

Online Dispute Resolution in Traffic Courts and the Impact on Highway Safety

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Abstract

Infractions are the most voluminous case type in most court locations. Through two initiatives funded by the National Highway Safety Administration, namely eCitation and On-line Disposition, the Connecticut Judicial Branch has been able to establish a comprehensive electronic citation and adjudication platform during a time of significant budgetary challenges.

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Connecticut is poised to provide access to justice and education of highway safety issues to more drivers than in the previous manual system. This system supports law enforcement personnel in ensuring that the difficult and dangerous work conducted in the field is not minimized for want of system-wide resources. Court dockets are no longer limited by traditional scheduling and space constraints. Prosecutors are able to access and consider a wide range of real-time resources to craft appropriate recommendations and offers to defendants. Matters can be disposed and attached to driver histories where appropriate in a matter of weeks rather than months.

Online adjudication of infractions allows recipients of infractions to plead not guilty online, write a narrative and submit documents and pictures in support of that narrative. Prosecutors are presented with electronic dockets that contain not only charging documents, officer notes and the defendant's submissions but also real-time access to driver histories. Prosecutors are able to settle cases online, and once accepted, defendants can pay online without coming to court. If adequate information exists, prosecutors may decline prosecution or transfer the case to court for trial. This system assists in keeping licensed insured drivers on the road while freeing up court resources to address habitual offenders. The public feels engaged and heard. To date over 26,550 people have participated in this online disposition programme.

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- 70% of people who engage online are opting for this programme rather than appearing in court
- 82% of these individuals accept the prosecutor's offer and pay online – creating a truly paperless process end to end with minimal staff intervention
- It is anticipated that in 2019, 40,000 people will participate in the system.

Highway safety priorities can be served by collaboration between agencies that have related goals but sometimes competing interests. Ultimately, the highway safety community is best served when police services, the courts and prosecuting authorities are able to effectively leverage technology to perform their core functions of proactive enforcement, prosecution and adjudication. Connecticut has been successful in creating collaboration between the three groups ensuring accurate generation of documents, the presentation of relevant information for use in the exercise of prosecutorial discretion and access to justice, leading to meaningful adjudications. Meaningful adjudications are subsequently available to members of the highway safety community for use in subsequent offender sanctioning, training and education of high-risk driver populations. Additionally, this information can be utilized to allocate law enforcement resources to identify and target geographic and temporal offender 'hot spots' in support of State and Federal traffic safety initiatives.

Online dispute resolution can serve many public purposes, including highway safety by more efficiently processing motor vehicle case types that may have been given uneven attention owing to the competition for scarce resources.