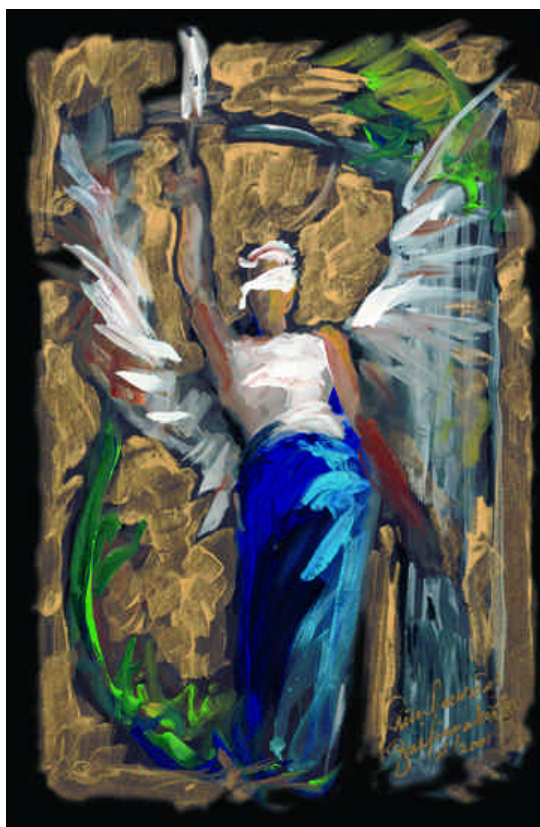




Legal Vice Presidency
The World Bank

Court Records Assessment Manual



November 2002

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Court Records Assessment Manual

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Introduction

The law and justice sector encompasses a broad spectrum of institutions and activities involving public, private, and civil society stakeholders, in addition to the judiciary. In order to ensure that justice is delivered in an efficient manner and with due process, court records, and their management, is essential.

The fundamental importance of transparent processes has led a wide range of countries to adopt case management reforms. More recently, an explosion in the use of court technology – and electronic filing – has also highlighted the need for clarity in records and processes that are less prone to corruption. Nevertheless, qualitative and anecdotal information from years of reforms has shown that computers alone are not a panacea for reform – they need to be supported by fundamental changes in the ways courts do business. The need for quality records and clarity of processes to combat corruption has become even more evident.

Experienced reformers are keenly aware of the necessity to ensure quality judicial records. Judicial activity affects fundamental rights; it is essential that the judiciary protects these rights through well documented cases which adhere to strict standards. The clarity

of the court's operations is a basic element in any anti-corruption policy as this makes the judiciary more predictable and transparent. Each decision and element of evidence must be recorded with precision. If judicial rulings are preserved in their integrity and not amended in any way, the potential for illicit manipulation is severely curtailed. Moreover, court records are the foundation of the institutional memory.

Court records contribute to the judiciary's observation of due process rules. The final decision is of great importance, but each procedural step has to be clearly identifiable. Each step may involve the protection of fundamental rights. The court file is evidence that a party was informed of the case's progress. Judicial files do not simply reflect the history of a case, but they may become the center of a debate, as conclusive evidence is secured or binding statements are made.

The management of court records is a cornerstone of the overall efficiency of the courts. Records form the basis and are the substance of court management. They determine caseload and caseflows. Statistics drawn from court records serve as a roadmap for court administrators and presiding judges alike. Court records are part of the very heart of any modernization process to improve the efficiency and delivery of justice to the citizens. In addition, proper records management is of special interest to court users, who often cannot afford the consequences of delays, corruption and inaccuracies. A determination must be made regarding what is considered to be a court record. When does such a record come under the exclusive jurisdiction of the judge and/or clerk as opposed to the ownership of the party? Do all records require the same degree of archival preservation? Whether written, audio, photographic or electronic, judicial records are a prime area for court modernization. Information systems tailored to the management of casefiles enhance performance and open new avenues for the judiciary in terms of accessibility and service delivery.

By leveraging new technology, the World Bank is making the latest thinking and information on reform widely available to our clients through the LEGLR website (www.worldbank.org/ljr). This Court Records Assessment Manual is one of the tools we have devel-

oped to carry out the first in an integrated programmatic approach which includes:

- Legal and Judicial Sector Assessments
- Development of a comprehensive plan
- Identification of priorities and sequencing
- Dialogue with the stakeholders throughout each stage

A critical first step in this approach is a thorough legal and judicial sector assessment, the findings of which are used to design appropriate project components. In addition to reviewing elements including the legal framework, these assessments examine the legal profession, the judiciary, access to justice, and court records. The Legal and Judicial Sector Assessment Manual prepared by the Legal Vice Presidency of the World Bank in July 2002 provides the framework for a series of original and practical tools.

This Manual, rather than prescribing a single approach, draws upon the broad principles of records and information management that need to be followed to support the evidentiary and business requirements of the courts. This approach leaves room for many different ways of managing judicial records and information, while at the same time providing a methodology for assessing whether systems in particular countries are consistent with general principles and serve the needs of the courts and citizens. Where appropriate, references are made in the Manual to the appropriate principle or standard as defined in International Standard ISO 15489-1: *Information and documentation - Records management* (2001). A glossary of terms used in records and information management is included at the end of the Manual.

This Manual has been developed and tested in a series of case studies in Argentina, Ecuador, Singapore, South Africa and The Gambia. These countries were chosen for their diversity of administrative contexts, size, and resources. All five countries have recently experienced or have been planning and implementing legal and judicial reform programs. Participation from these countries enabled successive drafts of the Manual to be evaluated and the content of the Manual to be developed to take into account different legal systems

and local practices. In addition to interviewing stakeholders and studying court procedures to gain a more accurate picture of the processes involved, the questions were tested with court officials, court users, records and archives professionals and project managers.

Some key issues to emerge from the case studies were:

- The importance of having a high level 'champion' within the courts to promote good practice in records and information management;
- The need for professionally trained records managers within judiciaries;
- The need for formal training and training materials in judicial records and information management;
- The importance of having expert advice and guidance available to those with responsibility for records and information management in the courts;
- The need to raise the status and priority of recordkeeping;
- The need to allocate greater resources to supporting record-keeping infrastructure, for example, storage facilities and equipment (for paper and electronic records);
- The need to develop records management policies and standards, for example in relation to access to and long-term preservation of paper and electronic records;
- The recognition that computerized case management systems have the capacity to improve caseload management and access to information, but there is a danger of regarding computerization as a means of solving all management, resource and information problems;

- The need for an information strategy and business case, based on the requirements of all key stakeholders, before embarking on the computerization of case administration;
- The value of pilot computerization projects to build confidence and capacity;
- The importance of standardized formats and templates for common documents; and
- The need for consistent and authoritative instructions on the preservation or destruction of court case records (both paper and electronic).

The Court Records Assessment Manual is intended to be used together with the Legal and Judicial Sector Assessment Manual. As with the Legal and Judicial Sector Assessment Manual, it is meant to highlight areas where further diagnosis may be needed. We welcome your comments and suggestions to this Manual as it is considered to be a living document which will continue to evolve.

Maria Dakolias
Chief Counsel (Acting)
Legal and Judicial Reform Practice Group
Legal Vice Presidency

General Guidelines on How to Use the Assessment Manual

This Manual is designed to be flexible. It does not have to be completed in full at one time, and it can be used in a number of different ways by country officials and project managers engaged in legal and judicial reform initiatives, or by records professionals who conduct evaluations of records and information systems. In addition to assessing the strengths and weaknesses of records and information systems, this Manual can be used to inform project planning and design.

It is intended that the Manual should be applicable at different levels of the project cycle. It can be used, for example, to:

- Support legal and judicial sector assessments by diagnosing strengths and weaknesses of organizational units and systems;
- Guide court officials and project managers in project design and implementation; and
- Enable records and information aspects of projects to be monitored and evaluated.

The questions that make up this Manual can be used selectively, depending on the purpose of the assessment. Primary or high-level questions are indicated in bold and can be used to provide an overall assessment of the capacity of a country's information and records systems to implement planned reform initiatives. Additional questions can be asked when detailed analysis is required.

Questions concerning specific court functions, such as case initiation or management and disposal, can be used to provide an assessment of the capacity of information and records systems to meet reform and business objectives in these areas. The section on Information Systems (IT) can be used to assess the capability of computerized systems to meet requirements for managing electronic records over time.

The 'Source of Information' column suggests the staff or office to which questions should be directed. The wider the range of persons questioned (senior administrators, judges, court staff, records managers, lawyers, etc) the better informed will be the assessment. While broad participation is ideal, the principal office or person to whom the question should be directed is marked in bold.

This Manual is intended to be applicable to paper-based, electronic, and hybrid paper/electronic systems. It can be used separately for civil, criminal, or other types of courts. The 'Reply to Question' column is intended to accommodate those cases in which separate replies can be made, depending on the type of court and whether the particular function is electronic, manual or hybrid.

Organization of the Assessment Manual

This Manual is divided into two sections. The first section, 'Management Environment', deals with the overall framework of laws and regulations, policies, and systems that determine how records and information should be managed, as well as the resources and capacity needed to manage them. The second section, 'Court Functions and Processes', focuses on the actual court processes and judicial functions that are supported by records and information systems. It should be noted that any of the questions in the Manual may be applied to manual, computerized or hybrid systems unless stated otherwise.

Section 1: Management Environment

Questions (Primary questions in bold)	Rationale for Questions	Sources of Information (Principal source in bold)	Reply to Questions
1. Legal and Institutional Framework for Managing Records and Information			
1.1 National Legal Framework <i>[ISO 15489-1 Section 5]</i>			
1.1.1 Is overall responsibility for the management of public sector records assigned to a central government body (e.g., National Archives)? If yes, please name the body.	Most, if not all, countries have a National Archives, established by legislation, with responsibility for public/government records.	National Archives	
1.1.2 If yes, does this body have overall responsibility for judicial records?	The definition of public records may include records of courts, tribunals, etc.	National Archives	

<p>Questions (Primary questions in bold)</p>	<p>Rationale for Questions</p>	<p>Sources of Information (Principal source in bold)</p>	<p>Reply to Questions</p>
<p>1.1.3 Are there specialists in judicial records within the National Archives? If yes, please state the position of the staff. Is responsibility for judicial records formalized in a job description?</p>	<p>If the National Archives is to exercise its responsibility effectively it must have adequate knowledge of judicial records or access to specialist knowledge, and it must assign responsibility for judicial records to a specific position.</p>	<p>National Archives</p>	
<p>1.1.4 Does the National Archives Act (or equivalent legislation / regulations) assign responsibility for the management of public sector records throughout their life cycle (e.g., from creation to disposal), either to the National Archives or to another body?</p>	<p>There must be coherent policies and programs for the management of public sector records at different stages of the life cycle; this has implications for public access, system compatibility, retention and disposal, long-term preservation, etc.</p>	<p>National Archives</p>	
<p>1.1.5 Is there a policy for transferring records to an archives institution (where they may later be made available to the public)? If yes, please specify details.</p>	<p>There should be mechanisms for selecting records to be permanently preserved as archives, and for providing access to them in an approved archives institution.</p>	<p>National Archives Senior Judicial Administrator Head of Records Function</p>	

Questions (Primary questions in bold)	Rationale for Questions	Sources of Information (Principal source in bold)	Reply to Questions
1.1.6 Does any other national legislation deal with record keeping requirements in the judiciary? If yes, please specify.	Other legislation may exist that requires certain types of records to be created and maintained or that specifies retention and disposal arrangements.	National Archives Senior Judicial Administrator Head of Records Function	
1.1.7 Is there legislation or are there regulations covering rights to privacy? If yes, please provide copies.	Protection of rights to privacy, access to personal information, etc have implications for the management of current and non-current records.	National Archives Senior Judicial Administrator Head of Records Function	
1.1.8 Is there Freedom of Information (FOI) legislation or regulation in relation to access to records? If yes, please provide copies.	FOI legislation has implications for the management of current and non-current records.	National Archives Senior Judicial Administrator Head of Records Function	

<p>Questions (Primary questions in bold)</p>	<p>Rationale for Questions</p>	<p>Sources of Information (Principal source in bold)</p>	<p>Reply to Questions</p>
<p>1.1.9 Are the rights and interests of all stakeholders (both within and outside the judiciary) considered when determining how long records need to be maintained? If yes, what is the mechanism by which this is done, e.g., records advisory committee, decision of ministry/department/agency?</p>	<p>Records having no further value for judicial purposes may need to be preserved because, e.g., they contain unique evidence (see also following question).</p>	<p>National Archives Senior Judicial Administrator Head of Records Function</p>	
<p>1.1.10 Do records disposal practices take into account the interests of future research and society? If yes, what is the mechanism by which this is done, e.g., national records/archives advisory committee?</p>	<p>Records having no further value for judicial purposes may still need to be preserved because, e.g., they contain unique evidence.</p>	<p>National Archives Senior Judicial Administrator Head of Records Function</p>	

Questions (Primary questions in bold)	Rationale for Questions	Sources of Information (Principal source in bold)	Reply to Questions
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1.2 Institutional/Organizational Framework			
1.2.1 Do the courts/ judiciary have a mission statement that ensures just processes and just and effective outcomes; deals with cases with appropriate speed; and respects the rights of defendants?	Some judiciaries have issued a 'mission statement'. Performance measurements and statistics can be used to show whether the mission or purpose is being met; this is one of the reasons statistics need to be collected and analyzed.	Senior Judicial Administrator	
1.2.2 Are there any practice directions issued by the head or a senior official of the judiciary specifically on court records? If yes, when was the last issued and for what purpose?	Practice directions relating to court records need to be consistent with organizational and national policies and programs.	Senior Judicial Administrator Head of Records Function Judges / Magistrates	

<p>Questions (Primary questions in bold)</p>	<p>Rationale for Questions</p>	<p>Sources of Information (Principal source in bold)</p>	<p>Reply to Questions</p>			
<p>1.2.3 Are court rules and procedures for subordinate courts national, local, or customary? Please specify where the rules and procedures are written down.</p>	<p>Some recordkeeping and information requirements are derived from rules and procedures; local rules and procedures may conflict with organizational or national requirements for managing information.</p>	<p>Senior Judicial Administrator</p>	<p>Fill in the section required</p>			
<p>1.2.4 Are records procedures uniform within similar courts (e.g., all first level criminal courts)?</p>	<p>Local procedures should be harmonized with organizational or national requirements for managing information.</p>	<p>Senior Judicial Administrator</p>	<p>Fill in the section required</p>			
<p>1.2.5 Are all standard documents (e.g., orders, judgments) specified in rules and regulations? If yes are they always followed?</p>	<p>Standard formats facilitate compliance, information sharing, simpler, more cost-effective computerization, and consistency of service delivery.</p>	<p>Senior Judicial Administrator Head of Records Function Judges / Magistrates</p>	<p>Fill in the section required</p>			
			<p>Civil Courts</p>	<p>Criminal Courts</p>	<p>Other Courts</p>	<p>Other Courts</p>

Questions (Primary questions in bold)	Rationale for Questions	Sources of Information (Principal source in bold)	Reply to Questions			
1.2.6 Which body or bodies approve and authorize document formats and content?	Standard formats may exist but may not be followed.	Senior Judicial Administrator Head of Records Function	Fill in the section required			
			Civil Courts	Criminal Courts	Other Courts	Other Courts
1.2.7 If there are standard document formats, are they national, regional or local? Please specify.	Standard formats facilitate compliance, information sharing, simpler and more cost-effective computerization.	Senior Judicial Administrator Head of Records Function	Fill in the section required			
			Civil Courts	Criminal Courts	Other Courts	Other Courts
1.2.8 Are rules and regulations for standard documents regularly reviewed? When was the last review?	Rules and regulations should be regularly reviewed and, if necessary, updated.	Senior Judicial Administrator Head of Records Function	Fill in the section required			
			Civil Courts	Criminal Courts	Other Courts	Other Courts

<p>Questions (Primary questions in bold)</p>	<p>Rationale for Questions</p>	<p>Sources of Information (Principal source in bold)</p>	<p>Reply to Questions</p>			
<p>1.2.9 Do different courts adapt documents and forms for their own purposes? If yes, is there a reason for the differences in the forms?</p>	<p>Divergence from agreed standards may undermine other requirements, such as data gathering, information sharing, consistency of service delivery, etc.</p>	<p>Senior Judicial Administrator Head of Records Function</p>	<p>Fill in the section required</p>			
			<p>Civil Courts</p>	<p>Criminal Courts</p>	<p>Other Courts</p>	<p>Other Courts</p>
<p>1.2.10 Are formats consistent between paper and electronic systems?</p>	<p>If electronic systems are used to generate forms, they must be in standard formats.</p>	<p>Senior Judicial Administrator Head of Records Function IT Officer</p>	<p>Fill in the section required</p>			
			<p>Civil Courts</p>	<p>Criminal Courts</p>	<p>Other Courts</p>	<p>Other Courts</p>
<p>1.2.11 Do the standard forms used, whether paper, electronic or both, enable uniform data to be collected for statistical purposes?</p>	<p>Standard formats simplify data collection, allow information sharing, and lead to simpler and cost effective computerization, etc.</p>	<p>Senior Judicial Administrator Head of Records Function</p>	<p>Fill in the section required</p>			
			<p>Civil Courts</p>	<p>Criminal Courts</p>	<p>Other Courts</p>	<p>Other Courts</p>

Questions (Primary questions in bold)	Rationale for Questions	Sources of Information (Principal source in bold)	Reply to Questions			
1.2.12 Are there inconsistencies in the way forms are completed so that uniform data cannot be collected? If yes, please specify.	Inconsistency (e.g., different methods of counting or recording) may cause difficulties in using records, data collection, information exchange, etc.	Senior Judicial Administrator Head of Records Function	Fill in the section required			
			Civil Courts	Criminal Courts	Other Courts	Other Courts

<p>Questions (Primary questions in bold)</p>	<p>Rationale for Questions</p>	<p>Sources of Information (Principal source in bold)</p>	<p>Reply to Questions</p>
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<p>2. Responsibilities for Records and Information Management</p>			
<p>2.1 Is there a top-level post within the courts that 'champions' records management? If yes, please name the officer or post.</p>	<p>When top leadership communicates interest and concern in accurate and reliable record keeping, records systems are better managed and resourced.</p>	<p>Senior Judicial Administrator Head of Records Function</p>	
<p>2.2 Is overall responsibility for the management of judicial records assigned to a central body or officer within the judiciary or ministry (either nationally or regionally)? If yes, please name the body or officer, give brief details of its/his/her duties and provide an organizational chart.</p> <p><i>[ISO 15489-1 Section 6.3]</i></p>	<p>An effective records management program requires a clear assignment of responsibility.</p>	<p>Senior Judicial Administrator Head of Records Function</p>	

Questions (Primary questions in bold)	Rationale for Questions	Sources of Information (Principal source in bold)	Reply to Questions
2.3 Does this body or officer have overall responsibility for managing judicial records throughout their life cycle (from creation to final disposition)?	If overall responsibility for records at different stages of the life cycle (current, semi-current, non-current) is split, coherent policies and programs will be more difficult to achieve.	Senior Judicial Administrator Head of Records Function	
2.4 What is the relationship of this body or officer to the National Archives? Please specify with reference to any statutory or legal requirement for the safekeeping of records and the selection of records for permanent preservation.	Records and information management programs must be consistent with national and statutory objectives for public records.	National Archives Senior Judicial Administrator Head of Records Function	
2.5 Is there a management-level officer within the courts who is specifically assigned overall responsibility for records management? If yes, please name the post.	Depending on the size of the organization, a manager-level post should be partly or wholly dedicated to records and information management.	Senior Judicial Administrator Head of Records Function	

<p>Questions (Primary questions in bold)</p>	<p>Rationale for Questions</p>	<p>Sources of Information (Principal source in bold)</p>	<p>Reply to Questions</p>
<p>2.6 Is there regular communication between senior court officials and records management staff? If yes, please give details.</p>	<p>Regular communication helps to ensure that records and information needs are defined and requirements are included in organizational plans and objectives.</p>	<p>Senior Judicial Administrator Head of Records Function Judges / Magistrates</p>	

Questions (Primary questions in bold)	Rationale for Questions	Sources of Information (Principal source in bold)	Reply to Questions
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3. Records and Information Management Policies and Standards, Procedures, and Facilities and Maintenance

3.1 Policies and Standards *[ISO 15489-1 Section 6]*

<p>3.1.1 Is there a national or regional policy or set of guiding principles for managing judicial records and information, covering both paper and electronic records? If yes, who issued the policy or guidelines and has it or have they been distributed for use?</p> <p><i>[ISO 15489-1 Section 6.2]</i></p>	<p>An effective records management program requires a clear definition of policies and objectives. Records management must be integrated with IT systems and business processes.</p>	<p>Senior Judicial Administrator Head of Records Function</p>	
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<p>Questions (Primary questions in bold)</p>	<p>Rationale for Questions</p>	<p>Sources of Information (Principal source in bold)</p>	<p>Reply to Questions</p>
<p>3.1.2 If there is a policy or set of guidelines, does it specify the following?</p> <ul style="list-style-type: none"> · Objectives · Responsibilities for creating and maintaining records · Standards (format, quality, content) to meet evidentiary and regulatory requirements throughout the lifecycle of court records · Policies and procedures to transfer electronic records to archival custody · Standards and preservation guidelines to maintain access over time <p><i>[ISO 15489-1 Section 7.1]</i></p>	<p>These are the essential components of a records and information management policy.</p>	<p>Senior Judicial Administrator Head of Records Function</p>	

Questions (Primary questions in bold)	Rationale for Questions	Sources of Information (Principal source in bold)	Reply to Questions
3.1.3 If there is a policy or set of guidelines, which body or officer is responsible for auditing compliance to ensure that the policy or guidelines are being followed? What is the relationship of this body or officer with the top-level management within the courts and with the National Archives?	Compliance must be kept under review. The National Archives is an appropriate body to perform this function, but the top-level management of the courts must also ensure compliance.	National Archives Senior Judicial Administrator Head of Records Function	
3.1.4 If there are organizational objectives for records management, does the head of records management have a method of measuring performance against these objectives, e.g., an auditing tool?	Regular internal evaluations by the courts are necessary to monitor compliance and effectiveness.	Senior Judicial Administrator Head of Records Function	

<p>Questions (Primary questions in bold)</p>	<p>Rationale for Questions</p>	<p>Sources of Information (Principal source in bold)</p>	<p>Reply to Questions</p>
<p>3.1.5 Is there a procedures manual for the management of judicial records throughout the lifecycle? Is it continuously updated? When was the last issue or update? Has the manual been distributed to staff?</p>	<p>Records management procedures must be documented for operational and training purposes; this documentation must be accurate, comprehensive and up-to-date.</p>	<p>Senior Judicial Administrator Head of Records Function Registrars / Secretaries / Clerks of Court</p>	
<p>3.1.6 Are electronic records covered in a records management procedures manual, either separately or with records in other formats (e.g., paper)?</p>	<p>Instructions and guidance must include electronic records. If electronic systems are introduced, records management procedures manuals must be revised.</p>	<p>Senior Judicial Administrator Head of Records Function Registrars / Secretaries / Clerks of Court</p>	

Questions (Primary questions in bold)	Rationale for Questions	Sources of Information (Principal source in bold)	Reply to Questions
<p>3.1.7 If there is a procedures manual, does it outline the following?-</p> <ul style="list-style-type: none"> ▪ Description of responsibilities to meet record keeping requirements throughout the records' lifecycle ▪ Standards and guide lines for regulatory requirements, to ensure the capture of essential information about the content, context and structure of records ▪ Procedures for managing records at all stages of the lifecycle ▪ Retention and disposal guidance and procedures ▪ Preservation options and guidelines - short and long-term ▪ Policies and procedures for auditing compliance 	<p>The manual must cover all aspects of records management (both paper and electronic) throughout the life cycle.</p>	<p>Senior Judicial Administrator Head of Records Function Registrars / Secretaries / Clerks of Court</p>	

<p>Questions (Primary questions in bold)</p>	<p>Rationale for Questions</p>	<p>Sources of Information (Principal source in bold)</p>	<p>Reply to Questions</p>
<p>3.1.8 Is there a centralized body for the strategic development of IT resources and systems, either within the courts or nationally? If so, what are its responsibilities? What is the relationship of this body to client offices (e.g., advisory or controlling)?</p>	<p>A centralized body can coordinate resources and system development to achieve consistency, greater efficiency, etc.</p>	<p>Senior Judicial Administrator Head of Records Function IT Officer</p>	

Questions (Primary questions in bold)	Rationale for Questions	Sources of Information (Principal source in bold)	Reply to Questions
<p>3.1.9 Is the development and procurement of IT systems based on the following processes?</p> <ul style="list-style-type: none"> ▪ Business Process Analysis ▪ Identification of Records Requirements ▪ Cost-benefit Analysis ▪ Business Case ▪ Proposal or invitation to tender ▪ Selection Process ▪ Procurement Guidelines ▪ Implementation and project time line proposal <p>Please provide or refer to relevant documentation to support replies.</p> <p><i>[ISO 15489-1 Section 8.4]</i></p>	<p>These processes are required to ensure IT systems meet business needs and IT projects are managed properly.</p>	<p>Senior Judicial Administrator Head of Records Function IT Officer</p>	

<p>Questions (Primary questions in bold)</p>	<p>Rationale for Questions</p>	<p>Sources of Information (Principal source in bold)</p>	<p>Reply to Questions</p>
<p>3.1.10 Who is responsible for overseeing the design and implementation of new records and information systems (e.g., project board or IT committee, etc)?</p>	<p>The identification of a responsible body establishes accountability.</p>	<p>Senior Judicial Administrator Head of Records Function IT Officer</p>	
<p>3.1.11 Is the records management function represented on this board or committee? If yes, by whom?</p>	<p>Input by qualified records professionals is needed to ensure records management requirements are incorporated into system design and implementation.</p>	<p>Senior Judicial Administrator Head of Records Function</p>	
<p>3.1.12 Is there a metadata standard used by the system?</p>	<p>Such a standard ensures that metadata (essential information about the context, content and format of records) is correctly captured.</p>	<p>Senior Judicial Administrator Head of Records Function IT Officer</p>	
<p>3.1.13 Is there a government interoperability standard?</p>	<p>Such a standard ensures the compatibility of systems and facilitates the exchange of data.</p>	<p>Senior Judicial Administrator Head of Records Function IT Officer</p>	

Questions (Primary questions in bold)	Rationale for Questions	Sources of Information (Principal source in bold)	Reply to Questions
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3.2 Procedures			
3.2.1 Registering, classifying and capturing records and information in record keeping systems [ISO 15489-1 Sections 9.3 and 9.4]			
3.2.1.1 Do the courts use a consistent file classification system for case records and documents? If yes, is the same type of classification scheme used consistently nationally, regionally, or within separate jurisdictions? Please explain how court file and document numbers are generated and provide examples.	Consistency within courts assists retrieval; consistency between courts facilitates compliance with good practice. Consistency also allows for simpler and more cost-effective computerization.	Senior Judicial Administrator Head of Records Function Registrars / Secretaries / Clerks of Court	

<p>Questions (Primary questions in bold)</p>	<p>Rationale for Questions</p>	<p>Sources of Information (Principal source in bold)</p>	<p>Reply to Questions</p>
<p>3.2.1.2 Are documents added to files in such a way (e.g., by a tag or thread for paper records, or sequential number for computer records) so that their sequential order is preserved.</p>	<p>Documents must be kept in their correct order to preserve evidence of the sequence of actions, etc.</p>	<p>Head of Records Function Registrars / Secretaries / Clerks of Court Court Clerks Judges / Magistrates</p>	
<p>3.2.2 Controlling the Movement of Records [ISO 15489-1 Section 9.8]d 9.4]</p>			
<p>3.2.2.1 Is a record kept when files are removed from 'file room' storage? If yes, what details are recorded? Who is responsible for recording this information?</p>	<p>The location of files needs to be known at all times. Accountability for removing files must be established.</p>	<p>Head of Records Function Registrars / Secretaries / Clerks of Court Court Clerks</p>	

Questions (Primary questions in bold)	Rationale for Questions	Sources of Information (Principal source in bold)	Reply to Questions
3.2.2.2 When a file or record is in use by a court official or judge, is the record's location always known? If yes, how is information about the record's location recorded, and who is responsible for recording it?	The location of files needs to be known at all times. If officers pass files between themselves, the movement should be recorded. Accountability for file movements must be established.	Head of Records Function Registrars / Secretaries / Clerks of Court Court Clerks Judges / Magistrates	
3.2.2.3 Are there systems and procedures in place for transferring closed or inactive records to separate storage (e.g., file transfer procedures)?	The regular and systematic removal of closed or inactive records enables current records systems to be more effectively managed.	Head of Records Function Registrars / Secretaries / Clerks of Court Court Clerks	
3.2.2.4 If yes, are transfers documented so that the files transferred can be individually identified and retrieved?	Closed or inactive files may be needed for reference; proper documentation enables more reliable disposal to take place later.	Head of Records Function Registrars / Secretaries / Clerks of Court Court Clerks	

<p>Questions (Primary questions in bold)</p>	<p>Rationale for Questions</p>	<p>Sources of Information (Principal source in bold)</p>	<p>Reply to Questions</p>
<p>3.2.2.5 Are records transferred to semi-current or inactive storage (paper and electronic) always given a disposal action (e.g., a destruction or review date calculated from the date of the record or date of transfer)?</p>	<p>Unless transferred records are subject to a retention period and disposal action, backlogs of low-value records will accumulate and storage areas will become overfilled.</p>	<p>Head of Records Function Registrars / Secretaries / Clerks of Court Court Clerks IT Officer</p>	
<p>3.2.3 Providing Access to Records/Information [ISO 15489-1 Section 9.7]</p>			
<p>3.2.3.1 Can records or information from records be found when required? If no, please give details.</p>	<p>A 'no' answer suggests records and information systems do not meet the users' requirements.</p>	<p>Head of Records Function Registrars / Secretaries / Clerks of Court Court Clerks Judges / Magistrates</p>	
<p>3.2.3.2 Are required files or records ever found to be lost or damaged? If so, is this loss or damage a regular occurrence?</p>	<p>Frequent losses or damage indicate failed recordkeeping systems.</p>	<p>Head of Records Function Registrars / Secretaries / Clerks of Court Court Clerks Judges / Magistrates</p>	

Questions (Primary questions in bold)	Rationale for Questions	Sources of Information (Principal source in bold)	Reply to Questions
3.2.3.3 Do persons outside the courts ever express concern about the loss or absence of records, poor response to requests for information, or unauthorized access or release? If yes, please give examples.	The protection of rights and entitlements depends on reliable record keeping systems.	Senior Judicial Administrator Head of Records Function Registrars / Secretaries / Clerks of Court Court Clerks Judges / Magistrates Lawyers NGOs	
3.2.3.4 Have formal instructions been issued about access to both closed and pending cases? If yes, do the instructions cover both paper and electronic records? Please specify the instructions.	Such instructions indicate control of access to case records.	Head of Records Function Registrars / Secretaries / Clerks of Court Court Clerks IT Officer Lawyers	
3.2.3.5 Who is allowed access to court records, including active or pending cases? Please name the officers and persons concerned (e.g., judges, lawyers, registrars, parties to cases, etc)?	Access to records may be restricted to essential staff. However, in some countries, case records are 'public records' and are open for inspection by lawyers, parties and the public.	Head of Records Function Registrars / Secretaries / Clerks of Court Court Clerks IT Officer Lawyers	

<p>Questions (Primary questions in bold)</p>	<p>Rationale for Questions</p>	<p>Sources of Information (Principal source in bold)</p>	<p>Reply to Questions</p>
<p>3.2.3.6 Are any persons who are not court officials allowed unsupervised access to case files and records? Please specify.</p>	<p>Access should always be supervised.</p>	<p>Head of Records Function Registrars / Secretaries / Clerks of Court Court Clerks Judges / Magistrates Lawyers</p>	
<p>3.2.3.7 Are any records (paper and/or electronic) maintained by individual staff and accessible only to them, or are all records maintained in a shared location (e.g., registry or network)?</p>	<p>If stand-alone computers or individual filing systems are used to generate and store records, there may be problems in providing access to and in maintaining the integrity of the records.</p>	<p>Head of Records Function Registrars / Secretaries / Clerks of Court IT Officer Judges / Magistrates</p>	
<p>3.2.4 Retaining and Disposing of Records / Preserving Records</p>			
<p>3.2.4.1 Is there an established system for the appraisal and authorized disposal of judicial records? If yes, please provide details. [ISO 15489-1 Section 9.2]</p>	<p>The appraisal and disposal of records must be planned and coordinated across the organization and conducted according to established procedures.</p>	<p>National Archives Senior Judicial Administrator Head of Records Function Registrars / Secretaries / Clerks of Court</p>	

Questions (Primary questions in bold)	Rationale for Questions	Sources of Information (Principal source in bold)	Reply to Questions
3.2.4.2 Are there retention and disposal schedules for judicial records? If yes, are they national or 'local'?	Retention and disposal schedules are an essential component of control; without consistency and coordination, disposal may be ad hoc and arbitrary, leading to the destruction of important records or the retention of records of no value, or both.	National Archives Senior Judicial Administrator Head of Records Function Registrars / Secretaries / Clerks of Court	
3.2.4.3 When were retention and disposal schedules last applied? <i>[ISO 15489-1 Section 9.9]</i>	Schedules must be applied regularly and routinely.	Head of Records Function Registrars / Secretaries / Clerks of Court	
3.2.4.4 If there are retention and disposal schedules, when were they last updated?	Schedules must be regularly reviewed and updated to remain comprehensive.	National Archives Senior Judicial Administrator Head of Records Function Registrars / Secretaries / Clerks of Court	

<p>Questions (Primary questions in bold)</p>	<p>Rationale for Questions</p>	<p>Sources of Information (Principal source in bold)</p>	<p>Reply to Questions</p>
<p>3.2.4.5 If there is a lack of clear guidance on the retention and disposal of records, is concern expressed about this lack?</p>	<p>Lack of guidance is an indicator of an absence of policy and procedures or system failure.</p>	<p>National Archives Senior Judicial Administrator Head of Records Function Registrars / Secretaries / Clerks of Court</p>	
<p>3.2.4.6 If there is a system for identifying records of no further value, are the records destroyed by the courts? If yes, please specify under whose authority.</p>	<p>Authorization of destruction by a recognized authority is needed; proper authorization is an indicator that policies and procedures are working.</p>	<p>National Archives Senior Judicial Administrator Head of Records Function Registrars / Secretaries / Clerks of Court</p>	

Questions (Primary questions in bold)	Rationale for Questions	Sources of Information (Principal source in bold)	Reply to Questions
<p>3.2.4.7 Are records systems designed so that records remain accessible, authentic, reliable and useable for the entire period of their retention and usefulness? If yes, how are these essential requirements captured in the design process (e.g., by reference to records management standards)?</p> <p><i>[ISO 15489-1 Section 7.2]</i></p>	<p>The preservation of metadata (data about context, structure, content) is vital if records are to continue to meet evidentiary requirements. Though obvious in relation to electronic records, this question can equally be asked of paper or hybrid systems.</p>	<p>National Archives Senior Judicial Administrator Head of Records Function Registrars / Secretaries / Clerks of Court IT Officer</p>	
<p>3.2.4.8 For computerized systems, is there a mechanism for transferring records to off-line storage (e.g., disk or tape back-up)? If yes, who is responsible for managing this process?</p>	<p>Such a mechanism is an indicator of whether electronic records will remain secure, reliable, authentic, etc.</p>	<p>Head of Records Function IT Officer</p>	

<p>Questions (Primary questions in bold)</p>	<p>Rationale for Questions</p>	<p>Sources of Information (Principal source in bold)</p>	<p>Reply to Questions</p>
<p>3.2.4.9 If there is a mechanism for off-line storage, is there a provision for records stored off-line to be migrated through system changes?</p>	<p>This provision is an indicator of whether electronic records will remain secure, reliable, authentic, accessible, etc.</p>	<p>Head of Records Function IT Officer</p>	
<p>3.2.4.10 Is there any institutional system for safeguarding records selected for permanent preservation? If yes, does this system include electronic records?</p>	<p>A system to select records for permanent preservation should be planned and coordinated across the organization and must include the involvement of outside institutions, such as the National Archives.</p>	<p>National Archives Senior Judicial Administrator Head of Records Function IT Officer</p>	
<p>3.2.5 <i>Ensuring the Security and Confidentiality of Records</i></p>			
<p>3.2.5.2 Are staff held individually responsible for the loss of or damage to records in their care? If yes, please specify how staff are held accountable.</p>	<p>Personal liability can be an effective method of maintaining security.</p>	<p>Senior Judicial Administrator Head of Records Function Registrars / Secretaries / Clerks of Court Court Clerks IT Officer</p>	

Questions (Primary questions in bold)	Rationale for Questions	Sources of Information (Principal source in bold)	Reply to Questions
3.2.5.3 Are records protected against unauthorized access, alteration, or disposal? Please specify the way in which paper and/or electronic records are safeguarded. <i>[ISO 15489-1 Section 7.2]</i>	Potential or actual unauthorized access by staff or non-staff can destroy the integrity of records.	Senior Judicial Administrator Head of Records Function Registrars / Secretaries / Clerks of Court Court Clerks IT Officer	
3.2.5.4 Is there a formal practice of creating a duplicate or back-up case file?	Some systems have a duplicate file system, e.g., a registry file and a judge's file.	Head of Records Function Registrars / Secretaries / Clerks of Court	
3.2.5.5 Is there a back-up system to ensure that if key documents cannot be found, their existence can still be proved (e.g., receipt of key documents is recorded in a register)?	Ideally, paper and electronic recordkeeping systems should 'register' the creation or receipt of documents.	Head of Records Function Registrars / Secretaries / Clerks of Court IT Officer	

<p>Questions (Primary questions in bold)</p>	<p>Rationale for Questions</p>	<p>Sources of Information (Principal source in bold)</p>	<p>Reply to Questions</p>
<p>3.2.5.6 Are paper files not currently in use always stored in a controlled and secure area (e.g., a registry, sub-registry, clerk/judges filing system)? If no, specify why.</p>	<p>Controlled storage will reduce the risk of unauthorized access to the files and the information they contain.</p>	<p>Head of Records Function Registrars / Secretaries / Clerks of Court Court Clerks</p>	
<p>3.2.6 Monitoring and compliance</p>			
<p>3.2.6.1 Is there a commitment by the courts to follow national or international standards for records management? If yes, please identify the standard. By whom is the commitment made? [ISO 15489-1 Section 10]</p>	<p>Even if national or international standards are recognized, there must still be a commitment to implement and maintain them.</p>	<p>National Archives Senior Judicial Administrator Head of Records Function</p>	

Questions (Primary questions in bold)	Rationale for Questions	Sources of Information (Principal source in bold)	Reply to Questions
3.2.6.2 Is there an internal audit to evaluate record keeping practices against accepted standards? Who conducts these internal audits?	Compliance with standards can only be determined if there is regular and systematic auditing.	Senior Judicial Administrator Head of Records Function	
3.2.6.3 Is an audit conducted by an external body to evaluate record keeping practices against accepted standards? If yes, who conducts these external audits and how often?	Audit by an external, qualified and independent authority provides a valuable check on standards and compliance.	National Archives Senior Judicial Administrator Head of Records Function	
3.2.6.4 Do manuals, instructions, and guidance follow national and/or international standards for records management? If yes, please specify the standards.	Following a standard may be an indicator that recommended good practice is undertaken.	National Archives Senior Judicial Administrator Head of Records Function	

Questions <small>(Primary questions in bold)</small>	Rationale for Questions	Sources of Information <small>(Principal source in bold)</small>	Reply to Questions
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3.3 Facilities and Maintenance						
<p>3.3.1 Do records creators and users believe there are adequate records storage facilities, equipment, and materials to meet existing and future needs? Please give examples of shortcomings (e.g., files cannot be created because of lack of file covers; records are stored on the floor, back-up disks or tapes are stored in inappropriate conditions). Please provide explanations for shortcomings.</p> <p><i>[ISO 15489-1 Section 9.6]</i></p>	<p>There must be sufficient physical resources to maintain a records management program.</p>	<p>National Archives Senior Judiciary Administrator Head of Records Function Registrars / Secretaries / Clerks of Court IT Officer</p>	Fill in the sections required			
			Active Paper Records	Closed Paper Records	Active Electronic Records	Closed Electronic Records

Questions (Primary questions in bold)	Rationale for Questions	Sources of Information (Principal source in bold)	Reply to Questions
3.3.2 Are records damaged by any of the following? <ul style="list-style-type: none"> • Wildlife (e.g., insects, rats) • Water • Mold • Direct Sunlight • Other Hazards If yes, please specify and say when the damage occurred.	Records may be damaged beyond use by any of these hazards.	National Archives Head of Records Function Registrars / Secretaries / Clerks of Court Court Clerks	
3.3.3 Are all storage areas equipped with fire precautions? If yes, when was the equipment last inspected?	Adequate fire precaution equipment should be installed and maintained.	Head of Records Function Registrars / Secretaries / Clerks of Court Court Clerks	

<p>Questions (Primary questions in bold)</p>	<p>Rationale for Questions</p>	<p>Sources of Information (Principal source in bold)</p>	<p>Reply to Questions</p>
<p>3.3.4 Do the courts have discretionary funding for the purchase of records management supplies and equipment (e.g., filing cabinets, shelving, boxes, data fire safes, etc)? If yes, who controls the budget and who makes the purchases?</p>	<p>Budget allocations for these purposes are essential; the budget should be controlled or overseen by a senior officer with responsibility for records and information management.</p>	<p>Senior Judicial Administrator Head of Records Function IT Officer</p>	
<p>3.3.5 Is the purchase of records management supplies and equipment (e.g., filing cabinets, shelving, boxes, data fire safes, etc) controlled centrally? If yes, specify by whom.</p>	<p>Centralized control may indicate that local needs are not met effectively.</p>	<p>Senior Judicial Administrator Head of Records Function</p>	

Questions (Primary questions in bold)	Rationale for Questions	Sources of Information (Principal source in bold)	Reply to Questions
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4. Training and Competencies			
4.1 Do records managers or the officer with overall responsibility for records and information management within the organization have sufficient seniority to influence records management policy (e.g., direct access to senior management)?	Without status, records managers are unlikely to have an impact.	Senior Judicial Administrator Head of Records Function	
4.2 Do records managers have professional training? If yes, please give details of the training (e.g., institution, duration, etc).	Professional training in records and information will enhance the status of the records managers but is not vital if there are other sources of professional expertise (e.g., National Archives).	Senior Judicial Administrator Head of Records Function	

<p>Questions (Primary questions in bold)</p>	<p>Rationale for Questions</p>	<p>Sources of Information (Principal source in bold)</p>	<p>Reply to Questions</p>
<p>4.3 Are there guidelines, instructions, or manuals that assign responsibilities for specific records functions to all relevant grades of staff (including senior staff and court officials)? If yes, please specify the document(s) that assign responsibility.</p>	<p>All staff have some responsibility for creating, using or managing records. Records management is a shared responsibility between records staff and users; this responsibility needs to be agreed, publicized and widely understood.</p>	<p>Senior Judicial Administrator Head of Records Function Registrars / Secretaries / Clerks of Court Court Clerks</p>	
<p>4.4. Are all senior staff and court officials provided with awareness training on the importance of records? If yes, please give details of the training (by whom, where, how often, duration, etc).</p>	<p>Senior officials and users of records must be aware of their role and responsibilities in good record keeping practices.</p>	<p>Senior Judicial Administrator Head of Records Function Judges / Magistrates</p>	

Questions (Primary questions in bold)	Rationale for Questions	Sources of Information (Principal source in bold)	Reply to Questions
4.5 Are records management procedures manuals and guidance materials used for training staff who deal with records? If yes, please specify the materials used.	The materials should give detailed and comprehensive descriptions of procedures as well as covering general principles. They should also provide links to international standards, relevant laws and regulations, and key staff responsibilities.	Senior Judicial Administrator Head of Records Function Registrars / Secretaries / Clerks of Court Court Clerks	
4.6 How do senior court staff supervise records staff (e.g., directly, through intermediate managers, on a day-to-day basis, etc)? Do court staff and records users believe this supervision is adequate?	Supervision will help to ensure compliance with procedures and standards and will sustain a level of service.	Senior Judicial Administrator Head of Records Function Registrars / Secretaries / Clerks of Court Court Clerks Lawyers	
4.7 Is there a clear or defined career path for records staff in the courts?	Motivated and knowledgeable records officers make a significant difference to the quality of record keeping.	Senior Judicial Administrator Head of Records Function Registrars / Secretaries / Clerks of Court Court Clerks	

<p>Questions (Primary questions in bold)</p>	<p>Rationale for Questions</p>	<p>Sources of Information (Principal source in bold)</p>	<p>Reply to Questions</p>
<p>4.8 Are there staff shortages in the records function? If so, why?</p>	<p>Shortages may be an indicator of low status, poor pay and working conditions, insufficient allocation of staff and resources, etc.</p>	<p>Senior Judicial Administrator Head of Records Function Registrars / Secretaries / Clerks of Court Court Clerks</p>	
<p>4.9 Is there a high turnover of records staff? If so, why?</p>	<p>High turnover may be an indicator of low status, poor pay and working conditions, etc.</p>	<p>Senior Judicial Administrator Head of Records Function Registrars / Secretaries / Clerks of Court Court Clerks</p>	
<p>4.10 Is there a separate records class within the judiciary that carries out the records management function?</p>	<p>A records class or cadre may be an indicator of a career structure, improved status, professionalization, etc.</p>	<p>Senior Judicial Administrator Head of Records Function</p>	

Questions (Primary questions in bold)	Rationale for Questions	Sources of Information (Principal source in bold)	Reply to Questions
<p>4.11 Is training in records management provided within the courts? If yes, please give details of the training (course, location, content, duration, by whom taught, etc). Is the training provided centrally, regionally or locally? Please specify.</p> <p><i>[ISO 15489-1 Section 11]</i></p>	<p>'Classroom based' training and training opportunities, as opposed to on-the-job training, may indicate that a records management program and career and skills development are in place. If training does not take place within the judiciary, it is less likely to meet the courts' requirements.</p>	<p>Senior Judicial Administrator Head of Records Function Registrars / Secretaries / Clerks of Court Court Clerks</p>	
<p>4.12 Do any records staff in the judiciary have knowledge of the management of electronic records? If yes, how were they trained?</p>	<p>Electronic records create new challenges and problems for records managers; additional training is required.</p>	<p>Senior Judicial Administrator Head of Records Function IT Officer</p>	
<p>4.13 Is electronic records management incorporated in general records management training?</p>	<p>Training must be comprehensive.</p>	<p>Senior Judicial Administrator Head of Records Function</p>	

Questions (Primary questions in bold)	Rationale for Questions	Sources of Information (Principal source in bold)	Reply to Questions
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5. Information Technology (IT) Systems (to be asked for each identified system)			
5.1 Design and Implementation			
5.1.1 What is the system architecture: e.g., stand-alone PCs, client-server, Web-based?	Different architectures require different security provisions and preservation procedures.	IT Officer	
5.1.2 Is the system programmed in a common language, e.g., Oracle, Sybase, SQL? If not, is the data in a proprietary format? Please specify.	Common programming languages are easier to migrate for long-term preservation. Proprietary standards require the creation of software for retrieval and viewing.	IT Officer	
5.1.3 What original data sources were used to populate the system (either paper or electronic)?	The accuracy of the input data establishes the credibility of the data that constitute the system's records.	IT Officer Head of Records Function Head of Section with IT System	

Questions (Primary questions in bold)	Rationale for Questions	Sources of Information (Principal source in bold)	Reply to Questions
5.1.4 How were these sources verified for accuracy? Are procedures in place to ensure that data verification is ongoing? Are these procedures being followed and are they being audited for compliance?	Verification establishes the reliability of the source data.	IT Officer Head of Records Function Head of Section with IT System	
5.1.5 What metadata is used to describe the records? Please list.	Metadata (context, content, structure) describes the records and provides access points for users.	IT Officer Head of Records Function	
5.1.6 Are vital records within the system identified? If yes, please specify how they were identified.	Vital records are those considered critical to the continued operations of an organization or the re-establishment of operations after an emergency or disaster. Vital records should always be identified for preservation.	IT Officer Head of Records Function Head of Section with IT System	

<p>Questions (Primary questions in bold)</p>	<p>Rationale for Questions</p>	<p>Sources of Information (Principal source in bold)</p>	<p>Reply to Questions</p>
<p>5.1.7 Is there an audit trail function?</p>	<p>An audit trail is a record showing who has accessed the system and the operations he/she has performed. This establishes whether unauthorized action can be detected.</p>	<p>IT Officer Head of Section with IT System System Users</p>	
<p>5.1.8 Does the system track versions of records?</p>	<p>Version tracking is needed to link the record to transactions or activities.</p>	<p>IT Officer Head of Records Function System Users</p>	
<p>5.1.9 Is there a quality control mechanism in the system, e.g., reporting functions that verify the accuracy of data or procedures for flagging data anomalies? If yes, please specify how this mechanism functions.</p>	<p>Such a mechanism supports the credibility of the system and enables inaccurate or incorrect data to be detected.</p>	<p>IT Officer System Users</p>	

Questions (Primary questions in bold)	Rationale for Questions	Sources of Information (Principal source in bold)	Reply to Questions
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5.2 System Operations and Maintenance			
5.2.1 Who is responsible for the daily administration of the IT system?	Accountability for the system must be assigned.	IT Officer Head of Records Function Head of Section with IT System System Users	
5.2.2 What functions do the systems perform? <ul style="list-style-type: none"> • Adding and deleting users • Modifying permission profiles • Generating usage statistics • Conducting regular system backs-ups (indicate how often) • Performing system upgrades • Quality control for data entry 	These functions provide details of the levels of access and security provisions.	IT Officer Head of Section with IT System	

<p>Questions (Primary questions in bold)</p>	<p>Rationale for Questions</p>	<p>Sources of Information (Principal source in bold)</p>	<p>Reply to Questions</p>
<p>5.2.3 Is there system documentation? If yes, where is it kept?</p>	<p>System documentation provides a technical description of how the system operates. It is required to restore operations in the event of systems failure.</p>	<p>IT Officer Head of Section with IT System</p>	
<p>5.2.4 How and when are system records disposed of?</p>	<p>This may be an indicator of whether unauthorized destruction is permitted by the system.</p>	<p>IT Officer Head of Records Function Head of Section with IT System System Users</p>	
<p>5.2.5 Does the system use standardized forms or templates? If yes, please give details.</p>	<p>Templates promote consistency in records creation.</p>	<p>IT Officer Head of Records Function Head of Section with IT System System Users</p>	
<p>5.2.6 Is the system linked with any other systems? If yes, how are they connected? How is the transmission of data made secure?</p>	<p>This provides an indication of the security of the system.</p>	<p>IT Officer Head of Section with IT System System Users</p>	

Questions (Primary questions in bold)	Rationale for Questions	Sources of Information (Principal source in bold)	Reply to Questions
5.2.7 Are there system evaluation and review procedures to measure efficiency? If yes, describe.	Periodic reviews determine whether the system continues to support operational and information requirements.	IT Officer Head of Records Function Head of Section with IT System	
5.2.8 Have any system upgrades been conducted since implementation? If so, when were they carried out and what did they entail?	System upgrades may require data conversion; the process must ensure that the data in records and the records' structure both remain intact.	IT Officer Head of Records Function Head of Section with IT System	
5.2.9 If data has been migrated through system upgrades, has the migration process been documented?	All migration processes must be documented.	IT Officer Head of Records Function	

<p>Questions (Primary questions in bold)</p>	<p>Rationale for Questions</p>	<p>Sources of Information (Principal source in bold)</p>	<p>Reply to Questions</p>
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<p>5.3 Capacity and User Support</p>			
<p>5.3.1 Who is responsible for providing support for users of the system (e.g., dealing with users' problems)?</p>	<p>This indicates institutional capacity to support daily use of the system.</p>	<p>IT Officer Head of Records Function Head of Section with IT System System Users</p>	
<p>5.3.2 Do you believe there is adequate support for users of the system?</p>	<p>This asks users to identify problems.</p>	<p>IT Officer Head of Records Function Head of Section with IT System System Users</p>	
<p>5.3.3 How many users does the system serve?</p>	<p>This will help to determine whether users have adequate support.</p>	<p>IT Officer System Users</p>	
<p>5.3.4 What training did the administrator(s) receive? Was a certificate awarded at the end of the training? If yes, please specify the type of certificate.</p>	<p>The administrator(s) must be trained and competent in the software and hardware for which they are responsible. Training must be of a recognized standard.</p>	<p>IT Officer Head of Section with IT System</p>	

Questions (Primary questions in bold)	Rationale for Questions	Sources of Information (Principal source in bold)	Reply to Questions
5.3.5 How are system users trained? What is the duration of training? Is there a training manual?	This indicates the thoroughness of the training.	IT Officer Head of Records Function Head of Section with IT System System Users	
5.3.6 Is there a user manual for the system? Is it readily accessible?	There should be an authoritative guide to procedures.	IT Officer System Users	
5.4 System security and back-ups			
5.4.1 Does each user have a unique identifier and a confidential password?	Each user should be identifiable; used in conjunction with other controls (e.g., audit trail), it should be possible to identify what actions were performed, by whom, and when.	IT Officer System Users	
5.4.2 What are the levels of permissions?	This provides details of the staff who are authorized to create, modify and/or delete records.	IT Officer Head of Section with IT System	

<p>Questions (Primary questions in bold)</p>	<p>Rationale for Questions</p>	<p>Sources of Information (Principal source in bold)</p>	<p>Reply to Questions</p>
<p>5.4.3 Is the system included in disaster recovery planning?</p>	<p>This indicates the security of the system, and how system records will be maintained and restored in the event of a disaster.</p>	<p>IT Officer Head of Records Function Head of Section with IT System</p>	
<p>5.4.4 Are there procedures and processes to ensure continued business operations in the event of a system failure? If yes, please specify.</p>	<p>This establishes whether critical business functions and supporting records are protected and ensures they are not lost.</p>	<p>IT Officer Head of Records Function Head of Section with IT System</p>	
<p>5.4.5 What provisions are in place for back-ups: e.g., a back-up server or back-up tapes? For back-ups on tape, how often are the back-ups made? By whom? In what format are they stored? If there is a back-up server, where is it located?</p>	<p>This provides information about system security and the accessibility of records if the system is unavailable.</p>	<p>IT Officer Head of Section with IT System</p>	

Questions (Primary questions in bold)	Rationale for Questions	Sources of Information (Principal source in bold)	Reply to Questions
5.4.6 If there are back-ups, where are they stored? Who has access? How are they labeled?	Back-ups need to be stored in a secure location and environment.	IT Officer Head of Section with IT System	
5.4.7 Are back-up tapes ever overwritten? If so, how often?	Policies and procedures are required to ensure no records are lost when tapes are overwritten.	IT Officer	
5.4.8 Are records migrated to off-line storage at any stage in their lifecycle? If yes, please say how and by whom, and give details of the off-line storage.	This provides information about all system records and their accessibility.	IT Officer	
5.4.9 Are all records in the system required to support or process current court operations?	Systems that contain records of no further value waste resources and slow system operations.	IT Officer Head of Records Function Head of Section with IT System System Users	

<p>Questions (Primary questions in bold)</p>	<p>Rationale for Questions</p>	<p>Sources of Information (Principal source in bold)</p>	<p>Reply to Questions</p>
<p>5.4.10 Is the system accessible to users in different locations, e.g., Wide Area Networks or Web-access? If yes, what measures and/or applications are in place to ensure the secure transmission of data, e.g., virtual private network?</p>	<p>A 'yes' answer suggests that extra security is required to protect the transmission of data and to guard against unauthorized actions.</p>	<p>IT Officer</p>	
<p>5.4.11 Does the system control and limit the duplication of records? If yes, how and by whom is this managed?</p>	<p>This provides an indication that all copies of a record are destroyed during disposal.</p>	<p>IT Officer System Users</p>	
<p>5.4.12 Have records or data ever been lost due to system failures, power outages, tampering?</p>	<p>A 'yes' answer indicates that the system does not meet evidentiary or record keeping requirements.</p>	<p>IT Officer Head of Records Function Head of Section with IT System System Users</p>	

Section 2: Court Functions and Processes

Questions (Primary questions in bold)	Rationale for Questions	Sources of Information (Principal source in bold)	Reply to Questions
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6. Case Initiation						
<p>6.1 How is a case initiated? What record is created by the court for a new case? If the process varies depending on the type of case, please give an example of a typical case. Please also distinguish between manual and computerized systems (including electronic filing) by completing the box below.</p>	<p>This question establishes the process of case initiation and how a new case is captured in the court's record keeping system.</p>	<p style="text-align: center;">Head of Records Function Registrars / Secretaries / Clerks of Court Court Clerks</p>	Fill in the section required			
			Civil Cases	Criminal Cases	Commercial Cases	Other Cases
			Fill in the sections required, including both electronic and manual if a hybrid manual/electronic system is used.			
			Manual (specify document)	Electronic (specify system or application)	What information is captured / generated? (If hybrid, indicate the media in which it is captured.)	Who is responsible for capturing / generating information?

Questions (Primary questions in bold)	Rationale for Questions	Sources of Information (Principal source in bold)	Reply to Questions											
6.2 How is evidence presented to the court, for example in a file, as material evidence, as an analysis? What happens to this record?	This provides information about the record keeping system.	Head of Records Function Registrars / Secretaries / Clerks of Court	Fill in the section required <table border="1" data-bbox="913 351 1538 557"> <thead> <tr> <th data-bbox="913 351 1069 427">Civil Cases</th> <th data-bbox="1072 351 1229 427">Criminal Cases</th> <th data-bbox="1232 351 1385 427">Commercial Cases</th> <th data-bbox="1388 351 1538 427">Other Cases</th> </tr> </thead> <tbody> <tr> <td data-bbox="913 429 1069 557"></td> <td data-bbox="1072 429 1229 557"></td> <td data-bbox="1232 429 1385 557"></td> <td data-bbox="1388 429 1538 557"></td> </tr> </tbody> </table>				Civil Cases	Criminal Cases	Commercial Cases	Other Cases				
Civil Cases	Criminal Cases	Commercial Cases	Other Cases											
6.3 How are cases registered?	This provides information about the registration process.	Head of Records Function Registrars / Secretaries / Clerks of Court	Fill in the sections required, including both electronic and manual if a hybrid system is used. <table border="1" data-bbox="913 613 1538 1001"> <thead> <tr> <th data-bbox="913 613 1069 764">Manual (specify document)</th> <th data-bbox="1072 613 1229 764">Electronic (specify system or application)</th> <th data-bbox="1232 613 1385 764">What information is captured / generated? (If hybrid, indicate the media in which it is captured.)</th> <th data-bbox="1388 613 1538 764">Who is responsible for capturing / generating information?</th> </tr> </thead> <tbody> <tr> <td data-bbox="913 766 1069 1001"></td> <td data-bbox="1072 766 1229 1001"></td> <td data-bbox="1232 766 1385 1001"></td> <td data-bbox="1388 766 1538 1001"></td> </tr> </tbody> </table>				Manual (specify document)	Electronic (specify system or application)	What information is captured / generated? (If hybrid, indicate the media in which it is captured.)	Who is responsible for capturing / generating information?				
Manual (specify document)	Electronic (specify system or application)	What information is captured / generated? (If hybrid, indicate the media in which it is captured.)	Who is responsible for capturing / generating information?											

Questions (Primary questions in bold)	Rationale for Questions	Sources of Information (Principal source in bold)	Reply to Questions			
6.4 Are new cases always registered or captured in a record keeping system as soon as the first document is received? If not, indicate why not.	Failure to register cases immediately may lead to delays or difficulties in tracing records.	Registrars / Secretaries / Clerks of Court Court Clerks	Fill in the sections required, including both electronic and manual if a hybrid system is used.			
			Manual (specify document)	Electronic (specify system or application)	What information is captured / generated? (If hybrid, indicate the media in which it is captured.)	Who is responsible for capturing / generating information?
6.5 Is each case assigned a unique identifier (a case or file number)? What comprises the unique identifier (e.g., year, court, case number)?	A unique identifier is required for retrieval and tracking purposes.	Head of Records Function Registrars / Secretaries / Clerks of Court				

<p>Questions (Primary questions in bold)</p>	<p>Rationale for Questions</p>	<p>Sources of Information (Principal source in bold)</p>	<p>Reply to Questions</p>			
<p>6.6 How are case numbers generated or assigned? Example: CC/1234/02 where:</p> <ul style="list-style-type: none"> • CC = criminal case • 1234 = case number in a sequence • 02 = year (2002). 	<p>The method used will indicate the level of consistency and reliability.</p>	<p>Head of Records Function Registrars / Secretaries / Clerks of Court IT Officer</p>	<p>Fill in the sections required, including both electronic and manual if a hybrid system is used.</p>			
<p>6.7 Are separate sequences of case numbers used for different types of cases?</p>	<p>This is an indicator of an effective control system.</p>	<p>Head of Records Function Registrars / Secretaries / Clerks of Court</p>	<p>Manual (specify document)</p>	<p>Electronic (specify system or application)</p>	<p>What information is captured / generated? (If hybrid, indicate the media in which it is captured.)</p>	<p>Who is responsible for capturing / generating information?</p>
<p>6.8 Are new sequences of files begun each year?</p>	<p>This is an indicator of an effective control system.</p>	<p>Head of Records Function Registrars / Secretaries / Clerks of Court</p>				

Questions (Primary questions in bold)	Rationale for Questions	Sources of Information (Principal source in bold)	Reply to Questions			
6.9 Is an index of all cases maintained? If yes, in what form?	Accurate and speedy retrieval of records and information may depend on indexing. Note that indexing may not be necessary in courts that handle small numbers of cases.	Head of Records Function Registrars / Secretaries / Clerks of Court	Fill in the sections required, including both electronic and manual if a hybrid system is used.			
			Manual (specify document)	Electronic (specify system or application)	What information is captured / generated? (If hybrid, indicate the media in which it is captured.)	Who is responsible for capturing / generating information?

<p>Questions (Primary questions in bold)</p>	<p>Rationale for Questions</p>	<p>Sources of Information (Principal source in bold)</p>	<p>Reply to Questions</p>
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<p>7. Case Management</p>			
<p>7.1 Do the records created and kept by the courts adequately support the information needs of the judges/magistrates when hearing cases (e.g., complete, up-to-date, etc)? If there are common problems throughout the judiciary, or problems in particular courts, please specify.</p>	<p>The main users of case records would be expected to have views on system effectiveness and shortcomings.</p>	<p>Senior Judicial Administrator Head of Records Function Registrars / Secretaries / Clerks of Court Court Clerks Judges / Magistrates Lawyers</p>	

Questions (Primary questions in bold)	Rationale for Questions	Sources of Information (Principal source in bold)	Reply to Questions
<p>7.2 Are all paper documents relating to a case (including materials submitted for consideration before a court) kept in one case file and/or linked together by the same case number reference? If they are not linked by the file/case number, please specify how records relating to the same case are linked.</p>	<p>Some systems still use alternative methods, e.g., filing together all documents of a particular process.</p>	<p>Head of Records Function Registrars / Secretaries / Clerks of Court Court Clerks</p>	

<p>Questions (Primary questions in bold)</p>	<p>Rationale for Questions</p>	<p>Sources of Information (Principal source in bold)</p>	<p>Reply to Questions</p>			
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<p>7.3 Is there a formal case management system? If yes, please state the key functions of the system (e.g., capture new cases, assign case numbers, track case progress, etc). If systems differ between courts, please specify.</p>	<p>This identifies the case management systems in use.</p>	<p>Head of Records Function Registrars / Secretaries / Clerks of Court IT Officer</p>	<p>Fill in the sections required, including both electronic and manual if a hybrid system is used.</p>			
<p>7.4 Is the receipt or creation of a new document always recorded (for example, in a register or case management system)?</p>	<p>This indicates the level of control of the case management system.</p>	<p>Head of Records Function Registrars / Secretaries / Clerks of Court Court Clerks IT Officer</p>	<p>Fill in the sections required, including both electronic and manual if a hybrid system is used.</p>			
			<p>Manual (specify document)</p>	<p>Electronic (specify system or application)</p>	<p>What information is captured / generated? (If hybrid, indicate the media in which it is captured.)</p>	<p>Who is responsible for capturing / generating information?</p>

Questions (Primary questions in bold)	Rationale for Questions	Sources of Information (Principal source in bold)	Reply to Questions			
7.5 Is the case number, type of case, names of parties and date of filing / registration written on the front cover of all case files?	This facilitates identification and is an indicator of an effective system.	Registrars / Secretaries / Clerks of Court Court Clerks	Fill in the sections required			
7.6 Is color coding used for file covers?	Color coding improves the accuracy of filing and facilitates placing files in storage.	Registrars / Secretaries / Clerks of Court Court Clerks	Civil Cases	Criminal Cases	Commercial Cases	Other Cases
7.7 Who is responsible for placing documents in the case file and updating the case management system? Please specify all the persons involved.	Filing of documents by non-records staff may be an indicator of lack of control.	Head of Records Function Registrars / Secretaries / Clerks of Court Court Clerks	Fill in the sections required, including both electronic and manual if a hybrid system is used.			
			Manual		Electronic	

<p>Questions (Primary questions in bold)</p>	<p>Rationale for Questions</p>	<p>Sources of Information (Principal source in bold)</p>	<p>Reply to Questions</p>											
<p>7.8 Are case records ever found to be incomplete? If yes, what are the most common reasons for this?</p>	<p>The main users and managers of records would be expected to have views on why records are incomplete.</p>	<p>Senior Judicial Administrator Head of Records Function Registrars / Secretaries / Clerks of Court Court Clerks</p>	<p>Fill in the sections required</p> <table border="1" data-bbox="914 365 1539 652"> <thead> <tr> <th data-bbox="914 365 1074 420">Civil Cases</th> <th data-bbox="1074 365 1232 420">Criminal Cases</th> <th data-bbox="1232 365 1390 420">Commercial Cases</th> <th data-bbox="1390 365 1539 420">Other Cases</th> </tr> </thead> <tbody> <tr> <td data-bbox="914 420 1074 652"></td> <td data-bbox="1074 420 1232 652"></td> <td data-bbox="1232 420 1390 652"></td> <td data-bbox="1390 420 1539 652"></td> </tr> </tbody> </table>				Civil Cases	Criminal Cases	Commercial Cases	Other Cases				
Civil Cases	Criminal Cases	Commercial Cases	Other Cases											
<p>7.9 Who is responsible for ensuring that case records are complete? Are these officers held personally liable if records are incomplete?</p>	<p>Accountability for completeness of case records must be assigned to specific officers.</p>	<p>Head of Records Function Registrars / Secretaries / Clerks of Court Court Clerks</p>	<p>Fill in the sections required</p> <table border="1" data-bbox="914 711 1539 999"> <thead> <tr> <th data-bbox="914 711 1074 766">Civil Cases</th> <th data-bbox="1074 711 1232 766">Criminal Cases</th> <th data-bbox="1232 711 1390 766">Commercial Cases</th> <th data-bbox="1390 711 1539 766">Other Cases</th> </tr> </thead> <tbody> <tr> <td data-bbox="914 766 1074 999"></td> <td data-bbox="1074 766 1232 999"></td> <td data-bbox="1232 766 1390 999"></td> <td data-bbox="1390 766 1539 999"></td> </tr> </tbody> </table>				Civil Cases	Criminal Cases	Commercial Cases	Other Cases				
Civil Cases	Criminal Cases	Commercial Cases	Other Cases											

Questions (Primary questions in bold)	Rationale for Questions	Sources of Information (Principal source in bold)	Reply to Questions			
7.10 Are there delays in placing documents on file or updating the case management system? If yes, please say why.	This may be an indicator that clerks are not filing documents. Missing documents can be the cause of delays in processing cases.	Head of Records Function Registrars / Secretaries / Clerks of Court Court Clerks Judges / Magistrates	Fill in the sections required			
			Civil Cases	Criminal Cases	Commercial Cases	Other Cases
7.11 Is a list of exhibits (documents or objects provided as evidence) kept on case files? What is the procedure for numbering and identifying exhibits? Please specify.	Evidence must be accessible when required.	Head of Records Function Registrars / Secretaries / Clerks of Court Court Clerks	Fill in the sections required			
			Civil Cases	Criminal Cases	Commercial Cases	Other Cases
7.12 What is the procedure for ensuring the security of original documents filed with the court?	Evidence must be kept securely but also must be accessible when required.	Head of Records Function Registrars / Secretaries / Clerks of Court Court Clerks				

<p>Questions (Primary questions in bold)</p>	<p>Rationale for Questions</p>	<p>Sources of Information (Principal source in bold)</p>	<p>Reply to Questions</p>
<p>7.13 What record is generated when notice of a hearing or trial is served on the parties? Where is this record kept? If there is a difference between types of cases, please specify.</p>	<p>This is an indicator of system efficiency.</p>	<p>Head of Records Function Registrars / Secretaries / Clerks of Court Court Clerks Lawyers</p>	
<p>7.14 Are there special provisions for urgent cases, e.g., cases held at night, or during the weekend or court recess? If yes, what are the arrangements managing the records of these cases? For example, how are case files created, or existing files provided for the court?</p>	<p>If cases are heard outside normal court hours, there must be procedures in place to ensure that record keeping requirements are met.</p>	<p>Head of Records Function Registrars / Secretaries / Clerks of Court Court Clerks</p>	
<p>7.15 Are separate appeal case files kept (e.g., a file distinct from the file relating to the originating matter)?</p>	<p>It is important to keep the records distinct. The handling of records may be more efficient if files are separate.</p>	<p>Head of Records Function Registrars / Secretaries / Clerks of Court Court Clerks</p>	

Questions (Primary questions in bold)	Rationale for Questions	Sources of Information (Principal source in bold)	Reply to Questions			
7.16 When an appeal is lodged, is a separate record created and maintained, apart from the record in the case file? If yes, please give details	Such records may be an indicator of system efficiency.	Head of Records Function Registrars / Secretaries / Clerks of Court Court Clerks				
7.17 What method is used to assign cases? Who is responsible for assigning cases? Distinguish between courts if necessary (see boxes provided).	The method used can serve as an indicator of transparency and fairness.	Senior Judicial Administrator Head of Records Function Registrars / Secretaries / Clerks of Court IT Officer	Fill in the sections required, including both electronic and manual if a hybrid system is used.			
			Manual (specify control document, e.g., register)	Electronic (specify system or application)	What information is captured / generated? (If hybrid, indicate the media in which it is captured.)	Who is responsible for capturing / generating information?
			Fill in the section required			
			Civil Cases	Criminal Cases	Commercial Cases	Other Cases

<p>Questions (Primary questions in bold)</p>	<p>Rationale for Questions</p>	<p>Sources of Information (Principal source in bold)</p>	<p>Reply to Questions</p>			
<p>7.18 How are cases assigned to judges, magistrates, etc?</p> <ul style="list-style-type: none"> . Randomly according to case load . By specialization . By complexity of case . By some other method (please specify) 	<p>The method used is an indicator of transparency and fairness.</p>	<p>Senior Judicial Administrator Head of Records Function Registrars / Secretaries / Clerks of Court</p>				
<p>7.19 Is there a list of cases to be heard in court? If yes, who compiles the list? Is it a daily list? Is the list made public and if so, how?</p>	<p>This may be an indicator of system transparency and efficiency.</p>	<p>Senior Judicial Administrator Head of Records Function Registrars / Secretaries / Clerks of Court Court Clerks</p>	<p>Fill in the sections required, including both electronic and manual if a hybrid system is used.</p>			
			<p>Manual (specify control document, e.g., register)</p>	<p>Electronic (specify system or application)</p>	<p>What information is captured / generated? (If hybrid, indicate the media in which it is captured.)</p>	<p>Who is responsible for capturing / generating information?</p>

Questions (Primary questions in bold)	Rationale for Questions	Sources of Information (Principal source in bold)	Reply to Questions			
7.20 Are specific periods of time allocated for the hearing of cases? Is there a system for prioritizing cases according to urgency, date of case, seniority of lawyer, etc? Distinguish between types of cases if necessary.	This can serve as an indicator of system transparency and fairness.	Senior Judicial Administrator Head of Records Function Registrars / Secretaries / Clerks of Court Court Clerks Lawyers	Fill in the sections required			
			Civil Cases	Criminal Cases	Commercial Cases	Other Cases
7.21 What is the system for ensuring that case records are retrieved and provided for the court at the right time?	The method may be an indicator of system reliability and efficiency.	Head of Records Function Registrars / Secretaries / Clerks of Court Court Clerks				

<p>Questions (Primary questions in bold)</p>	<p>Rationale for Questions</p>	<p>Sources of Information (Principal source in bold)</p>	<p>Reply to Questions</p>			
<p>7.22 Is there a mechanism for tracking cases through the judicial process, other than by reading the case file?</p>	<p>Unless outstanding actions in individual cases can be identified, the tracking system is not effective.</p>	<p>Head of Records Function Registrars / Secretaries / Clerks of Court Court Clerks</p>	<p>Fill in the sections required, including both electronic and manual if a hybrid system is used.</p>			
			<p>Manual (specify control document, e.g., register)</p>	<p>Electronic (specify system or application)</p>	<p>What information is captured / generated? (If hybrid, indicate the media in which it is captured.)</p>	<p>Who is responsible for capturing / generating information?</p>
<p>7.23 Is every key action and decision associated with a case documented? If so, how and by whom?</p>	<p>This may be an indicator of system efficiency.</p>	<p>Head of Records Function Registrars / Secretaries / Clerks of Court Court Clerks</p>	<p>Fill in the sections required, including both electronic and manual if a hybrid system is used.</p>			
			<p>Manual (specify control document, e.g., register)</p>	<p>Electronic (specify system or application)</p>	<p>What information is captured / generated? (If hybrid, indicate the media in which it is captured.)</p>	<p>Who is responsible for capturing / generating information?</p>

Questions (Primary questions in bold)	Rationale for Questions	Sources of Information (Principal source in bold)	Reply to Questions			
7.24 Is there a reliable and consistent method of initiating follow-up action when a new document is filed? If yes, specify.	This can serve as an indicator of system transparency and efficiency.	Head of Records Function Registrars / Secretaries / Clerks of Court Court Clerks	Fill in the sections required			
			Civil Cases	Criminal Cases	Commercial Cases	Other Cases
7.25 Is there a reliable method of knowing when a time limit for a particular action in a case has been reached? If yes, specify how this is known.	This can serve as an indicator of the effectiveness of the case tracking system.	Head of Records Function Registrars / Secretaries / Clerks of Court Court Clerks	Fill in the sections required			
			Civil Cases	Criminal Cases	Commercial Cases	Other Cases
7.26 What process exists to ensure that cases or intermediate actions are brought to trial or before a judge in a timely manner? Is the process complied with?	This can be an indicator of fairness.	Head of Records Function Registrars / Secretaries / Clerks of Court Court Clerks				

<p>Questions (Primary questions in bold)</p>	<p>Rationale for Questions</p>	<p>Sources of Information (Principal source in bold)</p>	<p>Reply to Questions</p>
<p>7.27 Are there large numbers of 'pending' case files in the current filing system?</p>	<p>This may be an indicator of the efficiency of the system.</p>	<p>Senior Judicial Administrator Head of Records Function Registrars / Secretaries / Clerks of Court Court Clerks</p>	
<p>7.28 Is there a mechanism for knowing what cases are 'pending'? If yes, please specify.</p>	<p>This is an indicator of the effectiveness of the case tracking system.</p>	<p>Senior Judicial Administrator Head of Records Function Registrars / Secretaries / Clerks of Court Court Clerks</p>	
<p>7.29 When a case moves from a lower to a higher court, is it given a new case number and cross-referenced to the original number, or is the same number used?</p>	<p>Either method can be effective, but it needs to be applied consistently according to established rules.</p>	<p>Head of Records Function Registrars / Secretaries / Clerks of Court Court Clerks</p>	

<p align="center">Questions (Primary questions in bold)</p>	<p align="center">Rationale for Questions</p>	<p align="center">Sources of Information (Principal source in bold)</p>	<p align="center">Reply to Questions</p>
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<p>7.30 Is there a method of cross-referencing between different parts of the judicial system so that all the records relating to the same case are linked? If yes, please specify.</p>	<p>This is an indication of co-ordination and communication between the various agencies involved.</p>	<p align="center">Senior Judicial Administrator Head of Records Function Registrars / Secretaries / Clerks of Court Lawyers</p>	<p align="center">Fill in the sections required</p>							
			<p align="center">Civil Cases</p>	<p align="center">Criminal Cases</p>	<p align="center">Commercial Cases</p>	<p align="center">Other Cases</p>				

Questions <small>(Primary questions in bold)</small>	Rationale for Questions	Sources of Information <small>(Principal source in bold)</small>	Reply to Questions	
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8. Case Disposal				
8.1 Are judgments / decisions in civil and criminal cases published and disseminated (e.g., in a system of law reporting)? Please specify what is published and how.	Failure to publish and disseminate may affect the consistency and equitability of judgments / decisions.	Senior Judicial Administrator Head of Records Function Registrars / Secretaries / Clerks of Court Judges / Magistrates Lawyers	Fill in the sections required	
8.2 How is a record made of the evidence given and submissions made at a trial or hearing (e.g., handwritten notes, mechanical recording)? Please state the method and format of recording and how the record is kept (if applicable).	This will provide information about the reliability of the court reporting system.	Senior Judicial Administrator Head of Records Function Registrars / Secretaries / Clerks of Court Judges / Magistrates		
			Commercial Cases	Other Cases

Questions (Primary questions in bold)	Rationale for Questions	Sources of Information (Principal source in bold)	Reply to Questions											
8.3 Who is responsible for making or confirming the authoritative record of trial or hearing proceedings, e.g., the judge/magistrate by taking notes? Distinguish between courts if necessary.	Procedures must be in place to be able to authenticate the record of proceedings as a true and accurate record.	Senior Judicial Administrator Head of Records Function Judges / Magistrates	Fill in the sections required <table border="1" data-bbox="916 316 1541 500"> <thead> <tr> <th data-bbox="916 316 1074 369">Civil Cases</th> <th data-bbox="1074 316 1232 369">Criminal Cases</th> <th data-bbox="1232 316 1390 369">Commercial Cases</th> <th data-bbox="1390 316 1541 369">Other Cases</th> </tr> </thead> <tbody> <tr> <td data-bbox="916 369 1074 500"></td> <td data-bbox="1074 369 1232 500"></td> <td data-bbox="1232 369 1390 500"></td> <td data-bbox="1390 369 1541 500"></td> </tr> </tbody> </table>				Civil Cases	Criminal Cases	Commercial Cases	Other Cases				
Civil Cases	Criminal Cases	Commercial Cases	Other Cases											
8.4 If a recording of a trial or hearing is made, under what circumstances is a full transcript produced (e.g., if there is an appeal)? Who is responsible for producing the transcription?	Transcripts must be reliable, accurate and for some purposes produced within time limits.	Senior Judicial Administrator Head of Records Function Registrars / Secretaries / Clerks of Court Judges / Magistrates												
8.5 If interpreters are used in court, is their function purely to translate proceedings, or do they have any role in relation to keeping a record of the case?	Record keeping functions must be under the control of the courts and adhere to necessary standards, regardless of who carries it out.	Senior Judicial Administrator Head of Records Function Registrars / Secretaries / Clerks of Court Judges / Magistrates												

<p>Questions (Primary questions in bold)</p>	<p>Rationale for Questions</p>	<p>Sources of Information (Principal source in bold)</p>	<p>Reply to Questions</p>			
<p>8.6 What record is made by the judiciary that documents the delivery of a prisoner to prison after a sentence is rendered? How is that record made or kept at the relevant prison?</p>	<p>This is an indicator of the transparency of the system.</p>	<p>Senior Judicial Administrator Head of Records Function Registrars / Secretaries / Clerks of Court Judges / Magistrates Lawyers</p>				
<p>8.7 When a case decision is rendered or a case finalized, is a record of this action always made? If so, please specify where and by whom.</p>	<p>This may be an indicator of the effectiveness of the case tracking system.</p>	<p>Senior Judicial Administrator Head of Records Function Registrars / Secretaries / Clerks of Court Judges / Magistrates</p>	<p>Fill in the sections required, including both electronic and manual if a hybrid system is used.</p>			
			<p>Manual (specify control document, e.g., register)</p>	<p>Electronic (specify system or application)</p>	<p>What information is captured / generated? (If hybrid, indicate the media in which it is captured.)</p>	<p>Who is responsible for capturing / generating information?</p>

Questions (Primary questions in bold)	Rationale for Questions	Sources of Information (Principal source in bold)	Reply to Questions			
8.8 How is an order or decision of the court certificated or authenticated? Please specify the process and distinguish between courts if necessary.	This is an indicator of efficiency.	Senior Judicial Administrator Head of Records Function Registrars / Secretaries / Clerks of Court Judges / Magistrates Lawyers	Fill in the sections required, including both electronic and manual if a hybrid system is used.			
			Manual (specify control document, e.g., register)	Electronic (specify system or application)	What information is captured / generated? (If hybrid, indicate the media in which it is captured.)	Who is responsible for capturing / generating information?

Questions (Primary questions in bold)	Rationale for Questions	Sources of Information (Principal source in bold)	Reply to Questions
9.2 Are any of the following management reports generated: <ul style="list-style-type: none"> • Case load statistics • Filings and dispositions statistics • Cases pending • Types of cases (e.g., offence or nature of claim)? 	This information is essential to monitor court performance.	Senior Judicial Administrator Head of Records Function	
9.3 Are there concerns that statistics maintained by the judicial entity are unreliable? If yes, by whom are concerns expressed? What are the reasons given for the unreliability?	Only reliable statistics are effective performance indicators.	Senior Judicial Administrator Judges / Magistrates Lawyers	
9.4 If statistics are produced, are they used more for national, court, or chamber purposes? To whom are statistics submitted?	This is an indicator of the use made of the statistics.	Senior Judicial Administrator	
9.5 Are statistics used to measure court performance? If so, please give examples.	This is an indicator of whether statistics are analyzed and used.	Senior Judicial Administrator Head of Records Function	

<p style="text-align: center;">Questions (Primary questions in bold)</p>	<p style="text-align: center;">Rationale for Questions</p>	<p style="text-align: center;">Sources of Information (Principal source in bold)</p>	<p style="text-align: center;">Reply to Questions</p>	
<p>9.6 In criminal cases, are statistics kept of the following:</p> <ul style="list-style-type: none"> • The time between the arrest of suspects for questioning, and when they are released or charged? • The time interval between when the initial charge is brought and when the summons is delivered to appear in court? • The time interval between the issue of the summons / arraignment and the hearing / appearance in court? • Persons granted bail and persons held pending a hearing? • Cases that do not proceed to a hearing before a magistrate or judge? • Number of adjournments/ postponements of cases? 	<ul style="list-style-type: none"> • The time interval between the setting down and final resolution of a case? • The time spent by defendants on remand awaiting trial or sentence? • Cases that are listed for hearing but do not proceed (a) because of the plea entered or (b) because of lack of evidence? • The time interval between lodging an appeal and the resolution of the appeal? • The outcome of all cases? • The outcomes of all appeals? <p>If an analysis is made of these statistics, who conducts the analysis and to whom is the analysis submitted?</p>	<p>These statistics are a measure of efficiency and transparency.</p>	<p style="text-align: center;">Senior Judicial Administrator</p>	

Questions (Primary questions in bold)	Rationale for Questions	Sources of Information (Principal source in bold)	Reply to Questions
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10. Enforcement and Finance			
10.1 In civil cases, where the court directs that an action is to be taken before a further hearing, (e.g., that particular evidence is submitted to the court) are there effective measures to ensure that the action is carried out in a timely manner? If yes, please specify. Are there sanctions to prevent unreasonable delays caused, e.g., by failure to comply with the court's directions?	Accurate information about outstanding action, based on reliable records, must be available if sanctions are to be effective.	Senior Judicial Administrator Head of Records Function Registrars / Secretaries / Clerks of Court Judges / Magistrates Lawyers	
10.2 If a sentence / outcome of a hearing results in the payment of a fine or the performance of some action, how is the sentence / action recorded so that its enforcement can be monitored?	Effective record keeping supports enforcement.	Senior Judicial Administrator Head of Records Function Registrars / Secretaries / Clerks of Court Judges / Magistrates Lawyers	

<p>Questions (Primary questions in bold)</p>	<p>Rationale for Questions</p>	<p>Sources of Information (Principal source in bold)</p>	<p>Reply to Questions</p>
<p>10.3 How is the enforcement process (e.g., a court's decision and its execution) recorded? Please describe the process in outline.</p>	<p>The process must be based on a reliable record keeping and tracking system.</p>	<p>Senior Judicial Administrator Head of Records Function Registrars / Secretaries / Clerks of Court Judges / Magistrates Lawyers</p>	
<p>10.4 How are the orders of courts acted upon? For example, does the court ensure that a fine is paid? In a civil case, does the awarded party need to apply for a further order to enforce the court's original order if it is not complied with?</p>	<p>This is an indicator of efficiency and transparency.</p>	<p>Senior Judicial Administrator Head of Records Function Registrars / Secretaries / Clerks of Court Judges / Magistrates Lawyers</p>	

Questions (Primary questions in bold)	Rationale for Questions	Sources of Information (Principal source in bold)	Reply to Questions
10.5 Are there effective remedies for non-compliance with court orders?	This is an indicator of efficiency and transparency.	Senior Judicial Administrator Head of Records Function Registrars / Secretaries / Clerks of Court Judges / Magistrates Lawyers	
10.6 Is there a contempt of court provision for non-compliance with court orders?	This may be an indicator of efficiency and fairness.	Senior Judicial Administrator Head of Records Function Registrars / Secretaries / Clerks of Court Judges / Magistrates Lawyers	
10.7 Is a record kept on the case file of any payment made in relation to the case?	The case file should provide a complete record of all actions and transactions.	Senior Judicial Administrator Head of Records Function Registrars / Secretaries / Clerks of Court	

<p>Questions (Primary questions in bold)</p>	<p>Rationale for Questions</p>	<p>Sources of Information (Principal source in bold)</p>	<p>Reply to Questions</p>
<p>10.8 Are numbered receipts always issued for fines, fees or taxes paid? If not, specify under what circumstances fees are received without a receipt being issued.</p>	<p>This is an indicator of efficiency and transparency.</p>	<p>Head of Records Function Registrars / Secretaries / Clerks of Court</p>	
<p>10.9 Are there concerns about the disbursement of funds for which the judicial entity is responsible (e.g., bail or bond monies)? If yes, are any shortcomings due to inadequate record keeping?</p>	<p>This is an indicator of efficiency and transparency.</p>	<p>Senior Judicial Administrator Head of Records Function Registrars/ Secretaries / Clerks of Court</p>	

Annex I: Glossary of Records and Introduction to Management Terms

A

Access: The right to or means of finding, using, or retrieving information.

Accountability: The requirement to perform duties, including financial and operational responsibilities, in a manner that complies with legislation, policies, objectives, and expected standards of conduct.

Action date: The date when records are scheduled to be removed from a record-keeping system and either destroyed, sent to an archival institution or reviewed for future action.

Action officer: An official engaged in the administration of an agency or in the implementation of its functions and activities. Also known as a desk officer.

Active records: *See Current records.*

Admissibility: The quality of evidence that makes it relevant and acceptable to an issue before the court and does not infringe any exclusionary rule (a matter of law).

Agency: A generic title for any public sector institution forming part of the national or local executive, judiciary or legislature that creates records and has its own record-keeping system. In legislation the equivalent term may be public office.

Aims: Statements of the ongoing purposes of an organization arising from its mandate.

Appraisal: The process of determining the value of records for further use, for whatever purpose, and the length of time for which that value will continue. Also known as evaluation, review or selection.

Archival institution: The agency responsible for selecting, acquiring, preserving, and making available archives. Also known as an archival agency or archives. *Note:* To avoid confusion, the term archives is used to refer to an institution only in formal titles such as records and archives institution or National Archives.

Archival repository: A building or part of a building in which archives are preserved and made available for consultation. Also known as an archives.

Archives: Records, usually but not necessarily non-current records, of enduring value selected for permanent preservation. Archives will normally be preserved in an archival repository. *See also Archival institution, Archival repository.*

Archives management: The area of management concerned with the maintenance and use of archives.

Archivist: A person professionally engaged in archival management.

Audit: The process of reviewing, verifying, evaluating, and reporting by an independent person on the adequacy of a unit of analysis against a predetermined set of criteria.

Audit trail: A record showing who has accessed a system (e.g., computer system, record keeping system) and what operations he or she has performed at a given period of time.

Authentic record: A record that can be proved to be what it purports to be, to have been created or sent by the person purported to have created or sent it, and to have been created or sent at the time purported.

B

Back up: To copy a computer file or collection of files to a second medium, usually on a diskette or magnetic tape, so that the data are safe in case the original file is damaged or lost. Backups are usually copied to storage devices that can be removed from the computer and kept separately from the original.

Business: The core functions of an organization that contribute to the achievement of its mission.

Business systems analysis (BSA): An analytical framework that involves analyzing organizations as systems or the process of systematically and objectively gathering information about business systems and subjecting that information to formal analysis.

C

Capture (of a record in a record keeping system): The establishment of a relationship between the record, its creator or sender and the business context that originated it; the placing of the record and its relationship within a records system; and the linking of the record to other records.

Case papers/files: Papers or files relating to a specific action, event, person, place, project, or other subject. Also known as dossiers, dockets, particular instance papers, project files, or transactional files.

Class: *See Series.*

Classification: The process of identifying and arranging records and archives in categories according to logically structured conventions, methods, and procedural rules represented in a classification system.

Classified records: Records that are restricted in their circulation and access because they bear a security marking (such as 'Confidential', 'Secret', 'Top Secret').

Coding system: A representation of a classification scheme, in letters and/or numbers and in accordance with a pre-established set of rules.

Competencies: The levels of knowledge, skills, and experience achieved by an individual in relation to the range of jobs he or she may be called upon to perform.

Compliance (of records systems): The quality of records systems to comply with all requirements arising from current business, the regulatory and management environment, and user expectations.

Computer network: A grouping of computers and peripherals connected together by telecommunications links to enable a group of users to share and exchange information.

Confidential records: *See Classified records.*

Continuing utility: The finite usefulness that records may have for the continuance of business or as evidence thereof.

Continuum concept: A consistent and coherent process of records management throughout the life of records, from the development of record-keeping systems through the creation and preservation of records, to their retention and use as archives.

Control documentation: Recorded information that monitors and governs the creation, maintenance, use, and disposal of records. Also known as control records.

Control records: *See Control documentation.*

Corporate plan: *See Strategic plan.*

Cost effectiveness: The optimum balance between efficiency, economy, and effectiveness. Also known as value for money.

Current records: Records regularly used for the conduct of the current business of an organization or individual. Also known as active records. Current records will normally be maintained in or near their place of origin or in a registry or records office.

D

Data (pl.): The representation of information in a formalized manner suitable for communication, interpretation, and processing, generally by a computer system.

Data field: A space allocated for a particular item of information. In a database, fields are the smallest units of information you can access.

Data file: *See Data set and File (2).*

Data set: A group of related electronic records that are organized and treated as a unit. The term is often used interchangeably with data file.

Data structure: A scheme for organizing related pieces of information. The basic types of structures include: files, lists, arrays, records, trees, and tables. Each of these basic structures has many variations and allows different operations to be performed on the data.

Database: A structured assembly of logically related data designed to meet various applications but managed independently of them.

Database record: A complete set of information in a database; records are composed of fields, each of which contains one item of information.

Department: *See Division.*

Desk officer: *See Action officer.*

Destruction: The disposal of documents of no further value by incineration, maceration, pulping, shredding, or another secure method.

Development plan: *See Strategic plan.*

Digitization: The conversion of characters or images into binary digits.

Directorate: *See Division.*

Disaster plan: *See Emergency plan.*

Diskette: A small, removable, flexible mylar plastic disk covered with a thin layer of a magnetizable substance, onto which digital data can be recorded and stored. Also known as a floppy disk.

Disposal: The actions taken with regard to records as a consequence of their appraisal and the expiration of their retention periods. Note: Disposal is not synonymous with destruction, though that may be an option. Also known, especially in North America, as disposition.

Disposal date: The date on which actions specified in a disposal schedule should be initiated.

Disposal schedule: The control document recording appraisal decisions and prescribing disposal action. Also known as disposal list, disposition schedule, records schedule, retention schedule, retention and disposal (or disposition) schedule, or transfer schedule.

Disposition: *See Disposal.*

Division: An upper-level administrative unit of an agency. In practice, the appropriate designation may be department or directorate.

Document: A unit of recorded information.

Document management: The application of records management principles and techniques to the systematic handling and control of correspondence and internally generated documents with a view to their continuing use.

Document management system: A system used to manage different kinds of documents in an organization using computer programs and storage.

Documentary evidence: Documents admitted as evidence under special rules of law.

Documentation: Information needed to develop, use, or maintain computer hardware and software, and to permit access and retrieval of the data.

Dummy: A card, sheet or other indicator placed on or near the place where an item is normally stored to denote its removal.

E

Economy: A measure of the ability of a process to produce the same outputs from reduced inputs.

Effectiveness: A measure of the ability of a process to produce specified outputs.

Efficiency: A measure of the ability of a process to produce more outputs from the same inputs.

Electronic record: A digital record that can be manipulated, transmitted, or processed by a computer.

Emergency: Any unexpected occurrence requiring immediate action.

Emergency plan: Policies and procedures developed by an organization to be used during an emergency or disaster to prevent or minimize damage to an organization, its people, and its resources.

Enduring value: The indefinite value that records may have for any purpose and that justifies their preservation as archives.

Ephemera: Informal documents of transitory use and value (such as advertisements, calling cards, notices, brochures, and tickets).

Essential records: *See Vital records.*

Ethernet: A local area network (LAN) protocol that supports data transfer.

Evaluation: *See Appraisal.*

Evidential value: The value of records or archives in providing information on the origins, structure, functions, procedures, and significant transactions of the organization that created them.

F

Field: *See Data field.*

File (1): An organized physical assembly (usually within a folder) of documents grouped together for current use because they relate to the same subject, activity, or transaction. *Note:* A file is usually the basic unit within a record series.

File (2): A logical assembly of data stored within a computer system. *Note:* In word-processing systems the file is the intellectual representation of a physical document.

File classification system: A predetermined logical scheme for the physical and intellectual arrangement, storage, and retrieval of files (1).

File cycle: A specified period during which documents are added to files (1), at the end of which new files are opened if the subjects with which they deal continue to generate documents.

File plan: A detailed list or inventory of the individual files within a file classification system.

File series: *See Series.*

File server: A computer that serves or distributes application programs and data files to workstations within a computer network. The hard drive of the file server is shared by the workstations on the network.

Floppy disk: *See Diskette.*

Forward job plan: *See Job plan.*

Function: The means by which an organization or system fulfils its purpose.

Functional appraisal: The process of assessing the enduring value of records by determining the functions of the body to be documented, identifying which offices or individuals created records in carrying out those functions and selecting the records that provide the most complete and concise documentation of the functions.

Functional requirements: The tasks a computer application must perform to carry out a process satisfactorily.

G

General disposal schedule: A disposal schedule that applies to categories of administrative records throughout an organization.

Groupware: Applications software that supports collaborative work between a group of users by managing schedules, sharing documents, and undertaking intragroup communications.

H

Hard disk: *See Hard drive.*

Hard drive: The storage area within the computer itself, where megabytes of space are available to store bits of information. Also known as a hard disk.

Hardware: The physical equipment required to create, use, manipulate, and store electronic data.

HyperText Markup Language (HTML): One of the main standards that controls how the World Wide Web works; it is an SGML document type definition that determines how web pages are formatted and displayed and thus enables information to be exchanged on the World Wide Web.

I

Inactive records: *See Non-current records.*

Indexing: The process of establishing and applying terms as access points to records. *Note:* The terms are usually organized in alphabetical order.

Information management: The planning, control, and exploitation of the information resources of an organization in support of its business. Also known as information resources management.

Information manager: A person professionally engaged in information management.

Information system: The combination of information, technology, processes, and people brought together to support a given business objective.

Information: Knowledge that is communicated.

Informational value: The secondary value of records or archives for reference and research deriving from the information contained in them and often incidental to their original purpose.

Integrity of a record: The quality of a record that refers to its being complete and unaltered.

Internet: A collection of local, regional and national computer networks that are linked together to exchange data and distribute processing tasks.

Intranet: An internal computer network that belongs to an organization and is accessible only by that organization's members.

Intrinsic value: The secondary value of records or archives by reason of their age, historical associations, physical form or features, aesthetic or artistic quality, or monetary value.

Item: The basic physical unit of arrangement and description within a series. Also known as a piece.

Item number: The number allocated to an item in order to identify and control it.

J

Job plan: A document, agreed between a manager and a member of staff, specifying the content of the job to be done and establishing criteria for judging performance in that job. Also known as a forward job plan.

K

Keyword: A term or combination of terms taken from the title or text of a document or file characterizing its content and establishing an access point for its retrieval.

Keyword list: A controlled vocabulary that limits the choice of keywords when classifying or indexing files.

L

LAN: *See Local area network.*

Laser disk: *See Optical disk.*

Legacy system: An old application that an organization continues to use, perhaps because the cost of replacement or redesign is high.

Life-cycle concept: A concept that draws an analogy between the life of a biological organism, which is born, lives, and dies, and that of a record, which is created, is used for so long as it has continuing value, and is then disposed of by destruction or by transfer to an archival institution.

Local area network: A computer network located within a relatively limited area such as a building, agency, or university campus. Also known as a LAN.

M

Magnetic tape: A continuous plastic strip covered with magnetic oxide; the tape is divided into parallel tracks onto which data may be recorded by selectively magnetizing parts of the surface, or spots, in each of the tracks. The data can then be stored and reused.

Maintenance: The daily care of records and archives, particularly current records and semi-current records, when they are housed in records offices or records centres; maintenance ensures the general protection of records against environmental hazards or other physical dangers.

Mandate: The source of authority for an organization's activities.

Metadata: The information about a record that explains the technical and administrative processes used to create, manipulate, use, and store that record.

Microfilming: The photographic process of creating miniaturized images of records on high-resolution film.

Migration: The transfer of data in electronic form from one hardware or software configuration or generation to another.

Mission: The purpose for which an organization exists.

Mission statement: A written articulation of an organization's purpose or mission.

N

Network: *See Computer network.*

Network server: A computer that is connected to the network and that 'serves' or distributes resources to network users.

Node: A processing location on a network.

Non-current records: Records no longer needed for the conduct of current business. Also known as inactive records.

O

Objective: The statement of a specific goal in support of an organization's aims, which the organization intends to achieve within a specified period of time.

Open: A computer format that is not owned by a company and so is freely available to use and to mix and match with other products.

Operating system: A collection of software that allows a computer to function.

Optical disk: A storage device that uses reflecting surfaces and laser technology to read and write data on a disk. Also known as a laser disk.

Organization chart: The diagrammatic representation of the structure of an organization.

Original order: The order in which documents were created, arranged, and maintained by the office of origin.

P

Part: One of a number of physical units to which a file (1) has been subdivided chronologically as it has increased in size. Also known as a volume or partfile.

Partfile: *See Part.*

Particular instance papers: *See Case papers/files.*

Peer-to-peer network: A type of network in which each workstation has equivalent capabilities and responsibilities.

Performance indicator: *See Performance measure.*

Performance measure: An indicator of effectiveness based on a standard definition of a process and the units for its measurement. Also known as a performance indicator or target.

Platform: The type of computer or operating system on which a software application runs. For example, some common platforms are PC (Windows), Macintosh, and Unix.

Primary value: The continuing utility of records or archives, by virtue of their contents, for the transaction of the business that gave rise to their creation.

Process (1): The means whereby a system's functions are performed.

Process (2): The means whereby an organization carries out any part its business.

Process (3): A systematic series of actions a computer uses to manipulate data.

Process map: A pictorial representation of the inputs, activities, tasks, and outputs of a given process (1).

Processor: *See Central processing unit.*

Programming language: An artificial set of rules, vocabulary, and syntax used to instruct the computer to execute certain tasks.

Proprietary: A product that is privately owned and controlled (such as the Kodak photo CD, which is owned by the Kodak Corporation or MS Word owned by Microsoft).

Provenance: The organization or individual that created or received, maintained, and used records while they were still current.

Public office: *See Agency.*

Public records: Records created or received and maintained in any public sector agency.

Q

Query language: A set of command words that can be used to direct a computer to create databases, locate information, sort records, and change the data in those records.

R

Reading room: *See Search room.*

Record (1): A document - regardless of form or medium - created, received, maintained, and used by an organization (public or private) or an individual in pursuance of legal obligations or in the transaction of business, of which it forms a part or provides evidence.

Record (2): A complete set of information in a database; records are composed of fields, each of which contains one item of information.

Record keeping: The processes of creating and maintaining complete and accurate records of business activities.

Records centre: A building or part of a building designed or adapted for the low-cost storage, maintenance, and retrieval for use of semi-current records pending their ultimate disposal.

Records disposal schedule: *See Disposal schedule.*

Records management: That area of general administrative management concerned with achieving economy and efficiency in the creation, maintenance, use, and disposal of the records of an organization throughout their entire life cycle, and in making the information they contain available in support of the business of that organization.

Records manager: A person professionally engaged in records management.

Records office: An office responsible for the receipt, control, and maintenance of current records. Also known as a registry.

Records retention schedule: *See Disposal schedule.*

Records schedule: *See Disposal schedule.*

Records series: *See Series.*

Records survey: The application of the techniques of business systems analysis to the gathering of basic information regarding the quantity, physical form and type, location, physical condition, storage facilities, rate of accumulation, uses, and similar data about the records of an organization.

Register: A document, often a bound volume, in which information is regularly entered.

Registration: The process of recording standard information about a document so that it is captured in a record-keeping system.

Registry: *See Records office.*

Reliable record: A record whose contents can be trusted as a full and accurate representation of the transactions, activities, or fact to which they attest, and can be depended upon in the course of subsequent transactions or activities.

Repository: *See Archival repository.*

Retention period: The length of time that records should be retained in an office or records centre before they are transferred to an archival institution or otherwise disposed of. The period chosen is usually provided for by legislation, regulation, or administrative procedure or based upon an estimate of the frequency or likelihood of continuing use.

Retention schedule: *See Disposal schedule.*

Retention: The function of preserving and maintaining records for continuing use. This may be done in the agency of origin, in a records centre, or in an archival institution.

Review: *See Appraisal.*

S

Sampling: The selection of items from a body of records made in such a way that, taken together, the items selected are representative of the whole.

Scanning: The process of converting an image into a form that a computer can use.

Scheme of service: A framework document that sets out the specific details of a particular occupational class in the civil service.

Search room: The area open to users for the consultation of records or archives and the finding aids that relate to them. Also known as a reading room.

Secondary value: The enduring value that records or archives possess, by virtue of their contents, for purposes other than the transaction of the business for which they were created.

Secret records: *See Classified records.*

Selection: *See Appraisal.*

Selective preservation: The process of selecting and maintaining a specific portion of records or archives for continuing use. Also known as selective retention.

Selective retention: *See Selective preservation.*

Semi-active records: *See Semi-current records.*

Semi-current records: Records required only infrequently in the conduct of current business. Also known as semi-active records. Semi-current records will normally be maintained in a records centre or other offsite intermediate storage pending their ultimate disposal.

Series: The level of arrangement of the files (1) and other records of an organization or individual that brings together those relating to the same function or activity or having a common form or some other relationship arising from their creation, receipt, or use. Also known as a file series, records series, or class.

Software: The computerized instructions that operate a computer, manipulate the data, and execute particular functions or tasks.

Specimens: Representative examples of records kept to illustrate particular forms, styles, or processes rather than for their information content.

Stakeholder: Any person, group, or other organization that has a claim on an organization's attention, resources, or output or is affected by that output.

Standard: A definition, format, or specification that has been approved by a recognized standards organization or is accepted as a standard by an industry.

Standardized General Mark-up Language (SGML): A metalanguage that can be applied to documents in order to maintain their structure and context.

Strategic plan: A formal statement of an organization's intended outputs over a specified period of time and of the inputs required to produce those outputs. Also known as a corporate plan or development plan.

Strategic planning: The process of identifying an organization's mission, aims, and objectives, determining its needs, capabilities, and resources, and then developing strategies to achieve those goals.

Stripping: The removal of individual documents lacking continuing value from a file (1). *Note:* The term 'stripping' is preferred to the obsolete term 'weeding'.

Subfile: A separate file (1) dealing with a discrete aspect of the subject of a more general file.

T

Tape: *See Magnetic tape.*

Target: *See Performance measure.*

TCP/IP. *See Transmission Control Protocol/Internet Protocol.*

Technical requirements: The specifications a computer must have to carry out the functional requirements.

Tracking: The process of documenting the movements and use of records so that their whereabouts are known at all times.

Transactional files: *See Case papers/files.*

Transfer schedule: *See records schedule.*

Transmission Control Protocol/Internet Protocol (TCP/IP): The de facto standard used by the Internet for transmitting data over networks.

U

Uniform Resource Locator (URL): The global address of documents and other resources on the World Wide Web. URLs can point to executable files that can be fetched using FTP (file transfer protocol, ftp://) or a web page that can be retrieved using HTTP (hypertext transfer protocol, http://).

URL: *See Uniform Resource Locator.*

V

Value for money: *See Cost effectiveness.*

Values-based appraisal: The assessment of the worth of records based on specific criteria, such as the historical evidence they provide; the information they convey about events, trends, activities, or functions; or their potential use.

Virus: A computer program that is planted in one computer and then transferred to one or more other computers with the intention of corrupting or wiping out information in the recipient computer.

Vital records: Records considered critical to the ongoing operations of an organization or the re-establishment of operations after an emergency or disaster. Also known as essential records.

Vital records programme: A systematic approach to identifying, protecting, and making available the vital records of an organization, especially in the aftermath of an emergency or disaster.

Volume: *See Part.*

W

WAN: *See Wide area network.*

Weeding: *See Stripping.*

Wide area network (WAN): A computer network that covers a large area (such as a building, a city, etc).

Workflow software: Software that automates the process of electronically routing documents from one person to another in a specified sequence and time.

Annex II: Questionnaire Index by Principal Source of Information

National archives	Head of Records Function	Senior Judicial Administrator	IT Officer	Registrars/ Secretaries/ Clerks of Court	System Users	Judges/ Magistrates	
1.1.1	1.1.5	5.4.3	1.2.1	3.1.9	3.2.2.1	5.3.2	3.2.3.1
1.1.2	1.1.6	5.4.4	1.2.2	3.1.13	3.2.2.2	5.3.5	3.2.3.2
1.1.3	1.1.9	5.4.12	1.2.3	3.2.3.7	3.2.3.5	5.3.6	3.2.3.3
1.1.4	1.1.10	6.1	1.2.4	3.2.4.7	3.2.3.6		
1.1.7	1.2.10	6.2	1.2.5	3.2.4.8	3.2.4.5		
1.1.8	1.2.12	6.3	1.2.6	3.2.4.9	3.2.5.4		
2.4	2.1	6.5	1.2.7	5.1.1	3.2.5.5		
	2.2	6.6	1.2.8	5.1.2	3.2.5.6		
	2.3	6.7	1.2.9	5.1.3	3.3.1		
	2.5	6.8	1.2.11	5.1.4	3.3.2		
	2.6	6.9	3.1.8	5.1.5	4.5		
	3.1.1	7.2	3.1.10	5.1.6	4.6		
	3.1.2	7.3	3.2.3.3	5.1.7	4.7		
	3.1.3	7.9	3.2.4.5	5.1.8	6.4		
	3.1.4	7.13	4.6	5.1.9	7.4		
	3.1.5	7.14	7.1	5.2.1	7.5		
	3.1.6	7.15	7.8	5.2.2	7.6		
	3.1.7	7.16	7.18	5.2.3	7.7		
	3.1.11	7.17	7.20	5.2.4	7.10		
	3.1.12	7.19	7.27	5.2.5	7.11		
	3.2.1.1	7.21	8.1	5.2.6	7.12		
	3.2.1.2	7.28	8.3	5.2.7	7.22		
	3.2.2.3	7.29	8.8	5.2.8	7.23		
	3.2.2.4	7.30	9.1	5.2.9	7.24		
	3.2.2.5	8.2	9.2	5.3.1	7.25		
	3.2.3.4	8.4	9.3	5.3.3	7.26		
	3.2.4.1	8.5	9.4	5.3.4			
	3.2.4.2	8.6	9.5	5.4.1			
	3.2.4.3	8.7	9.6	5.4.2			
	3.2.4.4	10.2	10.1	5.4.5			
	3.2.4.6	10.3	10.4	5.4.6			
	3.2.4.7	10.7	10.5	5.4.7			
	3.2.4.10	10.8	10.6	5.4.8			
	3.2.5.2		10.9	5.4.9			
	3.2.5.3			5.4.10			
	3.2.6.1			5.4.11			
	3.2.6.2						
	3.2.6.3						
	3.2.6.4						
	3.3.1						
	3.3.3						
	3.3.4						
	3.3.5						
	4.1						
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	4.12						
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