

Judicial Management of Complex Criminal Cases

Hon. Timothy Burgess Chief Judge, U.S. District Court for the District of Alaska



CHAT #1 TYPE YOUR ANSWER IN THE CHAT BOX

What challenges do judges face when managing human trafficking cases?



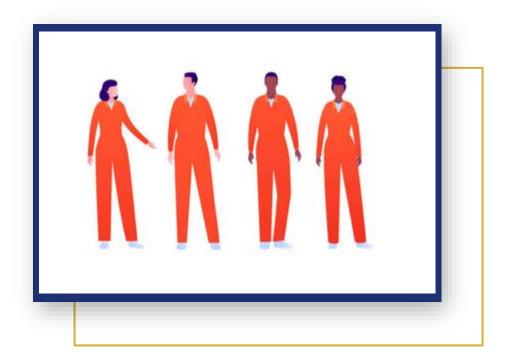
What Makes a Criminal Case Complex?

- Difficult or novel legal issues
- Multiple defendants
- Multiple jurisdictions
- Multiple witnesses
- Many documents
- Electronic and forensic evidence
- High profile





Multiple Defendants





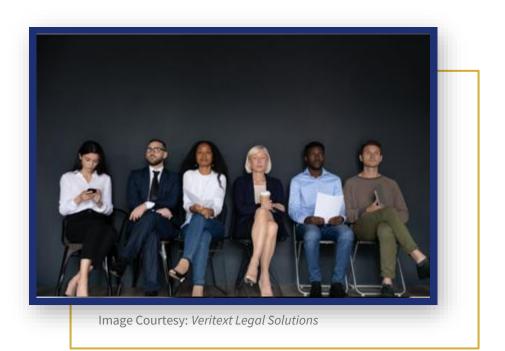
Multiple Jurisdictions





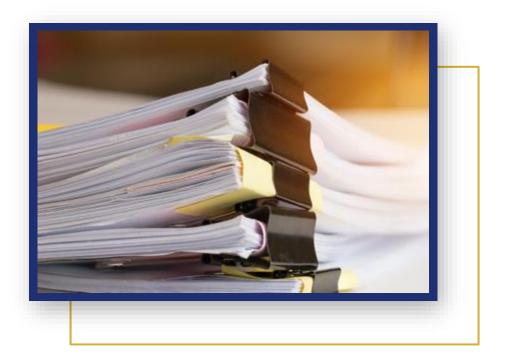
Multiple Witnesses

- From other countries
- Remote testimony





Many Documents





Digital and Forensic Evidence









High Profile

- Public interest/controversy
- Intense media interest
- Security concerns





Difficult Lawyers





Goals and Objectives of Judicial Case Management

- Enable fair, timely, and effective justice
- Eliminate/reduce delay
- Eliminate/reduce excessive expense
- Manage judicial workload





Elements of Case Management

- Early and consistent judicial involvement
- Case management conferences
- Firm deadlines for specific tasks
- Clarification of factual and legal issues
- Sanctions if case management orders are violated
- Court technologies





Judicial Involvement





CHAT #2 TYPE YOUR ANSWER IN THE CHAT BOX

In India, what tools and strategies can judges use to manage criminal cases?

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Case Management Conferences



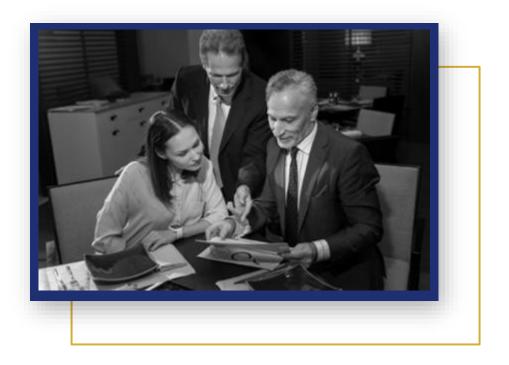


Scheduling & Deadlines





Clarify Legal & Procedural Issues





Sanctions

- Monetary
- Evidence preclusion
- Issue preclusion
- Dismissal or default





CHAT #3 TYPE YOUR ANSWER IN THE CHAT BOX

How can a judge work with court staff to facilitate case management?



CASE MANAGEMENT CONSIDERATIONS

Court Technology

- Electronic filing
- Videoconferencing
- Software to facilitate legal research
- Courtroom technologies to facilitate trial process and presentation of evidence





CASE MANAGEMENT CONSIDERATIONS

Court Security





Small Group Activity

You will be divided into 6 groups. Each group will review the Human Trafficking Fact Pattern and complete the assigned task.

- **Group 1 & 2:** Case Management Conference
- Groups 3 & 4: Expert Testimony
- Group 5 & 6: Media & Security Plans

PREPARATION TIME: 15 minutes

INSTRUCTIONS:

- Designate spokesperson to report to large group
- Review assigned task
- Review Fact Pattern
- Discuss response to the assignment
- Prepare 3-minute report on group's results and reasoning



Small Group Discussion Prompts

Groups 1 & 2: Case Management Conference

You have notified the prosecution and defense counsel that you will hold a case management conference in three weeks.

What topics will you cover at this meeting?

Groups 3 & 4 : Expert Testimony

The trial will begin in 6 months. You have scheduled another case conference to address evidentiary issues, including proposed expert testimony of a psychologist regarding the impact of trauma on trafficking survivors.

What guidelines will you set for the of presentation of this evidence?

Groups 5 & 6: Media & Security Plan

You have scheduled a final pretrial conference. The case has received extensive media coverage and a threat has been made against Prishna and Saanvi, who are scheduled to testify.

Outline the media and security plans you will put in place during the trial.



Group Reports



"[The] ordinary administration of criminal and civil justice... contributes, more than any other circumstance, to impressing upon the minds of the people affection, esteem, and reverence toward government."

ALEXANDER HAMILTON, FEDERALIST NO. 17





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