Effective Case Flow Management in Sessions Courts:
Tools for Reducing Pendency

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Abstract

In Pakistan, the judiciary is faced with a very acute crisis of delay justice with a backlog of pending cases and a occurrence of a substantial delay in the judgement. By the end of 2023, the number of pending cases has reached about 2.26million, with almost 82% located in the district judiciary, especially Sessions Courts. The paper will provide a stringent analysis of institutional, procedural and technologic tools that are vital in managing case-flow and the subsequent reduction of pendency. Using a qualitative descriptive approach that is based on a comprehensive study of judicial statistics, academic sources, and the recommended models of reforms, the scholarship explain the way that traditional manual processes do not create disruptions in the snowball effect of backlogs. The article lists various pillars of reform, which include, but are not limited to the introduction of a New Civil Procedure Framework (NCPF) that refocuses the accent on individualized substantive justice and instead shifts to distributive and proportionate justice; the implementation of Artificial Intelligence (AI) and Information and Communication Technology (ICT) applications (e.g. e-filing, automated case-tracking, and Judge(GPT); and the institutionalization of Alternative Dispute Resolution (ADR) and Online Dispute Resolution (ODR) models. In addition, the paper assesses the effectiveness of Model Courts and Therapeutic Jurisprudence in sentencing narcotics related crimes, homicide and family dispute cases in stipulated time deadlines. Research results show that significant reduction of pendency requires the shift in the model of a inactive regime to an interventionist model where a legal system based mechanization with technological support would dictate the rate at which litigation proceeds. The paper concludes by presenting practical proposals that should be adopted by the judicial leadership to lead a revolutionary change in the culture and structural design of the District Courts, in this manner restoring the faith of people in the process of justice.

Keywords: Case Management, Judicial Backlog, Artificial Intelligence, Online Dispute Resolution, Pakistan Judiciary.

Introduction

The saying that justice delayed is justice denied is a ghost to the millions of litigants who are currently dealing with the Pakistani court system. Historically, the basis of any civilized society is the one founded on the justification of grievances in due time, but the legal framework of Pakistan, still under the heavy influence of the colonial legacies, has been failing to comply with the spirit of the twenty-first century. This fight has been reflected in

the recent rankings of the World Justice Project, where Pakistan was ranked as the 130th out of 142 countries in its rule-of-law index, and most of this situation has been caused by the separation of the formal justice system and the needs of ordinary citizens (Pirzada et al., 2023). The magnitude of the task itself is staggering: by December 31, 2023 the District Judiciary alone had 1,861,812 pending cases on its docket, which constitutes by far the largest portion of the national backlog. The pendency crisis in Sessions Courts is not simply a statistical fact, it is a basic infringement of constitutional rights. The Constitution of the Islamic Republic of Pakistan (1973) provides that the state shall guarantee inexpensive and speedy justice in article 37, clause 37 (d). Although such a constitutional imperative exists, the studies show that the average civil dispute in Pakistan may take decades to reach its final decision, and some of the cases may take over twenty-five years to do so in the higher courts (Saeed, 2019). Such long-term uncertainty undermines the faith of people and breeds corruption and drives people to informal systems of justice like jirgas, panchayats which usually do not follow the legal system and may unleash human rights to harm. The social and economic damage of such delays is enormous and impacts the business confidence, foreign investment, and the general attitude towards the governance in the country. The conceptual core of court management and the main instrument of dealing with these delays has become an effective case-flow management (CFM). CFM is a holistic management approach to lawsuits, covering their institution, evolution, and settlement, including the initiation process of the lawsuits up to its closure (Nawaz, 2004). Whereas previous reform efforts like the Access to Justice Programme (2002 -2008) and the National Judicial Policy 2009 achieved some progress in capacity building and infrastructural development, they tended to use manual operation or the occasional directives, which did not offer any long-term institutional solutions. Such initiatives, with the best intentions, were unable to match the exponential increase in litigation or deal with the root cultural causes of delays. In its turn, this paper suggests a complete reinvention of CFM, which would be addressed in the form of a multi-dimensional solution comprising of the incorporation of innovative technologies and reengineering the core processes of the judicial system along with the introduction of problem-solving courts as the instruments of radically redesigning the most clogged arteries of the judicial system.

Methodology

The research methodology I use in this inquiry is qualitative doctrinal and evaluative research by relying on close examination of the modern judicial systems and the existing scholarly literature in Pakistan. The paper is designed according to an organized analysis of both secondary and primary data sources, such as official judicial statistics published by the Law and Justice Commission of Pakistan, covering the years between 2002 and 2023, as well as copies of legislation, including the Code of Civil Procedure 1908 and the Code of Criminal Procedure 1898. Included in the analysis, which is more recent, are landmark Supreme Court rulings that consider the use of technology in court proceedings. In order to reveal the contextual reasons of pendency of the case, I hold empirical data gathered through the surveys of litigants (mainly Lahore District Courts Survey performed in 2010-2011) and compare them with the comparative analysis of the best practices in other jurisdictions including Singapore, the United Kingdom and Australia. This comparative framework is used to shed light on possible reforms by pointing to the mechanisms that have been worked in other countries. The applicability and feasibility of the proposed Online Dispute Resolution (ODR) in the Pakistani context are evaluated in the context of the so-called New Civil Procedure Framework (NCPF) and the so-called LodderZeleznikow Three-Step Model of ODR. The focus is on the very concept of the functional equivalence; it is aimed at tailoring the well-tested foreign instruments in such a way that they will meet the socio-economic and cultural realities of Sessions Courts in Pakistan, and at the same time, will not violate the Pakistani legal traditions and institutional limitations.

Institutional and Procedural Impediments to Case Flow

To decrease pendency, one needs an in depth insight into the stimuli that result in backlogs. These may be divided into judicial, social and procedural causes which interplay with each other to form a vicious circle of delay upon delay. The study by Pirzada et al. (2023) revealed that procedural impediments are the main factor that leads to delays in cases, and the issue is exacerbated by the inefficiencies in the system over an extended period.

Judicial Factors and Administrative Deficiencies

The so-called traditional closed architecture of the courts, an organizational structure based on physical paper documents and manual data processing, is an important predictor of judicial performance that causes records to be misplaced and administrative inefficiencies (Kassar et al., 2024). In most district courts, the physical movement of the files of cases between the different courtrooms, record rooms and the chambers of the various judges

provides sufficient space to lose or misplace or unnecessarily delay. Moreover, the constant moving of judicial officials through reassignment is likely to disrupt the flow of a case since a newly appointed judge requires additional time to settle in the litigation background before proceeding with the case. The above discontinuity is particularly sharp in Sessions Courts, where specialization and permanence are found to be invaluable in hearing complicated criminal cases.

The Adjournment Culture

In the sociological perspective, the so-called adjournment culture is a severe illness in the Pakistani judicial system. The adjudicatory process is a strategic tool that practitioners, such as litigants and attorneys, use methodically, initiating nominal or even pointless claims so that the opposing sides get tired and seek to resolve them out of court (Saeed, 2020). Empirical studies indicate that about eighty per cent of the applications made to plead amendments are filed with one major aim of creating delay, thus providing an example of exploitation of procedures as a tactical tool, but not to achieve judicial rectitude. Often faced with precarious pressures of the legal community and lower burdens of voluminous dockets containing a hundred and twenty to a hundred and fifty cases per day, judges are often acquiescence to continuance requests and therefore make adjournments a situational imperative and not an extraordinary phenomenon. This culture of delay therefore has become so institutionalized that litigants and lawyers alike expect several continuances to be a given and thus, have created the atmosphere in which quicker adjudication is the consideration and not the expectation.

Procedural Antiquities

Procedurally, the Code of Civil Procedure (CPC) 1908 and the Code of Criminal Procedure (CrPC) 1898 may be termed as being outdated remnants of the British Raj, and were designed to address the needs of an administration that had its own set of priorities and volumes of cases to handle. The volume and complexity of today litigation have not been contemplated by these procedural frameworks in a fast-evolving society (Kassar et al., 2024). The existing system emphasizes on substantial justice on the level of the individual case, consequently often not considering the cumulative effects that the decision on any one particular case can have on the overall judicial facilities. This individualistic disposition does not consider the concept of distributive justice whereby the judicial resources should be distributed fairly between all the litigants so as to prevent functional breakdown of the system. This therefore

means that by giving procedural attention to all cases irrespective of their underlying complexity and importance, the dearth of judicial resources becomes overextended and finally results in widespread delays.

The New Civil Procedure Framework (NCPF): A Paradigm Shift

One of the main instruments of successful case flow management is the embracement of the New Civil Procedure Framework (NCPF). This model implies a paradigm change of the old substantial justice to a theory of balance that puts into consideration three major imperatives, namely accuracy, expedition, and economy (Saeed, 2020). The court has to take into consideration in a world of limited resources that every hour spent on a case that is not important or complex is an hour wasted on cases that do not need to be considered. This is in line with the understanding that the traditional devotion to absolute accuracy in all cases, no matter how important they are, is at the expense of systemic efficiency and access to justice by all.

Proportionality and Distributive Justice

The principle of proportionality under the NCPF implies that cases need to be addressed in a way that is proportional to the size of the sum of money, the significance of the matter, and the complexity of the issues. This may be operationalized by use of procedural tracks, like in the United Kingdom where the system differentiates between small claims, fast-track and multi track claims as per their respective needs (Saeed, 2020). Through rationing procedures the system helps in making sure that maximum procedural provisions are given to only cases that actually need it. As an example, a minor business case with a relatively minor amount of money would not entail the same expansive discovery, witness interview and procedural protections that a very complicated constitutional issue or a major crime case. Such a graded system can help courts to use their resources better, by directing more cases through the judicial system on a faster track, and reserving their managerial time to cases of more complexity or significance.

Stringent Neo-Procedurals Approach

The NCPF recommends a neo-procedurals approach such that the rate of litigation is not determined by judicial discretion, but by the law. The contemporary Pakistani system is characterized by large discretionary powers of judges which can extend time or condone non-compliance, which in most cases promotes laxity by the parties and procedural gamesmanship (Saeed, 2020). The new regime suggests a high compliance regime with fixed consequences of noncompliance in case of default. As an example, any adjournment on a statutory maximum would have to be met by exuberating costs and the judges should be subject to legal penalty to implement the penalties without the alternative of condoning. The practice helps to decrease judicial discretion on time management issues and makes the process more predictable and less prone to manipulation by parties who want the process to be delayed.

Technological Tools for Reducing Pendency

Technology is a strategic force- multiplier when it comes to judicial reform, and has turned the services of the court into an efficient public utility, as opposed to a conventional bureaucratic institution. The judiciary in Pakistan is already undergoing this change with the E-Court Project, although a massive integration will be required in order to deal with the backlog in its entirety (Jaffery, 2010). The opportunities presented by technology to streamline the processes, minimize delays and increase transparency are enormous, though its application is not evenly spread among various courts and jurisdictions.

AI-Driven Case Management and Judge GPT

The potential of Artificial Intelligence (AI) is that it could radically transform the case management to distribute the workload, keep deadlines, and conduct research. The implementation of AI in Pakistan is a pioneer project named JudgeGPT, a judgment-writing machine deployed on around 1,500 judges, which is about half of the judiciary in Pakistan (Shafiq et al., 2022). This tool helps in examining case laws and precedents within a short duration thus conserving a lot of judicial time which would have been spent in using manual legal research. Text mining can also be applied to AI to transform unstructured legal texts into structured data and assist policymakers in recognizing controversial areas of legal terms that cause unnecessary litigation. Through litigation patterns, AI is able to guide judicial training, procedural reform, and resource distribution to counter the largest contributors of backlog (Shafiq et al., 2022).

E-Filing and Electronic Case Tracking

Replacing manual registers with an all-inclusive e-filing system helps speed up the process of submitting documents and minimizes the possibilities of their misplacement that has been the bane of the manual system (Kassar et al., 2024). Such digitalization can be exemplified by the e-litigation system in Singapore which enables the reuse of text insertion in e-forms and which shows how technology has the ability of minimizing redundancy and enhancing efficiency. Moreover, an electronic Case Tracking System (CTS) helps provide a centralized location to monitor judicial processes since the start of the institution up to the ultimate disposal and achieve transparency, as well as enable litigants to access their case status through mobile applications. Information is also made available to litigants through such systems, eliminating uncertainty and the necessity of visiting physical court premises quite often (Kassar et al., 2024).

Virtual Courtrooms and Video Conferencing

Remote judicial proceedings have become a necessity and virtual courtrooms across physical borders are now a necessity, especially following the COVID-19 pandemic, which proved the feasibility and need of remote court sessions. Virtual testimony has already been approved by the Supreme Court of Pakistan, and the Islamabad High Court has a mobile application where it is possible to see the daily case listing and get updates via SMS (Shafiq et al., 2022). These devices cut down the logistical difficulties, transportation costs as well as the physical jamming in the courtrooms, which may be claustrophobic and ineffective. To litigants in remote locations, virtual appearances save them the hassle of having to travel long distances to have brief hearings, and the justice system has become more accessible, and the problem of having to blame the excuse of having no time to attend his hearings due to the distance is also minimized.

Administrative Reforms and the Admin Wing

To achieve good CFM, a clear distinction between judicial and pure administrative work is needed; it is important to acknowledge that judicial personnel are not well applied in case management logistics, but rather in adjudication. One of the reforms being suggested is to create a special Administrative Wing in District Courts to deal with the organizational and procedural side of case management (Kassar et al., 2024).

Preliminary Rigorous Scrutiny

The Admin Wing would undertake to dispose all pre-trial issues, including jurisdiction, court fees and impleadment of parties before a case sees a trial judge. This wing would conduct a strict initial screening by way of checklists or questionnaires to filter out the frivolous cases at the very first level before it consumes judicial resources (Kassar et al., 2024). The system allows saving energy on real controversies by pinpointing the central issue and reducing the field of investigation. Such a screening role is important in a system in which a large fraction of cases are either frivolous or may be disposed of without trial provided they are carefully screened initially.

Scheduling and Calendar Control

The calendar control system is critical to the provision of certainty and predictability in cases. Case management conferences should also be held at the Admin Wing to rectify realistic timelines and have target dates of trial and disposal (Nawaz, 2004). Hearings handed on a day-to-day basis should be had once a schedule is adjusted by mutually agreeing with counsels and no adjournments at all. This will remove the unproductive time used by the judges handling the preliminaries of one hundred cases per day so that they can concentrate on twenty to thirty hearings that are oriented towards disposal which have substantive progress to make. This case management turnaround where a reactive approach is changed to a proactive one is a paradigm shift in the culture and practice of the judiciary.

Integrated Court and Counsel Diaries

To avoid conflicts in counsel schedules, the most common justification of adjournments, the system must make use of an incorporated online database of court schedules and computer-generated counsel diaries (Kassar et al., 2024). This enables the effective use of time and planning of resources within a court and all parties in a court will be present during the assigned date of the trial. This type of integration involves collaboration between the judicial system and the legal profession which is very fruitful in minimizing the number of wasted court hours and enhancing the predictability of scheduled proceedings.

Alternative and Online Dispute Resolution (ADR/ODR)

Bypassing the right cases through the actual court system is one of the pillars of curbing pendency. ADR and ODR offer more affordable, quicker, and involving approaches to conflict resolution that have the ability to solve conflicts bypassing the time and cost of conventional litigation as well as the adversarial aspect of it (Ali and Geng, 2019).

ADR in Family and Civil Matters

In the Punjab Alternative Dispute Resolution Act, 2019, legislators require referral to ADR of some civil disputes within thirty days of defendants appearing, showing an understanding of the usefulness of other mechanisms (Naseem et al., 2025). The family conflicts are one of the most successful areas of ADR practices, including mediation and conciliation because they are aimed at peaceful resolutions and preservation of relationships and these approaches are culturally resonant with the concept of reconciliation (Sulh) in the Pakistani society. The implementation in the successful District of Chakwal revealed that 60 percent of cases could be solved with the help of the ADR centers, which proved the possibility of such mechanisms to significantly decrease the court burden (Naseem et al., 2025). The adaptability of ADR makes possible solutions to fit the needs and situation of each of the parties as opposed to the fixed results that litigation frequently has.

The Lodder-Zeleznikow ODR Model

In the digital resolution, the Lodder-Zeleznikow Three-Step Model offers a systematic approach where technology is used to help to resolve a dispute (Shoukat et al., 2025). First, during the stage of negotiation support, the system will assist parties in the Best Alternative to a Negotiated Agreement (BATNA) so as to make smarter decisions pegged on realistic evaluations of the legal grounds. Second, the system will enable structured communication by dialogue and argumentation based on Natural Language Processing (NLP) to clarify misunderstanding and find areas of ground. Third, during the decision analysis and trade-offs stage, AI-based tools propose equitable settlements, which are based on the legal framework and the results of cases, and offer parties with a fair reference point in considering the settlement offers (Shoukat et al., 2025).

Through ODR, Pakistan will be able to solve the so-called digital divide and enhance access to justice by rural and marginalized people who have cultural or geographical limitations to conventional courts (Bilal et al., 2023). ODR forums are also able to run throughout geographical borders and hence parties in distant locations can engage in dispute settling

without necessarily having to travel physically to the district court complexes. Nevertheless, an extra special consideration should be made to make sure that digital solutions are not restricted to the people who cannot access the internet or those who are not technologically savvy, and it is necessary to use the hybrid strategies that involve both digital and traditional mechanisms (Baig et al., 2024).

Specialized and Problem-Solving Courts

Model Courts and special tribunals serve as traumatic surgery to clear certain backlogs as well as offer expertise in certain legal fields. These courts are a reversal of the generalist tradition of the Pakistani judiciary, in that specialization can lead to greater efficiency and quality of adjudication.

Model Criminal and Civil Courts

In 2019, Chief Justice Asif Saeed Khosa launched a pilot program called Model Courts to de-jam the justice system arteries by addressing the most high-volume categories of cases that had an excessive share in the backlog. These courts have special training of the judges and are the courts that focus on old cases and have demonstrated impressive outcomes: during the first twenty days, they made verdicts in 756 murder cases and 1,110 narcotics cases (Mughal & Munir, 2020). Model courts have a no adjournment policy which means that statements by witnesses are taken on the first date of hearing and forensic evidence is made within its due date. This targeted strategy proves that under the right management and political motivation, the reduction of even the most delicate and complicated kinds of cases can be achieved to a considerable degree.

Therapeutic Jurisprudence

Therapeutic Jurisprudence (TJ) is a problem-solving model that examines the restorative ability of the law to guarantee the recovery and well-being of litigants as the process of adjudication might be therapeutic or anti-therapeutic (Mughal and Munir, 2020). Juvenile Courts, Gender-Based Violence (GBV) Courts and Mental Health Courts (Courts of Protection) are specialized courts that apply an ethic of care that employs the needs and vulnerabilities of particular groups. Such courts offer friendly and safe places, including video-connection with child victims and separate domestic violence proceedings, to enable the testimony in secrecy and alleviate the suffering caused by prolonged court proceedings. Therapeutic jurisprudence will provide one of the means to enhance the outcomes and

efficiency of vulnerable litigants by understanding that some types of cases need other types of procedures (Mughal and Munir, 2020).

Cost of Litigation and Accountability

The inability of the current system to reward costs is like a disincentive to honest litigants and a blessing to vexatious ones, and poses a moral hazard with asymmetrical distribution of risks of litigation. Litigants who succeed in their suits are not able to get back their money and litigants who are frivolous do not see any possible repercussions to their actions and this allows the system to encourage abusive behaviour.

Mandatory Imposition of Costs

The Cost of Litigation Act 2017 of the Islamabad Capital Territory (ICT) is a noble move which obligates the courts to indemnify winning litigants and special compensatory costs of false averments (Kassar et al., 2024). This should become a norm in all the provinces to discourage frivolous litigation and see the costs of such litigation to be paid by the individuals who cause the litigation. In addition, there is the option of issuing the Civil Proceedings Orders to prevent habitual vexatious litigants and continuing with any proceedings without the court permission to avoid the abuse of the system by the litigation system abusers or stallers.

Independent Body of Observers

Openness and responsibility are necessary to keep people confident in the reform and make sure that they serve their purpose. Such evidence-based appraisals of judicial performance can be offered by the establishment of an Independent Body of Observers, which resembles the office of administrative oversight in the United States (Kassar et al., 2024). The latter observers would oversee courtroom behavior, document measurable outcomes such as the cases closure rates and present the results to the Chief Justice of the province. This type of external control, though delicate in regards to judicial independence, can be a useful resource in terms of providing valuable feedback to be used by the court in enhancing operations and creating the perception among the public regarding the willingness of the entire system to be efficient.

Conclusion and Recommendations

The problem of judicial delay in the District Courts of Pakistan is a deep-rooted problem but not impossible to overcome. The 2.26 million pending cases will need a multi-faceted response that focuses on technological innovation as well as structural and cultural change. The use of AI, e-filing, and online tracking systems has the potential to make the District Courts evolved and effective organizations, and the NCPF and ADR have the procedural and strategic resources to handle the number of cases appropriately. The existence of such programs as Model Courts and proven potential of AI applications, including JudgeGPT, suggests that it is possible to achieve meaningful changes in case there is the political willingness and institutional commitment.

Based on facts released in this article, the recommendations that should be provided to provide significant and sustainable decrease in judicial pendency are as follows:

Legislative Overhaul: The Code of civil procedure 1908 and the Arbitration act 1940 should be revised to accept ODR and issue compulsory cost orders in case of adjournments. Such amendments must provide clear schedules of how the case is to proceed, provide a limit on the number of adjournments possible as well as have relevant repercussions when the procedural deadlines are not met.

Implementation of an Admin Wing: Provide administrative wings at each district with which to take care of prelims and to subject all claims to stringent preliminary examination. Trained court administrators should staff such wings not judicial officers, and the judges should be left to adjudication, and see that the cases are well prepared before attaining the trial stage.

Institutionalizing AI: Increase the application of JudgeGPT and AI-assisted legal research to help the judges make decisions and write judgments (Shafiq et al., 2022). This growth must be coupled with proper training and protection to make sure that AI tools are properly implemented and it does not impair the independence of judicial functions and decision-making quality.

Capacity Building and Training: Standardized training of judges and court staff in terms of active case management and new digital technologies should be offered in judicial academies such as Khyber Pakhtunkhwa Judicial Academy (KPJA) Peshawar. Such training must focus on the transformation of the passive to the active case management and offer the skills of using technology in the judicial work practically.

Mainstreaming ADR/ODR: Create ADR centers following courts in each district and popularize the information campaign in order to teach citizens about the advantages of a non-adversarial solution (Ali and Geng, 2019; Naseem et al., 2025). They ought to have sufficient funds and personnel in these centers and mechanisms of referring suitable cases and settling the settlement agreements.

Establishing a "Human-in-the-Loop" Approach: Although AI and technology are essential, a human carefully should be retained to make sure that the algorithms will not strengthen the historical biases and that justice will be child-focused and culture-aware (Shoukat et al., 2025). Technology is only expected to serve as a supplement to judicial capacity but not to substitute the judicial judgment with the necessary measures being taken to guarantee that the rights of the people are not violated in any way.

Addressing the Adjournment Culture: The judiciary should be in the form of zero tolerance in unnecessary adjournment where judges are expected to take record of the reasons behind adjournment and charge penalty in respect of any delay made by parties or their counsel. Such a cultural change should take place at all levels of the judiciary with the help of administrative tools that facilitate compliance.

Through these radical changes, the Pakistani judiciary will be able to transform itself to a state of agility, rather than stagnation, so that the dream of cheap and quick justice as espoused in the Constitution is achieved by the generations to come. The way out is not merely institutional, technological reform but a radical change in the culture of the judiciary, a change of passivity of dispute resolution to pro-active management of cases, of case-by-case attention to systemic efficiency, and of condoning delay to ensuring timeliness. Through constant hard work and political goodwill, the Sessions Courts are capable of becoming the centers of efficiency and accessibility that would give people the confidence back in the administration of justice.

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