

## LIMITED-JURISDICTION COURTS CHALLENGES, OPPORTUNITIES, AND STRATEGIES FOR ACTION\*

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*Courts of “limited jurisdiction” present interesting issues and challenges and have great potential to be innovative role models for the justice system. This article reviews traits of limited-jurisdiction courts in local governments or municipalities, shares issues and challenges, and suggests strategies for these courts to consider.*

Sometimes courts of limited jurisdiction, which may be smaller and in rural or suburban areas, are obscured in favor of large, bustling metropolitan courts. These larger courts may receive greater visibility for the significant or high-profile cases they handle. By contrast, limited-jurisdiction courts deal with such cases as traffic tickets, local violations, or very narrow case issues. Media interest, funding visibility, and recognition of the court’s place in the community may be limited.

In fact, courts of limited jurisdiction process over 60 percent of all the cases coming before the courts in the United States (Schauffler et al., 2011: 3). Limited-jurisdiction courts, therefore, have a platform to demonstrate court performance excellence and innovations while promoting the court’s role in the community. This article reviews common issues in limited-jurisdiction courts and shares recent observations about those issues, as well as opportunities and suggestions for those who manage a limited-jurisdiction court.

### What Is a Limited-Jurisdiction Court?

A court of limited jurisdiction has legal authority over very specific subject matter, cases, or persons for the imposition of limited jail times or limited financial sanctions. Examples of such cases include small claims, lower-value civil matters, lower-severity criminal charges (e.g., misdemeanor), traffic violations, or municipal or ordinance violations (see Schauffler et al., 2011). There are some 14,000 to 16,000 courts in the United States. According to the National Center for State Courts’ (NCSC) Court Statistics Project, in calendar year 2009, 66 percent, or

### Selected Characteristics—Limited-Jurisdiction Courts

- Smaller in size and operation
- Limited experience—judges and staff
- Smaller/limited case sanctions—financial, jail
- Remote court locations
- Standalone court operations
- Part-time, short-duration, at-will judicial terms
- Specific and diminished focus for court operations (e.g., “inferior” or “lower” court)
- Subject to local and regional influence, direction, and control
- Varying operational structures
- Locally funded
- High-volume caseloads
- Specific types of cases/special focus calendars
- Embedded in local governments (e.g., in a city or municipality)
- Immature or incomplete court visibility or presence in community

These traits may not be present in all types of limited-jurisdiction courts, or reflected differently in states with “unified” court systems—whereby court operations are consolidated, simplified, or centralized—whether structurally or by budgetary support.

about 70 million of the 106 million incoming cases in the state trial courts, were processed in courts of limited jurisdiction (Schauffler et al., 2011: 3).

Forty-six states have clearly identified limited-jurisdiction courts (Court Statistics Project, n.d.). Only the District of Columbia and four states (California, Illinois, Iowa, and Minnesota) lack distinctly identified limited-jurisdiction courts.

The case subject matter in these courts can vary from adoption and juvenile cases, to foreclosure and land cases, to such narrow litigation as tax or probate. Some specialty courts are, in fact, courts of limited jurisdiction, based upon the particular caseload focus. Cases heard in these courts are authorized by state and local court rules specifying the authority. Attributes or characteristics of a limited-jurisdiction court include being smaller in size and locally funded, handling a high volume of cases, and being placed in the community.

Funding for limited-jurisdiction courts may vary. They may be funded by the state within state unified systems, by a county, or by a combination of state and county monies (these courts may have an extra level of coordination due to the dual funding source). Finally, limited-jurisdiction courts may be funded solely by the local government, for example, the town or municipality. State and county authority over these courts may be minimal or limited.

It is these differences in role, funding, and authorities that lead to challenges and opportunities for limited-jurisdiction courts to excel in operation and performance. Local courts, or courts funded by a local government, have the opportunity and challenge to excel.

### Common Issues in Limited-Jurisdiction Courts

In recent years, conferences or publications have identified issues and challenges for those working in limited-jurisdiction courts. Attendees at the 2003 National

Association for Court Management (NACM) annual conference were offered a session on “The Top Ten Issues in Limited Jurisdiction Courts” (National Association for Court Management, 2003). The session’s premise was that certain issues presented themselves to court managers in limited-jurisdiction courts. Attendees noted that limited-jurisdiction courts can excel in certain areas: processing large volumes of cases; having heavy public contact; specializing on a specific type of case; absorbing caseload increases; deploying and using of various technologies; and using various sanctions for case adjudication (financial sanctions, electronic monitoring, tax intercepts, and reporting for holds on licenses or vehicle registration).

In October 2008 in Phoenix, Arizona, the National Center for State Courts’ Institute for Court Management offered a course on “Effectively Managing Limited Jurisdiction Courts.” The course included information leadership, collaboration, and how to be more effective and innovative.

### Common Themes From Three Benchmark Events

COMMON AREAS/TOPICS OF CONCERN	NACM Annual Conference: “The Top Ten Issues in Limited Jurisdiction Courts” 2003	NCSC Institute for Court Management Course: “Effectively Managing Limited Jurisdiction Courts” 2008	New Jersey Survey: “Ten Areas of Concern Were Noted by Municipal Court Administrators” 2010
1 Pressure for revenue creation and focus on defendant financial compliance	✓	✓	✓
2 Resources and court budget	✓	✓	✓
3 Collaboration and tensions with justice partners	✓	✓	✓
4 Communication	✓	✓	✓
5 Leadership and role of court management	✓	✓	
6 Work and workload volumes	✓		✓
7 Customer service demands and pro se litigants	✓	✓	✓
8 Court role and purpose, judicial independence	✓		✓
9 Court structure	✓	✓	✓
10 Court statistics and performance measures	✓		
11 Public understanding, trust, and confidence in the court	✓		✓
12 Implementing change/change management	✓	✓	

According to a 2010 survey, ten areas of concern were noted by municipal court administrators in New Jersey (Del Preore, 2010). These results also focused on funding, perceptions of the court, and implementation of change.

Among the common themes from these three benchmark events: the budget and funding for courts, the importance of relationships and leadership, and the role of the courts.

### A Call to Action

There is a clear call for limited-jurisdiction courts to be leaders. Courts, chief judges, and court managers can accomplish this by being visible and by becoming involved in local, regional, and national committees and initiatives. Through these outreach channels, the court can demonstrate its role and exemplify a collaborative approach. Court managers and leaders should talk about the work that a court performs through performance metrics and operational statistics.

What if a limited-jurisdiction court does not have performance statistics? A court should start somewhere, create ways to count court operational performance, and then publish the information. An example is creating ways to count customers and their interactions with the court, beyond the typical caseflow management statistics. These are the points at which the users touch and seek court resources; a court can use these to talk about their work and justify resources. Court managers can also consider administering customer and staff surveys to obtain valuable information.

Limited-jurisdiction court judges and staff can and should be highly professional, demonstrate higher performance expectation for court operations, and practice good court governance. Those familiar with the NCSC's Court Statistics Project, High Performance Courts Framework, or *CourTools* should apply them to local court operations. Likewise, court managers should apply the National Association for Court Management Core Competencies and should review and strive for items noted in the NACM National Agenda.

Ultimately, limited-jurisdiction courts should focus on what they can accomplish. These courts should not wait for change to be imposed upon them. Leaders in limited-jurisdiction courts should continually ask: How can we add value to court operations? What can we make better for the litigant?

### Limited-Jurisdiction Courts—Varying Names

Alderman's Court	Magistrates/Magisterial Court
Chancery Court	Mayor's Court
City Court	Metropolitan Court
Court of Claims	Municipal Court
County Court	Orphan's Court
County Court at Law	Parish Court
District Court	Probate Court
Environmental Court	Small Claims
Family Court	Surrogates Court
General Session Court	Tax Court
Housing Court	Town Court
Judicial Bureau	Traffic Court
Justice of the Peace	Village Court
Juvenile Court	Worker Compensation Court
Land Court	

### In Conclusion

Limited-jurisdiction courts are a key player in the overall judicial system and have a critical role due to their high-volume, direct customer interaction. These courts also have high-quality judicial and nonjudicial personnel and court leaders who desire to make a difference—as a high-caliber court with professional operations that can continually improve.

Additional review and study should occur based upon these preliminary comments about limited-jurisdiction courts. Such a study should include the following: review of the direct linkage of caseflow management to the operation of these courts; examination of these courts for pilot tests of innovative programs—perhaps using adaptive change to implement new ways of conducting court business; publication of innovative and expansive programs in place in these courts; and further evaluation of how these courts can more visibly demonstrate the role of courts as the third branch of local government.

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