studies, National University of Singapore, 2008.

1.3.2 Specified time-frames

One of the measures adopted by many countries like United Kingdom, Singapore etc., to reduce judicial delays is to specify time limits. Attempt through amendments in Code of Civil Procedure in 1999 and 2002 was made which specified time frames for procedural steps. While such as a change is a necessary condition to change the court room cultures it is not an all-inclusive one. For example, the 1999 amendment which prescribed a maximum of three adjournments during the hearing of the suit has not really been followed to the core. Even the Supreme Court has sort of toned down the effect of this amendment [see, *Salem Advocate Bar Association-II* (2005 (6) SCC 344)]. Similar treatment has been given to other amendments like allowing the courts from enlarging the time granted by them for doing *any* “act prescribed or allowed by the Code” beyond a maximum period of 30 days. The Supreme Court itself has allowed the liberal interpretation of the limitations prescribed in the code. Another example was seen in the case of *Kailash vs Nanhku* (AIR 2005 SC 2441) where it relaxed the prescribed deadline of 90 days for filing written statement from the date of service of summons.

1.3.3 Efficiency of Courts

Inefficient case management is one of the major reasons for judicial delays. The courts lack trained personnel and the existing staff have not been trained to use technology or to maintain data scientifically. Use of technology can also lead to making system transparent thus reducing corruption. Reforms like appointing court managers, developing portals like National Judicial Data Grid, e-courts etc. are steps in the right direction. Having said that, the quality of support staff needs to be continually improved through time-bound and regular training. Same needs to be done for the investigating agencies too. Technology/computerization has to be used in lower courts to achieve working efficiency.

1.4 Statistical Data on Judicial Delays

More than 22 million cases are currently pending in India’s district courts. Six million of those have lasted longer than five years. Another 4.5 million are waiting to be heard in the high courts and more than 60,000 in the Supreme Court,

according to the most recently available government data. These figures are increasing according to the decennial reports.¹⁹

SUMMARY REPORT OF INDIA AS ON 02/11/2016²⁰

Pending Cases				
	CIVIL CASES	CRIMINAL CASES	TOTAL CASES	PERCENTAGE
Cases Pending over 10 years	666707	1646857	2313564	(10.01%)
Cases Pending (Between 5 to 10 years)	1205811	2786056	3991867	(17.27%)
Cases Pending (Between 2 to 5 years)	2259705	4421498	6681203	(28.91%)
Cases Pending less than 2 years	3443874	6681394	10125268	(43.81%)
Total Pending Cases	7576093	15535805	23111898	(100%)

Category Wise Pending Cases				
	CIVIL CASES	CRIMINAL CASES	TOTAL CASES	PERCENTAGE
Senior Citizen	655010	143891	798895	(3.46%)
Filed By Women	1208313	1033828	2242139	(9.7%)

State-wise data (including UTs) of pending cases at district level (as on 2/11/2016)²¹

1. ANDAMAN AND NICOBAR

Pending Cases				
	CIVIL CASES	CRIMINAL CASES	TOTAL CASES	PERCENTAGE
Cases Pending (Between 5 to 10 years)	579	1237	1816	(19.21%)
Cases Pending (Between 2 to 5 years)	1091	1647	2738	(28.97%)
Cases Pending less than 2 years	1305	2900	4205	(44.49%)

¹⁹ Vidhi Doshi, "India's long wait for justice: 27m court cases trapped in legal logjam", the guardian, 5th May, 2016, available at <https://www.theguardian.com/world/2016/may/05/indias-long-wait-for-justice-27-million-court-cases-trapped-in-a-legal-logjam>, last accessed on 1st Nov, 2016.

²⁰ National Judicial Data Grid, available at http://njdg.ecourts.gov.in/njdg_public/main.php

²¹ Id.

Total Pending Cases	3094	6358	9452	(100%)
Category Wise Pending Cases				
Senior Citizen	0	20	20	(0.21%)
Filed By Women	1012	193	1205	(12.75%)

2. ANDHRA PRADESH

Pending Cases				
	CIVIL CASES	CRIMINAL CASES	TOTAL CASES	PERCENTAGE
Cases Pending (Between 5 to 10 years)	33287	14270	47557	(10.83%)
Cases Pending (Between 2 to 5 years)	71630	52042	123672	(28.16%)
Cases Pending less than 2 years	134506	125594	260100	(59.22%)
Total Pending Cases	244745	194462	439207	(100%)
Category Wise Pending Cases				
Senior Citizen	13648	1376	15024	(3.42%)
Filed By Women	55039	13355	68394	(15.57%)

3. ASSAM

Pending Cases				
	CIVIL CASES	CRIMINAL CASES	TOTAL CASES	PERCENTAGE
Cases Pending (Between 5 to 10 years)	5273	12776	18049	(9.17%)
Cases Pending (Between 2 to 5 years)	15442	47309	62751	(31.87%)
Cases Pending less than 2 years	28455	85207	113662	(57.73%)
Total Pending Cases	50010	146866	196876	(100%)
Category Wise Pending Cases				
Senior Citizen	1563	529	2092	(1.06%)
Filed By Women	11835	14446	26281	(13.35%)

4. BIHAR

Pending Cases				
	CIVIL CASES	CRIMINAL CASES	TOTAL CASES	PERCENTAGE
Cases Pending (Between 5 to 10 years)	42557	301598	344155	(23.9%)
Cases Pending (Between 2 to 5 years)	74206	360676	434882	(30.2%)
Cases Pending less than 2 years	86337	334581	420918	(29.23%)

years				
Total Pending Cases	238344	1201600	1439944	(100%)
Category Wise Pending Cases				
Senior Citizen	14474	12838	27312	(1.9%)
Filed By Women	52140	176038	228178	(15.85%)

5. CHANDIGARH

Pending Cases				
	CIVIL CASES	CRIMINAL CASES	TOTAL CASES	PERCENTAGE
Cases Pending (Between 5 to 10 years)	407	295	702	(1.99%)
Cases Pending (Between 2 to 5 years)	3644	2780	6424	(18.2%)
Cases Pending less than 2 years	11570	16547	28117	(79.66%)
Total Pending Cases	15652	19646	35298	(100%)
Category Wise Pending Cases				
Senior Citizen	766	225	991	(2.81%)
Filed By Women	2498	2122	4620	(13.09%)

6. CHATTISGARH

Pending Cases				
	CIVIL CASES	CRIMINAL CASES	TOTAL CASES	PERCENTAGE
Cases Pending (Between 5 to 10 years)	6541	22899	29440	(13.55%)
Cases Pending (Between 2 to 5 years)	11845	40782	52627	(24.23%)
Cases Pending less than 2 years	24626	96920	121546	(55.96%)
Total Pending Cases	46277	170925	217202	(100%)
Category Wise Pending Cases				
Senior Citizen	6100	2402	8502	(3.91%)
Filed By Women	10019	4026	14045	(6.47%)

7. DELHI

Pending Cases				
	CIVIL CASES	CRIMINAL CASES	TOTAL CASES	PERCENTAGE
Cases Pending (Between 5 to 10 years)	8141	26539	34680	(6.91%)
Cases Pending (Between 2 to 5 years)	38320	85281	123601	(24.63%)

to 5 years)				
Cases Pending less than 2 years	112480	225186	337666	(67.3%)
Total Pending Cases	159825	341919	501744	(100%)

Category Wise Pending Cases

Senior Citizen	3823	1112	4935	(0.98%)
Filed By Women	13717	9867	23584	(4.7%)

8. DIU AND DAMAN

Pending Cases

	CIVIL CASES	CRIMINAL CASES	TOTAL CASES	PERCENTAGE
Cases Pending (Between 5 to 10 years)	124	92	216	(12.2%)
Cases Pending (Between 2 to 5 years)	312	141	453	(25.59%)
Cases Pending less than 2 years	448	589	1037	(58.59%)
Total Pending Cases	908	862	1770	(100%)

Category Wise Pending Cases

Senior Citizen	50	9	59	(3.33%)
Filed By Women	55	35	90	(5.08%)

9. DNH AND SILVASA

Pending Cases

	CIVIL CASES	CRIMINAL CASES	TOTAL CASES	PERCENTAGE
Cases Pending (Between 5 to 10 years)	174	465	639	(16.25%)
Cases Pending (Between 2 to 5 years)	338	592	930	(23.65%)
Cases Pending less than 2 years	1135	857	1992	(50.66%)
Total Pending Cases	1679	2253	3932	(100%)

Category Wise Pending Cases

Senior Citizen	90	29	119	(3.03%)
Filed By Women	74	51	125	(3.18%)

10. GOA

Pending Cases

	CIVIL CASES	CRIMINAL CASES	TOTAL CASES	PERCENTAGE
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Cases Pending (Between 5 to 10 years)	3109	2714	5823	(11.88%)
Cases Pending (Between 2 to 5 years)	5804	5949	11753	(23.97%)
Cases Pending less than 2 years	13825	15577	29402	(59.97%)
Total Pending Cases	24653	24374	49027	(100%)
Category Wise Pending Cases				
Senior Citizen	2099	219	2318	(4.73%)
Filed By Women	5056	926	5982	(12.2%)

11. GUJARAT

Pending Cases				
	CIVIL CASES	CRIMINAL CASES	TOTAL CASES	PERCENTAGE
Cases Pending (Between 5 to 10 years)	178509	303673	482182	(22.3%)
Cases Pending (Between 2 to 5 years)	167135	338096	505231	(23.36%)
Cases Pending less than 2 years	203905	465774	669679	(30.97%)
Total Pending Cases	722562	1439961	2162523	(100%)
Category Wise Pending Cases				
Senior Citizen	34755	17308	52058	(2.41%)
Filed By Women	15639	27979	43618	(2.02%)

12. HARYANA

Pending Cases				
	CIVIL CASES	CRIMINAL CASES	TOTAL CASES	PERCENTAGE
Cases Pending (Between 5 to 10 years)	3496	2427	5923	(1.04%)
Cases Pending (Between 2 to 5 years)	54050	59173	113223	(19.84%)
Cases Pending less than 2 years	189011	262271	451282	(79.06%)
Total Pending Cases	246772	324015	570787	(100%)
Category Wise Pending Cases				
Senior Citizen	14070	2597	16667	(2.92%)
Filed By Women	45896	29201	75097	(13.16%)

13. HIMACHAL PRADESH

Pending Cases

	CIVIL CASES	CRIMINAL CASES	TOTAL CASES	PERCENTAGE
Cases Pending (Between 5 to 10 years)	7329	8584	15913	(9.21%)
Cases Pending (Between 2 to 5 years)	28317	26417	54734	(31.68%)
Cases Pending less than 2 years	54026	47410	101436	(58.71%)
Total Pending Cases	90057	82713	172770	(100%)

Category Wise Pending Cases

Senior Citizen	9223	1069	10292	(5.96%)
Filed By Women	13213	9275	22488	(13.02%)

14.

JAMMU AND KASHMIR

Pending Cases				
	CIVIL CASES	CRIMINAL CASES	TOTAL CASES	PERCENTAGE
Cases Pending (Between 5 to 10 years)	6435	10034	16469	(30.56%)
Cases Pending (Between 2 to 5 years)	9538	9998	19536	(36.26%)
Cases Pending less than 2 years	5217	5168	10385	(19.27%)
Total Pending Cases	23072	30812	53884	(100%)

Category Wise Pending Cases

Senior Citizen	260	47	307	(0.57%)
Filed By Women	2662	1764	4426	(8.21%)

15.

JHARKHAND

Pending Cases				
	CIVIL CASES	CRIMINAL CASES	TOTAL CASES	PERCENTAGE
Cases Pending (Between 5 to 10 years)	10804	40273	51077	(18.32%)
Cases Pending (Between 2 to 5 years)	16687	90371	107058	(38.39%)
Cases Pending less than 2 years	16967	93007	109974	(39.44%)
Total Pending Cases	49287	229554	278841	(100%)

Category Wise Pending Cases

Senior Citizen	2748	3130	5878	(2.11%)
Filed By Women	11220	20509	31729	(11.38%)

16.**KARNATAKA**

Pending Cases				
	CIVIL CASES	CRIMINAL CASES	TOTAL CASES	PERCENTAGE
Cases Pending (Between 5 to 10 years)	75044	57964	133008	(10.35%)
Cases Pending (Between 2 to 5 years)	211744	174939	386683	(30.08%)
Cases Pending less than 2 years	337258	406307	743565	(57.85%)
Total Pending Cases	637653	647674	1285327	(100%)
Category Wise Pending Cases				
Senior Citizen	104301	17441	121741	(9.47%)
Filed By Women	121244	37147	158389	(12.32%)

17.**KERALA**

Pending Cases				
	CIVIL CASES	CRIMINAL CASES	TOTAL CASES	PERCENTAGE
Cases Pending (Between 5 to 10 years)	22998	33577	56575	(6.06%)
Cases Pending (Between 2 to 5 years)	81200	152895	234095	(25.06%)
Cases Pending less than 2 years	208976	426547	635523	(68.05%)
Total Pending Cases	317370	616603	933973	(100%)
Category Wise Pending Cases				
Senior Citizen	32500	3195	35695	(3.82%)
Filed By Women	60260	10885	71145	(7.62%)

18.**MADHYA PRADESH**

Pending Cases				
	CIVIL CASES	CRIMINAL CASES	TOTAL CASES	PERCENTAGE
Cases Pending (Between 5 to 10 years)	12322	43985	56307	(11.11%)
Cases Pending (Between 2 to 5 years)	40239	134631	174870	(34.51%)
Cases Pending less than 2 years	76203	190394	266597	(52.61%)
Total Pending Cases	130926	375772	506698	(100%)
Category Wise Pending Cases				
Senior Citizen	19795	6769	26564	(5.24%)
Filed By Women	28400	17429	45829	(9.04%)

19.**MAHARASHTRA**

Pending Cases				
	CIVIL CASES	CRIMINAL CASES	TOTAL CASES	PERCENTAGE
Cases Pending (Between 5 to 10 years)	168806	296880	465686	(14.67%)
Cases Pending (Between 2 to 5 years)	404026	584423	988449	(31.14%)
Cases Pending less than 2 years	471996	990026	1462022	(46.06%)
Total Pending Cases	1106607	2067696	3174303	(100%)
Category Wise Pending Cases				
Senior Citizen	179742	43870	223612	(7.04%)
Filed By Women	168859	126554	295413	(9.31%)

20.**MANIPUR**

Pending Cases				
	CIVIL CASES	CRIMINAL CASES	TOTAL CASES	PERCENTAGE
Cases Pending (Between 5 to 10 years)	399	394	793	(7.79%)
Cases Pending (Between 2 to 5 years)	1218	901	2119	(20.81%)
Cases Pending less than 2 years	3515	2771	6286	(61.72%)
Total Pending Cases	5243	4942	10185	(100%)
Category Wise Pending Cases				
Senior Citizen	668	66	734	(7.21%)
Filed By Women	1330	714	2044	(20.07%)

21.**MEGHALAYA**

Pending Cases				
	CIVIL CASES	CRIMINAL CASES	TOTAL CASES	PERCENTAGE
Cases Pending (Between 5 to 10 years)	141	241	382	(7.46%)
Cases Pending (Between 2 to 5 years)	601	1348	1949	(38.05%)
Cases Pending less than 2 years	759	1834	2593	(50.62%)
Total Pending Cases	1594	3528	5122	(100%)
Category Wise Pending Cases				
Senior Citizen	52	17	69	(1.35%)
Filed By Women	388	194	582	(11.36%)

22.**MIZORAM**

Pending Cases				
	CIVIL CASES	CRIMINAL CASES	TOTAL CASES	PERCENTAGE
Cases Pending (Between 5 to 10 years)	54	134	188	(16.31%)
Cases Pending (Between 2 to 5 years)	147	450	597	(51.78%)
Cases Pending less than 2 years	199	160	359	(31.14%)
Total Pending Cases	406	747	1153	(100%)
Category Wise Pending Cases				
Senior Citizen	20	0	20	(1.73%)
Filed By Women	108	13	121	(10.49%)

23.**ORISSA**

Pending Cases				
	CIVIL CASES	CRIMINAL CASES	TOTAL CASES	PERCENTAGE
Cases Pending (Between 5 to 10 years)	43350	178687	222037	(22.03%)
Cases Pending (Between 2 to 5 years)	75219	218185	293404	(29.11%)
Cases Pending less than 2 years	97411	207644	305055	(30.26%)
Total Pending Cases	239951	768025	1007976	(100%)
Category Wise Pending Cases				
Senior Citizen	25027	4181	29208	(2.9%)
Filed By Women	43207	33552	76759	(7.62%)

24.**PUNJAB**

Pending Cases				
	CIVIL CASES	CRIMINAL CASES	TOTAL CASES	PERCENTAGE
Cases Pending (Between 5 to 10 years)	8268	6382	14650	(2.85%)
Cases Pending (Between 2 to 5 years)	64618	59829	124447	(24.22%)
Cases Pending less than 2 years	175377	198192	373569	(72.7%)
Total Pending Cases	248955	264893	513848	(100%)
Category Wise Pending Cases				
Senior Citizen	19408	3949	23357	(4.55%)
Filed By Women	48394	37173	85567	(16.65%)

25.

RAJASTHAN

Pending Cases				
	CIVIL CASES	CRIMINAL CASES	TOTAL CASES	PERCENTAGE
Cases Pending (Between 5 to 10 years)	67288	159410	226698	(17.36%)
Cases Pending (Between 2 to 5 years)	140127	304253	444380	(34.02%)
Cases Pending less than 2 years	177345	383267	560612	(42.92%)
Total Pending Cases	408776	897410	1306186	(100%)
Category Wise Pending Cases				
Senior Citizen	19604	6076	25680	(1.97%)
Filed By Women	66595	53124	119719	(9.17%)

26.

SIKKIM

Pending Cases				
	CIVIL CASES	CRIMINAL CASES	TOTAL CASES	PERCENTAGE
Cases Pending (Between 5 to 10 years)	3	2	5	(0.35%)
Cases Pending (Between 2 to 5 years)	62	125	187	(12.96%)
Cases Pending less than 2 years	411	838	1249	(86.56%)
Total Pending Cases	478	965	1443	(100%)
Category Wise Pending Cases				
Senior Citizen	56	10	66	(4.57%)
Filed By Women	116	34	150	(10.4%)

27.

TAMIL NADU

Pending Cases				
	CIVIL CASES	CRIMINAL CASES	TOTAL CASES	PERCENTAGE
Cases Pending (Between 5 to 10 years)	78968	64573	143541	(15.98%)
Cases Pending (Between 2 to 5 years)	172623	109879	282502	(31.45%)
Cases Pending less than 2 years	273015	158159	431174	(48%)
Total Pending Cases	546165	352067	898232	(100%)
Category Wise Pending Cases				
Senior Citizen	62270	4216	66486	(7.4%)
Filed By Women	120249	11807	132056	(14.7%)

28.**TELANGANA**

Pending Cases				
	CIVIL CASES	CRIMINAL CASES	TOTAL CASES	PERCENTAGE
Cases Pending (Between 5 to 10 years)	25763	24192	49955	(13.11%)
Cases Pending (Between 2 to 5 years)	56787	61323	118110	(31%)
Cases Pending less than 2 years	79384	110924	190308	(49.95%)
Total Pending Cases	175213	205807	381020	(100%)
Category Wise Pending Cases				
Senior Citizen	5054	930	5984	(1.57%)
Filed By Women	29115	17717	46832	(12.29%)

29.**TRIPURA**

Pending Cases				
	CIVIL CASES	CRIMINAL CASES	TOTAL CASES	PERCENTAGE
Cases Pending (Between 5 to 10 years)	442	1880	2322	(9.13%)
Cases Pending (Between 2 to 5 years)	2458	5360	7818	(30.74%)
Cases Pending less than 2 years	5186	7254	12440	(48.91%)
Total Pending Cases	8183	17252	25435	(100%)
Category Wise Pending Cases				
Senior Citizen	645	109	754	(2.96%)
Filed By Women	1986	1316	3302	(12.98%)

30.**UTTAR PRADESH**

Pending Cases				
	CIVIL CASES	CRIMINAL CASES	TOTAL CASES	PERCENTAGE
Cases Pending (Between 5 to 10 years)	236789	874818	1111607	(20.57%)
Cases Pending (Between 2 to 5 years)	389774	1213787	1603561	(29.67%)
Cases Pending less than 2 years	476933	1509884	1986817	(36.76%)
Total Pending Cases	1329055	4075951	5405006	(100%)
Category Wise Pending Cases				
Senior Citizen	68042	7839	75881	(1.4%)
Filed By Women	200265	276364	476629	(8.82%)

31.**UTTARAKHAND**

Pending Cases				
	CIVIL CASES	CRIMINAL CASES	TOTAL CASES	PERCENTAGE
Cases Pending (Between 5 to 10 years)	3113	13803	16916	(9.34%)
Cases Pending (Between 2 to 5 years)	9661	41260	50921	(28.11%)
Cases Pending less than 2 years	17932	91265	109197	(60.28%)
Total Pending Cases	31743	149414	181157	(100%)
Category Wise Pending Cases				
Senior Citizen	1551	302	1853	(1.02%)
Filed By Women	5367	5201	10568	(5.83%)

32.**WEST BENGAL**

Pending Cases				
	CIVIL CASES	CRIMINAL CASES	TOTAL CASES	PERCENTAGE
Cases Pending (Between 5 to 10 years)	155298	281258	436556	(32.54%)
Cases Pending (Between 2 to 5 years)	110842	236656	347498	(25.9%)
Cases Pending less than 2 years	158161	218340	376501	(28.06%)
Total Pending Cases	470838	870739	1341577	(100%)
Category Wise Pending Cases				
Senior Citizen	12606	2011	14617	(1.09%)
Filed By Women	72355	94817	167172	(12.46%)

JUDGES AND VACANCIES**A. SUPREME COURT AND HIGH COURTS (as on April, 2016)**

Court	Approved Strength	Vacancies
Supreme Court	31	6
Allahabad	160	80
Bombay	29	94
Delhi	23	60
Gauhati	24	10
J & K	17	8
Karnataka	62	31

Madras	75	34
Patna	53	24
Punjab & Haryana	85	38
Rajasthan	50	20

B. DISTRICT COURTS (as on Jan, 2016)²²

STATE	CURRENT STRENGTH	JUDGES REQUIRED		
		To clear cases older than 2 years	To clear all pending cases	As per CJI/Law Commission
BIHAR	1,067	2,896	3,581	5,190
UTTAR PRADESH	1,825	2,489	2,936	9,964
MAHARASHTRA	1,917	1,989	2,531	5,619
GUJARAT	1,170	1,548	1,795	3,019
MADHYA PRADESH	1,215	1,405	1,622	3,630
WEST BENGAL AND ANDAMAN AND NICOBAR	868	1,167	1,493	4,567
ANDHRA PRADESH AND TELANGANA	786	983	1,253	4,234
RAJASTHAN	985	949	1,094	3,431
TAMIL NADU	969	945	1,041	3,607
KARNATKA	820	921	1,095	3,057
ODISHA	598	878	1,093	2,097

²² **Alok Prasanna Kumar**, "How many judges does India really need?" live mint, Jul 12 2016, available at <http://www.livemint.com/Politics/3B97SMGhseobYhZ6qpAYoN/How-many-judges-does-India-really-need.html> , last accessed on 10/10/2016.

JHARKHAND	466	664	810	1,648
DELHI	490	525	1,019	838
HARYANA	474	479	577	1,268
PUNJAB	490	469	552	1,385
KERALA	442	468	575	1,669
CHATTISGARH	341	372	446	1,277
ASSAM	319	289	340	1,558
JAMMU & KASHMIR	220	213	233	627
UTTARAKHAND	206	196	224	506
HIMACHAL PRADESH	134	138	150	343
TRIPURA	68	79	93	184
GOA	48	50	63	73
MIZORAM	30	33	37	55
MANIPUR	34	32	34	136
MEGHALAYA	30	30	32	148
NAGALAND	25	27	32	99
CHANDIGARH	30	22	24	53
ARUNACHAL PRADESH	15	19	24	69
PUDUCHERRY	14	13	15	62
SIKKIM	14	12	14	30
DAMAN AND DIU	6	6	8	29
LAKSHADWEEP	3	3	4	3

1.5 Need for the Study

With the objective of improving justice delivery, the 13th Finance Commission had recommended a grant of Rs.5000 crore over its period from 2010-15. This grant was aimed at providing support to improving judicial outcomes, and had the following initiatives:

- i) Increasing the number of court working hours using the existing infrastructure by holding morning/evening/shift courts.
- ii) Enhancing support to Lok Adalats to reduce the pressure on regular courts.
- iii) Providing additional funds to State Legal Services Authorities to enable them to enhance legal aid to the marginalized and empower them to access justice.
- iv) Promoting the Alternate Dispute Resolution (ADR) mechanism to resolve part of the disputes outside the court system.
- v) Enhancing capacity of judicial officers and public prosecutors through training programs.
- vi) Supporting creation or strengthening of a judicial academy in each state to facilitate such training and
- vii) Creation of the post of Court Managers in every judicial district to assist the judiciary in their administrative functions.
- viii) Maintenance of heritage court buildings

With a view to enhancing the efficiency of court management, and resultant improvement in case disposal, Rs.300 crore had been earmarked for employment of professionally qualified Court Managers to assist judges. The Court Managers, with MBA degrees, would act like a support system to the judges to perform their administrative duties, thereby enabling the judges to devote more time to their judicial functions. The post of a Court Manager was to be created in each judicial district to assist the Principal District and Session judges.

The broad duties and specific responsibilities of the Court Managers were prescribed as follows:

1.5.1 Policies and Standards

- (1) Based on applicable directives of superior courts, establish the performance standards applicable to the court (including on timeliness, efficiency; quality of

court performance; infrastructure; and human resources; access to justice; as well as for systems for court management and case management).

(2) Carry out an evaluation of the compliance of the court with such standards; identify deficiencies and deviations; identify steps required to achieve compliance; maintain such an evaluation on a current basis through annual updates.

1.5.2 Planning

(3) In consultation with the stakeholders of a court (including the Bar, ministerial staff, Executive Agencies supporting judicial functions such as prosecutors/police/process serving agencies and court users), prepare and update annually a 5-year court-wise Court Development Plan (CDP);

(4) Monitor the implementation of the CDP and report to superior authorities on progress Information and Statistics

(5) Ensure that statistics on all aspects of the functioning of the Court are compiled and reported accurately and promptly in accordance with systems established by the High Court;

(6) Ensure that reports on statistics are duly completed and provided as required;

1.5.3 Court Management

(7) Ensure that the processes and procedures of the court (including for filing, scheduling, conduct of adjudication, access to information and documents and grievance redressal) are fully compliant with the policies and standards established by the High Court for court management and that they safeguard quality, ensure efficiency and timeliness, and minimize costs to litigants and to the State; and enhance access to justice. (Note: standard systems for court management should be developed at the High Court level).

1.5.4 Case Management

(8) Ensure that case management systems are fully compliant with the policies and standards established by the High Court for case management and Page 12 of

13 that they address the legitimate needs of each individual litigant in terms of quality, efficiency and timeliness, costs to litigants and to the State (Note: standard systems for case management should be developed at the High Court level).

1.5.5 Responsiveness Management: Access to Justice; Legal Aid and User Friendliness

(9) Ensure that the court meets standards established by the High Court on access to justice, legal aid and user friendliness.

1.5.6 Quality Management

(10) Ensure that the court meets quality of adjudication standards established by the High Court.

1.5.7 Human Resource Management

(11) Ensure that Human Resource Management of ministerial staff in the court comply with the Human Resource Management standards established by the High Court.

1.5.8 Core Systems Management

(12) Ensure that the core systems of the court are established and function effectively (documentation management; utilities management; infrastructure and facilities management; financial systems management (audits, accounts, payments);

1.5.9 IT Systems Management

(13) Ensure that the IT systems of the court comply with standards established by the High Court and are fully functional.

(14) Feed the proposed National Arrears Grid to be set up to monitor the disposal of cases in all the courts, as and when it is set up.

Five years have passed from the day the Finance Commission embarked on the journey to translate the Indian Judiciary into an effective and efficient system. The study aims to assess the impact that court managers have been able to create

towards the achievement of the goals that they were set out to. It is also imperative to identify and share best practices that have emerged from such practices that the recruited Court Managers have been able to develop. Also, it is necessary to identify, document and share any benchmarks that the court managers have been able to establish in terms of effectuating the ultimate goal of increasing the efficiency of courts.

1.6 Possible Implications of the Study on Court Management Techniques

The study aims to document quantitatively the overall efficiency of court managers in the process of justice dispensation, accessibility and efficiency of the courts. This will enable policy makers and Hon'ble courts to understand the contribution made by the court managers more vividly and easily. This study aspires to:

1. To generate a Contribution Measurement Scale to measure how effectively the court managers have contributed towards the fulfillment of the functions and responsibilities delineated by the 13th Finance Commission.
2. To create relationships between various duties and responsibility so that, if possible, a cause and effect relationship can be examined.
3. To identify the gaps and weaknesses in the system of court management through court managers.
4. To identify any barriers that exists in the smooth functioning of the court managers, the reason thereof and the source.
5. To documents impact of court managers on justice dispensation, accessibility and efficiency of the courts
6. To propose a set of recommendations for the Government & High Courts as regards the needs for, value of and the potential thereof of court managers and court management.

Chapter 2
Literature Review

2. LITERATURE REVIEW

The issues of delays and pendency have been the bone of contention for the Indian Judiciary for a long time. Since the last 5 decades, the Judiciary, the Ministry of Justice, eminent thinkers and jurists have mooted several strategies to tackle the issues of delays and pendency in India. This chapter looks at the existing literature on justice dispensation, the judicial process, the court structure as well as the court management practices.

2.1 Literature on Justice Dispensation

2.1.1 Judicial Processes and Court Structure of Indian Courts

Judicial Process

Judicial process is basically the “whole complex phenomenon of court working”.

Access to Justice: “the term access to justice is variable according to the variation of the definition of justice, earlier access to justice meant merely the aggrieved individuals formal right to litigate or defend a claim but now it means an equal right of having recourse to an affordable, quick, satisfactory settlement of disputes from a credible forum.”²³ Today, access to justice can well be categorized between formal and informal modes. Formal mode will include ordinary adjudication of dispute on the basis of substantive and procedural laws. Informal access to justice on the other hand includes modes like ADR, lok adalats, nyaya panchayats etc which are not bound to follow code of civil procedure or code of criminal procedure and are only guided by principles of natural justice.

Judicial Process and delays

Indian justice delivery system is associated with excessive delay. The delay as discussed in the earlier chapter is attributed to multiple factors like lack of institutional facilities, reluctance to use modern technology and even the mindset of legal community.

Proper implementation of procedural laws: The legislature, in order to facilitate speedy disposal of cases has made necessary changes in the procedural laws. Some of the amendments have been listed below:

²³ P P Rao, “Access to justice and delay in disposal of cases”, Indian Bar Review, vol. 30, 2003, p.208.

- Amendment to section 309 CrPC to avoid unnecessary adjournments [S. 309(1) [inserted by Criminal Law (Amendment) Act, 2013] ‘In every inquiry or trial the proceedings shall be continued from day-to-day until all the witnesses in attendance have been examined, unless the Court finds the adjournment of the same beyond the following day to be necessary for reasons to be recorded;

Provided that when the inquiry or trial relates to an offence under section 376, section 376A, section 376B, section 376C or section 376D of the Indian Penal Code, the inquiry or trial shall, as far as possible be completed within a period of two months from the date of filing of the charge sheet.

- Rationalizing the list of compoundable offences under section 320 CrPC
- Chapter on plea bargaining inserted [chapter XXI A inserted by Criminal Law (Amendment) Act, 2005
- Insertion of Section 436A for release of under trial prisoners who have undergone half of the maximum imprisonment;
- Amendments to Sections 161(3), 164 and 275 of CrPC to allow use of audio/video technology in criminal cases.
- Amendments to the Civil procedure code to impose limit on the number of adjournments that may be granted to each party to three times and imposition of costs for adjournments; allowing service of summons using courier services or directly through the plaintiff; providing for dismissal of suit where summons are not served in consequence of plaintiffs’ failure to pay costs; limiting the time limit for filing of written statement by the defendant.

However, it has also been true that the legislative changes have not yielded the desired result due to lack of uniform application of these provisions at the subordinate court level. Criminal investigation and prosecution needs to be streamlined so that the judicial process is not abused.

Reforms in service of summons: Amendments have been made in CPC to streamline the process. Further measures like one-time collection of process fee, clubbing of process fee with the court fee, and the use of Information

Communication Technology (ICT) systems for service of process are being considered.

Adoption of case management systems: Case management includes management and scheduling of the time and events in a suit as it progresses through the justice delivery system. It helps the court to establish managerial control over the case by setting the time schedule for the predetermined events and by supervising the progress of the suit as per the time schedule.

Promoting use of ADR mechanisms: Promoting the use of ADR can help ease the burden of courts, reduce pendency and ensure speedy delivery of justice.

2.1.3 Efficiency of courts in India

“An effective judiciary is predictable, resolves cases in a reasonable time frame, and is accessible to the public.”²⁴“For decades the Indian legal system has been mired by backlog in its outstanding caseload, the result of overelaborate, unenforced procedures, automatic appeals, and systemic vacancies from the bench, and critically misaligned incentive structures, among other factors.”²⁵ The Law Commission’s Report on Strategic Plan for Implementation of ICT in Indian Judiciary points that that this has directly impeded judicial productivity leading to “disappointment and dissatisfaction among justice-seekers.”²⁶

The Supreme Court has no doubt taken steps to reduce judicial backlogs like promoting ADR, creation of system of Lok Adalats or People’s Court to promote the rapid conciliation and binding resolution of disputes, introducing e-courts or introducing the National Court Management System including appointment of professional court managers to oversee the administrative functions of the court.

²⁴ Maria Dakolias, “Court Performance Around the World: A Comparative Perspective”, Volume 2, Issue 1 Yale Human Rights and Development Journal, 2-18-2014 available at <http://digitalcommons.law.yale.edu/cgi/viewcontent.cgi?article=1009&context=yhrdlj>

²⁵ The Indian civil process begins with the filing of a complaint with the court. The court’s registrar, a body of civil servants, “is responsible for reviewing complaints for satisfaction of procedural requirements, manual classifications and tracking of the case, as well as for service and notice of the pleadings on the defendant. The defendant files a written statement and the registrar is responsible for scheduling the first appearances. A close assessment of these processes reveals several causal factors that exacerbate backlog and delay and which, unless addressed, will frustrate efforts to reduce procedural bottlenecks,” HIRAM CHODOSH, GLOBAL JUSTICE REFORM: A COMPARATIVE METHODOLOGY (2005) cited in Scott Shackelford, “In the Name of Efficiency”, Stanford University, From the Selected Works of Scott Shackelford, June 7, 2008.

²⁶ Law Commission of India, 77th Report, para 4.1.

Campaign for Judicial Accountability and Reforms has suggested reforms to improve the efficiency of Indian courts²⁷. Some of suggested measures include:

- Filing up of judicial vacancies.
- Appointment of ad-hoc judges to draw on a pool of available, competent judges, to tide over the judicial backlog
- Cutting down on the vacation time and to use the additional time to dispose off long pending cases.
- Mandatory video recording of proceedings of all courts to ensure that judicial time is not wasted.
- Administrative reforms such as appointment of court managers, pre-trial conferences, use of ICT for notices, etc., needs to be institutionalized.

“Time frames serve as performance benchmarks and provide guidance to Courts as well as other stakeholders on what constitutes the timely disposal of a case, and enable them to determine both whether an individual case is being processed in a timely manner; and whether a Court or system as a whole is providing timely justice.”²⁸ India, unlike countries like USA²⁹ does not have statutory time limits for the completion of the case. CPC or CrPC only lay down time frames for completing certain stages of the case.³⁰

Mandatory time frame was attempted by the apex court in certain cases³¹. However, the Supreme Court itself has toned down its rulings to hold that

²⁷ Press release from Campaign for Judicial Accountability and Reforms, 6th May, 2016, available at <http://www.im4change.org/latest-news-updates/cjar-has-suggested-steps-to-improve-efficiency-of-indian-courts-4679277.html>

²⁸ LAW COMMISSION OF INDIA Report No. 245, ARREAS AND BACKLOG : CREATING ADDITIONAL JUDICIAL (WO)MANPOWER July, 2014

²⁹ See US Speedy Trial Act 1974.

³⁰ Examples of instances where time frames are prescribed include Order VIII, Rule 1, Civil Procedure Code, which prescribes a maximum time limit of 90 days from service of summons for filing of written statements. Similarly, Section 167 of the CrPC provides that the chargesheet should be filed within 60 or 90 days (depending on the type of case) of arrest of the accused. Section 309 Cr.PC. provides a general guidance that hearings should be conducted as expeditiously as possible and once examination of witnesses has commenced, hearings should be conducted on a day to day basis. However, no time frames have been set for the overall conduct of the trial, except in cases covered under Sections 376 to 376D, which should, as far as possible, be completed within 2 month from the date of commencement of examination of witnesses.

³¹ Common Cause v. Union of India (1996) 4 SCC 33; Common Cause (II), (1996) 6 SCC 775; Raj Deo Sharma v. State of Bihar, (1998) 7 SCC 507; Raj Deo Sharma (II), (1999) 7 SCC 604.

mandatory time limits were not feasible.³² The use of timeframe guidelines, nonetheless has been accepted. Such guidelines have been prescribed by various Committees or Commissions and have generally been used to evaluate delays.³³

Parameters to assess the efficiency of Indian Courts:

- **Backlog creation rate:** As per the 245th Law Commission report of 2014, the courts in India showed a high backlog creation rate.
- **Judge – population ratio:** There are 18 judges per 10 lakh people (seven times worse than US) as compared to 50 judges recommended by the Law Commission in its 1987 report. According to the data put out by the Law Ministry in public domain, the judge to population ratio in India stands at 17.86 judges per 10 lakh people.
- **Case load:** On an average, 1,350 cases are pending with each judge, who clears 43 cases per month. In all states, there is a significant backlog of cases which requires a massive influx of judicial resources.
- **Case type:** Traffic/Police Challan cases constituted 38.7% of institutions and 37.4% of all pending cases in the last three years, before the Subordinate Judicial Services. Lack of separate network of Traffic/Police Challan Courts or alternate modes of payment of penalty has added to the pendency of cases.
- **Delegation of administrative functions:** Judicial institution in India has to perform both the judicial and the administrative function. In some of the developed economies, the administrative function is delegated to a separate body which is experienced enough to handle the huge traffic of cases and provide standardized administrative services to courts and tribunals. This also ensures that the judges are only concerned with the judicial function and not overburdened to oversee any administrative works. United Kingdom for example has delegated the task to HM Courts and Tribunals Service which is responsible for the

³² P. Ramchandra Rao V. State of Karnataka, (2002) 4 Scc 578.

³³ See, Law Commission of India, 14th Report: Reform of Judicial Administration, Vol. 1, P. 130 (1958); Law Commission of India, 77th Report on Delay and Arrears in Trial Courts (1979); Law Commission of India, 79th Report on Delay and Arrears in High Courts and Other Appellate Courts 9-10 (1979); Law Commission of India, 230th Report on Reforms in Judiciary Some Suggestions 1.61 (2009); Ministry of Law, Government of India, Committee on Reforms of The Criminal Justice System (Malimath Committee P. 164 ,13.3 (2003).

administration of criminal, civil and family courts and tribunals in England and Wales. It is an executive body sponsored by the Ministry of Justice. It administers the work of magistrates' courts and the County Court, Family Court, Crown Court, and Royal Courts of Justice to create a more effective, less costly and more responsive justice system for the public.³⁴ Countries like Canada [Court Administrative Service has been established under the Courts Administration Service Act, 2003 to provide administrative services to the Federal Court of Appeal, the Federal Court, the Court Martial Appeal Court and the Tax Court of Canada], Australia [Court Services Victoria Act, 2014 has established Court Services Victoria to support judicial independence in the administration of justice in Victoria and to provide the administrative services and facilities necessary for the Victorian courts and VCAT to operate independently of the direction of the executive branch of government] and USA [Administrative Office Act, 1939 established the Administrative Office of the United States Courts (AO) as the administrative agency of the US federal court system. To act as the central support entity for the federal judicial branch and to provide wide range of administrative, legal, financial, management, program, and information technology services to the federal courts] has similar systems in place.

India, has not adopted a similar system and therefore there is no standardization of administrative services. The Judges themselves are responsible for their courts. As it is the judges are overburdened with the huge inflow of cases, adding the administrative function affects the overall efficiency of the court. India, therefore should seriously consider establishing a separate body for the administrative function of courts and tribunals in line with the developed economies.

³⁴ for more information, visit, <https://www.gov.uk/government/organisations/hm-courts-and-tribunals-service/about>,

2.2 Literature on Court Management

2.2.1 Aspects of Court Management

The institutional framework within which the Indian courts operate has historically neglected the concepts of management and sound administration.³⁵ It has been widely accepted across jurisdictions that the utilization of managerial skills in administering the courts can help reduce the pendency rates of both civil and criminal cases. Trained personnel, however have to work in tandem with the District Judges and Chief Judicial Magistrates to achieve the desired goal. With the gradual increase in literacy rate and economic wealth, filing of cases is bound to rise and more so at the lower level. Therefore, the lower courts and particularly the District court judges need to ensure professional management of their courts.

“Court management” is inclusive of entire set of actions that a court takes to monitor and control the progress of cases, from initiation of a case to trial. It is the tool to pursue the institutional mission of resolving disputes with due process and in due time.³⁶ There are various aspects of court management:

- Upgrading of court management system through ICT.
- Moving from manual to electronic data system
- Making the lower court judges take responsibility and lead the court in determining the administrative policies for effective working of the courts.
- Undertaking appropriate case management system to monitor caseloads and trends and to identify problems that cause delay in the trial.
- Prioritizing old cases to ensure that the cases pending for more than 2 years or 5 years are disposed first.
- Entrusting administrative functions of the court to professionals (court managers) under the guidance of the presiding judge.
- Inspecting the sub-ordinate courts
- Planning the budget

³⁵ “Effective District Administration and Court Management”, Hon’ble Mr. Justice P.Sathasivam, Judge, Supreme Court of India on 15.06.2013 at Tamil Nadu State Judicial Academy during the Special Training Programme for all District Judges and Chief Judicial Magistrates

³⁶ Id.

- Arranging meetings between Police and District Judge in order to synergize two bodies.

2.2.2 Techniques of Court Management

Adopting the techniques of court management can help speed up the justice delivery system.

Case management is an essential ingredient of court management. “By reducing the time required for resolving disputes, the appropriate use of case management may also help build public confidence in the effectiveness of the courts and the accountability of judges.”³⁷ Case management entails the following measures:

- Case screening is one of early stage intervention involving review of case details for management purposes. Aspects like status of service; case priority including public policy issues and impending death; alternative dispute resolution/diversion referral; jurisdiction etc. can be ascertained during the screening process. Further, technical defects like unsigned pleadings, illegible documents, incorrect filing or motion fees, improper parties, incorrect venue, or filings not within time frames can be clearly highlighted at the beginning itself.
- Case flow management involves continuous monitoring of case progress. Aspects like use of summary trials, use of alternative dispute resolution and so on can be resorted if cases are observed on a continuous basis. Unnecessary delay can be checked by the presiding judge by invoking relevant sections of civil or criminal procedure code. This will also prevent litigants seeking unnecessary adjournments. Similarly various stages of the case like summoning procedure, recording of evidence and so on can be monitored to reduce overall time.
- Use of ICT for case tracking, case management system, office automation and recording of statement of accused from prisons through video conferencing.

Court Infrastructure: The Judiciary has to be independent both in decision making and resources too. Lack of funds or the continuous dependence on the executive for fund allocation is a hindrance in judicial independence. The apex

³⁷ Id.

court in the case of *All India Judges Association v. Union of India*³⁸ has passed various directions, from time to time, to monitor development of infrastructure in Subordinate Judiciary. Although progress has been made, a lot more needs to be done for which greater allocation of funds from the State is required. Regular monitoring of the utilization of funds will also have to be done to prevent corruption.

The subject “Administration of Justice; constitution and organization of all Courts, except Supreme Court and High Courts” has been placed in Entry 11A in the Concurrent List of Schedule 7 of the Constitution of India. The Central Government has the duty to make sufficient and appropriate provisions in Budget, keeping in view the Central Laws so as to share the burden of States. With new laws being enforced, new avenues for litigation is created and therefore it is necessary to have a decent infrastructure for efficient record Management/proper management of case files including complete digitization of case records. Standard Plans for Court Buildings and Residential Quarters for Judicial Officers are necessary.

2.2.3 Stakeholders of Court Management

It is essential to identify the stakeholders of the court management system to fix responsibilities and assessing performance. Only then we will be able to measure the success of the system. The stakeholders of the judicial system are:

- The judges: Judge is the central person inside the court room and it is he who controls everything be it number of cases that he has to hear in a day; time to be granted to litigants to complete procedural formalities; grant of adjournments. Therefore, it is evident that a systematic management of time by the judge will have a huge impact on the performance of the court.
- The Lawyers and litigants: Availability of information with respect to the case is a crucial requirement for both lawyers and litigants. Prior information about service or any technical defect can reduce the time delay as they could be rectified at the appropriate time. Another aspect is regarding the availability of information. For example a lot of time is wasted in procuring certified copy of an

³⁸ Interlocutory Application No. 279 of 2010

order. Use of court management techniques to help speed up the process through use of computers, internet or even an Interactive Voice Response (IVR) mechanism can be very efficient ways to reduce time delays.

- Court staff and Registry: The administrative work of the court is generally dealt by the court staff. They are responsible for all the paperwork pertaining to the case, documentation and giving effect to miscellaneous orders passed by the Court. Well trained court staff can help in a huge way to reduce time delays. Procedural tasks can be delegated to the court staff. “Subordinate judicial officers can perform miscellaneous tasks, including identification of issues, attempting to limit disputes arising out of the pleadings and actively participating in alternative dispute resolution systems.”³⁹

2.2.4 Origins of professional court managers

The High Court is vested with administrative powers of superintendence over all the courts in the State. The appointment of officers and employees of the High Court are made by the Chief Justice of the High Court or the designated judge or the officer of the court and all the administrative expenses are recovered from the consolidated fund of the State. The Chief Justice or the designated judges or any constituted committee of the High Court exercise full administrative control of the High Court and the subordinate courts. The Indian Judiciary lately realized that it was in a management crisis and though the judges were experienced, they lacked the managerial skills to run the court and secure efficient justice delivery system. Efficient management, it was suggested will bring down the number of backlogs which had been seen as a challenge for many years. Till 2012, changes were being done with respect to amendments in the procedural laws, tribunalisation, lok adalats, ADRs, use of computers etc, which however did not bring the desired results.

The first advanced course on management, judicial planning and judicial administration made an attempt to diagnose administrative and management

³⁹ Justice Madan B. Lokur Judge, Delhi High Court “Case Management and Court Administration”, Justice Madan B. Lokur Judge, Delhi High Court, 29/05/2003, available at http://lawcommissionofindia.nic.in/adr_conf/Justice_Lokur.pdf.

deficiencies. The judicial administration and its performance assessment, indicating priorities, assets accountability and internal reforms were called in for deliberation and new methods of case management and case flow management were deliberated. The second advance course on management, judicial planning and judicial administration [Feb 2006] made specific references to case and court management and increasing efficiency by the use of information and communication technology. Some of measures with respect to court management suggested were:

- Streamlining the rules of procedure of High Court and the subordinate courts.
- Assured minimum annual financial allocation of funds by the State for financial autonomy and accountability.
- Uniform accounting methods with regular audits of courts.
- Uniform service conditions and pay structures of judicial officers and staff in all states.
- Use of scientific methods for record keeping with digitization of records.
- E-governance or use of computers for case management, case flow management, information of cases, tracking system etc.
- Judicial manpower planning to improve the judge to population ratio.
- Standardization of the infrastructure, size and design of courts and court rooms, rooms of judicial officers, office record rooms, staff room, library etc.
- Use of computers to reduce the time for providing certified copies.
- Training of judicial staff.

2.2.5 National Court Management system in India

Realizing the shortcomings of the present justice delivery system, to reduce the back log of cases and to further modernization of the judicial system, National Court Management System (NCMS) proposal was floated that aimed to enhance the quality, responsiveness and timeliness of Court. The National Court Management Systems (NCMS) in India was established in 2012 on the directions of the Hon'ble Chief Justice of India after consulting the Minister of Law and

Justice. NCMS is under overall control of Hon'ble the Chief Justice of India. NCMS included the six main elements⁴⁰:

- (1) To measure performance standards for Indian courts, addressing issues of quality, responsiveness and timeliness.
- (2) To monitor and enhance the performance parameters established in the NFCE on quality, responsiveness and timeliness would be established.
- (3) To enhance user friendliness of the Judicial System, via technology would be incorporated.
- (4) To provide a common national platform for recording and maintaining judicial statistics from across the country through a National System of Judicial Statistics (NSJS) would be appointed It would enhance transparency and accountability.
- (5) To provide a framework for systematic five year plans for the future development of the Indian judiciary through a Court Development Planning System.
- (6) To determine the standards on selection and training of judges of subordinate courts through a Human Resource Development strategy.

Main actions taken by NCMS

- Establishment of an Institutional Framework for Facilitating Judicial System Development
- Preparation of Base Line Reports
- Establishment of State Court Management Systems Committees
Preparation of Vision Statements on Strengthening Judicial Systems
- Mechanism for Monitoring Implementation on the Six Elements of NCMS
- Policy for Assessing Judge Strength of High Courts; Increase in High Court Judges' Strength
- Policy for Assessing Judges' Strength of Subordinate Courts; Increase in Judges' Strength of Subordinate Courts

⁴⁰ National Court Management System, Policy and Action Plan, Supreme Court of India, 27-09-2012, available at <http://www.sci.nic.in/ncmispap.pdf>

- Review of Law Commission of India Report on methodology for assessing judges' strength of subordinate courts
- Proposed National Model Court Management and Case Management Manual
- NCMS "Five Plus Zero" Initiative Six High Courts are already 5+0 free. The aim is to dispose of the cases before every court that are more than five year old in that court. Mission is to go step by step i.e. 5+0 4+0 3+0 2+0 1+0.
- Proposed National Arrears Elimination Mission A one-time initiative to eliminate backlog by appointing recently retired judges as ad hoc judges in district courts as well as high courts.
- Research Project on Causes and Remedies for Arrears Reduction

Court Management in India has been implemented through establishing e-court system and the appointment of professional court managers. Both missions are to be effectively executed by the stakeholders. The Judge, who is the leader of his court and responsible for the Judicial system, has to execute both missions in addition to his current court working. The statement of the mission speaks that, Judge is responsible for implementing the policy and action plan. The court managers who possess a Master degree in Business Administration are to assist with the court only for managing it as per the mission and plan. Therefore the role of Court manager is just like a catalyst. In a district place there is a Principle district judge, administrative judge and at Taluqa place there are principle judges for the administrative works. They also preside over their independent court. They are discharging their work to manage the court and their administrative work as per the circulars, Manuals provided by the superior courts. Both missions speaks that, the judge must do justice to all irrespective of status. He has to reduce backlog of cases. Without undue regard to the procedural technicalities, they have to administer the justice.

2.2.6 E-court System

The e-Courts project (e-Courts Integrated Mission Mode Project Phase-I), implemented in High Courts and district/subordinate Courts of the Country was

conceptualized on the basis of the “**National Policy and Action Plan for Implementation of information and communication technology (ICT) in the Indian Judiciary – 2005**” submitted by e-Committee (Supreme Court of India), with a vision to transform the Indian Judiciary by ICT enablement of Courts.⁴¹ The eCommittee was formed in 2004 to draw up an action plan for the ICT enablement of the Judiciary with the Patron in Chief-cum-Adhoc Chairman as the Chief Justice of India. The Government approved the computerization of 14,249 district & subordinate Courts under the project by March 2014 with a total budget of Rs. 935 crore.

The Phase-II of the Project was approved by e-Committee of Supreme Court of India in January 2014 for further enhancement of ICT enablement of Courts with broad objective of:

- Enhancement of computer infrastructure in courts as compared to Phase I
- Computerization of more than 8000 new courts, legal service authority offices and state judicial academies with strengthened hardware.
- Connect all the Courts in the country to the National Judicial Data Grid through WAN and additional redundant connectivity to enable integration with the proposed interoperable criminal justice system.
- Centralised filling centers and touch screen based kiosks be based at each Court complex.
- Create a robust Court management system through digitization, document management, Judicial knowledge management and learning management.
- Enhance ICT enablement through e-filing, e-Payment and use of mobile application.
- Strengthen the system of serving notices and summons
- Supply hardware to District Legal Service Authorities and Taluka Legal Service Committees

⁴¹ <http://ecourts.gov.in/>

- Develop of Central Filing Centres
- Computerize Court libraries
- Video-conferencing of all court rooms with prisons
- Facilitate court and case management through Management Information System (MIS)
- Scan and digitize of case records
- Court record room management automation
- Judicial Knowledge Management System

2.2.7 Case Management

Case management is managing the progress of cases throughout its life cycle. The two essential components of case-management system are the setting of a time table for pre-determined events and suspension of the progress of the law-suit through its time-table.⁴²

Computerization of the process for assigning cases to specialized Courts needs to be done. Procedures be so computerized that the moment a case crosses a particular stage, the website shows and computer sets the next stage. Use of video conferencing facilities to the extent possible is another aspect. Further, Judge-Case Ratio and Staff-Case Ratio needs to be worked out.

Procedural defect is one of the major reasons for delay. Most of the time of the judge is spent in matters not related to the substantive part of the case and finding out whether matters like whether (a) notices are served, (b) whether defects are cured, (c) whether affidavits, reply or rejoinder affidavits are filed, (d) whether notices in applications for bringing legal representatives or record are served, (e) whether parties have taken various steps necessary to be taken at various stages of the case. If this work can be done by another qualified officer or a court manager, a lot of time can be saved. Similarly, if a system can be devised where the cases

⁴² Ministry of Attorney General Ontario, Canada, 1993 as quoted in Lord Woolf's Interim Report, Chapter 5, Para 18. See Also, J. Wood, 'The Changing Face of the Case Management: The New South Wales Experience, Paper, Aug. 1994

can be categorized between simple, medium and complex along with the categorization of old and new cases, all the simple cases which requires lesser time and in the present system gets mixed with all other types of cases can be disposed off quickly. Similarly grouping of cases can be done through computers for which effective system of training advocates can be put in place.

There can be various forms of case management like limiting time of arguments, pre-filing of written statements which the courts can adopt to reduce overall time. Case management if backed by proper rules is an effective tool to dispose cases quickly.

Case management has been effectively used in some of the developed countries to reduce back log of cases. In US, as a response to the long demand for reforms of the civil litigation process, case management was introduced [sec. 479(c)(1)-(3) of the Civil Justice Reform Act, 1990 (28.U.S.SC)].⁴³

⁴³ See Manual for Litigation Management and Cost and Delay Reduction, Federal Judicial Centre, 1992, Washington DC

Chapter 3

Research Methods and Materials

3. RESEARCH METHODS AND MATERIALS

This chapter discusses the research design and methodology for the present study. The research design is a master plan of the research methods and procedures of a research study⁴⁴. It includes selecting research staff, research method, operationalizing constructs of the study, and devising an appropriate sampling strategy.

3.1 Selection of Staff

Details of the Research Team with roles and responsibilities of each of the member are as follows:

A) Principle Investigator

Prof. (Dr.) Faizan Mustafa – Vice Chancellor, NALSAR University of Law, Hyderabad

- Managing the resources of the project
- Planning and controlling the work of the project
- Communicating with individuals and groups about the project
- Principal investigator may delegate study-related tasks to appropriately qualified and trained study personnel

B) Co-Investigator

Dr. Pinaki Nandan Pattnaik – Head, Centre for Management Studies, NALSAR University of Law, Hyderabad

- Report project progress to the principle investigator as outlined in the terms of award of the project
- Ensure there is adequate training for all staff participating in the conduct of the study
- Coordinate between various High Courts and respective District Courts for appointment to conduct the study.
- Visit various High Courts and District Courts to conduct the surveys.

C) Associate Researcher

⁴⁴ Hair, J. F., Black, W. C., Babin, B. J., and Anderson, R. E. (2010). *Multivariate data analysis* (7th ed.). Englewood Cliffs: Prentice Hall

Dr. Satyendra C. Pandey – Assistant Professor of Management, NALSAR University of Law, Hyderabad

- Preparation of survey material and questionnaire to administered to court managers
- Conduct Interviews of Court Managers in various high courts and District Courts
- Assist Investigator and Co-Investigator in report preparation
- Assists Co-Investigator in collecting data from various High Courts and District Courts.

D) Data Analyst

Mr. Sudhanshu Kumar - Assistant Professor of Law, NALSAR University of Law, Hyderabad

- To analyse and prepare report on data collected from various courts.

E) Technical Assistant

Dr. Mahendra Kumar Shukla - Assistant Professor, NALSAR University of Law, Hyderabad

- Maintain an accurate record of project related expenses
- Maintains records of tasks assigned to each member of the team

3.2 Research Paradigms

Most of the philosophical debates among social science researchers start from the two fundamental sets of assumptions: the ontology and the epistemology⁴⁵. While ontology deals with the” philosophical assumptions about the nature of reality and existence”, epistemology is about assumptions regarding the “ways of enquiring into the nature of the world”⁴⁶.

The present research study adopts both positivist and interpretivist paradigm. Positivist paradigm is adopted because: 1) positivism provides the best way to investigate human and social behavior based on the objective view of the reality and 2) the study is hypothetico-deductive in nature.

⁴⁵ Bhattacharjee, A., 2012. Social science research: principles, methods, and practices.

⁴⁶ Easterby-Smith, M., Thorpe, R. and Jackson, P.R., 2015. Management and business research. Sage.

Similarly, interpretivist paradigm is adopted to study the complex contextual issue of court management technique, its implementation and the relationship between different stakeholders. The interpretive paradigm is focused on the creation of meaning within certain contexts and how those meanings and experiences are understood to constitute action⁴⁷. A summary of assumptions is given in table below:

Table 3.1

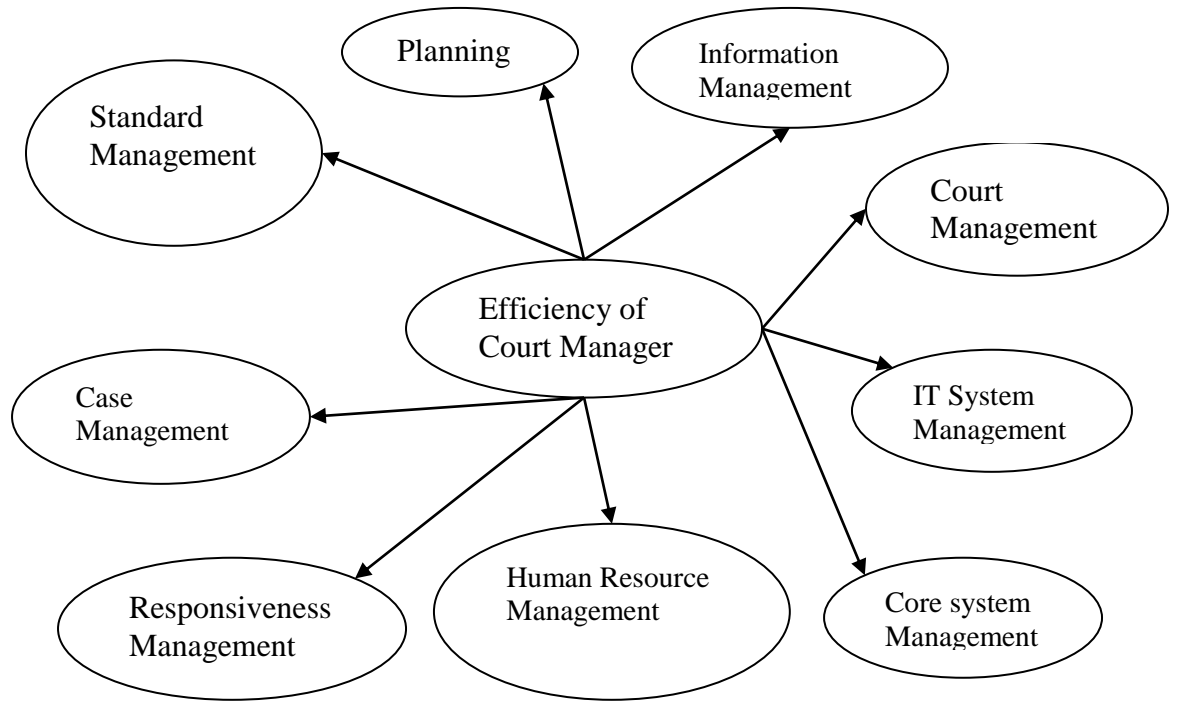
Summary of Interpretivist and Positivist Paradigm assumptions

Assumption	Question	Interpretivist	Positivist
Ontological assumption	What is the nature of reality?	Reality is subjective and multiple as seen by participants in a study	Reality is objective and singular, apart from the researcher
Epistemological assumption	What is the relation between the researcher and research?	Researcher interacts with what is being investigated. Researcher is and interactor	Researcher is independent of what is being investigated. No value judgment.
Methodological assumption	What is the process of research?	Inductive process Theory developing Context bound	Deductive process Theory testing Context free

3.3 Conceptualization of Efficiency of Court Managers

For the present study we define efficiency of court manager as ***“efficiently and effectively planning and managing Information, Human Resources, Core court systems (including documentation management; utilities management; infrastructure and facilities management; financial systems management), technology in order to create better case management and judicial responsiveness as per the standard set by superior Courts.”***

⁴⁷ Burrell, G. and Morgan, G., 1979. Social paradigms and organizational analysis: Elements of the sociology of corporate life.



3.4 Operationalization

Operationalization is the process of designing precise measures for abstract theoretical constructs. Operationalization starts with specifying an “operational definition” (or “conceptualization”) of the constructs of interest⁴⁸. Next, the researcher can search the literature to see if there are existing pre-validated measures matching their operational definition that can be used directly or modified to measure their constructs of interest. If such measures are not available or if existing measures are poor or reflect a different conceptualization than that intended by the researcher, new instruments may have to be designed for measuring those constructs. This means specifying exactly how exactly the desired construct will be measured (e.g., how many items, what items, and so forth). This can easily be a long and laborious process, with multiple rounds of pretests and modifications before the newly designed instrument can be accepted as “scientifically valid⁴⁹.”

⁴⁸ Bhattacharjee, A. (2012). *Social science research: principles, methods, and practices*.

⁴⁹ Hair Jr, J.F., Bush, R.P., and Ortinau, D.J. (2003). *Marketing research: within a changing information environment*. New York (NY): McGraw-Hill/Irwin.

Simultaneously with operationalization, the researcher must also decide what research method they wish to employ for collecting data to address their research questions of interest. Such methods may include quantitative methods such as experiments or survey research or qualitative methods such as case research or action research, or possibly a combination of both⁵⁰. If an experiment is desired, then what is the experimental design? If survey, do you plan a mail survey, telephone survey, web survey, or a combination? For complex, uncertain, and multifaceted social phenomena, multi-method approaches may be more suitable, which may help leverage the unique strengths of each research method and generate insights that may not be obtained using a single method.

Researchers must also carefully choose the target population from which they wish to collect data, and a sampling strategy to select a sample from that population. For instance, should they survey individuals or firms or workgroups within firms? What types of individuals or firms they wish to target? Sampling strategy is closely related to the unit of analysis in a research problem⁵¹. While selecting a sample, reasonable care should be taken to avoid a biased sample (e.g., sample based on convenience) that may generate biased observations.

The conceptualization and operationalization of the construct court manager's efficiency is not well developed with empirical support in literature. The conceptualization of court manager's efficiency is still undergoing review, and its operationalization remains at the exploratory stage without coherent definition across studies. Therefore, there is a need to develop a measurement scale for it.

The scale development procedure belonged to the first phase of this study-exploratory research. This type of research is generally used to collect secondary or primary data by means of unstructured format, or informal procedures for interpretation. Focus group discussion and pilot study were employed at this stage for the purpose of identifying and developing a measurement scale for court manager's efficiency and uncovering any administration problems of all the construct items.

⁵⁰ Hair, J. F., Bush, R. P., & Ortinau, D. J. (2006). *Marketing research*. McGraw-Hill/Irwin.

⁵¹ Bhattacharjee, A. (2012). *Social science research: principles, methods, and practices*.

The second phase of the study is the descriptive research. Descriptive research is directed at making careful observations and detailed documentation of a phenomenon of interest⁵². A cross sectional survey research will be conducted in the form of a self-reported and self-administered questionnaire, which contained items pertaining to the finalized court manager's efficiency scale as well as the scales of other involved constructs. The purpose is to generate adequate data set to draw inferences for the research issues being concerned in the present study. The two research designs are therefore involved: exploratory and descriptive research.

3.5 Scale Development Process for Efficiency of Court Managers

Devellis⁵³ and Hinkin et al⁵⁴ suggests the following stages in the scale development process: (1) Item generation, (2) Content adequacy assessment, (3) Scale administration, (4) Exploratory and Confirmatory Factor Analysis, (5) Internal Consistency Assessment, and (6) Construct validity.

3.5.1 Item Generation

The first stage of scale development procedure begins with the creation of items for a construct⁵⁵. The deductive approach was employed in this study. Items were derived based on the theoretical definition of efficiency of court managers through extensive literature review, and further identified for measurement through qualitative focus-group discussions.

3.5.1.1 Focus Group discussion (FGD)

Focus groups are defined as interactive discussion groups, which assist in generating and developing scale items⁵⁶. FGD is a highly efficient qualitative data collection technique providing speedy results. It is a socially oriented research procedure that people are placed in natural and real-life situation to discuss, react

⁵² Hair, J. F., Black, W. C., Babin, B. J., and Anderson, R. E. (2010). *Multivariate data analysis* (7th ed.). Englewood Cliffs: Prentice Hall

⁵³ Devellis, R.F. (1991). *Scale Development: Theory and Applications*. Newbury Park: Sage Publication.

⁵⁴ Hinkin, T.R., Tracey, J.B., and Enz, C.A. (1997). Scale Construction: developing reliable and valid measurement instruments. *Journal of Hospitality and Tourism research*. 21(1), 100-120.

⁵⁵ Ibid

⁵⁶ Morgan, D.L. (1997). *Focus Groups As Qualitative Research*. 2nd ed., Thousand Oaks, Cali. : Sage Publications.

to and build upon the responses of other group members⁵⁷. It is useful starting point for design of a survey questionnaire, as they provide means for exploring the ways potential respondents feel about objects⁵⁸. Besides it helps determine the dimensions that make up each of the domains, and provide item wordings that effectively convey researchers' intent to survey respondent.

At this scale development stage, two focus group discussions were conducted. The main purpose was to identify the attributes of court managers' efficiency.

3.5.1.2 Content adequacy assessment

The assessment of content adequacy is an essential stage in scale development as it provides insights for final questionnaire and support for construct validity. Items generated from focus group discussion are unstructured and should be constructed for mass data collection. According to the rules suggested by Devellis⁵⁹ and Hinkin et al⁶⁰, a scale with three to six items is sufficient for obtaining internal consistency reliability and avoiding identification problem, but it is recommended to have twice of the items in initial item generation stage. Churchill⁶¹ recommends Cronbach's alpha, or sometimes called coefficient alpha, as the assessment tool for content adequacy. This is a measure of internal consistency of a set of items, and it is the first measure to assess the quality and reliability of instrument⁶². A scale with Cronbach's alpha is deemed acceptable⁶³, whereas a low Cronbach's alpha value indicates that the sampled items perform poorly in capturing the construct. Items possess near-zero correlations and those

⁵⁷ Krueger, R.A. (1994). *Focus Groups: A Practical Guide for Applied research*. 2nd ed., Thousand Oaks, Cali. : Sage Publications.

⁵⁸ Stewart, D.W., and Shamdasani, P.N. (1990). *Focus Groups: theory and practice*. Applied Social Research Methods Series Volume 20. Newbury Park: Sage Publication.

⁵⁹ Devellis, R.F. (1991). *Scale Development: Theory and Applications*. Newbury Park: Sage Publication.

⁶⁰ Hinkin, T.R., Tracey, J.B., and Enz, C.A. (1997). Scale Construction: developing reliable and valid measurement instruments. *Journal of Hospitality and Tourism research*. 21(1), 100-120.

⁶¹ Churchill Jr, G. A. (1979). A paradigm for developing better measures of marketing constructs. *Journal of marketing research*, 64-73.

⁶² Ibid

⁶³ Nunnally, J. C. (1978). *Psychometric theory* (2nd ed.). New York: McGraw-Hill.

produce a substantial drop in item-to-total correlations are recommended for removal⁶⁴.

3.5.1.3 Scale administration

After checking content adequacy, it becomes the turn of scale measurement⁶⁵. The first issue is the type of data. In case of the present study where court manager's efficiency is being measured, it is advisable to assess it from the perspective of court managers as well as from their supervisors i.e. from the district judges. So, dual perspective or dyadic nature of research is required in an ideal case. However, due to unavailability of data from the supervisors (because of confidentiality clause of the judicial system), the study only incorporates only the response of the court managers. To increase the reliability of the responses, responses are qualitatively cross checked with the district judges.

The second issue is to assign appropriate scale format for measuring data. The scale formats can be nominal, ordinal, interval, and ratio levels⁶⁶. According to general practice in research efficiency is measured at ordinal level. Therefore the Likert scale which is usually used to measure the performance and efficiency constructs across the streams of research has been used in this study. Likert scale consists of scale descriptors addressing the issue of agreement and disagreement towards the mental belief or behavioral belief statements.

The third issue in scale measurement is the number of scale points for making up the relative magnitudes of a desired response scale. Many researchers acknowledge that most scales should be between three to seven points. A scale with more than seven points can create difficulties to respondents to make choices. The number of scale points also drives the responses to positive or negative magnitude on a continuum range. When the scale is in even number, it is the forced choice scale measurement without neutral descriptor. When the scale is

⁶⁴ Churchill Jr, G. A. (1979). A paradigm for developing better measures of marketing constructs. *Journal of marketing research*, 64-73.

⁶⁵ Hair, J. F., Black, W. C., Babin, B. J., and Anderson, R. E. (2010). *Multivariate data analysis* (7th ed.). Englewood Cliffs: Prentice Hall

⁶⁶ Ibid

in odd point format⁶⁷, it is the free choice scale measurement. Some researchers suggested that “odd-point, free choice” scale measurement should be assigned to collect the efficiency data⁶⁸. In accordance of the literature on efficiency, the present study uses Likert scale with five scale points.

3.5.1.4 Exploratory and Confirmatory Factor Analysis

Two factor analyses were used for assessing the dimensionality of items for the construct and the entire conceptual model: exploratory and confirmatory factor analyses. Exploratory factor analysis (EFA) was used for the data collected from pilot study. It helps determine which items should be retained in scale⁶⁹, and which factors most likely embody the content domain of the construct⁷⁰. Confirmatory factor analysis (CFA) was reserved for the data obtained from mass data collection where the items retained in the exploratory analysis were then a priori specified to load on a particular factor with goodness-of-fit assessed. EFA was used for scale development, whereas CFA was used for assessing construct reliability and validity. The same set of data samples was not used for both analyses in order to avoid the potential difficulties caused by common method variance⁷¹, and the inclination towards higher reliability⁷². By using another sample, construct validity could be increased⁷³.

EFA with principal components and varimax rotation was conducted to uncover the underlying construct pattern of court managers’ efficiency in the pilot study. First, the principal components model is appropriate when the researchers incline

⁶⁷ Scheider, K.C. (1985). Uniformed Response Rate in Survey Research. *Journal of Business Research*. April, 153-162.

⁶⁸ Hawkins, D.I., and Coney, K.A. Uniformed Response Error in Survey Research. *Journal of Marketing Research*. 18, 370-374.

⁶⁹ Devellis, R.F. (1991). *Scale Development: Theory and Applications*. Newbury Park: Sage Publication.

⁷⁰ Scheider, K.C. (1985). Uniformed Response Rate in Survey Research. *Journal of Business Research*. April, 153-162.

⁷¹ Hinkin, T.R., Tracey, J.B., and Enz, C.A. (1997). Scale Construction: developing reliable and valid measurement instruments. *Journal of Hospitality and Tourism research*. 21(1), 100-120.

⁷² Kryzstofiak, F., Cardy, R., and Newman, J. (1988). Implicit personality and performance appraisal: the influence of trait inferences on evaluations of behavior. *Journal of Applied Psychology*. 73(3), 515-521.

⁷³ Hinkin, T.R., Tracey, J.B., and Enz, C.A. (1997). Scale Construction: developing reliable and valid measurement instruments. *Journal of Hospitality and Tourism research*. 21(1), 100-120.

to maximize the variances explained in the observed variables⁷⁴, or to include minimum number of items for maximum variance explained⁷⁵. Second, varimax rotation was applied. The factors with eigen values greater than one and the findings from scree plot were used to identify and retain factors in scale. For item retention, the most commonly employed criterion level in judging meaningful factor loadings is 0.40.^{(76) (77)}

CFA was conducted by AMOS 16.0 to confirm the identified pattern in exploratory factor analysis. It is used to assess the quality of factor structure by statistically testing the significance of the overall model and the item loadings on factor⁷⁸. It helps verify the underlying pattern and the dimensionality of construct, particularly the unidimensionality issue⁷⁹.

3.5.1.5 Internal Consistency Assessment

Internal consistency is the degree to which the variables of a construct correlate with the scale. Assessment of internal consistency for a set of items relies on the examination of unidimensionality and reliability. Unidimensionality refers to the existence of one latent construct underlying the data. This issue is extremely important in scale development⁸⁰. Besides, establishing unidimensionality is critical for the assessment of internal consistency assessment⁸¹. Gerbing and Anderson⁸² have inferred that importance is owing to the computation of coefficient alpha which has two critical assumptions: (1) the items are already in a

⁷⁴ Ford, J.K., Maccallum, R.C., and Tait, M. (1986). The application of exploratory factor analysis in applied psychology: A critical review and analysis. *Personal Psychology*. 39, 291-314.

⁷⁵ Hair, J. F., Black, W. C., Babin, B. J., and Anderson, R. E. (2010). *Multivariate data analysis* (7th ed.). Englewood Cliffs: Prentice Hall

⁷⁶ Ford, J.K., Maccallum, R.C., and Tait, M. (1986). The application of exploratory factor analysis in applied psychology: A critical review and analysis. *Personal Psychology*. 39, 291-314.

⁷⁷ Velicer, W.F., Peacock, A.C., and Jackson, D.N. (1982). A comparison of component and factor patterns: a Monte Carlo approach. *Multivariate Behavioral Research*. 17, 371-388.

⁷⁸ Hair, J. F., Black, W. C., Babin, B. J., and Anderson, R. E. (2010). *Multivariate data analysis* (7th ed.). Englewood Cliffs: Prentice Hall

⁷⁹ Gerbing, D.W., and Anderson, J.C. (1988). An updated paradigm for scale development incorporating unidimensionality and its assessment. *Journal of Marketing Research*. 25, 186-192.

⁸⁰ Hattie, J. (1985). Methodology review: assessing unidimensionality of tests and items. *Applied Psychological Measurement*. 18, 139-164.

⁸¹ Hinkin, T.R., Tracey, J.B., and Enz, C.A. (1997). Scale Construction: developing reliable and valid measurement instruments. *Journal of Hospitality and Tourism research*. 21(1), 100-120.

⁸² Gerbing, D.W., and Anderson, J.C. (1988). An updated paradigm for scale development incorporating unidimensionality and its assessment. *Journal of Marketing Research*. 25, 186-192.

unidimensionality set, and (2) the items have equal reliabilities. Goodness-of-fit indices obtained in CFA are effective indicators of unidimensionality.

Reliability, another critical issue to internal consistency, refers to the degree to which measures are free from error and yield consistent results⁸³. Reliability can be computed in various ways. The most commonly adopted measure is Cronbach's alpha, which shows how well the items measure the same construct. The second issue is the examination of composite reliability. The recommended threshold is over 0.60⁸⁴. The third one is the measure of variance extracted. It reflects the overall amount of variance in the indicators accounted for by the latent construct⁸⁵. The recommended threshold is over 0.50⁸⁶.

3.5.1.6 Construct Validity

Construct validity implies the extent to which the variables under investigation are completely and accurately identified prior to any hypotheses testing⁸⁷. In addition to the assessment of content validity and internal consistency reliability for the new scale, the convergent and discriminant validity of the scale should be examined.

Convergent validity was evaluated for the measurement model by determining the significance of the items' estimated coefficients to their posited underlying construct factor, whereas each coefficient was two times greater than the respective standard error⁸⁸. It focuses on how well the manifest variables positively correlate with other variables of the same construct⁸⁹.

Discriminant validity implies the being investigated does not significantly correlate or possesses very low correlation with other constructs that are

⁸³ Peter, J.P. (1979). Reliability: A review of psychometric basis and recent marketing practices. *Journal of Marketing Research*. 16, 6-17.

⁸⁴ Bagozzi, R.P., and Yi, Y. (1988). On the evaluation of structural equation models. *Journal of Academy of Marketing Science*. 16(1), 74-94.

⁸⁵ Hair, J. F., Black, W. C., Babin, B. J., and Anderson, R. E. (2010). *Multivariate data analysis* (7th ed.). Englewood Cliffs: Prentice Hall.

⁸⁶ Bagozzi, R.P., and Yi, Y. (1988). On the evaluation of structural equation models. *Journal of Academy of Marketing Science*. 16(1), 74-94.

⁸⁷ Hair, J. F., Bush, R. P., & Ortinau, D. J. (2006). *Marketing research*. McGraw-Hill/Irwin.

⁸⁸ Anderson, J.C., and Gerbing, D.E. (1988). Structural equation modeling practice: A review and recommended two-step approach. *Psychological Bulletin*. 103(3), 411-423.

⁸⁹ Hair, J. F., Bush, R. P., & Ortinau, D. J. (2006). *Marketing research*. McGraw-Hill/Irwin.

conceptually different⁹⁰. It can be assessed for two constructs by constraining the estimated correlation between them as 1.0, and then conducting a chi-square difference test on the values obtained from the constrained and unconstrained models⁹¹. A significantly lower chi-square value for the model with unconstrained correlation to unity implied the traits are not perfectly correlated and therefore discriminant validity is achieved⁹². The average variance extracted value was also compared with squared correlations among paired constructs for determining the discriminant validity⁹³.

3.5.1.7 Pilot Testing of the Scale

Pilot study was small scale survey in this study. The main purpose was to explore the court managers' efficiency scale. Exploratory factor analysis with principal components and varimax rotation was performed to uncover the underlying construct pattern of efficiency, provide evidence for the items reliability, and reduce the need for subsequent scale modification⁹⁴. The final scale post pilot testing in the form of questionnaire is appended at the end of the report in Appendix 2.

3.6 Sampling Plan

Sample represents a small number of representative observations from a larger universe. The primary goal of a sample group is to enable the generalization of the findings from the sample group to the population from which they were selected. Clarity in sample plan essentially helps in avoiding systematic bias (which could distort the findings). Four steps are involved in the sample plan namely identifying the population of interest; obtaining a sampling frame from

⁹⁰ Fornell, C., and Larcker, D. F. (1981). Structural equation models with unobservable variables and measurement error: Algebra and statistics. *Journal of marketing research*, 382-388.

⁹¹ Anderson, J.C., and Gerbing, D.E. (1988). Structural equation modeling practice: A review and recommended two-step approach. *Psychological Bulletin*. 103(3), 411-423.

⁹² Bagozzi, R.P., and Phillips, L.W. (1997). Representing and testing organizational theories: a holistic construal. *Administrative science Quarterly*. 27, 74-94.

⁹³ Anderson, J.C., and Gerbing, D.E. (1988). Structural equation modeling practice: A review and recommended two-step approach. *Psychological Bulletin*. 103(3), 411-423.

⁹⁴ Hinkin, T.R., Tracey, J.B., and Enz, C.A. (1997). Scale Construction: developing reliable and valid measurement instruments. *Journal of Hospitality and Tourism research*. 21(1), 100-120.

which a sample of the population can be targeted; choice of sampling method i.e. probabilistic or non-probabilistic sampling and sample size determination⁹⁵.

3.6.1 Target population

The sampling process comprises of several stages. The first stage is defining the target population. A population can be defined as all people or items (unit of analysis) with the characteristics that one wishes to study. The unit of analysis may be a person, group organization, country, object, or any other entity that you wish to draw scientific inferences about⁹⁶. Sometimes the population is obvious. For the present study the target population is the court managers of the subordinate court under each High Courts of India.

3.6.2 Sampling Frame

The second step in the sampling process is to choose a sampling frame. This is an accessible section of the target population (usually a list with contact information) from where a sample can be drawn. Once the target population and the unit of analysis has been finalized, suitable sampling frame can be identified. The sample frame can be understood as a list of the population members where the sample is obtained⁹⁷. However, it is not necessary to list all members of a population and to specify the procedures by which each sampling unit can be located⁹⁸. But the criteria of sample selection should be clear so that sample remains the representative of the population. In an effort to increase response rates, surveys were addressed personally where the information was available.

3.6.3 Sampling Procedure

The last step in sampling is choosing a sample from the sampling frame using a well-defined sampling technique. Sampling techniques can be grouped into two broad categories: probability (random) sampling and non-probability sampling. Probability sampling is ideal if generalizability of results is important for the

⁹⁵ Hair, J. F., Black, W. C., Babin, B. J., and Anderson, R. E. (2010). *Multivariate data analysis* (7th ed.). Englewood Cliffs: Prentice Hall

⁹⁶ Bhattacharjee, A. (2012). Social science research: principles, methods, and practices.

⁹⁷ Zikmund, W. G. (2003). Sample designs and sampling procedures. *Business research methods*, 7, 368-400.

⁹⁸ Hair Jr, J.F., Bush, R.P., and Ortinau, D.J. (2003). *Marketing research: within a changing information environment*. New York (NY): McGraw-Hill/Irwin.

study, but there may be unique circumstances where non-probability sampling can also be justified.

3.6.4 Sample Size

The sample size has been calculated using Cochran⁹⁹'s formula which can be written as:

$$n_0 = \frac{t^2 * s^2}{d^2}$$

Where,

t = value for selected alpha level of .025 in each tail = 1.96 (the alpha level of .05 indicates the level of risk the researcher is willing to take that true margin of error may exceed the acceptable margin of error.)

s = estimate of standard deviation in the population = 0.833 (Estimate of variance deviation for 5 point scale calculated by using 5 [inclusive range of scale] divided by 6 [number of standard deviations that include almost all (approximately 98%) of the possible values in the range])

d = acceptable margin of error for mean being estimated = .15 (Number of points on primary scale * acceptable margin of error; points on primary scale = 5; acceptable margin of error = .03 [error researcher is willing to except]).

Sample size calculated using this formula for the present study will be 118. However, it is more than the 5% of the total population. Therefore Cochran's correction formula will be used which is as follows:

$$n_1 = \frac{n_0}{1 + \frac{n_0}{N}}$$

Where N is population size = 448

Where n_0 = required sample size according to Cochran's formula= 118.

Where n_1 = required corrected sample size because sample > 5% of population.

Therefore using correction formula required minimum sample size will be 93 and hence in the present study we set the sample size as 100. We have set the target of minimum four respondents from the subordinate courts of each High Court. However, as we are using descriptive statistics and partial least square based

⁹⁹ Cochran, W. G. (1977). *Sampling techniques* (3rd ed.). New York: John Wiley & Sons.

structural equation modeling sample size is not a problem. For the present study, the sample size is 60.

3.7 Data Collection Method

The present study uses survey research for the data collection. **Survey research** a research method involving the use of standardized questionnaires or interviews to collect data about people and their preferences, thoughts, and behaviors in a systematic manner¹⁰⁰. The survey method can be used for descriptive, exploratory, or explanatory research. This method is best suited for studies that have individual people as the unit of analysis. Although other units of analysis, such as groups, organizations or dyads (pairs of organizations, such as buyers and sellers), are also studied using surveys, such studies often use a specific person from each unit as a “key informant” or a “proxy” for that unit, and such surveys may be subject to respondent bias if the informant chosen does not have adequate knowledge or has a biased opinion about the phenomenon of interest¹⁰¹.

Survey research has several inherent strengths compared to other research methods. First, surveys are an excellent vehicle for measuring a wide variety of unobservable data, such as people’s preferences (e.g., political orientation), traits (e.g., self-esteem), attitudes (e.g., toward immigrants), beliefs (e.g., about a new law), behaviors (e.g., smoking or drinking behavior), or factual information (e.g., income)¹⁰². Second, survey research is also ideally suited for remotely collecting data about a population that is too large to observe directly. A large area, such as an entire country, can be covered using mail-in, electronic mail, or telephone surveys using meticulous sampling to ensure that the population is adequately represented in a small sample¹⁰³. Third, due to their unobtrusive nature and the ability to respond at one’s convenience, questionnaire surveys are preferred by some respondents¹⁰⁴. Fourth, interviews may be the only way of reaching certain

¹⁰⁰ Hair, J. F., Bush, R. P., & Ortinau, D. J. (2006). *Marketing research*. McGraw-Hill/Irwin.

¹⁰¹ Bhattacharjee, A. (2012). *Social science research: principles, methods, and practices*.

¹⁰² Hair Jr, J.F., Bush, R.P., and Ortinau, D.J. (2003). *Marketing research: within a changing information environment*. New York (NY): McGraw-Hill/Irwin.

¹⁰³ Hair, J. F., Black, W. C., Babin, B. J., and Anderson, R. E. (2010). *Multivariate data analysis* (7th ed.). Englewood Cliffs: Prentice Hall.

¹⁰⁴ Hair, J. F., Bush, R. P., & Ortinau, D. J. (2006). *Marketing research*. McGraw-Hill/Irwin.

population groups such as the homeless or illegal immigrants for which there is no sampling frame available¹⁰⁵. Fifth, large sample surveys may allow detection of small effects even while analyzing multiple variables, and depending on the survey design, may also allow comparative analysis of population subgroups (i.e., within-group and between-group analysis)¹⁰⁶. Sixth, survey research is economical in terms of researcher time, effort and cost than most other methods such as experimental research and case research¹⁰⁷. At the same time, survey research also has some unique disadvantages. It is subject to a large number of biases such as non-response bias, sampling bias, social desirability bias, and recall bias¹⁰⁸. The present study uses offline (face to face) survey method for the collection of data and also interviews of court managers (Appendix 1)

3.8 Case Study Research

Case study research is the most common qualitative method used in exploratory research. An often cited definition that covers the broad understanding of the case study method is given by Yin¹⁰⁹: A case study is an empirical inquiry that: investigates a contemporary phenomenon within its real-life context, especially when the boundaries between phenomena and context are not clearly evident. Yin continues defining the case study method, stating that the method is useful when there are more variables to be investigated than there are data points. Therefore, the study must rely both on multiple types of data sources and on the prior development of theoretical propositions guiding the data collection and analysis. The study of court management system and its efficiency presents an ideal situation for the application of case research before arriving at theoretical or empirical generalization.

¹⁰⁵ Kumar, N., Stern, L. W., and Anderson, J. C. (1993). Conducting inter-organizational research using key informants. *Academy of Management Journal*, 36,1633-1651.

¹⁰⁶ Hawkins, D.I., and Coney, K.A.(1997). Uniformed Response Error in Survey Research. *Journal of Marketing Research*. 18, 370-374.

¹⁰⁷ Hair, J. F., Black, W. C., Babin, B. J., and Anderson, R. E. (2010). *Multivariate data analysis* (7th ed.). Englewood Cliffs: Prentice Hall.

¹⁰⁸ Bhattacharjee, A. (2012). *Social science research: principles, methods, and practices*.

¹⁰⁹

3.8.1 Interpretive Case Studies

Interpretive case studies fall in a general sense within the description of case studies. However, there are many variations; for example, Cunningham points out nine different types of case studies. Yin's ideas lean towards the positivistic side. For the purpose of this project we have worked with a more interpretive approach to case studies. It is therefore important that the characteristics of interpretive case studies should be explicit as regards possibilities and limitations.

In this research setting, the interpretive case studies are used in a couple of ways. The study object of court management system is investigated firstly from a theoretical viewpoint. The case study contributes with empirical evidence of current and important practices and critical success factors. This is obtained from field interviews with the court managers, members of court registry and reporting officer (Registrar General and Principal District Judge). It must be noted that theoretical discussions form an important part of the case study approach, and that each theoretical development is supported by empirical evidence. The focus in the case studies has been to identify the key constructs in making court management system a success. Thus the research as a whole could be described as a series of interconnected case studies. The case studies both support the selection and the development of frameworks and concepts. A complementary purpose for development of cases is to provide examples of how to get a court management system working, making it more accessible and understandable in practice and possible for others to repeat the application.

3.9 Statistical Analysis

Various Univariate (Frequency, percentage, mean and standard deviation) and Multivariate (Correlation, Regression, Cluster, and Factor analysis) analysis tools have been used to analyze the data and make interpretations.

Chapter 4

Data Analysis and Results

4. DATA ANALYSIS AND RESULTS

In the previous chapter, research methodology used in this study had been discussed. The present chapter deals with data analysis part of the research. This chapter consists of three sections. The first section deals with quantitative analysis, second with qualitative analysis and case studies and third section with triangulation of data.

4.1 Quantitative Data Analysis

Under *section one*, first subsection deals with the validation of data collected through the questionnaire survey. The second subsection discusses about the key characteristics of the sample selected for the study. In the third subsection, evaluation of reliability and validity of measurement scales of constructs used in this study has been done. The fourth subsection judges the performance of court managers on individual items/variables which are the constituents of efficiency of court managers. The final subsection assesses the impact of training and joint goal setting on court manager's performance using partial least square based structural equation modeling technique (PLS-SEM).

4.1.1 Data Validation

As the data is empirically collected through the questionnaire survey, the validation of data is a must before proceeding for the analysis of data to ensure that both construct validity and internal validity are high and hence the conclusions or findings inferred from the research are robust. The following quality checks have been done to test the validity of the data collected from the respondents

- Analysis of missing values
- Analysis of suspicious response pattern
- Examination of distribution of data set
- Examination of non response bias
- Examination of common method bias

Analysis of Missing Values

The problem of missing values arises in research studies which obtain primary data through questionnaire survey. It is the result of failure of a respondent to complete the questionnaire. According to Hair et al. (2014), the situation of missing data or values occurs when a respondent “either purposely or inadvertently fails to answer one or more question(s)” (Hair et al. 2014, p. 51). Hair et al. (2010) suggest that an observation from the data set should be removed when: 1) the missing data on a questionnaire exceeds 15 percent or 2) a high proportion of responses are missing for a single construct (even with less than 15 percent missing values).

The responses of the present research study have been collected from the court managers of High Courts and their subordinate district courts across the states of India. Out of 100 respondents targeted, 72 responses were obtained. Observations of 10 court managers were dropped from the final data set due to the problem of missing values. The number of responses dropped due to the issue of more than fifteen percent missing value was 7. Three observations were deleted from the data set because of the high proportion of missing values for a single construct.

Analysis of suspicious response pattern

Examination of response pattern is also an important step before the data analysis. In the primary data collection through questionnaire survey, a problem of straight lining may arise. Straight lining is defined as the response pattern where a respondent gives the same response to a large percent of questions. In this research study, only two observations were having the problem of straight lining. One of the respondent has chosen only the middle response (all 3s in a 5-point Likert scale), while the other has marked the extreme most response (all 5s). The analysis of missing values and suspicious response pattern has been given in the Table 4.1.

Table 4.1

Missing values and spurious response pattern analysis

Particulars	n
Target Respondents	100
Responses collected	72
Responses dropped due to problem of missing values	
a) dropped due to missing values greater than 15%	7
b) dropped due to high percentage of missing values for a single construct	3
Responses dropped due to suspicious response pattern (problem of straight lining)	2
Final number of observations	60

Examination of Distribution of Data Set

Henseler et al. (2009) and Hair et al. (2014) insist to examine the normality of data distribution as extremely non-normal distribution of data set may decrease the significance of some variables. In a questionnaire survey data collection method, getting a perfect normally distributed data set is not possible; therefore the distribution of the data should be examined for the extreme non-normality. The normality of data distribution may be checked by using two measures: skewness and kurtosis (e.g. Hair et al., 2011; Kline, 2005). Skewness measures the degree of symmetry of a data distribution, whereas, kurtosis is a measure of the degree of peakedness of that distribution. A perfect normally distributed data set has both skewness and kurtosis statistics close to zero. As it is not possible for a primary data to be perfectly normal, Kline (1998) recommends that absolute values of skewness and kurtosis statistics should be less than or equal to 3 and 10 respectively for applying statistical techniques. The details of statistics of skewness and kurtosis have been provided in Table 4.2.

Table 4.2

Skewness and kurtosis statistics of items

Variab le	Skewness		Kurtosis		Variab le	Skewness		Kurtosis	
	Statisti c	Std. Erro r	Statisti c	Std. Erro r		Statist ic	Std. Erro r	Statist ic	Std. Erro r
SM1	-.947	.309	.327	.608	HRM1	-.145	.309	-.008	.608
SM2	-.518	.309	-.600	.608	HRM2	-.497	.309	-.747	.608

SM3	-.304	.309	-.977	.608	CSM1	-.358	.309	-.836	.608
SM4	-1.167	.309	1.804	.608	CSM2	-.878	.309	.484	.608
SM5	-.995	.309	.398	.608	CSM3	-.646	.309	.119	.608
SM6	-.391	.309	.002	.608	CSM4	-1.013	.309	1.129	.608
P1	-.447	.309	-.250	.608	CSM5	-.841	.309	.235	.608
P2	-.867	.309	1.420	.608	ITM1	-.739	.309	-.536	.608
P3	-1.329	.309	4.064	.608	ITM2	-.951	.309	.304	.608
P4	-.461	.309	.105	.608	ITM3	-1.097	.309	.656	.608
IM1	-.467	.309	-.629	.608	ITM4	-.382	.309	-.624	.608
IM2	-.057	.309	-.663	.608	ITM5	-.839	.309	.149	.608
IM3	-.597	.309	-.176	.608	TPR1	-.514	.309	.316	.608
IM4	-.837	.309	.712	.608	TPR2	-.454	.309	-.482	.608
COM1	-.708	.309	.214	.608	TPR3	-.529	.309	-.617	.608
COM2	-.774	.309	.391	.608	TPR4	-.286	.309	-.966	.608
COM3	-.774	.309	.391	.608	PER1	-.053	.309	-.641	.608
COM4	-.395	.309	.332	.608	PER2	-.206	.309	-1.085	.608
CAM1	-.540	.309	-.030	.608	PER3	-.605	.309	.134	.608
CAM2	-.409	.309	-.435	.608	PER4	-.480	.309	-.684	.608
CAM3	-.533	.309	-.116	.608	PER5	-1.086	.309	.744	.608
CAM4	-.589	.309	-.029	.608	PER6	-.430	.309	-.798	.608
RM1	-.745	.309	.262	.608	PER7	-.407	.309	-.628	.608
RM2	-.846	.309	.332	.608	PER8	-.687	.309	-.403	.608
RM3	-.406	.309	-.049	.608	PER9	-.719	.309	-.516	.608
RM4	-.891	.309	.978	.608					

As is seen in Table 4.2, skewness and kurtosis statistics of distribution of all the indicators used to measure the constructs used in the present research study are within the permissible limit. Therefore, there is no issue of extreme non normality of distribution of data collected in this study.

Examination of Non Response Bias

The significance of findings of a research study may be affected by the level of response rate (Baruch and Holtam, 2008). A high rate of non-response of a questionnaire survey increases the chances of statistical biases (Tomaskovic-Devey et al., 1994). Non-response bias may arise, when a great percentage of probable respondents are not available for response. There may be two reasons of non-response bias: 1) the non-participation (a proportion of target respondents that does not participate) and 2) the item non-response (Bhattacharjee, 2012). To

overcome the item non-response, the particular observations are dropped from the final sample. However, biases due to non-participation may be decreased only by increasing the response rate of the survey. Some of the response facilitation techniques which are recommended by the researchers and used in the present study to overcome this type of biases are: managing survey length, pre-notifying participants, establishing the relevance of the study, flexible scheduling, and reminder notes (Rogelberg and Stanton, 2007).

Babbie (1990) recommends response rates of 50%, 60%, and 75% to be treated as adequate, good, and very good respectively. In the present research study, out of 100 target respondents, 72 responses were collected. However, 12 responses have been dropped due to missing values and suspicious response pattern. Therefore, the response rate of this study is 60 percent which may be considered as good.

Examination of Common Method Bias

Common method bias is also called as common method variance (CMV). It is the degree of spurious covariance shared among indicators or items because of the common method used for the collection of data (Buckley et al. 1990). As common method biases are one of the main sources of both random and systematic measurement error, misleading results and findings may arrive in the presence of these biases (Podsakoff et al., 2003).

According to Malhotra et al. (2006), the two potential sources of common method bias in a survey research are: 1) self report, and 2) single respondent biases. In this research study, the data was collected only from the court managers of High Courts and their respective subordinate district courts (single respondent) about their performance and experience (self reported). Therefore, there could be an issue of common method variance or bias. Several preventive steps as recommended by the researchers had already been taken during the process of data collection to overcome this problem. First, court managers were taken into confidence about the anonymity and confidentiality of the research. Second, core performance and efficiency variables and their measurement indicators were not revealed to the court managers. However, it is always recommended to test the data for the potential common method variance or bias.

For the present research study, Harman’s single factor test is applied to examine the potential common method variance. This test is the most widely used technique for assessing the common method bias in a self reported and single method research design (Podsakoff and Organ, 1986). In this approach, first, exploratory factor analysis (EFA) is performed with all the indicators in the study taking together. Then, common method bias is considered to be present “if (1) a single factor emerges from un-rotated factor solutions, or (2) a first factor explains the majority of the variance in the variables” (Podsakoff and Organ, 1986, p. 536).

The exploratory factor analysis performed using principal component analysis (PCA) method on all indicators taken together, yielded eleven extracted factors explaining a cumulative 79.227 percent variance with Eigen value greater than 1. The first factor only explains 32.355 % variance, i.e. majority of variance (45.872%) is explained by the other ten factors cumulatively (see Table 4.3). Therefore, it can be stated that common method bias is not an issue for the present research study.

Table 4.3

Results of Herman’s single factor

Total Variance Explained						
Component	Initial Eigen values			Extraction Sums of Squared Loadings		
	Total	% of Variance	Cumulative %	Total	% of Variance	Cumulative %
1	16.501	32.355	32.355	16.501	32.355	32.355
2	4.609	9.038	41.393	4.609	9.038	41.393
3	4.247	8.328	49.720	4.247	8.328	49.720
4	2.868	5.623	55.343	2.868	5.623	55.343
5	2.483	4.870	60.213	2.483	4.870	60.213
6	2.121	4.158	64.371	2.121	4.158	64.371
7	1.980	3.883	68.254	1.980	3.883	68.254
8	1.753	3.438	71.692	1.753	3.438	71.692
9	1.652	3.239	74.931	1.652	3.239	74.931
10	1.185	2.324	77.255	1.185	2.324	77.255
11	1.031	2.022	79.277	1.031	2.022	79.277
12	.997	1.955	81.232			
13	.917	1.799	83.031			
14	.886	1.736	84.767			
15	.796	1.560	86.328			

16	.672	1.317	87.645			
17	.643	1.261	88.906			
18	.547	1.072	89.978			
19	.505	.991	90.969			
20	.454	.891	91.860			
21	.430	.842	92.702			
22	.396	.776	93.477			
23	.341	.668	94.145			
24	.334	.655	94.801			
25	.297	.582	95.383			
26	.280	.549	95.932			
27	.246	.482	96.414			
28	.221	.434	96.847			
29	.192	.377	97.224			
30	.160	.315	97.539			
31	.151	.296	97.835			
32	.127	.250	98.085			
33	.117	.230	98.315			
34	.117	.229	98.544			
35	.108	.212	98.756			
36	.095	.186	98.942			
37	.087	.170	99.112			
38	.075	.147	99.259			
39	.074	.145	99.404			
40	.063	.123	99.527			
41	.061	.120	99.647			
42	.042	.082	99.729			
43	.035	.069	99.798			
44	.030	.060	99.857			
45	.023	.045	99.902			
46	.015	.029	99.932			
47	.011	.022	99.954			
48	.009	.017	99.971			
49	.007	.014	99.985			
50	.006	.011	99.996			
51	.002	.004	100.000			

4.1.2 Sample Characteristics

The final number of observations considered for the data analysis (i.e. sample size) for the present research study is 60¹¹⁰. The sample characteristics have been presented in Table 4.4.

¹¹⁰ Explanation for sample size: (i) Out of the 20 High Courts where we proposed to conduct the study the High Courts at Delhi, Patna, Punjab & Haryana and Uttarakhand had no court managers hence the team did not make a visit to these High Courts; (ii) High Court of Madhya Pradesh did not accord permission for the conduct of the study; (iii) The number of court managers interviewed for the purpose of the study was

Table 4.4

Sample Characteristics

Sample characteristics	Particulars	n	%
Age of the court manager	26-30 Years	10	16.67
	31-35	30	50.00
	36-40	14	23.33
	41-45	6	10.00
	Total	60	100.00
Educational Qualification	MBA (Marketing)	4	6.67
	MBA (Finance)	6	10.00
	MBA (HR)	5	8.33
	MBA (Finance & Marketing)	5	8.33
	MBA (Others)	35	58.33
	Other than MBA	5	8.33
	Total	60	100.00
Prior Work Experience	Yes	59	98.33
	No	1	1.67
	Total	60	100.00
State	Andhra Pradesh	1	1.67
	Assam	7	11.67
	Chhattisgarh	3	5.00
	Gujarat	4	6.67
	Himachal Pradesh	4	6.67
	Jharkhand	3	5.00
	Karnataka	4	6.67
	Kerala	3	5.00
	Maharashtra	6	10.00
	Manipur	3	5.00
	Orissa	4	6.67
	Rajasthan	10	16.67
	Tamilnadu	5	8.33
	Telangana	2	3.33
	Uttar Pradesh	1	1.67
	Total	60	100.00

Out of 60 respondents, half of the respondents belong to the age group of 31-35 years, 23.33 percentages to 36-40 years age group, whereas 16.67 and 10 percentages of respondents were from the age groups of 26-30 and 41-45 years

subservient to the permission accorded by the respective high courts; (iv) Forced responses would have skewed the findings of the study.

respectively. No court manager in the sample chosen for the study was above 45 years. Majority of the court managers selected for the research study have MBA degrees with single or dual specialization, however, a small number (8.33%) of respondents have degrees (like PGDBM, Masters in Financial Management) as well. Almost all (59 out of 60) respondents have the prior work experiences. Responses were collected from the court managers of 15 courts (includes both the High Courts and their subordinate district courts). The responses are collected from the court managers of the following states: 1) Andhra Pradesh, 2) Assam, 3) Chhattisgarh, 4) Gujarat, 5) Himachal Pradesh, 6) Jharkhand, 7) Karnataka, 8) Kerala, 9) Maharashtra, 10) Manipur, 11) Orissa, 12) Rajasthan, 13) Tamilnadu, 14) Telangana, and 15) Uttar Pradesh.

4.1.3 Evaluation of reliability and validity of measurement scales

Before going for the descriptive analysis, hypothesis testing and interpreting the results of data analysis, it is essential to test the reliability and validity of the measurement scales used in the research study (as discussed in the previous chapter). In this section, various statistical scores have been calculated to establish the indicator reliability, construct reliability or internal consistency reliability, discriminant validity, and convergent validity of measurement scales.

Indicator Reliability

Indicator reliability is a degree of consistency of measurement of an individual item or indicator. It is supposed to be established if measuring items or indicators have proper outer loadings on their respective latent variables or constructs. An item with a loading of more than 0.70 is regarded as having high indicator reliability (Henseler et al., 2009). Hair et al. (2011) emphasize that indicators with outer loadings between 0.40 and 0.70 should be considered for removing from the measurement scale of a latent construct only when it leads to an increase in the composite reliability or the average variance extracted of that latent construct above the recommended value. Items or indicators with loadings below 0.40 must, however, definitely be dropped from the scale (Hair et al., 2011). The loadings of indicators on respective constructs have been given in Table 4.5.

Table 4.5

Outer Loadings of Constructs Used in the Study

	CAM	CO M	CSM	HR M	IM	ITM	P	RM	SM	TRP
CA	0.779									
M1	***									
CA	0.853									
M2	***									
CA	0.902									
M3	***									
CA	0.861									
M4	***									
CO		0.749								
M1		***								
CO		0.941								
M2		***								
CO		0.880								
M3		***								
CO		0.817								
M4		***								
CS			0.881							
M1			***							
CS			0.821							
M2			***							
CS			0.751							
M3			***							
CS			0.709							
M4			***							
CS			0.573							
M5			***							
HR				0.937						
M1				***						
HR				0.817						
M2				***						
IM1					0.765					

IM2					0.861					

IM3					0.670					

IM4					0.640					

ITM						0.826				
1						***				
ITM						0.808				
2						***				
ITM						0.898				
3						***				

ITM	0.870	
4	***	
ITM	0.828	
5	***	
P1	0.817	

P2	0.833	

P3	0.818	

P4	0.827	

RM1		0.872

RM2		0.781

RM3		0.833

RM4		0.821

SM1		0.897

SM2		0.838

SM3		0.831

SM4		0.734

SM5		0.759

SM6		0.799

TPR		0.474
1		***
TPR		0.789
2		***
TPR		0.884
3		***
TPR		0.828
4		***

*** Significant at $p < 0.001$

As is seen in Table 4.6, all the indicators are having the outer loadings greater than 0.600 except CSM5 and TPR1 which are still greater than 0.400. Therefore, all the indicators of constructs used in the present study have higher degree of indicator reliability.

Internal Consistency Reliability

Internal consistency reliability is a measure of consistency among different indicators or items of the construct (Mishra, 2015). It indicates the presence of similarity in the response pattern of a respondent across all the items measuring the same multiple-item latent construct. Cronbach's alpha is the traditional measure of internal consistency reliability. However, researchers (e.g., Hair et al., 2014; Henseler et al., 2009) suggest 'composite reliability' to be a better measure of internal consistency reliability.

The composite reliability (ρ_c) can be calculated using the following formula:

$$\rho_c = \frac{(\sum_i l_i)^2}{(\sum_i l_i)^2 + \sum_i \sigma^2(e_i)}$$

Where, l_i is the standardized item loading of the indicator of a construct, e_i is the symbol for the measurement error of item i , and $\sigma^2(e_i)$ symbolizes the variance of the measurement error. The composite reliability of a construct can vary between 0 and 1. Higher values of Cronbach's alpha and composite reliability (greater than 0.6) indicate the higher level of internal consistency reliability of the measurement scale.

The values of Cronbach's alpha and composite reliability of constructs have been provided in Table 4.6. As is seen in the table, the Cronbach's alpha values of the constructs are 0.872, 0.869, 0.820, 0.722, 0.735, 0.918, 0.843, 0.848, 0.895, and 0.753 for case management (CAM), court management (COM), core system management (CSM), human resource management (HRM), information management (IM), IT system management (ITM), planning (P), responsiveness management (RM), standard management (SM), and training and performance review (TPR) respectively. Similarly, values of composite reliability for the same constructs (in the same order) are 0.912, 0.912, 0.866, 0.871, 0.826, 0.927, 0.894, 0.896, 0.920, and 0.840 respectively. All the values are higher than 0.700, therefore, the items used in the study to measure constructs have high degree of internal consistency reliability.

Table 4.6

Internal consistency reliability of constructs used in the study

Construct	Cronbach's Alpha	Composite Reliability
CAM	0.872	0.912
COM	0.869	0.912
CSM	0.82	0.866
HRM	0.722	0.871
IM	0.735	0.826
ITM	0.918	0.927
P	0.843	0.894
RM	0.848	0.896
SM	0.895	0.920
TPR	0.753	0.840

Convergent Validity

Convergent validity is the measurement of the degree of closeness with which an item or indicator relates to the construct that it is supposed to measure (Malhotra and Dash, 2015). The average variance extracted (AVE) is a common statistic to establish the convergent validity on the construct level, whereas, indicator outer loading examines the convergent validity at item level (Hair et al., 2011). The recommended value of AVE of a construct to have convergent validity is 0.50 or above.

The analysis of the data shows that the average variances extracted of the constructs are 0.723, 0.723, 0.722, 0.569, 0.773, 0.546, 0.716, 0.678, 0.684, 0.658, and 0.579 for CAM, COM, CSM, HRM, IM, ITM, P, RM, SM, and TPR respectively (see Table 4.6). As, all the AVEs values are greater than the recommended threshold value of 0.5, measurement items of constructs have the convergent validity.

Table 4.7

AVE of Constructs Used in the Study

Construct	Average Variance Extracted
CAM	0.723
COM	0.722
CSM	0.569
HRM	0.773

IM	0.546
ITM	0.716
P	0.678
RM	0.684
SM	0.658
TPR	0.579

Discriminant Validity

Discriminant validity refers to the extent to which a construct is distinct from other constructs empirically. It is the degree to which an item “does not measure other constructs that it is not supposed to measure” (Bhattacharjee, 2012, p. 59). Fornell-Larcker criterion is the widely used test to evaluate discriminant validity of a measurement scale. According to this criterion, discriminant validity of a construct is established if square root of average variance extracted of a construct always remains greater than its correlation with any other construct (Fornell and Lackrer, 1981).

For Fornell-Larcker test, correlation matrix (see Table 4.8) is used. In the correlation matrix diagonal values (having a score of 1.00) are replaced by the square root of corresponding values of AVE and another matrix is formed (see Table 4.9) to test the Fornell-Larcker criterion. As is seen in Table 4.9, square root of average variance extracted of all the constructs exceeds their correlation with any other construct. For example, square root of AVE of COM (0.85) is greater than its correlation with CAM (0.709), CSM (0.484), HRM (0.392), IM (0.358), ITM (0.239), P (0.306), RM (0.246), SM (0.352), and TPR (0.452). Therefore, all the measures used in the present study have discriminant validity.

Table 4.8

Correlation matrix of constructs used in the study

	CAM	COM	CSM	HRM	IM	ITM	P	RM	SM	TPR
CAM	1.000									
COM	0.709	1.000								
CSM	0.717	0.484	1.000							
HRM	0.595	0.392	0.665	1.000						
IM	0.434	0.358	0.46	0.36	1.000					
ITM	0.424	0.239	0.58	0.44	0.393	1.000				

P	0.441	0.306	0.47	0.497	0.541	0.47	1.000			
RM	0.389	0.246	0.554	0.626	0.406	0.311	0.331	1.000		
SM	0.479	0.352	0.517	0.601	0.586	0.42	0.5	0.487	1.000	
TPR	0.592	0.452	0.452	0.442	0.623	0.203	0.533	0.393	0.447	1.000

Table 4.9

Fornell-Larcker Test of Discriminant Validity

	CAM	COM	CSM	HRM	IM	ITM	P	RM	SM	TPR
CAM	0.85									
COM	0.709	0.85								
CSM	0.717	0.484	0.754							
HRM	0.595	0.392	0.665	0.879						
IM	0.434	0.358	0.46	0.36	0.739					
ITM	0.424	0.239	0.58	0.44	0.393	0.846				
P	0.441	0.306	0.47	0.497	0.541	0.47	0.824			
RM	0.389	0.246	0.554	0.626	0.406	0.311	0.331	0.827		
SM	0.479	0.352	0.517	0.601	0.586	0.42	0.5	0.487	0.811	
TPR	0.592	0.452	0.452	0.442	0.623	0.203	0.533	0.393	0.447	0.761

4.1.4 Descriptive analysis of constituents of court managers' efficiency

After establishing the reliability and validity of the measurement scales used to measure the constructs of the study, next step is to analyze the descriptive statistics of the responses collected on each and every item from the court managers so that their performance can be measured. The present study measures the performance of the court managers on the following parameters:

1. Standard management (SM)
2. Planning (P)
3. Information management (IM)
4. Court management (COM)
5. Case management (CAM),
6. Responsiveness management (RM)
7. Human resource management (HRM)
8. Core system management (CSM)
9. IT system management (ITM)
10. Overall Performance (PER)

In the subsequent subsections attempts have been made to assess the court managers on above mentioned criteria. Not only does the present study analyze the overall performances but it also makes an attempt to capture data on item or indicator level.

Standard Management (SM)

The contributions of court managers in standard management (SM) are measured through following six items:

- **SM1:** I establish the performance standards applicable to the court efficiency.
- **SM2:** I establish the performance standards applicable to the court timeliness.
- **SM3:** I establish the performance standards applicable to the quality of court performance.
- **SM4:** I establish the performance standards applicable to the court infrastructure.
- **SM5:** I establish the performance standards applicable to the human resources of the court.
- **SM6:** I establish the performance standards applicable to access of justice.

As is seen in Table 4.10, SM3 has the lowest mean score of 3.18, whereas SM4 has the highest mean scores of 3.87. It means court managers are contributing least in establishing the performance standards applicable to the quality of court performance and highest in establishing the standards applicable to court infrastructure. Similarly, they are playing less important role in establishing the performance standard applicable to the court timeliness (second lowest mean score for SM2) when it is compared with establishing the standards applicable to the court efficiency, the human resource of the court, and access of justice. However, the mean score of all the items are between 3 and 4. Therefore, the efforts of court managers in the management of standards in the court are said to be slightly higher than the average (just above average).

Table 4.10

Descriptive Statistics of Standard Management

Item	N	Minimum	Maximum	Mean	Std. Deviation	CV
	Statistic	Statistic	Statistic	Statistic	Statistic	Statistic
SM1	60	1	5	3.5	1	28.57
SM2	60	1	5	3.25	1.114	34.28
SM3	60	1	5	3.18	1.172	36.86
SM4	60	1	5	3.87	0.982	25.37
SM5	60	1	5	3.52	1	28.41
SM6	60	1	5	3.38	1.059	31.33

Coefficient of variation (CV) expresses the relative dispersion or variation across two or more sets of data set. Higher value of CV signifies higher relative dispersion. From the Table 4.10, it can be understood that variation in the responses of court managers on SM4 is least, whereas, it is highest in case of SM3. It means performance of court managers in establishing the standard applicable to court infrastructure is more homogeneous across the courts as compared to the management of other standard. Likewise, efforts of court managers in establishing the standard applicable to the quality of court performance are less homogeneous across the courts as compared to the management of other standard.

When we analyze the frequency distribution of responses of court managers on item SM1 (see Table 4.11), it becomes clear that the majority of the court managers (65%) have high scores (score of 4 and 5). It suggests that there are only 35% of court managers which think that their efforts in establishing the performance standard as applicable to court efficiency are average or below average.

Table 4.11

Frequency distribution of responses on SM1

	Response	Frequency	Percent	Valid Percent	Cumulative Percent
Valid	1	3	5.0	5.0	5.0
	2	8	13.3	13.3	18.3
	3	10	16.7	16.7	35.0
	4	34	56.7	56.7	91.7

5	5	8.3	8.3	100.0
Total	60	100.0	100.0	

The Table 4.12 suggests that 48.3% of court managers perform average to below average (1-3) when it comes to establish standards applicable to the court timeliness. However, 52.7% of them argue that their performances are above average (4-5). Out of total 52.7% who have voted their performance on SM2 as above average, majority of the court managers (43.3% of overall) rate their performance just above the average.

Table 4.12

Frequency distribution of responses on SM2

	Response	Frequency	Percent	Valid Percent	Cumulative Percent
Valid	1	5	8.3	8.3	8.3
	2	11	18.3	18.3	26.7
	3	13	21.7	21.7	48.3
	4	26	43.3	43.3	91.7
	5	5	8.3	8.3	100.0
	Total	60	100.0	100.0	

As is seen in Table 4.13, 50% of the respondents rate their performance on SM3 (establishing standards applicable to the quality of court performance) as average to below average (between 1 and 3). Whereas as half of the respondents think their efforts as above average (40% have rated as 4 and 10% as 5).

Table 4.13

Frequency distribution of responses on SM3

	Response	Frequency	Percent	Valid Percent	Cumulative Percent
Valid	1	5	8.3	8.3	8.3
	2	15	25.0	25.0	33.3
	3	10	16.7	16.7	50.0
	4	24	40.0	40.0	90.0
	5	6	10.0	10.0	100.0
	Total	60	100.0	100.0	

From the Table 4.14, it can be stated that majority of the respondents (73.3%) rate their performance above average (48.3% rated as 4, while 25% as 5) in

establishing the standards applicable to the court infrastructure. Almost one fourth (26.7%) respondents have rated their effort on SM4 as average.

Table 4.14

Frequency distribution of responses on SM4

	Response	Frequency	Percent	Valid Percent	Cumulative Percent
Valid	1	3	5.0	5.0	5.0
	2	1	1.7	1.7	6.7
	3	12	20.0	20.0	26.7
	4	29	48.3	48.3	75.0
	5	15	25.0	25.0	100.0
	Total	60	100.0	100.0	

The Table 4.15 represents the distribution of responses on their efforts in establishing the performance standards applicable to the human resources of the court (SM5). One third (33.3%) of the court managers rate their performance on SM5 as average or below average (having 1 to 3 ratings on a scale of 5). 58.3% of the respondents think their efforts as above average in case of SM5.

Table 4.15

Frequency distribution of responses on SM5

	Response	Frequency	Percent	Valid Percent	Cumulative Percent
Valid	1	3	5.0	5.0	5.0
	2	8	13.3	13.3	18.3
	3	9	15.0	15.0	33.3
	4	35	58.3	58.3	91.7
	5	5	8.3	8.3	100.0
	Total	60	100.0	100.0	

As is seen in Table 4.16, more than half (55%) of the respondents rate their performances on establishing standards applicable to access of justice as average to below average. 30% of the court managers have given the rating of 4 (just above the average) to their contributions towards establishment of performance standards applicable to access of justice. A total of 45% of the respondents have rated their efforts on SM6 between 4 and 5.

Table 4.16

Frequency distribution of responses on SM6

	Response	Frequency	Percent	Valid Percent	Cumulative Percent
Valid	1	4	6.7	6.7	6.7
	2	5	8.3	8.3	15.0
	3	24	40.0	40.0	55.0
	4	18	30.0	30.0	85.0
	5	9	15.0	15.0	100.0
	Total	60	100.0	100.0	

Planning

The performance of court managers on planning are measured through following four items:

- P1: I carry out an evaluation of the compliance of the directives of the Court with respect to **Court standard.**
- P2: I carry out an evaluation of the compliance of the directives of the Court with respect to **identification of deficiencies and deviations.**
- P3: I carry out an evaluation of the compliance of the directives of the Court with respect to **identification of steps required to achieve compliance.**
- P4: I carry out an evaluation of the compliance of the directives of the Court with respect to **maintaining evaluation records for annual updates as desired.**

As seen in Table 4.17, mean of the responses of P1 is the lowest, whereas, P3 has the highest mean rating. It means respondents' contributes least in carrying out the evaluation of the compliance of the directives of the Court with respect to Court standard and highest in case of identification of steps required to achieve compliance. Court managers rate their efforts in carrying out an evaluation of the compliance of the directives of the Court with respect to maintaining evaluation records for annual updates as desired (P4) as the second lowest which is just above (3.65 as compared to 3.63). The performance of court managers on P3 (which is the highest rated) is more consistence (lowest COV value of 18.57) as compared to other evaluation criteria.

Table 4.17

Descriptive Statistics of Planning

	N	Minimum	Maximum	Mean	Std. Deviation	COV
	Statistic	Statistic	Statistic	Statistic	Statistic	Statistic
P1	60	1	5	3.63	0.974	26.83
P2	60	1	5	3.92	0.85	21.68
P3	60	1	5	4.07	0.756	18.57
P4	60	1	5	3.65	0.917	25.12

The Table 4.18 provides the frequency distribution of responses of court managers on P1. From the table, it can be concluded that 40% of the respondents think that their efforts in carrying out the evaluation of the compliance of the directives of the Court with respect to Court standard as average to below average (between 1 and 3). 41.7% of the court managers rate their performance on P1 as just above average.

Table 4.18

Frequency distribution of responses on P1

	Response	Frequency	Percent	Valid Percent	Cumulative Percent
Valid	1	1	1.7	1.7	1.7
	2	7	11.7	11.7	13.3
	3	16	26.7	26.7	40.0
	4	25	41.7	41.7	81.7
	5	11	18.3	18.3	100.0
	Total	60	100.0	100.0	

From the Table 4.19, it is clear that one fourth of the total respondents (25%) rate their performance on carrying out an evaluation of the compliance of the directives of the Court with respect to identification of deficiencies and deviations (P2) as average to below average (between 1 and 3 on a scale of 5). However, more than half of the total respondents (51.7%) term their performance as just above average (rating of 4) and 23.3% think to be well above average (rating of 5).

Table 4.19

Frequency distribution of responses on P2

	Response	Frequency	Percent	Valid Percent	Cumulative Percent
Valid	1	1	1.7	1.7	1.7
	2	2	3.3	3.3	5.0
	3	12	20.0	20.0	25.0
	4	31	51.7	51.7	76.7
	5	14	23.3	23.3	100.0
	Total	60	100.0	100.0	

As is seen in Table 4.20, majority of the respondents (75%) rate their performances on carrying out an evaluation of the compliance of the directives of the Court with respect to identification of steps required to achieve compliance (P3) as above average (between 4 and 5 in a scale of 5). More than 60% of the total respondents have given a rating of 4 to their efforts on P3, while 25% have rated as 5.

Table 4.20

Frequency distribution of responses on P3

	Response	Frequency	Percent	Valid Percent	Cumulative Percent
Valid	1	1	1.7	1.7	1.7
	2	1	1.7	1.7	3.3
	3	6	10.0	10.0	13.3
	4	37	61.7	61.7	75.0
	5	15	25.0	25.0	100.0
	Total	60	100.0	100.0	

Table 4.21 provides the response pattern of court managers on P4 (carrying out an evaluation of the compliance of the directives of the Court with respect to maintaining evaluation records for annual updates as desired). 40% of the total respondents rate their performance on P4 as average to below average (between 1 and 3 in a scale of 5). 43.3% of the respondents think their efforts as just above average (rating of 4).

Table 4.21

Frequency distribution of responses on P4

	Response	Frequency	Percent	Valid Percent	Cumulative Percent
Valid	1	1	1.7	1.7	1.7
	2	5	8.3	8.3	10.0
	3	18	30.0	30.0	40.0
	4	26	43.3	43.3	83.3
	5	10	16.7	16.7	100.0
	Total	60	100.0	100.0	

Information Management

The performances of court managers on information management are measured through following four items:

- IM1: I contribute to the Court Development Plan (CDP) by preparing a update in consultation with all the stakeholders of the Court including litigants, the Bar, ministerial staff, executive agencies supporting judicial functions such as prosecutors/police/ process service agencies.
- IM2: I contribute to the Court Development Plan (CDP) by monitoring the implementation of the approved CDP and report to the District Judge and the High Court with the progress.
- IM3: I ensure that statistics on all aspects of the functioning of the Court are compiled and reported accurately and promptly in accordance with systems established by the High Court.
- IM4: I ensure that reports on statistics are duly completed and provided as required.

As is seen in Table 4.22, the respondents have given the lowest mean rating to IM2 and the highest one to IM4. These ratings imply that the performance of court managers on monitoring the implementation of the approved CDP and reporting to the District Judge and the High Court with the progress is least as compared to other component of information management. Similarly, they perform higher as compare to other indicator of information management, while ensuring that reports on statistics are duly completed and provided as required. The performance of court managers is highly inconsistence while preparing a

update in consultation with all the stakeholders of the Court including litigants, the Bar, ministerial staff, executive agencies supporting judicial functions such as prosecutors/police/ process service agencies, as the COV of IM1 is the highest (30.79%) amongst all the indicators of information management. Likewise, their efforts are consistence across states on IM4 and IM3 having COVs of 16.23 and 17.98 respectively (see Table 4.22).

Table 4.22

Descriptive Statistics of Information Management

	N	Minimum	Maximum	Mean	Std. Deviation	COV
	Statistic	Statistic	Statistic	Statistic	Statistic	Statistic
IM1	60	1	5	3.67	1.13	30.79
IM2	60	1	5	3.47	1.016	29.28
IM3	60	2	5	4.2	0.755	17.98
IM4	60	2	5	4.32	0.701	16.23

From Table 4.23, it may be concluded that 41.7% of the total respondents rate their performance on IM1 as average to below average (rating between 1 and 3). 30% of the court managers have rated their efforts on IM1 as just above average, while 28.3% rated as well above average.

Table 4.23

Frequency distribution of responses on IM1

	Response	Frequency	Percent	Valid Percent	Cumulative Percent
Valid	1	2	3.3	3.3	3.3
	2	8	13.3	13.3	16.7
	3	15	25.0	25.0	41.7
	4	18	30.0	30.0	71.7
	5	17	28.3	28.3	100.0
Total		60	100.0	100.0	

As is seen in Table 4.24, more than half of the total respondents (53.3%) have indicated their performance on monitoring the implementation of the approved CDP and report to the District Judge and the High Court with the progress (IM2) as average to below average. 28.35 of the court managers have rated their efforts on IM2 as just above average while 18.3 % as well above average.

Table 4.24

Frequency distribution of responses on IM2

	Response	Frequency	Percent	Valid Percent	Cumulative Percent
Valid	1	1	1.7	1.7	1.7
	2	9	15.0	15.0	16.7
	3	22	36.7	36.7	53.3
	4	17	28.3	28.3	81.7
	5	11	18.3	18.3	100.0
	Total	60	100.0	100.0	

Likewise, majority of the respondents (83.3%) perform above average (having ratings between 4 and 5) while ensuring that statistics on all aspects of the functioning of the Court are compiled and reported accurately and promptly in accordance with systems established by the High Court (see Table 4.25). Only 16.7% of the court managers rate their efforts on IM3 as below average to average (ratings between 2 and 3).

Table 4.25

Frequency distribution of responses on IM3

	Response	Frequency	Percent	Valid Percent	Cumulative Percent
Valid	2	1	1.7	1.7	1.7
	3	9	15.0	15.0	16.7
	4	27	45.0	45.0	61.7
	5	23	38.3	38.3	100.0
	Total	60	100.0	100.0	

In Table 4.26, frequency distribution of responses on IM4 has been captured. From the table, it is clear that majority of the respondents (90%) rate their performance on ensuring that reports on statistics are duly completed and provided as required as above average. Only 10% of the court managers have rated their efforts on IM4 as below average to average (having ratings between 2 and 3).

Table 4.26

Frequency distribution of responses on IM4

	Response	Frequency	Percent	Valid Percent	Cumulative Percent
Valid	2	1	1.7	1.7	1.7
	3	5	8.3	8.3	10.0
	4	28	46.7	46.7	56.7
	5	26	43.3	43.3	100.0
	Total	60	100.0	100.0	

Court Management

The performances of court managers on court management are measured through following four items:

- COM1: I ensure that the processes, procedures, policies and standards established by the High Court for Court Management are complied with.
- COM2: I ensure that court management quality is maintained.
- COM3: I ensure that court efficiency is achieved.
- COM4: I ensure that costs to litigants and to the state are minimized.

As is seen in Table 4.27, mean rating of COM4 is the lowest, while COM1 is having the highest mean rating. It means court managers have the lowest performance while ensuring that costs to litigants and to the state are minimized. Similarly, their performances on ensuring that the processes, procedures, policies and standards established by the High Court for Court Management are complied with are the highest as compared to other indicators of court management. However, there is not much difference among the ratings of the four indicators, stating that their performances are almost same in case of managing the court. Analysis of COVs indicates that court managers’ performances vary most (inconsistent) in case of ensuring that costs to litigants and to the state are minimized (COM1).

Table 4.27

Descriptive Statistics of Court Management

	N	Minimum	Maximum	Mean	Std. Deviation	COV
	Statistic	Statistic	Statistic	Statistic	Statistic	Statistic
COM1	60	2	5	3.83	0.847	22.11
COM2	60	1	5	3.63	0.901	24.82
COM3	60	1	5	3.63	0.901	24.82
COM4	60	1	5	3.3	0.944	28.61

From the Table 4.28, it is clear that one fourth of the total respondents (25%) rate their performance on COM1 as below average to average (ratings between 2 and 3). Whereas, more than half of the court managers (56.7%) have given ratings of 4 (just above average) to their efforts in ensuring that the processes, procedures, policies and standards established by the High Court for Court Management are complied with.

Table 4.28

Frequency distribution of responses on COM1

Response	Frequency	Percent	Valid Percent	Cumulative Percent
Valid	2	6	10.0	10.0
	3	9	15.0	25.0
	4	34	56.7	81.7
	5	11	18.3	100.0
Total	60	100.0	100.0	

The Table 4.29 provides the frequency distribution of responses on ensuring the quality of court management (COM2). One third of the court managers rate their performance on COM2 as below average to average (ratings between 1 and 3 in a scale of 5). 55% of the total respondents have rated their efforts in ensuring the quality of court management as just above the average (ratings of 4 in a scale of 5). Statistics are same in case of the performance of court managers on indicator COM3 (see Table 4.30).

Table 4.29

Frequency distribution of responses on COM2

	Response	Frequency	Percent	Valid Percent	Cumulative Percent
Valid	1	1	1.7	1.7	1.7
	2	7	11.7	11.7	13.3
	3	12	20.0	20.0	33.3
	4	33	55.0	55.0	88.3
	5	7	11.7	11.7	100.0
	Total	60	100.0	100.0	

Table 4.30

Frequency distribution of responses on COM3

	Response	Frequency	Percent	Valid Percent	Cumulative Percent
Valid	1	1	1.7	1.7	1.7
	2	7	11.7	11.7	13.3
	3	12	20.0	20.0	33.3
	4	33	55.0	55.0	88.3
	5	7	11.7	11.7	100.0
	Total	60	100.0	100.0	

As is seen in Table 4.31, more than half of the total respondents (58.3%) rate their performances on ensuring that costs to litigants and to the state are minimized (COM4) as average to below average (ratings between 1 and 3). The one third of court managers (33.3%) have indicated their efforts with respect to COM4 as just above average, while 8.3% have rated as well above the average.

Table 4.31

Frequency distribution of responses on COM4

	Response	Frequency	Percent	Valid Percent	Cumulative Percent
Valid	1	3	5.0	5.0	5.0
	2	6	10.0	10.0	15.0
	3	26	43.3	43.3	58.3
	4	20	33.3	33.3	91.7
	5	5	8.3	8.3	100.0
	Total	60	100.0	100.0	

Case Management

The performances of court managers on case management are measured through following four items:

- CAM1: I ensure that case management systems are fully compliant with the policies and standards established by the High Court.
- CAM2: I ensure that the legitimate needs of litigants in terms of quality, efficiency and timeliness are addressed.
- CAM3: I ensure that costs to litigants and to the State are minimized.
- CAM4: I ensure that a standard system for case management is developed by the court from time to time.

As is seen in Table 4.32, mean rating of the indicator CAM2 is having the lowest value and CAM1 the highest value. It shows that court managers have the least performance where they have to ensure that the legitimate needs of litigants in terms of quality, efficiency and timeliness are addressed (CAM2). Likewise, their performance remains better than any other indicators of case management while ensuring that case management systems are fully compliant with the policies and standards established by the High Court (CAM1). If we look at the COV values of indicators of case management, the COV value of the indicator CAM2 is the highest whereas, it remains the lowest in case of CAM1. Therefore, the performances of court managers in ensuring that the legitimate needs of litigants in terms of quality, efficiency and timeliness are addressed, are inconsistent across the court managers of inter and intra states. Similarly, it is least inconsistent with respect to other indicators when the court managers have to ensure that case management systems are fully compliant with the policies and standards established by the High Court.

Table 4.32

Descriptive Statistics of Case Management

	N	Minimum	Maximum	Mean	Std. Deviation	COV
	Statistic	Statistic	Statistic	Statistic	Statistic	Statistic
CAM1	60	1	5	3.62	0.94	25.97
CAM2	60	1	5	3.28	1.027	31.31

CAM3	60	1	5	3.3	0.979	29.67
CAM4	60	1	5	3.58	1.013	28.30

From Table 4.33, it may be concluded that 38.3% of the total respondents perform below average to average on the indicator CAM1 of the case management. 46.7% of the court managers rate their performance on CAM1 as just above average, while 15% rate their performances as well above the average.

Table 4.33

Frequency distribution of responses on CAM1

	Response	Frequency	Percent	Valid Percent	Cumulative Percent
Valid	1	1	1.7	1.7	1.7
	2	7	11.7	11.7	13.3
	3	15	25.0	25.0	38.3
	4	28	46.7	46.7	85.0
	5	9	15.0	15.0	100.0
	Total	60	100.0	100.0	

Table 4.34 presents the frequency distribution of responses on CAM2. More than half of the total respondents (51.7%) rate their performance on ensuring that the legitimate needs of litigants in terms of quality, efficiency and timeliness are addressed as below average to average (ratings between 1 and 3 in a scale of 5). 40% of the court managers rate their efforts on CAM2 as just above average, while, 8.3% rate as well above average.

Table 4.34

Frequency distribution of responses on CAM2

	Response	Frequency	Percent	Valid Percent	Cumulative Percent
Valid	1	3	5.0	5.0	5.0
	2	11	18.3	18.3	23.3
	3	17	28.3	28.3	51.7
	4	24	40.0	40.0	91.7
	5	5	8.3	8.3	100.0
	Total	60	100.0	100.0	

As is seen in Table 4.35, the results of responses of CAM3 are same as that of CAM3. More than half of the total respondents (51.7%) rate their performance on

ensuring that costs to litigants and to the State are minimized as below average to average (ratings between 1 and 3 in a scale of 5). 41.7% of the court managers are of the view that their efforts on CAM3 are just above average, while, 6.7% rate their efforts as well above average.

Table 4.35

Frequency distribution of responses on CAM3

	Response	Frequency	Percent	Valid Percent	Cumulative Percent
Valid	1	3	5.0	5.0	5.0
	2	9	15.0	15.0	20.0
	3	19	31.7	31.7	51.7
	4	25	41.7	41.7	93.3
	5	4	6.7	6.7	100.0
	Total	60	100.0	100.0	

Table 4.36 presents the frequency distribution of responses on CAM4. It shows that 40% of the total respondents rate their performance on ensuring that a standard system for case management is developed by the court from time to time as below average to average (rating of 1 to 3 in a scale of 5). Likewise, 43.3% of court managers think their efforts on CAM4 to be just above the average, while, 16.7% rate their performance as well above the average.

Table 4.36

Frequency distribution of responses on CAM4

	Response	Frequency	Percent	Valid Percent	Cumulative Percent
Valid	1	2	3.3	3.3	3.3
	2	7	11.7	11.7	15.0
	3	15	25.0	25.0	40.0
	4	26	43.3	43.3	83.3
	5	10	16.7	16.7	100.0
	Total	60	100.0	100.0	

Responsiveness Management

The performances of court managers on responsiveness management are measured through following four items:

- RM1: I ensure that court meets standards established by the High Court on access to justice.

- RM2: I ensure that court meets standards established by the High Court on legal aid.
- RM3: I ensure that court meets standards established by the High Court on alternative dispute mechanism.
- RM4: I ensure that court meets standards established by the High Court on user friendliness of the court mechanisms.

As is seen in Table 4.37, mean rating of RM1 is the lowest, whereas, RM2 has the highest mean rating. Hence, the court managers perform better than any other indicators in ensuring that court meets standards established by the High Court on legal aid while their efforts in ensuring that court meets standards established by the High Court on access to justice remains the least as compared to other responsiveness management indicators. COV of RM4 is the lowest while that of RM1 is the highest. It means performances of court managers in ensuring that court meets standards established by the High Court on user friendliness of the court mechanisms are consistence across the states whereas they are inconsistence in their efforts in ensuring that court meets standards established by the High Court on access to justice.

Table 4.37

Descriptive Statistics of Responsiveness Management

	N	Minimum	Maximum	Mean	Std. Deviation	COV
	Statistic	Statistic	Statistic	Statistic	Statistic	Statistic
RM1	60	1	5	3.58	0.979	27.35
RM2	60	1	5	3.8	0.971	25.55
RM3	60	1	5	3.72	0.94	25.27
RM4	60	1	5	3.75	0.876	23.36

From Table 4.38, it may be concluded that half of the total respondents rank their performance on ensuring that court meets standards established by the High Court on access to justice as just above the average. 13.3% of the court managers think their efforts on RM1 as well above the average. However, 36.7% of the total respondents rate their performance as below average to average (ratings of 1 to 3 in a scale of 5).

Table 4.38

Frequency distribution of responses on RM1

	Response	Frequency	Percent	Valid Percent	Cumulative Percent
Valid	1	2	3.3	3.3	3.3
	2	7	11.7	11.7	15.0
	3	13	21.7	21.7	36.7
	4	30	50.0	50.0	86.7
	5	8	13.3	13.3	100.0
	Total	60	100.0	100.0	

Table 4.39 presents the frequency distribution of responses of court managers on ensuring that court meets standards established by the High Court on legal aid (RM2). 26.7% of the total respondents rate their performance on RM2 as below average to average (ratings of 1 to 3 in a scale of 5). More than half of the court managers think their efforts on RM2 as just above average while 21.7% of them as well above average.

Table 4.39

Frequency distribution of responses on RM2

	Response	Frequency	Percent	Valid Percent	Cumulative Percent
Valid	1	1	1.7	1.7	1.7
	2	7	11.7	11.7	13.3
	3	8	13.3	13.3	26.7
	4	31	51.7	51.7	78.3
	5	13	21.7	21.7	100.0
	Total	60	100.0	100.0	

As is seen in Table 4.40, 40% of the total respondents perform below average to average (ratings between 1 and 3 in a scale of 5) on ensuring that court meets standards established by the High Court on alternative dispute mechanism (RM3). 38.3% of the court managers rate their efforts on RM3 as just above average, while 21.7% as well above average.

Table 4.40

Frequency distribution of responses on RM3

	Response	Frequency	Percent	Valid Percent	Cumulative Percent
Valid	1	1	1.7	1.7	1.7
	2	4	6.7	6.7	8.3
	3	19	31.7	31.7	40.0
	4	23	38.3	38.3	78.3
	5	13	21.7	21.7	100.0
	Total	60	100.0	100.0	

Table 4.41 shows that 28.3% of the total respondents rate their performance on ensuring that court meets standards established by the High Court on user friendliness of the court mechanisms as below average to average while 15% rate as well above average. More than half of the total respondents think their efforts on RM4 as just above average.

Table 4.41

Frequency distribution of responses on RM4

	Response	Frequency	Percent	Valid Percent	Cumulative Percent
Valid	1	1	1.7	1.7	1.7
	2	5	8.3	8.3	10.0
	3	11	18.3	18.3	28.3
	4	34	56.7	56.7	85.0
	5	9	15.0	15.0	100.0
	Total	60	100.0	100.0	

Human Resource Management

The performances of court managers on human resource management are measured through following two items:

- HRM1: I ensure that court meets quality of adjudication standards established by the High Court.
- HRM2: I ensure that human resource management of ministerial staff in the court complies with the Human Resource Management standards established by the High Court.

As is seen in Table 4.42, mean rating of responses of court managers on HRM1 is less than that on HRM2. It means court managers perform relatively better on HRM2 than HRM1. However, the differences between the two human resource management indicators is not much and mean ratings on both the indicators are just above 3. Therefore, overall performance of court managers in human resource management is just above average. Likewise, COV of HRM1 is less than that of HRM2. It indicates that the efforts of court managers in ensuring that court meets quality of adjudication standards established by the High Court (HRM1) is more consistence than their ensuring that human resource management of ministerial staff in the court complies with the Human Resource Management standards established by the High Court.

Table 4.42

Descriptive Statistics of Human Resource Management

	N	Minimum	Maximum	Mean	Std. Deviation	COV
	Statistic	Statistic	Statistic	Statistic	Statistic	Statistic
HRM1	60	1	5	3.3	0.944	28.61
HRM2	60	1	5	3.5	1.112	31.77

Table 4.43 presents the frequency distribution of responses of court managers on HRM1. From the table, it is obvious that 60% of the total respondent rate their performance on ensuring that court meets quality of adjudication standards established by the High Court as below average to average (ratings of 1 to 3 in a scale of 5). 30% of the court managers think their efforts on HRM1 as just above average while only 10% as well above average.

Table 4.43

Frequency distribution of responses on HRM1

	Response	Frequency	Percent	Valid Percent	Cumulative Percent
Valid	1	2	3.3	3.3	3.3
	2	8	13.3	13.3	16.7
	3	26	43.3	43.3	60.0
	4	18	30.0	30.0	90.0
	5	6	10.0	10.0	100.0
	Total	60	100.0	100.0	

Table 4.44 shows that 45% of the total respondents have rated their performance on ensuring that human resource management of ministerial staff in the court complies with the Human Resource Management standards established by the High Court as just above average while 16.7% as well above average. 38.3% of the respondents rate their efforts on HRM2 as below average to average (ratings between 1 and 3 in a scale of 5).

Table 4.44

Frequency distribution of responses on HRM2

	Response	Frequency	Percent	Valid Percent	Cumulative Percent
Valid	1	2	3.3	3.3	3.3
	2	13	21.7	21.7	25.0
	3	8	13.3	13.3	38.3
	4	27	45.0	45.0	83.3
	5	10	16.7	16.7	100.0
	Total	60	100.0	100.0	

Core System Management

The performances of court managers on core system management are measured through following five items:

- CSM1: I ensure the effectiveness of core systems of the court as established.
- CSM2: I ensure the effectiveness of documentation management.
- CSM3: I ensure the effectiveness of utilities management.
- CSM4: I ensure the effectiveness of infrastructure and facilities management.
- CSM5: I ensure the effectiveness of financial systems management (audits, accounts, payments).

As is seen in Table 4.45, CSM1 has the lowest and CSM4 the highest mean ratings across the indicators of core system management. Hence, the court managers seem to perform least on ensuring the effectiveness of core systems of the court as established, while they perform better than any other indicators of case management in case of ensuring the effectiveness of infrastructure and

facilities management. Analysis of COVs of all the five indicators of core system management indicates that performances of court managers are more consistent when they have to ensure the effectiveness of infrastructure and facilities management (CSM4 having the lowest COV). However, less consistency is observed across the court managers when they have to ensure the effectiveness of financial systems management (audits, accounts, payments) (CSM5 having the highest COV).

Table 4.45

Descriptive Statistics of Core System Management

	N	Minimum	Maximum	Mean	Std. Deviation	COV
	Statistic	Statistic	Statistic	Statistic	Statistic	Statistic
CSM1	60	2	5	3.52	0.948	26.93
CSM2	60	1	5	3.77	0.945	25.07
CSM3	60	1	5	3.65	0.936	25.64
CSM4	60	1	5	3.97	0.92	23.17
CSM5	60	1	5	3.73	1.039	27.86

Table 4.46 presents the frequency distribution of responses of court managers on CSM1. Analysis of the table suggests that 40% of the total respondents rate their performance on ensuring the effectiveness of core systems of the court as below average to average (ratings of 2 and 3 at a scale of 5). 48.3% of the respondents indicate their efforts on CSM1 as just above the average (rating of 4) while 11.7% as well above the average (rating of 5).

Table 4.46

Frequency distribution of responses on CSM1

	Response	Frequency	Percent	Valid Percent	Cumulative Percent
Valid	2	12	20.0	20.0	20.0
	3	12	20.0	20.0	40.0
	4	29	48.3	48.3	88.3
	5	7	11.7	11.7	100.0
Total	60	100.0	100.0		

As is seen in Table 4.47, 55% of the total respondents rate their performance on ensuring the effectiveness of documentation management as just above average

(rating of 4) while 18.3% as well above the average. 26.7% of the court managers think their efforts on CSM2 as below average to average (rating between 1 and 3).

Table 4.47

Frequency distribution of responses on CSM2

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	1	1	1.7	1.7	1.7
	2	7	11.7	11.7	13.3
	3	8	13.3	13.3	26.7
	4	33	55.0	55.0	81.7
	5	11	18.3	18.3	100.0
	Total	60	100.0	100.0	

Analysis of Table 4.48 suggests that half of the total respondents rate their performance on ensuring the effectiveness of utilities management as just above average (rating of 4) while 15% as well above the average. 35% of the court managers think their efforts on CSM3 as below average to average (ratings between 1 and 3).

Table 4.48

Frequency distribution of responses on CSM3

	Response	Frequency	Percent	Valid Percent	Cumulative Percent
Valid	1	1	1.7	1.7	1.7
	2	7	11.7	11.7	13.3
	3	13	21.7	21.7	35.0
	4	30	50.0	50.0	85.0
	5	9	15.0	15.0	100.0
	Total	60	100.0	100.0	

Likewise, half of the total respondents rate their performance on CSM4 (ensuring the effectiveness of infrastructure and facilities management) as just above average, while 28.3% as well above average. 21.7% of the court managers rate their efforts on CSM4 as below average to average (rating between 1 and 3).

Table 4.49

Frequency distribution of responses on CSM4

	Response	Frequency	Percent	Valid Percent	Cumulative Percent
Valid	1	1	1.7	1.7	1.7
	2	4	6.7	6.7	8.3
	3	8	13.3	13.3	21.7
	4	30	50.0	50.0	71.7
	5	17	28.3	28.3	100.0
	Total	60	100.0	100.0	

Table 4.50 presents the frequency distribution of responses of court managers on ensuring the effectiveness of financial systems management (audits, accounts, payments) (CSM5). The table suggests that 30% of the respondents perform below average to average on CSM5. 48.3% of the court managers perform just above average, while 21.7% well above the average on CSM5.

Table 4.50

Frequency distribution of responses on CSM5

	Response	Frequency	Percent	Valid Percent	Cumulative Percent
Valid	1	2	3.3	3.3	3.3
	2	7	11.7	11.7	15.0
	3	9	15.0	15.0	30.0
	4	29	48.3	48.3	78.3
	5	13	21.7	21.7	100.0
	Total	60	100.0	100.0	

IT System Management

The performances of court managers on IT system management are measured through following five items:

- ITM1: I ensure IT systems of the court comply with standards established by the High Court and are fully functional.
- ITM2: I ensure implementation of e-Court Project.
- ITM3: I ensure management and initiation of data entry.
- ITM4: I ensure services roll-out.
- ITM5: I ensure monitoring of the e-Court Project in my Court.

As is seen in Table 4.51, mean ratings of ITM4 and ITM3 are the lowest and the highest respectively amongst all the indicators of IT system management. It indicates that court managers perform least in ensuring services roll-out, while their performance in ensuring management and initiation of data entry are better than any other indicators of IT system management. COV analysis of indicators suggests that the court managers' performances are more consistent having the lowest COV of 22.70) in case of ITM3, whereas there are more inconsistencies in the performances of court managers on ITM1 (the highest COV of 26.59).

Table 4.51

Descriptive Statistics of IT System Management

	N	Minimum	Maximum	Mean	Std. Deviation	COV
	Statistic	Statistic	Statistic	Statistic	Statistic	Statistic
ITM1	60	2	5	3.9	1.037	26.59
ITM2	60	2	5	4.02	0.93	23.13
ITM3	60	2	5	4.08	0.926	22.70
ITM4	60	2	5	3.75	0.932	24.85
ITM5	60	1	5	3.92	1.013	25.84

Table 4.52 suggests that 25% of the total respondents rate their performance on ITM1 (ensuring IT systems of the court comply with standards established by the High Court and are fully functional) as below average to average (rating of 2 and 3). 43.3% of the court manager rate their efforts on ITM1 as just above average while 31.7% as well above the average.

Table 4.52

Frequency distribution of responses on ITM1

	Response	Frequency	Percent	Valid Percent	Cumulative Percent
Valid	2	10	16.7	16.7	16.7
	3	5	8.3	8.3	25.0
	4	26	43.3	43.3	68.3
	5	19	31.7	31.7	100.0
Total		60	100.0	100.0	

Half of the total respondents perform just above the average (rating of 4) on ensuring implementation of e-Court Project (see Table 4.53), while 31.7% rate

their performances as well above the average. 18.3% of the court managers think their efforts on ITM2 as below average to average (rating of 2 and 3).

Table 4.53

Frequency distribution of responses on ITM2

	Response	Frequency	Percent	Valid Percent	Cumulative Percent
Valid	2	7	11.7	11.7	11.7
	3	4	6.7	6.7	18.3
	4	30	50.0	50.0	68.3
	5	19	31.7	31.7	100.0
	Total	60	100.0	100.0	

As is seen in Table 4.54, half of the court managers perform just above the average on ensuring management and initiation of data entry (ITM3), while 35% of them rate their performance on ITM3 as well above the average. 15% of the total respondents think their efforts on ITM3 as below average to average (rating of 2 and 3).

Table 4.54

Frequency distribution of responses on ITM3

	Response	Frequency	Percent	Valid Percent	Cumulative Percent
Valid	2	7	11.7	11.7	11.7
	3	2	3.3	3.3	15.0
	4	30	50.0	50.0	65.0
	5	21	35.0	35.0	100.0
	Total	60	100.0	100.0	

Table 4.55 presents the frequency distribution of responses on ensuring services roll-out (ITM4). The table indicates that 43.3% of the total respondents perform just above the average while 21.7% perform well above the average on ITM4. 35% of the court managers rate their performances on ITM4 as below average to average (rating of 2 and 3).

Table 4.55

Frequency distribution of responses on ITM4

	Response	Frequency	Percent	Valid Percent	Cumulative Percent
Valid	2	7	11.7	11.7	11.7
	3	14	23.3	23.3	35.0
	4	26	43.3	43.3	78.3
	5	13	21.7	21.7	100.0
	Total	60	100.0	100.0	

Table 4.56 suggests that 26.7% of the total respondents perform below average to average (ratings of 2 and 3) on ensuring monitoring of the e-Court Project in their Court (ITM5). 43.3% of the court managers think their efforts on ITM5 as just above the average while 21.7% think as well above the average.

Table 4.56

Frequency distribution of responses on ITM5

	Response	Frequency	Percent	Valid Percent	Cumulative Percent
Valid	1	1	1.7	1.7	1.7
	2	6	10.0	10.0	11.7
	3	9	15.0	15.0	26.7
	4	25	41.7	41.7	68.3
	5	19	31.7	31.7	100.0
	Total	60	100.0	100.0	

Overall Performance (PER)

In the previous sections assessment of court manager’s efficiency has been done in depth on indicators developed to measure nine performance evaluation constructs named as: 1) Standard management (SM), 2) Planning (P), 3) Information management (IM), 4) Court management (COM), 5) Case management (CAM), 6) Responsiveness management (RM), 7) Human resource management (HRM), 8) Core system management (CSM), and 9) IT system management (ITM). However, it becomes essential to look at overall performances of court managers on key indicators. On these directly asked indicators, the court managers have to specify their possible contributions. The overall performances of court managers are measured through following nine items:

- PER1: Rate your contribution on **Justice Dispensation**
- PER2: Rate your contribution on **Preparation and Implementation of CDP**
- PER3: Rate your contribution on **Documentation Management**
- PER4: Rate your contribution on **Utility Management**
- PER5: Rate your contribution on **Infrastructure and Facility Management**
- PER6: Rate your contribution on **Financial Management**
- PER7: Rate your contribution on **Case Management System**
- PER8: Rate your contribution on **IT System Management**
- PER9: Rate your contribution on **E-Court Project**

As is seen in Table 4.57, PER1, PER2, and PER6 have first, second and third lowest mean ratings respectively across all indicators of overall performance. The contributions of court managers towards justice dispensation, preparation and implementation of CDP, and financial management are the least as compared to their contributions on other performance indicators. Likewise, PER5, PER8, and PER9 have first, second, and third highest mean ratings respectively across all indicators of overall performance. Therefore, contributions of court managers towards infrastructure and facility management, IT system management, and E-Court project are higher than any other indicators of overall performance. Analysis of COVs of indicators of overall performance indicates that PER5 and PER3 have the lowest values (first and second lowest respectively), whereas, PER2 and PER6 have the highest values (first and second highest respectively). Hence, contributions of court managers are relatively more consistent on documentation management and infrastructure and facility management than that on any other indicators. Similarly, their contributions on preparation and implementation of CDP and financial management are more inconsistent than any other indicators of overall performance.

Table 4.57

Descriptive Statistics of Overall Performance

	N	Minimum	Maximum	Mean	Std. Deviation	COV
	Statistic	Statistic	Statistic	Statistic	Statistic	Statistic
PER1	60	1	5	2.8	1.038	37.07
PER2	60	1	5	2.97	1.248	42.02
PER3	60	1	5	3.37	1.025	30.42
PER4	60	1	5	3.35	1.219	36.39
PER5	60	1	5	3.85	1.087	28.23
PER6	60	1	5	3.08	1.169	37.95
PER7	60	1	5	3.2	1.147	35.84
PER8	60	1	5	3.62	1.195	33.01
PER9	60	1	5	3.58	1.279	35.73

Table 4.58 presents the frequency distribution of responses of court managers on their contributions on justice dispensation (PER1). The table suggests that 73.3% of the total respondents rank their contributions on justice dispensation as below average to average (ratings between 1 and 3 in a scale of 5). 23.3% of the court managers think their contributions on PER1 as just above average while only 3.3% rate as well above the average.

Table 4.58

Frequency distribution of responses on PER1

	Response	Frequency	Percent	Valid Percent	Cumulative Percent
Valid	1	7	11.7	11.7	11.7
	2	16	26.7	26.7	38.3
	3	21	35.0	35.0	73.3
	4	14	23.3	23.3	96.7
	5	2	3.3	3.3	100.0
	Total	60	100.0	100.0	

Table 4.59 shows that more than half of the total respondents (58.3%) rate their contributions on preparation and implementation of CDP as below average to average (ratings between 1 and 3). One third of the court managers (33.3%) think their contributions on PER2 as just above the average, while only 8.3% rate as well above the average.

Table 4.59

Frequency distribution of responses on PER2

	Response	Frequency	Percent	Valid Percent	Cumulative Percent
Valid	1	10	16.7	16.7	16.7
	2	12	20.0	20.0	36.7
	3	13	21.7	21.7	58.3
	4	20	33.3	33.3	91.7
	5	5	8.3	8.3	100.0
	Total	60	100.0	100.0	

Similarly, half of the total respondents (see Table 4.60) rate their contributions on documentation management as below average to average (ratings between 1 and 3). However, 40% of the respondents think their contribution on PER3 as just above the average while 10% of them rate as well above the average.

Table 4.60

Frequency distribution of responses on PER3

	Response	Frequency	Percent	Valid Percent	Cumulative Percent
Valid	1	4	6.7	6.7	6.7
	2	6	10.0	10.0	16.7
	3	20	33.3	33.3	50.0
	4	24	40.0	40.0	90.0
	5	6	10.0	10.0	100.0
	Total	60	100.0	100.0	

Analysis of Table 4.61 suggests that 46.7% of the total respondents rate their contributions on utility management as below average to average (ratings between 1 and 3). 36.7% of the court managers rate their contributions on PER4 as just above the average, while, 16.7% as well above the average.

Table 4.61

Frequency distribution of responses on PER4

	Response	Frequency	Percent	Valid Percent	Cumulative Percent
Valid	1	6	10.0	10.0	10.0
	2	9	15.0	15.0	25.0
	3	13	21.7	21.7	46.7
	4	22	36.7	36.7	83.3
	5	10	16.7	16.7	100.0

Total	60	100.0	100.0
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Table 4.62 presents the frequency distribution of responses of court managers on infrastructure and facility management. Analysis of the table shows that one fourth of the total respondents (25%) rate their contributions on PER5 as below average to average (ratings between 1 and 3 on a scale of 5). 46.7% of the court managers think their contributions on PER5 as just above the average, while 28.3% rate as well above the average.

Table 4.62

Frequency distribution of responses on PER5

	Response	Frequency	Percent	Valid Percent	Cumulative Percent
Valid	1	3	5.0	5.0	5.0
	2	5	8.3	8.3	13.3
	3	7	11.7	11.7	25.0
	4	28	46.7	46.7	71.7
	5	17	28.3	28.3	100.0
	Total	60	100.0	100.0	

As is seen in Table 4.63, more than half of the total respondents (55%) rank their contributions on financial management as below average to average (ratings between 1 and 3). 38.3% of the court managers rate their contributions on PER6 as just above the average, while only 6.7% as well above the average.

Table 4.63

Frequency distribution of responses on PER6

	Response	Frequency	Percent	Valid Percent	Cumulative Percent
Valid	1	8	13.3	13.3	13.3
	2	10	16.7	16.7	30.0
	3	15	25.0	25.0	55.0
	4	23	38.3	38.3	93.3
	5	4	6.7	6.7	100.0
	Total	60	100.0	100.0	

Analysis of Table 4.64 shows that more than half of the total respondents rate their contributions on case management system as below average to average (ratings between 1 and 3). However, 36.7% of the court managers rate their

contributions on case management system as just above the average (rating of 4). Only 10% of the court managers think their contributions on case management as well above the average.

Table 4.64

Frequency distribution of responses on PER7

	Response	Frequency	Percent	Valid Percent	Cumulative Percent
Valid	1	6	10.0	10.0	10.0
	2	10	16.7	16.7	26.7
	3	16	26.7	26.7	53.3
	4	22	36.7	36.7	90.0
	5	6	10.0	10.0	100.0
	Total	60	100.0	100.0	

Analysis of Table 4.65 suggests that 36.7% of the total respondents rank their contributions on IT system management as below average to average (ratings between 1 and 3). 38.3% of the court managers rate their contributions on IT system management as just above the average while one fourth of them (25%) rate as well above the average.

Table 4.65

Frequency distribution of responses on PER8

	Response	Frequency	Percent	Valid Percent	Cumulative Percent
Valid	1	4	6.7	6.7	6.7
	2	8	13.3	13.3	20.0
	3	10	16.7	16.7	36.7
	4	23	38.3	38.3	75.0
	5	15	25.0	25.0	100.0
	Total	60	100.0	100.0	

Table 4.66 presents the frequency distribution of responses of court managers on their contributions towards E-Court project (PER9). Analysis of the responses suggests that 36.7% of the total respondents rate their contributions on PER9 as below average to average (ratings between 1 and 3 on a scale of 5). The similar percentage of the court managers (36.7%) rank their contributions on E-Court project as just above the average. 26.7% of the total respondents rate their contributions on E-Court project as well above the average.

Table 4.66

Frequency distribution of responses on PER9

	Response	Frequency	Percent	Valid Percent	Cumulative Percent
Valid	1	6	10.0	10.0	10.0
	2	7	11.7	11.7	21.7
	3	9	15.0	15.0	36.7
	4	22	36.7	36.7	73.3
	5	16	26.7	26.7	100.0
	Total	60	100.0	100.0	

4.1.5 Impact of training and joint goal setting on court managers' performance

Organization behavioral research suggests that training and joint goal setting in an organization impacts the performance of employees of that organization. With this a priori, the present research aims to test the relationship between training of court managers and joint goal settings of them with their supervisors with their performance. For this, a construct 'TPR' has been developed with the help of following indicators:

- **TPR1:** I am aware of judicial processes and practices.
- **TPR2:** I am trained in handling day to day duties of a court manager.
- **TPR3:** My performance is continuously reviewed and feedback is provided to me.
- **TPR4:** I am made a part of joint goal setting with my supervisor.

The present study tests the impact of TPR on overall performance (PER) of court managers. Therefore, following is the hypothesis of the study:

H₁: Training and joint goal setting (TPR) have positive impacts on the performance of court managers.

Before testing the hypothesis through PLS-SEM, evaluation of measurement model is a must. The measurement scales of both the constructs were found to be reliable and valid. Only PER6 has been dropped from the final structural model. The hypothesized model has been given in Figure 4.1.

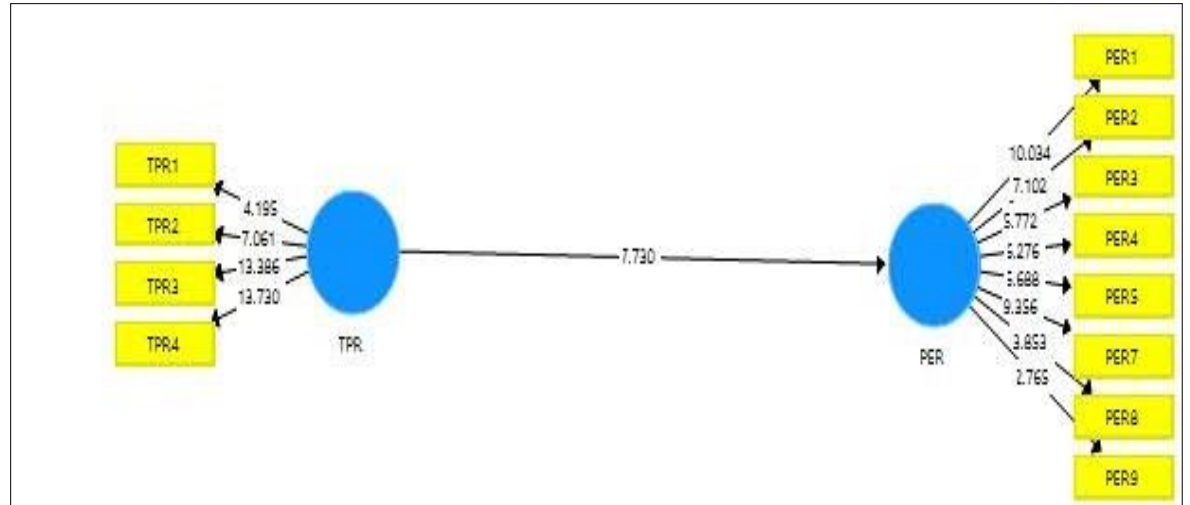


Figure 4.1 Hypothesized model

Hypothesis is tested by PLS-SEM using bootstrapping method. The results of the bootstrapping method have been given in Table 4.67. Hypothesis H₁ is significant at $p < 0.001$. The path coefficient of the path TPR→PER is 0.543 with t-value of 7.73. Therefore, training and joint goal setting positively and strongly affect the performance of court managers.

Table 4.67

Hypothesis testing

Hypothesis	Path	Path Coefficient	t-value	p-value	Hypothesis Supported
H ₁	TPR→PER	0.543	7.73	.000	YES

The results of PLS-Algorithm and Blindfolding have been given in Table 4.68. R² value is 0.295 implies that predictive power of the model is moderate to high. Positive values of Q²_{COM} and Q²_{RED} indicate that the hypothesized model has also the predictive relevance. Therefore, training and joint goal setting of court managers with their respective supervisors have strong, positive, and significant impact on the performances of court managers.

Table 4.68

Results of PLS-Algorithm and Blindfolding

Constructs	R²	Q²_{COM}	Q²_{RED}
TPR		0.327	
PER	0.295	0.319	0.09

4.2 Qualitative Data Analysis

Under section two of this chapter, first subsection deals with case study of the state of Maharashtra and second subsection deals with the case study of court management in the state of Chhattisgarh. Subsection deals with the within case analysis.

4.2.1 Case Study 1: Court Management Techniques in the State of Maharashtra

Based upon the report and recommendations of the working group for Department of Justice in its Twelfth Five Year Plan (2012-2017), to Thirteenth Finance Commission, has recommended creation of post of Court Managers under, “Reforms in Court Administration” category. Government of Maharashtra, Law and Judiciary department, vide its notification No HCT – 1919/557/(81)/ Desk – 4 dated 7th October 2011 created the post of Court Manager vide notification, “Maharashtra Court Manager Recruitment and Conditions of Service Rules 2011”. Hon’ble High Court of Bombay, recruited, selected and appointed court managers and placed them in various judicial districts in the state of Maharashtra in August 2013.

List of duties performed by the court managers:

As per the notification from Government of Maharashtra, Law and Judiciary Department the court manager shall assist the Registrar General in the High Court and Principal District Judge in District, in administrative functioning of courts to enhance the efficiency of the Court Management. Specific mentions of duties were found on following aspects of court administration, justice dispensation, case flow management, human resource management, establishment of policy and standards, and usage of information technology.

Empirical Evidences from the Case Site(s) and additional Source of Primary Research:

For development of case study, researchers relied on primary data collected through interviews, discussions, survey questionnaires and non-obtrusive participant observation. Court Managers effectively performed their duties on following parameters as evident from primary sources:

A. Administration of Courts:

At the High Court of Bombay - At the High Court of Bombay, Principal Seat, court managers actively participated in preparation of budget estimate proposal for submission to the 14th finance commission. Court Development Plan which is another key responsibility of the court manager witnessed active participation of court manager in preparing the plan.

At the District Courts – At the district courts of Nashik, Pune, Aurangabad and Nagpur it is evident that court managers are shouldering the responsibilities of administrative function and work in close coordination with the Principal District Judge on issues relating to planning and execution of task which enhance the efficiency of court management.

B. Infrastructure Development:

At the High Court of Bombay - Court Manager is looking after Public Interest Litigation (infrastructure) matters and taking follow up action with staff for effective information processing and submission to advocate on panel on High Court for onwards submission to the Court.

At the District Courts – In District court at Jalgaon court manager played an active role in development of infrastructure by coordinating with Public Works Department (PWD) this resulted in construction of new court buildings at Bodhwad, Dharagaon, Bhadgaon and Parola in Jalgaon district.

C. Human Resource Management:

At the High Court of Bombay – Since the appointment of Court Managers at the Bombay High Court training programs have significantly gone up at all the levels including judicial officers, ministerial staff and members of the registry. Court

Managers actively extend their help in recruitment and selection of staff as and when required by the Registrar General.

At the District Courts - In District Court at Nashik court manager assisted in the recruitment process of Junior Clerks and Peons in Phase I and Phase II similarly in District Court at Nagpur court manager is assisting the Principal District Judge in human resource management activities such as training, recruitment, promotion, discipline and transfers. Court manager in Family Court, Nagpur conducted training programs for staff/employees of the family court on personality development in association with the Judicial Officers Training Institute, Nagpur.

D. Use of Information Technology:

At the High Court of Bombay – Senior court manager at the High Court of Bombay made important suggestions with reference to the operating system for smooth functioning of e-court management project.

At the District Courts – Senior court manager at the district court of Bombay has ensured the scheme of e-mail based requisition of copying application through CIS to respective court which has saved the time, man power and increased the efficiency of the system. In family court at Bombay the court manager has facilitated the procurement and implementation of kiosks for litigants and advocates reducing dependency on staff of the court. Similarly computerization in the district court of Ahmednagar is also facilitated by the court manager where the court manager was instrumental in implementing the Government Receipt Accounting System (GRAS) in the district for online stamp fee.

Increase in court efficiency as observed by the reporting officer:

In any scientific research empirical in nature, it is important to study two parties involved in a relationship especially when it is a case of measuring efficiency. In this case, we got opinion from the reporting officer that is registrar in case of High court and principal district judges in case of district courts. Registrar (Administration) opined that Court Manager has taken keen interest by personally visiting all sections and searching out old matters from the respective sections i.e. Board section and RKP section and due to this monitoring, more than 1300 old

matters (more than 5 years old) have been disposed during the last year (2015-2016). In case of district court at Pune, court manager is involved in the administration for management of intermittent National Lok Adalat and Mahalok Adalat conducted in the District. The statistics for disposal of cases at District Pune regarding various Lok-Adalats including Pre-litigation and Post litigation cases for the year 2013 stands at 1,14,329 and 2014 at 2,09, 785 i.e. increase of 83.5% as compared to previous year. According to reporting officer in Chief metropolitan magistrate court Mumbai, court manager took keen interest in computerization and infrastructural requirements of the courts and liaised with other departments in this regard. The court manager visited various centers of courts as per the directions of PDJ to solve problems faced by ministerial staff, advocate etc. The services of court manager will be useful to streamline the administration of institution.

Critical Success Factors for System Efficiency

Clear understanding of job expectations:

It has been repeatedly found both in theory and practice that when workforce and their reporting authorities have a clear understanding of their specific job duties, any ambiguities in the workplace are eliminated. In the case of state of Maharashtra it is evident that each individual is held accountable for their own duties and responsibilities avoiding any role conflict of court manager with other staff of the registry. Clear goals and expectations are set by the reporting authority which receives regular monitoring. To be credible, these job expectations are based on job analysis. These job expectations also follow the SMART principle of goal setting which is Specific, Measurable, Attainable, Realistic and Timely.

Regular feedback about performance:

In efficient organizations or workplace setup regular feedback facilitates better communication in the system and its outcome. It also allows for opportunities to hear and exchange views and opinions away from the normal pressures of work. In case of subordinate courts in the state of Maharashtra data indicated that performance was also better because of regular feedback that the court managers receive from their supervisors. Instead of looking at the performance in the

beginning and closure of a performance cycle all the reporting judges maintained a close communication with the court managers allowing them to improve performance at regular intervals based upon the feedback.

Job autonomy:

Job autonomy emerged as another significant critical success factor. Desire for freedom in conducting his or her task is a significant element in all jobs across organizations. In case of courts which were visited it was found that the reporting judges (PDJ's) gave their court managers enough job autonomy to execute their task efficiently. Most of the courts maintained right balance of autonomy over the job where the task listed in the job duties did not require significant approval every time it was to be executed. Also, court managers applied this with care and whenever required sought intervention from their reporting authority.

Support from the Reporting Authority:

Court managers in the high court as well as district court continuously pointed towards the role of reporting authority in their success. According to the court managers it is individual support that they receive from their bosses (registrar general in case of high court and principal district judges in case of district court) which help them in execution of the task assigned to them. Especially, task assignment is in hands of the reporting authority which could vary in difficulty level and expertise, having a supportive reporting authority can determine efficiency of court managers.

Concerns to be addressed

While it is evident in the state of Maharashtra that court managers are efficiently performing their duties under the supervision and guidance of their reporting officer, it still needs to address some of the concerns to make the system more efficient and court management truly robust. Some of the concerns are listed below:

Training and Development:

Both quantitative and qualitative data collected during this study revealed that court managers face a major limitation when it comes to understanding of Judicial system, justice dispensation system and court structure and functioning. While

induction and orientation immediately after selecting the court managers was a part of training and development, court managers don't feature regularly in training programs as trainees. However they have crucial role to play as facilitators of training programmes. Empirical evidence has supported the importance of induction training and ongoing training both on and off the job. Training enables employees to cope up with the discontinuous change in which even the recent past may offer no clue to the immediate future in terms of technology, mode of operation or stiff competition from various sources. Through discussions with the court managers both at the high court and at the district court it was abundantly evident that greater training is required on understanding judicial system and court functioning. Greater training is also expected on decision making and problem solving skills which are very specific to courts. Most of the court managers showcased high computer and technical proficiency and expertise on handling of software tools and hence were less desirous of receiving training on computer and information systems. This also brings in an important decision for district judges and registrar generals in district courts and high court respectively to identify master trainers for court managers who can efficiently design and deliver training programs on all important aspects of court management including case flow management, court development plan, justice dispensation, etc.

Robust model of hiring and onboarding:

It was evident during the study that expertise in discharging the duties of a court manager can well be learnt over a period of time. It also presented with evidences that having a background in law (degree in law) could have added more weight to the understanding of legal matters, court procedures and practices. Day to day dealings might become easier if during the hiring process itself weight is assigned to the legal proficiency, a law degree or understanding of court systems. Some court managers opined that having a law degree helped them to understand the system better and faster. Onboarding these court managers to the system is another practice that deserves great attention while training and development can be addressed on a more regular basis onboarding must include familiarizing the

new joiners to the system which they might not have seen in the past. A good onboarding program must consist of ice-breaking between the new joinees and the existing members of the system.

Creation of Permanent Positions:

One of the major factors of job satisfaction as found in studies of top corporate and public sector companies has been job security. Job security came out as one of the important factors which court managers are looking for to commit themselves to the post for a longer time. Most of the court managers opined that with the kind of work experience that they are accumulating in court would not be considered at other places if their services are terminated. Creation of permanent position and cadre for court managers is strongly recommended as it came out in the study.

4.2.2 Case Study 2: Court Management Techniques in the State of Chhattisgarh

Based upon the report and recommendations of the working group for Department of Justice in its Twelfth Five Year Plan(2012-2017), Thirteenth Finance Commission recommended creation of post of Court Managers under “Reforms in Court Administration” category. Government of C.G. Law and Legal Affairs Dept., vide its notification No. 2955/1145/21-B/C.G./2013 Raipur, dated 11/04/13 created the post of Court Managers and Hon'ble the Chief Justice of the High Court of Chhattisgarh make the rules in relation to the Chattisgarh High Court (Appointment & Conditions of service of Court Managers (Chhattisgarh)) Rules 2012. Hon'ble High Court of C.G. recruited, selected and appointed Court Managers and placed them in various Judicial Districts in the state of Chhattisgarh in Jan 2014.

List of duties performed by the Court Managers:

As per the Chhattisgarh High Court (Appointment & Conditions of Service of Court Managers) Rules, 2012 the Court Manager shall assist the Registrar General in case of appointment in the High Court or of a District and Sessions Judge in case of appointment in a District Court in administrative functioning of Courts to enhance quality, responsiveness and timeliness of Justice and to provide more and more time to Judicial Officers so that they can concentrate on their Judicial work.

Specific mentions of duties were found on following aspects of Court administration, justice dispensation, case flow management, human resource management, information and statistics, core system management, establishment of policy and standards and usage of information technology.

Empirical evidences from the case site(s) and additional source of primary research

For development of case study, researchers relied on primary data collected through interviews, discussions, survey questionnaires and non-obtrusive participant observation. Court Managers effectively performed their duties on following parameters as evident from primary sources:

A. Administration of Courts:

At the District Court, Durg, the Court Manager conducts regular analysis of the pending cases both at the levels of District Headquarter and Taluka Courts on the basis of various parameters as that of 5 years plus pending cases, senior citizen, women and children etc. and prepare plans for the effective and efficient management of the aforesaid cases. The court manager also ensures orderly and timely compliance of all the communications received from the Hon'ble High Court. Court Manager at Durg District regularly conducts monitoring of all the sections so as to sort out the day -to-day problems. Court Manager Durg prepares monthly at a glance report as per the direction of District Judge regarding Average work done unit of all the Judicial Officers and pendency, institution and disposal of cases (monthly, bi-monthly, trimonthly, six monthly and yearly), scale & seniority list and approximate service period of Judicial Officers in respective District. As per the directions of Hon'ble High Court, a District Court Management System Committee (DCMS) has been constituted in order to enhance the quality, responsiveness and timeliness of Court with Court Manager as one of the integral member. All the Court Managers appointed in different Judicial Districts have prepared the Vision Statement for the period of 2015-20 of the District Court and all the Taluka Level Courts.

B. Infrastructural Development:

The Court Manager monitors the infrastructural work going on in the Court premises on daily basis and is responsible in establishing communication with the PWD and other Government Officers as and when required. She also coordinates with District Collector for the purpose of Land/Plot allotment for the construction of new Civil Court building & residential quarters for the District & subordinate Courts, coordinates with the Officers of Forest and Horticulture Department for tree plantation, gardening and irrigation work within the District Court premises and takes keen interest towards Court's Cleanliness and safety. She has observed, suggested and requested to respective District Judge to implement various changes. Some of the suggestions and actions taken by her are as follows:

1. Suggested to form committee for each floor including advocates to watch such activities that soil the court premises and also that some monetary fine can be incorporated to avoid repeat of such activities.
2. Floor-wise cleaning and washing schedule has been made.
3. Suggested to keep dustbins at all corners, corridor and inside the washrooms.
4. Suggested to check the coolers and drinking water coolers for working conditions and timely cleaning.
5. Prohibiting vendors in court premises like chana-murra and pouch vendors, calendar seller, beggars, salesman, tea-seller etc.
6. Registration and verification of persons entering to Court premise and suggested to have a single entry.
7. Suggested to install CCTV cameras at the premise.
8. Issuance of authorized identity cards for all the staff to distinguish them from outsiders.
9. In order to manage security and flow of vehicles to and from the court premises, she suggested that two guards should be on duty at a time, one at the entrance gate and another in the parking.
10. Suggested to organise awareness program for cleanliness.
11. As regards to the Civil, Criminal Rules and Orders she has taken steps to

remove the shortcomings of misbundling, wrong description and misplacement of Court records in the Court Room.

12. Suggested for open window system for all the requirements relating to records in Copying and Record Section.

C. Human Resource Management:

The Court Manager, Durg takes keen interest in making the employees of the establishment realize their real potential so as to enhance their efficiency level. She conducts the performance appraisal of employees so as to assess the performance and progress of employees on a given task and their potential for future development and provides necessary support for the conduction of recruitment process like scrutiny, written exams, skill test, paper checking, interview etc. and provides necessary guidance to Office Clerical Staff related with English to Hindi translation and drafting letters in English.

She suggested for internal mobility and flexibility amongst the employees of their establishment by shuffling of employees after certain time interval so that right person may be placed at the right position thereby enhancing efficiency and effectivity. She actively assists and supports respective Judges in HR activities such as training, promotion and transfers. She has also suggested organising routine medical check-up programs for the staff to increase their working efficiency.

Use of Information Technology:

Court Manager, Durg is in charge of and ensures the effective implementation of e-court mission mode project in collaboration with System Officer posted at the District Head Quarter. She ensure proper functioning of Case Information System, supervises the function of CIS, SMS Service and Centralized Filing Section. She has taken steps in the light of Civil, Criminal Rules and Order to display computerized list of ready copies on the notice board of Copying Section by 10:30 in the morning on daily basis and list of WT Applications fortnightly which reduces the staff's pressure on the table. She suggested and implemented computerised title page in place of manual title page formation as the former takes less time than the later as well as facilitating the procurement and implementation

of kiosks (Judicial Service Centre) for litigants and advocates thereby reducing dependency on staff of the Court.

Increase in Court efficiency as observed by the reporting officer:

In this case, we got opinion from the reporting officer that is Registrar in case of High Court and District Judges in case of District Courts. The Hon'ble District Judges opined that the concerned Court Manager has taken keen interest by personally visiting all sections, identify deficiencies and deviations and identify steps required to achieve compliance. The pace of working of all the sections has increased to a noticeable level and this is because of regular monitoring by the Court Manager. He was also of the opinion that the services of Court Manager will be useful to streamline the administration of the court further.

Critical Success Factors for System Efficiency

Clear understanding of job expectations:

It has been repeatedly found both in theory and practice that when workforce and their reporting authorities have a clear understanding of their specific job duties, ambiguities in the workplace are eliminated. In the case of Chhattisgarh, it is evident that each individual is held accountable for their own duties and responsibilities avoiding any role conflict of Court Manager with other staff of the Establishment. Clear goals and expectations are set by the reporting authority which receives regular monitoring. The Court Manager acts as a bridge between the top administration and the staff and thus ensures smooth functioning of the system.

Regular feedback about performance:

Court Manager, Durg is in regular connection with all the employees working in the Court and maintains healthy communication with them and makes them aware of all the shortcomings and qualities of an employee individually and periodically reports the same to the Presiding Officer of the Court or the Section. The Hon'ble District Judge also allows the Court Managers to intervene and improve performance of employees at regular intervals based upon the feedback. Using the tools of encouragement and motivation, she has been successful in making the employees realize their real potential, so as to enhance their efficiency level.

Job autonomy:

Job autonomy emerged as another significant critical success factor. Managerial autonomy may be more prevalent in decentralised organizations where managers have the ability to exercise greater authority over its employees. In this type of organisation, managers are free to reward and motivate employees as they see fit. As a result, the manager often feels more motivated to do a good job and feels a greater sense of job satisfaction. In case of Courts which were visited, it was found that the reporting judges (District Judge) gave their Court Managers enough job autonomy to execute their task efficiently. Most of the Courts maintained right balance of autonomy over the job where the task listed in the job duties did not require significant approval every time it was to be executed. Also, Court Managers applied this with care and whenever required sought intervention from their reporting authority.

Support from the Reporting Authority:

Change Management refers to any approach to transitioning individuals, teams and organisations using methods intended to re-direct the use of resources, business process, budget allocations or other modes of operation that significantly reshape an organization and this is possible only with the support from the Reporting Authority.

Court Managers in the High Court as well as District Court continuously pointed towards the role of reporting authority in their success. According to the Court Managers, it is only their superiors (Registrar General in case of High Court and District Judges in case of District Courts) who help them in the execution of the task assigned to them. Under their guidance, change management could be applied and successfully incorporated. Court Managers were primarily given some task to determine their work efficiency. Once the reporting authority realised the potential of the Court Managers, they began assigning more and more tasks to them.

Concerns to be Addressed

While it is evident in the State of Chhattisgarh that Court Managers are efficiently performing their duties under the supervision and guidance of their reporting

authority, it still needs to address some of the concerns to make the system more efficient and Court Management truly robust. Some of the concerns are listed below:

Training and Development:

Human Resource Management regards training and development as a function concerned with organizational activity aimed at bettering the job performance of individuals and groups in organizational settings. Training and Development can be described as “an educational process which involves the sharpening of skills, concepts, changing of attitude and gaining more knowledge to enhance the performance of employees”.

Through discussions with the Court Managers both at the High Court and at the District Court it was abundantly evident that greater training is required on understanding of Judicial system and functioning of Courts. Greater training is also expected on decision making and problem solving skills which are very specific to Courts.

Creation of Permanent Positions:

Job satisfaction levels decrease when an employee feels threatened by a lack of job security. An employee is filled with feelings of discontent and uncertainty when his/her future at the organization is uncertain, which leads to resentment. However, an employee with job security is able to envision his future at the organization, making them feel valued and satisfied with the current position.

Job security came out as one of the important factors which Court Managers are looking for to commit themselves to the post for a longer time. In case of Chhattisgarh, it was found that existing Court Managers are working very efficiently and they are serving for more than 2 and 1/2 years. Creation of permanent position and cadre for Court Managers and absorption of working Court Managers is strongly recommended as it came out in the study.

4.2.3 Within Case Analysis

To further understand the court management system and analyze the case studies documented during this study, we followed within case analysis. Eisenhardt points out, “within-case analysis typically involves detailed case study write-ups

for each site.” The main purpose is to allow the emergence of unique patterns at the single case level that will permit comparison of patterns across cases¹¹¹. However, Eisenhardt also cautions that there is no standard format to analyse within-case data though many researchers have adopted graphical and tabular schemes in representing their stories of reality. While doing Cross-case analysis, Eisenhardt suggests researchers, “to select categories or dimensions, and then look for within-group similarities coupled with intergroup differences.” The purpose is mainly to capture the phenomenon of interest at the single case level, identify patterns and styles, which can then be compared across cases for theoretical insight. “this process allows the unique patterns of each case to emerge before investigators push to generalize patterns across cases” (Eisenhardt, 1989, p. 540).

Within-Case analysis in this study comprises analyzing and understanding the pattern of court management techniques and systems at two select case sites, Maharashtra and Chhattisgarh.

For the purpose of this study, case study data has been analysed through tabular schemes. The matrix of display is formatted in accordance with the guidelines provided by Miles and Huberman regarding analysing within case and cross-case data through exploration and description¹¹².

In this sub-section, various themes of court management success techniques that were observed in the state of Maharashtra and Chhattisgarh are discussed.

Table 4.69

Conceptually Ordered Within-Case Matrix for Court Management system in the state of Maharashtra

Case Study Site	Court Management Techniques	Success Indicators	Critical Success Factors
<i>Case Site 1: High Court and</i>	Case Flow Management, E-court Management,	<ul style="list-style-type: none"> • Increased Year on Year rate of cases disposed both in the High court and the 	<u>Clear understanding of job expectations:</u> - Identification of projects which are

¹¹¹ Eisenhardt, K. M. (1989). Building theories from case study research. *Academy of management Review*, 14(4), 532-550.

¹¹² Miles, M. B., & Huberman, A. M. (1994). *Qualitative data analysis: An expanded sourcebook*. Sage.

<p><i>Subordinate Courts in the state of Maharashtra</i></p>	<p>Court Development Plan, Infrastructure Development, Human Resource Management</p>	<p>subordinate courts;</p> <ul style="list-style-type: none"> • District Court Management System Committee (DCMS) has been constituted in order to enhance the quality, responsiveness and timeliness of Court with Court Manager as one of the integral member • Timely preparation of progress reports; • Organization of training programmes at regular intervals; • Training Need Identification – Assessment of training need across court hierarchy; • Closely monitored the progress of e-court management project at the district courts. 	<p>synergistic with the individual’s competence;</p> <ul style="list-style-type: none"> - Identification of future learning needs from feedback on projects; - Role conflict avoidance; - Accountability for role entrusted. <p><u>Regular Performance Feedback</u></p> <ul style="list-style-type: none"> - Accuracy in delivering on the project is monitored closely by the reporting officer; - Close communication between the supervisor and subordinate; - Allows mid-way correction. <p><u>Job Autonomy</u></p> <ul style="list-style-type: none"> - Court Managers are allowed to take control of execution; - Autonomy in flagging issues of concern when it comes to justice dispensation; <p><u>Support from Reporting Officer</u></p> <ul style="list-style-type: none"> - Support is extend by the Principal District Judges in case of District Courts; - Moderation and updation support is extended wherever necessary; - Agile approach adopted to update the system regularly <p><u>Strategic impact as perceived by the Principal District Judges</u></p> <ul style="list-style-type: none"> - Court Managers have significant role to play in courts and management of courts; - System maturity is expected to take some time; - Gradual learning will be the key;
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			<ul style="list-style-type: none"> - Court Managers should work in close collaboration with the members of court registry wherever required; - Training on Court Administration and Management should be given to court managers at regular intervals.
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Table 4.70

Conceptually Ordered Within-Case Matrix for Court Management system in the state of Chhattisgarh

Case Study Site	Court Management Techniques	Success Indicators	Critical Success Factors
<i>Case Site 2: High Court and Subordinate Courts in the state of Chhattisgarh</i>	Case Flow Management, E-court Management, Court Development Plan, Infrastructure Development, Human Resource Management	<ul style="list-style-type: none"> • Classification of cases on the basis of 5 years plus pending cases, senior citizen, women and children; • Infrastructure development – development of court premises, court buildings in case of district courts; • Monitors the infrastructural work going on in the Court premises on daily basis and is responsible in establishing communication with the PWD and other Government Officers; • Organization of training programmes at regular intervals; • Closely monitored the progress of Case Information System. 	<p><u>Clear understanding of job expectations:</u></p> <ul style="list-style-type: none"> - Role assignment on the basis of qualification, competence and experience. For example: court manager with IT background is assigned to look after the E-court management project; - Court Manager acts as a bridge between the top administration and the staff ; - Role conflict avoidance; - Accountability for role entrusted. <p><u>Regular Performance Feedback</u></p> <ul style="list-style-type: none"> - Dyadic relationship in performance feedback where the court manager receives the information on his/her performance and also on the performance of other staff members which she/he is expected to communicate ; - Close communication between the

			<p>supervisor and subordinate and also horizontally with the peers;</p> <ul style="list-style-type: none"> - Provides scope for performance correction. <p><u>Job Autonomy</u></p> <ul style="list-style-type: none"> - Court Managers are allowed to take control of execution of tasks once assigned; - Repeat tasks did not require permission; - Can take decisions as pre-approved. <p><u>Support from Reporting Officer</u></p> <ul style="list-style-type: none"> - Principal District Judges were found to be very supportive; - Requires initial confidence building in terms of competence and task execution; - Reporting officers also acted as master trainers. <p><u>Strategic impact as perceived by the Principal District Judges</u></p> <ul style="list-style-type: none"> - Court Managers have significant role to play in courts and management of courts; - Court Managers should work in close collaboration with the members of court registry wherever required; - Training on Court Administration and Management should be given to court managers at regular intervals.
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4.3 Data Triangulation

In researches in the area of social sciences, 'triangulation' is a verification process of increasing validity through incorporation of several viewpoints, methods or data. For the purpose of this study we have adopted methodological and data

triangulation. Both, quantitative and qualitative methods have been adopted to overcome the biases or weaknesses and the problems that might arise from single-method.

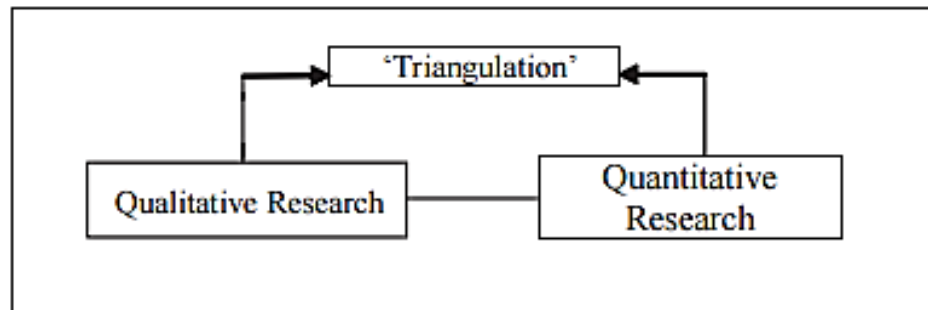


Figure 4.2 Basic 'Triangulation' Research Model

Evidences from both quantitative and qualitative data indicated that court managers are playing an important role in the justice dispensation process and helping in court management and court administration. Through triangulation another important finding indicated towards need of training and development on court functioning, court hierarchy, court procedures and justice delivery mechanism. Also, permanency of services and creation of cadre for court managers was also sounded by the court managers who were interviewed during the course of this study.

Chapter 5

Conclusions and Recommendations

5 CONCLUSIONS AND RECOMMENDATIONS

The central purpose of this the study was to identify various court management techniques that have been adopted by the court managers across various subordinate courts for improving the efficiency of subordinate courts. It was also necessary to establish whether the impact of appointing court managers at various subordinate courts has been beneficial to the subordinate courts or not. For this purpose we developed a detailed questionnaire to be rendered to various court managers' across the country to capture quantitative data for a thorough analysis and at the same time also created a comprehensive interview guide to capture specific case studies and recording information that would be exchanged during the interactions. Once these preliminary tasks were completed, the study moved forward to capturing data which has been analyzed and presented in the chapters before. This chapter completes the study and presents the conclusions and recommendations from the study.

The detailed questionnaire was rendered in person to the court managers throughout the country. Request for permission to visit various subordinate courts that had appointed court managers and had subsequently deputed them to various subordinate courts were written to the Hon'ble Chief Justices of those High Courts. Upon grant of permission to visit designated subordinate courts was received, the research team visited the same for interaction and collection of quantitative as well as qualitative data.

The research team met with the Hon'ble Judges of various subordinate courts across the country and had enriching discussions on the need, use and potential of appropriate court management techniques for improving the efficiency and effectivity of the courts. The team also met officials of the court registry during their visit to various subordinate courts across the country. Then, the research team met with the court managers stationed at specific subordinate courts. All court managers that the research team met with were rendered the questionnaire and were asked to fill it up. The questionnaire consisting of closed and open ended questions made it possible for the team to capture high quality data for further analysis. The interview guide made it possible to capture pertinent

exchanges between the research team and the court managers. The data collected and analyzed helped the research team draw perspectives on the research problems identified during the beginning of the study.

In general, the need for the adoption of court management techniques to improve the efficiency of courts was highlighted by the Hon'ble Judges, members of the court registry as well as court managers. It was one of the most frequently raised needs during our casual discussions in the courts as well as from data collected through the exchanges that occurred through our interview guide. The structured questionnaire as well as the interviews weaved in the role that court managers play in setting of policies and standards for the concerned courts including on timeliness, efficiency; quality of court performance; infrastructure; and human resources; access to justice; as well as for systems for court management and case management. As our data shows, the court managers have positively contributed towards this. Similarly, as regards to playing an important role in developing the 5 year Court Development Plan, the court managers have not only contributed but also played an important role in coordinating with various stakeholders like the Bar, ministerial staff, Executive Agencies supporting judicial functions such as prosecutors/police/process serving agencies and court users.

Similarly, in the area of court management, the court managers have put in efforts in streamlining the processes and procedures of the court (including for filing, scheduling, conduct of adjudication, access to information and documents and grievance redressal) as per the policies and standards established by the concerned High Courts. The court managers have also played an important role in effectuating such policies and procedures as set by the High Court in managing cases so that legitimate needs of each individual litigant in terms of quality, efficiency and timeliness, costs to litigants and to the State are met and pendency is reduced to the extent possible.

Likewise, in areas of Human Resource Management of concerned courts, the court managers have played a role in first of all matching requirement with necessary skills but even more importantly have brought about positive changes in the manner and process in which the recruitment used to happen. The

introduction of scientific and quantitative methods of testing coupled with proper requirement mapping has been one of the contributions from court managers. The court managers have also contributed to the best of their ability in the e-court management project. In most cases, they are working hand –in – hand with the IT team of the courts in making this endeavor a success. As regards the legal aid services of the various courts, the court managers are working hand in hand with providers to connect them with users thereby creating access to justice to the needy. The following section discusses the key findings of the study.

5.1 Key Findings of the Study

According to the analysis of the data collected, court managers contribute least in establishing the performance standards applicable to the quality of court performance and highest in establishing the standards applicable to court infrastructure.

The data analysis of the performance of court managers in the area of information management revealed that the performance of court managers on monitoring the implementation of the approved CDP and reporting to the District Judge and the High Court with the progress is least as compared to other component of information management. Similarly, it is also found that they perform better as compared to other indicator of information management, while ensuring that reports on statistics are duly completed and provided as required. The performance of court managers is highly inconsistent across the courts while preparing a update in consultation with all the stakeholders of the Court including litigants, the Bar, ministerial staff, executive agencies supporting judicial functions such as prosecutors/police/ process service agencies.

Our analysis also revealed that the court managers have the lowest performance while ensuring that costs to litigants and to the state are minimized. Similarly, their performances on ensuring that the processes, procedures, policies and standards established by the High Court for Court Management are complied with are the highest as compared to other indicators of court management.

Through the analysis of the data collected on case management, we also found that court mangers have the least performance where they have to ensure that the

legitimate needs of litigants in terms of quality, efficiency and timeliness are addressed. Likewise, their performance remains better than any other indicators of case management while ensuring that case management systems are fully compliant with the policies and standards established by the High Court. The performances of court managers in ensuring that the legitimate needs of litigants in terms of quality, efficiency and timeliness are addressed, are inconsistent across the court managers of inter and intra states. Similarly, it is least inconsistent with respect to other indicators when the court managers have to ensure that case management systems are fully compliant with the policies and standards established by the High Court.

While analyzing the responses of court managers on responsiveness management, we found that they perform better than any other indicators in ensuring that court meets standards established by the High Court on legal aid while their efforts in ensuring that court meets standards established by the High Court on access to justice remains the least as compared to other responsiveness management indicators. Performances of court managers in ensuring that court meets standards established by the High Court on user friendliness of the court mechanisms are consistent across the states whereas they are inconsistent in their efforts in ensuring that court meets standards established by the High Court on access to justice.

Our findings indicate that the overall performance of court managers in human resource management is just above average across all the states. However, efforts of court managers in ensuring that court meets quality of adjudication standards established by the High Court is more consistent than their efforts in ensuring that human resource management of ministerial staff in the court complies with the Human Resource Management standards established by the High Court.

Another key finding of ours regarding core systems management reveals that the court managers seem to perform least on ensuring the effectiveness of core systems of the court as established, while they perform better than any other indicators of core system management in case of ensuring the effectiveness of infrastructure and facilities management. Performances of court managers are

more consistent when they have to ensure the effectiveness of infrastructure and facilities management. However, less consistency is observed across the court managers when they have to ensure the effectiveness of financial systems management (audits, accounts, payments).

As regards to the information technology management system, our findings indicate that court managers perform least in ensuring services roll-out, while their performance in ensuring management and initiation of data entry are better than any other indicators of IT system management. Court managers' performances are more consistent in case of ensuring management and initiation of data entry, whereas there are more inconsistencies in the performances of court managers in ensuring IT systems of the court comply with standards established by the High Court and are fully functional.

The major finding of the study is that training and joint goal settings of court managers along with their supervisors make strong, significant, and positive impacts on the performance court managers.

5.2 Recommendations from the Study

Based on the quantitative and qualitative data collected and analyzed, there is no doubt that court management is essential towards improving efficiency of the courts. For that matter, court managers who have been diligently performing various duties as mandated by the Hon'ble High Courts are an essential organ of the court and should continue to be so for us to achieve the vision of efficient and effective justice delivery system.

Our recommendations are two pronged: one set of recommendation are to make the present system of court management through court managers more systematic and the other set of recommendations are for the court registry that have been at the helm of managing the functions of the courts and can be scaled up for enhanced performance.

Recommendation to improve the present system of court management through court managers are based on several interactions with Hon'ble Judges, members of the court registry and the court managers themselves. Court managers have been successful in creating a difference, although not major, in assisting Hon'ble

Judges in carrying out administrative functions. But at the same time certain lacunas have to be dealt with for even better outcomes. The following are a set of recommendations for the same:

1. *Efficient hiring mechanism:*

Presently, the eligibility to apply for the position of court managers is a degree in M.B.A. or equivalent with Human Resources/Personnel Management as the optional or as one of the Principal subjects, awarded by a recognized university or an institution recognized by U.G.C./AICTE with experience of at least two years within an age group of 28 to 40 years. A few things could be altered here. A MBA degree prepares graduates for a career in a corporate firm but the court is unlike a corporate. It is recommended that a MBA in Court Management should be made mandatory where in candidates with a fundamental understanding of Court structure, its cadres, its working etc. is already known to the applying candidates. The same must be verified during a written examination and subsequent panel interviews. It is also recommended that along with other skills like personnel management, which is one of the most important skills required by managers, in case of court managers, a necessary skill should be the working knowledge of systems (Information Technology). This is one of the most important skills as almost all court managers that the research team interacted with is actively involved in handling the e-court management system. This requires proficiency for success and thus should be included in the essential skill requirement for appointment as court managers.

2. *Induction and onboarding*

For any newly recruited employee of any organization, induction and onboarding is a stepping stone to quality contribution over a period of time. Induction and onboarding familiarize the newly recruited with the organization. It gives the employer a chance to get to know the employee far better than the formal interview. On the other hand, it also allows new employees to get to know their colleagues and other members of the staff. It provides a platform to familiarize new employees with the ethos, culture and all that the organization stands for.

More importantly, it also allows the organization the scope to familiarize the new employee with organizational policies and practices.

During our interactions with several court managers, it came to light that barring a very few High Courts, induction and onboarding did not take place for any of the court managers post recruitment. Keeping in mind the fact that the eligibility was a MBA degree, the recruits, in most cases, had no knowledge of how a court operates and about its practices. Thus, it is recommended that having a comprehensive, structured induction and onboarding process be designed and mandatorily provided as it has shown to play a major role in improving productivity and employee retention.

3. Ongoing training

Induction, onboarding and skill enhancements are essential parts of assimilating the new employees into the organization. But, it is also true that learning is a continuous process on account of changing needs of the organization, changing stakeholder preferences, changing technology as well as an overall change in the operating environment. Thus surfaces the need for continuous or ongoing training. It caters to the skill gaps that arise because of the continuous changes in the operating environment as well as organizational needs that arise out of the need to meet with such changes. The various advantages of ongoing training like continuous skill development leading to a sense of self-enrichment lead to job satisfaction and result in the retention of performing employees. It also ensures high productivity and compliances to an ever changing fluid environment.

During various interactions with the research team, it became evident that the court managers are not trained on a continuous basis. It is recommended that a practice of continuous training be introduced for the court managers for the outcomes as highlighted in the previous paragraph. It is also recommended that a training calendar be created for the court managers wherein they are trained in the gaps that the court administration has and possible solutions.

4. Performance Appraisal and Performance feedback

Performance related directly to the understanding of the organizational operations and the gaps that the organization addresses. Performance appraisal provides a

window to both the employer and the employees to focus on the essentials of assigned work and the goals. It is also a tool to identify and do a course correction from existing problems, if any. The problems might be at the end of the employer as well as the employee but it is pivotal that the problem is handled swiftly to avoid losses. As a matter of fact, for many employees, the feedback sessions are the only personal time that they get to meet their superior officials. Things that the appraisal does not capture can be understood through these personalized interactions. Employees are satisfied that the organization cares for them and is thus motivated to work towards set goals. On the other hand, appraisal and feedback can also be used to identify training needs by employees for better productivity that can lead to employee retention.

Our interactions revealed that for the court managers a standardized performance appraisal mechanism is lacking and feedback is very informal. It is recommended that a standardized appraisal form be developed and administered periodically with a mechanism for feedback sessions. This will provide a window of opportunity to the court managers to identify the changing requirements of the concerned courts and also the skill gaps that might exist that hamper in their productivity.

5. Creation of permanent position and cadre

One of the most important factors that retain productive employees is security of job. Employees need to be assured that the organization requires their services and appreciates their efforts in contributing towards the organizational goals. It is critical that the organization values the services of the employee and the employee shares the same for the organization. This invigorates a mutual desire to continue to work together for the desired outcomes. Such actions empower the employee as the employee is no more insecure of the job. Similarly, responsibility attached to each employee comes with a sense of accountability and accountability is derived from delegation of authority. Such delegation empowers the employees to push themselves to the best of their abilities towards deriving organizational goals.

At the moment, all the court managers appointed throughout the country are on a contractual basis and thus have are insecure of their jobs. It is recommended that this insecurity be considered from the perspective of the court managers and they be given permanent positions. Also, as of now, they find themselves alien to the court hierarchy. Hierarchy is also very important in the overall productivity of the employee. If an employee cannot find a place in the hierarchy then they start feeling alien to the organizational system leading to reduced contribution. It is recommended that an appropriate cadre be created for the court managers.

6. Sharing of best practices in Court Management through Roundtables and Conferences

Developing and sharing of best practices is a proven method to improve productivity and performance of employees in the organization. It effectively optimizes the economic principle of the experiential curve. As we move up in the curve, with the set of best practices already available and catalogued, our experiences help us to cut down the time taken to complete the same task and that too at reduced utilization of resources. It raises the overall quality of service, removes duplication of effort in completing the same task otherwise known as the problem of "reinventing the wheel", optimizes time by reduction in duplicating work and saves cost. Modern day organizations have developed knowledge management systems to store and retrieve best practices.

It is recommended that a knowledge management system be developed by the High Courts to capture best practices of the subordinate courts and accordingly the same be applicable at the national level. The court managers can play a pivotal role in the development and deployment of such a system. It is also recommended a national database be maintained of the successes of various efforts of the court managers so that they can be used as light houses for the future generation of court managers. Such a system can improve the functioning of the court management system and the courts at large in day to day administration of the courts across the country.

7. Introducing a 1 Year executive programme on Court Management

Although it is evident that all the court managers have a MBA degree, the relevance of a generic MBA to the specific responsibility allotted to them is questionable. The efficiency of individual is proportional to the applicable knowledge that they have. Keeping that in mind, it is recommended that the court managers be asked to undergo an Executive MBA/certification program in Court administration and management. The program can be developed in collaboration with any business school that has a strong foundation in legal education. Through the program should include essential courses of court management techniques and specific courses that are required for capacity building of the court managers.

It is also recommended that continuous training programs by experts be given to the court managers for capacity building. With issues related to shortage of staff, efficiency and effective use of time and resources has been widely written about, it would not be difficult to imagine that training of the court managers would lead to an enhanced capacity and capability to contribute positively to the betterment of the justice delivery system.

Recommendation to improve the present system of court administration and management through the court registry is also critical and are based on several interactions with Hon'ble Judges, members of the court registry and the court managers themselves. Members of the Court registry have been successfully creating a difference in assisting Hon'ble Judges in carrying out administrative functions since the advent of the system itself. But at the same time, there is always scope for capacity building and capability enhancement. The following are a set of recommendations for the same:

1. Skill Up-gradation through MBA Programme

A usually adopted technique of capacity building is continuous learning and development of internal stakeholders (in this case, Deputy Registrars, Joint Registrars and Additional Registrars). As the issues related to shortage of staff, efficiency and effective use of time and resources has been widely written about, it would not be difficult to imagine that training of the administrative officers

would lead to an enhanced capacity and capability to contribute positively to the betterment of the justice delivery system.

It is recommended that an Executive MBA (CAM) be designed in collaboration with a business school that has strong foundation in law, keeping in mind specific requirements of the Court Registry while discharging their duties as administrators and managers of various functions of the courts. The program should include essential courses of management sciences and specific courses that are required for capacity building of the officers.

2. Joint goal setting on court administration

It is recommended that the members of the court registry be a part of the goal setting exercise undertaken by the Hon'ble courts from time to time. It is a proven fact that through such exercises, ownership of decisions is perceived. Once ownership is perceived, actions follow. Although it is true that not all decisions can be done in the suggested manner, the practice can be adopted for administrative and managerial functions of the members of the court registry for better outcomes.

5.3 Contributions of this Study

This research aims to bridge the research gap in the court management literature by developing and validating the performance indicators for the court managers. The present study empirically evaluates the performance of court managers across the states of India for the first time. Not only does this study analyze the quantitative data obtained through the survey research, but it also takes and analyzes the qualitative data on performance and court efficiency obtained through interview and focus group discussion. This study is pioneer in establishing the impact of training provided to court managers and their joint goal settings with their respective supervisors on the performance of court managers.

The present research study provides clear managerial implications for the court management practitioners. The scale developed for measuring the efficiency of court managers may be used for performance appraisal for the court managers and administrators. As this study highlights the impact of training and joint goal

setting on the performance of court managers, court should provide proper and regular training to court managers and give them feedbacks on their performance on a regular basis.

5.4 Limitations of the Study

The present study makes an attempt to examine the court managers' efficiency across the states of India. In this attempt, this research study has several limitations that should be acknowledged and addressed by future researchers. First, this research study relied on the key informant technique on only one side of the court manager-supervisor dyad. The sampling unit of the present study is only the court managers. We have tried to get the responses from the reporting officers of the court managers but in some instances they were reluctant to share the information in a formal way. Second, the cross-sectional nature of the present research restricts us to assess the association of time variable with the performance of court managers. For this a longitudinal research is suggested for the future researchers. Third and the last, we were unable to get the approval of data collections from some of the High Courts. It would have been better if we could visit all the courts where the court managers have been appointed.

5.5 Scope for Further Research

The future research may be done using the dyadic method where responses may be collected and validated from both the court managers and the supervisors in a formal way. In line with the present study, future research may be done to find out the efficiency and effectiveness of other regular court administrations.

It would be interesting to find out the gaps in the training and development of the administrative staffs of various courts to overcome their performance issues on various indicators.

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Appendices

Appendix: 1 Court Manager Efficiency Questionnaire

Q1 Name

Q2 Name of the district court

Q3 Age

Q4 Highest Qualification with specialization

Q6 Have you had any prior work experience?

- Yes
- No

Q7 Name of your previous organization

Q8 Indicate to what extent you agree or disagree with following statements

	Strongly Disagree	Disagree	Neither Agree nor Disagree	Agree	Strongly Agree
I establish the performance standards applicable to the Court Efficiency	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
I establish the performance standards applicable to the court timeliness	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
I establish the performance standards applicable to the quality of court performance	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
I establish the performance standards applicable to the Court infrastructure	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
I establish the performance standards applicable to the human resources of the court	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
I establish the performance standards applicable to access of justice	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Q9 I carry out an evaluation of the compliance of the directives of the Court with respect to

	Strongly Disagree	Disagree	Neither Agree nor Disagree	Agree	Strongly Agree
Court standard	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Identification of deficiencies and deviations	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Identification of steps required to achieve compliance	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Maintaining evaluation records for annual updates as desired	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Q10 I contribute to the Court Development Plan (CDP) by

	Strongly Disagree	Disagree	Neither Agree nor Disagree	Agree	Strongly Agree
preparing a update in consultation with all the stakeholders of the Court including litigants, the Bar, ministerial staff, Executive Agencies supporting judicial functions such as prosecutors/police/process service agencies prepare	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
monitoring the implementation of the approved CDP and report to the District Judge and the High Court with the progress.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Q11 I ensure that

	Strongly Disagree	Disagree	Neither Agree nor Disagree	Agree	Strongly Agree
<p>statistics on all aspects of the functioning of the Court are compiled and reported accurately and promptly in accordance with systems established by the High Court.</p>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
<p>reports on statistics are duly completed and provided as required.</p>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Q12 I ensure that

	Strongly Disagree	Disagree	Neither Agree nor Disagree	Agree	Strongly Agree
the processes, procedures, policies and standards established by the High Court for Court Management are complied with	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Court management quality is maintained	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Court efficiency is achieved	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Costs to litigants and to the state is minimized	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Q13 I ensure that

	Strongly Disagree	Disagree	Neither Agree nor Disagree	Agree	Strongly Agree
case management systems are fully compliant with the policies and standards established by the High Court	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
the legitimate needs of litigants in terms of quality, efficiency and timeliness are addressed	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
costs to litigants and to the State is minimized	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
standard systems for case management is developed by the court from time to time.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Q14 I ensure that court meets standards established by the High Court on

	Strongly Disagree	Disagree	Neither Agree nor Disagree	Agree	Strongly Agree
access to justice	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
legal aid	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
alternative dispute mechanism	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
user friendliness of the court mechanisms	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Q15 I ensure that

	Strongly Disagree	Disagree	Neither Agree nor Disagree	Agree	Strongly Agree
court meets quality of adjudication standards established by the High Court.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
human Resource Management of ministerial staff in the court complies with the Human Resource Management standards established by the High Court.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Q16 I ensure the effectiveness of

	Strongly Disagree	Disagree	Neither Agree nor Disagree	Agree	Strongly Agree
core systems of the court as established	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
documentation management	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
utilities management	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
infrastructure and facilities management	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
financial systems management (audits, accounts, payments)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Q17 I ensure

	Strongly Disagree	Disagree	Neither Agree nor Disagree	Agree	Strongly Agree
IT systems of the court comply with standards established by the High Court and are fully functional.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Implementation of e-Court Project	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
management and initiation of data entry services roll-out	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
monitoring of the e-Court Project in my District Court	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Q18 Please indicate to what extent you agree or disagree with the following statements

	Strongly Disagree	Disagree	Neither Agree nor Disagree	Agree	Strongly Agree
I am aware of judicial processes and practices	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
I am trained in handling day to day duties of a court manager	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
My performance is continuously reviewed and feedback is provided to me	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
I am made a part of joint goal setting with my supervisor	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Q19 Rate your contribution on following parameters

	Much Lower	Slightly Lower	About the Same	Higher	Much Higher
Justice Dispensation	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Preparation and Implementation of CDP	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Documentation Management	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Utility Management	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Infrastructure and Facility Management	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Financial Management	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Case Management System	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
IT System Management	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
E-Court Project	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Q20 According to you what in addition to the existing plan should be changed to make Court Managers execute their responsibility more effectively?

Q21 Do you think permanent tenure positions or creation of court manager cadre would help in retention and recruitment of court managers?

Q22 Any general remark on improving the efficiency of subordinate courts

Appendix: 2 Interview Guide for Court Registry / Registrar General/ Reporting Officer

- 1- What do you think that what are the primary objective of appointment of court managers?
- 2- Where do you think these newly appointed court managers fit into the court system?
- 3- Please elaborate on court system (for our understanding)
- 4- Since our research is an impact assessment of court managers on efficiency of courts, can you please throw some light on the term “Efficiency” of the court?
- 5- Can you help us establish some parameters to measure efficiency of courts
- 6- In your opinion, how do you see the court managers contributing to any of these identified parameters?
- 7- In your opinion how would you define access to courts?
- 8- How would you define justice dispensation?
- 9- To what extend do you feel that court managers contribute towards
Enhancement to access to justice
 - i. Preparation and Implementation of Court Development Plan
 - ii. Documentation Management
 - iii. Utility Management
 - iv. Infrastructure and Facility Management
 - v. Financial Management, and
 - vi. Case Management System

- 10- Is there any mechanism of continuous performance assessment/appraisal of court managers?
- 11- Do you think any regular training will help court managers to achieve objectives as discussed earlier?
- 12- Do you think court managers can help in better listing of cases?
- 13- Do you think court manager can play some positive role in reducing delays?
- 14- Do you think permanent tenure positions or creation of court manager's cadre would help retention/recruitment of court managers?
- 15- Do you think judges from the subordinate courts are best suited to manage registry or are their need to have the specialized personnel?
- 16- Do you think existing registry staff should be given training/education in the court management?

Appendix: 3 Interview Guide for Court Manager

1. According to you what roles and responsibility do you execute?
2. How often you are trained to execute these roles and responsibility?
3. Is there any mechanism of joint goal setting for the kind of work you are asked to do?
4. How frequent is the performance appraisal done/or any other mechanism of performance evaluation?
5. How do you ensure that access to justice is enhanced?
6. Who are your role set members? Whom do you report to? Whom do you consult for finding solutions to problems?
7. How do you ensure that the cost to litigants is minimized?
8. What is your contribution towards
 - a. Preparation and Implementation of Court Development Plan
 - b. Documentation Management
 - c. Utility Management
 - d. Infrastructure and Facility Management
 - e. Financial Management, and
 - f. Case Management System
 - g. IT System Management
 - h. E-Court Project
9. Please elaborate on the practice of maintaining data with respect to various court functions

10. Is there any adjudication standard set by the high court and how do you evaluate that the court meets quality of these standards?

11. How much of High Court rules or Court procedures you have understood?

Do you think they are highly complicated?

Appendix: 4 Test for Reliability using SPSS (Indicative Only)

Notes

	Output Created	27-Sep-2016 17:03:10
	Comments	
Input	Data	C:\Users\user\Desktop\CM Report\cm.sav
	Active Dataset	DataSet1
	Filter	<none>
	Weight	<none>
	Split File	<none>
	N of Rows in Working Data File	60
	Matrix Input	C:\Users\user\Desktop\CM Report\cm.sav
Missing Value Handling	Definition of Missing	User-defined missing values are treated as missing.
	Cases Used	Statistics are based on all cases with valid data for all variables in the procedure.
	Syntax	RELIABILITY /VARIABLES=SM1 SM2 SM3 SM4 SM5 SM6 /SCALE('ALL VARIABLES') ALL /MODEL=ALPHA /STATISTICS=SCALE CORR /SUMMARY=MEANS CORR.
Resources	Processor Time	0:00:00.000
	Elapsed Time	0:00:00.014

[DataSet1] C:\Users\user\Desktop\CM Report\cm.sav

Scale: ALL VARIABLES

Case Processing Summary

		N	%
Cases	Valid	60	100.0
	Excluded ^a	0	.0
	Total	60	100.0

a. Listwise deletion based on all variables in the procedure.

Reliability Statistics

Cronbach's Alpha	Cronbach's Alpha Based on Standardized Items	N of Items
.895	.895	6

Inter-Item Correlation Matrix

	SM1	SM2	SM3	SM4	SM5	SM6
SM1	1.000	.768	.745	.621	.551	.664
SM2	.768	1.000	.704	.480	.506	.607
SM3	.745	.704	1.000	.508	.439	.639
SM4	.621	.480	.508	1.000	.555	.425
SM5	.551	.506	.439	.555	1.000	.594
SM6	.664	.607	.639	.425	.594	1.000

Summary Item Statistics

	Mean	Minimum	Maximum	Range	Maximum / Minimum
Item Means	3.450	3.183	3.867	.683	1.215
Inter-Item Correlations	.587	.425	.768	.344	1.809

Summary Item Statistics

	Variance	N of Items
Item Means	.059	6
Inter-Item Correlations	.011	6

Scale Statistics

Mean	Variance	Std. Deviation	N of Items
20.70	26.349	5.133	6

RELIABILITY /VARIABLES=P1 P2 P3 P4 /SCALE('ALL VARIABLES') ALL /MODEL=ALPHA /STATISTICS=SCALE CORR /SUMMARY=MEANS CORR.

Reliability

Notes

	Output Created	27-Sep-2016 17:04:35
	Comments	
Input	Data	C:\Users\user\Desktop\CM Report\cm.sav
	Active Dataset	DataSet1
	Filter	<none>
	Weight	<none>
	Split File	<none>
	N of Rows in Working Data File	60
	Matrix Input	
Missing Value Handling	Definition of Missing	User-defined missing values are treated as missing.
	Cases Used	Statistics are based on all cases with valid data for all variables in the procedure.
	Syntax	RELIABILITY /VARIABLES=P1 P2 P3 P4 /SCALE('ALL VARIABLES') ALL /MODEL=ALPHA /STATISTICS=SCALE CORR /SUMMARY=MEANS CORR.
Resources	Processor Time	0:00:00.016
	Elapsed Time	0:00:00.015

[DataSet1] C:\Users\user\Desktop\CM Report\cm.sav

Appendix: 5 Descriptive Statistics using SPSS (Indicative Only)

Notes

	Output Created	26-Sep-2016 16:54:39
	Comments	
Input	Data	C:\Users\user\Desktop\CM Report\cm.sav
	Active Dataset	DataSet1
	Filter	<none>
	Weight	<none>
	Split File	<none>
	N of Rows in Working Data File	60
Missing Value Handling	Definition of Missing	User defined missing values are treated as missing.
	Cases Used	All non-missing data are used.
	Syntax	DESCRIPTIVES VARIABLES=SM1 SM2 SM3 SM4 SM5 SM6 P1 P2 P3 P4 IM1 IM2 IM3 IM4 COM1 COM2 COM3 COM4 CAM1 CAM2 CAM3 CAM4 RM1 RM2 RM3 RM4 HRM1 HRM2 CSM1 CSM2 CSM3 CSM4 CSM5 ITM1 ITM2 ITM3 ITM4 ITM5 TPR1 TPR2 TPR3 TPR4 PER1 PER2 PER3 PER4 PER5 PER6 PER7 PER8 PER9 /STATISTICS=MEAN STDDEV MIN MAX KURTOSIS SKEWNESS.
Resources	Processor Time	0:00:00.031
	Elapsed Time	0:00:00.031

[DataSet1] C:\Users\user\Desktop\CM Report\cm.sav

Descriptive Statistics

	N	Minimum	Maximum	Mean	Std. Deviation	Skewness	
	Statistic	Statistic	Statistic	Statistic	Statistic	Statistic	Std. Error
SM1	60	1	5	3.50	1.000	-.947	.309
SM2	60	1	5	3.25	1.114	-.518	.309
SM3	60	1	5	3.18	1.172	-.304	.309
SM4	60	1	5	3.87	.982	-1.167	.309
SM5	60	1	5	3.52	1.000	-.995	.309
SM6	60	1	5	3.38	1.059	-.391	.309
P1	60	1	5	3.63	.974	-.447	.309
P2	60	1	5	3.92	.850	-.867	.309
P3	60	1	5	4.07	.756	-1.329	.309
P4	60	1	5	3.65	.917	-.461	.309
IM1	60	1	5	3.67	1.130	-.467	.309
IM2	60	1	5	3.47	1.016	-.057	.309
IM3	60	2	5	4.20	.755	-.597	.309
IM4	60	2	5	4.32	.701	-.837	.309
COM1	60	2	5	3.83	.847	-.708	.309
COM2	60	1	5	3.63	.901	-.774	.309
COM3	60	1	5	3.63	.901	-.774	.309
COM4	60	1	5	3.30	.944	-.395	.309
CAM1	60	1	5	3.62	.940	-.540	.309
CAM2	60	1	5	3.28	1.027	-.409	.309
CAM3	60	1	5	3.30	.979	-.533	.309
CAM4	60	1	5	3.58	1.013	-.589	.309
RM1	60	1	5	3.58	.979	-.745	.309
RM2	60	1	5	3.80	.971	-.846	.309
RM3	60	1	5	3.72	.940	-.406	.309
RM4	60	1	5	3.75	.876	-.891	.309
HRM1	60	1	5	3.30	.944	-.145	.309
HRM2	60	1	5	3.50	1.112	-.497	.309
CSM1	60	2	5	3.52	.948	-.358	.309
CSM2	60	1	5	3.77	.945	-.878	.309
CSM3	60	1	5	3.65	.936	-.646	.309

CSM4	60	1	5	3.97	.920	-1.013	.309
CSM5	60	1	5	3.73	1.039	-.841	.309
ITM1	60	2	5	3.90	1.037	-.739	.309
ITM2	60	2	5	4.02	.930	-.951	.309
ITM3	60	2	5	4.08	.926	-1.097	.309
ITM4	60	2	5	3.75	.932	-.382	.309
ITM5	60	1	5	3.92	1.013	-.839	.309
TPR1	60	2	5	3.88	.761	-.514	.309
TPR2	60	1	5	3.48	1.112	-.454	.309
TPR3	60	1	5	3.50	1.142	-.529	.309
TPR4	60	1	5	3.47	1.081	-.286	.309
PER1	60	1	5	2.80	1.038	-.053	.309
PER2	60	1	5	2.97	1.248	-.206	.309
PER3	60	1	5	3.37	1.025	-.605	.309
PER4	60	1	5	3.35	1.219	-.480	.309
PER5	60	1	5	3.85	1.087	-1.086	.309
PER6	60	1	5	3.08	1.169	-.430	.309
PER7	60	1	5	3.20	1.147	-.407	.309
PER8	60	1	5	3.62	1.195	-.687	.309
PER9	60	1	5	3.58	1.279	-.719	.309
Valid N (listwise)	60						

Descriptive Statistics

	Kurtosis	
	Statistic	Std. Error
SM1	.327	.608
SM2	-.600	.608
SM3	-.977	.608
SM4	1.804	.608
SM5	.398	.608
SM6	.002	.608
P1	-.250	.608
P2	1.420	.608
P3	4.064	.608
P4	.105	.608

IM1	-629	.608
IM2	-663	.608
IM3	-176	.608
IM4	.712	.608
COM1	.214	.608
COM2	.391	.608
COM3	.391	.608
COM4	.332	.608
CAM1	-.030	.608
CAM2	-.435	.608
CAM3	-.116	.608
CAM4	-.029	.608
RM1	.262	.608
RM2	.332	.608
RM3	-.049	.608
RM4	.978	.608
HRM1	-.008	.608
HRM2	-.747	.608
CSM1	-.836	.608
CSM2	.484	.608
CSM3	.119	.608
CSM4	1.129	.608
CSM5	.235	.608
ITM1	-.536	.608
ITM2	.304	.608
ITM3	.656	.608
ITM4	-.624	.608
ITM5	.149	.608
TPR1	.316	.608
TPR2	-.482	.608
TPR3	-.617	.608
TPR4	-.966	.608
PER1	-.641	.608
PER2	-1.085	.608
PER3	.134	.608
PER4	-.684	.608

PER5	.744	.608
PER6	-.798	.608
PER7	-.628	.608
PER8	-.403	.608
PER9	-.516	.608
