
MEMORANDUM

DATE: February 17, 2006

TO: City Council Members

FROM: Sylvia Jones, Research & Policy Analyst

SUBJECT: Justice Court Audit Response

CC: Rocky Fluhart, D.J. Baxter, Ed Rutan, Steve Fawcett, Judge Virginia Ward, Mary Johnston, Marian Graves, Claudia Sundbeck, Laurie Donnell, Richard Brady

The Matrix Consulting Group forwarded the final report of the Management Audit of the Salt Lake City Justice Court on November 1, 2005. The Justice Court began implementing some of the audit recommendations as the audit progressed, and once the audit concluded, and has now provided the attached transmittal which lists the audit recommendations, the Administration's response to the recommendations, and potential budgetary implications. Also attached is the final audit report.

In summary, the disposition of the audit recommendations is as follows:

1. There were 22 audit recommendation areas and a total of 44 recommendations. (Some of the recommendation areas addressed two or three issues.)
2. Of the 44 recommendations, the Administration agreed with 32, which is 73%.
4. 4 have been completed (9%)
5. 13 are in the process of being completed (30%)
6. 5 are under review (11.4%)
7. 13 are on-going (30%)
8. 5 were categorized as low-priority (11.4%)
9. 4 were categorized as already in-place (9%)

AUDIT RECOMMENDATIONS RELATING TO THE BUDGET

One disadvantage to the audit is that the auditors were unable to make detailed assessments on staffing levels due to the fact that Utah is a state that does not require courts to conduct a periodic tracking of weighted caseload measurements. A weighted caseload analysis provides courts with criteria for determining overall staff performance, including case-related and non-case-related functions. The assessment "weights" cases to determine their level of complexity. This provides a more accurate picture of the amount of staff time required to process cases. This assessment was not part of the purview of this audit. Instead, the auditors compared and analyzed other courts with similar court jurisdiction, caseload, and population, using gross caseload statistics and a review of internal operations. A list of surveyed courts is found on page 53 of the audit report.

The audit specifically suggests in recommendation #5 that though the Criminal section of the Court may handle a large number of cases when compared to other courts, staffing levels should not be altered until after an independent weighted caseload study can be conducted. Regarding the Civil section, the audit suggests in recommendation #13 that the Court review the impact of changes to workflow before adding additional staff.

The Administration agrees that many of the audit recommendations can be implemented without additional funding; however, according to the transmittal, some of the recommendations will require additional funding and may be included in the Mayor's Recommended Budget for FY 2006-07.

- A. Recommendation #1 suggests the need to develop a customer service program for the Criminal Section, including a policy statement, staff training and monitoring. The Administration's response explains that Court staff analyzes customer surveys and based on customer input, changes are made. The transmittal states that two of the most common complaints about the Court relate to excessive wait time in the court as well as waiting for a response on the telephone. The Administration's response indicates that due to a lack of staff, the Court is unable to provide additional hours of service and a quicker response to telephone inquiries.
- B. In recommendation #5, the audit report suggests the need for a weighted case workload assessment prior to making staffing adjustments. In its response, the Administration states that the audit data demonstrates that the workload for Justice Court clerks and the Court as a whole is more than three times that of other comparable courts. The Administration maintains that waiting to consider hiring additional staffing until after the weighted caseload analysis will further impact the Court's ability to function. According to the audit, a weighted case workload assessment is estimated at a cost of \$75,000 to \$125,000.

The Council may wish to ask whether the results of the weighted caseload study would indicate the number of additional employees needed and the specific areas where additional staffing would be most beneficial in terms of reducing case processing times and improving customer service.

- C. Recommendation #6 suggests establishing court processing and review standards for completion of case proceedings to identify ways to reduce case processing times. As part of this process, the auditor suggests modifications to the case information system so time disposition statistics can be produced. In response, the Administration states that the City's IMS division is currently designing software to create improved statistical analysis; however, additional funding may be required if modifications to the software are required. (In response to questions from Council staff, Justice Court staff indicated that if modifications to the software are necessary, the cost for the modifications will be absorbed by the IMS division; therefore, no additional funding would be necessary.)
- D. In recommendation #10, the audit suggests the implementation of additional technology in the courtroom, including the tools and training to allow judges to view specific case information from the bench. The Administration states that the City lacks the software to

create case-related electronic documents, and also lacks the staff to present the electronic data to judges given that court calendars can reach 40-75 cases per day.

The Council may wish to ask the Auditor or the National Center for State Courts representative whether they are aware of other courts that have implemented technology allowing judges to use view-only screens to access case specific data while court is in session, and whether this has helped to create efficiencies for the courts.

- E. The audit recommends in item #12 that the Court needs to continue to conform with current records retention policies, evaluate alternative policies and ensure that alternative methods of file storage are evaluated and maximized, such as scanning and off site storage. In response, the Administration states that the Court has always conformed to current State and Judicial Council record retention policies. The transmittal indicates also that records requiring destruction remain on site until Court staff can pull and shred files, and that current staff levels do not allow the Court to keep up with the current workload.
- F. The last portion of recommendation #12 addresses a file storage issue. The audit report suggests pursuing off site storage for older records at an estimated annual cost of \$5,000 - \$10,000, and to consider shorter records retention schedules where allowed by law. The audit also recommends using temporary staff for one year at an estimated cost of \$10,000 to scan closed cases.

The response from the Administration indicates there is off site storage at no cost to all City departments; however, with criminal cases, off site storage could not be used for open files in case access is requested. The Administration indicates also that while temporary staff could help with the current backlog of cases, the Court would need a full time employee at the cost of \$38,000 per year (fully loaded) and a new scanner at an estimated cost of \$10,000 to keep up with case closures.

- G. Recommendation #13 (g.) suggests there are opportunities to improve and modify workflow for the hearing officers prior to adding more staff. In its response, the Administration indicates that the Court has made changes to staffing duties, and will continue to adjust as necessary. The Administration states that though wait times may have improved because of the changes, Court staff is unable to handle the demand for hearings without increasing customer wait times.
- H. Item #15 notes that though the Cashiering Unit is adequately staffed to meet current workload, the number of transactions per cashier will continue to increase. The audit recommends that as workload increases, the Court should consider adding a secure computer terminal on site through which customers can make credit card payments (without waiting in line for a cashier). The estimated cost for equipment is approximately \$1,000 plus the staff time to install the equipment. In response, the transmittal indicates that the Court will explore this option.

SALT LAKE CITY CORPORATION

SALT LAKE CITY JUSTICE COURT

ROSS C. "ROCKY" ANDERSON
MAYOR

COUNCIL TRANSMITTAL

TO: Rocky J. Fluhart
Chief Administrative Officer

DATE: February 7, 2006

FROM: Mary Johnston
Director, Salt Lake City Justice Court

SUBJECT: Justice Court Audit Recommendations

STAFF CONTACT:
Mary Johnston
Director, Salt Lake City Justice Court
535-7173

DOCUMENT TYPE: Response to Justice Court Audit Recommendations

RECOMMENDATION: Review Recommendations

BUDGET IMPACT:

There is no immediate budget impact resulting from the audit, although implementing some of the audit recommendations will require additional funding. These increases will be included in the Mayor's Recommended Budget, presented to the City Council in May 2006. Many of the recommendations can be implemented without additional funds, and these projects are currently being pursued. The Justice Court is willing to consider immediate implementation of the recommendations requiring additional funds if the City Council appropriates the funds within the current budget year.

BACKGROUND/DISCUSSION:

Matrix Consulting Group and The National Center for State Courts conducted an audit of the Salt Lake City Justice Court last year. This transmittal describes the Justice Court's plans for implementation of the recommendations made in the audit.

PUBLIC PROCESS: Not applicable

Recommendation	Audit Commentary	Agree or Disagree	Response	Priority	Additional Funding Required
Analysis of the Criminal Section 1. The Salt Lake City Justice Court needs to develop a comprehensive customer service program, including a policy statement, staff training and monitoring.	Customer surveys should be analyzed by staff and a report generated on a quarterly basis which identifies issues to be addressed.	Agree	Customer surveys are analyzed by staff and based upon the results and comments we have made changes. Most common complaints include the lack of free accessible parking and excessive wait time in court and on phones. Although a policy decision was made not to provide public parking at the courts inception the Justice Court has encouraged public use of mass transit by advertising mass transit information on city tickets, and this information will be added to the Justice Court's website. Excessive wait time is the second most common complaint, however, the court lacks the staff to provide either additional hours of service or a greater number of people on phones during busy call times, and the court is unable to schedule fewer people per scheduled court calendar without severely affecting the length of time between court events and ultimately the time from filing to disposition of cases.	On going	Yes
	Develop a training needs assessment, involving staff and Human resources, to structure a program for personal and Court service improvement.	Agree	Management is committed to training that includes monthly in-service and employee training. Recent examples include substantive and procedural DUI training, Ethics, and Emotional Intelligence in the Work Place. In addition to city required training, court clerks meet state mandated training of ten hours annually. We have formed an internal task force to identify best practices in case processing, to have employees participate in setting of policy and procedures which will then be explored in a monthly training module. Reviewing employees training needs and wants is part	On going	No

Recommendation	Audit Commentary	Agree or Disagree	Response	Priority	Additional Funding Required
	Each of the major areas of public contact should be evaluated for the level of service required and alternative methods of public service that do not require direct contact with a clerk, such as the court's planned interactive voice recognition (IVR) system for payments and web-based applications. This is designed to triage out the points of contact not requiring that level of interaction so that staff can concentrate on those points of contact requiring human interaction.		of our yearly performance review process. New technologies including IVR have been implemented as recommended to increase points of contact not requiring human interaction. The IVR system allows people to make payments and check on court dates, fines owing, and due dates, 24 hours a day 7 days a week. Web based applications now accept partial and full payments, traffic school sign up, jury duty registration and the ability to access general court information.	On going	No
2. The Court's policy of not divulging last names of clerks to the public has become accepted practice in the country.	Continue the practice of not divulging line employee last names to the public. Consideration should be given to posting this policy in a conspicuous place in the Court's public area.	Agree	Posting the policy was considered, but since the majority of the public are not concerned with last names, posting the fact that we will not give them out may have a negative impact on customer relations.	Completed	No
3. The Justice Court has an effective approach to expunging records.	Continue existing practices regarding expungements.	Agree	We will continue with existing practice.	Completed	No
4. Criminal section clerk roles should be prioritized.	The organization and assignment of such a high priority function as warrants should be realigned to promote efficiency and consistency.	Agree	We have reprioritized workflow assignment to create smoother and more efficient processes. Warrants were previously assigned in batches to certain out of court clerks. This made finding files difficult and depending on other job duties some warrants were not done in a timely manner. All warrants are now placed in a central location making them easy to locate and assigned by date/time so clerks have specific days that they are to process warrants. Warrants are now issued in the same order they were called for and an individual clerk's other work duties or schedule fluctuations don't affect the workflow as a whole.	On going	No

Recommendation	Audit Commentary	Agree or Disagree	Response	Priority	Additional Funding Required
<p>5. Though at the upper end of comparisons with other limited jurisdiction courts, criminal section staffing levels should remain the same until an independent weighted caseload study can be conducted.</p>	<p>The comparative survey indicates that by a variety of measures the Salt Lake City Justice Court operates with workloads significantly higher than other courts. However, before any staffing adjustments are made a more rigorous weighted case workload assessment should be conducted, which was beyond the scope of this project. The project team recommends that an independent weighted caseload analysis be conducted at an estimated cost of \$75,000 – \$125,000.</p>	<p>Disagree</p>	<p>The data establishes Salt Lake City at 377 % of the workload for court clerks and the court as a whole. Any organization is capable of improvement however with workloads reaching four times higher than the norm, even the best caseload management practices and the most detailed caseload analysis won't negate the need for additional staffing resources. Although types of caseloads may vary somewhat from court to court most large municipal courts address similar types and quantities of cases. The Salt Lake City Justice Court was compared to other large municipal courts and other local justice courts. No court in the sample of courts surveyed operates at anywhere near the capacity of Salt Lake City. The Justice Court welcomes a weighted caseload analysis, but not at the expense of the current staff who must work at a pace more than three times that of court employees in the courts that set the "norm" for comparable workloads. Given the current disposition rates, and the ever extending length of time to disposition measurements when the court lacks adequate calendar time to address all of its cases, the court can ill afford to wait for additional studies to demonstrate what this audit's data already clearly shows: that Salt Lake City is dramatically understaffed in comparison to all comparable courts, and service to the community is reduced accordingly.</p> <p>The Justice Court disagrees with doing a weighted caseload study before considering hiring new staff.</p>	<p>Further weighted caseload study-low Staffing-high</p>	<p>Yes Yes</p>

Recommendation	Audit Commentary	Agree or Disagree	Response	Priority	Additional Funding Required
6. There are steps which the court should take to expedite workflow in the criminal section.	The Justice Court should establish court processing standards where they do not exist and review standards for completion of case proceedings where they do exist to identify procedures having the potential to reduce case processing times. This should be accompanied by modifications to the case information system, so time to disposition statistics can be produced.	Agree	<p>Senior Management staff and Judges have attended NCSC training on Court Performance Standards and have now created an internal task force to reduce time to disposition on criminal cases. Judges will attend additional NCSC training on case flow improvement in March to lead this organizational change. An additional training session is planned for April 2006 where all partnering entities will be invited to create a court wide strategy implementing national standards and improving case flow.</p> <p>Salt Lake City IMS is currently designing software to create improved statistical analysis.</p>	<p>In Process</p> <p>In Process</p>	<p>No</p> <p>Yes-If modifications to software are required.</p>
7. Use of sentencing alternatives to reduce jail overcrowding and costs.	Continue to utilize existing approaches to jail alternatives, examine ways to expand existing program use and additional alternative sentencing options. This should be a multi-agency approach to maximizing these programs.	Agree	The Court currently utilizes sentencing alternatives in cooperation with other government and private agencies to reduce jail overcrowding, and will continue to do so. Current projects include partnerships with Salt Lake County through its Criminal Justice Services, the Day Reporting Center, the Weigand Center, and include the specialty court projects such as Focus DUI court, CAT Drug Court and Passages program.	On going	No
8. The Justice Court should consider alternative approaches to case scheduling.	Add-ons should be scheduled for appearance three (3) working days after their request is made. This would allow sufficient time to prepare the file and advise the prosecuting attorney.	Agree	Policy change has been implemented.	Completed	No

Recommendation	Audit Commentary	Agree or Disagree	Response	Priority	Additional Funding Required
9. The filing of information's has been addressed by justice system participants.	The issue of the filing of information's has been addressed by justice system participants.	Agree	Policy change has been implemented.	Completed	No
10. The Justice Court needs to continue with the implementation of technology in the courtroom.	Justice Court judges need to be provided the tools and training necessary to become familiar and comfortable with utilizing technology from the bench. In order to assist them in accessing information, a view-only screen should be set up to allow judges to view case files electronically. A courtroom clerk can manipulate the screens for the judge, familiarizing them with the look and content of the electronic file, and with the various available applications and case information.	Agree	<p>The Justice Court continues to monitor trends in court related electronic data management and paperless courts as a long term goal. We are currently part of a work group that is testing and implementing different technologies.</p> <p>The City lacks software to create electronic documents that will show case related materials given the speed of court hearings and the court lacks staff to present electronic data to the judge on the scale of calendars with 40 to 75 cases scheduled.</p>	Under Review	Yes
11. There is a need for expanding in-service and new employee training.	<p>The Salt Lake City Justice Court should provide training for new staff and continuing training and education opportunities for existing staff.</p> <p>The continuing education should include job function training and other career development education. The availability of training will make efficient use of personnel, prepare employees for advancement to higher positions, build organizational morale, help implement new duties, responsibilities and technology, help develop employee</p>	<p>Agree</p> <p>Agree</p>	<p>Management is committed to employee training that includes monthly in-service and employee training. Recent examples include substantive and procedural DUI training, Ethics, and Emotional Intelligence in the Work Place. In addition to city required training, court clerks meet state mandated training of ten hours annually.</p> <p>We have formed an internal task force to identify best practices in case processing, to have employees participate in setting of policy and procedures which will then be explored in a monthly training module.</p> <p>Reviewing employees training needs and wants is part of our yearly performance review process.</p>	<p>On going</p> <p>On going</p>	<p>No</p> <p>No</p>

Recommendation	Audit Commentary	Agree or Disagree	Response	Priority	Additional Funding Required
	skills, and substitute as a fringe benefit in lieu of salary increases.				
12. There are several significant records management issues in the Salt Lake City Justice Court.	The Justice Court should upgrade the responsibility for records management in the organization assigning overall responsibility to the Court Administrator or one of the Section Managers.	Agree	The Criminal Section Manager has responsibility for the criminal section files and the Civil Section Manager has responsibility for the traffic files.	On going	Yes
	The Court needs to ensure that it continues to conform to current records retention policies, evaluate alternative policies and that alternative methods of file storage are evaluated and maximized, such as scanning and off site storage. The possible benefits of this step include:	Agree	The Court has always conformed to current record retention polices cited in the Judicial Council Rules of Judicial Administration and Utah State Court Records Retention Schedule, and does not keep files longer unless staffing limitations do not allow us to pull and shred the files timely. The Court attempts to minimize the amount of storage needed by scanning cases when they are closed, alleviating the need for closed file space and the need for reviewing the files again when their retention time is up. The Court attempts to do this with current staffing levels; however, it is not possible to keep up with the workload.	On going	No
	<ul style="list-style-type: none"> a. Financial savings as a result of the elimination of the creation of redundant records. b. Space savings gained by ensuring that only necessary records are stored for only the necessary time. c. Time savings of support staff in storing and working through unnecessarily large or complicated records collections. d. Improvement in the quality of service to the public. 	Disagree	The Court has no redundant records and keeps files only that require access. Records awaiting destruction currently remain on site, due to staffing constraints. The only records to eliminate are those requiring destruction so when staffing is adequate, improvement to quality of service to the public will improve.	Under Review	Yes

Recommendation	Audit Commentary	Agree or Disagree	Response	Priority	Additional Funding Required
	<p>The Justice Court and the City need to move to address a serious file storage problem in the Justice Court. Securing off site storage for older records should be pursued, at an estimated annual cost of \$5,000 – \$10,000; acceleration of file scanning should be accomplished through contract or temporary staff, at an estimated one year cost of \$10,000; and consideration be given to shorter records retention schedules, where the law allows.</p>	Agree	<p>Off site storage is available at no cost, to all City departments, however, in criminal cases, off site storage could not be used on open files as we must be able to produce files if access is requested. Temporary staff could help with the backlog of cases but to continue scanning all closed cases we would need a full time employee at the cost of \$38,000 a year and a new high speed scanner at the cost of \$10,000 to keep up with the case closures.</p>	Under Review	Yes
<p>Analysis of the Civil Section 13. There are opportunities for improvement in workflow and the responsibilities for hearing officers.</p>	<p>Given the potential impact of the IVR system on the workload of the hearing officers, hearing officers should be able to handle their collateral duties without requiring significant assistance from the Civil Clerks.</p> <p>The Civil Section should implement changes in work assignment and flow to ensure the appropriate resources are dedicated to necessary tasks. This includes:</p> <p>a. Reassigning clerical functions to the civil clerk classification, as needed (e.g. statistics tracking, pulling closed cases, tracking broken meters, etc.).</p> <p>b. Ensuring staff assigned to the front counter are dedicated to conducting hearings to reduce wait times and improve customer service.</p>	<p>Agree</p> <p>Disagree</p> <p>Agree</p>	<p>We have reviewed reassigning staff and implemented some recommendations as follows:</p> <p>a. Reassigning duties to Civil Clerks is not possible because they already have a full workload.</p> <p>b. Reassigned duties from counter hearing officer position to desk hearing officers so counter hearing officers have no other duties (when we are fully staffed). This does increase the time to wait for a phone hearing as the hearing officers that take the phone hearings now have additional duties.</p>	<p>In Process</p> <p>Low</p> <p>In Process</p>	<p>None</p> <p>None</p> <p>None</p>

Recommendation	Audit Commentary	Agree or Disagree	Response	Priority	Additional Funding Required
	<p>c. Cross-train and cross-utilize staff to handle peaks in workloads for collateral duties (e.g. Gotcha program, etc.).</p>	Agree	<p>c. Hearing Officers all have a backup who is cross trained in their assigned duties. More staff will be trained in the Gotcha Program this year.</p>	In Process	None
	<p>d. Review workload generated by phone calls to ensure that hearing officers are utilized to maximize the number of hearings conducted in this way.</p>	Agree	<p>d. We are now tracking the number of hearings that are conducted over the phone and have written guidelines for the hearing officers on phone hearings. We have been meeting with the hearing officers monthly to review guidelines and make changes when needed.</p>	In Process	None
	<p>e. Analyze the results of the tracking of hearings conducted over the phone and cases resolved.</p>	Agree	<p>e. We expect to have collected enough data to begin analysis by March of 2006.</p>	In Process	None
	<p>f. Include an option in the IVR for telephonic hearings.</p>	Agree	<p>f. We are currently changing the IVR to add an option for phone hearings and hope to have it in place by March 1st.</p>	In Process	None
	<p>g. Review the impact of changes on workflow prior to adding any additional staff.</p>	Disagree	<p>g. We have reviewed the impact of the IVR system at this time and have made changes in staff duties. We will continue to improve/change the IVR system and will make other adjustments to staff duties as needed. Although wait time may have improved, the number of staff still cannot handle the number of hearings without adversely affecting customer wait times.</p>	On going	Yes

Recommendation	Audit Commentary	Agree or Disagree	Response	Priority	Additional Funding Required
Analysis of Financial Functions					
<p>14. There are significant opportunities to improve the internal controls and cash handling procedures in the Justice Court.</p>	<p>The Justice Court should develop internal controls and assign accountability to the Accountant to audit the Cashiering Unit and to ensure the Unit is following policies and procedures. Improvements should include:</p> <p>a. The Lead Cashier should be assigned responsibility for coordinating with hearing officers and other Justice Court staff to ensure any issues are resolved (e.g., account number found, defendant contacted, etc.)</p> <p>b. Each cashier should be responsible for locking his / her cash box drawer when on break or away from his / her workstation. At the close of business, each cashier should be responsible for securing his / her cash box in the individual lockable shelves in the safe. There should be an extra cash drawer, which is secured. This should be used by the Civil Section Manager when he / she provides coverage to the Cashiering Section.</p> <p>c. The person who collects cash or prepares deposits should be independent of employees who record or authorize the transaction to reduce potential loss and errors. The Lead Cashier should be responsible for preparing the daily deposit.</p> <p>The Civil Section Manager should sign</p>	<p>Disagree</p> <p>Agree</p> <p>Agree</p> <p>Current</p>	<p>We have reviewed the recommendations and have made minor changes in our controls.</p> <p>a. It is not necessary to assign this to the lead cashier because each cashier is capable of handling this duty.</p> <p>b. Deeper cash boxes have been ordered so they can each be locked. Currently the cashiers are locking their drawers when they leave for break or lunch. We will not need an extra cash drawer as the Civil Section Manager will no longer fill in for the cashiers.</p> <p>c. The Lead Cashier will verify deposits of each register daily with the Cashiering Resource Coordinator acting as a back up in their absence.</p> <p>Currently the Cash Manager in the</p>	<p>In Process</p> <p>In Process</p> <p>On going</p>	<p>No</p> <p>No</p> <p>No</p>

Recommendation	Audit Commentary	Agree or Disagree	Response	Priority	Additional Funding Required
	<p>off on the deposit daily.</p> <p>d. The daily deposit should be secured in the safe until it is picked up.</p> <p>e. Evidence of amounts of deposits should always be obtained and submitted to the person responsible for the courts bank reconciliation. While the City is responsible for the monthly reconciliation of deposits to the bank statement, the Civil Section Manager should be responsible for ensuring the daily deposit matches receipts from the bank.</p> <p>f. Transactions should be audited daily by the Civil Section Manager to be sure reductions are consistent with court policies.</p> <p>g. The Accountant should be responsible for conducting audits of the hand written booklets to provide independent control of the handwritten receipts.</p> <p>h. The Accountant should be responsible for conducting audits of the change funds.</p>	<p>Practice</p> <p>Disagree</p> <p>Current Practice</p> <p>Agree</p> <p>Agree</p> <p>Agree</p>	<p>Treasurer's Office and the Finance Department verify deposits match bank receipts.</p> <p>d. The cashiering area has limited access and the deposit bag is a locked, secure, tamper proof bag. Location of the vault prohibits the cashier from leaving the cashiering area when Brinks arrives for pickup. The cashiers are helping other customers and would have to shut down the window, lock the drawer, and then go open the vault which is located at the rear of the court building. This would create a problem at any time, but especially if we are short staffed.</p> <p>e. The Cash Manager currently ensures that the daily deposit matches receipts from the bank.</p> <p>f. The Civil Section Manager now reviews on a daily bases.</p> <p>g. The Accountant now audits the hand written receipts, twice monthly.</p> <p>h. The Accountant conducts audits of the change funds twice monthly.</p>	<p></p> <p>Low</p> <p>In Place</p> <p>In Place</p> <p>In Place</p> <p>In Place</p>	<p></p> <p>No</p> <p>No</p> <p>No</p> <p>No</p> <p>No</p>

Recommendation	Audit Commentary	Agree or Disagree	Response	Priority	Additional Funding Required
	<p>i. Deposit bags should be secured in the safe until picked up.</p> <p>j. The combination and/or locks to the safe should be changed periodically especially when personnel leave employment.</p>	<p>Disagree</p> <p>Disagree</p>	<p>i. The cashier area has limited access and the deposit bag is a locked, secure, tamper proof bag. Location of the vault prohibits the cashier from leaving the cashiering area when Brinks arrives for pickup. The cashiers are helping other customers and would have to shut down the window, lock the drawer, and then go open the vault which is located at the rear of the court building. This would create a problem at any time, but especially if we are short staffed.</p> <p>j. To access the vault a cashier must first put their unique ID and code into the alarm system, have a key to the secured room where the vault is kept, and then the combination to vault. When a cashier leaves employment their code is removed from the alarm system, access is removed, and their key is turned in before they leave.</p>	<p>Low</p> <p>Low</p>	<p>No</p> <p>No</p>

Recommendation	Audit Commentary	Agree or Disagree	Response	Priority	Additional Funding Required
15. Based on a Review of Workload, the Cashiering Unit Is Adequately Staffed to Meet Current Workload; However, the Number of Transactions Per Cashier Will Continue to Increase.	As workload increases for the Cashiering Unit, the Justice Court should add a secure computer terminal which provides a direct link to the Court's website and through which customers can make credit card payments. The cost impact of this recommendation is minimal (e.g., less than \$1,000 for capital purchases, plus staff time to install the equipment).	Agree	The Court will explore the option of installing a secure computer terminal in the lobby.	Under Review	Yes
16. There are opportunities to enhance collections activities and revenues	The Justice Court should evaluate the cost effectiveness of providing in-house collection services compared to the contract collections agency. This should include a review of data that links work activities to revenue collection for in-house staff, as well as a review of the performance of the contractor.	Agree	The Court views the in house collections and our current contract with an outside collection agency as a complementary relationship. When it is not cost effective for our staff to continue collection efforts, (as demonstrated by data collected) the case is turned over to the outside collection agency, leaving our staff to focus on garnishments and other effective methods of collections.	On going	No
Organizational Structure and Management					
17. The jurisdiction of the Salt Lake City Justice Court should be examined.	The Salt Lake City Justice Court should consider the appointment of a committee, to include representatives of the Justice Court, the Utah State court system, as well as appropriate representatives of the bar and the criminal justice community, to evaluate the court's jurisdiction and to make recommendations, if any and if possible, regarding adjustments to its jurisdiction, including the appropriateness of the Court's maintaining jurisdiction over complex criminal matters.	Neutral	Justice Court jurisdiction is set by state statute, and is fixed for every court operating in the state. Only state legislators have the authority to expand or contract the jurisdiction of municipal justice courts. If Salt Lake City's executive branch or legislative branch seeks a policy change regarding this court's jurisdiction, the Court will provide any information requested.	N/A	No

Recommendation	Audit Commentary	Agree or Disagree	Response	Priority	Additional Funding Required
<p>8. The authority and responsibility of the Presiding Judge should be clarified and the organizational structure of the Court.</p>	<p>The authority and responsibility of the Presiding Judge of the Salt Lake City Justice Court should be defined to include oversight responsibility and policy making authority for all issues involving the management of cases, with the court Administrator reporting to the Presiding Judge on all issues involving the processing of cases.</p> <p>The organizational structure of the Salt Lake City Justice Court should be amended to create a structure by which the Court Administrator reports to the Chief Administrative Officer of the Management Services Department on operational and management issues, including budgeting, personnel, and day-to-day operations of the court, and to the Presiding Judge on all issues of case management and the administration of justice.</p>	Disagree	<p>The Justice Court is always open to a discussion on the delineation of the respective roles of the legislative, executive, and judicial branches of city government.</p> <p>Currently, practice is for the Court Administrator to report to the Chief Administrative Officer on operational and management issues, but has a strong working relationship with the Presiding Judge regarding issues of case management and the administration of justice. Current practice reflects common practice in other municipal courts, locally and nationally.</p>	Ongoing	No
<p>9. The Salt Lake City Justice Court should develop a performance management and measurement systemwide accountability for key processes.</p>	<p>The Salt Lake City Justice Court should develop a performance management / measurement system designed to monitor customer service, case processing and collections.</p>	Agree	<p>Salt Lake City Justice Court has conducted customer service surveys for the last three years, and has had a performance management/measurement system in place since its inception, in accordance with city policy. The Court will incorporate <i>CourTools</i> methodology into these measures as well as the results of the task force now in place.</p>	In Process	No

Recommendation	Audit Commentary	Agree or Disagree	Response	Priority	Additional Funding Required
<p>20. Specific performance measures relating to collections needs to be developed by the Justice Court.</p>	<p>The Justice Court should implement the process for assessment and analysis of its performance in the area of monetary collections defined by <i>CourTools</i> 7, 'Collection of Monetary Penalties', identifying reasonable and defensible goals for levels of monetary collections, analyzing the level at which they are successfully collecting fees and fines relative to the set goals, and implementing a process for improvement of collection levels.</p>	<p>Agree</p>	<p>The Court is familiar with the <i>CourTools</i> and is working to implement these measures. The Court currently tracks the required data, seeks the assistance of the City's IMS department to sort and track the data in an automated program.</p>	<p>In Process</p>	<p>No</p>
<p>21. Customer service issues can only be addressed through a comprehensive program which includes policies, training and performance assessments.</p>	<p>The Salt Lake City Justice Court should implement the process to assess its performance relative to customer service as defined by <i>CourTools</i> Core Measure 1, 'Access and Fairness'. In measuring its performance, the Court should specifically survey court customers and analyze the survey's findings for use in informing and improving management practices to ensure that issues of concern are identified and addressed on a continuing basis. Customer service surveys and analysis should be completed using the survey form and methods recommended with <i>CourTools</i> Core Measure 1. The Court should implement this process in the context of a comprehensive customer service program which includes a specific policy, training, and Court and individual performances in meeting these goals.</p>	<p>Agree</p>	<p>The Court currently surveys its customers on a yearly basis with a survey that was reviewed and approved by the National Center for State Courts and have used the <i>CourTools</i> to analyze this survey information. We will form a task force (much like our disposition task force) to review and help implement a customer service program, which will include policy, training and accountability.</p>	<p>Under Review</p>	<p>No</p>

Recommendation	Audit Commentary	Agree or Disagree	Response	Priority	Additional Funding Required
<p>There are issues with respect to proceeding in the Justice Court.</p>	<p>The Salt Lake City Justice Court should identify time standards, defining the maximum time allowable from case initiation to disposition for each type of case handled by the court. Once these time standards have been established, the court should implement a process for measuring its performance in meeting the time standards through the implementation of the measurement processes and analysis set forth in <i>CourTools</i> Core Measures 2, 'Case Clearance Rates', 3, 'Time to Disposition', and 5, 'Certainty of Trial Dates'.</p>	<p>Agree</p>	<p>The Justice Court recently began a large scale project to address the reduction of time to disposition of cases, using the collaborative efforts of all justice court employees and partnering agencies with the with assistance of the National Center for State Courts.</p> <p>A task force of 18 Justice Court employees are defining the various processes for each type of case, and will define and implement measures for these processes that include the <i>CourTools</i> measures. In that process improvements are expected to be made to the court's internal processes that will reduce the time to disposition of cases. In addition, the court will be bringing in its partnering agencies to identify and implement improvement opportunities.</p>	<p>In Process</p>	<p>No</p>

Management Audit of the Justice Court CITY OF SALT LAKE CITY, UTAH

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consulting group



October 28, 2005

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1. INTRODUCTION AND EXECUTIVE SUMMARY

This initial chapter of the report introduces the approaches utilized in this study and summarizes key findings, conclusions and recommendations to be found in this report.

1. INTRODUCTION TO THE REPORT

The Matrix Consulting Group and the National Center for State Courts were retained by the City of Salt Lake City to conduct a Management Audit of its Justice Court. In reaching the concluding point of the study, the project team has assembled this final report which summarizes our findings, conclusions and recommendations, where appropriate. This report represents the conclusion of three months of analysis of the organizational structure, staffing, management and operations of the Justice Court.

The scope of this study was comprehensive and included the following general elements:

- The effectiveness and efficiency of service levels, workload and staffing levels to the public as well as relating to other justice system functions.
- The allocation of personnel and other resources.
- The effectiveness of administrative processes, systems, policies and procedures.
- The Court's costs versus revenues, identifying the factors and causes of any significant changes.
- An examination of how the Court compares to other jurisdictions and to 'best management practices'.

In this Management Audit of the Justice Court, the Matrix Consulting Group and National Center for State Courts project team utilized a wide variety of data collection

and analytical techniques. The project team conducted the following data collection and analytical activities:

- The project team initiated the project by interviewing selected Council members and staff in Salt Lake City's Council Office to obtain background issues on the study and confirm the scope of work, schedule, etc.
- Interviews were also conducted with the City's Chief Administrative Officer, Deputy Director of the Management Services Department and Finance Director for comparable issues relating to the background of the Justice Court and operating issues.
- Interviews were also conducted with other justice system representatives, including the City Prosecutor, the public defenders' office and representatives from the Salt Lake City Police Department.
- The project team then utilized an intensive process of interviewing each judicial position and virtually every staff position in the Justice Court.
- The project team supplemented this input through the use of a confidential employee survey. Approximately 66% of the Justice Court employees took advantage of this opportunity to provide input to us. Its results were useful to the project team to identify issues and potential solutions. A summary of this employee survey is contained in this report.
- In addition to interviews, the project team collected detailed data from the Justice Court documenting workloads, caseflows, service levels, operations and costs.
- The project team developed a descriptive summary, or profile, of the Justice Court, reflecting organizational structure, staffing, workloads, service levels and programmatic objectives. These profiles were reviewed with the Justice Court management team. The final version of this profile is contained in this report.
- We compared workloads and approaches to case management of the Salt Lake City Justice Court with the National Center for State Courts 'best practices' for trial courts. This step served to identify issues in our analytical process.
- On a limited basis, the project team also compared organizational structure, staffing levels, as well as certain operational and service delivery indices against other limited jurisdiction courts in Utah and the western United States. The purpose of these comparisons were to assist in the issues identification process.
- The project team also reviewed initial findings and issues with the Justice Court management team as well as with staff in the Council Offices.

In summary, the processes we utilized in this study included intensive input from Justice Court staff as well as other representatives of the City and justice system; detailed data collection and analysis; and an interactive process at each key step in the study process.

2. EXECUTIVE SUMMARY

The Matrix Consulting Group and the National Center for State Courts developed recommendations based on the analysis of data from the Justice Court, as well as observations of work processes and interviews of staff. The points, which follow, present a summary of the Justice Court and key issues identified during the Management Audit of the Justice Court.

- The project team developed a descriptive profile of the Salt Lake City Justice Court. A review of key workload indicators show that:
 - Parking revenue in Salt Lake City has remained relatively consistent from fiscal year 1997 – 1998 to fiscal year 2004 – 2005, increasing by 1% during this time period.
 - The number of parking tickets has decreased by 20% from fiscal year 1997 – 1998 to fiscal year 2004 – 2005.
 - The number of traffic tickets and the number of violations has decreased over the last three years (e.g., traffic tickets have decreased by 9% and the number of violations have decreased by 12%).
 - The number of cashiering transactions have steadily increased over the last three fiscal years by 45%.
 - The Criminal Section caseloads have decreased over the last three fiscal years, as well.
 - The number of cases filed have dropped by 0.2% from fiscal year 2002 – 2003 to fiscal year 2004 to 2005.
 - The number of charges filed have decreased by 2% during the same time period.
 - The number of small claims filed have decreased by 40% during the same time period.

- Collection of fines have increased from fiscal year 2002 –2003 to fiscal year 2004 – 2005 by 445% and for the same time period, the amount of small claims filing fees collected increased by 147%
- The project team conducted an employee survey to determine perceptions and attitudes of staff to specific areas of Justice Court. Key issues included:
 - Staff felt that they provide a high level of service to the community and the Court’s customers.
 - Staff opinions were mixed regarding overall management of the Court (e.g., accountability of staff, employee disciplinary process, use of policies and procedures, etc.)
 - Staff perceived the Court’s ability to effectively address internal problems poorly.
 - Overall, staff had positive attitudes regarding the resources (e.g., tools, equipment, training, etc.) they had to do their jobs well.
 - While staff felt that there was an adequate number of staff to handle court and judicial workload, there were negative perceptions of staffing relating to out-of-court roles.
 - Most staff felt that their workload was acceptable (e.g., sometimes heavy but could keep up with it).
 - Staff perceived the facility as inadequate to meet the overall needs of the Court.
- The project team conducted a comparative survey, which showed that:
 - Salt Lake City Justice Court clerks reported the highest ratio of case filings per full time employee, at one full time employee per 5,529 case filings (compared to the median of 1,467 filings per employee).
 - Judges in the Salt Lake City Justice Court showed the highest filings to judge ratio, reporting 7,305 case filings per full time judge compared to the median of 3,931.
 - The judge-staff ratio for the Salt Lake City Justice Court was very close to the median for the courts in the survey at just under 10 staff per judicial position (at 2005 staffing levels).

Based on a review of workload, comparative data, and an analysis of key functions, the project team developed recommendations to improve the operation of the Salt Lake City Justice Court. The table, which follows, presents a summary of the key recommendations.

Findings	Recommendations
4. Analysis of the Criminal Section	
<p>The Salt Lake City Justice Court needs to develop a comprehensive customer service program, including a policy statement, staff training and monitoring.</p>	<p>Customer surveys should be analyzed by staff and a report generated on a quarterly basis which identifies issues to be addressed.</p> <p>Develop a training needs assessment, involving staff and Human resources, to structure a program for personal and Court service improvement.</p> <p>Each of the major areas of public contact should be evaluated for the level of service required and alternative methods of public service that do not require direct contact with a clerk, such as the court's planned interactive voice recognition (IVR) system for payments and web-based applications. This is designed to triage out the points of contact not requiring that level of interaction so that staff can concentrate on those points of contact requiring human interaction.</p>
<p>The Court's policy of not divulging last names of clerks to the public has become accepted practice in the country.</p>	<p>Continue the practice of not divulging line employee last names to the public. Consideration should be given to posting this policy in a conspicuous place in the Court's public area.</p>
<p>The Justice Court has an effective approach to expunging records.</p>	<p>Continue existing practices regarding expungements.</p>
<p>Criminal section clerk roles should be prioritized.</p>	<p>The organization and assignment of such a high priority function as warrants should be realigned to promote efficiency and consistency.</p>
<p>Though at the upper end of comparisons with other limited jurisdiction courts, criminal section staffing levels should remain the same until an independent weighted caseload study can be conducted.</p>	<p>The comparative survey indicates that by a variety of measures the Salt Lake City Justice Court operates with workloads significantly higher than other courts. However, before any staffing adjustments are made a more rigorous weighted case workload assessment should be conducted, which was beyond the scope of this project. The project team recommends that an independent weighted caseload analysis be conducted at an estimated cost of \$75,000 – \$125,000.</p>
<p>There are steps which the court should take to expedite workflow in the criminal section.</p>	<p>The Justice Court should establish court processing standards where they do not exist and review standards for completion of case proceedings where they do exist to identify procedures having the potential to reduce case processing times. This should be accompanied by modifications to the case information system, so time to disposition statistics can be produced.</p>
<p>Use of sentencing alternatives to reduce jail overcrowding and costs.</p>	<p>Continue to utilize existing approaches to jail alternatives, examine ways to expand existing program use and additional alternative sentencing options. This should be a multi-agency approach to maximizing these programs.</p>

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Findings	Recommendations
The Justice Court should consider alternative approaches to case scheduling.	Add-ons should be scheduled for appearance three (3) working days after their request is made. This would allow sufficient time to prepare the file and advise the prosecuting attorney.
The filing of informations has been addressed by justice system participants.	The issue of the filing of informations has been addressed by justice system participants.
The Justice Court needs to continue with the implementation of technology in the courtroom.	Justice Court judges need to be provided the tools and training necessary to become familiar and comfortable with utilizing technology from the bench. In order to assist them in accessing information, a view-only screen should be set up to allow judges to view case files electronically. A courtroom clerk can manipulate the screens for the judge, familiarizing them with the look and content of the electronic file, and with the various available applications and case information.
There is a need for expanding in-service and new employee training.	The Salt Lake City Justice Court should provide training for new staff and continuing training and education opportunities for existing staff. The continuing education should include job function training and other career development education. The availability of training will make efficient use of personnel, prepare employees for advancement to higher positions, build organizational morale, help implement new duties, responsibilities and technology, help develop employee skills, and substitute as a fringe benefit in lieu of salary increases.
There are several significant records management issues in the Salt Lake City Justice Court.	<p>The Justice Court should upgrade the responsibility for records management in the organization assigning overall responsibility to the Court Administrator or one of the Section Managers. The Court needs to ensure that it continues to conform to current records retention policies, evaluate alternative policies and that alternative methods of file storage are evaluated and maximized, such as scanning and off site storage. The possible benefits of this step include:</p> <ul style="list-style-type: none"> • Financial savings as a result of the elimination of the creation of redundant records. • Space savings gained by ensuring that only necessary records are stored for only the necessary time. • Time savings of support staff in storing and working through unnecessarily large or complicated records collections. • Improvement in the quality of service to the public. <p>The Justice Court and the City need to move to address a serious file storage problem in the Justice Court. Securing off site storage for older records should be pursued, at an estimated annual cost of \$5,000 – \$10,000; acceleration of file scanning should be accomplished through contract or temporary staff, at an estimated one year cost of \$10,000; and consideration be given to shorter records retention schedules, where the law allows.</p>

Findings	Recommendations
5. Analysis of the Civil Section	
<p>There are opportunities for improvement in workflow and the responsibilities for hearing officers.</p>	<p>Given the potential impact of the IVR system on the workload of the hearing officers, hearing officers should be able to handle their collateral duties without requiring significant assistance from the Civil Clerks.</p> <p>The Civil Section should implement changes in work assignment and flow to ensure the appropriate resources are dedicated to necessary tasks. This includes:</p> <ul style="list-style-type: none"> • Reassigning clerical functions to the civil clerk classification, as needed (e.g. statistics tracking, pulling closed cases, tracking broken meters, etc.). • Ensuring staff assigned to the front counter are dedicated to conducting hearings to reduce wait times and improve customer service. • Cross-train and cross-utilize staff to handle peaks in workloads for collateral duties (e.g. Gotcha program, etc.). • Review workload generated by phone calls to ensure that hearing officers are utilized to maximize the number of hearings conducted in this way. • Analyze the results of the tracking of hearings conducted over the phone and cases resolved. • Include an option in the IVR for telephonic hearings. <p>Review the impact of changes on workflow prior to adding any additional staff</p>
6. Analysis of Financial Functions	
<p>There are significant opportunities to improve the internal controls and cash handling procedures in the Justice Court.</p>	<p>The Justice Court should develop internal controls and assign accountability to the Accountant to audit the Cashiering Unit and to ensure the Unit is following policies and procedures. Improvements should include:</p> <ul style="list-style-type: none"> • The Lead Cashier should be assigned responsibility for coordinating with hearing officers and other Justice Court staff to ensure any issues are resolved (e.g., account number found, defendant contacted, etc.) • Each cashier should be responsible for locking his / her cash box drawer when on break or away from his / her workstation. At the close of business, each cashier should be responsible for securing his / her cash box in the individual lockable shelves in the safe. There should be an extra cash drawer, which is secured. This should be used by the Civil Section Manager when he / she provides coverage to the Cashiering Section.

Findings	Recommendations
	<ul style="list-style-type: none"> • The persons who collect cash or prepare deposits should be independent of employees who record or authorize the transaction to reduce potential loss and errors. The Lead Cashier should be responsible for preparing the daily deposit. The Civil Section Manager should sign off on the deposit daily. The daily deposit should be secured in the safe until picked up. • Evidence of amounts of deposits should always be obtained and submitted to the person responsible for the Court's bank reconciliation. While the City is responsible for the monthly reconciliation of deposits to the bank statement, the Civil Section Manager should be responsible for ensuring the daily deposit matches receipts from the bank. • Transactions should be audited daily by the Civil Section Manager to ensure reductions are consistent with Court Policies. • The Accountant should be responsible for conducting audits of the handwritten receipt booklets to provide independent control of the handwritten receipts. • The Accountant should be responsible for conducting audits of the change funds. Deposit bags should be secured in the safe until picked up. The combination and / or locks to the safe should be changed periodically, especially when personnel leave employment.
<p>Based on a Review of Workload, the Cashiering Unit Is Adequately Staffed to Meet Current Workload, However, the Number of Transactions Per Cashier Will Continue to Increase.</p>	<p>As workload increases for the Cashiering Unit, the Justice Court should add a secure computer terminal which provides a direct link to the Court's website and through which customers can make credit card payments. The cost impact of this recommendation is minimal (e.g., less than \$1,000 for capital purchases, plus staff time to install the equipment).</p>
<p>There are opportunities to enhance collections activities and revenues.</p>	<p>The Justice Court should evaluate the cost effectiveness of providing in-house collection services compared to the contract collections agency. This should include a review of data that links work activities to revenue collection for in-house staff, as well as a review of the performance of the contractor.</p>
<p>7. Organizational Structure and Management</p>	
<p>The jurisdiction of the Salt Lake City Justice Court should be examined.</p>	<p>The Salt Lake City Justice Court should consider the appointment of a committee, to include representatives of the Justice Court, the Utah State court system, as well as appropriate representatives of the bar and the criminal justice community, to evaluate the court's jurisdiction and to make recommendations, if any and if possible, regarding adjustments to its jurisdiction, including the appropriateness of the Court's maintaining jurisdiction over complex criminal matters.</p>

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Findings	Recommendations
<p>The roles of the court administrator and the presiding judge should be clarified and enhanced as that relates to the management of the Court.</p>	<p>The authority and responsibility of the Presiding Judge of the Salt Lake City Justice Court should be defined to include oversight responsibility and policy making authority for all issues involving the management of cases, with the court Administrator reporting to the Presiding Judge on all issues involving the processing of cases.</p> <p>The organizational structure of the Salt Lake City Justice Court should be amended to create a structure by which the Court Administrator reports to the Chief Administrative Officer of the Management Services Department on operational and management issues, including budgeting, personnel, and day-to-day operations of the court, and to the Presiding Judge on all issues of case management and the administration of justice.</p>
<p>The Salt Lake City Justice Court should develop a performance management and measurement system to provide accountability for key processes.</p>	<p>The Salt Lake City Justice Court should develop a performance management / measurement system designed to monitor customer service, case processing and collections.</p>
<p>Specific performance measures relating to collections needs to be developed by the Justice Court.</p>	<p>The Justice Court should implement the process for assessment and analysis of its performance in the area of monetary collections defined by <i>CourTools</i> 7, 'Collection of Monetary Penalties', identifying reasonable and defensible goals for levels of monetary collections, analyzing the level at which they are successfully collecting fees and fines relative to the set goals, and implementing a process for improvement of collection levels.</p>
<p>Customer service issues can only be addressed through a comprehensive program which includes policies, training and performance assessments.</p>	<p>The Salt Lake City Justice Court should implement the process to assess its performance relative to customer service as defined by <i>CourTools</i> Core Measure 1, 'Access and Fairness'. In measuring its performance, the Court should specifically survey court customers and analyze the survey's findings for use in informing and improving management practices to ensure that issues of concern are identified and addressed on a continuing basis. Customer service surveys and analysis should be completed using the survey form and methods recommended with <i>CourTools</i> Core Measure 1. The Court should implement this process in the context of a comprehensive customer service program which includes a specific policy, training. and Court and individual performances in meeting these goals.</p>
<p>There are issues with respect to case processing in the Justice Court.</p>	<p>The Salt Lake City Justice Court should identify time standards, defining the maximum time allowable from case initiation to disposition for each type of case handled by the court. Once these time standards have been established, the court should implement a process for measuring its performance in meeting the time standards through the implementation of the measurement processes and analysis set forth in <i>CourTools</i> Core Measures 2, 'Case Clearance Rates', 3, 'Time to Disposition', and 5, 'Certainty of Trial Dates'.</p>

2. PROFILE OF THE SALT LAKE CITY JUSTICE COURT

This Chapter provides a Descriptive Profile of the Salt Lake City Justice Court. The purpose of the Descriptive Profile is to document the project team's understanding of the Justice Court's organization, allocation of staff by function, and principal assigned responsibilities of staff. Data contained in the Profile were developed based on the work conducted by the project team, including:

- Interviews with key internal staff, including all Court managers, supervisors and line staff, as well as key external staff..
- Collection of various data describing organization and staffing, workload and service levels as well as costs. These efforts are continuing over the next few weeks of the project.
- Documentation of key practices as that relates to work planning and scheduling, policies and procedures, as well as work processes.

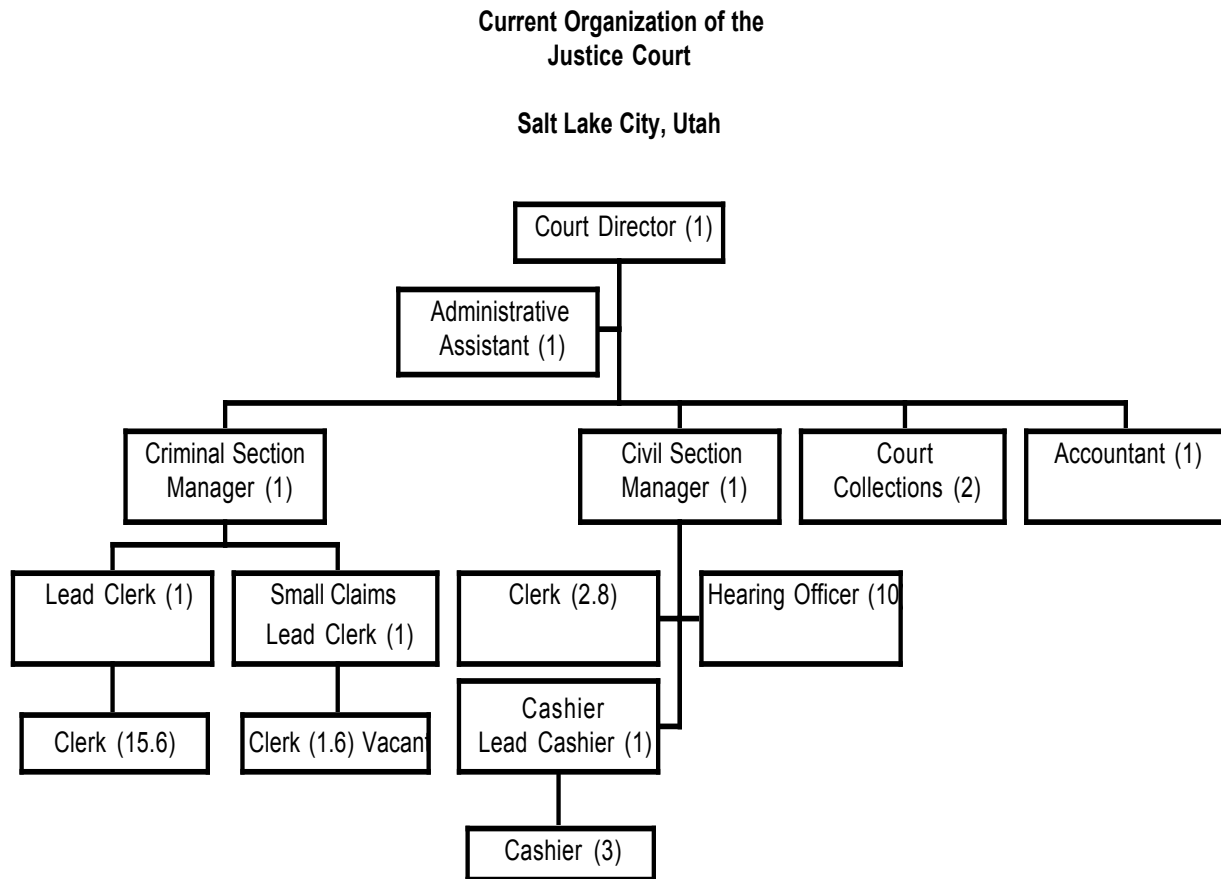
The Descriptive Profile does not attempt to recapitulate all organizational and operational facets of the Court. In this chapter, the structure of this Descriptive Profile is as follows:

- Organizational charts of the Justice Court and key functions showing all staff positions by function and shift as appropriate, and reporting relationships.
- Summary descriptions of key roles and responsibilities of staff. The responsibility descriptions provided in the Descriptive Profile also summarize the team's understanding of the major programs and service activities to which staff throughout the Court are currently assigned. It should be clearly noted that responsibility descriptions are not intended to be at the "job description" level of detail. Rather, the descriptions are intended to provide the basic nature of each unit and assigned positions including deployment and work schedules, program targets and service descriptions.
- Where necessary to better describe allocations and scheduling, additional charts are provided (e.g., scheduling, workload data, etc.)

The sections, which follow describe our current understanding of the Justice Court by key function and position.

1. CURRENT ORGANIZATION OF THE JUSTICE COURT

The table, which follows, presents the current organization of the Salt Lake City Justice Court.



As the table of organization shows, there are thirty-eight fulltime and five part-time positions in the Justice Court. The section, which follows, provides the roles and responsibilities for each of the key functions and positions assigned to the Justice Court.

2. STAFF ROLES AND RESPONSIBILITIES

Unit / Position	No. of Positions		Responsibilities
	Auth	Current	
ADMIN.			
Director	1.0	1.0	<p>The Justice Court is organized as a part of Management Services, which reports to the Deputy Director. The Director of Justice Court reports to the Deputy Director, and not the presiding judge.</p> <p>The Director is responsible for managing and directing all operations of the Justice Court, including the Criminal and Civil Sections, as well as financial functions (e.g., accounting, collections, etc.). The Director is also responsible for reconciling all revenue accounts for the Court.</p>
Accountant	1.0	1.0	<p>This position is responsible for several key accounting and support activities. Primary duties include monthly reconciliations for all criminal liabilities, including restitution, refunds, over payments and cash bail. This position shares some accounting responsibilities with a staff person at the City, who provides assistance with respect to reconciliations and in particular, cash bails, unclaimed properties, and State share of fines. This position also handles and processes the criminal 'Gottchas' (State tax refund garnishments), criminal non-sufficient fund, payment for court interpreters, respond to requests for information (mostly research credit card charges), etc.</p> <p>It should be noted that accounting functions are fragmented with the following functions or personnel have some responsibilities: Director, Accountant, City staff, Criminal and Civil sections' clerks, the Director's Administrative Assistant, and cashiers.</p>

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Unit / Position	No. of Positions		Responsibilities
	Auth	Current	
Collections Clerks	2.0	2.0	<p>In July of 2004, the Collections function was moved from the Finance Department to the Justice Court. There are two fulltime personnel responsible for collections for the Justice Court. Responsible for performing collections activities on delinquent accounts. This includes the following:</p> <ul style="list-style-type: none"> • Coordinate with Hearing Officers and Clerks to ensure courtesy, penalty and collection letters are mailed to appropriate accounts. • Answer phones and respond to inquiries regarding delinquent accounts. • Receive and process payments over the phone (via Verisign / internet) and permit payment extensions, if needed. • Conduct research of delinquent accounts (e.g., attempt to find new addresses, employer and contact information, etc.) • Responsible for processing collections of Non-Sufficient Funds for the Justice Court, as well as other municipal functions (e.g., business license, building permits, etc.) <p>It should also be noted that while the Justice Court has in-house staff performing collections duties, the Court also contracts with a private company for collections.</p>
Administrative Assistant	1.0	1.0	<p>The Administrative Assistant provides clerical and administrative support to the Director of the Justice Court. In addition to filing, answering phones, etc., this position works with the Accountant and is responsible for writing checks for payments for the Criminal Section.</p>
CIVIL SECTION			
Manager	1.0	1.0	<p>The Manager of the Civil Section is responsible for managing and directing the workflow and staff assigned to the Civil Section. This includes the following:</p> <ul style="list-style-type: none"> • Supervise seventeen fulltime equivalent positions. • Run warrants issued on traffic citations and quash warrants which have been settled/paid. • Run weekly report and accounting of filing fees for District Court and City. • Serves as the custodian for checks and inputs information into IFAS. • Handles interoffice complaints, as well as public complaints. • Coordinates with the collections company and City collections. • Coordinates tickets and payments from car rental and delivery companies. • Review reduction reports (e.g., ticket and fine reductions processed at cashiering desks).

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Unit / Position	No. of Positions		Responsibilities
	Auth	Current	
CIVIL SECTION			
Hearing Officer	10	10	<p>There are 10 Hearing Officers assigned to the Civil Section. There are typically four Hearing Officers, who staff the public counter and serve as Hearing Officers. The Hearing Officer function is responsible for reviewing parking and traffic citations, which the public is contesting, as well as adjusting fines based as needed and establishing payment plans. Hearing officers also hear cases relating to animal control, alarm, snow removal and 'artist in the park' ordinances. In addition to the four Hearing Officers assigned to the front counter, the remaining Hearing Officers (6.0) assigned to the back office, responsible for answering phones and providing public information. Hearing Officers are cross trained to provide front counter service, as well as assist with special duties. All Hearing Officers have special duties, including:</p> <ul style="list-style-type: none"> • One Hearing Office is responsible for the Moving Violations PERTEC Report (citations issued by the Utah Highway Patrol and Salt Lake City Police Department, which are downloaded in the ALE information system). The PERTEC report is reviewed daily for errors in codes, fees, and fines, as well as citations for which court is mandatory. This position is also responsible for scanning traffic school attendance sheets and also updates fee schedules. • One Hearing Officer is responsible for the PERTEC Report for parking citations, following up on parking citations issued to cars with temporary plates, verifying correct information on parking tickets entered into the system by staff in the City/County building, download and store digital pictures of parking citations/signs and violations for use by the Hearing Officers. This Hearing Officer also processes Constable billings. • One Hearing Officer is responsible for the Gotcha Program, which judgments against delinquent accounts for which the Justice Court can petition the State for money the defendant would have received as part of his / her State tax refund. This process includes sending the information to the State, researching amount owned and ensuring the Court has the correct information, as well as receiving payment, balancing amount requested to amount received for each defendant and submitting the information to the Cashiering Unit for posting to individual accounts.

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Unit / Position	No. of Positions		Responsibilities
	Auth	Current	
CIVIL SECTION			
Hearing Officer (continued)			<ul style="list-style-type: none"> • One Hearing Officer serves as the Resolution Hearing Officer and is responsible for conducting the Resolution Hearings. This Hearing Officer is also responsible for coordinating with the rental companies, coordinate with the Meter Shop (e.g., tickets given on cars parked in a spot with a broken meter, verifies meter was broken), serves as the liaison with the Police Department to address any problems or issues. • One Hearing Officer responsible for the Small Claims. This function is staffed with one FTE. With respect to small claims, this Hearing Officer is responsible for setting the court calendar, notifying defendants, coordinating pre-Court payment agreements with the City Attorney, attending Small Claims as a representative of the Court, as well as sending notification of judgment to defendants. • One Hearing Officer responsible for processing all notices of bankruptcies (e.g., look up information, research defendant and monies owed, complete paperwork for court, receive notice of ruling and up date defendant's case in the information system, etc.), as well as serves as back up for closing all traffic cases when needed. • There is also one Hearing Officer responsible for coordinating all correspondence, as well as closes cases in JEMS. This position also answers phone and provides information to the public.
Clerk	2.8	2.8	<p>There are 2.8 FTE Clerks assigned to the Civil Section. Function and staffing of Clerk positions are described below:</p> <ul style="list-style-type: none"> • Approximately 2 FTE Clerks are responsible for processing paperwork and share the following duties: review pay plans for compliance, dismiss parking tickets, process and distribute mail, issuing courtesy and collection letters, update service information and provide information to Constable's Office, entry of handwritten tickets, pull and box closed cases. • Approximately 1 FTE Clerk is responsible for scheduling Resolution Hearings, Pre-Trial Conferences and Bench Trials for traffic citations, as well as preparing case files and paperwork. Additionally, this Clerk is responsible for processing the invoices for the Community Program Services (which provides the traffic and insurance schools). This Clerk also staffs the courtroom as needed.

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Unit / Position	No. of Positions		Responsibilities
	Auth	Current	
Cashiering Unit: Lead Cashier Cashier	1.0 3.0	1.0 3.0	Responsible for staffing the cashier windows and receiving cash, credit card, or check payments on accounts. Staff utilize the IFAS (financial cashiering system) to process payments, as well as ALE and JEMs to look up account information, case numbers, and payment plans. In addition to receiving payments, cashiers are responsible for balancing their own drawers, as well as completing their own daily deposit slip. Staff assigned to this Unit are also responsible for ordering money from the bank, as well as balancing the vault.
CRIMINAL SECTION			
Manager	1.0	1.0	Responsible for managing and directing the Criminal Section of the court as well as supervising the Small Claims section. Additional responsibilities include liaison with PCSS the organization from whom the computer software was purchased.
Lead Criminal Clerk	1.0	1.0	Coordinates the day to day activities of the Criminal Section Clerks. This includes: <ul style="list-style-type: none"> • Overseeing the work, as well as training and development of all Criminal Clerks • Provide assistance as back-up for calendar clerks • Import citations into the case management system from the SLC Police Dept., open cases • Processes OR releases for the jail • Verifies compliance (case management) for all Criminal Clerks • Process bail bonds Note: due to the present workload a high percentage of the work the Lead Criminal Clerk performs are criminal clerk duties.

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Unit / Position	No. of Positions		Responsibilities
	Auth	Current	
Criminal Clerk	14.0	14.0	<p>The Criminal Clerk job title performs a variety of duties dependent upon the assignment (i.e., in-court clerk, out of court clerk, front counter, etc.)</p> <ul style="list-style-type: none"> • Primary functions of staff assigned as the 'In-Court Clerk,' include: <ul style="list-style-type: none"> – Works as a team of two assigned to a judge – Process dispositional data during court sessions – Pull/prepares court calendars – Verify compliance with orders (case management) – Processes Warrants, Bonds, Transport Orders, Orders for Release, etc. • Key job responsibilities for staff assigned as the 'Out of Court Clerk,' include: <ul style="list-style-type: none"> – Pull/prepares court calendars – Verify compliance with orders (case management) – Answers phones/ updates files (motions, orders etc) – Processes Warrants, Bonds, Transport Orders, Orders for Release, etc. • Primary functions for staff assigned at the front counter include: <ul style="list-style-type: none"> – Handle walk-in customers – Open cases – Upgrade JEMS – Fill-in in Court
Criminal Clerk (PT)	1.6	1.6	<p>The part time criminal clerks are responsible for the following:</p> <ul style="list-style-type: none"> • Fill in for in-court clerks • Front Counter • Processes Warrants, Bonds, Transport Orders, Orders for Release, etc. • Answers phones/ updates files (motions, orders etc)
Small Claims: Lead Clerk Clerks (PT)	1.0 1.6	1.0 0.0	<p>The Lead Clerk assigned to Small Claims supervises two part time clerks and manages the Small Claims Division under the Criminal Section. The Lead Clerk is also responsible for training the Small Claims Clerks in the process. Key duties of Small Claims staff include:</p> <ul style="list-style-type: none"> • Accept new small claim affidavits • Clerk in-court small claims sessions • Responsible for processing bonds • Serve as the backup for Criminal Clerks

The section, which follows, provides a summary of the key workload indicators for the Salt Lake City Justice Court.

3. WORKLOAD INDICATORS

This section presents the key workload indicators for the Salt Lake City Justice Court. It should be noted that data were only available for Fiscal Year 2004 – 2005 from July 2004 through March 2005.

(1) Civil Section

Data were collected for functions, which are organized under the Civil Section of the Justice Court. Data included the number of parking citations issued, revenue generated by parking tickets, the number and revenue of traffic citations, the number of financial transactions processed by the Cashiering Unit, etc. The information provided in this section summarizes key workload data collected from the functions assigned to the Civil Section of the Court.

(1.1) Parking Citations

The table, which follows, presents the number of parking tickets from Fiscal Year 1997 – 1998 to Fiscal Year 2004 – 2005. It should be noted that data were not complete for the last fiscal year.

Parking Revenue History								
Month	FY 1997-98	FY 1998-99	FY 1999-00	FY 2000-01	FY 2001-02	FY 2002-03	FY 2003-04	FY 2004-05
Jan.	\$275,182	\$261,959	\$293,884	\$297,874	\$251,891	\$254,927	\$293,918	\$278,637
Feb.	\$295,870	\$251,868	\$297,829	\$314,117	\$292,936	\$293,844	\$327,906	\$332,352
March	\$308,593	\$353,754	\$350,988	\$316,177	\$288,538	\$300,795	\$394,433	\$344,000
April	\$329,966	\$327,257	\$264,953	\$289,044	\$284,639	\$316,295	\$357,752	\$271,103
May	\$285,088	\$293,304	\$312,776	\$293,130	\$267,732	\$315,816	\$290,246	\$300,089
June	\$280,537	\$286,863	\$305,727	\$223,011	\$198,742	\$303,331	\$315,798	\$255,886
July	\$313,038	\$251,738	\$255,733	\$250,469	\$188,765	\$238,806	\$306,651	\$281,225
Aug.	\$298,552	\$265,797	\$244,889	\$298,348	\$239,202	\$248,781	\$295,908	\$302,549
Sept.	\$311,711	\$265,600	\$296,135	\$282,129	\$188,160	\$220,498	\$134,144	\$305,179
Oct.	\$313,279	\$274,417	\$279,510	\$289,135	\$219,946	\$251,378	\$338,440	\$327,095
Nov.	\$251,956	\$248,560	\$321,549	\$269,687	\$197,995	\$222,554	\$289,315	\$300,729
Dec.	\$265,005	\$277,721	\$302,360	\$250,461	\$195,582	\$260,905	\$320,002	\$258,091
Total	\$3,528,777	\$3,358,838	\$3,526,335	\$3,373,581	\$2,814,128	\$3,227,930	\$3,664,513	\$3,556,935
% Δ	-	-5%	5%	-4%	-17%	15%	14%	-3%

As shown in the above table, the revenue history for the parking tickets has fluctuated over the last 8 years, increasing from FY 2001-02 to FY 2002-03 by 15% and increasing the following fiscal year by another 14%, while declining by 3% in Fiscal Year 2004 – 2005. It should also be noted that in June of 2000 late fees were increased from \$25 to \$30. This increased revenue collected per ticket.

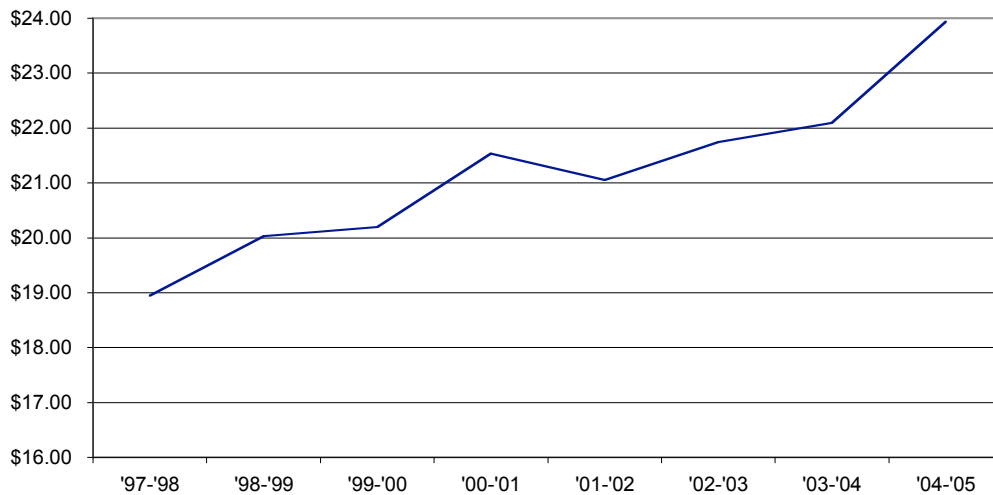
The table, which follows, presents the number of parking citations processed over the same time period.

Parking Tickets History								
Month	FY 1997 - 1998	FY 1998 - 1999	FY 1999 - 2000	FY 2000 - 2001	FY 2001 - 2002	FY 2002 - 2003	FY 2003 - 2004	FY 2004 - 2005
Jan.	15,565	12,490	14,726	14,815	12,818	13,138	13,618	12,107
Feb.	14,792	11,731	13,648	13,756	12,157	11,762	14,178	10,420
March	15,572	15,710	16,873	13,515	12,412	13,121	15,439	13,109
April	16,697	15,949	12,686	12,300	11,978	14,554	15,311	12,031
May	14,053	14,566	15,034	10,720	11,081	14,285	12,542	11,262
June	13,777	13,513	16,331	10,293	10,377	13,774	14,314	12,089
July	19,100	13,459	12,195	12,955	10,507	11,531	13,828	13,032
Aug.	18,009	14,511	11,964	16,815	11,974	12,480	13,172	14,562
Sept.	16,806	14,027	16,116	13,214	9,472	10,512	14,463	14,179
Oct.	14,861	14,495	15,914	13,979	10,628	10,651	14,289	13,684
Nov.	12,416	12,969	14,456	12,150	9,939	11,029	12,920	11,667
Dec.	14,570	14,241	14,622	12,150	10,348	11,600	11,790	10,448
Total	186,218	167,661	174,565	156,662	133,691	148,437	165,864	148,590
% Δ	-	-10%	4%	-10%	-15%	11%	12%	-10%

As the table above shows, from Fiscal Year 1997-98 to Fiscal Year 2004-05, the number of parking tickets issued has decreased by 20%.

The chart, presented on the following page, shows the revenue per parking ticket over the last eight fiscal years.

Revenue Per Ticket



As shown in the chart, the revenue per parking ticket has slightly increased over the last eight years from an average of \$18.95 per ticket in Fiscal Year 1997 – 1998 to an average of \$23.94 per ticket in Fiscal Year 2004 – 2005. This represents a growth of 11% over the course of eight years.

(1.2) Traffic Tickets

The table, which follows, shows the number of traffic tickets issued for the last four fiscal years.

Month	Number of Tickets			
	2001 - 2002	2002 - 2003	2003 - 2004	2004 - 2005
July	2,503	4,032	3,513	3,242
August	4,227	5,070	4,244	3,519
September	2,260	4,160	3,384	3,928
October	3,744	4,094	4,077	3,296
November	4,441	4,473	3,522	3,969
December	2,675	3,258	3,474	3,283
January	3,075	4,613	4,515	4,215
February	713	4,310	4,192	4,147
March	3,651	4,205	5,071	4,205
April	3,476	3,347	3,661	3,197
May	3,349	4,094	3,830	3,315
June	2,553	4,079	3,872	4,775
Total	36,667	49,735	47,355	45,091

From Fiscal Year 2001 – 2002 to the following fiscal year, the number of traffic tickets issued increased by 36%. The following year, the number of tickets issued decreased by 5%. The number of tickets issued in Fiscal Year 2004 – 2005 decreased by 5%. It should be noted that during Fiscal Year 2001 – 2002, the City of Salt Lake City hosted the Winter Olympics. As such law enforcement activities were focused on security services, rather than traffic citations.

The table, which follows, presents the number of violations issued. This number will be higher than the number of tickets, as one ticket can have multiple violations.

Number of Violations				
Month	2001 - 2002	2002 - 2003	2003 – 2004	2004 – 2005
July	3,018	4,931	4,298	3,930
August	4,857	6,064	5,120	4,209
September	2,730	5,007	4,208	4,540
October	4,457	4,975	4,941	3,887
November	5,263	5,511	4,335	4,772
December	3,249	4,093	4,188	3,972
January	3,650	5,600	5,515	5,213
February	934	5,217	5,058	4,864
March	4,345	5,135	6,264	4,920
April	4,172	4,077	4,522	3,923
May	3,976	5,062	4,803	4,008
June	3,051	4,862	4,638	5,319
Total	43,702	60,534	57,890	53,557

The number of violations increased by 39% from FY 2001-02 to FY 2002-03 and decreased the following fiscal year by 4%. The number of violations issued in Fiscal Year 2004 – 2005 decreased by 7%. The number of violations per ticket (1.19) has remained stable over the 4 years.

(1.3) Collections

In addition to collecting information with respect to parking citations and traffic tickets, the project team collected data for the collections and cashiering functions. The table, below, provides a summary of the activities for the collections function.

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Month	No. of Letters (#1) Parking	No. of Letters (#1) Traffic	No. of Collection Letter (1 st) Payments	No. of Collection Letter (2 nd) Payments	Parking Letter (1 st) Money Collected	Letter (1 st) Money Collected	Money Collected (2 nd) Time Letter	Outstanding Balances (Collection Co.)	Funds Collected (Collections Company)
July	0	0	1,278	0	\$0	\$36,829	\$0	\$0	\$0
August	0	0	1,724	809	\$0	\$64,487	\$26,495	\$0	\$0
September	11,156	0	1,581	1,059	\$0	\$37,012	\$26,102	\$1,288,905	\$3,323
October	0	3,355	1,709	1,159	\$98,818	\$45,765	\$24,641	\$10,724	\$12,242
November	0	0	1,290	961	\$24,730	\$36,023	\$18,097	\$129,518	\$13,310
December	10,498	0	1,284	943	\$10,999	\$30,304	\$16,287	\$5,444	\$4,773
January	6,833	0	1,028	901	\$27,467	\$11,357	\$8,800	\$0	\$5,096
February	630	0	1,113	815	\$32,123	\$59,046	\$65,660	\$0	\$0
March	0	0	1,138	863	\$22,851	\$62,237	\$35,920	\$0	\$2,845
April	0	0	1,152	658	\$9,387	\$68,452	\$30,469	\$0	\$9,543
May	2,089	4,667	1,087	867	\$127,277	\$40,536	\$28,462	\$0	\$0
June	0	0	1,137	843	\$19,593	\$46,108	\$34,192	\$0	\$4,283
Total	31,206	8,022	15521	9,878	\$373,243	\$538,155	\$315,123	\$1,434,591	\$55,415

Since July 2004, staff assigned to the Collections Unit have collected a total of \$1,226,521 in funds from defendants that received penalty and collections notices from the Court. Additionally, during that time period approximately \$1,490,006 in outstanding balances was sent to a private company to collect on behalf of the Court. Of the \$1.4 million, approximately 4% was collected or \$55,414 from those delinquent accounts.

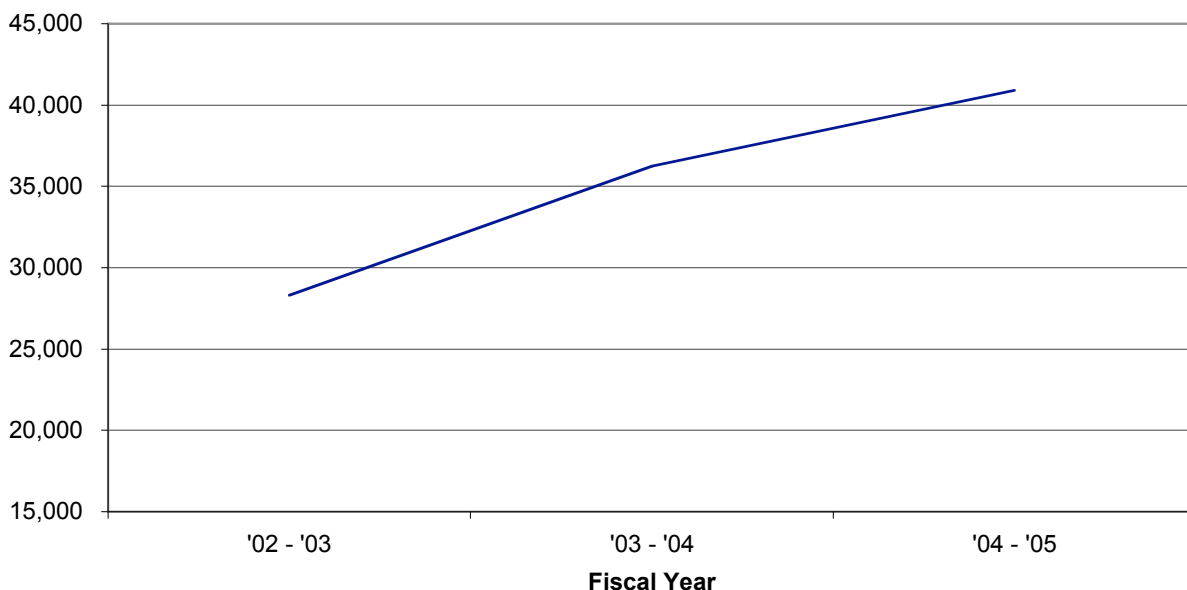
(1.4) Cashiering

The project team collected information relating to the number of cashiering transactions processed by the Cashiering Unit in the Justice Court for the current fiscal year, as well as the past two fiscal years.

Cashiering Transactions			
Month	FY 2002 - 2003	FY 2003 - 2004	FY 2004 - 2005
July	6,255	11,015	11,953
August	7,663	10,857	13,204
September	8,521	11,818	13,171
October	8,776	11,880	13,479
November	8,581	10,016	12,892
December	9,139	11,923	12,795
January	9,684	11,229	13,799
February	10,580	12,676	14,090
March	11,169	15,300	16,283
April	10,652	13,469	13,497
May	10,894	11,896	13,409
June	11,272	12,901	15,004
Total	113,186	144,980	163,576

There are four fulltime equivalents assigned to the cashiering function for the Justice Court. The number of financial transaction, excluding the payments processed through the internet, for Fiscal Year 2004 – 2005 is projected to be approximately 163,576 or an increase of 45% from Fiscal Year 2002 – 2003. The graph, which follows, shows the number of transactions per cashier for the last three fiscal years.

Annual Number of Transactions per Cashier



As shown in the chart, the number of transactions per cashier has increased by 22% from Fiscal Year 2002 – 2003 to Fiscal Year 2003 – 2004. From Fiscal Year 2003 – 2004 to Fiscal Year 2004 – 2005, the number of transactions increased by 13%.

(2) Criminal Section

The criminal section of the justice court deals with violations of public law that are classified into three classes of misdemeanors: class B, C and infractions. These violations are generally punishable by a fine or a short term in the county jail. The SLC justice court Criminal Section also handles small claims cases defined under Utah Code Annotated Rule 78, Chapter 6 and the rules of Small Claims Procedures as disputes to recover monetary claims not to exceed \$7,500. Fourteen full time and two part-time court clerks process the workload in the Criminal Section supervised by a lead clerk and the Criminal Section Manager. The small claims caseload is currently processed by the Small Claims lead clerk. Two part-time small claims clerk positions are currently vacant.

(2.1) Caseload

Criminal cases in the Salt Lake City Justice Court (SLCJC) are initiated by either an arrest or a citation. These cases range from Infractions, Class B, and C Misdemeanors. Although any agency may generate workload for the Salt Lake City Justice Court, there are currently several frequent ticket-writing authorities within the jurisdiction of the SLCJC. They are:

- Salt Lake City Police
- University of Utah Police
- Utah Highway Patrol

- Salt Lake County Sheriff's Office
- Utah Transit Authority
- Utah Motor Vehicle Department
- Union Pacific

The table, below, reports the workload of the SLCJC from FY 2002 until February 2005. While the number of judges has remained constant the case filings within the SLCJC Criminal Section increased from 15,870 to 17,498 criminal cases a 10% increase. The small claims section received 4,183 fewer filings in 2003-2004 because traffic was re-criminalized during this time period. The table, which follows, presents three years worth of data.

Criminal Section Caseload			
Year	Cases Filed	Charges Filed	Small Claims Filed
2002-2003	15,870	25,627	15,907
2003-2004	17,498	23,353	11,724
2004-2005	15,844	25,088	9,532
% Change	-0.2%	-2%	-40%

As shown in the chart, while Criminal Section's caseload increased from fiscal year 2002 – 2003 to fiscal year 2003 – 2004, the caseload from fiscal year 2002 – 2003 and fiscal year 2004 – 2005 was lower (i.e., fewer cases and charges).

(2.2) Dispositions

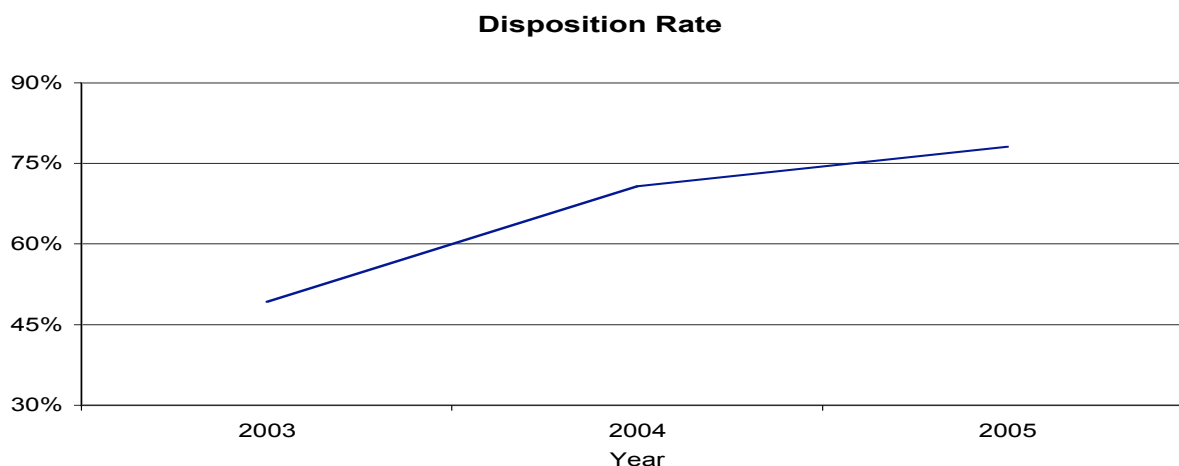
The table, below, indicates the number of misdemeanors filed and disposed during FY 2004. It is important to know how well a court is keeping current with its incoming caseload. A good measure of a court's performance in this area is to assess the court's case clearance rate.¹ To calculate a court's clearance rate, the number of cases that are disposed within the year should be divided by the number of filings. In

¹ See Bureau of Justice Assistance and National Center for State Courts, *Trial Court Performance Standards with Commentary* (Washington, DC: US Department of Justice, 1997).

theory, the SLCJC should dispose of at least as many cases as are filed each year; meaning that the Court should have a clearance rate of 100 percent or higher. If the Court is disposing of fewer cases than are filed each year, a growing backlog is inevitable. If the Court is keeping pace with its incoming cases, the ratio of disposed cases to filings will be close to 1.0 (or 100%). If the Court is not keeping up with its incoming caseload, the ratio of disposed cases to filings will be less than 1.0 (or less than 100%). Generally, a ratio less than 1.0 (or less than 100%) will indicate that a backlog is developing or that an existing backlog is increasing.² The SLCJC had a clearance rate of 71% for misdemeanor cases filed in 2004.

Dispositions Fiscal Year 2003 – 2004		
Misdemeanors Filed	Misdemeanors Disposed	Small Claims Filed
17,498	12,384	11,724

The chart, which follows, presents the disposition rate for criminal cases for the Justice Court.



As shown in the chart above, the Justice Court's disposition rate has increased significantly since 2003.

² *Ibid.*

(2.3) Fines and Fees Collected

The table, below, represents the Small Claims filing fees and the fines collected associated with the criminal caseload. The small claims division received 140% more in filing fees from 2002-2003 to 2003-2004. This vast difference can be attributable to several factors, if a government agency files a small claims case and the case is dismissed there are no filing fees. The City of Salt Lake City only pays the filing fees associated with a small claims case if the case is satisfied and the fees are not waived. Also if a citizen is determined to be indigent no filing fees are collected.

The fines collected from 2002 -2003 to 2003-2004 represent a 248% increase and while the 2004-2005 data indicates a 445% increase from 2002-2003.

Fines and Fees Collected		
Fiscal Year	Small Claim Filing Fees	Fines
2002-2003	\$34,849	\$217,024.10
2003-2004	\$83,858	\$756,286.07
2004-2005	\$86,108	\$1,182,628
% Change	147%	445%

4. REVENUES AND EXPENDITURES FOR THE JUSTICE COURT

In addition to reviewing workload data for the Justice Court, the project team collected and reviewed budgetary data for the Justice Court for the three fiscal years. The table, which follows, presents a summary of the revenues generated by the Justice Court.

Revenue	Actual FY 2002 - 2003	Actual FY 2003 - 2004	Budget FY 2004 - 2005
Intergovernmental Revenue	\$0	(\$15)	\$0
Charges, Fees and Rentals	\$20,414	\$14,939	\$0
Fines	\$8,562,299	\$9,408,624	\$9,385,504
Miscellaneous Revenue	(\$10,504)	(\$54,487)	\$0
Total	\$8,572,209	\$9,369,060	\$9,385,504
% Change	-	9%	0.2%

As shown in the above table, from Fiscal Year 2002 – 2003 to Fiscal year 2003 – 2004, revenues increased by 9%. However, from Fiscal Year 2003 – 2004 to Fiscal Year 2004 – 2005, revenues only increased by 0.2%.

The table, which follows, presents a summary of the expenditures for the Justice Court for three fiscal years.

Expenditures	Actual FY 2002 - 2003	Actual FY 2003 - 2004	Budget FY 2004 - 2005
Personal Services	\$2,019,686	\$2,201,361	\$2,590,367
Operating and Maintenance	\$254,333	\$255,970	\$371,124
Charges and Services	\$700,965	\$796,059	\$857,290
Total	\$2,974,984	\$3,253,390	\$3,818,781
% Change	-	9%	17%

As show in the table, Fiscal Year 2004 – 2005 expenditures are budgeted at \$3,818,781, which is 17% higher than the previous fiscal year. Also, personal Services costs account for 68% of annual expenditures for the current fiscal year.

3. RESULTS OF THE EMPLOYEE SURVEY

The Matrix Consulting Group conducted a survey of employees of the Salt Lake City Justice Court for organizational, operational, and other issues within the Court. This survey was conducted as part of the Management Audit of the Salt Lake City Justice Court. Surveys were distributed to all Justice Court employees. Of the 41 surveys that were distributed, 27 were received for a response rate of 66%. The points, which follow, provide a description of the survey instrument.

- While the survey was confidential, respondents were asked to indicate their assignment in the Justice Court. The table below presents the number and percentage of respondents by Division.

Current Assignment	No. of Respondents	% of Total Responses
Administration	2	7%
Civil Section	6	22%
Criminal Section	10	37%
Unknown	9	33%
Total	27	100%

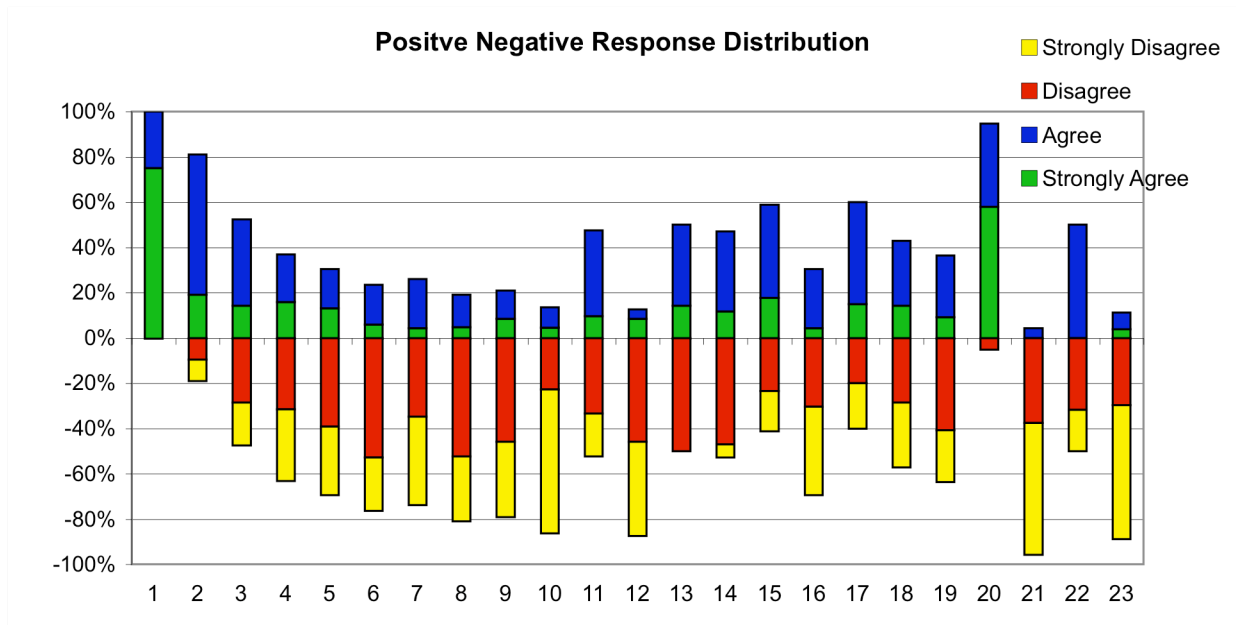
- The survey contained twenty-five statements to which respondents were asked to select one of the following responses: “no opinion,” “strongly agree,” “agree,” “neutral,” “disagree,” and “strongly disagree.” For purposes of analysis, each response was assigned a number; the lower the number the more positive the response.
- The statements were designed to provide a better understanding of the perceptions, attitudes, and opinions of Justice Court employees with respect to several key areas. The following points present a discussion of those sections.
 - Customer service: The employee questionnaire included several statements regarding customer service provided by the Justice Court.
 - General administrative operations: Respondents were asked to evaluate statements relating to policies and procedures, employee disciplinary process, as well as accountability for performance.

- Appropriate tools and approaches: The survey included statements relating to the appropriateness of current resources provided to staff, as well as the Justice Court’s approaches to operations.
- Staffing: Employees were asked to evaluate statements relating to staffing in the Justice Court.
- Facility: The employee survey included statements regarding the current Justice Court facility, such as adequacy of functional space, etc.
- Additionally, the employee survey included two open-ended statements, which asked respondents to identify the strengths of the Justice Court, as well as opportunities for improvement within the Court.

The section, which follows, presents a brief overview of the results of the employee survey. Provided at the end of this chapter are the detailed results for the survey, which includes actual responses for each statement included in the employee survey.

1. GENERAL FINDINGS

In reviewing the results to the quantitative responses in the first section of the employee survey, it is important to look at the pattern of responses for the entire group versus individual responses. The chart, found below, plots the number of responses that were positive and negative for each statement.

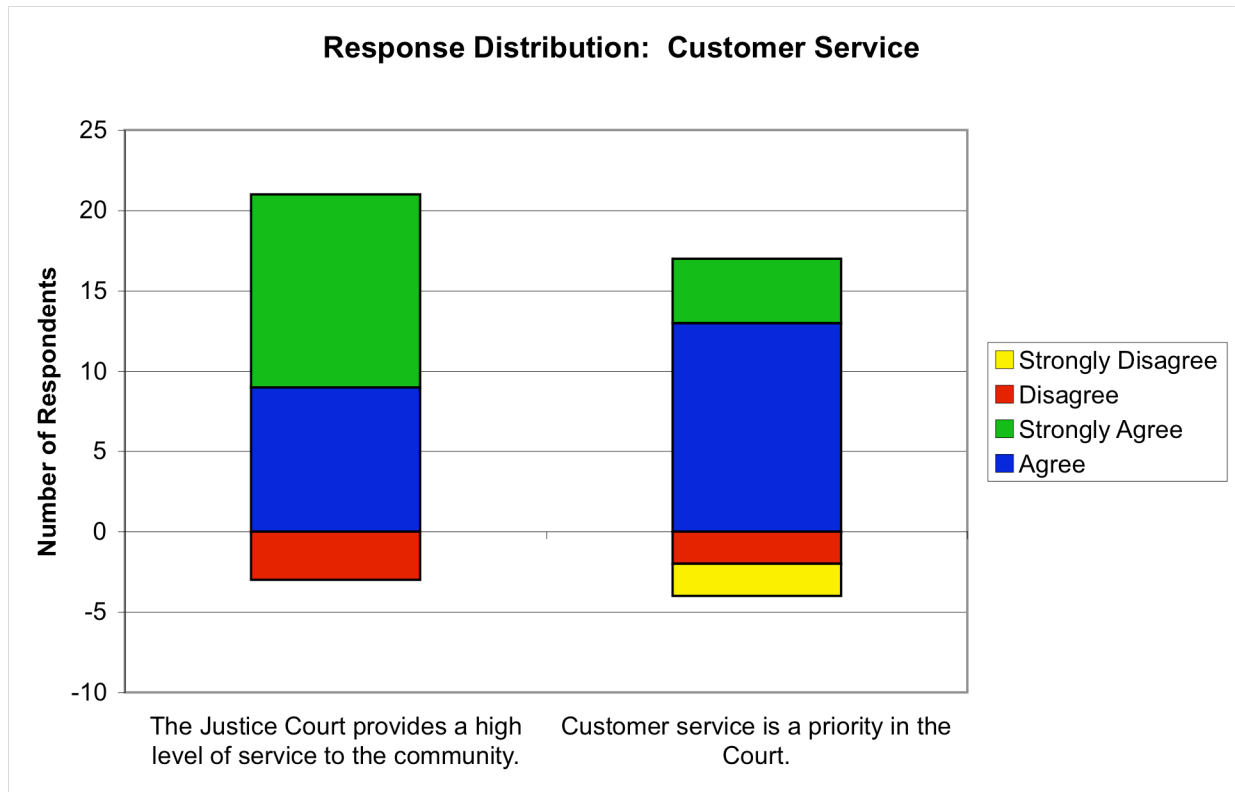


As noted, the chart above presents the positive – negative distribution of responses by statement. As the previous chart shows, the overall responses were mixed. The positive - negative response distribution chart shows that there were statements to which respondents had positive attitudes, as well as some statements to which respondents had negative perceptions.

The sections, which follow, provide a detailed discussion of the results of the employee survey for each of the topic areas as identified.

2. RESPONDENTS VIEWED THE CUSTOMER SERVICE PROVIDED AT THE JUSTICE COURT POSITIVELY.

Respondents were asked to evaluate statements relating to the customer service provided by the Justice Court. The chart, which follows, presents a comparison of the results for each statement relating to customer service.



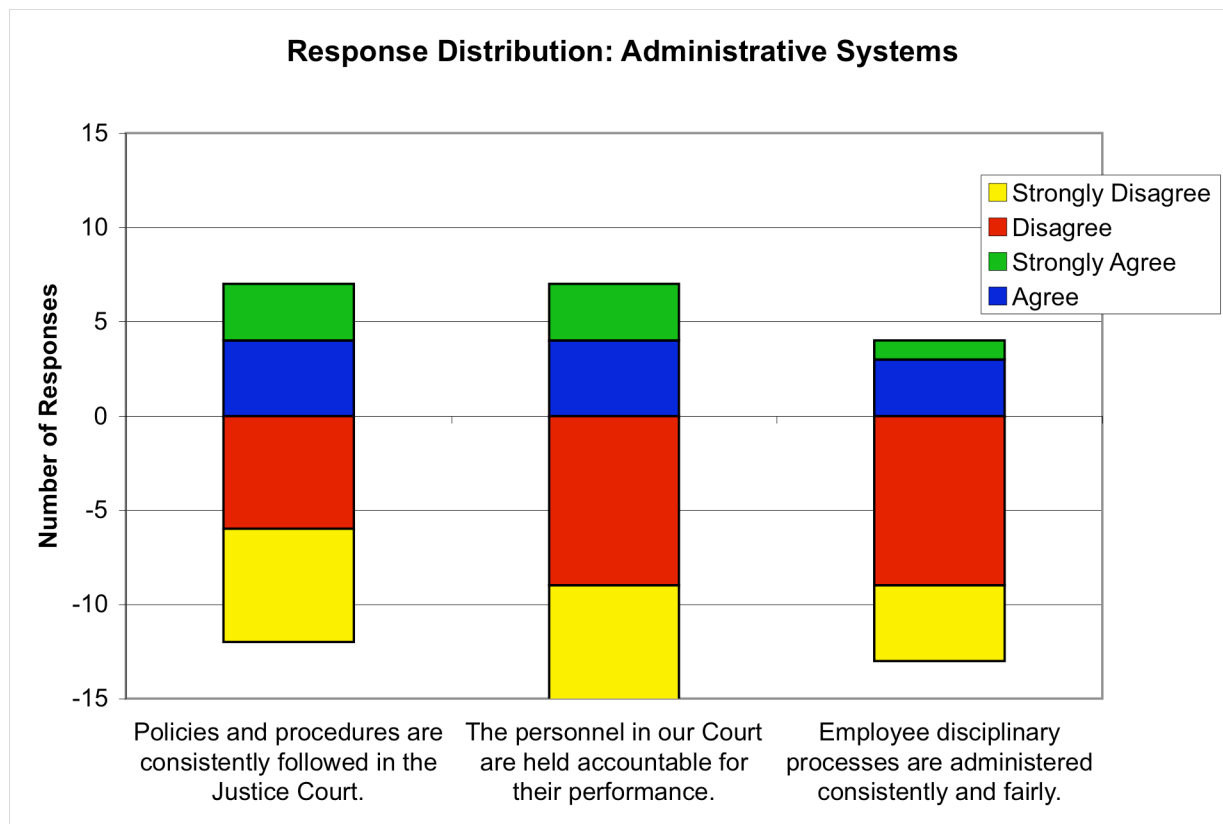
As shown in the chart, the majority of respondents maintained positive perceptions with respect to customer service. The points, which follow, present the results in more detail.

- In response to the statement, ‘the Justice Court provides a high level of service to the community, 78% of respondents selected either ‘strongly agree’ or ‘agree,’ 11% selected ‘neutral’ and 11% selected either ‘strongly disagree’ or ‘disagree.’
- When provided the statement, ‘customer service is a priority in the Court,’ 63% of respondents agreed, selecting either ‘strongly agree’ or ‘agree’ while 22% of respondents selected ‘neutral.’

Overall, respondents viewed customer service provided by the Justice Court positively.

3. RESPONDENTS HAD MIXED ATTITUDES WITH RESPECT TO ADMINISTRATIVE AND PERSONNEL SYSTEMS.

Respondents were provided several statements regarding administrative and personnel systems, including application of policies and procedures, accountability, and the disciplinary process.



As shown in the above chart, respondents had mixed perceptions with respect to the statement about administrative and personnel systems. The points, which follow, provide a discussion of the results in greater detail.

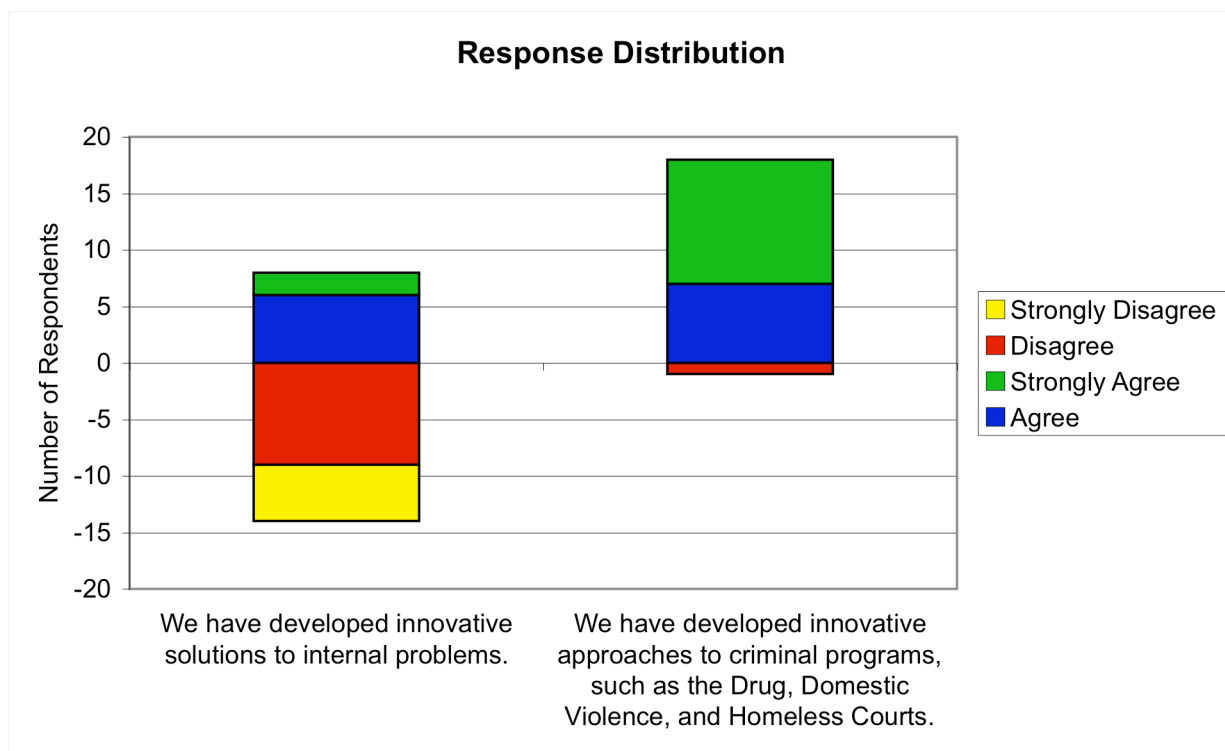
- When provided the statement, 'policies and procedures are consistently followed in the Justice Court,' 26% of respondents selected 'strongly agree' or 'agree,' while 30% selected 'neutral,' and 44% selected either 'disagree' or 'strongly disagree.'
- In response to the statement, 'the personnel in our Court are held accountable for their performance,' 26% selected 'strongly agree,' 'agree' or 'neutral,' while 59% of respondents selected either 'disagree' or 'strongly disagree.'

- With respect to the statement, ‘employee disciplinary processes are administered consistently and fairly,’ 33% selected ‘neutral’ and 48% selected ‘disagree’ or ‘strongly disagree.’

As discussed in the points above, respondents maintained mixed perceptions with respect to administrative and personnel systems in the Justice Court.

4. RESPONDENTS HAD MIXED OPINIONS REGARDING TOOLS AND RESOURCES, AS WELL AS APPROACHES TO INTERNAL PROBLEMS AND CRIMINAL PROGRAMS.

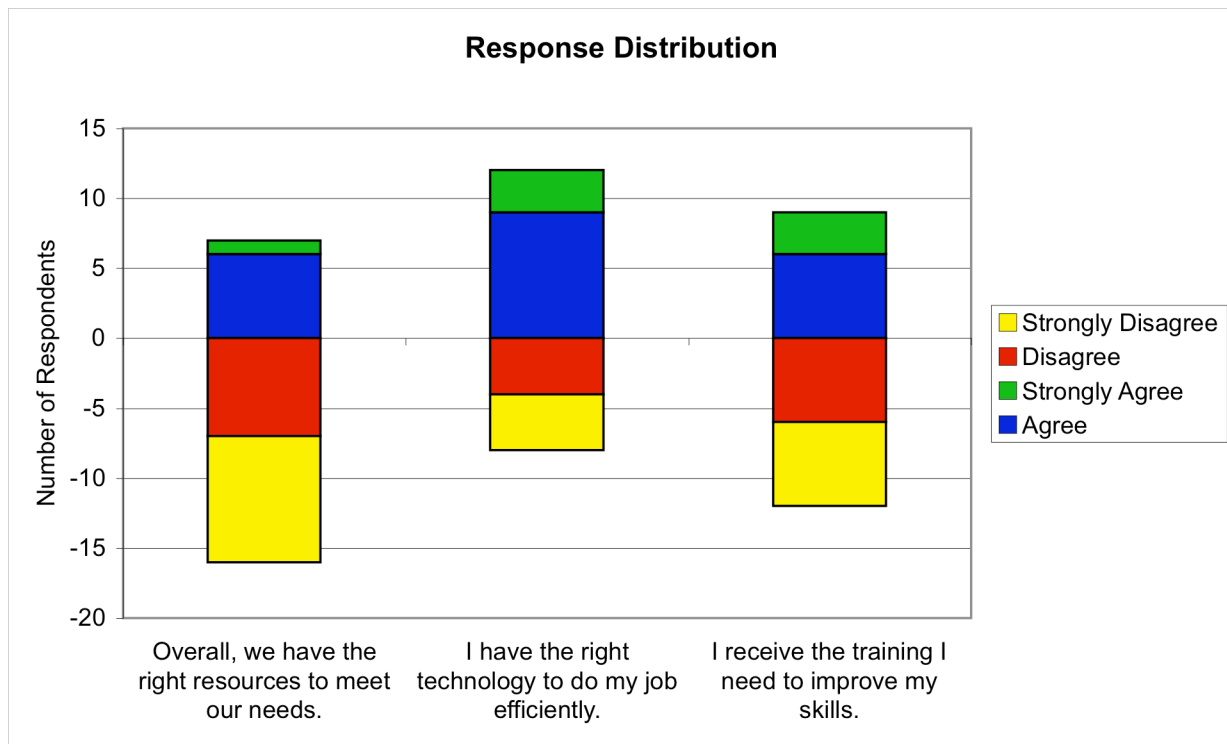
Respondents were provided several statements relating to the appropriateness of tools and resources provided to staff, as well as approaches of the Justice Court to internal problems and criminal programs. The chart, which follows, presents the results of the survey with respect to the approaches of the Justice Court.



As shown in the above chart, respondents had mixed opinions with respect to the approaches of the Justice Court to internal problems, as well as criminal programs. The points, below, provide the responses in greater detail.

- In response to the statement, ‘we have developed innovative solutions to internal problems,’ 30% of respondents selected ‘strongly agree’ or ‘agree,’ while 52% selected ‘strongly disagree’ or ‘disagree.’
- When provided the statement, ‘we have developed innovative approaches to criminal programs, such as the Drug, Domestic Violence, and Homeless Courts,’ 67% of respondents selected ‘strongly agree’ or ‘agree’ and 19% of respondents selected ‘neutral.’

The chart, which follows, presents the results of the survey with respect to staff opinion regarding the resources and tools provided to employees.



The points, below, present a discussion of the information presented in the table.

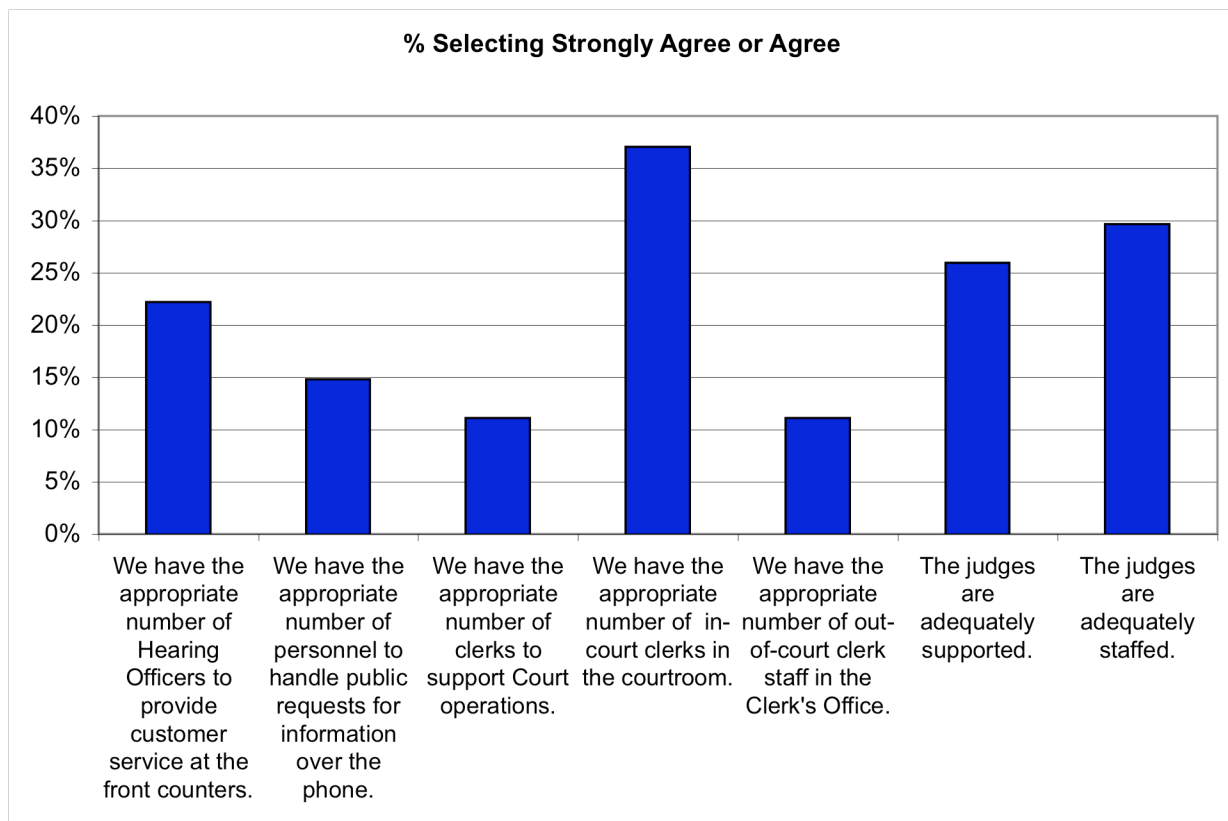
- With respect to the statement, ‘overall, we have the right resources to meet our needs,’ 26% of respondents selected ‘strongly agree’ or ‘agree,’ while 59% of respondents selected ‘strongly disagree’ or ‘disagree.’

- In response to the statement, 'I have the right technology to do my job efficiently,' 44% of respondents selected 'strongly agree' or 'agree' and 26% selected 'neutral.'
- When provided the statement, 'I receive the training I need to improve my skills,' 33% of respondents selected 'strongly agree' or 'agree' and 44% of respondents selected 'disagree' or 'strongly disagree.'

Overall, respondents maintained mixed perceptions with respect to the tools provided to staff for performing their jobs.

5. OVERALL, LESS THAN 50% OF RESPONDENTS VIEWED STAFFING LEVELS POSITIVELY.

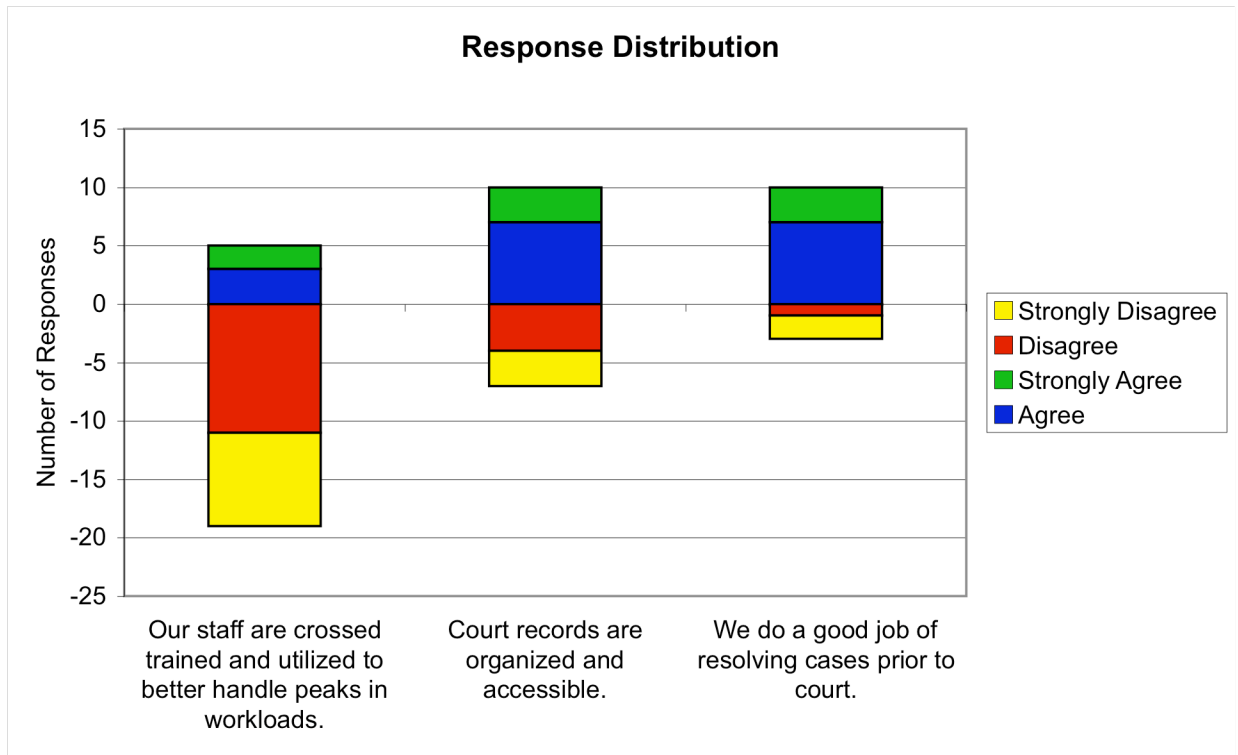
Respondents were asked to evaluate statements relating to staffing in the Justice Court. This included criminal and civil section staffing functions, as well as judicial support provided by the Justice Court. The chart, which follows, provides the percentage of respondents selecting 'strongly agree' or 'agree' for each statement.



The points, which follow, present the results in more detail.

- When provided the statement, ‘we have the appropriate number of Hearing Officers to provide customer service at the front counters,’ 22% of respondents selected ‘strongly agree’ or ‘agree’ while 63% of respondents selected ‘strongly disagree’ or ‘disagree.’
- Additionally, 15% of respondents selected ‘strongly agree’ or ‘agree’ to the statement ‘we have the appropriate number of personnel to handle public requests for information over the phone,’ while 63% selected ‘strongly disagree’ or ‘disagree.’
- In response to the statement, ‘we have the appropriate number of clerks to support Court operations,’ 11% of respondents selected ‘strongly agree’ or agree’ and 70% of respondents selected ‘strongly disagree’ or ‘disagree.’ Respondents were also provided statements regarding the number of in- and out-of –court clerks.
 - Respondents had mixed perceptions regarding the statement: ‘we have the appropriate number of in-court clerks in the courtroom,’ with 37% selecting ‘strongly agree’ or ‘agree’ and 41% selecting ‘strongly disagree’ or ‘disagree.’
 - The majority of respondents (78%) selected ‘strongly disagree’ or ‘disagree’ in response to the statement, ‘we have the appropriate number of out-of-court clerk staff in the Clerk’s Office.’
- When provided the statement ‘the judges are adequately supported,’ 26% of respondents selected ‘strongly agree’ or ‘agree’ and the same percent, 26%, selected ‘strongly disagree’ or ‘disagree.’
- On the other hand, respondents had mixed attitudes with respect to the statement, ‘the judges are adequately staffed,’ 30% of respondents selected ‘strongly agree’ or ‘agree’ and 33% selected ‘strongly disagree.’

In addition to staffing, respondents were asked to evaluate statements about the cross utilization of staff, as well as the organization and accessibility of records.



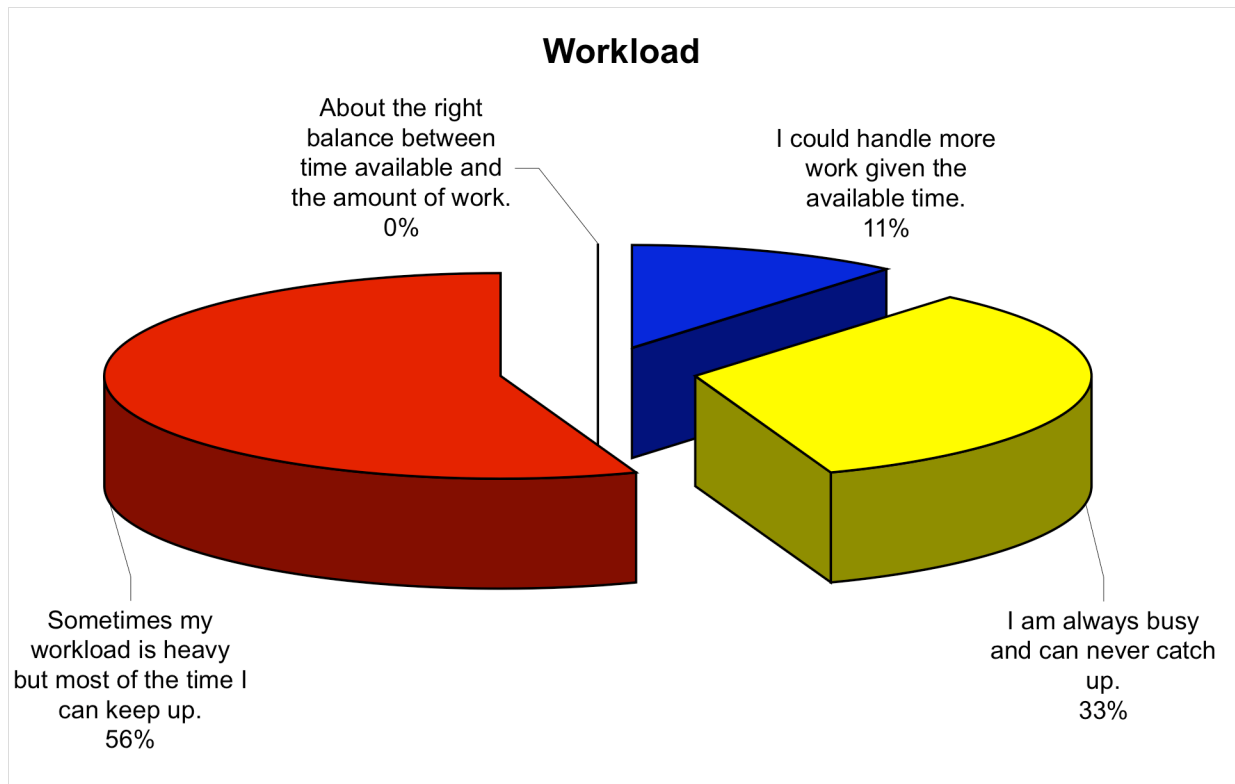
The points, which follow, provide a summary of the results.

- In response to the statement, ‘our staff are crossed trained and utilized to better handle peaks in workloads,’ 70% selected ‘strongly disagree’ or ‘disagree.’
- When provided the statement, ‘court records are organized and accessible,’ 37% of respondents selected ‘strongly agree’ or ‘agree,’ while 33% selected ‘neutral’ and 26% selected ‘strongly disagree’ or ‘disagree.’
- With respect to the statement, ‘we do a good job of resolving cases prior to court,’ 37% of respondents selected ‘strongly agree’ or ‘agree’ while 33% selected ‘neutral’ and 11% selected ‘strongly disagree’ or ‘disagree.’

The section, which follows, provides a review of the results with respect to workload.

6. RESPONDENTS VIEWED WORKLOAD AS HEAVY.

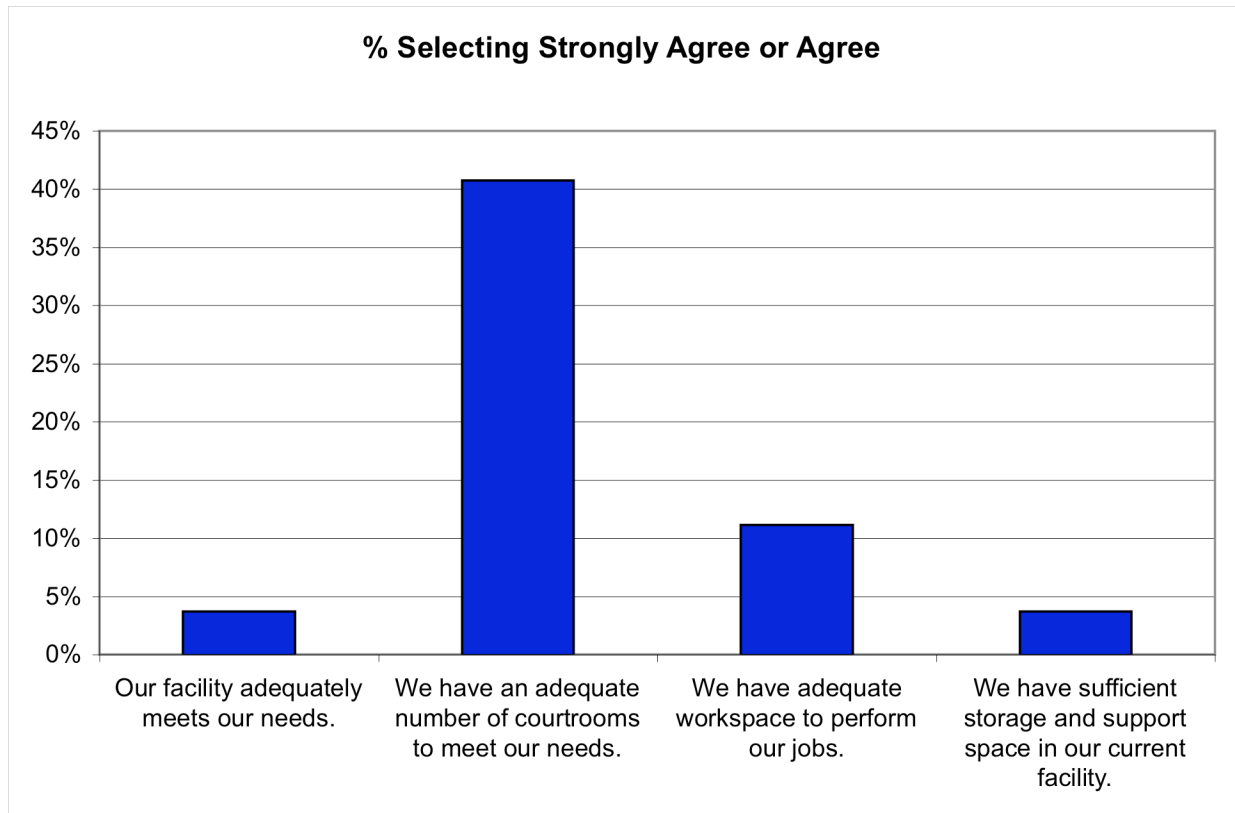
Respondents were asked to select one of four statements which described their current workload. The chart, below, provides the results.



As shown in the chart, 56% of respondent felt that ‘sometimes [their] workload is heavy but most of the time [they] can keep up.’ Additionally, 33% of respondents selected the statement ‘I am always busy and can never catch up.’

7. WHILE RESPONDENTS VIEWED THE ADEQUACY OF THE FACILITY NEGATIVELY, RESPONDENTS HAD MIXED PERCEPTIONS WITH RESPECT TO COURT ROOM SPACE.

Respondents were provided a series of statements regarding the aspects of the facility. The chart, which follows, presents the overall results.



The points, which follow, provide a discussion of the results with respect to the statements presented in the chart.

- In response to the statement, 'our facility adequately meets our needs,' 85% of respondents selected 'strongly disagree' or 'disagree.'
- Respondents had mixed perceptions with respect to the statement, 'we have an adequate number of courtrooms to meet our needs' with 41% selecting 'strongly agree' or 'agree' and 41% selecting 'strongly disagree' or 'disagree.'
- When provided the statement, 'we have adequate workspace to perform our jobs' 89% of respondents selected 'strongly disagree' or 'disagree.'
- In response to the statement, 'we have sufficient storage and support space in our facility,' 93% of respondents selected 'strongly disagree' or 'disagree.'

The section, which follows, presents a review of the key issue areas respondents were asked to rank.

8. RESPONDENTS WERE ASKED TO RANK VARIOUS AREAS OF THE SALT LAKE CITY JUSTICE COURT.

Respondents were asked to review statements relating to issue areas from the most significant issue facing the Salt Lake City Justice Court that should be addressed to the least significant issue. “One” indicates that the issues is the most significant and “five” is identified as the least important. The table, below, presents the results by number of respondents selecting the rank for each of the issue areas.

Justice Court	1	2	3	4	5
Information systems and technology	2	0	5	6	10
Staffing	12	9	0	3	1
Workload / processes	1	0	10	7	6
Facility / space	5	7	5	6	2
Alternative dispute resolution	4	8	6	2	4

Respondents were also provided an opportunity to identify ‘other’ issues, which were not included in the issue areas. The points, which follow, present a brief list of issue areas identified by respondents who utilized the ‘other’ category.

- Management / leadership of the Justice Court
- Morale of the Justice Court
- Policies and procedures
- Training

The project team, in order to determine the overall ranking of each issue area, assigned points for each response for each category (e.g., each ranking of ‘1’ received 1 point, each ranking of ‘2’ received 2 points each, etc.). Based on the total points, the table below shows the overall ranking for each issue area from most important (‘1’) to least important (‘2’).

Justice Court	Rank
Staffing	1
Facility / space	2
Alternative dispute resolution	3
Workload / processes	4
Information systems and technology	5

As shown, in the table, respondents viewed the staffing as the number one issue facing the Justice Court and ranked facility / space needs as the second priority. This is consistent with the responses provided in previous sections of the employee survey.

9. RESPONDENTS WERE ASKED TO IDENTIFY STRENGTHS AND OPPORTUNITIES FOR IMPROVEMENT.

Respondents were asked to identify the key strengths in the Justice Court, as well as opportunities for improvement. The table, which follows, presents the most common areas identified by respondents.

What are the most important strengths of the Justice Court?
<ul style="list-style-type: none"> • Good team work helps staff handle large workloads. • Experienced staff. • Good qualifications of court staff. • Specialty courts.
What are the most important improvement opportunities facing the Justice Court?
<ul style="list-style-type: none"> • Staffing levels need to be balanced with increasing workload levels. • Development of training programs for staff, particularly new hires. • Current facility size and design limits are a problem. • Stronger management of the Justice Court. • Morale of employees is low. • Support from management.

4. ANALYSIS OF THE CRIMINAL SECTION

The Salt Lake City Justice Court's Criminal Section is responsible for processing cases involving violations of public law that are classified into three classes of offenses – Class B, C and infractions. These violations are generally punishable by a fine or a short term in county jail. The Criminal Section is also responsible for the processing of small claims disputes for recovery of monies not to exceed \$7,500, as defined by Utah Code Annotated Rule 78, Chapter 6 and the Rules of Small Claims Procedures. Small claims is handled in off hours by part time judges and requires relatively little in-court and out-of-court staff support.

The 2004 misdemeanor and infraction caseloads of 17,498 represented less than 10% of the court's total caseload but is both judge-intensive and staff intensive. As this aspect of Justice Court responsibility involves more procedural complexity than other aspects, it raises a number of management and legal issues pertaining to the movement of cases to speedy disposition and related issues of public service and efficiency. The principal issues examined in the criminal section included the following:

- Quality of public service
- Divulging employee last names to public
- Expunging records
- Organization of work in the criminal section
- Criminal section staffing levels
- Expediting workflow within the criminal section
- Use of sentencing alternatives to reduce jail overcrowding

- Improving court scheduling and court-prosecutor coordination
- The filing of informations.
- Technology in the courtroom
- Need for in-service and new employee training
- Introducing records management

The following sections provide the project team's assessment of these issues based on interviews with staff and other justice system participants as well as data collected.

1. THE SALT LAKE CITY JUSTICE COURT NEEDS TO DEVELOP A COMPREHENSIVE CUSTOMER SERVICE PROGRAM, INCLUDING A POLICY STATEMENT, STAFF TRAINING AND MONITORING.

The Justice Court is a high volume court of limited jurisdiction and as such maintains a significant level of contact with the public. The court was created in large part to provide Salt Lake City residents more improved service than could be provided in the State courts. Given the nature of disputes processed by the court, including traffic matters, small claims disputes, and misdemeanor criminal cases, more Salt Lake City citizens have contact with the City's Justice Court than any other of the State's courts or other municipalities. As a result, the Justice Court provides the basis for much of the public's impression of the administration of justice. This perception can be summarized as follows:

The role of the court clerk in representing the judiciary to the public cannot be overemphasized. Few people ever meet a judge or appear before him/her in court. The majority of people who come to the justice court see only the clerks.³

³ *The Justice Court Clerk's Manual Representing the Judiciary*

The nature of the public contact with clerks may take the form of front counter service, regular mail or e-mail, or telephone conversation. Mail contacts are often pro forma notifications and responses, often generated automatically, so the provision of personal service falls largely on those clerks who handle counter or telephone inquiries. Clerks resolve many issues without need for further court action.

The Justice Court has been subject to public scrutiny in the past relating to customer services issues. The project team's interviews and observations in the Court have found that:

- The multi-tasking of clerks and frequent interruptions can adversely affect productivity.
- Clerks often have to deal with anxious members of the public who are seeking information and resolution of matters in an organization with which they have no regular contact and who are dealing with issues of high personal concern such as domestic violence.
- The court is generally sensitive to public services issues, with cases accepted and processed by the Criminal Section from Monday through Friday beginning at 7:30 a.m. as a customer service initiative to provide the public with service hours outside of regular business hours.
- Staff receive regular customer services training. In the past year this has included courses on cultural competency, stress management, harassment prevention, ethics and confidentiality and customer 'hot buttons'.
- Customer service is a category in employee performance assessments which are conducted annually.
- 'Customer' surveys are conducted among court participants, including members of the public, other justice system participants, etc. This program is in its third year.

Based on this, the project team makes the following recommendations:

Recommendation: Customer surveys should be analyzed by staff and a report generated on a quarterly basis which identifies issues to be addressed.

Recommendation: Develop a training needs assessment, involving staff and Human resources, to structure a program for personal and Court service improvement.

Recommendation: Each of the major areas of public contact should be evaluated for the level of service required and alternative methods of public service that do not require direct contact with a clerk, such as the court's planned interactive voice recognition (IVR) system for payments and web-based applications. This is designed to triage out the points of contact not requiring that level of interaction so that staff can concentrate on those points of contact requiring human interaction.

2. THE COURT'S POLICY OF NOT DIVULGING LAST NAMES OF CLERKS TO THE PUBLIC HAS BECOME ACCEPTED PRACTICE IN THE COUNTRY.

The Criminal Section of the Justice Court has established a policy of not providing the full names of line staff members to the public. Members of the Salt Lake City criminal justice community, as well as city managers and lawmakers, have expressed concern over this practice. It was also noted that staff in the Salt Lake City Justice Court are required to sign their full name on legal documents which would, in fact, allow an individual access to a clerks' full name. However, when dealing with irate or upset customers a clerk is not required to divulge their last name.

The practice of holding the last names of court employees confidential is becoming a common protective device in courts, as increased attention is given to court security. Courts vary, however, in the extent of protection provided to employees as they balance the need to be as helpful as possible to court customers, while ensuring the safety of employees. Maintaining confidentiality is not intended as a device to diminish accountability in delivering high quality service to the public, but merely as a means to protect public employees from angry and disgruntled court users. To ensure the court's accountability to the public, the full names of Justice Court judges, senior court officials, and unit leaders are made available to the public. This strikes a balance

between transparency and harassment of frontline workers, permitting customers to address concerns to those persons held ultimately responsible for the management and administration of the court.

A survey conducted relative to this issue supports the preceding. Nine limited jurisdiction courts were contacted and asked the following two questions:

- Do clerks provide their last names to the public? If not, why?
- Does the court have a formal policy on providing last names to the public?

All the courts surveyed indicated that clerks are not required to give their last names to the public. Two of the courts have written policies on the issue while a third court is in the process of revising its personnel policies and will include a provision in the revised personnel handbook indicating that employees are not required to divulge their last names. The remaining courts had no written policy but regarded not divulging last names as accepted practice. The courts were also unanimous in their rationale that not divulging last names afforded front line staff some added security from angry and disgruntled court users.

As a result of this survey and our experience with other courts around the country, the project team finds that the court policy is within the range of accepted practices emerging in the court security area.

Recommendation: Continue the practice of not divulging line employee last names to the public. Consideration should be given to posting this policy in a conspicuous place in the Court's public area.

3. THE SALT LAKE CITY JUSTICE COURT HAS AN EFFECTIVE APPROACH TO EXPUNGING RECORDS.

The expungement of a record is the process of sealing a criminal case after the case has been resolved. Utah Code Annotated Title 77 §§ 77-18-10 through 77- 18-17

defines the process in its entirety. The Justice Court is duty-bound to comply with Utah code in processing motions to expunge records. The Court's involvement in this process is the culmination of a potentially long administrative process which requires the individual to apply at the Bureau of Criminal Investigation (BCI) for fingerprinting and approval. If approved, the individual will receive a certificate of eligibility within 4 to 6 weeks. A petition and order of expungement is then completed and filed with the Justice Court. The Prosecuting Attorney must be served and has 30 days, by statute, for review of the record. An expungement cannot be granted within 30 days of service, to allow the prosecuting attorney sufficient time to file a written objection. The Department of Corrections may be asked to prepare a written evaluation, by which the individual will be given an opportunity to refute the evaluation in writing. A hearing may then be held or, if there are no objections, the Court may make a decision based upon the written documentation. Upon successful completion, the court will grant expungement and issue a certificate. The individual is responsible for serving all affected agencies.

In discussions with Justice Court officials it was noted that hearings rarely occur in these cases, perhaps only once per year. When proper documentation is completed without written objection, an expungement order is typically signed within a few business days. The project team reviewed the court's involvement in the expungement process and, given the court's limited involvement and discretion in the process, can make no recommendations to increase efficiency.

Recommendation: Continue existing practices regarding expungements.

4. CRIMINAL SECTION CLERK ROLES SHOULD BE PRIORITIZED.

The Criminal Section employs 14 full time employees, two (2) part-time employees, and a domestic violence court clerk funded through a grant. Overall direction is provided by a lead clerk and the Criminal Section Manager. Each full-time judge is assigned 2 clerks for in court roles, while the part-time judge is assigned 1 clerk for in court roles. Remaining Criminal Section clerks work outside of the courtroom. Typical duties include the following:

- **Out-of-Court Roles** – Criminal Section Out-of-Court roles include:
 - Customer service at the front counter and answering telephones;
 - Scanning and entering data/documents into the case management system;
 - Accessing and preparing court files for courtroom proceedings;
 - Preparing a wide array of documents for judges' signature;
 - Monitoring tickler files for compliance with court orders;
 - Preparing outgoing mail, including notices of hearings, warrants, and correspondence;
 - Preparing and processing bail bonds.
- **In-Court Roles** – In Court roles focus on proceedings within the courtroom. They are in attendance during each court session to assist the judge and manage courtroom proceedings, including:
 - Pulling and preparing court files for court;
 - Preparing and entering into the case management system minute entries and orders of the court;
 - Transmitting jail commitments when defendants are sentenced;
 - Transmitting orders for pre-sentence investigation to probation;
 - Monitoring tickler files for compliance with court orders;

- Issuing bench warrants;
- Monitoring judicial correspondence;
- Answering of specific telephone calls from various court users.

In addition to these tasks, each In-Court and Out-of-Court Clerk of the Justice Court is assigned a court-wide duty, including the processing of warrants, bonds and bond forfeitures, jury management duties, and interpreter service responsibilities.

Warrants for individuals who fail to appear in the Justice Court are distributed to several Criminal Section clerks for processing after each Court session. These clerks process the warrants as quickly as possible, though this may result in non-uniformity in the time frames for processing of warrants. The distribution of case files throughout the Criminal Section clerks' offices creates tracking issues and also complicates the necessary follow-up for the clerk assigned to monitor bond forfeitures. Once a warrant is issued, a clerk must review court orders to determine which files are bond forfeiture files, which files are not, and to which of the in-court clerks they are assigned. Simultaneously, two of these clerks are assigned non-case specific tasks of jury management and interpreter services, reducing the amount of time these clerks can devote to processing cases, delaying the ultimate processing of the warrants, often beyond required time frames.

Because of these issues, the project team recommends the following:

Recommendation: The organization and assignment of such a high priority function as warrants should be realigned to promote efficiency and consistency.

5. THOUGH AT THE UPPER END OF COMPARISONS WITH OTHER LIMITED JURISDICTION COURTS, CRIMINAL SECTION STAFFING LEVELS SHOULD REMAIN THE SAME UNTIL AN INDEPENDENT WEIGHTED CASELOAD STUDY CAN BE CONDUCTED.

The most reliable way to measure staff need or judge need is on the basis of weighted caseload analysis within the court or court system being studied. Because many staff activities are not case-related, there is additional calculation to develop a complete picture of staff need. This approach was not possible within the resources of this project. The remaining option was comparative analysis with other courts through the use of gross caseload statistics and review of internal operations.

Cases in the courts vary in complexity. Different types of cases require different amounts of time and attention from clerks and court support staff. Focusing on raw case counts without allowing for differences in the amount of work associated with each case type creates an opportunity for the misperception that equal numbers of cases filed for two different case types result in an equivalent amount of work for the court. For example, a typical DUI case has a much greater impact on the resources of a court than a traffic case. Furthermore, certain other case types, such as domestic relations cases involving minor children and juvenile abuse and neglect cases, may require continued attention over a long period of time. Therefore, a method that can reliably account for the differences in the workload generated across various case types is necessary to accurately determine the staff needed to handle the entire court caseload.

The National Center for State Courts has been conducting judicial and staff needs assessments involving “weighted caseload analysis” for the last decade. These assessments provide courts with meaningful and easily understandable criteria for determining overall staff requirements, taking into consideration both case-related and

non-case-related functions performed by staff. A needs assessment is a resource evaluation methodology that is being adopted by an increasing number of states to determine the need for court staff and judicial officers. The needs assessment “weights” cases to account for the varying complexity among court cases. By weighting court cases, an accurate assessment can be made of the amount of staff work time required to process the court’s caseload, (i.e., court staff workload) from filing to disposition.

The core of the needs assessment model is a time study in which staff track the amount of time they spend on various case types under investigation. When the time-study data are joined with filing data for the same time period, it is possible to construct a “case weight” for each case type. Each case weight represents the average amount of time required for court staff to process a case from filing to disposition. Applying the case weights to current or projected annual case filing numbers results in a measure of staff workload. When the workloads are divided by the amount of annual time available per court staff, an estimate of staff resource requirements results. This approach is sufficiently rigorous to measure staff resource needs and evaluate resource allocations.

The primary goal of a court Staff Needs Assessment Study is to provide an accurate picture of the amount of time staff need to resolve different types of cases in an *efficient* and *effective* manner. There are three phases to the study and each phase builds upon the product of the previous phase.

- First, the data collected during the time study are analyzed to produce a workload value. The workload value is a combination of the case weights (average time for each case type under investigation) and the annual case filings.
Phase 1: Case weights x Case filings = Workload

- Phase two, applies the staff annual availability value to the workload value to determine the FTE demand for the court. **Phase 2: Workload / Annual Availability = FTE Demand.**
- Finally, in phase three, the FTE demand value is compared to the current FTE availability to generate the FTE need for the court. **Phase 3: FTE Availability – FTE Demand = FTE Need**

To put indicators on workload and staffing in some perspective, however, the project team conducted a limited comparative analysis of other courts in the western United States. Data was collected from other similar limited jurisdiction courts in order to obtain a comparison regarding general staffing levels relative to caseload (see Appendix A for the complete results). To select comparable courts, similarities in court jurisdiction, caseload, and local population of cities, were identified. The final list of comparable courts was reviewed and approved by the Justice Court, resulting in the following list of comparable courts surveyed.

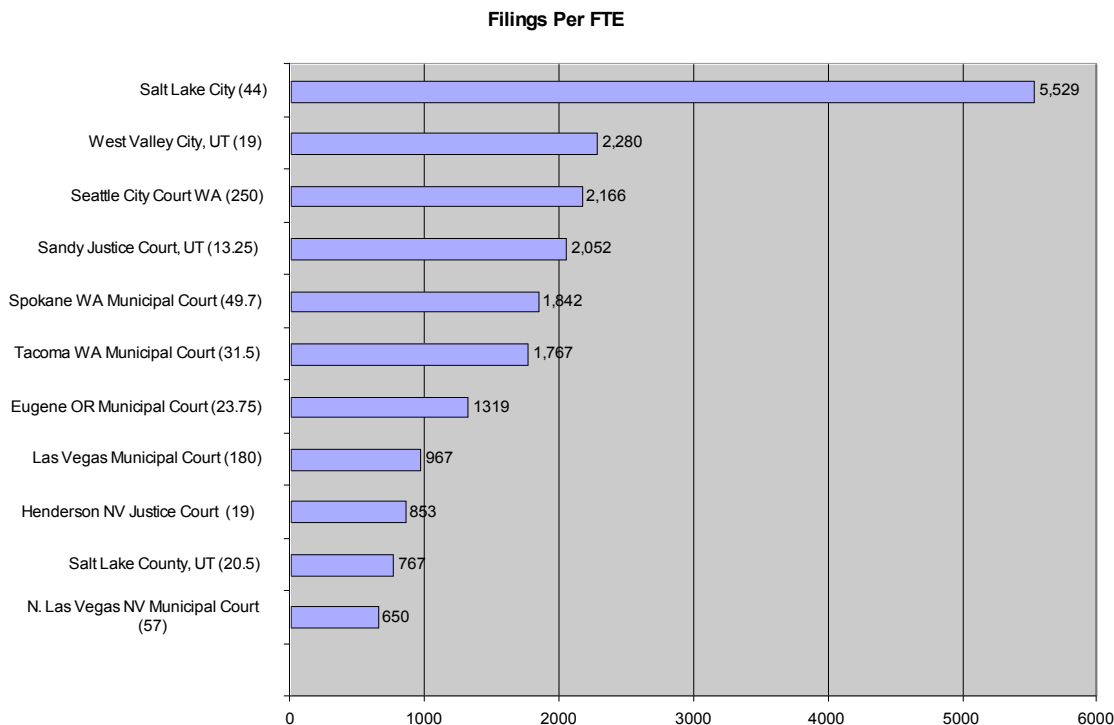
- Salt Lake County Justice Court, Utah
- West Valley Justice Court, Utah
- Sandy Justice Court, Utah
- Eugene Municipal Court, Oregon
- Tacoma Municipal Court, Washington
- Spokane Municipal Court, Washington
- Seattle City Court, Washington
- Henderson Justice Court, Nevada
- North Las Vegas Municipal Court, Nevada
- Las Vegas Municipal Court, Nevada

Information was collected by phone and written questionnaires and, once received, the data was analyzed by the project team. The results of the analysis are summarized below with the caveat that the differences among the courts and the inherent problems of using gross caseload statistics provide an extremely rough measurement of need. The purpose of the comparative survey was not to specify necessary staffing levels but to place the Justice Court in a comparative spectrum that can serve as a general indicator of staff and judge needs. Clearly, internal Court management issues, access to technology, customer service issues (including different approaches to court scheduling) and differences in jurisdictional responsibility also have a real bearing on staff resource needs. These internal service and management issues vary significantly from court to court.

The comparative analysis revealed the following.

(1) Gross Filings Per Full-Time Employee in the Justice Court Were Higher Than Other Courts in the Sample.

The table, below, provides a graph of how surveyed courts compared on the basis of filings per full time equivalent position (FTE).



In comparing staffing levels between each of the selected courts and the Salt Lake City Justice Court, the average number of case filings per clerk was calculated. It is notable that all full-time positions were included in the analysis, regardless of whether the duties of clerks were strictly administrative, strictly case processing, or a combination of both. Results include:

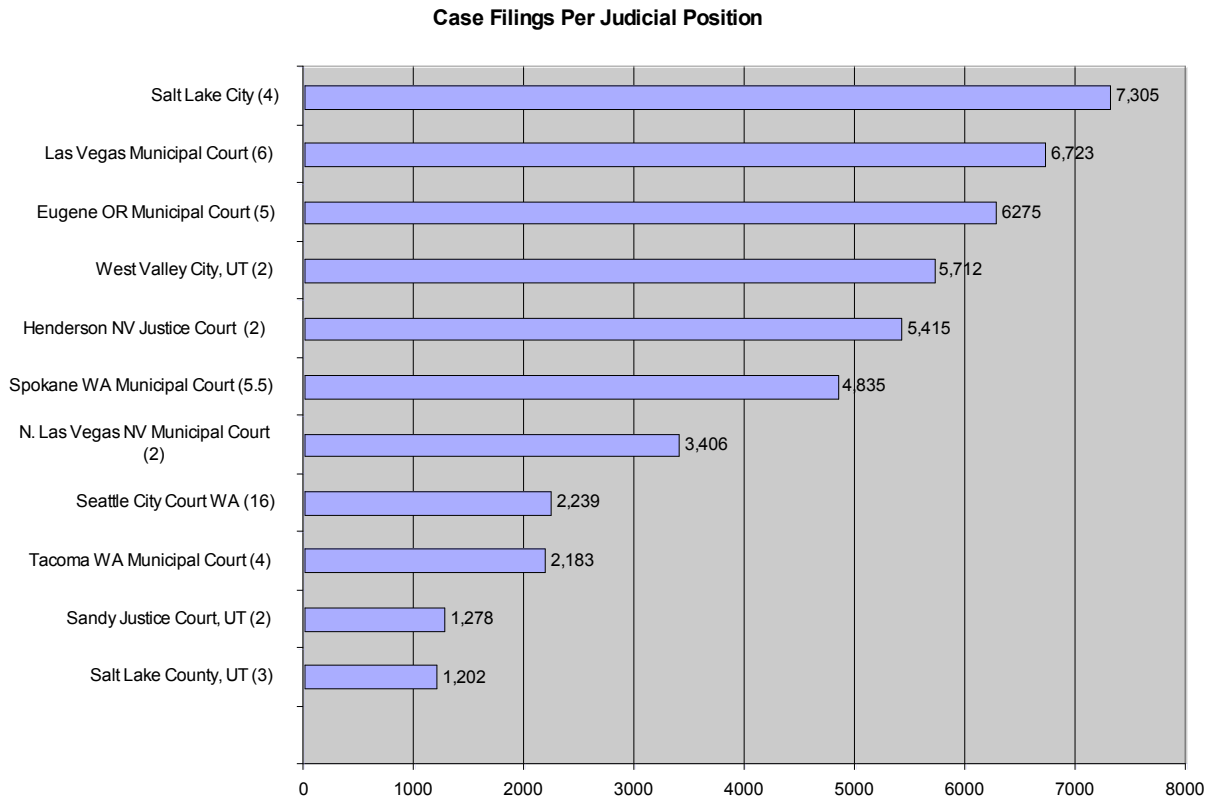
- Salt Lake City Justice Court clerks reported the highest ratio of case filings per full time employee, at one full time employee per 5,529 case filings.
- The second highest court in this category, West Valley City Justice Court, reported one full time employee per 2,280 case filings.
- The next court, Seattle City Court, showed only 2,166 case filings per employee.

Considering the ratios for all of the comparison courts, the project team arrived at an average ratio of 1,467 case filings per full time employee, a number significantly lower than that of the Salt Lake City Justice Court.

(2) The Annual Filings Per Judicial Position in the Salt Lake City Justice Court Were the Second Highest in the Sample.

The project team then compared the number of case filings per judicial position.

The results of this are shown in the following graph:



The comparative survey also considered annual filings per judicial position in order to display the number of cases filed per judge in each of the selected courts. Key findings include:

- Judges in the Salt Lake City Justice Court showed the highest filings to judge ratio, reporting 7,305 case filings per full time judge.
- The next highest court was the Las Vegas Municipal Court which showed a ratio of 6,723 case filings per full time judge.
- The mean average of all selected courts was 3,931 cases filed per judge.

In addition, the Salt Lake City Justice Court's criminal caseload has fluctuated over the past three years as shown in the table, below.

Caseload of Criminal Section (2002-2005)

Year	Cases Filed	Charges Filed	Small Claims Filed
2002-2003	15,870	25,627	15,907
2003-2004	17,498	23,353	11,724
2004-2005	15,525	25,408	9,785

While the number of judges has remained constant during this time, the following case trends have resulted:

- Case filings within the Criminal Section have gone from 15,870 (2002-03) up to 17,498 (2003-04) and back down to 15,525 (2004-05).
- Charges filed have gone from 25,627 (2002-03) down to 11,724 (2003-04) and then up to 25,408 (2004-05).
- Small claims have declined in each year and are down 38% since FY 2002-03.

The last comparative measure examined by the project team is the judicial position to line staff position ratio, a common comparison point among courts.

(3) The Judge-Staff Ratio for the Salt Lake City Justice Court Was Very Close to the Median for the Courts in the Survey

In limited jurisdiction courts, the case volume creates judge staff-ratios that may range from 7 to 10 staff members per judge. Judge to staff ratios are a rough indicator of staff need. In this regard, the Justice Court was ranked slightly over the median for the courts in the sample and just under ten staff per judicial position (at 2005 staffing levels).

Recommendation: The comparative survey indicates that by a variety of measures the Salt Lake City Justice Court operates with workloads significantly higher than other courts. However, before any staffing adjustments are made a more rigorous weighted case workload assessment should be conducted. This

effort was beyond the scope of this project. The project team recommends that a weighted caseload analysis be conducted by an independent party at an estimated cost of \$75,000 – \$125,000.

6. THERE ARE STEPS WHICH THE COURT SHOULD TAKE TO EXPEDITE WORKFLOW IN THE CRIMINAL SECTION.

As part of this study, the project team observed and reviewed the current processes used for case processing in the Criminal Section of the Justice Court through interviews with court clerks. Workflow diagrams were developed, with input from Criminal Section clerks and are attached to this report (see Appendix B). The points below summarize our understanding of the key public process for a criminal matter:

- **Step 1: Citation or Arrest**

Criminal cases in the Justice Court are initiated by either an arrest or a citation. These cases range from Infractions, to Class B, and C Misdemeanors. Any law enforcement agency, not just a local one, can write a citation or make an arrest in Salt Lake City which would be processed through the Salt Lake City Justice Court.

- **Step 2: Arraignment - Not in custody mandatory appearance**

Some violations require the citizen to appear before a judge. The signature on the citation is a promise that the person will appear in court within 14 days. The citizen comes to court for an arraignment hearing and appears before a judge. Arraignment calendars often over 100 cases on a given day. If an individual is arraigned on a heavy day they can wait up to 3 – 4 hours before their case is heard, and if they leave before their case is heard, a warrant will be issued.

Prosecuting attorneys do not always attend arraignments. Rather plea agreements are faxed to the court by the Prosecutor's Office on the day of arraignment, a process which raises concern by many stakeholders within the criminal justice community.

The defendant can plead guilty, not guilty or no contest. If a not guilty plea is entered, a pre trial conference is scheduled, which could be over 90 days later.

- **Step 2(a): In custody mandatory appearance**

Where a defendant is in custody, an arraignment is held through a video link between the jail and the court. Defendants are advised of the charges against

them, given the opportunity to plead, have bail set, and have the opportunity to speak to public defenders. For other hearings and appearances a custodial defendant will be transported to the court.

- **Step 2(b): Non-mandatory appearance before a judge**

The defendant can pay a fine within 14 days or plead not guilty by calling the court and scheduling an arraignment.

- **Step 3: Pre-Trial Conference**

During the pre-trial conference, the defendant meets with the prosecuting attorney regarding their case. Depending upon the size of the court calendar, the defendant and the prosecuting attorney may be required to wait several hours before their case is heard. Generally, defendants with lawyers and those who are incarcerated are heard first, helping to defer the hourly costs to those defendants who have hired an attorney. Priority in calling the court list is also given to incarcerated individuals in order to limit their exposure to the general public. This procedure is well acknowledged as common practice in courts and identified under best practices.

The defendant may change their initial plea to guilty and be sentenced, accept a plea, if offered, or request a trial date. Depending upon the circumstances, the defendant may be sentenced then, or the judge can request a pre-trial investigation in which the defendant must return for sentencing. It is not uncommon for a case to be scheduled for another pre-trial conference before a trial date is set. Currently trial dates are being scheduled 3 to 6 months from the date of arraignment. If a motion hearing is requested the defendant may need to appear in court prior to the trial date.

- **Step 4: Day of Trial**

The Justice Court conducts two types of trials; bench trials and jury trials. Defendants have the right to a jury trial in all Class B & C misdemeanors, all infractions will be tried in a bench trial setting. If the defendant is pronounced guilty, sentence must be imposed not less than 2 days, nor more than 45 days, after the verdict or guilty plea is entered.

With respect to this key judicial process, the project team's interviews and data collection have found that:

- The process can take up to 8 months from date of arrest or citation and has multiple court events, such as scheduled pretrial conferences.

- The court is not driven by ABA or COSCA (Conference of State Court Administrators) time standards, both of which set 90 days as an outer limit on misdemeanor processing.
- However, in order to lessen time frames to better approach the 90 day goal set forth in ABA and COSCA model time standards, the court should evaluate both the delayed scheduling time frames for court events and the necessity of each court event. The pre-trial conference for defendants pleading not guilty is scheduled up to 60 days following arraignment. This time frame should be reviewed to determine whether the court has the resources available to offer more frequent pre-trial conference dates and therefore scheduling of pre-trial conferences within 30 days from arraignment. In some cases, a second pre-trial conference is scheduled, moving ultimate case disposition even further into the future. The court should consider whether this second pre-trial conference is necessary to the appropriate disposition of the case, or whether more pre-trial matters can be addressed within one pre-trial date.
- In addition, trial dates are currently scheduled at least 4 months following arraignment. The court should attempt to schedule misdemeanor trial dates within 90 days of arraignment.
- In order to reduce case processing time the court needs to resolve cases as early in the process as they can so that the judges can dedicate more time adjudicating the more “serious” charges. The prosecuting attorney’s consistent presence at arraignments would resolve some cases going to pre-trial (or not).
- The court also should consider the institution of an infractions calendar which would help reduce the number of cases on the docket and, although not a problem, the institution of firm court dates via fewer continuances will reduce case processing times.

Recommendation: The Justice Court should establish its own court processing standards where they do not exist and review standards for completion of case proceedings where they do exist to identify procedures having the potential to reduce case processing times. This should be accompanied by modifications to the case information system, so time to disposition statistics can be produced.

7. USE OF SENTENCING ALTERNATIVES TO REDUCE JAIL OVERCROWDING AND COSTS.

The Salt Lake City Justice Court, as is the case in many courts throughout the country, has several programs that direct many defendants into community service or treatment programs that have positive implications for the community and for the

individuals, with the added benefit that they can reduce levels of incarceration. Defendants who qualify for each program, are generally first time and minor offenders or those who would be expected to benefit from a “second chance.” Examples of the programs in use in Salt Lake City include:

- **Homeless Outreach Program** – Homeless individuals, many of whom have several active misdemeanor cases pending at any given time, can attend court to have their cases adjudicated and agree to community service sentencing. Community service obligations can be satisfied by attendance at alcohol and drug treatment centers or other similar restorative programs.
- **Focus Program** is a similar program used by the Justice Court to provide restorative sentencing and limit incarceration. This program is intended for defendants charged with Reckless Driving DUI Reduced. They are required to attend review hearings and receive regular UA tests.
- **Passages Program** – Defendants convicted of shoplifting, disorderly conduct, or sex solicitation may also be sentenced to the alternative Passages Program.

The project team observed several court sessions, attended the homeless court session, interviewed each judge, and discussed various alternative sentencing practices in use in the Justice Court. The project team finds that:

- Community service programs available in the Salt Lake City community reduce jail overcrowding, are not merely substitutes for fines, and ensure the availability of valuable incarceration space to more serious offenders.
- Their effect on recidivism and individual rehabilitation cannot be demonstrated empirically but other studies conducted by the project team have shown that programs of this type are more likely to have positive effects in these areas than will incarceration.

As a result of these findings, the project team recommends the following:

Recommendation: Continue to utilize existing approaches to jail alternatives, examine ways to expand existing program use and additional alternative sentencing options. This should be a multi-agency approach to maximizing these programs.

8. THE JUSTICE COURT SHOULD CONSIDER ALTERNATIVE APPROACHES TO CASE SCHEDULING.

The Salt Lake City Justice Court utilizes a hybrid calendar system. The Court employs an individual judge calendar for domestic violence cases to allow the judge to become better acquainted with individuals and provide greater continuity and attention to this sensitive societal issue. This is an important investment of resources for a high volume court with 4 to 5 judges.

In Salt Lake City, the Justice Court currently schedules cases as follows:

	Monday	Tuesday	Wednesday	Thursday	Friday
DV					
A.M.	Review	PTC	Gen Arr.	DV Jury	
P.M.	Bench Trial	PTC		DV Jury	Homeless
Arr.					
A.M.	Gen Arr.	Gen Arr.	PTC/RH		Gen Arr.
P.M.				Bench Trial	
	Monday	Tuesday	Wednesday	Thursday	Friday
Trial 1					
A.M.		Jury			PTC
P.M.		Jury	Law & Motion	PTC/Sent	
Trial 2					
A.M.	PTC		Jury	Review	PTC
P.M.		PTC	Jury	Traffic BT	
PTJ					
A.M.			Traffic BT	Gen Arr.	Jury
P.M.					Jury

Based on interviews and observations, the project team found:

- The current calendar highly utilizes current judicial and staff resources available.
- Judicial proceedings are often constrained to minimize the public’s waiting time.
- Calendar add-ons contribute a special problem for clerk staff that are required to locate files, process appropriate documents, and notify the prosecution for each add-on placed on the calendar.

In an alternative master calendar system judges are assigned to preside over particular court events rather than maintaining responsibility for all court events in the life of a case. The advantages of a master calendar include:

- The maximization of judge bench time.
- An increase in the likelihood of a firm trial date.
- Greater uniformity in policies regarding continuances and trial preparation.

Master calendar judges coordinate their schedules so that they handle a mix of court events (jury trial, arraignment, pretrial conferences) without all handling similar events on the same day. This spreads out events over the course of a week and provides a high degree of equity in judicial workload.

While the project team is not recommending adoption of a master calendaring system, we are asking that it be considered. The project team does recommend the following:

Recommendation: Add-ons should be scheduled for appearance three (3) working days after their request is made. This would allow sufficient time to prepare the file and advise the prosecuting attorney.

9. THE FILING OF INFORMATIONS HAS BEEN ADDRESSED BY JUSTICE SYSTEM PARTICIPANTS.

The timing for the filing of an Information has been discussed throughout the Salt Lake City Justice Community as a means to reduce the workload of the prosecuting attorney and clerk staff. Several legal opinions of conflicting views have been written regarding the appropriate time frame within which the prosecuting attorney should file an Information with the court.

Larry V. Spendlove, Senior City Attorney, defines an Information in his legal opinion dated June 24, 2004 as:

A criminal "information," as defined at Utah Code §77-1-3, means "an accusation, in writing, charging a person with a public offense which is presented, signed, and filed in the office of the clerk where the prosecution is commenced pursuant to UCA § 77-2-1.1." Rule 5 of the Utah Rules of Criminal Procedure (URCrP) states that "[u]nless otherwise provided, all criminal prosecutions whether for felony, misdemeanor or infraction shall be commenced by the filing of an information or the return of an indictment." (emphasis added) Rule 4, URCrP, requires that "[u]nless otherwise provided, all offenses shall be prosecuted by indictment or information sworn to by a person having reason to believe the offense has been committed. (emphasis added) All informations are to be signed by the prosecuting attorney. See UCA §77-2-1.1.

The rules and statutes which govern the filing of an Information do not create a timeframe for the filing of an Information. Currently, on cases that require an Information, the policy is that Informations are to be filed prior to the arraignment date. It appears that Justice Court judges accept the filing of an Information **after** arraignment but **prior** to the pre trial conference. This issue has been addressed.

Recommendation: The issue of the filing of informations has been addressed by justice system participants.

10. THE JUSTICE COURT NEEDS TO CONTINUE WITH THE IMPLEMENTATION OF TECHNOLOGY IN THE COURTROOM.

The Justice Court is moving forward in its use of technology for case processing. Informations are currently scanned and joined in the court's electronic case file. An interactive voice recognition (IVR) system is being implemented to allow court customers to pay traffic and parking citations over the phone, and soon second or third computers will be installed in the courtrooms. The IVR system will also allow for the management of juries.

Project staff have observed that computers are available to the judges on the bench, however, few use them and no judge actually accesses the court's case management system from the bench. Judges routinely review orders and verify the presence of various documents in the paper file to determine if the proper charging documents are filed and also whether a defendant is in compliance with previous orders. The need to review relevant documents is essential in the case of a part time judge substituting in a judges' absence. Access to and use of an electronic case file from the bench will expedite this review process.

The current system is configured to allow the courtroom clerk to perform data entry during court proceedings, such as entering orders including fines, fees, classes, or restitution. The courtroom clerks' entries to the case management system are immediately available for the clerk's office counter staff to serve individuals as they leave the courtroom. Additionally, the courtroom clerk can perform queries to retrieve information from the automated case management system. They cannot, however, display the results on a monitor for the judge to view.

Introducing new technology to the court is directly proportional to the comfort level the judge has with the process and technological change. As all courts, including Salt Lake City's Justice Court, move closer to utilizing an electronic medium for case files, judges should be introduced to the electronic case file within the case management system to allow them to become familiar with the system and informed about its capability and usage.

Recommendation: Justice Court judges need to be provided the tools and training necessary to become familiar and comfortable with utilizing technology from the bench. In order to assist them in accessing information, a view-only screen should be set up to allow judges to view case files electronically. A

courtroom clerk can manipulate the screens for the judge, familiarizing them with the look and content of the electronic file, and with the various available applications and case information.

11. THERE IS A NEED FOR EXPANDING IN-SERVICE AND NEW EMPLOYEE TRAINING.

The project team has reviewed the new employee training and the continuing education of staff in the Salt Lake City Justice Court. While the project team has found that training exists for both new and existing employees, we have found that:

- A missing but important component of the Salt Lake City Justice Court operation is the availability of staff education and training programs on the fundamental concepts of caseload management, case management (compliance), office automation, and judicial branch functions.
- There is also little to no staff training available on the specific details of the day-to-day operations of the clerks' office. The majority of employees hired in the Justice Court have no previous court experience, making the need for training even more critical.

Recommendation: The Salt Lake City Justice Court should provide training for new staff and continuing training and education opportunities for existing staff. The continuing education should include job function training and other career development education. The availability of training will act to make efficient use of personnel, prepare employees for advancement to higher positions, build organizational morale, help implement new duties, responsibilities and technology, help develop employee skills, and substitute as a fringe benefit in lieu of salary increases.⁴

12. THERE ARE SEVERAL SIGNIFICANT RECORDS MANAGEMENT ISSUES IN THE SALT LAKE CITY JUSTICE COURT.

Currently, Justice Court records are stored in three separate locations:

- Pending and active civil and traffic files from 2002, 2003, 2004 and 2005 are stored in vertical rotating file shelves on the first floor of the court behind the clerks' work space.
- The sally port at the rear of the courthouse contains criminal case files from 2002, with warrants attached, on shelves along the back wall.

⁴ National Association for Court Management, *Trial Court Personnel Management Guide*, (Williamsburg, VA: National Center for State Courts, May 1993) page 1028.

- Criminal cases from 2003, with warrants attached, are stored in a hallway behind the courtrooms against the wall on the floor.

Closed cases are stored to capacity in an upstairs file room. Although the Court is conforming to records retention schedules, this makeshift storage of court records puts at risk the integrity of the files and enhances the risk of lost court records. Clerks have reported and the project team have observed that records are frequently difficult to locate when needed by court users. In addition, confidential court records are accessible by any court staff member and can be removed from any of the three filing areas without the need to record the removal of the file, the name of the person requiring the file, or the purpose for which it is removed.

Key issues conclusions associated with these approaches to records management include:

- The records management system is very poor.
- Secure yet accessible (to staff) space is insufficient.
- There is no governing policy or accountability relative to the maintenance of court records.

Recommendation: The Justice Court should upgrade the responsibility for records management in the organization assigning overall responsibility to the Court Administrator or one of the Section Managers. The Court needs to ensure that it continues to conform to current records retention policies, evaluate alternative policies and that alternative methods of file storage are evaluated and maximized, such as scanning and off site storage. The possible benefits of this step include:

- **Financial savings as a result of the elimination of the creation of redundant records.**
- **Space savings gained by ensuring that only necessary records are stored for only the necessary time.**
- **Time savings of support staff in storing and working through unnecessarily large or complicated records collections.**

- **Improvement in the quality of service to the public.**

Recommendation: The Justice Court and the City need to move to address a serious file storage problem in the Justice Court. Secure off site storage for older records should be pursued, at an estimated annual cost of \$5,000 – \$10,000; acceleration of file scanning should be accomplished through contract or temporary staff, at an estimated one year cost of \$10,000; and consideration be given to shorter records retention schedules, where the law allows.

5. ANALYSIS OF THE CIVIL SECTION

The Civil Section of the Salt Lake City Justice Court is primarily responsible for processing parking citations, as well as traffic tickets. Additionally, the Cashiering Unit is organized as part of the Civil Section. The sections, which follow, present a discussion of the Civil Section, including an overview of current operations, processes, workflow and opportunities for improvement. The cashiering and collections functions are discussed in the following chapter.

1. THE CIVIL SECTION IS RESPONSIBLE FOR PROCESSING ALL CRIMINAL TRAFFIC TICKETS AS WELL AS PARKING CITATIONS AND OTHER CIVIL VIOLATIONS.

The Civil Section is responsible for processing all criminal traffic tickets, parking citations and other civil violations. This section is responsible for providing customer service via the front counter, as well as responding to requests for information via the phone. Additionally, staff are assigned a variety of additional duties, which assist the Court in processing work.

(1) The Civil Section Has a Total of 14.0 Fulltime Equivalents.

The Civil Section is staffed with approximately 14.0 fulltime equivalents, including 1.0 manager, 2.8 clerks and 10.0 hearing officers. The points, which follow, briefly highlight the key functions of staff in the Civil Section.

- **Manager:** The Civil Section Manager is primarily responsible for managing and directing the operations of the Civil Section, including assigning work, running and quashing warrants, coordinating payments from rental companies, coordinates with the collections agency, etc.
- **Clerks:** There are 2.8 clerks in the Civil Section. Two clerks share the following responsibilities: processing paperwork, reviewing payment plans for compliance, dismissing parking tickets, distributing mail, issuing courtesy and collections

letters, updating service information, etc. There is one clerk, who is responsible for scheduling Resolution Hearings and Bench Trials for traffic tickets, and prepares case files and paperwork, as well as processes payments for the traffic school contractor.

- Hearing Officers: There are 10 hearing officers assigned to the Civil Section. The hearing officer function is responsible for reviewing parking and traffic citations, which the public is contesting, as well as adjusting fines based as needed and establishing payment plans. In addition to the four hearing officers assigned to the front counter, the remaining hearing officers (6.0) assigned to the back office, responsible for answering phones and providing public information. Besides reviewing citations contested by the public, hearing officers are assigned additional duties. Assignments by hearing officers are presented below:
 - Review Moving Violations PERTEC report for errors in code, fees, and fines, as well as citations for which court is mandatory.
 - Review Parking Citations PERTEC report, which includes verifying correct information on parking tickets entered into the system, as well as downloading and storing digital pictures.
 - Coordinate the Gotcha Program, including petitioning of the State for a portion of the delinquent defendant's tax return.
 - Serve as the Resolution Hearing Officer, as well as coordinating with the Meter Shop to verify broken meters and serve as the liaison with the Police Department.
 - Process all notices of bankruptcies and provide assistance with the closing of traffic cases, as needed. Also maintains statistics for the Civil Section.
 - Coordinate all correspondence for the Section, as well as closes traffic cases in JEMs, reviews partial payment list (e.g., underpaid parking violations), and assists with warrants.
 - Set the court calendar for the Small Claims Court, notify defendants, coordinate pre-Court payment agreements, serve as representative for the Court in Small Claims Court. This position is staffed with one fulltime equivalent.
 - Reprocessing of mail and provides backup to parking and traffic citation processing.
 - Responsible for processing correspondence via the Internet and payment of citations for delivery vehicles.

- One hearing officer has not been assigned collateral duties but provides assistance to other hearing officers as needed.
- The Civil Section provides service to the public via front counter staff, as well as 'backroom' staff who primarily service the public via the phone. There are four public windows staffed by the hearing officers during normal business hours. There are 6.0 hearing officers assigned to provide phone support and perform other duties as necessary.

The section, below, presents a review of the workload data collected by the project team.

(2) Workload Data Were Collected from the Justice Court for Activities Performed by the Civil Section.

The project team collected data relating to the work performed by the Civil Section. This included data relating to the number of parking and traffic tickets issued, as well as number of hearings conducted. More detailed information is provided in chapter 2 of this report. The table, which follows, presents the number of parking and traffic tickets processed by the Civil Section for four fiscal years.

Fiscal Year	Number of Parking Tickets	Number of Traffic Tickets
2001 - 2002	133,691	36,667
2002 - 2003	148,437	49,735
2003 - 2004	165,864	47,355
2004 - 2005	148,590	45,091

In addition to collecting information about the number of tickets processed, staff in the Civil Section were able to provide data with respect to the number of hearings held by staff. The table, below, presents the number of parking and ticket hearings held by the Hearing Officers assigned to the front counter in the Civil Section. This information is presented by calendar year.

Year	Number of Parking Hearings	Number of Traffic Hearings	Total
2002	20,285	19,142	39,427
2003	27,247	22,366	49,613
2004	27,029	23,197	50,226
2005	25,007	24,114	49,121

As shown in the table, the number of hearings is continually increasing. Additionally, the Justice Court provided the project team with the number of phone calls received by staff. The table, below, shows the number of calls handled each year.

Fiscal Year	Phone Calls
2001 – 2002	76,878
2002 – 2003	136,608
2003 – 2004	123,991
2004 – 2005	120,550

The section, which follows, provides a review of improvement opportunities with respect to the Civil Section work process.

2. THERE ARE OPPOROTUNITIES FOR IMPROVEMENT IN WORKFLOW AND THE RESPONSIBILITIES FOR HEARING OFFICERS.

As previously discussed, Hearing Officers are primarily responsible for providing customer service to those who contest their citations, as well as ‘other duties’ which assist the Court with processing work. The sections, which follow, provide a discussion of the opportunities for improvement.

(1) Hearing Officers Are Assigned Significant Duties in Addition to Service as Hearing Officers.

As discussed in previous sections of this report, hearing officers in the Civil Section of the Justice Court perform a variety of functions in addition to serving as hearing officers. The table, which follows, presents a summary of the responsibilities and typical duties of hearing officers.

Summary of Key Responsibilities of Hearing Officers	
Typical Duties	<ul style="list-style-type: none"> • Represents the City’s interest on violations handled by the Justice Court, in a variety of court proceedings, including hearings, filings and appeals. • Independently conducts hearings to assess penalties or determine if violations or court-issued penalties should be reduced, modified, or dismissed, in consideration of aggravating and mitigating factors. Amends charges when needed. Interprets City code, State statutes, and explains court procedures and decisions to grievant. • Receives and processes telephone, internet, and walk-in inquiries regarding civil and criminal violations. Interprets city codes, state statutes and explains the City’s grievance process whether verbally or through correspondence often under adverse circumstances. Independently conducts hearings over the phone, through the mail or internet. • Authorizes impoundment or immobilization of vehicles for Parking Enforcement Office, as well as conducts relevant hearings and determines payment amount and authorizes release. • Reviews cases to determine if witnesses are required for court. Authorizes payments to be issued by the Court. Represents the City in the courtroom on all civil court proceedings. • Certifies points to the State Driver License Division and recommends suspension of driver licenses. Determines eligibility of traffic school, etc. • Represents the City in Small Claims Court, prepares and files official documents for court. • Conducts Resolution Hearings as a second attempt to resolve the case before taking it to trial, limiting the involvement of witnesses and the Prosecutor. • Researches inquiries, corrects errors, resolves discrepancies and notifies violators of actions taken.
The Collateral Duties Assigned by Hearing Officer	
Hearing Officer 1:	Review Moving Violations PERTEC report for errors in code, fees, and fines, as well as citations for which court is mandatory.
Hearing Officer 2	Coordinate the Gotcha Program, including petitioning of the State for a portion of the delinquent defendant’s tax return.
Hearing Officer 3	Serve as the Resolution Hearing Officer, as well as coordinating with the Meter Shop to verify broken meters and serve as the liaison with the Police Department.

Hearing Officer 4	Process all notices of bankruptcies and provides assistance with the closing of traffic cases, as needed. Also maintains statistics for the Civil Section.
Hearing Officer 5	Coordinate all correspondence for the Section, as well as closes traffic cases in JEMS, reviews partial payment list (e.g., underpaid parking violations), and assists with warrants.
Hearing Officer 6	Set the court calendar for the Small Claims Court, notify defendants, coordinate pre-Court payment agreements, serve as representative for the Court in Small Claims Court. This position is staffed with 0.8 fulltime equivalent.
Hearing Officer 7	Reprocessing of mail and provides backup to parking and traffic citation processing.
Hearing Officer 8	Responsible for processing correspondence via the Internet and payment of citations for delivery vehicles.
Hearing Officer 9	Review Parking Citations PERTEC report, which includes verifying correct information on parking tickets entered into the system, as well as downloading and storing digital pictures.
Hearing Officer 10	Has not been assigned collateral duties; provides assistance to other hearing officers as needed.

The Civil Section has assigned hearing officers to staff both the front counter, as well as to the 'phones.' The points, below, present a brief discussion.

- There are 4.0 hearing officers assigned to the front counter. Staff assigned to the phones will provide coverage when needed. However, the four hearing officers generally stagger breaks and non-front counter work.
- The public can dispute a citation with a hearing officer Monday through Friday from 7:30 am to 4:45 pm and until 5:45 pm on Tuesdays.
- There are 6.0 hearing officers assigned to non-front counter work, which includes one FTE assigned to processing work for Small Claims Courts. Staff dedicated to the phones also process and review work relating to citations issued by law enforcement agencies, process the Gotcha Program, bankruptcy notices, etc.
- Time requirements for collateral duties vary during the course of the year, as well as from assignment to assignment. For example:
 - Although the Gotcha Program generates work throughout the year, during tax seasons, the Gotcha Program becomes more time consuming, as there are more people submitting their income tax returns to the State.

- The hearing officer assigned to Small Claims Court is responsible for processing Civil Sections Small Claims. Small Claims Court is held two days per week, with between 60 and 100 cases on the calendar. In addition to representing the Court on these cases, this position is responsible for conducting all post-court work (e.g., update all case files, mail out all judgments, etc.) This position is a fulltime equivalent.
- Other duties assigned staff with varying workloads, include processing bankruptcies, internet and mail correspondence, etc.

While data were not available to track workload processing times, as well as customer service issues (e.g., wait times, etc.) based on observations and input from staff, the assignment of work has impacted workflow and customer service. The points, which follow, provide a discussion of issues resulting for the distribution and assignment of work.

- While there are four hearing officers assigned to the front counter, leave time usage, breaks, and non-front counter work impact the availability of the four hearings officers to assist the public. This directly impacts wait times for the public.
- While hearing officers assigned to the phones are able to conduct hearings over the phone, input from staff and observations indicate the phone interaction with clients is primarily focused on the provision of information (e.g., process for disputing a citation, methods of payments, processing credit card payments, etc.)
- Workload associated with collateral duties varied by task, as well as season. Collateral duties are assigned to specific hearing officers, which limits the ability to effectively manage peaks in workloads for specific duties.

As noted, the primary role of the hearing officer is to utilize problem solving skills and independent judgment to provide accurate, timely and courteous customer service during the citation dispute process. Several tasks performed by hearing officers do not require the same skill levels as performing hearings.

(2) Given the Requirements of Hearing Officers and the Customer Service Needs, Clerk Positions Should Be Utilized to Accomplish Non-Hearing Functions.

In addition to hearing officers, the Civil Section has three civil clerk positions, which are responsible for processing paper work for the unit. One civil clerk is responsible for scheduling the calendars for resolution hearings, as well as court roles.

Two of the civil clerks share several key responsibilities, which include the following:

- Review pay plans for compliance;
- Input parking ticket dismissals;
- Process and distribute mail;
- Distribute and mail;
- Issue courtesy and collection letters; and
- Update service information and provide information to Constable's.

In addition to reviewing current roles and responsibilities, the project team reviewed the typical duties required of the clerks in the Civil Section. The typical duties of a clerk include the following:

- Sorts, files and updates correspondence, forms, records, reports and other materials;
- Processes incoming mail payments;
- Sorts and updates address corrections and undeliverable mail;
- Prints and corrects outgoing late or billing notices; audits billings to ensure information is correct and complete;
- Verifies and updates Small Claims Court orders;
- Verifies and updates parking and traffic citations dismissals;
- Sorts moving and / or parking citation numbers, enters information into the computer system by file date or date received and citation number;

As the above points discuss, the civil clerk's key functions included specialized clerical work, which requires some independent judgment and skill in data entry, retrieval, word processing, etc. Clearly, civil clerks and hearing officers' positions require different skills and abilities with respect to handling and processing varying levels of complexity. With that said, there are opportunities to better utilize existing staff to improve customer service and maximize use of hearing officers on activities that require the skills and abilities of hearing officers. The points, below, present a discussion of the potential opportunities.

- As discussed in the following section, phone calls should be triaged, meaning that due to the number of calls handled by the Civil Section, many of which are requests for information, hearing officers are handling calls and requests for information which can be processed by clerical staff.
- The Salt Lake City Justice Court is in the process of implementing an integrated voice recognition (IVR) system. This system will be able to reduce the workload of hearing officers and civil clerks in the following ways:
 - Provide information to customers with respect to ticket cost.
 - Respond to simple requests for information, such as process for contesting, hours of operations, etc.
 - Can pay citations.
- Utilizing the IVR system should significantly impact the workload of the hearing officers and allow them to better utilize their time to conduct hearings, as well as perform their collateral duties.

Recommendation: Given the potential impact of the IVR system on the workload of the hearing officers, hearing officers should be able to handle their collateral duties without requiring significant assistance from the Civil Clerks.

(3) There Are Several Opportunities to Improve Workflow and Distribution in the Civil Section.

The project team reviewed the current workload activities of the hearing officers and civil clerks assigned to the Civil Section, as well as general job responsibilities as outlined in the job descriptions for each position. The points, which follow, discuss key opportunities for improvement.

- Hearing officers work activities should be focused on hearing citation disputes. The roles and responsibilities of the hearing officers required high levels of concentration, problem-solving skills, independent judgment, and knowledge of city codes, state statutes, court and legal processes. Hearing officers have direct and frequent interaction with the public during the dispute process. Hearing officers are assigned duties in addition to hold hearings, which impacts the ability of hearing officers to provide high levels of customer service. Observations and input from staff indicate that wait times, particularly during peak times are significant.
- Clerical work should be assigned to the clerks. There are a number of work tasks that can be performed by clerks, including monitoring and processing of the bankruptcies, closing / pulling closed cases, coordinating with the Meter Shop / maintaining list of broken meters and times, downloading and storing photographs for citations, etc. This will increase time available for the hearing officers to perform hearings (both front counter and phones). Additionally, the implementation of the IVR system could alleviate the current demand on hearing officers, which will allow them greater time to perform their collateral duties.
- Hearing officers are crossed trained to better assist one another in the collateral duties and to improve the effective management of peaks in workload, including Small Claims Court, Gotcha Program, etc.
- While the Justice Court keeps track of the number of hearings and phone numbers handled by the Civil Section, this data does not provide sufficient information to be able to assess the effectiveness of hearing officers assigned to the phones. The Civil Section should develop a process to assess the effectiveness of the current phone and internet hearing process to ensure that: (a) the public understands the process and the extent to which disputes can be resolved via phone / internet (e.g., information is available and disseminated to the public regarding phone / internet hearings); (b) high levels of customer service are provided by resolving disputes over the phone which do not require a face-to-face hearing (e.g., minimize inconvenience, reduce wait time for public at the Court, etc.); and (c) right resources are dedicated to the right functions (e.g. identify the type of workload created by the phone, such as portion of calls

requesting information versus the number of hearings performed over the phone. In other words, review workload to determine if there are opportunities to have a tiered phone system, such as clerical personnel assigned to answer phones, provide general information, as well as forward disputes or potential hearings to the hearing officers to more effectively utilize the time of hearing officers).

As noted in the above points, the Civil Section review work tasks to ensure they are assigned appropriately (i.e., hearing officers are performing high priority, complex tasks, specifically performing hearings). Additionally, the Civil Section should review phone processes to ensure the effective utilization of staff, including the type of tiered system for handling calls, as well as dispute resolution process.

3. BASED ON THE REVIEW OF WORKLOAD AND PROCESSES, THE PROJECT TEAM DEVELOPED ASSUMPTIONS RELATING TO WORKLOAD AND STAFFING NEEDS.

While the project team did not conduct a time study to determine the processing times, the project team reviewed workload data for the Civil Section. This data included the number of parking and traffic citations processed by the department, number of hearings conducted, and the number of phone calls handled. As noted, the Civil Section does not track the type of calls or number of hearings handled over the phone by hearing officers. The table, below, presents a summary of the number of hearings and phone calls handled for a twelve-month period.

	Hearings	Phone Calls
Total Annual Number	50,226	123,991
Number per Work Day	201	497
Number per Hour	25	62

The points, which follow, provide a brief discussion of the information provided in the table.

- Data for the number of hearings are from hearings occurring during calendar year 2004. Data for the number of phone calls handled are for fiscal year 2003 – 2004.

- It is assumed that the Court was open to the public for 250 days, which assumes the court was open for 5 days per week with the exception of the 11 city holidays.
- In calendar year 2004, hearing officers staffing the front counter held 50,226 hearings. This equates to one hearing every 2.4 minutes during operating hours or 25 hearings per hour.
- In fiscal year 2003 – 2004, hearing officers handled 123,991 phone calls in the Civil Section, this equals approximately one call every 0.97 minutes or 62 calls per hour.

As previously mentioned, the project team has not conducted a time study as part of this management audit, however, the project team developed several assumptions to illustrate issue areas with respect to workload and staffing levels for the Civil Sections. The points, below, present assumptions developed by the project team, which were used to identify potential staffing and workload issues.

- There are 4.0 hearing officers assigned to the front counter and 6.0 FTEs hearing officers assigned to the phones.
- It is assumed that gross annual work hours total 2,080. The project team assumes a net availability of 80%, which reflect gross hours less leave time, training, etc.
- While the time to conduct hearings ranges significantly from as little as five minutes or less to more than thirty, it is assumed that the average overall time to conduct one hearing is ten minutes. Observations of staff conducting hearings support this assumption.
- It is assumed that the distribution of phone calls would be heavier on the shorter length of time (e.g., calls for information, payments over the phone, etc.), which reduces the average number of minutes per call. As such the project team assumed an overall average of 3.5 minutes per call.
- It is assumed that some tasks performed by hearing officers would be reassigned to the clerk classification. However, there are some tasks in addition to hearings that would continue to be performed by hearing officers, such as the verification of citations and codes (e.g., PERTEC report data), etc. As such, it is assumed that staff not assigned to the front counters would still require an average of 2.3 hours per day for these roles. The points, below present this assumption in greater detail:

- Because workload generated varies throughout the year, it is assumed that an average of 2.3 hours is required on a daily basis. This accounts for significant peaks in work, such as Gotcha Program, Small Claims Court, bankruptcies, etc.
- It is assumed that hearing officers would be cross-trained and cross-utilized to address peaks in certain workload.
- The project team assumes that staff assigned to the front counters (i.e., the equivalent of 4.0 fulltime employees) would be responsible for conducting hearings (i.e., total staff time would be dedicated to the front counter and not performing other duties, unless workload permitted it). As such, it is assumed that staff assigned to the phone would be allotted time to perform additional duties (e.g., the 2.3 hours per staff person per day).
- It is assumed that staff assigned to the front counter would only conduct hearings. During non-peak times, when there are not customers waiting, staff would assist with conducting phone hearings and performing other miscellaneous duties, as necessary.

The table, which follows presents the assumptions applied to the workload for the hearings and phone calls.

	Hearings / Front Counter	Phone Calls	Total
Number of Units	49,121.0	120,550.0	169,671.0
Average No. of Minutes per Unit	12.0	3.0	15.0
Subtotal Hours	9,824.2	6,027.5	15,851.7
Non-Hearing Workload (@ 2.3 hours / day / staff)		3,450.0	3,450.0
Total Hours	9,824.2	9,477.5	19,301.7
Gross Availability	2,080.0	2,080.0	2,080.0
Net Availability at 80%	1,664.0	1,664.0	1,664.0
Total FTEs	5.9	5.7	11.6
Total Current Staff	4.0	6.0	10.0
Plus / (Minus) Staff	1.9	(0.3)	1.6

The points, which follow, present a discussion of the table as well as additional information relating to workload assumptions.

- As shown in the table, staff assigned to the front counter would perform hearings, while staff assigned to the phone would have additional time to perform other duties, as required (e.g., Small Claims Court, PERTEC reviews, etc.). This assumes 2.3 hours per day per staff or 2.0 FTEs of work per year.

- Work tasks could be reassigned to clerks, such as monitoring broken meters / meter repairs, tracking Civil Section statistics, pulling closed cases, etc.
- The Civil Section should evaluate the workload generated by phone calls, including examining: (1) to what extent hearings conducted face-to-face can be done over the phone; (2) the proportion of phone calls which are actually hearings; (3) to ensure the right resources are dedicated to the right functions (e.g., review of type of phone calls and workload generated by them).
- The IVR system should reduce the workload associated with the high volume of phone calls received by the Civil Section. While this is still being implemented, this should significantly impact the amount of time available for hearing officers to conduct hearings as well as perform their collateral duties.
- The Civil Section should track the number of hearings conducted over the phone. As noted this Section tracks the number of phone calls. The Civil Section should make customers aware that their cases can be resolved through a telephonic hearing and track the number of hearings conducted over the phone. This should positively impact wait times in the front lobby to see a hearing officer.

Recommendation: The Civil Section should implement changes in work assignment and flow to ensure the appropriate resources are dedicated to necessary tasks. This includes:

- **Reassigning clerical functions to the civil clerk classification, as needed (e.g. statistics tracking, pulling closed cases, tracking broken meters, etc.).**
- **Ensuring staff assigned to the front counter are dedicated to conducting hearings to reduce wait times and improve customer service.**
- **Cross-train and cross-utilize staff to handle peaks in workloads for collateral duties (e.g. Gotcha program, etc.).**
- **Review workload generated by phone calls to ensure that hearing officers are utilized to maximize the number of hearings conducted in this way.**
- **Analyze the results of the tracking of hearings conducted over the phone and cases resolved.**
- **Include an option in the IVR for telephonic hearings.**

Review the impact of changes on workflow prior to adding any additional staff.

6. ANALYSIS OF FINANCIAL FUNCTIONS

The Salt Lake City Justice Court is responsible for collecting and processing fines and fees assessed as part of the civil or criminal process in the Court. The sections, which follow, provide a discussion of the cashiering and collections functions of the Court.

1. THE JUSTICE COURT IS RESPONSIBLE FOR RECEIPT OF PAYMENTS AS WELL AS COLLECTIONS ON DELINQUENT ACCOUNTS.

The Salt Lake City Justice Court is responsible for the receipt of payments for fines and judgments, as well as performing collections on delinquent accounts. Additionally, the Court has one accountant responsible for general accounting activities in the Court, such as tracking and reconciling liabilities, etc.

- There are 4.0 fulltime equivalents assigned to the cashiering function. This includes one lead cashier and three cashier clerks. This unit is responsible for staffing the cashier windows and receiving cash, credit card, and / or check payments on accounts. Staff utilize the IFAS (financial cashiering system) to process payments, as well as ALE and JEMs to look up account information, case numbers, and payment plans. In addition to receiving payments, cashiers are responsible for balancing their own drawers, as well as completing their own daily deposit slip. Staff assigned to this Unit are also responsible for ordering money from the bank, as well as balancing the vault.
- In July of 2004, the Collections function was moved from the Finance Department to the Justice Court. There are two fulltime personnel responsible for collections for the Justice Court. The Court is also in the process of selecting a firm to provide additional collections services. Responsible for performing collections activities on delinquent accounts. This includes the following:
 - Coordinate with Hearing Officers and Clerks to ensure courtesy, penalty and collection letters are mailed to appropriate accounts.
 - Answer phones and respond to inquiries regarding delinquent accounts.
 - Receive and process payment over the phone (via verisign / internet) and permit payment extensions, if needed.

- Conduct research of delinquent accounts (e.g., attempt to find new addresses, employer and contact information, etc.)
- Responsible for processing collections of Non-Sufficient Funds for the Justice Court, as well as other municipal functions (e.g., business license, building permits, etc.)

The project team collected information relating to the number of cashiering transactions processed by the Cashiering Unit in the Justice Court for the current fiscal year, as well as the past two fiscal years.

Cashiering Transactions			
Month	FY 2002 - 2003	FY 2003 - 2004	FY 2004 - 2005
July	6,255	11,015	11,953
August	7,663	10,857	13,204
September	8,521	11,818	13,171
October	8,776	11,880	13,479
November	8,581	10,016	12,892
December	9,139	11,923	12,795
January	9,684	11,229	13,799
February	10,580	12,676	14,090
March	11,169	15,300	16,283
April	10,652	13,469	13,497
May	10,894	11,896	13,409
June	11,272	12,901	15,004
Total	113,186	144,980	163,576

There are four fulltime equivalents assigned to the cashiering function for the Justice Court. The number of financial transaction, excluding the payments processed through the internet, for Fiscal Year 2004 – 2005 was 163,576, 13% increase from the previous fiscal year.

In addition to collecting information with respect to cashiering transactions, the project team collected data for the collections and cashiering functions. The table, below, provides a summary of the activities for the collections function.

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Month	No. of Letters (#1) Parking	No. of Letters (#1) Traffic	No. of Collection Letter (1 st) Payments	No. of Collection Letter (2 nd) Payments	Parking Letter (1 st) Money Collected	Letter (1 st) Money Collected	Money Collected (2 nd) Time Letter	Outstanding Balances (Collection Co.)	Funds Collected (Collections Company)
July	0	0	1,278	0	\$0	\$36,829	\$0	\$0	\$0
Aug.	0	0	1,724	809	\$0	\$64,487	\$26,495	\$0	\$0
Sept.	11,156	0	1,581	1,059	\$0	\$37,012	\$26,102	\$1,288,905	\$3,323
Oct.	0	3,355	1,709	1,159	\$98,818	\$45,765	\$24,641	\$10,724	\$12,242
Nov.	0	0	1,290	961	\$24,730	\$36,023	\$18,097	\$129,518	\$13,310
Dec.	10,498	0	1,284	943	\$10,999	\$30,304	\$16,287	\$5,444	\$4,773
Jan.	6,833	0	1028	901	\$27,467	\$11,357	\$8,800	\$0	\$5,096
Feb.	630	0	1,113	815	\$32,123	\$59,046	\$65,660	\$0	\$0
Mar.	0	0	1138	863	\$22,851	\$62,237	\$35,920	\$0	\$2,845
Apr.	0	0	1152	658	\$9,387	\$68,452	\$30,469	\$0	\$9,543
May	2,089	4,667	1087	867	\$127,277	\$40,536	\$28,462	\$0	\$0
June	0	0	1137	843	\$19,593	\$46,108	\$34,192	\$0	\$4,283
Total	31,206	8,022	15521	9878	\$373,243	\$538,155	\$315,123	\$1,434,591	\$55,415

Since July 2004, staff assigned to the Collections Unit have collected a total of \$1,226,521 in funds from defendants that received penalty and collections notices from the Court. Additionally, during that time period approximately \$1,434,591 in outstanding balances was sent to a private company to collect on behalf of the Court. Of the \$1.4 million, approximately 4% was collected or \$55,415 from those delinquent accounts.

2. THE JUSTICE COURT SHOULD ENHANCE INTERNAL CONTROLS IN ITS CASHIERING FUNCTIONS.

The project team reviewed the policies and procedures in place in the cashiering unit. Information was collected through interviews, observation of work practices, as well as review of written policies and procedures. The sections, which follow, present a summary of the recommendations.

(1) The Matrix Consulting Group Reviewed Findings of the State of Utah Audit of the Cashiering Unit.

The Matrix Consulting Group reviewed the findings of an audit of the Cashiering Unit conducted by the Office of the State Auditor for the State of Utah. The points, which follow, provide a discussion of the State audit.

- The audit of the Justice Court was performed based on a review of transactions from January 1, 2004 through December 31, 2004.
- The audit examined certain aspects of internal controls and compliance with applicable State laws.
- The audit included:
 - Review of internal controls over cash receipting procedures, including testing samples of cash receipt transactions.
 - Review of the Court's procedures for collecting and recording certain fines, fees, and bails imposed by the Court.
 - Review of the Court's procedures for remitting the required portion of fines and fees to the State. A sample of remittances was tested.
 - Confirmation of a sample of accounts receivable balances.
 - Confirmation of a sample of case adjustments.

The audit revealed several weaknesses in current procedures in the Justice Court with respect to cash handling. The points, which follow, provide a summary of the audit findings and recommendations.

- **Finding:** Inadequate separation of duties or compensating controls were in place.

Recommendation: Adequate compensating controls should be added if separation of duties is not possible, such as:

- A reconciliation of citations issued to citations received and recorded on the Court's accounting system to ensure that all citations received are recorded on the system.
 - A review of accounts receivable adjustments made by the court clerks.
 - A reconciliation of a mail log, which is filled out and signed by two individuals to the Court's daily reports.
- **Finding:** There were errors in surcharge remittances.

Recommendation: Enhance the monitoring and oversight of the remittance process to ensure that data and remittance are accurate, including:

- Resolve the differences that occur on the Monthly Collection Summary Reports to ensure that the correct amount of surcharges due to the State are remitted. The Court should remit the exact amount of surcharge due and not use rounded numbers.
- Remit the proper surcharge amounts to the State Treasurer’s Office by the 10th of each month, including surcharges on partial payments, in compliance with State law.
- Apply and remit the proper security surcharge amount for violations occurring on or after May 1, 2004.

The Matrix Consulting Group reviewed the internal controls in place at the Justice Court with respect to cash handling procedures at the time of this study (Spring, 2005). The section, which follows, presents a review of the opportunities for improvement relating to internal controls and cash handling procedures.

(2) The Project Team Identified Opportunities for Improvement With Respect to Cashiering Functions.

The project team compared the current operations and practices of the cashiering function to best practices. The table, which follows, presents a list of the opportunities for improvements with respect to internal controls.

Best Practice	SLC Practice / Opportunity for Improvement
<p>1. Collecting and Depositing Receipts All cash receipts are deposited intact on a timely basis (in accordance with City policy).</p>	<p>Receipts are not immediately deposited. For example, the project team observed checks, which because the information was not yet available in the information system or because the check amount did not match the fee in the system, were not deposited immediately and often sat for a few days, in spite of a 3 day City policy. It is the project team’s understanding that this issue has been addressed.</p>

Best Practice	SLC Practice / Opportunity for Improvement
All cash and check receipts are kept locked up prior to making the deposits. If receipts are kept overnight, they are placed in a locked safe or other secured area.	Cash drawers are not locked; multiple people have access to the drawers. Additionally, they are unsecured and in an open area (cashier's area) in the morning while staff balance drawers and in the evening when they are closing up. Also, while cash drawers can be locked into a drawer at each station, these drawers are not locked during breaks or when they are away from their workstation. Because checks should be deposited daily (e.g., and not stored in a cash box), there should be no reason for another staff person to require access to someone else's cash drawer. Cash drawers should always be locked.
Current fee schedules are posted and available to the public upon request.	Fees are now posted on the internet and through the IVR.
Customers are encouraged to obtain receipts for all transactions.	Signs are posted notifying customers to check their receipts.
Persons who collect cash or prepare deposits are independent of staff who record the transaction.	Each cashier prepares his / her own deposits.
Evidence of amounts of deposits are always obtained (e.g., validated deposit slips, bank advices, deposit transmittals, etc.) Evidence is submitted to the person responsible for the Court's bank reconciliation.	Deposit slips, when received from the bank, are attached to the folder containing the daily balance sheets. The City is responsible for reconciling the daily deposits to the monthly bank statements.
Post-dated checks are not accepted.	Post dated checks are not accepted by the Court.
All deposits are made within 24 hours of receipt of payment from customer.	Cases or citations with problems, such as late fees or incorrect amounts or those whose information has not been updated in the information systems, are either sent back to the Hearing Officers or held in the cash drawer for up to 3 days (often longer).
An authorized person approves all abatements, cancellations, refunds, and other adjustments to fees and licenses.	Cashiers, as well as Hearing Officers, are able to make reductions up to any amount in the system.
The authority and responsibilities required of each financially related job positions (i.e., collections, reconciling of reports, etc.) are clearly identified.	Cashiers are responsible for receipts, reconciliation and depositing of their own cash drawers.
2. Collecting Receipts Through the Mail	
The person opening incoming mail should restrictively endorse all checks received immediately upon receipt.	Checks are not restrictively endorsed until they are deposited by the Cashiering Unit.
3. Recording Revenues	
When receipts are filled in by hand or typed, all receipt forms should be pre-numbered and issued in numerical sequence. There is someone assigned to account independently for the numerical control of these forms.	There is no one assigned to account independently for the numerical control of the handwritten receipts. These have not been regularly audited by the City.
All receipts are kept in a secured area not readily accessible to the public and unauthorized employees.	Receipt booklets are not secured when cashiers leave their workstations or at the close of business.

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Best Practice	SLC Practice / Opportunity for Improvement
Individual passwords are assigned to log onto the computer system to record transactions.	The Lead Cashier keeps the password to Register 9, the 'internet register' on a post-it note in an unsecured drawer.
The Court reconciles daily deposits to the monthly bank statement, which reflects monthly and year-to-date revenue amounts reported by the Court to receipts deposited to the same period.	Monthly reconciliations are performed by the City.
4. Controlling Change Funds	
Cashiers request change from a Court lead of supervisor, which is obtained from the safe.	Cashiers will also make change for one another during the daily deposits.
Change is not made by taking monies form other cash drawers.	During the daily reconciliation and deposit, change is made.
A designated person should perform random unannounced counts of the change fund to ensure that the balance of the change fund is correct and properly accounted for.	At one point, the Accountant periodically audited the change fund. This no longer occurs.
Access to the keys and / or combinations for the office safes, lock boxes, and deposit bags are restricted to specific, designated personnel. Keys are maintained in a safe, locked place.	Deposit bags are left in a box on the counter until pickup. If the deposits are completed after the daily pick up has occurred, the deposit bag will remain on the cart in the Cashiering Unit until close of business when the entire cart is placed in the vault. Although cash drawers are lockable, drawers are not locked.
Court staff change office safe combinations and locks periodically, especially when personnel leave employment.	PINs are required for access to the room in which the safe is housed.
Access to cash drawers is limited. Cash drawers are locked when personnel responsible for the drawer leave the areas, and the key should be left with a designated person.	While each cashiering station has a lockable drawer in which their cash drawer is placed during operating hours, cashiers do not lock this drawer. Additionally, once the cash drawers are removed at the close of business they are placed on a cart and locked in the vault. Additionally, in the mornings the cash drawers are placed on the cart and remain in the cashiers' workspace until they are balanced by the cashiers. This is an issue because an audit trail of the cash drawer has not been established (meaning that at the close of business monies are not reconciled, individual cash drawers are not secured—access is limited but not fully restricted, therefore it would be impossible to identify when loss occurred, as there are many opportunities due to a lack of control over cash drawers,)
5. Limiting Access to Cash – Cash Drawers	
A designated person, other than the cashiers, reconciles the cash drawer to the tape at the end of each day.	Cashiers are responsible for reconciling their own cash drawers to receipts daily.
Cash registers, if possible, are located where customers can observe the register display.	Facility design limits the ability of the public to fully view the screen with ease.

Best Practice	SLC Practice / Opportunity for Improvement
6. Analyzing and Reconciling Revenues	
Evidence of amounts deposited are submitted to the person responsible for reconciling the Court's revenues to reports showing the items posted as deposits in the Bank account.	The City is responsible for reconciling deposits to the Court's bank account.
7. Reconciling Bank Accounts	
Monthly bank account reconciliations of all Court accounts are prepared by an employee that does not have check-writing or deposit responsibilities.	Monthly bank reconciliations are performed by the City.
Reconciliations include comparison of dates and amounts of deposits as shown on the bank statement to prevent detection.	Reconciliations are performed by the City.

Based on a review of the practices of the Cashiering Unit, the project team has identified several opportunities for improvement to minimize the Court's exposure to risk of theft and or loss.

The Justice Court should develop internal controls for each of its cash handling procedures. Internal controls help to provide assurance that City assets are protected from theft or loss, and that reliable financial information is produced in a timely manner. Specific internal control objectives that help to achieve these broader goals include the following:

- Proper authorization of all transactions and activities to reduce the possibility that incorrect or fraudulent transactions or activities occur;
- Assigning different people the responsibilities of authorizing transactions, recording transactions, and maintained custody of assets to reduce the opportunity for any individual employee to both commit and conceal errors of theft of assets;
- Design and use of adequate documents and records to help ensure proper recording of transactions and events; and
- Adequate safeguards over access to and use of assets and records to reduce the possibility of theft of those assets and concealment of illegal activity.

Establishing good internal control procedures will help minimize potential problems such as theft, fraud and unintentional errors in recording accounting data. An important aspect to ensuring internal controls are effectively utilized requires department management to monitor internal control procedures. Implementing internal control procedures is of little value in itself if there is not an effort to ensure that staff comply with the control procedures. In order to ensure employees adhere to control procedures, department managers or supervisors should regularly review transactions, cash drawers, change funds and deposits to ensure accountability.

Recommendation: The Justice Court should develop internal controls and assign accountability to the Accountant to audit the Cashiering Unit and to ensure the Unit is following policies and procedures. The table, below, presents the recommendations for enhancing internal controls in the Cashiering Unit.

Issue	Recommendation
Receipts are not immediately deposited.	<p>All receipts should be deposited in the daily deposit. Maintain a record of checks deposited that do not have account numbers or the incorrect amount.</p> <p>The Lead Cashier should be assigned responsibility for coordinating with hearing officers and other Justice Court staff to ensure any issues are resolved (e.g., account number found, defendant contacted, etc.)</p>
Cash drawers are not secured.	<p>While each cashier is assigned his / her own cash drawer, cash drawers are not secured throughout the day, nor are they secured at the end of the day (before the daily balance occurs).</p> <p>Each cashier should be responsible for locking his / her cash box drawer when on break or away from his / her workstation.</p> <p>At the close of business, each cashier should be responsible for securing his / her cash box in the individual lockable shelves in the safe.</p> <p>There should be an extra cash drawer, which is secured. This should be used by the Civil Section Manager when he / she provides coverage to the Cashiering Section.</p>

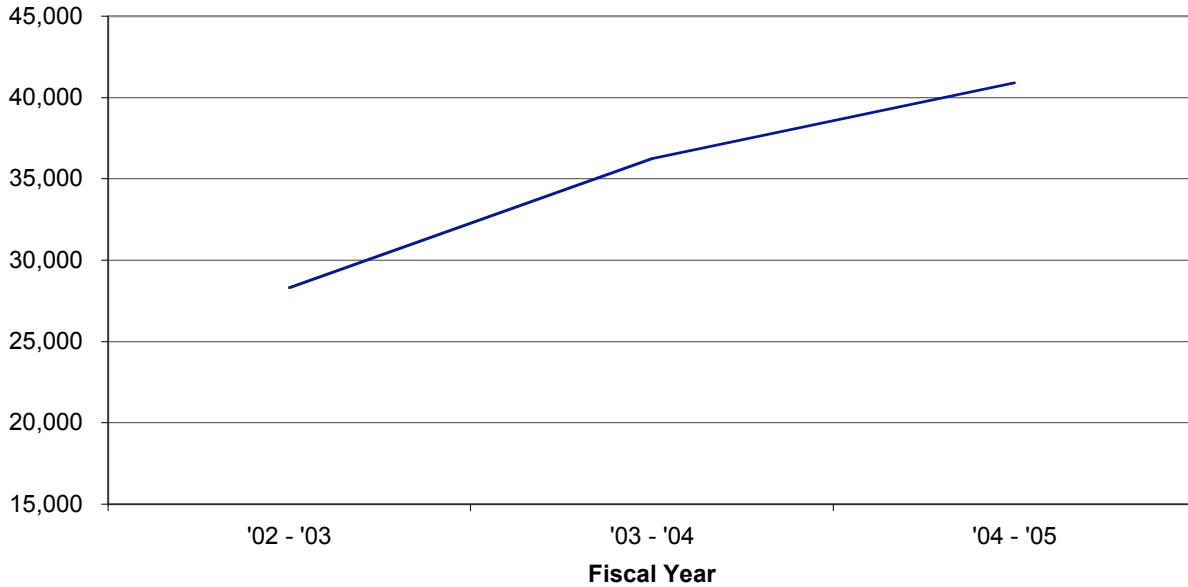
Issue	Recommendation
<p>Each cashier prepares his / her own deposits.</p>	<p>Each morning, cashiers are responsible for balancing their cash drawers and preparing their deposits. Also, the daily deposit is left in an unsecured box on the counter in the cashiering work area.</p> <p>The persons who collect cash or prepare deposits should be independent of employees who record or authorize the transaction to reduce potential loss and errors.</p> <p>The Lead Cashier should be responsible for preparing the daily deposit. The Civil Section Manager should sign off on the deposit daily.</p> <p>The daily deposit should be secured in the safe until picked up.</p>
<p>Deposits are not audited.</p>	<p>Responsibility for auditing deposits has not been assigned. Deposit slips, when received from the bank, are attached to the folder containing the daily balance. The City is responsible for auditing the monthly bank statements, however, no one in the Justice Court is responsible for ensuring the daily deposits match the daily reconciliation.</p> <p>Evidence of amounts of deposits should always be obtained and submitted to the person responsible for the Court's bank reconciliation. While the City is responsible for the monthly reconciliation of deposits to the bank statement, the Civil Section Manager should be responsible for ensuring the daily deposit matches receipts from the bank.</p>
<p>Hearing officers and cashiers are able to reduce fees.</p>	<p>Because the Justice Court has allowed hearing officers and cashiers the authority to reduce fees, transactions should be audited periodically to ensure they are consistent with Court policies. Currently, the Civil Section Manager will review a reduction report, which shows all the reductions, amounts and person issuing the reduction. However, this is primarily reviewed to catch large or unusual reductions.</p> <p>Transactions should be audited daily by the Civil Section Manager to ensure reductions are consistent with Court Policies.</p>

Issue	Recommendation
<p>Responsibility for auditing receipt booklets has not been assigned and all receipts are not secured.</p>	<p>Cashiers are each assigned handwritten receipt booklets. While records are maintained of the booklet assignments, the receipt booklets are not in a secured location throughout the day and responsibility for auditing the booklets has not been assigned.</p> <p>The Accountant should be responsible for conducting audits of the handwritten receipt booklets to provide independent control of the handwritten receipts.</p>
<p>Change funds are not adequately controlled.</p>	<p>While there is a change fund, which is stored in the safe, cashiers, when doing their daily deposit will make change for other cashiers. The project team observed staff making change for other cashiers when they were not present (e.g., accessing individual cash drawers and making change).</p> <p>Additionally, the change drawer is not audited, deposit bags are not secured, and the combination to the safe is not regularly changed.</p> <p>The Accountant should be responsible for conducting audits of the change funds.</p> <p>Deposit bags should be secured in the safe until picked up.</p> <p>The combination and / or locks to the safe should be changed periodically, especially when personnel leave employment.</p>

(3) Based on a Review of Workload, the Cashiering Unit Is Adequately Staffed to Meet Current Workload, However, the Number of Transactions Per Cashier Will Continue to Increase.

As discussed, there are 4.0 fulltime equivalents assigned to the cashiering unit. This includes three cashiers and one lead cashier. The table, which follows, presents the number of financial transactions per cashier per year.

Annual Number of Transactions per Cashier



The points, which follow, provide a brief discussion of staffing in the Cashiering Unit.

- As shown in the table, the Cashiering Unit is projected to handle approximately 40,555 transactions per cashier in fiscal year 2004 – 2005. The number of transactions has continued to increase from fiscal year 2002 – 2003 to fiscal year 2004 – 2005 by 45%.
- While there are some limitations to the information technology systems, the financial system is linked with the case management systems, enabling the cashiers to quickly process transactions.
- Cashiers staff the cashier windows during the hours of operation of the Justice Court.
- The Justice Court has recently implemented a on-line credit card payment systems, which enables all Justice Court staff to take payments over the phone (e.g., process the payment via the internet), as well as allow customers to submit payments via the internet. Data were only available for five months. As shown in the table, for the first five months of 2005, on-line payments represented 37% of the total transactions processed.

Month	On-Line Payments	All Other Payments	Total
January	3,688	13,799	17,487
February	3,884	14,090	17,974
April	4,196	13,497	17,693
May	13,409	13,409	26,818
June	15,004	15,004	30,008
Total	40,181	69,799	109,980
% of Payments	37%	63%	100%

The project team uses a benchmark of 50,000 transactions per one cashier per year, which is 22% higher than the current projected number of annual transactions per cashier. While the number of transactions per cashier has increased over the previous fiscal years, the implementation of on-line payments and the ability of other court staff to take payments over the phone will alleviate some of the workload of the cashiering unit. Staffing in the cashiering unit is adequate to meet the workload demands. However, as workload for the Justice Court increase (e.g., number of citations, fees and fines) and the use of pay plans (e.g., multiple transactions per case), the workload for the Cashiering Unit will continue to increase. The project team recommends that the Justice Court add a computer terminal to the public lobby through which the public can make credit card payments. This is an efficient way to minimize costs, while enhancing the level of service provided to the customers.

Recommendation: As workload increases for the Cashiering Unit, the Justice Court should add a secure, computer terminal which provides a direct link to the Court's website and through which customers can make credit card payments. The cost impact of this recommendation is minimal (e.g., less than \$1,000 for capital purchases, plus staff time to install the equipment).

3. THERE ARE OPPORTUNITIES TO ENHANCE COLLECTIONS ACTIVITIES AND REVENUES.

In July 2004, the Salt Lake City Justice Court enhanced collections activities on delinquent accounts. There are several key processes leading up to and including the

collections staff. The points, which follow, outline the key activities associated with the identification and monitoring of delinquent accounts.

- Civil clerks assigned to the Civil Section are responsible for printing letters, which inform defendants that they owe money, have been assessed late fees, and / or their accounts are delinquent and are going to collections.
- For defendants that meet with hearings officers, but are unable to pay their fines and fees, the hearing officers will establish payment plans.
- Once a payment plan has been established, a copy of the plan is filed, which is organized on a three-month tickler system, meaning that every three months a payment plan is reviewed to ensure that the payee is current. Again, for those accounts not current, the civil clerks are responsible for generating notification letters.

There are two fulltime equivalents assigned to collections activities (herein collections clerks) in the Justice Court. The points, which follow, present a discussion of the key job responsibilities of staff assigned to this function.

- Review reports of outstanding accounts, initiate collections proceedings;
- Utilize various research sources including site visits to the Department of Motor Vehicles for computer records, Polk Director, Credit agencies, skip/trace information, etc. to locate violators and their employer's or banking institutions accordingly;
- Generate monthly statistical reports for management, which summarize and analyze collections data;
- Follow up on delinquent payment plans, taking necessary action to ensure payment, phone calls, letters, wage garnishments, writs of execution and garnishment of income tax returns;
- Ensure compliance with applicable laws governing collections; and
- Coordinate with Accounting Division to verify revenue and associated reports are in place and accurate.

In addition to the two fulltime equivalents that perform collections activities (i.e., the collections clerks), the Justice Court issued a Request for Proposals for Collection

Services for Justice Courts in February 2005. While the Court is still in the process of reviewing the proposals submitted, the RFP included some discussion of service and service level targets. The points, which follow, highlight key information included in the RFP.

- The contractor shall provide skip-tracing service and collect delinquent accounts submitted by the City.
- The contractor shall use its best efforts to achieve maximum recovery of the accounts referred to it for collection, which include telephone calls and mail efforts, and, if required, calls to the references and use of a national credit bureau report in its skip tracing procedures.
- All activities of the contractor have been fully documented and coordinated. This includes monthly reporting to the City, which provides the City with monthly account placement status, as well as remittances and payments.

Based on a review of the current operations of collections functions at the Justice Court, as well as a review of the proposed scope of services presented in the RFP and input from staff and observations of the project team, the points, which follow, highlight key opportunities for improvement.

- The Justice Court should accurately capture the work activities and monies collected by the staff assigned to the collections unit.
 - As noted, civil clerks assigned to the Civil Section are responsible for generating notification letters, which include penalty letters, as well as collections letters.
 - Collections clerks are responsible for researching delinquent accounts and coordinating payments and collections with customers who contact them after notification of account status.
 - The collections clerks track the following information:
 - Number of collections letters sent out;
 - Number of payments received;
 - Amount of money collected after issuance of letters;

- Amount of outstanding balances; and
- Funds collected from collection agency
- Current information captured by the collections clerks shows monies collected as a result of the issuance of letters (e.g., letters generated by the civil clerks). Staff assigned to the collections unit should refine the information collected to better reflect their work activities and the monies collected as a direct result of their (the collections clerks) activities, such as number of accounts brought current (e.g., settled), number of payment plans created, phone contacts, skip-tracings, etc.
- The Justice Court should evaluate the effectiveness of the in-house collections function compared to the results of the contract collections agency. According to the RFP, the contractor will be required to provide the City with monthly reports outlining specific activities and results of their efforts. This tool will provide the City with information with which to assess the effectiveness of the contractor and better compare the effectiveness of in-house collections operations.

Overall, it is important to ensure that data accurately reflects workload, activities and their results. The Justice Court should revise internal management reports to capture data that reflect the impact of collections activities on revenue collections.

Recommendation: The Justice Court should evaluate the cost effectiveness of providing in-house collection services compared to the contract collections agency. This should include a review of data that links work activities to revenue collection for in-house staff, as well as a review of the performance of the contractor.

7. ORGANIZATIONAL STRUCTURE AND MANAGEMENT

In this chapter of the report is presented the project team's analysis of organizational and management issues in the Court. Appendix C provides additional management issue discussions in the form of a "Best Management Practices" comparison.

1. THE PURPOSE AND STRUCTURE OF THE SALT LAKE CITY JUSTICE COURT.

The Salt Lake City Justice Court was established by the Salt Lake City Council in July of 1999, opening its doors for business on July 1, 2002, with the stated purpose to "preserve the city's ability to adjudicate traffic and low level criminal violations locally...[and] to be sensitive to community issues and willing to implement creative sentencing alternatives in keeping with an overall goal of providing restorative justice."⁵ The court was established in response to concerns of City Council members that the city's previous court structure, with the majority of criminal matters handled at the state court level, did not adequately meet the needs of the local Salt Lake City community. The Justice Court was therefore created to enhance the court services provided to the citizens of Salt Lake City, "...further[ing] the goal [of the City Council of] providing improved local justice services to the City and its citizens."⁶

In discussions held with members of the City Council in March, it was apparent that customer service has been a key concern since the court's establishment, and continues to be of primary concern. The Council's concern over the quality of customer

⁵ www.slcgov.com/courts/default.htm, Salt Lake City Justice Courts, 7/22/05.

⁶ Memorandum from Laurie Dillon, L. Zane Gill to Rocky Fluhart, Chief Administrative Officer for the City of Salt Lake, June 26, 2000.

service at the Justice Court was a key reason for the decision to begin this study. Council members noted several complaints received from constituents concerning a perceived lack of adequate customer service, including complaints of extended waits for service when visiting the court, failure of court staff to provide clear and accurate information and assistance, and instances in which court customers were required to make multiple visits to the court in order to resolve a seemingly simple matter. Given these concerns, this chapter of the report will consider the impact of the management and administrative structure of the court on its ability to operate effectively and provide an appropriate level of service to its court customers.

2. THE JURISDICTION OF THE SALT LAKE CITY JUSTICE COURT SHOULD BE EXAMINED.

The Salt Lake City Justice Court has jurisdiction over the city's Class B and C misdemeanors, ordinance violations, small claims matters involving claims for damages of less than \$7,500, and infractions occurring within the city's territorial jurisdiction. The court was intended to work in coordination with the already existing Salt Lake City Administrative Enforcement Court, taking jurisdiction of the criminal caseload of that court. The Administrative Enforcement Court has since been replaced by the Justice Court, handling all of its caseload. In addition, the Justice Court took jurisdiction of some of the caseload previously handled by the Utah State District Court.

Located within the major urban center for the State of Utah, the Salt Lake City Justice Court carries a significant caseload. The majority of the Justice Court's caseload is on the criminal and traffic side of its business. An examination of the court's baseline number of cases provides a picture of the fast pace of business of the Salt Lake City Justice Court.

- The Salt Lake City Justice Court processes approximately 37% of the state's total caseload.
- The Salt Lake City Justice Court handles 35-40% of the statewide caseload in criminal matters resulting from charges of impaired driving or domestic violence.
- Of the approximately 500,000 cases filed each year in the more than 130 Justice Courts across the state, approximately 260,000 cases are filed in the Salt Lake City Justice Court.
- The Salt Lake City Justice Court handles an average of 100 arraignments each business day.

To handle this caseload, the court has 4 full-time judges and 1 part-time judge, appointed by the Mayor with the approval of the City Council, for renewable terms of four years. One of the four full-time judges serves as the Justice Court's Presiding Judge, appointed through an informal process for an undetermined term of appointment. Justice Court judges preside over civil and criminal bench trials as well as over four person jury trials in certain matters, typically in criminal matters involving charges of domestic violence and impaired driving. Criminal cases in the Justice Court are prosecuted by the Office of the Salt Lake City Prosecutor.

The Salt Lake City Justice Court is not a court of record and thereby does not maintain records of court proceedings in any matters. Generally 4.5 judges are available to preside over cases in the court each day, with volunteer lawyers sitting as pro tem judges in the evenings to hear civil small claims matters. The court has approximately 43 full-time equivalent employees working in two general divisions within the court, criminal and civil. Administrative oversight for the day-to-day operations of the court is the responsibility of a Court Administrator, who reports to the Chief Administrative Officer of the city's Management Services Department. Two division

managers with oversight responsibility for the daily operations of the criminal and civil divisions report to the Court Administrator.

As previously stated above, the Salt Lake City Justice Court, like other justice courts in the State of Utah, is not a court of record. The court handles a variety of criminal matters, including relatively complex cases involving charges of domestic violence and impaired driving. These complex cases are often heard before a jury and may raise a variety of legal and procedural issues critical to potential appeals. These types of cases often raise complex issues of fact, law, and procedure, raising questions about the appropriateness and practicality of holding such court proceedings without the benefit of a court record. The Salt Lake City Justice Court should consider the viability of maintaining this portion of the court's caseload without maintaining a record of proceedings.

Recommendation: The Salt Lake City Justice Court should consider the appointment of a committee, to include representatives of the Justice Court, the Utah State court system, as well as appropriate representatives of the bar and the criminal justice community, to evaluate the court's jurisdiction and to make recommendations, if any and if possible, regarding adjustments to its jurisdiction, including the appropriateness of the Court's maintaining jurisdiction over complex criminal matters.

3. THE ROLES OF THE COURT ADMINISTRATOR AND THE PRESIDING JUDGE SHOULD BE CLARIFIED AND ENHANCED AS THAT RELATES TO THE MANAGEMENT OF THE COURT.

The Salt Lake City Justice Court suffers from a lack of a clear administrative structure and identified lines of authority, making the effective administration and operational oversight of the court difficult.

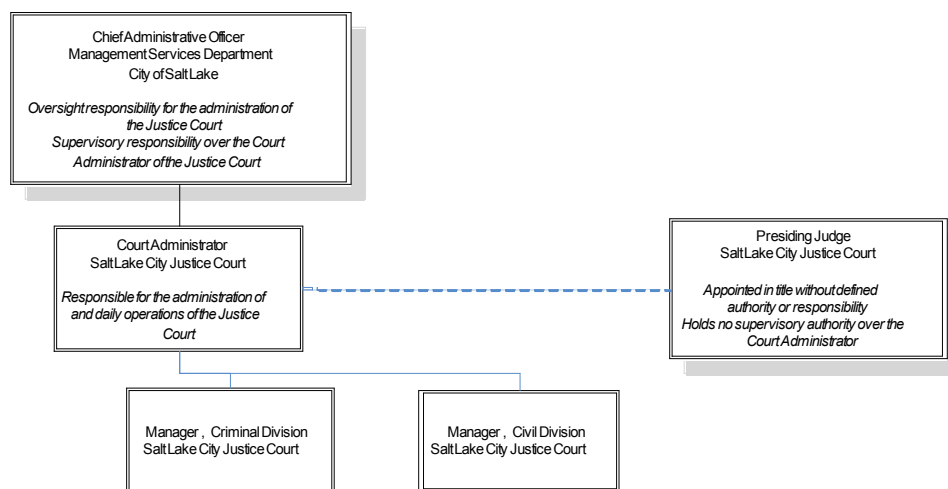
- The Justice Court is administered operationally by a full-time **Court Administrator**, whose role is defined by a job description giving her responsibility for the management and administration of all court operations, including the civil and criminal divisions, and all accounting and collections

functions. The Court Administrator's sole reporting responsibility is to the Chief Administrative Officer for the city's Management Services Department.

- A **Presiding Judge** is appointed to the Court with a presumed level of oversight authority over the work of the Court. While the Presiding Judge holds a presumed level of policy making authority, particularly on issues of caseflow and case management, he does not hold any defined authority over the administration and operation of the court.

While there may be a collegial relationship and cooperation between the Court Administrator and the Presiding Judge, under the court's current administrative structure these two court leaders act individually rather than jointly toward the accomplishment of determined goals and objectives for the court as an organization.

The *current* administrative structure of the Justice Court is as follows:



As is apparent from the current organizational structure, sole oversight responsibility for the Court's administration and operation is actually held by the Chief Administrative Officer, without any direct connection to the operation of the court and without any connection to the judicial leadership of the Court. Given the nature of the work of a court, the Presiding Judge should have a role *concurrent* with the Court Administrator in the administration of the court. The underlying purpose of any court is to process cases through the system effectively and efficiently. The Court's judges, as

the adjudicators of these cases, are ultimately responsible for the flow of cases. The Presiding Judge should therefore hold some level of defined authority over the processing of cases and thereby the operations of the court.

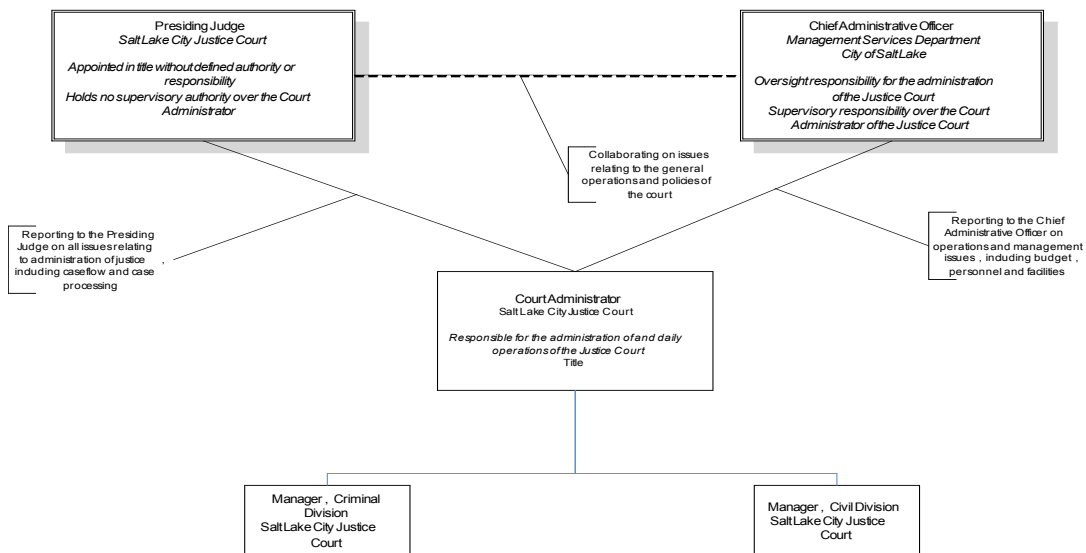
Traditionally, a Court Administrator is responsible for the operational management of the court, reporting to a Presiding Judge on all issues involved in the administration of cases. This creates a joint reporting responsibility for the Court Administrator, reporting to the Presiding Judge on all issues relating specifically to the administration of justice and reporting in this case to the Chief Administrative Officer of the Management Services Department on distinct operational, financial, and management issues. This structure would provide for the setting of systemic and organizational goals and objectives for the court as a whole.

The following is a model job description for a trial court administrator in an urban court such as the Salt Lake City Justice Court. This job description confirms the operational model recommended for the Salt Lake City Justice Court by which the court administrator's responsibilities are focused on the court's operational and administrative issues.

COURT ADMINISTRATOR: URBAN. (This is the highest level court administrator and serves in a large urban court) **Summary:** Under administrative direction, manages all activities and facilities and directly supervises subordinate management staff. Develops and presents budget requests before legislative bodies and local governments. Participates in short and long-term planning for the court. **Duties:** Plans, organizes and coordinates functions related to fiscal programs, budget, human resources, information systems and various court programs. Hires, trains, evaluates, and disciplines subordinate staff. Prepares and submits courts operating budget. Analyzes court dockets and operations and develops and implements processes to improve case management and court services. Develops local rules, policies and procedures. Serves as a liaison to the state legislature, county and city governments, law enforcement agencies and the media. Provides testimony to the state

legislature. Oversees facilities management and planning including allocating space, overseeing maintenance and modifications, awarding service contracts and negotiating leases.⁷

Placing clear authority in the Presiding Judge for all procedures and policies regarding the management of cases, and maintaining the authority of the Court Administrator on issues of human resources, budgeting, and operations, while defining clear lines of responsibility between these positions, will improve the administration of the Justice Court. This structure will provide a clear means for the Presiding Judge and Court Administrator to work together to identify issues within the court, including issues that may be impairing the processing of cases or limiting the ability of staff to provide the highest quality of service to court customers, and to define ways to address those issues across the court, ensuring its effective operation from all perspectives, including case management and office operations. An administrative structure that would encourage this improved cooperative and systemic management of the court is set forth below.



⁷ National Center for State Courts, Knowledge & Information Services, at [www.ncsconline.org/D_KIS/jobdeda/Jobs_TrialAdmin\(3\).htm](http://www.ncsconline.org/D_KIS/jobdeda/Jobs_TrialAdmin(3).htm)

Recommendation: The authority and responsibility of the Presiding Judge of the Salt Lake City Justice Court should be defined to include oversight responsibility and policy making authority for all issues involving the management of cases, with the Court Administrator reporting to the Presiding Judge on all issues involving the processing of cases.

Recommendation: The organizational structure of the Salt Lake City Justice Court should be changed to one in which the Court Administrator reports to the Chief Administrative Officer of the Management Services Department on operational and management issues, including budgeting, personnel, and day-to-day operations of the court, and to the Presiding Judge on all issues of case management and the administration of justice.

3. THE SALT LAKE CITY JUSTICE COURT SHOULD DEVELOP A PERFORMANCE MANAGEMENT AND MEASUREMENT SYSTEM TO PROVIDE ACCOUNTABILITY FOR KEY PROCESSES.

A key problem facing the Salt Lake City Justice Court is that it has not measured its successes or shortcomings in a manner that allows it to show accountability to its administrative oversight body, the City's Management Services Department, its funding authority, the City Council, or the public as a whole. Given that the Justice Court has been in operation for a short period of time and that its role within the Salt Lake City administrative structure and in the local community has evolved since its establishment, it may not have been practical until this point to create a means to clearly define and measure the court's operational success. It is clear at this point, however, that in order to gain the confidence of the community, the Court must begin to measure its performance, identify its successes and shortcomings, and communicate plans to move forward and improve operations in key operational areas to City officials and the public.

The Justice Court has operated successfully since its inception, creating systems to conduct the general work of the court and process cases within the current administrative structure and with current staffing levels. At this point in the Court's tenure of approximately four years, the nature of its caseload and general role of the

court in the community have been defined. During meetings with representatives of the City Council, City administration, members of the bar, and others, questions were posed about the Court's success rate in moving cases through the system quickly to ensure a high quality of service to the community, in collecting fees and fines at a reasonably effective level, and in managing staff to ensure that they were able to meet the city's goal of addressing the needs of the citizens of Salt Lake City. These questions and others must be answered by the Court if it is to gain the trust of its administrative and funding authorities, a trust that appears to be in question at this point.

In order to answer these questions and assure that the court is operating in a manner that provides the public with a high level of service, uses public resources fairly and efficiently, and operates within the expectations of the City and the public, the Court must implement a performance measurement system that will allow it to monitor its own performance and provide all key stakeholders with the information and data necessary to hold it accountable for its performance as an organization.

The National Center for State Courts has worked with court systems across the country for more than a decade to identify the 10 key areas of court performance and to determine the methods necessary for a court to measure its performance in each of these areas.⁸ This court performance measurement system, *CourTools*, was designed to reflect the fundamental mission of a court system, focusing on performance outcomes. The implementation of a clear and unambiguous performance measurement system such as *CourTools* provides a means for the court to:

- Measure its performance in those areas deemed the most critical to the court's operation at any given time;

⁸ NCSC *CourTools*, Trial Court Performance Measures, www.ncsconline/d_research, 2005.

- Identify operational and procedural issues that are impacting the court's ability to operate as effectively as possible;
- Implement initiatives to improve services;
- Provide key stakeholders, including the City Council and Management Services Department, with a clear understanding of its operations and resource needs.

CourTools provides a method for the measurement of the court's performance on issues of access and fairness, reliability and integrity of case files, case clearance rates, collection of monetary penalties, time from case filing to disposition, effective use of jurors, age of active pending caseload, court employee satisfaction, trial date certainty, and cost per case.⁹ While each of these areas provides critical measurements for a court to analyze its performance, several specific areas are key at this point to the Salt Lake City Justice Court in its ability to address the concerns of the greatest importance to the City Council and its other constituents. These areas of the most significant concern, as identified by virtually all persons interviewed by the project team in the course of this study, include *(1) the court's level of collection of monetary fees and fines; (2) the quality of customer service provided by the court; and (3) the expediency of case processing by the court.* To be successful, the court must affirmatively assess its performance in each of these areas of operation, identify areas requiring improvement and define methods to improve performance, and communicate this information to all key stakeholders in the court. The following sections discuss the key areas of concern in greater detail.

Recommendation: The Salt Lake City Justice Court should develop a performance management / measurement system designed to monitor customer service, case processing and collections. A starting point for this process can be found in Appendix C to this report.

⁹ NCSC *CourTools*, Trial Court Performance Measures, Overview: The 10 Core Measures, www.ncsconline/d_research, 2005.

5. SPECIFIC PERFORMANCE MEASURES RELATING TO COLLECTIONS NEEDS TO BE DEVELOPED BY THE JUSTICE COURT.

City officials have expressed significant concern over a perceived lack of adequate collections of monetary penalties by the court, noting that delinquent fines in excess of \$10 million have remained uncollected by the court for extended periods of time and that court officials have made no clear commitment to identifying methods to enhance collections. Approximately two years ago the City's Finance Department initiated a revenue enhancement project through which the Court was able to successfully collect \$800,000 in delinquent fines in a period of one year. Two additional staff persons were assigned to the court to work solely on collections..

The key issue here is that the Justice Court lacks a clear method to determine its performance in the area of monetary collections and subjecting itself to criticism on its level of collections regardless of its actual performance. Core Measure 7 of *CourTools*, 'Collection of Monetary Penalties', focuses on the extent to which a court takes responsibility for the enforcement of its orders requiring the payment of monetary penalties, taking into consideration situations in which community service or jail time was imposed in lieu of monetary payment.¹⁰

Recommendation: The Justice Court should implement the process for assessment and analysis of its performance in the area of monetary collections defined by *CourTools* 7, 'Collection of Monetary Penalties', identifying reasonable and defensible goals for levels of monetary collections, analyzing the level at which they are successfully collecting fees and fines relative to the set goals, and implementing a process for improvement of collection levels.

¹⁰ NCSC *CourTools*, Trial Court Performance Measures, Measure 7: Collection of Monetary Penalties, www.ncsconline/d_research, 2005.

6. CUSTOMER SERVICE ISSUES CAN ONLY BE ADDRESSED THROUGH A COMPREHENSIVE PROGRAM WHICH INCLUDES POLICIES, TRAINING AND PERFORMANCE ASSESSMENT.

Concerns have been raised over the quality of customer service provided to the public by the Justice Court. These concerns have been based on complaints received by City Council members and other City officials. While complaints must be carefully considered and investigated, it cannot fairly form the basis for a determination that poor customer service is a regular practice or result. The Court must therefore measure and analyze its performance in service to the public to determine where concerns of inadequate customer service exist and take steps to resolve identified issues.

CourTools Core Measure 1, 'Access and Fairness', provides a method to measure court customer satisfaction and identify specific issues raised through surveying Court customers and analyzing data received.¹¹ The court must reach out to its customers to identify customer service successes and failures through the collection and analysis of customer surveys developed solely for the purpose of evaluating the service provided by courts to the public. Once the Court has implemented a clear method to measure its performance in serving the public, to analyze its results, and to develop processes to address problems identified, it will be able to answer concerns raised by the public and define and implement distinct methods to improve the service provided.

Recommendation: The Salt Lake City Justice Court should implement the process to assess its performance relative to customer service as defined by *CourTools* Core Measure 1, 'Access and Fairness'. In measuring its performance, the Court should specifically survey court customers and analyze the survey's findings for use in informing and improving management practices to ensure that

¹¹ NCSC *CourTools*, Trial Court Performance Measures, Measure1: Access and Fairness, www.ncsconline/d_research, 2005.

issues of concern are identified and addressed on a continuing basis. Customer service surveys and analysis should be completed using the survey form and methods recommended with *CourTools* Core Measure 1. The Court should implement this process in the context of a comprehensive customer service program which includes a specific policy, training, and Court and individual performance in meeting these goals.

7. CASE PROCESSING ISSUES

Concerns have also been raised over the expediency of cases moving through the Court and the number of appearances that parties to a case may have to make in a case unnecessarily. This, too, is an area in which the Justice Court must measure and analyze its performance in order to determine whether it is performing at a level that meets with the court's goals. The Court must set goals for time frames in case processing through the development and implementation of time standards, clearly defining the maximum period of allowable time for a case to be processed, from case initiation to disposition. Once time standards have been defined, the Court must begin to assess its performance in meeting these goals through the use of the following *CourTools* Core Measures: Core Measure 2, 'Case Clearance Rates'; Core Measure 3, 'Time to Disposition'; and Core Measure 5, 'Certainty of Trial Dates. Each of these measures considers the expedience of case processing from a distinct perspective, providing a means for the court to identify and resolve specific issues that may act to slow processing .

Recommendation: The Salt Lake City Justice Court should identify time standards, defining the maximum time allowable from case initiation to disposition for each type of case handled by the court. Once these time standards have been established, the court should implement a process for measuring its performance in meeting the time standards through the implementation of the measurement processes and analysis set forth in *CourTools* Core Measures 2, 'Case Clearance Rates', 3, 'Time to Disposition', and 5, 'Certainty of Trial Dates'.

8. CONCLUSIONS

As the Salt Lake City Justice Court considers the reformation of its administrative organization to form a clearer and more effective structure, its effective management rests on its ability to assess the work that is being done to hold itself accountable. The Salt Lake City Justice Court lacks these clear measures and, as a result, is not holding itself accountable as a public organization within the structure of the City of Salt Lake. The Court must implement a performance measurement process, prioritized based on these most critical areas of its operation, both from a perspective internal to the Court and external to the justice community and the City. The implementation of a clear and unambiguous measurement system on these issues will create a means for the Court to identify management and performance issues, improve performance and more accurately determine its resource needs.

There are two key sets of recommendations which result from this analysis:

- The Salt Lake City Justice Court must work to clarify its administrative structure by clarifying roles and lines of authority.
- The Salt Lake City Justice Court needs to measure and analyze its performance to determine its success and identify areas where improvement is needed, and to hold itself accountable to its stakeholders on its performance in order to begin to build the trust and support of City officials and the public.

The implementation of a practical and transparent system of performance measurement is necessary if the Justice Court is to clearly identify its performance issues and hold itself accountable to the authorities within which it is funded and operates.

APPENDIX A

RESULTS OF THE COMPARATIVE SURVEY

The report Appendix, which follows, discusses the present staffing level of the Salt Lake City Justice Court and compares it to similar Utah Justice Courts and other western municipal and or magistrate courts with similar jurisdiction. The Matrix Consulting Group / National Center for State Court's project team compiled data from court web sites, in addition to directly contacting these selected courts to obtain information for this comparison. To select comparable courts, the project team sought similarities in court jurisdiction, caseload and local population of cities in the western section of the United States. Having identified a list of courts comparable to the Justice Court, the project team contacted the court for final input and finalized the Court list as follows:

- Salt Lake County Justice Court, Utah
- West Valley Justice Court, Utah
- Sandy Justice Court, Utah
- Eugene Municipal Court, Oregon
- Tacoma Municipal Court, Washington
- Spokane Municipal Court, Washington
- Seattle City Court, Washington
- Henderson Justice Court, Nevada
- North Las Vegas Municipal Court, Nevada
- Las Vegas Municipal Court, Nevada

The exhibit on the following page and the analysis contained in this Appendix compares the reported filings in each selected court for the year 2004. To establish a more analogous foundation as possible on which to compare the selected courts, case filings were comported into the following case type categories.

- Traffic/ Parking
- Misdemeanor/ Infractions
- Small Claims
- Domestic Violence
- Felony Complaints

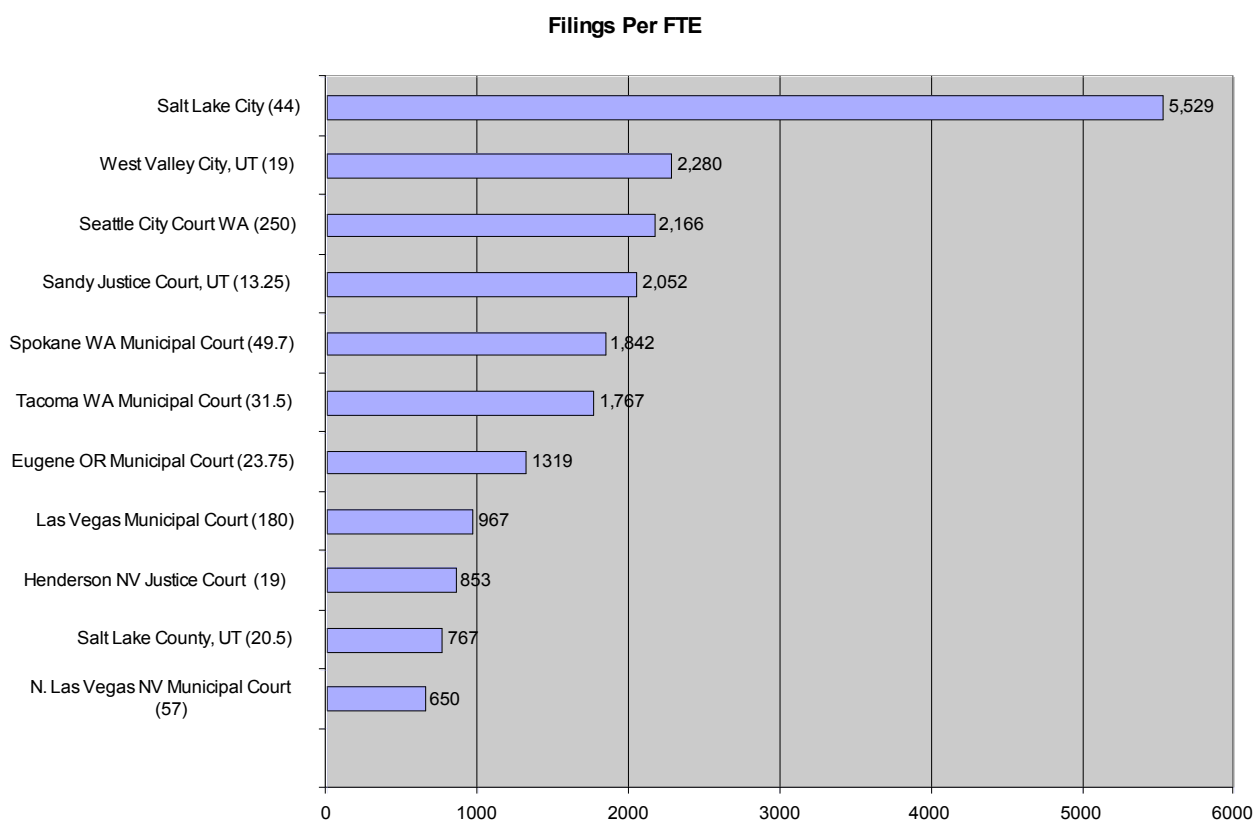
In some instances this analysis required the combining of reported case types into the other categories or in the case of Domestic Violence and Felony Complaints establishing separate case type categories. Additionally the court's jurisdiction, the current number of employees and the number of judicial officers are included in the exhibit and used in compiling the ratio of filings per FTE and case per judicial position.

The following figures and graphs represent a rough comparison of staffing levels between the SLCJC and the comparison courts. These figures should be considered only a guide since the ratio is dependent on consideration of a multitude of many qualitative and quantitative factors. These factors include the relationship of the court to the police department, the level of technology in use, funding levels, operational efficiencies, and caseflow management procedures in use.

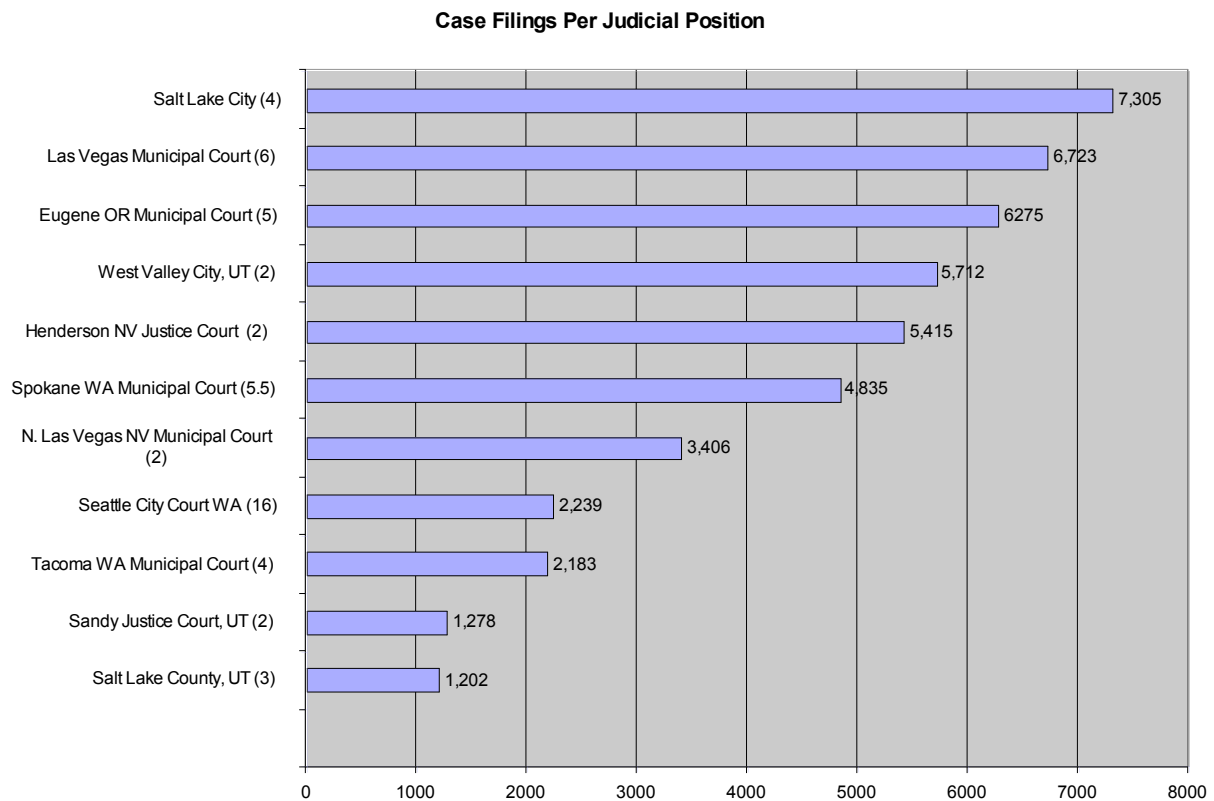
SALT LAKE CITY, UTAH
Management Audit of the Justice Court

Court	Jurisdiction	No of Employees	No. of Judges	Traffic/Parking Cases	Misd. & Infractions	Small Claims	Domestic Violence	Felony complts	Total Filings	Filings to 1 FTE per annual filing	Cases per judicial position
Salt Lake City	Traffic Class A, B Misdemeanors	44	4	214,066	17,498	11,724	na	na	243,288	5529.27	7305.5
Salt Lake County, UT	Traffic Class A, B Misdemeanors	20.5	3	12,125	3,489	117	0	0	15,731	767.37	1202
West Valley City, UT	Traffic Class A, B Misdemeanors	19	2	31,911	10,311	1,113	0	0	43,335	2280.79	5712
Sandy Justice Court, UT	Traffic Class A, B Misdemeanors	13.25	2	24,637	2,237	319	0	0	27,193	2052.30	1278
Eugene OR Municipal Court	Muni Violations, Traffic, Misdemeanors	23.75	5		31,377		0	0	31,337	1319.45	6275.4
Seattle City Court WA	Muni Violations, Misd and Gross Misd, Traffic and Non Traffic Infractions, Parking	250	16	505,773	35,831	0	0	0	541,604	2166.42	2239.438
N. Las Vegas NV Municipal Court	Traffic Violations, Misdemeanors	57	2	30,275	6,812	0	0	0	37,087	650.65	3406
Tacoma WA Municipal Court	Misd. DWI/DUI, Traffic Parking Ordinance	31.5	4	46,945	8,733	0	0	0	55,678	1767.56	2183.25
Spokane WA Municipal Court	Misd. DWI/DUI, Traffic Parking Ordinance	49.7	5.5	64,013	12,826	13,768	867	122	91,596	1842.98	4835.273
Henderson NV Justice Court	Traffic Violations, Misdemeanors, DUI, Domestic Battery	19	2	5,369	7,494	3,336	0	0	16,199	852.58	5415
Las Vegas Municipal Court	Traffic Violations, Misdemeanors	180	6	133,725	40,339	0	0	0	174,064	967.02	6723.167
<p><i>a Seattle 10 Judges & 6 Magistrates</i> <i>b Tacoma 3 Judges & 1 Commissioner</i> <i>c Spokane 4 Judges & 1.5 Commissioners</i> <i>d Henderson 2,079 crim+ 5,415 non-traffic</i></p>											

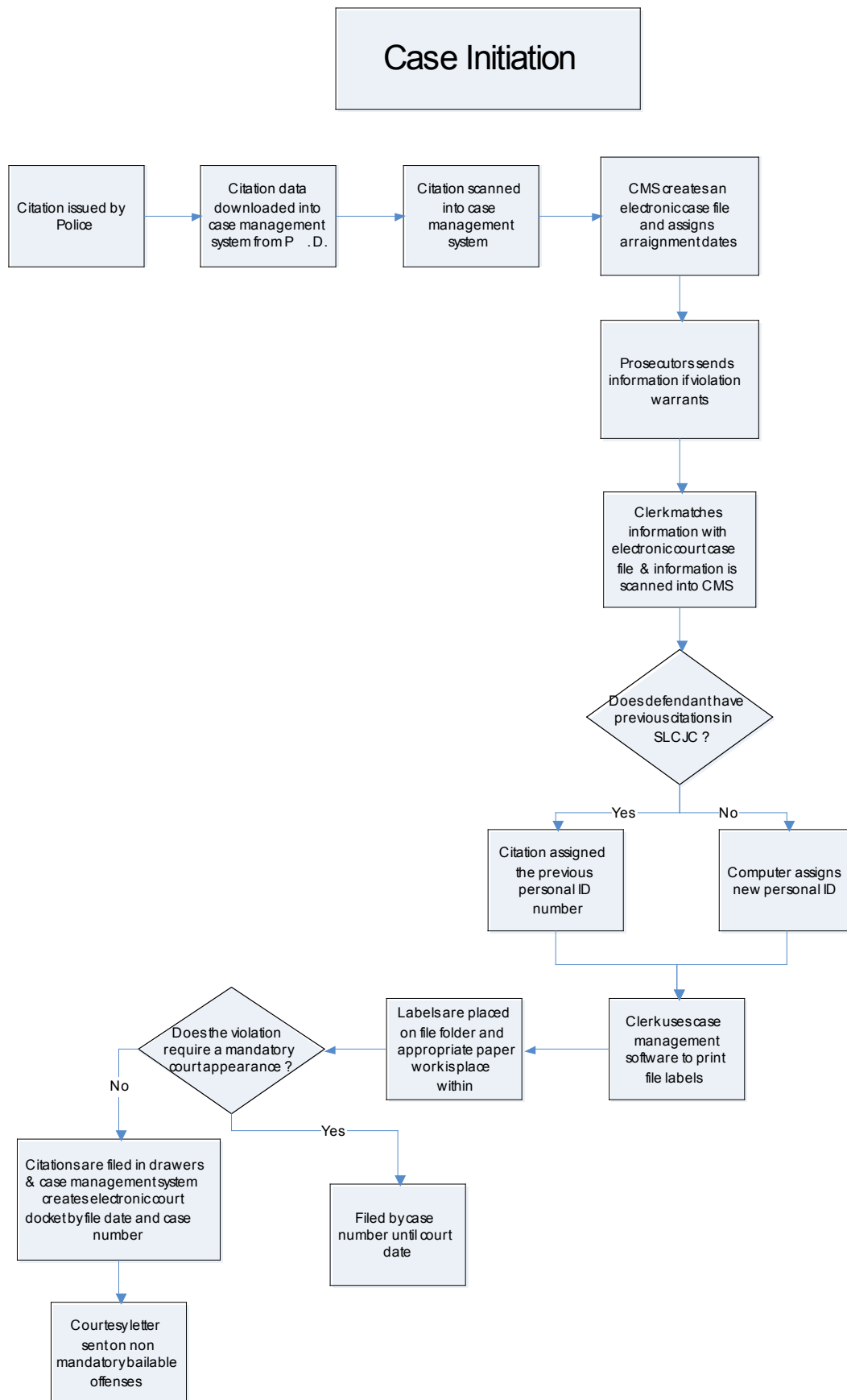
The graph, below, portrays the number of filings per year to the number of court clerks for each court. The annual filings to FTE (clerks) was calculated as a comparison with the selected courts and appears below. Based on this general comparison it would appear that Justice Court clerks are handling more than twice the number of cases per employee that are handled by any of the selected courts.

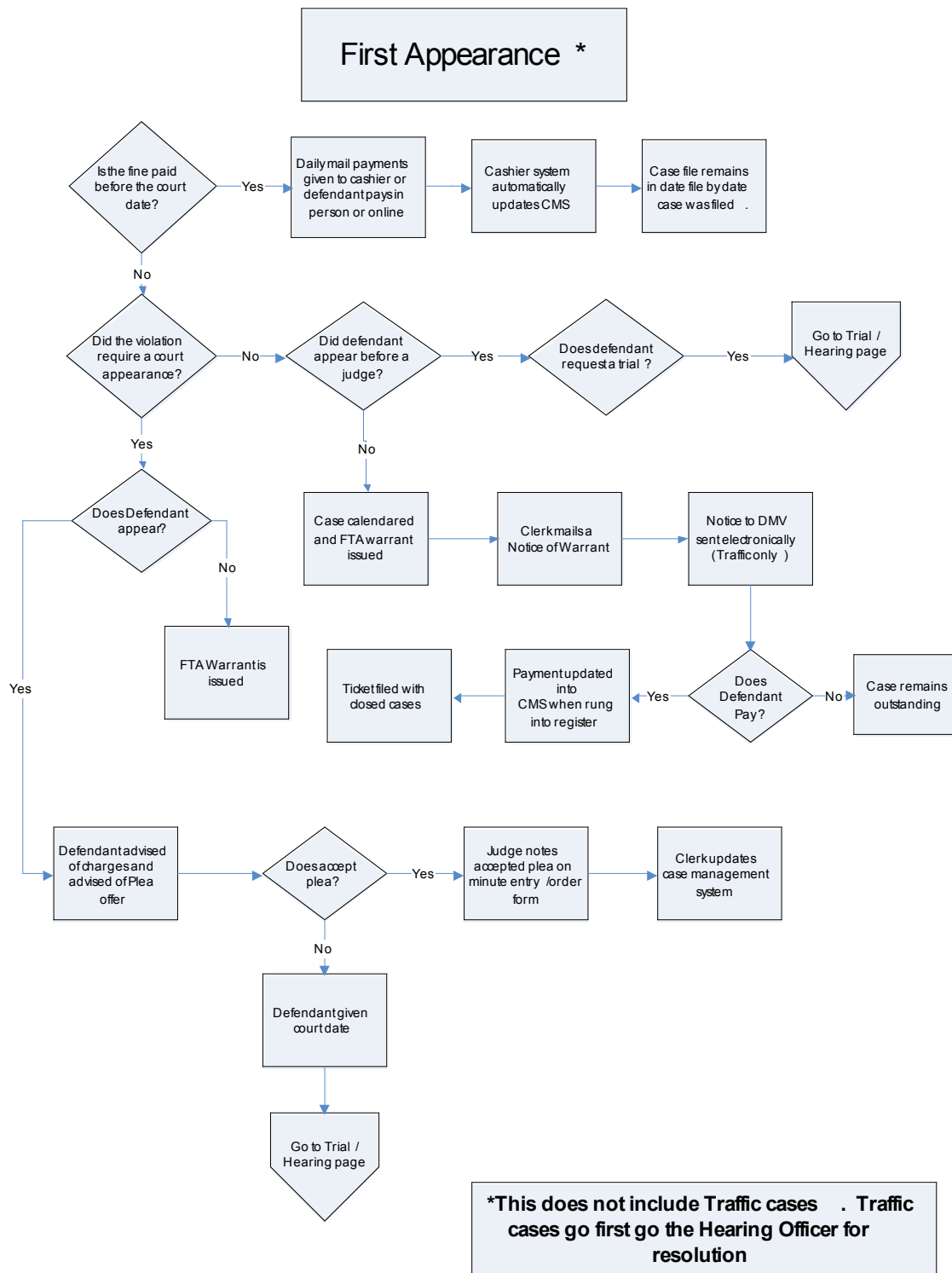


Comparative case Filings per Judicial Position was also developed to better display the number of cases filed per judge in each of the selected courts. This information is provided in the second graph, below. This graph shows that the Justice Court has the highest filings to judge ratio.

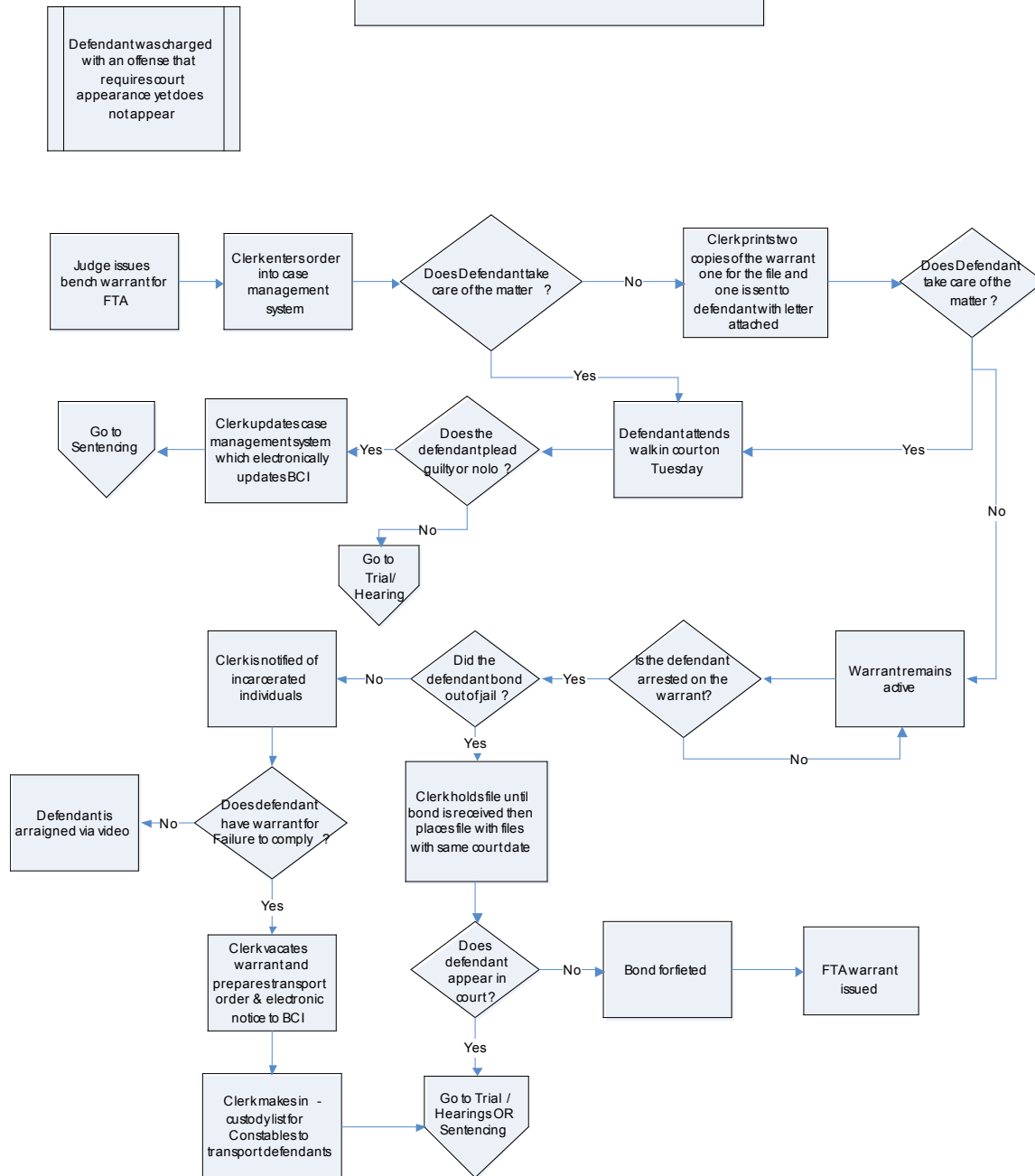


Under the scope and timeframe of this project, the project team could not conduct a weighted caseload study for the Salt Lake City Justice Court. Although these numbers give the Justice Court a general idea of how staffing compares to other jurisdictions, it is strongly recommended that the court develop its own mechanism to determine the need for staff. If the Justice Court were to have a weighted caseload system in place, needed adjustments to staffing could be accomplished with greater command of the factual impacts of a system impact or change.

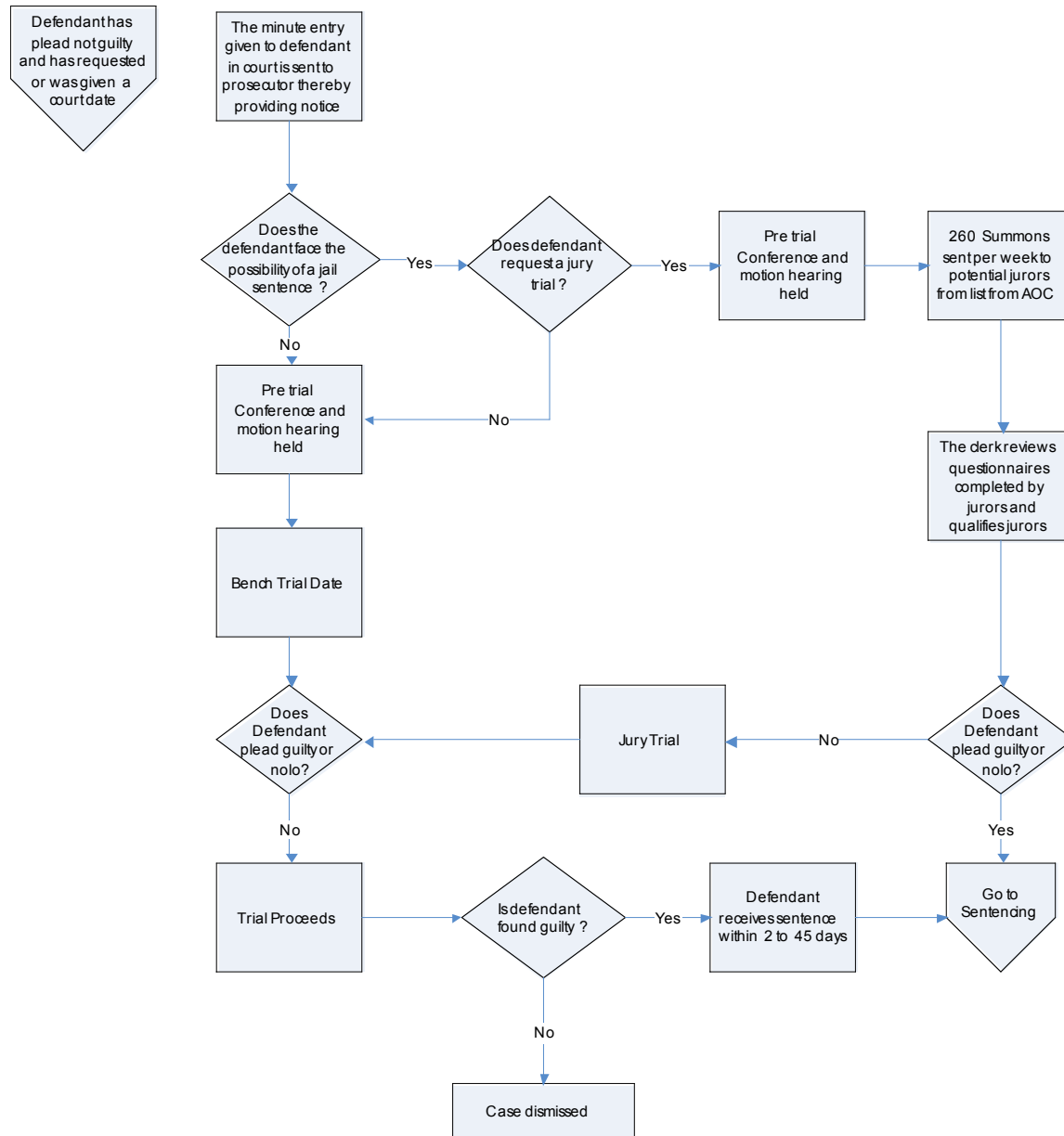




Failure to Appear / Comply

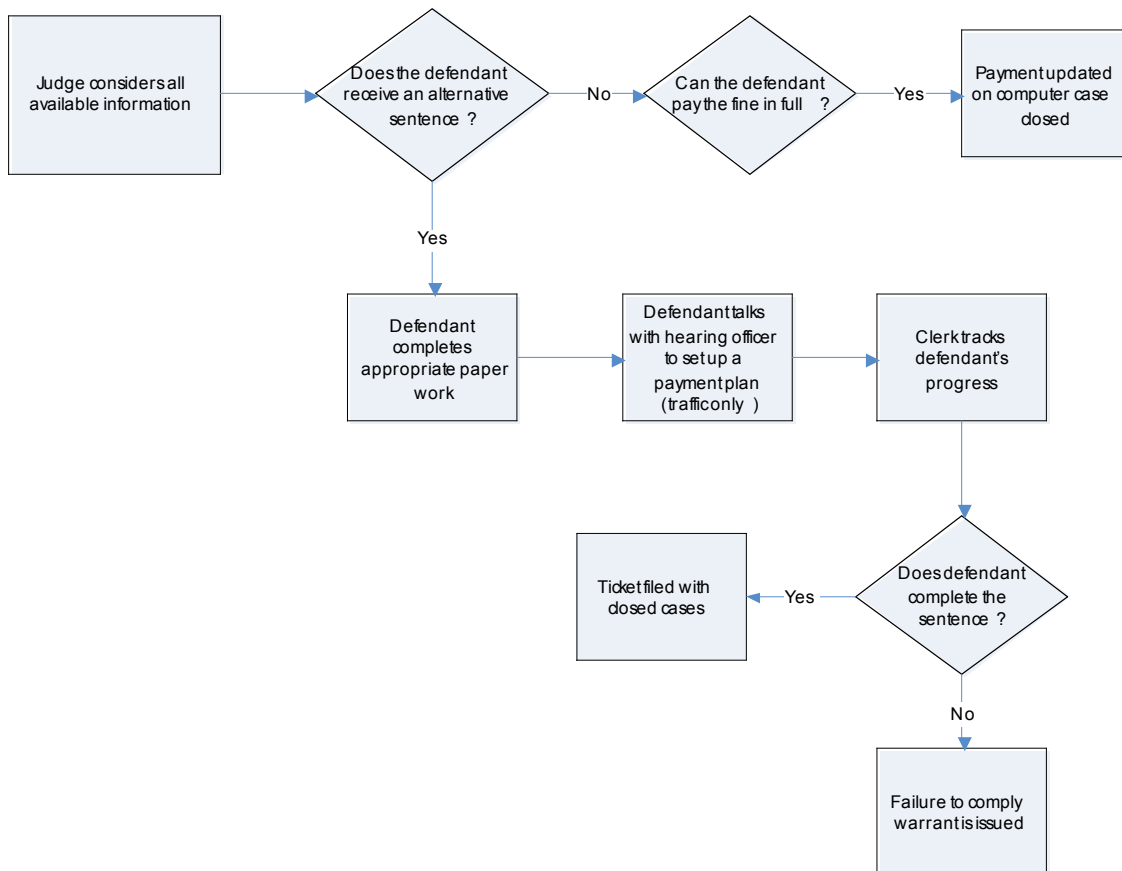


Trials and Hearings



SENTENCING

Defendant has plead guilty or jury has handed down guilty plea or judge has found defendant guilty



APPENDIX C

BEST PRACTICES COMPARATIVE ASSESSMENT

In its evaluation of the Salt Lake City Justice Court, the project team referenced national standards and practices for operations of limited jurisdiction courts. Specifically, caseload and case processing data was collected from the Justice Court and then compared to model standards for practice in limited jurisdiction courts, including the Trial Court Performance Standards¹² and the Standards Relating to Trial Courts.¹³ National research and trial court experience have proven that achievement of these standards is a vital component of effective court operations.

1. TRIAL COURT PERFORMANCE MANAGEMENT STANDARDS

The Trial Court Performance Standards (TCPS) were developed in 1987 by the National Center for State Courts and the Bureau of Justice Assistance (BJA), for the U.S. Department of Justice. The standards were developed as a system to measure the performance of the nation's general jurisdiction state trial courts. The Trial Court Performance Standards represent a method for operational self-assessment and self improvement by state and local courts. The standards are not rigid rules, but rather guiding principles that provide a valuable resource for self regulation and improved judicial administration. The standards are grouped into five performance areas: (1) Access to Justice; (2) Expedition and Timeliness; (3) Equality, Fairness, and Integrity; (4) Independence and Accountability; and (5) Public Trust and Confidence.

¹² National Center for State Courts, *Trial Court Performance Standards*, Williamsburg, VA, 1990.

¹³ American Bar Association, *Standards Relating to Trial Courts*, Chicago, IL, 1992.

(1) Access to Justice

Standard 1.2 of the TCPS states that, “[c]ourt facilities are safe, accessible, and convenient to use,”¹⁴ and addresses issues relating to the conduct of trial court personnel.

(2) Expedition and Timeliness

“[A] court should meet its responsibilities to everyone affected by its actions and activities in a timely and expeditious manner - one that does not cause delay. Unnecessary delay causes injustice and hardship. It is a primary cause of diminished public trust and confidence in the court.”¹⁵

This standard contains the measures most closely related to the proposition of caseflow management. Caseflow management is discussed in more detail below under *Strategies to Manage Caseflow*.

(3) Equality, Fairness, and Integrity

Six measures are associated with this standard. Standards 3.1-3.6 are best reviewed by the analysis and review of the court’s case related information with case files used as the basic source of data. The court, as custodian of the record, must record all relevant court decisions and actions. Most relevant here is Standard 3.6, *Production and Preservation of the Records*, addressing the court’s maintaining accurate and properly preserved records of all relevant court.

¹⁴ See Bureau of Justice Assistance and National Center for State Courts, *Trial Court Performance Standards with Commentary* (Washington, DC: US Department of Justice, 1997).

¹⁵ See Bureau of Justice Assistance and National Center for State Courts, *Trial Court Performance Standards with Commentary* (Washington, DC: US Department of Justice, 1997).

(4) Independence and Accountability

Standard 4.2 of the *Trial Court Performance Standards* states that, “[t]he trial court responsibly seeks, uses, and accounts for its public resources.”¹⁶ This means that the court must be able to show the appropriate and prudent use of its resources, particularly where the court, as in this case, expresses concern that the resources provided to them are inadequate for the appropriate operation of the court.

(5) Public Trust and Confidence

This standard is largely dependent upon the court’s performance in the previous four standards. The measures to determine the Public Trust and Confidence rely upon informed opinions from individuals who have contact with the court for various reasons. There are three measures in which to gauge this standard: Accessibility; Expeditious, Fair and Reliable Court Functions; and Judicial Independence and Accountability.

2. STRATEGIES TO MANAGE CASEFLOW

This section incorporates several recommendations for the improvement of caseflow management within the Justice Court based upon the analysis of interview responses, case statistics, and document review relative to the court’s management of civil and criminal cases, particularly in those categories where interview notes substantially deviated from model practices.

A useful structure for assessing caseflow management in the courts was first suggested in the book, *Changing Times in Trial Courts*, published by the National

¹⁶ See Bureau of Justice Assistance and National Center for State Courts, *Trial Court Performance Standards with Commentary* (Washington, DC: US Department of Justice, 1997).

Center for State Courts.¹⁷ This book examined caseflow management systems of eighteen urban courts. The work extrapolates from the successes and failures of these courts the key factors contributing to timely and just resolution of civil and criminal cases. Although the courts in the study were not limited jurisdiction courts, the successful application of caseflow management principles to limited jurisdiction courts nationally, have proven their effectiveness and appropriateness to the work of the Court of Common Pleas. The ten dimensions identified as important to successful caseflow management include:

- Leadership
- Goals
- Information
- Communications
- Caseflow Management Procedures
- Judicial Responsibility and Commitment
- Administrative Staff Involvement
- Education and Training
- Mechanisms for Accountability
- Backlog Reduction/Inventory Control

These evaluative dimensions are described in the next subsections.

(1) Leadership

Judicial leadership is a fundamental component to successful caseflow management in a trial court. According to the author, "...it is clear that most of the

¹⁷ Mahoney, Barry, Alexander Aikman, Pamela Casey, Victor Flango, Geoffrey Gallas, Thomas Henderson, Jeanne Ito, David Steelman and Steven Weller, *Changing Times in Trial Courts, Caseflow Management and Delay Reduction in Urban Trial Courts*, (Williamsburg, VA: National Center for State Courts, 1988).

successful courts have had the benefit of leadership by a chief judge with the vision, persistence, personality, and political skills necessary to develop broad support for court policies and programs...¹⁸ Moreover, research in the area also suggests that continuity of leadership is a significant element of effective caseload management. “[W]here the chief judgeship is a rotating office that is essentially honorific, with little management authority and responsibility, there is no strong central core for the development of an aggressive, long-term attack upon problems of delay.”¹⁹

The authority and responsibilities of the Presiding Judge of the Justice Court are undefined and often unclear. Under the court’s current structure, lines of administrative authority fall under the role of the Court Administrator, who has no formal reporting responsibility to the Presiding Judge. This creates a situation in which the Presiding Judge may be viewed more as a figurehead.

Best Practice Target: A presiding judge has authority and responsibility to oversee court operations and ensure that services are provided in an efficient and effective manner.	
Positive Feature for the Justice Court	Potential Improvement for the Justice Court
The presiding judge and court director work well together in spite of the current organizational structure.	The presiding judge in the Salt Lake City Justice Court does not have administrative and/or management responsibility for the Court. As a division of a City Department, the Court Administrator reports to the City on budgetary and operational issues. The presiding judge provides input on these issues, though usually through consensus with other judges. The City and the Court should develop a greater leadership / management role for the presiding judge.

(2) Goals

The type of goal generally associated with caseload management involves the implementation of time standards for case dispositions. Standard 2.1 of the *Trial Court*

¹⁸ Mahoney, et al., *Changing Times in Trial Courts*, p.198.

¹⁹ *Ibid.*

Performance Standards state that an optimally-functioning trial court “establishes and complies with recognized guidelines for timely case processing while, at the same time, keeping current with its incoming caseload.”²⁰ If a disposition is unduly delayed, the fact that the decision of the court is based upon sound legal principles may not overcome the injustice to the parties resulting from the delay.

The American Bar Association, the Conference of Chief Justices, and the Conference of State Court Administrators have all urged the adoption of time standards for expeditious case processing. All judges of the Justice Court agree that criminal matters must be resolved within identified timeframes and use directed timeframes as a guideline in criminal case processing. Whether formal or informal, however, the court has yet to adopt standards for the timely disposition of civil cases. As of 1994, court systems in 34 states had time standards, and 33 of them had standards for civil cases in general jurisdiction trial courts.²¹ The adoption of case-processing time standards reflects a commitment to timely completion of these cases as an important goal. In operation, time standards serve several other important ends:

- **Motivation.** Time standards act as motivators by providing goals for judges and other participants in the court in efficiently managing caseloads.
- **Measurement.** Time standards provide yardsticks for measuring management effectiveness, serving as benchmarks for determining whether the pace of court proceedings is acceptable.
- **Management.** Time standards provide a starting point for developing specific procedures to meet the goals they set forth.
- **Information System Development.** Time standards are most effective where judges and other participants in the court process receive information on the

²⁰ See Bureau of Justice Assistance and National Center for State Courts, *Trial Court Performance Standards with Commentary* (Washington, DC: US Department of Justice, 1997).

²¹ See Janice K. Fernetto, “State Court Case Disposition Time Standards” (Williamsburg, VA: National Center for State Courts, Information Service, November 1994).

extent to which they are being achieved. Time standards should lead to the development of systems for monitoring caseload status and progress toward caseload management goals.²²

Adoption and implementation of time standards is also likely to have an impact on the assessment of court resource needs for judges and non-judge personnel. There is ample evidence that case-processing times do not relate to the size of a court or its caseload per judge,²³ and that adding new permanent judgeships is not the only possible cure for court delay.²⁴ Yet, even courts that process cases quickly can reach a "saturation point," at which they cannot absorb and process more cases without additional judicial or non-judicial staff resources.²⁵ In a setting where the court is managing its caseload, time standards help to highlight the level of its judicial and non-judicial personnel needs.

It should also be noted that time standards are not the only type of goal appropriate to caseload management. The TCPS suggests three measures other than time to disposition to determine a court's commitment to expedition and timeliness.²⁶ Some courts have adopted goals or guidelines such as the ratio of dispositions to filings, the ratios of continuances to cases set, the length of continuances, and/or the number of dispositions per full time judicial position. In general, the consultants

²² See Barry Mahoney, et al., *Planning and Conducting a Workshop on Reducing Delay in Felony Cases. Volume One: Guidebook for Trainers* (Williamsburg, VA: National Center for State Courts, 1991), page P5-3. This discussion of standards is as applicable to civil cases as it is to felony matters.

²³ National research on court delay reduction has consistently shown that disposition times are unrelated to the size of a court or the number of filings per judge. See Church, et al., *Justice Delayed*, pp. 21-24; Mahoney, et al., *Changing Times in Trial Courts*, p. 46; and John Goerdt, et al., *Examining Court Delay* (Williamsburg, VA: National Center for State Courts, 1989), pp. 26-30 and 71-75.

²⁴ Barry Mahoney, Larry Sipes and Jeanne Ito, *Implementing Delay Reduction and Delay Prevention Programs in Urban Trial Courts: Preliminary Findings from Current Research* (Williamsburg, VA: National Center for State Courts, 1985), p. 30.

²⁵ See Goerdt, et al., *Examining Court Delay*, p. 30.

²⁶ In addition to the time to disposition standard to assess case processing, the *Trial Court Performance Standards* suggest that courts evaluate ratio of case dispositions to case filings, age of pending caseload and certainty of trial dates. See Bureau of Justice Assistance and National Center for State Courts, *Trial Court Performance Standards with Commentary* (Washington, DC: US Department of Justice, 1997).

recommend that the Court consider a continuum of performance goals and adopt those that fit within its current reporting scheme to start.

Best Practice Target: The Salt Lake City Justice Court adopts ABA case processing goals along with goals or guidelines such as the ratio of dispositions to filings, the ratio of continuances to cases set, the length of continuances, and the number of dispositions per FTE judicial position.	
Positive Feature for the Justice Court	Potential Improvement for the Justice Court
The presiding judge is knowledgeable and supportive of the staff as new ideas and processes are discussed in order to increase case processing efficiency.	The Justice Court does not have case processing time standards. Standards should be implemented and cases monitored to determine compliance and determine where case processing improvements can be made.
The Justice Court is in a transition phase. Therefore, the court can more readily take advantage of this review to implement change and establish new case processing goals.	

(3) Information

A court that has adopted standards for the timely disposition of cases must be able to establish regularly how its actual performance compares to its expectations. Having information is critically linked to judicial leadership and commitment as well. Court leaders who make delay reduction a real priority will want to know whether case processing time standards or goals are being met. Whether or not the court is computerized, they will find ways to get the information necessary to monitor progress.²⁷

The Justice Court generates monthly reports on the number of cases filed, tickets issued, number of violations as well as parking revenue history. These statistics, however, point primarily to caseload information rather than caseflow information; answering the question of how many cases are processed rather than how long it takes to process cases. According to the Court Administrator, there are limitations within the current automated reporting mechanisms concerning case age at disposition, and pending inventory case age. TCPS recommend that, as part of its ongoing caseflow

²⁷ Mahoney, et al., *Changing Times in Trial Courts*, p. 200.

management efforts, a court should regularly review information about the age of cases at disposition and case age of the pending caseload, in addition to information about total filings, pending cases and dispositions. This caseflow management information should be provided as part of case management reports regularly generated by the court's automated case information system. In the event that such information is not readily available, periodic manual tabulations by case sampling should be conducted to assess the age of cases at disposition and age of the pending caseload. While information is vitally important for effective caseflow management, it is possible to suffer from "information overload." To avoid such overload, judges ought to give attention to the key types of caseflow management information:²⁸

- *Pending caseload information.* Operationally, this type of information is of great importance, since it gives a picture of a court's current workload and indicates how many cases are near or exceeding time standards. A useful pending caseload report will show the number of cases pending, both in total and within major case types, as well as the age of pending cases, both from initiation and during significant legal milestones.
- *Age of cases at disposition.* This should be provided both by case type and by method of disposition. While information on disposed cases is historical by definition, it is extremely valuable because it provides baseline data at the commencement of a delay reduction program; it enables a court to measure its performance in light of time standards; and it facilitates planning for other delay reduction efforts.
- *Monthly and annual aggregate data.* This includes periodic reports on filings, dispositions, and number of hearings per case. Analysis of such aggregate data is particularly helpful if it is available for a period of several years and can yield information on trends and effectiveness of resource utilization. It can also provide information on filing trends, whether dispositions are keeping pace with filings, and whether hearings per case are increasing or decreasing.
- *Reports on open cases.* Such reports are basic management aids for the bench and court administrators as a court, as a whole, seeks to manage its cases

²⁸ See Mahoney, et al., *Planning and Conducting a Workshop on Reducing Delay in Felony Cases, Volume One*, *supra*, pp. P6-3 through P6-6. While Mahoney and his colleagues focus on felonies, this discussion is equally applicable to the matters heard by the Court of Common Pleas for the State of Delaware.

effectively, providing more detail on specific cases than the summary reports described above. A good “open cases” report will typically list all of the open cases in chronological age order (listing oldest cases first) and with other information about each case, such as docket number; party names; case initiation date; case status, including the date and nature of the last action and of the next scheduled action; names of attorneys; and any special case considerations.

With the reports listed above, a court can evaluate and monitor the status of the oldest cases on the docket; identify and evaluate problem cases; determine whether there are particular attorneys causing special caseflow management problems; and identify case types that consistently take longer or need special attention.

Information by itself does not solve problems. The Court must use this information to manage cases and caseflow, by asking key questions.²⁹ The bench, as a whole, should be asking such questions as the following on an ongoing basis:

- Case-related questions. What is happening in this case? How old is it? What is its status? What should be happening next? By when?
- Calendar-related questions. What is the overall status of the Court’s calendar? How many pending cases are there, and what is their age and status? What are the oldest cases, and are they beyond the time standards? Why are they old? What needs to be done about them?

For a presiding judge and court administrator, there are different questions to ask to use information effectively for caseflow management and delay reduction:

- Overall status of calendar. How many old cases are there? That is, how many cases are pending beyond the time suggested by time standards? What is the “backlog” (the number of cases that cannot be completed within a tolerable time, as defined by the time standards)?
- Troubleshooting questions. Are there problems with particular types of cases? Are there particular procedural bottlenecks? Are particular judges having trouble?

²⁹ *Ibid.* pp. P6-7 through P6-9.

With this information, the Justice Court will have the tools to identify problems and determine where caseload management efforts are needed. The steps taken to address problems should be consistent with basic principles of effective caseload management.

Best Practice Target: The court administrator has access to caseload as well as caseflow information and statistics through the case management system.	
Positive Feature for the Justice Court	Potential Improvement for the Justice Court
<p>The case management system can produce ad hoc caseflow data statistics. Currently ad hoc reports are produced on a for fee basis.</p> <p>The court administrator should have the case management system programmed to produce caseflow statistical reports.</p>	<p>The Justice Court produces monthly statistical data reports showing the current month's activity, the cumulative year's total. Although it is good that the court administrator receives some information, these statistics provide caseload rather than caseflow data. The numbers only answer the question of how many (not how long) cases the court has processed.</p>

(4) Communications

It has been well-documented in studies of caseload management that open, reciprocal communication among the court and the bar is a critical factor of an effective caseload management system. Ongoing communication between the court and the legal community, including the prosecutor, the public defender, and the private bar, are essential for the court's case management strategies to succeed. Court leaders must find ways for bar members to express valid concerns with respect to the need for improved court management of cases. In the development of its caseload management design, the court should be mindful of the practical impact of change on lawyer practices and costs to the clients of the private bar. The court will benefit by the involvement of bar members in the development of the caseload management plan because the bar will (a) have greater understanding of the objectives of the plan, and (b) will have greater commitment and fidelity, essentially "buy-in", to a plan they helped to develop.

Best Practice Target: The court community (presiding judge, court administrator, prosecuting attorney, legal defense association, law enforcement and the bar) meet openly and regularly. Internal staff meetings are also regularly held with judges and clerk staff and to discuss pertinent issues.	
Positive Feature for the Justice Court	Potential Improvement for the Justice Court
Interviews revealed that the Salt Lake City Justice Court community has no aversion to regularly meeting and exchanging ideas.	The justice community does meet regularly, though these meetings could be improved by using these meetings more to track court performance and issues.

(5) Caseflow Management Procedures

Court control of the pace of litigation is a key factor in caseflow management. The American Bar Association’s National Conference of State Trial Court Judges articulated the general principal of caseflow management and delay reduction.

From the commencement of litigation to its resolution, whether by trial or settlement, any elapsed time other than reasonably required for pleadings, discovery and court events, is unacceptable and should be eliminated. To enable just and efficient resolution of cases, the court, and not the lawyers or litigants, should control the pace of litigation. A strong judicial commitment is essential to reducing delay and, once achieved, maintaining a current docket.³⁰

In practice, processes that promote court control of case processing have three benefits. First, a court monitors the age of cases from the time of filing. Second, a court institutes reasonable expectations for case progress to just and fair outcomes. Third, the court continually seeks to dispose of cases by appropriate means at the earliest reasonable opportunity. This has the effect of bringing citizen disputes to a more prompt resolution. This means that an increasing number of case dispositions are meeting time standards, while the pending inventory is kept at a manageable level. More importantly it means that cases are disposed with only a necessary number of hearings and optimizes the time of litigants, judges, court staff, and attorneys.

³⁰ *Standards Relating to Court Delay Reduction*, Conference of State Trial Judges Committee on Court Delay Reduction, (Chicago: American Bar Association, 1985), Sec. 2.50.

- **Scheduling Orders:** If the court is reasonable but firm in the enforcement of its scheduling orders, it should render a reasonable and predictable timetable for counsel to complete their case preparation activities. If counsel are prepared, they are in a position either to go to trial immediately or to settle cases in advance of trial.
- **Non-trial Dispositions before Cases Are Set on Trial Calendar:** If each judge creates an atmosphere of expectation that every court event should be meaningful (in terms of achieving its intended purpose and serving case progress toward disposition), then counsel are more likely to be prepared when they appear for each court event. When counsel have prepared in advance of a case event, they are in a better position to consider the possibility of early disposition by settlement or other non-trial means. If the Court focuses on achieving appropriate non-trial dispositions as early as is reasonable and possible in cases, then it will have fewer cases that must be scheduled for trial. There will be fewer cases that have been set on the trial calendar that must be continued or that are disposed by non-trial means. This has the effect of making trial scheduling easier and having more trials actually start on or near the first trial date.
- **Court Calendars:** The calendar structure of a court is critical to the ability of the court to manage and process the cases before it effectively. A well-run and efficient court calendar ensures that an event will take place when scheduled and reinforces that the court not the litigants controls the pace of litigation. The project team’s review of the calendars revealed some concern for block scheduling. Although there is some variation as to the type of matter heard on a particular day, all cases are set in a singular time block. Crowded conditions tend to exacerbate delay, increase tensions for court staff and litigants in addition to decreasing public satisfaction with the court process. The first step to refining the calendar is for the court to stagger its block scheduling times rather than scheduling all matters before the court at one time. This calendar system will allow the Court to conduct its business in an orderly fashion, and dispose of similar types of cases at once.

Best Practice Target: The court has access to statistical caseload information and has established case processing goals which allow cases to flow through the system without delay.	
Positive Feature for the Justice Court	Potential Improvement for the Justice Court
The court is and must continue to explore ways in which it could better manage the caseload.,	A fundamental principle of effective caseload management is that continuances should not occur unless granted by a judge based upon a showing of exceptional cause by a party. Continuances have not been discovered to be a significant issue in the Justice Court.

(6) Judicial Responsibility and Commitment:

Judicial commitment to the proposition that the court must assume active responsibility for controlling the pace of litigation is the hallmark of an orderly, effective caseflow management system. According to Mahoney:

“...[C]ommitment manifests itself in several ways. First, there is a commonly...shared belief on the part of judges that the court has to take responsibility for ensuring an expeditious pace of litigation. Second, [the court has] procedures and techniques that focus the judges’ attention on the age and status of cases, through dissemination of information, attention to docket status and details of case management at judges’ meetings, and in a variety of other ways. Third, the commitment is translated into action when the judges hold lawyers to schedules previously set and decline to grant continuances routinely, even when none of the parties object.”³¹

The court must promote judge consensus and commitment to improved caseflow management. Implementation of uniform caseflow management policies and procedures necessarily involves some sacrifices of style and inclinations to assure consistency of operations and equal treatment of cases. Judges may tend to view standardization as a threat to judicial independence. However, it is important to continue to distinguish independence in decision making and administrative independence. A uniform caseflow management system that incorporates exemplary processes does not challenge independent judicial decision-making. Instead, it enhances the likelihood of justice being done by imparting rationality and predictability to the process and by minimizing delays in disposition.³²

³¹ *Ibid.*

³² Solomon and Somerlot, *Caseflow Management: Now and For the Future*, p.10.

Best Practice Target: The Salt Lake City judges are dedicated professional who are committed to the fair adjudication of cases and serving the public.	
Positive Feature for the Justice Court	Potential Improvement for the Justice Court
The Salt Lake City judges are dedicated professional who are committed to the fair adjudication of case and serving the public.	N/A

(7) Administrative Staff Involvement

As noted in Changing Times:

“While the commitment of judges is critical...[t]he involvement of court staff members at all levels –from the court administrator through the [Clerk’s Office] and courtroom clerks who handle day-to-day administrative duties for the judge—is essential. One of the striking aspects of the operations of several...successful courts...is the extent to which the non-judicial staff members are aware of the court’s case processing goals and are actively involved in helping achieve them.”³³

In developing improvement strategies, the judges and the court administrator should solicit input from the staff and keep them informed of proposed policy and procedural changes. Staff members often are experts in the details of case processing; it would be a mistake not to take advantage of the contributions they can offer.

Best Practice Target: In developing improvement strategies, the judges and court administrator seek input from the staff and keep them informed of proposed policy and procedural changes	
Positive Feature for the Justice Court	Potential Improvement for the Justice Court
The clerical and administrative staff members of the Salt Lake City Justice Court are extremely involved in the court and show a high level of identification with the court system.	There is currently limited formal internal communication within the court. The Court needs regular staff meeting to keep them informed of new policies and procedure.

(8) Education and Training

Providing education and training about the Court’s caseload management improvement program is an important factor in enhancing the likelihood of its success. It helps those in the court process understand why the program is being introduced, and

³³ Mahoney, et.al., *Changing Times in Trial Courts*, p. 202.

the purposes of the justice system it is intended to address. It also should provide detailed information on how the program is to operate. As a means for communicating about the nature and details of the program with judges, court staff, attorneys, and other institutional participants in the court process, it also serves as a vehicle for engendering greater commitment to the purposes and success of caseflow management in the court.

In the area of caseflow management, education and training is critical. Its value for the success of a caseflow management improvement program has been set forth in one of the recent reports on the national study of caseflow management and delay reduction efforts. If courts are to manage their caseloads successfully, both the judges and the court staff need to know why and how to do it. Since the whole notion of caseflow management is of relatively recent vintage, this is not an area in which there is a great deal of knowledge and experience in most courts. Training is essential to familiarize judges, staff members, and members of the bar with the purposes and fundamental concepts of caseflow management and with the specific details and techniques essential to effective case management in the court on a day-to-day basis.³⁴

Best Practice Target: All clerical staff members receive in house training and attend an annual educational class on case management and court administration	
Positive Feature for the Justice Court	Potential Improvement for the Justice Court
During interviews, the clerical staff of the Salt Lake City Justice Court all expressed the desire to receive additional training.	Training, it is essential that the judge, court administrator, and staff know the missions, goals, and objectives of the court. The SLCJC has training goals, a plan, and objectives.

(9) Mechanisms for Accountability

Researchers studying the pace of litigation in urban trial courts have found that having a mechanism for accountability is one of the essential features of courts that

³⁴ Mahoney, et al., *Changing Times in Trial Courts* (1987), p. 203.

manage cases successfully.³⁵ Moreover, the TCPS recognize that the judges of an optimally functioning trial court not only assert and maintain its distinctiveness as a separate branch of government, but they also monitor and control its operations and hold themselves accountable to the public for its performance.³⁶ This concept is closely related to several already discussed herein: commitment, goals, and monitoring case progress. If the court adopts court wide standards (i.e. all criminal matters disposed within 90 days), then there must be someone responsible for monitoring whether the Court is meeting these standards, and if not assessing the reasons why, and taking remedial steps to cure the deficiency. To monitor the Court's performance and that of individual judges adequately, the Court must generate case management related information. Currently, information is not readily available to determine whether the Court is consistently meeting case disposition time standards.

Best Practice Target:

Each month, the judges should all receive and review reports on (a) the size of the pending inventory and the age the pending cases; (b) the number of pending cases older than the time standards; and (c) the number of hearings, jury trials, and non-jury trials over which each judge presided. The number and duration of trial-date continuances should be considered in each monthly meeting. In addition, the judges should also discuss any problems they have encountered in complying with the caseload management plan of the court. At the end of each year, individual judges should be commended for their performance and commitment to caseload management principles.

The judges of the Justice Court can measure their collective performance against both time standards and the Court's caseload management improvement plan. To the extent that they have been published and available for public review, the standards and the plan can serve as dimensions for both internal and external accountability. Periodic reports to the general public on the Court's progress under its time standards and its caseload management plan address three important external accountability goals: (1) they show the Court's use of public resources; (2) they show the effects on litigants of the Court's caseload management activities; and (3) they promote public trust and confidence that the court functions are expeditious, fair and reliable.³⁷

³⁵ *Ibid.*

³⁶ See *Trial Court Performance Standards*, Standards 4.1 to 4.5, Bureau of Justice Assistance and National Center for State Courts, *Trial Court Performance Standards with Commentary* (Washington, DC: US Department of Justice, 1997).

³⁷ See *Trial Court Performance Standards*, Standards 4.2 and 5.2. See also, Reginald K. Carter, *The Accountable Agency* (Beverly Hills, CA: Sage Publications, 1983), p. 31.

(10) Inventory Control

Knowledge of the pending caseload is a hallmark of a court that manages its caseload in a businesslike manner. The overall size of the pending inventory should be small enough to permit the Court not only to keep pace with new filings but also to meet time standards. Currently the Justice Court knows how many cases are pending but does not know the age of pending cases. Based on limited case management information and anecdotal reports, it appears that cases, especially criminal cases, move fairly quickly to disposition. Without information about the type of cases and age of cases awaiting disposition, this remains only an assumption.

Until a fully functional automated case information system is available, the Court's leaders should look for a manual means such as case sampling to measure the pending caseload.