

ROLE OF COURT MANAGERS IN DIFFERENT JURISDICTIONS

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LED TO THE CREATION OF POSTS OF
COURT MANAGERS FOR JUDICIARY IN INDIA



THE RELEVANT EXTRACT OF THIS F.NO. READS AS:

12.1 With a view to enhancing the efficiency of court management, and resultant improvement in case disposal, Rs. 300 crore are allocated for employment of professionally qualified CM to assist judges. The CM, with MBA degrees, will support judges to perform their administrative duties, thereby enabling judges to devote more time to their judicial functions. The post of a CM would be created in each judicial district to assist PDJ. Two posts of CM may be created for each HC, and one for each Bench of the HC.

ANNEX. – III SUGGESTED FUNCTIONS, RESPONSIBILITIES AND QUALIFICATIONS

Policies and Standards	Responsiveness management
Planning	Quality management
Information and statistics	Human resource management
Court management	Core system management
Case management	IT System management

POLICIES AND STANDARDS

- ▶ Based on applicable directives of superior courts, establish performance standards applicable to court (on timeliness, efficiency, quality of court performance, infrastructure and human resources, A2J, as well as for systems of court management and case management)
- ▶ Carry out evaluation of compliance of 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

ISSUES OF CONCERN ON THIS ROLE

How will CM (i) find all applicable directives of the superior courts in this area; (ii) establish performance standards for whom – for judges? Or for staff of the court other than judges? Or for registry officials who are mostly deputed judges? (iii) know which directives are latest and which are old ones and which one to be applied and which one to be discarded when there are so many conflicting judgments/reports on all these aspects from different high courts and the SC?


THEREFORE only those high courts which are appointing LLB and MBA degree holders as CM can delegate some role to CM in policy making responsibilities because they will know from where to find out directives of the superior courts in areas of timeliness, efficiency, court performance, infrastructure, HR, A2J, C/CM. Person not qualified in law cannot be right person therefore to take this kind of research, let alone checking for compliance.

Even if CM finds directives applicable in specified areas, CM cannot carry out evaluations for compliance with these directives unless and until supported by staff of the court who is knowledgeable and committed to work and who can dig out non compliances point wise, staff wise and court wise.

Therefore role in policy making and laying down standards in areas specified will be almost IMPOSSIBLE for outsider with no knowledge of the system

Managers are employed by other institutions and professions also – hospitals can be taken as an example. In hospitals, managers do not set policies in core areas of profession of doctors.

PLANNING


- ▶ In consultation with stakeholders (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)
 - ▶ Monitor the implementation of the CDP and report to superior authorities on progress
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ISSUES AND CONCERNS ON THIS ROLE

Updating annually of CDP had been good enough task for CM but expecting that they will also develop CDP is expecting too much from a person/s who are new to the system/process/environment. This task to be given only to CM who is retained in the system for a long time of about decade or more and who by virtue of experience gained in the system learn completely of the system. As of today we have CM who have served maximum period for 4 years in that position


Not even all PDJs and RGs are in position to prepare CDP for multi-judge and multi-staff court complex. Then why expect CM to come out with such a plan?

INFORMATION AND STATISTICS

- ▶ 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
 - ▶ Ensure that reports on statistics are duly completed and provided as required
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ISSUES AND CONCERNS ON THIS ROLE

The syllabus of MBA degree programme consist of 32 Courses (Papers) and a project in any of the specialization area opted by the student. The courses are segregated in three groups viz. Hard core or Compulsory courses, Soft core and Specialization. The student have a choice to select the specializations and soft core courses from the list according to his/ her area of interest. Statistics is not compulsory part of this degree programme.



Indian Statistical Institute (ISI) set up by Parliament in 1959 offers BA/MA/Ph.D in Statistics. It is public university with branches in Kolkata, Delhi, Chennai, Bangalore, Tezpur, Giridih, and Hyderabad. It has 255 academic staff and every year 110 B.A in Statistics Hons pass out from these 7 centres, 225 post graduates and 40 doctoral students.

Instead of giving statistical work to CM, students/faculties of these centres could be used for statistical works in a team of CM and the RG /PDJ

COURT MANAGEMENT


Ensure that 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 HC for court management and that they safeguard quality, ensure efficiency and timeliness, and minimise costs to litigants and to the state and enhance A2J. Note: Standard systems for court management should be developed at the HC level.

ISSUES AND CONCERNS ON THIS ROLE

CM expected to learn about all process and procedures and evaluate them with the standards developed by the HC that too in a period of one year? Most of CM are employed on yearly basis? CM with MBA degrees only and no legal qualification will take routine time to learn about various processes and procedures, minimum 5 years at least. How can CM ensure compliance with standard set by the HC? What tools, what authority, what level of access to internal workings CM is given?

CASE MANAGEMENT

Ensure that case management systems are fully compliant with the policies and standards established by the HC for case management and 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 system for case management should be developed at the HC level)



IN NORWAY, IN THE CONTEXT OF CASE MANAGEMENT, CM HAS TO

Produce monthly report on incoming, decided cases, undecided cases and time used on the decided cases.

Monitor case load and to see if the Court is following the National Standards given for solving cases

Monitor if resources are being used on the right type of cases

Monitor workload of each judge

Watch number of unsolved cases with each judge

Watch for the speed of a case as set by the national standards

Watch if verdicts are delayed after the hearing

Understandably there has been considerable reluctance in the courts to delegate case management functions to the CM [18 Suffolk U.L. Rev. 1 1984, THE ADMINISTRATION OF JUSTICE AND THE COURTS]

A study in Florida indicated that few trial judges effectively utilized their CMs in case flow management. Most CMs assumed a low profile, and that their most common tasks were routine operations such as budgeting, record keeping, data collection, and report writing.

RESPONSIVENESS MANAGEMENT ENSURE THAT THE COURT MEETS STANDARDS ESTABLISHED BY THE HC ON A2J, LEGAL AID AND USER FRIENDLINESS

As A2J issues all over the world are handled by executive and not judiciary. It is not a judicial function. Therefore whole A2J burden can be shifted to CM – like taking steps to organise lok adalats, legal literacy camps, mega functions etc.

QUALITY MANAGEMENT

Ensure that the court meets quality of adjudication standards established by the high court

ISSUES AND CONCERNS ON THIS ROLE

- ▶ What are *quality of adjudication* standards set up by the HC?
- ▶ Which issues relating *quality of adjudication* are framed by the HC?
- ▶ *Quality of adjudication* being central to adjudication work/judicial work – how it can be given to CM?

20 AM. U.L. REV. 601 1970-1971
MANAGEMENT AND COURTS: A PERPLEXING
NEXUS

CM should not decide any aspect of any case for litigants. He/she could possibly affect professional autonomy in cases in two ways- the scheduling or assignment of cases or both. ... it a great error to ask CM to be an assignment or a calendar judge. CM has neither status nor likely to get power in law to accomplish much in the adjudicative sphere.

**HUMAN RESOURCE MANAGEMENT
ENSURE THAT HRM OF MINISTERIAL STAFF
IN THE COURT COMPLY WITH HRM
STANDARDS ESTABLISHED BY THE HIGH
COURT**

As Judicial officers at both the HC level and DC level cannot be asked to spare their time to decide HR issues on administrative side. This work has to be delegated to the CM

CORE SYSTEMS MANAGEMENT

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

UNDER CORE SYSTEM MGT – COURT RECORDS MGT?

Volume and age of records in the custody of courts along with problems of security, loss and privacy cannot be left to the mercy of section officers and CM can review the records management system in his court and set up a new system of storage and retrieval with the help of (i) in house staff allocated to him/her or (ii) by engaging professional equipment companies which can be outsourced for setting up system under control of CM

IT SYSTEMS MANAGEMENT

- ▶ Ensure that the IT systems of the court comply with standards established by the high court and are fully functional
- ▶ 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

ISSUES AND CONCERNS

- ▶ Salary package of CM is it attractive to recruit MBAs with ICT specialization?
- ▶ When the courts have Registrar (IT) posts under the E-Court project, then why CM is dragged into IT management of the courts?
- ▶ MBA need not be hired for data entry jobs as there is position of DEO in every government department. Courts too can hire DEO as many as it wants and all of these can function under the directions of Registrar (IT)
- ▶ CM is different from CSA and Need to differentiate b/w two and mixing up Q

ALLAHABAD HIGH COURT RULES (75)

- ▶ CM not a regular cadre of establishment, given contract of 50,000 per month, appointed for one year contract to be extended each year for 5 years only if finance available.
- ▶ Services to be terminated any time by the CJ for the HC and by the DJ for district courts
- ▶ CM in addition to 10 areas as given in 13th FC FO, given responsibility for implementation, managing data entry initiation, services roll out and monitoring of the e-court project in respective HC/DC
- ▶ CM may be asked to do any other job as determined by HC/District Judge / Nodal Officer
- ▶ CM to report to the CJ/DJ or any other judge/officer nominated by the CJ/DJ and shall perform the duties assigned from time to time

ANDHRA PRADESH (27)

- ▶ CM to be given contract of 50,000 per month, plus TA DA as per AP Civil Services TA Rules, 1996, on par with the cadre of deputy registrars of the HC of AP.
- ▶ Contract renewable and for a term as may be decided by the CJ
- ▶ Law graduates along with MBA and diploma in IT considered for appointment as CM
- ▶ Duties and responsibilities not fixed for CM. They are to be prescribed by the CJ from time to time
- ▶ By notification in September 2016, all CM removed. No CM position now

REPORT FROM 27 CM IN AP

- ▶ Submitting month wise biometric attendance reports of all sections to the RG;
- ▶ Submitting daily attendance report of all sections to the RG
- ▶ Physically inspecting every evening functioning of biometric attendance machines to resolve minor technical issues/for reporting faults found in normal functioning of the machines
- ▶ Co-ordinated with the budget section of the HC, SJA, SLSA to collect their proposals to be submitted for budget demands from the state government, participated in budget meetings

- ▶ Developed a software package in Microsoft Access 2013 for reducing maintenance of manual registers;
- ▶ Developed file tracking system to prevent loss of files from its origin in the new filing section till the record rooms where finalised cases are stored.
- ▶ Prepared agenda notes for national conferences held at New Delhi on direction of the RG
- ▶ For the district courts – prepared budget requirements, supervised staff training programmes, took steps for recruitment of administrative staff like receiving applications, issuing hall tickets, co-ordination in selection tests, monitored copy application sections to make copies available to parties without delay, gave feedback to the HC on status of installation of software and hardware in various mefussil courts

MAHARASHTRA (45)

- ▶ CM may be appointed for a period up to 5 years
- ▶ Three levels of CM created – GM (57,500), SCM (51,500), CM (40,000). The pay to be increased 6% per annum if performance is satisfactory
- ▶ Though structure of duties copied from FM FO, detailed point wide description of duties provided by Para No. 10 of the Maharashtra Court Manager Recruitment and Conditions of Service Rules, 2011 as under:


(I). DUTY to assist the PDJ in the administrative functioning of the Courts to enhance the efficiency of the Court Management will include duty

- ▶ To suggest steps to organize the internal staffing structure of the District Court with reference to the Civil and Criminal Manuals and the relevant Acts.
- ▶ To be in charge of the management of the non-judicial court personnel other than the Registrar.
- ▶ To prepare and submit projects from time to time, to increase the amount of time the judges are able to spend in adjudication.
- ▶ To prepare and submit projects for the personnel management, fiscal management, information systems, space and equipment (stationary & dead stock) management and basic information.

- ▶ To act as Member-Secretary of the District Level Coordination committees like Warrant Execution Monitoring Committee, Committee for the Scrutiny of the Stale and Ineffective Cases, Committee for Monitoring the Production of Under-trial accused Purchases Committee, Lok Adalat Preparation Committee etc.
- ▶ To act as the Court's PRO to establish communication with the litigants and staff for finding problems and suggesting solutions to the PDJ for resolving the same.
- ▶ To issue press notes and liaise with the press as per the directions of the PDJ
- ▶ To assist the information Officer of the District Court and the Appellate Authority RTI
- ▶ To do research and give suggestions through the PDJ for adopting the best practices by the Judges and staff in consonance with the laws and Civil and Criminal Manuals.

(2). DUTY: The administrative functions of the PDJ may be entrusted to the CM and the latter shall assist the PDJ in exercising general control over the Courts and in the inspection of the Subordinate Courts. For this CM will be required

- ▶ To liaise with the Government and Non-Government Secretarial Officers on the matters concerning the District Court.
- ▶ To attend and prepare minutes of the different Advisory Committees and to follow up the decisions and recommendations of such Committees.
- ▶ To Plan and prepare the calendar for the inspections to be conducted by the PDJ as per Chapter-39 of the Civil Manual.

- ▶ To suggest the periodical returns and statements to be called from the Subordinate Courts by the PDJ, in accordance with Chapter-39 of the Civil Manual.
 - ▶ To visit in advance the Subordinate Courts, which are to be periodically inspected by the PDJ and to suggest the areas which need attention during the inspection.
 - ▶ To make analysis of the pendency, disposal and institution of the cases on the basis of the data collected during such inspection and to give suggestions to the inspecting Judge in preparing notes, for enhancement in the performance of the Court.
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CHATTISGARH (23)

- ▶ Mostly copied from Allahabad High Court Rules and FM FO. Same provisions except Rules clarify posts of CM to be continued even beyond 13th FC grant by asking the state government for funds

RAJASTHAN (37)

- ▶ Duties mostly copied from FM FO. Same provisions
- ▶ Contract given to CM for HC at 50,000 per month and for DC at 40,000 per month

KARNATAKA

- ▶ Duties mostly copied from FM FO. Same provisions
- ▶ Contract given to CM for HC at 50,000 per month

REPORT FROM HIGH COURT ON WORK TAKEN FROM 4 CM IN HIGH COURT OF KARNATAKA

CM involved in speeding up recruitment process, enhancing and developing employee skills, improving employee motivation, effective infrastructure management to manage space crunch, improve inter and intra office communication for external customer management

CM assisting in lok adalats, mega lok adalats, implementation of CIS 2.0, conducting state wise judicial process reengineering, reducing pendency in pending decree, indexing record rooms, successfully implementing HLMS in decree and index branches, preparing backlog statements.

CM monitoring health hygiene of court premises, IT and communication devices, account and budgetary functions, training and event management.

GAUHATI HIGH COURT (23)

- ▶ Duties mostly copied from FM FO. Same provisions
- ▶ Contract given to CM for HC at 50,000 per month
- ▶ Posts continued even after 13th FC grants

HIMACHAL PRADESH (12)


- ▶ After their appointment to the post, some CMs resigned. The resignation trend continued. Initially salary of Rs. 40,000 per month offered. Later it was increased to 45,000. The state government extended the continuation of CM for FY 2015-16 but reduced their salary to Rs. 30,000. CM has filed representation against reduction of salary.
- ▶ FM FO copied on role and functions of CM along with rule saying that CM to work under RG for HC and DJ for DC and do any work as assigned by them

JHARKHAND (26)

copied duties listed in FM FO. However, RG order dated 7/11/2012 further clarified that

- ▶ CM of the HC shall assist the Registry in the preparation and compilation of all the statistical data relating to institution, disposal and stay matter of all categories of cases pending in the trial courts across the 22 Districts and Subordinate Judiciary.
- ▶ CM of District and Subordinate Courts shall promptly act upon the instructions received from the CM of HC of Jharkhand who will give the instructions to them with the prior approval of Joint Registrar (Judicial) / CPC.
- ▶ All the statistical report will be prepared by Courts with the help of the CM posted in the District and Subordinate Judiciary and shall be submitted in person to the PDJ, who will forward to the HC after proper application of mind in the statistical report presented before him by the CM.

- ▶ The Presiding Officer of each Court as per his/her convenience may discuss the matter with the CM and shall, time to time, instruct the CM to improve the working of Court Management in Judicial Work effectively and efficiently and specifically in the matter related to Case Flow management and monitoring of Old Case Flow with special reference to “20 Old Cases” Scheme as well as Mission Mode Programme.
- ▶ Either in the meetings of District Level Monitoring Committee or in a meeting convened by the PDJ of a District for implementing the Mission Mode Programme and 20 Old Cases Scheme, CM shall be permitted to take part in the discussion in the relevant matter for which his presence is necessary and rest matter of the meeting may be discussed along with Judicial Officers by the PDJ in absence of the Court Manager.
- ▶ CM may be allowed to discuss their views and points regarding the reports and statistics and Court working other than judicial matters in the meetings under the Chairmanship of PDJ.

- ▶ CM may be allowed to communicate the Assistant of a Court, if any anomaly is found or does not find the figures tallying with the given format.
 - ▶ All the Courts shall secure and ensure full assistance to the CM from supporting Staff (Ministerial) Keeping in mind that CM shall not be allowed to look into the Judicial Works.
 - ▶ CM of the High Court and District and Subordinate Judiciary shall work in coordination with each other
 - ▶ CM shall also be engaged to monitor and to ensure that all kinds of summons, notices and processes issued from Nazarat are delivered timely and promptly.
 - ▶ PDJ of each District to ensure that the CM of their respective Judgeship may frequently use e-mail and faxes for sending information as and when asked by the High Court including the CM of the High Court.
 - ▶ CM of each Judgeship may also be involved in the field of e-Courts Project so as to appreciate the Case Information System helpful in collecting correct statistical data of Judicial Works.
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CM REPRESENTATION TO THE PMO

Dated 25th Day of August, 2014

- ▶ Appointed in May 2012, on contractual basis @Rs. 50,000/- for CM posted at HC and Rs. 40,000/- for CM posted in District judiciary, with no other benefits.
- ▶ there is the difference between the salary of CM of HC and CM of Civil Court, with same qualifications and experience.
- ▶ chamber (Proper Sitting Place with basic infrastructure), assistant staff not provided by the respective PDJ to the CM.
- ▶ no structured work profile regardless to the notification and to job contract.

- ▶ CM are being humiliated and tortured at every spare of the work. Each time they abuse/exploit us by saying “you are contractual staff so don’t act smart, just follow orders and keep quiet, otherwise we will write adverse remark against you people and you will lose the contract”. Only this part of the job contract is being followed strictly.
- ▶ CM are doing superfluous work as directed (liaising with forest Dept. to get some plants for the garden of the Court or of the residence of the Judges/getting BSNL lines corrected, Check whether the Sulabh phone is working in judge’s quarter properly or not/ liaising with the DC/SP/other to conduct meetings and to get refreshments.
- ▶ CM are preparing statistical statements (clerical job), where they have to check & monitor the correctness of the statistical data. No suggestions are being entertained to improve to get the exact numbers of pendency and disposal and other useful data.

- ▶ CM not allowed to speak in District Level Monitoring Meetings, only allowed to sit in the meeting.
- ▶ CM not allowed to participate in the Monthly meeting held to monitor the working of the Judgeship.
- ▶ No proper sitting chamber/place.
- ▶ No assistant staff attached.
- ▶ No peon/support staff provided.
- ▶ No computer/laptop/phone provided (as mentioned in Gazette).
- ▶ No work as per our knowledge/work experience and standard given.
- ▶ No authority or responsibility given yet for any work.
- ▶ No authority and responsibility given to track summon and warrants issued.

- ▶ No authority/responsibility given to look into the working of the different departments i.e. accounts/record room/library/Nazart/Protocol etc. everywhere all the works are done manually and proposal of automation of these departments by CM are kept aside.
 - ▶ As all the work are in control of Registrar who are not interested to lose their hold in these department and so not allowing CM to work in there.
 - ▶ No meeting arranged with CJ or RG on repeated requests
 - ▶ Salary not paid regularly, sometimes paid after period of two months, sometime after period of three months
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KERALA (16)

Created 14 CM post in the pay scale of District Court Shristadars [11910-19350] and 2 CM post on temporary basis for the HC in the pay scale of 21240-37040. Mostly duties are as given by FM FO. In addition, OM A5-99842/2011 of even number dated 7.8.2014 listed following functions for CM


- ▶ Preparation of notes and other related matters in connection with the Conference of Chief Justices organized by the SC, Joint (CJ – CM Conference) held along with the Chief Justices' Conference.
- ▶ Preparation of item-wise progress /ATR on the resolutions adopted in the aforesaid Conferences.
- ▶ Furnishing of information / replies to the queries received from the SCI and various HCs
- ▶ CM shall perform those duties in liaison with the AI Seat in A-Section HC and route those files / papers through the Assistant Registrar and Deputy Registrar in charge of A-Section, High Court.

MADHYA PRADESH (54)

- ▶ Qualifications – B.Tech in Computer Science with MBA and preference to be given to those who have qualification in the field of law
- ▶ Duties (i) supervision of E-court project, (ii) maintenance of computers; (iii) compilation of statistical data; (iv) assisting DJ; (v) all other duties assigned by the HC/DJ time to time
- ▶ Posting – They are placed in class II Gazetted Officer's cadre with pay scale 15600-39100 GP 7600

REPORT ON WORK DONE IN MP

- ▶ assisted the DJ in supervising monthly inspection reports and statements of different courts.
- ▶ helped the DJ in evaluation of JO in handling and disposal of cases, particularly in monitoring of old cases pending for 5 years or more.
- ▶ developed self-monitoring system for JO to monitor progress of cases.

- ▶ helped in National Lok Adalats as well as Lok Adalats by monitoring disposal of cases as per the targets given by NALSA and MPSSLSA.
 - ▶ assisted in works related to Legal Aid Department and Legal Literacy Camp Scheme.
 - ▶ apprised DJ/Registry Officers regarding employee's grievances and HRM of ministerial staff.
 - ▶ are nominated as Secretaries of different Committees at District Court level, resultantly Judicial Officers were able to devote more time for the judicial work.
 - ▶ helped in conduction of examinations of Class-II and Class-IV employees at District Court level.
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MANIPUR (3)

- ▶ Rules have modified FM FO suggestions on roles and responsibilities.
- ▶ The report by the HC on functions performed by the CM is as under:

CM prepare statistics on all aspects of the functioning of the Courts and reported accurately and promptly in accordance with systems established by the HC. For example: - 1) Preparing employee database of HC and Subordinate Courts. 2) Preparing case status in both the HC and District Courts.

MEGHALAYA (4)

- ▶ Rules not finalized yet

ORISSA (32)

Salary – 45,000 per month, now raised to 55,000 per month; Functions apart from those listed in FM FO are given by office order **No.4944 Dated 28/06/2012** as


- ▶ **Infrastructure:** The CM will be looking after regular day-to-day maintenance of High Court Buildings. They would work in coordination with the Building/Court Officer section for the matters in order to be placed before the building Committee, and for compliance of the decisions of the Committee.
- ▶ **Human Resources:** CM will work out the requirement of staff in order to move the Government for sanction from time to time as per necessity and initiate the Recruitment process in co-ordination with the Establishment Section and the Recruitment Cell.
- ▶ **Finance:** CM will assist Accounts section to plan, prepare and process the Budget proposals and the Financial management of the court.

PUNJAB AND HARYANA (?)

- ▶ Services of all CM dispensed wef 31/3/2015, i.e. on completion of 13th FC scheme.
- ▶ Matter regarding creation of regular post of CM pending before the state government for its approval
- ▶ Rules proposed ask for B.Tech Computer Science with MBA from recognised university
- ▶ Pay scale proposed: 15600-39100 GP 6600
- ▶ The HC modified FM FO to the extent of prescribing duties of CM

THE HIGH COURT OF PUNJAB & HARYANA

WORK PROFILE OF COURT_MANAGER

- ▶ Consignment of files to the Judicial Record.
 - ▶ Physical Checking and verification of Bastas.
 - ▶ Checking the registers as maintained by the Readers / Ahlmads.
 - ▶ **Suggesting proper deployment of staff** as and when required to remove bottlenecks.
 - ▶ **Physical Verification** of the pending cases.
 - ▶ Make report of pending cases which are over 5 year old.
 - ▶ Performance of the working of Copying agency is assessed regularly.
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TRIPURA (8)/ SIKKIM (0)/ UTTARAKHAND (0)

- ▶ Though 8 posts of CM were created vide memo dated 29/4/2014, no CM ever appointed since the validity of 13th FC grant was till 31/3/2015 only
- ▶ Both Sikkim and Uttarakhand through letter in October 2015 clarified that there is no post of CM created for their jurisdiction

TAMIL NADU (35)

- ▶ Post of CM created in pay scale of 15600-39100 GP 6600/
- ▶ Post constitutes a separate category in Division I of the Madras HC Service Rules
- ▶ No prescribed qualifications laid down for appointment of CM
- ▶ Rules state that duties listed in FM FO may be given to CM

ROLE OF COURT MANAGERS IN THE US

- ▶ Growth in the number of positions substantiates acceptance for the profession of CM by the judicial system in the US. In the early 1960s there were probably 30 CMs. By 1970 it counted to 60 or 70 people in that category. In 1981 it was reported that around 2,000 to 3,000 CMs were employed in the US courts. Today this figure stands to 55,000 CMs.

ROLE PLAYED BY CM IN THE US

- ▶ Post sentence management of fines – CM monitor and enforce compliance with the fines and other non-custodial penalties to help the criminal justice system over there to ensure that fined offenders meet their obligations to the court in an appropriate and timely manner [JS], Vol 13, No.1, 1988]
- ▶ Writing job description, screening, interviewing, selecting, assigning and monitoring daily performance of secretarial staff [JS], Vol 17, No. 3, 1995]

ROLE OF COURT MANAGER IN ENGLAND AND WALES

- ▶ parties to litigation have to apply to the CM for the individuals to be admitted to court proceedings. Whether to permit the individuals enter into the court building is then decided by the **CM** for the particular court and not by any judicial officer. [*Civil Procedure News 2016*]
- ▶ Excluding or removing individuals from the court buildings by security personnel has to be sanctioned by the CM [Courts Act 2003, ss.51(1) and 53]
- ▶ District Judges were responsible for the acts and defaults of the bailiffs attached to their court. In order to remove any potential conflict between the District Judge's role as High Bailiff and their judicial responsibilities, such as in relation to the suspension of warrants, responsibility for issuing warrants of control in the County Court is now given to the **CM** [*Civil Justice Quarterly 2014, p 239-253*]

- ▶ **CM provide information to various committees on performance workload returns, details of complaints and the amount of compensation paid [C.J.Q. 1994, 13(Apr), 107-110]**
- ▶ **The Crown Court Sentencing Survey (CCSS) is prepared by CM to provides informative data on factors affecting seriousness, guilty plea reductions, aggravating and mitigating factors, and sentencing outcomes for specific offences. CCSS have helped the Sentencing Council to fulfill its statutory obligation to "monitor the operation and effect of its sentencing guidelines", as required by Coroners and Justice Act 2009 section 128 [*Criminal Law Review 2015*]**
- ▶ **CM lists cases for hearing and fixes the day for the Pre-Trial Review (PTR) in every case [*Construction Law Journal 2013*]**

- ▶ In Leeds, a new system of docketing where CM are wholly responsible for case allocation to judges was introduced. [*Civil Justice Quarterly* 2012]
- ▶ Arbitrators, expert witnesses, other witnesses have to write to CM to inform about their participation or leave from the court proceedings [Arbitration 2006, 72(4), 352-353]
- ▶ **CM** regularly check courtroom temperatures and give jurors frequent breaks and encourage them to be more active. [*Crim. L.R.* 976]