Innovating the Justice System

Innova Giustizia

The Lombard Experience of the Project Diffusion of Best Practices in the Italian Judicial Offices

2010 | 2013
Improving the effectiveness and efficiency of Judicial Offices is fundamental for a local and national community. Indeed, the efficiency and effectiveness of justice strengthen and develop cohesion and social capital, improving social climate, trust, public mood and the network of relationships among citizens. Furthermore, the efficiency of justice is an important factor in economic competitiveness, both for those who are already working in the area, and for attracting investments or important projects. With the call “Reorganization of Work Processes and Optimization of Judicial Offices Resources” the Lombardy Region has been the first region to benefit from the opportunity provided by the national Project “Diffusion of Best Practices in the Italian Judicial Offices”.

This call has been won with a competitive bid by a Temporary Consortium formed by Fondazione Politecnico di Milano (lead partner), Fondazione Alma Mater of Bologna, Certet Bocconi University, Fondazione IRSO (coordinator), Ernst&Young and Lattanzio&Associati. The project, named Innovagiustizia in Lombardy region (see http://www.tribunali-lombardia.it), was articulated over a period of time ranging from January 2010 to December 2011 and it has involved 12 Judicial Offices in 7 locations in Lombardy: Law Court of Brescia, Law Court and Prosecutor’s Office of Crema, Law Court of Cremona, Law Court and Prosecutor’s Office of Lecco, Court of Appeal, Law Court and Public Prosecutor’s Office of Milan, Law Court and Public Prosecutor’s Office of Monza, Law Court of Varese. At the end of this experience, upon request of the same Judicial Offices, the Lombardy Region approved the extension of the service until July 2013. In agreement with the national program “Diffusion of Best Practices in the Italian Judicial Offices”, the objectives of Innovagiustizia were:

- to increase the quality of services concerning civil and criminal justice;
- to reduce the operating costs of the justice system;
- to improve the information and communication capacity;
- to increase Judicial Offices’ social responsibility over the results and use of public resources.

These objectives have been fulfilled through the following areas of work:

- analysis and redesign of work processes, reorganization of Judicial Offices, self-assessment processes (including those based on the CAF – Common Assessment Framework – model) in order to improve the operational efficiency and effectiveness of the performance directed to internal and external users;
- analysis of the technologies used in the office aimed at their optimization and their coherent use in the organizational improvements;
- drafting the Social Responsibility Budget Report;
- drafting a Service Guidebook and Charter;
- support to obtain the Iso certification 9001:2000;
- website and web communication design or upgrading.

The main results can be divided in four areas:

**A Great Number of Organizational Innovations**

Improving a public office is neither a simple nor a short process and which cannot be achieved by a decree or from one day to the next. In fact, improvement and organizational innovation go through many big and small changes. The project has examined more than 80 improvement measures, introducing approximately
forty new good practices and consolidating the existing ones. Depending on some specific cases, this has led to a reorganization of all the clerk’s offices (in Italian ‘cancellerie’) or part of them, an acceleration of the digitization processes, in some cases involving a reduction of the backlog, and to an improved cooperation between judges and clerks.

**Improvement of the Relationship with Citizens**
Not everyone knows that more than a third of the people who come to Judicial Offices do so not for civil or criminal cases, but for practices related to their daily lives (certificates, applications for legal protection etc.).

**The Best Practices Project**
The interregional/transnational project “Diffusion of best practices in the Italian Judicial Offices” was approved in 2008 by an agreement between the European Commission (DG Employment, Social Affairs and Inclusion), the Ministry of Justice, the Ministry of Labour, the Ministry of Public Administration, 19 Regions and 2 Autonomous Provinces. The plan was funded by the European Social Fund with the resources available for the programming period 2007-2013. The basis of the program consists of a specific experience developed independently in the period 2004-2007 by the Public Prosecutor’s Office in Bolzano and funded, again, with ESF allocated by the Autonomous Province of Bolzano. See: [http://www.giustizia.it/giustizia/it/mg_2_9_4.wp](http://www.giustizia.it/giustizia/it/mg_2_9_4.wp) of the Ministry of Justice and [http://qualitapa.gov.it/iniziative-in-corso/miglioramento-giustizia/](http://qualitapa.gov.it/iniziative-in-corso/miglioramento-giustizia/) of the Department of Public Administration.

The project has brought about innovations, radical in some cases, in the relationship among Judicial Offices and citizens; in many cases a Public Relations Office has been created or reorganized, in other Judicial Offices the reorganization has been carried out in the field of Voluntary Jurisdiction making it more accessible with decentralized counters; all the Judicial Offices have been provided with a Service Guidebook or Charter.

**Judicial Offices Networked with the Other Local Public Institutions**
The previous sporadic collaboration experiments with local authorities have been developed by the project in a systematic way. This collaboration has determined an improvement in services to citizens, as well as the availability of additional resources for Judicial Offices, that now are less inaccessible and more integrated networks in the area.

**Governance Systems and Transparency Policies**
The introduction of the Social Responsibility Report has allowed Judicial Offices to start a process of “opening” towards the outside and create an initial basis for the development of planning and control systems. In particular, in some Judicial Offices an economic analysis has been carried out, with the aim of tracing a clearer picture of the whole situation, both in terms of costs of the Office and state revenue flows that the Office contributes to generate with its activities.

The change management approach used in the project has itself generated a discontinuity with the traditional work organization of the Judicial Offices, and therefore is in itself a valuable aspect. In fact, the project achieved a broad participation of people working in the Offices. Approximately 20% of judges (130 out of 660) and 35%
of administrative and clerks staff (almost 500 out of 1550) have been involved, participating in meetings and expressing ideas and proposals.

The fundamental factors for the success of the project as a whole and of the interventions in the specific areas are:

- a strong role played by the Lombardy Region, in terms of the process coordination and monitoring, not merely formal, but thanks to the contribution of experienced supervisors, focusing on the merits of programs, content and results. Coordination with the Judicial Offices involved in the project has not only been based on plenary meetings, but also on direct interactions between Judicial Offices and between Offices and Region/supervisors;
- at the level of the single Judicial Office the leading role of the President, supported by a Steering Committee, which is crucial in defining objectives and priorities and in stimulating the commitment and participation of judges and staff;
- the involvement of internal and external stakeholders relevant for the single innovations (among the external stakeholders, in particular, the Ordine degli avvocati - the Italian equivalent of a Law Society/Bar Association - and Bodies and Associations on the territory);
- the coordination with DGSIA/CISIA (Directorate General for Automated Information Systems – national and local bodies) and the constant alignment with the innovation initiatives developed by the Ministry of Justice;
- a consultancy approach not only limited to the realization of single interventions or specific outputs, but aimed at encouraging the ability of the Judicial Office to independently manage innovation and the new organizational models;
- in particular, the development of the ability by the Office to manage innovation: in addition to the Steering Committee, the introduction, in many cases, of an Innovation Office capable of supervising the whole ongoing innovation projects;
- the development of project management capabilities, namely the ability to manage and monitor single projects so as to guarantee times and effectiveness of innovation.

**INTERVENTION AREAS**

**Reorganization of Work Processes**

A very important area of intervention for the improvement of the performance of Judicial Offices regarded the redesign and improvement of work processes and organization of the offices. In particular, in this context the most significant improvement incentives concern:

- the organization of the work of offices;
- the development of IT systems that can support trials and online information and document flows;
- the improvement of coordination among the different offices.

Often these three areas have been integrated in a radical redesign of the ways of working. The work process analysis methodology adopted in the Innovagiustizia project has helped overcome the typical sectorial vision and procedural reading of the activities required to manage a judicial proceeding that both constitute important barriers for improvement.

The main types of intervention developed in this sector are:
• **redesign of work processes and organization of offices**: for example, the efficiency of the administrative staff and judges secretariats has been improved (Court of Appeal, Law Court and Public Prosecutor’s Office of Milan; Law Court of Monza); the activities of the clerk’s office of Voluntary Jurisdiction have been reorganized (Law Court of Monza and Milan); the criminal clerk’s offices have been reorganized, reviewing the division among centralized decentralized activities (Law Court of Brescia and Monza); the offices have been reorganized following the abolition of the detached sections (Law Court of Monza) and the merging of the offices (Law Court and Public Prosecutor’s Office of Crema with the corresponding offices of Cremona); the process for managing the applications for settlement of legal costs have likewise been reorganized (Court of Appeal and Law Court of Milan);

• the **separation of the front office activities** (reception and service to users) with respect to the **back office activities** (management of case files, records and current tasks) of the office (Civil and Criminal clerk’s offices of both the Court of Appeal and the Law Court of Milan, Law Court of Brescia, clerk’s offices of Voluntary Jurisdiction of Monza and Brescia). The front office activities have often been transferred to help desks or information points dedicated to welcome users;

• the **support to the deployment of the information systems approved and developed by the Ministry of Justice**, by redesigning work processes and organization for a better use of the potentiality of information technology (implementation or testing of the Online Civil Trial at the Law Court of Lecco and at the Labour Section of the Law Court of Brescia); Judges’ Consolle at the Court of Appeal of Milan; support for the deployment of SIDIP – Criminal Trial Information System - at the Law Court and the Prosecutor’s Office of Monza, the Law Court and the Prosecutor’s Office in Milan; deployment of SIAMM (accounting information system) at the Court of Appeals, Law Court and the Public Prosecutor’s Office of Milan);

• the **development of IT support systems and parallel redesign of specific activities and processes**: GEPROCON software for the IT management of bankruptcy files implemented by the Law Court of Varese; GIADA software to manage the process of sorting and allocation of criminal procedures to judges developed at the Law Courts of Milan, and subsequently extended to Monza, MAGI software (for managing the magistrates as employees) at the Court of Appeal, Law Court and the Public Prosecutor’s Office of Milan and for supporting the “Commissione Flussi” (flow commission); information system “Modulario” and reorganization of the proceeding for Penal Decrees at the Law Court of Monza; application for managing the process of sorting and assigning files to the prosecutors (Public Prosecutor’s Office of Monza).

• an **improved coordination of information and document flows among offices** through the digitization of documents wherever possible, and the coordination thanks to information systems (reorganization of criminal enforcement procedures, Law Court of Monza and Varese; sharing the Provisional Enforcement File, Court of Appeal, Law Court and the Public Prosecutor’s Office of Milan; creation of shared archives for exchanging criminal judgments among judges, Judicial Offices of Milan and Brescia).

On the whole, these actions have resulted in significant benefits in terms of work efficiency and productivity in the offices, as well as in a general reduction in the
The GIADA Software of the Law Court of Milan

Giada software has been developed in the field of criminal law and is now helping in the automatic assignment of proceedings to the different departments and judges. The system allows people to balance workloads both in terms of number and complexity of the trials assigned, thanks to a trials assignment algorithm based on the principle of occurrence and weighting of proceedings. It also provides complete transparency in the allocation of files to the judges employed in the different sections. Thanks to a system which can also be viewed by the GUP (Judge for the preliminary hearing) in real time, GIADA minimizes the number of hearings that are booked but not confirmed, thus avoiding a non-optimal number of hearings. With this software staff can actually invest skills and time to more relevant activities.

Improvement of Relationships and Service to Users

Innovagiustizia has considered users as one of the first parameters to analyze, evaluate and improve policies and the organizational processes of the Judicial Offices involved. The main goal of the interventions has been to significantly improve the quality of some of the main legal process services in terms of: accessibility, clarity, timeliness, appropriateness with respect to the user’s needs. This has been carried out through a common method for the analysis and improvement of the quality of legal process services, both open and participatory, envisaging the complete involvement of three main categories of stakeholders:

- Judicial Offices internal staff, through the action dedicated to transversal and integrated “working groups” (judges, clerks; representatives of the criminal, civil sector, Voluntaty Jurisdiction, etc.);
- users, starting from their specific characteristics (professional and non professional users, for instance) and needs which should be considered when planning and providing services;
- institutional, associative and third sector parties, acting as partners fundamental for effective and lasting innovations for the territory.

The interventions on this line of activity have been various, varying from quite complex and innovative activities, to interventions which aim at improving/simplifying the existing situation. All the interventions have tried to take advantage of the opportunities offered by the new technologies in order to enhance the results which can be reached in terms of accessibility.
of services and dematerialization of information flows. The main actions have dealt with:

- **the establishment of Public Relations Offices – URP** for a unified provision of information and services to users in the Palaces of Justice (Palace of Justice of Brescia, Cremona and Milano);
- **the opening sectorial information points** and/or dedicated to specific categories of users (e.g. lawyers, witnesses, etc.). For example the new Information Points and Front Office of civil and criminal clerk’s offices of the Law Court and Court of Appeal of Milan are dedicated mainly to lawyers;
- **the reorganization of orientation and assistance services of the Voluntary Jurisdiction**, an area characterized by a high percentage of “non-professional” users and by a strong link with the activities carried out by municipalities, local health authorities, the third sector (developed in Monza and then extended to Milan, Crema, Lecco, Brescia, Varese);
- **the reorganization of the modes of summons, information and welcome of witnesses** in the trials, based on the respect and protection of the witness and aimed at facilitating the orientation of the witness in the Palace of Justice and the accomplishment of his/her important role (the Law Court of Milan);
- **the realization of Service Guides and Charters** available on the Law Courts website, in order to provide users with clear, updated and uniform information on a wide range of justice services: access requirements, necessary documents and forms to fill

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**The Public Relations Office – URP of the Palace of Justice of Brescia**

The URP of the Palace of Justice of Brescia – today active in the atrium of the Palace of Justice – has been developed by a mixed working group made up of judges, managers and people in charge of clerk’s offices belonging to the five Judicial Offices of Brescia located inside the Palace. The project was based on the detailed analysis of the services and of the set of forms used, the selection of services which should be given to the URP and the development of some additional services. Particular attention has been paid to the analysis of the requests and the monitoring of the services provided by the Office, as well as to the URP staff training, defining its organization and management regulations shared among the five Offices. The Palace URP was opened to the public on the 1st of June 2011, after the setting up of the logistic structure by the Municipality of Brescia. It also provides a specific service dedicated to Vulnerable Subjects carried out in collaboration with voluntary organizations in the territory. The flows monitoring systems, customer satisfaction and signal collection systems have allowed the Offices to obtain an increase in people accessing the URP (33,000 in 2012), a corresponding decrease in accesses to clerk’s offices (especially in the area of Voluntary Jurisdiction), as well as a high satisfaction among users (90% of positive comments). The experience of Brescia URP has been inserted in the best practices presented at the 2013 PA - Public Administration - Forum. An URP will be soon open also in the atrium of the Palace of Justice of Milan.
Online Certificates at the Law Court of Varese

As part of the challenge, launched in 2006, to modernize the services available to citizen and the professionals that the Law Court of Varese provides, various IT applications designed to facilitate the relationship between citizens and the Judicial Office have been developed. Among the services offered, developed within the Innovagiustizia project, there is “Online Certificates”, aimed at helping the citizen to book certificates, deeds and copies of deeds through the web site of the Law Court of Varese.

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in, costs to be incurred, response times (in Brescia, Monza, Milan, Cremona, Varese);

• the development of knowledge and use of online information channels on the progress of legal proceedings (Portal for Online Services developed by the Ministry of Justice) and other dedicated web tools. The use of new online information channels allows law courts to have a significant reduction in accesses related to the simple request for information on the progress of proceedings (in Brescia, Milan, Monza, Lecco, Varese).

Among the main problems of these interventions it is necessary to underline: the need for resources to build up facilities (URP, counters) and IT infrastructures, the availability of adequately trained staff for front office activities; an effective coordination for a continuous update of information to users, in order to avoid distrust and disaffection.

The results obtained are of great importance: the rationalization of users flows and specialization of information; greater efficiency in clerk’s offices, thanks to the separation between front office and back office; homogenization of access procedures and reduction in mistakes; reduction of times for first level information, and dual access by users; coordination of activities and resources available on the territory in highly sensitive areas, such as the Voluntary Jurisdiction.

Improvement of the Institutional Cooperation

Another area of intervention developed by the Innovagiustizia project concerns the development and strengthening of initiatives in collaboration with the territory, such as institutions, professional associations, other trade associations, the third sector.

The main objective of this line of business, which combines change management with a policy-oriented approach, has been to improve the collaboration among the different bodies and offices to provide the users with more efficient and effective legal services and to further integrate Judicial Offices with the various systems on the territory.

There are various activities carried out under this line of action, related, for example, to the creation/strengthening of inter-institutional networks (Tables for the Justice System; networks for the decentralized provision of services); others are based primarily on the use of the opportunities offered by new technologies, such as the application of tools for an online exchange between agencies, for the simplification
The Table of Justice of the Brescia Province

The project consisted in the establishment, in May 2011, of a Table of Justice for the Brescia Province where different subjects of the territory participate: the Municipalities, the Province, the Prefecture, the Chamber of Commerce, the local health structures, the Region, the University, the Professional Associations and all the Judicial Offices of the Districts of the Court of Appeal of Brescia.

The Table is a place where to develop common strategies and solutions for improving the functionality of legal services. Among the main purposes of the Table there are the strengthening of the protection and defense of the rights of citizens, families and businesses; the simplification of procedures for information, access and use of legal services; the online management of services and the development of information flows among the different government departments, professional organizations, voluntary associations active in the province of Brescia; the implementation of interchanges of experiences and knowledge on management and the quality of legal services with other Italian and foreign Judicial Offices.

Governance Systems Development and Accountability Improvement

The Annual Social Responsibility Reports carried out in all the Judicial Offices involved in Innovagiustizia have been the first tools used to promote transparency and accountability policies for the Judicial Offices towards the outside, allowing people to ‘open’ the Judicial Offices for an assessment over the territory and, at the same time, to lay the foundation for evolved planning and control systems.
The Social Responsibility Report of the Law Court of Milan

At the Law Court of Milan, the Social Responsibility Report has given rise to reflection and systematization of three main areas of information: the first consists of the main socio-economic and political changes on the territory and on cascading effects over the legal system, basing as well on interviews with privileged witnesses and stakeholders external to the Law Court; the second is based on the reporting of the rational and the results obtained from the numerous innovation projects ongoing as part of the Strategic Plan of the Law Court; the third one consists of the presentation of the main performance data of the Law Court. On the internal side, the large number of complex projects ongoing as part of the Strategic Plan of the Law Court has required the development of appropriate methodological tools for the governance and for monitoring such measures, including sharing the responsibilities for implementation, the analysis of the state of implementation, of the results obtained and of the communication to stakeholders.

The paths of social reporting, often articulated in different editions, have allowed the internal working groups to systematize a core of measures relating to the outputs, results and the performance of the Offices and a reference model for setting the Opening Report of the legal year. In some cases (e.g. in the Court of Appeal of Milan) analyzes have been developed on the basis of the European self-assessment quality model, named CAF – Common Assessment Framework, realized as a preliminary point to the reporting process aimed at organizing an internal multi sectorial working group with expertise in the field of evaluation.

These early experiences have shown the need to support the Judicial Offices management in structuring a systematic planning and monitoring system, both strategic and operational, not limited to the current planning procedures adopted by the judicial self-government system (the so called ‘sistema tabellare’), that are restricted to the distribution of magistrates among the different sections. This has been achieved thanks to a new and concurrent procedure for the drafting of a Workplan (the so called ‘Programma carichi esigibili’) that the Council for the Judiciary has to receive (according to art. 37/2011).

In many Offices a methodology of data analysis and monitoring on the activities of the various sections (the judge’s consolle) has been started, together with a common analysis of trends and measures to improve them. In Milan, Brescia, Monza and Lecco specific models for setting section reports have been established, as a support of the management pursuant to art. 37/2011. In Monza, in particular, some tools for the detection and scheduling of work and for the distribution of workload at the Public Prosecutor’s Office have been developed.

At some Offices (Law Court and the Public Prosecutor’s Office of Milan, Law Court of Monza) a dashboard – Control Panel has been realized as a stable management tool directed to the Judicial Offices chiefs; at the Milan Public Prosecutor’s office the control panel has been dedicated, in particular, to the monitoring of expenses and aimed at reducing the time of settlement. In the Law Court of Brescia reporting focused in par-
ticular on the economic issue: income and expenditure of the Office has been reconstructed and analyzed in order to achieve a figurative economic balance, element of innovation since the Judicial Offices do not have their own budgets, whereas income and expenses are included in the general budget of the State. This exercise has been done also in Milan. In Lecco economic analysis has been carried out by the Law Court and the Public Prosecutor’s Office together. A very important intervention, especially for bigger Judicial Offices (Court of Appeal and the Public Prosecutor’s Office of Milan, Law Court of Monza) is the establishment of an Office dedicated to the management and supervision of innovation and development project – the Innovation Office – in the wake of the pilot experience of the Law Court of Milan. For these offices guidelines and methodological tools for the governance and management of innovation projects for the Judicial Offices have been developed. The critical aspect of reporting activities stands in the analytical reconstruction of the items (items of basic accounting) and in the collection and processing of large volumes of data generally dispersed within the Judicial Office. For the full implementation of the reporting system, functional and updated statistical systems, knowledge for their interpretation and processing techniques are fundamental, as well as time and staff to make this all possible.

THE CASE OF MONZA JUDICIAL OFFICES

The Law Court and the Public Prosecutor’s Office of Monza, supported by the IRSO Foundation, have adopted the method of structural change management based on an industrial and institutional plan and on the starting up of a number of projects. The plan was expecting tangible results of efficiency and transparency of the organization and a real institutional performance on the territory. The projects were carried out by groups of judges, clerks and administrative staff. Work processes and the actual organization of various procedures (penal decrees, execution of immovable property, Voluntary Jurisdiction, etc.) have been redesigned. The clerk’s offices of the penal area have been reorganized.

Tools for improving the governance and relationship on the territory have been designed with the participation of judges and clerks and with strong visibility from the users. Examples of such tools include: the Social Responsibility Report, the Services Chart, the support to the use of information and communication technologies, a planning and control system and a management dashboard for the Law Court, a system for monitoring workloads of the Public Prosecutor’s Office, a Planning and Innovation Office, an Office of Relations with the territory, a website, numerous communication activities, a Table of Justice with the participation of local institutions, the establishment of a Foundation for Justice, the unification of the office of Desio. The tangible results of the Monza project involved the elimination of backlog, the reduction in waiting times for citizens, the elimination of simple activities with a focus on the most critical ones, the efficiency of the clerk’s offices, the transparency of proceedings and much more. The socio-organizational results consist
in the strong improvement of integration among the Law Court and the Public Prosecutor’s Office, among judges and clerks, between the Law Court and third parties; the development of results oriented roles; the strengthening of organizational skills and competencies of judges and administrative staff; the increased responsibility of the employees for managing the entire service and not just running some specific activities; the generation of change agents.

One of the areas with greater social and inter institutional dimension has been that of **Voluntary Jurisdiction**. The main organizational innovation is represented by the design and implementation of Territorial Counters in some towns of the Territory of Monza, carried out in collaboration with local institutions and voluntary associations. At these information points citizens can find information and support and assistance to their requests and an expert advice. Many IT tools have been realized specifically for supporting the change but mostly the real organization has changed, modifying the behaviors and the organizational skills of individuals and institutions, through their consensus.

Some of the evident results reached with the new area of the Voluntary Jurisdiction are:

- 30% reduction in number of citizens accessing the clerk’s office;
- 20% reduction in the average time needed for filing applications;
- 80% of the applications filed using the new forms with bar codes;
- implementation of the section **Services to Citizens** of the new website of the Law Court (with 230.000 total annual visitors);
- more than 90% of the records received from July 2011 managed through the online Tracking System;
- implementation of the service for the automatic sending of emails to citizens;
- 7 protocols have been signed among Law Courts and Municipalities for the creation of 7 Proximity Territorial Counters;
- a protocol between the Law Court and the **Ordine degli Avvocati** (Law Society/Bar Association) has been defined in order to start a free expert consulting service at the Territorial Counters;
- training courses for Tutoring Administrators organized by the Province of Monza and Brianza.

The project of changing Judicial Offices in Monza has received 4 European awards for innovation by Italian and European institutions. The Constantinus award by FEACO (Federation of European Consulting Companies) for the best European consulting project has been given to IRSO Foundation and the Judicial Offices of Monza. The Judicial Offices of Monza have been awarded with the national prize for innovation (one of the two public administrations rewarded) by the President of CNR Nicolais and the Ministry of Education, University and Research Carrozza, before the President of Italian Republic. The Judicial Offices of Monza have been selected for two other awards in Europe: the selection of the project of Monza for the 7TH QUALITY CONFERENCE of the European Union held in Vilnius in October 2013 to the presence of the current President of the European Union; the EPSA (European Public Sector Award) of the Institute for Public Administration given to the winner in November 2013 in Maastricht.