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Western Regional Office

A REVIEW OF THE BERNALILLO COUNTY METROPOLITAN COURT, ALBUQUERQUE, NEW MEXICO,

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The National Center for State Courts wishes to express its appreciation to all those who contributed to this report. All of the judges, secretaries, clerks, division chiefs, department heads, employees of other criminal justice agencies, and members of the local bar willingly provided us with their time, their experience, their expertise, and their suggestions for the improvement of the operations of New Mexico's largest trial court. In all instances their assistance, courtesy and candor greatly facilitated our efforts. Finally a special thanks to the National Center secretarial staff for their efforts on this project.

I. INTRODUCTION

A. Purpose and Scope of Project

The Bernalillo County Metropolitan Court is currently experiencing far-reaching changes in organization and leadership. Organizationally, the Legislature has authorized three new judicial positions for the court effective January 1, 1991. In the fall, the court is planning to embark on a new calendar system which employs the concept of divisionalization. Also in the fall, the court is anticipating the reestablishment of an extended-hours "night court." To meet these new challenges, the court has elected a new presiding judge and is in the process of recruiting a new administrative officer. Realizing that these changes would provide an opportunity for the Metropolitan Court to chart a new course, the Director of the Administrative Office of the Courts requested that National Center staff conduct a "high spot" review of the court to assess the opportunities for improvement in court operations. Although time and fiscal limitations made it impossible to review every division of the court, the major case processing and administrative divisions were made the focus of this study because the project team felt that the greatest benefit could be realized by an assessment of these operations.

B. Methodology

During the week of May 29 through June 1, two National Center staff conducted a site visit of the Bernalillo County Metropolitan Court to interview the judges, administrative staff, and court's division chiefs, as well as criminal justice agency heads and

members of the local bar who practice before the court. In addition, the staff reviewed the Annual Reports of the New Mexico Courts for the last 4 years, the operation budget request documentation for the 79th fiscal year, the Administrative Directives of the State Court Administrator, the local court rules and prior technical assistance reports.

C. Organization of the Report

Following this introduction, the report is divided into five main sections. Chapter II provides a summary of all recommendations made in the study. Chapter III discusses conclusions and recommendations that cut across organizational boundaries. The findings and recommendations that relate to the administrative divisions--Personnel, Accounting and Information Services--are found in Chapter IV while Chapter V deals with the findings and recommendations that concern the case processing divisions--Civil, Criminal, Violations, and Case Setting. Each division review includes a short description of the division and a brief discussion of the major areas the project team identified as requiring the most immediate action. Chapter VI discusses in less detail a number of other concerns raised in the interview process and offers some suggestions for possible solutions.

II. SUMMARY OF RECOMMENDATIONS

Recommendation No. 1

The court should develop a mission statement which identifies overall organizational goals.

Recommendation No. 2

Each division should develop a mission statement which identifies the division's goals.

Recommendation No. 3

Each division should develop a set of long-range objectives, and annually, a set of short-range objectives to guide organizational productivity.

Recommendation No. 4

The court should reorganize its administrative structure and revise its organizational chart.

Recommendation No. 5

The court should schedule regular meetings of the management team, including the Presiding Judge, the Court Administrator, the Assistant Administrator and division heads.

Recommendation No. 6

The court should conduct a study to determine the most appropriate allocation of existing space.

Recommendation No. 7

The court should conduct an extensive analysis of its calendar for the purpose of redesigning the calendar structure to accommodate its growing caseload.

Recommendation No. 8

The court should eliminate the Guilty Docket.

Recommendation No. 9

The court should monitor the outcome of its scheduling system, through appropriate data collection and analysis, paying particular attention to the number of, and reasons for, continuances.

Recommendation No. 10

A Court User Group should be established to assist in prioritizing development projects to be completed by data processing staff.

Recommendation 11

A civil docket should be programmed for the court's computer system to eliminate the necessity of preparing and maintaining manual hard-copy docket cards.

Recommendation 12

The court should develop a policy statement concerning the nature and scope of services to be provided by the Civil Division in response to telephone inquiries by the public.

Recommendation No. 13

The Violations Division, in conjunction with Information Systems, should develop a computerized process for the identification, processing, and issuance of FTP's and the abstracting of disposition information to the New Mexico Motor Vehicles Department.

Recommendation No. 14

The court should develop a protocol with the Motor Vehicle Department for handling payments of penalty assessments after entry of a 'not guilty' plea, but prior to appearance for trial.

Recommendation No. 15

The Violations Division should explore the use of bar code technology throughout the processing of citations.

Recommendation No. 16

The Violations Division should participate in the court-wide development of a fines and fees collection and enforcement program.

Recommendation 17

A more efficient automated backup method should be developed, and the Case-Setting Division should discontinue the maintenance of a manual backup on all case settings.

Recommendation 18

Upon completion of the court's transfer to the AS400, terminals with the capability of performing case-setting functions should be installed in the courtrooms.

III. GENERAL RECOMMENDATIONS AND FINDINGS

Throughout the interviews with judges, court administrative staff, division heads and line staff, the project team was impressed by their dedication, hard work and interest in improving the operations of the Metropolitan Court. Considering the dramatic growth in caseload over the last eleven years, most operational areas of the organization are performing well. Nevertheless, in the course of the interview process with court employees and with employees from other agencies in the criminal justice system several areas consistently emerged as needing serious attention: (A) court planning; (B) organizational structure and management teamwork; (C) space allocation; and (D) calendar analysis. By focusing on these areas, the management team of the Metropolitan Court has the opportunity to make major improvements in court operations.

A. Court Planning

Recommendation No. 1

The court should develop a mission statement which identifies overall organizational goals.

Project interviews reveal that the court will benefit from greater attention to internal planning efforts. Both judges and administrators spoke of the lack of vision of what the court's goals and direction are. They felt that planning and policy-formulation proceed in an ad-hoc or "knee-jerk" fashion. The judges, court administrator and administrative personnel should work together to develop a written statement of the court's

mission, setting goals and objectives for the organization as a whole.

Goal-setting serves several very important purposes. One is the activity itself. It forces the members of the court and staff to focus on how they think their court should operate and what will be benchmarks for measuring success. Secondly, it leads to procedural improvements to enable the organization to meet the goals. Thirdly, promulgation of standards and goals makes known to the bar and to the community at large what the court expects of itself and gives all an objective way of measuring court performance. In this jurisdiction, as in many others, much of the evaluation of court performance is subjective and based on anecdotal information and misinformation. The development of goals and objectives would set a course for the court to follow and encourage fair evaluation. This is particularly important for the Metropolitan Court in view of the frequently expressed feeling that the court is not respected, is not considered a "real" court and has few supporters in the legislature or the bar. Courts often find that the development of concrete goals and objectives, backed up with data on progress toward meeting them, helps them greatly in making their case to legislators, government officials and the public generally.

Recommendation No. 2

Each division should develop a mission statement which identifies the division's goals.

Although each division director was able to articulate in broad terms the division's operational areas of responsibility, the lack of an overriding mission statement results in a sense of

confusion about how the activities of each division contribute to achieving the court's overall purposes. As the foundation upon which operational objectives are built, the mission statement should be short, stating the division's purposes in terms that are fairly broad, yet narrow enough to distinguish the division within the organization. It should reflect how the division's work contributes to achieving the court's overall goals. A methodology for and examples of mission statement development can be seen in Appendix A. For some divisions, the development of a mission statement will be an opportunity to renew their commitment to the court's organizational purposes and values; for others, it is an opportunity to reassess how the division's efforts should support the court's overall purposes and to participate in a more cohesive management team.

Recommendation No. 3

Each division should develop a set of long-range objectives, and annually, a set of short-range objectives to guide organizational productivity.

Objectives further enumerate the purposes of the organization as reflected in long- and short-range plans. Long-range plans set the direction, emphasis and priorities of the division which are the subject of specific activities (tasks) in the yearly plans. Yearly plans should be "results oriented." They should be specific in defining what is to be accomplished; challenging in their scope; realistic in light of resources; action-oriented and measurable.

Objective identification and development is discussed in Appendix A and a sample worksheet for setting objectives and selecting activities to match them is included in Appendix B.

B. Organizational Structure and Managerial Teamwork

The Metropolitan Court is a large court organization. Nearly half of the cases before the courts of New Mexico are heard there. Any organization of this size and complexity must have clear administrative structure, direction, coordination, and information sharing if it is to function effectively.

Recommendation No. 4

The court should reorganize its administrative structure and revise its organizational chart.

The current administrative structure of the court, reflected in its organizational chart, has several fundamental deficiencies: first, an unwieldy span of control; second, unclear lines of authority and communication between the judges and the court administrator; and third, limited availability of mid-level management for the administration of the court.

1. Span of Control

All division managers (12) report directly to the court administrator, as well as all courtroom clerks, the administrative secretary, the assistant court administrator and the court interpreter. Most experts agree that a manager can only effectively coordinate and direct the operations of six to eight subordinate managers or supervisors. The court administrator's span of control should be reduced to a more reasonable number and the assistant court administrator should be brought into the chain of command, with supervisory authority over several supervisory positions.

2. Lines of Authority and Communication

The relationship between the judges of the court and the court

administrator is unclear and, in fact, the organization chart shows neither a direct nor indirect relationship between them. The judges and court administrator should achieve a consensus concerning the role the administrator is expected to play. This is especially important in view of the history of instability in the position and the fact that there will be a new administrator. This provides an excellent opportunity to rethink and revise the relationship. The judges and court administrator should discuss and commit to writing a comprehensive job description for the administrator that will provide the administrator with a clear indication of the direction in which the bench wants to proceed. Such a description will serve as one criterion for evaluation of the administrator's performance. It is suggested that the relationship between the administrator and the judges should be analogous to that of a board of directors and their corporate CEO. In this regard, it is also suggested that an executive committee of at least five judges be formed to meet regularly and provide oversight and continuity for the court administrative functions. Such a committee could provide much-needed policy continuity.

3. Mid-level managers

Interviews with the division supervisors and a review of the organizational chart reflect that the assistant court administrator is placed outside the formal "chain of command," and that there is limited mid-level management support for the administration of the court. A restructuring of the organizational chart into two major divisions comprised of

administratives services and court services would benefit the court in several ways. It would assist in setting the span of control at appropriate levels, aid in communications between the various divisions, free the court administrator to focus on long-term planning and intergovernmental relations areas and develop emerging managers to fill future vacancies. Two of the many possible configurations for the court's organization are located in Appendix C. The project team is aware that the number of mid-level managers has remained virtually the same since the court's inception. It may be necessary as a result of this reorganization to reclassify some staff into mid-level management and/or to create a deputy administrator position. This position could be at the level of an additional Assistant Administrator, or another level immediately below that of Assistant. The classification of such a position, though beyond the scope of this project, should be explored at the earliest opportunity.

Recommendation No. 5

The court should schedule regular meetings of the management team, including the presiding judge, the court administrator, the assistant administrator and division heads.

Interviews with judges and staff revealed a complete absence of any formalized or regular organizational communication and coordination. Staff meetings have been almost non-existent in the past two years. Virtually every manager interviewed expressed frustration over the lack of formal management team meetings. Many supervisors expressed a feeling of isolation and abandonment by management. In addition to no regular staff meetings, there is no formal newsletter, administrative memo or publication to

disseminate information. Often changes in statutes, procedures or policy that directly affect the court have not been communicated to the divisions prior to their effective date. At least one division supervisor has turned to the bar bulletin and legislative information booklet in order to obtain such information.

Regular staff meetings should be instituted immediately. They provide the opportunity to develop a sense of teamwork and cooperation through joint brainstorming and problem-solving. Through such meetings, members of the team can become involved in goal-setting and objective identification and come to understand more fully how their work assists the court in fulfilling its purposes. In addition to meetings, some formal means of communicating pertinent legislative, rules and policy changes should be developed.

Other efforts should also be undertaken to build staff morale, such as the resumption of the selection of an employee-of-the-month or other form of recognition of outstanding work. A Christmas party--and perhaps a summer office picnic--should also be reinstated, where judges should make an effort to mingle with staff on a more informal basis.

C. Space Allocation

One of the most frequently voiced concerns is the lack of adequate space and the enormous foot traffic in the Metropolitan Court building. To its credit, for the last four years the court has attempted to obtain necessary funding from the legislature for the addition of elevators and expansion space for court operations. No additional resources have been obtained to date.

In the absence of additional resources, reallocation of existing space based upon traffic patterns, public convenience and court security must be considered.

Recommendation No. 6

The court should conduct a study to determine the most appropriate allocation of existing space.

The elevators in the Metropolitan Court building are reportedly the most heavily used elevators in the state. Project staff experienced the same frustration felt by court personnel and the public alike in their attempts to move between floors of the courthouse in jammed elevators. Work space is equally jammed, with many of the divisions housed in half the recommended minimum square footage. This compacting of work areas produces morale and safety problems. Some relief may be possible through the day time utilization of the space currently leased to the court and used by the Educational Services Division solely in the evenings.

A space allocation study could help to identify which agencies could be moved from the building and relocated to an off-site facility. The study should include a survey of the traffic currently using the courthouse elevators. Those agencies which have the highest traffic should be located on the main floor. Those that can be moved off-site with the least operational impact should be considered for relocation. If operational considerations mandate retention of services within close proximity to the courtrooms, consideration should be given to retaining only the "intake" functions rather than the entire agency. This alternative may be appropriate for probation, pre-trial and education services.

Other potential alternatives which may reduce courthouse foot traffic and congestion at the front counter and which should be explored by the court are: (1) improved public information within the facility, such as better use of informative and directional signs; (2) addition of "drop boxes" for transactions which do not require a counter appearance; (3) reconfiguration of counter services to alleviate long lines; (4) addition of capability to accept credit cards for the payment of fines and fees; and (5) drive-up windows.

D. Calendar Analysis

The calendar structure of the court is essentially identical to the one originally adopted at its inception eleven years ago. In the intervening years, the court's caseload has increased geometrically, while its calendaring procedures have not kept pace. In recent years, much has been learned about calendar design and case management that could help the court handle its caseload more efficiently and effectively.

Recommendation No. 7

The court should conduct an extensive analysis of its calendar for the purpose of redesigning the calendar structure to accommodate its growing caseload.

With the impending change to divisionalized calendars and the specialization of particular dockets, the court needs--more than ever--a thorough analysis of its calendars. In order to develop the most effective calendar structure and to utilize to best advantage the limited resources of judges, prosecuting attorneys, defense attorneys, jurors, police witnesses and support staff, the court must know the dynamics of its current calendar.

Those dynamics include, but are not limited to: How many cases/hearings are set, continued, settled, sent to warrant, tried and dismissed for every docket; what resources are required for each type of case/hearing; what scheduled events require the commitment of identical resources. Other questions that should be addressed in such an analysis include: Can the coordination of judicial calendars maximize the court's ability to guarantee firm trial dates? Can the consolidation of hearing dates/times impact on the cost of juries and reduce the amount of time citizens spend providing jury service? Would the institution of a mandatory pretrial program for all jury cases reduce the trial rate, improve jury utilization and help assure firm trial dates? The design of a new calendar structure that takes into account the realities of the current caseload would be a major step forward for the court.

The so-called "Guilty Docket" is another area of calendaring that should be of major concern. Several judges spoke of the burden this docket places on them and expressed the desire to find another way of handling it.

Recommendation No. 8

The court should eliminate the Guilty Docket and replace it with a "walk-in arraignment" docket.

When a defendant appears in response to a uniform citation, wishes to plead guilty but wants to appear before a judge to explain or provide mitigating information, the current practice is to schedule the defendant on the Guilty Docket to appear on a future date (currently running three months from the date it is set). The court currently devotes the equivalent of a full-time judicial position to hearing the Guilty Docket on a

day-to-day basis. The docket is a major contributor not only to the workload of the court, but to the foot traffic in the courthouse, the congestion of the elevators and parking, and the work of support staff. All this can be alleviated by eliminating the Guilty Docket.

The judge-time currently being consumed by the Guilty Docket should be reallocated to a non-custody "walk-in arraignment" docket. Police officers should be assigned times (suggested twice a day appearance times) to cite defendants to appear. Upon appearance, if a defendant elects to go before a judge, he/she should be directed to the "walk-in arraignment" courtroom for immediate hearing. This change would benefit the public by eliminating the need for citizens to return to the courthouse for a second appearance. It would not significantly increase the time citizens spend on their original appearance. All other major benefits would accrue to the court. It would reduce the number of people who return to the courthouse at a later date; eliminate the need for staff to pull and prepare files for a second appearance; eliminate the processing of failures to appear of defendants who forget or choose not to appear when scheduled; and potentially increase revenue. It is also likely that the prospect of an immediate hearing could reduce the number of defendants who choose to go before a judge.

As with redesign of the calendar structure, elimination of the Guilty Docket could have a major positive impact on the court.

Recommendation No. 9

The court should monitor the outcome of its scheduling system, through appropriate data collection and analysis, paying particular attention to the number of, and reasons for, continuances.

Judges, prosecutors, and administrative staff alike spoke of the overload caused by multiple continuances and indicated that there is no set rule or policy on continuances that is consistently followed by judges. The director of the Case Setting Division estimated that 50 to 75% of all cases are continued. Several judges, while expressing concern over the impact continuances have on the court's workload, expressed doubt that anything could be done to alleviate the problems because of the court's heavy caseload. Over the years, judges in other courts plagued with backlog and delay problems have expressed similar doubts, only to find that once they have a clear picture of the rate of continuances and reasons for them, they are able, in conjunction with other changes in calendaring and caseflow management, to enforce a stricter continuance policy. The importance of developing and enforcing such a policy cannot be overstated. Research has shown repeatedly over the past 20 years that continuances have a significant impact on a court's overall case management system, not least because of the effect they have on the trial bar's diligence in preparing for trial or hearing.

The first step in coming to grips with the problem of continuances is to analyze the number granted and the reasons for granting them. Such statistics, maintained regularly, can show where problems are occurring and analysis will show what the problems are. If, for example, delay in receipt of police reports

is shown to be the cause of high continuances, then steps can be taken to work through the problem with the police department. Once the court has this information in hand, it can begin the process of developing a reasonable continuance posture in tandem with other changes in calendaring and docketing.

IV. ADMINISTRATIVE DIVISIONS

A. Personnel Division

Personnel functions of the court are handled by the personnel officer and one secretary II. The offices of the Personnel Department are located on the second floor of the courthouse across from the offices of the Court Administrator. The Personnel Department handles all personnel actions, conducts clerical testing, prepares all grievances, administers all benefit programs, prepares payroll, and conducts or assists in the conduct of interviews for positions within the court.

The court should take justifiable pride in its personnel system. The job descriptions are current and accurate, the performance standards are clear and appropriate, and the evaluation system timely and effective. The recent focus by the State Administrative Office of the Courts on the HAY plan implementation has lead to a strong and comprehensive personnel system. The only concern is that the staff of the Personnel Department may not be adequate to handle the recruitment efforts for a staff the size of the Metropolitan Court's. The workload of the department should be closely monitored to insure that the personnel system does not deteriorate due to inadequate staffing levels.

B. Accounting Division

The Accounting Division is composed of the court accountant, one financial specialist III, three financial specialists II, and one temporary clerk. The division is located on the second floor

of the courthouse opposite the Civil Division. The division's responsibilities include budgeting, purchasing, cash receiving, jury and bond processing, accounts payable and bank reconciliations. Last year, the division handled approximately 195,000 cash transactions, totalling some \$5 million in revenues.

Interviews with the court accountant, other division chiefs and judges of the court reflect a strong commitment to improve the financial accounting within the court system. The history of problems in the accounting and fiscal management area of the court are well known. During the last two years, major improvements have been made to the fiscal operations of the court. In the year and a half since the appointment of the new court accountant all but five of the major deficiencies outlined by the external auditor have been corrected. The division appears to be well run by a dedicated staff. Two recent major accomplishments are the installation of PC-based point-of-sale cash registers to improve cash accounting and the installation of the M.A.S. 90 accounting package. The court accountant indicates that the M.A.S. 90 accounting package will be updated in the fall of the year to accommodate government fund accounting. The accounting package is a PC-base application and is not integrated with the court's mainframe case-processing application.

The most significant need identified by the court accountant is the improvement of the accounts receivable portion of the court case-processing application. In order to accomplish this, the Accounting Division should participate in the court-wide development of a fines and fees collection and enforcement program, as discussed in connection with Recommendation No. 16,

page 30.

The court accountant also noted that the pressures of the work have prevented him from devoting much time to long-term planning. He feels that the addition of one new staff position would enable him to concentrate more of his energies in this important area. As discussed above with reference to the general recommendations, it is crucial that the court devote sufficient resources and time to long-term planning. The court accountant must play a key role in this process. Consequently, some means must be found to relieve him of some day-to-day duties so that he can focus on such planning.

C. Information Services Division

The Information Services Division consists of the data processing manager, one system analyst/programmer and one computer operator. The division is located on the first floor of the courthouse between the Violations and Criminal Divisions. Information Services is responsible for computer information, system administration, application development and system analysis on the court's IBM System 38 and the soon-to-be-installed IBM AS400.

Information Services has just recently completed the design, programming and installation of an automated calendaring system which has been extremely successful in assisting Case Setting accomplish one of its main objectives. Information Services is in the final stages of the conversion/migration from the System 38 to the AS400. The data processing manager indicates an anticipated completion date of July 1, 1990. While both of these projects are

major accomplishments, there appears to be no established long-range or short-term plan for project development within the court.

With every passing year, the court relies more heavily on the services and support provided by Information Services. As can be seen from the general recommendations made in this report, Information Services will have many demands made on its limited programming capabilities, since virtually every aspect of the court's workload can be improved with enhanced data processing application development.

The prioritization of requested programming changes should be made in light of, and directly support, the overall goals and objectives established by the court. (See discussion on pages 6-8). An immediate example looming on the horizon is the technical support required for the change to an extended-hours court. With other divisions of the court, Information Services will need to evaluate the impact of extended court hours; identify any modifications required of court applications to support extended hours; and acquire any additional resources that will be needed to provide computer support over a longer work day.

The data processing manager indicates that the first project after migration to the AS400 is the conversion of Probation Department hard-copy criminal history records prior to 1985 to the automated criminal history. This is obviously a large commitment of time and resources that may be more beneficially spent on other recommended improvements, such as automation of the civil docket or enhancement of the summons capabilities in the Violations Division.

Recommendation No. 10

A Court User Group should be established to assist in prioritizing development projects to be completed by data processing staff.

In developing the court's short-term data processing objectives, the priority of all projects should be determined by a Court User Group consisting of court administration, division heads, line supervisors and court clerks. This membership, while providing a broad perspective, should be rotated periodically so that new energy and ideas are continuously flowing to the group.

V. CASE PROCESSING DIVISIONS

A. Civil Division

The Civil Division consists of the division supervisor, one lead clerk, six court clerks I/II, and one temporary clerical position. The division is located on the second floor of the courthouse in a close-quartered office environment. The division is responsible for the receipt, maintenance and processing of all documents relating to the processing of the civil caseload. During 1989 over 9600 civil cases were filed with the court. The interview of the division director and a tour of the office location identified several needs.

1. Automation of the Civil Docket

The civil division disposed of more than 10,000 filings last year; the director estimates that the caseload will increase to between 11,000 and 12,000 filings this year. Despite this heavy and increasing caseload, the division is not yet automated. Consequently, while all cases are entered upon filing into the court's civil index on the centralized computer, substantially identical information must be entered manually on hard-copy docket cards. This duplicative, laborious process requires one full-time clerical position. Retrieval of information from the cards is time-consuming, and there is greater likelihood of errors in recording the data due to the need for double-entry.

Recommendation 11

A civil docket should be programmed for the court's computer system to eliminate the necessity of preparing and maintaining manual hard-copy docket cards.

Unlike its criminal caseload, the civil caseload of the Metropolitan Court is of record. Therefore, much of the information maintained by the Civil Division is in high demand from public users. This high demand creates constant pressure for access to the manual card system; the voluminous files date back to 1980 and take up critically needed space in the department.

In addition to coping with a high volume of foot traffic, the staff also devotes substantial time to handling telephone inquiries for information entered into the manual docket. Computerization of this docket would significantly reduce the amount of staff time required to retrieve requested information, allow installation of an information terminal in a public area to further reduce demands on staff time, and eliminate the need to maintain docket cards, thus freeing up much-needed space.

2. Court Policy Regarding Response to Public Inquiries

The division director expressed concern that in recent years the office has been overwhelmed in attempting to respond to telephone requests for information and access to the files from a wide range of individuals and private concerns due to the lack of any stated court policy or priorities regarding access.

Recommendation 12

The court should develop a policy statement concerning the nature and scope of services to be provided by the Civil Division in response to telephone inquiries by the public.

There is a high demand placed on the services of Civil Division staff to provide information requested by telephone. While in the best of all possible worlds it would be desirable to

allow unlimited access and response to public inquiries regarding court records, such a policy is not realistic in the court's world of limited resources and competing demands.

The staff does not have time to handle inquiries from many private sector individuals and agencies who request information, nor should the court subsidize provision of information for commercial purposes. Much of the time spent by clerks in responding to such inquiries could be saved by the court's adoption of a clear statement concerning the nature and scope of inquiries that can be handled by telephone and those that require personal research of court records by the requesting party. Delineation of such a policy, coupled with computerization of the docket and installation of a public information terminal, would contribute greatly to easing the workload of Civil Division staff.

Based upon the estimates of the division director, implementation of these two recommendations alone could free up approximately one full-time equivalent position which could be reallocated to other needs within the division and to anticipated demands that will be placed upon the office when the new Civil Trial Court Division becomes operational.

B. Criminal Division

The Criminal Division is composed of the division director, two assistant division supervisors, five clerk III's, and fifteen clerks I/II. The division is located on the first floor of the courthouse, directly behind and to the right of the security counters. Access to the entire area, which includes Violations Division, Case Setting and Information Services is appropriately

restricted by the security personnel. The Criminal Division is responsible for the receipt, processing and maintenance of all misdemeanor, DWI, and felony cases filed in Metropolitan Court. During 1989, the criminal filings in the Court were 109,652 misdemeanor cases, 7,535 DWI cases and 1,906 felony cases. Interviews with the assistant division supervisors and a tour of the division facilities reflect the following areas of need.

As with other divisions, space is at a premium. The file shelving area is particularly tight. Of greater concern to staff, however, is the persistent problem of file management. An "out-card" system for removal of files from the stacks exists , but no tracking mechanism is in place. Nor is there any policy on the length of time a file may be checked-out from the stacks. The identification of a file management system incorporating the bar code technology discussed at page 30 and in Appendix D would greatly reduce the time spent searching for "lost files" and improve the control of the paperflow in the court.

Review of the case initiation system revealed some duplication of effort. While the expressed purpose for the duplication is the improvement of accuracy of data input, quality control can be implemented without the redundancy of duplicate entry. An example of the opportunities for reduced data entry lies in the case initiation in Criminal Division. When the case information is received from law enforcement, much of the same data elements required for case initiation have already been entered by the jail. At two separate desks in the Civil Division, the same data are reentered and then verified. Efforts to assure that the

information is entered initially in a reliable method would obviate the need for one of the desks to reenter most of the data. As with the Violations Division (discussed in the next section), the elimination of duplication in the entry of data, scheduling of events and conduct of hearings will greatly enhance the efficiency of court operations.

C. Violations Division

The Violations Division is composed of the division director, two assistant supervisors, one lead clerk, and twelve court clerks I/II. The division is located on the first floor of the court facility immediately adjacent to the Case Setting Division. Discussions with the division director revealed a number of areas for consideration to improve court operations.

1. Automation of Manual Processes

The division currently allocates one full-time equivalent position for the manual tracking of failures to pay (FTP's), and .25 to .33 full-time equivalent position to manually abstracting disposition information and forwarding the information to the Motor Vehicles Department (MVD). By providing appropriate computer programming support, these staff resources could be reallocated, saving staff time and improving the level of service and communication within the criminal justice system.

Recommendation No. 13

The Violations Division, in conjunction with Information Systems, should develop a computerized process for the identification, processing, and issuance of FTP's and the abstracting of disposition information to the New Mexico Motor Vehicles Department.

Specifically program development for abstracting information to the MVD would:

- Provide for a mechanism of making judgment information available to any user needing that information from the court record (such as judges, prosecutors, probation officers, credit agencies, etc.);
- Provide required information to the MVD. (Perhaps this information could be transferred electronically, thereby eliminating the requirement for the MVD to re-key the information into its system.); and
- Provide local law enforcement agencies with a method to audit their citations and determine dispositions on all citations issued.

2. Unnecessary Processing of Penalty Assessments

Currently, there is a need to clarify and streamline the processing of payments when a defendant initially enters a "not guilty" plea and subsequently chooses to change the plea to an admission. Staff report that the public is confused as to the appropriate location to send their penalty assessments if they change their minds and wish to plea guilty after they have received a trial date. Additionally, penalty assessments are frequently sent to the wrong location (the MVD) at the last possible moment. As a consequence, the Violations Division is processing an unnecessarily large number of cases for failure to appear and suspensions of driving privileges. Much of this work could be reduced or eliminated if appropriate protocols were developed with the Motor Vehicle Department.

Recommendation No. 14

The court should develop a protocol with the Motor Vehicle Department for handling payments of penalty assessments after entry of a 'not guilty' plea, but prior to appearance for trial.

3. Use of Bar Code Technology

Currently, Violations Division staff have to key-in the computer all data related to the processing of citations. The efficiency and accuracy of this activity could be improved by the use of bar code technology.

Recommendation No. 15

The Violations Division should explore the use of bar code technology throughout the processing of citations.

The New Mexico uniform citation is encoded with the case number in a bar code format. Case and citation processing in the Violations Division would be greatly enhanced by the addition of bar code scanners and software and the incorporation of bar code technology into case processing of all uniform citations filed with the court. The court should identify the bar code symbology used in preparation of the uniform citations to determine a consistent standard for use in all court bar code procedures and programs. (See Appendix D for a discussion of the use of bar code technology.)

4. Fines and Fees Collection and Enforcement

Diligent collection of fines and forfeitures and the timely and consistent enforcement of court-imposed penalties are axiomatic to effective criminal sentencing. Yet, the court does not have a formal program that emphasizes the collection and enforcement of court-imposed penalties.

Recommendation No. 16

The Violations Division should participate in the court-wide development of a fines and fees collection and enforcement program.

There are currently a number of court-sponsored collection

and enforcement programs using both stand-alone and mainframe computer support upon which the Metropolitan Court can rely for the development of a concept model, and for determining the resources and personnel needed to staff properly such an effort.

D. Case Setting Division

The Case Setting Division consists of a division director, eight court clerk I/IIs, and one temporary clerk I. The department is located on the first floor of the courthouse complex in space that is severely overcrowded when compared to generally recognized square footage standards for court support staff. The division is housed in approximately 625 square feet of space, which includes not only the supervisor and support staff work areas, but also current case files and filing equipment.

Recently, the State of Hawaii's judicial system prepared a master plan for the development of judicial space standards and design guidelines. Those guidelines recommended a minimum of 42 square feet for employees at counter workstations, 64 square feet for employees at clerical workstations, and 150 square feet for supervisors' workstations. Based on these guidelines, the division's workstation space alone is approximately 15 percent below recommended levels. When one adds in the space devoted to file storage, the workspace allocated for workstations is even more grossly out of line. Of particular concern is the location of some files and filing cabinets which may create a safety hazard in the event of an emergency.

An interview of the division director and a cursory walk-through of the division, revealed several issues of concern to this department.

1. Manual Backup of Case Settings

The director indicated that the division maintains a manual backup to the automated calendar. The backup consists of three calendars per month for a period of four months, or 12 calendars total, that are manually updated and maintained. She said she would like to terminate this procedure because it is inordinately time-consuming, but staff were concerned that without it, they would not be able to function during periods when the court's system is down.

Recommendation 17

A more efficient automated backup method should be developed, and the Case Setting Division should discontinue the maintenance of a manual backup on all case settings.

While the security of the manual backup to the automated calendar may be comforting for staff, it requires huge amounts of time and can be accomplished more efficiently by other means. The staffs' concern about downtime can be addressed in a number of ways. The director of Information Services should work with the division to develop a better backup procedure. Some possibilities include backing up files onto a disk that could be printed on another system within the county should the court system go down, or the daily printing of an emergency setting matrix.

2. Terminals in Courtrooms

Discussions with the division supervisor and with other court personnel reflect a need for terminals within the courtrooms themselves in order to eliminate the delay and duplication of effort caused by the current procedure.

Recommendation 18

Upon completion of the court's transfer to the AS400, terminals with the capability of performing case-setting functions should be installed in the courtrooms.

Presently, the division devotes virtually a full-time position to setting cases returned from court. This procedure causes delay in case processing, increases the traffic in the already overloaded Case Setting Division, and increases the cost of case scheduling by requiring multiple clerks to handle the same case. Under the current routine, when the defendant appears in court and enters a not guilty plea, the court confirms the current mailing address of the defendant and he/she is told that a notice of trial setting for some future date will be mailed. The case is then returned to Case Setting for preparation and mailing of the notice. Having terminals in the courtrooms would decrease the turnaround time for generating and mailing notices by enabling the court to prepare and deliver them on the spot, and would reduce the number of times the file must be handled by various staff members. Further, it is likely that personal service of the notice setting trial would increase the probability of the defendant's appearance at trial. It would most certainly reduce the administrative and legal problems and concerns that arise when defendants fail to appear for hearings scheduled by notices served by mail.

3. Continuances

The Case Setting director indicated that the extra work generated by continuances causes the division serious problems. She estimated that 50 to 75 percent of cases are continued. The

problem of continuances was echoed by several judges as well as the district attorney's office.

The implications of excessive continuances for court control of its calendar are discussed above in connection with the general recommendations regarding calendar analysis. A policy on continuances, which is consistently applied by all judges, is important for the reasons outlined there. (See Recommendation No. 9 above.) Such a policy is also important because of the substantial workload that continuances impose on the Case Setting Division. The work involved in continuing and subsequently recalendaring a case is about the same as processing a new case. Thus, a case continued three times (the district attorney's office indicated that five or six times is not unusual) affects the division like three new filings. In an office that is struggling to process the existing workload (which the division director estimates has tripled or quadrupled in the last 18 months), continuances impose a significant additional burden.

VI. CONCLUSION

As noted, Center staff was unable in the limited time allotted to review all areas of court operations and do a detailed analysis of problems and possible solutions. In the course of interviews, however, several other concerns were raised that deserve comment and suggestions for possible court action. Several judges, staff and police officers spoke of their frustration with night court as it had been originally instituted and expressed the hope that the proposed extended-hours court would only be put into effect after sufficient planning, with input by all affected parties. Conversation with the new presiding judge and others made it clear that efforts will be made to avoid the problems incurred the first time. The police department expressed perhaps the greatest concern that it be involved in planning for the extended-hours court so that it can work out any difficulties it may face in connection with its union contracts for civilian personnel and in scheduling police officer attendance. Among the suggestions made by the department that warrants consideration is that the court schedule for the evening only cases that don't require a police officer to be present (i.e., guilty pleas, cases not involving proof of chain of custody).

Representatives of the police department also discussed problems involved in scheduling police officers for court appearances during regular court hours. In this regard, they suggested it would be helpful to schedule the Lawyer's Docket an hour later--at 2:30 p.m.--so that swing shift officers could

appear during duty hours. This might be worth the court's consideration.

Overall, police representatives indicated their appreciation of the court's efforts to accommodate police officer schedules and stated their willingness to work with the court to improve efficiency and effectiveness. They expressed satisfaction at the openness and adequacy of communication between the court and the department at this time.

With reference to communications between the court and auxiliary agencies such as the police, district attorney, public defender, jail, etc., it was Center staff's understanding that the Criminal Justice Coordinating Council has met a number of times in the past year. This is important, and it is urged that regular meetings, at least quarterly, be held. These meetings should be convened to discuss the broad range of issues that confronts the entire Bernalillo County criminal justice system. Meetings should be scheduled well in advance with attendance required by designated attendees.

In addition to meetings of CJCC, it is suggested that a monthly meeting be scheduled that focuses more narrowly on Metropolitan Court operations as they affect and are affected by other entities. Regular attendees at these meetings should include the presiding judge and other judges of the court, the court administrator, prosecutor, public defender, jail superintendent, police department, probation department and a representative of the local bar association. Regular input from all of these participants in the operation of Metropolitan Court

should allow problems to be addressed from a full range of perspectives. Monthly meetings would provide a healthy atmosphere in which to air complaints, concerns, plans, and aspirations for the court.

Both of the meetings suggested can be forums for dispelling myths, rumors and pre-conceived notions about how the other is operating. Such interaction can only serve to improve understanding and cooperation and thus improve the overall operation of the court.

Another suggestion that bears consideration by the court (and perhaps the committee mentioned above) is the scheduling of arraignments on Saturdays. Judges would be assigned to Saturday duty on a rotating basis (with a day off mid-week) so that the additional burden imposed would be kept to a minimum. Like the Guilty Docket, arraignments constitute a large portion of the court's workload. For that reason, the court needs to take a careful look at how it might cope better with the burden they impose not only on the court but also the Bernalillo County Detention Center. It is suggested that the issue of Saturday arraignments be discussed with the District Court Judges. Trends in recent case law reflect a movement towards the determination of probable cause and conduct of arraignments within 48 hours of arrest. This trend will place serious demand on the courts to meet this requirement. Adding one more hearing day per week is one possible solution that should be considered.

A final suggestion frequently voiced by both the bench and the administrative staff is that the court find some way of providing

at least a minimal training budget that would enable judges and administrative staff to attend out-of-state continuing education workshops and seminars each year. Attendance at meetings dealing with such matters as caseload and records management, court management issues, technology and automation, etc., would be beneficial not only for the knowledge of the subject matter attendees would gain, but equally for the opportunity to build relationships with judges and staff from courts in other states and to learn how they deal with problems similar to those confronting Metropolitan Court. The NCSC team was impressed with the quality and dedication of the bench and staff of the court, and with their sincere desire to improve court operations. It is clear, however, that they feel isolated and have not had the chance to gain the broader perspective they need in order to find the best solutions to the problems facing the court. A small investment in their training would undoubtedly reap large benefits for the court in the future.

APPENDIX A

Management Guidelines for Key Management Functions
(prepared by the Management Analysis Group of the
University of California, Berkeley, CA.)

MANAGEMENT GUIDELINES

FOR

KEY MANAGEMENT FUNCTIONS

(EXCERPT FROM MANAGEMENT GUIDELINES, BUSINESS & ADMINISTRATIVE
SERVICES DIVISION, July 1, 1987 - prepared by the Management
Analysis Group)

MANAGEMENT GUIDELINES

Business & Administrative Services Division

PREFACE

Management is a results oriented function that takes place in an organizational context.

All organizations have a purpose for existence. An organization's purpose is expressed by its mission. Mission provides the basis for organizational functions and activities.

Organizational direction is developed within the context of mission. Direction is defined by the short and long range goals established to take advantage of opportunities, resolve problems and meet the organization's need to be effective in achieving its purpose.

The purpose of organizational activity is result. Desired results are linked to the goals of the organization and are defined by objectives the organization pursues within a given time frame.

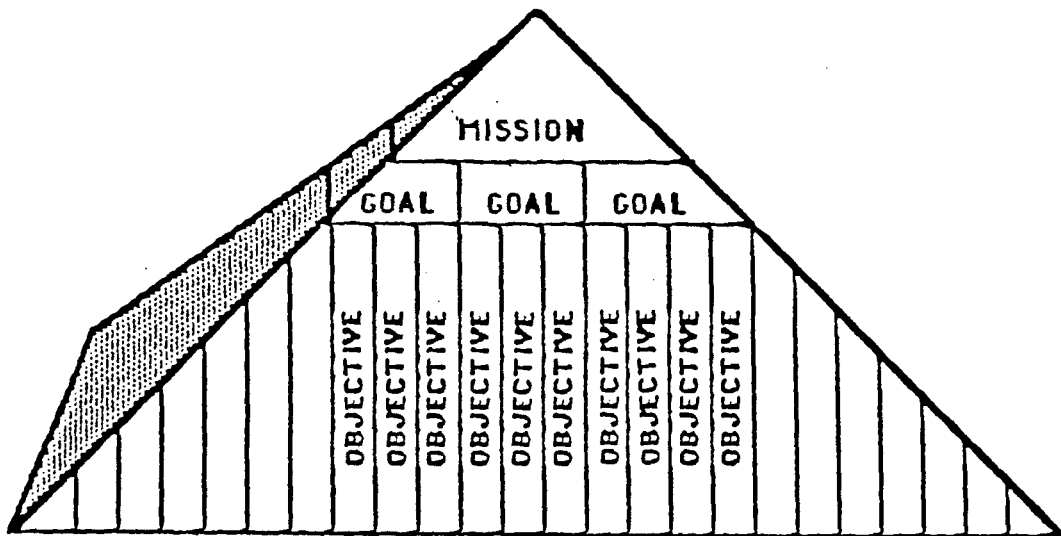
DEFINING MISSION, GOALS AND OBJECTIVES

INTRODUCTION

Mission, goals and objectives set organizational direction and define the results to be achieved within any given time frame.

Mission, goals and objectives have a pyramidal relationship. Mission forms the apex of the pyramid. Goals flow from mission. Objectives define the results that will be achieved to meet goals.

A traceable nexus must exist linking objectives back to organizational goals, and goals back to organizational mission.



DEFINITIONS AND EXAMPLES

MISSION

Definition

Mission is the organization's purpose, its reason for existence.

Characteristics of Mission Statements

Mission statements:

- ◆ describe the fundamental purpose of the organization
- ◆ are broad, encompassing the overall purpose of the organization and its component parts
- ◆ relate to the mission of the next highest organizational level
- ◆ describe the services or products the organization provides (its business)
- ◆ describe the service commitment of the organization and its component parts
- ◆ reflect the underlying values of the organization

Example Mission Statement

Purpose and service provided, stated in broad terms:

"Provide administrative and support services to the Berkeley campus..."

Relation to mission of next highest level:

"...which enable the University to achieve its academic mission of excellence in teaching, research and public service..."

Service commitment:

"...In providing these services, the Division will operate effectively and efficiently..."

Underlying values:

"...promote a high quality of life for students, faculty and staff, and maintain productive and cooperative relations with the business and civic communities."

GOALS

Definition

Goals are desired conditions sought over time.

Characteristics of Goal Statements

Goal statements:

- ◆ directly relate to an organization's mission
- ◆ establish organizational direction
- ◆ provide the basis for planning and directing organizational effort
- ◆ arise from existing opportunities, the need to resolve problems and the need for an organization to be effective in achieving its purpose
- ◆ are more specific than mission statements
- ◆ refer to "what" will be done rather than to "how" it will be done
- ◆ address the quality of what will be done in terms of the effectiveness, efficiency and timeliness of meeting client or organizational needs

Example Goal Statement

"Provide safe, convenient, affordable and well-maintained facilities that support residents' academic, social and family needs while incorporating resident input in the decision making process."

OBJECTIVES

Definition

Objectives are specific, measurable and attainable results that contribute to the achievement of a goal.

Characteristics of Objective Statements

Objective statements:

- ◆ can be directly linked to their related goal
- ◆ define quantifiable or verifiable results
- ◆ embody the standard for associated operational performance
- ◆ include a target date for completion
- ◆ are usually accompanied by an action plan for achieving their result
- ◆ provide the indicators of result that will be used to measure whether or not the objective has been met

Example Objective Statement

"Increase the dollar amount of business awarded to Small, Disadvantaged and Women-Owned businesses 10% by June 30, 1987."

Indicators of Result

The purpose of objectives is to achieve the results they represent. One determines if planned results have been achieved by verification through measurement.

Indicators of result are measures that reveal whether or not results have been achieved. Measures are relevant and reliable data that provide the evidence of success or failure.

Indicators of result tell whether or not there exists:

- ✦ an increase, decrease or steady level of productivity, volume occurrence of desirable events or occurrence of undesirable events
- ✦ the presence or absence of an end result on the planned date
- ✦ the presence or absence of complaints about a service, process or product an objective was designed to improve
- ✦ the presence or absence of a problem an objective was designed to resolve

Example objective statements describing related indicators of result:

"Increase the number of departmental audits 20% by June 30, 1987."

Indicator of Result: Number of audits performed by June 30, 1987 expressed as a percentage of the prior year's completed audits.

"Maintain a 95% accuracy rate in the production of payroll checks during fiscal year 1987-88."

Indicator of Result: Number of inaccurate payroll checks expressed as a percentage of the total checks processed.

Program Development vs. Program Maintenance Objectives

Two types of objectives are developed in the Business & Administrative Services division.

✦ Program Development Objectives

These objectives define desired results related to changes and improvements in the products, services or processes of an organization.

✦ Program Maintenance Objectives

These objectives define results necessary to maintain already established organizational products, services or processes at fully satisfactory levels. They:

- reflect any related requirements of University policy and externally imposed laws, regulations and standards
- are routinely reassessed to ensure they are current
- address operational need to respond to three interrelated performance factors:
 - ✦ service demand or client need
 - ✦ efficiency
 - ✦ effectiveness

Performance Factors

✦ Service Demand or Client Need Factors

These factors state the necessary volume of service activity to meet, in a fully satisfactory manner, service demands or client needs.

Examples: Number of paychecks that must be processed each month; number of square feet of building space that must be maintained per week; number of classification reviews that must be performed each month.

✦ Efficiency Factors

These factors state the relationship between resource use and desired results.

Examples: Number of persons who will clean X number of classrooms per day; number of training brochures that will be produced within X number of dollars.

✦ Effectiveness Factors

These factors state the quality or impact of results. They address "how well" results must be achieved to meet program maintenance objectives.

Examples: Number of analytical recommendations implemented by management without change; amount of dollars recovered through audit activity; classroom cleaning that routinely results in emptied trash baskets, swept floors, clean blackboards/chalk trays and straightened desks.

DEVELOPING ACTION PLANS

Action plans outline how the results of an objective will be achieved.

There are two levels of action plan.

MANAGEMENT ACTION PLAN

A management action plan communicates, to higher levels in the organization, the major tasks that will be accomplished to meet objectives. These plans are also used to communicate, to a manager's subordinates, the overall context for developing related operational action plans.

Management action plans briefly describe:

- ✦ the goal
- ✦ the objective(s)
- ✦ what is to be done
- ✦ who will do it
- ✦ within what time frames
- ✦ at what cost
- ✦ barring what obstacles or constraints

Management action plans define critical "milestones" for reporting progress to higher authorities and for receiving operational feedback about the progress made. A "milestone" is a planned activity whose completion signifies a major step toward achieving the objective(s).

OPERATIONAL ACTION PLAN

An operational action plan details the work that must be done to achieve management's plan. Operational action plans are usually prepared by operational staff within the context established by the manager's overall plan of action.

Operational action plans communicate responsibilities, tasks, time frames and financial commitments to those who will perform the work. They provide the means to monitor the progress of work and are the "standard" against which progress is measured.

Operational action plans describe:

- ✦ the related goal
- ✦ the associated objective(s)
- ✦ indicators of result
- ✦ the detailed steps that will be taken (tasks)
- ✦ the delegation of responsibility for completing each task and the final results
- ✦ the allocation of financial resources

- ✦ the time schedules for achieving each task and the final results
- ✦ potential constraints (or obstacles) to achieving planned results

DEVELOPING OPERATIONAL ACTION PLANS

Defining Tasks

Operational action plans describe the tasks that must be performed to get from Point A, the present position, to Point B, the desired results.

A general approach to task definition is to list, on a random basis, everything that must be done to accomplish the desired result. The level of task detail varies according to:

- ✦ the complexity of what must be done
- ✦ the importance placed on carefully controlling progress
- ✦ the number of people and special skills of those who will be assigned to perform the tasks (e.g., some tasks will be broken down to assign task segments to those who have the specific skills to complete them)
- ✦ the need to break out tasks for financial allocation

The tasks are then ordered sequentially. This ordering defines those tasks that must precede others to complete the sequence of actions and derive the final results.

Delegating Responsibility

The first delegation is one that assigns overall responsibility and authority for controlling the performance of tasks according to plan. Next, responsibility must be assigned for performing each task of the plan. If only one individual is involved, that person will be responsible for both task and plan completion.

The following should be considered in delegating responsibility:

- ✦ critical deadlines for individual tasks or the accomplishment of the final results
- ✦ consequent staffing requirements
- ✦ the experience and skills of each individual in relation to the tasks to be performed
- ✦ the routine workload commitments of each individual

Making Time Estimates

Time estimates provide dates against which to compare the progress of work. Those performing and controlling the work are best able to estimate the time it will take.

Two kinds of estimates are needed to define realistic time frames for task completion and the achievement of final results.

✦ Hours Required

"Hours required" refers to the actual amount of time it would take an individual to perform a task without interruption or other delays.

"Hours required" estimates are stated in units of hours and are derived by considering:

- the complexity of the tasks to be performed
- the level of each individual's productivity

✦ Elapsed Time

Elapsed time refers to the "real time" it will take for a task to be completed. "Real time" is calendar time. These estimates take into account:

- hours of effort estimated to complete each task
- scheduled absences (approved leave, University holidays)
- availability of people who must be consulted during task completion
- routine workload commitments
- provision for unplanned absences or delays (illness, changes in work priorities)
- probable under-estimation of actual effort required to complete tasks

Elapsed time is stated in terms of "beginning" and "ending" dates.

The ending date for completing the last of the sequence of tasks is the ending date for accomplishing the results of the action plan. If this date exceeds required deadlines, adjustments must be made to the plan.

Assessing Costs and Allocating Financial Resources

The decision to define the costs associated with an operational action plan usually depends upon whether or not the plan can be accomplished within existing, budgeted resources. If it can, one may choose not to itemize specific costs but rather treat these costs as budgeted expenses. If additional resources will be needed, itemization of costs is necessary to seek approval and funding from other sources.

✦ Staff Costs

Operational action plans are normally carried out by the organization's funded staff. Staff costs are calculated by multiplying the number of actual hours each staff member is expected to spend in task completion ("hours required") by that person's hourly salary.

The use of temporary or consulting staff usually results in costs which are not budgeted. In these cases, salary or consulting fees must be defined.

◆ Other Costs

Other costs to complete an action plan should be estimated. These costs may include, but are not limited to:

- equipment purchase/rental
- special supplies/services
- staff training necessary for action plan task completion

Costs should be itemized for each major task that must be done. The itemization of these costs defines where and when financial resources will need to be allocated.

The total cost for all tasks is the action plan budget. This budget, with its itemized task expenses, is used not only to monitor and control costs, but also as documentation of need if additional resources must be sought outside of the department.

"Final" Action Plans Are Seldom Final

The action plan provides the standard against which the progress of task completion, and the expenditure of resources, are measured. As such, the action plan must be revised when unforeseen circumstances require the increase or reduction of tasks, staff effort or estimated costs.

Action plans are seldom "final" when first developed. They evolve as the work progresses and the unforeseen becomes evident.

APPENDIX B

Objectives Review Worksheet

OBJECTIVES REVIEW WORKSHEET

1. Objective: (What is your intention; what do you plan to achieve? What end result do you want?)

2. Action Steps: (What actions will be necessary to reach the objective? If you are not the person to take these steps, identify the person who is.)
 - a.
 - b.
 - c.
 - d.

3. Who will be responsible?

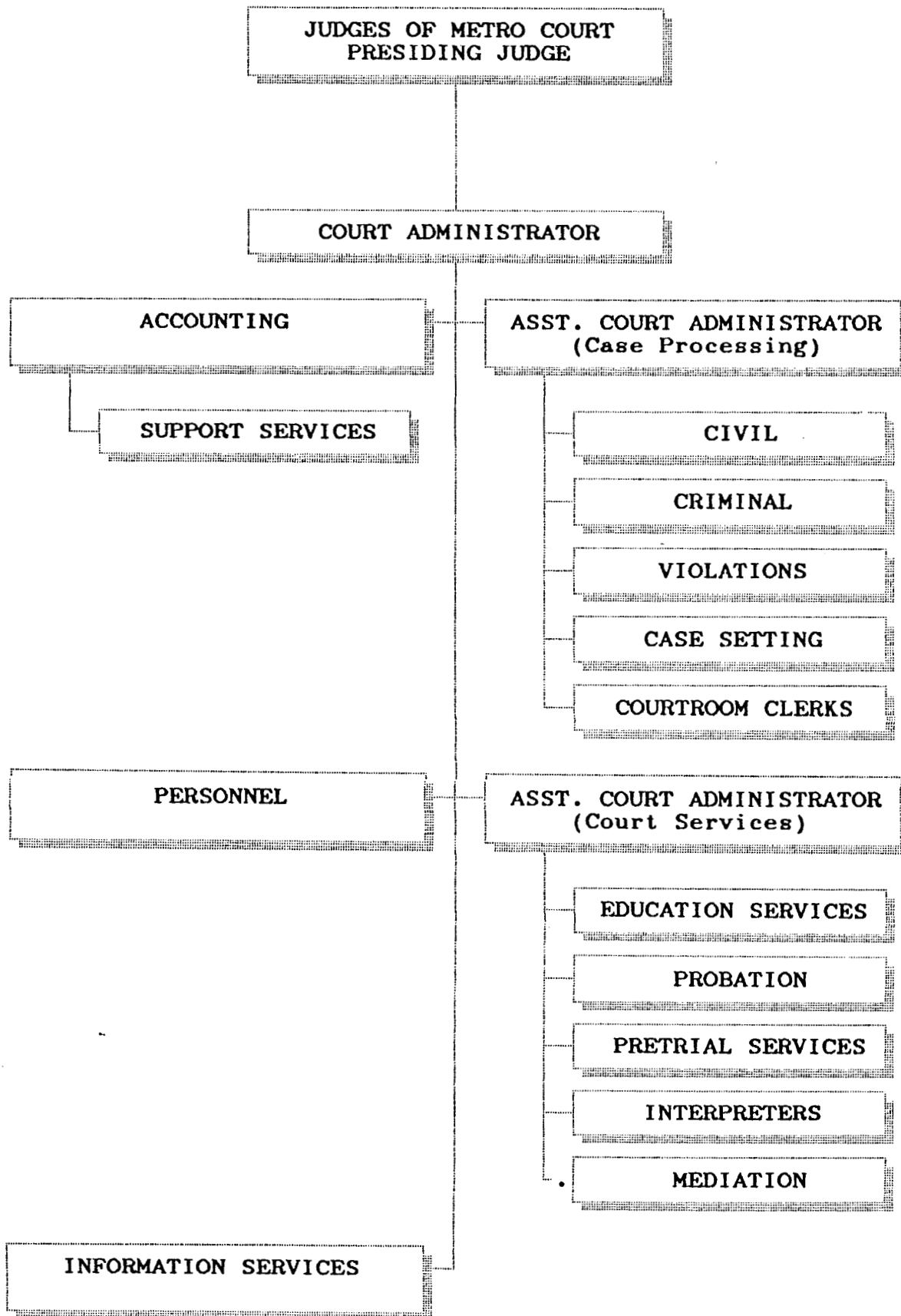
4. Resources Needed: (If money or people or other resources are needed for this item, indicate them here.)

APPENDIX C

Sample Court Organizational Charts

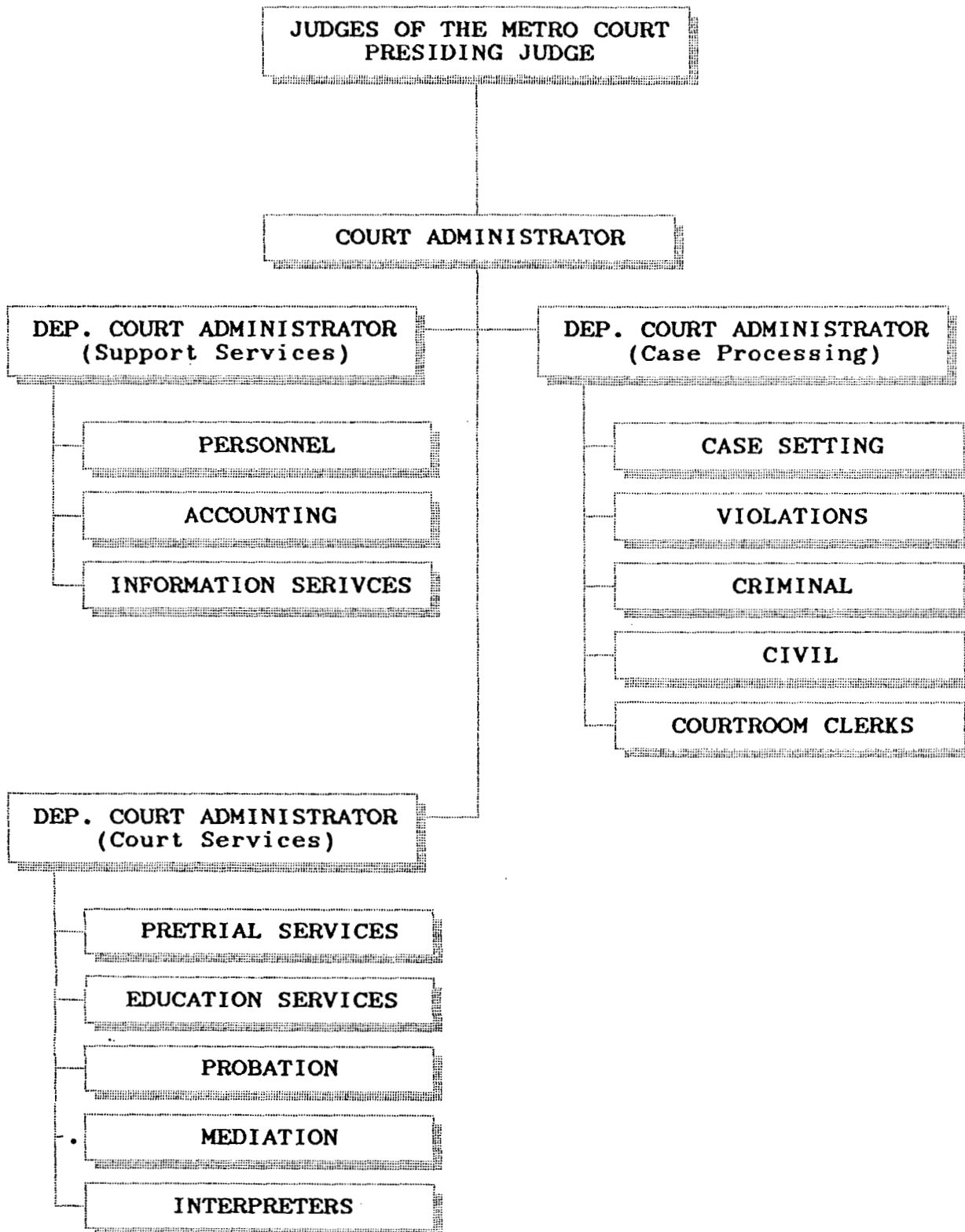
BERNALILLO COUNTY METROPOLITAN COURT
Organization by Division

Sample Organizational Chart No.1



BERNALILLO COUNTY METROPOLITAN COURT
Organization by Division

Sample Organizational Chart No.2



APPENDIX D

Excerpt from: The Magic Wand: Bar Code Technology
in the California Courts, National Center for State Courts.

II. OVERVIEW OF BAR CODE TECHNOLOGY

A. Introduction

Recent advances in technology have made available a number of new tools including small, hand-held computers known generically as "bar code" readers.* These devices are now used extensively in many industrial and commercial environments to collect information for such applications as item tracking, inventory control, time-and-attendance recording, monitoring work-in-process, assembly verification, information sorting, order entry, document tracking, controlling access to secured areas, receiving, and retail trade point-of-sale operations. Many analogous applications are found in courts. Item tracking, for example, applies to case files equally as well as to retail products. Monitoring work-in-process in the court environment refers to tracking the progress of cases or to juror management. Controlling access to secured areas such as the evidence vault could be done in courts by use of bar coded badges just as they are used in private industry. When cases or items of evidence are viewed as the court's inventory, it is easy to see that they, like commercial products, can be identified and managed using bar code technology.

Hand-held scanning devices have gained wide acceptance in industry settings and are now being used in courts for several reasons. The devices are small, lightweight and portable. Data can be collected in places which could not easily be served by the traditional data entry terminal. Property or evidence rooms in courts present physical limitations on the use of

* See page 9, below, for a definition of the term "bar code."

stationary data terminals similar to product warehouses. Scanning data directly into the hand-held devices eliminates the interim step of filling out data entry forms, a time-consuming process that can introduce delays and errors into the data collection process. By reducing (or in some cases eliminating) keyboard-based data entry tasks, the data collection process becomes faster, cheaper, more accurate, and less tedious.

Automatic I.D. News, a national publication specializing in research and documentation of scanning technology, emphasizes that bar code is not a system in itself. It is an extremely effective tool that provides the accurate and timely support of sophisticated management systems. Bar code technology, a tool for gathering data, specifically addresses only the first of three steps in the complete data processing system: input of information into an automated system with a tool that minimizes human error and speeds up that process. The two remaining steps - processing the data and output of the data - are not handled by bar code devices in most applications today. The "host computer" and application software, not the scanners, synthesize, combine, and calculate the data to produce reports and visual display of the information.

The decision to utilize bar code technology in any environment does not stop with the purchase of a scanner and the creation of a few bar codes. This technology is only one piece of the whole system. In order to achieve the greatest beneficial impact, bar coding and scanning should be carefully integrated into an overall plan for automation, one that provides for the needs of the entire organization.

B. Bar Codes

Bar codes are patterns of narrow and wide bars and spaces that represent numbers, letters or other punctuation symbols. Bar codes may be constructed to identify an item, its producer, or other data needed to identify or

regulate its movement. A scanner is used to "read" the symbols, interpret them, and transform them into data which can be input into a computer for processing. As any U.S. shopper knows, bar code technology has revolutionized the check-out process in supermarkets and retail stores. Today, most items are labeled with a bar code identifying the item, its manufacturer, size and other pertinent characteristic. By whisking the item across a scanner or using a "point and scan" technique, the item is identified. A computer records the sale and adjusts the store's inventory.

The most common bar codes are horizontal with vertical dark bars and light bars or spaces. Information is encoded in bar codes by varying the width of these bars and spaces, as shown in the example below.



C105

In this example, "C105" is a code that could represent a product name, a court case event, a case type or the identity of a court clerk, depending upon the application using the bar code. Although the entire name could be bar coded, codes are used instead to shorten the length of the bar code and to reduce the amount of storage space required in the computer.

A scanning device emits a beam of light as it moves over a bar code. Dark bars absorb the light; spaces reflect it back into the scanner. Thus, interpretation is possible by measuring the relationship between light and dark bars. Using mathematical algorithms, the scanner transforms the light fluctuations into electrical impulses that are measured by a decoder. These electrical impulses, once decoded, become the same transmission media used by computers -- data in the form of binary code.

The patterns of bars and spaces composing the bar codes is called a symbology. The most popular symbologies today are:

- UPC
- EAN
- JAN
- Code 39
- CODABAR
- 2 of 5
- Interleaved 2 of 5
- MSI
- Code 11
- Code 93

The Universal Product Code (UPC) and its worldwide counterparts, the European and Japanese article numbering systems (EAN and JAN), are extensively used in retail. Interleaved 2 of 5, a numeric symbology, and Code 39, an alphanumeric symbology, are popular in industrial and government applications. Code 128 and Code 93 are alphanumeric codes that offer higher density and self-checking.

Each bar code symbology is regulated, either formally or informally, by an organization that maintains the consistency and standardization of the code. Information on how to construct bar codes may be obtained from the standards organizations listed in Appendix B. Bar codes must be created within the specifications established by the coding authority. An improperly created label may not conform to established specifications recognized by the scanning device, and will be rejected or disregarded by the scanner.

Bar codes can be printed directly on products, case files, menu cards or documents to be scanned or on gummed labels, among other mediums. Some STATSCAN courts produce bar code labels for case files, while others order case jackets with pre-printed bar codes from a printer.

Because a high first-time "read rate" reduces operator frustration, the quality of the bar code image is extremely important. The printing process must be carefully regulated to ensure production of high quality bar codes that can be read accurately. Print quality of the label is affected by the paper absorbancy, the ink reflectance, contrast, voids and specks in the ink

or paper, edge roughness of the individual bars, and the shrinking or spreading of the ink after the label has been created. It is interesting to note that the slightest ink mark or incorrect lighting may cause adverse effects on the read-rate and accuracy of the scanning. Ink voids or ink specks will be interpreted as logical changes when they are detected by the scanner. This causes an illegitimate output which cannot be processed, and the bar code cannot be read. STATSCAN courts found that labels created by dot matrix or thermal printers often have too low a contrast, causing an inability to distinguish the dark bars from the light spaces, thus, "no read." (Dot matrix printers print in series of dots, leaving space around them with no ink.) Also, using ink that smears will cause a reduction in the reflectance of the white area, thereby reducing the contrast.

C. Scanning Devices

A portable bar code scanner is a small, hand-held device used to read bar codes. Scanners come in a variety of shapes and sizes: some scanners look much like oversized pencils (referred to as pencil-wands), others resemble large toy guns. Wands are usually attached by cables to hand-held units which look like large calculators.

Scanners use incandescent, visible red LED, infrared LED, laser-helium-neon or solid state diode light sources to read the symbol. Some devices require physical contact with the bar code; others read from distances up to several feet. Some are stationary; others are portable.

Over 35 vendors offer scanning devices. The most common types of scanners include laser scanners, optical character recognition scanners, magnetic ink character recognition scanners, and contact (wand) scanners.

Of the scanning devices that read bar codes, laser scanners have the highest first time read rate. They create no "wear" on printed bar codes

because they are non-contact devices. Bar codes can be read from as far as 12 inches away and rarely require scanning more than once. The drawback of the laser scanner is cost, which can be up to ten times the price of a contact scanner.

Contact scanners use a "wand" which is drawn across the bar code to read it. Scanner wands are designed with low resolution and high resolution characteristics. A wand designed for low resolution will not be as sensitive to printing anomalies such as voids and specks, but a high resolution wand will detect them, causing a "no-read" condition. A low resolution wand, however, may cause the user to scan more than once to read a bar code, resulting in some operator frustration. Scanning wands are designed to read at a specific distance -- usually in direct contact with the label or menu itself. Using thick plastic or glass to minimize wear can cause improper or incoherent reads, but protecting printed bar codes from wear by a thin, non-reflective lamination will increase the life of the bar code and will not adversely affect the wand's ability to read it.

Pencil wands may be used for direct data entry to supplement or replace keyboard data entry when used in a "wedge" scanner wired to a personal computer. More commonly, a wand is attached to a portable, hand-held terminal called a "brick" (so-called because of the resemblance in size and shape to a masonry brick). STATSCAN uses both wedges and bricks with pencil wands.

The hand-held brick is actually a small microcomputer with an alphanumeric keypad that serves as an alternate means of data entry and a small liquid crystal screen to display data and instructions for the operator. The hand-held unit receives data from the wand, decodes the data, performs limited editing of the data, and stores or transfers the data to a computer for processing. The device also date- and time-stamps the data elements. To

perform these functions, the device must have many of the same hardware elements as other computers: memory for storage of data and programs, a processor, and a communications "port". As the technology has improved, many of the newer hand-held devices contain the Intel 80286 processing chip that is commonly used in the "AT"-level personal computer. With up to 1 mb of random access memory (RAM) and 64 kb of read-only memory (ROM), RS232 compatibility for communications, and liquid crystal display (LCD) of 16 lines, these new hand-held units are much faster than previous models and seem to have everything but a hard disk.

D. Software for Portable Bar Code Devices

Like all computers, scanning devices must be programmed to accept and store data. Programs must be written to display data on the miniature screen, to edit the data, to display error messages, and to prompt the operator for required data elements. The various scanners manufacturers offer bar code readers that use different programming languages (i.e., TCAL, BASIC, C). In addition, each device is controlled by an operating system, usually a proprietary software product that works specifically with the manufacturer's line of devices.

The application software for scanning devices is usually developed on a microcomputer, then transferred to the unit's memory via the scanner's RS232 port. The programs may also be stored in the device in EPROMS, memory chips specially designed to hold programs. After the software application is loaded, the unit is ready to receive data through either a pencil or laser wand. STATSCAN bar code readers use EPROMS to conserve RAM space for data.

The application software resident in the scanner unit is much different from the software developed for the host computer. Although extensive code and edit checking is performed by the scanner, any error checking which

requires access to a previously accumulated pool of data must be performed by the host computer after the data are downloaded. STATSCAN microcomputer programs have extensive error checking. With the increasing memory size of the small hand-held units, future applications may more easily incorporate better logical error checking because the devices will be capable of holding large stores of accumulated data. For example, all cases on a judge's calendar for the week could be downloaded to the clerk's bar code reader which could then check data scanned for logical consistency. Regardless of the system complexity, the software design for the hand-held units must be compatible with the receiving software on the host computer. This means the creation and implementation of a standard data dictionary that is common to both environments.

With their newer product lines, most scanner manufacturers are moving away from proprietary operating systems and proprietary third-generation languages to offer MS-DOS compatibility and generic languages that are familiar to experienced microcomputer programmers. Although some industry representatives claim that programming the hand-held devices is a "simple process", we would dispute this claim and caution courts to obtain the required technical expertise. It is important to recognize that the data collection software must be just as carefully designed and executed as any other programming task.

E. Host Computers

Once data has been accumulated in the hand-held device, it must be "downloaded" (transferred) to a host computer for further processing. The host may be any microcomputer, minicomputer, or mainframe that can receive ASCII data through a modem or using a serial cable connected directly between the computer and the hand-held unit. The data received by the host from the scanner must be organized (or re-organized) by a software program into a

format compatible with the host's software.

The choice of a host computing environment is influenced by many factors, including the amount of data to be processed and stored, existing equipment used in the court, the number of people who will be directly involved in operating the computer, and the number and duration of tasks each must perform. In order to select a computer environment that will adequately support the application and not restrict its usefulness, the advantages and limitations of different microcomputer environments should be understood. Microcomputer-based systems fall into four categories, each of which has certain limitations and benefits. The categories refer to whether the operating system is single-user or multi-user (allowing one person or several to use the system) and single-tasking or multi-tasking (capable of processing one operation at a time or many operations simultaneously).

1. Single-User, Single Tasking Operating System

A single-user, single tasking operating system is designed to allow one person on a single computer to perform one task at a time. A personal computer is an example of this type of computer environment. MS-DOS is recognized as the standard in single-tasking, single-user operating systems. It has a large following of both users and application software developers. Hundreds of off-the-shelf packages for word processing, graphics, database management, spreadsheets, and many specific applications are available to run on microcomputers using this type of operating system.

By comparison with multi-tasking operating systems, single-user, single-tasking operating systems are uncomplicated and require little memory and simple hardware. These systems are inexpensive, widely available and generally easy to learn. But, they have limitations which make them inappropriate in certain situations. Consider the following example of a bar

code application that requires four separate types of tasks: downloading data from scanners, editing the data, on-screen inquiries, and producing printed reports. With a single-user, single-tasking system each task must be done sequentially. For a court with only a few scanners to be downloaded each day, a small database of cases to be edited and reports needed only periodically, this workload would present no problem for a single-user, single-tasking system. As the number of scanners to be downloaded grows and the number of hours required to edit data on-screen and run reports increases, scheduling work on the computer may become a problem. One solution to the dilemma of too few hours in the work day to perform all necessary work is to schedule the computer to perform certain tasks at night that do not require operator intervention (e.g., producing reports). Eventually, however, scheduling conflicts and physical distance of clerks from the computer may limit the computer's overall usefulness.

2. Single-User, Multi-Tasking Operating System

A single-user, multi-tasking operating system allows one person using a single system to perform multiple tasks simultaneously. The user could download data from a scanner, edit previously entered data on-screen, and run a report program all at the same time. Of course, since there is only one computer terminal, only one on-screen operation can be performed or viewed at a time. But, multi-tasking systems often have "windowing" features that allow the operator to toggle between different screens. The user could toggle between an inquiry screen and a spreadsheet program, or between the output from two report programs. The limitations of this type of system are that only one person can use it at a time, and physical distance from other users may present a problem for some applications.

3. Multi-User, Single-Tasking Operating Systems

Local Area Networks (LANs) are the most common example of multi-user, single-tasking operating systems. LANs connect multiple microcomputers by cabling or radio transmission to share peripheral equipment (e.g., modems, printers), software programs, and, frequently, a common database. This multi-user, single-tasking operating system controls, or overrides, the operating system of the connected microcomputers. Users retain all the functions of a standard single-user, single-tasking system when the microcomputer is disconnected from the LAN. This popular arrangement allows organizations with multiple single-user, single-tasking systems to take advantage of the increased capabilities of a LAN environment such as file-sharing, electronic mail, and enhanced security.

STATSCAN has been implemented on the Banyan LAN, using the Vines Operating System. Court staff can independently perform any STATSCAN computer operation from any microcomputer on the LAN. Data may be downloaded while reports are being run; previously entered data may be edited by a supervisor while a clerk looks up a case history at another microcomputer. Each microcomputer can perform only one task at a time. A report which takes several hours to run occupies one microcomputer workstation for the duration of the report processing, making it unavailable for any other purpose. Many courts have benefitted from implementation of Statscan on LANs because the availability of multiple workstations allows increased flexibility and less need to schedule computer tasks.

4. Multuser, Multitasking Operating Systems

The multiuser, multitasking operating system is the powerhouse of operating systems and was formerly available only on minicomputers and mainframes. Today, due to the increased popularity of microcomputers and

tremendous advances in technology, multiuser, multitasking operating systems such as UNIX have been developed for the microcomputer. A multiuser, multi-tasking operating system allows several users to perform multiple tasks simultaneously. For example, implementation of STATSCAN in a multiuser, multitasking environment would give each user the capability of simultaneously more than one task.

In general, multiuser, multitasking operating systems such as UNIX and XENIX require a minimum of 20MB of hard disk and as much RAM as is economically feasible beyond a minimum of 1MB. This is due to the need of operating systems to allocate separate areas of memory and storage for each user, as well as the appetite of complex operating systems for memory and disk storage.

Multiuser systems can have a microcomputer, minicomputer, or mainframe as the host. The following chart identifies the range of workstations typically supported by each host in a multiuser environment, although specific manufacturers may offer systems in each category that exceed these ranges or support fewer users.

<u>Number of Users</u>	<u>System Size</u>
2-8	Microcomputer
8-32	Super microcomputer, LAN
32-48	Super microcomputer to small Minicomputer, LAN
48-64	Minicomputer, LAN
64-128	Minicomputer to Super minicomputer
128-256	Super minicomputer to small mainframe

Programming the host environment should be performed only after careful consideration of the integration levels desired. If the project is to be limited (both short-term and long-term) to the collection of statistical data

via scanning, with no integration of other systems whatsoever, the task is relatively straightforward. If the court plans to have an automated case management system integrated with scanning technology, the design and development process is much more difficult both because of the increased complexity of the application and the issue of how to integrate scanning with other data collection techniques.

The selection of the application software on the host end is critical because this decision will determine the ways in which the scanned data can be utilized. Applications developed with simple third generation languages such as COBOL or Basic tend to have inherent limitations when it comes to data manipulation and reporting capabilities. Selection of an appropriate database management system with good reporting capabilities will offer the greatest opportunity for courts to use their data.