

# **Beaverton Municipal Court** ***Operational Assessment*** **by** **NCSC**

**National Center for State Courts**

**Executive Overview for City Council**

**April 19, 2010**



## Court Operations Project Staff

Mary Beth Kirven, Project Director

Nial Raaen, Court Management Consultant

## Beaverton Municipal Court Team

John Mercer, Presiding Judge

Kay Renfro, Court Administrator

Nancy Bates, Human Resources Director

**Presentation Team**

*Conduct an assessment of court operations to better determine resource needs and to generally improve the efficiency of case processing*

**PURPOSE**



- Customized case management system referred to as WINCS, a system that supports court case management, city prosecution, and police
- Court collections process
- Relationships with stakeholders—city attorney's office, Police Department (PD), defense counsel, code enforcement, and Information Systems Department (ISD)
- Impact of facilities on efficiency and service
- Factors contributing to high cost of indigent defense services

## Areas Reviewed



# Caseflow Management

- Court has maintained a relatively constant clearance rate for criminal offenses; however, possible backlog of unresolved cases may exist
- Court keeping pace with the violation workload
- With addition of judicial hours, court has been able to shorten the time for cases to be resolved by jury

**Findings**



# Scheduling and Calendar Management

- Case Scheduling: The policies established by the Beaverton Municipal Court are in line with good caseflow management practices
- Calendar: The Court currently faces difficulty in keeping up with the clerical workload due to the number of hours it stays open for the public

**Findings (cont.)**



## Collections

- Court collects a substantial amount of revenue
- Collection rate of 73 percent for the period 1999 through 2009, with annual rates ranging between 56 percent and 68 percent during the past five years
- Many established best practices listed for assessment and enforcement already in practice
- WINCS system limited in ability to generate reports that provide detail about age of debt, collection rates
- Financial information for collection not always reliable; difficult to extract from WINCS and difficult transmitting from WINCS

**Findings (cont.)**



## Collections (cont.)

- Web site provides extensive payment information
- Court uses a collection agency
- Considering additional third-party enforcement methods, e.g., tax intercept, auto-call system
- Court will be implementing a specialized collections docket, aka, compliance or restitution docket in early 2010

## Findings (cont.)



## Court-Appointed Attorney Expenses and Reimbursements

- City contracts with six local attorneys at State rate of \$45/hour
- High number of offenders request court-appointed counsel
- Court may order offender to reimburse the City for a portion or all of the cost of defense
- Court has good rate of collection—averaging 79%
- Criminal filings have continued to increase with accompanying increase in expenditures for court-appointed counsel

**Findings (cont.)**



# Records Management

- WINCS a decade old; eliminated need for paper case files
- Scanning system not completely reliable
- Some paper files retained and still open, presumably for failure to pay or appear
- Court experiences performance problems with WINCS that may be related to the volume of records on the system
- Court utilizes *For The Record* audio court recording system to record most proceedings

**Findings (cont.)**



# Information Systems and Technology

- WINCS system custom-built in house
  - Complex and process driven system with a substantial amount of coding
- Three departments depend on system—Court, PD, and City Attorney office
- Court and ISD relationship important
- Need to improve system integration, implement various enhancements and improve data and system reliability
- Application written in a version that is no longer supported by the vendor
- ISD and Court contemplating new system—re-write current system or off-the-shelf

**Findings (cont.)**



## Staffing and Human Resources

- Employees 12.63 FTE—1.63 judicial officers, 1 Court Administrator, 2 Senior Clerks, 7 Court Clerks, 1 Court System Specialist (technology professional)
- Court staffing levels have decreased by 13% from FY 01-02 to FY 09-10
- 63% of the Court's budget is for personnel
- Judges report to City Council
- Court Administrator reports to Human Resources Director
- All line staff represented by SEIU and report to Court Administrator

**Findings (cont.)**



## Staffing and Human Resources (cont.)

- Recent addition of traffic school increases court clerk workload
- Court Administrator often covers absent staff; leaves little time for supervisory duties
- System improvements would help with staff workload issues; improvements not expected to be completed in the short term; those that can be will not provide sufficient relief to the current workload
- Workload leaves little time for “in service” training for staff
- Staff turnover is an ongoing concern, which inhibits continuity in policies and practices

## Findings (cont.)



## External Relations

- Court partners with City Attorney office, Code Enforcement, ISD, Police and City Recorder
- Court viewed in positive light
- Instances where scheduling and case information exchange could be improved, some related to problems with WINCS
- Communication channels are in place but could be improved by a “justice coordination committee”

**Findings (cont.)**



## Facilities and Security

- Courtroom [itself] provides adequate space for most proceedings
- Service windows have clear baffles that prevent direct access to court staff but do not hinder communication and doing business
- Absence of paper files eliminates need for extensive file storage
- Jurors must exit the courtroom through the main public door
- Only one conference room available for attorney-client consultation outside the courtroom

**Findings (cont.)**



## Facilities and Security (cont.)

- The same hallway serves as entrance to the courtroom and access to the court services counter
- Conversations in the adjacent police department office can at times be plainly heard through the walls by public standing in line
- Counter shares same hallway as access to public toilets and rear access to clerk's office
- Courthouse not typical design, which involves a three-zone approach
- The public area, the prisoner movement area, and the area for court staff and judges lack separation

## Findings (cont.)



## Facilities and Security (cont.)

- No security screening done; on occasion do call on PD to screen public when potential threats are known
- Panic alarm buttons are located in courtroom and clerk's office
- Magnetometer purchased through a grant ten years ago and never used
- Potential for serious security incident very real
- Security audit would help Court and City better identify and prioritize security issues and improvements
- Private office space limited, judges share same office

## Findings (cont.)



## Structure and Governance

- The Municipal Judge(s) report to the City Council
- Court staff report to the Human Resources Director
- In practice, court governance usually is shared responsibility of Presiding Judge and the Court Administrator with roles varying from court to court
- The Presiding Judge oversees the judicial functions of the Court
- Presiding Judge reviews court programs and issues using a list of over 80 issues for follow up

**Findings (cont.)**



## Structure and Governance (cont.)

- General consensus that the Court Administrator's position is underutilized due to press of office and staff shortages
- Court budget is in Human Resources Department; Court Administrator works closely with the HR Director in budget preparation; no recognized role for the Presiding Judge in the budget process
- Judge's appearance at City Council meetings has not been requested
- Court management best practices indicate a model of conjoined, coordinated and mutually supportive responsibility and oversight

## Findings (cont.)



In the six categories of the report, there are 57 recommendations/observations made by the assessment team. The following slides show the top 15 recommendations by category that have been selected by the Court leadership that will have the most impact to the operation of the Court.

## Recommendations



- Direct and expect offenders to make some initial payment on the day any assessment is imposed
- Authorize collection agency to issue garnishments, and evaluate the impact on collections
- Clarify to offenders at arraignment that appointed counsel is reserved for those who can show a need and that reimbursement may be required

## **Business Processes Recommendations**



- Develop a comprehensive and prioritized list of functional enhancements and “bugs” for resolution
- Update current WINCS system documentation and determine best options for system version upgrades
- Consult with ISD to determine what services should be contracted

## Information Systems & Technology Recommendations



- Authorize additional positions for clerical support
- Evaluate programs offered by Court and staff time to determine which services are highest priority and where staff time should be expended
- WINCS system users (court, police, city attorney) should convene a work group to identify joint system needs and requirements, with a particular focus on integration

## Staffing & Human Resources Recommendations



- Create a “justice coordinating committee” with members from City, Court, Police, Defense Bar, etc., to go over operational issues—could assist in providing budget and operational information for Mayor and City Council

## **External Relations Recommendations**



- Request security audit for court facilities
- Develop better protocol or taking defendants into custody immediately upon order by court
- Provide court security staff at least during criminal proceedings (person could have other duties as assigned)

## Facility and Security Recommendations



- Regular meetings with Court Administration and Presiding Judge
- Presiding Judge and Court Administrator act as executive committee for all court operations

## **Structure and Governance Recommendations**



**Thank You!**

