



Tiina Puolakka

**MANAGING OPERATIONS IN PROFESSIONAL
ORGANISATIONS – INTERPLAY BETWEEN
PROFESSIONALS AND MANAGERS IN COURT
WORKFLOW CONTROL**



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Abstract

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In recent years, professional service operations management (PSOM) has gained attention in the literature as the importance of studying professional service settings from the operations management perspective has been acknowledged. Professional service organisations need to enhance their efficiency, which has prompted interest in research which focuses on how these organisations manage their operations. This need is especially evident in professional public organisations, such as courts of justice, where the resources are limited, and the efficiency needs remarkable. The literature addressing PSOM has focused on assorted themes but lacks a perspective on the central planning and control elements of operations management. Workflow control is one of these essential elements, because it concentrates on the concretisation of production plans and policies at a daily operational level. The objective of the thesis is to explore how workflow control is realised as an interplay between professionals and managers in one type of professional public organisation – a court of justice. To explore the realisation of workflow control, the tasks of both professionals and managers are identified. The study is conducted as a qualitative case study applying the grounded theory method. The study's case organisation is the Insurance Court of Finland.

The study introduces a hybrid model of workflow control which describes how workflow control is realised as an interplay between professionals and managers. The study highlights that both professionals and managers play an important role in workflow control, and they conduct different types of task that are needed to control the entire workflow of the organisation. Professionals are identified as having great but limited self-management in workflow control. Managers aim to affect the self-management of professionals in workflow control in different ways to respond to the efficiency needs of the organisation. The study makes an important contribution to the existing research on PSOM by providing new insights into the under-researched area of workflow control through an exploration of its realisation and its elements in a professional public organisation.

Keywords: workflow control, court of justice, professional service operations management, court operations management, professional public organisation, grounded theory

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List of abbreviations

AIJA	The Australasian Institution of Judicial Administration
CEPEJ	The European Commission for the Efficiency of Justice
CFM	Caseflow management
DCM	Differentiated case management
FIFO	First-in-first-out
IACA	The International Association of Court Administration
MBO	Management by objectives
NACM	The National Association for Court Management
NCSC	The National Center for State Courts
NPM	New public management
OM	Operations management
PMM	Performance measurement and management
PSOM	Professional service operations management
SDT	Self-determination theory
SM	Self-management

1 Introduction

“No one must give or attempt to give the judge orders or instructions of any kind, that may influence the judicial decisions of the judge, except, where applicable, the opinion in a particular case given on appeal by the higher courts.”

(The Universal Charter of the Judge, art. 4)

This citation from the Universal Charter of the Judge crystallises the essential problem of managing judges. Whenever the management of courts of justice is discussed, the term “judicial independence” is used. The term is complex, involving characteristics linked both to individual judges, such as operational freedom, impartiality, and political neutrality, and formal organisational mechanisms, such as the appointment and removal of judges (Bell, 2006). The independence and autonomy of the judge is a deeply rooted essence of the profession. According to article two from the Universal Charter of the Judge, to produce fair and objective decisions, the judge needs to be free from any social, economic, or political pressure.

Yet courts of justice are publicly financed public organisations. It is therefore necessary that they operate efficiently. According to the Finnish Constitution, a key feature of court processes is that citizens can have their cases handled on an appropriate timeline with no undue delay. Public organisations have faced criticism of their non-transparency towards citizens and their inefficient use of public resources for decades, which has concretised as increased workloads and delays in service processes (de Bruijn, 2002a; Noordegraaf, 2016; Weibel et al., 2010). Managerial effort is required to meet the efficiency and time pressures. However, the underlying assumption is that a judge should face no attempt at influencing that might risk the impartiality of judicial decision making. This is at the heart of the dilemma of managing judges.

Regardless of the highlighted need for independence, judges still need to be managed. How this should be done is an interesting question. For several decades, courts of justice and other public organisations have been introduced to the managerial techniques used in the private sector (e.g. Contini and Mohr, 2008; de Santis and Emery, 2017; Lienhard and Kettiger, 2017; Pekkanen and Niemi, 2013). The traditional judicial culture is being updated with the changes in managerial demands, and managerial activities (e.g. performance measurement) are beginning to be viewed as more acceptable (Contini and Mohr, 2008; de Santis and Emery, 2017; Lienhard, 2014). In this environment, the essential issue in managing courts’ operations is how to balance management efforts and the needs for autonomy so that the organisation can operate at an adequate level.

1.1 Background of the study

The management of professionals has long been recognised as having certain distinctive features compared to the management of non-professionals. Professionals are traditionally seen as having undergone a long formal education, sharing a common set of

values within their profession, conducting complex tasks, having a sense of “vocation” to their profession, and having a strong preference for autonomy (Hall, 1968; Mills et al., 1983). Because of these characteristics of professionals, the assumption is that their management is challenging. It is argued that a clash of cultures exists between managers and professionals, which complicates managerial efforts (Campfield, 1965; Mills et al., 1983; Raelin, 1989).

Traditional supervision methods tend to be unsuitable in managing professionals (Mills et al., 1983; Mintzberg, 1983; Vermaak and Weggeman, 1999). Professionals’ preference for autonomy and the complexity of their tasks mean they need to have room to manage their work independently. Managing needs to be “subtle” and not overrule professionals’ autonomy (von Nordenflycht, 2010; Raelin, 1989). It is suggested that professionals’ expertise and shared values act as the main coordinating force. This means that formal coordinating between professionals is unnecessary, which leaves room for professionals to concentrate on their main tasks (Mills et al., 1983; Mintzberg, 1983). Instead of intervening in professionals’ operational work, management should concentrate on administrative and strategic activities (Mills et al., 1983; Raelin, 1989).

Professionalism itself has evolved with changes in the economy (Noordegraaf, 2007; Noordegraaf, 2016). Traditional literature highlighting the conflict between managers and professionals (e.g. Campfield, 1965; Mills et al., 1983; Raelin, 1989) may present an overly black-and-white picture about the management of professionals. Compared to traditional self-controlled and protected professionalism, there has been a shift towards more open professionalism. Professionals have been drawn into organisational structures, and this has imposed more straightforward management and measurement on them (Kirkpatrick, 1999; Noordegraaf, 2016). This has left managers finding themselves between two different forces. On one hand, professional needs must be considered for professionals to perform their complex tasks without excessive managerial control mechanisms. On the other, management is increasingly needed to control the performance and functions of the organisation (de Bruijn, 2011).

In the public sector, there has been criticism of public organisations’ lack of transparency towards citizens and their inefficient use of public resources (de Bruijn, 2002a; Myrsky, 2013; Noordegraaf, 2016). As a result of various public sector reforms, private sector managerial practices have been adopted for the public sector (Berg, 2006; Myrsky, 2013). In Finland, management by objectives (MBO) and the development of managerial competences have been highlighted in public services since the 1990s (Kallio and Kallio, 2014; Kuoppala, 2005; Myrsky, 2013). Due to these reforms, the operations management perspective, which focuses on performance management and measurement, has gained considerable attention in public organisations.

One of the most traditional examples of professional public organisations are courts of justice. Worldwide, they are struggling with issues of timeliness, quality, and efficiency (e.g. Lambert Abdelgawad, 2017; Pekkanen, 2011; Steelman and Fabri, 2008). The management of courts of justice presents unique challenges, derived from the even more

highlighted need for independence compared to professionals in general. The autonomy of professionals is especially emphasised, because judicial autonomy and impartiality are needed to secure fair and objective case handling (Eicher and Schedler, 2014; Emery and de Santis, 2014; Lienhard, 2014).

As public organisations, courts have undergone reforms in which private sector managerial practices have been adopted to increase efficiency and performance (e.g. Contini and Mohr, 2008; de Santis and Emery, 2017; Lienhard and Kettiger, 2017; Pekkanen and Niemi, 2013). Traditionally, an increased emphasis on accountability has been considered a threat to independence (Contini and Mohr, 2008). However, due to managerial reforms, courts now have multiple logics deriving from bureaucratic, managerial, and judicial traditions. Managerial and judicial logics may still collide, but there is evidence that these different logics may start to hybridise. This hybridisation softens the dilemma between managerial efforts and judicial independence (de Santis and Emery, 2017; Eicher and Schedler, 2014; Emery and de Santis, 2014). Despite the change occurring in court culture, court managers still need to operate between accountability to society and the independence of professionals (Lienhard and Kettiger, 2017). The challenge for court managers is therefore to create enough space for judges to do their professional work, while ensuring that the performance of the organisation is sustainable (Langbroek, 2017).

The need for professional service organisations to enhance their efficiency has prompted interest in research into how these organisations manage their operations (e.g. Harvey, 1992; Heineke, 1995; Goodale et al., 2008). To highlight the importance of studying professional service settings from the operations management perspective, the term “professional service operations management” (PSOM) has been introduced in the literature and studies on the subject (e.g. Harvey et al., 2016; Lewis and Brown, 2012). Professional services are said to be “a distinct environment for managing operations” (Goodale et al., 2008, p. 670).

To outline some general guidelines for managing operations in professional services, there have been studies which have sought to characterise the attributes of professional work, and how these attributes affect operations management. These characterisations focus on features such as customer contact, customisation, and the flexibility of work processes (e.g. Lewis and Brown, 2012; Schmenner, 1986; Silvestro et al., 1992). Outside these classifications, the research has focused on a field of assorted themes. These themes include coordination, collaboration, and the control of different actors (e.g. de Blok et al., 2014; Broekhuis and van Donk, 2011; Harvey, 1992), process management and improvement (e.g. Dobrzykowski et al., 2016; Radnor, 2008), and performance management (de Bruijn, 2011; Elg et al., 2013; Radnor and McGuire, 2004).

Strong efficiency and accountability pressures stemming from societal needs must be considered in professional public organisations (e.g. de Bruijn, 2002a; Myrsky, 2013; Noordegraaf, 2016). These pressures have increased the relevance of operations management activities, because services need to be produced with fewer resources and

no loss of quality. In courts, the operations management perspective has gained interest as a means of tackling issues of timeliness and efficiency (e.g. Fox et al., 2014; Hanson et al., 2010; Pekkanen and Niemi, 2013). Timeliness and delay reduction are addressed in several studies linked to process improvement. The studies' results and findings indicate how case processes can be improved at an organisational level (Martins and de Carvalho, 2013; Pekkanen et al., 2012). Especially in the United States, a concept and method called "caseflow management" (CFM) has been studied to address delays in legal processes. Research linked to the concepts of CFM forms a broad and dispersed collection of practices which seek to control the flow of cases from their initiation to final conclusion (e.g. Cohen, 2012; Mahoney et al., 1988; Steelman and Fabri, 2008). As "caseflow management" suggests, the focus of CFM is on the legal process from the perspective of the proceeding of a single case.

Performance measurement systems adopted from the private sector by the courts have played a central role in efforts to increase the efficiency of operations (e.g. Fabri, 2018; Langbroek et al., 2017). However, the distinctive characteristics of court organisations affects how performance measurement can be implemented. These characteristics include the fear of losing autonomy and objectivity, the multiple stakeholders involved, the unpredictability of processes, and the stiffness of practices and attitudes (Pekkanen and Niemi, 2013). Efforts are made to understand and further develop operations management in courts, but the question of how better to balance the interaction between organisational efficiency and the need for judicial independence and impartiality remains (Langbroek et al., 2017).

1.2 Objectives of the study and the research interest

Courts of justice like other professional public organisations need to produce their services with fewer resources but without losing the quality of the services (e.g. de Bruijn, 2002a; Myrsky, 2013; Noordegraaf, 2016). This has increased the relevance of operations management activities as a way of tackling the efficiency issues in these organisations. However, studies concerning operations management in professional service settings are scattered among various fields. There is a lack of studies focusing on the professional organisations' central production planning and control elements, such as workflow control, long-term capacity management, master scheduling and project management.

Workflow control is one of the most essential planning and control elements in traditional professional bureaucracies like courts. In this study, workflow is considered to consist of various cases proceeding between individual workers in the service production process. Workflow control is defined as the activities of managers and workers that control the concretisation of the service production plans and policies of the organisation at a daily operational level. The management of these daily operations is a central part of successful service operations and needs to be studied further (Goodale et al., 2008). Workflow control activities include work scheduling, sequencing, and priority control. Short-term capacity management and work-in-process control can also take place within the context

of workflow control. In the production and operations management literature, all these activities are typically linked to the terms “production activity control” (Fogarty et al., 1991) and “shop floor control” (Greene, 1997).

What is typical in workflow control in professional public organisations is, that both professionals and managers make a notable contribution to controlling the workflow activities. The daily operational decisions concerning the work are often decentralized to professionals themselves (Mintzberg, 1983). As autonomous service producers, professionals have thus a significant impact on the efficiency of the service production (e.g. Goodale et al., 2008; Løwendahl, 2005).

In addition to those workflow control activities which are decentralized to professionals, the management also plays a significant role in workflow control. The managers are responsible for the overall service production and efficiency of the organisation. Managers also need to assure that the organisation’s targets are met. The relationship between professionals and managers is not always straightforward (e.g. Briscoe, 2007; Kärreman and Alvesson, 2004). This is especially evident in courts, where the autonomy of judges is highlighted and the managerial emphasis on efficiency and accountability is often considered a threat to the traditional values of courts (Contini and Mohr, 2008; de Santis and Emery, 2017).

This creates an interesting setting for exploring workflow control. There is a need to understand better the dilemma of how workflow can be controlled in a way that organisational targets are met without risking the autonomy of professionals. The concrete ways and practices of how workflow control is an interrelated and joint effort of professionals and management in professional public organisations, let alone in courts, have not been sufficiently addressed in the literature. More empirically based observation and studies on the subject are needed. This study aims to fill this gap by empirically exploring workflow control in a court of justice. The studied case organisation is the Insurance Court of Finland.

The objective of the study is to provide new knowledge for one of the essential planning and control elements of professional service operations management – workflow control – by exploring its realisation and its elements.

Hence, the research interest of the study is

- *to explore how workflow control is realised as an interplay between professionals and managers.*

To examine this subject, it is also necessary to identify the tasks of professionals and managers in workflow control. There are no solid theories to be tested concerning the research interest. Instead, a novel understanding of and insights into the theme are needed. Hence, the study is conducted as a qualitative case study, applying the grounded theory method.

1.3 The case environment

This chapter describes the study's case environment and case organisation. First, the central features of the Finnish court environment are addressed. Second, the case organisation, the Insurance Court of Finland, is introduced.

1.3.1 General features of the Finnish court environment

Every country has its own legal system, which shapes how law is organised and enforced (Surakka, 2012). To understand the basic similarities and differences between these systems, different legal systems can be categorised under broader labels or “major legal systems” (David and Jauffret-Spinosi, 1982; Husa and Pohjolainen, 2014; Mattila, 2002; Merryman and Pérez-Perdomo, 2007; Tamm and Letto-Valamo, 2015). From the perspective of Western countries, the two main major legal systems are the common law system and the civil law system, which is sometimes also referred to as the Romano-Germanic legal system (David and Jauffret-Spinosi, 1982; Karttunen et al., 2015; Merryman and Pérez-Perdomo, 2007).

The Finnish legal system belongs to the group of civil law system with the other Nordic countries, continental Europe, and Latin America, for example. The common law system, on the other hand, originated in Britain. The legal systems of the United Kingdom, the United States, Canada, Australia, and New Zealand, for example, can be labelled common law systems (Merryman and Pérez-Perdomo, 2007). Central to the civil law system is that law is based on codification, and the judge's role is to apply law instead of creating it. Common law, on the other hand, is not based on authoritative texts, but law is instead created by the judges, who base their decisions strongly on precedents (Husa and Pohjolainen, 2014; Mattila, 2002; Merryman and Pérez-Perdomo, 2007; Tamm and Letto-Valamo, 2015).

Each country also has its own judicial system. “Judicial system” refers to how courts are organised, and justice is administered (Surakka, 2012). In Finland, the courts of law can be divided into administrative courts and general courts, which handle private civil and criminal cases. The judicial system for civil and criminal cases is tripartite. At the first level, the District Courts handle criminal cases, civil cases, and petitionary matters. The decisions of District Courts can normally be appealed in the Courts of Appeal, which form the second level of the court system. The decisions of Courts of Appeal can then be appealed in the Supreme Court, the third level, if the Supreme Court allows. The administrative court system is bipartite. The decisions are first reviewed by the Administrative Courts. If necessary, the decisions of Administrative Courts can then be appealed in the Supreme Administrative Court. In addition, there are certain special courts such as the Market Court, the Labour Court, the Insurance Court, and the High Court of Impeachment.

Courts of justice share traditional features of professional bureaucracies (Koulu et al., 2019; Ng, 2007). However, as an authority which provides society with one of its most

basic services – justice – courts of justice share certain distinct features. Courts of justice are public institutions which exercise legal power with special expertise and procedures. Courts are bound by constitutional law, which emphasises their impartiality (Karttunen et al., 2015). The need for impartiality is seen as the highlighted requirement of the independence of judges. This need for independence is based on the principle that judicial independence and impartiality are required to secure the fairness and objectivity of decisions. The independence and impartiality of the judge are valued and secured, for example, by guaranteed tenure, meaning judges cannot be dismissed without serious misconduct.

Courts constantly face efficiency pressures. They need to handle demanding volumes of cases with restricted resources. As public organisations, courts cannot be independent from the citizens for whom they are producing justice. Instead, they are accountable to the public (Koulu et al., 2019). The operational environment of courts is thus characterised both by the highlighted independence of the judges and strong efficiency pressures of the organisation. Operating efficiently with high case volumes and responding to efficiency requirements in an environment in which the work is conducted by highly independent professionals requires balancing between independence and managerial efforts.

Courts are accountable to the public for providing and producing good decisions and verdicts in reasonable time and using public resources efficiently. These general objectives for court operations are illustrated in Figure 1.1 (see also Pekkanen, 2011). In the figure, quality and efficiency are placed at the base of the triangle, and timeliness at its tip. Quality and efficiency are emphasised because of the nature of the operational environment in courts. The independence of the judges and inbuilt structures of the organisation aim to secure the quality of decisions, and society's strong efficiency pressures raise the issue of efficiency. Timeliness is somewhat more obscure in nature. However, it should be seen as an integral part of both quality and efficiency.

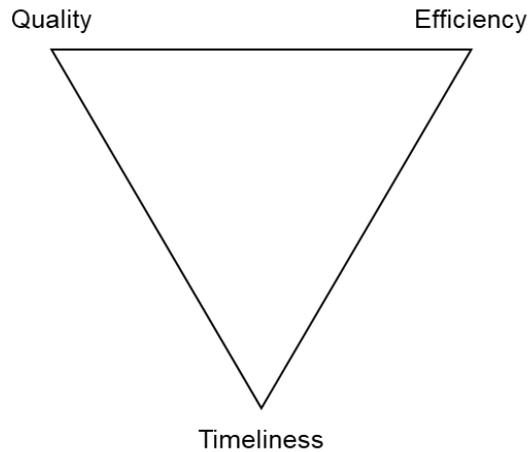


Figure 1.1: General objectives of court operations.

Quality in a court organisation can be described as fairness, impartiality, and the legality of decisions. Society expects courts to secure the interests of citizens through fair trials and just decisions. In courts, several structurally inbuilt mechanisms secure the impartiality and fairness of decisions. First, the professional ethics of judges emphasises the need for quality. Second, the cases should be delivered without judges knowing the case in advance, and naturally the litigant cannot decide which judge they want to handle the case. Third, case processing is done typically in subsequent steps, in which the case proceeds from one judge to another. The most experienced judge is the last to examine the case. Fourth, the overall unity of decisions is overseen by the chief judge. Fifth, the court system itself is tripartite, meaning that the decisions of lower instances can be appealed for review in higher instances. Sixth, the judges are also subject to upper-level legality supervision, which in Finland, for example, is conducted by the Chancellor of Justice and the Ombudsman.

Courts have gone through managerial practice reforms because of pressures to enhance efficiency (e.g. Contini and Mohr, 2008; Lienhard and Kettiger, 2017; Pekkanen and Niemi, 2013). Alongside these reforms, management by objectives (MBO) has gained a central position in management practices. MBO highlights that efficiency is seen as the quantity of outputs (meaning the number of handled cases). The output level of courts must be adequate to demonstrate the efficient use of public money to the public.

Timeliness refers to the throughput time of cases. For example, according to the Finnish Constitution (art. 21), everyone has the right to have their matters handled accordingly and without undue delay. Hence, managing timeliness should play an essential role in court operations' management practices. However, as Pekkanen notes (2011), timeliness is often overshadowed by quality and efficiency in the ethics of judges, and the structural and managerial mechanisms of the organisation.

Like Pekkanen (2011) notes, quality, efficiency, and timeliness are connected, and balancing them can be challenging. There is a risk that some objectives are more dominant than others. Each case is individual which means that the requirements of case handling vary, and standardisation of work is difficult. Judges need to constantly make decisions concerning the timeliness, quality and efficiency of their work. The customers of the courts are not interested about the efficiency of the organisation. Instead the customers expect court decisions to be high in quality and made in reasonable time. The managers on the other hand are accountable that the organization meets its efficiency targets.

The relations between quality, efficiency and timeliness are not straightforward. To meet the requirements of MBO, judges need to handle cases quickly and efficiently. This has led to a frequently highlighted conflict between quality and efficiency. It can be argued that concentrating on efficiency can lead to a situation in which the judge cannot concentrate on a case for a sufficiently long period to make high-quality decisions. To meet the expected quality requirements of fair and impartial decisions, judges are obliged to handle cases conscientiously. With some cases, this requires long periods. The case-processing chain of subsequent handling which secures quality can also create gaps and bottlenecks which delay the case. This lengthens case throughput times and directly affects the efficiency of the organisation.

It can be concluded that timeliness and efficiency are linked but do not always go hand in hand. If the court cannot handle cases efficiently, it leads to delays. However, the court can be namely efficient but still have delay issues, if efficiency is only measured as the number of handled cases without considering the handling times. Although the number of handled cases can seem high, it does not necessarily mean that the timeliness of cases is good. This means that although the majority of cases will be handled in an appropriate time, some cases may still be delayed. Focusing only on the average throughput times hides this issue.

In addition, timeliness should not be defined either as individual judges' case-processing times. Although judges could handle cases quickly, this does not matter in relation to the whole case-handling process. If other judges handle their cases quickly, but there is one judge with whom the cases lag, the overall throughput time of the case gets delayed. Litigants are interested in how long it takes for their cases to be decided. Timeliness should therefore concentrate on cases' actual throughput times, not on individual case-processing steps or averages.

1.3.2 Case organisation

The Insurance Court of Finland has features which make it a suitable and interesting case organisation to explore workflow control. On one hand, the work in the organisation is traditional professional work, where the judges must be independent and impartial in their judicial work. On the other hand, the work also has features of routine assembly-line work. The cases of the Insurance Court are quite homogeneous, both in complexity and content, compared with general courts. The volume of incoming cases is also quite high,

and the handling process is in most cases written, resulting in the work having routine-like features. There are also strict output pressures which enhance the need to improve the efficiency of the work.

The Insurance Court is an independent and impartial special court of law, which handles matters of income security, such as matters concerning national pensions, unemployment benefits, financial aid for students, and disability benefits paid by the Social Insurance Institution of Finland. The income security matters are typically dealt with in two phases. First, the decisions made by institutions and companies granting benefits can be appealed in the appeal boards, which handle specific matters. Appeals against decisions made by these boards can be made to the Insurance Court. In many cases, the Insurance Court acts as the supreme level of appeal. However, cases concerning occupational accidents can be further appealed in the Supreme Court if it allows the appeal to be made (see Appendix A for the system of appeal).

The total number of handled cases is approximately 6,500 per year. The cases are divided into 41 case groups (for a detailed list of the case groups, see Appendix B). The personnel responsible for deciding the cases consists of 59 adjudicators: the chief judge; three heads of department; three senior assistant judges; 24 judge members (including chairmen judges); and 28 assistant judges. The three biggest case groups (employee pension matters, accident matters, and matters concerning sickness insurance law) form approximately 45 per cent of all cases. The average handling time for deciding cases is 12.7 months, but it varies from one to more than 50 months.

1.3.2.1 Organisation and administration

The Insurance Court's activities are based on The Insurance Court Act. It applies the Administrative Judicial Procedure in its decisions. The Insurance Court is part of the administrative branch of the Ministry of Justice. The Ministry of Justice administers the operational preconditions, strategic planning, and development of activities and personnel of the Insurance Court and supports the court in conducting its basic tasks.

The chief judge leads the Insurance Court and is thus responsible for organisations' activities and its productivity. The Insurance Court is divided into three departments, which are each managed by a head of department. Each department has one senior assistant judge, who assists the head of department in management and work arrangement tasks. Senior assistant judges act as department coordinators of production, and the amount of their own judicial case-handling work is scarce. Case matters are shared with departments so that the number of incoming cases is roughly equal between departments. A detailed list concerning how matters are shared with the departments is presented in Appendix C.

Other judicial staff members of the organisation include chairmen judges, judge members, and assistant judges. In addition to the judicial staff, there are also administrative staff and court clerks, who make preliminary preparations for the cases.

The organisation graph focusing solely on judicial staff members is pictured in Figure 1.2.

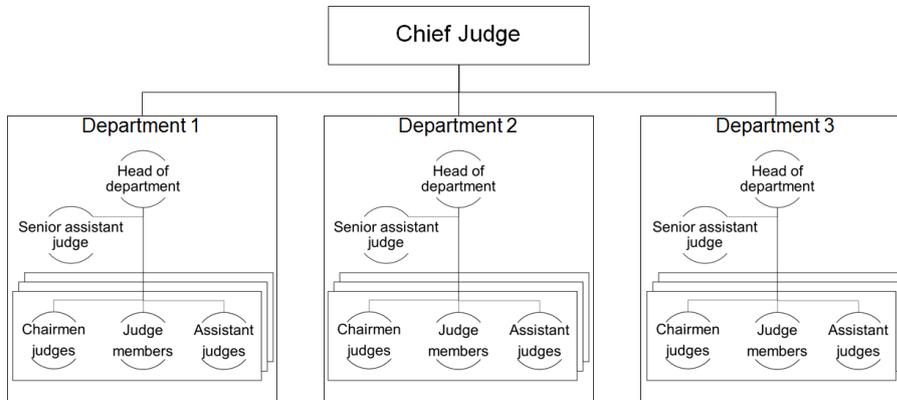


Figure 1.2: Organisation graph.

1.3.2.2 Case processing in a silo structure

The civil law tradition emphasises the judicial independence of the judge, which is required to secure the fairness of judgements. To secure the judicial autonomy of adjudicators, case handling is composed of separate process steps. This forms a sort of silo structure, in which the adjudicators work independently inside their silos. There is little need to coordinate the process, because each person taking part in the processing of a case works independently, with limited interaction with the previous or following steps.

The most typical case-handling procedure, featuring a three-membered decision-making composition, is pictured in Figure 1.3. The process starts with the court clerk doing the preliminary preparation. From court clerks, the cases move to the department's joint pile, which is administered by a senior assistant judge. The senior assistant judge delivers the case to the assistant judge to be prepared for decision making. The assistant judge prepares a memorandum and a proposition about a possible decision.

From the assistant judge, the case returns to the senior assistant judge, who delivers the case to the judge member. From the judge member, the case returns to the senior assistant judge, who delivers it to the chairman judge. When the chairman judge considers the case is ready, the case is moved to a hearing. If all adjudicators are unanimous, the case is settled without a hearing. In general, the procedure is conducted in writing, but in rare circumstances, an oral hearing is possible. Due to changes in law, hearings of cases have decreased, as has the need to coordinate the hearing rooms and schedules of participants.

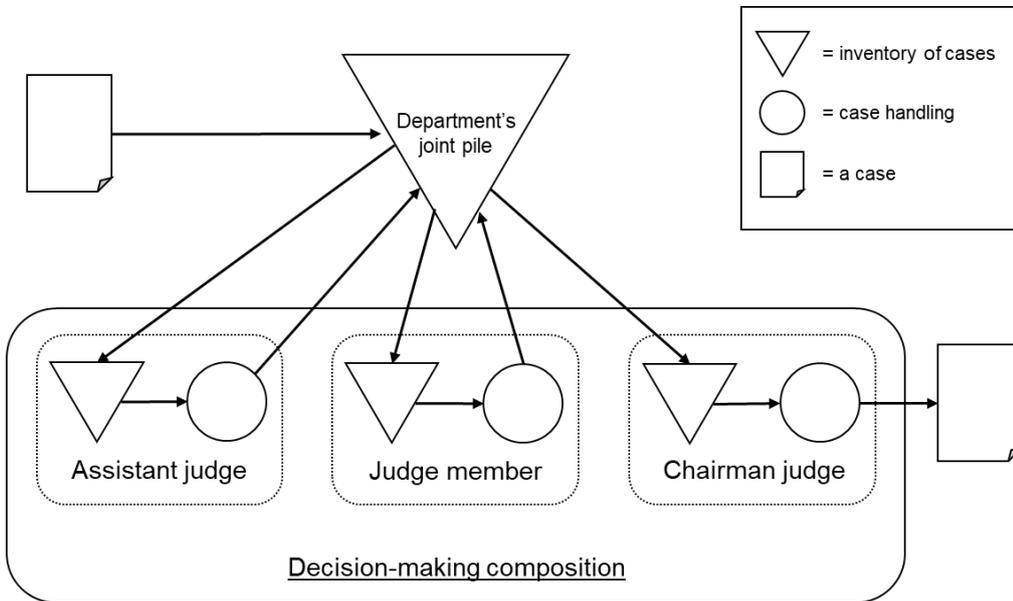


Figure 1.3: Case-processing steps.

Depending on the case group, the decision-making composition may consist of either one, two, three, or five members. Most cases are decided by either a three- or five-membered decision-making composition. In those decision-making compositions that include five members, two are part-time. Depending on the matter, these part-time members are experts in the areas of working conditions, entrepreneurship, or military injury matters. The five-membered and three-membered cases can be either purely legal matters or medical matters. In medical matters, a doctor member is part of the composition instead of an assistant judge. Cases decided by one member are simple and easy cases, such as foreclosures, cancellations, overdue cases, and cases which are returned to lower bodies. Cases decided by two members are simple appeals, which benefit from the handling of a doctor member. If the case includes significant questions of principle, it can be moved for handling in either enlarged session or plenum (see Figure 1.4).

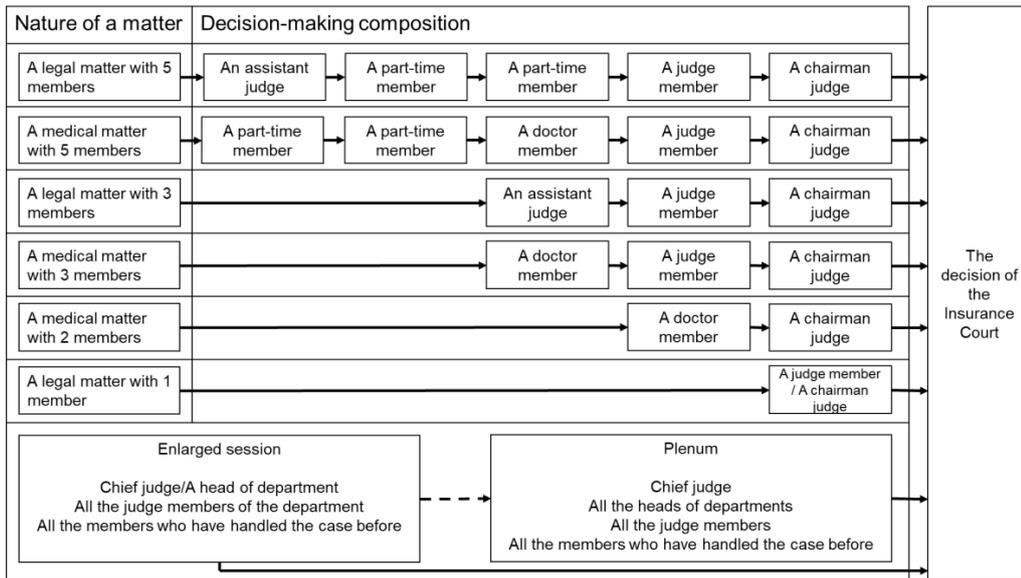


Figure 1.4: Decision-making compositions.

1.4 Structure of the thesis

The thesis contains six chapters. The first chapter is an introductory chapter which presents the background and objectives of the study including the research interest of the study. The introductory chapter also introduces the case organisation of the study.

In Chapter 2, the relevant literature for the study is presented. The literature review approaches court workflow control from the standpoints of related research themes. Research themes to be covered are the managing of professional organisations, operations management in professional organisations, and managing judges and court operations. At the end of the chapter, the research gap is presented.

Chapter 3 presents the research design and the methodological choices of the study. Grounded theory and its application in the study are presented, and the stages of the research process are described.

In Chapter 4, the study's empirical findings are presented in two stages. First, the identified tasks of professionals and managers in workflow control are described. Second, the interplay between professionals and managers is described based on analysing the tasks and their interconnections, as well as the opinions of professionals and managers on workflow control. The realisation of workflow control as an interplay between professionals and managers is analysed to form a hybrid-model of workflow control.

Chapter 5 discusses the empirical findings with relevant research themes to which the study brings new knowledge. The themes discussed are professional service operations management (PSOM) from workflow control perspective, the role and the meaning of self-management to professionals, the role of performance measurement and management and its effects on self-management, and the co-existence of professionals and managers.

In Chapter 6, the study's concluding remarks are made. This includes a discussion of the key contributions of the study, discussion of the practical implications, an evaluation of the study's quality, and a consideration of future research needs.

The structure of the thesis is summarized in Figure 1.5.

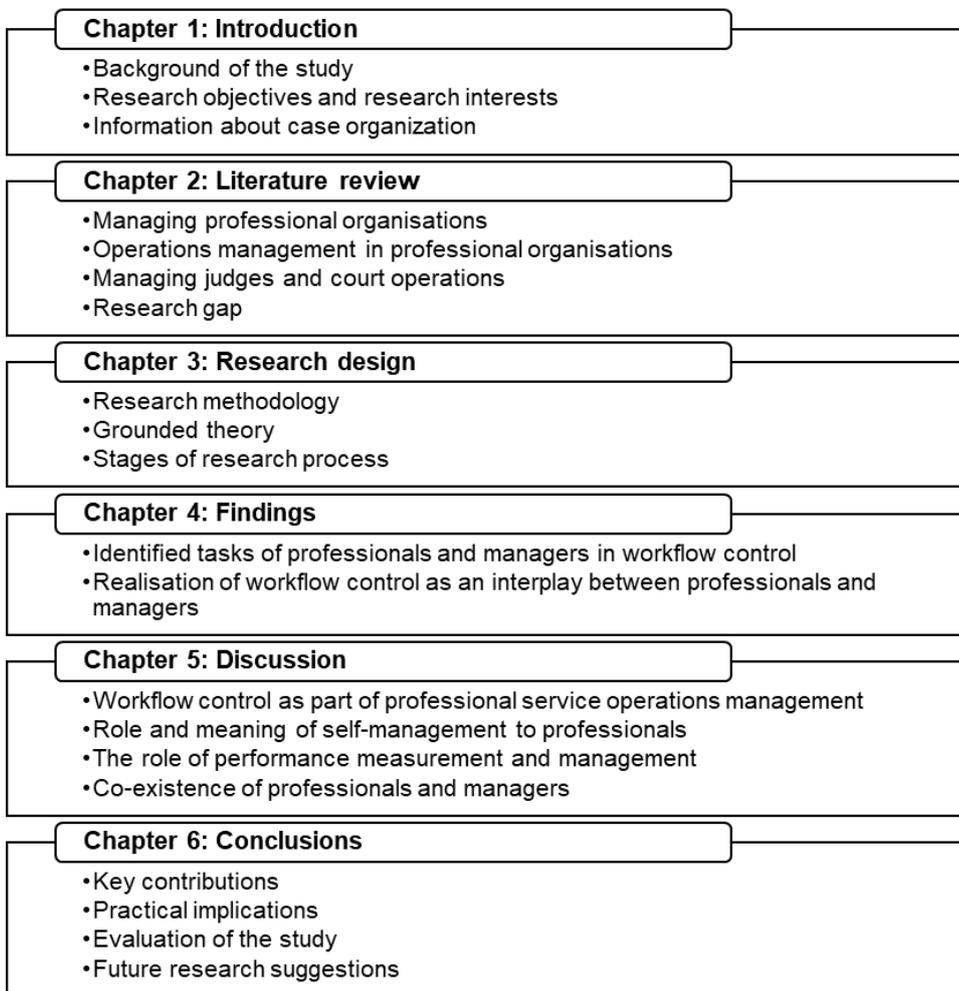


Figure 1.5: The structure of the thesis.

2 Literature review

The literature review consists of an overview of the research themes and areas relevant for the study. Research related to workflow control is lacking in the professional public organisation and court-related literature. The literature review approaches court workflow control from the standpoints of related and relevant research themes. The focus area of the research and its relation to the covered research themes and areas are presented in Figure 2.1.

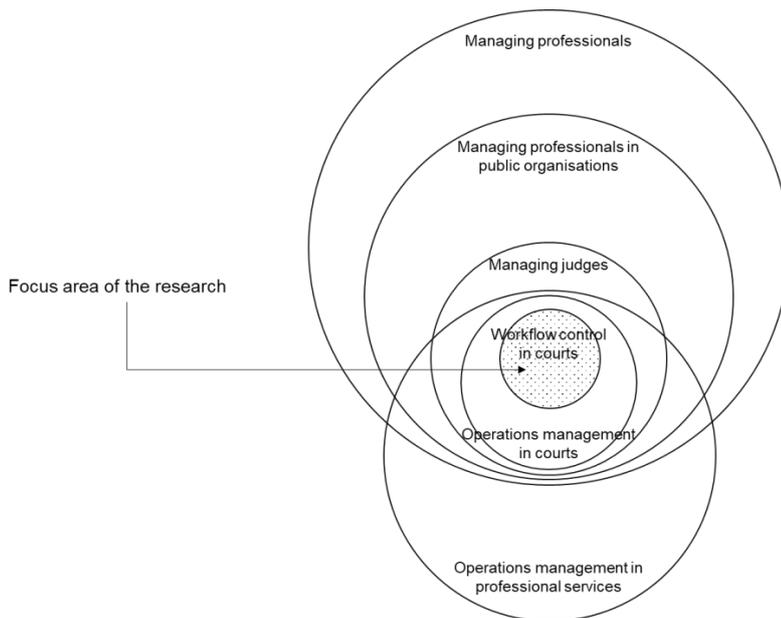


Figure 2.1: Focus area of the research in relation to literature themes.

Workflow control as part of operations management is also an area of organisation's general management. The features that influence general management in professional organisations affect operations management and workflow control. In addition, to study operations management and workflow control in courts, the special features of judges as a profession need to be understood.

Operations management in professional services has increasingly gained attention in the literature. Although the literature does not sufficiently address and focus on workflow control, it provides useful knowledge about the general issues of professional service operations management. Similarly, operations management has been studied in courts, but the focus on workflow control is lacking. For this, we need to have a thorough picture of what is known about court operations management.

The related research areas are reviewed in the following sections:

Chapter 2.1 reviews the literature concerning managing professionals and public professionals;

Chapter 2.2 reviews the literature concerning operations management in professional services;

Chapter 2.3 reviews the literature concerning managing judges and operations in courts.

Chapter 2.4 presents the research gap of the study.

2.1 Managing professional organisations

To understand the workflow control in courts, a general understanding of the underlying managerial environment of professional services is required. Managing professionals is said to differ from managing non-professionals due to the distinctive features that professionals share (e.g. de Bruijn, 2011). These features naturally also affect how operations management functions. However, the field of professionals is diverse, and professionals are employed by varying organisations, which also affects managerial efforts. Figure 2.2 illustrates the focus of this chapter in relation to the study's focus area.

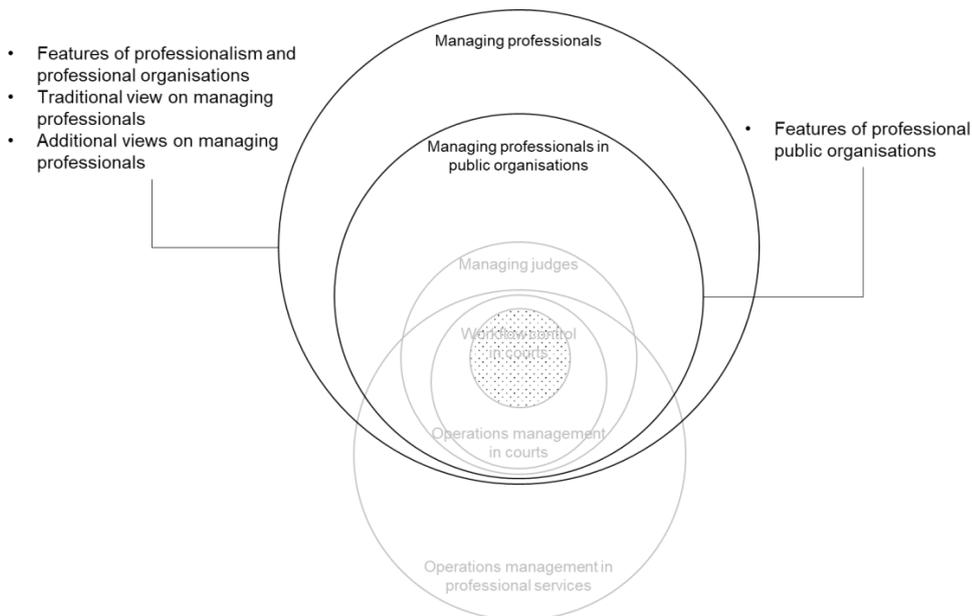


Figure 2.2: Literature themes concerning managing professionals and professionals in public organisations.

The central concepts concerning professional organisations and professionalism are addressed in Chapter 2.1.1. The central features of professional public organisations are addressed in Chapter 2.1.2. Traditionally, the highlighted need for independence and the different values of professionals are contradicted by managerial efforts (e.g. Campfield, 1965; Kennerley, 1992; Mills et al., 1983; Raelin, 1989). However, it is argued that this contradiction is often exaggerated (e.g. de Bruijn, 2011; Noordegraaf, 2016). The more traditional view of managing professionals is addressed in Chapter 2.1.3. Additional views on the management of professionals are addressed in Chapter 2.1.4.

2.1.1 Professional organisations and professionalism

A profession is a community whose members shares values, attitudes, norms, assumptions, perspectives, and social ideas and beliefs (Janus and Browning, 2014). A profession can also be considered an occupation which is knowledge-based, and which requires higher education and vocational experience (Evetts, 2003). Traditionally, professionals have a prestige and power which is based on their special knowledge and competences acquired through formal education and on-the-job learning (Hall, 1968; Larson, 1977; Mills et al., 1983).

Because of their unique body of knowledge, professionals are said to believe in collegial control (Bartol, 1979; Mills et al., 1983). It is argued that professionals tend to share common professional ethics which guide their appropriate behaviour (Bartol, 1979; Hall, 1968; Lewis and Brown, 2012; Noordegraaf, 2007). Professional knowledge is also externally regulated and controlled through professional associations and formal education (Lewis and Brown, 2012; Raelin, 1989). Traditionally, professionals tend to have a strong desire for autonomy and self-regulation in their work (Bartol, 1979; Hall, 1968; Mills et al., 1983). It is argued that independence and individual decisions and judgements are the very essence of professional work (Campfield, 1965; Raelin, 1989). Professionals are typically committed to the profession and even share a sense of calling to the work, which emphasises their need to perform well in their positions (Bartol, 1979; Hall, 1968).

A key aspect in managing professionals is how professionals are typically motivated. Campfield (1965), for example, divides the motivational factors of professionals into three categories: critical; marginal; and neutral factors. Critical factors such as identifiable achievement, diversified assignments, recognition, and status are important for professionals to achieve maximal performance. Marginal factors such as compensation, the potential of the organisation to grow, and group participation are elements of motivation that are typical both of professionals and non-professionals. Finally, neutral factors such as working conditions and job security have no significant effect on motivation if they are at a sufficient level (Campfield, 1965).

Campfield (1965) also discusses the fact that issues related to motivation become visible when professionals are employed in organisations, because this can cause the cultures of professionals and organisations to clash. Considering the age of Campfield's (1965)

categorisation, it can be assumed that methods of motivation need to be supplemented by more recent research. Another way of categorising motivation is to divide motivation into intrinsic and extrinsic motivation (e.g. Deci, 1976; Gagné and Deci, 2005; Martela and Jarenko, 2015). Intrinsic motivation is based on the satisfaction that comes from the activity itself. Extrinsic motivation is based on the external rewards the activity produces (Gagné and Deci, 2005). Professionals tend to be intrinsically motivated (e.g. Janus and Browning, 2014). Central to intrinsic motivation is that no external rewards exist. Instead, the person feels the activity is interesting and valuable in itself (Deci and Cascio, 1972; Deci, 1976; Martela and Jarenko, 2015).

The relationship between intrinsic and extrinsic motivation is further explained by the self-determination theory (SDT), for example. SDT is based on the belief that autonomous and controlled motivation exist. Autonomy refers to action based on free will. Being controlled refers to action under a sense of obligation. According to SDT, people's activities can be explained by the extent to which they are autonomous or controlled (Gagné and Deci, 2005). A direct example of autonomous motivation is intrinsic motivation. However, it is central to SDT that extrinsic motivation can vary depending on the extent to which it involves autonomous and controlled motivation. For example, the activity can be so uninteresting for the person that external rewards are required to complete it. This means that the behaviour of the person is externally regulated, which is the most controlled type of motivation. Other types of extrinsic motivation include introjected regulation (the regulation is followed but not accepted as the person's own), identified regulation (the activity is not interesting but considered important), and integrated regulation (the activity reflects the person's own values). (Gagné and Deci, 2005)

According to SDT, intrinsic motivation requires that the basic psychological needs of competence, autonomy, and relatedness are satisfied (Gagné and Deci, 2005). The need for autonomy means that persons can do things that are interesting and valuable in a way that best suits them. To satisfy the need for competence, persons must feel that they can learn and get things done by working with sufficiently challenging activities. The need for relatedness requires that the person can feel part of a group in which others appreciate and care about them. (Gagné and Deci, 2005; Martela and Jarenko, 2015)

Professionalism itself has evolved with economic, social, and cultural changes. There has been a shift from traditional self-regulated and protected professionalism towards more open and organisationally oriented professionalism (Evetts, 2011; Noordegraaf, 2016). Professional fields have become more heterogeneous and connected, with multiple logics, and the old status-like position of being professional is fading in many fields (Noordegraaf, 2016; Schott et al., 2015; Styhre, 2017). The work of professionals is also changing, as work in many professional fields is becoming more multi-problem in nature, requiring the handling of inter-professional teams (Noordegraaf, 2011). In addition, professional values and work preferences change as new generations of professionals enter the profession (Noordegraaf, 2016; Schott et al., 2015). New generations of professionals may value different aspects in their work, such as flexible and less

demanding working hours and a better work–life balance. There can also be a shift in the sense of calling to the field, because new generations are thought to be less fixated on occupations and more open to entrepreneurial identities (Dent, 2003; Noordegraaf, 2011; Styhre, 2017).

Changes in the economy have also led to the emergence of new occupations in the professional field (Ackroyd, 1996; Evetts, 2003; Styhre, 2017). These occupations are often more commercially than professionally driven, and they employ knowledge workers who are experts in their working area, but who differ from “traditional” professionals in their background (Ackroyd, 1996). There is even a debate about the term “professional”, and it is often substituted by the term “knowledge worker” to provide a broader term, which also covers new kinds of expertise that lack the historical background of traditional professions (Styhre, 2017).

2.1.2 Professional public organisations

Research into professional organisations can be roughly divided into two categories: research that concentrates on professional service firms; and research that concentrates on professional public organisations. Research concerning professional service firms concentrates more on the aspects of retaining and motivating professionals. Research concerning professional public organisations concentrates more on coordinating organisational and professional activities (von Nordenflycht, 2010).

Professional public workers and organisations share some features which differentiate them from private organisations and their professionals. Public workers tend to be intrinsically motivated, and the motivation is based more on rational, normative, and affective motives (Johansson, 2015; Perry and Wise, 1990). Normative motives tend to be emphasised, because it is suggested that public servants typically value the possibility to serve the public interest and benefit society (Caillier, 2016; Perry and Wise, 1990). However, Perry and Wise (1990) note that some of the motives of public servants are also rational and affective in nature, such as committing to public work because of personal identification with it or because of an altruistic desire to work for the benefit of all.

Public organisations are accountable to the public, and they provide public services to citizens (Bezes et al., 2012; Parker and Bradley, 2000; Rainey et al., 1976). Public organisations are controlled by political not market forces (Parker and Bradley, 2000; Rainey et al., 1976). Goals and processes are affected by central bureaucracies and legislation (Parker and Bradley, 2000). The political constraints limit public managers’ actions. It can be said that managers in public organisations have less flexibility than their private counterparts (Rainey et al., 1976). The hierarchical culture results in more formal and risk-averse processes and rational rules (Hazlett et al., 2013; Parker and Bradley, 2000).

Public organisations often also have a sort of monopolistic status (Rainey et al., 1976). For example, court organisations have no rival organisations competing with customers.

However, public organisations face more public scrutiny than private sector organisations (Rainey et al., 1976). It is also believed that public organisations have different goals from private organisations. It is expected that the goals of public organisations are based more on values and ethical perceptions such as equity and the common weal, which is less prominent in the private sector (Radnor and O'Mahoney, 2013). Public organisations tend to have multiple stakeholders, such as political actors, users of services, and personnel who place conflicting demands and restraints on the organisations (Hazlett et al., 2013). The varying demands also result in vagueness about objectives, which in turn makes performance measuring and using incentives, for example, more challenging (Rainey et al., 1976).

Professional public organisations are typically organised by applying the characteristics of professional bureaucracies (Parker and Bradley, 2000). Because of this, public bureaucracy is used as a synonym for a professional public organisation. Generally, bureaucracy refers to an organisational structure, in which the behaviour of the organisation is predictable and formalised. The formalisation of behaviour can happen mainly through formalisation by job, formalisation by workflow, or formalisation by rules (Mintzberg, 1983). According to Adler (1999), two main functions of bureaucracies can be identified: bureaucracy may be either coercive or enabling. If bureaucracy is coercive, its main function is to control employees through hierarchy and formal procedures. If bureaucracy is enabling, its main function is to support the work of employees.

In professional bureaucracies, operative work is complicated and requires a high level of expertise, which means that professional workers control the work themselves. Hence, the organisation must rely on the standardisation of skills as a coordination mechanism, because it enables the simultaneous standardisation and decentralisation of power. In traditional professional bureaucracies, professional workers are given considerable autonomy in their work, and no formal managerial controls concerning the operative core exist. Standardisation of skills, which coordinates activities, happens mainly through education, on-the-job learning, and collegial influencing. Professional associations create norms and requirements for professionals which are transferred through education to new professionals so that they can work in accordance with these professional norms. It is said that traditional professional bureaucracy is ideal for professional workers for two reasons. First, it is democratic, because power is distributed from management to professionals. Second, it gives professionals great autonomy, because they are not pressured to coordinate their activities with other workers. (Mintzberg, 1983)

However, standardisation of skills is a rather loose coordination mechanism, and it is not always enough to cover the organisation's coordination needs. When there are no formal managerial controls, there is no means to handle professionals who are not working appropriately (Mintzberg, 1983). Professional bureaucracies can also be rather inflexible. The structure does not encourage innovation but relies on routines. The coordination of activities using anything other than the standardisation of skills is difficult, because work processes, for example, are typically too complex to be standardised. (Koulu et al., 2019)

Public services have long been criticised for their inefficient performance and use of public finance, which has caused the public sector to conduct reforms in its managerial practices since the 1970s (de Bruijn, 2002a; Myrsky, 2013; Noordegraaf, 2016). These reforms have aimed to diminish bureaucratic features and the inefficiency of public organisations by enhancing the market-driven mindset and the role of citizens as customers of public services (Myrsky, 2013). The reforms have been inspired by models of public choice theory and new public management (NPM). The separation of politics from administration is central to NPM. This means that the managers of public organisations should manage their organisations according to economic rationalities instead of political ones. NPM also highlights the adoption of administrative concepts from the private sector, such as cost control, financial transparency, accountability, customer orientation, and performance measurement. (Box, 1999; Farrell and Morris, 2003)

As a result of this debate around reforming public organisations, financial accountability and measuring the efficiency of organisations and individuals have been brought to the attention of the public sector (Thomas and Davies, 2005). For example, in Finland, management by results has been broadly applied in public organisations since the 1990s (Myrsky, 2013). Central to management by result is the shift from regulation to objectives. Objectives are agreed in advance, and their achievement is measured, monitored, and reported regularly (Kuoppala, 2005; Myrsky, 2013). Typically, management by results also includes performance-related incentives, which aim to motivate employees to pursue set objectives (Kallio and Kallio, 2014). However, it is shown that transferring tools and ideologies from the private to the public sector can be challenging due to the special features of public and professional workers (e.g. Kallio and Kallio, 2014; Radnor and O'Mahoney, 2013; Weibel et al., 2010).

2.1.3 Traditional view on managing professionals

Traditionally, it is claimed that managing professionals is more difficult than managing non-professionals due to the clash of cultures between managers and professionals (Campfield, 1965; Mills et al., 1983; Raelin, 1989). This is especially brought to our attention in research about professional bureaucracies, which argues that there is a tension between professional autonomy and bureaucratic control (Abernethy and Stoelwinder, 1990; Campfield, 1965; Kennerley, 1992; Vermaak and Weggeman, 1999). The tension is based on the different needs of professionals and organisations.

The need for autonomy is a basic value in professional work, which has its roots in protecting the profession from outside forces (e.g. Campfield, 1965; Kennerley, 1992; Raelin, 1989; Vermaak and Weggeman, 1999; Waring and Currie, 2009). From the practical perspective, autonomy is needed to execute demanding and ambiguous professional work which requires professional discretion (Raelin, 1989). Because professionals consider themselves conscientious and autonomous workers who are accountable for their own work, it is argued that they neither need nor want any managerial efforts to control their actions (Scott, 1965). Professionals are said to dislike

direction and supervision, as well as anything that resembles bureaucracy and formal procedures (e.g. Brightman, 2000; de Bruijn, 2011; Hernes, 2005; von Nordenflycht, 2010; Vermaak and Weggeman, 1999). As external supervision may cause professionals to lose their motivation for work, managers of professionals face the dilemma of having control over the organisation while also granting autonomy to professionals (Kennerley, 1992; Mintzberg, 1983; Raelin, 1989).

Another challenging feature of managing professionals is the tacit and ambiguous nature of professional knowledge. Professionals are often experts of a narrow and specialist set of knowledge and skills, and the work they conduct can be ambiguous for non-professionals (de Bruijn, 2011; Hall, 1968; Mills et al., 1983; Noordegraaf, 2007). This means that the outcomes of the work are often difficult to measure (von Nordenflycht, 2010; Raelin, 1989). When the outcomes and the quality of the work are difficult to evaluate, it is also difficult to construct relevant evaluation systems for managers (Kallio and Kallio, 2014).

In general, controlling professional activities can be difficult, because the manager cannot be a master in all special aspects of professional work (Mintzberg, 1983; Vermaak and Weggeman, 1999). The tacit knowledge base of professionals may especially cause challenges if managers come from outside that profession. If managers and professionals do not speak the same language, and their reasoning differs, it may cause misunderstandings (de Bruijn, 2011). De Bruijn (2011) argues that managers who do not master the same knowledge base as professionals, may tend to compensate for this lack of knowledge with processes and structures. This in turn creates more bureaucracy and control, which professionals tend to dislike.

The tendency of professionals to value autonomy and do their work in their own way results in a variety of different practices. Trying to control these varying practices is challenging – for example, when there is a need for intervention (de Bruijn, 2011). De Bruijn (2011) suggests that this variety causes two challenges for managers. If the managers try to control the professional activities by allowing this variety of practices, it can lead to an overwhelming number of different rules and procedures for different kinds of situation. Yet if managers do not take the variety into account but only offer a “one size fits all” solution to issues, it may distort the activities of professionals. (de Bruijn, 2011)

Professionals and especially public professionals are said to be motivated differently from other workers (Janus and Browning, 2014). Professionals can share norms and values, such as a “calling” to the work and a sense of responsibility to protect the interests of society that contradict typical economic or organisational values (e.g. Bartol, 1979; Caillier, 2016; Hall, 1968; von Nordenflycht, 2010; Mills et al., 1983; Perry and Wise, 1990). The value base and the tendency to be intrinsically motivated can cause challenges to management. Several studies note that external reinforcements may decrease intrinsic motivation (e.g. Deci and Cascio, 1972). On the other hand, verbal reinforcements, for example, tend to have a generally positive effect on intrinsic motivation. However, the

effect of verbal reinforcements may depend on how it is done, and how it is received (Deci and Cascio, 1972; Deci et al., 1989). It is also noted that managerial practices such as management by results can decrease the motivation of professionals, because professionals may feel that it contradicts their values and their motivational base (Kallio and Kallio, 2014).

2.1.4 Additional views on managing professionals

Professionalism has evolved over the years, and it is still constantly evolving (Noordegraaf 2007; Noordegraaf, 2011; Noordegraaf, 2016). The traditional literature, which highlights the conflict between managers and professionals (e.g. Campfield, 1965; Kennerley, 1992; Mills et al., 1983; Raelin, 1989), may paint an excessively dichotomous image of managing professionals.

One of the challenges in managing professionals is based on the statement that managers and professionals come from different backgrounds which cause misunderstandings between them. It is suggested that professionals prefer to be managed by fellow professionals than managers from outside the profession (de Bruijn, 2011; McAuley et al., 2000). However, Farrell and Morris (2003) raise the fact that managers of professional organisations are indeed often professionals themselves with the same background as other professional workers. Having a similar understanding of the subject is often considered very important by professionals, and management effectiveness is often better when managers are members of the profession themselves (de Bruijn, 2011; McAuley et al., 2000; McLaren, 2009). Professionals are also increasingly involved in managerial activities alongside their professional duties, although they do not act as managers (Dent, 2003). It may therefore be an exaggeration to refer to the clash of cultures between managers and professionals (e.g. Raelin, 1989).

The clash of cultures is also diminished by the fact that professionals, especially in the public sector, have long been employed by organisations and are hence subjects of bureaucratic controls (e.g. de Bruijn, 2002a; Noordegraaf, 2016; Myrsky, 2013). This has led professionals to accept and adopt organisational values and procedures in their professional work (Noordegraaf, 2011; Schott et al., 2015). It is even said that accountability, standardisation, and performance management are an undeniable part of professional work and logic (Evetts, 2003; Evetts, 2011). These aspects, alongside other economic, societal, and political changes, have triggered professionals to adopt new values and ways of working which have caused the line between organisational and professional cultures to blur (Noordegraaf, 2007; Noordegraaf, 2016).

Peer control typically plays a central role in professional organisations (Bartol, 1979; Mills et al., 1983). This means colleagues give feedback and correct the possible mistakes professionals make. However, there can be situations when this collegial control fails to work correctly. For example, professionals may be too isolated from each other, the relationships between professionals may be too hierarchical, or professionals may not wish to intervene in each other's businesses. When collegial control mechanisms fail,

management's structural and procedural interventions are needed to ensure the needs of clients and the public can be met (de Bruijn, 2011). Thus, although collegial peer control may exist, professionals often also face managerial controls.

Because professional work is highly knowledge-intensive, it is typically connected to the need for autonomy in work. It is traditionally suggested that professionals should have operational independence in their work, and management should concentrate on activities which support professionals in their work such as planning, organising, and coordinating (Mintzberg, 1998; Raelin, 1989; Vermaak and Weggeman, 1999). When managers play a supportive role, professionals are left to be self-managing. Self-management refers to the process in which employees set their own goals and schedules, monitor their own performance based on the goals, and develop their activities based on the monitoring (Manz and Sims, 1980; Savaspuro, 2019). It is central to self-management that employees have a real possibility to affect their own work without needing the acceptance of managers (Savaspuro, 2019).

It is argued that self-management covers only behavioural strategies, so the broader term of self-leadership has been introduced to cover the cognitive and intrinsically motivating strategies of self-influence (e.g. Konradt et al., 2009; Manz, 1986; Neck and Houghton, 2006; Stewart et al., 2011). Some studies indicate that there is a positive relationship between self-leadership and performance (e.g. Dolbier et al., 2001; Konradt et al., 2009; Neck and Houghton, 2006). It is noteworthy that self-leadership interacts with external leadership (Stewart et al., 2011). Hence, the manager's task is to facilitate and reinforce the self-leadership of employees and provide support and resources for them (Brightman, 2000; Stewart et al., 2011).

Self-leadership is said to be intrinsically motivating (Stewart et al., 2011). Supporting professionals' motivation is considered important in managing professionals, because motivation is related to performance and wellbeing at work (Gagné and Deci, 2005; Konradt et al., 2009). It is suggested that to enhance intrinsic motivation, there should be support for autonomy, non-controlling positive feedback, and an acknowledgement of others' perspectives (Deci et al., 1989). Janus and Browning (2014) also conclude that it is key in managing professionals' motivation to consider that professionals tend to find pleasure from the content of their work and recognition by their peers.

It has been suggested that managing professionals should be covert and subtle – more guiding and nudging than directly controlling (Kerfoot, 2002; Mintzberg, 1998; von Nordenflycht, 2010). However, there are also contradictory views. For example, Hernes (2005) concludes that professionals do not necessarily feel that there is a tension between autonomy and managerial efforts. On the contrary, Hernes (2005) notes that professionals occasionally seem to long for more managerial attention than managers can give to professionals. It is suggested that professionals may expect managers to be more active in motivating them, as well as in giving directions so that professionals can meet the goals of the organisation (Hernes, 2005). Traditionally, features of accountability and performance efficiency are said to contradict professionals' autonomy. However, it must

be remembered that performance measurement and management can leave room for professional autonomy (Briscoe, 2007; de Bruijn, 2011). When the manager is only interested in the outcome of work, it leaves room for the professional to conduct it independently if the outcome is met.

In general, bureaucratic features are often contradicted by professional attributes (Abernethy and Stoelwinder, 1990; Campfield, 1965; Kennerley, 1992; Vermaak and Weggeman, 1999). Interestingly, it has been noted that the relationship between bureaucratic controls and professional attributes is not especially straightforward (e.g. Briscoe, 2007; Kärreman and Alvesson, 2004; McAuley et al., 2000). McAuley et al. (2000), for example, note that professionals' attitudes towards bureaucratic controls are not always negative. Instead of protesting against bureaucratic demands, professionals may take them for granted and adopt them as part of their work, because it is felt that bureaucracy leaves room for professionals to concentrate on their specialities (McAuley et al., 2000). This view is supported by the findings of Briscoe (2007), who concludes that bureaucracy can enhance the flexibility of the professional worker, because bureaucratic features shield professionals against the demands of work.

Kärreman and Alvesson (2004) have studied the relationship between bureaucratic controls and normative controls in the professional organisation. Normative controls refer to managerial practices which aim to direct social identities of the workers – for example, through organisational culture and shared beliefs. The authors note that the relationship between bureaucratic and normative controls is not straightforwardly contradictory. On the one hand, there can be room for flexibility and discretion of professionals, even though the organisation has bureaucratic controls such as a hierarchy or standardisation of work procedures. On the other hand, normative controls can reinforce the inflexibility of bureaucratic controls. For example, a culture which emphasises subordination and obedience can enhance the effect of bureaucratic controls so that professionals feel more pressure to obey the instructions and rules. This also works the other way round: bureaucratic structures can affect how organisational culture develops (Kärreman and Alvesson, 2004).

Instead of managers contradicting professionals, professional organisations need to integrate both managerial and professional logics in their conjoint working culture (Noordegraaf, 2011; Vermaak and Weggeman, 1999). For example, organisations may introduce new forms of management such as developing the work duties of persons who are not officially managers to include some activities which require managerial understanding. This helps to disperse managerial competences in the organisation at a broader level (Lega and Sartirana, 2016). Yet professionals can develop methods such as co-option, adapting, and circumventing to respond to managerial activities to blur the boundaries between professional and managerial work (Waring and Currie, 2009). It is suggested that managing in professional organisations should happen through collaboration with professionals (Vermaak and Weggeman, 1999). Professionals should have an opportunity to contribute to the organisation's goals, and managers should create circumstances that make this possible.

2.2 Operations management in professional organisations

In studying the actual daily operations of workflow control, operations management in professional organisation settings is an essential research area. Figure 2.3 illustrates the content of the chapter in relation to the focus area of the study.

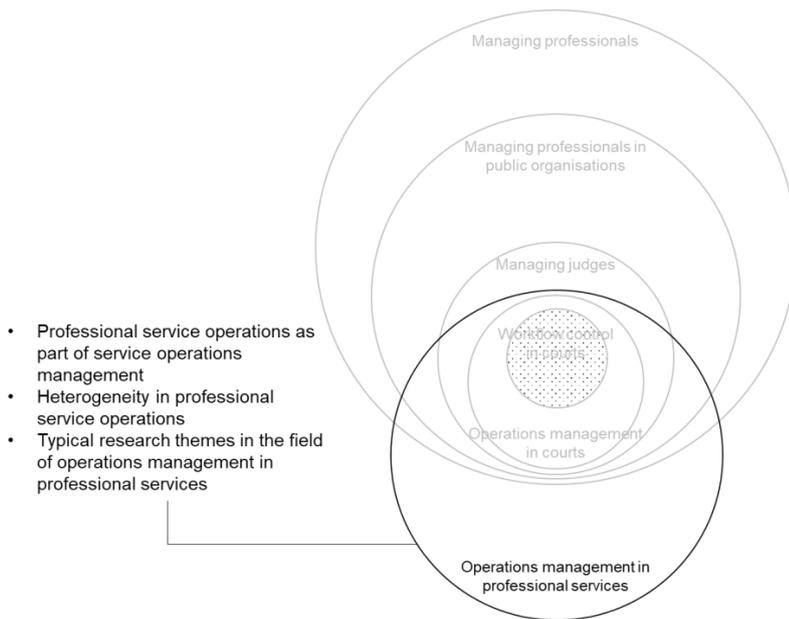


Figure 2.3: Literature theme of operations management in professional services.

In recent years, professional service operations management (PSOM) has gained attention in the literature as the importance of studying professional service settings from the operations management perspective has been noted (Harvey et al., 2016; Lewis and Brown, 2012). PSOM has its origins in service operations management. This origin and the positioning of professional services in the large field of different services is addressed from the operations management perspective in Chapter 2.2.1. Chapter 2.2.2 deepens the traditional view of professional service operations and addresses the heterogeneity of professional service operations features. Chapter 2.2.3 reviews typical operations management research themes, which are studied in professional service settings.

2.2.1 Traditional view of professional service operations as part of service operations management

Operations management research has traditionally concentrated on manufacturing but has started to take an interest in service operations as services have begun to gain increasing

economic attention (Chase, 1981; Chase and Apte, 2007; Heineke and Davis, 2007; Nie and Kellogg, 1999). Researchers have aimed to classify the diverse group of services into separate service types to outline some general guidelines for managing service operations (Chase and Apte, 2007; Cook et al., 1999; Heineke and Davis, 2007). As a result, several propositions for service groups have been suggested (e.g. Chase, 1978; Chase, 1981; Kellogg and Nie, 1995; Mills and Margulies, 1980; Schmenner, 1986; Silvestro et al., 1992).

In several classifications, professional services are categorised into one homogeneous service type (e.g. Kellogg and Nie, 1995; Mills and Margulies, 1980; Schmenner, 1986; Silvestro et al., 1992; Silvestro, 1999). Mills and Margulies (1980) base their classification on the interface between the service employee and customer. As a result, they identify three groups of services: maintenance-interactive; task-interactive; and personal-interactive. According to the classification, professional services can be seen as an example of personal-interactive services, in which the service is based on personal problems personally brought to the service provider by the customer.

Many classifications are based on two-dimensional matrices, which the classifications of Schmenner (1986), Silvestro et al. (1992), Silvestro (1999), and Kellogg and Nie (1995) exemplify. Schmenner (1986) introduces a classification called the service process matrix, in which services are categorised based on the degree of customer interaction and the degree of customisation. According to the classification, professional services are significant in both dimensions. In the classification presented by Silvestro et al. (1992) and Silvestro (1999), services are categorised based on the volume/variety diagonal. According to the classification, professional services typically have a low volume of customers per period and high levels of customer contact, customisation, and discretion. Similar themes are repeated in the classification of Kellogg and Nie (1995), which is based on the dimensions of the service package and service process. In their classification, expert services are also considered to consist of high degrees of customer influence and a high degree of customisation. The central features which affect operations management in professional services are aimed at identifying them through these different classifications and other examinations. The features traditionally referred to in such classifying studies are linked to the nature of the customer's role, the nature of processes and service output, and the nature of professional work.

In general, the aspects of the customer's role can be divided into the amount of customisation and customer contact (e.g. Mills et al., 1983; Schmenner, 1986; Silvestro et al., 1992; Silvestro, 1999). The amount of customisation means the level to which the service is modified according to customer requirements (Kellogg and Nie, 1995; Schmenner, 1986). The amount of customer contact refers to the level to which the customer is part of the service process (e.g. Kellogg and Nie, 1995; Mills et al., 1983). Customer contact often encompasses the aspect of customer influence, meaning that the customer influences the service process by providing material and affecting the time of demand, as well as the nature and quality of the service (Chase, 1978; Chase, 1981; Mills et al., 1983; Silvestro, 1999).

As can be seen in the examples above, professional services are typically said to have a high degree of customisation and large amount of customer contact (e.g. Greenwood et al., 2005; Kellogg and Nie, 1995; Maister, 1982; Schmenner, 1986; Silvestro et al., 1992). This combination creates uncertainty for service operations (Chase, 1978). Customers may have varying needs at varying times, and interaction with customers can create risks of disturbances (Kellogg and Nie, 1995; Wemmerlöv, 1989). This means that the service process must be flexible enough to adapt to variation and uncertainty (Kellogg and Nie, 1995; Silvestro, 1999). The unpredictability of customer needs and customer interaction also means that the nature of workflow activities can be difficult to forecast (Kellogg and Nie, 1995; Mills et al., 1983; Wemmerlöv, 1989). Because of this unpredictability, capacity rarely matches demand, making capacity management difficult (Chase, 1978; Kellogg and Nie, 1995).

The high level of customer interaction and customisation makes professional services difficult to reproduce or standardise (Silvestro, 1999). The service process and output are complex and intangible, because each customer requires unique service solutions (Chase, 1981; Kellogg and Nie, 1995; Mills and Margulies, 1980; Mills et al., 1983). This complexity means the output is difficult to measure and control (Mills et al., 1983). It is also said that the professional service process typically takes a long time (Silvestro, 1999; Stumpf et al., 2002; Wemmerlöv, 1989).

In addition to the features of customer contact and the service process, the nature of professional workers is central in professional service classifications. In the typologies in which professional services are considered to have high degrees of customisation and customer contact, it is expected that professional workers often operate in close interaction with the customer (Greenwood et al., 2005; Mills et al., 1983). This means that in addition to mastering a complex subject knowledge base, professionals need to have competences in customer relationships. In general, it is assumed that professionals need a high degree of autonomy in their work, and due to their shared need for autonomy and the special knowledge base they share, professionals tend to be self-responsible and peer-controlled, because managing professionals relies on soft influencing (e.g. Mills et al., 1983; von Nordenflycht, 2010; Silvestro, 1999).

Because of the professional nature of the service, customers are often unable to judge its quality or the service provider's competence (Greenwood et al., 2005; Mills and Margulies, 1980; Silvestro, 1999). Professional service work is also considered labour-intensive, which creates a need to pay special attention to hiring and training, as well as to scheduling and managing the workforce (Kellogg and Nie, 1995; Schmenner, 1986; Silvestro, 1999). As producing the service requires highly professional workers, substituting these workers with technology or a temporary workforce is said to be challenging (Kellogg and Nie, 1995; Silvestro, 1999).

2.2.2 Heterogeneity in professional service operations

Classifications of services are made to separate the diverse set of services into smaller categories to make it easier to define some general principles about operations management and marketing practices for these categories (Chase and Apte, 2007; Cook et al., 1999; Heineke and Davis, 2007). However, it is noted that classifying services into homogeneous groups such as professional services having a high degree of customisation and customer contact, flexible processes, and a highly professional workforce is challenging and problematic (Harvey et al., 2016; Heineke and Davis, 2007). Such generalising classifications do not take the contingencies and variations found in professional services into account (Fincham, 2012; Harvey et al., 2016). In addition, many of the classifications are theoretical in nature, meaning that they lack empirical evidence (Verma, 2000).

In general, it is assumed that professional services are those services that are delivered by professionals or produced according to professional norms (Løwendahl, 2005; Scott, 1965). However, it is shown that a professional workforce and professional work itself have considerable variation (Consoli and Elche, 2013; Jaakkola and Halinen, 2006; Walsh and Gordon, 2010). For example, most classifications do not distinguish between public and private organisations, even though it is clear that this affects the features of the service (e.g. Ackroyd, 1996; von Nordenflycht, 2010; Walsh and Gordon, 2010). Walsh and Gordon (2010) touch on this subject by highlighting the difference between professionals who work in professionally oriented and market-oriented organisations. They note that in professionally oriented services, it is more common to use knowledge-based expertise, and in market-oriented services, it is more typical to use collaborative or efficiency-based expertise.

According to Consoli and Elche (2013), the knowledge base and the ways knowledge is applied in professional organisations vary from transmitting information requiring intermediate skills from routine practices to transforming and creating information requiring high skills through novel problem-solving activities. Jaakkola and Halinen (2006) criticise general professional service research for its exaggerated view of professional autonomy and altruism. They conclude that this research does not consider the increased impact of market forces and organisational factors on traditional professional values. Another view of the heterogeneity of professional work is offered by Hopp et al. (2009), who note that professional work should be defined according to the task level, not according to who performs the task. New technologies and organisational changes have transformed the work so that it is not only professionals who perform activities that require discretion and knowledge (Hopp et al., 2009).

Attempts have also been made to categorise professional services further into subcategories. Fincham (2012), for example, uses the knowledge base of professionals to distinguish five different professional groups: professions; professional services; business services; quasi-professions; and knowledge work. These groups differ in their power strategy, knowledge base, and organisational form. For example, professions and

professional services both rely on occupational control of work, but professions are organised as independent practices, and professional services are organised as firms. Business services, quasi-professions, and knowledge work, on the other hand, rely more on managerial and marketisation controls.

Smedlund (2008) categorises professional services according to their level of innovativeness. In this classification, four different subgroups are identified: operational services; experimental services; tactical services; and high-potential services. Operational services on one end of the classification are described as clearly specified services which are delivered following certain processes and operations. High-potential services on the other end of the classification are described as radically innovative services (Smedlund, 2008). Yet another way of classifying professional services is presented by Harvey (2011), who identifies six different categories: professional service firms (such as law firms); professional bureaucracies (such as hospitals or universities); technology-based services with customer contact (such as technical support companies); technology-based services without direct customer contact (such as air transport); quasi-manufacturing services; and internal professional services. However, it is important to note that making classifications even inside professional services is difficult due to the variation between different organisations (Fincham, 2012). It must be remembered that the lines between these different groups of professional services are blurred, and some services do not necessarily fit clearly into a single category (Fincham, 2012; Harvey, 2011).

It is suggested that managing professional services happens more through subtle influencing than concrete managerial activities (e.g. Mills et al., 1983; Silvestro, 1999). However, it is noted that this generalisation is not especially straightforward in the operations management of professional services (Harvey et al., 2016; Lewis and Brown, 2012). Lewis and Brown (2012) conclude that although professional and organisational factors can complicate the implementation of traditional operations management interventions, this does not mean there is no potential for effective operations management in professional services. Harvey et al. (2016) share this view, highlighting that professional service operations management should not concentrate only on subtle influencing but instead pay attention to the practical implementation of simple rules to direct professional routines.

Professional services are often said to have considerable customer interaction and customisation of services (e.g. Greenwood et al., 2005; Maister, 1982; Schmenner, 1986; Silvestro et al., 1992), and this in turn affects operations management in professional service organisations (e.g. Chase, 1978; Kellogg and Nie, 1995; Wemmerlöv, 1989). Although this may be true in some professional organisations, it is apparent that the degree of customer interaction and customisation varies notably across different professional organisations, and even within one organisation (Brandon-Jones et al., 2016; Lewis and Brown, 2012; Løwendahl et al., 2001). For example, Lewis and Brown (2012) note that one professional organisation may have varying levels of customer interaction and customisation, ranging from very limited to significant.

This is supported by Brandon-Jones et al. (2016), who conclude that the degree of interaction with customers can vary notably across different professional workers. For example, more senior professionals may play a client-focused and creative role, whereas professionals in the early phase of their career tend to have more routine tasks (Brandon-Jones et al., 2016). Of course, differences in customer interaction and customisation affect the nature of service processes, as Lewis and Brown (2012) note. They state that the processes in professional service organisation can sometimes be very standardised, with only limited customisation. Interestingly, they also discuss how the variations in the service process tend to be based more on professionals' preferences than customers' interaction.

2.2.3 Professional service operations management research themes

In addition to research concentrating on mapping the special features of professional services from the operations management perspective, other research themes concerning operations management issues in professional organisations have been rather scattered. It is acknowledged that operations management in professional organisations differs from that in other service organisations (e.g. Goodale et al., 2008; Harvey, 2016; Lewis and Brown, 2012). How this difference is manifested is studied from multiple perspectives. These include issues such as coordination, collaboration, and control (e.g. de Blok et al., 2014; Broekhuis and van Donk, 2011; Harvey, 1992), process management and improvement (e.g. Dobrzykowski et al., 2016; Radnor, 2008; Rahimnia and Moghadasian, 2010), and performance management (e.g. de Bruijn, 2011; Elg et al., 2013; Radnor and McGuire, 2004).

2.2.3.1 Collaboration, coordination, and control

Professional services typically consist of different components, and the service is delivered in cooperation between different service providers. This causes interfaces in service delivery both between service workers (de Blok et al., 2014; Senot et al., 2016) and different organisations and functions (Harvey, 2016; Zhang et al., 2016). De Blok et al. (2014) point out that different rationalities behind interfaces between service providers can exist. The rationalities vary, depending on whether information or customers are processed, and whether the interface aims to create variety or coherence in the service process (de Blok et al., 2014). Coordination between different service providers can be affected by collaboration issues. Senot et al. (2016) note that differences in cultures and hierarchical positions mean there can be gaps between different professionals which complicate information sharing and collaboration. Managers in professional organisations need ways to close the gaps through new forms of collaboration which overarch both hierarchical and functional levels (Senot et al., 2016). Both de Blok et al. (2014) and Senot et al. (2016) suggest that a combination of formal and informal mechanisms is needed in fostering coordination and collaboration between professionals.

In professional bureaucracies, coordination is traditionally said to concentrate on the standardisation of skills rather than work processes, due to the nature of professional work

(Mintzberg, 1983). It is noted that customer related uncertainty and specialist silo-like departments and functions of professional service delivery cause challenges to coordination (Broekhuis and van Donk, 2011; Harvey, 1992; Prætorius, 2016). Coordination is also affected by the contradiction that lies between professionals' need for autonomy and organisational controls (Harvey, 1992; Prætorius, 2016). Because professionals traditionally like to maintain their autonomy, they tend to avoid situations where they need to synchronise their activities with others (Harvey, 1992). This creates distance between different professionals, which complicates coordination efforts. Despite these challenges, it is suggested that appropriate coordination of a professional organisation's activities leads to higher quality and efficiency (Prætorius, 2016).

Broekhuis and van Donk (2011) note in their study of hospitals that there can be a variety of coordination mechanisms in professional service settings, ranging from unstructured to structured modes of coordination. The unstructured modes of coordination such as unstructured oral communication and feedback are suitable for the complex professional context. The structured modes of coordination such as standardised work processes and time-structured communication are needed to respond to the external demands of the organisation. Although the standardisation of work processes has its challenges in professional organisations, Prætorius (2016) notes that standardised work processes such as care pathways in hospitals are increasingly used to gain efficiency profits. A similar view is shared by Heineke (1995), who notes that standardisation of practices seems to improve performance in professional organisations as well. It can be concluded that coordinating professionals is about finding a balance between unstructured and structured modes of coordination (Broekhuis and van Donk, 2011).

Harvey (2016) and Zhang et al. (2016) concentrate on broader coordination issues. Harvey (2016) focuses on illustrating the system-wide perspective on coordinating professional service supply chains. It is suggested that to understand professional service supply chains, there is a need to understand and map the interprofessional interfaces along the service delivery (Harvey, 2016). Zhang et al. (2016) concentrate on coordination issues in professional service networks in global organisations. They identify the main network capabilities linked to resources, coordination, and organisational learning, concluding that these main capabilities should be aligned with customer needs to increase the quality of the service. From the coordination perspective, it is highlighted that common working practices should be established in key service areas to support innovation and leave space for autonomous decision making (Zhang et al., 2016).

The relationship between professionals and organisations has also been studied from the agency theory perspective (e.g. Sharma, 1997). Goodale et al. (2008) focus on this research theme from the perspective of operations management in professional organisations. It is suggested that certain influence factors which control the work of professionals, and hence the operations of the organisation, can be identified in professional organisations (Goodale et al., 2008). Goodale et al. (2008) note that these influence factors can be either company-based (items controlled by the company), profession-based (items based on the values of professional community), or education-

based (items based on a high level of knowledge). The company-based influence factors can also be described as formal controls, and profession- and education-based influence factors can be described as informal controls (Goodale et al., 2008). According to Goodale et al. (2008), influence factors are efficient in affecting operational behaviour, because they are linked to agency relationships.

2.2.3.2 Process management and improvement

Another research theme that has gained attention in the professional service operations management area is process management and improvement. Hellström et al. (2010) and Ongaro (2004) concentrate on studying the implementation of process management in public organisations. According to Ongaro (2004), process management is increasingly needed in public organisations to create flexible processes which can adapt to the changing operational environment of the public sector, and which can reduce the throughput times of services. However, in professional public organisations, the implementation of process management can be challenging (Hellström et al., 2010; Ongaro, 2004). The implementation of the process management view is affected, for example, by the organisational culture, professional values, and the executive leadership of the change (Hellström et al., 2010; Ongaro, 2004). Interestingly, it is noted that in some professional organisations, organisational structures may be bigger obstacles to implementing process-oriented management than professionals' resistance to change (Hellström et al., 2010).

A similar view is shared by McAdam and Donaghy (1999) in their research on implementing business process re-engineering in the public sector. They note that especially in the public sector, there are some structural hierarchies which pose challenges to business process re-engineering implementation (McAdam and Donaghy, 1999). It is suggested that introducing new practices is challenging because of overlapping processes with multiple stakeholders, the nature of the professional workforce, and the existing organisational boundaries (McAdam and Donaghy, 1999). McKone-Sweet et al. (2005) also concentrate on implementation barriers in professional organisations, but they do it from the supply chain perspective. In their study of public hospital's supply processes, they identify that supply chain management can face multiple challenges in implementing new procedures. These challenges are derived from features such as a lack of executive support, misaligned or conflicting incentives, insufficient data collection and performance measurement, limited education concerning the supply chain, and inconsistent relationships with process partners.

Especially in healthcare organisations, the implementation of Lean practices has gained attention among practitioners and researchers (e.g. Aherne, 2007; Jones, 2006; Kollberg et al., 2007). For example, Dobrzykowski et al. (2016) concentrate on studying the effect of Lean on patient safety and financial performance in an environment where standardising processes can lead to challenges, because they reduce professional autonomy. However, it is concluded that a Lean orientation can improve an organisation's performance by aiding knowledge sharing between professionals and providing a means

for managers to standardise and control professionals' service delivery. Rahimnia and Moghadasian (2010) also concentrate on healthcare, but they focus on studying whether leagility can be applied in professional services. They suggest that leagility is suitable for professional organisations because it responds to the challenges of volatile and unpredictable customer demand (Rahimnia and Moghadasian, 2010).

However, Radnor and Walley (2008) draw different conclusions in their study of public organisations' Lean implementation approaches. They note that in many cases changes are only branded as "Lean", without fully implementing the basics of the orientation. In many cases, changes branded as "Lean" have only aimed to increase the employees' acceptance of a process-based view. They conclude that in these cases the practices are built on an unstable foundation which does not take the basic conditions of Lean into account. A similar view is shared by Hazlett et al. (2013), who conclude that at the more general level, implementing operations management approaches from the private to public sector can be problematic because of the differences between public and private organisations, as well as between heterogeneous public organisations. A simple translation of operations management models from the private sector causes challenges in relevance, ownership, and efficacy. However, the contextualisation and re-conceptualisation of these models to better suit public organisations increase the models' acceptance and efficacy (Hazlett et al., 2013).

2.2.3.3 Performance measurement and management

Especially in professional public organisations, performance measurement and management have gained considerable attention due to public organisations' need to enhance their efficiency (e.g. de Bruijn, 2011; Dobija et al., 2019; Elg et al., 2013; Radnor and McGuire, 2004). The ideology of NPM highlights the need for accountability and efficiency, which are pursued by using business-like management activities such as performance measurement (e.g. Kerpershoek et al., 2016; Speklé and Verbeeten, 2014; van Thiel and Leeuw, 2002). The terms "performance measurement" and "performance management" are sometimes confused. Performance measurement concentrates purely on measuring activities. Performance management consists of the improvement activities based on performance measurement (Goh, 2012; Radnor and McGuire, 2004; Radnor, 2008).

Management with performance measurement and management (PMM) tools is admittedly tempting in professional settings. It is supposed to diminish the gap between professionals and organisations by providing a tool to align professionals' goals with organisational ones (Speklé and Verbeeten, 2014). PMM also respects professional autonomy, because the manager is only interested in results, leaving professionals freedom to decide how the result is achieved (Briscoe, 2007; de Bruijn, 2011).

Performance management in professional public organisations faces certain challenges, derived from both the nature of professional and public organisations (Jääskeläinen et al., 2014). According to de Bruijn (2011; p. 145), "no other issue shows the tension between

manager and professional more clearly than performance measurement". Professional performance is difficult to define and measure, and it is argued that performance measurement oversimplifies complex professional work (de Bruijn, 2011). Concretising goals into targets or indicators in professional settings is difficult. It can lead to a situation in which indicators are unsuitable for the organisation, and even to a situation in which indicators are chosen, based on what is easily quantified (Boland and Fowler, 2000; de Bruijn, 2002a; de Bruijn, 2011; Johansson, 2015). Kerpershoek et al. (2016) point out that a high degree of professionalism causes challenges to PMM. This is due to the static nature of PMM, which conflicts with changing and dynamic professional work. It is also noted that performance measures are often linked to managerial objectives that can differ from the more normative and cognitive beliefs of professionals. (Kerpershoek et al., 2016).

Performance measurement and management in public organisations differ from private organisations, and adopting practices from the private sector by the public sector is therefore problematic (Borgonovi et al., 2018; Radnor and McGuire, 2004; Rantanen et al., 2007). Public organisations are financed by the state, and they do not focus on profit maximisation (Boland and Fowler, 2000; Borgonovi et al., 2018; van Thiel and Leeuw, 2002). In public organisations, there are multiple stakeholders, who have conflicting needs which make performance difficult to define (Boland and Fowler, 2000; Jääskeläinen et al., 2014; Rantanen et al., 2007). It is also typical that customers play a significant role in service production, which needs to be considered in PMM (Jääskeläinen et al., 2014). Another challenge typical of public organisations concerning PMM is lack of ownership, because objectives are given from above so that the staff has no real opportunity to contribute to the measures (Radnor and McGuire, 2004; Rantanen et al., 2007). There is also a risk that measures are too focused to satisfy the government or customers, instead of focusing on relevant measures from the organisation's perspective (Radnor and McGuire, 2004).

In public organisations, defining relevant outcomes is challenging, and it is argued that measuring outputs is easier than measuring outcomes (Rajala et al., 2018; Rantanen et al., 2007). Outputs refer to the result of what the organisation does, and outcomes refer to the greater social effect of outputs (Førsund, 2012; Rajala et al., 2018). Although information about outcomes is necessary for the public sector, outputs are often preferred to outcomes in performance measurement, because they are easier to define, cheaper to produce, and easier to analyse (Garlatti et al., 2018; Rajala et al., 2018). Outcome measures are more multidimensional and qualitative, which makes them more difficult to connect to performance management processes (Rajala et al., 2018).

Performance measurement and management can be used in different ways in public organisations, and these choices affect the results of PMM. Elg et al. (2013) suggest that PMM can be used to either regulate existing activities or explore new possibilities. Using PMM in regulating activities aims to create stability and avoid uncertainty. Using PMM in exploring new possibilities aims to increase new thinking and knowledge development (Elg et al., 2013). Dobija et al. (2019) divide the use of PMM into either rational or

symbolic uses. The rational use of PMM aims to utilise the measures in making operational and strategic decisions such as the allocation of resources, promotions and dismissals, and sharing information. The symbolic use of PMM concentrates on utilising the measures in proving external legitimacy to stakeholders, for example, through ceremonies and external reporting. In their study, Dobija et al. (2019) note that increasing the use of PMM in operational decisions may lead to undesired consequences such as an increasing level of job stress and declining job satisfaction.

Speklé and Verbeeten (2014) criticise the use of PMM from an incentive-oriented perspective. They note that highlighting the connection between PMM and incentives can lead to poor performance in public organisations. A similar view is held by Johansson (2015) and Kerpershoek et al. (2016), who conclude that connecting external incentives to PMM in organisations in which workers are typically intrinsically motivated can foster self-interested behaviour which leads to unintended consequences. These perverse effects are widely referred to in the literature, consisting, for example, of the following: PMM as an incentive for strategic behaviour such as optimising the input, concentrating on easier indicators in the expense of others, focusing on performance at the unit rather than organisational level, and focusing on short-term targets, misreporting or distorting data, deliberate under achieving, and focusing on measures not outcomes (e.g. de Bruijn, 2002a; de Bruijn, 2002b; de Bruijn, 2011; Garlatti et al., 2018; Kerpershoek et al., 2016; Radnor, 2008).

Van Thiel and Leeuw (2002) divide these perverse effects of PMM into either unintended or deliberate effects. Unintended perverse effects can be caused by insufficient knowledge about PMM. Deliberate perverse effects happen through conscious decisions. It is concluded that the characteristics of public organisations can foster the emergence of perverse effects (van Thiel and Leeuw, 2002). Perverse effects can be challenging from the manager's perspective. However, from the employee's perspective, they may be explicable. Johansson (2015) argues that the essential issue causing PMM to produce perverse effects is that PMM models are typically based on the assumption that everyone in the organisation uses similar logic and values in their work. However, people who attend to the production of the service have varying interests and goals. If the worker does not share the organisational goals, employing behavioural strategies which lead to these perverse effects is a way to shield them from contradictory goals (de Bruijn, 2002b; Johansson, 2015; Kerpershoek et al., 2016).

Performance measurement and management also face challenges in the implementation and maintenance of the system. Goh et al. (2015) argue that one of the main reasons PMM is considered challenging is that the implementation of PMM systems is insufficient. They conclude that implementation is challenging in public organisations, because departments frequently do not share the same performance targets, the higher-level performance goals are not translated into concrete operational objectives, the reporting mechanisms are too rigid and standardised, the data is not accessible for decision makers, and there are not enough PMM resources or ownership.

Another issue is the adequate maintenance of the system. Van Thiel and Leeuw (2002) note that performance measures lose their effect over time because of positive learning, perverse learning, selection, and suppression. Positive learning means that when performance improves in general, it is harder to detect the smaller differences between good and bad performance. Perverse learning happens when individuals learn what kind of performance is required, and they can manipulate their assessments according to this knowledge. Selection refers to the process whereby poor performers are substituted by better ones so that only better performers remain, which means that PMM loses its discriminating value. Suppression refers to the act whereby differences in performance are ignored (van Thiel and Leeuw, 2002).

Despite these challenges, performance measurement and management also have positive effects. In principle, PMM allows autonomy for professionals (de Bruijn, 2011; Groen et al., 2012). It is central to performance management that if the performance target is met, the manager is not interested in how professionals achieve it. Performance management can thus decrease the level of bureaucracy. At its best, PMM also increases transparency by translating complex activities into measurable indicators, which makes it easier for managers to intervene in issues. PMM can also improve an organisation's intelligence, stimulate the learning process, clarify the meaning of organisational targets, and create appraisal opportunities (van Berkel and Knies, 2016; de Bruijn, 2002b; de Bruijn, 2011; Kerpershoek et al., 2016).

To prevent the perverse effects of PMM happening, it is suggested that the organisation should have unambiguous goals, undistorted measures, and knowledge of the service production process (Speklé and Verbeeten, 2014). It is also argued that PMM systems should be used moderately, because when the impact of PMM on awards and sanctions is high, the risk of perverse effects happening is also higher (de Bruijn, 2011; Kerpershoek et al., 2016). This moderate use of PMM should be done in interaction between managers and professionals (de Bruijn, 2011). Goh (2012) and Goh et al. (2015) further expand this view by stating that involving stakeholders in the development of PMM is essential to create an effective PMM system. It is also noteworthy that in creating PMM systems, the focus should be more on developing a learning culture for the organisations instead of purely emphasising the accountability function (Goh, 2012). The successful PMM implementation process plays a vital role in its overall results. For implementation to succeed, it is important that performance management culture is developed at the organisational level, there are enough resources and people who take ownership of implementation, and there is a possibility to enhance understanding and training concerning PMM in the organisation (Goh et al., 2015).

2.3 Managing judges and court operations

Although courts can be described as traditional professional bureaucracies (Koulu et al., 2019; Ng, 2007), courts also share certain distinct features which differentiate them from other professional services. This chapter reviews the central characteristics of judges as

public professional workers and courts as professional public organisations, and addresses the theme of managing courts and judges in general. An overview of the operations management research in court organisations enables a better understanding of the interest areas of the existing OM-related research in the court environment. Figure 2.4 illustrates the content of the chapter in relation to the study's focus area.

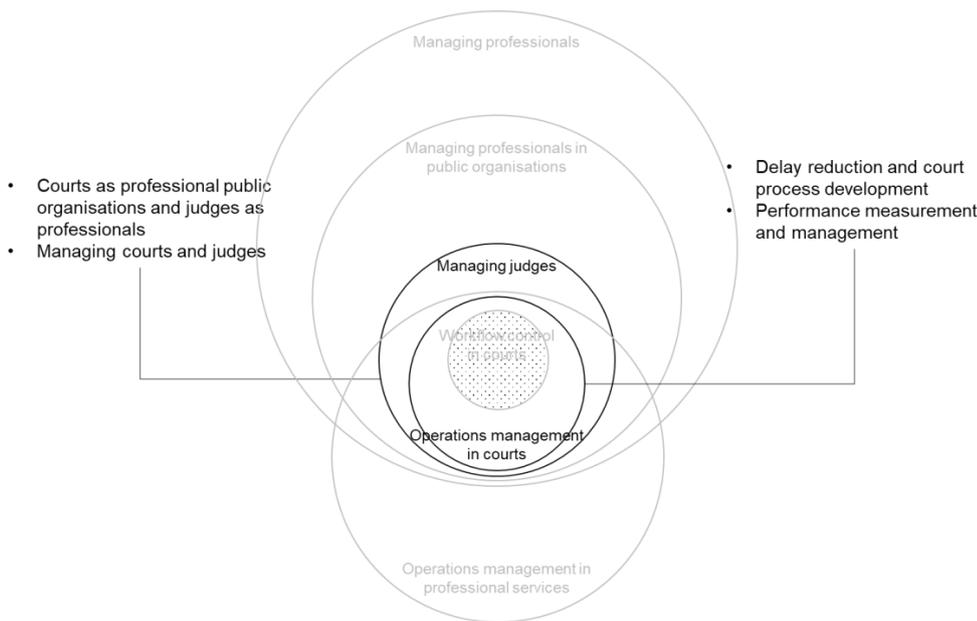


Figure 2.4: Literature themes of managing judges and operations management in courts.

Different legal systems affect judicial behaviour and managerial activities in different ways. Legal systems vary at the national level, and even within a single nation (Fabri, 2018; Langbroek, 2017; Posner, 2005). This chapter focuses on the typical and universal themes of management and operations management in courts.

Chapter 2.3.1 addresses the features of courts as professional public organisations and features of judges as professionals. Chapter 2.3.2 addresses the literature concerning the management of courts and judges. Chapter 2.3.3 reviews the interest areas of operations management research in courts.

2.3.1 Courts as professional public organisations and judges as professionals

Courts are traditional professional public bureaucracies. They are bureaucratically structured and quite hierarchical (Koulu et al., 2019). Courts are controlled more by political expectations than market forces. Courts are funded publicly, and they therefore

need to be accountable to the public (Cameron et al., 1987; Mak, 2018). Courts tend to have multiple stakeholders with their own varying goals and interests (Aikman, 1994; Eicher and Schedler, 2012). However, courts have a special function: their ultimate objective is to secure justice. Courts form the foundation of legitimacy, and the service of courts provides welfare to society by protecting citizens' interests (Contini and Mohr, 2008; Sarvilinna, 2007). Because of this special function, courts operate in a strictly regulated environment. Judicial activities are guided by formal rules and deeply rooted values of independence, impartiality, and fairness (Cameron et al., 1987; Contini, 2017; Langbroek et al., 2017).

Judges share many characteristics typical of professional public workers in general, but some are emphasised due to the special function of courts. It is said that the identity and role of a judge is mainly built around the judge's special role in securing justice (Koulu et al., 2019). Judges have the power in their work to decide the fates of other citizens, and they possess this power independently (Stout, 2002). The independence of judges in judicial work is rooted in the traditional requirement of impartiality and autonomy which aims to secure the fairness of judicial decisions (e.g. van Dijk and Vos, 2018; Eicher and Schedler, 2014; Emery and de Santis, 2014; Koulu et al., 2019). Although the judge needs to be accountable to society concerning the decisions they make, the judge must also have independence and be detached from the parties to cases (Contini and Mohr, 2008). The independence of judges is a central value of courts and judges (Mak, 2018; Schneider, 2004b). Notable independence in work is also suitable, because the work of the judge is complex and multidimensional (Schneider, 2004b).

Like professionals in general, judges have professional knowledge which is the result of a long formal education, and on-the-job training and experience (Casanovas et al., 2005; Schneider, 2004b). As a professional group, judges also share common ethics and professional values which guide and set certain standards for their activities (Koulu et al., 2019; Mak, 2018). In courts, collegiality and peer control play a central role (Koulu et al., 2019). Peer pressure is an essential element in maintaining and affecting the culture and ethics of judges (Koulu et al., 2019). Judges typically care about their reputation among colleagues, which sharpens peer control (Schneider, 2004b). In courts, peer control also happens in a more standardised and inbuilt way, because the quality of the judge's work is revised through subsequent case handling.

Judges are expected to behave altruistically, serving social goals (Stout, 2002). In studies of judges' behaviour and motivation, it has been noted that being a judge is often seen as a duty, and judges tend to have something of a calling to the field. Doing justice, helping people, and having the possibility to serve the common good of society are motivating for judges (Gomes et al., 2016; Silva et al., 2019). However, it has also been said that considering judges only as altruistic actors is naive, and judges, like others, are self-interested and respond to incentives (Smyth, 2005). Smyth (2005) argues that to achieve their self-interested goals, judges no less than others can behave opportunistically.

In addition to altruistic motivation factors, judges are said to be motivated by leisure, public recognition, collegial recognition, advancement in their judicial career, and the overall possibility of having an influence (Posner, 2005; Schneider, 2004a; Smyth, 2005; Stout, 2002). According to Silva et al. (2019), judges consider their work motivating if they feel it is useful and meaningful for society, and unmotivating when the work consists of routine tasks. Posner (2005) and Gomes et al. (2016) also suggest that judges may be motivated by the stability courts as organisations can offer, because judges may be more risk-averse than other legal professionals in the private sector. In addition, money does not seem to play a central role in judges' motivation, because judges are less well paid than some legal positions in the private sector (Posner, 2005; Smyth, 2005).

2.3.2 Managing courts and judges

Courts have long been shielded from executive intervention by their special position, and they have been considered a "timeless institution" that is immune to public and political demands (de Santis and Emery, 2017; Visser et al., 2019). However, due to increasing caseloads, delays in case-processing times and budget cuts, courts, like many public organisations, have seen the introduction of NPM-inspired managerial reforms. The courts have been expected to improve their efficiency, quality, and transparency, with fewer resources (e.g. Contini and Mohr, 2008; de Santis and Emery, 2017; Visser et al., 2019). Courts have moved from being timeless institutions to organisations which, like all other public organisations, must meet deadlines and prove their accountability (de Santis and Emery, 2017).

Nowadays, management has an essential influence on judicial organisations, and it can be said that justice and management are interlaced (de Santis and Emery, 2017). Especially in the United States, there is a long tradition of research on court management and administration (Lienhard et al., 2012). The theme of court management and administration has also been developed by different national and international institutions and groups such as the Australasian Institution of Judicial Administration (AIJA), the National Center for State Courts (NCSC), the National Association for Court Management (NACM), the European Commission for the Efficiency of Justice (CEPEJ), and the International Association of Court Administration (IACA). Court administration or judicial administration refers to those upper-level administrative activities, often conducted by a state organ, which deliver material and personnel for adjudicating. Court management refers to those managerial activities which are conducted within the court (Lienhard and Kettiger, 2017).

Court administration research studies the relationship between court administration and court management (e.g. Cameron et al., 1987; Foster, 2013; Martin, 2014). The relationship between matters which are under judicial responsibility and matters which belong to administrations is not clear cut, and the emphasis on NPM principles and case management has brought these two themes even closer (Martin, 2014). It is suggested that for courts to perform effectively, court administration and management must happen in cooperation between court administrators and chief judges that ensures each party

makes a clear contribution to the running of the court (Foster, 2013; Martin, 2014). Because of the ongoing pressures to respond to increasing workloads and complexity with fewer resources, courts face ever-growing needs to enhance their efficiency. This means that simply administering courts is not enough. Instead, courts must be effectively managed. (Emery and de Santis, 2014; Lienhard et al., 2012)

Managing organisations like courts with long traditions faces challenges. The introduction of managerial techniques, and the increased emphasis on efficiency and accountability have been considered a threat to the traditional values of courts (Contini and Mohr, 2008; de Santis and Emery, 2017). Perhaps one of the biggest contradictions lies between the emphasised value of independence in courts and the need for accountability (Contini and Mohr, 2008; Lienhard and Kettiger, 2017). Judicial autonomy and impartiality are based on the need to secure fair case handling (e.g. Eicher and Schedler, 2014; Emery and de Santis, 2014; Koulu et al., 2019; Lienhard, 2014). The independence of a judge means that the judge cannot be pressured or instructed to handle cases in a certain way (Koulu et al., 2019). Because the judges are accustomed to working independently, they cannot be managed like other employees (Eicher and Schedler, 2014). Management needs to pay attention to judges' special working methods and their special characteristics, and be cooperative and participative (Eicher and Schedler, 2014; Lienhard and Kettiger, 2017).

Interaction between court management and judges can be difficult, because there can be a conflict between groups' goals and values (Emery and de Santis, 2014). It is suggested that although judges and court managers may have similar expectations of what constitutes good justice, there are differences in the goals and values they have for their work (Emery and de Santis, 2014; Lienhard and Kettiger, 2017). Eicher and Schedler (2014) categorise the main logics of a court in three groups: judicial logic; managerial logic; and bureaucratic logic. They suggest that judges largely employ judicial logic, which emphasises stability in organisational work and the primacy of the judicial aspects of work. Professionals who have managerial tasks employ aspects of managerial logic, which concentrates on ensuring the functioning of the court through efficiency and effectiveness. Bureaucratic logic is largely employed by personnel providing administrative support to judicial and managerial staff, and it emphasises the presence of hierarchy and subordination (Eicher and Schedler, 2014). Overall, it is concluded that court managers tend to emphasise economic aspects such as the efficient use of public funds in their work, because judges are more interested in the judicial aspects of the work (Emery and de Santis, 2014; Lienhard and Kettiger, 2017).

Perhaps because of these differing logics underlying managerial and judicial work, judges can perceive management negatively. Management is seen as irrelevant compared to judicial work, and it is felt that neither managerial terms nor managerial instructions or monitoring suits the judicial world (de Santis and Emery, 2017). Visser et al. (2019) also suggest that NPM-inspired managerial reforms have had a negative effect on judges. They note that managerial reforms have made judges' work more bureaucratic, causing judges to feel less able to influence their own work. It is also noted that NPM-inspired managerial

techniques are considered unsuitable for controlling complex and qualitative work (Visser et al., 2019).

Managing judges also faces challenges because of the lack of incentives and sanctions. Judges are generally afforded employment security and a fixed salary that is not connected to their performance (Schneider, 2004b). Judges are expected to behave altruistically in serving social goals and doing their work well, despite the fact that there are few monetary incentives to do so (Schneider, 2004a; Schneider, 2004b; Stout, 2002). Sanctions in courts, such as having a bad reputation among colleagues, having to discuss poor performance with a superior, a lack of career advancement, or being allocated to handle only routine work (Koulu et al., 2019), are vague and soft. The incentives are in part the opposite of these sanctions. The only concrete incentive is career promotion (Koulu et al., 2019; Schneider, 2004a; Schneider, 2005). In his study of judges' careers in German labour courts, Schneider (2004a) states that to advance their judicial career and position in the hierarchy, judges aim to perform in conformity with the requirements and monitoring of managers. He also notes that this promotion incentive loses its effect with older judges, who lack the possibility of further promotion (Schneider, 2005).

It is said that "the art of court management is also the art of creating enough space for judges who are considered civil servants" (Langbroek, 2017, p. 1). This means there needs to be a balance between independence and accountability (Contini and Mohr, 2008; Langbroek, 2017; Langbroek et al., 2017). Although these two values are perceived as contradictory, it is also noted that accountability can be seen as an essential condition for independence (Contini and Mohr, 2008; van Dijk and Vos, 2018). Accountability should not only be connected to productivity or efficiency, but also to the transparency of impartial case processing (van Dijk and Vos, 2018).

It is traditionally argued that professional autonomy and bureaucratic control contradict each other (e.g. Abernethy and Stoelwinder, 1990; Campfield, 1965; Kennerley, 1992; Vermaak and Weggeman, 1999). A similar assumption is also reflected in the court context. Relying purely on bureaucratic control is considered challenging, because judges need a high degree of autonomy. Yet relying solely on the ethics of judges in an environment in which there is pressure to enhance efficiency and productivity is problematic (Schneider, 2004b). One way of managing courts presented in the literature is managing through culture (e.g. Ostrom and Hanson, 2009; Ostrom et al., 2005; Schneider, 2004b). Managing judges by maintaining and directing the court's organisational culture is said to combine elements of bureaucratic control and reliance on professional ethics. Managing through culture can be done through recruiting, influencing by symbolic management (such as setting goals, focusing attention, publishing performance figures), and improving information sharing between co-workers. It is argued that judges tend to care about their reputation among colleagues, which sharpens such a peer review. (Schneider, 2004b)

Especially in the United States, there has been research into local legal culture and court culture, and their effect on court performance (e.g. Eicher and Schedler, 2012; Ostrom

and Hanson, 2009; Ostrom et al., 2005). Local legal culture can be described as a set of established expectations, practices, and informal rules which affects the behaviour of judges and attorneys. Court culture, on the other hand, broadens this view by also referring to the expectations and beliefs of court administrators in addition to judges concerning the work. The cultures differ between different legal traditions, organisations, and even within one organisation. (Ostrom and Hanson, 2009; Ostrom et al., 2005)

In NCSC, a framework has been developed to analyse court culture. It is called the “court culture value matrix”. It classifies culture in two dimensions: solidarity; and sociability. Solidarity refers to the extent to which judges and court administrators pursue shared goals, common tasks, and agreed procedures. Sociability refers to the degree to which judges and court administrators emphasise the importance of cooperation, and how well they get along. As a result of this classification, four different culture clusters are identified: communal; networked; autonomous; and hierarchical.

Communal culture emphasises the importance of acting collectively, involving groups in agreeing goals, managing through teamwork, and building personal relationships. Networked culture emphasises creativity, the importance of involving all justice system partners in decision making and managing through establishing an innovative and collaborative work environment. Autonomous culture emphasises the individuality of judges, stability, and managing through giving enough space for individual judges to act independently. Hierarchical culture emphasises the importance of establishing rules and procedures, having court-wide objectives, and managing through centralised control to achieve efficiency. To measure the existence of each culture cluster, NCSC also presents the Court Culture Assessment Instrument, which is a five-part questionnaire based on the areas of the court culture value matrix. It is assumed that the features of culture affect the court’s timeliness and managerial effectiveness (Ostrom and Hanson, 2009; Ostrom et al., 2005).

Courts and judges face changes in their working environment. There is a growing variety of external expectations from politics and the media of courts, as well as the increased involvement of non-judicial actors in courts (Eicher and Schedler, 2014). Eicher and Schedler (2012) study the multi-rationality of court management, derived from the different backgrounds of court actors. They conclude that courts have various rationalities which all include divergent goals, creating challenges for management (Eicher and Schedler, 2012). As a result of NPM inspired reforms, judges are no longer seen purely as independent decision makers but as responsible actors of public organisations who are under organisational control (Contini and Mohr, 2008; Koulu et al., 2019; Visser et al., 2019). An integration of bureaucratic and managerial values with judicial values may even be seen (de Santis and Emery, 2017; Eicher and Schedler, 2012; Eicher and Schedler, 2014; Emery and de Santis, 2014). Emery and de Santis (2014) conclude that it is possible that classical values of equity, ethics, and justice can be complemented by more private sector-oriented values and expectations, resulting in a kind of hybrid court culture.

2.3.3 Operations management in courts

Courts of justice struggle with issues of delayed case-processing times and increased caseloads (e.g. Lambert Abdelgawad, 2017; Pekkanen, 2011; Steelman and Fabri, 2008). Courts have gone through managerial reforms with a focus on improving their efficiency and performance (e.g. Contini and Mohr, 2008; de Santis and Emery, 2017; Lienhard and Kettiger, 2017; Pekkanen and Niemi, 2013). The efficiency challenges and NPM-inspired managerial reforms have made operations management a relevant theme in court organisations.

Court operations have been studied worldwide by different research institutes and working groups. As a result, different tools for managing court processes and operations have been developed, such as Global Measures of Court Performance, NACM Core Competency Operations Management, CourTools, and the EU Justice Scoreboard. In addition, there have been EU-funded projects which have combined operations management knowledge with judicial professionalism, and which have concentrated on caseflow management practices, and the evaluation and development of justice quality (Contini, 2017).

Operations management research in courts can be roughly divided into two themes. These themes are delay reduction and court process development, and performance measurement and management.

2.3.3.1 Delay reduction and court process development

The issue of delays in case-processing times has inspired the development of caseflow management (CFM) principles. CFM was originally developed in the United States and refers to a broad and dispersed collection of practices which aim to control the flow of cases from their initiation to final conclusion (e.g. Cohen, 2012; Mahoney et al., 1988; Steelman and Fabri, 2008). CFM aims to reduce case-processing times through different principles and techniques such as the court's early intervention in case progress, the implementation of differentiated case management (DCM), the utilisation of realistic case and pretrial event schedules, and effective trial scheduling and management (Cohen, 2012; Steelman and Fabri, 2008).

It has been argued that delays in case-processing times are not purely connected to the size of the court or the composition of caseloads, but that there is a connection with the court's local legal culture (e.g. Kiesiläinen, 2000; Mahoney et al., 1988; Steelman and Fabri, 2008). For CFM to succeed, there needs to be a strong leadership with a shared vision, effective communication of case-processing information, and the commitment and willingness of managers to use managerial activities like establishing time standards, measuring and monitoring performance, and holding people to account (Kiesiläinen, 2000; Steelman and Fabri, 2008). It is also key in CFM that there is a comprehensive case-processing system that provides timely and accurate information about cases (Mahoney et al., 1988).

Efforts to reduce case-processing times have also led to the development of DCM. The central idea behind DCM is that cases vary in how much time they require for handling (Coolsen, 2009). Hence, courts should tailor their case-handling processes to fit the requirements of individual cases (Cohen, 2012; Gist, 1995; Henderson et al., 1990). The main features of DCM can be summarised in three principles: the development of different case-processing tracks with their own timeframes; the improvement of the organisation of court events to support effective case disposition, and the utilisation of case monitoring (Gist, 1995).

The themes of delay reduction and process improvement are also relevant in the European context (e.g. Martins and de Carvalho, 2013; Pekkanen et al., 2012; Steelman and Fabri, 2008). In their research, Steelman and Fabri (2008) concentrate on the applicability of CFM practices in the Italian civil law judicial system. They conclude that CFM practices are largely suitable in the Italian context, but there are some barriers to their application. These barriers include the different education levels of judges, which leads to judges concentrating more on formal approaches instead of experimenting, weaker leadership of judiciaries, the highlighted judicial independence bound to operational work, and a change-resistant legal culture (Steeleman and Fabri, 2008).

There have also been studies which have concentrated on the issue of court delays from the perspective of the theory of constraints (Martins and de Carvalho, 2005; Martins and de Carvalho, 2013; Martins et al., 2007) and process improvement (Pekkanen, 2011; Pekkanen and Niemi, 2013; Pekkanen et al., 2012). Martins and de Carvalho (2005; 2013), and Martins et al. (2007) identify that court support staff, judges themselves, and physical facilities create the main constraints in court processes. For example, they note that it is typical that complex and time-consuming cases get delayed. This happens because judges are evaluated according to the number of cases they resolve, which causes judges to pick easier cases instead of complex ones. Other typical causes of delay are inefficient booking of courtrooms and inefficient scheduling of judges' work practices. These constraints prevent cases from flowing through the court process as desired. As the constraints are not solely based on the structural factors of the process but on the court personnel, tackling the constraints of the court processes requires the motivation and training of human resources (Martins and de Carvalho, 2005; Martins and de Carvalho, 2013; Martins et al., 2007).

Pekkanen (2011) and Pekkanen et al. (2012) share the same conclusion as Martins and de Carvalho (2005; 2013), that a key reason for delays is that complex and large cases get stuck in the case-handling process. Pekkanen (2011) suggests that the reasons for the inefficient handling of complex cases are an inappropriate emphasis on evaluation by output number, a lack of efficiency-oriented management, a lack of effective planning of work practices, and the dominance of traditional values of quality instead of efficiency. It is concluded that to tackle these issues in court processes, courts need to concentrate on developing a more open process improvement culture instead of focusing purely on finding certain tools or techniques that are applied from the private sector. Pekkanen et al. (2012) also develop insights into the successful planning and implementation of court

process improvement projects. They suggest that the most important conditions for successful implementation are building commitment, the active role of top management, the widespread participation of personnel, the creation of enough time for adopting changes, and constructing clear action plans and evaluation methods (Pekkanen et al., 2012).

2.3.3.2 Performance measurement and management

Performance measurement and management (PMM) has gained increasing attention in court management, partly because NPM-inspired managerial reforms have been output-oriented and have highlighted the need to develop the court's performance and individual judge's productivity through performance measurement (Fabri, 2018; Langbroek et al., 2017). PMM may be one solution by which courts can respond to the need to improve their efficiency, the quality of justice, and accountability (Contini and Mohr, 2008; Lienhard, 2014; Vecchi, 2018).

As was mentioned in the previous discussion, performance management in professional organisations in general is often seen as one of the most troublesome tension areas of the management of professionals (de Bruijn, 2011). In court organisations, this tension is even more highlighted because the emphasis on efficiency and accountability is considered a threat to the judge's autonomy and impartiality (Contini and Mohr, 2008; de Santis and Emery, 2017; Langbroek et al., 2017; Lienhard, 2014). Furthermore, the outcome and quality of justice is difficult to define unequivocally (Contini et al., 2014; Vecchi, 2018). On the one hand, courts should provide citizens with fast proceedings, predictability, accountability, and easy access to services. On the other, there is a common assumption that the priority of courts should be to safeguard the autonomous and independent production of judicial decisions (Lienhard, 2014; Vecchi, 2018). This vagueness of outcomes and conflicts of values makes PMM challenging in courts (Langbroek et al., 2017).

In their study of court process performance measurement, Pekkanen and Niemi (2013) discuss features of courts that can create challenges to PMM. They conclude that in addition to the emphasised need for the autonomy of judges, courts typically have many stakeholders who can have contradictory interests, which makes determining goals and performance measures difficult. Court processes are also inherently unpredictable, because cases can be heterogeneous and vary in their complexity. This sometimes makes cases difficult to categorise beforehand. In courts, operational practices are rigid and traditional, and roles and responsibilities are often fixed, because they are affected by compulsory legal procedures. In addition, the concept of quality is mainly connected with the more traditional aspects of judicial work such as rulings and justification, rather than to the enlarging of the definition of quality to include the efficiency of work (Pekkanen and Niemi, 2013).

It can be said that judicial performance and evaluation are not simple issues. Nor are they easy to analyse (Contini et al., 2014). However, it is suggested that for PMM to succeed

in courts, the central idea is that the tension between independence and accountability needs to be balanced, and attention needs to be paid to the gamut of the court's social outcomes (Contini et al., 2014). The PMM system should be sufficiently flexible to allow enough time and flexibility for judges to handle cases, but still provide the necessary information for managerial uses. This means that performance evaluation should be organised based on the various principles that exist in courts (Langbroek et al., 2017; Lienhard, 2014). The evaluation of judges should not be based one-sidedly on either judicial or managerial principles. Instead, the evaluation should combine both traditional and newer approaches (Contini and Mohr, 2008; Contini et al., 2014).

A typical problem in PMM systems is that they are often based on quantitative indicators (e.g. Fabri, 2018; Lienhard, 2014). The outcomes of courts are in general difficult to define clearly, and compressing them into purely quantitative factors is problematic. When PMM systems are purely based on quantitative factors, they are often unable to detect the actual quality of judgements (Lienhard, 2014). This is further illustrated by Pekkanen (2011) and Pekkanen and Niemi (2013), who highlight that emphasising output quantity and efficiency in courts, for example, without analysing the actual consequences of these targets, can lead to undesirable results. They note that when evaluation is based on output quantity, complex cases tend to get stuck in the process, because handling complex cases creates difficulties in achieving bigger output quantities (Pekkanen and Niemi, 2013).

It is therefore suggested that PMM should combine both quantitative and qualitative data (Fabri, 2018; Lambert Abdelgawad, 2017). This view is shared by Lambert Abdelgawad (2017), who points out in her study of productivity in the European Court of Human Rights that there is often too much emphasis on the court's efficiency in case disposal. It is noted that if too much emphasis is placed on meeting quantitative targets, there is a risk of sacrificing courts' qualitative fundamentals. It is suggested that quality in court might be detected through three main factors: the quality of the functioning of justice in general, the quality of work processes, and the quality of court decisions (Lambert Abdelgawad, 2017).

It is also noted that courts can use PMM for different reasons (Langbroek et al., 2017; Vecchi, 2018). For example, Vecchi (2018) suggests that four types of PMM use in courts can be identified: instrumental; process; conceptual; and symbolic. Instrumental use refers to the direct use of performance measurement data, for example, in making decisions to redesign procedures or work processes, as a basis for positive and negative feedback, in developing management practices, or in affecting individual and organisational behaviour. Process use refers to the use of PMM data to foster interaction between different actors and to strengthen both internal and external relations. Conceptual use refers to the use of PMM data to strengthen the desired vision and to sustain certain features such as the concept of courts as public service providers. Symbolic use refers to the use of PMM data to support the status of the organisation, for example, through protecting it from criticism (Vecchi, 2018).

Langbroek et al. (2017) for their part list the potential uses of PMM more practically. They conclude that PMM can be used to enhance professional learning, support the appointment and promotion of judges, support the existing judicial values, enhance the consistency of decisions, develop court management and organisation, enhance the efficiency of case management, and illustrate the accountability of courts (Langbroek et al., 2017).

Various tools and their effect on court PMM have been discussed in the literature (e.g. Hanson et al., 2010; Keilitz, 2018; Lepore et al., 2012). Lepore et al. (2012) concentrate on studying the performance of courts by developing a court performance measurement system based on the Balanced Scorecard. They suggest that the court performance management system should focus on five perspectives that take customers, internal operations, finance, innovation and learning, and information system success into account (Lepore et al., 2012).

Hanson et al. (2010) discuss the usefulness of the High Performance Court Framework developed by the NCSC. The High Performance Court Framework consists of five main concepts: identifying the main administrative principles which define high performance; building a managerial culture which describes how work is believed to get done; performance measurement; performance management; and the quality cycle, which is an iterative process that connects the four previous concepts. Hanson et al. (2010) conclude that the systematic use of the High Performance Court Framework assists court leaders in understanding how PMM can be used in courts to develop daily operations. Fox et al. (2014) focus on one aspect of the High Performance Court Framework in more detail, namely the use of CourTools, which aims to assist the development of systematic performance measurement and management practices. Like Hanson et al. (2010), they conclude that using the Framework is beneficial, because it helps courts understand how PMM data can support managerial decisions and organisational development (Fox et al., 2014).

Fox et al. (2014) also propose practical suggestions for the successful use of PMM systems. It is concluded that central to success is that court leaders are committed to the system, the data collected is accurate and reliable, there is adequate communication between data analysers and the users of the information, the data is adequately and reliably presented, and the organisational culture supports new initiatives (Fox et al., 2014). Keilitz (2018) broadens this list of success factors based on his analysis of the European Network of Councils for the Judiciary framework of the independence, accountability, and transparency of judiciaries in the European Union. He concludes that PMM systems should prefer outcome measures so that the things that are measured matter for the customers instead of the leaders of judiciaries. It is also suggested that PMM should focus on a vital few measures, and that the focus should be on managing independence, accountability, and transparency instead of purely measuring them (Keilitz, 2018).

2.4 Research gap

In recent years, increasing interest has been paid to operations management in professional services (e.g. Harvey et al., 2016; Lewis and Brown, 2012). Professional public organisations face pressures to enhance their efficiency, which has increased interest in research into how these organisations manage their operations (e.g. Goodale et al., 2008; Harvey, 1992; Heineke, 1995). However, the existing literature lacks empirical research related to the central operations management planning and control elements in professional service settings. One of these essential planning and control elements of operations management is workflow control which concentrates on the activities of managers and professionals that control the concretisation of the service production plans and policies of the organisation at a daily operational level.

The importance of workflow control in professional public organisations stems from the fact that in professional bureaucracies the daily operational decisions concerning the work are often decentralised to professionals themselves (Mintzberg, 1983). This means that the professionals make both content related and operational decisions concerning their work. Thus, professionals have a notable impact on the efficiency of the service production (e.g. Goodale et al., 2008; Løwendahl, 2005). And like Goodale et al. (2008) mention, the functioning of these daily operations is a central part of successful service operations.

Courts are one traditional example of professional public organisations (Koulu et al., 2019). Court operations management research is strongly based on the practical needs to enhance the efficiency of court service production. The operations management approach is seen as one solution for tackling issues related to timeliness, quality, and efficiency (e.g. Fox et al., 2014; Hanson et al., 2010; Pekkanen and Niemi, 2013). The challenges and possibilities of operations management in the court environment have been addressed in research. However, the question of how operations are managed in courts at the daily workflow control level remains unanswered.

In professional service operations management (PSOM), the relationship between professionals and managers is central. It is acknowledged that the relationship between professionals and managers is not straightforward, and this has inspired researchers for a long time in the field of general management studies (e.g. de Bruijn, 2011; Campfield, 1965; Raelin, 1989). However, the research attention of PSOM has focused more on addressing the distinct features of professionals and the challenges of managers separately instead of focusing on the relationship between professionals and managers in operations management (e.g. Goodale et al., 2008; Harvey et al., 2016). Hence, more studies and research addressing the special relationship and the interactive roles of professionals and managers in operations management is needed.

In courts, the relationship between professionals and managers has its own challenges. The need of independence of judges is especially highlighted because it aims to secure the fairness of judicial decisions (e.g. van Dijk and Vos, 2018; Eicher and Schedler, 2014;

Emery and de Santis, 2014; Koulu et al., 2019). The need for efficiency and accountability is often seen as contradictory to the independence of judges (Contini and Mohr, 2008; Lienhard and Kettiger, 2017). Hence, there is a need to find a balance between independence and accountability (Contini and Mohr, 2008; Langbroek, 2017; Langbroek et al., 2017). The relationship and the interactive roles of professionals and managers are especially relevant in workflow control, because both professionals and managers make a notable contribution to controlling the workflow control activities. However, the ways and practices of how professionals and managers interact in workflow control has not been sufficiently addressed in literature. The question remains how the workflow can be controlled in a way that organisational targets are met without risking the independence of professionals.

This study aims to fill these research and knowledge gaps by empirically exploring how workflow control is realised in a court organisation as the interplay between professionals and managers. To examine this subject, the study also aims to identify the tasks of professionals and managers in workflow control. By studying the realisation of workflow control in a court organisation, the study aims to provide new knowledge for one of the essential planning and control elements of professional service operations management. The study also adds to the knowledge of the relationship between professionals and managers in workflow control and in operations management in general.

3 Research design

The chapter describes the research design of the thesis. It includes a presentation of the methodological choices, a description of chosen research methods, and an overview of how the study's research process proceeded.

Chapter 3.1 presents the study's methodological choices.

Chapter 3.2 describes grounded theory as a research method.

Chapter 3.3 presents how the research process proceeded, introducing methods of data collection, coding, and analysing.

3.1 Research methodology

The research theme is still under-researched in professional organisations, let alone in courts, which is why no solid theories to be tested yet exist. Instead, a new understanding of the research area through exploratory and inductive research is required. A qualitative case study applying the grounded theory method is chosen to fulfil this purpose.

The qualitative research approach emphasises the subjectivity of information concerning reality (Puusa and Juuti, 2011a). The qualitative research approach is suitable for studying the phenomenon in its natural setting, using interpretation and taking into account the experiences of research subjects (Denzin and Lincoln, 2011; Jonker and Pennink, 2010; Puusa and Juuti, 2011b). Qualitative research leaves room for the polyphony typical of research, which is linked to humans and their experiences and interrelations with others (Puusa and Juuti, 2011a; Puusa and Juuti, 2011b). Qualitative research is suitable when the existing theoretical knowledge is incomplete, and the focus of the research is not to test theoretical models or concepts, but to explore the subject in question (Jonker and Pennink, 2010).

A case study is suitable when the aim of the research is to gain new insights and develop new theories based on rich data from real-life settings with a high validity for practitioners (Barratt et al., 2011; Voss et al., 2002). Central to the case study is that it concentrates on the dynamics of a focused phenomenon to generalise the findings to a larger set of units (Barratt et al., 2011; Eisenhardt, 1989; Gerring, 2004). Instead of answering questions of "how often" or "how many", the case study, in aiming to build theories, addresses questions of "how" and "why" (Eisenhardt and Graebner, 2007).

The case study is said to be suitable when the theoretical basis of the studied research area is relatively weak, and the environment of the research is "messy", which is often the case in operations management research (Harrison, 2002). Case study research has been increasingly used in the operations management discipline, because it responds to the need for more field-based and empirical studies in emerging research areas (Barratt et al., 2011; Craighead and Meredith, 2008; Voss et al., 2002). Operations management

research benefits from the close connection that case study research usually has with real-world conditions. It is argued that to develop well-grounded theories, empirical and field-based research is needed (McCutcheon and Meredith, 1993).

The study's research aim requires that the research subject is examined from different perspectives, taking into account the interconnection between the different actors participating in workflow control. A qualitative case study enables such an in-depth exploration of the research subject, based on rich empirical data from real-life situations. To gain sufficient depth and detail, this study focuses on exploring workflow control in a single case organisation. Focusing on a single case creates better opportunities for depth of observations (Järvensivu and Törnroos, 2010; Voss et al., 2002). Through this possibility for depth of observations, the strength of single case studies lies in their capacity to understand phenomena (Järvensivu and Törnroos, 2010). Focusing on a single case organisation enables the study to provide a rich description of the workflow control activities in that organisation (Eisenhardt and Graebner, 2007). This in-depth exploration is important because of the lack of previous work on workflow control.

One rationale for focusing on a single case is, that the case represents an extreme example for studying the research subject (Eisenhardt and Graebner, 2007). The Insurance Court of Finland is this kind of example for studying workflow control because of its unique features in operations management. On the one hand, it is traditionally a very independent professional organisation employing highly educated professionals performing intellectual work. On the other hand, the work also has routine and assembly-line-like features, because the variation in both the complexity and content of cases is quite low, and the amount of incoming cases is high. This leaves less time for professional work in each case. It also operates under strict output pressures, which motivates managers to participate in workflow control.

To explore the case organisation's workflow control inductively and without major prior theories, the study is conducted applying the grounded theory method. The grounded theory method is an inductive research method focusing on interpretation in analysing real-life situations and social actors (Glaser and Strauss, 1967). The aim of the grounded theory method is to develop theories grounded in the data. It is most suited to research efforts aiming "to understand the process by which actors construct meaning out of intersubjective experience" (Suddaby, 2006).

As a discipline that aims to solve concrete real-life problems, operations management benefits from such studies, which aim to develop theories and new understanding grounded on the empirical findings instead of testing existing hypothesis (Binder and Edwards, 2010). It is also argued that using qualitative interpretive methods such as grounded theory is beneficial in operations management research, which aims to understand complex social phenomena (Mello and Flint, 2009). The study focuses on exploring the interplay which happens in workflow control, and as Mello and Flint (2009) suggest, grounded theory is especially suited to study the social interactions and interrelations between different actors.

The grounded theory method and the choices made in applying it are presented in more detail in the following chapter, and the evaluation of the research is discussed in Chapter 6.3.

3.2 Grounded theory

Grounded theory is a qualitative and inductive research method which aims to generate the theory grounded in the data (Glaser and Strauss, 1967; Urquhart, 2013). Central to the method is that the theory is allowed to emerge from the data, meaning that the researcher should keep an open mind concerning previous theories during the study (Glaser and Strauss, 1967; Urquhart, 2013). Theory development is achieved through systematic data analysis, which is based on constant comparison. This means that emerging concepts are developed through the analysis and constantly compared with new data, and this emerging theory guides the data collection (Glaser and Strauss, 1967). In grounded theory, data sampling and analysis is finished when theoretical saturation is reached – meaning that no new relevant information is acquired with collecting and analysing new data (Charmaz, 2006; Glaser, 1978; Urquhart, 2013).

The grounded theory method has become a popular qualitative research method, yet it is widely misused (Bryant and Charmaz, 2007; Suddaby, 2006; Wagner et al., 2010). Since its establishment, grounded theory has evolved into different approaches (Suddaby, 2006; Urquhart, 2013; Wagner et al., 2010). To indicate this study's position on grounded theory approaches, it is important to briefly discuss different approaches. The main approaches discussed are Glaserian grounded theory, Straussian grounded theory, and constructivist grounded theory.

The different approaches to grounded theory are said to be based on different epistemologies. However, despite this epistemological debate concerning different approaches, it is also suggested that grounded theory can be treated as a neutral research method that is independent of epistemologies (Urquhart et al., 2010). As Glaser (1998; 2005) expressed it, grounded theory is a general and unlimited research method which is not bound to any other method or paradigm. This study shares this view. Hence, it is necessary to point out that the study's underlying philosophical stance relies on constructivism, and the study therefore shares similarities with constructivist grounded theory, but the research also applies the Glaserian approach, because it adapts the procedures originally presented by Glaser.

The grounded theory method was first established by the sociologists Barney Glaser and Anselm Strauss in 1967. The method was a counteraction to the prevailing tradition in sociology of testing existing theories quantitatively instead of generating new ones using qualitative data (Glaser and Strauss, 1967). The method was revolutionary, because it provided a systematic strategy for conducting qualitative research with equal significance for those studies which were conducted using quantitative methods. The grounded theory method showed a qualitative research process which was visible, understandable, and easy to replicate (Bryant and Charmaz, 2007). Grounded theory was originally intended

for sociologists, but it is suitable for any study which focuses on social phenomena and emphasises the use of qualitative data (Glaser and Strauss, 1967).

The separation of the different grounded theory approaches began when its co-creators Glaser and Strauss observed fundamental differences in how they defined the method (Urquhart, 2013). As a result, two approaches to the grounded theory method were introduced: the Glaserian approach and the Straussian approach. The Straussian approach is based on the work of Strauss and Corbin (1990). With Juliet Corbin, Strauss produced a manual for grounded theory which presented only one coding paradigm and a conditional/consequential matrix to be used in the research process (Strauss and Corbin, 1990). They highlighted the systematic following of three coding steps, each of which consisted of distinct procedures: open coding; axial coding; and selective coding (Strauss and Corbin, 1996). The Straussian approach also highlights the importance of analysing processes from the data as part of axial coding. The Straussian approach has evolved over the years, because the authors have modified their stance from using only one coding paradigm to more flexible methods of conceptualisation (Corbin and Strauss, 2008; Strauss and Corbin, 1996).

Glaser disagreed with the view of grounded theory Strauss and Corbin presented. He was critical of the implementation of a strict coding paradigm forcing the data into rigid moulds (Glaser, 1998; Urquhart, 2013). Central to the Glaserian approach is the flexibility and creativity in coding and in finding theoretical codes. Glaser introduced eighteen different coding families to theoretical coding (Glaser, 1978). Glaser also noted that the researcher should enter the field without preconceived ideas from the literature. Instead, the literature should be visited only after the coding procedure had been completed (Glaser, 1978; Glaser, 1998). In the Glaserian approach, the process of data analysis consists of open coding, selective coding, and theoretical coding (Glaser, 1978), in which open coding and selective coding produces substantive codes, and theoretical coding produces theoretical codes. The Glaserian approach also emphasises the importance of using memos to find theoretical codes without forcing the data, and it is even noted that using memos is necessary in the process of doing grounded theory (Glaser, 2005).

Yet another approach to the method was introduced by Kathy Charmaz (2000), who presented the constructivist grounded theory. Charmaz criticised both the Glaserian and Straussian approaches to grounded theory for their underlying positivist stance. She argued that grounded theory could be applied by adopting constructivist epistemologies (Charmaz, 2006; Charmaz, 2008). In constructivist grounded theory, the interactivity of the process and interpretation of temporal, cultural, and structural contexts is central (Charmaz, 2000). While the Glaserian approach stresses the importance of not going through the literature before entering the field, constructivist grounded theory has a more flexible perspective on the literature. Constructivist grounded theory accepts that prior knowledge and perspectives of disciplinaries affect the research process (Charmaz, 2008). Constructivist grounded theory identifies four coding steps: initial coding; focused coding; axial coding; and theoretical coding (Charmaz, 2006).

The main differences between objectivist and constructivist grounded theory are presented in Table 3.1.

Table 3.1: Differences between objectivist and constructivist grounded theory (Charmaz, 2008).

Objectivist grounded theory	Constructivist grounded theory
Assumes an external reality	Assumes multiple realities
Assumes discovery of data	Assumes mutual construction of data
Assumes conceptualisations emerge from data	Assumes researcher constructs categorisations
Views representation of data as unproblematic	Views representations of data as problematic, relativistic, situational, and partial
Assumes the neutrality, passivity, and authority of the observer	Assumes the observer's values, priorities and positions, and actions affect views
Views data analysis as an objective process	Acknowledges subjectivities in data analysis, recognises co-construction of data; engages in reflexivity
Prioritises researcher's views	Seeks participants' views and voices as integral to the analysis
Aims to achieve context-free generalisations	Views generalisations as partial, conditional, and situated in time, space, positions, action, and interactions
Focuses on developing abstractions	Focuses on constructing interpretations
Aims for a parsimonious explanation	Aims for interpretive understanding

3.2.1 Conducting grounded theory by applying the constructivist grounded theory mindset and Glaserian approach

As was mentioned earlier in the chapter, this study shares similarities with the mindset of constructivist grounded theory. It is central to the study that, as constructivist grounded theory suggests, it aims at an interpretive understanding rather than a parsimonious explanation of the subject. It is assumed that the researcher plays an active role in constructing the categorisations, rather than that conceptualisations emerge magically from the data. However, the research also applies the Glaserian approach, because it

adapts the procedures originally presented by Glaser. Similar applications of grounded theory method have been used in the operations management area by for example Murtonen (2015) and Turunen (2013) in their doctoral dissertations.

In Glaserian grounded theory, certain features are central to the method: entering the research with an open mind; using theoretical sampling; and doing constant comparison. In using grounded theory, the researcher starts the study with no predetermined ideas beforehand, but the researcher is open to the data (Glaser, 1978). This means that the literature is preferably reviewed only after the findings start to take shape (Glaser, 1998). However, it is acknowledged that the researcher's background and existing knowledge do not disappear when the researcher enters the field. Instead, it is central to the method that the researcher keeps an open mind concerning the data (Urquhart, 2013).

The data to be analysed is based on theoretical sampling. Theoretical sampling means that the researcher collects new data based on the proceeding analysis process (Glaser, 1978, Urquhart, 2013). This means that the emerging theory guides further data collection. According to Glaser and Strauss (1967), the theoretical sampling of new data can be based on four strategies: minimising the differences between groups; minimising the differences between concepts; maximising the differences between groups; or maximising the differences between concepts. However, it has been noted that such overlapping data collection and analysis is not always possible for practical reasons (Urquhart, 2013). Urquhart (2013) suggests that when data collection possibilities are restricted, a "lighter" version of theoretical sampling can also be undertaken. This means, for example, in two-phased research, preliminary analysis of the first dataset influences the sampling of the following phase (Urquhart, 2013).

The Glaserian approach to grounded theory consists of three coding phases: open coding; selective coding; and theoretical coding (Glaser, 1978). Constant comparison is central throughout the process (Glaser, 1978; Urquhart, 2013). The analysis process starts with open coding. Open coding is often done line by line, coding the data into open codes, and further into categories and properties of categories (Glaser, 1998; Urquhart, 2013). The initial categories develop as a result of constant comparing – first, by comparing incident to incident, later by comparing category to incident. When comparing does not bring anything new to the category, it can be considered saturated, and theoretical sampling can focus on investigating other categories (Glaser, 1998).

Selective coding means that open codes and categories are upscaled into further categories that are most relevant to the research problem (Urquhart, 2013). Selective coding therefore focuses on coding those incidents that relate to the core category or categories of research. Ideally, the core category starts to take shape at the end of open coding (Glaser, 1978). However, there are typically multiple core categories at this point, which requires the further grouping of categories (Urquhart, 2013). Through open and selective coding, substantive codes form. Theoretical coding relates these substantive codes to each other (Glaser, 1978). To aid theoretical coding, Glaser (1978) presented different coding families. These coding families give some examples of how codes can

be related to each other. However, the researcher can also generate his/her own coding paradigms to describe the relations between codes (Urquhart, 2013). Coding happens iteratively, as the researcher moves back and forth from data collection to interpretation (Binder and Edwards, 2010). Data collection and coding continue as long as theoretical saturation is reached, meaning that the analysis provides no new insights (Urquhart, 2013).

Theoretical memos can be written throughout the coding (Urquhart, 2013). Theoretical memos are a tool for summarising the ideas the researcher has about codes or their relationships during coding (Glaser, 1978). The memos can be used to raise data analysis to a more conceptual level, develop the properties of categories, sketch the possible connections between categories and properties, integrate these connections with other groups to generate a theory, and relate the emerging theory with other existing theories (Glaser, 1978). According to Glaser (1978), the coding process generates substantive theories which are relevant, modifiable, and fit the real world. To raise these substantive theories to the level of formal theories, the emerging theory needs to be related to the wider literature, and theoretical memos can be utilised in doing this (Binder and Edwards, 2010; Glaser, 1978; Urquhart, 2013).

3.3 Research process

The research process applied the procedures of Glaserian approach to grounded theory. The main sources of data were interviews conducted in the case organisation. Additional data received from the case organisation was used to complement the picture of the case organisation and its functions. As is typical of grounded theory, the research process started with a very open research interest, which was to explore workflow control in a professional organisation. As the research process proceeded, the research interest was modified and focused.

Two sets of interviews were used during the research process. The first set was interviews conducted by the research team as part of a delay reduction project in 2008. The second set was interviews conducted particularly for the needs of this study in 2016. Both interview sets had their own roles in the research process. The interviews made in 2008 were used to familiarise with the operational environment of the case organisation. The analysis of these interviews aided to focus the research interest of the study further. Even though there have naturally occurred some changes in the organisation during the years, the basics of the operational environment have remained the same. Hence, the interviews made in 2008 were considered valid in this purpose. The interviews made in 2016 are the main source of data and the findings of the study are derived based on the analysis process of these interviews.

An overview of the data collection and analysis process is presented in Figure 3.1, followed by detailed description of the process. The purpose and the analysing process of the 2008 interviews is presented in chapter 3.3.1 and the purpose and the analysing process of the 2016 interviews is presented in chapter 3.3.2.

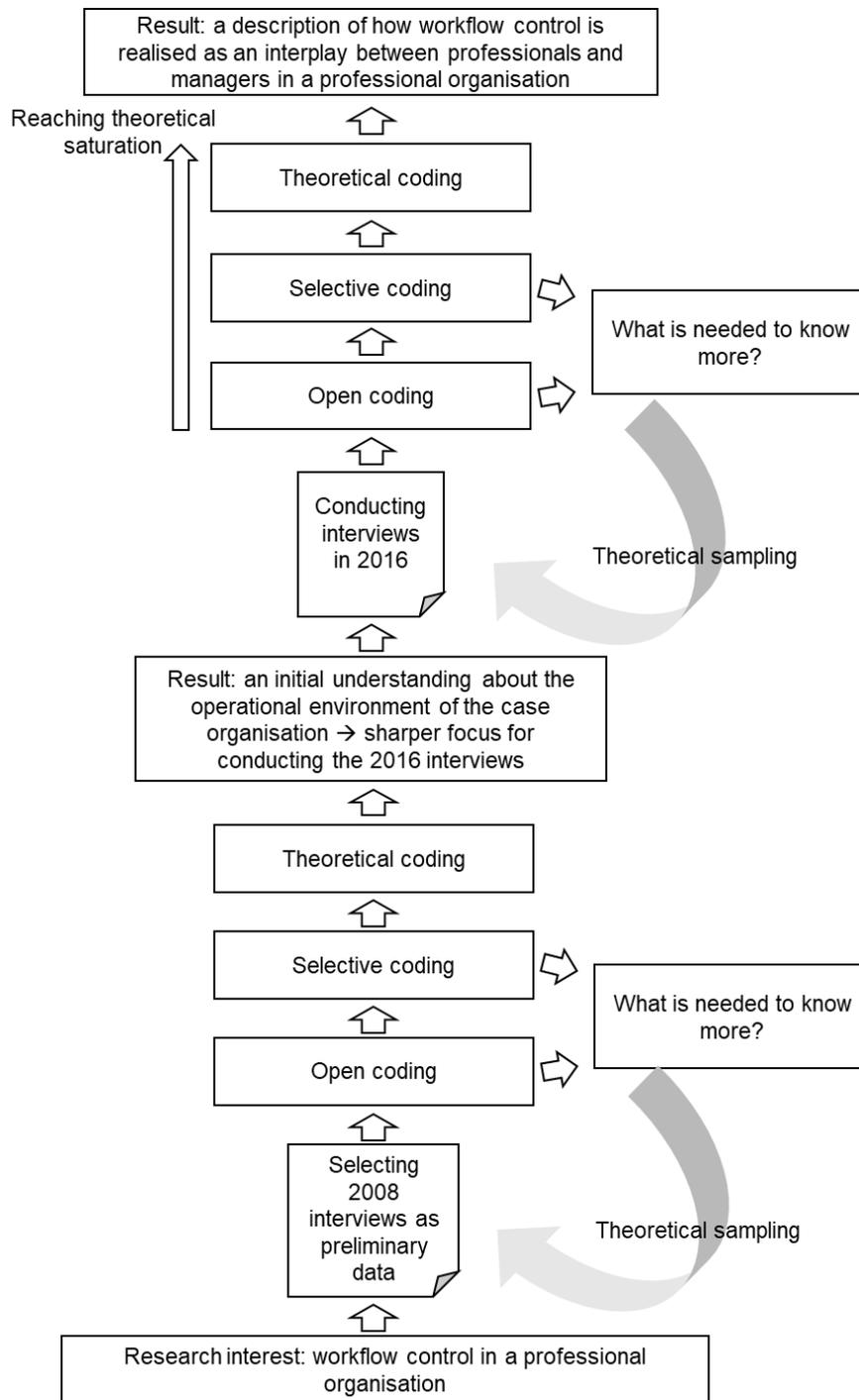


Figure 3.1: Data collection and analysis.

3.3.1 Gaining a preliminary understanding of the operational environment

In order to familiarise with the operational environment of the case organization, it was decided to analyse a set of interviews conducted by the research team as part of a delay reduction project in 2008. This delay reduction project was conducted to improve the processing times of the Insurance Court, which was struggling with delays. The interviews were conducted in the early phase of the project. They aimed to identify the possible issues behind the cases' long processing times. The interviewees covered examples from all personnel positions. As these interviews discussed the operational environment of the case organisation at a general level, it was possible to use them for analysis from the perspective of this study's interests.

Only interviews conducted with adjudicators were chosen from the interview set. In accordance with grounded theory, no certain research questions were presented at the beginning of the study (Charmaz, 2006; Glaser and Strauss, 1967; Urquhart, 2013). Instead, the research process started by exploring what answers the interviews gave to the broad question "*How does workflow control happen in the case organisation?*" The first analysis was of an interview with an assistant judge. Due to the large volume of interview data, nVivo software was used in the coding process.

The interviews were analysed one by one, which is typical of grounded theory, because the analysis of previous data guides the sampling for following data sources (Glaser, 1978; Urquhart, 2013). For example, the analysis of the first interview inspired the collection of more information about the values, principles, and practices of both professionals and managers that could affect workflow control. To gain more insight from the managerial perspective, the second interview to be analysed was an interview with a senior assistant judge. The analysis proceeded to cover (in the following order) interviews with a judge member, a chairman judge, a chief judge, another assistant judge, another judge member, and another chairman judge.

The analysis was conducted using the coding steps introduced by Glaser: open coding; selective coding; and theoretical coding. During the analysis, the interviews were coded. As the analysis process proceeded, codes were complemented, combined, and renamed, their relations were considered, and irrelevant codes were removed. For example, as the analysis proceeded, open codes were categorised to describe the main factors of workflow control in courts covering three main areas: the autonomy of professionals; managerial direction; and the background principles affecting management. After the fulfilment of this categorisation, all codes were reviewed again, and it became clear that theoretical saturation from these interviews in the purpose of gaining preliminary understanding had been reached. At this point, a preliminary understanding of the operational environment and the basics of workflow control in the Insurance Court was formed and it was easier to focus the research interest further. A total of eight interviews from the 2008 data were coded and analysed (further information in Table 3.2).

Table 3.2: Data information – 2008 interview data.

Personnel group	Number of interviews	Length of interviews [hh:mm:ss]
Assistant judge	2	2:20:32
Senior assistant judge	1	1:02:48
Chairman judge	2	2:33:00
Head of department	2	2:16:00
Chief judge	1	1:20:00
Total	8	9:32:20

3.3.2 Focusing on the realisation of workflow control as an interplay between professionals and managers

Based on the analysis of 2008 interviews, it was decided that the actual realisation of workflow control in courts should be investigated more deeply. Based on the preliminary understanding that was achieved, it was assumed that workflow control realisation relied on the interplay between professionals and managers. To explore this theme in more detail, more information about the tasks of both professionals and managers in workflow control, and about the ways they interacted, was needed. This resulted that the new interviews in the Insurance Court were focused on this theme. The new interviews were conducted during 2016. In an ideal situation, the interviews would have been conducted following the principles of theoretical sampling alone – that is, the analysis of one interview would have guided the selection of the following interview. However, the interviews had to be decided in advance for practical reasons. To make the interviews as accessible as possible, they had to be agreed in good time to allow the interviewees to schedule their working week.

The interviewees were arranged so that they covered the personnel groups of adjudicators as broadly as possible. As the organisation has three departments and five different adjudicator groups, one representative was chosen from each adjudicator and manager group for each department. Additionally, the chief judge was also interviewed. A total of sixteen interviews lasting almost fifteen hours was conducted. The key information about the data is presented in Table 3.3.

The interviewees were considered either professionals or managers. In this study, professionals were adjudicators who had no managerial duties, and these included assistant judges, judge members, and chairmen judges. Managers, on the other hand, are

adjudicators with managerial duties, and these included senior assistant judges, heads of department, and the chief judge. Concerning the group of managers, 100% of the adjudicators with managerial duties (7 persons out of 7) were covered by the interviews. Concerning the group of professionals, approximately 17 % of the adjudicators (9 persons out of 52) were covered.

Table 3.3: Data information – 2016 interview data.

Status in the research	Personnel group	Number of interviews	Length of interviews (min)
Professionals	Assistant judge	3	3:07:56
	Judge member	3	1:36:07
	Chairman judge	3	2:56:03
Total (prof.)		9	7:40:06
Managers	Senior assistant judge	3	2:56:20
	Head of department	3	2:45:10
	Chief judge	1	1:37:40
Total (man.)		7	7:19:10
Total		16	14:59:16

The interviews were conducted in Pasila at the office of the Insurance Court of Finland. The entire interviewing process took a total of five days, and each day between one and four interviews were conducted. The interviews were recorded and written down. An example of the interview's themes was sent to the interviewees beforehand to allow them to reflect on them. An example of the broad themes sent to the interviewees can be seen in Appendix D. However, as is typical of grounded theory, the details of the interviews varied according to each interview, and how the interview proceeded.

The interviews were tailored according to whether the interviewee was considered a professional or a manager. For purely professional interviewees, the interviews' main interest was to explore their daily workflow control practices and attitudes to managerial workflow control activities. For managers, the interviews focused on their managerial actions in workflow control. As the analysis proceeded, the question of interest was also modified and focused further to encompass the interplay between these two actors in

workflow control, based on the emerging concepts from the analysis of previous interviews.

The interviews were analysed soon after the interviews were conducted. For practical reasons, the interviews were conducted over five days. On each interview day, the interviews were scheduled one after the other. This meant each interview could not be analysed immediately. The interview set for one day was analysed as soon as possible, and before the following interview day. It was thus possible that the analysis of the interviews of one day shaped the focus of the following interviews.

The actual data analysis process proceeded according the coding steps of Glaser. The interviews were analysed following the coding procedures of open, selective, and theoretical coding. Data analysis was performed using the nVivo program. Open coding was done line by line, coding the data into codes, and further into categories and properties of categories. An example of open coding is presented in Table 3.4.

Table 3.4: Example of open coding.

Example from the interview	Initial open code
“...live pretty much from hand to mouth and order cases just before they start to be lacking from the inventory...”	Ordering cases ad hoc
“...order cases so that they would last until the start of the following week...”	Ordering cases in advance
“...some like to order cases every week, and only the amount they need for one week...”	Ordering cases regularly and in smaller amounts
“...some like to order bigger numbers of cases each time and do it more rarely...”	Ordering many cases but rarely

Selective coding focused on scaling up the open codes and initial categories that had formed into categories and that were most central to the research interest. Theoretical coding was conducted by relating the existing codes to each other. This resulted to the emergence of the main theme – realisation of workflow control as a hybrid model, to which all the categories are related. An example of the coding process is presented in Figure 3.2. The figure illustrates how the main theme and the categories were formed. In the example, the coding process is simplified, because only one example is presented from the examples from the interviews, open codes, low-level categories, sub-categories and categories.

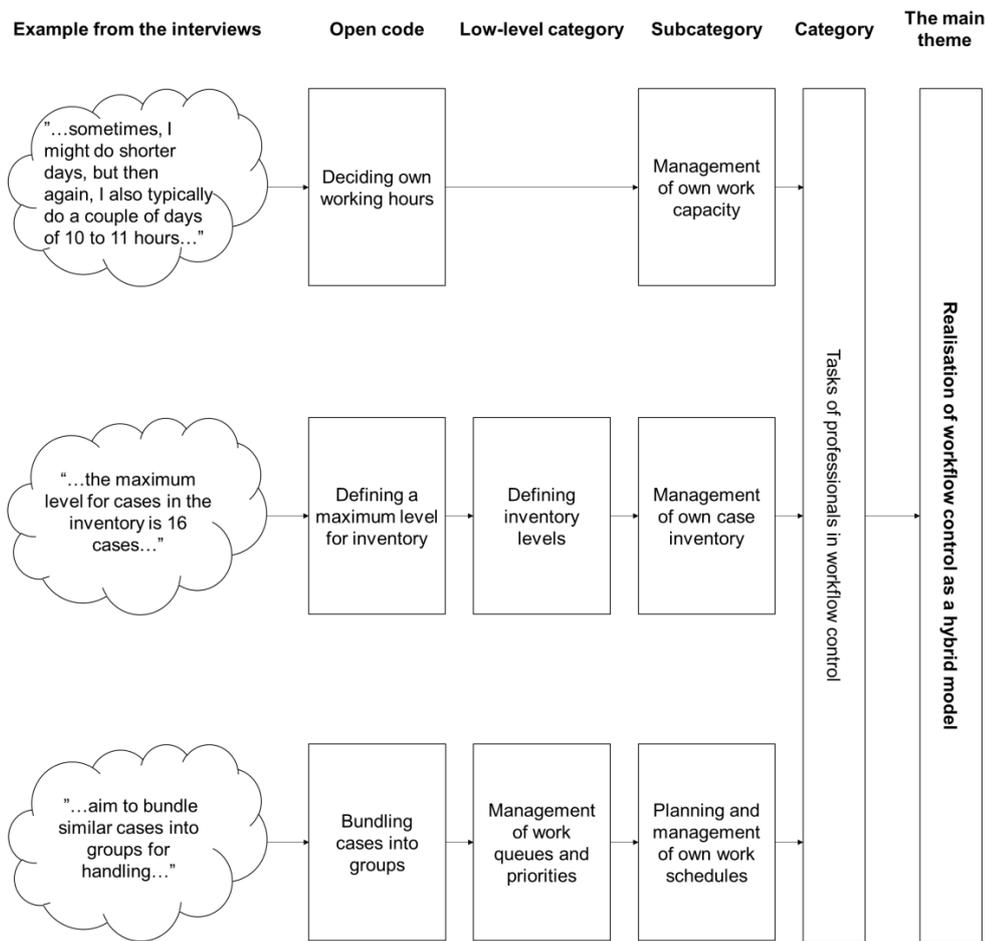


Figure 3.2: Example of coding process.

During the entire analysis process, codes were constantly complemented, combined, and renamed, their relations were considered, and irrelevant codes were removed. During the coding process, theoretical memos were also written. In theoretical memos, possible relations and ideas about the codes were written down. In addition, the coding process was discussed regularly with other researchers.

The codes were revisited multiple times, and the categorisation was modified according to the preceding analysis process until it was considered that theoretical saturation had been reached. At this point the data and the codes were revisited and analysed multiple times and it became clear, that no relevant new information is emerging from the data anymore.

Altogether the analysis process generated 1 112 open codes that were relevant for the identified main theme. Table 3.5 presents the categories and the sub-categories linked to the main theme, and the number of open codes linked to them.

Table 3.5: The categories and the amount of open codes.

Main theme	Category	Sub-category	Number of open codes	
Realisation of workflow control as a hybrid model	Tasks of professionals in workflow control	Management of own work capacity	24	
		Management of own case inventory	44	
		Planning and management of own work schedules	145	
	Total		213	
	Tasks of managers in workflow control	Goal setting and measurement	159	
		Coordinating	126	
		Guiding	81	
		Intervening	82	
	Total		448	
	Opinions about professional' independent workflow control tasks	Opinions of professionals	106	
		Opinions of managers	24	
	Total		130	
	Opinions about managerial tasks in workflow control	Opinions of professionals	275	
		Opinions of managers	46	
	Total		321	
	Total number of all open codes			1 112

Through the analysis process, the workflow control tasks of professionals and managers were identified, and the interconnections between professionals and managers and their workflow control tasks were explored. As a result, how workflow control was realised as an interplay between professionals and managers could be described.

To confirm that there were no serious misunderstandings during the analysis, the preliminary findings were discussed with the chief judge of the Insurance Court of Finland. The chief judge knows the overall situation of the organisation best. Hence, the discussions aided to verify that the findings were accurate and to ensure that the interpretations made were plausible.

4 Findings

This chapter presents the study's empirical findings. To provide new information about workflow control in professional public organisation, the tasks of both professionals and managers in workflow control were first identified, based on the interview data. How workflow control is realised as an interplay between professionals and managers was then analysed, based on the identified tasks and their interconnections.

Chapter 4.1 presents findings concerning the identified tasks of professionals and managers in workflow control.

Chapter 4.2 presents how workflow control is realised as an interplay between professionals and managers.

4.1 Identified tasks of professionals and managers in workflow control

Based on the interview data analysis, the concrete tasks of professionals and managers in workflow control were identified. In addition, opinions of professionals and managers concerning professionals' independent workflow control tasks and managerial workflow control tasks were identified. By identifying these singular workflow control elements and the opinions of both professionals and managers, it was possible to further analyse and understand the kind of roles both professionals and managers have in workflow control, and how these roles interact.

The chapter contains quotations from the interviews. These quotations are used only as examples of the interview data to enliven the text. The detailed personnel positions of the interviewees are not shared in the text to protect the interviewees' anonymity.

Chapter 4.1.1 presents the tasks of professionals in workflow control.

Chapter 4.1.2 presents professionals' and managers' opinions about professionals' independent workflow control tasks.

Chapter 4.1.3 presents the tasks of managers in workflow control.

Chapter 4.1.4 presents professionals' and managers' opinions about managerial tasks in workflow control.

Chapter 4.1.5 summarises the main findings concerning the tasks of professionals and managers in workflow control.

4.1.1 Tasks of professionals in workflow control

In the study, assistant judges, judges, and chairmen judges are defined as professionals. The term “adjudicator” is also used as a synonym for “professional” in the chapter. The actors who are defined as adjudicators only do judicial work, with no managerial duties.

The data analysis identified that the adjudicators independently conducted several workflow control tasks. The case-handling process can be described as consisting of a “silo structure” (see Chapter 1.3.2.2). This means that each adjudicator handles the cases separately inside their own “silos”. Based on the data analysis, it was observed that inside the “silos”, the central elements concerning the workflow were the adjudicator him- or herself, their inventory, and their case-handling work. The workflow control tasks of the adjudicators were linked to these elements (Figure 4.1). The identified workflow control tasks of the adjudicators were divided into three categories, based on the data analysis: the management of their own work capacity; the management of their own case inventory; and the planning and management of their own work schedules.

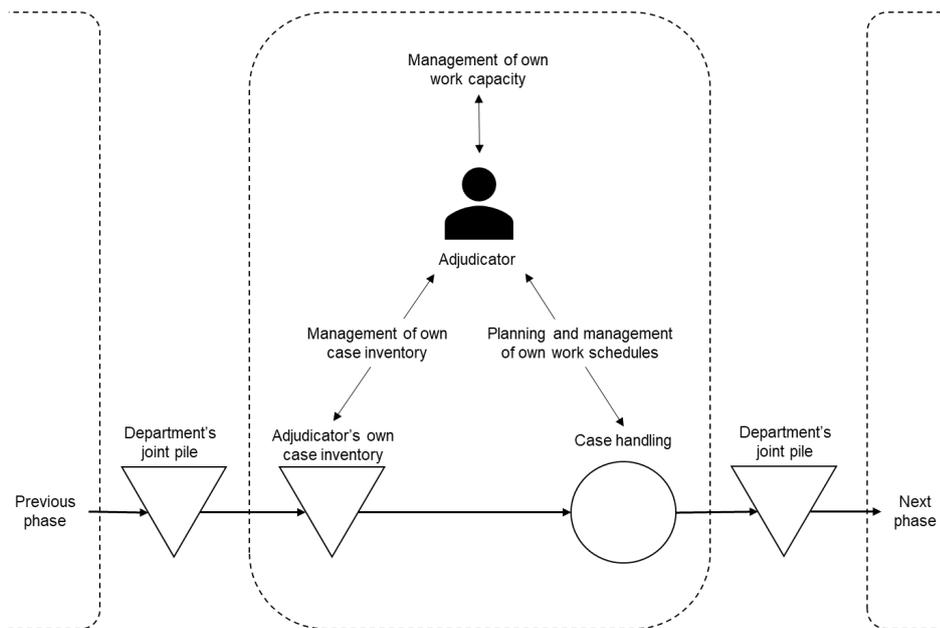


Figure 4.1: Professional tasks in workflow control.

The management of the adjudicators’ own work capacity is presented in Chapter 4.1.1.1. The management of their own case inventory is presented in Chapter 4.1.1.2. The planning and management of their own work schedules is presented in Chapter 4.1.1.3.

4.1.1.1 Management of own work capacity

In the study, “management of own work capacity” refers to tasks which are targeted at managing the time and place of the individual’s own work. These tasks include planning of work hours per day, planning of workdays per week, and planning the place of work.

The work time is flexible – if it sometimes feels like you don’t have much motivation, you can do a shorter day and then later balance it – for example, by working at the weekend. (An adjudicator)

Adjudicators do not have a fixed daily worktime. They have yearly output targets which are calculated at monthly, weekly, and daily levels. For example, for judge members, the calculated daily output target is 2.4 cases; for chairmen judges, it is 2.65 cases. These yearly output targets need to be achieved, but the number of hours they use to achieve the results is not controlled. Each adjudicator can independently plan and define the number of his/her own working hours, and how these hours are divided during the work week. Only minor constraints are set by the scheduled hearings and meetings which other adjudicators also attend.

Adjudicators can decide how many hours they work and on which days. The reasons behind the decisions can vary. The output target is a major factor in work capacity-related decisions. Adjudicators can monitor their own performance and the achievement of their output target from the statistics delivered to them. Based on this monitoring, the adjudicators can plan their working hours so that the achievement of the required output target is possible. For example, the adjudicator can finish a day earlier if he/she has attained the number of cases planned for the day.

As was mentioned in the interviews, one tactic in allocating working hours was to have a couple of extra-long days in a week. During these long workdays, there is a possibility to plan uninterrupted time to concentrate on cases. If extra work is required (e.g. an urgent new case is pending), the adjudicator can work longer hours one day and balance their working hours later with a shorter day. Motivation and wellbeing can also affect work capacity decisions. The interviews revealed it was possible to leave work earlier if the adjudicator was not feeling productive and compensate it later with longer days or by working at weekends.

Thank God there is a possibility to do remote work. At home I can work in peace. (An adjudicator)

Decisions concerning the place of work are also related to work capacity. All adjudicators (except senior assistant judges) can freely decide where they wish to work. This means they have an option to work remotely in addition to office work. Many of the interviewees utilised this possibility. There were several reasons for preferring remote work. Some interviewees considered it more efficient to handle a complex case at home with fewer interruptions. Remote work was also utilised, for example, in advance familiarisation with

the following week's cases. However, some interviewees preferred to work at the office. Some also felt that remote workdays made it difficult sometimes to contact co-workers.

4.1.1.2 Management of own case inventory

Each adjudicator has a personal inventory of cases. This inventory is composed of the cases that have been delivered to adjudicators but have not been moved to the next case handling phase. The management of the adjudicator's own case inventory refers to tasks which are targeted at managing these personal case inventories. The management of the adjudicator's own case inventory includes the following tasks: defining inventory levels; monitoring inventory levels; and ordering cases from the inventory.

I'd rather keep the case inventory as low as possible to prevent cases from accumulating. (An adjudicator)

The adjudicators can independently define their optimal inventory levels. Some of the interviewees considered that a large personal inventory level was stressful, because it created the pressure to get all the cases handled in time. Some adjudicators therefore defined a maximum level for their inventories. For example, one interviewee preferred to define the maximum level of the inventory as twice the size of their weekly output target. If there was a risk that the inventory would exceed this maximum level, the adjudicator would not order or receive new cases. However, almost all the interviewees wished to keep at least a small case buffer to ensure they achieved the output target. The buffer gave the adjudicator the possibility to more easily balance and mix easier and more complex cases during the week. The case buffer also made it possible to select cases from different case groups, which gave more variety to weekly work, making it more motivating.

I don't monitor the age of the cases in the inventory through the time alarm system, because I make my own notes which indicate the age of the cases. (An adjudicator)

Adjudicators are also responsible for monitoring the level and content of their own case inventories. Monitoring can be done by using the electronic case-handling system with time alarms that indicate the age of cases. However, some interviewees had chosen to use their own manual monitoring practices. Reasons given for this were that the time alarm system was considered outdated, manual monitoring was considered more practical, or it was easier. It was also argued that the system was not useful, because those who handled cases efficiently did not need to monitor their cases, and those who needed to be more efficient did not care about the time alarms. Manual monitoring practices included using notes which were added to the cases to indicate the time the case had been in the personal inventory.

Ordering of new cases depends on the number and content of cases I have in the inventory. (An adjudicator)

In considering decisions related to ordering new cases from the inventory, judge members and chairmen judges can freely decide when they wish to order new cases. For assistant judges, the day is set as Monday. Judge members and chairmen judges can either set a certain date by themselves or can order the cases when they need them. All the adjudicators can decide in which situation they wish to order the cases, and the case-ordering practices vary. Some order cases on an ad hoc basis when they notice they are starting to lack cases; others order cases in advance, based on the monitoring of their case situation. Ordering practice also differs in relation to the number of cases being ordered each time. Some rarely order a large number of cases; others prefer to order smaller numbers of cases regularly.

The output target pressure also affects case inventory-related decisions, as does the complexity of cases in the inventory. As adjudicators are expected to achieve a certain weekly output target, some order new cases if it seems the output target cannot otherwise be achieved, and easier cases are needed to achieve the number. Adjudicators understand the risks inherent in this type of ordering tactic. Some interviewees mentioned that they did not order cases based on their output target situation, because it might create the temptation to handle newer and easier cases first to achieve the output target. This would delay the handling of older and more complex cases.

4.1.1.3 Planning and management of own work schedules

The planning and management of one's own work schedules consist of the following tasks: management of work queues and priorities; allocation of time to independent case handling, hearings, and other duties.

I plan what cases I'm going to handle and when – for example, when I have enough energy to handle complex cases. (An adjudicator)

The management of work queues and priorities means planning and managing the order of work duties at a weekly level. Many interviewees mentioned that they typically made a weekly plan of work, in which they planned general guidelines for the work week. However, it was acknowledged that it was challenging to know exactly how much time the handling of cases was going to require, and whether there were going to be unplanned work duties that changed the plan (e.g. urgent cases).

There are different methods of weekly planning. Most interviewees said they started the week by planning which cases they were going to handle during the week. For example, ways of starting the work week varied. Some interviewees noted that Mondays could be used for preparing cases and finishing cases handled in the previous week. Some interviewees preferred to start the week by handling an easier case instead of a very complex one. In contrast, some interviewees remarked that it was better to start working with complex cases immediately at the beginning of the week to ensure the required handling time.

Some interviewees also planned their following work week in advance. For example, some planned which cases they were going to handle in the following week in advance. It was also observed that Fridays could be used for familiarisation with the following week's cases to make it easier to start work on Monday.

One strategy in planning weekly work was bundling the cases so that they were easier to schedule. For example, similar types of case could be allocated to a certain week instead of scattering them across different weeks. The adjudicator could thus handle similar types of case in one week, enabling the utilisation of case similarities. Interviewees also mentioned that they reserved one day of the week for the odds and ends of work. This left time for concentrating on actual case-handling work on other days, without such work tasks constantly disturbing it.

Interviewees mentioned that they liked to mix work tasks during the week to maintain motivation. This mixing means, for example, that an adjudicator switches between case-handling work, and the completion and preparation of cases. One interviewee even said that they had a custom of doing certain work tasks standing up and others sitting down to gain variety in workdays. However, the most typical strategy to gain variety in the work was to mix complex and easier cases during the week. Continuously handling only complex and difficult cases was considered exhausting and overwhelming. Balancing complex and easier cases during the week assisted adjudicators to control their workload and increased motivation.

The planning of work starts with concentrating on the level of complexity of the cases. If I have one or two complex cases, I consider how many easy cases I can handle so that I can achieve the weekly output target. (An adjudicator)

Although adjudicators have the freedom to plan and manage their own work schedules mostly independently, there are factors which affect decisions. Ideally, weekly planning of work should be based on the rule that the cases are handled according to the first-in-first-out (FIFO) order policy. However, this rule cannot be completely followed because there is also another factor which has strong implications for planning – the output target. Each adjudicator has a weekly output target, and many adjudicators base their planning on achieving the target.

Adjudicators balance their planning and management of work schedules between the FIFO order and the pressure of the output target. Some adjudicators emphasise the achievement of the weekly output target in their planning. A yearly output target is set for each adjudicator. This yearly output target is calculated and divided into monthly, weekly, and even daily targets. Achieving the output target is monitored monthly, and the adjudicators can monitor their own situation from the statistics. In practice, there is flexibility in the weekly and daily targets, and what really matters is the yearly output. However, some adjudicators take the weekly output target seriously and also aim to achieve it.

To achieve the weekly output target, the work week needs to be planned to combine both complex and easier cases, even if this means cases are not handled in the incoming order. If it seems at the end of the week that the weekly output target cannot be achieved, the adjudicator may handle newer and easier cases. The adjudicators who emphasised the weekly targets said in the interviews that if the weekly output target was not achieved, it would be almost impossible to achieve the output target later, because the target was so high.

I personally think that I'd rather handle the cases in their order of arrival, and if it means I won't achieve the weekly output target, so be it. (An adjudicator)

However, other adjudicators followed the FIFO rule strictly, basing their weekly planning decisions on the time the case had been in their personal inventory. They formed work queues so that the cases were in their incoming order, regardless of the case type or complexity. There were of course some exceptions – for example, in the handling of urgent cases. Adjudicators using this work queue planning strategy mentioned that keeping the cases in the inventory caused stress when they knew someone's case might be delayed. There was sympathy towards the claimants behind the cases among the interviewees. It meant adjudicators felt that cases needed to be handled as quickly as possible, because they were related to citizen's subsistence and could therefore have a strong effect on their daily lives. FIFO planning often meant that the output target could not be achieved every week. For example, there might be several complex cases to be handled consecutively according to their age. All the complex cases might require several workdays. It seemed that emphasising FIFO over the output target was more common for experienced adjudicators.

I have set a time target for my own handling times; I aim to move the case to the following phase within one month of the day it comes to me. (An adjudicator)

As judicial work needs to be impartial, no one else other than the adjudicator handling the case can define the appropriate time to be spent per case. Adjudicators independently decide when they consider that the case is ready to be moved to the next phase. The time needed to handle a case varies, depending on the case type and its complexity. Naturally, complex cases require more time to be handled adequately. In the interviews, it was noted that having continuous and uninterrupted time for handling complex cases was important, because interruptions lengthened the case handling time. Some interviewees therefore planned work schedules so that there could be as much continuous handling time for complex cases as possible.

Other factors affecting handling time were the nature, pedantry, and experience of the adjudicator handling the case. For example, some adjudicators tended to spend more time on perfecting decisions' details than others. Adjudicators could set their own time targets for handling cases, which affected their time allocation decisions. For example, some

interviewees had decided that they would aim to move a case to the next phase within one month.

Chairmen judges decide when the case is ready for hearing. The procedures are almost always written instead of oral hearings, and if the decision is unanimous, there is no need for a hearing. Hearing days affect the scheduling of other work. For example, some interviewees prepared themselves for the hearing one day before. In addition to case-handling work and hearings, it was sometimes also necessary to reserve time for other work duties such as meetings, which could be done in advance.

4.1.2 Opinions about professionals' independent workflow control tasks

Based on data analysis, several opinions about adjudicators' workflow control tasks were identified. Adjudicators' independence in workflow control was considered essential both by adjudicators and managers. Independence was supported by several reasons. However, risks to independence were also acknowledged by interviewees (Figure 4.2).

Independence in workflow control is needed because of...	...judicial independence
	...its connection to productivity
	...the nature of professional work
	...its connection to motivation
Independence also...	...can lead to excessive isolation
	...requires self-control and responsibility
	...sets requirements for management

Figure 4.2: Opinions about independence in workflow control tasks.

The work of a judge is very independent, because the judge needs to be impartial in their work. (An adjudicator)

Most of the interviewed adjudicators and managers considered that independence in workflow control was connected to judicial independence. Independence was seen as a traditional and significant value. It was noted on multiple occasions that no one should intervene in independent judicial work. It was argued that there was a risk that strict control of operational work would also affect judicial work. Based on the data, it can be argued that the person making the judicial decisions concerning the case should also be

able to flexibly decide the time and place of work, for example. It was also considered that deciding the time to be spent on each case was closely related to judicial decisions, which was why it should be done independently by adjudicators.

However, there were also opposite opinions about the close connection of operational and judicial independence. It was noted that the impartiality of judges was sometimes exaggerated, and intervention in operational work would not endanger judicial independence.

Independence is important especially in this kind of work, because you are sometimes more creative and productive, and sometimes not so much. (An adjudicator)

The nature of professional work was also mentioned as a reason to support adjudicators' independence in workflow control. The work was considered professional, and independence was seen as an attribute which belonged to professional work. Some interviewed adjudicators mentioned that because the work concentrated on thinking, it was natural that some days were more productive than others. It was said that strict instructions and limitations were unsuitable for such intellectual work. For example, it was important that no one ordered adjudicators to handle a complex case if they were having a bad day. Instead, the adjudicator should be able to independently decide to handle the case when they have the vitality to work intensively. It was considered important that adjudicators could work in the way that suited them best.

The same opinion was shared by managers. It was emphasised that it was essential that adjudicators were independent, because it went with the nature of the work. It was mentioned in the interviews that managers did not wish to overrule adjudicators' independence.

It's better that the work isn't directed from above... I don't even know what the benefits of it would be. (An adjudicator)

A practical reason supporting independent workflow control tasks was their connection with productivity. It was noted in the interviews that if manager gave orders concerning the activities which adjudicators now performed independently, it would require managers to familiarise themselves with cases in advance. This did not seem rational, because it would require overlapping work from both managers and adjudicators.

Being able to plan and decide working hours and schedules as the adjudicator felt most suitable was considered more productive than following certain rules or restrictions. It was also noted that self-management was important, because the work was not always predictable. This meant there should be flexibility which enabled reacting to changes in plans.

Independence is the best thing in this work. (An adjudicator)

An important factor supporting independence in workflow control from adjudicators' perspectives was the effect it had on their motivation. It became evident in the interviews that from adjudicators' perspectives, independent workflow control tasks were considered extremely important for motivation. Being able to independently manage their own workflow control tasks gave satisfaction to adjudicators. The possibility to manage their own working hours and work methods was considered one of the best things about the work, because it gave adjudicators a sense that they were capable of having a concrete influence on their own work. Independence in workflow control tasks was connected with a sense of freedom, which was considered to reduce work-related stress.

Independence affects management essentially... Managers need to have a certain balance in their management because the impartiality of a judge cannot be interfered with. (A manager)

It was also acknowledged that there were also risks in adjudicators' independence. Some of the interviewed adjudicators noted that the work could sometimes be too independent, especially for new assistant judges. It was pointed out that some might feel the work was too isolated and lonely. Because everyone was expected to work independently, it could cause a sense of being unable to have enough collegial support when needed. It was also noted by some adjudicators that it could be annoying to know that the contribution of others affected the overall aspects of the cases they handled. For example, even if the adjudicator aimed to handle a case as quickly as possible, it still did not mean the case would not be delayed in another handling phase.

A risk connected with laziness and unproductivity was noted by both adjudicators and managers. Independent work required self-control and responsibility, and there was a risk that not everyone would have the same working standards as others. Managers mentioned that independence sometimes created challenges for management, because managers had to take different independent working approaches into account in their managerial activities. It was also noted that some adjudicators could be more difficult to manage than others.

4.1.3 Tasks of managers in workflow control

Senior assistant judges, heads of department, and chief judges are defined as managers in the data analysis. All the managers also have judicial work in which they act in a professional role. However, their main tasks relate to managerial duties that aim to control the workflow of the whole organisation.

Senior assistant judges have many workflow coordinating tasks. They control the departments' case delivery and hence direct the workflow between different adjudicators and case handling phases. They also work as tutors to assistant judges.

Heads of department manage departments and act as superiors for the department's adjudicators. The head of department is responsible for planning and organising the general work of the department. They are also responsible for the department's productivity and performance. They also ensure that the interpretation and application of the law is uniform at the department's level. The head of department directs the department's senior assistant judge and acts in cooperation with them.

The chief judge is responsible for the performance and development of the entire organisation. He or she sets the output targets for the organisation and controls the accomplishment of the targets. The chief judge also supervises the uniformity of the interpretation and application of the law at the organisational level. The management board includes the chief judge, the heads of department, and the secretary-general. The management board assists the chief judge in administrative matters and appointments.

Based on the data analysis, it was identified that in addition to adjudicators' independent workflow control tasks, managers also performed several workflow control tasks. Managerial tasks are targeted at controlling workflow both between and inside the "silos" (Figure 4.3). Based on the data analysis, managerial tasks that aimed to control the workflow of the organisation were divided into four categories: goal setting and measurement; coordinating workflow; supporting professional tasks; and intervening in professional tasks.

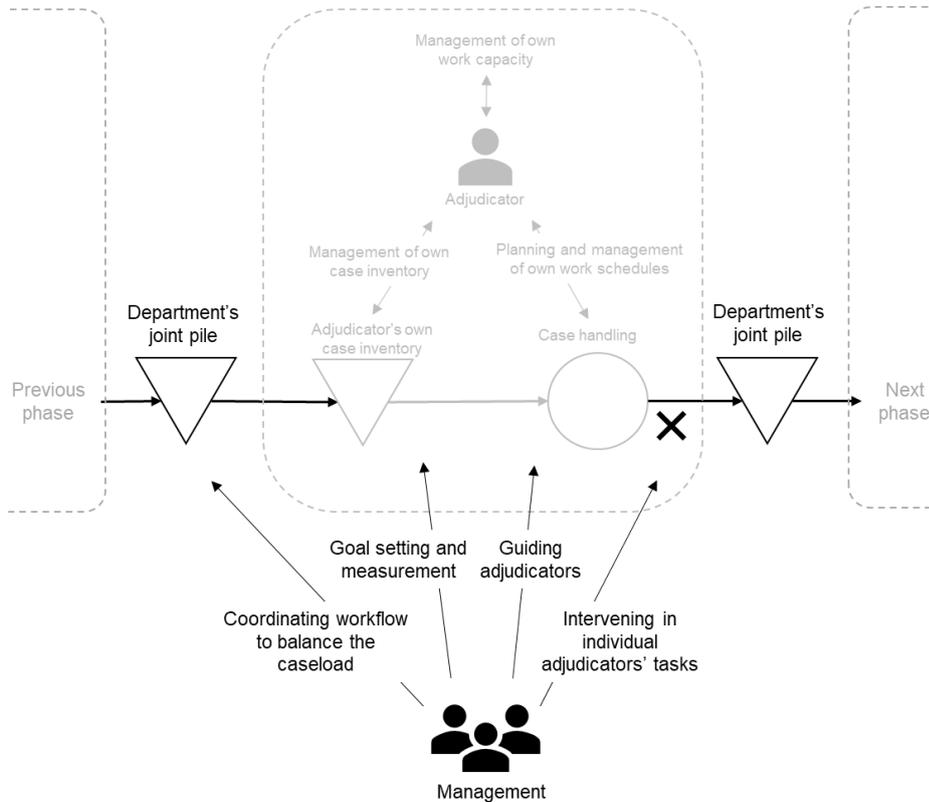


Figure 4.3: Managerial tasks in workflow control.

Goal setting and measurement are presented in Chapter 4.1.3.1. Coordinating workflow to balance the caseload is presented in Chapter 4.1.3.2. Guiding adjudicators is presented in Chapter 4.1.3.3. Intervening in individual adjudicator’s tasks is presented in Chapter 4.1.3.4.

4.1.3.1 Goal setting and measurement

Society sets three main goals for court organisations in general: quality; timeliness; and efficiency (see Chapter 1.3.1). Overall, the management of the organisation is responsible for ensuring these goals are met by defining the goals, and how they are measured and monitored.

*The output target is set with the Ministry of Justice in yearly negotiations.
(A manager)*

Efficiency plays a key role in goal setting and measurement. Management in the Insurance Court faces pressures from the Ministry of Justice to use personnel resources efficiently. The Ministry of Justice sets the output target for the organisation in yearly negotiations with the chief judge. The yearly output target means the number of handled cases per year.

The management of the Insurance Court has decided to divide the yearly organisation-level output target into department and individual levels. At the individual level, the target is calculated at monthly, weekly, and daily levels. The individual output target varies according to the adjudicator's position, but the output targets for the positions are the same throughout the departments. Every case is considered equivalent in the output target – the target does not take case variety into account. If there are days of absence (for example, sickness leave or attendance at meetings, conferences, or training), the calculated daily output target of these absence days is subtracted from the yearly output target.

The output target is monitored monthly at both the individual and department levels. The statistics show how many cases the output target is lacking as minuses. The heads of department monitor the situation in the department and the management board monitors the situation in the whole organisation. The heads of department and the chief judge receive the statistics twice a month. The output statistics are delivered to the personnel on a monthly basis. The statistics are transparent, meaning that everyone has the information concerning the overall output statistics and each other's performance. The output target is also monitored regularly at personnel meetings, and annually in personal development discussions.

The quality of decisions should be good, and the decisions should be uniform compared with other decisions. (A manager)

Management sets no quality targets that are measured or monitored. When interviewees were asked how they would define quality, they mentioned attributes such as equity, lawfulness, adequate handling time, uniformity of decisions, and the right amount and content of argumentation. Judges' professional ethics, education, and experience play an important role in ensuring the quality of judicial work. Being a judge is generally considered a position of honour. It was mentioned in the adjudicators' interviews that they felt a responsibility to do the work well, because it affected people's way of life.

The quality of decisions is also ensured by the sequential case-handling structure, in which decisions made in earlier phases are revised in the following phases. The heads of department also monitor the overall uniformity of the department's decisions, and the chief judge monitors the uniformity of the entire organisation's decisions. If there are challenges to the uniformity of a decision, it can be returned to the handling phases or moved for handling in an enlarged session.

In principle, cases should be handled in their incoming order. (A manager)

Based on the interviews, it was unclear whether there were specific targets for timeliness. Some interviewees said there were no specific targets for timeliness; others mentioned that there were time targets for urgent cases. There were also evaluation practices for the average handling time for each case type. This meant senior assistant judges evaluated about how long the average overall handling time of cases would be. However, such an average handling time for cases did not mean there was a specific target based on the estimate of a case's overall handling time.

There were also no time targets for individual adjudicators concerning how long a case could be in their possession. However, adjudicators were instructed to handle cases in FIFO order. Whether adjudicators followed this instruction was not monitored.

The timeliness of cases was monitored monthly by listing the hundred oldest ones. There were also statistics for the average handling times in the organisation's intranet. The average case times at the organisational and departmental levels were monitored in separate meetings several times a year. To make it easier to follow the timeliness of individual cases, there was a time alarm system. In this system, the age of cases was illustrated using exclamation marks. The system emphasised cases that were already or at risk of being delayed with exclamation marks.

4.1.3.2 Coordinating workflow to balance the caseload

Coordinating workflow includes managerial tasks targeted at managing the workflow that happens between independent adjudicators' "silos". Coordinating tasks aim to indirectly facilitate the actions of individual professionals by balancing the caseload evenly across departments and individuals. Coordinating tasks also aim to manage the case when it is not under any adjudicator's control. Coordinating tasks aim to create equal opportunities for each adjudicator to achieve their output targets. They include tasks which aim to balance the caseload between departments, and tasks which aim to balance the caseload between individuals.

When one department had much more pending cases than the others, the chief judge ordered personnel from other departments to be temporarily re-located to it. (A manager)

Balancing the caseload between departments aims to ensure the division of the caseload is even for each of the three departments. The most profound way of doing this is that case groups are divided between the departments so that the number and complexity of incoming cases is as even as possible for each department. This division is quite stable, and it is modified only if there is a severe imbalance between departments. Imbalance can happen, for example, if the number of cases in a certain case group suddenly increases, causing a backlog for a department. In this situation, the division of the case groups

between departments is reorganised permanently, or resources are reallocated between departments.

In situations where the caseload between departments is for some reason only temporarily unbalanced, there are essentially two options to regularise the situation: moving cases; or adjudicators doing the case-handling work. If the incoming case amount decreases for one department, the department in question can borrow cases from other departments. If a department has case backlogs, the department borrows resources from other departments, or some of the cases are reallocated to other departments.

I have to ensure the judges have enough cases to handle to enable them to achieve their output targets. (A manager)

The heads of department monitor the caseload balance between individuals and instruct the senior assistant judges when required. The balancing of the caseload between individuals is affected mainly by delivering cases in which the senior assistant judge of the department is an active person. In balancing the caseload between individual adjudicators, an important factor is the use of the joint pile, which helps to balance the delivery of cases. The joint pile is a department-level case inventory administered by the senior assistant judge. Each adjudicator group (assistant judges, judge members, and chairmen judges) has its own joint pile, from which the senior assistant judge delivers cases to adjudicators. For example, the senior assistant judge delivers cases from the assistant judge joint pile to assistant judges, who after handling the case, return it to the senior assistant judge. The cases are moved to the judge member joint pile, from which the cases are delivered to judge members and so on.

Although senior assistant judges have different practices for handling the delivery of cases, they all aim to balance the caseload between individuals by forming a balanced set of cases for them. When a senior assistant judge receives case orders from adjudicators (or it is the agreed day of case delivery), he/she forms a package from the cases in the joint pile, which consists of a balanced combination of easy, normal, and complex cases. In delivery, the main principle is to deliver the cases in their incoming order. However, this rule is rarely strictly followed. It became evident from the interviews that balanced delivery of cases aimed to create equal opportunities for adjudicators to handle their workload and achieve their output targets. Compared to a situation in which the senior assistant judge delivered cases purely in their incoming order, the adjudicator ordering the cases could receive only a package of complex cases, for example.

There are some situations in which this regular strategy of delivering cases cannot be used. For example, cases are delivered differently when the organisation has new and inexperienced assistant judges. The senior assistant judge delivers easier cases to new assistant judges. It was mentioned in the interviews that senior assistant judges could also take into account the case handling experience and speed of the adjudicator when delivering the cases. For example, if the case was complex, it could be delivered to a more experienced adjudicator. Furthermore, if the case was already very old and delayed,

assistant judges could deliver it to an adjudicator who they knew would be efficient in handling the case.

Judge members can for example work temporarily as assistant judges if they lack work in their handling phase. (A manager)

Although the joint pile balances the work situation between different adjudicators, there can still be situations of imbalance. In these situations, flexible work tasks can be used. For example, if a judge member lacks cases, but assistant judges have too many cases, the head of department may order a judge member to take on the work duties of an assistant judge. When the situation is balanced, the judge member returns to their regular tasks. In working in different work duties and tasks, the output target is also set for the target level of the task in question.

There is a possibility to have these so-called "other days" if the case is really complex, which reduces the output target. (A manager)

There are situations in which an adjudicator's caseload proves larger than planned, and the achievement of the output target is endangered. There can also be other duties (e.g. meetings, training, development work) which take time from normal case-handling work. In these situations, it is possible to get a temporary reduction of the output target. For example, if the case is extremely difficult and time consuming, the adjudicator can request "other days" from the head of department. This means the adjudicator's weekly output target is reduced according to these days. This aims to balance the caseload in situations in which complex cases or other work duties temporarily increase the normal work burden. However, it was noted in the interviews that these "other days" were only used in exceptional situations, not on a regular basis.

4.1.3.3 Guiding adjudicators

"Guiding adjudicators" refers to tasks which aim to direct and guide adjudicators' work and aid them in their workflow controlling tasks. Guiding tasks aim to influence adjudicators' values and opinions. The guiding tasks are "soft ways" of managing. Guiding adjudicators consist of the following tasks: advising; giving feedback; and giving technical instructions.

It is a duty of the senior assistant judge to familiarise new assistant judges with the work... The familiarisation itself depends a lot on the senior assistant judge, and what they consider important. (A manager)

A central task of advising is familiarising new adjudicators with the organisation's culture and tacit rules. The senior assistant judges give introductions to the work for new assistant judges. In the induction of new workers, the importance of the output target is highlighted, as well as practical matters. New workers are also typically instructed concerning the principles of judicial work (e.g. quality in memoranda and arguments).

The senior assistant judge also advises other assistant judges when necessary – for example, if assistant judges have some questions about procedures or cases. The importance of leading by example was also mentioned in the interviews. Managers undertook judicial work in addition to their managerial duties. The interviews revealed that seeing managers attend to the handling of complex cases influenced adjudicators' work, because it implied they were all in the same boat. Managers also influenced the work of adjudicators by sending them interesting and good examples of previous decisions.

*Meetings are one place where you can give and receive feedback...
However, it sometimes requires a bit of fishing to get it. (A manager)*

Giving feedback and advising also happen at several personnel meetings. There are meetings at department and personnel group levels (meetings for assistant judges, meetings for judge members, and meetings for chairmen judges), at which relevant themes can be discussed, and information shared.

The giving of feedback happens mainly in yearly development discussions and through personal evaluations. In the development discussions, reciprocal feedback can be given. Assistant judges have their development discussions with the senior assistant judge. Judge members and chairmen judges have their development discussions with the head of department. In addition to discussing personal development plans, development discussions are used to give guidance and feedback about issues related to the output targets. As no proper incentives for adjudicators exist, positive feedback is considered motivating and rewarding. The interviewees said that receiving positive feedback and the sense of success motivated them to perform well in their work.

Senior adjudicators make personal evaluations of other adjudicators (e.g. a judge member evaluates an assistant judge; a chairmen judge evaluates a judge member). These personal evaluations are discussed with the superior in development discussions. The following attributes are assessed in personal evaluations: professional skills; quality and efficiency; cooperation skills; and responsibility. In addition to feedback, the personal evaluation can also act as an incentive. As incentives are limited, career progress is an important incentive for assistant judges and judge members. Personal evaluations are examined when new appointments are made, making good evaluations attractive, especially for younger adjudicators.

*There are lot of different kinds of instruction. Old instructions are updated,
and new ones are written. (A manager)*

In addition to advising and giving feedback, managers also guide professionals' tasks by giving general and technical instructions. A general instruction is that the cases should be handled in the incoming order. The instruction to handle the cases in the incoming order aims to ensure fairness and that no case is unnecessarily delayed. Cases are also marked if they are urgent or extremely complex to assist adjudicators in considering them in their

work planning. Hearing days are also set in advance for each department. For example, one department always has its hearings on Wednesdays or Thursdays (when hearings are needed).

There are also multiple additional technical instructions – for example, instructions for hearing the applicant and several instructions for using technical systems.

4.1.3.4 Intervening in individual adjudicators' tasks

When other managerial tasks are insufficiently effective, managerial intervention is required. Intervening consists of concrete tasks that aim to overrule the individual professional's role in workflow control when challenges occur. However, intervention is rarely required. Intervening consists of the following tasks: conversations with the head of department; discussions with the management board; the reallocation of cases; an assessment of career progress; and the termination of a work contract.

The manager needs to intervene in work if the minuses keep constantly accumulating in annual statistics – for example, if the adjudicator already has more than fifty minuses by the autumn. (A manager)

Productivity challenges are a typical reason for intervention. Based on the data analysis, intervention was usually needed when the adjudicator was severely and repeatedly lagging behind in their output target. This showed in the statistics as minuses (see Chapter 4.1.3.1). Minuses in the output target also often meant the adjudicator had delays in their case-handling times. These delays were typically due to personality. It was noted in the interviews that some adjudicators might be over pedantic in their case-handling work, which caused delays. Other typical reasons might be inexperience or personal problems. There is a handout on the minimum number of minuses for intervention to happen. However, the managers had varying opinions in the interviews about this minimum. It varied from forty to a hundred minuses.

Intervention is mostly about one-on-one discussions with the adjudicators. (A manager)

Conversations between the head of department and adjudicator are the mildest intervention method. The head of department monitors the department's output statistics and should notice if minuses start to accumulate. In these cases, the head of department aims to have conversations about the situation with the adjudicator. These conversations can also happen during development discussions. The conversations aim to identify the reason for the problems and correct the problematic working methods that have caused them.

If the conversations are ineffective, the head of department may take the adjudicator as a subject for enhanced monitoring. This means the head of department monitors the

adjudicator's actions weekly, and the adjudicator must regularly report their actions and how their ways of working have developed.

Now, those who have a lot of minuses are ordered to have discussions with the management board. (A manager)

If the actions of the head of department are ineffective, the adjudicator can be ordered to have conversations with the management board. This happens extremely rarely – only once or twice a year. The conversations with the management board focus mainly on identifying the reasons behind the challenges.

The main reason for conversations with the management board is that it acts as a deterrent for adjudicators. If minuses continue to accumulate, the adjudicator will need to have conversations with the management board. This indicates to adjudicators that failing to follow managerial instructions concerning their output target has consequences.

Sometimes, one judge's cases need to be delivered to another judge, because the cases are so delayed... This is quite unpleasant, because getting someone else's cases in addition to your own doesn't really result in happy faces. (A manager)

To help the adjudicator with challenges in achieving the output target and working practices, the head of department can order the senior assistant judge to temporarily deliver easier cases to the adjudicator. If there is a significant backlog of cases, the head of department can reallocate and redeliver cases from the adjudicator to others in the department. However, this rarely happens, because it is problematic from the perspective of the adjudicators who receive the delayed (and typically quite complex) cases. Redelivering causes a problematic situation in which other adjudicators are “rewarded” for doing good work by giving them increasingly challenging work.

This is a public organisation – we don't have incentives or sanctions... If someone does a hundred fewer cases than the others, there isn't much you can do about it. (A manager)

As a court organisation, the Insurance Court lacks concrete correction methods. The only sanctions are the shame caused by managers' intervention, the effect on the adjudicator's career progress, and the very limited possibility of terminating work contracts. The personal evaluations made of the adjudicators are used in career nominations. An aspect of these evaluations is performance (which is seen as achieving the output target). If the adjudicator's performance is continuously poor in personal evaluations, it can affect the progress of their career.

Dismissal is only possible in situations of extremely severe misconduct. However, if a person who does not have a permanent position is performing very poorly, it is possible to discontinue their temporary work contract.

4.1.4 Opinions about managerial tasks in workflow control

In the data analysis it was identified that both adjudicators and managers had varying opinions about the managerial workflow control tasks (Figure 4.4).

Concerning managerial tasks...	...the output target is considered dominating
	...coordination is considered important and needed
	...open feedback is considered important and needed
	...intervening should be more visible

Figure 4.4: Opinions about managerial tasks in workflow control.

Output is central. (An adjudicator)

Of all the managerial activities, the existing output target provoked the greatest discussion. In most interviews, especially from the adjudicators' perspective, output target setting was considered controversial for court organisation. The reasons the output target was disliked varied. Many interviewees thought that the output target was simply too dominating and too difficult to achieve.

Adjudicators mentioned that achieving the output target was difficult, and that it was unrealistic, because, for example, it did not take into account the fact that some cases got delayed for reasons beyond the adjudicator's control. For example, in some case groups it was more common than in others that the applicant sent further material for the case while the case was being processed, which caused the case's handling to be started from the beginning again. It was also mentioned that the output target was so high that there was not really any room for flexibility in planning work. Some managers also acknowledged these issues and mentioned that the possibility to slip from achieving the output target at a monthly level did not really exist, or the target was impossible to achieve at an annual level.

It was mentioned in the interviews that the nature of the work and its independence, combined with strict output targets, did not make sense. Some adjudicators considered that the output target worked against judges' independence. It was considered that the output target set limits to the handling of cases when there was pressure to handle them within a certain time to achieve the weekly total.

Another argument behind resisting the output target was that it contradicted quality and adjudicators' own values. It was mentioned in the interviews that the output target restricted the adjudicator in spending as much time with a case as they would like to. The managers also recognised this challenge and mentioned that the conflict between output

and quality was constantly brought to attention in development discussions with adjudicators.

Some adjudicators felt the output target caused them pressure and stress. Transparent statistics and knowing that everybody could see everyone's results felt unpleasant for some. Some adjudicators felt that failing to achieve the output targets was a cause of shame. It was even mentioned that the output target statistics were a sort of "gossip calendar", which suggested that the results of the statistics were discussed behind people's backs. It was also mentioned that it felt as if the departments were competing against each other in achieving the output target and in who obtained resources.

However, some interviewees said they did not really care about the output target. Besides positive feedback, career progression was the only incentive to achieve the output target. It may therefore have a stronger effect on younger adjudicators. It was mentioned that when one was no longer progressing in one's career, one could basically do what one wished.

Although the output target caused many opposing opinions, there were also arguments that supported it. That is, some of the interviewees considered the output target was very clear and impartial for everyone. It was mentioned that when the output target was known, it was clear what must be done at the weekly, monthly, and annual levels. Concerning the transparent output statistics, it was said in the interviews that seeing other adjudicators' statistics (and noticing that others had worse results) could even be comforting. Some interviewees considered it mentally important to see that other adjudicators could also face occasional challenges in their performance levels. It was also noted that the output target was not difficult to achieve when one had experience of the work. However, it was also mentioned that one should not say this aloud, because it caused stress for those struggling with their output target.

Based on the interviews, output target clearly dominated timeliness and quality in workflow control tasks. Many of the interviewed adjudicators did not recall the reason behind the time alarm system which had been developed to assist in monitoring case timeliness. However, it was mentioned that timeliness was an important factor in the work, and that everyone should handle their cases in such a way that the handling time was adequate.

Management is needed to secure even-handedness and to balance the workload between departments. (An adjudicator)

When adjudicators were asked why they thought management was needed, many answers were linked to the need to coordinate workflow. Management was said to be needed to direct the caseload division between adjudicators so that everyone received an equal number of easy and complex cases. It was also noted that managers were needed to direct the workflow so that the case handling times did not get too long. Another coordinating

activity adjudicators thought was important was that management allocated resources even-handedly to each department.

Managers also highlighted the importance of the caseload and resource-balancing tasks. It became clear in the interviews that the managers considered the monitoring and balancing of the department's caseload as one of their main task. This meant that everyone should have enough cases to work with so that no one had too much work, and that no one lacked it.

The attribute desired from coordinating activities was fairness. Fairness in caseload division was considered especially important because of the demanding output target – everyone should have equal opportunities to achieve it. However, there were diverging opinions on the definition of fairness. Some adjudicators said that everyone should have an equal number of different types of case; others thought that everyone should have an optimal number of different cases. An optimal number of different cases meant that it was not sensible to deliver the same number of complex cases to a person who was very slow, when it was known the cases would get delayed.

There were diverging opinions about the use of flexible work tasks in balancing the caseload. Some managers mentioned that not all adjudicators responded positively if they had to do the work of the “lower” phase. However, when adjudicators were asked for their opinions of flexible work tasks, there were also positive responses. Flexible work tasks were considered a good way to balance the caseload between individuals.

Another coordinating activity which caused some negative opinions was the use of “other days” to compensate for absence or exceptional case complexity. Some adjudicators felt that requesting “other days” from managers was unclear, and that asking for these days was difficult. Some managers mentioned that they felt that some adjudicators did not dare to ask for compensation in the output target.

It feels like no one dares to give any feedback because of the fear that it contradicts independence. (An adjudicator)

Concerning managers' guiding tasks, some interviewees noted that both positive feedback and constructive criticism would be more desirable. Both adjudicators and managers observed that they wished feedback to be more open. They especially felt that no one dared to give any personal criticism, but adjudicators might criticise managers more generally, for example. Some adjudicators also felt that when new assistant judges entered the organisation, they were sometimes allowed to be too independent. It was noted that more advice and longer familiarisation were needed.

Managers especially considered it important that they also participated in judicial work. It was considered important both for motivation and as an example for the adjudicators. It was noted in the interviews that there were too many technical instructions. It was

mentioned that absorbing instructions could be difficult, because there were so many of them, and it took time from the actual case-handling work.

It's annoying to see when you have the same salary as someone else and that person consistently produces a lower output and has minuses in statistics, and nothing is done. (An adjudicator)

As a managerial activity, intervention is used relatively rarely. It became clear in the interviews that few adjudicators knew whether intervention happened at all and for what reasons if they had not been the object of an intervention. It was noted that the feeling minuses in output target statistics were not paid attention decreased work motivation. As one interviewee put it, it did not feel fair that a person who consistently handled fewer cases received the same salary as others who tried to achieve their output targets. It was also noted that the managing of intervention activities was somewhat invisible. This indicated that the adjudicators wished managers to intervene if someone had minuses in their output target statistics, but at the same time, intervention needed to be fair and equal for everyone.

Whether intervention happened was only known through hearsay. Some interviewees said that no one really knew what was done if someone had minuses in their statistics. It was said that they felt management monitored the statistics but did nothing if there were issues. However, from the managerial perspective, it was noted that if someone asked whether anything had been done about minuses, the manager replied that it had been taken care of.

Opinions of the interviewed managers on using intervention activities varied. Some noted that intervention was unpleasant for both the manager and adjudicator. However, some managers felt that intervention in problems was fine, because it was a natural part of being a manager. They also felt that adjudicators who had been objects of intervention may even have been relieved when the issues were noticed, and assistance was given. In the interviews with the adjudicators, it was observed that some felt that management did not dare to intervene in problems enough, because it might cause them to have a reputation of being an unpleasant manager.

When adjudicators were asked how it would feel if they were the object of an intervention, they said it would be unpleasant and extremely embarrassing. However, some adjudicators also said that if things had become so bad that there was a need for intervention, it might be welcome to have some assistance in getting work back on track.

The intervening task of redelivering cases was considered challenging by both adjudicators and managers. Some adjudicators noted that getting someone else's old cases was unpleasant when one had already done one's share in achieving the output target. The same view was shared by some managers, who took a discreet approach to redelivering.

4.1.5 Summary of the findings concerning workflow control tasks

Based on the data analysis, the main tasks of both professionals and managers in workflow control were identified. In addition, the opinions of professionals of their own workflow control tasks and the tasks of managers were identified. Similarly, the opinions of managers about professionals’ workflow control tasks and their own workflow control tasks were identified. The main findings concerning the workflow control tasks are summarised in Figure 4.5. In the figure, the concrete tasks of professionals and managers are illustrated inside the boxes. The opinions of both professionals and managers concerning these tasks are bundled together and presented inside the dashed lines.

	Professionals’ independent workflow control tasks	Managers’ workflow control tasks
	<ul style="list-style-type: none"> • Management of own work capacity • Management of own case inventory • Planning and management of own work schedules 	<ul style="list-style-type: none"> • Goal-setting and measurement • Coordinating workflow to balance the caseload • Guiding of adjudicators • Intervening in individual adjudicator’s tasks
Opinions about workflow control	<ul style="list-style-type: none"> • Needed because of judicial independence • Needed because of productivity • Needed because of the nature of professional work • Needed because of its connection to motivation 	<ul style="list-style-type: none"> • Can lead to excessive isolation • Requires self-control and responsibility • Sets requirements for management
	<ul style="list-style-type: none"> • Coordination is considered important and needed • Open feedback is considered important and needed 	<ul style="list-style-type: none"> • Output target is considered dominating • Intervening should be more visible

Figure 4.5: Summary of the findings concerning tasks in workflow control.

It was identified that both professionals and managers conducted concrete tasks that aimed to control the workflow. It was also identified that both professional and managerial workflow control tasks were considered to have positive and negative sides. Based on these identified tasks and opinions, the roles of professionals and managers could be identified and analysed. The analysis of the roles and their interconnections is presented in following chapter.

4.2 Realisation of workflow control as an interplay between professional and managerial tasks

This chapter presents findings concerning the realisation of workflow control as an interplay between professional and managerial tasks. Based on data analysis, the roles of

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both professionals and managers in workflow control were identified, and how these roles interacted in workflow control were explored.

Chapter 4.2.1 presents how workflow control is realised as a hybrid model.

Chapter 4.2.2 presents the role of adjudicators in workflow control.

Chapter 4.2.3 presents the role of managers in workflow control.

Chapter 4.2.4 presents the advantages and challenges of the hybrid model.

4.2.1 Realisation of workflow control as a hybrid model

Based on an analysis of the relationships between adjudicators' and managers' tasks, the kinds of interplay in workflow control could be identified. It was identified that both adjudicators and managers played a notable role in workflow control. Adjudicators and managers both conducted different types of workflow control tasks, which were needed to control the organisation's workflow.

It was identified that adjudicators conducted several workflow control tasks independently within the "silos" in which they worked. The silo structure, which exists to secure the judicial impartiality of adjudicators, also forms natural boundaries for independence in workflow control. The silo structure and the case inventories between and inside the silos enable freedom for adjudicators to organise their work independently inside them. Based on the analysis, adjudicators were identified as having self-management (SM) in workflow control inside the silos. Adjudicators could plan and manage their own workflow control tasks mostly without the direction of managers.

Managers aim to secure the efficient functioning of the whole organisation. The upper level policies, instructions, and tasks conducted by managers affect the self-management of adjudicators. Self-management in itself sets requirements for management, because it needs to be at a sufficient level to satisfy adjudicators. Hence, managers need to use suitable actions in combination with adjudicators' self-management.

The workflow control of the case organisation is realised through adjudicators' and managers' tasks and their interconnections. In the study, this realisation of workflow control is named a hybrid model of workflow control. The hybrid model of workflow control is illustrated in Figure 4.6.

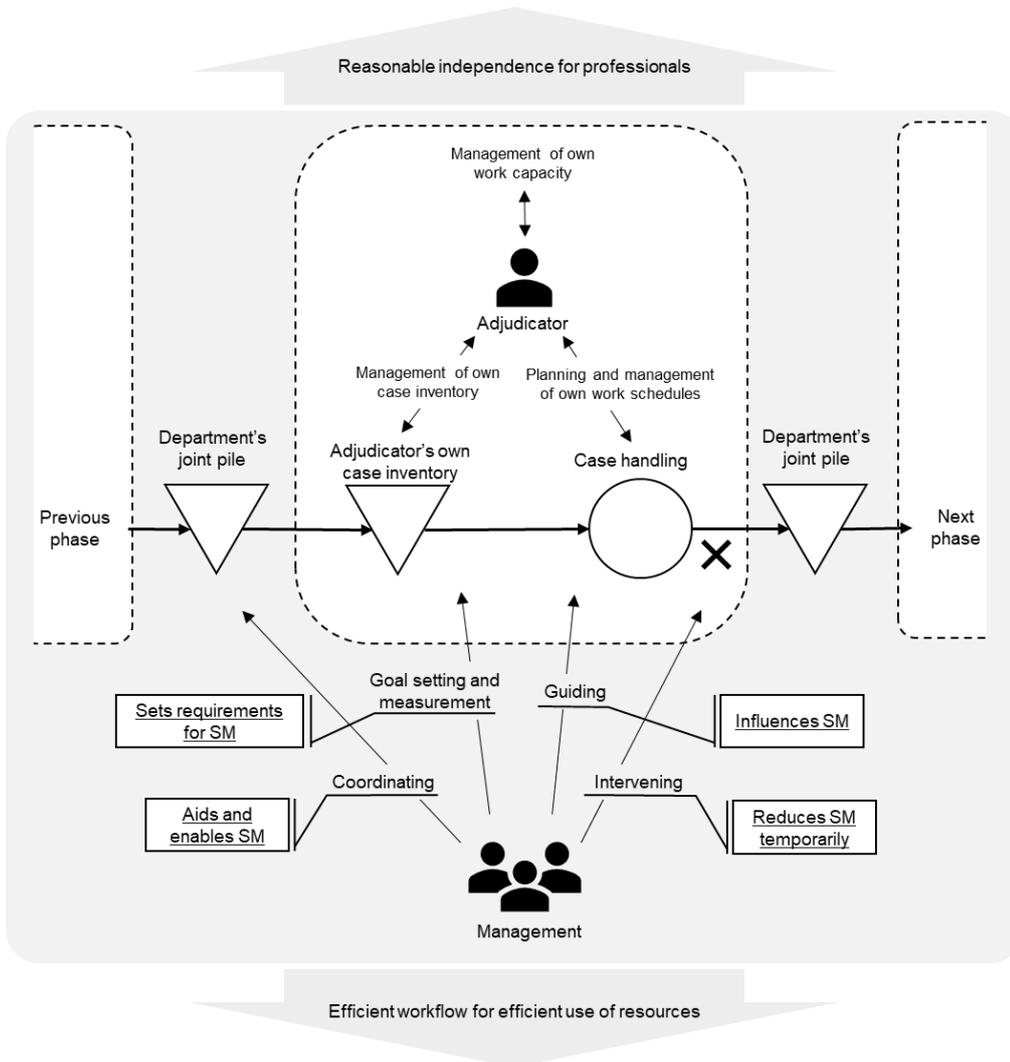


Figure 4.6: Hybrid model of workflow control.

The hybrid model illustrates the self-managing role of adjudicators in workflow control inside the silos. Managerial tasks aim to affect the self-management of adjudicators in workflow control in different ways. Managerial effect happens through both indirect and concrete tasks, which each have their own role in the entire workflow control of the organisation. Goal setting and measurement and guiding are tasks which indirectly aim to direct the workflow control which adjudicators conduct inside the silos. Coordinating and intervening are concrete tasks which directly affect workflow control.

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Goal setting and measurement set requirements for self-management mainly in the form of an output target. The existence of the output target and how it is emphasised (e.g. transparent statistics) create circumstances in which adjudicators feel pressure to conduct their workflow control tasks to achieve their output target. Guiding aims to softly influence self-management. Guiding and giving feedback and instructions creates possibilities for adjudicators to improve or change their workflow control habits. However, guiding sets no restrictions for self-management.

Coordinating means concrete tasks that are conducted to control the workflow between the silos. These concrete actions thus do not interfere with adjudicators' independence. On the contrary, coordinating tasks are targeted at aiding and enabling the self-management of adjudicators in workflow control. Through coordinating, managers aim to enable equivalent and balanced circumstances for adjudicators to conduct their workflow control tasks.

Intervening consists of concrete tasks, but these tasks are targeted at radically reducing the self-management of adjudicators for short periods. Intervening acts as a way of correction if there is poor performance concerning targets. Intervening diminishes the adjudicator's possibility to conduct self-managing activities independently and can also set restrictions to the adjudicator's work. Hence, its aim is to direct the individual's workflow control tasks so that they perform better.

The case organisation operates in an environment with two profound needs: society sets strong expectations for efficiency; adjudicators long for strong autonomy. Through the interplay between adjudicators' self-managing role and the managerial role, the hybrid model aims to fulfil these needs. On one hand, the hybrid model enables adjudicators to be self-managing in their operational and judicial work inside the silos where they work. On the other, it also contains managerial activities which aim to enhance the efficiency of the organisation.

4.2.2 The self-managing role of adjudicators in workflow control

Based on the data analysis, several factors were identified which support the self-managing role of the adjudicators. These factors are judicial requirements, practical reasons, professionalism, and motivation.

The *judicial requirement* is that judges are independent in judicial work to produce fair and impartial decisions. To secure this judicial independence, case handling happens in consecutive steps. This creates a sort of "silo structure" in which the adjudicators conduct their work independently inside their own "silos". As the adjudicators conduct their case-handling work independently, it is natural that they can also independently make decisions concerning the control of their workflow. Thus, independence in making judicial decisions blends with the need for independence in general work arrangements.

Practical reasons supporting self-management are associated with the rationality and efficiency of work arrangements. For example, giving orders to adjudicators concerning the planning and management of their work schedules is not only difficult, but also useless without knowing the nature of adjudicators' cases thoroughly. Based on data analysis, it was observed that managerial control in managing individuals' daily work in detail was considered ineffective. Adjudicators believed that they knew what kind of work routines suited them best. For managers to control the daily work of adjudicators in detail, they should form a sort of readymade case package for adjudicators to handle each week. This in turn would make no sense, because it would mean that managers would have to familiarise themselves with the same cases in the same way as the adjudicators would later. To be efficient in their work, adjudicators also need flexibility in their workflow control tasks. The cases can sometimes be unforeseeable, and the adjudicator may not know exactly what kind of cases he/she will receive. A seemingly easy case can turn out to be more complex than was first assumed. This requires adjudicators to be able to organize their work flexibly.

Granting self-management to adjudicators is logical because of their *professionalism*. Adjudicators tend to have strong professional ethics which guide their actions in being upright. Adjudicators are used to obeying instructions, and they typically do what is asked. Based on data analysis, it can be reasoned that judges tend to be obedient. Judicial work is seen as a vocation, and it is a matter of honour to do the work well. It was also noted that being able to secure protection under the law for citizens motivated investment in work and seeing that work really affected other people's lives was satisfying. However, strong professional ethics can also diminish the effect of managerial activities if the values of the professionals contradict what is asked for by managers.

Self-management in workflow control is also supported because it is connected to *motivation* in work. In the case organisation, the daily work of adjudicators has routine-like features. The cases are less varied, because they are all related to income security matters. The output target is standard, and the actual case handling work itself is quite regular. Based on the data analysis, it was identified that the work could even be said to share some of the features of assembly line work. The number of cases to be handled each week was considered large, which caused a feeling of hurry. The work was also considered at times rather monotonous, because most of the cases were quite dull, as well as being routine-like. The industrial feeling of the work resulting from high output pressures, the feeling of hurry, and the dullness of cases consumed energy. Based on the data analysis, it decreased work motivation. In such a setting, independence and the possibility to affect workflow control were considered important motivational factors that increased wellbeing and productivity at work.

4.2.3 The managerial role in workflow control

Based on data analysis, it was identified that in addition to adjudicators' self-managing workflow activities, there was also a need for managerial actions. Society demands efficiency, quality, and timeliness from the case organisation. To fulfil these demands,

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managerial efforts are needed with self-management. It can be concluded that managers in the case organisation operate between two levels – that of adjudicators, who carry out judicial work, and that of society, which places demands on the organisation.

In the case organisation, management takes these two levels into account by using different kinds of workflow control tasks. In the data analysis, it was observed that goal setting and measurement were at the core of managerial activities. In this category of tasks, the output target was most central. All other managerial workflow control tasks were related to this core element (Figure 4.7).

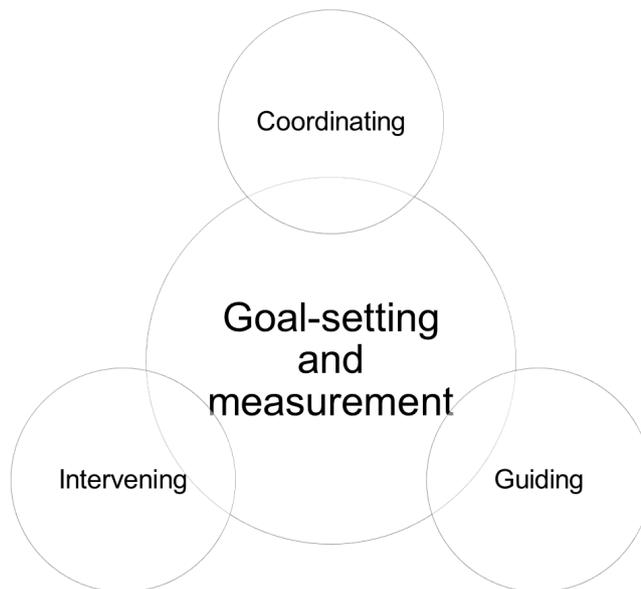


Figure 4.7: The relations of managerial tasks.

Intervening in individual adjudicators' tasks constricts and even takes away adjudicators' self-management for a time. In most situations, intervention is a consequence of poor performance. Poor performance means that a person cannot achieve the output target, and this is spotted by monitoring the output target statistics. Hence, intervening acts as a correcting consequence of goal setting and measurement.

Coordinating tasks aim to control and balance the workflow between silos and enable adjudicators to have even-handed circumstances to manage their own work. For example, the distribution of case groups to different departments and reallocation of resources depending on the caseload situation take control of the workflow so that cases flow as efficiently as possible through the case-processing steps. They therefore play an important role in achieving the output target. Tasks which aim to ease the balancing of the caseload of individual adjudicators, such as delivering balanced case packages and using flexible

work tasks, play a key role in ensuring equal opportunities for adjudicators to plan their work so that the output target can be achieved.

Guiding tasks aim to support and guide adjudicators in their work by giving instructions, feedback, and guidance. These guiding tasks are targeted, for example, at guiding adjudicators in the quality of cases (e.g. delivering good examples of reasoning) and work practicalities (e.g. introduction to work, technical instructions). However, there is also a link with goal setting and measurement. For example, one part of development discussions is to investigate the year's output target statistics. This partly emphasises the place of the monitoring of the output target. Furthermore, as there are not really any monetary incentives resulting from achieving output targets, positive feedback and career advancement act as the only incentives in the organisation.

There can be several explanations for why the output target is emphasised in managerial tasks. The case organisation faces strong pressures to enhance its efficiency. Efficiency is measured as the number of handled cases, because it is an easy measure. In the case organisation, the cases are more homogeneous than in general courts, which makes measuring the number of handled cases easier. Because each adjudicator handles the cases separately, measuring cases individually is possible. Setting targets and measuring them also suits professional work, because it leaves room for adjudicators to conduct the work as they wish, as long as targets are met.

4.2.4 Advantages and challenges of the hybrid model

The fact that workflow control is realised as an interplay between professional and managerial tasks according to this hybrid model has its advantages and challenges. The reason workflow control has evolved into such a hybrid model in the case organisation may be that it can handle the organisation's two contradictory needs. These are the strong efficiency pressure set by society and the need for great autonomy required by adjudicators. The hybrid model enables managers to affect workflow control, but it also leaves room for adjudicators' self-management.

The silo structure of the case-handling process creates natural slots for both professional and managerial actions. Adjudicators can be self-managing in workflow control inside the silos, which is more efficient than interfering with such activities. At the same time, there is space for managers to conduct concrete managerial tasks between the silos (coordinating tasks). These coordinating tasks do not interfere with adjudicators' own tasks but aim to balance the workflow to aid them in their work.

Judges' professional ethics make it easier for managers to trust in their self-management, but it also affects how managerial activities are performed. The obedience of judges strengthens the effect of managerial direction, and the targets may be taken more seriously. Professional pride may also play a role in this. When the output target statistics are transparent, peer pressure and the threat of being shamed by peers can increase the willingness to achieve the required targets.

4.2 Realisation of workflow control as an interplay between professional and managerial tasks 113

Based on data analysis, possible challenges related to the hybrid model can also be identified. The core challenge is to sustain the balance between the components of the hybrid model to ensure both needs required by workflow control are met. Challenges can occur if the need for adjudicators' independence or the organisation's efficiency are disregarded. Based on data analysis, the output target is sometimes considered too big, which causes stress and a feeling of a loss of control. This refers to a situation in which the managerial side of the hybrid model is more prominent than the self-managing side.

Emphasising output through goal setting and measurement can affect how other aspects of the work are seen. In the case organisation, some adjudicators plan their work especially based on achieving the output target, because it is emphasised in managerial tasks. This means, for example, that new cases are ordered simply to get some easier cases to make it possible to achieve the output target. There is a risk that adjudicators handle easier newer cases instead of more complex older ones merely to achieve their output target. Emphasising the output target may thus result in the compromising of other important aspects of the work (e.g. quality and timeliness).

Harmonising adjudicators' and managers' values can also be challenging if they do not meet. For example, although the output target is emphasised in the case organisation by managers, some adjudicators consider the age of the case to be a more important factor. Those adjudicators who are more likely to emphasise the age of the case over the output target do not follow managerial instructions in following the output target. Based on data analysis, it was also observed that there was a risk of a value mismatch between output and quality. Adjudicators might feel that emphasising the output target contradicted their own values of quality.

The nature of the case organisation also causes certain challenges for the hybrid model, and especially for the highlighted output target. The case organisation lacks both incentives and constraints that are linked to the output target. There are no incentives except positive feedback and the possibility of career progress. Yet constraints are also limited, because firing a person can happen only in the case of severe misconduct. The main way of correcting bad performance is intervention in self-management. In such a situation, incentives to work above the average requirement level are scarce. In the best case scenario, adjudicators who perform well get positive feedback on their performance; in the worst, more work is reallocated from poor performers as a "reward". This does not motivate professionals to perform well. Instead, they may feel that there is no reason to attempt to achieve output targets when there is no reward.

In addition, intervening as a corrective action for poor performance does not work if it is inconsistent, or if the reasons for intervention are not clear to everyone. If adjudicators feel some are lagging behind and nothing is being done, it decreases their motivation to achieve their output target, especially when good performers are not rewarded properly.

5 Discussion

The chapter discusses the findings of the study in the context of the relevant literature. As was presented in chapter 2.4 the current literature lacks research on following research areas: workflow control in professional organisations and courts, the interactive roles of professionals and managers in operations management, and the balancing of professional autonomy and managerial accountability in courts. The findings of the study fill these gaps. The areas to which the findings bring new knowledge are further focused to four themes which are discussed in their own chapters. The relation between each literature gap and the discussing chapters is presented in table 5.1. The table presents to which literature gap the discussing chapter is especially targeted.

Table 5.1: The relation between literature gaps and the discussion chapters.

Literature gap Discussion chapter	Lack of research on workflow control in professional organisations	Lack of research on the interactive roles of professionals and managers in operations management	Lack of research on the balancing of professional autonomy and managerial accountability in courts
5.1 Workflow control as part of professional service operations management	<i>X</i>		
5.2 Professional work and (limited) self-management		<i>X</i>	<i>X</i>
5.3 Performance measurement and management in professional organisations			<i>X</i>
5.4 Coexistence of professionals and managers		<i>X</i>	<i>X</i>

Chapter 5.1 discusses the new insights which the findings bring to professional service operations management from the workflow control perspective.

Chapter 5.2 discusses the role and the meaning of self-management for professionals.

Chapter 5.3 discusses the role of performance measurement and management as a way of balancing professional autonomy and managerial need for accountability.

Chapter 5.4 discusses the coexistence of professionals and managers.

5.1 Workflow control as part of professional service operations management

In recent years, there have been efforts to address the importance of studying operations management in professional service settings. This has led to the introduction of the term “professional service operations management” (PSOM) in the literature (e.g. Harvey et al., 2016; Lewis and Brown, 2012). It has long been argued that professional service organisations are a special environment for operations management (Goodale et al., 2008; Lewis and Brown, 2012). Previous research on operations management in professional service settings has concentrated on mapping the attributes of professional services as one field of services (e.g. Schmenner, 1986; Silvestro et al., 1992). In more recent research, these categorisations, which suggest that operations management in professional services is affected mostly by a high degree of customisation and customer contact, flexible and non-standard processes, and a highly autonomous workforce, have been criticised for being over simplifying. It has been argued that there is considerably more heterogeneity in PSOM than has previously been assumed (e.g. Brandon-Jones et al., 2016; Lewis and Brown, 2012).

In addition to the literature that has concentrated on mapping the attributes of professional service operations management in general, the literature linked to PSOM is scattered in various fields of operations management. However, the central operations management planning and control elements, have not received a thorough focus. One of the essential planning and control elements of operations management is workflow control, which focuses on controlling the concretisation of service production plans and policies at a daily operational level. Several questions concerning the realisation of workflow control in professional service organisations remain unanswered.

This study brings core substance to PSOM by concentrating on this under-researched area in a traditional professional public organisation – a court of justice. The study brings new insights into the features of how workflow control can be realised in professional service organisations, and the kind of tasks professionals and managers conduct. The study suggests that balancing the professional and managerial needs can be key in workflow control. Both professionals and managers conduct different types of workflow control task, having their own roles in the workflow control of the organisation. Professionals are self-managing in their workflow control within the silos in which they work. Managers affect the self-management of adjudicators through different types of workflow control task. This forms a hybrid model of workflow control. Through the different types of

workflow control task and their interconnections, professionals and managers together shape how workflow control is realised.

The study also shares the observations that highlight the need for more contingent perspectives of PSOM (e.g. Brandon-Jones et al., 2016; Lewis and Brown, 2012). The study indicates that there may not be universally applicable attribute that is relevant for the entire range of professional service organisations. The study shows that professionals' autonomy can be simultaneously significant but limited in workflow control. The professional is allowed to be self-managing within the silos in which they work, but at the same time, they are subject to a variety of managerial influences. The findings also reveal that work in professional organisations has quite evident routine-like features in addition to professional and intellectual work, which may affect how workflow control is realised.

5.2 Professional work and (limited) self-management

Professionals play a central role in workflow control, because they are the ones who conduct the actual service production. It is traditionally assumed that managing professionals is challenging because of the special features of professional work and professionals themselves (Campfield, 1965; Mills et al., 1983; Raelin, 1989). It is traditionally assumed that professionals need to be autonomous in their work, share common professional ethics, and dislike managerial efforts (e.g. Bartol, 1979; Hall, 1968; Mills et al., 1983; Noordegraaf, 2007). These assumptions are based on the idea of professional work as constituted by self-regulated status-like positions. However, professionalism has evolved over the years and consists of more heterogeneous positions in different kinds of organisation (Noordegraaf, 2016). In the operations management of professionals, it is traditionally assumed that professionals' preference for autonomy, means management needs to rely more on soft influencing (e.g. Mills et al., 1983; Silvestro, 1999). However, in more recent research this assumption is challenged, because it is suggested that there can also be room for the more effective direction of professionals in operations management settings (Harvey et al., 2016; Lewis and Brown, 2012).

Regardless of the changes in professional work and the alternative views on managing professionals, autonomy remains a relevant attribute when professional work is discussed (e.g. de Bruijin, 2011). The connection between autonomy and motivation has been noted in several studies (e.g. Deci and Cascio, 1972; Kallio and Kallio, 2014). It has been argued that self-management that allows professionals to affect their own work as they wish is intrinsically motivating and connected to better performance (e.g. Dolbier et al., 2001; Konradt et al., 2009; Stewart et al., 2011). However, little work has concentrated on self-management and the role of independence for professionals from the operations management perspective.

This study suggests that a sense of independence and being self-managing in workflow control can be extremely important to professionals. Self-management and independence can be considered one of the best features of professional work. However, the self-

management of professionals is quite limited in the case organisation. Professionals are self-managing only within the silos in which they work. There are also various managerial methods which limit the possibilities of professionals' workflow control. Interestingly, it seems that even such limited self-management in workflow control creates an atmosphere of overall independence in work. Self-management (though limited) gives professionals the feeling of being in control and having the possibility to affect own work.

The study has demonstrated that professional service work can include routine-like work in addition to professional and intellectual work. According to the study, in a professional organisation where the work has features which occasionally resemble assembly-line work, the sense of autonomy and self-management plays an important motivational role. When the work contains standard and even dull activities, self-management in workflow control seems to increase overall work motivation.

5.3 Performance measurement and management in professional organisations

Performance measurement and management (PMM) is supposed to combine both professional and managerial logics, because it respects professional autonomy when managers are interested in results, not how they are achieved (e.g. Briscoe, 2007; de Bruijn, 2011; Speklé and Verbeeten, 2014). However, it is often argued that defining and measuring targets in professional organisations is challenging, because complex professional work is difficult to quantify (e.g. de Bruijn, 2011). The same applies in the court-related literature. It is argued that PMM is challenging in courts, because the outcomes are too vague to define. On one hand, courts should be efficient and accountable in their services; on the other, the quality and impartiality of judicial decisions should be a priority (e.g. Lienhard, 2012; Vecchi, 2018; Langbroek et al., 2017).

In court-related research it is often suggested that PMM should combine both quantitative and qualitative data (Fabri, 2018; Lambert Abdelgawad, 2017). However, emphasising quantitative targets such as numerical case disposal efficiency over qualitative targets may be easier, and hence quite typical. This emphasis on one target over others contains risks, because it can lead to a decrease in other important aspects of work (e.g. Lambert Abdelgawad, 2017; Pekkanen, 2011; Pekkanen and Niemi, 2013). A key aspect in PMM is the use of performance-related incentives that aim to motivate employees towards their objectives (e.g. Kallio and Kallio, 2014). However, in public organisations, the use of PMM in an incentive-oriented way can create challenges, because public employees are typically said to be intrinsically motivated professionals. It is argued that external incentives can foster self-interested behaviour and poor performance (e.g. Johansson, 2015; Kerpershoek et al., 2016; Speklé and Verbeeten, 2014).

The study suggests that PMM can play a central role in workflow control. As the self-management of professionals handles the actual daily work which produces the service of the organisation, managers' role in workflow control is to affect the self-management

5.3 Performance measurement and management in professional organisations 119

of professionals so that organisational goals can be met. It seems that because self-management is essential for professionals, managers need to apply managerial methods that do not excessively overrule self-management. In this attempt, managing through PMM tools by setting and monitoring targets is used.

Similar challenges to those presented in the literature can be seen in the use of PMM in workflow control. When the output of a professional organisation is relatively homogeneous and large in volume, there seems to be a natural tendency to measure the number of outputs. However, because the output number is a simple and concrete target to set, it can easily be emphasised, because other aspects of work can be vaguer, complicating their transformation as indicators. Like the observations in the previous literature (e.g. Lambert Abdelgawad, 2017; Pekkanen, 2011; Pekkanen and Niemi, 2013), it seems that emphasising one target over everything else can lead to a decrease in other important aspects of work. When one target is emphasised, it can also start to dominate the planning and conducting of the workflow control tasks of both professionals and managers, resulting in other aspects of work such as quality or timeliness being overshadowed.

The study suggests that especially in courts, the limited use of incentives and sanctions can create challenges for PMM. In addition to achieving pleasure from work itself and from the possibility of doing meaningful work, it seems the only possible external incentives linked to PMM are positive feedback and career advancement. These incentives seem to affect how professionals react to target setting and measurement. Similar to the findings of Schneider (2004a, 2005), it seems that if judges wish to advance their careers, they tend to plan and control their work so that managerial targets could be met. It was also noted as Schneider (2005) suggests in his study that career advancement can lose its effect as an incentive with older judges, who can no longer advance in their careers.

The study also notes that it seems the only sanctions linked to PMM are the threat of losing self-management, the threat of not advancing in one's career, and the fear of shame. Dismissals can only be used in cases of severe misconduct, which means concrete deterrents are limited. Interestingly, it seems professionals generally prefer managers to intervene more when notable deviations in target statistics occur. Although it is generally assumed that professionals dislike interventions in their work (e.g. Brightman, 2000; de Bruijn, 2011; Hernes, 2005; von Nordenflycht, 2010; Vermaak and Weggeman, 1999), the study suggests that intervention can be expected when it is linked to PMM as a sanction. When managers do not intervene in target-related issues, it can lead to feelings of unfairness among professionals. When there are no consequences for target-related issues, it seems that the motivation to achieve targets at all decreases.

All things considered, the study suggests that PMM is in principle intended to allow room for professionals to conduct their workflow control tasks according to their own preferences, while at the same time, it aims to ensure that organisational targets are met. However, it seems there is a risk that the output target may start to have an overly

dominant effect on professionals' self-management. The study shows that given targets can be taken seriously, and most professionals aim to achieve them by adjusting their working habits accordingly. There is a risk that if targets are too strict, they will start to lose their flexibility and overrule the self-management of professionals. In addition, the targets set by managers may be incompatible with professionals' values. Furthermore, conflict in values and the sense of losing control at work can decrease work motivation and productivity (e.g. Kallio and Kallio, 2014).

5.4 Coexistence of professionals and managers

The traditional assumption is that there is a clash of cultures between managers and professionals, based mostly on the incompatibility of managerial control with professional autonomy and values (e.g. Campfield, 1965; Mills et al., 1983; Raelin, 1989). This has been especially evident in courts, which were long seen as timeless institutions immune to external demands, and where combining accountability with independence was seen as an impossible match (de Santis and Emery, 2017; Visser et al., 2019). The typical assumption about the coexistence of professionals and managers is that managers' role is to provide support for professionals. Instead of directing or intervening in professionals' work, managers should concentrate on administrative and strategic activities (Mills et al., 1983; Mintzberg, 1983; Raelin 1989). This means professionals are left to conduct their work independently as they wish (Mills et al., 1983; Mintzberg, 1983).

However, alongside changes in the economy, professionals have started to accept and adopt organisational values and procedures in their professional work, changing the coexistence between professionals and managers (Noordegraaf, 2011; Schott et al., 2015). This can also be seen in courts. Instead of contradicting the managerial emphasis on economic aspects with judges' interest in the work's judicial aspects, these two ways of thinking are starting to blend. Changes in management and attitudes have resulted in courts beginning to adopt more bureaucratic and managerial ways of thinking and acting in tandem with purely judicial ones (de Santis and Emery, 2017; Eicher and Schedler, 2014; Emery and de Santis, 2014; Lienhard and Kettiger, 2017).

The study's hybrid model describes how the coexistence of professionals and managers can be concretised in workflow control. The study suggests that professionals can have freedom to plan and manage their workflow according to their own priorities within the silos in which they work. At the same time, managers can conduct tasks which aim to affect self-management so that organisational targets can be achieved. The study indicates that the interplay of professionals and managers in workflow control seems to shape its realisation.

Through this interplay, professional and managerial ways of thinking and acting are partly converging. From the managerial perspective, the self-management of professionals affects how managerial workflow control tasks are conducted, because it needs to be ensured that self-management remains at a sufficient level. From the professional

perspective, managerial efforts affect how professionals conduct their self-managing workflow control tasks. For example, PMM, which aims to respond to organisational needs, can become an accepted and even central part of professionals' work.

Contradictory to the previous assumptions about managers' purely supportive role in professional organisations, the study suggests that managers and professionals can interact in workflow control in different ways. The aspect of supporting and coordinating is only one of them. In workflow control, professionals seem to expect managers to coordinate the overall workflow of the organisation so that each professional has equal opportunities to handle their self-managing tasks. Managerial coordinating in workflow control enables and supports the self-management of professionals, which is considered important by both professionals and managers.

Although the study indicates that professionals consider self-management to be extremely important, interestingly, the findings also indicate that in addition to the supporting actions, very concrete intervention actions can also be expected from managers. The study indicates that instead of resisting everything that resembles managerial direction or control, concrete managerial intervention can be needed and expected by professionals to ensure that everyone has an equal share in achieving organisational goals.

The study also sheds light on the more subtle ways influencing happens between professionals and managers. Similar to previous studies (e.g. Ostrom and Hanson, 2009; Ostrom et al., 2005; Schneider, 2004b), the study observes that the performance of court professionals can be influenced quite significantly by symbolic management (such as focusing attention on certain targets or publishing performance figures) and information sharing between colleagues. It seems that managerial direction and even subtle "hints" can be taken quite seriously in court organisations. Although there are only limited and vague consequences if managerial instructions are not followed, directions and instructions seem to be usually obeyed. Similar to the notions of e.g. Koulu et al. (2019) and Schneider (2004b), the study suggests that the attributes of judges seem to affect how managerial tasks are taken. Judges seem to be obedient and pedantic in their work, and to value professional reputation highly, which leads to managerial directions being taken seriously.

6 Conclusions

This chapter introduces and discusses the study's contribution and evaluation.

Chapter 6.1 presents and discusses the study's key theoretical contributions.

Chapter 6.2 presents and discusses the study's practical implications for managers and other practitioners in the field.

Chapter 6.3 presents an evaluation of the study and the research approach

Chapter 6.4 offers suggestions for future research in this area.

6.1 Key contributions

The purpose of the study was to explore how workflow control is realised as an interplay between professionals and managers in professional organisations. The findings fulfil this purpose and describe the realisation of workflow control in detail. The study makes several important contributions to PSOM research.

First, and most importantly, the study brings important new insights into the PSOM research area. The need for explorative PSOM research in different professional service settings has unquestionably been noted (e.g. Harvey et al., 2016). However, research around the central planning and control elements of operations management in professional organisations is absent. One of these essential planning and control elements of OM is workflow control, which consists of the controlling activities through which the organisation's service production plans and policies are concretised at a daily operational level. It has been argued that the functioning of these daily operations is a central part of successful OM (e.g. Goodale et al., 2008). This study contributes to the PSOM literature by providing a detailed description of the features of how workflow control can be realised in a professional organisation. The study shows how professionals and managers can shape in their interaction how workflow control happens. It is suggested that both professionals and managers can play important roles in workflow control, and workflow control is realised as an interplay between them. Professionals conduct workflow control tasks by being self-managing; managers affect the self-management of professionals in various ways.

Second, the study contributes to the discussion concerning the importance of professional autonomy in operations management. It is traditionally assumed that professionals are highly autonomous in their work (e.g. Mills et al., 1983; von Nordenflycht, 2010; Silvestro, 1999). The study brings new perspectives to the subject by concentrating on workflow control. Based on the findings, it is suggested that professionals can have great but at the same time limited autonomy in workflow control. The findings resonate with the assumption that professionals value autonomy highly. The findings show that in professional work which includes also routine like features, even limited independence

and self-management in workflow control can have an important effect on professionals' motivation. It seems that motivation needs some degree of autonomy in operational tasks, as well as independence in professional duties.

Third, the study contributes to the research on PMM in professional organisations and discusses PMMs role as a way of balancing professional autonomy and managerial accountability. The study sheds light on the role of PMM in the workflow control of professional organisations. The study indicates that PMM can be a central managerial tool which moulds the workflow control of the organisation by affecting professionals' self-management. The study posits that PMM seems to allow autonomy for professionals in principle to conduct their workflow control tasks. However, there is also a risk that PMM may start to dominate the important self-management of professionals in professional organisations, creating a risk of decreasing motivation and performance. The study also resonates with the observations made in PMM-related research that there can be a risk that the targets set in PMM start to overrule other important purposes of the organisation, creating challenges in operations.

Fourth, the study provides new perspectives on the research area of the coexistence of professionals and managers in professional organisations. The study indicates that the clash of cultures that is said to exist between professionals and managers (e.g. Mills et al., 1983; Raelin, 1989) may be an overstatement, especially in courts. The study indicates that the previous assumption of managers' purely supportive role in professional organisations may be simplistic. Instead, managers and professionals interact in workflow control in different ways. What was observed, suggest that the interplay between professionals and managers can consist of managerial supporting, influencing, and even concrete intervention. The study also suggests that professionals' attributes seem to affect how managerial actions are taken and followed.

6.2 Practical implications

Based on the study's findings, some practical implications for both managers and other practitioners in the area can be identified.

First and foremost, the study provides important information for court managers and other practitioners about the details of how workflow control is realised in a court organisation as an interplay between professionals and managers. The study increases understanding of the key aspects, and their implications and relationships in workflow control. The study assists managers and practitioners in organisation which share similarities to the case organisation to understand how tasks in workflow control can be divided between professionals and managers, how the roles of professionals and managers affect workflow control, and how these actors interact. Managers need to be aware of the importance of balancing professional and managerial needs and actions in workflow control, and to acknowledge the risks if the balance is unstable.

Second, based on the study, it can be recommended that managers pay close attention to the importance of independence in workflow control to professionals. It seems that self-management in workflow control is needed in addition to independence in professional work, because it creates a feeling in professionals of being in control and having the possibility to affect their own work. This should be remembered especially in professional organisations, where work also has routine-like features. Especially in these kinds of organisations, self-management in workflow control seems to be connected to work motivation and productivity. Granting self-management and ensuring that it is not overruled by managerial practices should therefore be borne in mind by managers.

Third, the study sheds light on the effects of managerial practices in workflow control for managers and practitioners to consider. It seems that PMM can be surprisingly effective in managing professionals and affecting their workflow control tasks in courts. Attention needs to be paid to the quality and quantity of the targets that are set. What is measured is what one gets. When one target is emphasised over others, it is natural that there is a risk that the other attributes of the work are overshadowed. In addition, managers need to be aware of the thin line whose crossing results in the target being too strict and beginning to dominate the self-management of professionals.

Fourth, in professional public organisations which share similarities with the silo-structure of the case organisation, coordinating tasks can have great potential to effectively control the workflow. The coordinating tasks do not violate the self-management of professionals, because they aim to control the workflow between judges' case-handling silos. Coordinating tasks can be concrete and direct without causing resistance from professionals. Instead, it seems that professionals expect and want managers to control the workflow through coordination, because it creates equal circumstances for everyone to conduct the workflow control tasks.

Fifth, as in many other subjects, intervention in self-management in workflow control is a sensitive issue. However, the study suggests that intervention is also needed and wanted by professionals, because it results in fairness in the monitoring of targets. When intervening is secret, and it is not known if it is happening at all, professionals lose the motivation to follow their targets. It also creates a sense of unfairness, which further decreases motivation. Therefore, instead of avoiding intervention, managers should carefully consider when it is really needed and establish rules that create a common understanding in the organisation of the reasons for and actions of intervention.

6.3 Evaluation of the study

The evaluation of the quality of a study can be based on various viewpoints and criteria. The traditional criteria of validity, reliability, and objectivity derived from the positivist approach do not properly fit qualitative research, which is based on the constructivist approach (Wagner et al., 2010). It is argued that forming specific criteria for qualitative research encompassing several traditions is nearly impossible (e.g. Lichtman, 2014).

In this study, the underlying philosophical viewpoint relies on the constructivist paradigm, meaning that reality is seen to reflect participants' experiences and social interactions, and multiple realities which depend on individuals can exist (Lincoln et al., 2011). This needs to be taken into account in the evaluation of the study. In evaluating the trustworthiness of qualitative research, the criteria of credibility, transferability, dependability, and confirmability are often used (e.g. Denzin and Lincoln, 2011; Behar-Horenstein, 2018). These criteria are also recommended for evaluating grounded theory, which is based on the constructivist research paradigm (e.g. Wagner et al., 2010).

Credibility means that results should be believable from the subjects' perspective (Wagner et al., 2010). In qualitative studies, it is key that the results reflect the studied situation from the perspective of the subject. Interpretations should therefore be truthful representations of the situation.

Transferability discusses how applicable the findings are to other research settings or groups (Behar-Horenstein, 2018; Wagner et al., 2010). In general, transferability can be enhanced by a thorough presentation of the study so that other researchers and practitioners can evaluate whether it is relevant for users in other contexts (Toma, 2011; Wagner, 2010). In qualitative research, and especially in grounded theory, transferability is linked more to theoretical propositions and environments that are similar to the study. The question of transferability is rather about whether the results expand other existing theories.

Dependability deals with the question of whether the study is repeatable, and if it is, whether its replication will lead to similar results (Wagner et al., 2010). However, this replicability is problematic from the constructivist perspective, because reality is not seen as an unchanging thing in which pure replication is possible (Toma, 2011).

Confirmability concentrates on the question of whether the study's interpretations can be confirmed by others (Behar-Horenstein, 2018; Wagner et al., 2010). Confirmability requires that the researcher be aware of the possible researcher biases that may occur (Toma, 2011).

In the study, several procedures were undertaken to ensure that its credibility, transferability, dependability, and confirmability were sufficient. Credibility is quite inbuilt in grounded theory. The entire method is based on the idea that findings are grounded in data, and that they are relevant and understandable to the participants. The research data was collected through in-depth interviews with multiple participants, who represented the entire spectrum of adjudicative personnel, to gain broad insights from all the personnel groups. Further, all the managers of the organisation were interviewed. In addition, the interviews conducted in 2008 provided perspectives from another period, which increased the variety of insights into the operational environment of the case organisation. Supporting data was also used to broaden the researcher's perspectives on the subject.

Member checking was used to enhance the credibility and confirmability of the findings. The emerging findings were presented to the chief judge of the organisation, who knows the overall situation of the organisation best. This was done to authenticate the accuracy of the findings and to ensure that the researcher's interpretations were plausible. The observations and primary findings of the study were constantly discussed with co-researchers to challenge the assumptions and representations of the researcher and to uncover possible biases in interpretations.

It was endeavoured to describe the research design as transparently as possible to enhance the study's transferability. By describing the focus of the study and the factors that influence the findings in detail, the reader can evaluate how and to which theories and settings the findings are best transferable. As has been mentioned, in qualitative grounded theory studies, transferability is linked more to theoretical propositions and environments which share similarities with the study.

The research process aimed to outline clearly what enhanced the study's dependability. The data collection with theoretical sampling, data coding, and interpretation were described in detail so that the path from empirical data to the results could be followed. Raw data in the form of direct quotations, tables and figures, and presentations of how interpretations were made, endeavour to show the confirmability of the study. Confirmability is further enhanced through reflexivity, which is inbuilt in the grounded theory method. The researcher moved back and forth with the data and reviewed the emerging results. For example, codes were repeatedly complemented, combined, and renamed, and their relations were considered and evaluated constantly until theoretical saturation was considered to have been achieved. The confirmability of the findings is also enhanced by reporting the initial research perspectives in the form of an article in which the insights of the study are peer-reviewed and published (Puolakka et al., in press).

There are also some weak points in the research which need to be discussed. As in grounded theory in general, dependability is a weak spot of the study, because the findings are strongly based on the researcher's interpretations of the study (Wagner et al., 2010). In grounded theory, simultaneous data collecting and analysis, as well as theoretical sampling, causes the research process to evolve constantly. Two identical studies conducted by two different researchers are therefore highly unlikely. However, this is less of an issue from the constructivist perspective, where reality is seen as reflecting the experiences of individuals, and interpretations are necessary for understanding these experiences.

Another weak spot is the generalisation of the findings, because the study is based on a single case, and the research method with its qualitative grounded theory digs deeply into the detail of the issues of one organisation. However, as was mentioned earlier in the chapter, the aim of the findings is to be transferable to broader theoretical concepts. In addition, the findings of the study are generalisable not only to other courts but also to other professional service organisations which share similarities with the case

organisation, such as routine like features of work, silo-structured working processes and high efficiency pressures.

To gain sufficient depth for findings in an area which needs new insights, focusing on a single case is justifiable. In general, case studies are also often criticised for lacking details about how the analysis is conducted (e.g. Barratt et al., 2011). However, grounded theory is sometimes used as a “rhetorical sleight of hand”, without really understanding the basics of the method (e.g. Suddaby, 2006). Yet, as the evaluation above aims to show, the study applies the grounded theory method so that the details concerning the conducting of the study are traceable.

6.4 Future research

As has been mentioned, workflow control in professional organisations is an under-researched area in the OM literature. This study is an initial attempt to understand this research area. Workflow control is one of the fundamental parts of successful operations management, and it is important that the exploration of this research subject in professional organisations continues. Hence, further investigations into the aspects and issues of workflow control in professional organisations are needed. The study provides one description of workflow control in one type of professional organisation – a court of justice. The case organisation is a special court organisation, sharing both similarities and differences with other court organisations. What is special in the case organisation is the routine-like features it has in addition to intellectual professional features due to the rather homogeneous cases, the strict output target pressures, and the solitude of professionals within their silos. An important direction for future research will be to broaden the range of insights concerning workflow control as a research area by exploring the realisation of workflow control in different court organisations and other professional organisations which share similarities with the case organisation.

The study offers suggestions for future research concerning the following research themes.

First, how is workflow control realised in court organisations where the complexity and nature of incoming cases vary remarkably? As a special court of law, the case organisation handles income security-related matters, which narrows the content of the cases. In general courts, incoming cases are considerably more heterogeneous, consisting of criminal cases, civil cases, and petitionary matters. They vary from very simple and easy cases to extremely complex, time-consuming ones. In such an environment, there is a need to identify different categorisations of cases, which requires differentiated workflow control practices. An interesting area for research is how to combine project-like planning of workflow control for large and complex cases with the standard workflow control practices of small, routine cases.

Second, how is workflow control realised in professional organisations, where the interplay between professionals themselves is more noticeable? This study concentrates

on the relationships between professionals and managers in workflow control, and describes the interplay between these actors in detail. The silo structure of the organisation affects the modesty of the interplay between the professionals themselves. However, in other courts and professional organisations where coordination and cooperation between professionals is more evident, peer control and interplay between professionals and their colleagues can play a more significant role in workflow control. It is possible that professionals could interact more with each other so that the managerial contribution would be less notable than the findings of this study suggest. When collegial interplay is more prominent, it would be interesting to explore how it affects the workflow roles and tasks of managers. This provides a possibility which could be further explored in future research in both court organisations and professional organisations in general.

Third, how are other essential planning and control elements of operations management realised in professional organisations? This study has focused solely on workflow control as part of operations management in professional service organisations. However, PSOM research still lacks a focus on the other essential planning and control elements of operations management. Themes requiring attention in professional service settings are, for example, long-term capacity management, master scheduling, and project management. How these elements are realised in professional organisations needs to be studied further to introduce important new content to the PSOM research area.

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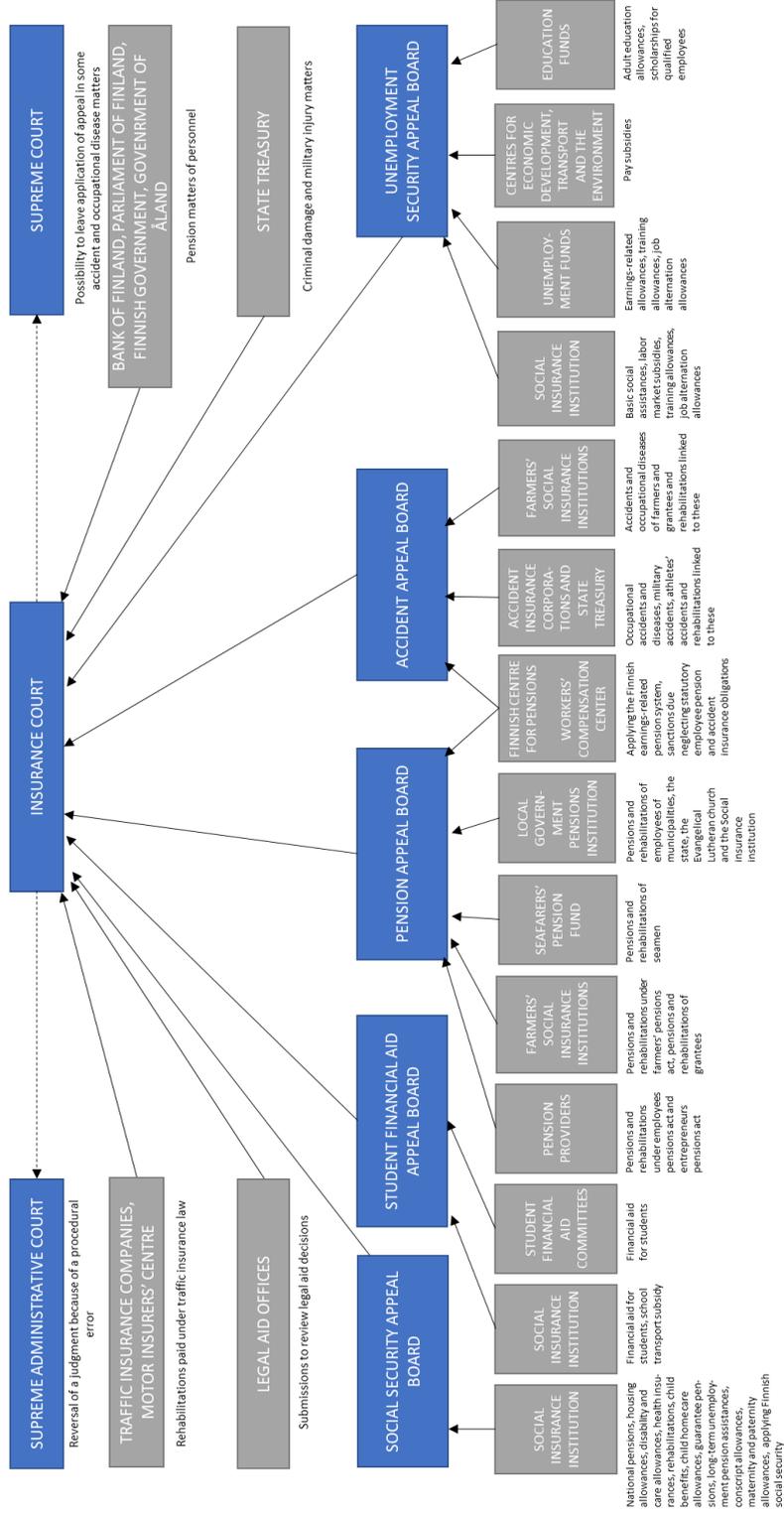
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Appendix A: System for appeal

THE POSITION OF THE INSURANCE COURT IN THE APPEALS SYSTEM IN INCOME SECURITY MATTERS



Appendix B: Case groups of the Insurance Court

Matters concerning the benefits paid by the Social Insurance Institution of Finland:

- Disability allowances for persons aged 16 years or over
- Disability allowances for persons under 16 years
- Housing allowances
- Subsistence allowances
- Care allowances for pensioners
- Housing allowances for pensioners
- National pensions
- School transport subsidies
- Rehabilitation benefits and rehabilitation allowances
- Child benefits
- Child homecare allowances
- Financial aid for students
- Long-term unemployment pension assistances
- Cross-border healthcare matters
- Benefits under Health Insurance Act
- Conscript allowances
- Guarantee pensions
- Interpreter services for the disabled
- Maternity allowances

Matters concerning employees' pensions:

- Pensions for employees of the Government of Åland
- Pensions for employees of the Finnish parliament, the Social Insurance Institution and Bank of Finland
- Pensions for employees of the Evangelical Lutheran Church of Finland
- Public sector pensions
- Pensions for employees of municipalities
- Farmers' pensions

- Farmers' change-of-generation pensions
- Seamen's pensions
- Employee pensions
- Rehabilitations under employees' pensions act
- Pensions for employees of the state
- Entrepreneurs' pensions

Matters concerning other benefits:

- Adult education allowances
- Social security of grantees
- Pay security
- Sickness allowances for farmers
- Unemployment security

Matters based on accidents:

- Benefits for interned civilians
- Rehabilitations paid under traffic insurance law
- Accidents of farmers
- Compensations paid under the act on compensation for crime damage
- Military accidents
- Military injuries
- Rehabilitations under Workers' Compensation Act
- Occupational accidents and diseases
- Athletes' accidents

Other matters:

- Publicity of documents
- Compensation for delays in judicial proceedings
- Submissions to review legal aid decisions
- Applying Finnish social security
- Corrections on legal costs of courts
- Interruptions of enforcements

Appendix C: Case groups divided on departments

Department 1

Publicity matters
 Applying Finnish social security
 Military injuries
 Benefits for interned civilians
 Rehabilitations of persons who had commissions related to wars
 Compensations related to partisans
 Lump sum matters
 Rehabilitations under accident insurance
 Interruptions of enforcements
 Accident matters
 Accidents of farmers
 National pensions
 Housing allowances for pensioners
 Compensations for crime damage
 Disability allowances for persons under 16 years
 Disability allowances for persons aged 16 years or over
 Care allowances for pensioners
 Financial aid for students
 School transport subsidies
 Sickness allowances for farmers
 Submissions to review legal aid decisions
 Subsistence allowances
 Interpreter services for the disabled
 Compensations for delays in judicial proceedings

Department 2

Rehabilitations paid under traffic insurance law
 Interruptions of enforcements
 Seamen's pensions
 Rehabilitations under Seafarer's Pension Act
 Employee pensions
 Rehabilitations under Employees' Pensions Act
 National pensions
 Immigrants' special subsidies
 Entrepreneurs' pensions
 Rehabilitations under Entrepreneurs' Pensions Act
 Housing allowances
 Farmers' pensions
 Rehabilitations under Agricultural Entrepreneurs' Pensions Act
 Public sector pensions
 Rehabilitations linked to public sector pensions
 Pensions for employees of the Government of Åland
 Guarantee pensions
 Compensation for delays in judicial proceedings

Department 3

Unemployment securities
 Adult education allowances
 Employer's liability component
 Employer's unemployment insurance contributions
 Rehabilitations linked to national pensions
 Interruptions of enforcements
 Care allowances for pensioners
 Pensions for employees of municipalities
 Rehabilitations linked to pensions for employees of municipalities
 Submissions to review legal aid decisions
 Pay securities
 Long-term unemployment pension assistance
 Benefits under Health Insurance Act
 Child benefits
 Child homecare allowances
 Maternity allowances
 Conscript allowances
 National pensions
 Compensations for delays in judicial proceedings

Appendix D: Interview themes

An example of themes discussed with professionals:

- Content of work
 - For example:
 - What does your typical workday/work week contain?
 - How many cases do you handle?
 - How long does handling of cases take?
 - How many hearings do you have?
 - How do you plan your work?
- Ways of working and principles in work
 - For example:
 - Do you have principles which affect your work?
 - How do these principles affect it?
 - How do you order cases?
 - How do you schedule your cases?
 - How do you control your work queues?
- Independence in work
 - For example:
 - Are you independent in your work? If so, how does it affect your work?
 - Is independence important? Why? Why not?
 - What downsides does independence create?
- Managerial direction
 - For example:
 - What do managers do?
 - How do managerial actions affect your work?
 - What is management needed for?
 - What is management not needed for?

An example of themes discussed with managers:

- Content of work:
 - For example:
 - What does your typical workday/work week contain?

- Managerial activities
 - for example:
 - What kind of managerial activities exist (to control workflow)?
 - How do you feel about being a manager/about managerial activities?
 - Do you have principles which affect your management?
 - How are managerial activities received by adjudicators?
 - What is management needed for?
 - What is management not needed for?

- Independence
 - For example:
 - Does independence affect your management? If so, how and why? If not, why?
 - Is independence needed? If so, why? If not, why?

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