

UCSC
KFA
2919
T8
R41
C.3

Western Regional Office

A REVIEW OF THE
ADMINISTRATION AND OPERATION
OF THE TUCSON CITY COURT:
EXECUTIVE SUMMARY

Project Staff

Alexander B. Aikman

Marlene Thornton

Terry Hahm

Maureen Solomon, Consultant

Debra Mayfield



National Center for State Courts
720 Sacramento Street
San Francisco, California 94108

January 4, 1985

The Tucson City Court has a troubled past, a dynamic present, and hopeful future. This report by the National Center for State Courts reflects and comments upon some of the circumstances that were part of or contributed to the court's past troubles, but its focus is to assist the court to structure and direct the positive forces found today, thus enhancing the prospects of the court becoming the model court some hope it will become.

There are three reasons why the report must discuss and comment upon circumstances and events the court presently may be trying to change or that it already has changed. First, the court's past influences its present and future. Even if the court itself has moved beyond its past in some cases, the direction it has taken and others' views regarding the court's progress are influenced by its past successes and failures. Second, when the National Center was hired by the City Council following an open-bid process to undertake this study, the court did not have an administrator; when the National Center's project team was conducting the on-site portion of this study in September 1984 the new court administrator had been on the job one week. Much of what the court hoped to achieve with an administrator's assistance necessarily was only that when the project team visited: a hope yet to be realized. Third, every institution has its own dynamics and constantly is changing. Circumstances or problems observed in September may have changed by January, when this report is being submitted. That is inevitable and unavoidable. In preparing this report the National Center has attempted to incorporate and reflect changes that have occurred since the project team's visit

in September, but for the most part this report reflects the project team's observations and recommendations as of September 1984.

This executive summary is offered to provide policymakers and interested others with a capsule view of the report. It is not a substitute for the report and no effort is made here to provide a full statement of the National Center's findings or reasoning. The interested reader is referred by parenthetical page references to the full discussion in the report.

The recommendations requiring City Council action or attention are set forth below. The report contains numerous recommendations requiring court action or attention, most of which can be achieved administratively or will require additional funds only after further study and planning. Rather than list each recommendation here, the areas with highest need for attention are identified. Other matters of lesser priority also are referenced. Specific recommendations relating to each area are found in the full report.

Recommendations Affecting the City Council

- The court administrator should remain part of the court's staff and be responsible to the judges and chief magistrate. (Pages 9 - 14.)
- The court administrator should be acknowledged and accepted as the court's representative or spokesperson in a wider range of affairs. (Pages 23 - 24.)
- The chief magistrate should be selected by and from the judges of the court for a two-year renewable term of office. In appointing judges, both the Merit Selection Commission and the City Council should consider applicants' administrative interests and skills. (Pages 24 - 26.)
- The court's efforts to improve employee morale and involvement in planning should receive any needed city support. (Pages 29 - 30.)

- The court's substantial need to train its line staff in court administration and its managers in administrative theory and practice should be supported to the fullest extent possible by the City Council. (Pages 30 - 34.)
- A total of 2.5 new FTE positions should be authorized for fiscal year 1985-1986. Careful monitoring of workload and productivity should follow so both the court and the City Council will have a firm basis for adding further staff in the future, as needed. (Pages 36 - 38.)
- The court should be allowed to reclassify more of its staff positions above the entry level. Entry-level positions should be used primarily during the probationary employment period and for a few low-skill positions. (Pages 38 - 39.)
- The court should be authorized to purchase additional filing equipment. (Pages 45 - 47.)
- If further study justifies the use of microfilm processing, the court should be authorized to purchase a microfilm system that will improve file control and lessen the incidence of lost papers. (Pages 49 - 53.)
- Needed supplements to the software being purchased from INSLAW should be obtained as soon as possible so the court can obtain full benefit from its new software packages. (Page 61.)
- Any funds needed to implement the city architect's recommendations for changes in space utilization at the court should be provided in this or the next fiscal year. (Pages 75 - 77.)
- The court's need for additional space is substantial; a new courthouse or facility for the court should receive continuing attention. (Pages 75 - 77.)

Recommendations Affecting the Court

The balance of the recommendations in this report require the court's attention. There are five areas of highest priority:

- Management structure and allocation of management responsibilities. (Pages 17 - 23, 26 - 28.)
- Staff training. (Pages 30 - 34.)
- Records management. (Pages 42 - 57.)
- Successful installation of the new INSLAW software. (Pages 59 - 61, 63 - 64.)
- Addressing citizen's needs for information. (Pages 70 - 73.)

Some of these areas and some of the National Center's specific recommendations already are being addressed by the court. The recommendations are included, nonetheless, either to endorse the directions in which the court is moving or as a checklist of matters yet to be addressed.

In addition to recommendations in the five areas indicated above, the National Center recommends in another area of great need, space management, that the city investigate new or expanded facilities for the court and in the meantime improve current space utilization in accordance with the city architect's recommendations. (Pages 75 - 77.) The Center also recommends:

- the initiation of a pilot project to test the feasibility of a night court (pages 78 - 90);
- greater court control over and several other changes in calendar management (pages 91 - 96);
- expanded communication with other criminal justice agencies (pages 96 - 100); and
- a review of the imposition of and terms of installment and deferred fines (pages 100 - 104).

As indicated, the court is implementing some of the recommendations already. Further, there are nuances of operations and personalities and possibly impediments to implementing the Center's recommendations that could not be recognized or known in the few days on site available to project staff within the project budget. And, inevitably, ideas that seem sound at one time may not be as sound months later when implementation is attempted. Some tinkering with specifics may be necessary. Therefore, the recommendations should be viewed as proposals and guides to

action. The court should address the matters referenced in the recommendations, but the National Center does not expect all recommendations to be implemented precisely as made. The goal is to solve the problem identified in the manner most satisfactory to the court; if a modified approach will do that better than the specific recommendation of the National Center, such modification is appropriate and desirable.

The court would benefit from knowing that it will have the City Council's support while it attempts the complex task of addressing problems that have developed over many years. The court's new management team should be given time to build the structure and capacities required. The court appears to be in a position now to address its needs. It deserves the support of all elements of city government as it builds the systems needed to address and ultimately solve the operations problems it faces. A reasonable opportunity for the new management team to implement its plans is appropriate.

If the court's problems and needs are addressed and resolved in due course, the court should reach the status it and the City Council desire of a well run court responsive to Tucson's needs.