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Western Regional Office

MANAGEMENT AND
ORGANIZATION ANALYSIS
OF THE
STOCKTON MUNICIPAL COURT
CLERK/ADMINISTRATOR'S OFFICE /

Rec'd 6-8-87

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I. INTRODUCTION

Public attitude towards the courts is shaped in large part by high profile litigation making the news. The daily business of the courts, to provide a fair, neutral, and timely resolution of disputes, goes largely unnoticed. What is left to shape the public attitude is personal contact with the judicial system. It is at this juncture that courts of limited jurisdiction leave a lasting impression on the public. In California in fiscal year 1984-1985 some 8,420,284 cases were filed in the municipal courts, while 825,554 cases were filed in the superior courts.¹

California continues to experience population growth at a faster pace than most states. Municipal court filings statewide increased 23.5 percent from FY 1979-80 to FY 1984-85, San Joaquin County Municipal courts' filings increased 31 percent over the same period, an even faster rate than the state as a whole.²

All too often high volume municipal courts do not provide the efficient, courteous service that the public deserves. Counties are sometimes unwilling to undertake and underwrite improvements for the courts. Fortunately, San Joaquin County has recognized the importance of working with the Stockton Municipal Court in an effort to provide the best services possible.

- The county is currently participating in a four-county effort to develop a comprehensive automated "Criminal Justice Information System" (CJIS).

¹ Judicial Council of California Annual Report, 1981, pp. 190-193, and 1986, pp. 227-229.

² Ibid.

- A professional records management consultant has been hired to guide the county's records management efforts.
- A team management consultant is under contract to provide staff with team building workshops to improve management.
- The county and court continue an open exchange of information regarding court needs and county resources.

The National Center for State Courts appreciates the opportunity it has had to conduct a management and organization analysis of the Stockton Municipal Court clerk/administrator's office. This study is one more indication of the cooperation between the county and the court and their joint commitment to provide the best court services possible.

This study has been conducted during a time that the court has had to struggle to keep pace with its caseload. Project staff realize that automation will bring significant changes to the operation of the court. In some divisions these changes will begin this year; in other divisions automation is planned for 1988. This report would have devoted far more attention to improving the manual case processing in the Stockton Municipal Court if automation were not on the relatively immediate horizon.

We have attempted to make recommendations that are useful during this period prior to implementation of CJIS and ones that will serve the court when automation is completed. Since detailed documentation of the new system was not available, we have had to make assumptions about its effect. The purpose of this report, therefore is to identify needs or opportunities for improvement based upon an examination of all functions performed by the clerk and his staff and our analysis of the new automated systems.

By confining this report to proposed improvements we in no way imply that all we found were problems. On the contrary, the staff of the clerk's office impressed us with their professional attitudes and dedication to their work. Moreover, the level of cooperation extended during our review was exemplary. These and many other aspects of the clerk's office are commendable but neither time nor resources enable us to present these positive aspects in this report. Their absence here does not mean they do not exist.

The work underlying this report was performed by a interdisciplinary team of full-time professionals employed by the National Center.

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The National Center expresses its appreciation to the board of supervisors for supporting this project and to the many persons who facilitated our efforts.

Respectfully submitted,

National Center for State Courts

II. BACKGROUND

This chapter of the report is devoted to a brief description of the clerk's office operation and a review of each chapter to come.

The Stockton Municipal Court is one of four limited jurisdiction courts in San Joaquin County. The clerk's office is located on the first floor of the county courthouse. Al Flor, the clerk-administrator, is head of the office. Reporting to him are four municipal court coordinators who, with the clerk, comprise the office's senior management. They are: Anna Guillory, court coordinator of the accounting division; Bea Gin, court coordinator for the traffic division; Geri Flanary, court coordinator of the civil/small claims/criminal division; and Dorothy Glennon, coordinator of the calendaring division. The divisions are further divided as indicated in the workload and workflow section of this report. Additional administrative support for the municipal court is provided by two judicial secretaries. A secretary to the clerk-administrator was hired in January, 1987.

The court has jurisdiction over small claims matters, civil matters of \$25,000 or less, traffic violations, criminal misdemeanors, and preliminary hearings in felony matters. A pretrial services officer also reports to the judges. Seven judges and a commissioner serve in the court with the position of presiding judge rotating annually among the judges. The total number of budgeted positions in the Stockton Municipal Court is 70. (See Organization Chart in Appendix A.)

The substantive chapters of this report cover management function and structure, personnel, automation, division operations, and records management. Within each discussion, the writers of this report have attempted to briefly introduce the subject area, state the National Center's recommendations, and provide justification for each recommendation.

Chapter III on management function and structure examines the management issues of the Stockton Municipal Court on a courtwide basis. The subject areas included in this chapter are: the senior management team, chain-of-command, setting objectives and planning, management meetings, and management information.

Additional management issues that have courtwide implication are discussed in the chapter on court automation. Some management issues relate more specifically to the discussions in subsequent chapters of this report and are included in those chapters.

The personnel section, chapter IV, includes: employee selection process, job classifications, orientation and training, staffing levels, performance evaluations, staff turnovers, exit questionnaires, and facilities. Here again, there are a number of issues that are discussed in greater detail in other sections of the report. For instance, requirements of training for courtroom clerks are discussed in the courtroom clerk chapter rather than in the personnel chapter.

Chapter V provides an overview of the CJIS automation project. Since the Stockton Municipal Court is only one of the

San Joaquin County agencies which will be using the new criminal justice information system, some general discussion of system development and implementation is provided in this chapter. This chapter also addresses fundamental courtwide automation issues.

The division operations chapter of this report reviews the current operations in the different divisions of the Stockton Municipal Court. More detailed workflow and procedures are included in appendices to this report. Some of these discussions include statements of workflow under CJIS. For the most part, this can be little more than conjecture, as the documentation for CJIS is largely composed of high level flow diagrams and gives little or no detail by individual work section. The calendar operations section of the report includes a discussion of the calendar assignment to the seven judicial departments and the commissioner's traffic court. The chapter includes recommendations for improvement of traffic, accounting, criminal, civil, small claims, and calendar operations.

The final chapter of the report examines records management. The National Center project team had the opportunity to meet with Robert Woodall, the San Joaquin County records management consultant, to discuss his report to the county. The discussion in this report has attempted not to repeat what the National Center believes will be in Mr. Woodall's recommendations but to provide a few specific recommendations and a discussion of forms design.

The following is a list of all recommendations compiled from the entire report. Page references are listed for convenience.

Recommendation No. 1

A greater percentage of the coordinators' time must be diverted from line work to management. To achieve this, a greater number of supervisors under the coordinators are essential. These supervisors also need management training. p. 16

Recommendation No. 2

The clerk-administrator must be actively involved in managing the clerk's office in order to implement the recommendations in this report and in order to have an effective operation. p. 18

Recommendation No. 3

The incumbent clerk-administrator and the judges should prepare a revised formal job description for the clerk-administrator position. p. 19

Recommendation No. 4

The clerk-administrator and coordinators should receive management training or courses to enable them to manage and train the persons under them. p. 20

Recommendation No. 5

The court's managers, in consultation with the judges, should undertake a regular, systematic planning and goal setting process that includes a statement of long-term objectives and a set of plans for at least the next twelve months. Long-term objectives should be reviewed every three to five years. p. 24

Recommendation No. 6

Senior managers should meet on a regularly-scheduled basis at least once every two weeks to review current operations, short-term needs, and long-term planning. p. 27

Recommendation No. 7

Senior managers should identify, collect, and use more management information. The capacity of the new computerized information system to provide increased amounts of management information should be understood by the managers and used to the fullest extent possible. p. 29

Recommendation No. 8

The clerk-administrator should request that the county personnel department perform a job classification audit to determine whether the municipal court deputy clerks should be hired from the legal clerk series. p. 34

Recommendation No. 9

The practice that requires a deputy clerk II to have supervisory responsibilities should be eliminated. p. 35

Recommendation No. 10

The clerk-administrator should develop an orientation program including a general orientation to the clerk's office and to the court. p. 36

Recommendation No. 11

The clerk-administrator should institute a formal training program for all personnel. p. 37

Recommendation No. 12

The coordinators should conduct annual performance evaluations. p. 41

Recommendation No. 13

Obtain assistance from a space planner/architect to redesign the floor plan and layout of Room 100 and 101. p. 43

Recommendation No. 14

Provide small computer tables for those staff who will have terminals at their work station, or as funds permit, replace the desks with modular work-stations. p. 44

Recommendation No. 15

Provide anti-glare screens for all terminals. p. 45

Recommendation No. 16

Group all large CJIS system printers for the traffic division in one area of the office. Enclose this area with sound-proofed dividers. p. 45

Recommendation No. 17

Determine which individual project milestones are directly related to Municipal court functions. p. 48

Recommendation No. 18

Continue to monitor estimated completion dates for each relevant project component. p. 51

Recommendation No. 19

Each municipal court division should delay conversion to the automated system until all needed modules for the particular case type (civil, criminal, traffic) handled by that division are completed, installed in San Joaquin County, and tailored to the court's needs. The systems required for case processing of an individual case type are so interrelated that partial implementation of a new system could create extreme duplication of work. For instance, it would be inappropriate to create a register of actions for traffic cases, if cases could not be calendared and fines accounted for. p. 51

Recommendation No. 20

Establish better communication and a closer working relationship between the county data processing department and the clerk's office. p. 53

Recommendation No. 21

The current clerk's office CJIS project representative should be encouraged to continue work on CJIS, but her role should be re-evaluated. p. 57

Recommendation No. 22

Provide the opportunity for the CJIS representative to expand her background knowledge of data processing concepts and systems analysis. p. 57

Recommendation No. 23

An internal automation review and planning group should be established with representatives from the municipal court clerk's office and the courtroom clerk staff to evaluate the CJIS system and to begin planning for implementation of the systems in Stockton. Project staff understands that since the NCSC site visits to Stockton such a committee has been established. p. 59

Recommendation No. 24

Request the San Joaquin County data processing department to review the plans for the number and placement of terminals and printers for the clerk's office and the courtrooms with the clerk's office coordinators, and the clerk. 62

Recommendation No. 25

Access to personal computer software should be provided to some staff and managers. p. 64

Recommendation No. 26

The local managers of the CJIS development effort for Atkisson and Associates and the San Joaquin county data processing department should be requested to provide a more detailed status report on the progress of the CJIS project as it affects the municipal Court. NCSC project staff understand this recommendation has already been complied with since the last Stockton site visit. p. 65

Recommendation No. 27

Consolidate the various, active adult case files into one file ordered by citation number. p. 77

Recommendation No. 28

Change the ordering of the disposed case file to case number order. Keep these cases filed separately from active cases, as they are now. p. 77

Recommendation No. 29

Ensure that the requirements for the automated system clearly indicate the necessity for producing listings of cases by user-defined parameters (e.g., all cases with outstanding warrants, all cases for a defendant). p. 77

Recommendation No. 30

Ensure that requirements for the automated system will allow the clerk's office to eliminate the manual production of notices, docket sheets, calendaring slips, calendars, and warrant cards by replacing them with information available on-line through inquiry and in printed outputs. p. 79

Recommendation No. 31

Retain the same staffing level in the traffic division. p. 80

Recommendation No. 32

Redesign the cashiering stations to accommodate the VDT equipment and cash drawers for the CJIS system, and provide seating for the cashiers at the windows. p. 81

Recommendation No. 33

Upgrade the money mail desk position to a deputy clerk II. p. 83

Recommendation No. 34

The accounting coordinator should have a personal computer.
p. 84

Recommendation 35

Request the county data processing department to assign a programmer/analyst to assist the accounting coordinator with the development of PC-based applications. p. 85

Recommendation 36

Provide greater opportunity for input from the accounting coordinator concerning the accounting functions of the CJIS system as it affects the municipal court operations. p. 86

Recommendation No. 37

Create a numerical filing system. p. 91

Recommendation No. 38

The fish and game clerk should stop typing duplicate lists.
p. 92

Recommendation No. 39

Eliminate some rubber stamps by preprinting the most frequent activities on the register of actions. p. 93

Recommendation No. 40

The deputy clerk III should supervise the civil and small claims division. p. 95

Recommendation No. 41

Remove division chief responsibilities from the deputy clerk II position. p. 95

Recommendation No. 42

A deputy clerk III position should be created and appointed division chief of the criminal division. p. 96

Recommendation No. 43

Two persons with the classification deputy clerk II should report to the deputy clerk III in criminal. p. 96

Recommendation No. 44

The criminal division should be restructured and the criminal clerks should be cross-trained. p. 97

Recommendation No. 45

One permanent clerk should be hired for the criminal division. p. 97

Recommendation No. 46

A supervising courtroom clerk should be appointed to assist the calendar coordinator. p. 108

Recommendation No. 47

Regular meetings should be held for all courtroom clerks, the supervising courtroom clerk, and calendar coordinator. p. 110

Recommendation No. 48

The calendar coordinator should develop a comprehensive training program for courtroom clerks. Uniformity and standardization of operations should be promoted. A cross-training program should be established so that all courtroom clerks are knowledgeable about more than one courtroom operation. p. 110

Recommendation No. 49

The calendar coordinator should set up a rotation program to assign courtroom clerks to different departments on a six-month or annual basis, depending upon the nature of the court department and the knowledge of the clerk. The rotation program should be mandatory for all courtroom clerks. p. 112

Recommendation No. 50

The calendar coordinator should establish a courtroom clerk "user group" to analyze courtroom clerk requirements for the CJIS system, forecast staffing requirements, and provide feedback to systems people through appropriate channels. p. 115

Recommendation No. 51

The court should adopt a case filing system ordering its cases by sequential number. The only separation of case files should be the removal of closed case files to a closed files section. p. 120

Recommendation No. 52

The use of three or four drawer vertical filing cabinets should be phased out with the acquisition of more efficient open shelf equipment. p. 121

Recommendation No. 53

The court should encourage the county to purchase high-density mobile open shelf filing if they can be purchased at reduced cost. p. 121

Recommendation No. 54

A case numbering system should be developed courtwide with a series that shows the year (86, 87, 88, etc.), a two letter code for case type (CV - civil, SC - small claims, DC - disorderly conduct, etc.), and a five digit consecutive number for cases as filed (00001 to 99999), starting again with 00001 each new year. p. 122

Recommendation No. 55

An ongoing forms management committee should be established within the court to prevent the proliferation of non-standard forms and promote efficiency in future forms development and revision. p. 123

Recommendation No. 56

Forms should be generally uniform in appearance and structured to emphasize essential information. p. 124

Recommendation No. 57

The clerk's office should maximize the use of multi-part forms. p. 126

Recommendation No. 58

Form content should be reviewed for the purpose of eliminating or combining forms. p. 127

Recommendation No. 59

Forms should be reviewed for the purpose of eliminating wordiness and archaic language that obscures essential information. p. 127

Recommendation No. 60

Forms should be inventoried chronologically by subject area, grouping similar forms together. p. 128

III. MANAGEMENT FUNCTION AND STRUCTURE

As in all courts the judges, particularly the presiding judge, have the ultimate managerial authority and responsibility. Under modern court management principles most judges do not want the responsibility for day-to-day administration and prefer to concentrate their energies on their judicial responsibilities.

The judges of the Stockton Municipal Court subscribe to these modern management principles yet they are concerned because of a perception that their court is not managed effectively. To assure the efficient management of the court the judges have indicated a willingness to create a channel of two-way communications between the clerk-administrator and the bench. They are also willing to exercise their ultimate managerial authority to assure that communication and effective management techniques are applied throughout the court.

This chapter examines the role and function of the clerk's office's managers. There are only five senior managers: the clerk-administrator and the coordinators of the four divisions. (See Organizational Chart Appendix A page 1.) Some of the needs here are recognized by the managers, but they have felt unable to respond because of the heavy daily workload. This chapter is offered as a road map for the managers over the next year or two. To the extent that the suggestions here coincide with requests and statements of the managers, they are offered to reinforce their continuing statements of need.

A. The Senior Management Team

In addition to the five senior managers, an additional 10 clerks have supervisory responsibilities. In every division the limited number of staff mandates that the coordinators do some line work, leaving little time for management. If one walks into the office's three main work areas, it is impossible visually to identify the coordinator of three of the four divisions; the positions of their desks and the absence of even a sign give no clue that these are senior managers of the office.¹ Physical environment reflects the working reality and is evidence of the respect - or lack of it - that is given to their positions. In some aspects the managers' work cannot be distinguished from that of a deputy clerk I, except that the manager has a higher degree of knowledge.

Some of the matters cited in this report will not be addressed until the coordinators have more and better-trained supervisors who can shoulder a larger proportion of the daily line work and supervisory work so the coordinators are freed to spend more time on planning, organizational review, training, and coordination with other divisions within the court and with agencies outside the court.

It appears that the clerk-administrator has been free to perform largely management tasks. He has no line responsibilities

¹ One of the division coordinators has a private office, another was due to move into a private office during this study and, after the last site visit, did so. A third works in an office with the judicial secretaries and the fourth has a desk in the middle of her division among deputy clerk I's and II's.

and has been able to limit his activities to management. If the court is to respond to the recommendations of this report, the same must also be true for the coordinators.

Recommendation No. 1

A greater percentage of the coordinators' time must be diverted from line work to management. To achieve this, a greater number of supervisors under the coordinators are essential. These supervisors also need management training.

In a court of this size it may not be appropriate to remove all daily line responsibility from the coordinators, but they must be substantially freer of daily line responsibility than they are at present. The court coordinators are not presently utilized as an effective part of the senior management team. Implementation of this recommendation has clear short-term implications for the budget and staffing levels, but without greater attention to building the management structure of the court, the managers will not be in a position over the long-term to achieve the greatest possible benefits from computerization and to save fiscal and personnel resources.

The term "communication" is almost a buzz word, so general as to convey little useful information. The absence of communication is cited in many organizations as a problem. One difficulty in assessing the presence or absence of good communication in an organization is that people require different amounts of information-sharing to feel fully informed. An occasional memorandum on a "need to know" basis is sufficient for some people to feel fully informed while almost daily meetings or conversations might be inadequate for others.

Perhaps because of these different perceptions and needs, there are different perceptions about the presence or absence of communication in the Stockton Municipal Court. For some, the communication is adequate; they feel they are receiving information on a timely basis and in sufficient detail. Others feel communication with and among senior managers and with staff is inadequate. Without question, part of this difference in perceptions is based on personal preferences and style. Among senior managers, the communication problems cited to the National Center probably will be dealt with sufficiently by regularly scheduled meetings. For staff, some of the perceived problems would be better addressed by periodic meetings between the coordinators and supervisors or between the coordinators and the staffs in their divisions.

Some coordinators feel the clerk-administrator is sufficiently familiar with the operations of and problems in their divisions; others do not. The National Center cannot determine whether these differences reflect different communication preferences and styles or that the clerk-administrator may spend more time with one or two divisions than with others. Some note that the clerk-administrator does not circulate among the staff enough to keep in touch with their situation and needs.²

"Walking the floor" reflects a management style and personality. Some very good managers are seen as being effective

² The employee questionnaire circulated to all line staff is included as Appendix B. Virtually all the responses to question 13 on the employee questionnaire, "Briefly describe the nature of your interaction, if any, with the court administrator," were "none."

only because they "walk the floor." Other managers can be highly effective without this kind of periodic contact with staff. Good managers do not have to be in daily or regular contact with all their staff. Yet those who are not in regular contact with staff and who are still good managers are those who have delegated responsibilities and authority to subordinates to manage the various levels of an operation. They remain in touch with operations by receiving regular and frequent reports from their managers. The clerk-administrator does not "walk the floor" nor, until very recently, has he held regular meetings with his coordinators.

Recommendation No. 2

The clerk-administrator must be actively involved in managing the clerk's office in order to implement the recommendations in this report and in order to have an effective operation.

None of the management concerns addressed can be accomplished without the active participation of the clerk-administrator and the clear delineation of his duties and responsibilities.

One of the first things the clerk-administrator should do to improve his role is to speak frankly with the judges of the municipal court to try to determine what they see as his role and to explain his perception of his role. During this meeting or series of meetings he should determine the type and the extent of information the judges would like from him regarding the operation of the court and the extent of input they want in the management operation. He should also provide an appropriate way for the judges to be able to comment to him when necessary.

Recommendation No. 3

The incumbent clerk-administrator and the judges should prepare a revised formal job description for the clerk-administrator position.

Copies of job descriptions for personnel working in the Stockton Municipal Court were provided by the Court to the National Center for reference on this project. The job description provided for this position is apparently a very old one; the position title is referred to as "clerk . . ." and not as "clerk-administrator . . ." (See Appendix A page 2.)

After the judges and the clerk-administrator arrive at a clear understanding of the duties of the clerk-administrator they (or the clerk-administrator and the presiding judge) should confer with the county personnel department to prepare a job description that clearly and accurately reflects the position duties.

A suggested type of detailed job description is set forth in Appendix A. It should be noted that a personnel classification study was not conducted as a part of this report and this description is merely a suggestion for the type of description and the level of detail that might be contained in an effectively written job description. (See Appendix A page 3.)

The incumbent clerk administrator is active in the Municipal Court Clerk's Association. Some in the county believe that his role with this association is beneficial to the court and to the county. But others believe there may be an appearance that the clerk-administrator's involvement with the association is at the expense of his duties for the court. The judges and the clerk-administrator should discuss this question frankly to enable

them to agree on a level of participation that will not be perceived as detrimental to the court. The judges and the clerk-administrator may want to include participation with the Clerk's association as a part of the formal description.

Recommendation No. 4

The clerk-administrator and coordinators should receive management training or courses to enable them to manage and train the persons under them.

Although the clerk-administrator may have attended a number of workshops and conferences on management, there is a perception that he nonetheless would benefit from additional management training. The court and the clerk-administrator should determine the extent of management training the clerk-administrator needs to enable him to work effectively with the judges and with the professionals under him. He should take this training and be expected to implement the management principles learned.

The clerk-administrator also may wish to consider being more visible throughout the office and chatting from time to time with staff as he moves through. This visibility may not change his management approach or substantive decisions, but it may improve a perception of some that he is not in sufficient touch with daily operations and will likely improve his understanding of the clerical office procedures and the responsibilities of those who report to him.

The coordinators should also take management training courses.³ It is important that they be trained to see

3. Some have taken management courses offered through the county but believe they have not been able to put into practice the principles they have learned.

themselves as part of a professional management team rather than as line clerks with some supervisory duties.

B. Chain-of-Command

In most respects, staff and managers appear to understand the concept of chain-of-command and to follow it. There were a few instances brought to the attention of the National Center, however, in which one or more people chose to disregard the chain-of-command regarding a particular problem or concern. No doubt this was done because the person seeking to avoid the chain-of-command felt that his or her grievance would not be addressed by the responsible manager or because the person felt the responsible manager's decision was improper or wrong in some respect.

Understanding why a person seeks to avoid the chain-of-command does not always make the avoidance desirable. In all but the most exceptional circumstances the person approached needs to cut off the attempt and to insist on following the route established in the organization chart. The ability of people to work outside of the chain-of-command is related directly to the willingness of people higher in the chain to hear and respond to the communication. It is incumbent upon these higher supervisors, therefore, to take responsibility for the chain-of-command being observed. Of course, there are instances when the situation requires that the chain-of-command be avoided; these instances should be very clear and exceptional. But it is also important not to be wedded to certain catch phrases even though under ideal circumstances they reflect laudable goals. When employees consistently seek to avoid discussion with immediate supervisors

or managers it should be an indication to top management that something may be amiss. In those cases it is the responsibility of top management to determine why the employee is avoiding the so-called chain-of-command.

There were only a few instances in Stockton of avoiding the chain-of-command that were brought to the National Center's attention. The judges recognize that avoidance of the chain-of-command can become a major problem. They and the National Center believe that the perceived need to avoid the chain-of-command should be reduced if there are regular meetings and an openness by all managers to being advised on how to handle problems and having staff provide input into decisions before they are made. Good communication often goes far to eliminate instances of staff trying to avoid the chain-of-command.

C. Setting Objectives and Planning

Planning is a key responsibility of a manager in the private sector⁴ so setting objectives and planning are commonly found there. Setting objectives and planning are undertaken in the public sector but to a lesser degree. Within the public sector, courts, particularly trial courts, traditionally have been the least likely to plan and to set objectives, although a small but growing group of court systems, principally at the state level, have instituted formal planning processes.

The absence of objective setting and planning in trial courts stems from a number of factors, three of which appear to be

⁴ Peter Drucker, Management: Tasks, Responsibilities, Practices (N.Y.: Harper & Row, 1973).

paramount. First, courts traditionally are reactive bodies that hold themselves available to serve whoever comes before them with whatever dispute. In this context, the idea of planning seems anomalous. Second, many courts are understaffed or barely adequately staffed, so managers often assume line responsibilities as well as supervisory responsibilities. In an environment in which managers barely have time to manage, time to plan and set objectives often appears to be an unavailable luxury. Finally, most managers in trial courts started as line staff and worked their way into management over many years. Their training as managers is very similar to their training as line staff: one-on-one, on-the-job training by their supervisor.

Management training is "supplemented" by observing managers who precede them. Many court managers are unfamiliar with the importance of planning, with how to plan, and what use to make of a plan. Thus, even if they had the time, planning is an unknown management responsibility. While each of these factors is important, none can be accepted as a sufficient reason for a court, even a busy trial court, not to try to plan and to set objectives.

Each of these factors, especially limited time for management because of line responsibilities performed by senior managers who are court coordinators, is found in the Stockton Municipal Court. When the court coordinators were asked about court objectives, for the most part they talked about completing the work that comes in each day. When asked about plans, they talked generally about improving computer use or obtaining computers for the court and

possibly adding staff to some sections. There is no evidence of a systematic attempt to establish long-term goals or short-term plans for the court. That is not to say that planning is totally absent. The clerk-administrator has several goals he would like to achieve. Some of the coordinators have short-term goals. There is, however, no evidence of coordinated, systematic planning.

Recommendation No. 5

The court's managers, in consultation with the judges, should undertake a regular, systematic planning and goal setting process that includes a statement of long-term objectives and a set of plans for at least the next twelve months. Long-term objectives should be reviewed every three to five years.

The development of long-term objectives is properly assigned solely to the judges and senior managers. Development of annual plans to achieve those objectives, however, should involve line staff and line supervisors to the greatest extent possible. The latter are most familiar with operating needs and impediments. Once they understand the general objectives of the court, they can assist in the development of plans to achieve those objectives. Plans should be developed within each division. These divisional plans then should be reviewed by the senior managers and used as the basis for an overall office plan.

This process does not assure that each element of each division's plan will be accepted and made part of the office plan. The managers must establish priorities and assure that the office plan contains those elements most likely to achieve the office's objectives.

The managers may wish to consult with representatives of the prosecutor, the public defender, law enforcement, and others affected by the court's work to assure that the plan will not conflict with or inhibit plans of these other groups. This consultation also will increase the likelihood that plans of these other groups are undertaken with knowledge of what the court hopes to do. This consultation might involve distributing a draft plan for comment or even be formalized to the point of having an advisory group from these other agencies. Whatever the approach, some consultation would be beneficial before the plan is adopted.

Individual elements of annual plans should be stated to the greatest degree possible in terms that allow objective assessment at the end of the year of the degree to which each part of the plan was or was not achieved. If a plan element was not achieved in the time frame desired, an annual review should seek to determine why.

The office's ability to achieve and implement its plans in any one year will be significantly affected by the board of supervisors, the legislature, possibly decisions of the supreme court or courts of appeal, and sometimes by actions of police agencies, the sheriff's office, or other agencies of local and state government. Decisions by one or more of these associated groups may facilitate or inhibit the office's ability to achieve its plan. The plan should be reviewed annually to determine what success the office had in achieving its goals. If actions or inaction by others have led to not meeting the plan, that fact should be recorded, communicated to responsible officials, and considered in the development of the next year's plan.

To facilitate the annual review of the court's success in achieving its plan, the individual elements of the plan should be stated in terms that allow objective assessment. For example, a goal might be to have a fully trained staff, with each person able to perform his or her own job plus at least one more. One element of the plan to achieve that could be stated as: "Increase the amount of training provided to line staff." That same element could be phrased as follows: "To provide each new staff person with X hours of initial training in his or her assigned task and to provide supplemental training, totalling at least 24 hours a year, to at least Y percent of all staff employed in a division for one year or more." Another statement could be: "To develop a procedures manual for each section of the court within X years, with at least three manuals completed in the next 12 months. Sections where manuals already exist should complete a review and update of their manuals within the next 12 months." The success or failure of the first statement regarding training can be assessed, but comparing results to the second and third statements is much easier and can be much more effective.

Responding to these recommendations will be difficult. Nonetheless, the very factors that make planning difficult--greatly increased caseload, a number of new people filling positions, introduction of substantial data processing to replace manual operations, and some understaffing--also make planning more essential. Accordingly, management should make every effort to create time to respond to these recommendations.

D. Management Meetings

Under the previous clerk-administrator, managers met weekly. This practice initially was continued by the current clerk-administrator, but a variety of circumstances led to management meetings being held only as needed and at the call of the clerk-administrator. There is a growing recognition among all managers that more regular meetings would be beneficial.

Recommendation No. 6

Senior managers should meet on a regularly-scheduled basis at least once every two weeks to review current operations, short-term needs, and long-term planning.

The managers recognize that regularly scheduled meetings held at least every two weeks would be beneficial and are presently having even more frequent meetings. Like the planning process itself, daily demands tend to overwhelm staff meetings, particularly when there is no regular agenda or on-going projects that benefit from group views. It would be better to hold a short meeting to confirm the absence of items to be discussed than not to have a scheduled meeting or to cancel the scheduled meeting because of the apparent absence of anything to discuss.⁵ Sometimes, even when no topic of discussion is apparent in advance, they emerge when people sit down together. In a court with impending computerization, a growing backlog, and some space needs, enough management issues exist to justify periodic meetings.

⁵ One way to assure that items of concern are addressed is for a tentative agenda to be circulated (or posted in advance) to coordinators and supervisors who should be encouraged to add items to the agenda.

E. Management Information

Management expert Peter Drucker states that one of the five functions of a manager is to measure performance.⁶ The Stockton Municipal Court does not measure performance as such, but relies on two principal statistical reports. One is an external report, a record of filings and dispositions required by the California Judicial Council. This is a monthly summary report that indicates the number of filings in different case categories, the number of dispositions by case categories, and, to a limited extent, the time cases have been in the system. There also is an internal report to the clerk-administrator from each coordinator. This report lists cases appealed and, for the traffic division, shows the number of certain types of documents issued within the division. Each division also indicates on this internal report whether its docketing is up to date and, if it is not, the coordinator estimates the number of staff hours necessary to become current. There also is space on the report to identify other backlogged work.

The Judicial Council report is largely useless for daily management. First, it is a monthly report. Second, it is a summary report that, at least in other courts, often contains a significant margin of error in the numbers. Finally, it is more a measure of demand for judicial resources than an indication of clerical productivity or need.

⁶ Peter F. Drucker, Management: Tasks, Responsibilities, Practices (N.Y.: Harper & Row, 1973).

The internal report is a good start toward an exception-reporting system that identifies problem areas. It is good because it focuses only on problems and contains an estimate of the resources required to address the problem. This allows the managers to identify on a regular basis where problems exist and to consider temporary reallocations of staff to address the problems. In fact, however, usually backlogs are handled by staff working overtime rather than by reallocation, because staff in other sections may not be trained to do the work where help is needed and because reassigning staff might address the current backlog situation in one area but create a backlog situation in another.

One of the difficulties in developing good management information in a high volume court is the hours required to develop and record information manually. The new computerized information system being installed over the next several years will create a capacity that does not exist today to develop and use management information. One of the needs the managers should address in the meetings being recommended here is the type of advanced management information they would like to have once the computer system is operational.

Recommendation No. 7

Senior managers should identify, collect, and use more management information. The capacity of the new computerized information system to provide increased amounts of management information should be understood by the managers and used to the fullest extent possible.

The court's managers may wish to consider obtaining the following types of information in addition to the information on

their current internal report⁷:

- data comparing current status to previous years (year-to-date or same month last year);
- data showing the pace of litigation from initiation to disposition for different case types, including the method of disposition;
- information to measure performance against office objectives and short-term goals;
- number of staff days missed because of sick leave, vacation, or personal leave by division and/or section;
- number of days in the reporting period staff in each section are unable to conclude assigned work within expected time frame (end of day, within X hours, etc);
- hours of overtime spent in each section to complete work not completed within assigned time;
- number of telephone calls by category of person calling and type of information requested, to supplement the information now provided by the automated answering system;
- number of counter requests for file information by category of person and type of information sought, if known;
- hours necessary equipment is broken and unusable; and
- number of files not located when needed, time spent finding them, and the reason(s) files could not be located when needed.

In addition to these courtwide statistics, the managers might want to keep track in the short run of the number of hours they spend per day in line work and the number of hours spent in training and management.

⁷ The only item on the current internal report that might be questioned is monthly reporting of cases on appeal. It is not known what use the clerk-administrator or even the coordinators can make of the case name and case number of cases on appeal, especially since they are very limited in number. If some appeal information is desired, perhaps it should be limited to cases on appeal for more than X months.

It is not enough to collect this type of information or to have the computer keep track of it. It must be reviewed, evaluated, and used to guide decisions. It should be used to evaluate the success or the failure of the office in achieving its plans. It should be used to evaluate and guide the senior managers in their choice of objectives for the office. It should be used to evaluate the need for additional staff and to support that need in budget requests.

Some of the information suggested above requires that staff provide the information to their supervisors or coordinators. Staff responsible for collecting these data should be made aware of their importance and be able to see how the information is aiding management of the office. If responsible staff believe the collection and tabulation of the data are useless, the data quickly will lose their credibility and therefore their usefulness.

IV. PERSONNEL

A. Introduction

The National Center relied on interviews with selected staff, on-site observation, review of an employee opinion questionnaire, review of court personnel materials, and experience on similar projects to analyze personnel issues in the Stockton Municipal Court clerk-administrator's office. It should be noted that on-site observation was limited due to the time constraints of the project; the recommendations therefore flow more from the interviews and reviews of written materials.

Until November of 1986 the clerk-administrator's office was divided into five divisions. Each division was headed by a court coordinator. The court coordinator who headed the Administration division managed the personnel functions of the office. She retired in October 1986, and the office was restructured into four divisions: accounting, civil/small claims/criminal, traffic, and calendaring.

At present, the court coordinator in charge of the accounting division acts as the personnel officer for the court. Although most of the personnel work for the court is done by the county personnel department, the personnel officer prepares attendance records each week for each employee of the court. She receives attendance records from each division chief and enters the time into her attendance records. Every other week she receives a computer printout from the county auditor. She verifies attendance records and corrects any discrepancies on the

printout. She maintains the personnel files for the clerk/administrator.

B. Employee Selection Process

When the court needs a new employee, a personnel requisition is sent to the county personnel department. The municipal court must hire new clerks from the county's list of applicants for the clerk/typist II position. The requisition is returned to the court with the names of five persons from which the court may hire. If the division coordinator is unable to find a qualified person from the list submitted by county personnel, the position goes unfilled. As each of the five persons is hired from the list at another agency, the coordinator can request an additional name. But county personnel will not submit most names as long as five remain on the list.

In order to get on the list an applicant takes the county civil service exam administered by the county personnel department. As is typically found in civil service systems, if she scores within the top five she becomes a member of the applicant pool from which the court can choose.

If an applicant is hired, the personnel officer submits a payroll action document No. 1 (PAD 1) to the county personnel department. A PAD 2 is received from personnel and placed in the new employee's file until another personnel action is taken. But the court is not always able to find a qualified clerk among the top five on the clerk/typist II list. In the opinion of some staff, keen competition among county government departments for top candidates on the clerk/typist II list often makes it

difficult for the court to obtain well-qualified personnel. At least one coordinator expressed the opinion that selection would be easier if the municipal court could hire from the legal clerk list as do the superior court and the district attorney. Inability to find a qualified person is one reason that the clerk-administrator's office has used many temporary employees over the past few years.

Recommendation No. 8

The clerk-administrator should request that the county personnel department perform a job classification audit to determine whether the municipal court deputy clerks should be hired from the legal clerk series.

The National Center did not conduct a complete personnel study of the municipal court classification system, but enough information was gathered to see that the court might greatly benefit from a new look at the job classifications within the office.⁸ This should start with the very beginning, that is, a determination whether the list from which the deputy clerks are hired is the appropriate one for the job duties the clerks are to perform.

C. Job Classifications

In general, clerical staff in the clerk-administrator's office are given the job title of deputy clerk. Twenty-eight persons are classified as deputy clerk I, nine as deputy clerk II, and two as deputy clerk III. There are three municipal court coordinators, one calendar coordinator, one legal stenographer,

8 Because of the scope of this project, all recommendations concerning personnel reclassifications are coupled with the caveat to obtain further input from the county personnel department.

one clerk-typist III, and thirteen courtroom clerks. One deputy clerk II and the legal stenographer serve as judicial secretaries. The clerk-typist III is a new position (hired during the course of the National Center review), serving as secretary to the clerk-administrator.

In response to the employee questionnaire many clerks said that a career ladder existed in their office. It is true that a deputy clerk I can, theoretically, move up through the series. Deputy court clerks also can transfer from the court to other county departments. But a true career ladder does not exist in practice. Although the description of deputy clerk II does not appear to require it, persons presently filling that position are, in practice, all required to have supervisory responsibilities.⁹ The pertinent portion of the job description reads: "This is the journey level in the Deputy Clerk series. Employees ...may have responsibility for reviewing the work of others."

Recommendation No. 9

The practice that requires a deputy clerk II to have supervisory responsibilities should be eliminated.

Removing the requirement for supervisory duties would more clearly follow the job description. It would also allow a true career ladder to exist as a deputy clerk I could expect to advance as her experience and knowledge increased. Since only a limited number of supervisory opportunities exist this would increase the opportunities within the clerk's office and improve morale. Some responsibility should remain for reviewing the work of others.

⁹ The judicial secretary, who is actually a deputy clerk I underfilling the position for one year, is an exception.

This recommendation also coincides with recommendations made in Chapter VI, Division Operations.

The next promotional opportunity is to the deputy clerk III level. This classification should remain as a supervisory position. At present only two persons within the court fill these positions. Recommendations have been made elsewhere to keep line duties of a deputy clerk III to a minimum. The final promotional opportunity is to courtroom clerk or municipal court coordinator, positions which are also limited in number.

D. Orientation and Training

1. Orientation

Orientation is provided by the county personnel department. A new employee takes an oath of office at the court before taking the county oath, receives a brief orientation to county government by the county personnel department, completes W-4 forms, and is told about insurance. Each employee is required to take a mandatory orientation that includes a defensive driving course and an introduction to county government and personnel policies. A new hire is given a copy of the employee handbook, Welcome to Stockton Municipal Court and is asked to acknowledge in writing that she received the book, read it, and understands its contents. No specific orientation to employment at the court is offered.

Recommendation No. 10

The clerk-administrator should develop an orientation program including a general orientation to the clerk's office and to the court.

The orientation should include a walk-through of the various sections of the clerk-administrator's office, the courtrooms, and

the jury assembly room. This would acquaint the new clerk with the various court operations, place her particular duties in the context of the municipal court, and explain how the municipal court fits within the county judicial system.

2. Training

The county provides a number of free training courses, including management and personal courses. These courses may be taken at no cost to the employee who may attend classes during work hours. At the beginning of each year county personnel lists the courses that will be available throughout the year. The court coordinators advise their subordinates of the availability of the courses, usually by circulating or posting the list. (Random questioning of deputy clerk I's indicated differences in knowledge of availability of the courses.)

The county courses above are primarily for personal or professional fulfillment. Any court-related job training is primarily one-on-one. Generally this training is supplied by the previous incumbent and by the person's supervisor. Often it is limited, especially when the previous incumbent has left before a replacement is hired.

Recommendation No. 11

The clerk-administrator should institute a formal training program for all personnel.

The National Center understands that this type of recommendation may be difficult for the court to implement. As in most court environments, daily responsibilities are often more than enough to fill a clerk's day. But the clerk-administrator should make training a priority, especially in light of the expected installation of the automated system.

A suggested training program would consist of a general orientation-type training as in the above recommendation for new employees, the use of a procedural handbook created or updated for each division, review of the rules of court applicable to the clerk-administrator's office, and an introduction to cross training.¹⁰

Additional management training should be provided for supervisory level personnel with planning and goal setting added for training of the court coordinators and the calendar coordinator. See Part III, Management Function and Structure.

E. Staffing Levels

The clerk's office has 56 clerical positions in its four divisions plus two judicial secretaries. Of the 56, 38 are deputy clerks who work in the clerk's office, 13 are courtroom clerks, four are coordinators, and one is a clerk-typist.

Staff salaries and benefits represent the largest single budget item for the clerk's office. In the Stockton Municipal Court 1986-87 requested budget, staff salaries and befefts

¹⁰ Some clerks indicated that they have procedures manuals. Those that exist should be reviewed to be sure they reflect the clerk's office daily procedures. Where they must be created, care should be taken to create specific procedures required to be performed by the clerks. Stating statutes and court rules is helpful for reference, but useful procedural manuals refer to statutes and rules only and do not make them a part of the step-by-step procedures. Finally, the statewide clerk of court procedures manuals are valuable references, but working procedures vary sufficiently enough from court to court that the general statewide manual is not useful for step-by-step procedures.

represented 67 percent of the court's total expenditures.¹¹ Controlling costs of the clerk's office requires assessing staffing needs. Under the best circumstances, a staff requirements analysis consumes considerable time and resources. In addition, the accuracy of such an analysis depends on the predictability of the operations of the office. The impending introduction of an automated system presents the clerk's office with a major change that prevents a reliable detailed staff requirements analysis at this time.

Generally, standards used to assess the need for nonjudicial employees of courts have been lacking in courts throughout the United States. When development of standards has been attempted, courts have found that the studies require considerable time. After development, the standards have been deemed obsolete in many cases. The most common standards for the determination of the need for nonjudicial employees are the weighted caseload systems, the DELPHI method,¹² and the use of historical data in combination with weighted caseloads. The clerk/administrator has

11 Stockton Judicial District of San Joaquin County, 1986-87 Proposed Budget.

12 The Delphi method, used by a number of states to determine judicial needs, selects a group of persons who are asked to estimate the number of employees required for a given workforce. The estimates are tabulated, the average calculated, and the lowest and highest estimates identified. These three figures are returned to each member of the group with his or her own estimate and a request that he or she adjust the original estimates in light of the three figures provided, if adjustment is thought to be appropriate. The revised estimates are retabulated and the process either is repeated for an additional round or two or concluded.

expressed some frustration with his experience using all of the above methods.

Recognizing the difficulties of projecting staff requirements compounded by the change to automated case processing, the National Center has based its staffing recommendation on a practical review of the divisions. Within each division contributing factors to the determination of adequate staffing levels included: workload and workflow, tenure of staff, training, backlog, overtime worked, turnover and leave time, and staff morale.

Implementation of the automated system and the possible introduction of word processing equipment or personal computers will have an impact on staffing levels, as will the proposed training. Nevertheless, it should not be expected that the impact will necessarily lead to a reduction in staff duties. It is more likely that responsibilities will shift as the changes are introduced. Only one new position for the clerk's office is recommended as a result of this study beyond current staffing levels, including those clerks who are temporary or under-filling positions. After the implementation of CJIS the clerk should request a review of staffing levels perhaps with the assistance of the county personnel department.

D. Performance Evaluations

Each new employee serves a probationary period and is evaluated by her supervisor during that period at the end of three, six, and nine months. After that evaluations are conducted annually. Different opinions were expressed in the employee questionnaire regarding performance evaluations. Some clerks

indicated that performance evaluations have not been administered regularly. Clerks in other divisions stated that performance evaluations were conducted for permanent employees. Opinions varied as to whether standards are used in evaluations.

Recommendation No. 12

The coordinators should conduct annual performance evaluations.

With adequate time to manage the coordinators will be able to conduct meaningful performance evaluations of their staffs. Performance evaluations are often used as indicators of whether people merit promotion to higher positions. Given the limited number of positions and classifications within the municipal court, determining who should be promoted is not the prime reason for evaluations. For example, for courtroom clerks there really are no higher positions in the municipal court, except for the calendar coordinator and supervising courtroom clerk (if that position is created). Nonetheless, performance evaluations can be a very effective way of complimenting clerks for the quality of their work and encouraging them to improve in certain areas. One courtroom clerk who indicated that there were no performance evaluations stated there is "no reward for hard work, only complaints if you do something wrong. No compliments are given to those clerks who give more of their time and effort or take the time to learn more than one department." At a minimum, regular performance evaluations will serve as recognition of the effort made by individuals.

Performance evaluations should be conducted on employee's anniversary dates, should be written, and should allow employees the opportunity to respond in writing to the evaluations made by

their coordinators. To the extent possible, standards should be developed by which employees are evaluated.

E. Exit Questionnaires

Exit questionnaires are completed when an employee leaves the court. Some confusion surrounds who actually administers the exit questionnaires. One person interviewed thought the clerk-administrator was responsible for all exit interviews; another thought the division chiefs administered them to the clerks.

After the questionnaires are completed they are filed in the personnel files. At present these questionnaires are only referred to if there was a "problem." If answered honestly, exit questionnaires may provide supervisors with accurate information about working conditions and reasons for employee satisfaction or dissatisfaction. The clerk-administrator and coordinators should review the exit questionnaires on occasion to provide insight into these matters.

F. Facilities

To the extent that a worker's environment has a relation to his or her productivity, the clerks in the municipal court are not aided by their physical surroundings. In fact, the crowded conditions may significantly contribute to low morale and employee dissatisfaction. The traffic, accounting, and criminal/civil/small claims divisions of the Stockton Municipal Court are officed in rooms 100 and 101 of the Stockton court building, respectively. Both of these rooms are large, open, rectangular spaces. To the casual observer there is almost no

order to the placement of desks and equipment in these rooms, except that there are rows or clusters of desks separated by aisles.

The traffic division has a severe shortage of space which results in overcrowding of staff. The aisles between desks and files are quite narrow and difficult to navigate without knocking materials to the floor. File cabinets are jammed in every available corner and in some aisles. When cabinet drawers are opened, it may be difficult for other staff to pass. There is virtually no space around some workstations, not even for a visitor's chair.

Both the traffic and accounting sections share the same large room, with accounting staff on one side. It appears that the amount of space allocated to accounting staff is proportionally greater than to traffic staff. Approximately two years ago, the accounting section lost several clerks when parking ticket collection was transferred to the county collectors. Since that time there has not been a proper redistribution of space.

The criminal/civil/small claims division is not as overcrowded as the traffic division, but Room 101's openness allows the entire staff to be distracted by any one person within the room.

Recommendation No. 13

Obtain assistance from a space planner/architect to redesign the floor plan and layout of Room 100 and 101.

Several decisions need to be made before a new floor plan could be designed. If the traffic and criminal divisions each decide to consolidate the many separate active files, room will have to be made for them, but perhaps not as much space as

required now. Consideration should be given to more efficient storage units than the traditional three- or four-drawer standing files now in use. If new mobile filing systems can be purchased and installed for the civil/small claims section, additional clerical space will be made available. (See recommendations in chapter VII, Records Management.)

Over the next few years, automation of the divisions will change the mode of work from paper-intensive procedures to work performed largely on VDT's. This will necessitate changes in the physical work environment. Neither Room 100 or 101 are well prepared at present to accommodate automated equipment. The following recommendations are offered so that the clerk and the county can begin early planning for what may be major alterations in the clerks' work stations, filing storage areas, and the room layouts.

Recommendation No. 14

Provide small computer tables for those staff who will have terminals at their work station or, as funds permit, replace the desks with modular work-stations.

Staff who are expected to use a terminal for a considerable portion of their work may find their desks to be too high to use comfortably. The appropriate height from the floor for keyboard placement is about 26 inches for most people. If the keyboard is too high, the shoulders must be raised to type, causing a strain on the upper back. There is little or no room around most desks for additional furniture with the current office layout. We suggest the assistance of a space planner to maximize the use of

the limited floor space, and it may be necessary to replace some of the larger desks with smaller modular workstations.

Recommendation No. 15

Provide anti-glare screens for all terminals.

The lighting in both Rooms 100 and 101 is harsh and will cause glare on the terminal screens. To cut down on eye-strain, anti-glare screens should be purchased.

Recommendation No. 16

Group all large CJIS system printers for the traffic division in one area of the office. Enclose this area with sound-proofed dividers.

The noise produced by high-speed printers is disruptive to an office environment where clerks must concentrate on their work. The current floor plan shows printers to be located in different spots around the office. This will waste a considerable amount of space since there must be adequate room around a printer for output, paper supplies and access for maintenance and for the users.

A better arrangement would be to group the printers together where they can be enclosed in a sound-dampening area where all supplies could be kept for easy access.

V. AUTOMATION REVIEW

During 1986, San Joaquin County joined with two other California counties in the development of an integrated Criminal Justice Information System (CJIS). Marin and Kern counties have been involved for at least 2 years in this development effort, with some participation by Monterey County in the Automated Minor Offense (AMOS) modules of the system. When complete, CJIS will provide an integrated database of information shared and updated by the superior and municipal courts, the sheriff's department, jail, public defender, district attorney, and probation department.

The project has been divided into "milestones," each covering a subsystem or portion of a subsystem. For each milestone, one county has agreed to take the lead, using the relevant county agency as the model for analysis and design. Programming is being done in each of the counties on different milestones, and each county has committed funds and/or services for certain modules. Atkisson and Associates, an independent consulting firm, is providing technical and design support to the project, but to a different extent in each county. Also, in San Joaquin County this firm is providing assistance to the county data processing department to train the programmers to use the database management system and to acquaint them with the operation of the computer hardware required for CJIS. Atkisson staff and site manager will provide assistance in transferring modules completed outside the county to San Joaquin, tailoring the system to the county's

specific requirements, and training users.

San Joaquin County has committed funding for part or all of the development and programming of twelve milestones, including several which will be used for Municipal Court case processing. In addition, the county will incur costs to transfer, tailor, and install other modules programmed elsewhere. San Joaquin is participating in the development of the three AMOS modules, the Court Hearing System (criminal), Court Calendar Process, Civil Case Initiation, and several other modules for the sheriff, public defender and district attorney. Each court module is in a different stage of development. The project managers have stated and the CJIS project reports show progress in many areas. Development of the civil case processing system has been temporarily suspended pending further development of the criminal module. This decision was made as the developers recognized the similarities between criminal and civil case processes and wished to use the criminal system as a partial model to avoid duplication of effort. There is no current estimate as to when development will resume on the civil module or when it would be ready for use.

Because this system will be an integrated, multi-agency resource when completed, its scope is far greater than can be reviewed in this project report. In this section of the report the focus is on those issues which most affect the municipal court.

Although National Center project staff met with county data processing staff, Atkisson staff and principals, and discussed

development with representatives of the other participating counties, the perspective from which the following comments are written is that of the Stockton Municipal Court. Recommendations that follow are designed to assist the municipal court as it proceeds further in this important automation project. The recommendations are not meant to identify omissions or inefficiencies of the San Joaquin data processing department or Atkisson and Associates, but to review the concerns and issues facing the municipal court.

It should also be noted that the following comments reflect the situation as it was during National Center project team site visits. By the time this report is finally presented, no doubt some concerns of the municipal court will have been addressed. Nevertheless, these comments will continue to serve as important historical documentation of the concerns of the municipal court as the CJIS project progresses.

Recommendation No. 17

Determine which individual project milestones are directly related to municipal court functions.

As further information becomes available for review, the Clerk, coordinators, and data processing representatives should reach an understanding as to the modules of the system which are necessary for the municipal court and how each fits into the whole system, even if the primary functions of a milestone are also intended for use by other criminal justice agencies.

The integrated CJIS system is a large and complex project which has been broken down into subprojects or milestones. However, the manner in which the subprojects were defined does not

permit easy identification of all the milestones which must be finished before the municipal court will have fully functioning criminal, civil, calendaring, and traffic systems. It is important for the clerk-administrator and CJIS developers to define clearly which modules do and which do not affect the municipal court's internal functions directly. In the coming year it will be crucial to track the status of the project to plan for a smooth implementation. If the milestones which will affect the court are not identified and placed in context of the whole system and understood by clerk's office staff, the clerk's office transition to automation will not be as smooth as it could be.

The CJIS Project Schedule and Status Summary attached to the December 30, 1986 status report (Appendix C, Exhibit 1) lists 26 milestones under development. It has been difficult to identify from the available documentation all of the modules which will affect municipal court processes. Discussions with representatives from the San Joaquin data processing department, the Atkisson and Associates' site manager and principals in the firm, the clerk and the municipal court's CJIS representative, as well as review of the CJIS Base Cost Estimate Report dated January 7, 1987 (Appendix C, Exhibit 2) indicate that there is still some lack of understanding as to exactly how many and which milestones comprise the court case processing functions. We have been able to identify only the following milestones as key components of the system for the court:

- 146 Muni/Superior Court Hearings
- 154 Court Calendar Process
- 1000 AMOS Case Initiation
- 1010 AMOS Court Processing

- 1020 AMOS Court Accounting
- 162 Municipal Court Statistics
- 420 Civil Case Initiation
- 440 Civil Case Disposition Activity
- 470 Civil Case Statistics

The Base Cost Estimate Report, however, lists tasks for other milestones which appear to connect with the court case processing. Although the names of some of the milestones may lead the reader to believe that they have little or no direct bearing on the court functions, closer examination of the tasks listed for each and discussion with system developers indicate that the following may be related:

- 130 Involved Information and FI
- 144 Address Involvement
- 145 Complaint Processing
- 143 Link/Unlink Involvement
- 490 Sheriff's Civil Case
- 169 Purge Court/Probation Records
- 191 Prisoner Calendars
- 200 Probation (Court Referral Monitoring)

Another area that was unclear for the clerk and his CJIS representative concerns the manner in which CJIS will handle warrant activities and information. San Joaquin County now has a paperless, county-wide warrant system which is very convenient and avoids countless staff hours of paper-tracking activities. Despite discussions with senior CJIS project staff, we were unable to reconcile the fact that the AMOS system narrative overview (Appendix C, Exhibit 3), which was the latest information available, seems to contain functions which duplicate, in part, the already-existing, automated warrant system. No explanation is given in this document as to whether these functions will replace or complement the county's system. Equally as perplexing are the four milestones (in addition to the AMOS modules) which also

involve warrant functions, but which have not yet been assigned to a county for development:

- 170 Enter Warrants and Assign LEA
- 172 Warrant Service
- 173 Age/Purge Warrants
- 174 Generate Warrants

CJIS project managers have stated that the system will have to be tailored to the county's unique situation during the transfer phase of the project. Although one CJIS system may not fit each county in every respect, and some tailoring will be necessary, it is troubling that more exact descriptions of the milestones are being relegated to a "later" phase. A more complete description of the milestones, their interrelationships, and status would improve understandings and communications among all parties involved with CJIS.

Recommendation No. 18

Continue to monitor estimated completion dates for each relevant project component.

Recommendation No. 19

Each municipal court division should delay conversion to the automated system until all needed modules for the particular case type (civil, criminal, traffic) handled by that division are completed, installed in San Joaquin County, and tailored to the court's needs. The systems required for case processing of an individual case type are so interrelated that partial implementation of a new system could create extreme duplication of work. For instance, it would be inappropriate to create a register of actions for traffic cases, if cases could not be calendared and fines accounted for.

When it has been determined which modules will affect the complete functionality of the Municipal Court's case processing activities, the court and the data processing department should monitor closely the completion dates so that planning for the

orderly transition to automated processing can be made in each section.

The December 30, 1986 CJIS Project Schedule and Status Summary indicate that many key milestones for criminal, traffic, and calendaring will be completed in 1987. However, they will not necessarily be completed at exactly the same time, and current plans call for separate implementation of various milestones as they become available. For example, the modules which comprise the AMOS system will be ready before the Case Hearing, Court Accounting, and Calendar Process milestones. Yet, all these programs come into play to handle traffic case processing, and they are not all part of AMOS. If AMOS is implemented first, and separately from each of the others, the traffic division will have to reorient their procedures several times to accommodate the changing system. This piecemeal approach would be detrimental to the smooth transition to automation. It should be noted that the civil case processing milestones need not be completed before implementation of AMOS, as the two will not have a substantial connection.

Training and tailoring of the programs to the county's needs would also be easier and smoother if they are done when all the basic programs for one division are available. Clerks should be trained to use a complete system, one that handles the processing duties they perform in a convenient manner. They should not be asked to make a "leap of faith" that some other portion of the system, as yet unavailable, will do crucial functions, only to find out later that the complexion of the system changes when the

new programs are integrated with the old. At least one of the goals of the tailoring process should be to integrate the pieces of the system so that it appears to the users as a coordinated whole. This is easier to achieve when all pieces of the system are in hand.

A distinction should be made between "going live" (complete conversion) with the new CJIS system, and initial orientation to it. The staff will be trained to use the system by an implementation analyst provided by the consultant in a specially designed training center being set up in the office of the San Joaquin data processing department. They will have the opportunity to work with the programs, using dummy case data to exercise the various functions of the system. This will provide the opportunity to determine what specific aspects of the system must undergo some modifications, and to provide feedback to the system developers. But, the court should wait to "go live" until all programs for a major component of the system are available.

Recommendation No. 20

Establish better communication and a closer working relationship between the county data processing department and the clerk's office.

Many of the court's concerns may be eliminated by improved communications between the court and data processing. Improved communication between the municipal court and the system developers is needed not only for details of the applications, but more fundamentally, for the scope and basic design of the system under development. Crucial information is not flowing between the county data processing department and the clerk's office to the

extent it should. Several examples of misunderstandings or different interpretations between the clerk's beliefs about the system and the systems developers' statements about its intended scope and functions surfaced during interviews. In some cases three disparate versions of the same subject were given by different people involved with the project. Clerk's office staff and CJIS project staff had made assumptions about the court's needs (e.g., whether court accounting will be fully covered in the base system) which were contradictory. When project staff inquired about the tailoring of modules to meet San Joaquin's needs, we were given three differing descriptions of the scope of the process: the first was a percentage of modification, the second was whatever the data processing staff could perform in three months, the third was whatever San Joaquin could pay for.

Although San Joaquin County has recently become a participant in the CJIS project and the system is very much "in process" rather than complete, up-to-date overview and design information should be available for comment from the court staff. The data flow diagrams made available to the NCSC project staff by the court were completed some time ago by Atkisson and Associates staff and do not reflect the current status and configuration of the project according to the Atkisson site manager. The fact that much of the actual design and development work is being done in other counties has meant that the latest design documentation is not available in San Joaquin County. This has made it quite difficult for NCSC to adequately review and comment on system plans, as well as for the clerk's office to know what they will be

getting. There is some apprehension that the clerk's expectations and needs for some modules of the system may not coincide in all respects with the product being developed in other counties. Even though the modules will be modified for Stockton, there remains a fear that some modules might be substantially inadequate and require major modification. Obviously, the sooner documentation can be reviewed by the Stockton court the sooner these fears will be allayed.

Much of the communication between the data processing department, Atkisson and Associates, and the clerk's office has consisted of verbal assurances. Few detailed aspects of the system design have been available or can be communicated by the San Joaquin data processing department to the court, especially for those modules being developed in other counties. Nonetheless, it is the data processing department to which the clerk's office inevitably must turn for answers about systems development. The clerk's office has reported that coincidental to the first draft of this report, communications have greatly improved between the data processing department and the court.

Communication between the clerk's office and the system developers can be improved further, but the National Center project team has insufficient information at the present time to make a clear recommendation from among the choices. The clerk and County officials, with a broader perspective of the overall CJIS project and the budget implications of some of the alternatives, are in a better position to select a workable solution. The main goal is to provide a person with solid data processing knowledge

to work closely with the clerk to resolve the considerable number of issues and details which are not currently being addressed, in a manner that promotes understanding between CJIS developers and the clerk's office. Possible ideas include:

1. Request that the county data processing department assign an experienced analyst with good communication skills to work specifically with the clerk and court staff on the CJIS project.

At least two levels of project communication and decision-making involve the municipal court. The first is the policy and oversight level which is handled appropriately by the clerk-administrator through the county department directors' CJIS committee. The second level involves more practical implementation issues. Much of the communication on the project to date has been at the first level, but the time is rapidly approaching when the details of the system will become the dominant issue. The county data processing department should be made aware of the fact that communication has not been completely adequate and this weakness will take an effort on their part, as well as from the municipal court to correct. The assignment of an analyst as a primary contact for development issues might help to channel the communication better.

2. Hire a professional systems analyst for the municipal court, or for both the municipal and superior courts, to coordinate with the systems developers.

If the data processing department is not able to provide a systems analyst to work closely with the municipal court, a new position, at the appropriate level, may need to be added to the clerk's staff. This person should assist the divisions in developing their own requirements, communicate them to the CJIS

developers, and act as a regular channel for project information. It is likely that better candidates would be attracted to a full-time position, but we do not believe the coordination role for the municipal court alone justifies full-time work at present. If the analyst is hired just for the municipal court, additional project work could be added to the systems duties to create a full-time position. Training and records management are two areas in which the clerk could utilize additional support in implementing programs. Alternatively, a half-time position could be created, or the two courts could share the services of one full-time analyst.

The municipal court clerk-administrator has assigned a deputy clerk in the traffic division to the role of CJIS representative. She attends meetings with data processing personnel, reviews whatever CJIS materials are available, and has tried to communicate the requirements of the divisions to project developers.

Recommendation No. 21

The current clerk's office CJIS project representative should be encouraged to continue work on CJIS, but her role should be re-evaluated.

Recommendation No. 22

Provide the opportunity for the CJIS representative to expand her background knowledge of data processing concepts and systems analysis.

The communication problems discussed above may be compounded inadvertently by the inexperience of the current CJIS representative with respect to large, complex data processing projects. In some respects she is an excellent choice, given her

enthusiasm and knowledge of court case processing. However, her lack of background in complex systems issues makes it difficult for her to fully understand some of the data processing concepts, to question some of what she is told by the developers, and to get across her points in language they can understand. It is suggested that the clerk continue her participation in the project, but redesign her role. She is being asked to do more than she is prepared to handle at this time, which may in the long run be detrimental to her and to the project. The clerk has also voiced some concern about his data processing representative's role. His statement that he feels a need for a higher-level analyst who will work more closely with him and the staff to ensure that the project is successful has validity.

A more appropriate part for the deputy clerk II to play in this project would be in assisting a higher-level analyst on the project to develop internal requirements, to test the functionality and fit of the CJIS programs from the user's side when they are available, and eventually to assist in training other clerks to use the system. Her considerable "people skills" and knowledge of the court will be valuable assets in this project if she is given further training and a role for which she is prepared. Some coursework in introductory systems analysis and data processing concepts would be quite beneficial and may eventually enable her to take a broader role in the project. Subject to any county policy limitations, the time and expense of this additional training or coursework should be borne by the county. We feel her potential contribution to the success of the

CJIS project justifies this expense and time away from work.

Recommendation No. 23

An internal automation review and planning group should be established with representatives from the municipal court clerk's office and the courtroom clerk staff to evaluate the CJIS system and to begin planning for implementation of the systems in Stockton. Project staff understands that since the NCSC site visits to Stockton such a committee has been established.

The development of each milestone was intended to meet the requirements established by the lead county within the parameters of the entire CJIS design. Each module will be tailored to suit individual county requirements when the modules are transferred and installed at other sites. Because San Joaquin County became a participant in CJIS only 8 months ago, after the project had been underway in Kern and Marin counties for over two years, a considerable portion of the development effort relevant to the municipal court was already underway or had already been assigned to other lead counties. Although the CJIS Project Schedule and Status Summary lists the AMOS milestones, the Case Hearing System, and the Court Calendaring Process as a joint development effort between San Joaquin and Kern or Marin county, the design of these modules has been modeled largely after another county's court processes.

System developers now realize that including other counties in the design review process will benefit the initial development efforts and will provide the transfer counties with a preview of the system. In February, a walk-through of the Court Hearing System and the Court Calendaring Processes was held in Stockton for the target courts. The NCSC project staff commends this type

of information sharing and request for user input and hopes that such meetings continue to include court staff (at least to the supervisory level).

The National Center commends the clerk for having formed an internal automation review and planning committee. This group should be responsible for several important tasks in preparation for automation, as well as during the implementation and tailoring phases on the project.

First, it is essential that the system design materials such as screens, narrative descriptions of processes, notices and report formats be carefully reviewed to ensure that all aspects of case processing can be accommodated. These materials, although they may be well done, can contain flaws which only those familiar with day-to-day operating procedures can spot.

The developers plan to conduct structured walk-throughs of the subsystems. The opportunity at these meetings to ask questions and to determine how the system will handle common as well as more unusual circumstances in case processing or calendaring should be taken very seriously. Participants in these sessions should come prepared to explore all aspects of the design. Notes should be taken to disseminate to other members of the planning group. Feedback from first-line supervisors and staff should be solicited, and the results passed on to the designers.

Second, the committee should begin to formulate additional requirements which are not covered in the initial version of the system. Although some of the ideas conveyed by Stockton court staff to the system developers may become part of the original

system, others may be rejected for the first implementation if they conflict with the lead county's requirements. In meetings with representatives from the San Joaquin data processing department and Atkisson and Associates, National Center staff were told that suggestions for changes could be made by other counties, but that any substantial differences would have to be accommodated through later tailoring. Previous experience of National Center project staff has shown us that courts usually differ in some of their operating practices, procedures, and preferences. For example, although all courts produce calendars, the variety of formats and the type of information desired on the calendars can differ markedly. Although the plans presented at a walk-through are not necessarily the final word, and can be subject to change in later stages of the project, the court should evaluate the materials presented to maximize the initial input and to begin to decide what aspects of the system will have to be changed or added before it is satisfactory for Stockton.

A third, crucial task is to analyze how the implementation of an automated system will necessarily change the workflow, workload, operating procedures, and individual job duties in each division. Most aspects of the automated systems are insufficiently detailed at the present time to permit firm conclusions, but it should be noted that this will become an increasingly important part of the implementation planning as the systems emerge. Reorganization of staff responsibilities will very likely be needed to balance the workload throughout divisions. Several consequences of the new system can be

predicted even now:

1. The ability to record payment information through the cashiers' terminals will eliminate some duplicate effort in updating the case records.
2. File folders will not need to be referenced for many informational calls because the system should provide inquiry capabilities. This will free up a considerable amount of staff time in some divisions.
3. Typed calendars will no longer be necessary; the system will produce them from calendar and case information.
4. Statistical and operational reports can be produced as a by-product of the day-to-day operation of the system, rather than by hand-counting methods currently employed.

The coordinators and supervisors will be responsible for addressing the questions of how to reorganize staff duties; who will enter what data into the system; who will be responsible for printing reports, calendars, notices; which manual procedures will be replaced and which will be retained (perhaps in changed form); how will the data on the system be audited to ensure accuracy; and a host of other questions. Most of these issues cannot be resolved until the coordinators and supervisors have a very clear idea of how to operate the different system modules their staff will use and how the various pieces of the overall system fit together. But since many of the milestones are scheduled for completion in 1987 and could be transferred to Stockton approximately three months after their initial installation in the lead county, it will soon be time to start defining these questions more precisely and proposing answers to them.

Recommendation No. 24

Request the San Joaquin County data processing department to review the plans for the number and placement of terminals and printers for the clerk's office and the courtrooms with the clerk's office coordinators and the clerk.

In comparing the staffing of the various municipal court divisions with the computer hardware diagrams developed by the San Joaquin data processing staff for the county's implementation of CJIS, the National Center project staff was only able to review plans for the number and placement of terminals and printers that were developed for budgetary purposes and did not contain precise allocations. For example, the hardware diagram did not show equipment for the eight courtrooms.

The following review of the omissions noted in the hardware diagrams serve as a checklist for the development of more precise actual plans. No provision was indicated for terminals or printers in the calendar coordinator's office where two secretaries, in addition to the coordinator, are located. Staff in this office frequently answer inquiries about the status of cases and pending hearings or trials, so they must have access to the system. Another site on the second floor which should not be omitted is the extra office used by the courtroom clerks when they cannot be in the courtroom.

The diagrams for the first floor of the municipal court building indicate that 18 terminals and 4 printers are assigned to the civil division, which has only 6 staff members; the criminal division with 13 staff members is allotted only 2 terminals, but will have 8 printers. The ratio of terminals to staff (3:1 for civil and 1:7.5 for criminal) cannot be correct.

Another diagram showing the distribution of "warrants terminals" has three additional VDT's to be split between the traffic division and criminal, with no indication as to how many

for each section (traffic and criminal are located across the building's main hall from one another and could not conveniently share access to the terminals).

A floor plan for the placement of terminals and printers in the traffic division was prepared by the supervisor of the CRT section (who is also the municipal court CJIS project representative) for the county data processing department (Appendix C, Exhibit 4). This diagram shows thirteen "AMOS" terminals and five "court processing" terminals for a total of eighteen. Yet, the county data processing department's chart shows only twelve "AMOS" terminals. We could find no mention of the other five terminals in the hardware diagrams. The five high-volume printers and five small, receipt printers for Traffic are included in both the court's floor plan and the hardware diagrams.

The hardware diagrams also do not specify how many, if any, terminals and printers have been allocated for use by the accounting division.

The entire hardware allocation plan for the municipal court divisions and the courtrooms should be reviewed by the clerk and the division coordinators. New estimates of the number of terminals and printers needed should be provided to the data processing department.

Recommendation No. 25

Access to personal computer software should be provided to some staff and managers.

The judges' secretaries in the calendar coordinator's office are responsible for typing notices, correspondence, and reports in

addition to answering questions about the court calendars and the judges' schedules. Clerk's office coordinators also need the availability of word processing, spread sheets, and possibly graphics software for reporting on the activities, budgets and plans for their sections. Consideration should be given to purchasing hardware which can serve the dual purposes of standalone PC programs and access to CJIS. A convenient solution may be to provide 3270 PC's for some desks. This type of PC, equipped with special communications capabilities enabling it to operate in terminal sessions with the county mainframe (for access to CJIS) as well as in standalone PC mode, would eliminate the need for separate pieces of equipment. There is no indication from the materials available to the project team that word processing will be available on the county mainframe for regular business use. Even if it is added at a later date, the low cost, flexibility, and ease of use of PC word processing and other business software makes these software packages a better choice for court users than most mainframe programs.

Recommendation No. 26

The local managers of the CJIS development effort for Atkisson and Associates and the San Joaquin county data processing department should be requested to provide a more detailed status report on the progress of the CJIS project as it affects the municipal court. NCSC project staff understand this recommendation has already been complied with since the last Stockton site visit.

To guide the CJIS effort in San Joaquin County, a policy committee composed of criminal justice department heads, including the clerk of the municipal court, has been formed. This committee meets monthly with the county project managers from the data

processing department and the consultant to discuss emerging issues and to keep informed of the progress on the project. A Status Report (Appendix C, Exhibit 5) is prepared by Atkisson. The format and content of these monthly status reports have contained some omissions. For example, the milestones listed on the report do not match the more detailed information in the CJIS Project Base Cost Report (Appendix C, Exhibit 2) or its companion project status report which is prepared for the three county data processing managers. The Status Report for San Joaquin County contains no explanation of the multiple functions and module interconnections included in milestones. Moreover, the "status description" on the Status Report is not adequately descriptive of major changes in the direction or priorities assigned to the development effort. For instance, although work on the Civil Case Processing subsystem has been put in abeyance pending development of the Case Hearing subsystem, the status was simply reported as "on schedule," when in fact, it is now undetermined when this work will resume or be ready for implementation.

The format of the CJIS Project Schedule and Status Summary with the supporting detail provided by the CJIS Project Base Estimate Report prepared by Atkisson, are better vehicles for conveying essential information (Appendix C, Exhibits 1 and 2). It provides both the original and the revised cost estimates and targeted start and end dates for the milestones under development. This information shows more clearly the changes in the project over time and allows the clerk to better monitor the progress on relevant portions of the system, something which

is essential to the municipal court's internal planning function.

Also attached to the CJIS Project Schedule and Status Report are Work-in-Progress Summary Status Report sheets (Appendix C, Exhibit 6), one for each major milestone in progress. Some of the information on these sheets is more useful to the three county data processing directors, for whom the reports are prepared, but the project site managers' comments as to the status and progress on the milestones should be shared with the criminal justice department directors as well.

Currently, only the milestones which are actively under development or for which some portion of the budget has been expended are included on the CJIS Project Schedule and Status Report. There are, however, a number of milestones listed in the CJIS Base Estimate Report which are as yet unassigned to any county for development. Some unassigned milestones, such as 242: Civil Case Disposition Activity, 470: Civil Case Statistics, and 169: Purge Court/Probation Records, as well as the four milestones comprising a replacement warrant system are quite relevant to the municipal court automation effort. These milestones should be included on a separate list, and moved to the main status list as they are assigned to a county and development begins.

Since National Center for State Courts staff's last site visit, the project reporting mechanism has been changed. National Center for State Courts does not make a recommendation for any particular format for project status reporting, only that the information should be current, complete as possible and communicate clearly work completed, work remaining to be done,

estimated time frames, problems to be solved, and issues to be addressed by the municipal court to assist with the completion of the system.

VI. DIVISION OPERATIONS

A. Traffic Division

1. Workflow

The traffic division handles all traffic-related infraction and misdemeanor cases, but it does not process parking tickets unless the ticket is contested. In March of 1985 the county contracted with a private agency to collect all bail forfeitures for parking citations.

The traffic division is headed by a coordinator who is assisted in supervision of the division by four section supervisors at the deputy clerk II level. Staffing of the traffic division is shown below:

CRT (Data Entry Section): 4 FTE

Warrants: 3 FTE

Docketing: 4 FTE

Cashiers: 6 FTE

TOTAL: 17 FTE

New citations from the Highway Patrol, the Sheriff, City of Stockton, and the California State Police are received by the four-person CRT section for both adult and juvenile offenders. Juvenile cases are handled separately from adult cases by the CRT supervisor. These cases go before the Juvenile Commissioner or must be transferred out to the court nearest the juvenile's home. The procedures for processing juvenile cases are similar to those for adult cases.

The CRT section is divided into separate desks, each of which processes citations for a different agency. Traffic citation processing is partially automated. Terminals connected to the county's Sperry mainframe computer provide the CRT operators with access to a largely batch-oriented application used for the following tasks:

- enter or correct the initial citation information,
- calculate bail,
- print various notices, listings, and backing sheets for the citations, and
- enter disposition/conviction information and produce information for the abstracts of judgment sent to DMV.

A teletype terminal connected to the California Department of Motor Vehicle (DMV) system in Sacramento allows the clerks to search state driver history records for license status and prior convictions.

The majority of infraction citations are cleared through bail forfeiture, but misdemeanor cases and contested tickets are set for trial. On more serious misdemeanors, the district attorney charges the defendant on an information. Cases which also include felony charges or non-traffic misdemeanors are sent to the criminal division to be handled as part of the total case.

Cashiers at the front counter take payments, answer questions for the public as well as handling other desk assignments such as correspondence and sentence monitoring. The cashiering supervisor processes the bonds and OR releases from the jail. Trust cards are filled out for bonds, and the bond book is maintained by the coordinator.

Defendants may attend walk-in arraignments or be assigned an arraignment by phone or mail. Calendaring slips are filled out, sent to the defendant, and stored in a card file. Court dates are set by traffic division supervisors and the cashiers.

File folders and docketing sheets are set up only for misdemeanors and those infraction cases which proceed to trial. Violations for which an appearance is not mandatory are stapled to computer-produced backing sheets and stored in open bins near the cashiers for easy access. The money mail desk processes all checks received by mail and answers correspondence pertaining to requests for court dates.

The docketing section is responsible for readying case files for the courtroom as well as recording trial and judgment information on the docket sheets. Court calendars are returned by the courtroom clerks to the docketing section where they are used to prepare the docket sheets. Calendars remain permanently on file for future reference. The docket clerks route files to the warrant section for filing or to other desks for follow-up on satisfactory completion of the sentence, depending upon the status of the case.

The traffic division uses a county-wide automated system to issue and recall warrants without having to produce and keep track of hard copies of individual warrants. Lists of warrants issued are signed by the judge and kept on file. If necessary, the system has the capability of printing warrants. Failure to appear, make payment, or satisfy any conditions of judgment in misdemeanor cases and for some infractions results in the issuance

of a warrant, and in most cases, a hold on the defendant's driver's license.

Because there are so many possible types of sentences for which the traffic division must monitor completion, various staff are assigned to keep track of cases assigned to community work service, drunk driving program, traffic school, probation, and vehicle repair. If a defendant fails to comply with the terms of the sentence, the staff person is notified by the external agency (e.g., probation department), and the case is reactivated for issuance of a warrant.

When cases are disposed, the file folder is routed to the CRT section to update the traffic system, prepare an abstract of judgment and send the information to DMV.

See Appendix D for more detailed discussion of traffic division procedures.

B. Workload

About a year and a half ago a new coordinator was appointed for the traffic division. She has made several major organizational changes which seem to have improved the responsiveness and effectiveness of the different sections:

- The number of cashiers was increased from four to six to shorten the time each clerk has to stand at the counter, decrease the waiting time for the public, and provide better coverage for breaks and lunch, while allowing the cashiering staff more time to handle their desk duties.
- The CRT and warrants section was divided into two separate groups, with a supervisor for each. Since the work of these sections is quite different, each supervisor can concentrate her efforts on just one area, rather than being spread too thin across a range of responsibilities.

- The docketing section has successfully reduced its backlog from twenty-two days to two days, without additional staff. In the opinion of some staff this was accomplished through some changes in personnel in the section as well as clarification by the coordinator of her expectations for the section.
- The money mail desk was reduced from a full FTE to .5 FTE, with the additional time used for filling in for docketing clerks and cashiers, as needed. The staff person on this desk feels that she has adequate time to handle her duties in the morning and is glad to help on other desks in the afternoon.

These changes as well as an additional FTE have helped to smooth out the workload to some degree and to make the division more efficient. Most staff feel that they must work quickly to keep up with the volume, but with the exception of the cashiering staff (who were experiencing a shortage of personnel with two vacancies), the majority indicated that they can keep fairly well abreast of the work.

From observation over several days in the division, it is apparent that there is a heavy enough volume that staff absences could cause a backlog. Inefficiencies in the filing system also put a considerable strain on staff. The lines at the front counter were too long on each of our site visits because there were not enough cashiers for the windows. One cashier was on extended leave, another position was vacant, and another person had not shown up for work for several days, greatly reducing the capability of the cashiering section to keep pace with volume of walk-in business. Only two stations were open at a time when there was a need for four.

Since our visit, the coordinator has taken several steps to provide extra staff for the cashiering windows. She hired a

permanent replacement for the vacant position, hired a temporary staff person to fill in for the person on maternity leave, and requested permission to hire another staff person to replace the cashier who abandoned her job. Until this last vacancy is filled, a clerk from the CRT section has been temporarily assigned to cashiering duties.

The traffic division has experienced a heavy turnover in the past year and a half. Twelve of the seventeen staff members are new hires. This has put a great deal of strain on the division with so many new people to train and orient. The coordinator seems to have coped with these problems well, but she could be much more effective if she could be relieved of some of her time-consuming line responsibilities. A recommendation to this effect is found in Chapter III.

1. Recommendations

- a. File Management

Every staff person in the traffic division needs access to case file folders to perform some aspect of their job. In some circumstances, the folders are batched and brought to the person for processing (e.g., calendar clerks return files from the courtroom together for the docket clerks) so locating the folders is not necessary before work can begin. In most cases, however, the staff person must search for the file she wants before she can answer a question over the phone or take a payment or make a court date. The clerks are dependant upon the case folder because it is the only source of information about the case.

Finding file folders is a major problem for every staff person in the division. Several clerks were asked to estimate the percentage of time they spend looking for files. The answer was consistently about 25%, except in the case of one staff person whose job mainly is to answer phone inquiries. She estimated that almost 50% of her time was spent searching for files. Although project staff are unable to verify conclusively these estimates, observation over 2 days in the division leaves us with the distinct impression that the staff are not exaggerating. The division coordinator confirmed that "lost" files are the most serious problem and a severe drain on staff time.

Several factors aggravate the problem of locating folders. Probably the most important cause is that the traffic division has at least ten separate and distinct file locations, in addition to piles of cases that are held at individual desks or tables pending a further action. Some of these files include: active case file, warrant file, pending court date file, continued case file, stay file, awaiting charging documents, and disposed cases. Juvenile cases are filed in several separate places, also. In general, a case folder is filed according to the stage in the case. The problem with this method is that it may be difficult or impossible to obtain enough information from the defendant as to the status of the case. The person may not know, or in some cases, may not want to tell the clerk the right information to assist in her search.

Some of the newer members of the staff indicated that it takes quite awhile to understand the filing system well enough to know

where to look for or return folders because there are so many different file locations. Staff must also learn what information to get from a defendant before attempting to find a file. With the high turnover this year, both misfilings and lack of knowledge about where to look have been more of a problem than usual.

Another factor which contributes to difficulty in locating folders in some files is the ordering of cases, particularly when they are placed in conviction date order. Defendants rarely remember the date of conviction, and often it is difficult accurately to pin down the month or year. Since it is frequently necessary to retrieve case folders from the disposed cases file, the staff often have a lengthy and difficult search. In many cases, they have to resort to the old calendars which are annotated by the courtroom clerk with continuance dates and other indications which may steer the clerk to the right place (e.g., failure of the defendant to appear for a court date probably means that a warrant was issued and the folder may be in the warrants file).

Another problem is that clerks keep files at their desks waiting for some action from a defendant, the district attorney, or someone else. If the defendant calls about the case, it is necessary to circulate through the office to find who has it, if it cannot be located in the file cabinets.

To completely eliminate these problems in a manual system where anyone, at any time, may need to physically remove a folder from its file may be almost impossible, but there are several

measures the traffic section should consider to alleviate the situation:

Recommendation No. 27

Consolidate the various, active adult case files into one file ordered by citation number.

Recommendation No. 28

Change the ordering of the disposed case file to case number order. Keep these cases filed separately from active cases, as they are now.

Recommendation No. 29

Ensure that the requirements for the automated system clearly indicate the necessity for producing listings of cases by user-defined parameters (e.g., all cases with outstanding warrants, all cases for a defendant).

From a certain perspective, it is understandable why the manual files are set up as they are. Cases with warrants are together to make it easy to purge these files; the "stay" file contains only cases pending some post-conviction action by the defendant so that the person responsible for follow-up need only go through these cases once a month to monitor compliance. These are good reasons, but they satisfy only certain requirements for access to files, while hindering access by others. Consolidating files can help to eliminate considerable time in locating the file because there are many fewer places to look. Filing the folders in case number order is the easiest system to maintain accurately. With access to a cross-index of defendant name and case number through AMOS, the clerks will be able to retrieve paper folders by knowing only the defendant's name. See Chapter VII for a discussion of sequential case number order filing systems.

The implementation of the Automated Municipal Offense System (AMOS) next year may alleviate many of the information access problems experienced in this office. It will not be necessary to retrieve the file folder to answer questions over the phone, to make a court date, or to take a payment because clerks will perform these functions directly through AMOS and the "Court Hearing" system modules. The docketing features of the case hearing system should make it unnecessary to track a case history through old calendars.

The importance of paper files for most operational tasks should diminish considerably when the automated system is fully operational, but it is not possible to dispense with paper files altogether. Various papers are filed in misdemeanor cases; a folder is needed to keep them. AMOS should be used as the "access path" to both computerized and manual records. The requirements for the AMOS system should include extensive and flexible index and listing functions to allow clerks to retrieve lists of cases based on selection criteria provided by the clerk. Clerks should be able to print these listings to cull hardcopy files or find groups of cases which would be mixed in with all other active cases (e.g., all "stay" files due for clearance this month, all cases with FTP for which a warrant should be issued, etc.). If the system is designed to handle these needs, consolidation of many of the files will be feasible and beneficial to the office.

b. Duplication of Work

Some duplication of work exists between sections in the Traffic Division. Overlaps are particularly noticeable

between the CRT unit and the other sections. The following are two examples:

1. Basic case information is typed on docket sheets, the file folder, calendars and also entered into the automated record.
2. The cash registers are not linked with the automated system, making it necessary both to ring payments on the registers and to enter them into the traffic system.

These duplicative efforts are necessary chiefly for misdemeanors and contested infractions because the present automated system does not have all the necessary case processing functions and, therefore, has not completely superceded the manual procedures.

The AMOS system and the Case Hearing system are intended to eliminate many aspects of manual processing. All the examples above should be eliminated as a result of shared updating of case files and access to case information by everyone with a terminal. According to Atkisson and Associates' Stockton project manager, the cashiering stations will be equipped with terminals so that payment information can be entered directly into the case record. Court dates will be scheduled on-line, providing the information for court calendars without retyping.

Recommendation No. 30

Ensure that requirements for the automated system will allow the clerk's office to eliminate the manual production of notices, docket sheets, calendaring slips, calendars, and warrant cards by replacing them with information available on-line through inquiry and printed outputs.

While it may not be possible for the traffic section to completely dispense with paper records, as much paper as possible should be eliminated or produced as a by-product of automated case information, particularly where it is now manually generated.

Clerks should be encouraged to rely as completely as possible on the automated system and to keep the information as accurate and complete as they now strive to make the manual information. It has been the experience of the National Center project staff that courts which continue to maintain duplicative systems find neither system works well, staff are overburdened with work, and the quality of the information in both systems never achieves the desired standards. In short, the office and the public never receive the benefits the automated system was intended to convey.

c. Staffing Levels

Recommendation No. 31

Retain the same staffing level in the traffic division.

Because the Traffic Division will be implementing AMOS within the next year, many changes may need to be made to the division's operating procedures. The National Center can provide little specific guidance in this area because the system is still "in progress" with few details available now. It should be noted, however, that some savings in staff time should be easily achieved after all staff are fully trained and have come up to normal, working speed on the system, if only because the case folders will not always have to be found for even the simplest request. We feel that this "extra" staff time can be put to good use in the division to take over some line responsibilities from the coordinator and to fill in on desks that have a heavy workload periodically. We recommend that the division retain its full staff complement, including those temporary employees presently on staff.

Recommendation No. 32

Redesign the cashiering stations to accommodate the VDT equipment and cash drawers for the CJIS system, and provide seating for the cashiers at the windows.

The counter area is not appropriately configured for the new equipment that will be used with CJIS. More attention should be given to the comfort of the cashiers who are now on their feet at least four hours a day, and often up to six hours when covering for absent co-workers. The counters are too narrow, and may be too high for easy and comfortable use. Other courts have faced the same problems when installing computer systems, and have arrived at different solutions. One configuration which can work well is to build out from the counter at each station a desk area perpendicular to the counter. This platform for the terminal should be at a comfortable height for the cashier who will be using the system for more keyboard work than is now required on the cash register. The work space should be large enough to accommodate the keyboard, terminal, cash drawer, and receipt printer. Swivel stools with back support should be provided.

B. Accounting Division

1. Workflow

The accounting division is primarily responsible for maintaining proper financial records for the court, including all payments for fees, fines, bail, and court costs, maintaining the accounts receivables files, balancing and depositing the daily receipts, issuing refunds, and compiling statistical caseload reports for the clerk. The financial records of the court are subject to bi-yearly audits by the county auditor to ensure that the policies and procedures conform to sound accounting practices and to the county's policies, and that sufficient controls are in place to guarantee the accuracy of the recordkeeping.

The division is managed by a municipal court coordinator and staffed by two deputy clerk I's and one deputy clerk II. There are two sections: the money mail desk and the accounts receivable section, supervised by the deputy clerk II. Almost two years ago, the accounting staff was reduced by several positions when the county collector took on the responsibility for collection of all time payments and parking fines (by the city of Stockton).

The division is located in Room 100 on the first floor of the court building next to the traffic division. There is access to a walk-up window for the deputy clerk I in the accounts receivable section to take time payments.

Appendix D2 contains more detailed procedural descriptions of the various duties of accounting staff.

2. Workload

The workload in the accounting division has decreased

markedly in the past two years because most accounts are collected by the county collectors. There has also been a corresponding decrease in the staffing level of the division. Staff generally feel that their workload is lighter than it was before and they have little trouble keeping up with the day-to-day paperflow, even during staff absences.

One staff member is under the impression that the division is being phased out. Although the municipal court cannot do without an accounting section, the coming automation of the division may further lessen the workload. It is not possible to predict at this juncture whether the accounting staff will be able to absorb further reductions because little or no information is available on the scope of the planned automation of accounting tasks. There are certainly many accounting duties which will never be eliminated by automation, but a properly planned and executed system should reduce much of the manual labor of posting and balancing, writing case information on control sheets and filling out account transmittal forms, especially if automated interfaces to the treasurer's and county collector's systems are built.

3. Recommendations

Recommendation No. 33

Upgrade the money mail desk position to a deputy clerk II.

With the retirement in the fall of 1986 of the fifth coordinator, the accounting coordinator increasingly has taken on extra responsibilities outside her division. She now handles the personnel function, staff time recordkeeping, assisting the clerk in preparation of the yearly budget, statistical reporting to the

Judicial Council and internal workload statistics for the entire municipal court. These new duties have made it necessary to transfer some responsibilities for division supervision and daily reconciliation procedures to the clerk on the money mail desk. The money mail desk seems to have the greatest variety of duties and the heaviest load, but because this desk has been staffed by a very experienced person who has a good understanding of the job, she has been able to keep up. The retirement of the incumbent on the money mail desk may soon change this situation. A new person will have to be hired and trained. Considering the fact that the position is now a deputy clerk I, it is unlikely that the replacement will be as experienced and able to take on advanced responsibilities as the incumbent. The daily reconciliation and control functions must be handled by a deputy clerk II or above, and they cannot be shifted to the accounts receivable supervisor (the only deputy clerk II in accounting) because her health makes for frequent absences. These duties must be performed daily. Until a new hire can be brought up to speed, there may be some overload on the coordinator. If the additional office-wide duties are to remain with the accounting coordinator, and therefore some of the supervisory and high-level control functions of the division must be delegated, the deputy clerk I position should be upgraded to a deputy clerk II.

Recommendation No. 34

The accounting coordinator should have a personal computer.

A personal computer with spreadsheet and database management software has recently been requested by the clerk for use by the

accounting coordinator. She would like to use a PC to do employee time recordkeeping, develop the clerk's office budget, automate the bail bond book, and develop various list-type functions for smaller recordkeeping jobs. Given these types of office-wide responsibilities, none of which will be handled by the CJIS system, we support this request for personal computer equipment because these applications could benefit greatly from automation. Two of the greatest benefits of properly automating these functions are the ease of preparing reports from the computerized data and the automatic summarization and calculation of figures. Preparing monthly leave summaries, for example, should be handled by a report program using d-BASE III software without manual calculations and additional typing.

Recommendation No. 35

Request the county data processing department to assign a programmer/analyst to assist the accounting coordinator with the development of PC-based applications.

While the development of these applications is a good idea, some of them may be quite complex and could not necessarily be handled well with a simple spreadsheet or one-file database.

The Lotus 1-2-3 and d-BASE III programs recommended by data processing are good choices and probably can handle the applications, but they are complex tools which take considerable time to master. Given the additional duties required of the accounting coordinator, it seems that she has had little time to try out the programs and develop the plans for the applications.

Planning and developing some of the desired applications will take the knowledge of an experienced systems analyst/programmer.

It would be unreasonable to expect the coordinator to have the necessary time to learn to write d-BASE III programs or to master the macro language of Lotus 1-2-3. Although many simpler functions of these programs can be learned more easily, the power of these programs lies in their complexity of function, with a corresponding level of difficulty to tap. It is appropriate for the clerk's office to receive professional data processing assistance to adequately plan and implement most of these applications.

Recommendation No. 36

Provide greater opportunity for input from the accounting coordinator concerning the accounting functions of the CJIS system as it affects the municipal court operations.

To date, the accounting supervisor has talked with both the clerk and the CJIS representative in general terms concerning the automation needs of her section. There has not been anything in written form or any demonstration of parts of the system which affect her division's duties, so her understanding of how the accounting functions will work is understandably quite hazy. She has no choice now but to take it on faith that her division's needs will be met. National Center staff also have been unable to obtain any more concrete information, other than verbal assurances from the system's developers that accounting will not be forgotten. One problem may be that accounting functions will have to be largely tailored to individual county needs during the three-months after initial installation. There are, however, many accounting functions described in this report section which are common to all clerk's offices, even if the detailed procedures

vary from county to county. We urge that the Accounting Supervisor be brought into the development effort as soon as practical so that her considerable knowledge can be used to best advantage in the initial development effort, rather than waiting for input only after the system is transferred to San Joaquin County.

C. Criminal/Civil/Small Claims

1. Introduction

One court coordinator supervises the criminal/civil/small claims division. She is assisted by a deputy clerk III. Each section is, in turn, supervised by a deputy clerk II who has the working title of division chief. Nineteen clerks work at the level of Deputy Clerk I, three in small claims, three in civil and 13 in criminal. At the time of the National Center's site visit, three of the deputy clerk I's employed in the criminal division were temporary employees as was a fourth employed as a storage person whose primary duties were taking files to the off-premises storage building. The division is located on the first floor of the county court building in the municipal court clerk's office. The public accesses the division over a counter that separates the work space from a small waiting area.

2. Criminal

a. Overview

Criminal complaints involving all California Penal Code violations are filed in this section. Additionally health and safety code, business and professions code, and building code violations are filed here as are violations of county ordinances and the municipal code. Citations involving animal control, harbor navigation, and fish and game are also filed in this division. Traffic violations are not filed in the criminal division except for drunk driving violations involving drugs, resisting arrest, or other criminal charge.

All complaints or citations are initiated by law enforcement officers: typically the Stockton police department, the San

Joaquin county sheriff's department, and the California highway patrol. Felony complaints are given a five-digit case number prefixed with "F." Misdemeanors are given a six-digit number prefixed with "M" or with "DC" for disorderly conduct. If a case has codefendants a file is created for each; lower-case letters precede each defendant's name and are also placed after the case number.

A multipart color-coded docket is typed for each case, simultaneously creating an index card. The index card is filed alphabetically in a card catalog; the docket is placed in the case file folder and filed according to the date of the next court appearance. During the life of the case courtroom clerks enter court activity directly on the docket. Criminal clerks pull the docket from the file folder when it returns from court and use the entered information to record the next hearing date on the index card.

The file folders and index cards are filed in various places around the office depending on the date of next appearance, the department in which the case will be heard, whether they are awaiting dates, or whether the case has been disposed of. Separate filing areas (tables, bins, cabinets) are used depending on the various options. There is a separate storage file or storage area for each department as well as a warrants file cabinet. Reportedly, filing by next court appearance relieves clerks from having to look for files and from having to keep a separate list of cases pending for purposes of file retrieval.

The fish and game desk epitomizes the extreme paper-intensive nature of criminal case proceedings; the clerk enters the same

information over and over again into a variety of records. She calculates the bail amounts, types a courtesy notice typing the date, five-digit case number (containing serial number and the prefix "77"), bail amounts, code sections violated, and defendant's name and address, and types a docket on a hard card that becomes a backing for the citation. Then, except for the omission of defendant's address and the addition of the notice date, the clerk types the same information on the docket as on the courtesy notice. She then logs all the information again on a control sheet, alphabetizes all the names and logs them again alphabetically.

b. Workload

At one time criminal was a separate division supervised by a court coordinator who had responsibility for that division only. The clerk-administrator's office was restructured so that the court coordinator who now manages criminal also manages civil and small claims. The criminal section is staffed by 13 clerks at the level of deputy clerk I (including four temporaries) who report to the division chief, a deputy clerk II. The deputy clerk II reports to the court coordinator's assistant, the deputy clerk III. Since the deputy clerk III is not familiar with criminal procedures the chain of command from the criminal section clerical staff to the court coordinator appears to be more for personnel issues than any substantive problems. This is not to denigrate the deputy clerk III, who would like to become more familiar with criminal procedures, but rather to recognize her inability to do so because of the press of civil and small claims division duties.

At the time of the National Center's site visits the criminal division chief had been newly placed in that position. She was also new to the section. Besides her supervisory responsibilities she also had responsibility for the bail desk. Each of the other clerks has responsibility for particular duties.

c. Automated environment.

It is envisioned that the criminal division will eventually participate in the county-wide integrated Criminal Justice Information System (CJIS). When it is in place, the criminal division will be on-line with the county sheriff, the jail, the district attorney, the courtroom, and (perhaps) the public defender and the probation department. If the system works as is presently envisioned clerks in the criminal division will not do entry or indexing. Defendant's identifying information will be entered by the jail or by the district attorney's office. The criminal division will add the court's case file number and subsequent court information.

Thus the system will eliminate the present index and the hard copy index cards and hand-updated dockets. Additionally, calendaring will be eliminated, as each time the next court appearance is entered on an individual's (automated) docket it will be automatically calendared. Bail calculations are also expected to be handled by the system and duplicative entries and logs will no longer be required.

Recommendation No. 37

Create a numerical filing system.

The court should stop the practice of filing criminal cases by the next court appearance. Criminal cases should be filed in one of two or, at most, three places: felony and misdemeanor or felony, misdemeanor, and disorderly conduct. Until the automated system is installed the change in filing will necessitate a calendaring or datebook system to log court appearances. A PC may also be useful to expedite this system. This can be done by the criminal division clerks or by the courtroom clerks.

Files returned after court appearance will be placed on shelves, numerically. Files requiring a warrant can be color-coded or the court may wish to ease transition to the new system by retaining a separate filing area for warrants. If so, these too, should be filed by case number and not by court appearance date. Numerical filing will require a change in equipment. See Chapter VII, Records Management, for related recommendations.

Recommendation No. 38

The fish and game clerk should stop typing duplicate lists.

An IBM personal computer has been installed for use by the secretary to the clerk/administrator. The clerk-administrator should explore allowing the clerk at the fish and game desk to use the PC to prepare the various duplicative logs. If the PC is already being fully utilized by the secretary, the clerk-administrator may wish to get at least one other IBM PC for this and other purposes. This is especially important now that the installation of the automated environment is delayed.

3. Civil

a. Workload

The civil division is staffed by three clerks; all wait on the front counter and accept complaints and are also assigned to specific duties. Civil procedures are initiated by the filing of a complaint by the plaintiff over the counter or by mail.

When a complaint is filed, the clerk obtains a new pre-printed file folder from the stack and uses a rubber stamp to stamp the six-digit file number on the complaint. She gives the filing person a receipt for the fee and a copy of the complaint, issues the summons and returns it to the plaintiff for service on the defendant. Rubber stamps are used to enter activity on the register of actions. The next paper to be filed in a case, may be an answer, a default, or a motion. Request for default may also be filed. The papers are then placed in the file and filed away until further action is taken by the plaintiff.

One civil clerk prepares the law and motion, default, and weekly calendars and types head sheets for each case. The weekly calendar contains all the trials and notations for order of examination (OEX) and motion calendars. After the court hearing the file is returned to the civil division and resolution entered on the register of actions from the clerk's back sheet. Judgment is submitted by the prevailing party and entered on the register of actions. Appeals may be taken from municipal to superior court.

Recommendation No. 39

Eliminate some rubber stamps by preprinting the most frequent activities on the register of actions.

The clerk uses several rubber stamps to denote various activities that can occur throughout the life of the case. Register of actions forms preprinted with the most frequently occurring activities and spaces for checking could be used effectively.

The National Center also considered making related recommendations concerning the register of actions, for example, replacing the cumbersome register of actions books with bins. Because the impending automation will result in the elimination of the hard copy register of actions, the cumbersome books, and the space required for storage and access, the recommendation was not made. It is mentioned, though, because if the automation is greatly delayed the court may want to consider the change.

4. Small Claims

a. Workload

Small Claims procedures are similar to Civil procedures in the clerk's office with the exception that the clerks complete forms for the parties. Clerks type a register of action and set hearing dates. The register of actions is held at the calendaring desk until the time for calendaring the cases at which time all cases where proof of service has been filed are calendared. The defendant does not file an answer in small claims cases but may file a claim of defendant.

Proof of service on the defendant is required. When received, the small claims clerk calendars the hearing. After the hearing, the small claims clerk types the judgment on preprinted forms, sends copies of the judgment to the plaintiff and to the

defendant. Appeals from a small claims judgment are to the superior court.

5. Criminal/Civil/Small Claims Recommendations

Recommendation No. 40

The deputy clerk III should supervise the civil and small claims division.

A deputy clerk III presently assists the coordinator. She has responsibility over civil, small claims, and criminal but she exercises responsibility over civil and small claims only. She should remain supervisor of the civil and small claims divisions with no theoretical or actual responsibility for criminal. Her present responsibilities include supervision and numerous line duties, including preparing defaults. She should concentrate on training clerks within her section to assume some of her line duties, including the processing of clerk's default judgments.

She should also concentrate on assuring the proper training of the civil and small claims clerks and monitoring their actual duties as the work environment changes from manual to automated.

Recommendation No. 41

Remove division chief responsibilities from the deputy clerk II position.

At present criminal, civil, and small claims each have a division chief classified as deputy clerk II. These clerks are inundated with line duties and have no time for supervisory duties.

The court should reevaluate the classification of the Deputy clerk IIs. In these particular cases the division chief title should be removed but the clerks should be able to retain their classifications as deputy clerk II if their work experience and

qualifications allow. (These recommendations complement recommendation no. 6, which suggests a reevaluation of the municipal deputy clerk series. At present as a practical matter clerks are not deputy clerk II's unless they are supervisors. The job description itself indicates that a deputy clerk II may review the work of others. See Part IV, Personnel.)

A deputy clerk II is not a sufficiently high classification for the extent of supervisory responsibility required in the criminal section, nor is a deputy clerk II needed to supervise either civil or small claims. The positions should be used to assist the deputy clerk III..

Recommendation No. 42

A deputy clerk III position should be created and appointed division chief of the criminal division.

As a division, criminal was supervised by a court coordinator who was transferred to the calendar coordinator position. Although a deputy clerk II was given supervisory responsibility the responsibilities of the section were not reduced. The section needs a supervisor who is knowledgeable about procedures, who has managerial ability, and who can take responsibility for the training needed within the section.

Virtually everyone interviewed by the project team mentioned that the criminal division supervisor should have a classification that denotes the responsibility that is required to perform the job.

Recommendation No. 43

Two persons with the classification deputy clerk II should report to the deputy clerk III in criminal.

Presently criminal has one deputy clerk II, who is the division chief. Under the reorganization she should report to the deputy clerk III. But an additional deputy clerk II should also work in the section.

The coordinator and clerk will have to decide whether a new person should be hired, be promoted from another section, or be promoted from criminal. Each deputy clerk II should be given responsibility for work review of certain aspects of the criminal division.

Recommendation No. 44

The criminal division should be restructured and the criminal clerks should be cross-trained.

All the criminal clerks should receive cross-training to be able to perform various office procedures with the goal to have each clerk completely cross-trained. At present each clerk is assigned to specific duties. Except for certain long-term employees the clerks do not have the ability to substitute for or aid one another. This has a particularly negative effect when someone is absent because the court coordinator or the long-term deputy clerk I must perform the absent clerk's duties. Cross-training will also aid the effective implementation of the automated system because the clerks will be able to be more flexible and they will understand the work of the entire unit. Such cross-training will also provide a valuable pool of employees with ability to be promoted.

Recommendation No. 45

One permanent clerk should be hired for the criminal division.

Recommendation is being made for the hiring of one new person. Inherent in the recommendation is the assumption that the positions filled by temporary employees will continue to be staffed, preferably with permanent employees. No classification recommendation is given because the clerk may wish to hire a deputy clerk II or III and leave the rest of the staff as is. Or the clerk may wish to promote current employees and hire a person in an entry level position.

Implementing these recommendations will give the criminal division 15 permanent clerks: one deputy clerk III, two deputy clerks II, and 12 deputy clerks I. The deputy clerks I should be divided into two sections, each reviewed by a deputy clerk. There are several options for restructuring; the coordinator and the deputy clerk III are the persons best able to determine that restructuring.

D. CALENDAR OPERATIONS

The Stockton Municipal Court operates a "coordinated calendar" system, with many similarities to a master calendar system, run by the presiding judge. A clerical calendar coordinator supervises 13 courtroom clerks and two judicial secretaries. Her office is on the second floor in the middle of the courtroom area serving the municipal court. She also serves as the arbitration coordinator and is responsible for obtaining and assigning all interpreters for both the superior and municipal courts. In addition, she meets with the presiding judge on Fridays to determine the number of court reporters and jurors needed for the next week.

The National Center project team was asked to review calendar operations within the Stockton Municipal Court, but not to analyze the judicial management of the calendar. Therefore, the project team concentrated its efforts on an operational analysis of the court's departments. In each courtroom at least one courtroom clerk provides clerical support to the judge, as she oversees the paperwork within the court and the flow of files and communication between the individual departments and the first floor clerk's office.

1. Department Calendars

This section briefly reviews the operation of each of the municipal court departments and the courtroom clerk staffing as of September, 1986. Table 1 is the weekly calendar for the municipal court. Calendar assignments for the individual judges and departments changed on January 1, 1987, but the basic procedures

MUNICIPAL COURT-STOCKTON JUDICIAL DISTRICT (Effective September 15, 1986)

	Monday	Tuesday	Wednesday	Thursday	Friday
1986					
DEPARTMENT A	9:00 AM - Jury Trl Assign - Prelim. Exams	9:00 AM - Prelim Exams 1:30 PM - Prelim Exams	8:00 AM - Readiness Conf. 9:00 AM - Prelim Exams	9:00 AM - Prelim Exams 1:30 PM - Prelim Exams	8:30 AM - Small Claims 9:00 AM - Prelim Exams
DEPARTMENT B	9:00 AM - Misd. Arraign. a. Bailee b. Out of Cust. 1:30 PM - Misd. Motions	9:00 AM - Misd. Arraign. a. Bailee b. Out of Cust. 1:30 PM - Misd. Motions	9:00 AM - Misd. Arraign. a. Bailee b. Out of Cust. 1:30 PM - Prelim. Exams	9:00 AM - Misd. Arraign. a. Bailee b. Out of Cust. 1:30 PM - Prelim. Exams	9:00 AM - Misd. Arraign. a. Bailee b. Out of Cust.
DEPARTMENT C	8:30 AM - Unlawful Det. Court Trials 10:00 AM - Pre-trial Motions 1:30 PM - Court Trials	8:30 AM - Def. Judg. & Exam of Judg. Debtor 9:00 AM - Unlawful Det. Court Trials 1:30 PM - Jury Trial	8:30 AM - Motions 9:00 AM - Unlawful Det. Court Trials 10:00 AM - Fur. Jury Trial 1:30 PM - Fur. Jury Trial	8:30 AM - Settlement Conference 1:30 PM - Fur Jury Trial	10:00 AM - Fur Jury Trial
DEPARTMENT D	10:00 AM - Pre-Trial Mot. 1:30 PM - Jury Trial	9:00 AM - Fur. Jury Trial 1:30 PM - Fur. Jury Trial	9:00 AM - Fur. Jury Trial	9:00 AM - Fur. Jury Trial 1:30 PM - Fur. Jury Trial	9:00 AM - Fur. Jury Trial 1:30 PM - Fur. Jury Trial
DEPARTMENT E	9:00 AM - Misd. Custody (New & Cont.) 10:45 AM - Out of Custody Felony (Cont.) 1:30 PM - Cust. Fel. Arr. Cust. Fel. Cont. Out of Custody Fel. Arr. Traffic Custody	9:00 AM - Misd. Custody (New & Cont.) 10:45 AM - Out of Custody Felony (Cont.) 1:30 PM - Cust. Fel. Arr. Cust. Fel. Cont. Out of Custody Fel. Arr. Traffic Custody	9:00 AM - Misd. Custody (New & Cont.) 10:45 AM - Out of Custody Felony (Cont.) 1:30 PM - Cust. Fel. Arr. Cust. Fel. Cont. Out of Custody Fel. Arr. Traffic Custody	9:00 AM - Misd. Custody (New & Cont.) 10:45 AM - Out of Custody Felony (Cont.) 1:30 PM - Cust. Fel. Arr. Cust. Fel. Cont. Out of Custody Fel. Arr. Traffic Custody	9:00 AM - Misd. Custody (New & Cont.) 10:45 AM - Out of Custody Felony (Cont.) 1:30 PM - Cust. Fel. Arr. Cust. Fel. Cont. Out of Custody Fel. Arr. Traffic Custody
DEPARTMENT F	9:00 AM - Prelim Exams 1:30 PM - Prelim Exams	9:00 AM - Prelim Exams 1:30 PM - Prelim Exams	9:00 AM - Prelim Exams 1:30 PM - Prelim Exams	9:00 AM - Prelim Exams 1:30 PM - Prelim Exams 3:45 PM - Pre Prelim Conf	9:00 AM - Prelim Exams 1:30 PM - Prelim Exams
DEPARTMENT G	9:00 AM - Traffic Arr. Con't. Arraign. Out of Custody Arraignment 1:30 PM - Prelim. Exams	9:00 AM - Traffic Arr. Con't. Arraign. Out of Custody Arraignment 1:30 PM - Prelim. Exams	9:00 AM - Traffic Arr. Con't. Arraign. Out of Custody Arraignment 1:30 PM - Prelim. Exams	9:00 AM - Traffic Arr. Con't. Arraign. Out of Custody Arraignment 1:30 PM - Prelim. Exams	9:00 AM - Traffic Arr.

and caseload allocations to various departments remain the same. For a more detailed description of the court's calendar workflow, see Appendix D-4.

a. Department A - Trial Assignment

Department A is the presiding judge's department. It is staffed by one courtroom clerk. The main task of department A is jury trial assignment. The department A courtroom clerk keeps track of the number of trials that are set from all the other departments for trial assignment. On a weekly or bi-weekly basis, depending upon how quickly calendar dates are filled, the department A clerk sends a memorandum to all departments indicating that a certain date is full and provides a new date for the courtroom clerks to set trial assignments. The courtroom clerk in department A receives the case file the day after the case is set for trial assignment.

The jury trial assignment calendar for criminal cases occurs each Monday at 9:00 A.M. On Tuesday at 9:00 A.M., further jury trial assignments are made if there are any trailing cases or civil cases scheduled for trial. Jury trials are assigned out from the presiding judge to department D for criminal and traffic cases and department C for civil cases.

b. Department B - Misdemeanor

Department B hears the misdemeanor calendar and is staffed by three courtroom clerks, one of whom is a trainee. Misdemeanor arraignments for out-of-custody defendants represent the major portion of department B's calendar.

The calendars for department B used to be prepared by the

clerks in the criminal division on the first floor, but are now typed by the courtroom clerks. Since most of the paperwork regarding bailees and out-of-custody defendants goes to the first floor clerk's office, the calendar is basically set by the clerk's criminal division staff, who organize the files and deliver them to the courtroom clerks in department B.

c. Department C - Civil

Department C hears all civil matters in the municipal court. It is staffed by one courtroom clerk. The 8:30 A.M. Monday morning unlawful detainer hearings are calendared by the civil clerks on the first floor. Otherwise, the courtroom clerk schedules her own calendar in conjunction with department A.

d. Department D - Trial

Department D hears criminal and traffic trials. It is staffed by one courtroom clerk and is assigned trials Monday mornings by department A. Trials are scheduled throughout the week.

e. Department E - Custody

Department E is staffed by two courtroom clerks plus one additional, roving clerk when the court is particularly busy. Every day at 9:00 A.M. misdemeanor custody cases (except traffic cases) are brought in for first or continued arraignment. The clerk's office gets a custody list from the jail, prepares the files, and delivers them to the courtroom. At 10:45 A.M. out-of-custody arraignments are held. The information for this calendar comes from the clerks of the criminal division of the clerk's office, also. At 1:30 P.M. in department E all felony and traffic custody arraignments are calendared.

f. Department F - Preliminary Hearings

The preliminary hearing department is staffed by one courtroom clerk. Preliminary hearing dates for department F are set at arraignment. Arraignment usually occurs in department E where a calendar is kept for department F. When defendants are bound over, department F sets an appearance date in superior court within ten days. At 3:45 P.M. on Thursdays, a preliminary hearing conference calendar is called. A full calendar is typed up for the pre-preliminary hearing conference. Calendars are re-typed when the cases are set on the calendar following the pre-preliminary hearing.

g. Department G - Traffic

Department G has one clerk and one assistant in the courtroom. This department hears traffic arraignments, continued arraignments, and out-of-custody arraignments in the mornings. The traffic courtroom clerks type a calendar for department G from the files about two days before trial.

h. Room 140 - Traffic

Room 140 is the traffic courtroom presided over by a commissioner. It is staffed by one clerk. The traffic division clerks set the court trial calendar for Room 140. In addition, small claims cases are heard on Tuesday, Wednesday, and Thursday mornings, and on Tuesday afternoon fish and game and dog citations matters are scheduled.

2. Judicial Secretaries

There are two judicial secretaries for the Stockton Municipal Court who share offices with the calendar coordinator. The

judicial secretaries spend much of their time serving as an information booth for the public, as their office window is in the middle of the corridor in which the municipal courtrooms are located. Other department personnel come to the judicial secretaries' office for calendar information.

The judges' mailboxes are also in this office. The municipal court telephone number for all the judges is answered by the judicial secretaries. In addition, attorneys and police officers come to the judicial secretaries to find out if any judges are available in chambers to sign warrants or motions.

The judicial secretaries serve a traditional secretarial role for the judges, handling all their correspondence and dictation without word processing equipment. The secretarial and correspondence duties require almost half of each secretary's day.

C. Arbitration Program

The judicial secretaries assist the calendar coordinator in administrative work for the arbitration program. When a memo to set is filed with the civil division, the file is sent to the judicial secretaries. They have two lists of arbitrators, one for general civil cases and one for personal injury. If there are only two attorneys in the case three arbitrators are chosen from the list. A notice is sent to the attorneys who have ten days to reject the arbitrators or request a settlement conference.

The judicial secretaries keep case cards on the cases that have been sent to arbitration. If a notice for a settlement conference is returned, they pull the file and give it to the courtroom clerk who sets a date for the settlement conference. If

there is no correspondence within ten days (no rejection of the arbitrator or request for settlement conference) the judicial secretaries pick one of the three arbitrators, normally choosing the arbitrator who served longest ago. Forms are then sent to the arbitrator, the attorneys, and parties indicating the arbitrator who was appointed. The secretaries create a tickler file for ninety days from the period of appointment because a hearing must be set within ninety days. The arbitrator then sends back a notice of hearing.

The arbitrator files the award with the court along with his or her fee statement which is copied for court records and sent to the county auditor for payment. The award is entered in the register and is calendared in a tickler file for 30 days. During this period the parties have the right to appeal for a trial de novo. If the 30 days elapse without appeal, the file is given to the clerk and an entry of judgment is made. If a request for trial de novo is filed with the clerks downstairs, the request is sent upstairs; the judicial secretaries pull the file and give it to the courtroom clerk to set for trial.

3. Courtroom Clerks

Over the years, the courtroom clerk position has attracted many who have worked in one of the sections of the clerk's office on the first floor. Candidates are chosen for their ability to handle a demanding and sometimes varied workload.

The courtroom clerks are physically separated from the rest of the clerical workforce, as their workplace is adjacent to the department judge on the bench. Normally, courtroom clerks are

assigned to a particular department on a permanent basis. In many instances, the courtroom clerk, who is responsible for the smooth clerical operation of the calendars develops a close working relationship with her judge. All of the communication between the department and the clerk's office summarized above channels through the courtroom clerk.

Given all of the above factors, it is common for an elitism to develop within the courtroom clerk workforce. Viewed favorably, this can account for a healthy esprit de corps among the courtroom clerks and motivate them to give a little extra to their jobs and the court. Conversely, a barrier can develop between the courtroom clerks and the rest of the clerks that causes animosities, poor communication and cooperation, and a drop in morale for the entire court.

Until the appointment of the calendar coordinator in the Stockton Municipal Court, courtroom clerks were allowed to operate very independently. A courtroom clerk assigned to an individual department could become totally familiar with all the intricacies of her department and have minimal interaction with the rest of the court. For the most part this has not caused problems, but a feeling has developed that certain courtroom clerks are "prima donnas." They are seen by some as uncooperative and unwilling to apply themselves to anything more than their individual department's work.

Courtroom clerks are now required to report their hours to the calendar coordinator. It is clear that the appointment of the coordinator has changed the courtroom clerk workforce from one

that was a group of independent individuals to a unit where interdependencies are developing. Courtroom clerks must change both the realities and perceptions that they operate independently from the rest of the court. The court cannot risk having 13 of its most capable staff alienated from the rest of the workforce. As the court progresses from a predominantly manual clerical operation to an automated one, an effort to cooperate is not only recommended, it is imperative. The recommendations that follow, if adopted, will do much to improve not only the calendaring operations and the courtroom environment in which the courtroom clerks operate, but the entire case processing operations of the court.

4. Recommendations

a. Calendar Coordinator and Courtroom Clerk Supervisor

The court should be commended for appointing a coordinator to oversee the clerical operations of the calendar and the courtroom clerks. Unfortunately, the calendar coordinator is currently assigned more duties than she can complete. In her role as courtroom clerks' supervisor the calendar coordinator is responsible for daily oversight and assignment of her staff, training and evaluation, and problem solving for the courtroom clerks. She often acts as an intermediary between the presiding judge, other judges, and the courtroom clerks.

As noted above, the calendar coordinator is responsible for the management of the court's arbitration program; she also obtains and assigns all interpreters for both the superior and municipal courts; and she determines in consultation with the

presiding judge the number of court reporters and jurors needed for each week.

Recommendation No. 46

A supervising courtroom clerk should be appointed to assist the calendar coordinator.

The appointment of a supervising courtroom clerk will allow the calendar coordinator to become a more active member of the court's management team. Under the present staffing pattern the calendar coordinator spends too much of her time on purely operational duties; thus, she is unable to devote time to management issues. With an assistant to supervise much of the day-to-day activity, the calendar coordinator could develop a comprehensive training program, a more equitable assignment system, and realistic evaluation reviews for courtroom clerks.

The courtroom clerks have accepted the calendar coordinator as their supervisor and recognize the need for training, standardization of operations, and improved communication. There remains some reluctance to accept her, however, because she has no experience as a courtroom clerk. Whether reasonable or not, there is a feeling that one cannot understand the pressures and demands of courtroom clerks unless one has been a courtroom clerk. The appointment of a supervising courtroom clerk would bridge this gap between courtroom clerks and management and allow the present coordinator to concentrate more on major issues facing courtroom operations.

The supervising courtroom clerk should receive some remuneration above her current salary for assuming supervisory duties. She should continue to operate as a courtroom clerk in a

substitute capacity. By filling in as needed the supervising courtroom clerk will be able to maintain familiarity with the operations of all of the departments and have a hands-on-knowledge of the departments' needs. Day-to-day assignment and problem solving would be assigned to the supervising courtroom clerk.

The court should make a commitment to provide adequate courtroom clerk staffing so that the supervising courtroom clerk will not have to spend more than 50 percent of her time in the departments. This may mean that additional clerical support will have to be provided for the courtroom clerk workforce. The court should consider the option of assigning a court clerk I to assist in the purely clerical functions of the courtroom clerks, rather than assuming that an additional courtroom clerk will be needed. As discussed later in this section, there will be some reduction in the amount of clerical work performed when CJIS is implemented.

With a courtroom clerk supervisor, the calendar coordinator will not only be able to participate more as a member of the clerk's management team, but she will be able to work more effectively with the judges. There is a very open, supportive, and productive atmosphere in the calendar coordinator's office. It serves as the hub of communications for the judges and the calendar clerks. This work environment can only be maintained if the calendar coordinator has adequate time to be responsive to the judges of the court. The addition of a supervising courtroom clerk will help assure the continued good communication between the judges and the calendar coordinator's office.

It may appear that this recommendation only creates an additional supervisory level and removes courtroom clerks even further from the clerical workforce on the first floor. On the contrary, properly implemented, the establishment of a courtroom clerk supervisor will improve communication and allow courtroom clerks to become more closely involved with the entire clerical operation of the court.

b. Courtroom Clerk Staff Meetings

Recommendation No. 47

Regular meetings should be held for all courtroom clerks, the supervising courtroom clerk, and calendar coordinator.

At present the courtroom clerks do not have regularly scheduled meetings or even social get-togethers. It is particularly difficult to schedule a time for all courtroom clerks to meet because their schedules are dictated by the activity in their individual courtrooms. Some judges start earlier than others, some extend hearings into the lunch hour, and some continue into the early evening. With the concurrence of the presiding judge, the calendar coordinator should conduct brown bag luncheon meetings at least once a month. The meetings should have prepared agendas so that business can be conducted as efficiently as possible. Courtroom clerks should be invited to place matters on the agenda by circulating a proposed agenda in advance of the regularly scheduled meeting.

c. Training

Recommendation No. 48

The calendar coordinator should develop a comprehensive training program for courtroom clerks. Uniformity and standardization of operations should be promoted. A

cross-training program should be established so that all courtroom clerks are knowledgeable about more than one courtroom operation.

In the employee questionnaire circulated to all clerks (and attached as Appendix B), the courtroom clerks were asked to describe the single biggest problem facing the court. Of the 15 responses, seven indicated a lack of training as the courtroom clerks' biggest problem. There are a variety of reasons why training for courtroom clerks is particularly important.

Some courtroom clerks today have been assigned to a particular department for such an extended period that they are unable to substitute in any other department due to lack of knowledge. Some suggest that these clerks could substitute in other departments but are using the excuse of lack of knowledge to avoid work in other departments.

Although courtroom clerks are assigned permanently to departments, there is a certain amount of substitution to cover for vacations, illnesses, and fluctuations of workload. Because there is no coordinated effort to document changes in courtroom operations, courtroom clerks who were familiar with a particular department may find themselves confronted with new and unknown procedures if they return to that department after an absence.

Also, there is concern that procedures are allowed to develop within a particular department without regard to how that same procedure is carried out in another department. This lack of uniformity leads to inefficient operations and difficulty in training.

Finally, in an automated case processing system most court minute and docket entries are coded from a table of possible entries. A clerk is often allowed to add free-form text to the coded entry, but it is very important to use the codes consistently. If courtroom clerk entries can be truly standardized in a manual processing system, it will make the transition to the automated system much easier. It is understood that the automated system must be able to accommodate entries that do not fit tabled entries, but only through proper analysis of procedures and training for the clerks will the system operate at its maximum efficiency.

It may be unrealistic to expect all courtroom clerks to be familiar with the operation of all departments, but it is just as unrealistic to have a courtroom clerk familiar with only one department. The calendar coordinator should set up a cross-training program so that all courtroom clerks are trained in two of the three major case types handled (criminal, civil, and traffic).

d. Courtroom Clerk Rotation

In Stockton, the municipal court judges rotate their calendar assignments every year, but the clerk remains with the calendar assignment she originally received. Thus, the clerk gets to work with a variety of judges, but she does not have the opportunity to learn the operation of different departments.

Recommendation No. 49

The calendar coordinator should set up a rotation program to assign courtroom clerks to different departments on a six-month or annual basis, depending upon the nature of the court department and the knowledge of the clerk. The rotation program should be mandatory for all courtroom clerks.

The present assignment system creates a highly uneven workload for the courtroom clerks. No doubt there are personalities within the group of courtroom clerks that work better in the high pressure, high volume arraignment and traffic courts and there are personalities better suited to the more slowly paced trial courts.

Some courtroom clerks indicated they would be "bored to tears" in a trial department, but at the same time they might not be able to recognize that they are approaching burn-out in a high volume department. Prior to last year's increase in courtroom clerk staff there were reports of very high amounts of overtime being worked. Had overtime use continued at such a high rate, no doubt some clerks would have suffered from "burn-out."

Rotating courtroom staff will not only more evenly distribute the workload over an extended time, but it will contribute to cross-training efforts and increase morale of the entire courtroom clerk staff. Project staff understand some rotation of clerks has been instituted.

The above recommendation suggests either a six-month or annual rotation. For a clerk entering a department with which she is unfamiliar, it may not be advisable to assign her a term of only six months; a year may be more appropriate. For clerks familiar with the operation of high volume courts, six months may be the maximum one could endure in the high volume-high pressure environment; a clerk who simply needs a breather from the high volume court may find six months in a trial department more than adequate. The six-month rotation should be the norm, but exceptions should be allowed. The calendar coordinator should analyze assignments, discuss them with the individual courtroom

clerks, and make certain that they are made on an equitable basis.

e. Automation

When the CJIS is implemented it will significantly change the tasks required of courtroom clerks. Collectively, the courtroom clerks spend 89 hours a week typing calendars.¹³ This is the equivalent of two FTE courtroom clerks. The CJIS will automatically generate calendars and thus eliminate almost all manual typing of calendars. Clerks will still have to request the printing of calendars, modify them, if necessary, with updated information, and distribute them appropriately.

The documentation prepared by Atkisson and Associates for the February 5, 1987 walk-through of the criminal case hearing system included some sample calendars from the Kern County system. Two calendars were used for illustration; one is an abbreviated list with defendant's names for each department for each calendar, and one is a detailed calendar listing defendant, attorneys, charges, and a variety of other information for each case. Some modification of the calendar format and types of calendars developed in Kern County should be allowed during the "tailoring" period for San Joaquin County.

Courtroom clerks spend approximately 92 hours a week preparing files for courtroom use. A significant portion of this time is spent filling out forms in advance that may be used in an

¹³ The courtroom clerks were surveyed to estimate the number of hours they spend typing calendars, preparing files, and searching for lost files in a normal week.

individual case. The speed with which cases are heard in the courtroom does not allow the courtroom clerks to complete them as the cases are heard. These forms include judgment forms, referrals, booking and release forms, etc. It is not known at this time whether the CJIS will be able to preprint these notices for each case, but such a capacity would be a logical addition to the system.

It is the project staff's understanding that the court has made a preliminary decision to have CJIS terminals in each department and to use the terminals for inquiry purposes only during courtroom proceedings. This will allow judges and clerks to access the system to determine what information exists in the system regarding a party to the case. Currently, courtroom clerks make a notation of the outcome of each case as it is heard, either through the use of check-box minute sheet forms, on calendars, or through other documentation. This manually recorded information may then be recorded again on a docket or in the case file; procedures vary significantly depending upon the type of case being heard. It may be possible with the CJIS to have the case information on-line as the case is being heard and to immediately enter case dispositions into the system during court proceedings.

Recommendation No. 50

The calendar coordinator should establish a courtroom clerk "user group" to analyze courtroom clerk requirements for the CJIS system, forecast staffing requirements, and provide feedback to systems people through appropriate channels.

The CJIS will only relieve the courtroom clerks of the tedious manual job of typing calendars if they are generated in the format desired by the court. As noted, the Kern County documentation

included two sample calendars, neither of which may be applicable to the current operations of the Stockton Municipal Court. The courtroom clerk "user group" should collect all calendars currently used, determine why they are in their present format, and propose minimum requirements for the automated system.

The "user group" should also inventory all forms that are prepared prior to and subsequent to hearings to determine whether there may be reason to request that these forms be generated automatically. With a total of 92 hours spent weekly on preparation of commonly used forms, automatic generation could significantly reduce the time required to prepare files for hearings.

It is probable that the "users group" will identify procedures that can be improved in the manual case processing environment prior to the implementation of CJIS. For instance, it has been reported that there are multiple judgment forms that could be consolidated into a single form used in more than one department. Creating a new consolidated judgment form and identifying other forms and procedures that could be combined would help standardize procedures from department to department, facilitate the possibilities of clerks being able to work in more than one department, and ease the transition to the automated system. (See also, chapter VII, Records Management, for a discussion of forms design).

After CJIS implementation, the court will realize changes in its workflow. Courtroom clerks^o will be needed to staff the departments at a level as great, if not better than they do today, but some of their preparatory work will be eliminated. It may be

possible to assign clerical staff part-time work in the courtroom and part-time work in the clerical division on the first floor. At this time, it is impossible to determine what sorts of adjustments may be possible. Manual work that could be eliminated by an ideal automated case processing system represents the equivalent of four full-time clerks, but it would be reckless to assume such an immediate personnel savings. In spite of the uncertainties of CJIS implementation, it remains clear that unless there is proper planning prior to implementation, analysis of the effect of the new system, and open communication within the entire court, potential efficiencies will not be realized through the automated system. The courtroom clerk "users group" will be able to provide valuable input to the courtroom clerk supervisor and calendar coordinator as they guide the implementation of the calendaring and case hearing process of CJIS in the departments.

VII. RECORDS MANAGEMENT

A. County Records Management Study

- In fiscal year 1984-85, the Stockton Municipal Court reported 73,943 filings excluding parking cases.¹⁴ If in a hypothetical case there are only 14 pieces of paper generated on an average for each case, there are over one million pieces of paper that must be properly managed annually in the court.
- On August 2, 1986, Robert Woodall, records management consultant to San Joaquin County reported that there were 3,077.91 cubic feet of records stored in the Stockton Municipal Court.

The above facts illustrate that the Stockton Municipal Court is awash in a sea of paper. Put very simply, the court can decide whether to manage and control its paper flow or be totally controlled by it. Will outdated and useless records remain as hiding places for "lost files" or will these be appropriately stored out of the way?

Fortunately, it seems that San Joaquin County and the Stockton Municipal Court have chosen to take a proactive rather than reactive position in their records management. The county's hiring of Robert Woodall as its records management consultant is a clear indication that the county wishes to adopt the most appropriate modern records management techniques.

The current status of records storage and management in the court are not ideal. As one walks through the clerk's office on the first floor of the Stockton court building there is little evidence of modern records management techniques. There are, in fact, the ubiquitous cardboard boxes and case files stacked in corners and aisles, some of these awaiting transfer to the records center.

¹⁴ 1986 California Judicial Council Annual Report, pp. 227-229.

The National Center met with Robert Woodall to discuss his records management analysis for San Joaquin County. This report and the report by Mr. Woodall were prepared at approximately the same time and, therefore, the National Center cannot comment on Mr. Woodall's conclusions. We do not know the specifics of his recommendations, although from our discussion we believe that Mr. Woodall's observations and recommendations will be grounded in sound and modern records management standards.

The project team understands that one of Mr. Woodall's recommendations may be that the county hire a records analyst. The National Center believes that such a resource person available to the municipal court as a county employee would be tremendously valuable. The following records management recommendations for the court should be undertaken with the assistance of the records analyst, if available, as this professional's assistance would greatly facilitate the court.

B. Filing Systems

As noted in the division operations section of this report, many files in the court are stored in the order of their next court appearance. Although this system of case filing facilitates preparation of calendars and keeps track of required court appearances, it creates as many file storage areas as there are departments and appearance dates. When there are "lost" files the process of "finding" them is much more difficult when they can be in so many different locations.

There are two reasons for changing the court's case filing practices. First, as a court becomes larger and its calendaring

procedures more complex, it becomes more and more difficult to shuffle case files around from place to place according to their next court date, especially if a file has to be accessed in the interim to insert filings and to be updated. Whereas the next-appearance-date system works well in courts with only a few judges, Stockton is too large for this filing system. Second, the court will have an automated case processing system that will track all court appearances and automatically generate calendars. With this automated system the next-appearance-date system will no longer have to serve the purpose of tracking calendars and the most efficient case filing system will be one of the numerically sequential systems.

Recommendation No. 51

The court should adopt a case filing system ordering its cases by sequential number. The only separation of case files should be the removal of closed case files to a closed files section.

The court should develop a plan to change its case filing practices to maintain a consistent sequential filing system, with case files being pulled only when they need to have documents added or accessed or when they are needed in the departments.

If it is decided that the files should be maintained in sequential order prior to automation, an interim method of tracking case processing events will be necessary. This may be particularly appropriate for civil and small claims cases as the automated civil system has been delayed. A calendar card system would be the most appropriate way to track cases.

The calendar card is created at case initiation and can be part of a multipart case action summary form. It is the primary

record for monitoring case status. The calendar card is always filed in a tickler file by the next-action date, which may be a date for a court appearance or a review of the file to determine the next step. The tickler file represents a simple manual system for monitoring the status of each case throughout its active life. Use of the calendar card will prevent cases from becoming "lost" in the system. Calendar cards permit disposition of cases within a time period the court considers appropriate (e.g., dismissal of a civil case when service is not obtained within the time period required by rule or statute).

Recommendation No. 52

The use of three or four drawer vertical filing cabinets should be phased out with the acquisition of more efficient open-shelf equipment.

Although the court has purchased and installed open-shelf lateral filing equipment, many three- or four-drawer vertical filing cabinets remain. Within the traffic section, in particular, there are cabinets placed against what seems to be every available wall. Lateral filing systems are considerably more space efficient and would improve conditioning considerably in Room 100.

The project team learned that it may be possible for the court to purchase a high-density mobile open-shelf filing system at a greatly reduced price. Mobile filing systems are not frequently seen in courts because they are among the most costly.

Recommendation No. 53

The court should encourage the county to purchase high-density mobile open-shelf filing if they can be purchased at reduced cost.

The major advantage of mobile filing systems is that they require less floor space. This would be a great advantage to the clerk's office as the clerical workspace is very close-quartered. If files are stored sequentially, most files accessed would be relatively recent and therefore in the same filing area. One would not have to frequently move the rows of shelves to open up other aisles. This system works particularly well in limited jurisdiction courts where most litigation is not of a protracted nature and most files accessed are relatively recent.

C. Case Numbering System

Recommendation No. 54

A case numbering system should be developed courtwide with a series that shows the year (86, 87, 88, etc.), a two-letter code for case type (CV - civil, SC - small claims, DC - disorderly conduct, etc.), and a four- or five-digit consecutive number for cases as filed (00001 to 99999), starting again with 00001 each new year.

A case numbering system that is used consistently within the court is needed for a variety of reasons. All clerks will be familiar with the system and it fosters quick recognition when mistakes are made. A yearly prefix assists in filing, recognition of misfilings, and manual auditing. In addition, when there is automated case processing throughout the court, a uniform numbering system will provide greater ease of entry for the input operator. At this time, the project team does not know what the systems designers have developed for case number fields for the automated system. This is one more area or data element that must be made known to those who will be tailoring the systems for the Stockton court.

D. Forms Design

The municipal courts in California are required to use forms mandated by the Judicial Council. Nevertheless, there are many forms in use that are not covered by the Judicial Council mandate. The State of California has also mandated the use of letter-size paper in the courts, yet Stockton file folders, docket sheets, and certain other forms remain legal size, requiring the use of legal size folders. The guilty plea waiver form is also legal size. Thirteen inch paper stock is usually even more expensive than 14" legal size, as it is an odd size. The Stockton Municipal Court could benefit greatly by adopting its own forms management efforts.

The philosophy of forms design and management addresses the following purposes:

- Combination or elimination of duplicate or redundant forms.
- Design of needed forms to promote maximum clerical efficiency.
- Design of forms to adhere to statute, court rules, and case law.
- Promotion of availability of required forms through appropriate cataloging and distribution guidelines.
- Design of forms to allow for electronic word processing.

Recommendation No. 55

An ongoing forms management committee should be established within the court to prevent the proliferation of non-standard forms and promote efficiency in future forms development and revision.

The following specific recommendations should be considered by the standing forms committee.

Recommendation No. 56

Forms should be generally uniform in appearance and structured to emphasize essential information.

The forms used for the Stockton Municipal Court arbitration program use a fill-in-the-blank format that requires the typist to manually space from one blank to another rather than using a more efficient box-design with structured tab stops. Forms that have been standardized into an efficient design will permit those working with the forms to do better work with less effort, in less time, and at a lower cost. The following are suggested conventions for the body of forms to be followed for all form drafting:

1. Typeface. One typeface and heading style should be adopted for all forms.
2. Form Title. Each form title should be concise yet specific enough to identify the subject area covered by the form, and located in a prominent place on the page. Additionally, since most court files in Stockton are top-bound, it would be useful to have the form title appear at the bottom of each form in smaller type as well as at the top.
3. Box design. The box design style of forms design should be used. The examples of box and open designs on the next page illustrate the advantages of the box design. While the box design may not be appropriate for all court judicial forms, it is appropriate for many of them, including the court's more administrative forms and many of the pre-printed minute forms. The box design with upper-left-hand captions makes forms self-instructing. It facilitates completion and review.

BOX AND OPEN DESIGNS*

BOX DESIGN

REQUEST FOR PERSONNEL DATA				
Name		Grade		
Address		Serial No.		
		Telephone No.		
Age	Sex	Weight	Height	

RECOMMENDED:

- . Saves space
- . Avoids wasted motions
- . Aligns tab stops
- . Aids reading, writing, and interpretation
- . Streamlines appearance

VS.

OPEN DESIGNS

REQUEST FOR PERSONNEL DATA				
Name.....		Grade.....		
Address.....				
City.....		State.....		
Telephone Number		Age.....		
Height		Weight		Sex...
(Captions on the line)				

NOT RECOMMENDED:

- . Robs space
- . Wastes motions
- . Defeats use of tab stops
- . Impedes reading, writing, and interpretation
- . Gives a ragged appearance

REQUEST FOR PERSONNEL DATA				
(Name)		(Grade)		
(Address)				
(City)		(State)		
(Serial No.)	(Age)	(Sex)		
(Captions under the line)				

NOT RECOMMENDED:

- . Same as above

PLUS

- . Hides captions from typist

* This information appears in the Paperwork Management Handbook: Forms Management Guide of the State of Washington.

4. Predrawn lines. Predrawn lines should generally be avoided unless the blank is to be filled in by handwriting or data entries would otherwise tend to be overlooked.

5. Check boxes. Check boxes should be used wherever identifiable alternatives exist.

Recommendation No. 57

The clerk's office should maximize the use of multi-part forms.

It is suggested that all forms be reviewed for a possible multi-part format. Any form can be put into a three- or four-part form with no substantial loss in clarity after typewriting. If more than four parts are needed, additional copies can be made from the original. In general, each ply to a multi-part form costs about 1-1/2 to 2 cents. If the photocopy costs are 5 cents or more, this is a substantial savings, considering the high volume of work in the office.

Some forms show routing information in the upper left corner and some do not. Wherever possible, routing information should appear. Routing information normally should be at the bottom of a form.

6. Emphasis of important directions. The following terms and other similar directives should be printed in all capitals or otherwise emphasized whenever they appear on a court form:

YOU ARE SUMMONED

YOU ARE COMMANDED

IT IS ORDERED

FAILURE TO APPEAR WILL RESULT IN A WARRANT BEING ISSUED FOR
YOUR ARREST

FAILURE TO APPEAR AND DEFEND WILL RESULT IN JUDGMENT BEING
RENDERED AGAINST YOU ACCORDING TO THE DEMAND OF THE COMPLAINT

7. Organization of form content. Forms should be organized to emphasize the most essential information. Some forms are written in narrative format with little attempt to organize the material into related, separately numbered subsections for easier reading and ready identification of the most pertinent information.

Recommendation No. 58

Form content should be reviewed for the purpose of eliminating or combining forms.

Forms sometimes include information already available in the applicable rules of court or in the case file, making them excessively long and cumbersome. All but the most necessary duplicative information should be eliminated from all present forms.

All forms also should be reviewed for adherence to statutes, court rules, and case law.

Recommendation No. 59

Forms should be reviewed for the purpose of eliminating wordiness and archaic language that obscures essential information.

Courts should make an effort to eliminate "legalese" from their forms. Unnecessary wordiness has the effect of making forms intimidating and incomprehensible.

The following words should be avoided:

afore-granted	hereof	to wit
aforementioned	hereto	undersigned
aforesaid	heretofore	wheresoever
and/or	hereunder	wherewith
beforementioned	hereunto	whilst
foregoing	herewith	whomsoever
forthwith	thenceforth	whosoever
henceforth	thereby	whatsoever
hereafter	therein	whensoever
herein	thereof	whereas
hereinabove	thereto	whereby
hereinafter	thereunto	whereof
hereinbefore	therewith	

Elimination of "legalese" is particularly important for forms that are to be signed by a defendant, such as a guilty plea or waiver of a constitutional right.

Recommendation No. 60

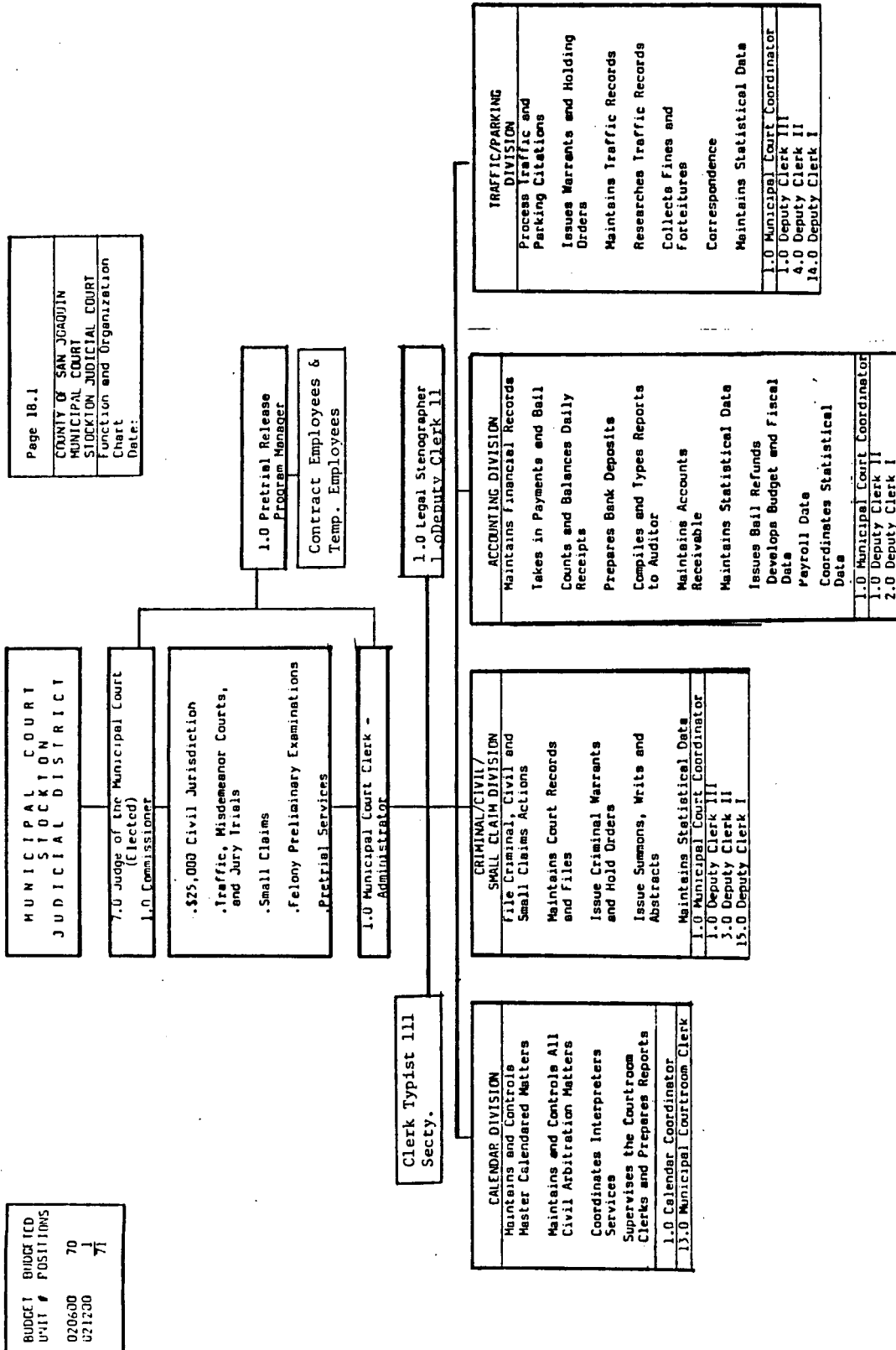
Forms should be inventoried chronologically by subject area, grouping similar forms together.

A general "housecleaning" should be conducted to eliminate obsolete forms from the current inventory and reduce the possibility that an out-of-date form will be used inadvertently.

When the inventory is redone, forms should be numbered according to the sequence of events in court proceedings. The numbering system also should be designed to allow for insertion of new forms in the proper sequence in the future.

APPENDIX A

MUNICIPAL COURT ORGANIZATION CHART



CLERK OF THE MUNICIPAL COURT *

NATURE OF WORK

This is responsible supervisory work in the management of diversified clerical operations of a large municipal court.

Work involves the responsibility for developing and supervising the installation of office and court-room procedures and includes the coordination of operations among the courts and its clerical divisions. Work involves the responsibility for effecting changes in clerical court procedures resulting from changes that occur in the various state judicial codes. Work is performed under the general supervision of the judges and the board of supervisors.

ILLUSTRATIVE TASKS

Plans, assigns, and supervises the work of a diversified clerical staff of moderate size engaged in providing varied services to the courts.

Supervises the clerical and accounting operations involved in the collection, safekeeping, and transmittal of parking and traffic fines.

Supervises the procedures relating to the preparation and transmittal of court statistics to the judicial council.

Plans and supervises the preparation of annual budget estimates; approves requisitions for purchase of supplies and equipment.

KNOWLEDGES, ABILITIES, AND SKILLS

Thorough knowledge of the provisions of the code of civil procedure and the penal code.

Thorough knowledge of the statutory duties of the clerk of the court.

Thorough knowledge of the statutes relating to civil and criminal procedures.

Considerable knowledge of court proceedings and of the requirements of court records.

Working knowledge of accounting principles and practices.

Ability to plan work and assign personnel to meet the needs of the court.

Ability to establish and maintain effective working relationships with the judges of the courts, subordinates, and the general public.

EXPERIENCE AND EDUCATION

Five years of experience in responsible clerical work including or supplemented by two years of work in a supervisory or administrative capacity; graduation from a four year college or university with a major in political science, public or business administration; or any equivalent combination of experience and training.

5/58

* Job description supplied by Stockton Municipal Court.

APPENDIX A-3

STOCKTON MUNICIPAL COURT

Clerk Administrator

Definition

To plan, direct, and review the operations of the Stockton Municipal Court with highly significant management responsibility for the organizational units and functions within the court.

Distinguishing Features

This class is distinguished from others in its class series in the following ways:

Experience and education - Five years of experience in responsible clerical work including or supplemented by two years of work in a supervisory or administrative capacity; graduation from a four year college or university with a major in political science, public or a business administration; or any equivalent combination of experience and training.*

Decision-Making - Under general administration direction, uses broad authority and responsibility to administer and manage in the court. Decisions involve highly sensitive and political court policy determinations and adoption and have critical impact or consequence.

Management Control - Exercises third-line supervision, with responsibility for administering and managing the work of subordinate court operations.

* This paragraph is taken from the job description of "clerk" in Appendix A-2.

Working Relationships - Interacts with court staff, other governmental and community agencies, and the media to plan and direct activities, implement decisions, justify or defend activities and decisions, and negotiate or settle significant or controversial issues.

Examples of Duties

Duties may include, but are not limited to, the following:

- Plan, develop, and implement long- and short-range policies, goals, objectives, and priorities for the Stockton Municipal Court;
- Identify problems and make recommendations for procedural or administrative improvements to court services;
- Oversee all statutory functions of the court;
- Administer the personnel system for the court; oversee the hiring, firing, training, evaluating, and disciplining of subordinate employees;
- Prepare and monitor the budget and manage financial control systems;
- Manage court calendars by analyzing and evaluating pending caseloads and developing effective solutions for calendaring;
- Analyze, evaluate, and implement the automated systems for the court;
- Serve as liaison for the court with other governmental agencies to coordinate and implement policies, objectives, and procedures;
- Design and manage uniform recordkeeping systems for the court; compile and release data on court activities and internal functioning;
- Explain, justify, and defend court activities to community agencies and the media;
- Administer the facilities management and property control systems for the court;
- Develop, implement, and maintain management information systems;

- Serve as staff to judicial committees and perform special studies as assigned;
- Perform related duties as assigned.

Qualifications

Knowledge of:

- Management principles and practices, including personnel, fiscal, data processing, facilities, property, records, and information management.
- Specialized court management functions such as calendaring;
- Functions, organization, and processes of judicial systems;
- Legal terminology, procedures, and documents encountered in the work;
- Laws, policies, rules, and regulations governing operation of the court;
- Research and analytical methods and tools.

Ability to:

- Manage and explain the functions, organization, and operation of the courts to other agencies;
- Understand, interpret, and apply laws and administrative policies, directions, and rules to the daily operations of the courts;
- Plan, develop, recommend, and implement new policies and procedures on both a long-and short-term basis;
- Direct, advise, guide, and motivate subordinates to meet goals and objectives;
- Work independently in the absence of supervision using broad authority and responsibility to administer and manage organizational services;
- Analyze situations and adopt effective courses of action;
- Plan and conduct studies and prepare comprehensive written and oral reports;
- Communicate effectively, orally and in writing;

- Establish and maintain cooperative working relationships with others;
- Be tactful and adept in dealing with a wide variety of people.

APPENDIX B

National Center for State Courts

STOCKTON MUNICIPAL COURT
EMPLOYEE QUESTIONNAIRE

1. Name (Optional):
2. Job Title:
3. Job Classification:
4. Section in which you work:
5. Length of time employed by the municipal court:
6. Length of time in present position:
7. Briefly describe activities for which you are responsible.
8. Briefly describe the functions of your division.

9. Are you in any way involved in the formulation of goals and objectives for the work performed in your division?
YES NO If YES, please explain.

10. Are you clear about the goals and objectives of your division? YES NO

If YES, please describe briefly your understanding of the goals and objectives.

11. Have the office goals and objectives been discussed with you? YES NO

If YES, please indicate when and how they have been discussed with you.

12. Do you have a procedures manual for your job? YES NO

If yes, does the manual accurately describe the procedures you follow? YES NO

Do you use the manual? YES NO

13. Briefly describe the nature of your interaction, if any, with the court administrator.

14. What is the single biggest problem facing your division and how does that problem affect your work?

15. Have you ever seen a formal organization chart for the municipal court? YES NO

16. Have you ever seen a formal organization chart for your division? YES NO

17. Are the office lines of authority clear:

a. to you?	YES	NO
b. above you?	YES	NO
c. in your <u>division</u> ?	YES	NO
d. in the <u>municipal court</u> generally?	YES	NO

18. How does your division supervisor communicate with you?
(Check all that are appropriate)

☐ Memos

☐ Staff Meetings

How often?

Do they tend to be give-and-take or one-way meetings?

☐ Individual meetings with your supervisor?
In what circumstances?

☐ Other (explain):

19. With what other divisions does your section directly interact?
20. Are there any communication or organization problems when you interact with staff from other divisions? YES NO
If YES, please describe.
21. How do workloads within your division compare to other divisions of the clerk's office?
22. Is there any seasonal fluctuation in the workload of your division? YES NO
a. If YES, when is work heaviest?
b. If YES, when is it lightest?
23. Are you aware of any workload standards for your position. In other words, are you expected to produce a set quantity of work each day or week? YES NO
If YES, please describe.

24. Has the workload increased, decreased, or stayed about the same in your division over the past five years?
(Circle one)

INCREASED

DECREASED

STAYED THE SAME

If increased, how?

If decreased, how?

25. If the workload has increased or decreased, do you believe staffing has been adjusted accordingly?
YES NO If NO, please explain.

26. How were you selected for your present position?

27. If you have held other court positions, how were you selected for your first court job?

28. Is there a career ladder for you within your division?
YES NO Within the office? YES NO

29. What kind of orientation did you receive:

a. To county employment?

b. To the municipal court in general?

c. To your first municipal court position?

d. To your present position (if different)?

30. Describe the training you have received in the municipal court, both formal and informal.

31. Has the training been adequate? YES NO
If NO, please explain.

32. What kind of performance evaluations do you have, how often, and are standards used to evaluate your work?

33. Do you believe that promotions are based entirely on performance? YES NO If NO, what other factors are involved?

34. Does your division have difficulty with its workload when one person is:

(please check one for each
of the three situations)

	No Difficulty	Some Difficulty	Tremendous Difficulty
- sick or on vacation for <u>a day</u>			
- sick or on vacation for <u>a week</u>			
- sick or on vacation for <u>a month</u>			

If you have indicated difficulty for any of the above situations, please explain the problems that are created.

NATIONAL CENTER FOR STATE COURTS

STOCKTON MUNICIPAL COURT

DIVISION SUPERVISOR QUESTIONNAIRE

Please fill out this form as completely as possible. Your responses will provide valuable information on your division and will be utilized as input into the study. These questions apply only to your division unless they refer specifically to the "court." In the latter case, "court" means all divisions of the court.

I. Background

1. Your division: _____
2. a. Number of years you have been a supervisor in the division: _____
b. Total number of years as a supervisor: _____
3. How many years have you worked for the court? _____
4. How many people do you supervise? _____
5. Briefly describe the activities/functions for which you are responsible.

II. OBJECTIVES AND PLANS

1. Attach copies of any formal written goals and objectives established for your division (not the court as a whole).

2. Do you have any unwritten goals you would like the division to achieve. Yes _____ No _____

If yes, what are they?

- a. How are formal division goals and objectives, if any, developed?

- b. How did you select any informal goals you have?

3. How often are the formal goals reviewed and revised?

4. a. Are there any formal goals and objectives for the court's management? Yes _____ No _____
b. If yes, what relationship, if any, is there between the court's goals and your division's goals?

5. Have you received a copy of goals and objectives for the court?

III. INTERNAL ORGANIZATION

1. Attach a copy of the current organization chart for your division, if there is one.
2. Attach copies of any written description of the purpose and function of each organizational unit within the division.
3. a. Are there any overlapping services among units of the division?

- b. Does any of the work in your division overlap with work assigned to other divisions? Yes _____ No _____

If yes, what work in what division? What is the overlap? Is it a necessary overlap?

4. Does the current organizational structure meet the needs of your division? Explain or elaborate. In your opinion, what changes in structure might increase the division's effectiveness?
5. Does any staff member in your division report to more than one supervisor? Please explain.

IV. MAJOR MANAGEMENT SYSTEMS AND PROCEDURES

1. Can you or someone else in the division adopt any operating policies (regarding staff coverage, cross-training, coverage during breaks and over lunch, sick leave, overtime and comp time, etc) just for your division or are all operating policies made and applied court-wide?

2. If there are operating policies just for your division, what areas do they cover?
3. Who makes (made) these division policies? Are they in written form? If so, please provide a copy.
4. If there are division-only operating policies, how are (were) they formulated? When were they last changed?
5. Describe procedures for monitoring and reevaluating major policies.
6. How are court-wide policies developed and adopted?

7. When a change affects everyone in the court, do you get a chance to comment in advance of its being adopted? How do you learn of the proposal and how do you respond?
8. When a change affects only your division, do you get a chance to comment in advance of its being adopted? How do you learn of the proposal and how do you respond?
9. Describe the process for monitoring and evaluation of division work methods and operational procedures. How often is the flow of work through the division and through each section reevaluated? What is the process? When was the last change and what was it?
10. In your opinion, what changes in work procedures might lead to cost savings or service improvements within the division?

11. Are there periodic meetings of supervisors from all divisions? If yes, is there a regular schedule or are the meetings held sporatically, as needed?

12. a. If there is a regularly scheduled meeting of supervisors, what is the schedule and what topics are dicussed?

b. If meeting are held sporatically, who calls them and what type of things would cause them to be held?

V. EQUIPMENT/FACILITIES

1. Is the machinery/equipment you currently have adequate for the needs of the division? If not, please explain.

2. Evaluate the present condition of the division's equipment?

3. Are there any space or facilities problems that affect your division?

VI. OPERATING COSTS/AVAILABILITY OF COST DATA

1. What factors have been most significant in causing changes in division expenditure levels over the past five years?

2. Has the budget for the division gone up, down, or stayed the same?

3. What input do you have as the budget is being developed?
4. Describe any cost data or statistical information which would be useful to you as a planning tool but is not available through current reports.
5. Do you use the current statistical reports of the court for any management purpose?
6. Do you have any statistics you keep just for the division that help you as a manager?

VII. PERSONNEL MANAGEMENT AND DEVELOPMENT

1. What policies are established for the selection, training, and assignment of division personnel?
2. When was the most recent Personnel Department review of positions within your division? Are there any current positions you believe should be reevaluated for appropriateness of classification?
3. Are there any division units you believe (1) to be experiencing staff shortages or (2) to be over staffed.
4. What position classifications have experienced the highest turnover over the past five years?

5. Are exit interviews conducted with separating employees? By whom? Are written records of those interviews maintained?

VIII. EXTERNAL RELATIONS

1. Describe the nature of division employees' contact with the public.
2. Who in the division handles public complaints or requests for information? How are these individuals trained for handling complaints and/or requests?
3. Identify external agencies and groups with which the division, must communicate or coordinate.

4. Are there any communication or coordination problems with any of these agencies or groups?

IX. OVERALL ASSESSMENT

If you had the opportunity to recommend and institute significant changes for any part of your division's operation, what improvements would you recommend?

APPENDIX C

December 6, 1986

CJIS PROJECT SCHEDULE AND STATUS SUMMARY

M/S Milestone Description	Assigned County	ORIGINAL		REVISED		ORIGINAL ESTIMATES		REVISED ESTIMATES		RESOURCES EXPENDED		% OF ORIG/REVISED PERCENTAGE	
		Targeted Start	Targeted End	Start Date	End Date	Total Hours	Total Dollars	Total Hours	Total Dollars	Total Hours	Total Dollars	ESTIMATE	EXPENDED COMPLETE
130 Involved Information and FIs	Kern	Aug-84	Mar-85	No Chag	Apr-85	20,256	1,159,775			17,020	765,900	84%	66%
135 Incident/Dispatch Support	Kern	Nov-84	Jan-86			5,328	307,125			4,800	256,320	90%	83%
140 In-Custody Booking	Kern	Feb-85	Apr-86			7,501	431,775			8,000	360,000	107%	83%
135 Help/Release Resource State	Kern	Mar-85	Jun-85	No Chag	Nov-85	7,114	407,350			7,050	376,470	99%	92%
142 Local Arrest Record	Kern	Jun-85	Aug-86	No Chag	Oct-86	983	57,900			2,179	107,843	222%	186%
144 Address Involvement	Kern	Jul-85	May-86	No Chag	Aug-86	1,928	110,225			1,800	81,000	93%	73%
145 Multi/Superior Court Hearings - Kern/S.J.	Kern	Aug-85	Feb-87	No Chag	Aug-87	7,748	446,325			4,006	217,282	52%	49%
145 Complaint Processing	Kern	Oct-85	Mar-87	Aug-85	Jan-87	4,594	263,950			3,185	148,009	69%	56%
134 JUS8715 Reporting/LAR	Kern	Apr-86	Jun-87	Aug-85	Feb-88	2,302	137,650			645	30,645	28%	22%
138 Purge FI Records	Kern	Sep-85	May-86	No Chag	Feb-86	1,087	62,350			700	38,500	64%	62%
154 Court Calendar Process	Kern/S.J.	Oct-85	Jan-87	No Chag	Dec-87	5,083	292,700			2,778	158,767	55%	54%
120 Crime Reporting	Maric	Jan-86	Apr-87		?	5,679	326,150			1,022	62,410	18%	19%
1000 MDS Case Initiation	Mtry/S.J.	Feb-86	Jul-86	No Chag	Jan-87	4,734	273,825			4,775	279,338	101%	102%
1010 MDS Court Processing	S.J./Mtry	Mar-86	Dec-86	No Chag	Apr-87	5,213	305,775			3,360	196,560	64%	64%
65 Automate Transfer Process	S.J./Maric	Mar-86	Dec-86		?	1,579	91,350			339	12,286	21%	13%
125 Adult Probation Case	Kern	Apr-86	Jul-87	No Chag	Apr-88	2,419	139,150			242	13,310	10%	10%
1020 MDS Court Accounting	S.J./Maric	Aug-86	Jan-87	No Chag	Apr-87	3,999	230,550			822	48,087	21%	21%
122 Municipal Court Statistics	Kern	Aug-86	Jun-87	No Chag	Jun-88	2,055	123,100			21	1,125	1%	1%
122 Crime Analysis	Maric	Aug-86	Jun-87		?	3,259	186,950			417	22,471	13%	12%
143 Link/Unlink Involvement	Kern/S.J.	Aug-86	Oct-87	Sep-86	No Chag.	3,013	172,450			904	49,720	30%	29%
143 Civil Case Initiation	San Joaquin	Aug-86	Mar-88		?	9,882	565,375			299	11,261	3%	2%
200 District Attorney Case Mgmt	San Joaquin	Sep-86	Jan-88	No Chag	Jun-88	726	46,525	9,222	533,125	423	20,040	5%	4%
210 Pub. Def. Case Management	San Joaquin	Sep-86	Jan-88	No Chag	Jun-88	726	46,525	5,483	314,150	622	27,700	11%	9%
214 Subpoena Processing	San Joaquin	Sep-86	Jan-88	No Chag	Jun-88	4,594	263,950	3,259	186,950	0	0	0%	0%
100 Sheriff's Civil Case	San Joaquin	Oct-86	Mar-88		?	3,751	215,925			8	296	0%	0%
201 Juvenile Prob. Case Status	Kern	Jan-87	Feb-88	Oct-86	Sep-88	3,505	201,450			99	4,927	3%	2%
						119,058	\$6,866,175						
								65,516	\$3,289,667				

EXHIBIT C-1

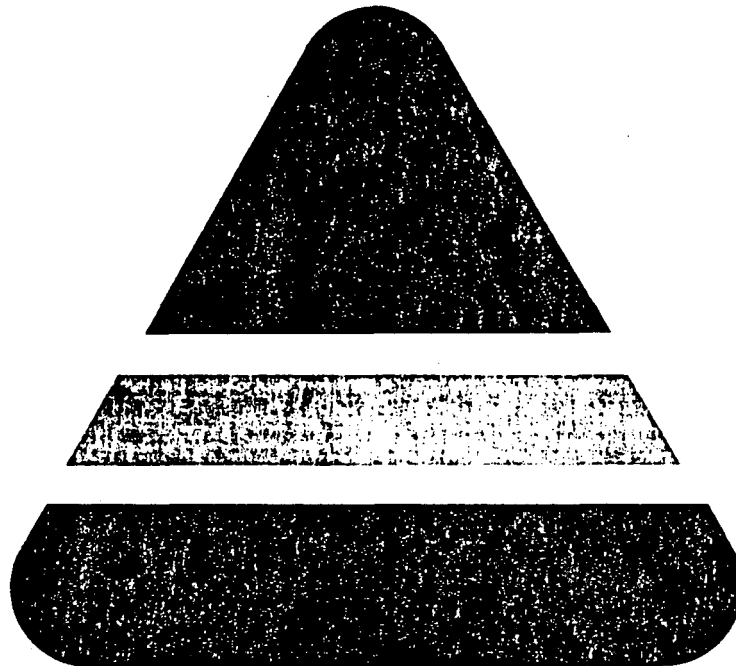


SAMPLE PAGES FROM:

CJIS PROJECT BASE ESTIMATE REPORT

AS OF JANUARY 1987

EDITION #2



ATKISSON AND ASSOCIATES, INC.

An Information Systems Consulting Firm

CJIS PROJECT BASE ESTIMATE REPORT

AS OF JANUARY 1987

EDITION #2

INTRODUCTION

This, the Second Edition of the CJIS Project Base Estimate Report, has been updated to reflect the work effort that has taken place since the first report was published in September, 1986.

A great deal of progress has been made during the quarter; there were approximately 8,200 person hours of development effort. Of the fifteen milestones under development as of the last report, one has been completed; two are at least 90 percent complete, and a total of five have progressed by at least 15 percent. In addition, six previously unassigned milestones were assigned to the participating counties for development (five to San Joaquin and one to Kern); two new milestones were created, and seven other resource revisions to the original base estimate occurred.

Although the changes mentioned above have been documented and communicated to each of the involved counties through the project schedule and status reports, the following highlights the major resource revisions that have occurred:

<u>Milestone #</u>	<u>Description</u>	<u>Original Est.</u>		<u>Revised Est.</u>		<u>Change</u>	
		<u>Hours</u>	<u>Dollars</u>	<u>Hours</u>	<u>Dollars</u>	<u>Hours</u>	<u>Dollars</u>
1000	AMOS Case Initiation	4,734	273,825	5,226	302,775	492	28,950
1010	AMOS Court Processing	5,213	305,775	6,195	363,600	982	57,825

Comment: The change is the result of the refinement of the tasks that were identified during the external design as necessary to accommodate user requirements.

Comment: The change is the result of the addition of four new tasks that were identified during the external design as necessary to accommodate user requirement.



01/12/87

CJIS PROJECT-BASE COST ESTIMATE REPORT

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PAGE 3

MILESTONE-1000 AUTOMATED MINOR OFFENSE SYSTEM - CASE INITIATION
 CJ208-0101 ENTER/MAINTAIN CITATIONS
 CJ208-0102 VERIFY CITATIONS
 CJ208-0103 CITATION CORRECTION
 CJ208-0104 CITATION REPORTS
 CJ208-0105 CITATION INQUIRY
 CJ208-0201 BUILD DMV HISTORY RECORDS
 CJ208-0202 TRANSMIT HOLDS & RELEASES TO DMV
 CJ208-0301 CALCULATE BAIL
 CJ208-0302 GENERATE COURTESY NOTICE
 CJ208-0903 ENTER & MAINTAIN SYSTEM OPTIONS
 CJ208-0904 MAINTAIN OFFENSE CODE TABLE
 CJ208-0905 MAINTAIN SPEED SCHEDULE TABLES

BASE ESTIMATES:

TOTAL SMALL TASKS	8	TOTAL SIMPLE PROGRAMS	28
TOTAL MEDIUM TASKS	3	TOTAL AVERAGE PROGRAMS	3
TOTAL LARGE TASKS	0	TOTAL COMPLEX PROGRAMS	3
		TOTAL PROGRAMS	34

TOTAL EXTERNAL ANALYSIS HOURS	365	TOTAL PROGRAM DEVELOPMENT HOURS	2,256
TOTAL INTERNAL ANALYSIS HOURS	547	TOTAL PROGRAM DEVELOPMENT DAYS	282
TOTAL ANALYSIS HOURS	912		
TOTAL ANALYSIS DAYS	114		

RISK ANALYSIS VARIABLES:

CONCEPTUAL TO EXTERNAL	183		
ADDNL EXTERNAL ANALYSIS HOURS			
EXTERNAL TO INTERNAL	27	INTERNAL TO PROGRAMMING	564
ADDNL INTERNAL ANALYSIS HOURS		ADDNL PROGRAM DEVELOPMENT HOURS	

SUPPORT FUNCTION ESTIMATES:

DATA BASE DEFINITION HOURS	310	QUALITY ASSURANCE	
ESTABLISH TRAINING DATA BASE	31	USER DOCUMENTATION HOURS	272
ESTABLISH PRODUCTION DATA BASE	59	IMPLEMENTATION, TRAINING HOURS	136

INTEGRATED SYSTEM INTERFACE ESTIMATES:

ADDNL EXTERNAL ANALYSIS HOURS	36	ADDITIONAL PROGRAMMING-HOURS	226
ADDNL INTERNAL ANALYSIS HOURS	55		

SYSTEM TUNING, ACCEPTANCE ESTIMATES:

ADDNL INTERNAL ANALYSIS HOURS	46	ADDITIONAL PROGRAMMING-HOURS	113
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CJIS PROJECT-BASE COST ESTIMATE REPORT

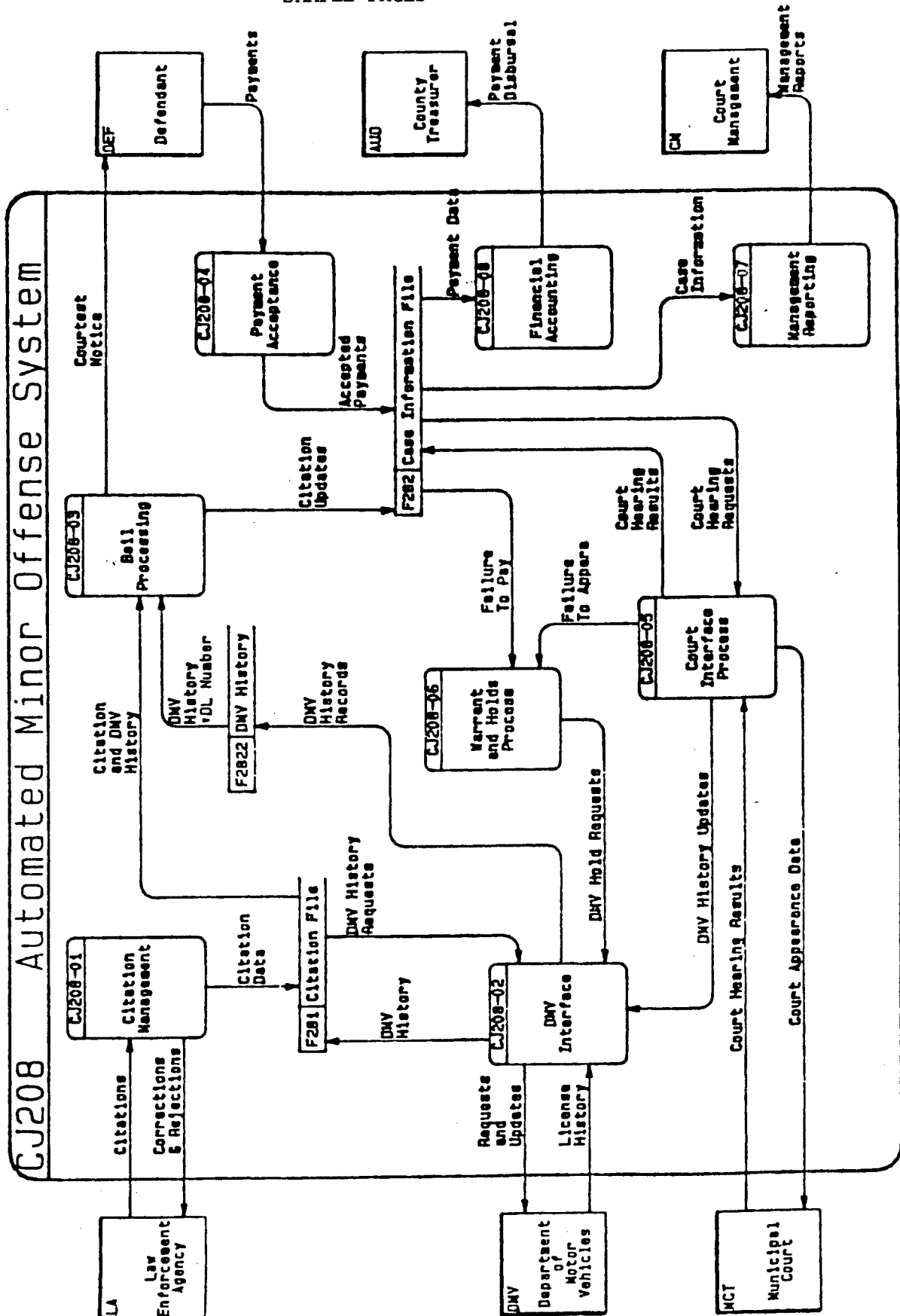
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PAGE 4

SUMMARY BY RESOURCE CATEGORY:

	TOTAL DEVELOPMENT		TOTAL TRANSFER	
	HOURS	DOLLARS	HOURS	DOLLARS
EXTERNAL DESIGN	504	\$37,770	60	\$4,530
INTERNAL DESIGN	755	\$56,655	91	\$6,795
DATA BASE	400	\$30,000	108	\$8,100
PROGRAM DEVELOPMENT	3,159	\$157,950	379	\$18,950
IMPLEMENTATION ANALYSIS	408	\$20,400	49	\$2,450
TOTAL	5,226	\$302,775	687	\$40,825
COMPLETED	92%			
REMAINING	8%			
PRIMARY	50%			
OTHER	50%			

DEVELOPMENT BY MONTEREY COUNTY
SAN JOAQUIN COUNTY



AUTOMATED MINOR OFFENSE SYSTEM FUNCTIONAL OVERVIEW

The attached data flow diagram illustrates the major processes in the automated minor offense system. A narrative description of each of those processes is provided in the following paragraphs.

The objectives of each functional area are as follows:

✓ o CJ208 - Automated Minor Offense System

This application system incorporates all of the functions, processes, and tasks necessary to review citations from duly authorized law enforcement agencies in the County and to process those citations through disposition and notification to DMV. The system will be automated to the extent that is beneficial to the court and will involve an on-line data base that represents the case dockets and transactions as appropriate.

✓ o CJ208-01 - Citation Management

This process incorporates all the tasks necessary to receive, enter, edit and track citations received from the authorized law enforcement agencies in the County to disposition by the Municipal Court.

✓ o CJ208-02 - DMV Interface

This process will encompass all the tasks necessary to support communication with the DMV on citation cases. This includes communication to and from the DMV. This process is essentially a support process as DMV communication is required in most of the other processes in CJ208.

✓ o CJ208-03 - Bail Processing

This process incorporates all the tasks necessary to establish bail and notify the defendant. This includes obtaining a driver's history from DMV, calculating bail, correcting any exceptions and generating courtesy notices.

✓ o CJ208-04 - Payment Acceptance

This process incorporates all the tasks necessary to collect and properly account for payments of bail, fines or fees. This includes payments received over the counter and through the mail, and can be collected by the court or through revenue-and-recovery.

7 o CJ208-05 - Court Interface Process

6
This process will provide the necessary interfaces to the CJIS courts module which incorporates all the tasks necessary to provide for walk-in or scheduled court appearances, and post the results to the data base. Diversion programs are recorded within this function. *for booking / sentencing / judgment*

o CJ208-06 - Warrant/Hold Process

This process incorporates all the tasks necessary to determine eligibility for

to be maintained

warrants or holds, review and issue warrants and holds where appropriate. Notification is sent to DMV and the Sheriff's office of such actions. Warrant recalls are initiated within this process also.

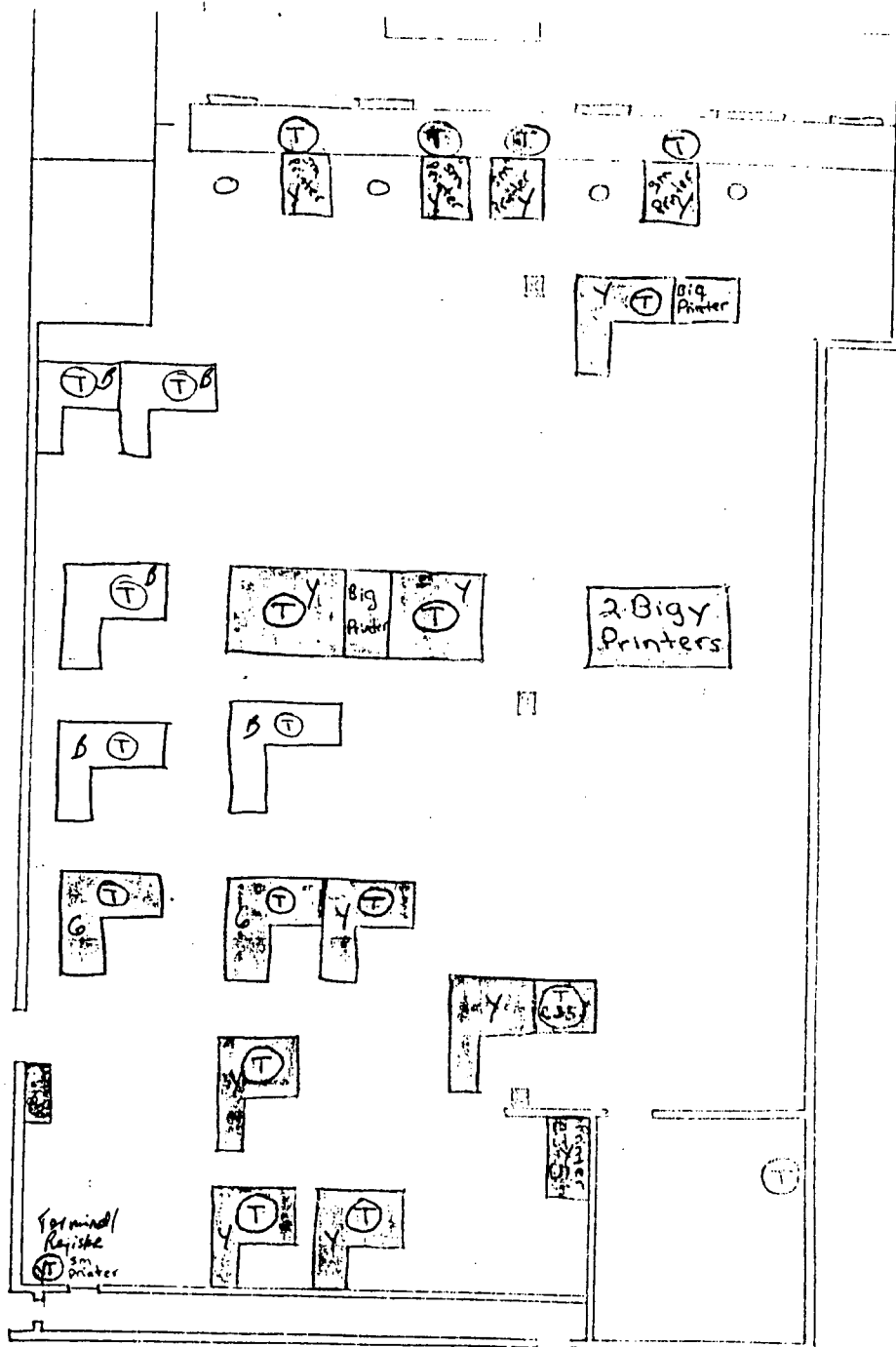
3
o CJ208-07 - Management Reporting

This process incorporates all the tasks necessary to produce periodic reports as required by court management. Tables are maintained and cases are purged from the system within this function. Summary and judicial council reports and statistics are also produced. Emphasis is on exception reporting as a means of control by court management.

7
o CJ208-08 - Financial Accounting

8
This process incorporates all the tasks necessary to provide daily reconciliation of financial transactions, calculate distribution of revenue and maintain trust accounting records for the court system. Periodic reports include daily, weekly, annual and ad hoc cycles.

ROOM 100--Courthouse Stockton Municipal Court



Room 100

- AMOS
13 terminals
5 small printers
5 big printers

- COURT
PROC.

- WARRANT

5 terminals
+ 1st

2 terminals
1 big printer

31 devices

20 terminals
6 big printers
5 small receipt printers

} Traffic
Division

**CRIMINAL JUSTICE INFORMATION SYSTEM
STATUS REPORT FOR DECEMBER 1986**

DEVELOPMENT - TRANSFER SCHEDULE

<u>MAJOR MILESTONES</u>	<u>DEVELOPMENT COUNTY</u>	<u>START DATE</u>	<u>SCHEDULED COMPL DATE</u>	<u>DATE SCHEDULED FOR TRANSFER</u>	<u>STATUS</u>
1-CJIS-Base System	Kern	8-84	1-87	5-87	Completed
2-Court Case Processing	Kern	8-85	12-87	5-88	On Schedule
3-Adult Probation/ Court Stats.	Kern	4-86	8-87	11-87	On Schedule
4-Juvenile Probation Court Case Processing	Kern	7-86	7-88	9-88	On Schedule
5-Juvenile Detention/ Probation Management	Kern	11-87	8-88	3-89	Not Started
6-Juvenile Probation Case Management	Kern	2-88	4-89	6-89	Not Started
7-History of Field Change	Kern	6-88	2-89	5-89	Not started
8-Crime Reporting/ Analysis	Marin	1-86	6-87	1-88	On Schedule
9-Prisoner Management	Marin	11-86	5-88	8-88	On Schedule
10-Warrant Service	Marin	10-87	11-88	1-89	Not Started
11-DA/PD Case Management	San Joaquin	9-86	6-88	—	On Schedule
12-Minor Offense	Monterey San Joaquin Marin	2-86	5-87	9-87	On Schedule
13-Civil Litigation	San Joaquin	7-86	9-88	—	On Schedule
14-Adult Probation/ Case Management	San Joaquin	3-88	10-89	—	Not Started

Work-In-Progress Summary Status Report

December 6, 1986

Milestone/Transfer #: 1000

County Name: Monterey/53

Description : AMOS Case Initiation

Original Targeted Start Date: 2/86

Original Targeted End Date.....: 7/86

Actual Start Date.....: 2/86

Projected End Date.....: 1/87

Original Estimated Development Hrs: 4,734

Original Estimated Total Dollars...: 273,925

Revised Estimate Development Hours: No Change

Revised Estimate Total Dollars (*): No Change

Actual Hours Expended/% of Revised: 4,175 101%

Actual Costs Expended/% of Revised: 279,330 102%

* Estimated costs for transfer are contained in the CJIS Project Base Estimate Report. These costs will be refined and reported once a detailed implementation schedule has been developed for each transfer activity.

Managers Estimate of Completion...: 84%

[X] On schedule
[] Ahead of Schedule
[] Behind Schedule

Project Manager's Comments.....: January completion anticipated.

APPENDIX D-1

APPENDIX D-1: TRAFFIC

This section of the report presents a more detailed discussion of traffic division procedures and workflow.

A. Initial Handling of Citations

1. Initial Handling of Citations

New citations from the Highway Patrol, the Sheriff, City of Stockton, and California State Police are received by the four-person CRT section for both adult and juvenile offenders. The section is divided into separate "desks", each of which processes tickets for a different agency. The supervisor divides her time between direct supervision of staff, acting as the clerk's office representative to the automation committee, and processing juvenile citations.

When the tickets are brought in, they are file stamped and then checked through DMV for special circumstances such as an expired, suspended, or revoked license and outstanding warrants. The traffic section has a teletype terminal which can access the Department of Motor Vehicles system. Information from requests is returned in hardcopy. Staff take turns running the "control sheets", as they are called, and resubmitting requests for which no match was found in DMV records. The number of tickets received each day are tallied separately for infractions, misdemeanors, and juvenile. At month-end, the statistics are compiled and forwarded to the accounting supervisor who prepares reports for the entire clerk's office.

The tickets are alphabetized and entered into the traffic system which figures the bail amount automatically. Overnight, cardboard backings and gum labels with the citation and bail

information are produced by the county data processing department. The staff person on the "city desk" has the responsibility of matching the citations from the previous day with the gummed labels, peeling and pasting the labels on the backing cardboard and stapling the citation on the back. If there are any errors or omitted citations, the traffic system is checked and corrected; replacement labels are printed for the next day.

The citation and backing sheet for each infraction are slipped into a plastic envelope and filed in alphabetical order in open bins near the front counter for easy access by the cashiers. For more serious misdemeanors, formal complaints from the district attorney are received and handled by the CRT desk for the law enforcement agency which issued the citation. The driver's history is researched through the DMV system, a folder is set up, and the case is sent to the cashiers to set up a court date. Notices are sent to the party and the district attorney, who notifies witnesses and the law enforcement officer to appear in court.

B. Setting Cases for Trial

The majority of infraction citations are cleared by mail-in-bail or over-the-counter payments which will be discussed in a later section. Misdemeanor cases and contested tickets are set for trial. Misdemeanor cases with mandatory court appearances are set up in blue file folders which are filed in boxes near the front counter in order by the court date. A multi-part calendaring slip is filled in and the copies are attached to the front of the folder, filed in a card file near the front counter

and sent or handed to the defendant. If the defendant wishes to enter a not guilty plea to an infraction, he must appear in court to contest the ticket. Same-day walk-in arraignments are available or the defendant may send in the bail and request a court date. The check is accepted and the payment is rung on a docket sheet which is placed in the case folder and kept at the "mail money" desk. A not guilty plea form, a statement of defendant's rights, and a form letter are sent to the defendant by the "mail money" desk. When the plea is returned, a court date is set and a calendaring slip is made out and sent along with a copy of the plea to the defendant. The folder is routed to the CRT section to update the case record and then placed in the file for pending court appearances.

C. Warrants

If the defendant does not take the proper action (failure by the defendant to pay a fine, fulfill a judgment, to make a court date, or to appear in court) in a timely manner at any stage in an active matter, a warrant may be issued by the court. The warrants section receives file folders from other traffic sections for cases in which the defendant has failed to comply. If a cited motorist fails either to post bail or make a court date within the allowed time, the traffic system will produce a "notice of intent" to issue a bench warrant.

Continued failure to take care of the ticket will result in the person's name being included on a list produced from the traffic system of citations eligible for warrants. The post-sentence monitoring procedures of the division include

pulling files of convicted offenders who have neglected to complete the conditions of their sentence. If a defendant fails to complete traffic violation school or the drunk driving program, perform community work service (CWS), pay restitution, report to the jail on the required date, pay a fine, or meet any other conditions of a sentence, the responsible desk pulls the file and sends it to the warrants desk. If a file is returned from the courtroom for a case in which the defendant failed to appear for the court date, the docketing section sends the folder to the warrants section. External agencies, such as Opportunity House (juvenile CWS), probation department, and county collectors all notify the clerk's office staff of failure to comply, and the case folder is forwarded to the warrant section.

The warrants staff issue warrants by entering the citation number and personal information on the defendant into an automated system in use by all local law enforcement agencies. No paper warrants are filled out because the system is accessible by all who need to access warrant information. A list of all citation numbers for which warrants were issued is typed, signed by the judge, and kept on file in the traffic department. A yellow warrant card is filled out by warrants staff and placed in a special card file near the cashier's counter. This card file is used by other staff to locate a case folder or when pulling folders for court to get all cases for the defendant before the judge at one time (if possible). Cases with active warrants are filed separately in cabinets in front of the office. The yellow card is stapled to the outside of a folder as a flag when the case

goes into the courtroom; after the trial, the card acts as a flag for routing to the warrants section for recall.

All warrant recalls are performed by the warrants supervisor. She enters the identifying number of the warrant, the system retrieves the record and displays the information on the screen. She enters the recall date on the screen and then makes a notation on the docket sheet. The yellow card is discarded.

D. Docketing

The docketing section is responsible for readying cases for court. The in-court clerks type the calendars for their respective courtrooms and forward them to the traffic docketing section. The folders for that day are pulled from the court appearance file, and docket sheets are prepared. Before the folders are sent to the courtroom, out cards are prepared indicating the clerk to whom the folders were given. During the proceedings, the courtroom clerks take notes on the calendars as to the judgment or action in each case. These calendars are returned, along with the file folders to the docketing section. They are used as the basis for filling in the docket sheet for each case.

Depending upon what happened in court, the case may then take various routes through the system:

(1) In infraction cases where the defendant is found guilty and ordered to pay a fine, payments may be made immediately at the back counter, or the judge may allow the defendant a certain period of time for payment. The courtroom clerk fills out a "stay slip" indicating the date payment is due, gives a copy to the defendant, and places the second copy in the folder. When returned to the docketing section, the folder is stamped with "STAY" and placed in the pending payment file. If the judge permits multiple payments over time to satisfy the fine, an accounting referral form is filled out and sent

to the county collectors which will then receive payments directly from the defendant and notify the court when the fine is paid.

(2) If the judgment requires the defendant to obtain a vehicle repair, the case is placed in a separate pending file awaiting receipt of the certificate.

(3) If the person fails to appear for the court date, the file is routed to the warrants section for issuance of a warrant, then placed in the warrants file.

(4) If the defendant is placed on probation, the file is stamped with "PROB" and routed to the probation desk for notification of adult probation.

(5) For a defendant already on probation who is required to pay a fine, an accounting transmittal sheet is filled out and sent to the probation department for forwarding to the county collectors. Payment is then made to this agency.

(6) If a defendant is sentenced to a jail term, the commitment orders are prepared by the in-court clerks, but the docketing clerk figures the jail time remaining to be served and enters it on the commitment form. The sheriff picks up the forms.

(7) If community work service is ordered, a copy of the judgment order is sent to the agency through which the service will be performed, and the case is placed in a separate file for monitoring of completion.

(8) Sentences which involve the payment of restitution go either to the probation department (if the defendant is on probation) or to the district attorney, if no probation is ordered. Payment is monitored by one of these two agencies.

(9) If the judge finds that a third party, the vehicle owner, is involved but was not cited, a new citation is issued and the person notified.

(10) If the defendant is ordered to attend traffic violation school, drunk driver school, the case is stamped "STAY" and placed in a separate pending file until the completion certificate is received.

(11) Defendants found not guilty are refunded bail, and the folder is sent to the CRT section for disposition on the computer.

(12) Cases which are continued are returned to traffic for filing in a separate filing cabinet until the next court date.

E. Payment Processing

Payment of fines and bail may be made at the front counter, the back window (infractions coming directly from court) or through the mail. A staff member from the warrants section mans the back payment window; four cashiers staff the front counter with occasional help from other trained staff who have extra time and the cashiering supervisor. When a person appears at the front counter to pay a fine, the cashier finds the case folder or citation, takes the payment and rings it into the cash register, validates the docket sheet or citation through the register, and issues a receipt.

The accounting department opens the mail, batches checks together, runs a total, and forwards them to the "mail money" desk in the traffic division. The staff person assigned to this desk usually receives about 50 checks in batches of 10 each day. She matches them to the citations, runs a total on the checks and citations to balance, and fills out the remittance batch sheet. The citations and payments are forwarded to the cashiers to ring into the cash registers and validate the citation backing sheets. The remittance batch sheet totals are used to balance against the cash register totals. Sometimes payments cannot be accepted because the offense does not require a payment (e.g., "fix-it" tickets), a court appearance is mandatory or the payment is for the wrong amount. In these cases, the payment is returned with a letter indicating what action the person should take to clear the ticket. If the defendant wishes to attend traffic school, and is eligible, a list of the traffic schools and traffic school

information sheet are mailed to the defendant with notice of the administrative fee which must be paid to the clerk. When the fee is mailed in, the payment is processed by the "money mail desk" and the citation is placed in a separate filing cabinet awaiting the return of certificate of completion from the driver.

When a payment closes a case, the citation (with payment validation) is forwarded to the CRT section for disposition on the traffic system.

F. Case Disposition and DMV Notification

When cases are disposed, the file folder or citation is sent to the CRT section to dispose of the case on the traffic system. A tape of convictions is produced weekly for DMV to update the driver history records; abstracts of judgment are still typed and forwarded. Should any transactions from the tape fail to match DMV records, a hard copy listing is returned to traffic to correct the error which caused the mismatch. Holds are placed on drivers licenses if a warrant is issued. When the warrant is recalled, a release is processed for DMV to remove the hold. Disposed cases are filed in a nearby filing room on open shelving in conviction date order.

APPENDIX D-2

APPENDIX D-2: ACCOUNTING DIVISION WORKFLOW

A. Money Mail

The money mail desk in the accounting division (not the same as the desk in the traffic division with the same designation) initially receives all mail for the clerk's office. Any mail without money enclosed is sorted out separately and sent to the correspondence desk of the appropriate division or to the clerk, as addressed. The deputy clerk I sorts mail with checks by division, groupes them into batches of ten checks, runs batch totals on the adding machine, records the citation numbers on the back of checks, and prepares a remittance control sheet for each batch. One copy of this form is kept with the batched groups and another is given to the accountant (accounting coordinator). She then distributes the batches to the proper staff in criminal and traffic divisions.

B. Bail Bonds and OR Releases

The bail bond bag from the jail and bail checks forwarded from other counties come to the accounting division first. The deputy clerk I on the mail money desk makes a list of the checks and bonds which she passes on to the appropriate desks in the criminal and traffic divisions. She follows similar procedures for batching the bonds, running adding machine totals, and making out the remittance control sheet. The jail bag also contains the paperwork for "own recognizance" releases which are compared with the list sent from the jail to ensure accuracy. Thses are sent along with a copy of the list to the criminal or traffic division.

C. One-Time Payments

The deputy clerk I in the accounts receivable section takes payments at the counter from defendants who are given a stay of judgment for a specified period of time to make payment. All fines taken by this clerk are one-time, lumpsum payments; the county collector collects on multiple payment cases.

D. Oversight of the Cashiering Functions

Most other cashiering functions are performed by the clerks in the other divisions who are not directly under the supervision of the accounting coordinator. However, to ensure that proper cash handling procedures are followed, the accounting coordinator has written a procedural guide for the clerks to follow in taking money.

Each day, the deputy clerk I (money mail desk) is responsible for preparing the cash pouches for the cashiers, making change for them during the day, and totaling out and clearing the cash registers in all divisions at the end of the day. She must make sure that the cash and the totals on the register are equal and help division staff to correct any errors. The tapes and cash are turned over to the accountant with supporting documentation of the individual payments. The accountant checks over the receipts and makes out a statement sheet which she then gives to the clerk on the money mail desk to post.

E. Posting and Balancing

All trust cards turned in by division staff must be balanced against the total rung into the trust account key in the registers, as well as individually listed on the cash register

tape. The amounts rung into each key for distribution of the funds to various accounts must be posted in the ledger, and the entries balanced to the daily statement sheet prepared by the accountant. These activities are performed by the money mail desk after the accountant has balanced the day's receipts.

F. Depositing Funds

All funds collected by the municipal court are hand-carried daily to the treasurer's office for deposit in the general fund with the exception of the bail money which goes into a separate court account. The currency and coins must be prepared for deposit (batched together by denomination) and checks, money orders, and warrants must be endorsed with a stamp.

G. Returned Checks

Bad checks are also handled by the money mail desk. She makes a copy of the check, pulls the file folder, makes a notation in the record, and adds the case to the returned check list. The bad checks must be "bought back" from the petty cash fund and the payment reversed out through the cash register. A certified letter is sent to the defendant to remit payment within 30 days, and the entry is made in the "certification book".

If the fine is not paid within the specified time, the case is referred to the county collectors. If subsequent payment is not made, the case is reported back through the accounts receivable section, which refers the case to the warrant desk for issuance of a warrant on the county-wide system. If the defendant pays for the check, the file and copy of the letter to the defendant are

marked paid, the warrant is cancelled, and other records are updated. The money is given to the accountant.

H. Accounts Receivable

The two-person accounts receivable section is generally responsible for referring accounts which will require more than one payment to the county collector's office. Between 200 and 250 accounts are referred each month. The clerks fill out account transmittal sheets with defendant personal data, case information, amount and type of payment due. When these forms are received by the collector, they dun the person, receive payments, and update the automated collection management system. The accounts receivable clerks also process modifications of fines and transmit the information to the collectors. When the account is paid in full, notification is transmitted back to the accounts receivable section, where the clerks pull and update the case files. Warrants are issued on unpaid cases.

The municipal court accounts receivable clerks have a terminal on the county collection management system to look up balance and payment information on the accounts in the event inquiries are made directly to the clerk's Office. They must also keep records for the court on the status and balance of time payment accounts to balance the receivables with the county collectors system at the end of each month.

APPENDIX D-3

APPENDIX D-3: CRIMINAL/CIVIL/SMALL CLAIMS

A. Criminal

1. Workflow

A court liaison officer from the Stockton police department maintains an office in the district attorney's office within the courthouse. According to one criminal clerk, prior to being filed with the court a typical complaint originates when a report of arrest arrives at the district attorney's office is signed by the court liaison officer and delivered in a batch to the criminal division of the Municipal Court.

a. Felony and misdemeanor case files and dockets

When the complaint arrives in the criminal division a clerk inserts the complaint in the date stamp machine to file stamp the complaint. She then pulls the next consecutive file folder to give the complaint a number. Felony complaints are filed in a green folder and given a five digit number prefixed with "F." Misdemeanor complaints are filed in a manila folder and given a six digit number prefixed with "M" or with "DC" for disorderly conduct. ("DC indicates the defendant is charged with being drunk, trespassing, or prostitution.)

If a case has codefendants "a" is placed before the first defendant's name and after the case number. A file is created for each defendant and identified in the same manner with the subsequent letter.

Clerks type a color-coded docket sheet for each case, light green for felony and goldenrod for misdemeanor. The multipart docket is typed simultaneously creating an index card. The index

card is filed alphabetically in a card catalog; the docket is placed in the case file folder to be filed according to the date of the next court appearance. (Usually, a delay of one day exists between arrest and first court appearance.) During the life of the case courtroom clerks enter court activity directly on the docket. Criminal clerks pull the docket from the file folder when it returns from court and use the entered information to record the next hearing date on the index card. If no date is given for the next court appearance, felony file folders sit on one clerk's desk; misdemeanor files sit on a table.

If next appearance dates are indicated on the docket, the file folders are filed in various places around the office depending on the Department in which the case will be heard. There is a separate storage file or storage area for each department as well as a warrants file cabinet.

The reason given for the varied filing locations is that the courtroom clerks retrieve their own file folders. Reportedly, this saves them from having to look for their files. It saves the criminal clerks from having to retrieve them from a central filing area and it saves the clerks from having to keep a separate list of cases pending for purposes of file retrieval. The criminal clerks believe the courtroom clerks like this procedure but during a site visit at least one instance occurred where a file folder was misfiled and was discovered only by chance when it was noticed by a clerk.

Disposed cases are filed separately according to the date of the last court appearance. Index cards of disposed cases are

filed in a "disposed of" box alphabetically, by name. If the defendant is ordered to pay a fine, the index card is filed in a "fine box." Periodically the clerks go through the "fine box" and send the names of those who failed to pay fines to a judge for issuance of a bench warrant.

b. Warrants

Warrants are issued and recalled on an ADM42, a system that allows the clerks to make limited modifications. All warrants to be issued are filed in three drawers and separated according to type: bench warrants, new warrants, and animal control. After issuing warrants by computer, the warrants are also printed at the clerk's office.

c. Fish and Game

The Fish and Game desk receives citations from three arresting agencies: State fish and game, San Joaquin County Sheriff, and the Stockton police department. This section is extremely paper-intensive; the clerk enters the same information over and over again into a variety of records.

The clerk receives a stack of citations on a daily basis. She date stamps them, sets bail (by looking it up in a bail schedule) and calculates the bail amounts. She then types a courtesy notice typing the date, five-digit case number, (containing serial number and the prefix "77"). She also types the bail amounts, the code sections violated, and defendant's name and address.

The clerk then types a docket on a hard card that becomes a backing for the citation. Except for the omission of defendant's address and the addition of the notice date, the clerk types the

same information on the docket as on the courtesy notice. She sends the white original of the notice in a window envelope to the defendant and retains the pink copy. She then logs all the information again on a control sheet: case number, defendant's name; violations; date citation filed. She alphabetizes all the names and logs them again alphabetically with the same information as on the control sheet adding the court date.

Current citations are kept in a metal box, the control log is kept in the control folder on the desk. When the defendant asks for a court date, the clerk checks the files and the docket, and enters the date into a loose leaf notebook that she calls the court binder. For the calendar she pulls the citations, and types the case number, name, charges, violations, and type of hearing. When defendant pays by mail, the clerk receives a slip from accounting and rings up the amount on the case register. When the defendant pays in person the clerk handling the transaction will give the annotated docket to the fish and game clerk. Citations for closed cases are kept, alphabetically, in long storage boxes.

d. Cash bail and bonds

Bail bonds and cash bail are received through the accounting department at the criminal division; a list of all bonds posted is also received. When the list is received the clerks locate the file (or may not yet have a file since the complaint may not yet have arrived).

The bail clerk matches the bond with the file and types a surety bond register that is then placed in the active bond book. If the bond is exonerated or forfeited the clerk at the bail desk

writes the exoneration on the bottom of the surety register, enters on the index card and on the docket.

Notice that bond is forfeited is sent to the bondsperson, the surety company, and the district attorney within 30 days if the surety or bondsperson wants to set aside the forfeiture. Within 180 days the bondsperson pays \$47 (if defendant has been arrested, \$65). Bonds forfeited and not set aside must be sent to Superior Court for summary judgment.

Notice of cash bail received is sent to the clerk's office, the clerks enter it into the cash register using key 19, the trust key, to indicate deposit of defendant's receipt.

B. Civil

1. Workflow

a. Clerical procedures

The civil division is staffed by three clerks; all wait on the front counter and accept complaints and are also assigned to specific duties. Civil procedures are initiated by the filing of a complaint by the plaintiff over the counter or by mail.

1). Case initiation

When a complaint is filed, the clerk obtains a new pre-printed file folder from the stack, uses a rubber stamp to stamp the six-digit file number on the complaint, receives the fee from the person filing, puts the fee in the cash register and gives the filing person a receipt for the fee and a copy of the complaint. The clerk also issues the summons and returns it to the plaintiff for service on the defendant. Complaints received by mail are handled by one clerk in the same manner as complaints filed over the counter except they are batched and usually processed together.

All complaints are given to another clerk to prepare the file folders. Preparation consists of listing the names of the parties on the outside of the file folder; completing a new register of actions entering the names of the parties and the dates filed, the case type, and the amount in controversy, stamping the case number on the register of actions, and fastening the complaint in the file. The file folders are then stacked to await delivery to the county data processing department the next morning. (One clerk hand carries them to the data processing department.) There, the

data processing department prepares a paper, quarterly, computerized index from all the new complaints. The index, as required by statute, lists the case by plaintiff and defendant, the filing date, and the complaint number. This paper index is returned daily to the clerk's office.

A microfiche index is also prepared but updated quarterly, not daily. The microfiche index lists cases from superior court as well as Stockton Municipal Court. The microfiche is accessible to the public at the counter.

The following morning, when the clerk returns to the data processing department to bring over the new complaints for indexing she picks up the complaints left the previous day. She then fastens the register of action sheet in the register of action books. She also puts the paper index in a notebook called an index clip and places it on a shelf under the front counter. The file folders containing all the case papers except the register of actions are then shelved in proper numerical order where they will wait until the next action in the case. Any activity occurring thereafter in the case is written into the register of actions. The next paper to be filed in a case, may be an answer, a default, or a motion.

b. Responsive pleadings and defaults

If an answer is filed, the clerk will accept the paper over the counter. She pulls the file to determine whether or not a default has been taken or whether or not the answer is timely. If so, the answer is placed in the file and the register of action is updated. If a demurrer or other motion is filed, the demurrer is

given to the clerk who handles the law and motion counter, she sets the motion by entering it on her calendar.

If a default is filed, the clerk will pull the file to determine whether or not an answer has been filed. If not, the clerk will accept the default papers.

At this point two different types of default may be filed. If a clerk's default is filed, the clerk will check proof of service: whether the proper party was served, the timeliness of service and whether service was proper. She will also check that the monetary amounts requested in the default judgment match the prayer. If a contract is the underlying cost of action, she will determine whether the contract is signed, whether attorney fees have been requested, and whether proof of cost has been made. If everything is in order, the clerk will enter the judgment by signing her name on the paper and dating it. The clerk who handles the register of actions then enters the default on the register of action.

The papers are then placed in the file and filed away until further action is taken by the plaintiff. Such actions may be a request for abstract of judgment or writ of execution. If a request for an abstract of judgment or writ of execution is made, the clerk's office will provide a form for the plaintiff's use. The writ of execution will be issued for the plaintiff to take to the sheriff or the abstract of judgment issued for the plaintiff to file with the County Recorder to place a lien on real property.

If all is not in order when the clerk goes to sign the default judgment, the clerk will send a form letter to the plaintiff telling what the problems are and how the plaintiff can correct the problem. Nothing further is done by the clerk's office until the plaintiff corrects the problem. If the court must enter the default, the clerk again checks for proper service and amounts. If all is in order, she will enter the court date on the calendar for the following available Tuesday. All requests for default judgment for any week are scheduled on Tuesday of the following week. The cut off date for assigning cases for the following Tuesday is Thursday noon; if the case is filed on Thursday afternoon or Friday it is scheduled for a week from the following Tuesday.

For the court hearing of default judgment, one of the clerks types a "head sheet." This is a form that the courtroom clerks use to record the order to enter judgment. The clerk also enters the case name and numbers on her calendar and keeps all the files scheduled for the following Tuesday together.

On Thursday afternoon prior to preparing the calendar, she sends all the files to the judge so the judge has adequate time to look them over. Then, using the head sheets, and the calendar book, she types the court calendar that is going to be used by the court. She makes eight copies of the calendar. One goes to the judge on the bench with the head sheet, the other goes to the judge in chambers. The other six are distributed to the civil division counter and civil clerks.

After the court hearing the file is returned to the civil division. The clerk enters into the register of action that judgment for the plaintiff or defendant was granted and that hearing was held. The prevailing party prepares the judgment. When the judgment is brought to the clerk, the clerk pulls the file and adds the judgment to the file. The entire file is then brought to the courtroom clerk who gives it to the judge for signature. After signature, the file is returned to the clerk's office. The clerk enters judgment on the register of actions and sends a copy to the plaintiff and one to the defendant if the defendant can be found.

c. Trial settings

In cases where answers have been filed either side may file a memo to set. The memo to set is an indication that the case is ready to go to trial. If the case is scheduled for more than one hour, or if it is scheduled for a jury trial, the case will be sent to arbitration. If the case is set for one hour or less, if the case involves a collection agency or a person appearing in propria persona, or in an unlawful detainer case, the case goes to the courtroom clerk in department C to set for trial.

The court clerk picks up the file, enters it into her calendar, and sends back the memo and file to the civil division, with the date for the trial written on the memo. The civil division sends out the notice of trial to the plaintiff and defendant. The memo to set is entered on the register of actions.

The memo to set is held for 10 days in an accordion file. After 10 days, the trial date is put on the calendar. For arbitration, the memo to set is sent to the arbitration clerk who sends a notice from her list of arbitrators to three arbitrators asking them if they would be willing to take the case. See Chapter VII, Calendar Management, Section C. Arbitration. The copies of the notices to the arbitrators are then returned to the civil division for entry on the register of action. When the arbitrator is selected, the arbitrator picks up files, the action is noted in the register of actions and an "out card" is placed in the file. When the case is settled by an arbitrator, the order of arbitrator is prepared by the clerk's office and is entered on the register of actions. In the meantime, while the file is out, other papers may come in. (If the arbitrator doesn't think the papers are necessary these loose papers are placed in a temporary file in the civil division to await return of the files.)

After the arbitrator's order is received, the file is sent back to the arbitration clerk who holds it for rejection or for request for a trial de novo. After the appropriate amount of time has passed if the request for trial de novo has not occurred, the notice is returned to the civil division that the award can be entered. The civil clerk types a notice of the entry, attaches it to the actual award and enters it on the register of actions.

If the award is not accepted and the rejection and request for trial de novo is filed the arbitration clerk marks a notation that a rejection was filed, delivers the rejection and request for trial to the courtroom clerk in department C to pick a date to set

a trial de novo in the presiding judge's courtroom. (This trial calendar is kept by the courtroom clerk.) The courtroom clerk then sends a notice of the date of trial to the civil division. Civil division sends out the notice to the party and enters it in to the register of actions. The Wednesday before trial, the civil clerk photocopies the courtroom clerk's calendar for the following week.

The weekly calendar contains all the trials and notations for Order of Examination (OEX) and motion calendars. (The latter two are typed separately during the week so that details don't have to be provided on the week's calendar.)

Besides typing the calendar, the clerk also types head sheets for each case and gets the file and brings them to the courtroom. After the trial, the resolution is entered on the register of actions from the court clerk's "back sheet" (which is the bottom of the head sheet). When the typed judgment is received from the parties, sometimes it is not correct and the clerks have to call the parties to have it corrected. If it is corrected, the clerks enter the judgment on the register of action and the dollar amount.

d. Appeals from the municipal court

Parties fill out their request for appeals in civil cases. The civil division calendars and sends the notice of filing appeal and the notice of cost of preparation of transcript to the parties. The request for appeal is held for ten days until the preparation of transcript fees and the notice of designation are received from the appellant. The notice of designation contains a

list of documents appellant would like to see in the transcript.

If both those items are returned, the clerk prepares the clerk's transcript, holds it for ten days during which time either party can look at the transcript. If there is no objection to the transcript, the clerk sends the transcript to the superior court.

If both those items are not returned, the clerk defaults the appeal. She sends a notice of default to both parties indicating the reasons for the default. The appellant has 90 days to abandon the appeal or to apply for leave to superior court to file the designation of documents or pay the appropriate fees. If the appellant does nothing, the civil clerk files copies of the notice of default and copies of the notice of appeal and fills out a petition to superior court to dismiss the appeal. The superior court sets a hearing with a notice to both parties to explain why the appeal should not be dismissed. After the appeal is heard, the superior court sends back the results of the appeal whether it was affirmed, denied, or whether retrial should be had.

C. Small Claims

1. Basic Workflow

Small Claims procedures are similar to Civil procedures in the clerks' office with the exception that the clerks complete forms for the plaintiff. The plaintiff arrives at the desk (normally small claims matters are not filed by mail but rather over the counter), fills out the plaintiff information sheet (which includes name, identification, reason for suing, amount they are suing for, etc.) This information sheet is contained in a packet of forms provided by the judicial council.

The clerk types a register of action and sets a date for hearing. The plaintiff must sign on the bottom of the register of actions that she or he has made a demand on defendant for full payment. A copy of the register of action and the claim of plaintiff is given to plaintiff and the original put into the file. Depending on the plaintiff's wishes, a copy may be mailed by the clerk by certified mail to the defendant or the plaintiff may personally serve the defendant. The court date written on the register of action is a tentative date. If the plaintiff cannot serve the defendant before the court date, the plaintiff returns the papers for a new hearing date. The register of actions is held at the calendaring desk until the time for calendaring the cases at which time all cases where proof of service has been filed are calendared.

The defendant does not file an answer in small claims cases but can file a claim of defendant (actually a cross complaint). The clerk pulls the file, types the calendar, pulls the register

of actions, and brings everything to the courtroom clerk.

During the hearing, the courtroom clerk will enter minutes on the register of actions. After the hearing, the small claims clerk types the judgment on preprinted forms, sends copies of the judgment to the plaintiff and to the defendant. Execution procedures for small claims are the same as Civil.

Appeals from a Small Claims judgment are to the superior court. Only the defendant can file an appeal. If the defendant has not appeared at the hearing, defendant must file a motion to vacate and set aside. If the motion to vacate and set aside the judgment is denied, the defendant can then file an appeal. If defendant has appeared, defendant can file an appeal.

Forms are filled out by the small claims clerks and sent to superior court. After appeal, results of the appeal come back to small claims court and are entered in the register of actions. The clerks follow up with appropriate notices if needed.

APPENDIX D-4

APPENDIX D-4: CALENDAR PROCEDURES

1. Department A - Trial Assignment

Department A is the presiding judge's department. It is staffed by one courtroom clerk. One of the main tasks of department A is jury trial assignment. The department A courtroom clerk keeps track of the number of trials that are set from all the other departments for trial assignment. On a weekly or bi-weekly basis, depending upon how quickly calendar dates are filled, the department A clerk sends a memorandum to all departments indicating that a certain date is full and provides a new date for the courtroom clerks to set trial assignment. The courtroom clerk in department A receives the case file the day after the case is set for trial assignment. The jury trial assignment calendar for criminal cases occurs each Monday at 9:00 A.M. On Tuesday at 9:00 A.M., further jury trial assignments are made if there are any trailing cases or civil cases scheduled for trial.

Jury trials are assigned out from the presiding judge to department D for criminal and traffic cases and department C for civil cases. Department C also hears criminal and traffic overflow. Generally, the presiding judge will send two or three cases to each trial courtroom. Usually all but one case will settle after an initial meeting with the trial judge. If trials are still needed for two or more cases, the second and/or third case is sent back to the presiding judge for reassignment.

When trial dates are set in department A, a readiness conference is also calendared ten days before the Monday trial

date. This means that readiness conferences are scheduled on Wednesday mornings at 8:00 A.M. All defense attorneys and district attorneys are required to attend. Usually 40 to 45 cases are set for readiness conference. Ten days later, that number has dropped to about 10 to 20 cases for jury trial assignment. That number is further reduced during the jury trial assignment process when cases are sent to the trial divisions as there are a large percentage of cases settling immediately prior to trial.

Twice a day the calendar coordinator checks all of the courtrooms to ascertain the status of the courtroom and reports this to the presiding judge so that appropriate add-on assignments can be made.

Most preliminary hearings are set in department F, but department A takes overflow cases. Department E, which hears felony arraignments, sets preliminary hearings within ten days of the arraignment in department F; any overflow goes to department A.

2. Department B - Misdemeanor

Department B hears the misdemeanor calendar and is staffed by three courtroom clerks, one of whom is a trainee. Misdemeanor arraignments for out-of-custody defendants represent the major portion of department B's calendar. When bail is set for defendants, they are calendared to appear for arraignment ten days after release from custody. Staff at the jail sets arraignment dates regardless of the quantity of cases that are set for a given date. In addition, people who appear in the clerk's office to surrender to the court on warrants are sent to department B as add-ons to the calendar. Police officers also cite defendants

arrested in the field to appear in department B. This appearance date is usually ten days from the time the citation is issued.

The calendars for department B used to be prepared by the clerks on the first floor criminal division, but are now typed by the courtroom clerks. Since most of the paperwork regarding bailees and out-of-custody defendants goes to the first floor clerk's office, the calendar is basically set by the clerk's criminal division staff, who organize the files and deliver them to the courtroom clerks in department B.

If, at arraignment, the defendant pleads "not guilty", department B sets a readiness conference date and a trial date for the defendant. The file then goes back downstairs for docketing and is sent, after docketing, to department A to await the readiness conference and the trial date.

At 1:30 on Mondays and Tuesdays, department B hears misdemeanor motions. These motions are usually filed downstairs in the clerk's office, but many motions are requested in court to be made orally and the date is set for oral argument by the department B judge. When an attorney files a motion with the court, the attorney knows that ten days' notice is required for argument on a motion and, therefore, the attorney sets a hearing date in the motion papers. The criminal clerks on the first floor put the case files in department B's box with a notation of the trial date.

3. Department C - Civil.

Department C hears all civil matters in the municipal court. It is staffed by one courtroom clerk. The 8:30 A.M. Monday

morning unlawful detainer hearings are calendared by the civil clerks on the first floor. Otherwise, the courtroom clerk schedules her own calendar.

At 10:00 A.M. Mondays, department C hears pretrial motions and at 1:30 P.M. civil court trials. On Tuesdays, jury trials sent from department A are scheduled to begin at 1:30 P.M. If the matters which are set earlier on Tuesday morning (default judgments, examinations of judgment debtors, unlawful detainer cases, and court trials) are all cleared by 10:00 A.M., the court begins the jury trial at 10:00 A.M. On Thursday mornings, at 8:30 A.M. civil cases are set each half hour for settlement conferences in chambers. Settlement conferences are set through the calendar coordinator's office and are set after parties have been given a notice of arbitration. Attorneys can request a settlement conference before going to arbitration. If settlement does not result, the case goes back into arbitration.

4. Department D - Trial

Department D hears criminal and traffic trials. It is staffed by one courtroom clerk and is assigned trials Monday mornings by department A. Trials are scheduled throughout the week.

5. Department E - Custody

Department E is staffed by two courtroom clerks plus one additional, roving clerk when the court is particularly busy. Everyday at 9:00 A.M. misdemeanor custody cases (except traffic cases) are brought in for first or continued arraignment. The clerk's office gets a custody list from the jail, prepares the files, and delivers them to the courtroom. Defendants normally

are arraigned two days after their arrest. They are given their rights and assigned public defenders if they qualify. The public defender normally continues the arraignment for a couple of days to familiarize him or herself with the case. At 10:45 A.M. out-of-custody arraignments are held. The information for this calendar comes from the clerk's office, also. At 1:30 P.M. in department E all felony and traffic custody arraignments are calendared.

6. Department F - Preliminary Hearings

Preliminary hearing dates for department F are set at arraignment. Arraignment usually occurs in department E where a calendar is kept for department F. When defendants are bound over, department F sets an appearance date in superior court within ten days. At 3:45 P.M. on Thursdays, a preliminary hearing conference calendar is called. All district attorneys and defense attorneys who have preliminary hearings scheduled are called to discuss whether or not the case go to preliminary hearing and how long the hearing will take. A full calendar is typed up for the pre-preliminary hearing conference. Calendars are re-typed when the cases are set on the calendar following the pre-preliminary hearing.

7. Department G - Traffic

Department G has one clerk and one assistant in the courtroom. This department hears traffic arraignments, continued arraignments, and out-of-custody arraignments in the mornings. The traffic courtroom clerks type a calendar for department G from the files about two days before trial.

8. Room 140 - Traffic

Room 140 is the traffic courtroom presided over by a commissioner. It is staffed by one clerk. The traffic clerks set the court trial calendar for Room 140. In addition, small claims cases are heard on Tuesday, Wednesday, and Thursday mornings, and on Tuesday afternoon fish and game and dog citations matters are scheduled.