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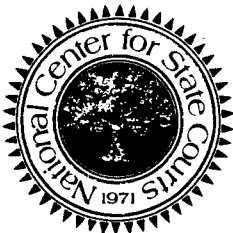
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**MANAGEMENT REVIEW OF CLERICAL FUNCTIONS
IN THE TRENTON, NEW JERSEY,
MUNICIPAL COURT;**

**FINAL REPORT/
December 8, 1986**

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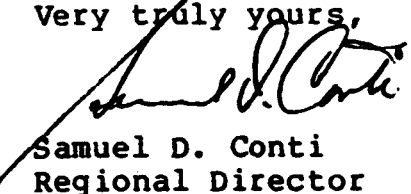
Mr. Gus LiCari
Court Administrator
Trenton Municipal Court
225 N. Clinton Avenue
Trenton, New Jersey 08609-1360

Dear Gus:

We are pleased to transmit to you our final report entitled Management Review of Clerical Functions in the Trenton (New Jersey) Municipal Court. I hope that the findings and recommendations contained in the report are helpful in improving the administration of justice in the court.

If we may provide any further information or assistance, please call me.

Very truly yours,


Samuel D. Conti
Regional Director

SDC:b
Enclosure

First Draft February 14, 1986

Reviewed by Court

Revised Draft August 10, 1986

Reviewed by Court

Final Revised Draft September 30, 1986

Reviewed by Court

Final Report December 8, 1986

This management review was conducted under a contract dated August 1, 1985, between the National Center for State Courts and the Trenton Municipal Court. Points of view or opinions stated in this report are those of the authors and do not necessarily represent the official policy or positions of the Trenton Municipal Court or the National Center for State Courts. The Trenton Municipal Court reserves the right to reproduce, publish, translate, or otherwise use, and to authorize others to publish and use, any or all parts of the material contained in this report.

**MANAGEMENT REVIEW OF CLERICAL FUNCTIONS
IN THE TRENTON, NEW JERSEY,
MUNCIPAL COURT**

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CHAPTER I.
INTRODUCTION

A. Background

The Trenton Municipal Court is a trial court of limited jurisdiction in the New Jersey state capital. With three judges (one full-time and two part-time), the court has jurisdiction over traffic violations, minor criminal and ordinance violations, and violations of fish and game and navigation violations. It also has jurisdiction to conduct probable-cause hearings on indictable offenses, as well as to adjudicate specified crimes (where the penalty does not exceed one year incarceration or \$1,000 fine) and offenses (where the value of property does not exceed \$500), including some crimes for which indictment and trial by jury can be waived.

This review of the Trenton Municipal Court is designed to identify practical, cost-beneficial changes in court operations that will result in improved court staff efficiency and productivity, reduction in current expenses and avoidance of anticipated future expenses. Special attention was paid to facilities, caseflow management, and issues relating to records management and information processing. Recommendations relating to automation have been made in recognition of plans by the Administrative Office of the Courts (hereinafter, AOC) for automation in the larger municipal courts.

The National Center project staff consisted of three senior staff associates who visited the court for three days in October

1985. A first draft of this report was submitted in February 1986.

B. Methodology and Report Organization

The report is based on a management review involving the following activities:

1. Review of organizational background material such as procedures, policies, memos, reports and statistics.
2. Interviews with management and staff including:

Presiding Judge
Municipal Court Administrator
Clerk of the Municipal Court
Municipal Court clerk's office personnel

3. Review and analysis of various files and records.
4. On-site observation.

The functions reviewed and criteria applied are summarized in the appendix. In general terms, the effort involved a resource analysis and a functional analysis. The resource analysis focused on court personnel, court facilities, and data processing. Functional analysis addressed records management; case management; financial management for fines; personnel management and training; and public information and liaison activities.

C. Summary of Recommendations

During the course of this management review, the project team members have developed several recommendations for improvement. These recommendations are enumerated below, with parenthetical references to where they are discussed more fully in the text.

Recommendation 1. Clerical personnel in the Trenton Municipal Court should be reorganized in the following fashion:

- a. create a separate accounting section, splitting it from violations bureau;
- b. create a separate data entry section, splitting it from parking adjudication;
- c. merge parking adjudication into the violations bureau;
- d. have the court records, scheduling, violations bureau and data entry sections all under the supervision of the court clerk, answerable in turn to the presiding judge and the court administrator;
- e. upon implementation of on-line automated data entry, merge the data entry section into the court records section and revise the titles and job descriptions of docket clerks, clerk-typists and data entry clerks.

(See p. 12.)

Recommendation 2. An orientation handbook should be developed for new employees. This should include an overview of the court's work, procedures and policies, as well as an ordered approach to training as to procedures in the office. (See p. 13.)

Recommendation 3. The statewide manual for municipal courts, the New Jersey Municipal Court Procedures Manual, issued in Summer 1985, should be tailored for use in the Trenton Municipal Court and made available for use within each functional unit. (See p. 13.)

Recommendation 4. Personnel in the Trenton Municipal Court clerk's office should be cross-trained in all procedures within each section. (See p. 15.)

Recommendation 5. Long-range planning for the facilities of the Trenton Municipal Court should contemplate separation of court facilities from those occupied by the Trenton Police Department. (See p. 17.)

Recommendation 6. Maintenance of the courtrooms in the Trenton Municipal Court should be given high priority by the City of Trenton. (See p. 22.)

Recommendation 7. Space now used as both the court administrator's office and a law library should be used as the court administrator's office, with about 120 square feet of space set aside to accommodate future growth. A new law library should be created by enclosing lobby space between the complaint room and the cashiers' windows in the clerk's office. (See p. 23.)

Recommendation 8. The lobby of the Trenton Municipal Court should be refurbished to increase the comfort of citizens awaiting court activities. To aid citizens seeking assistance and directions, there should be signs and a receptionist at an information window near the main entry to the court. (See p. 26.)

Recommendation 9. The cashier-accounting section should be moved to near the main entrance to the court building, with one window opening into the lobby and another facing outside the court building for walkup payment of fines by members of the public. (See p. 27.)

Recommendation 10. Efforts to improve the reliability of data-entry functions in the clerk's office should be part of the following five-part program:

- a. to assure that data are entered for all traffic tickets received, a simple system should be developed to assure each day that the number of tickets filed by the police is the same as that received by the clerk's office and that for which data are entered by data entry personnel;
- b. to provide verification of data as they are entered, software should be designed so that certain data items can be validated as they are entered;
- c. before criminal complaints are filed in their respective pending files, those with attached traffic tickets should be routed to the clerk's office's data-entry personnel for entry of traffic violation information;
- d. review of reports produced periodically under the traffic ticket control system should focus on tickets "missing" because of data-entry omission as well as for other reasons; and
- e. there should be an ongoing process of reconciling ticket information in the court's cash receipts accounting system with that in the docketing and ticket control systems.

(See p. 31.)

Recommendation 11. The court should participate with AOC in a review of experience to date under the new parking adjudication act. Particular attention should be paid to finding solutions to such problems as: (a) whether court appearance by police officers should be required in contested parking cases; (b) whether steps need to be taken in cooperation with local police to apply "boots" to more vehicles owned by those not paying parking tickets; and (c) to reduce costs associated with registration of judgments in superior court. (See p. 37.)

Recommendation 12. To improve the efficiency of the clerk's office and to avoid the need for additional personnel, the Trenton Municipal Court should, through its participation in AOC plans to automate larger municipal courts, introduce a computer system for criminal case docket information. (See p. 38.)

Recommendation 13. The municipal court administrator and the clerk of court should investigate paperflow and case-processing activities relating to clerical preparations for the arraignment of criminal defendants jailed overnight, and they should make recommendations to the presiding judge for ways in which paperflow and case processing for these cases can be improved. (See p. 40.)

Recommendation 14. With support and assistance from the assignment judge and court administrator for Mercer County, the Trenton Municipal Court presiding judge and local police chiefs should seek ways to assure prompt transmission of case documents to the clerk's office for the CJP program. Consideration should be given to the utility and feasibility of centralized booking. (See p. 41.)

Recommendation 15. As part of the municipal court's participation with the administrative office of the courts in planning for a new computer system to serve case processing in the municipal court, there should be a projection of future traffic caseload demands that will be made on the system's storage capacity. While periodic removal from the system of cases that are usually disposed within a relatively short time after filing may justify limitation of storage capacity, storage limitations should be adjusted if they create unnecessary case processing effort and problems. (See p. 43.)

Recommendation 16. Modification of the Trenton Municipal Court's automated traffic docketing system as part of AOC's plans for automating the larger municipal courts should include integration of the docketing system with the court's automated traffic-ticket control system. (See p. 44.)

Recommendation 17. Whenever a defendant mails a payment of fine, costs and fees or penalties that is inaccurate, the court should keep the payment rather than returning it to the defendant. If there is an underpayment, it should be treated as an interim payment toward satisfaction of the total amount due. If there is an overpayment, the surplus amount should

be allocated to one of the court's escrow accounts, for repayment of the defendant along with the next set of routine disbursements from that account. (See p. 45.)

Recommendation 18. For both criminal and traffic cases before the Trenton Municipal Court, any computer modifications or new system introduced as part of the AOC plan for automation of larger municipal courts should enable data-entry personnel to provide an updated index of cases as a routine byproduct of their entry of docket information. (See p. 46.)

Recommendation 19. The following steps should be taken to improve court preparation and management of arrest warrants and court-police coordination with regard to warrants:

- a. bench warrants entered for failure to appear or failure to pay should be prepared on the court's automated computer system and not manually;
- b. a byproduct of the automatic production of warrants should be an automated list of outstanding warrants; and
- c. all complaints and citations should be cross-referenced against outstanding warrants. Any time a case is reviewed on the computer, any outstanding warrants against any defendant should be highlighted.

(See p. 47.)

Recommendation 20. As part of the court's participation in AOC plans for automating the larger municipal courts, the automated financial accounting system in Trenton should be integrated with the automated traffic ticket control system. Any payment received before police file the court copy of the traffic ticket should be treated in the following fashion:

- a. if the motorist brings his or her copy of the traffic ticket, the traffic ticket control system should already have a field for that ticket so that receipt of payment can be recorded against the ticket number in the system and a computer-printed receipt issued to the motorist;
- b. if the motorist does not have his or her copy of the ticket, then the payment should be received and credited to an escrow account, with a computer-printed receipt issued to the motorist and the payment amount transferred out of the escrow account upon police filing of the court copy of the ticket.

(See p. 48.)

Recommendation 21. Just as the court has an automated financial accounting system for traffic cases, it should have one for criminal cases. The automated docketing system and financial accounting system created for criminal cases during the court's participation in AOC plans for automation of the larger municipal courts should be integrated with one another.

As part of the financial accounting system for criminal cases, an automated trust-fund accounting subsystem for all bail accounts should be developed. (See p. 50.)

Recommendation 22. In its cooperation with the AOC municipal court automation effort, the court should introduce an automated case-tracking system for criminal and traffic cases.

Until an automated case-tracking system can be developed, the court should employ a manual case-tracking system for at least all contested criminal and traffic matters. This case-tracking card should be used to show case status in lieu of moving files from one pending file to another. This manual tracking card should be in a multipart format to allow heading information to be entered once on all cards, with additional cards being used to serve as an alphabetical index card and installment payment card.

With the introduction of a manual and then an automated case-tracking system, the clerk's office should reduce the extent to which active case records in the clerk's office are filed in different locations. (See p. 51.)

Recommendation 23. In coordination with the AOC automation effort, the court should introduce an automated system for monitoring the status of deferred and installment payments, with computer-generated notices to persons who have failed to make payments when due.

Until the court has an automated system for this purpose, installment payment cards for fine payments should be part of a multipart form also used for case tracking and case indexing. All parking and traffic tickets that are awaiting payment of fine should be filed by due date in order to keep track of delinquent payments. (See p. 52.)

Recommendation 24. Notices sent to participants in municipal court proceedings should be prepared by personnel in the clerk's office scheduling section with the assistance of any new computer system introduced with AOC assistance. (See p. 55.)

Recommendation 25. Judges in the Trenton Municipal Court should review their practices with regard to the grant of continuances and the rescheduling of cases. The court should adopt a strict continuance policy and a policy of limited rescheduling. On an ongoing basis, the presiding judge should monitor the extent to which cases are continued or rescheduled and report annually to the city and the public on continuances and cases rescheduled. (See p. 56.)

Recommendation 26. The Trenton Municipal Court should adopt time standards within which most or all contested traffic cases should be disposed, and then make adjustments in practices and procedures to meet such standards. (See p. 58.)

Recommendation 27. The Trenton Municipal Court should make maximum use of automation in an effort to improve case processing and avoid the need to hire additional staff. As a result of its participation in AOC plans for automation of courts in the larger municipalities, the court should have its own stand-alone computer system, independent of that operated by the City of Trenton. A part-time court computer programming consultant should be engaged under contract by the court administrator. (See p. 60.)

CHAPTER II. ANALYSIS OF RESOURCES

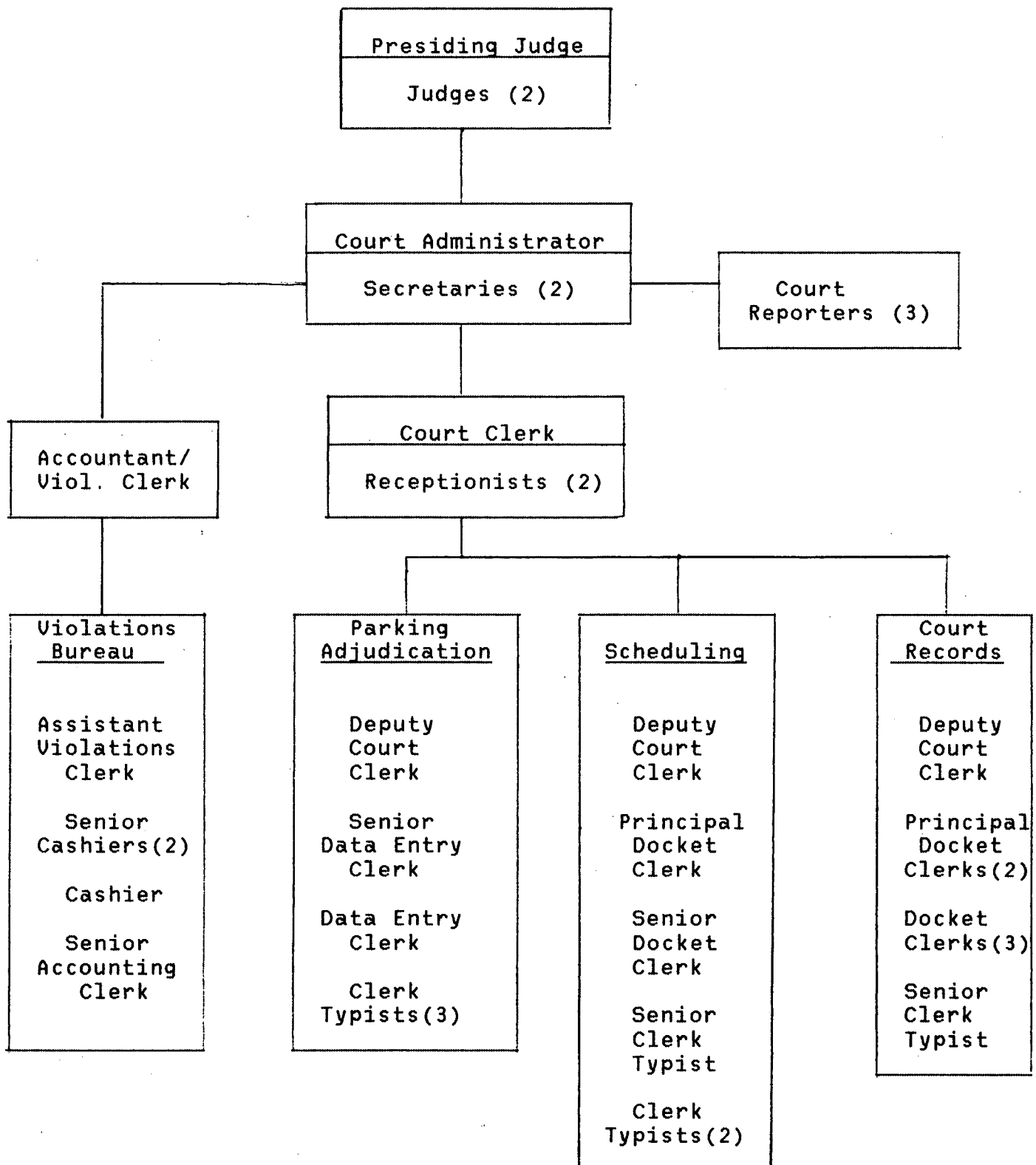
Analysis in this chapter focuses first on personnel resources in terms of organization, workload and staffing. Then the court's physical facilities are appraised. Under each subchapter, recommendations for improvement are offered.

A. Workload and Staffing

The clerk's office in the Trenton Municipal Court has four major sections, organized according to functional responsibilities: court records, scheduling, parking adjudication (which also includes personnel performing data entry functions), and violations bureau (which also includes personnel responsible for financial matters). See Figure 1 below.¹ The court and the clerk's office have a combined nonjudicial staff of 36 full-time positions. The number of complaints (criminal, drunk driving, moving violations, and parking) initiated in 1984 was 62,266, of which 36,150 cases were handled by the violations bureau. There were a total of 10,236 cases not within the authority of the violations clerk (known as "current" cases), and for which court appearance was mandatory.¹ About 60% of the cases involved payments by mail, where defendants were not required to come to the courthouse.

1. Under Rules Governing the Courts of New Jersey, R. 7:7-3, a municipal court must by order designate the offenses within the authority of the violations clerk, provided that such offenses must not include eight offenses specified in the rule for which court appearance is mandatory. Compare American Bar Association, Standards for Traffic Justice, §3.3, in J. Economos and D. Steelman, Traffic Court Procedure and Administration (2d ed.) (hereinafter, Economos and Steelman), Appendix 1 (1983).

Figure 1. Present Trenton Municipal Court Organization



While there are few generally-agreed upon standards against which to measure productivity, comparisons of cases-per-employee can offer a rough indicator of a particular court's productivity.² Such comparisons, however, should be used with extreme caution especially across jurisdictional boundaries.³ Nonetheless, the National Center, based upon experience in courts nationwide, has made use of filings-per-staff ratios in the past as a rough guide to required staffing levels and employee productivity.⁴ Generally, it is expected that a limited-jurisdiction court with ten or more employees handling primarily traffic offenses⁵ should be able to process between 1,500 and 2,000 filings per employee each year.

With 36 employees processing 62,266 filings in 1984, the Trenton

2. See Harry O. Lawson and Barbara J. Gletne, Workload Measures in the Court (National Center for State Courts, 1980); National Center for State Courts, Assessing the Need for Judicial Resources: Guidelines for a New Process (Denver, 1973); see also, Anthony K. Malon, Improving Productivity in the Courts: A Primer for Clerks of Court (Washington, D.C.: National Institute of Law Enforcement and Criminal Justice, LEAA, 1978).

3. Differences in jurisdictions, procedures, rules, and statutes; the extent to which technology and automation are used; the organization and management of the court; and the "local legal culture" of which the court and the clerk's office are a part, all contribute to wide variations in staff productivity.

4. See, for example, the following reports by the National Center for State Courts: A Management Analysis of the Broward County Clerk's Office, p. 15 (1982); A Management Study of the Lafayette City Court, p. 52 (1982); Operation and Management of the Traffic Court, City of New Orleans, p. 148 (1984); and Management Review of the Wichita Municipal Court, p. 30 (1984).

5. Based on data derived from a South Dakota Administrative Office study prepared to assess clerk's office staffing needs, the authors of the study observed that, "A location with ten or more employees is assumed to be able to handle 1,500 or 2,000 filings per employee annually, while a location with only two or three employees can handle only 800 to 1,000 filings per employee annually." Lawson and Gletne, supra note 2, p. 70.

Municipal Court has a filings-to-staff ratio of about 1,730 filings per employee. The court's filings-to-staff ratio thus falls comfortably within the recommended range of 1,500-2,000 filings per employee per year. The court consequently appears to have an appropriate level of staffing for the work that needs to be done.

There is room, however, for improvements that can make staff more productive. The first set of improvements might involve reorganization of nonjudicial personnel in the court. The reader will note from an inspection of Figure 1 that the violations bureau is not under the supervision of the clerk of court, even though their activities are closely interrelated in functional terms. More specifically, violations bureau personnel deal with cases involving payment of parking fines, while data entry clerks in the parking adjudication section perform data entry for a large number of cases other than parking matters. See Chapter III for more detailed discussion of case processing activities in each section.

Recommendation 1. Clerical personnel in the Trenton Municipal Court should be reorganized in the following fashion:

- a. merge parking adjudication into the violations bureau;
- b. create a separate data entry section, splitting it from parking adjudication;
- c. have the court records, scheduling, violations bureau and data entry sections all under the supervision of the court clerk, answerable in turn to the presiding judge and the court administrator;
- d. upon implementation of on-line automated data entry, merge the data entry section into the court records section and revise the titles and job descriptions of docket clerks, clerk-typists and data entry clerks.

Figure 2 below shows the manner in which the organization of clerical personnel in the Trenton Municipal Court would be affected by the details of Recommendation 1. The reorganization suggested here should give the clerk's office a clearer organizational pattern that is more reflective of functions actually performed. What is more, court leaders should recognize that greater automation (recommended below, Chapter III) may have a profound effect on work assignments in the clerk's office.

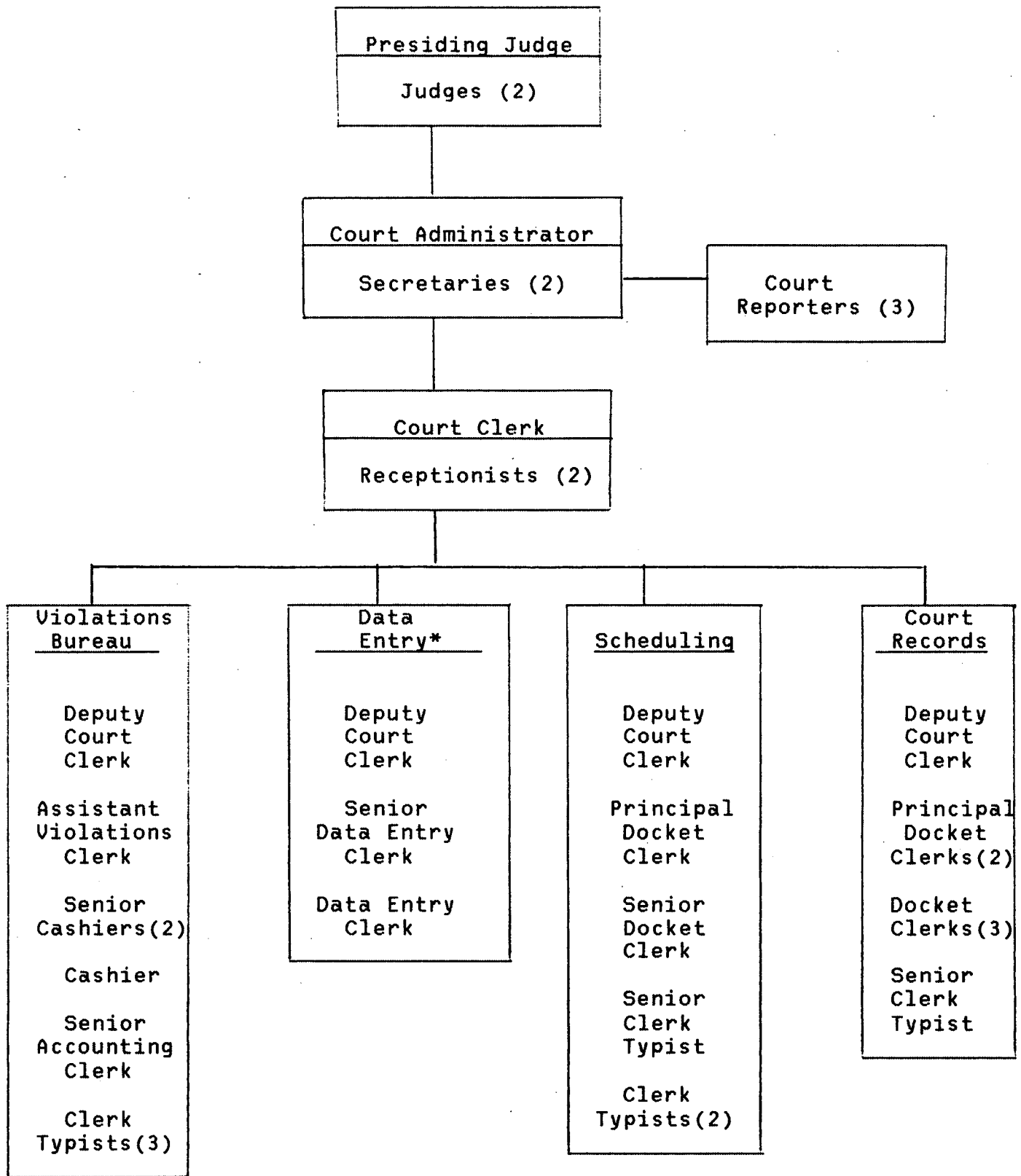
The second set of improvements would involve orientation and training of personnel. As in most clerk's offices, training of new employees often takes a back seat because of daily operating pressures. Thus it happens that new personnel start immediately on a detailed processing procedure without having understanding of the entire process.

Recommendation 2. An orientation handbook should be developed for new employees. This should include an overview of the court's work, procedures and policies, as well as an ordered approach to training as to procedures in the office.

An orientation handbook such as that suggested here would enable new employees to understand the role they would play in the operations not only of the municipal court, but also of the overall New Jersey court system. Having a basic understanding of how the courts work can lead to higher employee motivation and productivity.

Recommendation 3. The statewide manual for municipal courts, the New Jersey Municipal Court Procedures Manual, issued in Summer 1985, should be tailored for use in the Trenton Municipal Court and made available for use within each functional unit.

Figure 2. Proposed Trenton Municipal Court Organization



*The Data Entry Section would be merged with the Court Records Section, with review of job descriptions, upon introduction of on-line automation.

No copy of this recently-issued manual was to be found in the court. Copies are available on request from Municipal Court Services in the Administrative Office of the Courts. The format of the manual allows each court to tailor procedures to fit. Photocopies of appropriate sections of the manual should be given to the supervisor in each unit for tailoring. Upon approval by the municipal court administrator, the tailored pages should be made available for use in each unit.

Recommendation 4. Personnel in the Trenton Municipal Court clerk's office should be cross-trained in all procedures within each section.

Supervisors are now the only personnel who are familiar with all the jobs in the office. In the court records section, where the focus is on docketing, much of the work is pooled and thus people can fill in for others. This is not the situation, however, in the scheduling section, where work must sometimes come to a halt in the absence of a crucial person. It is especially important in the scheduling area that there be cross-training so that case status be known.

Other improvements that might make staff more productive would involve the greater use of automated technologies and improved records and office management techniques. These matters are addressed in Chapter III.

B. Facility Review

The Trenton Municipal Court is located in a municipal building with the headquarters of the Trenton Police Department. The municipal court has two courtrooms: one was built as part of the original facility, and a second was added during the past five years. In addition to these courtrooms, there are two judges' chambers, a combined law library/court administrator's office, an office for court reporters, one for secretarial staff, a storage/lunch room, the clerk's office, a complaints office, and a lobby as shown in Figure 3. See Table 1 for a comparison of existing space in rooms of the municipal court with general court space standards.

Court Facility Location. In a 1974 study of plea bargaining in New Jersey municipal courts, staff members of the National Center for State Courts observed:⁶

The Trenton Municipal Court is located in a fairly new building which houses police headquarters. Upon closer investigation, it appears that the primary consideration was police comfort; the court clerk, clerical staff, and the court administrator were given the 'leftovers'.

Citizens entering the building from the front see only court offices, however, for outside entry to the police department is from the back of the building. It has been suggested as a general principle that a local court hearing traffic matters "should not be located in the police station or be otherwise situated so that it

6. S. Conti, et al., A Study of Plea Bargaining in Municipal Courts of the State of New Jersey, p. 78 (Boston, MA: National Center for State Courts, 1974).

appears to be nothing more than an extension of the police department."⁷

Recommendation 5. Long-range planning for the facilities of the Trenton Municipal Court should contemplate separation of court facilities from those occupied by the Trenton Police Department.

While building layout and proximity do not now seem to create an obvious appearance of undue police influence on the court's decisionmaking, the very fact that the police department is in the rear of the building occupied by the municipal court in Trenton does permit the possibility of such an inference. If the proximity of the court to the police department ever creates a public concern about the appearance of injustice arising from the possibility of undue police influence on judicial decisionmaking, this may be a ground for considering the present location of the municipal court "inadequate" within the meaning of court rules governing the location of court facilities.⁸

Courtrooms. Both courtrooms are large and generally serviceable. Maintenance of Courtroom A, however, appeared below standard. Water stains on benches and carpeting were noticed. It is understood that the water leaks from the jail overhead.

7. Economos and Steelman, p. 41.

8. R. 1:31 governs places for transaction of court business, with R. 1:31-1 providing that courts must be located in public buildings or, when adequate public facilities are unavailable, in some other appropriate place approved by the Administrative Director of the Courts. R. 1:31-2 directs that if the Administrative Director of the Courts determines that facilities for any court are inadequate, he may, after giving a reasonable opportunity for adequate space to be provided, direct the court or clerk to cease using the inadequate facilities.

Figure 3. Present Trenton Municipal Court Floor Plan

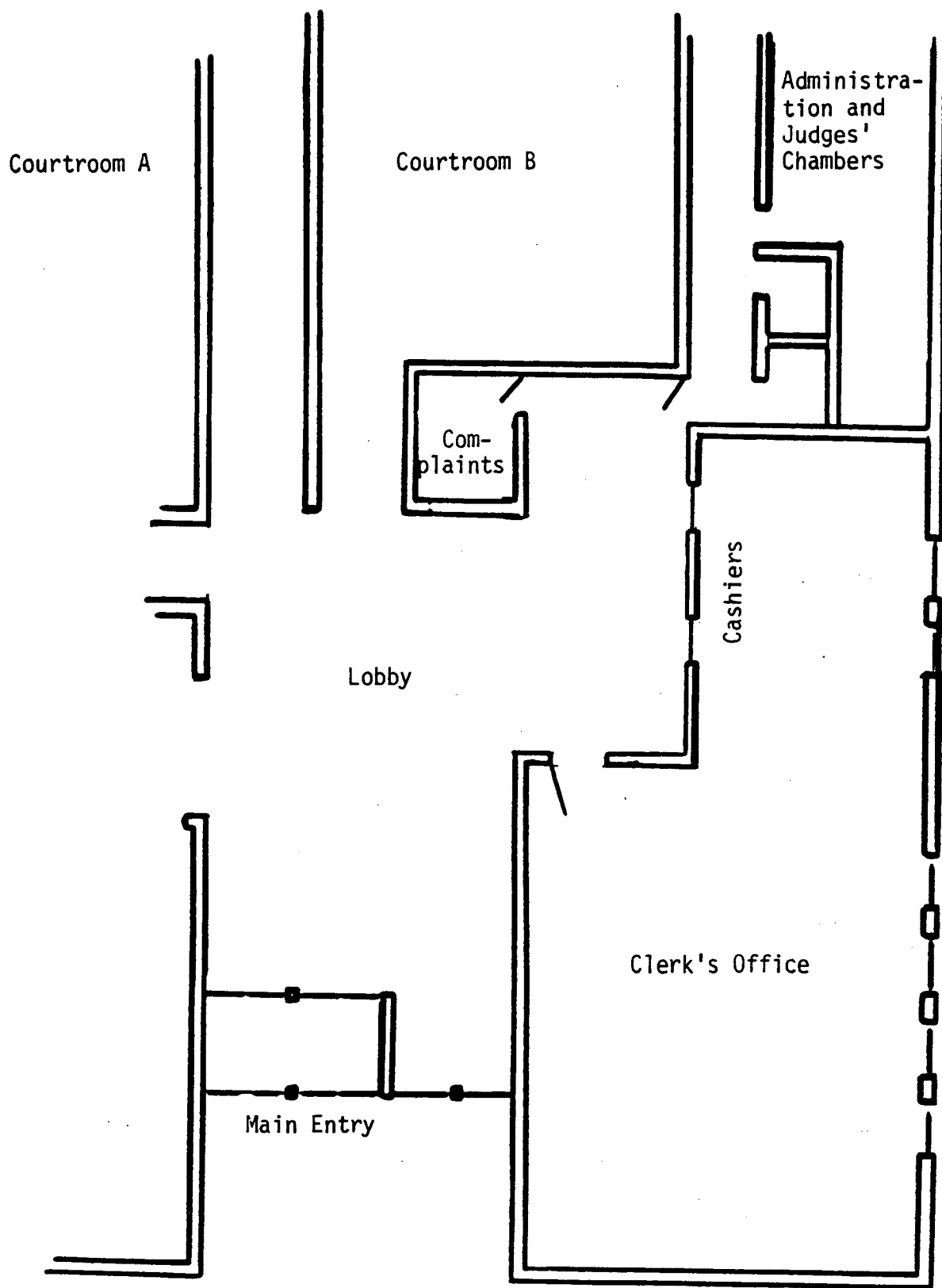


Table 1.
Use of Space in the Trenton Municipal Court

	Actual Space	No. of Persons	Recommended Space	Comments
Courtroom A	1,568 sq. ft.		1,600 sq. ft.	Large non-jury courtroom (public seating 30-50) ^a
Judges' Chamber (A)	192	1	232	Recommendation derived from averages computed from recommendations found in sources below. ^b
Courtroom B	1,008		1,300	Medium non-jury courtroom (public seating 15-30) ^c
Judges' Chamber (B)	234	1	232	Recommendation derived from averages computed from recommendations found in sources below. ^b
Lawyers Lounge	288	10	130-200 ^d	
Court Administrator/ Law Library	324	1	203 ct. admin.	Recommendation derived from averages computed from recommendations found in sources below. ^e
			250 law lib. ^f	Reading and research space (per person) with a desk has been estimated at 38-48 sq. ft., with a carrel at 28-30 sq. ft. Shelving and storage (books shelved 30"-84" above floor level--10-12 books per sq. ft. of shelf area. ^g

Table 1.
Use of Space in the Trenton Municipal Court (Contd.)

	Actual Space	No. of Persons	Recommended Space	Comments
Court Reporters	132	2 (daytime) 1 (evening)	140	Published space standards for court reporters are for traditional services ^h Space for sound recorder operators has been estimated at "other office" work space of (average) 70 sq. ft. for each reporter. ⁱ
Secretary	108	1	95	Recommendation derived from averages computed from recommendations found in sources below. ^j
Storage/ Lunch Room	216			
Clerk's Office	1,512	15 (daytime) 13 (evening)	1,125	Recommendation based on average of 75 sq. ft. per employee. ^k Clerk's office space for visitors shown below in Complaints and Lobby.
Complaints	80	1		See below, Lobby.
Lobby (waiting)	869	15	225	Recommendation derived from averages computed from recommendations found in sources below. ^l
Public Corridors	598			
Private Corridors	143			
Payments Window	<u>264</u>			
	7,536 sq. ft.			

Table 1.
Use of Space in the Trenton Municipal Court (Contd.)

Footnotes

- a. Allan Greenberg, Courthouse Design: A Handbook for Judges and Court Administrators [hereinafter, Courthouse Design], American Bar Association Commission on Standards of Judicial Administration, Supporting Studies - 4 (undated), p.23.
- b. See, J. MacGregor Smith and Robert Larson, Trial Courtroom Environment (National Clearinghouse for Criminal Justice Planning and Architecture, Guidelines for the Planning and Design of State Court Programs and Facilities, Monograph B6) [hereinafter, Trial Court Environment], p. 89 (1976). See also, The American Bar Association and The American Institute of Architects Joint Committee on the Design of Courtrooms and Court Facilities, The American Courthouse: Planning and Design for the Judicial Process [hereinafter, The American Courthouse], p. 61 (1973). (Note: space needs are computed here for work space, relaxation area and toilet only.)
- c. Courthouse Design, p. 22.
- d. The American Courthouse, p. 46.
- e. See Trial Courtroom Environment, p. 99 (recommended average total: 131 sq. ft.). See also, The American Courthouse, p. 75 (recommended average total: 275 sq. ft.). The space recommended is the average of space recommended in the cited reports. The recommendation is for work space, conference space and toilet.
- f. See Courthouse Design, p. 23.
- g. See The American Courthouse, p. 68.
- h. See Courthouse Design, p. 23.
- i. See The American Courthouse, p. 84.
- j. See The American Courthouse, p. 61 (recommending 92-100 sq. ft.), and Trial Court Environment, p. 81 (recommending 65-125 sq. ft.). The recommendation of 150 sq. ft. in Courthouse Design, p. 23, has not been used since it is perhaps more appropriate to a court of general jurisdiction.
- k. See Michael Wong, Space Management and the Courts, pp. 67-68 (Washington, D.C.: U.S. Government Printing Office, 1973). But see J. MacGregor Smith, et al., Clerk of the Court (National Clearinghouse for Criminal Justice Planning and Architecture, Guidelines for the Planning and Design of State Court Programs and Facilities, Monograph B8), p. 26 (1976), in which a standard of 65 sq. ft. per person is recommended.
- l. See The American Courthouse, p. 61 (recommending 13-20 sq. ft.), and Trial Court Environment, p. 81 (recommending 10-15 sq. ft.), for each visitor expected. The recommendation here is based on 15 sq. ft. for each visitor expected.

Recommendation 6. Maintenance of the courtrooms in the Trenton Municipal Court should be given high priority by the City of Trenton.

As the most significant and visible part of the court, where justice is done for individual citizens, a courtroom should be a symbol of the authority and dignity of the judicial system, in addition to meeting functional requirements.⁹ To the extent that a courtroom of the Trenton Municipal Court is poorly maintained, the courts and government generally are held in lower public esteem.

Judges' Chambers. The judges' chambers require quiet and privacy and should reflect the dignity of the judicial office.¹⁰ Often conferences and small hearings are held in chambers so that adequate meeting space is also required. The chambers should be remote from the general public spaces of the courthouse, and be relatively close to the courtroom and have a separate entrance.¹⁰ Chambers are located in a secure area not accessible to the public and near each courtroom. The judges have a separate entrance to each courtroom. The chambers appear adequate; each has its own restroom and approaches recommended space requirements as shown in Table 1.

Administrator's Office and Library. The management and supervisory activities of a court administrator require privacy and quiet. Space needs are for research, conferences, and small meetings. The office also should be fairly close to the other

9. Economos and Steelman, p. 42.

10. Ibid., p. 43.

administrative and clerical staff.

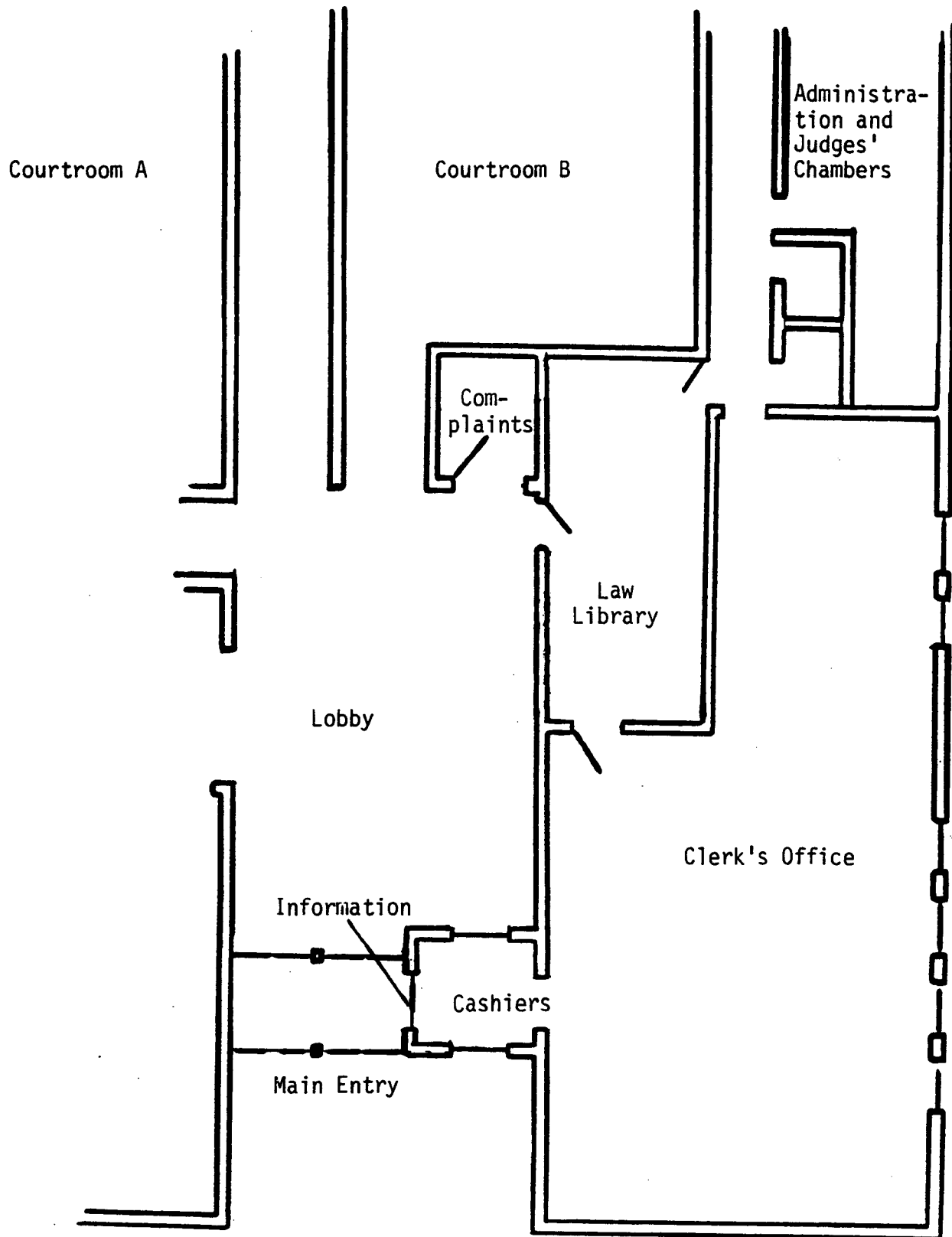
Combination of the law library and court administrator's office is less than desirable. The functions conflict, with the result that both court management and legal research are impeded. While the legal research needs of a municipal court are much less than those of a trial court of general jurisdiction, the current arrangement is not acceptable and is not the best use of available space.

Recommendation 7. Space now used as both the court administrator's office and a law library should be used as the court administrator's office, with about 120 square feet of space set aside to accommodate future growth. A new law library should be created by enclosing lobby space between the complaint room and the cashiers' windows in the clerk's office.

As Table 1 above indicates, there are about 324 square feet now allocated to a combined law library/court administrator's office. With 203 square feet recommended for the court administrator's office, there would be about 120 square feet of unallocated space if the law library were relocated. This unallocated space should be held for future growth.

See Figure 4 for a representation of the area in which space for a new law library would be created between the complaint room and the cashiers' windows, which would be relocated nearer the main entry to the court. (See below, Clerk's Office, for discussion of the relocation of the cashiers.) The area to be enclosed would create a law library of about 264 square feet, meeting the recommended space requirements shown above in Table 1. The new law library space can also be used as a conference room.

Figure 4. Proposed Trenton Municipal Court Floor Plan



Court Reporters. The "court reporters" are operators of sound recording equipment, and they need adequate space to store tapes. Transcripts are not routinely prepared by the court reporters. Instead, they are prepared for the court under contract by a private certified transcription service.

The three court reporters share an office originally designed for one person. Yet reporters spend much of their time in court, and no more than two must be at the court during the day, since the third records evening proceedings. They need some space to work on notes and court logs, but the tapes of court proceedings are kept in the storage areas and staff lounge. The location of the reporters' office is acceptable, and recommended space is 70 square feet per person. (See Table 1.) Two reporters share 132 square feet during the day, which almost matches a recommended total for workers spending all (instead of only a small portion) of their work time in an office; and during the evening, there is only one reporter who needs to use the office. Current office space for court reporters is thus ample for their needs.

Secretary. The secretarial needs of the court are such that one secretary can serve all three judges. The secretary is now located near Courtroom B and the administrative judge, who has the greatest need for the secretary's services. Being physically separated from one chamber prevents the secretary from serving as a receptionist for both areas. The secretary should be able, however, to screen all calls to the judges. Visitors can be directed to the secretary by a receptionist at an information booth near the main entrance to the court. (See below.)

Lobby. There is a public lobby from which the public has access to both courtrooms and the clerk's office. While it is difficult to assess the space requirements of the lobby, it should accommodate all participants at peak times. The lobby should also provide comfortable waiting areas for persons appearing in court. Current total space in the lobby is more than adequate for this purpose, although arrangements could be made to increase the comfort of citizens in the lobby and to give them directions for transaction of business in the court building.

Recommendation 8. The lobby of the Trenton Municipal Court should be refurbished to increase the comfort of citizens awaiting court activities. To aid citizens seeking assistance and directions, there should be signs and a receptionist at an information window near the main entry to the court.

At present, the lobby in the court building does not provide a comfortable waiting area for citizens. Moreover, accounting personnel and other clerk's office personnel are often interrupted in the completion of their tasks by citizens with questions. Signs located in appropriate parts of the lobby area to direct people to different offices should diminish distractions for clerk's office personnel caused by citizens with questions. By providing a receptionist at an information window near the main entrance to the court, the court should be able to ease confusion for citizens and sharply diminish distractions for clerk's office personnel. (See Figure 4.)

Clerk's Office. The office provides working space for the clerk and 27 employees, 13 of whom work the night shift. Because of the clerk's office personnel are split into two shifts, the office must

accommodate the clerk and no more than 14 employees at one time. Based upon a recommended 75 square feet per employee, the clerk's office now provides ample space in general for employees. (See Table 1.)

The clerk's office space is divided into two major areas: that for cashier-accounting personnel and that for personnel in the docketing and scheduling sections. Six employees occupy 306 square feet in the cashier-accounting area. While this is only about two-thirds of what is considered desirable according to the 75-square-feet-per-employee standard, it is adequate because two of these employees work on the court's second shift.

Recommendation 9. The cashier-accounting section should be moved to near the main entrance to the court building, with one window opening into the lobby and another facing outside the court building for walkup payment of fines by members of the public.

With the conversion of space to create a new law library (see Recommendation 7), it would be necessary to relocate the cashiers' windows in the clerk's office. Movement of the cashiers to the front of the court lobby (see Figure 4) would accomplish several valuable objectives. First, it would allow for the cashier-accounting section to have somewhat more space without sacrifice by others in the clerk's office. Second, it would allow many citizens coming to pay fines to do so without even entering the court building. This in turn would mean fewer people in the lobby and less noise and congestion to distract clerk's office personnel.

CHAPTER III. ANALYSIS OF CLERICAL FUNCTIONS AND COMPUTERIZATION

At the time of onsite work by National Center personnel for this management appraisal, the City of Trenton had an IBM System 3, Model 15, for the performance of computer services. During 1982, the municipal court obtained six terminals linked to the city computer and introduced a software system to aid the processing of traffic cases, including both parking and moving violations.¹¹ An on-line system was to be developed, and it was to maintain docketing and ticket-control records, prepare notices and warrants, and issue receipts for payments received. In March 1983, the court expected to begin a five-month conversion to computerization of case processing for its nontraffic cases.

When National Center personnel visited the court in Fall 1985, however, the court was experiencing considerable problems with the city computer system. Computer support for traffic case processing was far short of earlier expectations. About two years after the projected date for it, computerized aid to the processing of nontraffic cases had not yet begun.

For the City of Trenton, processing of traffic cases is just one of several applications for its computer system. Other applications include dog tags, police reports and the preparation of welfare checks. One of the reasons for the disappointments experienced with court computerization was a cutback in city data processing

11. See Memorandum, to Arthur J. Holland, Mayor of Trenton, New Jersey, from A.J. LiCari, Municipal Court Administrator, Re: Trenton Municipal Court Annual Report (January 11, 1983).

staff--down from 14 in 1982 to only three in 1985. With only limited technical staff available, the court has difficulty improving its applications. For software support, the court administrator must ask the assistance of a part-time (20 hours per week) software consultant to the city.

To appreciate the interplay of computerization with case processing in the court, it is necessary to understand some of the activities of clerical personnel in the court. Before offering conclusions on the present state of computer automation, this chapter now discusses work performed in each of the four functional areas into which clerical personnel are organized. Such discussion involves work aided by computerization as well as work that has not yet been affected by the computer effort.

Under the court clerk at present are parking adjudication, court records, and scheduling. The parking adjudication section also includes data-entry personnel who deal with data for moving as well as parking violations. Not currently under the supervision of the court clerk office is the violations bureau. Under the violations clerk are financial accounting personnel, who do bookkeeping for all fines received by the court. See Recommendation 1 above for a suggested reorganization, and compare Figure 1 with Figure 2.

A. Parking Adjudication and Data Entry

The parking adjudication unit has six personnel. Under the supervision of a deputy court clerk are a senior data entry clerk, a data entry clerk and three clerk-typists. (See Figure 1 above.) Despite the name of the unit, several of its personnel perform data

entry functions for traffic cases other than parking matters.

1. Data Entry. In the Trenton Municipal Court, only the processing of traffic cases is aided by computer automation. Each morning, the court copies of traffic citations issued to motorists since the last court day are picked up from the police department and brought to the data-entry section to be keyed into the computer. Most (80-85%) of the tickets reportedly are ready for data entry within one day of issue.

Data entry is generally current and appears capable of catching up when backlogs do develop. All data on the ticket relevant to case processing by the court are keyed into the system in the clerk's office. Once data entry is complete, the tickets are stamped and those for most moving violations are sent to docketing personnel in the court records section of the clerk's office; those for drunk-driving cases are separated and given to the scheduling personnel in the office. Tickets for parking violations are sent to the violations bureau, where they are filed in ticket-number order to await the appearance of motorists to pay their fines.

Data from tickets appear to be entered in a timely fashion, although little attempt is made to verify the data. Every effort, however, needs to be made to see that data from all traffic tickets are entered. Occasionally, when both a traffic ticket and a criminal complaint are issued against the same defendant, the traffic ticket is attached to the criminal complaint and information from that ticket does not get entered in the computer.

Tickets from which data have not been entered are occasionally caught by the violations bureau or scheduling personnel when they

are unable to retrieve cases on the computer. These cases are then sent back to the data-entry personnel for entry of case data in the computer system.

Recommendation 10. Efforts to improve the reliability of data-entry functions in the clerk's office should be part of the following five-part program:

- a. to assure that data are entered for all traffic tickets received, a simple system should be developed to assure each day that the number of tickets filed by the police is the same as that received by the clerk's office and that for which data are entered by data entry personnel;
- b. to provide verification of data as they are entered, software should be designed so that certain data items can be validated as they are entered;
- c. before criminal complaints are filed in their respective pending files, those with attached traffic tickets should be routed to the clerk's office's data-entry personnel for entry of traffic violation information;
- d. there should be an ongoing process of reconciling ticket information in the court's cash receipts accounting system with that in the docketing and ticket control systems; and
- e. review of reports produced periodically under the traffic ticket control system should focus on tickets "missing" because of data-entry omission as well as for other reasons.

The five-part program suggested here addresses data entry from the time that court copies for tickets issued to motorists are sent to the court through the time of periodic reviews to account for discrepancies uncovered under the traffic ticket control system. The first step calls for the development of a system under which the police would indicate in writing each day how many of each type of ticket (parking, moving traffic or other) they are filing in court.

The court representative would then sign for having received a specified number of each type of ticket. (If the number counted by the court representative were not the same as that represented by the police, then a reconciliation would be needed before court receipt.) After data entry personnel had received the tickets, a data entry person would be required to indicate in writing that he or she had entered data for the same number of cases filed by the police and received by the court.

There are automated court systems that provide for validation of data as they are entered. In the computer system employed in Allegheny County (Pittsburgh), Pennsylvania, for example, an "error" signal appears on the screen if the ticket number entered is not one shown in the traffic ticket control system to have been issued to the law enforcement officer who wrote the citation; or there is an "error" signal on the screen if the statute or ordinance alleged to have been violated is not one for which a ticket could be issued or does not agree with the offense charged by the officer (for example, if the officer cites a motorist for speeding, but enters the statute number for a stop-sign violation). The software for the Trenton Municipal Court clerk's office should include these and other validation mechanisms to assure the accuracy of data as they are entered.

A third step to assure thoroughness of data entry is to rely on the clerk's office personnel dealing with criminal complaints that are accompanied by traffic citations. By developing a procedure in which the accompanying traffic tickets are promptly routed to the data entry personnel, the clerk's office should assure that data

entry for these tickets is not overlooked.

The fourth facet of the proposed program is to cross-check traffic ticket information in the cash receipts accounting system against that in the docketing and traffic ticket control systems. Such cross-checking should enable the clerk's office to identify any problems in each of these three systems, thereby enhancing the reliability of each of them.

The final element recommended involves periodic reports produced as part of the traffic ticket control system. On a monthly, quarterly or semiannual basis, there should be reports from the traffic-ticket control system identifying tickets issued to police departments but not yet disposed by issuance to motorists or other justifiable or excusable means. Such a system, of course, serves an exceedingly important public function by creating traffic ticket accountability and by limiting opportunities for judges, police officers or others to engage in "ticket fixing."¹² Yet it can also be employed as a means to identify other problem areas in traffic-ticket processing. More specifically, tickets may show up as "missing" simply because they have not been entered in the system by data entry personnel. The frequency of such data entry oversights is an indicator of the reliability of data entry carried out by court personnel.

12. To appreciate the significance of a traffic ticket control system, see the emphasis placed on the "traffic ticket master control and disposition system" in Economos and Steelman, pp. 65, 92-95 and 184-185. See also, American Bar Association, Standards for Traffic Justice, §6.2, in Economos and Steelman, Appendix 1.

2. Parking Adjudication. As of July 22, 1985, a new parking adjudication law--"The Parking Offenses Adjudication Act"--went into effect.¹³ In Trenton, five staff members in the clerk's office--a cashier, a senior clerk, and three other clerks--were added and assigned to carry out the provisions of the act. As a result of this change, a parking ticket backlog in Trenton totalling about 300,000 in November 1985 was reduced by July 1986 to about 200,000.

The act provides that if the owner or operator of a vehicle for which a parking ticket¹⁴ has been issued fails to answer or appear in response to the ticket, then the the court is to send a failure-to-appear notice¹⁵ to the owner or operator¹⁶, giving information about the alleged violation; the amount of fines, penalties and costs due; the defendant's right to a hearing; and the consequences of failure to appear.¹⁷ If the owner then fails to respond, the court may enter a civil default judgment, issue a bench warrant, order suspension of the owner's or operator's license, and

13. Chapter 14, Laws 1985, approved January 23, 1985, and codified as N.J.S.A. 39:4-139.2 et seq.

14. N.J.S.A. 39:4-139.4 provides that each parking ticket is to be a uniform traffic ticket in a form prescribed by the state court administrator's office.

15. Under N.J.S.A. 39:4-139.6, the municipal court on failure of the vehicle owner to answer or appear must follow R. 7:6-3 and mail a notice (in a form prescribed by the state court administrator's office) to the owner.

16. The owner and operator of a vehicle are jointly liable for a parking ticket, unless the owner can show use of the vehicle without the owner's consent; if the owner pays a parking ticket, he or she can recover the payment from the vehicle operator in court. N.J.S.A. 39:4-139.5.

17. N.J.S.A. 39:4-139.6.

notify the state division of motor vehicles (DMV), which may revoke driving privileges until fines, penalties and costs are paid.¹⁸

If payment on a default judgment is not made within 10 days after entry, the municipal court may also have the default judgment filed in the superior court clerk's office for the county as a civil judgment against the vehicle owner.¹⁹

If a vehicle owner contests a parking ticket, the new statutes provide that the court may determine whether the ticket-issuing officer's presence at an adjudication hearing is required, since the parking ticket and information from DMV identifying the vehicle owner is, if submitted in proper form, prima facie evidence that the vehicle owner committed the parking offense.²⁰ The new statutes further authorize municipalities to make and enforce ordinances providing for the impoundment of vehicles against which there are any outstanding warrants.²¹

The state legislature recognized that passage of the new parking adjudication act would involve reallocation of court resources and, as a result, additional court expenditures. As a result, statutes provide that the operating costs for municipal court implementation of the act are to be met by a distribution to each municipal court

18. N.J.S.A. 39:4-139.6, 139.10 and 139.12.

19. N.J.S.A. 39:4-139.8(d). See also, Memorandum, to Municipal Court Judges and Municipal Court Clerks, from Robert D. Lipscher, Administrative Director of the Courts, re: "Parking Offenses Adjudication Act - Entry of Default Judgments" (September 18, 1985).

20. N.J.S.A. 39:4-139.8(a). The information from DMV records need not be certified, as is the case with moving violations.

21. N.J.S.A. 39:4-139.13.

of \$2.00 out of the parking penalty paid in each case where a defendant failed to appear and the court issued a failure-to-appear notice under the new statutes.²²

Under court plans for implementation of the new act, the computer regularly generates a list of "delinquent" parking tickets (that is, those for which there had been no answer or appearance within a prescribed time limit after ticket issuance). From each such list, the parking adjudication personnel in the clerk's office determine the names and addresses of the vehicle owners by reference to DMV records.²³

A Trenton city ordinance provides for impoundment of any vehicle against which there are eight or more delinquent parking tickets. After the new statute became effective, the court began periodically to send lists to the municipal police, indicating "boot-eligible" vehicles. It appears that limited resources have prevented the police from applying boots to vehicles, however, so that the court has discontinued the preparation of "boot lists."

Within five working days after a parking ticket appears on a "delinquent tickets" list, the court personnel prepare a notice and

22. N.J.S.A. 39:4-139.9(a) provides that the distribution of \$2.00 per case to a municipal court must be in addition to the court's normal budget allocation, but that it cannot exceed the additional costs incurred by the court as a result of the new legislation. The distribution is to be made to courts only for a period of 24 months after the effective date of the legislation.

23. Since National Center project staff members visited Trenton, the court became a test site for a special DMV project. Two terminals were placed in the court for court personnel in the clerk's office to make direct on-line inquiries to DMV driver records. At the end of the project, the terminals will be left in the court. The court administrator perceives that the project has yielded substantial benefits to the court.

send it to the vehicle owner at the address shown in DMV records. Once a notice is sent, the owner has two to three weeks in which to pay the fine. Of an estimated additional \$400,000 in parking-ticket fine revenue that the court has generated under the new statute, about \$100,000 is a result of these "dunning" letters.

If the vehicle owner responds to the failure-to-appear notice by indicating a desire to contest the ticket, a hearing would be held about 5-6 weeks after court receipt of the vehicle owner's response. Although the statute permits the court to dispense with a requirement that the police officer appear at the hearing, the court still requires police officer appearances.

If the owner does not respond and does not pay the fine, the court can either enter a civil judgment against the owner or issue a warrant for the owner's arrest. The statutory provision for registering default judgments in the superior court has not been implemented, since the cost (over \$25) of registering each judgment appears far in excess of the amount of fines recovered.

Recommendation 11. The court should participate with AOC in a review of experience to date under the new parking adjudication act. Particular attention should be paid to finding solutions to such problems as: (a) whether court appearance by police officers should be required in contested parking cases; (b) whether steps need to be taken in cooperation with local police to apply "boots" to more vehicles owned by those not paying parking tickets; and (c) to reduce costs associated with registration of judgments in superior court.

B. Court Records.

The court records section consists of six staff members, headed by a supervisor, who is a deputy court clerk. The section's primary responsibility is to

maintain criminal and traffic case records and docketbooks. There are three categories under which work in the section can be considered: processing of criminal cases; processing of traffic cases; and general matters common to more than one type of case.

1. Criminal Cases. The criminal docketbook is a bound volume in which personnel in the section must manually enter docket numbers for each case, defendants names and addresses, names and dates of offenses charged, and complaining witnesses' names and addresses. As each case proceeds, they must enter current case status information and dispositions. Once criminal matters have been docketed, they file the complaints by future court date or hold them for the next scheduled court calendar, as appropriate.

Another major function in the court records section is to record court dispositions--a manual function for all criminal matters. Because of the active night session schedule, this is a daily activity. Once the dispositions have been entered in the docketbook, the cases are routed to the proper section for fine payment or scheduling.

Recommendation 12. To improve the efficiency of the clerk's office and to avoid the need for additional personnel, the Trenton Municipal Court should, through its participation in AOC plans to automate larger municipal courts, introduce a computer system for criminal case docket information.

The introduction of a computer system to aid the docketing and scheduling of criminal cases should enable

the clerk's office to be more productive. Well-conceived software would reduce the need for redundant efforts to record case information. Repetitive documents produced in high volumes, such as notices and warrants, could be prepared quickly and efficiently with computer assistance. Reports for internal management, for the assignment judge and the state court administrator, and for city officials could be prepared without the labor-intensive efforts required in the court's present manual case-processing system.

One area of responsibility that requires immediate attention every morning by court-records personnel is to process criminal cases involving defendants jailed overnight. The Trenton police department has created a program--using what are called "proactive squads" stationed in certain sections of the city to police on-street narcotics abuse--that has substantially increased the number of defendants who must be arraigned each day.

This requires that a considerable amount of paperwork (including docketing, filing pretrial intervention forms, and recalling warrants) must be done before the opening of court. Personnel assigned to this function report for work at 7:00 a.m. every court work day. The volume of those jailed overnight has meant that one courtroom must be kept available for much of the morning, thus delaying

the start of hearings on other scheduled matters.

Recommendation 13. The municipal court administrator and the clerk of court should investigate paperflow and case-processing activities relating to clerical preparations for the arraignment of criminal defendants jailed overnight, and they should make recommendations to the presiding judge for ways in which paperflow and case processing for these cases can be improved.

A review by the court administrator and the clerk of paperflow and case-processing steps is likely to enable them to identify points at which problems occur. Identification of problems can then serve as a basis for suggested improvements. Possible steps to alleviate the pressure created by these cases might include (a) having second-shift personnel begin case processing activities for matters arising before the end of the shift; and (b) having defendants in such cases arraigned during the evening session of court.

A second area of responsibility that requires immediate attention of court-records personnel every morning involves support of the Central Judicial Processing (CJP) program, which was recently introduced in Mercer County after a pilot program in Hudson County showed positive results.²⁴ Under the CJP program, the court handles the initial appearance of all defendants charged anywhere in the county with one or more indictable offenses. Defendants are booked and the cases docketed in the municipalities where offenses occurred. Because these cases are to be heard quickly--often within

24. See Samuel D. Conti, et al., Hudson County (NJ) CJP Evaluation (North Andover, MA: National Center for State Courts, September 1985).

five days after arrest--there is considerable pressure on the clerk's office to process the cases immediately upon receipt and transmit them as soon as possible to the prosecutor's office.

This allows time for case screening and evaluation by both prosecution and defense counsel, and it facilitates investigation of pretrial release factors by the bail unit. For this program to work efficiently, however, the case papers must be processed quickly through all links in the program. Occasionally, late receipt of case papers from police departments creates additional stress on the processing clerk in the municipal court.

Recommendation 14. With support and assistance from the assignment judge and court administrator for Mercer County, the Trenton Municipal Court presiding judge and local police chiefs should seek ways to assure prompt transmission of case documents to the clerk's office for the CJP program. Consideration should be given to the utility and feasibility of centralized booking.

Assembly and delivery of basic case documents promptly after arrest has been recognized as one of the keys to successful operation of a CJP program.²⁵ Such promptness depends on commitment by police and other institutional participants to the success of the CJP program, with resulting cooperation among the agencies and individuals involved. While unforeseen problems are sure to occur from time to time that will delay transmission of basic case documents, any continuing delays should be seen as evidence of a problem that needs to be addressed under the leadership of the assignment judge for the vicinage. One of the improvements being considered for the Hudson County CJP program is

25. Ibid., p. 14.

the introduction of centralized booking, which, if feasible, would surely serve to reduce time required for delivery of basic case documents.²⁶

2. Traffic Cases. After data-entry personnel in the parking adjudication section have entered docket information from traffic tickets in the city's computer system, the tickets are given to personnel in the court records section for separation into parking and moving violations. Parking tickets are placed in ticket-number order and filed with other pending parking tickets in the violations bureau section. Tickets for moving violations are sorted and filed by scheduled court appearance date.

Some of the procedures in the clerk's office have been developed in response to limitations in the storage capacity for court matters of the city's computer system. As the automated system approaches its storage capacity (about every three months), a new docket record for the next consecutive numbered series of docket numbers is printed out to serve as the permanent record. Disposed cases that are part of the docket records listing are automatically removed from the system.

For traffic cases included in the docket records listing that are disposed at a later date, adhesive labels are printed out with updated status information, to be affixed to the appropriate docket record pages. The docket record pages are stored in post binders, which are placed on top of the supply cabinet for lack of better

26. Ibid., p. 31.

storage space. (At the time of the site visit by National Center project staff members, a large number of labels and docket pages remained unbound pending receipt of binders on order for the docket record pages.)

Recommendation 15. As part of the municipal court's participation with the administrative office of the courts in planning for a new computer system to serve case processing in the municipal court, there should be a projection of future traffic caseload demands that will be made on the system's storage capacity. While periodic removal from the system of cases that are usually disposed within a relatively short time after filing may justify limitation of storage capacity, storage limitations should be adjusted if they create unnecessary case processing effort and problems.

It appears that current limits on the computer system's storage capacity is what has created the necessity for preparation of adhesive labels for disposition information on many traffic cases. Such labels require additional supply costs and additional personnel time to put them in docket record post binders, and the clerk's office at the time of the National Center staff member visit to the court was not keeping up with its work on the labels. If computer storage were adequate, additional supply costs and demands on clerical personnel time would not be needed, and the problem of having a backlog of labels to be put in docket record post binders would not arise.

Another responsibility of the court records section is to maintain the traffic ticket control log, which is a highly important feature in the effective management of any court hearing traffic cases. Through the traffic ticket control system, the clerk's

office monitors traffic tickets from the time that ticket books have been signed out by individual police officers through the time when each traffic ticket has been issued to a motorist and returned to the court.²⁷

Ticket information is entered daily in the computer system by court record personnel to form the basis for the ticket control record. Periodically, the system produces a list of ticket numbers that have not been issued and returned to the court, as well as a list of those that have been received in the office, but for which there is a problem (such as no identification of the issuing officer). Sometimes appearance on the list is a function of late entry of the ticket-control information on the system by the court record unit.

Recommendation 16. Modification of the Trenton Municipal Court's automated traffic docketing system as part of AOC's plans for automating the larger municipal courts should include integration of the docketing system with the court's automated traffic-ticket control system.

If court records personnel must enter information on traffic tickets in the court's traffic ticket control system when the same information is part of what data-entry personnel enter in the court's docket records listing, then there is an unnecessary redundancy of effort. When traffic tickets are issued in bulk to the police department and individual police officers then sign for ticket books, such information should be entered in the traffic

27. For discussion of traffic ticket control system procedures generally, see Economos and Steelman, pp. 65, 92-95 and 184-185. See also, American Bar Association, Standards for Traffic Justice, §6.2, in Economos and Steelman, Appendix 1.

ticket control system. As tickets are then issued and filed with the court, data-entry personnel can in one effort enter data for both docket listing and ticket control purposes. With appropriate adjustment of data fields, the traffic ticket control log sheets can serve as the docket record listings.

3. General Matters. One person in the records section is responsible for opening and sorting incoming mail. Administrative and personal mail is routed unopened; the bulk of the incoming mail consists of fine payments, which are quickly screened and routed either (a) to the violations bureau, if the documents and amounts received appear to be in order; or (b) to the persons in the scheduling section who serve as receptionists, if the documents or amounts received need to be returned for further information or correction.

Recommendation 17. Whenever a defendant mails a payment of fine, costs and fees or penalties that is inaccurate, the court should keep the payment rather than returning it to the defendant. If there is an underpayment, it should be treated as an interim payment toward satisfaction of the total amount due. If there is an overpayment, the surplus amount should be allocated to one of the court's escrow accounts, for repayment of the defendant along with the next set of routine disbursements from that account.

A simple approach to payments in the wrong amount, which would avoid a need for accounting mechanisms to treat the status of such payments while they were being corrected, would be to return any such payments to the payor for correction. With such an approach, however, the court might find that a number of people never make the correction required and never pay the amount due to the court, with

the result that substantial amounts go unpaid. To increase payments actually collected, the court should not relinquish payments once received, but should hold them and develop appropriate procedures correction and accounting.

The court records section also receives a number of telephone inquiries from the public about pending or disposed cases. A considerable number of inquiries as to dispositions are received from probation and parole officers. Because no index is maintained on either criminal or traffic matters, knowing the date of offense is vital to have access to case information. (If this date is unknown, inquirers are referred to the police department, where this information is available on the arrest card.) Court staff acknowledge that an index would be useful, but they believe that maintaining an index would be too time consuming.

Recommendation 18. For both criminal and traffic cases before the Trenton Municipal Court, any computer modifications or new system introduced as part of the AOC plan for automation of larger municipal courts should enable data-entry personnel to provide an updated index of cases as a routine byproduct of their entry of docket information.

For criminal and traffic cases, the preparation and maintenance of an index of cases requires, as a minimum, the full names of defendants and the docket numbers of their cases, and it might also involve complaint dates and such unique defendant identifiers as social security numbers or drivers' license numbers. Since such information is routinely entered in case records for any criminal or traffic case, the entry of index information in an automated information system can be done at the same time as such information

is entered for docketing purposes.

A common "disposition" in a criminal or traffic case before the municipal court is the entry of a court order for an arrest warrant against a defendant who has failed to appear. Since these warrants are now typed individually, there remains a backlog of several hundred warrants to be typed and issued. A further problem is that the police department is unable to serve many warrants.

Recommendation 19. The following steps should be taken to improve court preparation and management of arrest warrants and court-police coordination with regard to warrants:

- a. bench warrants entered for failure to appear or failure to pay should be prepared on the court's automated computer system and not manually;
- b. a byproduct of the automatic production of warrants should be an automated list of outstanding warrants; and
- c. all complaints and citations should be cross-referenced against outstanding warrants. Any time a case is reviewed on the computer, any outstanding warrants against any defendant should be highlighted.

Preparation and service of arrest warrants are problems not just for the Trenton Municipal Court, but also for most general- and limited-jurisdiction trial courts throughout the country. The steps suggested here will not eliminate these problems, but they should enable the court to take steps toward improved management of warrants.

C. Violations Bureau.

The violations bureau is the section that handles all payments into court--those for parking or moving violations as well as fines

and court costs imposed on defendants in criminal matters. The position of supervisor of the unit (accountant/violations clerk) was vacant at the time of the visit to the court by National Center personnel. There is an assistant violations clerk, as well as three cashiers and an account clerk. All financial records are also maintained by this unit.

Traffic matters constitute the majority of payments received at the violations bureau payment window. To have access to the case information for a parking violation on the court's automated information system, violations bureau personnel must know the vehicle's plate number; for a moving violation, they must know the date of the alleged offense. They must have such information because the clerk's office now has no name index (see Recommendation 18, which urges that an automated index be created), and because many parking violators do not bring their tickets with them. Once a cashier records payment for a traffic matter in the court's computerized financial information system, he or she can quickly and simply direct the system to print out a receipt. Yet if a motorist makes payment before the court copy of the ticket has been filed in court by the police, the cashier must prepare a handwritten receipt, because data have not yet been entered in the computer system to create a "case file" in which to record receipt of payment.

Recommendation 20. As part of the court's participation in AOC plans for automating the larger municipal courts, the automated financial accounting system in Trenton should be integrated with the automated traffic ticket control system. Any payment received before police file the court copy of the traffic ticket should be treated in the following fashion:

- a. if the motorist brings his or her copy of the traffic ticket, the traffic ticket control system should already have a field for that ticket so that receipt of payment can be recorded against the ticket number in the system and a computer-printed receipt issued to the motorist;
- b. if the motorist does not have his or her copy of the ticket, then the payment should be received and credited to an escrow account, with a computer-printed receipt issued to the motorist and the payment amount transferred out of the escrow account upon police filing of the court copy of the ticket.

Integration of the computerized financial accounting system with the traffic ticket control system means that there would already be a "case file" created for every traffic ticket because of the ticket control system's record of ticket distributions to the police. With such a "case file" already available when a motorist makes payment before the court copy of the ticket is filed, it should be possible to credit payment against that ticket number in the automated system and to have the computer print out a receipt.

Integration of the computerized financial accounting system with the traffic ticket control system also means that the financial accounting system could be integrated with the automated traffic docketing system. (See Recommendation 16.) As a result, entry of receipt of payment by a cashier would not have to be an event repeated in the docket records by a person in the court records section. Instead, the system should be programmed so that the entry by the cashier would be entered in the docket listings as well as in the financial accounting records.

Creation of an escrow account in the automated system for payments received from motorists appearing without their tickets

before police filing of the court copy of the ticket should enable the court to have computer-printed receipts for these payments as well. When the court copy of the ticket in such a case is filed and data-entry personnel enter data from the ticket, the computer software can be written so that the computer checks the escrow account to see if a payment was already received from that motorist and then transfers the amount paid out of the escrow account.

The creation of such an escrow account can be used to encourage police to file court copies of tickets promptly. Amounts in the escrow account would not be distributed for payment to the city, and the withholding of such amounts from the city might cause city government leaders to insist that police file court copies promptly.

It has been noted above in this chapter that court records personnel have a completely manual system for maintenance of case files and dockets for criminal cases. In similar fashion, cashiers prepare handwritten receipts for all criminal fine and cost payments and for all criminal bail posted.

Recommendation 21. Just as the court has an automated financial accounting system for traffic cases, it should have one for criminal cases. The automated docketing system and financial accounting system created for criminal cases during the court's participation in AOC plans for automation of the larger municipal courts should be integrated with one another.

As part of the financial accounting system for criminal cases, an automated trust-fund accounting subsystem for all bail accounts should be developed.

The manual system now employed in the Trenton Municipal Court for preparation of receipts and otherwise accounting for financial transactions with regard to criminal cases involves substantial

redundancy in the entry of information. Automating the system should reduce such inefficiency, and integrating it with an automated docketing system should enable the court to build in methods for cross-checking and verifying entries in both the financial and docketing systems.

One of the time-consuming tasks of a cashier at the violations bureau window is to locate the appropriate case file or court copy of a ticket to match with the violator's copy. Because of the intricate filing system in the clerk's office, there are several places in which the ticket might be located (criminal files, parking or moving traffic-case records, closeout files, those in which failure-to-appear notices have been sent, those on warrant, those on installment payments, for example).

Recommendation 22. In its cooperation with the AOC municipal court automation effort, the court should introduce an automated case-tracking system for criminal and traffic cases.

Until an automated case-tracking system can be developed, the court should employ a manual case-tracking system for at least all contested criminal and traffic matters. This case-tracking card should be used to show case status in lieu of moving files from one pending file to another. This manual tracking card should be in a multipart format to allow heading information to be entered once on all cards, with additional cards being used to serve as an alphabetical index card and installment payment card.

With the introduction of a manual and then an automated case-tracking system, the clerk's office should reduce the extent to which active case records in the clerk's office are filed in different locations.

The separation of case files and tickets into different locations for filing is a simple way to separate them by case type and case status. Yet as the volume of cases increases, especially

when clerk's office personnel like cashiers in the violations bureau must handle payments for cases in a variety of different statuses and locations, the separation of files in a large clerk's office means that such personnel waste a lot of time (a) moving from one file storage location to another, and (b) looking through records in several different areas.

With either a manual or automated case-tracking system, the status of different cases is indicated in the system, and it is no longer necessary to control status by having case files segregated in many different locations.

Another task that requires considerable time in this unit is the preparation of installment cards for fine payments. These small index cards contain handwritten entries for the defendant's name and address, docket number, date of disposition, payment due date, court return date and subsequent payment information.

Recommendation 23. In coordination with the AOC automation effort, the court should introduce an automated system for monitoring the status of deferred and installment payments, with computer-generated notices to persons who have failed to make payments when due.

Until the court has an automated system for this purpose, installment payment cards for fine payments should be part of a multipart form also used for case tracking and case indexing. All parking and traffic tickets that are awaiting payment of fine should be filed by due date in order to keep track of delinquent payments.

The monitoring of outstanding fine payments is a difficult task for many trial courts. Introduction of a computerized monitoring system has increased fine collections in many trial courts by substantial amounts. The prospect of increased fine collections can

be a very persuasive consideration for the court to offer to local funding authorities in support of a request for computer support.

Until such support is available, steps can be taken to make the monitoring of outstanding fine payments less time-consuming for personnel in the clerk's office. The multipart form suggested here is the same form mentioned above in Recommendation 22.

D. Scheduling

The scheduling section consists of seven clerks and is responsible for calendaring all court dates. Two clerks handle traffic cases; two handle drunk driving; and two serve as receptionists, work on criminal warrants, and handle mail returns. The deputy court clerk in charge of scheduling supervises the processing of criminal cases.

There are two courtrooms in which three judges sit. (The presiding judge is full-time and two associate judges have part-time positions.) All cases involving jailed defendants are heard in Courtroom A, which is adjacent to the lockup. Mondays and Fridays are devoted exclusively to criminal arraignments, while criminal cases and arraignments are heard the other three days of the week. Afternoon sessions are held Monday through Thursdays and two night sessions for drunk driving, citizen complaints, and traffic are held Tuesday and Wednesday. Table 2 below is a list of the different types of hearings and the number of times each type of hearing is scheduled per week.

Morning and afternoon sessions are scheduled in Courtroom B Monday through Thursday (no sessions are scheduled for Friday in

Table 2.
Hearings in the Trenton Municipal Court

<u>Case/Hearing Type</u>	<u>Number of Sessions/Week</u>
Arraignments	2
Criminal	3
Citizen Complaints	2
Drunk Driving	2
Traffic	5
Special and Delinquency	1
Housing and Inspections	1
Special	1
Citizens Complaints and Drunk Driving	2
Special and Drunk Driving	<u>1</u>
	20

Courtroom B). Night sessions for citizen complaints, drunk driving, and traffic are held Monday and Wednesday in Courtroom B. Saturday morning sessions are being held for drunk driving.

If a defendant has been arrested, the defendant must appear for arraignment, at which time a trial date is set if the defendant enters a plea of not guilty. The case is then sent to the scheduling section, whose personnel enter the docket number on the court calendar. When a court appearance is required in a traffic case²⁸ but the defendant has not been arrested, the officer sets the court date for the defendant to appear for arraignment.

Hearings are to be set for a time when the officer is on duty in

28. R. 7:7-3 provides that a municipal court must by order designate the offenses within the authority of the violations bureau, which must not include eight offenses specified in the rule. For such offenses, court appearance is mandatory.

pleading not guilty because of harsher penalties. Many of these defendants eventually plead guilty or fail to appear, but each time a case is scheduled or rescheduled, it requires additional time for the judge, court reporter, scheduling clerk, and docket clerk. Additional time is consumed in the filing and retrieval of cases in the clerk's office and in preparation of notices to defendants and witnesses.

Whenever a case is returned from court and has been reset for another date, the case goes to the scheduling section for listing on the court calendar. Approximately 25 cases are received each morning from each court session to be rescheduled. This engenders considerable work for personnel in the scheduling section.

Recommendation 25. Judges in the Trenton Municipal Court should review their practices with regard to the grant of continuances and the rescheduling of cases. The court should adopt a strict continuance policy and a policy of limited rescheduling. On an ongoing basis, the presiding judge should monitor the extent to which cases are continued or rescheduled and report annually to the city and the public on continuances and cases rescheduled.

Rescheduling of cases clearly contributes to delay in the disposition of cases. Beyond that, however, the rescheduling of cases is also a low-visibility source of great costs in the operation of a court system.²⁹ The additional judge time associated with rescheduling involves entry of orders and taking the bench again for a case, and the clerical personnel time arises from

29. It was found in Pittsburgh, Pennsylvania, for example, that continuances added an estimated \$48 to the total court expenses for each criminal case in 1979. W. Popp and D. Hardenbergh, Finances and Operating Costs in Pennsylvania Courts of Common Pleas, p. 70 (North Andover, MA: National Center for State Courts, 1980).

order to minimize overtime pay. The court's copy of the citation is sent to the scheduling section where it is checked for a correct court date and entered on the court calendar. When a citizen complaint has been filed, the scheduling section prepares the complaint and sets a court date. The defendant is then notified by personal service, with a notice prepared by personnel in the scheduling section.

Recommendation 24. Notices sent to participants in municipal court proceedings should be prepared by personnel in the clerk's office scheduling section with the assistance of any new computer system introduced with AOC assistance.

With a computer system for criminal and traffic cases, the preparation of computer-generated notices can save considerable time for personnel in the scheduling section. This savings in time for clerk's office personnel should (a) more than offset computer costs; and (b) result in increased productivity, since personnel will be freed to perform other tasks.

Court sessions often run longer than scheduled; Friday arraignments are always busy because more police officers are on patrol on Thursday nights.

The judges expressed the opinion that it is difficult to process all cases scheduled each day. Each judge on the bench tries to reschedule cases in the courtroom when possible, instead of waiting till after the court session for the clerk's office to set a new court date. This eliminates the need to notify the defendant of the new date later on.

One reason given for crowded dockets is that more defendants are

such activities as refiling case records, finding a new calendar date, and then pulling case records when the rescheduled hearing date has occurred.

The rescheduling of cases is a result largely of decisions made in the courtroom by judges. To reduce costs occasioned by rescheduling because of continuances or other reasons, it is important for the judges to make a policy decision and an explicit commitment to reduce and control the incidence of rescheduling.

As of October 1985, contested traffic cases were being scheduled for February 1986 (five months later). When a defendant wishes to contest a case, a person in the scheduling section pulls the case file (citation) and files it in a pending file until it can be scheduled. Cases are usually scheduled in chronological order with the oldest first. The clerks go to the pending file and pull as many cases as are needed to complete the next calendar. Notices to defendants and police officers are then prepared and served.

Defendants in citizen complaints must appear for an arraignment. In October 1985, arraignment dates in these cases were being scheduled for November (two months later).

Defendants in officer complaints are usually in jail and are arraigned the next day. A future court date is usually set at arraignment. In October 1985, trials were being set for November or December (two to three months).

Drunk-driving defendants appear for arraignment and bail is set. An order is given to reappear, and the defendant is instructed to find an attorney. No trial court date is set in court; this is

done by the scheduling unit once the case is ready for trial. In special cases, witnesses must be notified.

Recommendation 26. The Trenton Municipal Court should adopt time standards within which most or all contested traffic cases should be disposed, and then make adjustments in practices and procedures to meet such standards.

The time required for scheduling contested traffic matters is at least partly affected by the frequency with which cases are rescheduled. Because of the continual rescheduling of cases, there are more and more matters to be set for hearing, and a longer time period must elapse before a matter can be heard. See above, Recommendation 25.

The National Conference of State Trial Judges has promulgated the following time standard for cases like those within the jurisdiction of the Trenton Municipal Court:³⁰

Standards of Timely Disposition:

The following time standards should be adopted and compliance monitored:

.....
Misdemeanor--90% of all misdemeanors, infractions and nonfelony cases should be adjudicated or otherwise concluded within 30 days from the date of arrest or citation and 100% within 90 days.

These standards, developed through the nationwide participation of trial judges exposed to the kinds of problems confronted by the judges of the Trenton Municipal Court, should serve as a point of reference in the development of time standards in Trenton.

30. In August 1984, the House of Delegates of the American Bar Association formally adopted the time standards promulgated by the National Conference of State Trial Judges. ABA, Standards Relating to Trial Courts, §2.52D (1976, as amended 1984).

Steps that might be taken to assure that more cases are disposed within such time standards as those set out above might include: (a) adoption of stricter policies for granting continuances and rescheduling cases; (b) reducing the types of traffic cases cases for which court appearance is mandatory under local rules of court;³¹ (c) scheduling more hearings per week, perhaps with the temporary assistance of an additional part-time judge, until the court's backlog of cases to be set is reduced; (d) reviewing the court's "overset" ratio (the extent to which more cases are scheduled than can be heard, in expectation that some cases will "drop out"); and (e) improved handling of police scheduling problems.

E. Conclusions on Computerization

It is clear from the discussion in preceding sections of this chapter that the Trenton Municipal Court has not achieved optimal use of computer automation. Among the shortcomings of computerization are the following:

1. even with automated assistance, the court is experiencing difficulties with docketing and ticket control;
2. notices and warrants must be manually prepared;
3. computerization has not been extended to nontraffic cases;
4. while the court is considering the introduction of a computer tie to the division of motor vehicles, the hardware involved is not compatible with the system now operating in the court;
5. even with a computer system for traffic cases, there are problems with fine collection;

31. See R. 7:7-3.

6. there are not enough terminals in the clerk's office--personnel must stand in line to use them;
7. system support for the current computer system is poor;
8. because the court has considered becoming part of a computer system under the state court system, the City of Trenton has generally withdrawn support for court automation;

Such problems as these provide clear support for a conclusion that the Trenton Municipal Court needs to improve the state of its computer automation.

Recommendation 27. The Trenton Municipal Court should make maximum use of automation in an effort to improve case processing and avoid the need to hire additional staff. As a result of its participation in AOC plans for automation of courts in the larger municipalities, the court should have its own stand-alone computer system, independent of that operated by the City of Trenton. A part-time court computer programming consultant should be engaged under contract by the court administrator.

The functions for which automation should be introduced have been suggested and amply discussed in preceding sections of this chapter. With a computer system of its own, independent of the city computer, the court should not have problems competing for computer services with users. Funding for the court's own system as well as the engagement of a part-time computer programming consultant by the court administrator may be provided at least in part by the state and can be justified on the basis of expected increases in traffic fine collections and improvements in productivity by court personnel.

APPENDIX.
FUNCTIONS REVIEWED AND CRITERIA APPLIED

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FUNCTIONS REVIEWED AND CRITERIA APPLIED

- A. Resource Analysis (This includes analysis of personnel, facility and data-processing resources, and those factors that transcend individual functions.

<u>Resource Type</u>	<u>Criteria</u>
Personnel	<ul style="list-style-type: none">o Staff-disposition ratios¹o Staff-filing ratios
Facility	<ul style="list-style-type: none">o Square footage requirements<ul style="list-style-type: none">- by type of room- per employeeo Layout of rooms for purposes of:<ul style="list-style-type: none">- security, prisoner movement- privacy of judges- public and staff convenienceo Suitability of rooms for particular use (e.g., criminal court room)o Conditions and furnishings of rooms
Data Processing	<ul style="list-style-type: none">o Hardware, software adequacyo Court control of data processingo Extent of automation²

B. Functional Analysis

<u>Functional Area</u>	<u>Criteria</u>
Records Management <ul style="list-style-type: none">- CJP- Criminal- Moving Violations- Parking	<ul style="list-style-type: none">o Extent of automationo Data entry³ (completeness, accuracy, timeliness)o Indexing-docketingo File control and securityo Redundancyo Filing efficiency - space useo Data spinoff and inquiry capability

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1. Preferable to staff-filing ratios for analyzing productivity
 2. Data processing can be treated generally as a resource and specifically as it applies to certain functions.
 3. Applies mostly to traffic which is automated.

Case Management

- CJP
- Criminal
- Moving Violations
- Parking

- o Dispositions-filings
- o Pending cases-backlog
- o Case processing speed
- o Scheduling methods-efficiency

Financial Management-Fines ⁴

- o Ability to identify "scoff laws"
- o Integrity of bookkeeping procedures
- o Ability to collect fines, enforce judgments

Personnel Management/Training

- o Training materials, manuals
- o Training provided
- o Suitability of personnel for tasks
- o Job classification, pay, and recruitment

Public Information/Liaison

- o Ability to respond to inquiries from public, other agencies

Legal Procedures

- o Effect of legal procedures on management of court

4. Pertains primarily to Violations Bureau.