

NATIONAL CENTER FOR STATE COURTS

FINAL REPORT VOLUME ONE

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**City of Las Vegas
Municipal Court
Operations and Facilities
Review**

May, 1993

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PREFACE AND ACKNOWLEDGEMENT

Like units of local government throughout the West, the city of Las Vegas has in recent years been compelled to grapple with shrinking fiscal resources. Like courts everywhere the Las Vegas Municipal Court has been compelled to respond to ever increasing demands for services. The result has been understandable tensions among the city council, the city manager, and the court.

This City of Las Vegas Municipal Court Operations and Facilities Review by the National Center for State Courts ("National Center") is a constructive response to this situation. One purpose of this report has been to identify needs or opportunities, if any, for improvement. This has led to examination of all support functions of the court. Our conclusions and recommendations regarding areas for improvement are set forth in this report.

By its nature a court "review" concentrates on proposed improvements. We in no way imply that all we found were problems. On the contrary, the staff of the court impressed us with their dedication to their work. Moreover, the level of cooperation extended during our review was exemplary. These and many other aspects of the court are commendable but neither time nor resources enabled us to present in detail these positive aspects in this report. Their absence here does not mean they do not exist.

The National Center expresses its appreciation to the City Council, the City Manager, and the City of Las Vegas Municipal Court Judges for supporting this project. All city councilmen made themselves available to the National Center project team and we thank each councilman for his candid comments on the operations of the Municipal Court. The court itself opened its doors wide to the National Center staff and cooperated with the project team with all of its requests for access to people and information. For

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this, we especially thank Judge Brown and his colleagues on the bench. Mike Havemann instructed his staff to provide complete cooperation with the project staff, for this we are extremely grateful. It is impossible to thank all those employees individually whose workdays were interrupted without notice and who provided the National Center project team with their insight, but the project team wishes them to know that their comments were appreciated. Finally, the project team would not have had a place to sleep or eat, a meeting scheduled, or a base of operations without the tremendous effort of Ms. Tracie Joyce. We thank her for all her efforts.

Respectfully submitted,

National Center for State Courts

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I. ORGANIZATION OF THE COURT'S ADMINISTRATION

A. Introduction

This first chapter of the Las Vegas Municipal Court *Operations and Facilities Review* reports the National Center for State Court (NCSC) project team's findings on organizational issues facing the Municipal Court's management. This chapter first focuses on the need for the Municipal Court to clearly state the mission and goals of the court administration as a support unit to the judicial function of the court. The remainder of this chapter concentrates on the court management's relationship with other governmental and justice agencies.

The National Center project team met individually with the court's judges, all four councilmen, the city manager, the deputy city manager, the city prosecutor and his chief deputy, the public defender, and representatives from the Metropolitan Police Department in its efforts to review the court's management. The councilmen were asked for their observations of the strengths and weaknesses of the management and operational needs of the Municipal Court. Issues identified by the councilmen included the following:

1. Need to clarify court management responsibilities of the council, city manager, and Municipal Court.
 - "The court cannot serve two masters."
 - "Help the council better understand its role."
2. Need for new or improved court facilities.
3. Duplication of effort in clerical procedures.
4. Concern that revenue collection be performed as efficiently as possible while recognizing that the court is not in the business of making money.
5. Praise for the work being done at court counseling.
6. Support for the new court administrator.

In addition, the councilmen were asked to characterize what they considered to be their constituents' opinions of the court. Representing the perspective of the public served by the court, all councilmen noted that the most often cited criticism of the Municipal Court was that the lines were too long.

B. The Las Vegas Municipal Court Missions and Goals

The last decade has brought tremendous change to the court. Among the major organizational changes were the addition of two judicial departments making the current total of six judicial departments, the doubling of the support staff to the current 160 employees, and the selection of the first professionally trained court administrator.

With the selection of the new court administrator came a new awareness of the need to plan for the changes necessary to transform court operations to meet the demands for increased caseloads, larger support staff, and increased public access and expectations. To his credit, the court administrator has begun that process through a series of meetings with judges, supervisors, division chiefs, and line staff. These meetings attempt to identify the perceived operational problems and organizational needs of the court. This effort has produced a "laundry list," that needs to be transformed into an action plan for the courts. The transformation of the list to an action plan will be most effective if done through a formal strategic planning process.

Recommendation I - 1

The court administrator and his management team should begin a formal process to develop a strategic plan for the court administration.

The development of the administrative division's strategic plan must recognize the administrative division as a separate entity whose mission is distinct, although essential to and consistent with, the mission of the judiciary and the court as a single enterprise. The strategic plan should differentiate the mission and goals of the administrative division while ensuring that they support and promote the goals of the judges and the court as a whole. The services of an experienced facilitator to assist in the development of the strategic plan are highly recommended. The use of an experienced facilitator who acts as a catalyst for the process has proved over time to be highly beneficial particularly during the first iteration of the court's strategic planning process.

The court should complete each step in the strategic planning process.

Recommendation I - 2

The court administrator and his management team should define a mission statement for court administration of the Las Vegas Municipal Court.

A successful organization must be able to articulate a clear statement of the purpose of the organization, what the organization does, and for whom it does it, plus the major philosophical premises under which it will operate. This mission statement forms the foundation for the rest of strategic and operational plans and provides a common vision for the total organization. Primary among the reasons for an organization having such a statement are:

- to ensure a consistent, clear purpose throughout the organization;
- to provide a point of reference for all major planning decisions;
- to gain commitment from those within the organization by clearly communicating the nature and concept of the organization's business; and
- to gain understanding and support from people outside the organization who are important to its success.¹

The Las Vegas Municipal Court leadership has developed an "Employee Statement of Purpose" which states, in part:

To provide honest, effective, polite, and fair service to the public at large.

To protect the integrity of the judicial process, court records, and all judicial matters related thereto.

To work in concert with the community and other branches and agencies of government to ensure that fairness and justice prevail.

The Las Vegas Municipal Court's Employee Statement of Purpose has attempted to encompass a synthesis of the entire organization's purpose. For an organization such as

¹ Morrissey, George L., Who Needs A Mission Statement? You Do, Training and Development Journal, March 1988, p.50.

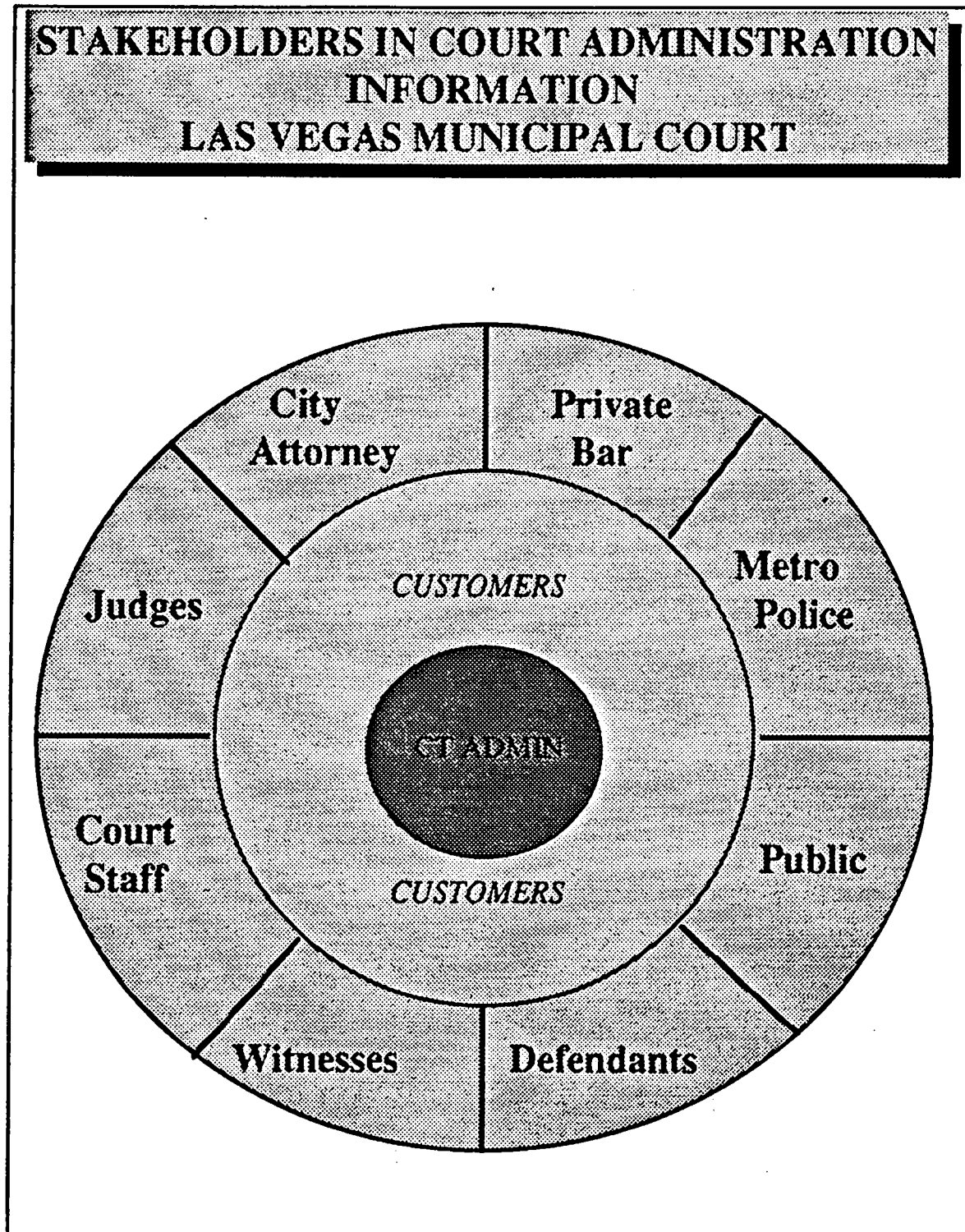
a court, the obvious concept that predominated was one of "justice." But for court administration employees, justice and fairness are difficult concepts to strive for without some further explicit statement as to how one reaches justice and fairness. If I were a new employee of the Las Vegas Municipal Court, I would know from the Statement of Purpose that the court expected me to be "fair" and "to protect the integrity of ...court records." Having some personal concept of fairness I could use that concept in my work. I would probably have a slightly more difficult time understanding how I would protect the "integrity" of court records.

As with the strategic planning process, the development of a mission statement for court administration should clearly focus on its mission as supportive to, but separate from the judiciary's mission. The Las Vegas Municipal Court's Employee Statement of Purpose should be revised considering the comments made above. Without a focused mission statement for court administration employees, there is no shared sense of purpose, values, and priority and thus a lack of organizational direction.

Each of the individuals and organizations that interact with the court or use court services are stakeholders in the information resources of the court administration and should be considered as the mission statement is revised. The needs and concerns of all stakeholders should be identified and addressed in this process. Principal stakeholders in Las Vegas Municipal Court include those identified in the stakeholder's chart, Figure I-1, next page.

Many courts have attempted the often difficult and challenging process of defining a mission statement. The mission statement developed by the Los Angeles County California Municipal Court, which stresses the goal of providing accurate, cost-effective, timely information to all users, is one that could serve as a model in the development of the court administration's mission statement.

Figure I-1



Recommendation I - 3

The court management team should identify the factors critical to the successful accomplishment or attainment of the mission statement.

Critical success factors should define "the business of the business". They are focused and appropriately detailed statements that define what must be right/go right to accomplish the mission, or what, if it went wrong, could destroy the court's ability to accomplish its mission. The court leadership, judges, administrator, division chiefs and supervisors should develop a list of critical success factors that are specifically oriented toward the operations of the court administration function. As a starting point for discussion, the project team submits for consideration the following six critical success factors:

- **Timely and accurate information for all users;**
- **Maximum Municipal Court case expertise through structured training;**
- **Maximum utilization of cost-effective technology;**
- **Focused goal setting environment incorporating appropriate measures from the Trial Court Performance Standards²;**
- **Single system/single culture for all court operations, procedures, and processes; and,**
- **Highly-valued service atmosphere.**

Once the court has defined the mission of the court administration and identified those factors critical to the accomplishment of that mission, a self-assessment must be undertaken to learn what the essential components of each critical success factor are and where the court administration stands in relation to the critical success factors. In this process the court first identifies the essential components of each critical success factor

²Trial Court Performance Standards with Commentary: a Joint Project of the National Center for State Courts and the Bureau of Justice Assistance, United States Department of Justice/Commission on Trial Court Performance Standards, 1990.

and the internal and external forces that affect, or could affect, them. Having identified and prioritized the essential components and the "environmental" forces that impact them, the court can define the gap, i.e., the difference between where it wants to be and where it is, relative to a specific problem or opportunity.

Recommendation I - 4

The court management team should conduct a gap analysis of court operations.

The current series of brown bag meetings with staff should serve as a good source of information and a starting point for court management in its gap analysis. Additionally, the court administrator and his management team should conduct an assessment of current operations, analyzing where the current operation of the office stands in relation to the critical success factors.

This process will produce the gap analysis by identifying where the court wants to be and where it is now in relation to the critical success factors. The statements that define the gap analysis should be quantified to define clearly the magnitude of the difference between where the court administration is and where it wants to be. Quantification of the gap statements requires the production of baseline information that can then be used to measure the impact of the option chosen to close the gap. Once quantified, the court can assess the options available to close the gap, determine the one most likely to result in the desired change, and set priorities in light of the critical success factors. This lays the foundation for the development of an action plan.

Recommendation I - 5

The court management team should develop a prioritized action plan, based on the gap analysis, that will provide a blueprint for closing the gaps identified in the gap analysis.

The action plan identifies the specific activities that must occur to reach the objective identified in the gap analysis and ranks them in light of their relative benefit in achieving the organization's mission. The plan should:

- identify specific activities to be undertaken;
- commit resources and training to accomplish the activities successfully;
- identify target dates and milestones for the activities;
- identify the measures of success or accomplishment; and
- assign responsibility to specific organizational units/people to accomplish the tasks.

Strategic planning is a formidable challenge in government. By its very nature, strategic planning is the converse of the political process. It is based on long term rather than short term needs and presupposes a thoroughly rational environment. The success of the strategic plan rests upon the ability of the administrator and his management team to build consensus, communicate the plan to staff, allocate resources to carry out the plan, monitor its progress, and make mid-course corrections when necessary. It is the challenge of every court manager and in many ways, a significant measure of his/her success.

C. Relationship Between the Municipal Court, City Council, and City Manager

Throughout federal, state, and local government, there is a balance of powers between the three branches - the executive, legislative, and judicial. At each level of government there are different nuances to the separation of powers that exist among the three branches. The most common area of friction between the judiciary and the legislative branch occurs with the legislative control of the "purse strings." In recent years this conflict has been particularly acute because of shrinking resources in the government. In austere times as well as in a booming economy, the judiciary is dependent upon the legislative branch to provide an adequate budget for the courts' operations. Often courts believe that they need additional resources, particularly judicial resources, and the legislative branch is unwilling or unable to fund these additional resources. The judicial

leadership often then takes issue with the legislature claiming that the legislative branch has neither the knowledge nor the authority to deny the court's request for what it perceives as necessary funds to operate the judiciary.

The separation of powers issue extends to many other operational issues other than budgets. For example, state law often explicitly details records retention and destruction schedules for all state agencies or authorizes a state archivist to proscribe these details. The court is thus restricted in what it can do with its own records. Many courts for years maintained leather, hard-bound docket books because state statutes required court records to be kept in "docket books." Courts, anxious to implement new, more efficient technologies, were forced to either forego the new technology or maintain duplicative systems because of outdated statutory requirements.

An organizational conflict that exists in many courts occurs between an elected county clerk and the court, where the elected county clerk is responsible for maintaining the official record of the court and furnishing support staff to the court. Yet, as an elected official, he or she does not have to take direction from the judges of the court. Where the elected county clerk and judges cooperate, there are few problems. Where there is conflict, the situation can become intolerable. In California, these county clerk/court conflicts reached the breaking point and in San Diego County, the court ordered the county clerk's court support staff transferred to the court. This order was upheld by the California Supreme Court in *Zumwalt v. San Diego Superior Court*.

In Las Vegas, the most typical separation of powers issues, such as those cited above, have not been a major problem. The Las Vegas City Council has been very supportive of the Las Vegas Municipal Court in its efforts to provide fast, efficient, and fair service to the public. The funding and support for new court technologies such as video arraignments and telephone voice response systems, support for and from MIS, reasonable staffing and salaries adequate to recruit and maintain qualified personnel are just a few examples of the city council's willingness to support the court. Most recently,

the city council supported the court's request to conduct a national search for a new court administrator.

The relationship between the council and the court has not always been completely without difficulty. The city charter is the basis for some of this conflict. The city charter establishes the Municipal Court as a city "department." This is an unfortunate choice of words as it puts the courts on seemingly equal footing with departments such as parks and recreation, water, health, etc., departments that are clearly executive branch operations. Then the charter provides that the city manager oversee the operations of all departments. There is even language in the charter that suggests that its authors perceived the court to be under the operational direction of the city manager. The pertinent charter sections are the following:

Article IV Judicial Department, Las Vegas City Charter establishes the Municipal Court. **Article III Executive Department**, establishes the office of the City Manager. Sec. 3.030 states: "The city manager is responsible to the city council for the efficient and proper administration of all of the affairs of the city. In this connection, he (**she) shall:

1. Exercise careful supervision of the city's general affairs.
2. Exercise control over all of the departments and divisions of city government and over all of the officers and employees of the city."

Sec. 3.040 City Manager: Additional Powers. In addition to the duties which are imposed upon him by section 3.030 of this charter, the city manager may:

1. Appoint such deputies, administrative assistants and clerical personnel as he deems necessary.
2. Require from each municipal judge and each appointive officer of the city at any time a report in detail with respect to all of the transactions of their respective offices or of any matters which are connected with their respective offices.

Sec. 3.230 Appointive officers; city manager's direction; administration of departments. All departments, offices and agencies, except the city manager and the board of civil service trustees, are under the general direction and supervision of the city manager and must be administered by an officer who is subject to the immediate direction and supervision of the city manager.

Recommendation I - 6.

The court should work with the city council to propose revisions to the city charter that would establish the Municipal Court as a separate branch of Las Vegas city government, relieving the city manager of any managerial responsibilities for the court.

It is important for the council, city manager, and Municipal Court to recognize that their roles in city government are part of a cooperative venture, but that each has its own role and a responsibility to manage its own affairs.

Clearly, the Municipal Court is accountable for the effective management of its resources. The court must submit its budget with appropriate documentation in accordance with procedures set by the city council. The council has the responsibility to review the court's presentation of its budget which should include strategic planning, assure that the request is within the fiscal limitations of the city, and be satisfied that the court's budget represents sound policy.

As cooperating partners, the council can make inquiries into the court's operations as they relate to fiscal concerns and expect the court to provide accurate and timely information. Under our system of checks and balances within the three branches of government, the council, through its budgeting authority should review the fiscal effectiveness of the court's operation; but the council should not make any effort to micromanage court operations through its budgetary responsibilities. It should be clear to the city council and city manager that the court's internal operations and exercise of judicial decision-making are not appropriate areas for their inquiry.

D. Reporting Relationships

The Las Vegas Municipal Court maintains several formal and informal reporting relationships with the mayor, city council, city manager, other city agencies, and outside organizations. Revisions to the city charter that clarify the separation of the court from the council and manager should not materially affect the reporting relationships that

currently exist. Much of the reporting that is done from one branch of the government to the other is done in a cooperative effort to conduct the city's business. For example, even though the court's separateness will be clearer under a revised charter, the court will still use the city's Human Resources Department to assist it conducting its personnel policies. The court could conceivably decide to use its own personnel system, but such a move makes little sense. To use the Human Resources Department's services, the court will have to comply with policies and procedures of that department, thus reporting relationships will remain the same between the Municipal Court and the Human Resources Department.

The court currently participates in a city-wide procedure of preparing goals and objectives for itself. To the extent that there is a direct link with this process to the budgetary process, the court could be required to submit statements of its goals and objectives. There is a point at which, however, this process could be overreaching by the city and the court could decline to participate in this activity based on its independence and the lack of a direct relationship to an annual budgetary submission process. The better perspective to take is that preparing goals and objectives is a beneficial process and the court should be willing to voluntarily participate in a city-wide effort.

Recommendation I - 7

The new Municipal Court administrator and the city manager meet regularly to discuss management issues. Even though under a revised charter the court administrator would not be required to report to the city manager, the two should continue to meet regularly.

II. ADMINISTRATIVE RESPONSIBILITIES

A. Judicial Direction of the Court's Administration

The Las Vegas City Charter establishes a Municipal Court and provides for a master judge to manage the court's affairs. The master judge is the judge with the longest tenure on the court. The court has grown from its early two-judge days with little formalized management to its current status with six judges and a management team of court professionals.

It is beyond the scope of this *Operations and Facilities Review* to comment in depth on the judicial management of the court. There are considerable benefits to the current rule for the master judge position. They include:

- Continuity of court policy.
- Most-tenured judge brings more court experience to the position.
- Reduction of intra-court politics over chief judge succession.
- Efficient working relationship between the judiciary and court managers.
- Consistent court relations with outside agencies.

Clearly, a procedure or rule that provides for the appointment of the master judge based on characteristics other than administrative abilities can present problems. Many courts' rules provide for a yearly rotation of the chief judge position on a seniority basis. A problem that many courts face is what to do when the chief judge has no interest in managing the court's affairs, but is appointed to the position because of the court's procedure for chief judge appointment. The provision for the master judge to be the most senior judge is not a problem for the Las Vegas Municipal Court, given the current bench, but the court may wish to consider adopting a policy that would allow the bench to appoint someone other than the most senior judge, if he or she were to decline the position.

Under the Las Vegas Municipal Court management system, the judiciary regularly meets with the court's administrative committee to review court operations. The meetings

are chaired by the master judge and are conducted in an open, informal manner, allowing the administrative staff to provide input to the judges and the judges to discuss and determine court policy in consultation with the court managers.

B. Structure of the Court's Management Team

The following is the description of the management team in the policy and procedures manual.

Administrative Committee: The committee shall consist of, but not limited to (sic), the following members, or designees:

1. Court Administrator;
2. Deputy Court Administrator;
3. Business Manager;
4. Chief, Court Counseling;
5. Chief, Criminal Division;
6. Chief, Marshal Division;
7. Chief, Traffic Division;
8. Training Coordinator; and
9. Information Systems Coordinator.

Among the members of the management group there is a wide range of expertise and experience with the court. The court administrator has been with the Las Vegas Municipal Court for less than one year, but brings to the court more than ten years of experience as an administrator of both limited and general jurisdiction courts. The marshal is also a new hire of the court, and although his most recent experience was with the United States Air Force and not a court, his managerial abilities and knowledge of security bring much needed assets to the court. The deputy court administrator has been with the court for five years, but served the Nevada Supreme Court for many years before coming to Las Vegas. The tenure of service of the managers of the court is as follows:

Manager	Date of Hire	Length of Service as of Jan. 1, 1993
Deputy Court Administrator	09/08/87	5 years 4 months
Chief, Traffic Division	04/20/87	5 years 8 months
Chief, Criminal Division	02/01/82	10 years 11 months
Chief, Marshall Division	06/01/92	7 months
Chief, Court Counseling	12/22/75	17 years
Financial Analyst	04/30/84	8 years 8 months
Training Coordinator	04/06/70	22 years 9 months

The management team's breadth and experience provide the court with a high level of expertise in its administrative decision-making and policy implementation process. During the National Center's study team site visits it was evident that the MIS coordinator was included in the management team's meetings, based on the importance of the court's automated systems to all court operations.

Recommendation II - 1

The MIS coordinator should be made a permanent member of the management committee.

The importance of the MIS coordinator position and this person's impact on the court's operations are further discussed in Chapter VII.

It is important and appropriate for the court to have a cohesive, efficient management team, but it is also important for the court to provide ways in which line staff can feel that they have input into management decision-making. Isolation of the line staff from the managers of the court can negatively affect staff morale. Involving line staff in the daily management endeavors of the management team is not practical, but the court should be more sensitive to other opportunities for allowing line staff input.

Recommendation II - 2:

The development of mission and goals statements and the strategic planning process, discussed above, should include the management team, but should also include representatives from line staff.

C. Decision Making Authority of the Court Administrator

The management committee meets weekly. The policy and procedures manual for court administration, organization, and management "establishes a central Administration Division to carry out the goals and objectives of the court." This committee has been formalized to serve as the court's key managers and the policy and procedures manual broadly defines its operations. Although this manual is only in the draft stage, the National Center project team is concerned that the procedures rely too much on the Administration Division to make policy decisions and leave the Court Administrator with too little discretion to act on his own.

Recommendation II - 3

The court administrator's authority to make management decisions for the court should not be subject to approval or consensus from the Administrative Division. The court administrator should receive direction and guidance from the bench and counsel from his Administrative Division.

D. Deputy Court Administrator Position

The deputy court administrator served as acting court administrator during a period between the transfer of the previous court administrator and the appointment of the current court administrator. The current court administrator divided the managerial oversight of the four divisions by his overseeing the Marshall and Court Counseling Divisions, and the deputy overseeing the Traffic and Criminal Divisions. Additionally, the court administrator is overseeing the business section, while the deputy was assigned to oversee the training section and the coordination of the information system coordinator's

position. The deputy is further assigned to perform other functions as directed by the court, or through the court administrator's office.

It is questionable that a level of managerial supervision is necessary between the criminal and traffic divisions and the Court Administrator or whether having the deputy oversee the traffic or criminal department heads provides any better management. Furthermore, in practice, the criminal and traffic division heads report directly to the court administrator on most issues. To date, however, the court administrator and his deputy have not devised enough duties for the deputy to assume to warrant relieving him of duties supervising traffic and criminal.

The court administrator and his deputy are in slightly awkward positions from both a managerial and interpersonal perspective. The new court administrator has assumed the position previously held, in an acting capacity, by the deputy. The deputy thus has what could be perceived as reduced responsibilities, and perhaps a lessened incentive to "go the extra mile" for the court. There is no reason to believe that the deputy court administrator is not a team player and working effectively to further the court's efforts, but it is only human nature for the deputy to be undergoing a "let-down" and for other managers to perceive that the deputy is not carrying equal weight as the other court managers, especially when he is being compensated at a level only marginally less than the court administrator. Adding to the perception that the deputy's position is currently ill-defined is the deputy's physical location in the North Facility, removed from the court administrator and his direct support staff. With court administration moving to the second floor, the court administrator and his deputy should be co-located and a review and modification of the deputy's responsibilities should be considered.

Often, it is beneficial to allow a new manager to bring in his own management team, one that he can fully trust to become part of a team and proactively support the manager's and the court's goals and objectives. Clearly, such a major change in the court's management team is not practical. Most members of the management team have been

with the court for a considerable time and are accustomed to a management style that has not over the years been consistent and focussed. The court's management team has had adequate time to know the new court administrator and to realize that any changes he may want to make in the court's management would be based on a desire to improve the court rather than a move for self-aggrandizement.

Recommendation II - 4

The court administrator should set clear responsibilities and high standards for his management team and require that these standards are met.

It is understandable that the court administrator would not want to begin his tenure with the court by placing difficult demands upon his management team, but managerial responsibilities should be tightened up. The court administrator should assist his management team to assure that the managers really know how things operate and why, are properly trained, and are given adequate authority to operate efficiently and effectively with their individual staffs.

E. Managers Supervision of Supervisors and Staff

There is a perception among court staff that supervisor positions have been filled with staff who have worked their way up the ranks and may be in their positions based more on tenure than ability. In many instances there are long standing relationships between the department heads and supervisors. This continuity of court staff has considerable benefits, but it also can make change and improvements more difficult to achieve. It is difficult, at best, to make an assessment of the abilities of the court supervisors as a group. It is a simple matter to determine their tenure with the court. There are some 13 court staff filling the following positions:

Traffic:

Municipal Court Office Supervisor (3)
Unit Supervisor

Criminal:

Municipal Court Office Supervisor
Unit Supervisor
Senior Intake Officer

Parking:

Municipal Court Office Supervisor

Marshal

Sergeant
Senior Marshal

Court Counseling

Senior Court Counselor
Management Analyst II (2)

The 13 persons filling these positions have an average of 13 years tenure with the court, with the most junior person having more than seven years of service. It is commendable that the Las Vegas Municipal Court is able to provide a workplace where staff remain for long terms of employment and are given the opportunity to rise among the ranks. There is the possibility, however, that persons are rewarded with promotions more based on their tenure than on their abilities. The court can assure that its supervisory staff is capable by recognizing that its supervisors may have been promoted to their positions without a high level of supervisory skills and therefore providing all supervisors with a comprehensive training program. Supervisory training programs should also include senior court clerks who supervise small staff groups on a daily basis and fill in for their supervisors when they are absent. The court's management team should also make certain that the division heads provide supervisory staff with adequate direction.

It was clear to the National Center project staff that supervisory staff throughout the court had very different practices in terms of their own sense of authority to speak for and make decisions within their units. Some were very reluctant to release any information about their operations without prior approval of the department head, others knew that it was within their authority to speak about and release information from their

unit. This speaks also to the management style of the individual department heads within their departments.

Different department heads will have different management styles with their staffs, but in some instances there were reported wide discrepancies in the way court policies are enforced. This wide range of management style can lead to a lack of unity among the entire court staff and hurt morale.

Recommendation II - 5

The court should make every effort to provide comprehensive training for its supervisory staff, using the training programs offered by the Human Resources Department supplemented by programs developed by the court where necessary.

F. Trial Court Performance Standards

The National Center for State Courts, with the direction of the Commission on Trial Court Performance Standards and the support of the Bureau of Justice Assistance and the State Justice Institute, has been working on the development of standards for courts to use to measure their performance. The emphasis of the standards is on the court's output, not the structure of the court or the number of units performed by individuals or departments.

The measurement system also includes an abbreviated self assessment test that can be easily undertaken by judges and administrators. The bench and administrators should familiarize themselves with the efforts of other courts using the Trial Court Performance Standards and make a commitment to participate in this process as it evolves further into a reliable system for court self-assessment, common interests and disagreements.

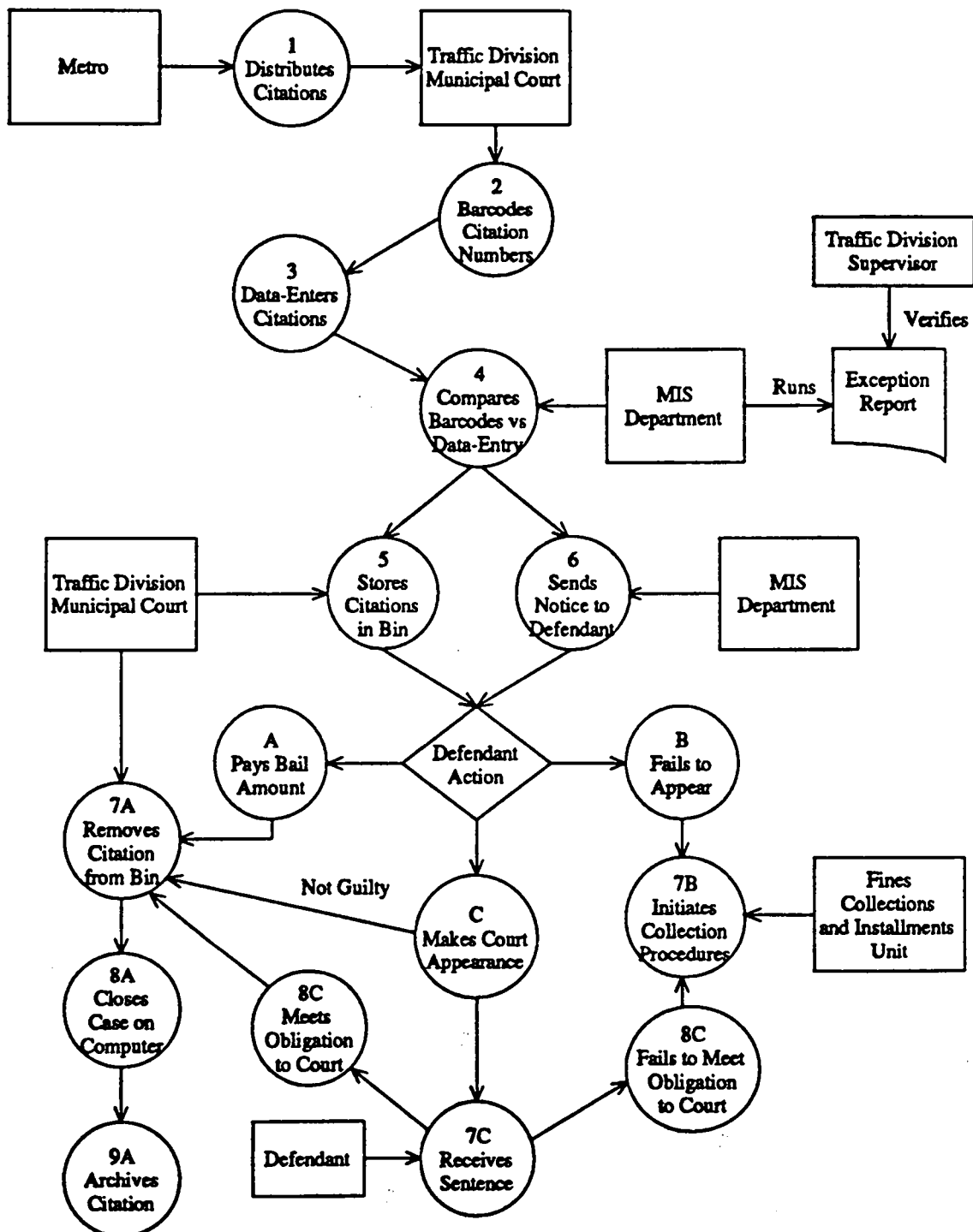
III. CLERICAL OPERATIONS

A. Traffic Case Processing

For the vast majority of citizens doing business with the courts, traffic court is their sole encounter with the judicial community. As a court of first resort the Traffic Division of the Municipal Court plays a vital role in creating respect for the law within the city of Las Vegas. It is important, therefore, that traffic case processing be conducted in a competent, efficient manner and reflect authority and dignity within the city.

In fiscal year 1992, 109,695 new traffic cases (by violation date) entered the case-processing system of the Municipal Court - an average of over 360 new cases per day (including Saturdays). Applying the present caseload growth trend, the court projects that 114,639 new traffic cases will enter the system in fiscal year 1993 (an average of 380 cases per day). In addition to handling this projected caseload growth, the court must also prepare for the impact of an addition of up to 300 new officers in the Metropolitan Police Department (Metro). It is obvious, with the cramped quarters in the court facilities and budgetary restrictions imposed on the court, that more streamlined approaches to traffic case processing must be adopted to accommodate, not only the current case-processing load; but, the influx of new cases created by the additional police officers, as well. The traffic court currently is implementing two pilot programs designed to alleviate congestion at the court collection windows: a "voice-telephone" system that will permit payment of bail amounts by credit card over the telephone and a "traffic-mailer" system to facilitate payment of bail amounts by mail. Each of these programs has merit and indicates that court management recognizes the need to explore new alternatives to traffic case processing. Below are the project team's observations of citation processing in the Traffic Division (flowcharted in Figure III - 1).

Figure III-1
Traffic Case Processing



Citation Initiation

Copies of issued citations are deposited at Metro headquarters by officers at the end of each operating shift. Issuing officers include Metro Police officers, Highway Patrol, Park Rangers and School District officers. At Metro, daily citations are sorted by charge type, counted and distributed to the proper court or, in the case of serious misdemeanors, to the city attorney's office. It is the responsibility of Metro to control the distribution of citation books and citation numbers to their individual officers¹.

When Metro citations are received in the Traffic Division at the Municipal Court, the bar-coded citation number is scanned into the city's data-processing system solely for the purpose of recording the receipt of the citation by the court.

Overnight an exception report is generated by the data-processing department that lists the citation numbers of citations that have been received (bar-code scanned) but not data entered into the system.

Recommendation III - 1

Bar code scanning should be performed by Metro before the citations are transmitted to the Municipal Court.²

Tracking of citation numbers using bar coding is a creditable processing procedure and an effective method of citation control; however, citation control could be initiated much earlier in the process at the Metro desk. Bar-code scanning citations at the Metro desk would not only provide citation control sooner in the processing cycle, it would also tighten citation security. Since Metro is already counting the number of citations dispatched to the court and the bar-coding process automatically provides this count, little additional time would be required at Metro to incorporate this bar-coding procedure. In addition, Metro could expand the bar-coding process to increase accountability in the inventorying of citation books and numbers to issuing officers. Bar-coding technology

¹Computer-generated citations issued from patrol vehicles are discussed in the technology section of this report.

²At the time of the Center's site visit, this recommendation was in the discussion stages.

itself has the potential to be a much more effective tool than in its current usage by the court. Other bar-coding possibilities are discussed in the Records Management section of this report.

Once a batch of daily citations has been scanned, citations are examined individually for correct charge coding. Different citation-issuing entities use different coding structures for like offenses. The automated system's code base is the "Metropolitan Police Citation Guide".

When the recoding process is completed, citations are distributed for data-entry purposes. A portion of the citations remains in the traffic section, others are placed in a drawer near the front counter, and still others are sent off-site. In general, the data-entry function appears to be a "fill-in" job responsibility for staff persons who are not otherwise engaged in regular duties. For example, citations placed in the drawer at the front counter are dispersed to front counter personnel in batches of twenty-five to be data entered during slack time at the counter. The off-site citations are dispersed in a like manner at off-site collection windows. Emphasis is placed on the quantity of citations entered into the system by staff as opposed to the quality of the data entry. As a result, interviews with various staff members revealed an overall lack of confidence in the integrity of the data in the automated system. Another data-entry function concern expressed by staff is the computerized index. The automated system provides an indexing function that concatenates the defendant's name, date of birth and social-security number to create a unique identification number for each defendant. This is a good cross checking device, however, without data verification incorrect data entry does result in two separate case histories being created for one individual. This dilutes the value of case histories.

Recommendation III - 2

The data entry function should be designated a priority function in the overall work flow and data verification should be added as a key responsibility of accountable staff members.

Providing fill-in work for the natural slack time that occurs at the collection windows is a productive measure; however, recordation of traffic citations is a core function of any automated traffic system, and, as such, must to be dealt with in a fashion that generates staff accountability and data integrity. Depending on volume, there should be one or two staff member(s) directly responsible for the data entry of all citations into the automated system and another staff member responsible for data verification. Data verification is defined as an automated comparison of the key fields in the data-entry application. When data-entry is confined to accountable individuals data-entry standards are more easily maintained. Due to the repetitive nature of data entry and data verification tasks, a rotation of duties that does not dilute staff accountability should be instituted.

Data entry and data verification of the same batch of citations must never be performed by the same person. It is important that back-up personnel be available for both these tasks and that cross training be provided to responsible staff members.

Recommendation III - 3

Data-entry and data verification personnel should not have input access to receipting screens.

It is an unacceptable security practice for a staff person to have input capability into both the citation recordation module and the receipting module in an automated court system. Computer passwords³ should be set up that permit either input capability for initial data recordation and inquiry privileges to a receipting module or input capability for the receipting module and inquiry privileges to the data recordation module at the same time. For staff rotation and cross training purposes, new passwords with new securities should be issued. Citation recordation and receipting should always be maintained as two distinctive processing units. This modification can and should be accomplished without delay.

³As of January 25, 1993, password levels per screen is a proposed project with priority number of 12.

Under the present system of data-entry delegation, all citations are not always entered into the system on the day they are received from Metro. Stacks of unentered citations can exist in different areas of the division. This not only creates an uneven workflow, it also delays the computer generation of notices of bail amounts and mandatory appearances.

Recommendation III - 4

Citations should be data entered and verified on the day they are received in the Traffic Division.

Without exception, citations should be data entered and verified on the day that they are received in the Traffic Division. All court staff must be able to rely on citation data-entry being not only correct, but also up-to-date. To accomplish this, data entry and data verification could become a function of the night shift where interruptions and distractions are minimized.

After a batch of citations is entered into the computer, the citations are filed in an active-citation bin, alphabetically by defendant name within initial appearance day. As an example, all initial appearances scheduled for the first day of any month are filed together under "1". Under the existing arrangement any staff member has access to the citation bin at any time and there is little accountability for the accuracy of the filing.

Recommendation III - 5

**A separate citation file area should be created for traffic case processing and appropriate staff assigned to manage the citation bin.
(See Recommendation III - X in section on Records Management)**

As months (sometimes years) accumulate under a given day in the active-citation bin, there is no systematic review of older or misfiled citations. Currently there are over 2400 citations-missing-paperwork or paperwork-missing-citations maintained in a separate work area that cannot be processed further because either the citation or the

citation paperwork can not be located.⁴ The current method of filing allows staff an easy method of locating only those citations that have been correctly filed in the citation bin. Because it is an alphabetically kept system, all the problems discussed for criminal case files in the Records Management section of this report apply here. It is emphasized that the number of locations where a given citation may exist in a paper flow should be kept to an absolute minimum. Too much time is lost in searching for missing citations and paperwork.

Recommendation III - 6

The citation bin should be organized by next appearance date to purge in-active citations on a daily basis.

A suggested method of managing the active-citation bin is to divide the bin into two sections of one to thirty-one days. The first section being for citations with next-appearance dates occurring in the current cycle and the second section being for citations with next-appearance dates occurring in future months. Each day the preceding days remaining citations from section one should be reviewed for next event/appearance date and transferred to the appropriate section. The citations in section two for that day should be reviewed and, when applicable, transferred to section one. This would provide a method of reviewing active citations on a daily basis. Some may say that this method has already been tried unsuccessfully. It is emphasized that this method should be done in conjunction with control over the filing bin, which is essential to its success.

Once a citation is data entered, the computer automatically generates a first notice to the defendant. This notice is a pink postcard that specifies either a bail amount(s) or a mandatory court appearance. Subsequent notices are color coded on blue or orange postcards. The postcard is printed on two sides. Side one (the address side) indicates the citation number(s), violation date(s), court date(s), charge(s) and bail amount(s) or if

⁴To put this number in context, the court receives roughly 100,000 traffic citations annually.

appearance is mandatory. Side two of the postcard is a preprinted standard set of instructions that cover all actions, (whether or not a mandatory appearance is required) that may be taken by the defendant to satisfy his/her obligation to the court. All printing on both sides of the notice is in capital letters which tends to make the entire message blend together. The notice itself is very crowded. It is not clear to the reader where mail-in payments should be sent or that paying a bail amount fulfills his/her obligation to the court.

Recommendation III - 7

The noticing function should be reviewed for clarity and understanding by the defendant.

The concept of using color-coded postcards for noticing purposes is not only an effective noticing technique but also saves the court significant monies in postage and envelopes; however, using the same verbiage for mandatory and non-mandatory charges on side two of the notice is confusing to the reader. Two different noticing messages - one for mandatory appearances and one for non-mandatory appearances - would clarify to the defendant what course of action is available. Clarification of where to mail-in payments and how bail amounts are applied would encourage more mail-in payments and relieve some of the congestion at the payment windows. The new pilot program using traffic mailers for non-mandatory charges offers the court the opportunity to more clearly define and professionalize mandatory appearance notices.

Citation Disposition

A citation remains in the active-citation bin until one of the following occurs:

Event	Action Taken
The defendant mails the bail amount to the court. The bail forfeiture is entered into the computer.	The case is closed on the computer. The citation is removed from the active citation bin and archived.

The defendant appears at a collection window and pays the bail amount. The bail forfeiture is entered into the computer.

The defendant checks in for court, appears, and is found not guilty. Disposition is entered into the computer.

The defendant checks in for court, appears and is sentenced to a fine. The disposition is entered into the computer. The defendant pays fine at the counter after the court session.

The defendant is placed in a diversion program (i.e. traffic school). The program is completed and all monetary obligation fulfilled.

The defendant elects to pay his/her fine by installment payments. An installment payment schedule is established. Payments are recorded as received until obligation fulfilled.

The defendant fails to make payment in a timely manner.

The defendant fails to appear for a mandatory court appearance.

The case is closed on the computer. The citation is removed from the active citation bin and archived.

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Collection procedures begin.

A warrant is issued for his/her arrest.

Mail-in Payments.

When a defendant elects to settle his/her monetary obligations to the court by mail, payments are processed in the mail room at the court. In fiscal year 1992 the mail room processed 38,099 pieces of mail. This statistic includes payments for traffic, parking, and

criminal violations plus miscellaneous mail. The city auditors have provided guidelines for mail room procedures.

Mail is processed in a small room where there is also a collection window. Spacing is cramped and, at times, window activity is disruptive to the work flow. As the mail is opened all envelopes are date-stamped and all checks are restrictively endorsed immediately. Any check without a payee is stamped payable to the City of Las Vegas. The mail is sorted according to traffic, criminal, parking, and miscellaneous.

Each piece of mail received is logged in a handwritten log. Payments received are then "rung". Ringing the mail consists of updating the automated system with the payment amount and generating a receipt to be later attached to a matching citation. At the end of the process the receipts are balanced to the payment entries. Handwriting the mail log is a tedious and time-consuming process.

Troubleshooting problems (i.e. incorrect payment amounts; unable to identify where to apply monies, etc.) is a primary function of the mail department. Standardized letters have been devised to cover the most re-occurring problems; however, these reply letters have to be typed. This is another time-consuming process.

Recommendation III - 8

The court should automate the processes of logging mail and generating standardized letters.

The process of logging the mail should be automated to produce a more legible mail log and an automatic totalling of the cash receipts. The volume of over 250 letters per month or 3000 letters annually supports the need for a computerized word-processing software application. This application could preferably be a function of the existing system and allow access to data that already exists or it could be an altogether separate function.

The Center endorses the following mail handling guidelines⁵:

- Written procedures should be established for handling the mail and be available to all employees in the mail room.
- Duties should be arranged so that complete control of funds from receipt to verification of deposit not be entrusted to any one employee.
- Two employees in each other's presence be responsible for opening the mail. All actual cash received by mail be counted by one employee and verified by the second.
- The persons who open the mail should not have access to the accounting records and not be connected with the data entry of receipts.
- Payments received by mail should be recorded on a cash log prepared by the mail openers. At a minimum the log should contain the following information:
 - Date Received
 - Payor
 - Type of Payment (Cash, Check, Etc.)
 - Amount Received
 - Check Number (if applicable)
 - Type of Receipt (i.e. Traffic)
 - Citation Number (If available)
 - Initials of Mail Openers.
- All checks and money orders should be endorsed for deposit at the time the mail is opened. For checks and money orders received in error no endorsement should be made and the cash log should record the disposition. (i. e. returned to sender)
- The cash log and payments received should be totaled and verified with each other. "Cash" receipts (as opposed to checks and money orders) should be identified. Any differences should be reconciled before transfer to a data entry person. The listing should be signed by the responsible individuals. An adding machine tape should be attached to the cash log and checks/money orders.

⁵See Tobin, Robert W. and Lipovsky, James P., *Trial Court Financial Management Guide*, National Center for State Courts, March 1990.

Counter Payments

When a defendant elects to appear at one of the collection windows provided by the court to settle his/her traffic infraction without a court appearance, the payment is recorded by counter personnel at the window. Each day when a counter person opens for business he/she is issued a cash drawer with a fixed amount of money in predetermined denominations for change-making purposes. That counter person is responsible for making all transaction into his/her own cash drawer.

When a payment is made at the counter, the counter person brings the citation information to the computer screen and records the receipt of the money against the outstanding transaction. A three-part receipt (white, yellow and pink) is generated by the computer. The white copy of the receipt is handed to the payor, the yellow copy is to be attached to the matching citation and the pink copy is maintained in receipt number order for audit purposes. If the transaction is a cash transaction and requires the counter person to make change, the counter person notes the denomination of the bills given in change on the pink copy of the receipt.

At the end of the counter person's shift, the money in the cash drawer is balanced to the payments recorded in the computer. The money is put into a bag along with the balancing sheet and put into the safe until the nightly deposit is prepared.

Miscellaneous transactions (photocopying, etc.) cannot be recorded in the automated system. Any of these types of transactions performed by the counter personnel are hand recorded on a computer-generated balance sheet. The computer offers no provisions for recording the type of payment (i.e. cash, check, etc.) received for each transaction .

Recommendation III - 9

The receipt screen on the computer should be modified to include the source and amount of revenue, the amount rendered and the change due.⁶

⁶As of January 25, 1993, there is a new revenue system under development that includes these features.

The computer is not being used to its fullest potential in the receipting process. Although miscellaneous transactions are for very small amounts of money, there is an integrity gap created and extra manual entries on the balance sheet are messy. To aid in the balancing of the cash drawer, the computer should designate payment types. This tool helps to identify where mistakes are made in balancing the cash drawer and help to determine where actual monetary errors have occurred. For transactions that require counter personnel to make change, it is far more reliable for a counter person to count out the change amount shown on the computer screen than to actually make change.

The Center endorses following receipting guidelines:⁷

- Written procedures should be established for all receipting activities and made available to all counter personnel.
- Cash registers and receipt machines should be located in areas of high visibility to both court staff and customers.
- Only authorized and properly trained staff should be allowed to accept payments made at collection windows.
- All payments made in person at the collection window should be supported by prenumbered receipts. At minimum these receipts should indicate:
 - Type of Payment (cash, check, etc.)
 - Date Received
 - Payor
 - Amount Received
 - Check Number
 - Citation Number.
- All receipts should be totaled and accounted for at the end of each shift. The individual who performs this verification should be someone who is not normally involved in the in-house receipt process. This person should also verify that the amounts posted to the court records agree with the actual total receipts breakdown. This person should sign a document which reflects the verification and

⁷Tobin, Robert W. and Lipovsky, James. *loc. cit.*

the amount. Voided receipts should be retained along with all receipts for audit purposes.

- Cash overages and shortages should be identified and investigated promptly by the individual responsible for the transactions. Additionally, the identified items should be reviewed periodically by someone of a higher authority.
- Miscellaneous money received should be controlled either by using a cash register, prenumbered cash receipts, or other procedures providing adequate control and accountability.
- All monies received by the court during business hours and any other cash on hand must be kept in a locked drawer.
- All personal checks must be restrictively endorsed upon receipt at the collection window. Checks should not be either post dated or stale dated. In no instance should individuals be allowed to write checks for more than the amount due with a resulting cash refund. The numerical amount written on the check must agree with written amount.
- To keep the problem of processing NSF (non-sufficient funds) checks to a minimum, counter personnel should exercise due caution in accepting personal checks at the collection window. Proper identification of the payor should be required. Should the payor have a previous history of passing NSF checks to the court, other means of payment must be required.
- When a NSF check is returned from the bank the payor should be contacted immediately, by whatever means possible and fully informed that his check given the court for payment has been returned from the bank because of insufficient funds. A determination should be made as to what action the payor intends to take in order to make his/her check good. NSF checks returned by the bank for the first time should be redeposited in anticipation that they will clear the bank.
- Only minimal cash-on-hand balances should be maintained for making change.

- All cash receipts should be cleared through one central point and deposited intact. There should be a separation of duties whereby those persons responsible for handling of cash and the recordation of payments into the computer are not involved in the preparation of the bank deposit or the transportation of the deposit to the bank.

As indicated, the above-mentioned items are general guidelines for processing receipts in a judicial environment and not a reflection of how the Municipal Court is currently performing these tasks.

Appearance in Traffic Arraignment Court

When appearance is mandatory or when a defendant elects to make a court appearance, the defendant may check-in at the front counter for any court session held up to and including his/her appearance date. The front-counter person registers the defendant's appearance in the computer. The computer generates a courtroom roster and prepares a printout for each person making an appearance. After a case is heard a clerk in the courtroom records the outcome on the computer printout and updates the defendant's record in the computer. The clerk in the courtroom schedules any continuances immediately. A special window in the court lobby is open to accept fine payments and to process installment payments.

Customarily in traffic cases the court sentences the offender to pay a fine and court fees. Typically monetary sentences are the only sentences implemented primarily by the courts. Although arguments could be made to support the collections of fines and fees by the prosecutor's office, traditionally responsibility for this function lies with the court. In 1984 Congress, in an effort to improve fine collections, changed the responsibility for collecting fines imposed by the Federal Courts to the U.S. Attorneys. In 1987 the responsibility for fine collections and enforcement was returned to the Federal Courts and the Administrative Office of the United States Courts⁸.

⁸See Hillsman, Sally T., *The Growing Challenge of Fine Administration to Court Managers*, The Justice System Journal, Volume 13, Number 1 (1988).

When a fine is not paid the creditability of the court is called into question. It is important, therefore, for a court to place major efforts to the collection process. Court management in the Municipal Court has recognized the importance of fine collection and has instituted several policies to enhance the collection process. These policies include: computerized noticing; an installment payment program; a detailed fines collection plan; the acceptance of credit cards; and two pilot programs - a voice-telephone system and a traffic-mailer program. Each of these programs is noteworthy; however, each one is dependent on accuracy and efficiency of both manual and computerized record-keeping systems.

Once a traffic case has been settled and monetary obligations fulfilled, the citation is removed from the citation bin and matched to proper paperwork. The computerized record is examined for accuracy and citations sent to the archive department. Citations are archived for a period of two years and then destroyed. A discussion of the archive procedures appears in a separate section of this report. Computerized records are maintained for an undetermined period of time, data is then transferred to a history file and the records deleted.

Recommendation III - 10

Deletion of the computerized records should be synchronized with the destruction of the citations.

It is important to reduce confusion about where and if records exist in a system. A reliable schedule to purge computerized records that coincides with the destruction of citations will establish this focal point.

Summary

In fiscal year 1992 the Municipal Court processed close to 110,000 traffic citations. Expected increases in caseload, crowded working conditions and budget restrictions have prompted court management to carefully examine current case processing practices and to explore new avenues to streamline procedures.

The automated record-keeping system is overburdened by the current demands of the Traffic Division. Work responsibilities are fragmented and procedures are constantly changing to the frustration of the staff.

Key recommendations include:

- Data should be entered into the computer system in a timely fashion and verified immediately. A computerized record-keeping system is an effective case processing tool and must be flexible enough to incorporate program modifications as needed.
- The number of locations where a given citation may exist in the paper flow should be kept to an absolute minimum.
- Written procedures and policies for each job function should be available to each staff person carrying out that job responsibility.

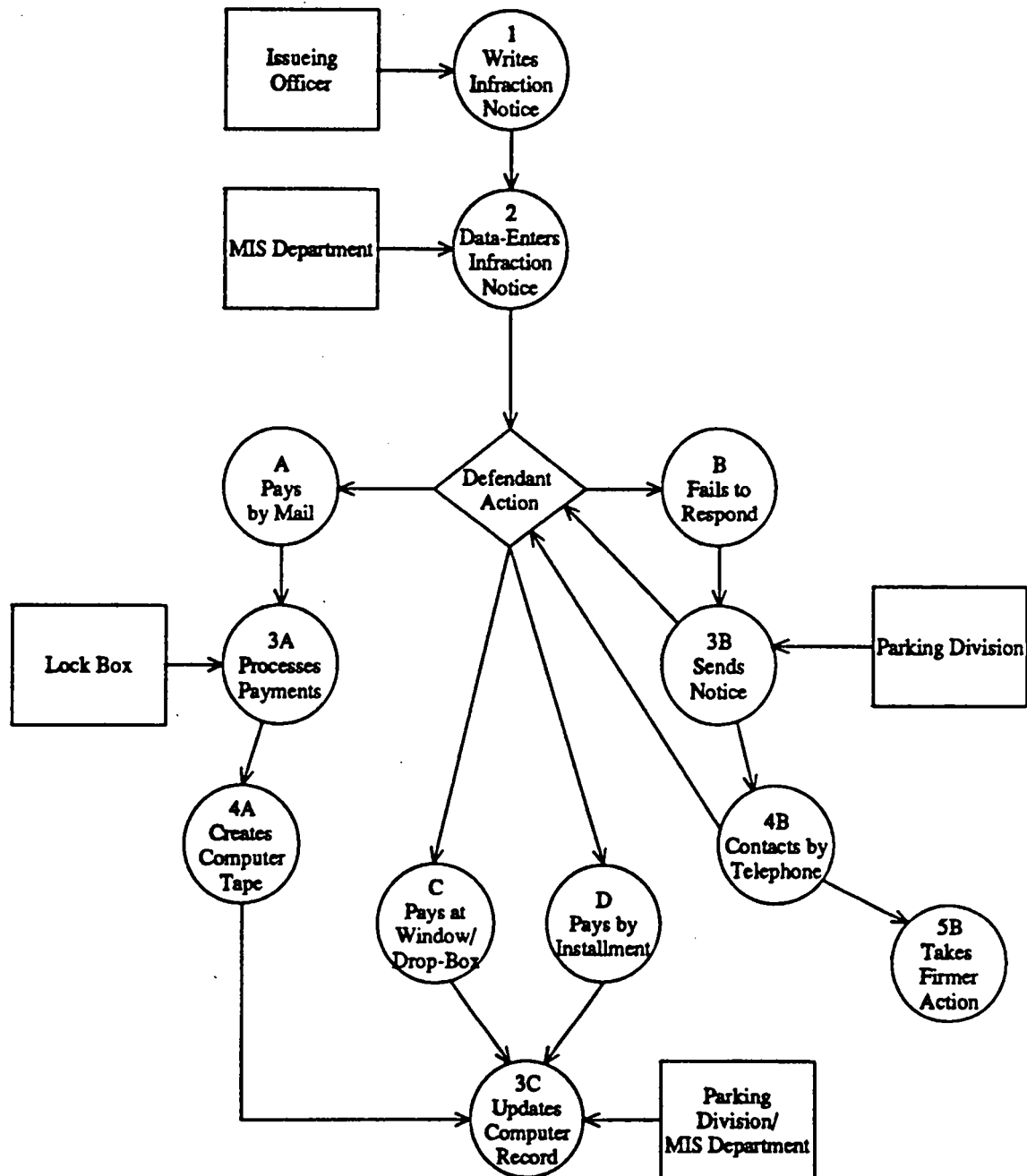
B. Parking Case Processing

The Parking Division of the Municipal Court is responsible for collecting parking fines incurred by parking violators issued Notices of Parking Infractions or parking citations in the City of Las Vegas. In 1987 the Parking Division processed a total of 37,600 parking transactions resulting in receipts of \$459,806 - a return of \$12.23 per transaction. In 1991 the number of parking transactions processed rose to 48,129 (an increase of 28%). In the same year receipts escalated to \$1,043,289 (an increase of 127%) - a return of \$21.68 per transaction. Court management attributes this remarkable upturn in collection rate to its decision to employ stronger collection measures and to hire an experienced collections officer to carry out the task. Subsequently, the court through the efforts of the collections officer established a fines collection and installment unit in the court.

Following interviews conducted in the Parking Division with the collection officer and other staff, the project staff flowcharted the process (See Figure III - 2).

Parking Case Processing

Figure III - 2



Parking violations are reported to the Parking Division on copies of Notices of Parking Infractions or on copies of parking citations. Since the infraction notice includes both the fine amount and a pre-addressed mailer, a violator may easily pay his/her fine by mail if (s)he so desires. As clearly indicated on the notice, the fine amount for certain infractions is reduced by 50% if payment is received by the Parking Division within 10 days of the violation date. Conversely, fine amounts are incrementally increased if payment is not received within prescribed time limits. As a collection aid, a payment drop-off box is located in front of the court building and a payment collection window is located near the parking garage at the courthouse.

This collection method provides:

- Sufficient information to the violator to pay the fine;
- Incentives to pay fines promptly; and
- Convenient methods of submitting fine payments.

The Parking Division tracks Notices of Parking Infractions and parking citations on the city's computer system. Records are entered into a parking-module segment of the automated case-processing system used by the Traffic Division of the court. When parking notices and parking citations are reported, the data processing department records the transactions into the computer.

The parking mailer is pre-addressed to a lock box number. Fine payments received at the lock box are processed by a local bank and directly deposited into a pre-established bank account. Each day the bank forwards a computer tape of all payment transactions processed that day to the city's data processing department. This tape is used to record the payment transactions in the parking module of the court's computer. Because of the streamlined data-entry and data verification techniques employed by the bank, data integrity is excellent.

With data-entry of daily notices and citations and processing of routine payments being removed from daily operations in the Parking Division, the staff is able to concentrate their efforts on collection of outstanding fines.

The Parking Division immediately notifies violators when a fine payment is overdue. This delinquency notification is a preprinted card inserted into an envelope on which the violators name and address is typed.

Recommendation III - 11

The parking module in the computer should provide noticing capabilities.

Noticing is a natural by-product of a computerized justice system. Data from the original notice or citation already exists within the computer system and additional data entered at the time of notification is available should subsequent collection actions be required by the Parking Division.

When a violator provides proof that (s)he is financially unable to pay an entire fine amount at one time, the Parking Division institutes an installment payment plan for that individual. Clear concise written procedures outline installment account set-up and collection follow-up processing. As installment payments are received by the division, receipts are entered into the computer and individual manual ledger cards are updated. Installment receipts entered into the computer are handled awkwardly by the parking module.

Recommendation III - 12

The parking module in the computer system should be rewritten to support current and future needs of the Parking Division.

The parking module was one of the earlier modules to be written for the automated system. The automation requirements of the Parking Division have increased dramatically since the system was first installed. A viable judicial computer system must offer the flexibility to expand and incorporate modifications as needs arise.

Should a violator fail to respond to written notices, the Parking Division follows up personally by telephone. Under extreme circumstances cases are turned over to the prosecutor's office.

Recommendation III - 13

As long as the court is purchasing a voice-telephone system, consideration should be given to include an automatic telephoning to delinquent offenders as a feature of the pilot project.

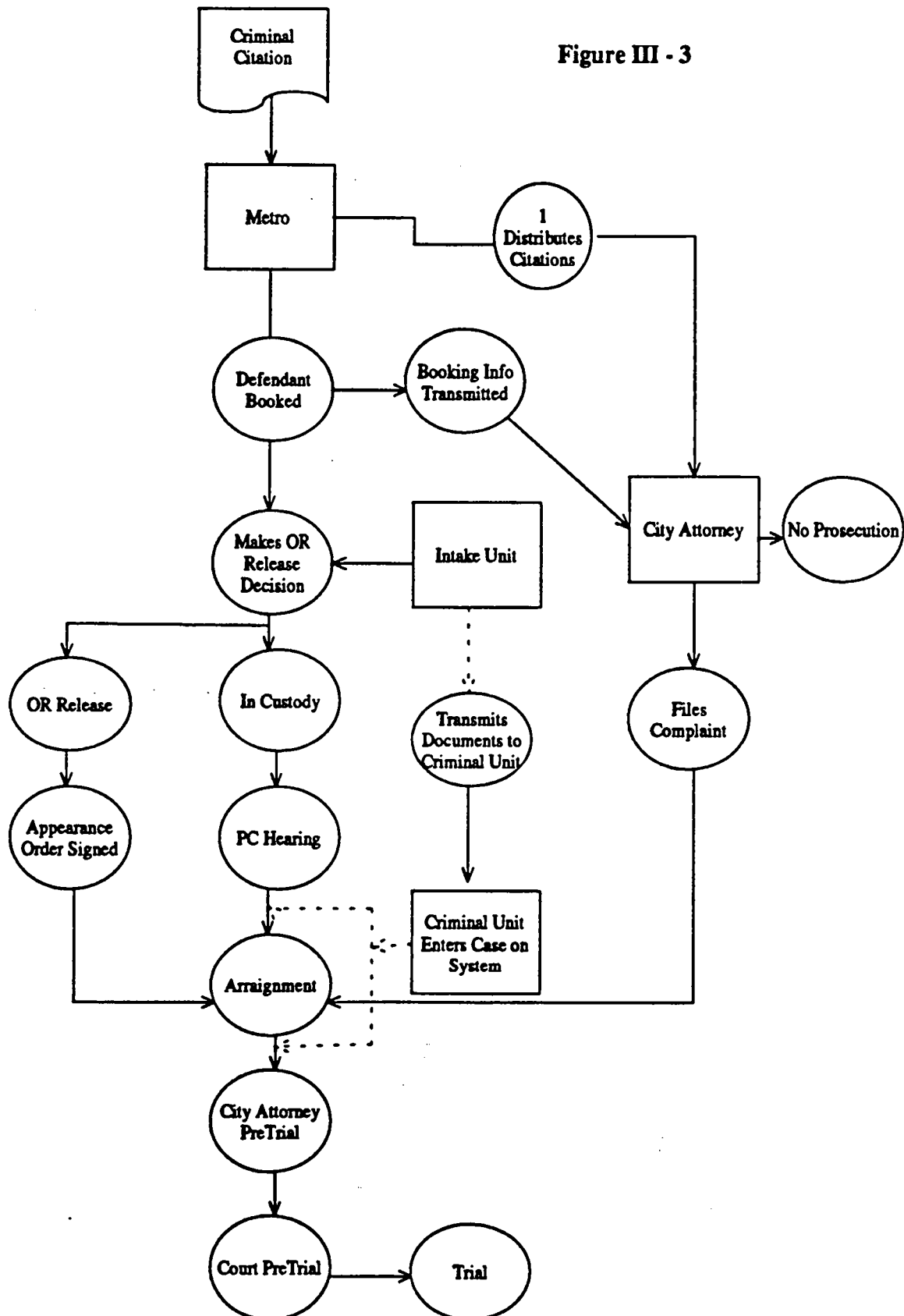
Since the court is in the process of buying a voice telephoning system, this feature could prove to be a cost effective way of notifying people and become part of a comprehensive notification practice.

C. Non-Traffic Criminal Case Processing

Criminal cases include most serious traffic cases and general misdemeanors.

Figure III - 4 is a diagram of the criminal case process in Las Vegas. For the most part, criminal case processing is handled by a separate division of the Municipal Court. There are two ways cases get filed with the court, direct filing of citations alleging offenses that are criminal in nature, and the filing of formal complaints by the city attorney after arrest. They will be discussed in that order.

Figure III - 3



Non- Traffic Criminal Cases Processed on Citations

Copies of citations issued during a shift are deposited at Metro headquarters by officers at the end of each shift. Other agencies drop their citations off with Metro on a more-or-less daily basis. Metro sorts the citations by type of charge. County court cases are sent to the county court, city traffic cases are sent to Municipal Court, and serious misdemeanors that will be prosecuted as criminal cases are forwarded to the City Attorney for review before prosecution.

The City attorney's office makes the decision to prosecute a case and takes one of the three actions shown below.

Decision	Action
Prosecute on Citation	Citations grouped, counted, and forwarded to Municipal Court
Prosecute on Formal Complaint	Formal complaints prepared and forwarded to Municipal Court
Decline Prosecution	"Decline Prosecution" endorsed on the face of citations, then forwarded to Municipal Court

Daily, the court services section of the Municipal Court, picks up the citations from Metro and brings them to court services for case file preparation and entry onto the court's information system. Some cases that are prosecuted on the original citation already have the arraignment date set by the issuing officer filled in on the face of the citation. To file and prepare the citation for processing, court services staff goes through an eleven step process:

- Run a SCOPE inquiry on the defendant and obtain a copy of the SCOPE printout for the file;
- Photocopy two copies of the citation, sending one to the city MIS department for data verification and keeping the other in the file for distribution to the defendant in court if necessary;
- Enter the citation into the court information system;

- Manually fill out a proceedings/judgment form;
- Staples the original of the citation to the proceedings/judgment form;
- Places two color coded alphabetic tags on the file folder;
- Hand writes the case name, violation, and case number (generated by the system) onto the file folder tab; and,
- Files the case file folder alphabetically by appearance date.

Overnight, the city MIS department runs a batch report that produces printed labels containing the same information handwritten on the file folder. Upon receipt of the file folder labels,

- files are pulled from the appearance date filing cabinet;
- labels are placed over the handwritten information; and,
- the files are refiled alphabetically by appearance date.

In order to streamline the processing of criminal cases prosecuted on the original citation, the following series of recommendations are made. The timely, accurate entry of the case information into the information system is the highest priority and the foundation for all other case processing step. The project team feels that there is a greater amount of time spent on correcting data entry and filing errors than would be required to ensure accurate data entry and case filing. The court needs to adopt a series of recommendations built on the philosophy that information will be entered once and be totally reliable. This additional time spent at the front end will reduce the amount of time spent at the back end and build up public confidence in the system.

Recommendation III - 14

Data entry for criminal cases prosecuted on original citations should be verified immediately after data entry by court services staff.

By doing data entry verification in house, the court can eliminate the photocopying of citations, thereby reducing costs of that activity and redirect the staff time to the data

verification function. By performing "real time" data accuracy verification, the court staff can then leverage the power of the court's information system to generate the supporting documentation increasing productivity and reducing the chances of error that exist with manual production of that documentation. This will produce additional time savings that will be available to accomplish real-time data verification.

Recommendation III - 15

Immediately after case opening and verification, the system should produce the proceedings/judgment form and the file folder label on printers in the court services section.

The production of the proceedings/judgment form eliminates the manual process, reduces errors, and improves the readability of the document. A dedicated file folder label printer will be required. The costs would be quickly offset by eliminating the need to hand write the information on the file folder and the subsequent pulling of the file to place the batch processed label over the handwritten ones.

Recommendation III - 16

The court should explore the possibility of obtaining the criminal history of defendants through running batch inquiries on the SCOPE system.

Realizing that the SCOPE system has high security requirements, it is recommended that the court and the city explore the feasibility of batch processing of SCOPE printouts with appropriate agencies in Carson City.

Adoption of these recommendations would reduce case initiation to a five step process:

1. Enter citation into court information system;
2. Verify data accuracy and call for print of label and proceedings/judgment form;
3. Staple original of the citation to the proceedings/judgment form;

4. Place label on the file folder, and
5. File the case file folder.

After case initiation, case processing for criminal cases prosecuted on the original citation are the same as those for criminal cases prosecuted under formal complaints.

Criminal Cases Processed by Formal Complaints

Criminal case processing for most formal complaint cases starts with the arrest of the defendant (Refer to the Figure in the previous section on Criminal Cases Processed on Original Citations). When the defendant is booked into the city detention facility, the jail staff produce a Temporary Custody Record and the arresting officer produces a Declaration of Arrest. Copies of these documents are placed in a box for pick-up and review by the court's Intake Unit staff and copies are sent to the City Attorney's Office to determine if they will prosecute and for the preparation of formal complaints.

Under procedures in place at the time of the site visits, the practice of the City Attorney is for formal complaints to be signed by the officer making the arrest. Based on interviews with court staff, officers were frequently unable to get to the City Attorney's Office in a timely fashion to sign the complaints due to vacations, regularly scheduled days off, training schedules, sick leave, or for any number of other reasons. When this occurred, it invariably delayed the filing of the complaint. This results in multiple settings of the PC and arraignment hearings.

Recommendation III - 17

The City Attorney should be encouraged to discontinue the practice of requiring police officers signatures on formal complaints, and instead authorize his deputy city attorneys to sign the complaints⁹.

This change should save time and money throughout the system. For the Metro Police, savings should be made by reducing the number of trips and time necessary for officers to go to the City Attorney's Office to sign complaints. For the City Attorney's

⁹As of the final editing of this report, this recommendation has been implemented.

office savings can be made and procedures simplified by reducing the staff time associated with keeping track of unsigned complaints and reduced deputy city attorney time spent in unproductive or continued hearings. For the Court, savings should be made because it will eliminate continuances based upon the unavailability of formal complaints and therefor reduce the number of arraignments scheduled and arraignment hearings held.

If the above recommendation is accepted, further efficiency can be achieved by the city attorney expediting the preparation of formal complaints on in-custody defendants. Under current procedures, formal complaints are not prepared and signed in time for the probable cause hearing. Therefore, the arraignment of the defendant is not possible. This requires the court to schedule separate hearings for probable cause and arraignment.

Recommendation III - 18

The court should conduct probable cause hearings and arraignments for in-custody defendants in one hearing.

Based on a review of two weeks probable cause calendars, it is estimated that ten or fewer defendants per day are held in-custody awaiting the filing of formal complaints. Interviews with City Attorney staff indicate that they have the capability and would be willing to produce complaints for the in-custody defendants by the time of the PC calendar. If the complaint can be produced, both the PC and the arraignment can be conducted at the time the defendant makes his/her first appearance before the court. This will eliminate the need for separate hearings saving judge time, clerk time, intake unit time, and jail staff time, while also reducing the costs associated with case file management and record production.

The Intake Unit, among its several functions, is the unit principally responsible for the processing of in custody defendants through arraignment. Intake picks up the Temporary Custody Record and the Declaration of Arrest, and begins the evaluation process to determine the defendants eligibility for release. Intake does so by:

- running the defendant on SCOPE and obtaining a printout of the defendant's criminal history (4 pages if the defendant is in custody awaiting PC and 2 pages if the defendant was arrested on a bench warrant)
- run the defendant on the court's computer to see if there are any outstanding warrants that have not been entered into SCOPE or if there are other cases with future court dates;

Based on criteria sanctioned by the court, the intake unit then makes the determination regarding the release of the defendant on their own recognizance and prepares a Hold Order. If the defendant posts bail or is released OR prior to the probable cause hearing(or arraignment if they happen simultaneously), the intake staff manually schedule the defendant for an arraignment date, write the defendant name and charges on the appropriate arraignment calendar, and prepare an appearance order for the signature of the defendant. The appearance order contains the date, time, and location of the scheduled arraignment of the defendant. The documentation for that case (declaration of arrest, booking sheet, hold order, appearance order, and SCOPE history printout) are then forwarded to the criminal section for file preparation and data entry. The staff in the criminal unit goes through a five step process:

- enters the defendant information and booking charge into the information system;
- manually prepares a proceedings/judgment form;
- places two color coded alphabetic tags on the file folder;
- hand writes the case name, charge, and case number on the file folder tab; and
- files the case alphabetically by appearance date.

If the defendant remains in custody, intake staff schedule a probable cause hearing within 24 hours. This is done by entering the defendant name and charges on the video PC calendar and placing a copy of the documentation for the case (declaration of arrest, booking sheet, hold order, and SCOPE history printout) in a basket for pick-up by the

video clerks. The video clerks obtain the case documentation and return it to their work area, where a proceeding/judgment form is manually prepared. The documentation is then forwarded to a judge for review.

Probable cause hearing for in-custody defendants are conducted daily via video hook-up. If the defendant is released OR, the in-court clerk prepares an Appearance Order scheduling an arraignment for the defendant. A copy of this order, together with all other case documentation, is transferred to the criminal section for case creation and data entry into the information system following the same steps outlined above for defendants released on bail or OR'd before the probable cause hearing. Those defendants who remain in custody after the probable cause hearing are rescheduled for video arraignment within two to three days. If no formal complaint is received by the time of the arraignment, the defendant is released from custody.

Throughout this process, Intake Unit staff prepare all documentation manually. Staff express concern that there is no clerical support for the unit. The lack of clerical staff and the absence of data terminals delays entry of the defendant into the system significantly and requires the repetitive and duplicate entry of case information on forms manually.

Recommendation III - 19

Case information data entry on in-custody defendants should be completed by Intake Unit staff at the earliest opportunity so that supporting documentation can be system generated.

The entry of case data should be under a principle of "once and done," where data is entered at the earliest opportunity, verified for accuracy, and then used thereafter without the necessity of ever manually entering the same data onto forms, notices, of reports. Giving the Intake Unit the responsibility of entering initial case data for in-custody defendants into the system, along with the clerical staff support to accomplish the

data entry, will eliminate the need to manually prepare Proceeding/Judgment sheets and manually enter defendants on PC and arraignment calendars, will facilitate the printing of calendars by the system, and will provide all court information users with information on all cases pending before the court. It should also streamline the paperflow, thereby reducing records management problems.

D. Fine Collections

Parking Division

The Parking Division of the Municipal Court is an excellent example of a well run court-collection unit using modern collection techniques. The efforts of the fines collection and installment unit is putting forth an image of credibility and integrity of the court system to the citizens of the City of Las Vegas. The Parking Division is operated in a business-like professional manner demonstrated in particular by:

- Clearly organized written procedures for staff to follow.
- Timely and persistent follow up of delinquent accounts.
- Routine data recordation and verification handled in a manner that promotes high data integrity.

The Parking Division utilizes the automated system as the tool it was designed to be; however, the automation needs of the division have exceeded the capability of the current system. The automation requirements of the Parking Division need to be addressed in order to maximize collection efforts. Never the less, the *principles* applied in the Parking Division would carry over well into other casetype collection areas.

Some may argue that parking fine collection is an executive branch function beyond the purview of the court. On the other hand, others argue that collection of parking fines imposed on scoff-laws ultimately becomes a court case, and therefore, the collection of parking fines is an essential function of the court. There is no clear authority on which to make this decision. Most courts and local executive branch agencies have

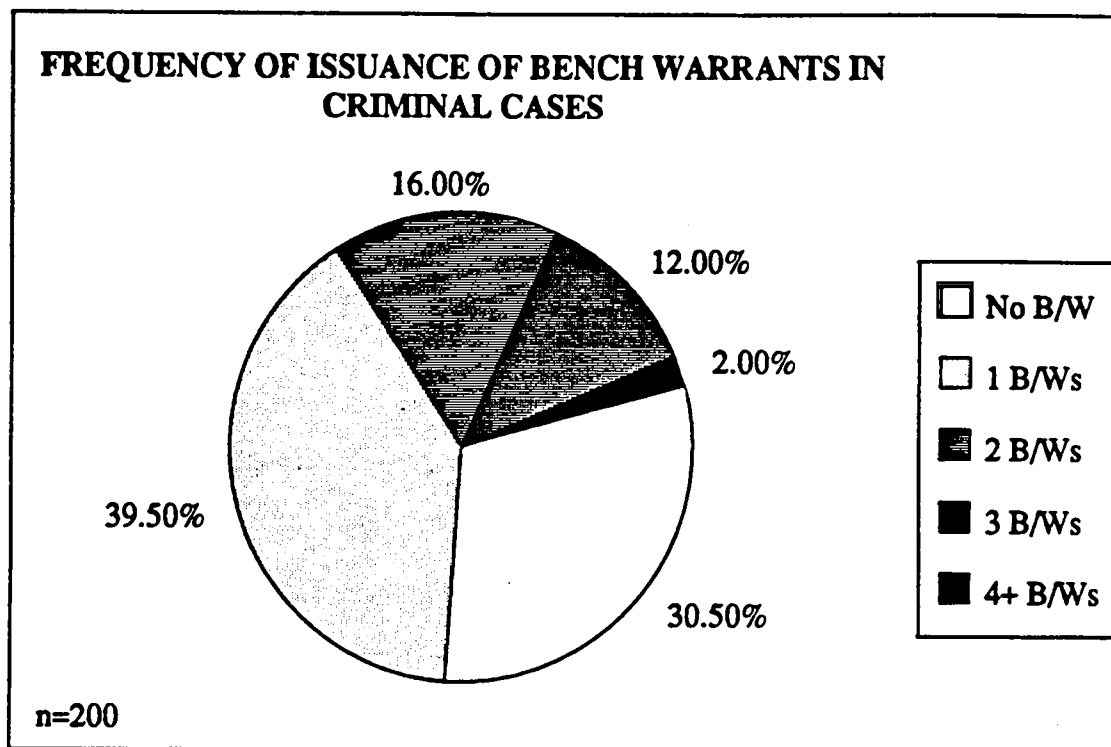
resolved the question based on an analysis of which is the most cost effective method of collecting the revenues. As discussed below, the Municipal Court will always need some collections unit to insure compliance with court orders and judgments. That being the case, the use of a separate, executive branch collections unit would seem to be duplicative, confusing to the public, and, most probably, more costly than keeping one unit in the courts.

Project staff contacted several metropolitan courts in the southwest (Phoenix, Albuquerque, and Salt Lake City) to obtain comparable data to try to assess the relative effectiveness of the Parking Collection unit. In reviewing that data, project staff concludes that the jurisdictional differences and the weakness of the data collected from the courts made direct comparison meaningless. What can be said, is that compared to many metropolitan courts, the collections practices and procedures employed by the Parking Division are as good as, or exceed, those of most limited jurisdiction courts.

Traffic and Criminal Divisions

In some jurisdictions traffic violations are civil in nature and the experience of those jurisdictions demonstrates that the use of collection efforts and sanctions, without resorting to the issuance of bench warrants, can be effective. In those courts, the transfer of collections functions to the executive branch are frequently cost effective and desirable. However, the situation is quite different in the Las Vegas. Traffic offenses in Nevada are criminal in nature and the experience of the Municipal Court is that nearly seventy percent of serious traffic and criminal cases require the issuance of at least one bench warrant to enforce compliance with the court's financial judgment (See Figure III - 4).

Figure III - 4



In light of this experience, transfer of traffic and criminal case judgment collection activities to an executive branch agency would very likely have three direct consequences. First, it would result in a substantial reduction in revenues generated to the city coffers. The current experience of the Municipal Court illustrates that a large percentage of defendants would not pay their monetary sanction without the issuance, or threat of issuance, of a bench warrant for arrest for failure to comply with the court's judgment. Second, public respect and confidence in the courts to compel compliance with its orders and judgments would be undermined. And, third, costs of collection would increase in those instances where enforcement of the judgment ultimately has to be turned back over to the court for ultimate resolution.

E. Court Counseling Procedures

Overview

The Las Vegas Municipal Court Counseling Division's organizational chart shows seven units: Traffic School, Alternative Sentencing, House Arrest Program, DUI Assessment Center, Drug Abuse Assessment Center, Misdemeanor Programs, and the Substance Abuse Unit. These units represent more of a delineation of funding source or particular specialization than of relative size or importance within the division. Court counseling is staffed by 34 people with four positions currently vacant. Some counselors are certified substance abuse counselors.

The greatest number of defendants coming to court counseling are for traffic school and mandatory referrals for all first-time DUI cases. Court counseling has broadened the scope of its counseling services to include domestic violence, petit larceny, impulse control, substance abuse, and long term counseling.

Assignments of defendants/clients to court counseling come from the individual judges. Each judge within his or her discretion calls upon the services of court counseling as an integral part of a diversion program, sentencing alternatives, or conditions to a sentence. Since the various programs offered by court counseling are highly regarded by the judges, the judges wish to have representatives from the programs in their courts to brief the judges on the availability of programs, conduct initial intake of referred defendants, or report to the judge on the client's progress. The need to attend numerous court proceedings, combined with increasing caseloads, and labor intensive manual recordkeeping systems have all contributed to a situation where the court counselors can do very little individual counseling with their clients.

The nature of court counseling is to be a service provider to the courts. Since the court could eliminate many of court counseling's non-mandated programs with the stroke of a pen, there may be a natural tendency for court counseling to try to comply with all the

court's/judge's desires, without looking at the relative value of what they are promising to do.

The National Center project team met with members of each unit of court counseling. Under the current predominantly manual record keeping systems in place in court counseling, there is much duplication of effort involved in the creation of proper documentation of client status for the courts.

Court Counseling Operational Issues

Staff of court counseling spend considerable time in court conducting intake or reporting on client progress. Staff time is consumed "commuting" from their remote office sites and at court waiting for sessions to begin on particular defendants' cases to be called. It was reported to National Center project staff that court counseling was at a point where it needed more staff to cover the multiple programs properly. When staff is structured too thin, there is not adequate time to properly work with/counsel clients or to consider the development of new, innovative, or better programs.

Recommendation III -20

Court counseling should work with the judges to design court counseling procedures for counsel or attendance in court that combines the need for efficient use of counselor time and proper reporting to the judges.

Court counseling should consider optimizing use of staff through cross-training that would permit individual counselors to perform intake for all programs. Where feasible, courtroom staff should be trained to assist in the referral and intake process.

Recommendation III - 21

The judges and court counselors should seek appropriate ways to reduce court appearances that are currently required by the court counseling process, while preserving the interests of the judges knowing exactly what progress the client/defendant is making.

Required court appearances by client/defendants and frequent reporting to the court serve to encourage client/defendants to comply with the programs and successfully complete them. Nevertheless, the court should be constantly alert to the benefits of eliminating unnecessary appearances. For example, it is not uncommon for defendants to report to court counseling with adequate time to complete the DUI program before their next court appearance, but the classes are not available. In these instances, court counseling documents the appearance of the defendant, lack of available classes, and requests a continuance for the defendant, requiring a court appearance for the defendant and the counselor. With appropriately strict guidelines, such continuances on the basis of unavailable classes could be granted without court appearances.

The above example also demonstrates a need for court counseling to recommend procedures for approval by the judges that could eliminate additional or unnecessary work for the counselors. In the above example, a timeframe could be established within which the defendant would have to report to court counseling and complete the classes within the normal availability of classes, thus eliminating the need for requesting continuances in the first place.

Recommendation III - 22

Court counseling should review its policies and procedures to streamline the clerical aspects of the counseling process.

With improved training of counselors and information flow, procedures such as the DUI class orientation session could be completed when the defendant/client is referred to Court Counseling in the courtroom, eliminating the need to schedule orientation sessions. Implementation of further automation in court counseling will provide additional opportunity for counselors to review and improve ministerial procedures.

Recommendation III - 23

Court counseling should scrutinize the cost effectiveness of providing counseling services to the Justice Court.

Even though the Justice Court makes payment for counseling services provided by court counseling, clients benefit from the services, and a certain amount of goodwill is created for the Municipal Court, it is questionable whether this service should be continued.

The "House Arrest" Program is one of the latest in a series of innovative programs developed by the Las Vegas Municipal Court. As with any new program there are some critical comments about its operations. Some of these criticisms stem from a perspective that the program is a corrections operation. Unfortunately the name of the program is misleading, perhaps causing some confusion. The program provides defendants a diversion from the criminal justice process of being convicted and serving a sentence in jail, by allowing them to satisfy the judge's conditions that they remain housebound, except for working hours, until a diversionary time period has been completed. At this time, if the judge is satisfied that the defendant has completed his or her diversionary time without incident, the defendant will not have to serve any jail time as a consequence of his or her conviction. The program clearly has nothing to do with what is traditionally considered the arrest process, where defendants are held against their own free will until charges are brought against them. Viewed as a diversionary program, in the nature of "court-supervised probation," the program is not inappropriately part of court operations.¹⁰

Recommendation III - 24

House arrest staffing should be supplemented to provide coverage for the hours 9:00 p.m. through 8:00 a.m.

It is widely known that house arrest supervision between the hours of 9:00 p.m. through 8:00 a.m. does not exist. Staff reviews the automated surveillance in the morning,

¹⁰For an early discussion and bibliography on diversion programs in the court system, see *Alternatives to Incarceration: An Annotated Bibliography, 1978-1980*. Atlanta: Alternatives to Incarceration Project, National Center for State Courts, 1980.

but absences during the unsupervised hours are not identified until the morning shift begins.

Court Counseling Personnel Issues

The court counseling staff is a particularly diverse group. Within the staff are certified counselors with graduate college degrees, post certified officers, persons in recovery themselves, and persons with no formal counseling related skills. This diversity provides a wide range of expertise, but it also makes it more difficult to maintain a cohesive, cooperative staff.

Furthermore, it is a common phenomenon for the staff of a department such as court counseling to assume an organizational posture of being under attack. To begin with, court counseling has been designated an enterprise fund department, had the status of its administrative unit changed to a regular department of the court, and has been placed back into the enterprise fund designation. These designations put the entire court counseling staff under a veil of being viewed as only worthwhile if they can support themselves. Some of court counseling's employees are grant funded with no job security past the funding period. Personnel issues that are of concern in the court in general, are perhaps more acute in the Court Counseling Division.

Recommendation III - 25

Unit supervisors in court counseling should receive supervisors training that will promote more consistent treatment of staff among the various units of court counseling.

Court counseling's distinctly different programs require different internal operations within units and necessarily different degrees of flexibility in staff assignment and supervision, yet staff become concerned when they perceive inequality of treatment between the units. Supervisor training should sensitize the supervisors to these problem areas.

Recommendation III - 26

Court counseling should concentrate on team building among staff within and across units.

The existence of staff who consider themselves professionals and those who see themselves as clerical support staff allows for the creation of a schism between the two groups, each protecting its own turf. When division between the two groups is allowed to increase, an unproductive environment is created. To a certain degree, court counseling suffers from this division. Team building among the staff, focussing on improving interdependencies should be a high priority for court counseling and should improve morale. The implementation of increased automation should be used as an opportunity to improve staff morale by creating new working relationships among staff.

Court Counseling Automation

MIS has made court counseling a high priority for further automation. The Traffic School Unit of court counseling has been automated and its record keeping system is considerably improved from the manual environment. The project team was informed that other computer applications were planned for implementation in court counseling during the project study period. The National Center project staff discussed the change to an automated environment with staff and observed a staff training session.

MIS has made every attempt to accelerate the automation process. It is clear that MIS is trying to accommodate its users with new automation at the earliest possible time and this concern is appreciated, but rushing to automate also creates problems.

Recommendation III - 27

MIS should not incrementally automate Court Counseling Units, but complete and test programs that automate entire units before they are implemented. (See also the discussion in Chapter II.)

MIS has attempted to review the current manual procedures with court counseling staff to determine their needs and design the automated environment. It is apparent,

though, because of the pressure to automate as soon as possible, that there is too great a reliance on simply automating the manual environment without a comprehensive review of how the manual environment might be improved.

Court Counseling Records and Forms Design

Clerical records kept by the Court Counseling Division are comprehensive and detail clients' participation in the various programs. Automated systems will reduce, but not eliminate, the paperwork of court counseling.

There is much duplication of effort entering the same information on a variety of forms and the forms used by court counseling rely too heavily on antiquated court language. For example, the release form used by court counseling begins: "KNOW ALL MEN BY PRESENTS."

Recommendation III - 28

In conjunction with a courtwide effort to improve records, court counseling should conduct a forms review to create multi-part forms to eliminate duplication of effort using plain, understandable language.

F. Weekend Operations

The Municipal Court conducts court hearings seven days a week and is open for the transaction of business by its clients six days a week. It was reported to NCSC staff that on the weekdays the court opens to the public at 7:00 am and closes to the public at 7:00 pm. On Saturday, the court is open to the public from 8:00 am to 500 PM. During interviews with court staff and court leadership, several clear advantages to the six day operation of the court were expressed:

- Better access to the courts by the public,
- Less job-time loss and therefore reduced costs to the litigants,
- Less job-time loss and therefore costs to the employers of litigants,
- Reduction of the congestion in the courtrooms,
- Reduction of the demands for parking during peak hours,
- Reduced jail populations during the weekend, and
- Reduced costs for housing in-custody defendants.

These hours are most probably the longest open hours of any court in the West, providing a high level of public service and excellent public access.

Concern has been expressed over the cost benefit of the weekend operations of the court and many support the reduction of the court hours. Ironically, in many parts of the country, just the opposite is happening. In Los Angeles County, California, for example, the court is being asked to increase its hours of operation to reduce the peak demands for courtrooms and congestion in parking and public building areas while at the same time extending the usefulness of the present facilities and increasing public service.

With the current state of congestion within court facilities, it would appear that any scheduling device that reduces that congestion is helpful to court operations. Upon the resolution of the space and facility problems faced by the court, the question of the hours of court operation should be revisited. The decision should then be made on the systemwide impact of weekend operations. Information that will be relevant to the decision making process will include, but is not limited to

- court staffing and collective bargaining issues;
- impact on related justice agencies and their staff, such as city attorney, public defender, and Metro;
- cost of overhead such as heat, light, and maintenance; and,
- building, staff, and public security/safety.

National Center staff will provide the city of Las Vegas with an addendum to this report detailing the benefits to the public of the weekend operations and the associated costs to the court. The National Center will conduct a "post-project" survey to gather required information that NCSC staff were unable to collect during the regular course of the study.

IV. PERSONNEL MANAGEMENT

A. City of Las Vegas Human Resources Department

The Las Vegas Municipal Court's personnel management is heavily dependent upon the city's Human Resources Department. The deputy court administrator serves the court as its personnel officer and maintains communication with the Human Resources Department. It remains incumbent upon the court's leadership to see that its personnel needs are met through its own efforts combined with those of the Human Resources Department.

The city has recognized that there are many issues of personnel management that have not been attended to in recent years and is taking corrective measures. To remedy this situation, the city has hired a new head of the Human Resources Department.

Projects that have been newly implemented include:

- A comprehensive classification review for all city employees.
- The revision of the City of Las Vegas Personnel Policies and Procedures Manual that was last published in 1983 and has not been kept up-to-date.
- A high priority has been placed on staff training, including a critically important training program for supervisory staff.
- A staff person has been assigned to review compliance with the Americans with Disabilities Act.
- The importance of affirmative action programs and cultural diversity training have been recognized.

The Human Resources Department has set itself a very ambitious agenda to improve its services. It is up to the court to be more than an interested bystander in human resource management.

B. Recruiting and Selecting Employees

The most important resource in the court is its people. The most important decision is, therefore, who is selected to fill entry and other positions within the court. The goals are matching people to jobs for effective and efficient job performance, and doing so while meeting equal employment opportunity and affirmative action guidelines. The court's recruitment goal should be a pool of highly qualified applicants that adequately represents the demographics of the labor market. Recruitment efforts should supply qualified applicants for immediate and specific openings and provide sources for a constant flow of applicants from which to make future choices. The emphasis should be on quality not quantity of applicants.

The Human Resources Department procedures for employee recruitment are followed by the court, but little more effort is made by the court to protect its interests in the recruitment process. The court is aided by a salary structure for its employees that is sufficient to aid in employee recruitment.

Recommendation IV - 1

The court should become more active in the employee recruitment process by meeting with Human Resources Department personnel to determine how to become more involved in the process.

C. Performance Evaluation

The Human Resources Department encourages the appropriate performance evaluation of all city employees and recognizes that performance evaluations and promotions are often influenced by personal relationships, favoritism, and the "glass ceiling." Performance appraisal problems usually involve people, job, or situation inconsistencies.

The person: bias and errors in human judgment, stereotypes and prejudices, failure to use all available information on performance.

The job: ambiguous criteria, incompleteness of criteria, irrelevant criteria.

The situation: lack of rewards for conscientious appraisals, lack of rewards available for those receiving high ratings, and lack of attention to the individual's needs for feedback and development.

Within the court staff there are groups of employees who work exceptionally closely with their supervisors, such as courtroom staff, and there are groups of employees who work more independently such as front counter personnel and court counselors. Such diverse working environments are conducive to one group perceiving that there is favoritism within the other.

Recommendation IV - 2

Court managers should be provided with training to assist them in implementing fair and meaningful performance evaluations.

D. Discipline and Discharge

The function of discipline crosses all management levels. Unfortunately many managers forget that the true purpose of discipline is to correct not punish employees. It is true that many public sector managers receive no training in how to investigate or write disciplinary reports.

The two purposes of disciplinary rules are to ensure the attainment of the court's mission/goals and to protect the welfare of organizational members. A work rule or performance standard must be reasonable based on the purposes of discipline and up-to-date job standards. A rule must be properly communicated to employees. A rule must be consistently enforced (1) over time, (2) among different organizational components, and (3) within an employee's work group. There must have been a thorough and unbiased investigation. The employee's due process, rights, and expectations must be protected.

Unfortunately, incidences of inconsistent discipline by supervisors and managers in the court were reported to the National Center project team. Supervisors also reported

frustration at being unable to discipline employees because of inadequate job standards, poor record keeping, and lack of support from managers. Another complication in disciplining court employees is the current appeal procedure that goes eventually to the City Manager.

Recommendation IV - 3

The Court Administrator should make improved disciplinary procedures and enforcement a high priority for his administration.

Revision of the city charter as proposed in Chapter I, above, will necessitate a change of the employee contract that routes the appeal process through the city manager's office. The court administrator should work with the director of Human Resources to make this modification.

E. Employee Orientation, Training, and Development

Training has been defined in this report as one of six critical organizational success factors in a court system. Policymakers at the Municipal Court have established a Training Division within the court and have appointed a long time court employee with training experience to oversee this very important and very necessary function. Since being appointed by the court, the trainer has assembled a fine series of courses, been involved in several "train the trainer" activities and hired an assistant. Among the courses the trainer has developed since the inception of the Training Division are:

- A five week orientation program for new employees;
- Courses in Sexual Harassment, Ethics, and Rumors required to be taken by all court personnel; and
- Specialized training courses in job-specific areas.

The five week orientation program is designed to acquaint new employees with an overall view of how the court works, as well as to provide him/her with on the job training. Personnel who have participated in this orientation program reported difficulty

in absorbing the entire program at one time and expressed feelings of being overwhelmed, which is common under these circumstances. Newly-hired staff felt that a six-month follow-up program would be very beneficial to them, as they would be in a position to better appreciate the value of the training.

Recommendation IV - 4

The orientation program should be expanded to include on going supplemental programs available to experienced employees.

In a new environment it is difficult to assimilate everything about your surroundings immediately. Opportunities to sit through court sessions and to better understand judicial procedures give employees a sense of belonging in a court setting and are valuable to experienced personnel as well as new employees. Vocabulary training courses dealing with definitions and understanding of judicial terms could be especially helpful now.

Courses in specialized areas such as sexual harassment, rumors and ethics provide court management with a tool to present their viewpoints to employees about these controversial issues. These types of courses are especially beneficial to employees because, not only do they assure employees that management is aware of these important and fundamental issues, but they also open the doors of communication and allow employees to give feedback to management in a comfortable setting.

Concerns have been expressed by staff relating to supervisory staff favoring subordinates of the same ethnic background. Bringing forth these concerns in an academic environment would help to ease tensions. Gender bias practices, like sexual harassment practices need to be identified and discussed in today's diverse working environment.

The Human Resources Department has put a very high priority on improved training for city employees. It is too early to comment critically on the quality of the

new training programs being offered, but there is every indication that there will be considerable improvements in programs offered by the Human Resources Department

Recommendation IV - 5

With the assistance of the court's training officer, the court should participate to the fullest extent possible in training programs offered through the Human Resources Department. The supervisors training program and the cultural diversity programs should be given the highest priorities.

As referenced throughout this report, the National Center project team believes that the court's supervisors should be given all the educational tools possible to do their jobs more effectively. The project team also believes that cultural diversity programs could improve morale and the work environment for all court employees. This program should be offered to all employees, from entry level clerk to master judge.

Specialized courses in specific job areas not only offer new employees the opportunity to acquire the job skills necessary to function in their new position, but also allow existing personnel to prepare for advancement to higher levels. In order to prepare properly specialized training courses in specific job areas, it is important that well defined procedures are written for each job classification and processing area. Although written procedures have been prepared for some areas of the court, in other areas procedures are ill defined and vary from supervisor to supervisor.

Recommendation IV - 6

The Training Division should communicate with all departments in a coordinated effort to develop a standardized procedures manual for processing cases in the Municipal Court. These procedures should be updated when processes change.

Written procedure manuals and proper employee training provide structure in an organization. This structure is especially important in a larger organization where misunderstandings and misconceptions of proper procedures can easily occur.

Although the court has established a Training Division to develop and instruct courses in pertinent areas, there is much more work that needs to be done in this area. Written procedures should be established for each job classification and processing area.

F. Personnel Records

Personnel records serve as an organization's institutional memory for human resource decision making, including individual personnel actions and organizational planning and policy making. They also serve to document compliance with federal, state, and city personnel requirements, OSHA/hazard communication, FLSA/Equal pay and IRS regulations, anti-discrimination legislation, including the Americans With Disabilities Act, and miscellaneous statutes such as ICRA, COBRA, LMRDA, etc.

At all levels of personnel record keeping, the court and the Human Resources Department would benefit from improvement. Court managers often use a variety of personnel data to gauge the status of their workforce. The data collected is often culled from payroll records of court employees. Aggregated data used include reports on sick leave, vacation leave, and other leaves earned and used, staff turnover (including exit questionnaire analyses), comp and overtime earned and used, disciplinary and complaint data, etc. The only data available to the National Center study team came from reports prepared to review court employees' use of overtime. This report was prepared because the court was concerned about the use of overtime, not as a regular report to monitor overtime on an on-going basis.

Recommendation IV - 7

Court managers should decide what personnel reports should be prepared for their management use regularly and propose to the Human Resources Department that such report generation be institutionalized.

G. Americans With Disabilities Act

Compliance with the ADA's requirements for physical access for the disabled is discussed in Chapter V. But physical access is only one aspect of the law. Employment policies, procedures, and practices are also covered by the law. The Human Resources Department has appointed a staff person to coordinate the city's efforts to be in compliance with the law, and modifications to city personnel practices may be made. For both the physical and personnel requirements of the ADA, the court seems to be satisfied with following the efforts made by other city departments. The court should become more proactive in this area and see that it has an exemplary record of complying, not only with the letter, but with the spirit of the law. Appendix A contains the Americans with Disabilities Act Self-Evaluation forms that the project team recommends all court managers review to familiarize themselves with the ADA.

The National Center project team recognizes that personnel issues often take second place to more pressing concerns for court managers. This chapter closes with a personnel audit checklist for court personnel to review so that each of the managers or supervisors of the court will be able to familiarize themselves with the scope of personnel issues facing the court.

A PERSONNEL AUDIT CHECKLIST FOR COURTS

PERSONNEL MANAGEMENTYESNON/A

1. Who administers the court's personnel program? (Indicate which functions are performed by the court, which by the funding unit and which are shared.)
2. Does the court have adequate staff to carry out its functions?

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PERSONNEL POLICIES AND RECORDSYESNON/A

3. Does the court have written personnel policies and work rules?
4. Is a copy of the personnel policies/rules given to each employee?
5. Does the court maintain personnel files on each employee? If not, who does?
6. Do employees have access to their files?
7. Is information from employee personnel files given out only with consent of the employee?
8. Does the chief judge or immediate supervisor provide employees with written performance evaluation at least annually showing employee both the positive and negative aspects of their job performance and is the evaluation shared with and signed by the employee?
9. Does the performance evaluation stress quality and quantity of work, timeliness, and cost containment rather than subjective traits?

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EMPLOYEE COMPENSATIONYESNON/A

10. Does the court have accurate and current job descriptions based upon job analysis?
11. Are salaries (at least non-union) determined as a result of job evaluation procedures that consider skill, effort, responsibility and working conditions?

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<u>EMPLOYEE BENEFITS</u>		<u>YES</u>	<u>NO</u>	<u>N/A</u>
12.	If fringe benefits are provided by the funding unit, does the court have in writing assurances that court employees are covered? In particular, verify: health and life insurance, unemployment compensation, worker's compensation, retirement, and disability insurance.	()	()	()
13.	Does the court have a written copy of all insurance and benefit programs currently in effect?	()	()	()
14.	Do benefits not differ for men and women with similar lengths of service?	()	()	()
<u>EQUAL EMPLOYMENT OPPORTUNITY AND AFFIRMATIVE ACTION</u>		<u>YES</u>	<u>NO</u>	<u>N/A</u>
Federal Law - Public Law 92.261; 42 U.S.C. 20000e, et seq.				
15.	Does the court have a written Affirmative Action Program? Does it cover handicapped individuals? Is the plan up-dated on an annual basis? What recruiting methods are being utilized to attract female, minority and handicapped applicants?	()	()	()
16.	Are the following records being kept?			
	a. Copies of all job applications for two years?	()	()	()
	b. Copies of terminations, both voluntary and involuntary?	()	()	()
	c. Copies of all disciplinary actions?	()	()	()
	d. Copies of all promotions?	()	()	()
17.	Does the job application blank violate civil rights regulations by requesting information about age, sex, religion, race, color, or national origin?	()	()	()
18.	Does the job application blank have a separate sheet requesting racial information? If so, does it say "for statistical reporting purposes only?"	()	()	()
19.	Are employment interviewers trained? Do they consistently examine the same relevant information areas? Are their questions job related? Do they not ask questions that indicate a preference based upon race, sex, national origin, age, handicap status, etc.?	()	()	()
20.	Have written tests that are used been validated?	()	()	()
21.	Has sexual harassment been strongly banned and appeal procedures established?	()	()	()

EQUAL PAYYES NO N/A

22. Are men and women paid the same rate for doing equal work, except for valid variables such as seniority or job performance? () () ()
23. Are employees furnished with a detailed pay statement showing hours worked, wages paid and deductions made, each pay period? () () ()

LABOR RELATIONSYES NO N/A

NOTE: Complete if Court employees are organized.

24. Which court employees are organized into bargaining unit(s)?
25. Is the court named as the employer and does the chief judge(s) sign the collective bargaining agreement? () () ()
26. Is court management represented at the bargaining table? () () ()
27. What court employee(s) is (are) responsible for administering the collective bargaining agreement as it relates to court employees?

EMPLOYMENTYES NO N/A

NOTE: Also see EEO and Affirmative Action.

28. Are vacancy announcements posted within the court? () () ()
29. Does the court participate in the screening of candidates? () () ()
30. Are job vacancies advertised so as to reach a wide cross-section of the labor market? () () ()

PERSONNEL TRAININGYES NO N/A

31. Are all court staff employees properly trained and adequately experienced in their respective positions? (If not, what training is needed?) () () ()
32. Are court employees sufficiently trained and experienced to handle and fill in for other employees in case of absence, illness, vacation, etc.? (Is cross-training necessary?) () () ()
33. Are court employees members of the associations designed to promote education and professionalism in their respective positions? () () ()

PERSONNEL TRAINING (Cont.)

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|-----|---|-----|-----|-----|
| 34. | Is money budgeted to cover tuition/registration, subsistence, and travel expenses associated with training attendance? | () | () | () |
| 35. | Are new employees oriented as to their job, how it fits into the court's functioning, and how this court fits into the judicial and criminal justice systems? | () | () | () |
| 36. | Do employees receive an employee handbook? | () | () | () |
| 37. | Is the court careful to live up to the terms set forth in that handbook? | () | () | () |
| 38. | Does the handbook include an organizational chart which details reporting relationships? | () | () | () |

NOTE: This checklist is drawn substantially from the "Study Guide for Internal Management Practices." Michigan State Court Administrative Office. Additional questions were developed by Theodore H. Curry, School of Labor and Industrial Relations, Michigan State University.

V. COURT FACILITY REVIEW

A. Court Workload

The facilities recommendations, as well as recommendations in other sections of this report, are made in light of workload projections made by project staff. Projecting workload is an inexact science in the court environment. Thus, three possible growth rates were calculated; slow; moderate; and fast growth rates. For this report, project staff chose to use a *moderate* growth rate as a standard while formulating their recommendations.

However, the possibility for a significant addition of officers to the Metro Police Department in the future should be recognized. Estimates have ranged up to 300 new officers. For the purposes of estimating the impact this infusion of officers would have on court workload, project staff conducted a series of statistical calculations. The first calculations attempt to identify any correlation between the number of officers and the number of filings. The second calculations attempt to determine what impact the infusion of 200 more police officers would have on court filings. Based on our calculations, the greatest correlation has historically been between police officers and traffic filings and, therefore, the impact of the additional officers will be most significant in the area of traffic filings (See Figure V-1).¹

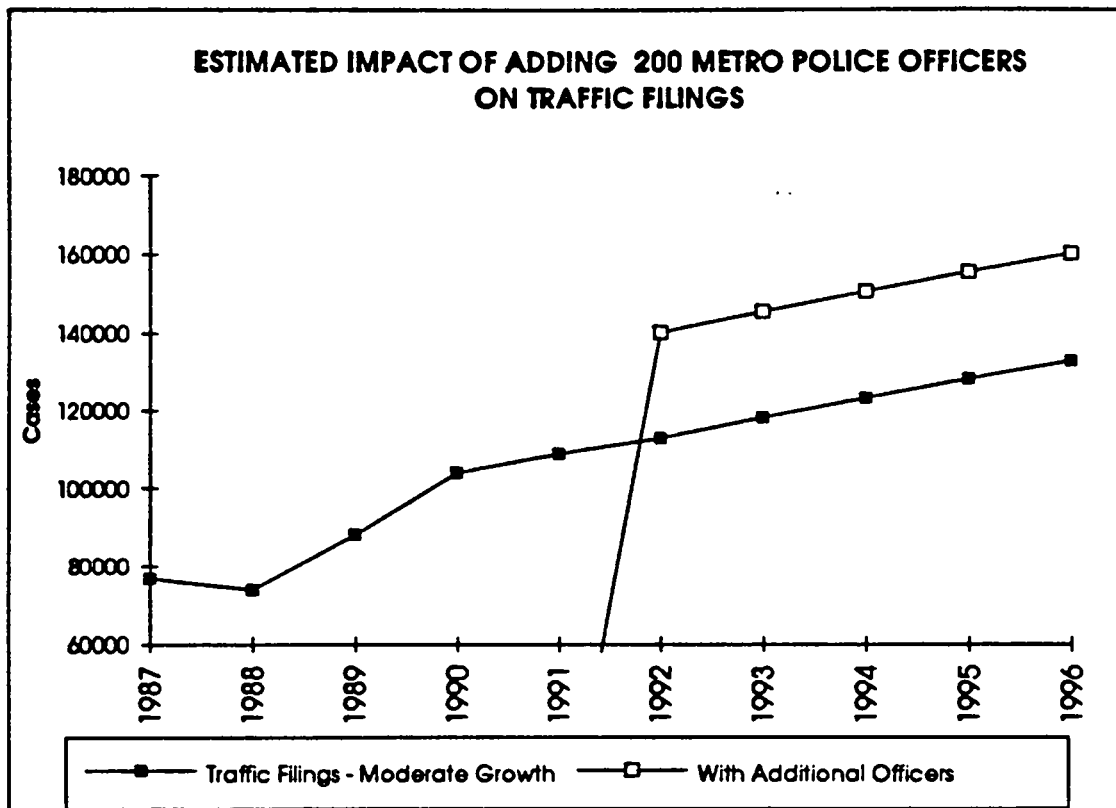
B. Methodology for the Projection of Traffic Filings

The traffic projections, based upon a 200 officer one time increase, were calculated in the following manner. First, the historic relationship between officers and traffic filings was calculated using the regression technique of ordinary least squares. The relationship proved to be strongly correlated, with 83% of the variation between the variables explained by the relationship. Also, the regression was significant at $F=14.23$ for 3

¹ A complete series of projections are contained in Appendix B to this report.

degrees of freedom. The regression produced a coefficient of 136.89, suggesting that each additional officer, including all non-traffic patrol officers and sworn officers acting in an administrative capacity, produces about 137 traffic filings annually.

Figure V - 1



Assuming the historic relationship would be maintained, the number of officers was projected into the future by a modified logarithmic growth trend. This trend was then augmented by a 200 officer increase, beginning in projected 1992. These projected officer levels were then applied to the historic officer/traffic filing relationship to calculate traffic filings.

C. Purpose of Facilities Review

The NCSC project team was asked to evaluate the court's existing facilities to (1) assess their potential for continued use, (2) develop recommendations for the court's long-

term development, and (3) make suggestions regarding interim solutions for the court's space needs.

The following assessment of facilities needs for the Las Vegas Municipal Court has been conducted with full knowledge of recent events in planning for and attempting to initiate facilities improvements. The 1991 consultants' study produced a plan that indicated the court needed 131,000 to 146,000 departmental gross square feet of space. After the consultants study, a modest \$15,000,000 bond measure for 40,000 square feet of court space was defeated by the electorate.

The National Center study team understands that its assessment of the facilities needs of the Las Vegas Municipal Court is not a pure academic undertaking and that the recommendations must be applicable in a real-world environment. Nevertheless, the defeat of the bond measure does not mean that the needs represented by that measure should be reduced. This assessment takes a fresh look at facilities needs using tested and accepted national court facility standards.

Assumptions

Growth. It has been assumed that little growth will occur in the court in the immediate future. All needs projections are based upon current staffing and workload levels. Because of time constraints, no attempt has been made to project future space needs of the court.

Jurisdiction. The project team has assumed that there will be no immediate jurisdictional changes in the court that would alter court procedures, operations, or staffing needs.

Jury Trials. It is assumed that the court will not have jury trials during the planning time frame.

Court Reporters. The court will continue to be a court not of record and space for court reporters has not been included.

Standards. Square footage estimates are based either on detailed space lists (courtrooms and chambers) or on nationally recognized judicial space standards. See *The Courthouse: A Planning and Design Guide for Court Facilities*, published by the National Center for State Courts, 1992.

D. Current Facility Plan

The Municipal Court is housed in four separate locations. The main part of the court is located on the Plaza Level of the City Hall Complex. This building contains four courtrooms (Departments 1, 2, 4 and 6), judges' chambers, a video room, court administration, most of the criminal and traffic divisions, the main public counter, and active court files.

Previously located on the second floor of the City Hall building was Court Counseling, which is now located with the city's Human Resources Department under the freeway. Just behind and north of the City Hall Complex is a modular unit housing two courtrooms (Departments 3 and 5). Both departments handle traffic cases, but not traffic arraignments. Also housed in the building is the training section, mail room, and small business counter. Between the North Facility and City Hall is located the Court's Marshal Unit.

A satellite office (the Rancho facility) is located approximately ten minutes from City Hall. Housed there are the traffic school, work program, domestic violence, DUI/Drug Abuse assessment program, home detention program, part of court counseling, court record archives (approx. 1900 Departmental Gross Square Feet [DGSF]), and another small business counter.

The following table summarizes the current space available in each of these locations.

Space/Location	GSF
Plaza Level - City Hall Complex	13,650 SF
North Facility	4,320 SF
Second Floor - City Hall Complex	5,830 SF
Marshals Office	970 SF
Drive-up Window	100 SF
Human Services Building	4000 SF
Rancho Facility	4,400 SF

E. Planned Moves and Changes

Several changes to the facilities are already planned. These include moving court administration and intake services upstairs to the space previously occupied by court counseling. This will free-up about 5,800 SF on the plaza level into which the clerical operations can expand. Court counseling meanwhile has moved to human resources building under the freeway.

Expansion of the security station immediately outside the courtrooms has been discussed. This would be accomplished by bumping out the exterior wall next to the security station to create a wider walkway to the courtrooms. This would allow the inclusion of a x-ray machine should one be considered necessary.

F. Space Needs

Estimated current space needs are based upon the following nationally recognized judicial space standards. It is assumed for initial planning purposes that all trial functions can be performed in a standard trial courtroom and that there is no need to differentiate between different types of trial functions or case types. It is further assumed that there should be courtroom-related prisoner holding cell conveniently accessible to every courtroom. Depending upon the final facility plan, this feature may not be included.

Functional space not now available, that should be planned for in any major renovation or new construction, include attorney/client conference space, victim/witness waiting areas, more public waiting space, private work stations for judicial secretaries/assistants, central prisoner holding facilities and central security office, and judicial conference rooms.

Space standards used in this plan are listed in Figure V-2.

Figure V - 2

PRELIMINARY SPACE STANDARDS	
Space	NSF
Standard Trial Courtroom	1700
Court Related Holding	
Group Holding w/toilet	120
Single Holding w/toilet	75
Officer Workstation	45
Attorney/Client Conference	80
Witness Waiting	120
Judges' Chambers	350
Judicial Support	
Judge's Secretary	150
Law Clerk	80
Storage/Work area	120
Judicial Conference Room	350
Law Library/Staff Training	800
Court Counseling Classrooms	500
Court Administration	150
Clerical Workstations	120
Counseling	140

Current space needs of the Municipal Court are based upon six judges and six courtrooms. It is assumed that each judge will have a secretary, courtroom clerk, and bailiff. Public waiting space is based upon an average of thirty persons per court. One court-related holding cell is projected for every two courtrooms. There is assumed to be a central holding facility with a vehicular sally port (assumes that the court is located in a building other than the City Hall Complex). Also assumed are one law library, one judge's conference room, and six court counseling classrooms. The assumed spaces are detailed in Figure V - 3.

Based upon these assumptions, it is estimated that the court requires about 85,000 Building Gross Square Feet (BGSF) to accommodate its present functions and operations effectively. Current space in all the court's facilities is about 35,000 BGSF. The difference in estimated space needs and what the court now occupies is the result

Figure V - 3
Preliminary Space Facility Needs
Las Vegas Municipal Court

	Quantity	Standard NSF	Total NSF	Total DGSF	Comment
Courtroom/Chambers Set					
Std Trial Courtroom	6	1700	10200	16830	Six courtrooms, 60-100 seating
Atty/Client Conf	12	80	960	1584	Two per courtroom
Witness Waiting	12	120	1440	2376	Two per courtroom
Public Waiting	180	10	1800	2970	30 persons per courtroom are assumed.
Judge's Chamber	6	350	2100	3465	Six judges
Judge's Secy	6	150	900	1485	One per judge
Court Security Workstation	6	50	300	495	One per chamber
Staff/Clerk Position	6	80	480	792	One per judge
Storage/Files/Work Area	6	120	720	1188	One per chamber
Conference Room	1	350	350	578	Shared by entire court
TOTAL BGSF				31763	
Court Related Holding					
Group Holding	3	120	360	594	One court holding area for every two courtrooms
Single Cell Holding	3	75	225	371	
Officer Workstation	3	45	135	223	
Vestibule	3	40	120	198	
TOTAL				1386	
Law Library	1	800	800	1320	
Central Holding					
Sallyport	1	1000	1000	1650	One central holding area to service entire building.
Security Vestibule	1	120	120	198	
Control Station	1	200	200	330	
Equipment Room	1	120	120	198	
Male Group Holding	1	120	120	198	
Male Single Holding	1	75	75	124	
Female Group Holding	1	120	120	198	
Female Single Holding	1	75	75	124	
TOTAL		1830	1830	3020	

	Quantity	Standard NSF	Total NSF	Total BGSF	Comments
File/Records Storage	3	1000	3000	4950	
Administration					
Director	1				
Deputy Director	1				
Finance	3				
Secy	4				
Training	1				
MIS	1				additional space for shop work and storage
TOTAL	11	125	1375	2269	
Traffic Division					
Chief	1				
Traffic Courtroom	5				
Traffic Documents	44				
Case audit/update	6				
Parking Collections	4				
TOTAL	60	125	7500	12375	
Criminal Division					
Chief	1				
Criminal Courtroom	10				
Criminal Documents	16				
Criminal Warrants	8				
Criminal Intake	8				
Bond	3				
TOTAL	46	125	5750	9488	
Marshal's Office					
Chief	1				
Courtroom Security	8				
Field Operations	12				
Security Checkpoint	5				
TOTAL	26	125	3250	5363	

	Quantity	Standard NSF	Total NSF	Total BGSF	Comments
Court Counseling					
Chief	1				
Administration	11				
Alternative Sentencing	5				
Traffic School	7				
DUI Assessment	2				
Drug Abuse Assessment	2				
Misdemeanor Program	6				
Substance Abuse Unit	4				
TOTAL	38	125	4750	7838	
Court Counseling Classrooms	6	500	3000	4950	
TOTAL COURT				84722	

Note: Building Gross Square Feet (BGSF) is calculated by multiplying the Net Square Feet (NSF) by 1.65. The 65% grossing factor, as it is called, is used to estimate the space needed for interior walls, circulation, stairwells, public accommodations such as restrooms and lobby, and building support including maintenance and mechanical spaces.

Public waiting space in hallway is included as the circulation space in the grossing factor.

Parking space is not included in the BGSF.

of additional space for areas that are not now present or that are of insufficient size, such as witness waiting areas, attorney/client conference spaces, a judicial conference room, adequate records storage space, adequate public waiting areas, prisoners holding cells, and proper circulation and zoning.

G. Evaluation of Municipal Court Facilities

Design and Image. The existing court environment does not promote a sense of consideration and deliberation of an impartial tribunal. Its association with the police department and the jail blurs the distinction between a separate and impartial judiciary and law enforcement agencies. There are no outstanding architectural elements that evoke a sense of justice and dignity. This lack of strong judicial identity continues within the court. The courtroom entrances are unremarkable and the clutter and noise in the courtrooms further contribute to the lack of decorum and a judicial setting.

Space. The court and its offices are crowded, especially those elements located in the City Hall building. Existing physical environment can be rated as sub-standard, as compared with the court facility standards used in most of the new courthouse designs. Both the clerk's offices and the four courtrooms are too small and lack essential space elements required in a functional court facility. The areas that are present are both inadequate in size and functionally unsuitable. A major deficiency in the layout of the court is the lack of sufficient intra-office circulation space and the lack of separate prisoner circulation. Additionally, there are no attorney/client conference rooms, no victim/witness waiting rooms, no private workstations for clerks and bailiffs who must remain in the courtroom when court is adjourned. Administrative offices are too small, the reception and waiting areas are nonexistent, or inadequate, the conference room is too small, and there are no conveniently located training facilities. A summary of the spaces that are missing/inadequate are:

Sound lock/vestibule to courtrooms
Courtroom holding cells

- Judicial library and conference rooms
- Bailiff work stations
- Public waiting areas
- Victim/Witness waiting room
- Attorney/Client conference rooms
- Attorney waiting area
- Law enforcement officer waiting room
- Adequate public waiting area at counters
- Adequate active records storage
- Supply and equipment storage areas
- Photocopy/mail work areas
- Conference/training facilities for administration
- Field offices for prosecutors and court services staff

The court needs about 85,000 GSF. Current available space in all locations amounts to about 35,000. The difference is attributable to the absence of some needed spaces and the insufficient space allowed for the areas that are present.

Environment. Noise is the biggest environmental problem in the courthouse. The congestion, lack of adequate insulation, and the presence of noise generating equipment contributes significantly to the level of noise and overall confusion in the courthouse. This is both distracting and disorienting to the public and makes it harder for the clerks to do their work. The two front courtrooms in city hall are especially noisy, adding to the lack of decorum and making it difficult to hear and understand the proceedings. The courtrooms lack sound locks to keep noise from filtering in from the corridors, but the main offender is the in-line sewage grinders that were installed to eliminate plumbing backups in the jail. The operating vibration from the sewage grinder generates a high level of ambient noise that disrupts normal communication in courtroom proceedings and imposes high levels of stress on judges and courtroom staff who work long hours in such an environment. The fan noise for heat and air conditioning transferred via overhead air ducts located immediately between the judges bench and litigant tables in some courtrooms is quite problematic. It makes it difficult for litigants to hear and requires the judges to raise their voices to be heard. This embarrasses litigants who appear deaf and

influences the general demeanor and appearance of the judges who seem to be yelling at the litigants. This is exacerbated in cases involving elderly or hard of hearing litigants and witnesses. Additionally, departments 4 and 6 share a connecting rear wall through which sound easily carries from one court to the other.

Adjacency and Circulation. The lack of sufficient space in the main court building has required the location of offices, courtrooms, and support functions in several buildings. This has not been done to improve service to the public and community but out of necessity caused by a lack of space. Service to the public would improve if all offices could be located in one facility.

Clerks Office - General

The clerk's office is responsible for the safety and security of all court records, documents, case files and other pleadings filed in the office, and for the storage and security of exhibits admitted into evidence. The clerk also prepares court calendars, monitors case progress, and records minutes of courtroom activity. Other duties include producing and distributing statistical and management information; and collecting fees and fines.

Design and Image. The clerk's office should convey an image of order and efficiency; the layout of the office should be flexible and promote the smooth and efficient flow of work. The current offices reflect an image of confusion and disorder caused by the lack of space, which adversely affects the office's efficiency.

Space. The design of the clerical offices should provide sufficient space for public-queuing, leading to the public counter. Most clerical operations can be accommodated by open office work stations. Private and semi-private space should be provided for supervisors and anyone performing work that requires much concentration. The records-filing and storage areas should be centrally located to the general office work areas. Copier areas, mail room, conference room, break area, and other ancillary spaces should be conveniently located to clerical work stations.

Adjacency and Circulation. Appropriate separation should be maintained between the public and office staff. Private circulation should be provided for court employees who need to walk between offices and the judges' chambers and courtrooms. This presently is not possible because the location of the two back courtrooms requires the public to walk around and behind the judges' chambers and private work areas. Staff-only areas should include court records storage areas, the exhibit room, computer equipment room, supply storage room, photocopy machine area, cashier workstations, and behind-the-counter work areas.

Accessibility. The clerk's office should be located at, or near, the major public entrance to the courthouse so as to avoid congestion in other areas of the building. Public access areas within the office include the reception and waiting areas, public viewing room, and counter areas. The present location of the clerk's office is one of its few major assets. It is both convenient and visible to those coming to the City Hall Complex.

Furnishings. Most clerical operations function well in an open office environment that includes cubicles and counter work stations. Some private offices are appropriate for supervisory personnel who must supervise staff or receive visitors. Private offices should be furnished with standard office equipment.

Technical Considerations. Telephone lines and computer cabling should be available to all work stations as well as cable conduits for built-in computer terminals and printers for electronic access to law databases, word processing, and database management. Other equipment should include a facsimile machine.

Public Queuing and Waiting Area.

Between 12 and 15 square feet per person should be allowed for the public-waiting area in front of the counter. The minimum distance from the entrance to the counter should be 10 to 12 feet; more if large crowds gather at certain times of the day. There should be signs and instructional material for the hearing impaired. The current queuing space is inadequate to hold the crowds that gather. Some congestion would be eliminated if the area

for the security checkpoint could be increased by moving the exterior wall, as the waiting line for the magnetometer overflows into the counter area.

Because of the number of people coming to the public counters, the waiting area also should be furnished with chairs or benches. Some people may need to sit or rest while waiting. Also included might be writing tables or wall-mounted counters that can be used by persons who need to complete necessary forms.

Counter Work Stations

The counter should be highly visible. Counter work stations should be designed so that the staff and customer are at about the same eye level. At least one section of the counter should be lowered to serve the needs of handicapped staff and members of the public in wheel chairs or persons who are unable to stand for long periods.

The counters should be wired to support computer and video display terminals. Security glazing or shatter-proof glass should be installed between the counter and the ceiling to reduce noise filtering into the office and provide greater security to staff.

Records Storage Area

Active court files should be located close to where they are to be used.

Vertical open shelf lateral filing is recommended. Inactive records should be removed from the clerk's office and stored off-site. The storage area should not be subject to frequent or wide fluctuations in humidity or temperature.

For fire prevention and fire safety specification, please refer to the *Manual for Fire Protection for Archives and Records Centers*, publication 232AM-1986, prepared by the National Fire Protection Association (NFPA) in Quincy, MA. All walls separating permanent records storage areas from other functional spaces should be four-hour fire resistant walls. All openings in fire walls should be protected on each side by fire doors suitable for Class A openings. No ducts should pass through fire walls that separate two records storage areas. No water, steam, or other pipes, other than sprinkler pipes, should pass through the records storage area.

Aisles between the rows of shelves should be a minimum of 36 inches wide, with major aisles being 4 to 6 feet wide to allow the passage of carts. The flooring should have a minimum live load capacity of 125 to 150 pounds per square foot, depending upon the height of shelving and the type of equipment used.

Clerks' Work Stations

Most clerical activities can be performed at a modular workstation requiring about 60 NSF. Some jobs, such as money counting, should be done out of public view, and activities that require maximum concentration, such as data entry, should be located in quiet, distraction-free environments. The present office work areas are cramped and extremely noisy, causing many distractions to clerical staff.

Most clerk work stations could be arranged in an open or partitioned setting. (Partitions enhance work privacy and acoustic control.) In order for work stations to be integrated with computers and other automated office equipment, sufficient cabling and outlets should be provided for each station.

Supervisor Offices

Private offices should be provided for supervisory positions such as the clerk and chief deputies. An office provides privacy for routine work assignments and sensitive personnel matters and symbolizes the hierarchical status of the position.

The clerk's office should range from 250 to 350 square feet and include a desk, chair, flat work surface, several side chairs, a small conference table, bookcases or shelves, filing cabinets, and a typewriter or computer workstation.

Supply/Storage/Equipment

Photocopy, facsimile equipment, and related storage space should be located conveniently for staff use and internal copying needs and to fill requests for court documents.

walls should be treated as needed, either to increase or reduce sound in the well area. The floor should be finished with carpet or padded vinyl to reduce noise.

The public seating area should have highly absorptive materials for the floor, walls, and ceilings. This eliminates serious sound reverberation in the back of the courtroom where most sound will be directed. In addition, this reduces the noise generated by spectators and witnesses.

To further insulate the courtroom from noise, vestibules or sound locks and conference rooms should be placed between the courtroom and public area as a buffer zone. Door seals are also highly recommended.

Lighting. Adequate lighting should be provided, with greater intensification in the litigation area. Changes in lighting are needed for displaying evidence, showing films, and using overhead projectors. Court personnel should be able to make the necessary adjustments from their stations with a minimum of movement. A combination of fluorescent and incandescent lighting should be used in the litigation area, with spot illumination over key participants. Dimmer illumination can be used in the spectator area, but the judge should still be able to view all visitors clearly.

Heating Ventilation and Air Conditioning (HVAC). Courtrooms should have adequate ventilation, heating, and cooling systems, with independent thermostatic controls for each courtroom, and controls should be easy to adjust. Maintaining suitable environmental conditions within the courtroom is important. A courtroom that is too warm or too cool can have adverse effects upon the participants.

Adjacency and Circulation. Proceedings will progress more smoothly if participants are able to move about the courtroom without disturbing others. In criminal trials, prisoners need to be brought in through secure entrances so that they do not pass through the public seating or by witnesses.

Entrances should be carefully located near the appropriate areas for each courtroom participant. The public should enter through a single public vestibule to

provide sight and sound separation from courtroom activities, as well as for security purposes. Prisoners should enter from the holding area through a passageway located near the defendant's attorney table. The bailiff and the clerk may have a separate entrance. The judge should have an entrance behind the bench.

Entrances and access to the front two courtrooms in City Hall are adequate except for prisoners who must be escorted through the private corridor behind the courtrooms. The public access to the back two courtrooms is extremely poor, requiring people to walk back a narrow corridor. Additionally, staff and judges have only one entrance that is accessed from the public corridor and prisoners must be brought in through either the public entrance or the private entrance.

Accessibility. Courts that generate a high volume of traffic should be located on the lower floors and have the necessary support offices nearby.

Security. Security should be provided with architectural barriers, technology, and operational methods. Architecturally, security is provided through the clear separation of circulation routes for participants in the proceedings and the elimination of spaces where a weapon or bomb might be placed. The public should enter the courtroom from the public zone, prisoners should enter through a secure zone, and judges and court staff should enter through a restricted, or private, zone.

Technologically, the courtroom can be made more secure through the use of magnetometers at entrances, bullet-absorptive materials along the judge's bench, and distress alarms connected to security stations to send audio or visual signals. Operationally, bailiffs or court deputies should be stationed in the courtroom during proceedings, and an emergency response plan should be developed to meet the need before it arises.

Furnishings. Generally, the colors and tones of walls and ceilings should promote a dignified, calm atmosphere. Furniture and finishes should express the seriousness of the proceedings, yet not be too dark or overbearing; furniture should be comfortable, sturdy,

Staff Support Areas

Besides the specific work areas covered in the clerk's office, other support areas, such as private staff toilets and a staff lounge or break room are required. Although not stylish, the present accommodations are adequate.

Courtrooms and Litigation Support

Design and Image. Both symbolism and functionality are important in the design of courtrooms. The appearance and ambiance of the courtroom should be restrained and dignified.

Space. The shape of the courtroom must permit participants to see and hear each other clearly. Distance can affect acoustics and the ability to observe changes in facial expression or demeanor. Wide sight angles interfere with concentration and cause physical fatigue as participants must look back and forth.

The width of the courtroom's litigation area permits isolation of individuals from improper influence. The depth of the litigation area is determined by the need to separate the judge's bench and attorneys' tables. This separation is necessary both to provide adequate circulation within the litigation area and to give prominence to the judge's role in the proceedings.

The size of the spectator seating area is determined by the size of the court's daily calendar and number of cases set for a particular time. This can be altered by changes to the court's calendaring policy. A typical planning average is eight to ten square feet per person. The lower figure is used for larger courtrooms and the higher figure used for smaller courtrooms and hearing rooms.

Ideally, at least one courtroom should be capable of holding up to 150 spectators, to accommodate ceremonial functions, motions, calendars, docket calls, or public meetings. For future planning it is recommended that the court consider 1700 SF as the standard courtroom size. For purposes of remodeling and renovation of the current facility, the court should be able to make do with smaller courtrooms of approximately

1,200 - 1,300 SF, if some adjustments are made to the arrangement of the litigation area. For instance, the use of a corner bench arrangement in the courtrooms is generally more space efficient than the current center bench arrangement.

The height of the courtroom should be proportional to the room's size for symbolic and environmental reasons, and it should provide appropriate distance from the ceiling for a judge standing at the bench. The head of a six-foot judge standing on a raised stand of about 21 to 24 inches would be eight feet above floor level. Ceiling heights of 11 feet or less would make the judge appear too close to the ceiling, but excessively high ceilings can create acoustical problems. In courtrooms of 1,700 square feet or less, ceiling heights should be 12-14 feet. Another way of handling courtroom ceiling heights is to have a higher ceiling over the litigation area than over the spectator seating area, if this variance in ceiling height does not adversely affect the room's acoustics.

Environment. The courtroom should be dignified, comfortable, and businesslike. In addition, consideration must be given to proper acoustics, lighting, and heating, ventilation, and air-conditioning systems.

Acoustics. Courtroom participants should be able to hear the proceedings clearly. Acoustics should be clear, with no reverberations or echoes, and should be enhanced in the litigation area. Features such as soundproofing between courtrooms and surrounding spaces (particularly holding cells), double-door vestibules from public corridors and holding areas, and carpeting reduce the extraneous noise within the courtroom. Present conditions in the City Hall court spaces provide little room for the court to operate efficiently. The halls, clerk's office, and courtrooms are noisy and crowded, and office staff lack adequate space in which to work.

Surfaces frequently are used to reflect sound that originates in the well area and absorb sound from the spectator areas. Generally, the front wall of the courtroom may be constructed with reflective materials to enhance the sound from the well area, while the back wall is covered with sound absorptive materials to reduce noise and echo. The side

durable, vandal-resistant, and easy to clean. Consideration should be given to the life-cycle cost of materials as well as the aesthetics. Floors and walls should be treated for sound control. Seats, benches, and chairs should be comfortable and easy to maintain. In high volume courtrooms such as the Las Vegas Municipal Court, hard benches are recommended because it is easy for people to slide in and out and there is considerable flexibility in the number of people that can be accommodated.

Technical Considerations

In most courtrooms, judges and court staff should have access to audio-visual equipment, computer terminals, and information systems. Although such equipment may not be installed immediately, such systems are becoming increasingly important to the conduct of trials and for caseload management. Plans for their eventual installation should be considered.

Sound and video equipment. Microphones should be controlled by the judge or clerk and located at the bench, witness stand, podium and attorney tables.

Sound amplification systems. All larger courtrooms should be equipped with sound amplification equipment for the hearing impaired. The equipment also permits the playback of audio exhibits. The master controls should be located at the bench or court clerk's station.

Computer terminals and monitors. Access to computer terminals should be planned for the bench, court clerk's station, court reporter's station, attorney tables, and witness stand.

Other equipment. Provision should be made for the projection of slides, and overhead transparencies. If the courtroom is fully automated and equipped with video monitors, these materials could be displayed or projected electronically.

Judges Chambers

Personal staff includes a judicial secretary, court clerk, and bailiff. The judges' chambers must accommodate meetings and conferences with staff and attorneys, legal

research and study, preparation and review of case files, storage of case files, informal hearings, screening of visitors, reception, telephone answering, typing, and filing.

Judge's Private Office

Design and Image. The location, size, and furnishings of the judge's private office should reflect the dignity and importance of the position. The administrative judge requires additional space, reflecting the judge's added administrative responsibilities.

Space. There should be sufficient space in the judge's personal office for study, case preparation, and personal reference materials. The office also needs to hold conferences between judges, attorneys, and court staff. Generally, 250 to 350 square feet is sufficient.

Environment. Much of the judge's work requires a quiet and distraction-free environment. The chambers should have windows for natural lighting and visual relief, but should not be able to be viewed directly from the building's exterior, as this may pose a security threat to the judge. The office also should be soundproof and quiet as conversations with attorneys and litigants regarding pending cases should be confidential. Environmental controls for the office should be located within the chambers.

Adjacency and Circulation. Because judges need to retire to their private office to handle other matters during recesses or other breaks in courtroom proceedings, judges chambers need to be close to the courtrooms. Judicial access to courtrooms is not a problem in either the City Hall building or the court's north facility. In both cases the chambers are a short walk to the courtroom.

Security. Judges should be able to enter and exit the courthouse inconspicuously. There should be a private corridor from the judge's parking area to the judge's chamber. The chambers should be equipped with a silent duress alarm, located inconspicuously at the desk, that will alert a central security control station of an emergency.

Furnishings. The judge's private office should be furnished with a desk, work surface, bookcases, small conference table, sofa, and side chairs. The furnishings should be appropriate to the decorum of the office.

Technical Considerations. Offices should have electrical receptacles and cable conduits for built-in computer terminals to access law databases, word processing, and database management systems and to review taped depositions and case transcripts. A telephone also should be provided. Other equipment might include a facsimile machine.

Judicial Staff Support and Chamber Support Spaces

Besides the judge's private office, space should be provided for a secretary, clerk, and bailiff. The staff offices should harmonize with the design and image of the judge's private office to form a unified suite.

Reception/Secretarial Area. The secretary's work area should be a minimum of 100 to 120 square feet to accommodate a desk with typing stand, one or two lateral filing cabinets, and bookshelves. There also should be space for word-processing or computer equipment, including a video display terminal, keyboard, and printer.

An adjoining reception/public-waiting area of about 40 to 60 square feet should be located directly outside the judge's private office and it should seat two to four guests and be furnished with comfortable chairs.

The secretary should have access to photocopy and facsimile equipment. This equipment may be part of the chamber area or centrally located and shared among a set of chambers. The secretary's desk should have a duress alarm so as to notify security personnel in emergency situations.

Clerk's Area. The clerk is stationed at a desk in the courtroom. If located in the judge's chambers, the work station should be in view of the reception area for screening visitors when the secretary is out of the office.

Bailiff. The bailiff is responsible for the judge's security and may be located either in the judge's chamber set or in a central location with other bailiffs. If the bailiff's station

is located in the chamber set, the work space should be approximately 100 square feet or less, including a desk, chair, filing equipment, and visitor chair.

Judicial Toilets and Robing Areas. For security reasons and as a convenience to the judge, judicial restrooms should be separated from public restrooms. The judge's restroom should be approximately 50 square feet and designed to accommodate persons with disabilities. When chambers are clustered, common restroom and robing facilities might be shared.

Judicial Libraries and Conference Rooms. The judge's private office should contain a small personal library and a meeting area that can hold 4 to 6 persons. If needed, larger library and conference space may be located outside the judge's private office and shared with other judges in the court. To improve space efficiency, conference rooms also could double as law libraries for judicial staff.

Summary

The present facility falls far short of meeting many of the latest courthouse standards. To correct or improve the deficiencies, such as space inadequacy and architectural functional mis-arrangement of space, will require an extensive facility improvement effort. Options available range from building a new courthouse to house the Municipal Court and associated agencies, annexation of new space and renovation, or providing additions to the existing facilities. While some improvements can be made to the existing facilities, these are recommended only as an interim solution pending a longer-term and more permanent solution. The advantages and disadvantages of each alternative/option should be studied in more detail, in terms of its cost efficiency, feasibility, and impact on court operations.

H. Long Range Expansion Alternative Analysis

The Court and the City have discussed many options for meeting the projected needs of the Court. Among the options considered to date are (1) an addition to City

Hall, (2) move to future available space in the Clark County Courthouse, (3) purchase the Post Office, and (4) construction of new courthouse on an undetermined site. These alternatives are discussed below.

Addition to City Hall. One option is to build an addition to the City Hall complex. This might be done in one of two ways, the first being vertical expansion of City Hall above the existing court and jail. This, however, would generally be expensive and disruptive to existing operations. Usable floor space that would be available through vertical expansion was estimated previously at only 7,500 SF per floor, while construction costs were estimated at \$200 per SF. Just to make up the difference between existing space and needed space would require the construction of about a seven-story structure. This would not hold offices now located in other facilities. This is not very practical, particularly in light of less expensive options, and could greatly detract from the overall appearance of the City Hall Complex.

A second option for expansion is to build an addition to City Hall along the west side of the building. While space exists that would accommodate a small expansion, a multi-story facility also would need to be constructed if it were to accommodate the court's entire space needs. This option would be less disruptive to existing operations and the City and Court may wish to evaluate the site along with others if the choice is to build a new facility. The disadvantages to this site, however, are the necessity of building a multi-story (7-10) facility and the lack of parking on the site.

Use of Clark County Courthouse. The existing Clark County Courthouse contains county offices, the Clark County District Court and the Justice Court. The County is considering the construction of a new county administration building to house those administrative offices now located in the courthouse or occupying leased space elsewhere. While this would free up space within the courthouse, that might be used by the Municipal Court, this probably is no more than a temporary solution for the Municipal Court.

It is inevitable that both the District Court and the Justice Court that now occupy the building will need to expand in the future. Second, much of the freed space will be scattered throughout the building and would not contribute to the efficient functioning of the Municipal Court. It would be necessary to reconfigure the entire courthouse to make the best use of the space. For example, both the Justice Court and Municipal Court are high volume courts, attracting much foot traffic. They should both be located on the lower floors near the public entrance to the building. This would involve the redesign and remodel of much of the building.

The presence of a second high volume court in the building would place a great strain on the building's public accommodation facilities. And, finally it is unlikely that there would be sufficient space within the courthouse to house the entire municipal court.

Recommendation V - 1

While the Clark County Courthouse is not a likely candidate to house the entire Municipal Court, the court should investigate placing a small public payment counter for the Municipal Court in the county courthouse.

It is expected that there is often some confusion concerning the correct court and location and that Municipal Court defendants often go first to the Clark County Courthouse to pay their fine, or ask about their case. With automation capabilities to look up case information and update case records from remote sites, a payment window and public counter could be located in the Clark County Courthouse as a public service. This also would allow people with other business in the county courthouse to conduct their municipal court business simultaneously, which would reduce traffic and congestion at city hall.

Purchase of the Post Office. A new Post Office is being constructed and should be ready in 1996. The present post office sits on a two acre site next to City Hall and contains about 37,00 GSF. While the present building would be insufficient to house all of

the court's space needs, there is space available for the construction of an addition behind the post office. The advantages to the post office site are its location, availability of parking, and the high floor to ceiling heights that could easily hold courtrooms.

Because the post office is on the register of historic buildings, there would be limits on the amount and type of renovation that can be done. Considerable renovation would be required within the building. There is only one public elevator in the lobby. More elevators would need to be added for the public, prisoners, and staff/judges if they do not already exist.

Construction of new courthouse. Construction of a new courthouse on city owned land may be the least expensive, in the long-run and the most functional solution to the court's needs. Construction costs for a new facility may not be much more than the cost of renovating the post office and a new facility will be more efficient and safer than a renovated facility.

An option under new construction would be to build a new facility to house the courts, (courtrooms, chambers, and litigation support areas), court administration, and the clerk's office, and to build a separate facility to house court counseling or to continue the use of leased space for court counseling. Court counseling offices do not need to be in the courthouse. Construction costs of general office space, suitable for court counseling, is cheaper than general courthouse construction; and locating court counseling at one or more sites may be more convenient for clients, reducing security risks in the courthouse.

Recommendation V - 2

The court should complete a long-range plan geared to the construction of a new courthouse that will meet its long term space needs.

While there many long-term possibilities for meeting Municipal Court facility demands, it is often very difficult, and sometimes confusing, to make such a decision. To assist in the decision making process, it is necessary for the Court and City of Las Vegas to

have consensus about the future of Las Vegas Municipal Court and the expected service levels to be provided to its citizens. With clearly defined goals for the court system, requirements for the Municipal Court operating environment can then be realized/surfaced through functional analysis and operating cost efficiency analysis. Variables in the analysis include city demographics, the justice environment in the metro Las Vegas area, future court technology, and other relevant planning issues. This long-term planning should be from a higher and wider perspective, not restricted to a perception of the way things are now.

When the future of the court system is defined, the internal operating mechanism of the system and the physical accommodation criteria can then be developed. The overall operational requirements, in terms of level of staffing, service localities, and the total building square footage should be presented in a phased plan for the future. Plan for the future of court operations may be designed for the next twenty or thirty years, while the physical courthouse should be planned for the next fifteen to twenty years of use. The developed plan for the court system and the resulting accommodation requirements should then be used in identification and evaluation of the possible implementation strategies, which include the selection of the site, decisions regarding renovation, addition, or new construction of courthouse, and financing. This master planning process will serve as a road map to assist in future court operations and to reduce frequent retrofitting of the facility. It also helps the city better prepare and finance its judicial system and court services.

I. Short Range Planning Options

While the long-term solution to the court space needs may require considerable resources and may not be readily available, it is imperative that the court continue its services in tolerable surroundings before the implementation of long-term plan. All of the long-term options discussed before will require as many as five years before they have an

impact on the Court's needs. Meanwhile, the Court's space needs must be met within existing space in the City Hall Complex and leased space. The short term improvement should address the efficient use of space, reduce space over-crowding, and the correction of the critical security problem. With the four locations spread around, the court space at city hall plaza provides the opportunity for significant improvement.

Efficient Use of Space and Reduce Over-crowding: The court may consider removing some functions and activities from courtrooms and the first floor operations to the recently annexed second floor office space; reducing foot traffic into court by using mail-drop payment or reducing the required court appearance in persons; and annexation of adjacent space. Some clerical and non-judicial activities, such as counselors for traffic school assignment conducted inside courtrooms, should be removed and placed in offices. The court may consider a staged court appearance schedule for traffic violation cases to further disperse the volume of peak traffic into the court. The court administrative department, warrants, and intake divisions that do not require constant contacts with the public and support courtroom activities may be candidates for moving to the annexed second floor office space. In-courtroom traffic school coordinator and other counseling functions could be moved to the vacated office space close to the public corridor.

Security Improvement through Renovation: One of the problems with the existing first floor arrangement is that the public must walk behind courtrooms one and two to get to courtrooms four and six along the back corridor. This is a narrow corridor and there is no public waiting space. It also requires court staff and judges to walk through the public areas to get to the courtroom. Additionally, prisoners must be escorted through the private corridor that connects the judges' chambers to get to the front two courtrooms, and through the public corridor to get to the back two courtrooms.

Improvements can be made so that the public and private circulation zones do not overlap. By keeping the public towards the front of the court space will minimize public, staff, and prisoner interaction.

Estimated costs of remodeling option

The area proposed for remodel is estimated at 8,300 square feet; and the construction cost is estimated to be between \$207,000 and \$290,000.¹ Detail cost estimates should be obtained before any construction starts. The proposed remodeling of the courtrooms and public waiting areas in the City Hall plaza level is a temporary solution in only two of the facilities problem areas confronting the courts. It is intended to provide necessary access control and an efficient work environment for court support staff at a relatively low cost. The courtrooms resulting from the renovation will be of various sizes. Smaller courtrooms are more suited for hearing and trials, while the large one can be used for arraignment calendars. Major remodeling work includes demolishing of the courtrooms and judges' chambers; rearranging the plenary system, plumbing lines, computer, telephone, security and other cabling; designing and furnishing space for four courtrooms, attorney-client meeting rooms, judges' chambers, and secretary workstations; and the realignment of the exterior wall in the public waiting area to provide additional public waiting space. The remodeling work would not require alteration to any major building structural element.

Estimated operational impact of implementation of the renovation option

The renovation, including design-document development, demolition, remodeling construction, and furnishing, could be implemented within a span of three to four months. To reduce interruptions to the regular court proceedings, a temporary alternative facility would be necessary to conduct court hearings during demolition and remodeling construction phases. These are estimated to take four to six weeks for completion. Costs associated with the temporary alternative facility should be budgeted along with the building renovation cost. Space for court hearings, public waiting, judges' offices, clerical support, court records, and cashier windows should be provided at the temporary

¹ Cost of relocating the sewer grinder, or replacing it with a quieter one, is not included in this estimate.

facility The clerk's office at the plaza level of City Hall should remain open for payment collection and case filings. The temporary court facility should be located close to City Hall so that litigants and the public coming to the building for court appearance may be easily re-directed to the nearby temporary facility. The vacated post office building across the street, if it is available, would be an appropriate choice for this temporary facility.

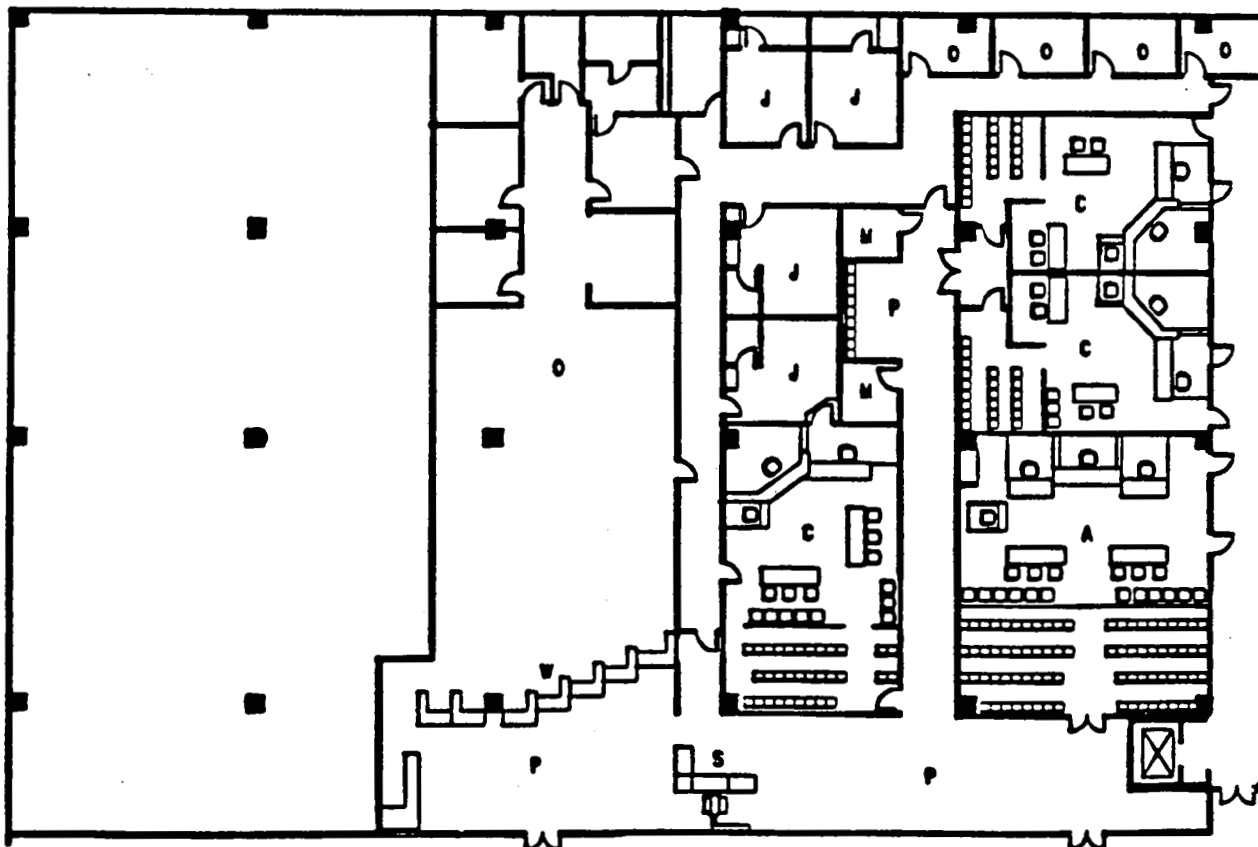
Recommendation V - 3

The city hall courtrooms and chambers should be renovated to improve floor circulations and security as shown in Figure V-4.

The arrangement shown in Figure V-4 has several advantages. Prisoners can be

Figure V - 4

C : Courtroom A : Arraignment M : Atty-client S : Security P : Public O : Office
J : Judge' Chamber Courtroom Meeting Rm Station Waiting W : Cashier Windows



City Hall Court Space Remodeling Plan

escorted from the prisoner elevator through a private/secure corridor behind the courtrooms. Even the fourth courtroom can be reached without entering the public space, although use of the employee corridor is required. This is no worse than the current arrangement where prisoners travel through the private staff corridor.

The public access to the courtrooms is consolidated to one corridor, and judges and staff have private access along the back of the building to the chambers, offices, and courtrooms. It is suggested that the new courtrooms be constructed with corner benches so as to make more efficient use of space.

The public no longer could get behind the courtrooms or into the private chambers areas without supervision. Judges and staff will no longer have to cross the public corridors to reach the courtroom, and judges would still have direct and private access to their courtrooms.

As for the Court's counseling functions, there will be a continued need for leased space until an addition or new courthouse is built. Even with construction of a new facility, consideration should be given to locating some educational and counseling offices outside the courthouse for the convenience of the public and clients. This also would help to reduce congestion around the courthouse and reduce security risks in the courthouse.

J. Las Vegas Municipal Court Security Analysis

In the summer of 1992, the United States Marshal Services (USMS) conducted a security survey of the Las Vegas Municipal Court. The survey identified several major security weakness and recommended their improvement. In October, 1992 the NCSC project team toured the court's facilities, observed the security operations, and interviewed court employees and marshals. The conclusions of the NCSC security study affirm the findings of the USMS's report. The NCSC analysis, however, found that many security deficiencies are attributed to the lack of adequate court space and appropriate architectural

design. Without a major effort to correct the court's space shortage problem and to redesign the overall circulation and zoning of the facility as recommended above, only marginal improvements can be made through the addition of more security equipment and personnel.

Overview Municipal Court security is provided mainly by the marshal's office. A private security guard, however, is deployed at traffic school facility. Night security is monitored by a private security contractor. Security operations are concentrated mostly in City Hall and the Court's north facility, where court is held daily. Security measures at these two facilities include courtroom entrance security screening, marshal's deputies stationed in the courtrooms while court is in session, closed circuit TV (CCTV) surveillance of hallways leading to the judges' offices, and limited access to the judges' offices.

Equipment and security installations include magnetometers, hand held metal detectors, CCTV cameras and monitors, combination door locks and keys, push bottom alarms, and telephones. Security systems deployed at the remote sites include security alarms, and a building perimeter intrusion alarm system on the exterior doors monitored by the private night security contractor. A private security guard is stationed at the entrance to the traffic school building. A private security guard is also available at the court counseling facility during evening classes.

Analysis and Findings

Because prisoners are brought to both the City Hall and north facilities, a higher level of security risk is incurred and a higher level of security is required to ensure a safe court environment for judges, court employees, visitors, and litigants. The existing court security systems deployed in the court have been stretched beyond their originally designed capacity. It is difficult to expect the over-burdened system to provide reliable security protection to the Municipal Court, equivalent to the latest court security standards. Factors contributing to the court's existing problems are overcrowding, inappropriate floor layout and space shortage,

antiquated and inaccurate equipment, and the lack of adequate training and instructions for court security personnel.

Building perimeter. The alarm systems on the emergency exit doors in the City Hall Complex are turned off and emergency exit doors are used for unsupervised entry and exit. The emergency exit from the public hallway in the city hall facility is used for normal public egress to relieve congestion at the security check point. At the traffic school building, the rear emergency exit is unlocked for the convenience of office employees who use the employee parking, and do not wish to walk around to the front entrance.

Entrance screening. Magnetometers installed at the entrance to courtrooms are not properly calibrated and are unreliable. False alarms sound at nearly everyone passing through the magnetometer at the City Hall court entrance and nearly everyone is then required to be checked using a hand-held scanner by the security staff. This delays people passing through the check-point and adds to the overcrowding at the court entrance/lobby. Most important, it's likely to be a significantly less effective method of security screening because of the large volume and tedious, repetitious nature of hand-scanning.

The overcrowded and cramped operating space surrounding the security check point in city hall facility negates the effectiveness of the security equipment. People crowding close to the equipment can accidentally set off the alarm. The overcrowding also affects the security staff's ability to respond to a potential security threat. Firearms carried by the security staff could be drawn by someone standing nearby. The entire area surrounding the magnetometer should be kept clear of persons, except those actively being screened.

Searches of personal parcels and handbags are conducted hastily because of overcrowding and lack of a segregated search area. Court visitors feel uncomfortable when security personnel must search their personal belongings in public, while security staff conducting the hand search are concerned about the physical contact with unsanitary or health threatening objects in visitors' personal bags.

Screening and firearms policy. Attorneys are exempt from security screening and can use the employee entrance to enter the courtroom. While security concerns related to attorneys is usually very low, any concealed weapon in the courtroom can be a source of danger in an emergency.

Law enforcement officers do not relinquish their weapons when coming to court. Firearms carried by other law enforcement officers who are not familiar with the court security officers and the court's emergency response policy may accidentally harm others during an emergency. (Refer to NCSC report on firearms in the Court)

Security surveillance and access control. The existing unsupervised closed circuit TV (CCTV) surveillance is reactive, a post-remedy security surveillance system. The hard-to-reach/look-at location of the monitors located in the administrative offices and the unassigned monitoring responsibility casts doubt on the effectiveness of the system. Its presence in the building may be a deterrent to building break-ins, but the lack of active monitoring and the real-time dispatching of security force degrades the effectiveness of electronic surveillance.

Access to the restricted areas, including judges' chambers and the back corridor for prisoner movement is controlled by combination door locks and keys, supplemented by CCTV. All exterior doors are locked. Court employees and law enforcement officers moving prisoners have keys. The general services department is in charge of the maintenance and replacement of door locks and keys. It is good practice that the court changes the lock combinations regularly. However, marshals do not have control over the key assignment and have no knowledge of the traffic entering the restricted areas, which severely limits their ability to provide security and to respond to emergencies.

Court Zoning and Circulation. The existing court space in the city hall building apparently has gone through at least one renovation in the past. The space seems to have been designed originally for only two courtrooms with administrative offices in the rear. The two small courtrooms in the rear were probably originally designed as judge's

chambers. The original design obviously provided a clear and effective space plan with two large courtrooms in the front, and judges' chambers in the back with separate circulation for court employees and prisoners. The addition of the two small courtrooms in the back, introduced public traffic into the private areas and disrupted the building's original security arrangement. Judges are isolated in the center of the building with a public corridor surrounding them. Cross traffic among court employees entering the judges' chambers, judges moving to the courtrooms, and litigants and the public in the hallways creates distractions and potentially unpleasant confrontations. Prisoners moving to the two small courtrooms through the public corridor present a safety risk.

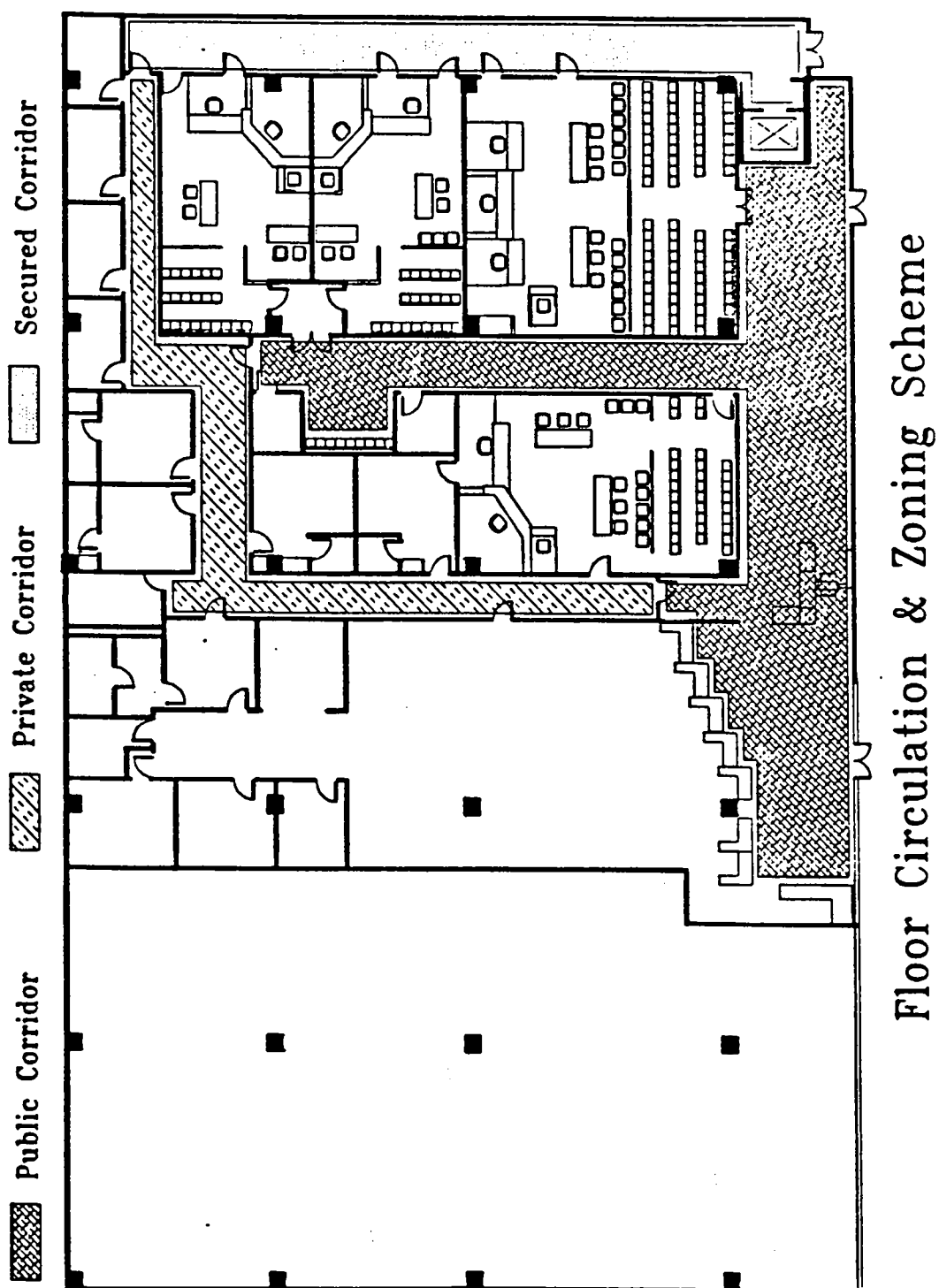
Recommendation V - 4

The inability to maintain separate public, private, and prisoner, circulation in the building is the most critical security problem and should be corrected immediately. A proposed security zoning scheme is recommended in Figure V-5.

Inadequate public waiting space outside the courtrooms and at the payment counters may increase tension and friction among those persons standing in line or waiting. The long waiting line in front the security check point stretched into the window payment waiting lines. People wander around the corridors because there is no seating in the waiting area.

Security coordination and control. The Marshal's office is separated from the main court operations and the Marshal's must rely on telephone communication in the event of an emergency. The Marshal is in charge of the court's security, but the coordination and response to alarm signals is managed by the warrant unit in the court's administrative office where the alarm signal panel is located. The warrant officer calls the security staff at the station where the alarm was set off to verify the alarm. Valid alarm calls are relayed to the Marshal's office for response. This restricts the direct and efficient command of the court's security forces. The alarm response system should be direct and efficient. Layered response and verification is unnecessary and results in response delay.

Figure V - 5



Floor Circulation & Zoning Scheme

The multiple locations of the court result in duplication and redundancies in terms of the deployment of security staff and equipment. It prohibits the efficient assignment of security forces to other court security tasks when some courtrooms are not being used. A new facility would provide the opportunity for a security efficient/effective building layout that permits the segregation of different user groups and circulation patterns, and building access control. The efficiency achieved through architectural effort will reduce the increasing need for security personnel to perform traditional stationary assignments.

Recommendation V - 5

The court should consider renovating the existing City Hall facility, as shown in Figure V-4, as a short term architectural solution to improve security.

Courtrooms should be redesigned and renovated to provide space zoning and circulation separation. Persons visiting the court should have quick and easy access to the courtrooms and the payment windows. Access to private areas should be controlled. Judges' chambers should be accessible from adjacent administrative offices without having to cross the public hallway. Certain administrative and consultation operations, such as traffic school assignments, conducted inside the courtroom should be removed from the courtrooms to reduce courtroom size. Activities removed from courtroom should be accommodated on the second floor. However, the renovation plan should consider the fire code emergency egress requirements. An additional fire exit may be needed if the "Back 40" corridor space is annexed for other purposes. An illustration of a possible renovation alternative is presented in the attachment.

Recommendation V - 6

Expansion of the existing public waiting space outside the courtrooms in the City Hall location is necessary.

The exterior wall should be moved outward and aligned with the glass panel wall at the payment window waiting area. The annexed space would allow a decent security operation environment, including a magnetometer and a possible x-ray scanner, and some additional public waiting space outside courtrooms and in front of the security check station.

Recommendation V - 7

The magnetometer is unreliable and should be replaced or repaired immediately.

Besides a properly functioning magnetometer, a x-ray scanner should be considered for future operations to speed up the scanning process and eliminate staff's health concerns about contacts with unsanitary objects while conducting hand search into people's bags.

Recommendation V - 8

Security surveillance monitoring should be removed and placed at the expanded entrance security check point.

The expanded station would be the on-site coordination center for the court security operation. Adequate communication should be established between the coordination center and other branch posts.

K. Courthouse Accessibility Assessment**The Americans with Disabilities Act of 1990—Overview**

The Americans with Disabilities Act of 1990 (ADA) prohibits discrimination based on physical or mental disabilities in the areas of (1) employment (2) public services (3) public accommodations and (4) services operated by private entities. It creates significant new obligations for state and local courts as public employers and as providers of public services. One such obligation is that public employers were to have completed a self-evaluation for facility accessibility by July 26, 1992, and an overall ADA compliance evaluation by January 26, 1993. The self-evaluation is a tool for identifying and correcting

potential violations before they occur, thus avoiding future enforcement actions. The Las Vegas Municipal Court, as a public entity with more than 50 employees, must maintain a written record of the self-evaluation on file and make it available for public inspection for three years, but there is no requirement that it be submitted to a federal agency for review. The required court self-evaluation should cover general administrative employment policies, procedures, and practices; services, programs and activities; and court facilities.

Accessibility. The City of Las Vegas City and the Las Vegas Municipal Court are required, under ADA, to identify facility access barriers and make each of its court services, programs, or activities readily accessible, when viewed in its entirety, to individuals with disabilities (ADA Title II section 35.150). Should structural changes to facilities be necessary to achieve program accessibility, such changes should be made as expeditiously as possible, but no later than January 26, 1995. A transition plan depicting the steps necessary to complete the changes should have been developed by July 26, 1992. Any future new construction, renovation, or alteration to existing court facilities commenced after January 26, 1992, should be constructed in conformance with ADA Accessibility Guidelines, so that areas of the new construction or alteration are readily accessible to and usable by individuals with disabilities.

Accessibility Standards. All existing Municipal Court programs should be made accessible, unless to do so would result in a fundamental alteration in the nature of the programs or in undue financial and administrative burdens (ADA Title II, section 35.150(a)(1)). The "undue burden" standard in title II for government facilities is significantly higher than the "readily achievable" standard in title III for commercial facilities. Thus the court and the city, which is the facility provider, may not be required to remove all barriers in some cases where removal would be required under title III, the program access requirement of title II should enable individuals with disabilities to participate in and benefit from court's services, programs, or activities of the court in all but the most unusual cases.

Often, removal of architectural barriers in existing facilities will be the best method of providing program access, but removal of physical barriers is not required if other methods of providing program access are effective. When program access cannot be achieved, alteration to the existing facilities to provide access to individuals with disabilities is required. Even though facility access is not required for all existing facilities, it is necessary to identify barriers in existing facilities in order to determine where modifications may be required to ensure that the programs offered in those facilities are accessible.

Although Title II of ADA does not require that existing buildings be made accessible, it does establish strict accessibility requirements for new construction and alterations. Making a court facility accessible is relatively simple and inexpensive when accessibility requirements are incorporated in the original design. Title II therefore requires that newly constructed facilities, and alterations to existing facilities, conform to strict accessibility standards, and that they shall be readily accessible.

Even though there are no immediate plans for facility expansion, the project team believes that additional court operational space is needed to reduce the overcrowding and improve the level of security in courthouse. These changes may come as new construction or alterations to the existing facilities. The court may choose from two design standards for the new construction or the alterations: Uniform Federal Accessibility Standards (UFAS) and the adopted Americans with Disabilities Act Accessibility Guidelines for Buildings and Facilities (ADAAG), which is the standard that must be used for public accommodations and commercial facilities under title III of the ADA. The Federal Architectural and Transportation Barriers Compliance Board (the Access Board) is drafting architectural accessibilities for state and local government buildings and facilities (title II) that will include specific requirements for court facilities.

Program Accessibility in the Existing Municipal Court.*Public*

Access to Court Locations. Access to the four Municipal Court locations by individuals with ambulatory disabilities from street level is available via pedestrian walkways, wheelchair ramps, curb-side drop-offs, and public parking facilities. However, the slope of the pedestrian ramp leading to the City Hall Plaza may exceed the 1:12 slope requirement. Handicapped parking is available in the City Hall parking garage and marked with universal parking signage.

Court Building Entrances. All the exterior doors are of push-open type construction. There is no requirement on the force required to open exterior doors. Current door widths meet the minimum door width requirement for wheelchair passage (32").

Wheelchair Passage to Courtrooms at Security Checkpoint. City hall courtrooms and the administrative offices are not accessible to individuals in wheelchairs, because wheelchairs cannot pass through the narrow magnetometer gate, which is less than 32" wide. No alternative wheelchair passage exists in the city hall court area. Individuals in wheelchairs must enter through the fire exit door with the assistance of a security guard who must open the door from inside. The side passage next to the magnetometer used by court employees does not meet the minimum wheelchair requirements of 42" clear width for turning (ADAAG 4.3.3 and Fig. 7(b)). A side passage is provided next to the magnetometer gate in North facility.

Courtroom Doors. City hall courtroom door opening force exceeds 5 lbs. maximum force for interior hinged doors (ADAAG 4.13.11(2)(b)). Assistance by the courtroom bailiff is required to open doors for individuals with disabilities is one of the readily achievable alternatives.

Door Hardware. Interior doors leading to judges' chambers and administrative offices use traditional door knobs that require twisting of the wrist to operate. Lever-

type door knob adapters can be used to improve accessibility. In future alterations of the existing facilities, accessible door hardware shall be used.

Courtroom Assistive Listening Systems for Hearing Impaired Individuals. An Assistive Listening System (ALS) is available in the two large courtrooms in the City Hall Complex. Ear phone outlets are mounted on the modesty panel separating the litigation area and the spectator seating area. The availability of ALS in the two courtrooms and flexible courtroom utilization should allow hearing impaired individuals to observe court proceedings and meet the definition of program accessibility.

Witness Stand: Courtroom witness stands are raised to provide better sight lines between witnesses and other court participants. The raised stand prohibits wheelchair access and witnesses using wheelchairs have to give their testimony either from before or on the side of the witness box. Being exposed to the public without the protection of the witness screen causes distress among witnesses, and using a movable platform or ramp (1:10 slope with 6" raise) is necessary to provide wheelchair access to the witness box.

Judge's Bench and Courtroom Clerk Workstations: The judge's bench and courtroom clerk station are employee workstations, and as such they are not required to be constructed or equipped to be accessible (ADAAG 4.1.1(3)). However, workstations must be designed to permit users of the workstations to approach, enter, and exit the workstations. Currently, none of the Municipal Court judges or courtroom clerks are disabled. Current layouts of the courtroom judge's bench and clerk's workstations do not need to be altered. However, in any future alteration of the courtroom, construction of the courtroom bench and clerk workstation should be of accessible adaptable designs. Space should be reserved for future installation of either a ramp or mechanical chair-lift.

Spectator Seating for Wheelchairs: The current layout of the spectator area allows wheelchair spectators to participate and observe court proceedings.

Wheelchair Access to Cashier Window: Public waiting space is overcrowded and the waiting line at the cashier windows does not provide adequate wheelchair maneuvering

and turn around space. The cashier windows/counters are not designed with adequate accessible clearance, in terms of counter height (28" to 34" above floor) and knee space (27" high and 17" to 19" deep for forward approach) for the wheelchair access.

A readily achievable solution to provide access for individuals in wheelchairs is to have the clerk step out from the window to receive and assist the wheelchair individual.

Future alterations may consider modification of the window/counter design and having one counter that meets the accessible counter clearance for wheelchair users.

Accessibility in Private Offices and Employee Workstations: ADAAG does not require that private work areas be constructed to permit wheelchair maneuvering or turn around space. However, these areas should allow individuals with disabilities to approach, enter, and exit. The employee entrance next to the security check-point prohibits wheelchair access from the lobby and should be modified immediately.

Directional Signage. Directional signage for permanent rooms and spaces, such as courtrooms, cashier counter/window, public restrooms, etc. are to meet the following accessibility requirements:

- Raised and Braille characters and pictorial symbol signs,
- Finish and contrast of signs(eggshell, matte, or other non-glare finish, and symbol contrast background), and
- Sign mounting location and height(signs be mounted on wall adjacent to the latch side of the door at 60" above floor with 3" approaching clearance).

Signs at the public waiting area hallway and seating shall meet the following requirements:

- Character proportion (width to height between 3:5 and 1:1, and stroke width to height ration between 1:5 and 1:10);
- Character height (3" minimum); and
- Finish and contrast (eggshell, matte, or other non-glare finish, and symbol contrast background).

Public Restrooms: Public restrooms are not provided in the City Hall court facility. Public and court visitors must use restrooms across the corridor outside the court area. The restrooms there are not accessible to individuals with disabilities. Toilet

stalls, water closets, grab bars, flush control, and clearance of stall approach do not meet accessibility requirements. There is no door on the toilet stalls. Alterations to the public restrooms should proceed immediately.

Public Telephone: Public telephones installed in court buildings should be mounted at a height accessible to wheelchair users and be equipped with volume control device for the hearing persons impaired. Telephones equipped with volume control should be identified by a sign depicting a telephone handset with radiating sound waves. The accessible telephone mounting height of the highest operable part for side reach is 54" and 48" for forward reach. The local telephone company will provide alterations at no cost to the court. Public text telephones in the court area are not required because there are less than four public telephones in each of the court buildings.

VI. TECHNOLOGY

A. Overview

The Municipal Court has a well-earned, well-established national reputation in the court community for the use of emerging technologies. The court has demonstrated the use of emerging technologies in the court environment through the pilot testing or early implementation of new technologies.

While the court has consistently pressed for the utilization of new technologies, there is no formalized, officially sanctioned, or written plan for the overall assessment, acquisition, and integration of technologies into a cohesive automation strategy for the court. With the transition to a new administrator, the need for such a plan of action has been recognized and was alluded to by several judges and supervisors interviewed during the project.

Recommendation VI - 1

The court should develop a technology component to its strategic plan that will maximize the use of cost/effective technologies to improve court operations and service to the public.

Nowhere is the old aphorism "If you don't know where you're going, no road will get you there" more appropriately applied than in the area of automation. While universal support for the use of a technology is beneficial to its successful implementation, that alone does not ensure success. Without proper assessment of the need for a technology, the evaluation of the appropriate technological solution, and the carefully managed acquisition and integration of that technology into the courts existing system, the court runs the risk of expending tremendous effort and resources into ineffective or conflicting technological solutions. The development of a strategic plan for technology, and the dissemination of that plan to court leadership, managers, and the funding authority is essential.

The court has an extensive array of technologies already in place meeting the needs of the court, litigants and the public (See Figure VI - 1).

Figure VI - 1
LAS VEGAS MUNICIPAL COURT
TECHNOLOGY INVENTORY

TECHNOLOGY	UTILIZATION		
	Case Processing	Public Access	Administration
Bar Code	Yes	na	No
Facsimile	Yes	Yes	Yes
Video	Yes	No	No
Office Automation			
E-Mail	na	No	No
Voice Mail	na	No	No
Scheduling	No	na	No
Word Processing	Yes	na	Yes
Spreadsheets	na	na	No
Project Management	na	na	No
Telephone			
Automated Response	No	Yes	Yes
Interactive Voice	No	No	No
Computers			
Mainframe	Yes	No	Yes
Network/Lans	No	No	No
Imaging	No	No	No
Citation Issuing Devices	No	na	na
Kiosks	No	No	na

na = not applicable

The following paragraphs describe the status of the various technologies identified in Figure VI - 1, and where appropriate, makes recommendations regarding the perceived benefit of the technology. While all of the technologies possess some intrinsic benefits to

the court, only those with the highest priority for implementation are marked for priority recommendation. Blending these technologies into an integrated whole is the challenge for court leadership.

B. Bar Code Technology

The principal uses of bar-code technology in the court environment, as in private industry, is in the area of inventory control. The court's newly developed program using bar-code technology focuses on the inventory control of citations received from Metro. This is a good use of the technology, giving the Las Vegas Municipal Court its first opportunity to verify efficiently the transmittal of citations and check for data entry omissions.

The technology can be expanded to other court areas, most notably in the inventory and circulation control of court files and citations that are not placed into case files.

Recommendation VI - 2

The Court should obtain bar-code file control software and expand the use of the bar-code reader to inventory and circulation control of files and citations.

The expansion of the use of the bar-code technology will be cost effective and substantially reduce the amount of time spent searching for lost files¹, improve the reliability of the file retrieval system, and by that, improve the confidence of court users in the security and reliability of the file control system².

While some support the use of bar-code technology for data entry, it is not a technology that the project team would recommend to the court at this time. Higher priorities exist that would bring a higher return on the investment of time and resources.

¹For example, if the 2400 files in the lost paper files took 15 minutes of staff time to locate, this is 600 hours of staff time at \$20.00 per hour (including fringe) would cost \$12,000 in staff time. This wasted staff time would be substantially reduce.

²Appendix C contains a listing of the bar code file control software vendors on file with the court technology database of the National Center for State Courts

It is an option that in the future could provide a quiet, efficient, and accurate data entry technique for counter transactions and in-court data entry of court proceedings and outcomes.

C. Facsimile Technology

The court uses facsimile technology for the transmittal of data between court facilities and beginning in the near future, will accept facsimile transmittals for the entry of not guilty pleas in misdemeanor cases in which the defendant is represented by counsel. As of the date of this report, there is no provision in the statutes or rules of Nevada that allows the filing of pleadings by fax. Absent a provision allowing fax filing of documents, it appears that the court is using the technology to its potential.

D. Video Technology

Video technology is used in the court in two major ways. First, the court utilizes video technology to provide advise of rights and general information for defendants at traffic arraignments. The professionally produced video provides information to the defendants in a clear and direct method, while increasing the public's comfort level in what can be a seemingly threatening environment. The second use of the technology is in competency hearings, and probable cause hearings and arraignment for in-custody defendants in the city and county detention facilities. The use of video technology saves considerable expense to the city by eliminating the necessity for transportation of the defendants.

The video equipment is aging. It is, however, still quite functional. Therefore, its replacement can be considered a lower priority. When the court considers replacing the equipment, it may want to consider some PC compatible video systems that allow the "windowing" of video images on the screen while another application, such as the courts case management applications, is also running. This would eliminate the need for separate

video monitors to carry the video image, and would allow the use of the video image at any PC equipped with the appropriate video card and communications.

E. Office Automation

E-Mail

The court has no electronic mail system available under the current technology. The use of e-mail has proved to be an effective method of improving communications in large organizations, and may be of considerable help to communications in Las Vegas. Its acquisition and implementation should be considered as part of the prioritization process for action planning during the strategic planning process previously discussed.

Spreadsheets

The court uses spreadsheets in the preparation and presentation of much of its budgetary and workload data analysis. It is not used by the Deputy Court Administrator in the preparation of his monthly workload analysis. With appropriate training, considerable time could be saved in the future by using the graphing capabilities of the spreadsheet software to produce the charts and graphs now prepared by hand.

Project Management

There is no project management software available to court administration or project supervisors.

Word Processing

Word processing applications are available to all judges secretaries and the administrative staff. Training is available and subscriptions to support magazines are maintained.

F. Telephone Technologies**Voice Mail**

There is no voice mail capability in the court. As with other office automation capabilities, the court should consider the efficacy of its acquisition as part of the court's strategic planning process.

Automated Telephone Answering System

The court currently uses this technology. The current script for the automated answering system is a and complicated decision tree. No audit of the selections made by court users had been conducted to find out whether the most frequently chosen options are placed in the earliest sequence in the decision tree. An analysis of the frequency of choices could increase the efficiency of the system and improve public reaction to its use.

Interactive Voice Response

Interactive voice technology is currently not available to the court, however, approval for the acquisition of a system has been obtained. It is anticipated that the technology will be operational in the spring. As envisioned, the system will be used to allow court users to call and obtain fine balance information and enter credit card payments. The technology should be examined for its applicability and potential usefulness in allowing dial-up inquiries and entries in a number of areas, such as remote inquiry on bail amounts, remote entry of not guilty pleas to minor traffic offenses, remote registration for traffic school and other court services classes, and the scheduling of trial dates. If the hardware acquired by the court has dial-out capabilities, it also should be considered for use in machine-generated reminder calls for installment payments.

G. Case Processing/Management

Mainframe

The court has a case management/case processing application written by the City MIS department staff. It resides on a UNISYS platform and is limited functionally for the currently defined needs of the Municipal Court. A separate discussion of the information system can be found in the following section.

Networks/LANS

No local area network of PCs exists. Each of the PCs serve as an independent workstation. The efficacy of establishing a local area network of s with a gateway to the mainframe or its successor should be considered as part of the strategic planning of the court.

Imaging

Imaging is an emerging technologies that has been successfully demonstrated in traffic courts in other states³. It is currently a relatively expensive technology whose use must be viewed with a critical eye to its cost/benefit. However, in the right environment, it can prove to be an effective tool to reduce staffing costs, improve response to the public, and improve case processing. Based on the current caseload and the state of automation within the court, the project team would consider the implementation of imaging technology as a secondary priority. This technological solution should be watched closely as the price/performance of the technology improves and should be considered in the long term strategic planning of the court.

Citation Issuing Devices

Hand-held computers that can be used by traffic patrol officers to issue citations are one of the newest and most promising technologies to impact court workload and data

³A discussion of the successful implementation of imaging technology in the Los Angeles County (CA) Municipal Court can be found in Court Technology Reports, Voume 4, 1991, published by the National Center for State Courts under a grant from the State Justice Institute.

quality. The devices are lightweight, sturdy, hand-held computers with portable printers that speed citation issuance, improve data quality, and reduce the costs of repetitive data entry throughout the citation processing system in the issuing agency, the courts, and the state motor vehicle and driver licensing agency⁴. This is accomplished through the sharing of original data entered by the law enforcement officer at the point of issuance of the citation. By preprogramming the offense codes, appearance dates, court addresses, and officer ID information into the computers database, considerable savings can be made in the data entry time and effort of the officer, and the data can be shared through file transfers with other agencies without the need to reenter the data.

Recommendation VI - 3

The Municipal Court should encourage the development of a pilot program to test the feasibility of using hand-held citation issuing devices in conjunction with the Metro Police and the City of Las Vegas.

More than any other emerging technology, the use of portable hand-held citation issuing devices should be considered by the Municipal Court. The expense of the equipment can be quickly amortized by the savings that accrue from the elimination of duplicate data entry and the management benefits to both law enforcement and the courts. By using these devices, the court can automatically receive a hard copy printout and electronic file that contains the data that was entered on all citations issued each day. That data will be available for verification and immediate entry into the court's case processing system. Use of the devices will virtually eliminate problems associated with hand written citations, allow the courts to respond to defendants appearances within 24 hours of the citation's issuance, and improve statistical reporting and interagency relations. For law enforcement, the use of the devices can reduce the time it takes to issue a citation, thereby reducing the opportunity for conflict with the defendant; eliminate problems associated

⁴A discussion of the successful implementation of hand held citation issuing device technology in the Ventura County (CA) Municipal Court can be found in Court Technology Reports, Volume 4, 1991, published by the National Center for State Courts under a grant from the State Justice Institute.

with hand written citation legibility; improve management information; and allow for the reporting of dispositions on each citation written by each officer.

Kiosks

No kiosks (remote "cash machine" type service centers) are in use by the Municipal Court. Kiosks are promoted by several courts as a method of improving public service and reducing the need for staff involvement in regular and repetitive transactions that the public can conduct through guided interactive scripts at a data terminal dedicated to that purpose. While several persons interviewed by the project team have expressed interest in the development and use of kiosks, the project team would discourage its use in the Las Vegas Municipal Court if the courts were the only city agency accessible through the kiosk. It is a relatively expensive technology whose benefits can be largely obtained by other solutions such as interactive voice technology.

VII. COURT AUTOMATION

A. Overview

Information is the "business of the business" in the court administration office of the Las Vegas Municipal Court. The court's information system should be the foundation upon which other technologies are based. It should be the tool most often used for the storage, retrieval and distribution of that information.

The Las Vegas Municipal Court's information system consists of locally developed applications written in-house using COBOL and running on a UNYSIS A10H mainframe. About 184 devices (124 terminals and 60 printers) connect to the mainframe for court information access and printing¹. The court's applications began development in 1978. Both the number and functionality of applications have grown and evolved from that initial application design.

The judiciary, litigants, court staff, and public rely with increasing frequency on the information system of the court out of financial necessity. Thus, an accurate, reliable, responsive, flexible, and functionally complete and integrated information system must be a high priority for the court.

The evolution of the information system and the development of enhancements is an informal process within the court. There is good interaction with affected agencies through the MIS meetings coordinated by the Information Systems Coordinator. These regular meetings serve as a vehicle for the exchange of ideas and for keeping affected divisions abreast of the development with the system. There is, however, no direct link between the priorities of MIS development and overall organizational priorities established by court leadership.

¹Appendix C contains the current data communications configuration as supplied by the City of Las Vegas MIS Department.

Recommendation VII - 1

The court administrator should include an automation component in the strategic plan of the court and prioritize enhancements in concert with that plan.

The development of a strategic plan for the court will make the prioritization of information system enhancement requests a simple task and insure that individual enhancements meet priority needs and not merely grease the "squeaking wheel." Moreover, by completing a strategic plan for the court as a whole, future needs of the information system can be anticipated and programming design decisions made to avoid programming the court into a corner for future enhancements.

B. Data Quality

At the time of the site visit, there were no data quality standards in place. No one in the Municipal Court was specifically charged with the responsibility to monitor or improve data quality. None of the persons interviewed discussed any ongoing audit of data quality except the retrospective review in the archiving process.

Recommendation VII - 2

The Court Administrator should establish data quality standards and ensure designated staff conduct regular data quality audits, identify recurring data entry errors, and remedially train staff to reduce those errors.

As part of this assessment, the project team conducted a limited sampling of court records contained in the current information system. The purpose of this sampling was twofold. First it provided the opportunity to estimate the quality (accuracy) of the data contained in the court records, and second, it provided objective measures against which to compare court information users' perceptions of the court's information system data quality.

The sampling consisted of a pull of 100 disposed case files from the case files housed in the "back forty." Ten case files were pulled from ten separate shelves of the closed case files filed alphabetically by the first two characters of the last name of the

defendant. Information contained in the case screen and proceedings screen were compared with the original documentation in the file folder. Based on this review, the following assertions can be made regarding the data quality of the court's information system.

- Data contained in the court's information system shows an general accuracy rate, aggregating all data fields, of 95.85%².
- Critical data fields such as defendant identifiers (name, social security number, and driver's license number) and charges (code and descriptors), again aggregating fields, were found correct 98.4% of the time.

This is not to say, however, that the data is that accurate from an individual case perspective. Each case has more than fifty individual data fields in the screens reviewed. When viewed as a case the following assertions can be made.

- Nearly one quarter of the cases reviewed (24%) had an error in at least one data field. Though as mentioned above, they were rarely in critical data fields.
- Only 94% of the addresses of the defendants were error-free.
- Location of incident data field had the highest error rate with only 88% of the cases being error-free.

The general perception of the court information system users was quite consistent with these findings. Most of the line staff interviewed, who rely on the historical record of the case and use all data fields more than other court users, when asked why repetitive or redundant data was being collected or transmitted manually, offered poor reliability of the data contained in the information system as reason for the action. Most line support staff and supervisors feel that the data is highly unreliable, although they rely on it daily for most of their work. Judges, on the other hand, who rely primarily on the critical data

²Exacting standards in data-entry vary from 98% to 99.5% accuracy depending on data type. The court should target 98% accuracy in data entry as a minimum expectation.

fields, had a much higher regard for the reliability of the data in the system, rarely expressing concern over the accuracy of the data.

It is clear, however, that the lack of dedicated data entry staff and the failure to resolve the conflicting priorities of number of citations to be entered by each staff person versus the accuracy of the data entered has led to a serious degradation of the data quality. This is counterproductive and leads to confirming phone calls, alternative manual systems, and reliance on hard copy documents in the file. These practices drain valuable resources and diminish the staff time that could be directed toward accurate data entry that improves system reliability and user confidence in the system.

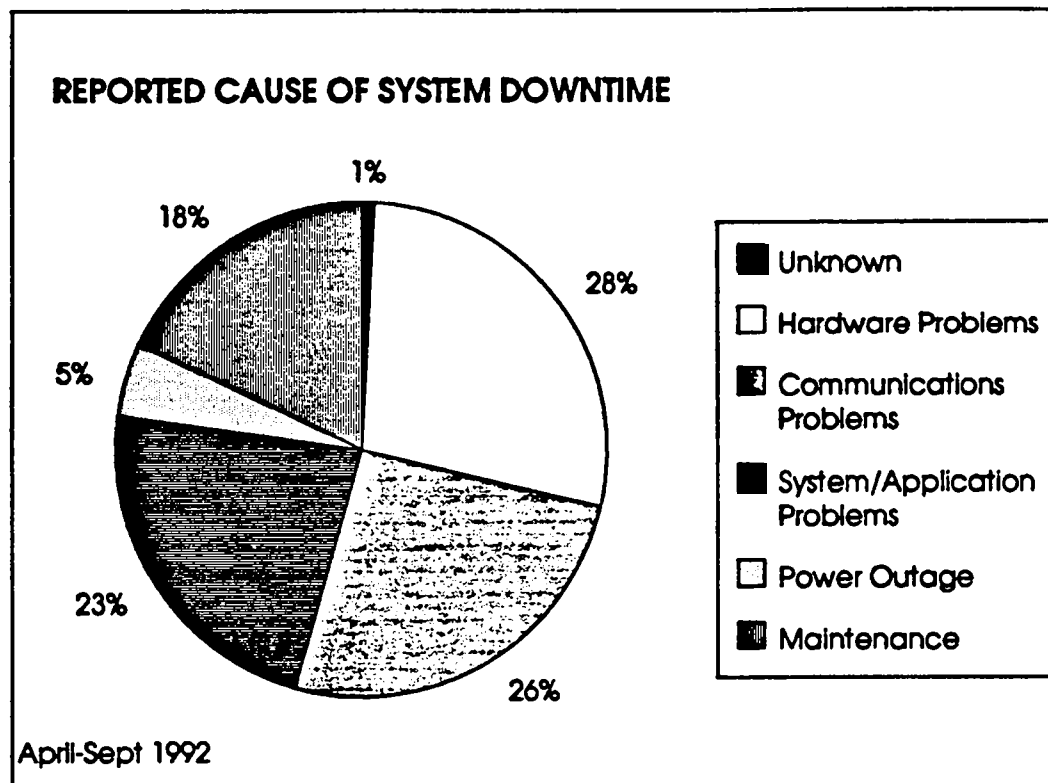
C. System Reliability

Just as staff are reluctant to rely on the data in the system from fear that it is unreliable, many express a continuing belief that the hardware and communication system is not reliable based on their experience of frequent system downtime during working hours. This lack of confidence spawns manual record keeping systems that staff feel are essential in case of system failure.

The city MIS department provided project staff with two reports listing the downtime for the system for the six month period between April 1 - September 30, 1992. The first report lists the total number of instances when the system was taken off-line for all purposes. It shows eighty-eight separate instances when the system was down. Forty two of those instances were for system back-up or file reorganization. The remaining occurrences were due to hardware problems, communication problems, system/application problems (hanging), power outages, or general maintenance.

Hardware and communication problems accounted for more than half the problems, while software problems accounted for nearly one quarter of the problems (See Figure VII - 1).

Figure VII - 1



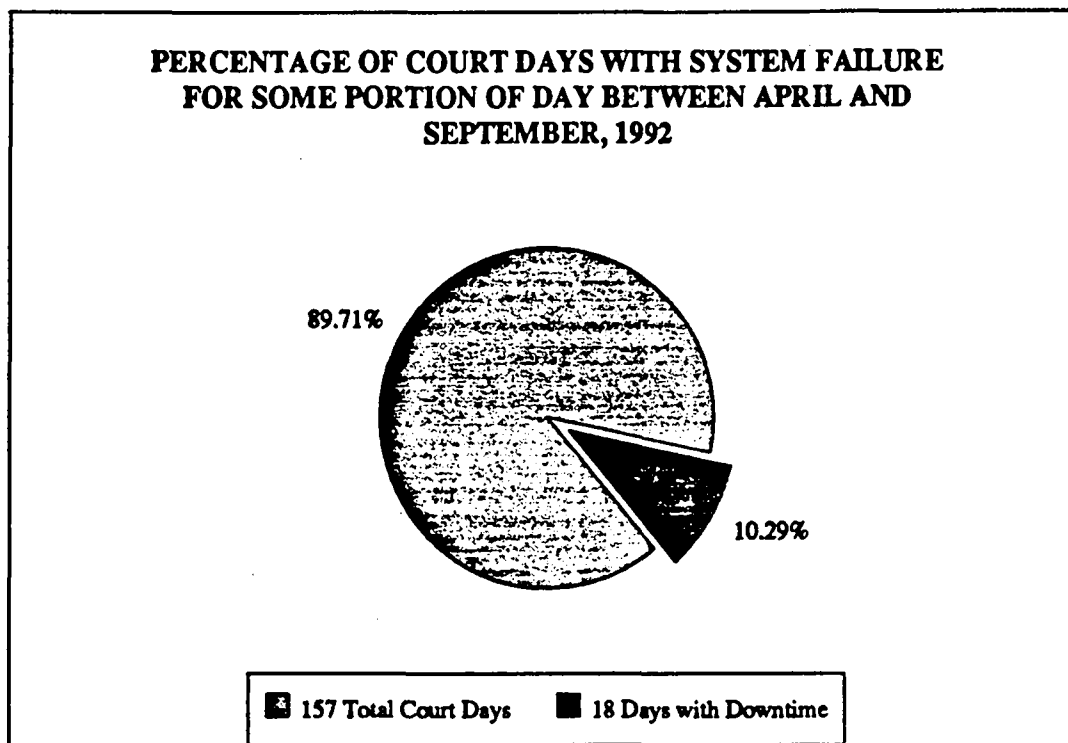
This record of system downtime is of some concern because the number of instances has shown no tendency to decline over the six month period and because it reinforces the lack of confidence court information users have in the system.

The second report from the city MIS department shows the downtime for the system during normal court hours. During the six month period mentioned above, the reports show that the system went down during normal court working hours nineteen times. This amounts to about once every ten working days³ (See Figure VII - 2).

When the system does go down, the length of time varies. The shortest period the system was down during working hours was twelve minutes, while the longest period was over three and a half hours. Downtime averages just over an hour based on the reports generated by MIS.

³Note that this does not indicate that the system is down 10% of the time. It means that the system can be expected to go down once every 10 days. This leads to a perception of unreliability of the system.

Figure VII - 2



The hourly payroll costs for court information users (including all Municipal Court staff but excluding the staff for all other court information users) are estimated at \$4,000 per hour. Consequently, every hour of downtime, and every hour of additional staff time necessary to back-load transactions conducted manually during downtime on the computer system becomes a very expensive proposition for the court and the city.

The frequent downtime experienced during working hours spawns many of the same staff responses that result from poor data quality, i.e., the maintenance of manual alternative systems and the referencing and reliance on hard copy files for information. Combined, these two factors are primarily responsible for the existence of two separate but parallel and duplicative systems of case records management. The existence of the systems robs the court of valuable resources and perpetuates the failure to leverage the full benefits of a computerized information system.

D. Flexibility

The flexibility of the system must be viewed in two ways. First is the flexibility of the system for the user, the flexibility to meet changing user needs. Second is the flexibility of the system for integration with other technologies.

The current information system suffers from the intrinsic limitations of the application language and older database designs. There are about 112 batch programs that produce reports from the court information system. There is no ad hoc reporting capability. Court staff interviewed stated that new report requests took from a "couple of days" for critical reports to "forever" for reports deemed less critical.

E. Functionality

In its current state of development, the municipal court information system, while highly tailored for some specific tasks, suffers from limited functionality in key areas. The most noticeable areas with limited or no functionality relate to financial transactions (such as integrated financial transactions, integrated collections, and bond management), operational areas (such as warrant management, exhibit and file management, and archiving), and case management (such as caseflow management, case tracking, and tickler systems). All these areas will require extensive programming by city staff and because of their complexity, will require extensive investments of time and money. Add to this the need to modify the current application to effect the recommendations found in other sections of this report, and the efficacy of continued development of the current application is doubtful.

This observation is bolstered by the absence of a simulation or testing database and the users' perceptions of the relative success of enhancements recently written for the current application. Frequently voiced concerns of court users were that new programs or enhancements contained significant bugs, were untested, and were developed without full understanding of the tasks being automated.

The limitations of functionality, flexibility, and reliability identified above, coupled with the anticipated costs for bringing the present application into conformance with acceptable standards for functionality and reliability leads one to the inevitable consideration of transitioning to a new, tested, and fully functional application for the court. Every application has a life cycle, and it appears that the current application is rapidly approaching the point where it will no longer be cost/beneficial to maintain and enhance it.

Recommendation VII - 3

The court should make the transition to a new information system a primary objective of the strategic plan for the court.

A court's case information system is the foundation upon which all other technologies rest. It is the basic tool for conducting the business of the court. More than any other technology, it has the potential to improve service and reduce costs by supporting efficient case processing and timely management information.

Some may argue that the Las Vegas Municipal Court system is unique or that the applications developed for court-associated agencies make the development of an in-house written program necessary. In our opinion, that is not so. The fundamental activities of the court are consistent with that of most limited jurisdiction courts in the country, and thus, many applications in both the public and private sector are adaptable to Las Vegas at a fraction of the cost of new system design and development.⁴

That is not to say that these applications can be purchased off the shelf and "plugged-in" in Las Vegas. On the contrary, even the system that most closely meets the needs requirements of the court will require some changes to reflect the local policy, practice, and court environment. Because of this, and because of the time it will take to

⁴Although the National Center is not in a position to recommend specific software to courts, we do maintain a vendor list of more than 180 vendors that the Center will be happy to supply to the Las Vegas Municipal Court upon request.

plan, evaluate, acquire and implement another system, the process must begin now. Even in the best of circumstances, this type of project can take five years to complete. To wait until the shortcomings of the present system have crippled the court's ability to meet its mandate before this process is undertaken is to invite disaster. Additionally, it must be recognized that the replacement of information systems, even as with other tools, no matter how well maintained, is a natural evolution responsive to the emergence of new technologies. When the court designed its original application, the use of bar-code technology, imaging, personal computer networks, and interactive voice systems were only visions of the future for most courts. Today they are common components of the information system of many courts. The current system has served the court and the city well over the past fourteen years and is a credit to those whose foresight made it a reality. Its ability to meet the needs of the court in the year 2000 cost effectively, however, is doubtful. Within the intervening seven years, the court must identify, acquire, and implement an information system that will be the foundation for its technological evolution, providing for rapid growth, innovation, the implementation of emerging technologies of the 21st century.

VIII. RECORDS MANAGEMENT

A. Introduction

A primary purpose of courts is to recognize the legal status of the citizens within its jurisdiction. This status is recorded and memorialized through the courts' records. The needs for and benefits to government in maintaining records of legal status can be seen clearly in the areas of adoption, divorce, marriage, the title to property, and the probate of wills. It is just as valid a purpose of the court in less clearly seen but equally essential areas of criminal histories, driving violation histories, and defendant probation status. Court records are a large part of the formal governmental records that define the legal status of its citizens. They are, in effect, the institutional memory of government, and therefore fundamental to our constitutional form of government.

B. Records Management Plan

Because of the importance of these records, the records management program of the Municipal Court was included in this review. As a result of interviews with judges, managers, and court staff, and additionally, project staff's observations of the facilities, processes, and procedures used to manage court records, the following general statements describe the general state of case records management in the Municipal Court.

- No one person is designated as the records manager for the court. With more than 400,000 active, inactive, and archived case files, the need to designate a single person with the overall responsibility of court records management is self-evident.
- Records are frequently not available when needed by court users. Virtually every court staff member, judge, and lawyer interviewed by project staff identified the inability to find files as a serious problem.
- Court records are accessible by any court staff member any time and can be removed from central filing without the necessity to record the

removal of the file, the name of the person requiring the file, or the purpose for which it is removed.

- Active files can be stored in multiple locations (four or more depending on its current place in the court process) and inactive records in any of six locations (depending on the accuracy and timeliness of file closing and archiving). Court staff are frequently not sure of where to look for a file, and therefore must search all potential areas. This reduces court efficiency by creating an excessively large number of UTL's (unable to locate).
- More than 2,400 case files are listed officially as "lost in the system."
- The "archiving" of closed cases has a backlog of about 56,500 cases and a lag time of about nine months.

To improve records management within the court, project staff make the following recommendations:

Recommendation VIII - 1

The Court Administrator should designate an existing staff person as records manager for the court.

The designation of records management as a priority by court administration and confirmation of the importance of this position by judicial leadership is essential for effective court operations. It is understood that there is no position classification currently reflecting this function and there is no vacant position for which to recruit this position. However, the need for a competent records manager should be a high priority. Recruitment within existing staff of a person with the interest and ability to grow into the position, is a realistic alternative to outside recruitment, particularly in light of the available literature in the area, and the existence of court records management assistance and training through the National Association of Court Management and the Institute of Court Management of the National Center.

Recommendation VIII - 2

The Court Administrator should charge the records manager with the authority and responsibility to develop, maintain, and administer a comprehensive records management system for the court.

The comprehensive records management system developed by the records manager and adopted by court administration and the court should:

- 1) encourage the recording and maintenance of accurate, complete, usable information in the most cost efficient manner;
- 2) reduce the workload of court support staff by minimizing redundant records and ensuring that the records that are created are filed, maintained, and retrieved quickly and easily when requested; and,
- 3) Ensure the timely, periodic, systematic and legal destruction of records that have no further legal, administrative, fiscal, historical, or research value.

The assignment of a high priority to the development of the records management system is supported by the wide range of benefits that would accrue to the court. Among these are

- the fiscal savings that result from eliminating the creation of redundant records;
- the reduction in future costs associated with the administration of those records;
- the space savings gained by ensuring that only necessary records are stored for only the necessary time;
- the time savings of support staff in storing and working through unnecessarily large or complicated records collections;

- the improvement in the quality of service to the public, and therefore, improved public confidence in the courts; and,
- the protection of the court from criticism.

Other changes to the current records system that would be supported by the project team are enumerated in the following recommendations.

Currently the courts case files are maintained alphabetically by the last name of the defendant. While alphabetic filing systems are an efficient method of filing in small file systems, and in some larger systems where automated indexes are not available, neither of these situations describe the Municipal Court. With more than 75,000 active case files and 325,000 inactive case files, the use of the alphabetic filing system should be abandoned.

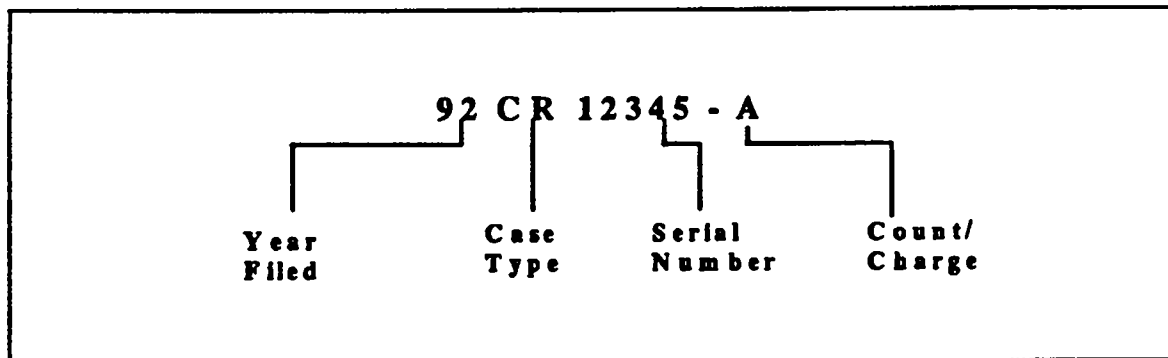
Recommendation VIII - 3

The court should establish a numerical filing system for court records.

While some may argue that they are use to the alphabetic system, and that it serves them well by placing the cases of one defendant in one place, evidence of the breakdown of the system abounds. In many instances the alphabetic filing is carried only to the first two characters of the last name, requiring extensive screening of all of the files in the two character grouping to ensure that all files are obtained. Additionally, the use of the two character file code labels does little to ensure accurate filing or assist in the location of mis-files.

To get the most benefit from the numerical filing system, the court should consider a case numbering system that incorporates the year of filing, the casetype, and a system-generated serial number for all charges arising from the same incident, and an alphabetic suffix to designate each charge. An example of this numbering scheme is illustrated in Figure VIII -1:

Figure VIII - 1



When a defendant receives a citation with A and B counts, under the present procedures, two file folders are created. This is a redundant procedure, expensive not only in the costs of supplies, but also the cost of staff time necessary for the creation of nearly identical file folders.

Recommendation VIII - 4:

All counts arising from the same incident should be included under one case number and housed in one file folder.

The inclusion of an alphabetic character at the end of the case number designating the count or charge, allows for the consolidation of all charges arising from one offense into one case file. This change will eliminate the costs associated with the preparation, duplication, storage, retrieval, and archiving nearly identical files.

Once cases are created, they are stored in unsecured, open file shelving and are available to any court staff member, and frequently to members of the bar, at any time without the necessity for identifying where the file is being taken, who is taking it, for what purpose, or for how long it will be unavailable to other staff who may need it.

Recommendation VIII - 5:

The court should adopt a file control system incorporating the concepts of a secure file storage area, designated file managers, and inventory and circulation control.

The benefits of the bar-code technology used in the court to provide an audit trail for incoming citations should be leveraged by extending the use of the technology to improve file inventory control and the monitoring of file circulation. Under the direction of the records manager, all files should be maintained by designated file managers in a "records room" that is created within the existing clerical area. While a physically separate file room is not feasible now because of the severe space shortages, the existing area can be cordoned off, and under appropriate disciplinary guidelines made off-limits to all but authorized personnel. Using bar-code technology included on employee identification cards and the case file jacket, records managers should "check-in and check-out" case files from the record library and monitor the location of files that are due for return to the records room. The implementation of this recommendation should go a long way toward eliminating lost files, eliminating the UTL document area, and reducing the costs associated with continuances and lost file searches. A similar citation "file room" should be created to obtain the same benefits for traffic case processing

Recommendation VIII - 6:

Archiving, the data quality audit conducted after case closure, should be eliminated and replaced by real-time validation of data entry at the time data is first enters the court information system.

Tremendous amounts of staff time are spent in the retrospective conforming of the data contained in the case file and that contained in the computerized case record. The benefits of such a comparison are marginal when compared to the benefits of appropriate data quality check at the point of entry. This is particularly true in light of the 56,000 case backlog and the nine month delay in conducting the archiving routine. By validating data entry "real-time," all court users, including the judges, court staff, litigants and the public receive the direct benefit of accurate timely data. By waiting until case banishment to the archives, time consuming and problem creating errors are allowed to exist within the system thereby increasing case processing costs and complexity.

By extending the use of bar-code technology to show the box number of archived cases, court records can be shipped to long term storage without the necessity of integrating the newly closed files into alphabetic or numerical schemes, but will be easily accessible through the use of the index created by the bar-code entry in the file control system recommended above. Elimination of these steps should easily free up staff resources necessary to create the positions of record managers needed to staff the file room.

Recommendation VIII - 7:

The court should develop and recommend to the Nevada Supreme Court and the state legislature modifications to the state's records retention schedules that would more clearly define the appropriate record series to retain and be more consistent with the prevailing practice in other courts.

The identification of warrants as a separate records series for retention and the distinction between served and unserved warrants create confusion among municipal court staff regarding the legal requirements for warrant retention as opposed to case file retention in individual casetypes. This confusion should be clarified through the interactive cooperation of the Municipal Court and the State Court Administrator since the State Court Administrator is charged by rule with the responsibility of defining the records that must be kept by the Municipal Court.