

Courtroom Workgroup Characteristics

Posted on October 17, 2019

Composition of the Courtroom Workgroup

Courtroom work is comprised of several groups. These groups are interdependent, perform various functions, and interact in a variety of settings. Judges, prosecutors, and defence attorneys have their work descriptions and assignments to perform. For instance, the prosecutors present the state in criminal cases; similarly, others have their duties. Various other group actors include clerks, i.e., law clerks or court clerks, police officers, witnesses and news media.

Characteristics of Courtroom Groups

A courtroom group can be defined by seven characteristics they exhibit while performing the tasks that they are expected to do (Siegel & Worrall, 2018). These include displaying influence relationships, exhibiting authority, having common goals, multiple working techniques, different degrees of stability and a variety of tasks. Judges, defence attorneys, and prosecutors are the core members of these courtroom groups, as their frequency of participation in the process of a courtroom is vast. The professional background of these people is more or less the same, and the perspective to sort out the court operations is also common. The other courtroom groups also have participation, but their frequency is less as compared to the core group. The workgroup members are influenced by or influence one another because they have different areas of knowledge, and the bases of power among these group members also vary.

Goals of Courtroom Workgroups

However, the basic goals which the courtroom work groups have to observe are four these include seeking justice, maintaining group cohesion, sorting out the caseload and finally, the reduction of uncertainty. These groups can use certain techniques of interaction to get the maximum benefit in a situation. These techniques include negotiations, adversarial proceedings, and decisions which are made unilaterally (Kuipers, 2010). They must also follow a robust code of ethics and must adhere to the laws in true letter and spirit. Moreover, the prosecutor plays a vital role in these courtroom workgroups as he presents the rights of citizens and works to maintain the public good. He is required to perform three tasks. One of these tasks requires him to decide whether or not to start legal proceedings. He decides about this matter after the completion of the preliminary investigations. For this, a prosecutor is required to contact all the parties related to a crime, i.e., the suspect of the crime, witnesses, and the victim. He is also required to have an active liaison with the police.

Case Screening and Dismissal

Furthermore, if the criteria for taking a case would have been more stringent, then there is a high probability that most of the cases would have been dismissed because they lack concrete evidence. As the historical trend shows many of the cases are brought for trial with very minimal circumstantial evidence, but the eyewitness testimony is present (Pound, 2018). On the other hand, if the criteria were less stringent there would have been a flood of cases pouring inside the courts. This would tend to cause a lack of proper attention to those cases that require it the most. As the characteristics of all crimes are different for different offences and offenders thus, there is no single correct sentence for a particular crime. The judge decides a sentence according to the gravity of the concern (Ashworth, 2010). Further, the principle of proportionality is also kept in consideration. The court may follow a two-step method while deciding on any sentence. The first step is the objective seriousness regarding an offence, which means the seriousness of the case, and the second step is the personal circumstances that may lead to such a crime.

Aggravating and Mitigating Factors in Sentencing

One important point to consider in this regard is that while determining the sentence, there are aggravating factors and mitigating factors, whereas the former refers to those factors that cause to increase in a sentence. The latter means those factors that cause to reduce it (Schmallegger et al., 2014). One of the essential concepts of society is known as punishment. It is induced to rectify the behaviour of those who are deviant from the normal standards set by society. These include retribution, where the offender suffers similarly to the extent of the victim and up to as much suffering as caused by him. Secondly, deterrence is another form of punishment that is inflicted to discourage criminal deviance.

Case Backlogs and Court Efficiency

The backlog of cases in the legal system creates various hindrances in the efficient and smooth functioning of the court. There may be various reasons and procedures that cause to increase in the backlog of cases, such as the complexities in the legal system, the processes are time-consuming and also some issues that may arise in the pretrial phase. Whatever the reason may be, these backlogs result in consequences. The most negative consequence is the delay injustice that is caused due to this issue. However, effective case management systems, the establishment of specialized tribunals, improving the administration of the court, and finally, increasing the number of judges can help reduce these backlogs and curb the negative consequences due to these backlogs. These measures are interlinked with each other and must be considered collectively to regulate the whole system.

References

Ashworth, A. (2010). *Sentencing and criminal justice*. Cambridge University Press.

Kuipers, J. J. (2010). The right to a fair trial and the free movement of civil judgments. *Croatian yearbook of European law & policy*, 6(6), 23-51.

Pound, R. (2018). *Criminal justice in America*. Routledge.

Schmallegger, F., Donaldson, S., Kashiwahara, K., Koppal, T., Chase, S., Brown, A., ... & Marash, D. (2014). *Criminal justice today*. Prentice Hall.

Siegel, L. J., & Worrall, J. L. (2018). *Essentials of criminal justice*. Cengage Learning.