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HUNTSVILLE MUNICIPAL COURT
" ORGANIZATION AND
OPERATIONS STUDY ;

Final Report
/

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HUNTSVILLE MUNICIPAL COURT ORGANIZATION AND OPERATIONS STUDY

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I. Introduction

This report is based on research, interviews, and observations conducted by the National Center for State Courts (National Center) during a site visit to the Huntsville Municipal Court on July 25 and 26, 1996. In this study, National Center staff was assisted on-site and with subsequent statutory and rule research by the Alabama Administrative Office of the Courts. Observations and recommendations contained in this report could not have been made without the open and candid participation of the judges of the Huntsville Municipal Court, the court administrator, court staff, and other members of the justice community and government of Huntsville. Nevertheless, this memorandum represents the independent perspective of the National Center.

The National Center was contracted to conduct this organizational and operational analysis of the Huntsville Municipal Court using the general performance areas of the *Trial Court Performance Standards*¹, a nationally recognized framework within which courts can assess how effectively they are serving their role as the third branch of government and their responsibility to fair and expeditious resolution of cases filed in the court. **Section II** of this memorandum lists the observations and recommendations made during the National Center site visit based on a limited review of the five performance areas of the *Trial Court Performance Standards*. Due to restrictions imposed by the scope of the National Center's contract with the City of Huntsville, these observations/recommendations are only briefly presented without discussion. Following this section of the memorandum, discussions in greater depth are presented in the following three areas:

- **Section III.** The need to establish a mission statement for the Municipal Court with specific goals and objectives.
- **Section IV.** Draft language for a City Ordinance that would establish the authority for the appointment and allocation of duties of the court

¹*Trial 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.

administrator, providing the Municipal Court the appropriate authority to conduct the business of the court.

- **Section V.** A proposed framework for the establishment of a coordinated caseflow management system that will strive to provide a timely resolution of all cases brought before the Huntsville Municipal Court.

II. Trial Court Performance Standards Observations/Recommendations

This analysis uses *The Trial Court Performance Standards* to provide structure to the following observations and recommendations. The five main performance areas are:

- Access to Justice
- Expedition and Timeliness
- Equality, Fairness, and Integrity
- Independence and Accountability
- Public Trust and Confidence

Access to Justice

To maintain and improve access to justice, the Municipal Court should:

Develop or acquire improved computer software to allow efficient data flow among the various databases (traffic, misdemeanor, probation, parking, etc.). Imaging technologies should be considered to reduce the dependence on hard copy paper citations.

Install telephone answering systems that respond to the most common inquiries. Next court date and fine amounts due should be available through automated systems when the caller enters his or her violation number. Any such system must be carefully developed to increase the public's access rather than block it.

Promote legislation that will enable the court to accept credit cards for payment of fines and fees.

Study remote payment possibilities; options should include kiosk technology, city service centers in shopping malls, acceptance of payments at police precinct facilities, etc.

Additionally study the need for after normal work hour court sessions

Adequately assign courtroom staff to allow post-adjudication processing of defendants without unnecessary delay and disruption of continuing courtroom activities.

Carefully and comprehensively review plans for the new criminal justice complex. In the interim, the following conditions in the current court building should be improved, if possible.

Signage in the court house should be improved. Currently, a first-time visitor to the court building cannot easily identify if the desk area in the foyer is a security or information desk and it is sporadically staffed. There are no signs indicating where the payment windows are and what transactions can be performed there. The sign pointing to the courtrooms fits government standards, but is barely noticeable.

Current courtroom design and operations have bad acoustics and the public address systems should be used.

No physical separation between in-custody defendants and the general public is provided in the courtroom. This should be remedied, if possible.

Expedition and Timeliness

To maintain and improve expedition and timeliness of operations, the Municipal Court should:

Adopt nationally recognized time standards for resolution of its cases. See Section V., below.

Establish a permanent caseflow management committee to develop and maintain an efficient case flow management system that will meet the court's time standards.

Set its docket to give priority to cases with victims, with priority to other case types with high public concern, such as domestic violence, DUI's, etc.

Account for and disburse funds in a timely fashion.

Equality, Fairness, and Equity

To maintain and improve equality, fairness, and equity, the Municipal Court should:

Further enhance alternative resolution and sentencing options currently in place. Increase staff of probation officers to enhance these programs.

Develop a procedures manual for court staff.

Continue cross-training of staff and encourage continuing education.

Continue the process of clarifying the duties, responsibilities, and limitations of magistrates, with further refinement of their training, educational requirements, and certification.

Increase the diversity in its workforce.

Educate its staff and the public on its effort to ensure the absence of gender and ethnic bias.

Independence and Accountability

To maintain and improve independence and accountability, the Municipal Court should:

Adopt a Mission Statement for the Municipal Court

Develop formalized goals and objectives to assist the court in fulfilling its mission statement, See Section III.

Work with the Mayor and City Council to draft and pass a City Ordinance that defines the Huntsville Municipal Court's administration and operations as a separate branch of the Huntsville government. See Section IV.

Adopt media guidelines for all court employees

Adjust the Presiding Judge's workload to allow her or him to carry out both internal administrative and external responsibilities. A 20 percent reduction in caseload may be sufficient.

Provide meaningful state-of-the court reports to the Mayor and Council prepared in a format that could be used as an annual report for general distribution.

Monitor accounts receivable. If there is concern about the defendants' failure to pay rate and the ability of court personnel to efficiently collect moneys owed, consideration should be given to outsourcing this effort either through city or county collections or a private agency.

Public Trust and Confidence

To maintain and improve public trust and confidence, the Municipal Court should:

Conduct on-going user surveys.

Institute Day-in-Court programs for Council, Department heads, schools, civic groups, etc.

Participate in Mayor's Department Head Meetings.

III. Mission Definition and Goals Development

The old adage "If you don't know where you're going, no road will get you there." is applicable to the planning process for any institution. The Huntsville Municipal Court does not have a mission statement at this time; at least none that was recognized by any of those people interviewed during the National Center site visit. The Presiding Judge, court administrator, and line staff should collaborate to define a mission statement for the Huntsville 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.²

Many courts have attempted the often difficult and challenging process of defining a mission statement. Once the court has adopted its mission statement, the factors critical to the successful accomplishment or attainment of the mission statement should be identified. 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 should develop a list of critical success factors that are specifically oriented toward its operations. As a starting point for discussion, the National Center submits for consideration the following six critical success factors:

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

Once the court has defined the mission 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 Presiding Judge and court administrator stand in relation to the critical success factors. In this process the court first identifies the essential components of each critical success factor and the internal and external forces that affect, or could affect them.

The Presiding Judge and court administrator should develop a prioritized action plan that will provide a blueprint for court activities and special projects. The action plan **identifies** the specific activities that must occur to reach the court's objectives and ranks them in light of their relative benefit in achieving the organization's mission. The plan should:

² Morrissey, George L., "Who Needs A Mission Statement? You Do", Training and Development Journal, March 1988, p.50.

- 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. 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 Presiding Judge and court administrator 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.

IV. Huntsville Draft Ordinance

In *Changing Times in Trial Courts, Caseflow Management and Delay Reduction in Urban Trial Courts*,³ Dr. Barry Mahoney identified common elements found in courts that had successfully conducted programs to maintain or establish effective caseflow management systems in their courts. The ten elements identified by Mahoney were:

1. Leadership
2. Goals
3. Information
4. Communications
5. Caseflow Management Procedures
6. Judicial Responsibility and Commitment
7. Administrative Staff Involvement
8. Education and Training
9. Mechanisms for Accountability
10. Backlog Reduction/Inventory Control

Subsequent research has suggested that these essential elements of successful courts are found (with minor variations) in all types and sizes of courts, general and

³ Mahoney, Dr. Barry, *Changing Times in Trial Courts, Caseflow Management and Delay Reduction in Urban Trial Courts*, National Center for State Courts, Williamsburg, VA, 1988, pp. 197-205.

limited jurisdiction, urban and rural. Mahoney states: "Most of the successful courts have had the benefit of leadership by a chief judge with the vision, persistence, personality, and political skills necessary to develop broad support for court policies and programs."⁴

The current leadership environment of the Huntsville Municipal Court has a presiding judge whose powers to lead the court's administrative agency are not adequately defined. The Huntsville Municipal Court's court administrator is responsible for the efficient day-to-day operations of the court's administrative agency, yet he reports to the Mayor primarily, with unclear responsibilities to the Presiding Judge. At the request of the Mayor of the City of Huntsville, the following proposed language for a City Ordinance has been drafted to more clearly define the leadership roles for the Huntsville Municipal Court, while not violating Constitutional and statutory requirements of the State of Alabama and the appropriate separation of powers within the government of the City of Huntsville. The proposed ordinance is also mindful of the checks and balances that should exist among the three branches of government.

SAMPLE ORDINANCE PROPOSAL CITY OF HUNTSVILLE, ALABAMA

This ordinance confirms, in part, the independence, responsibilities, and accountability of the judicial branch of the government of the City of Huntsville, Alabama.

The office of court administrator of the Huntsville Municipal Court is hereby created. This office shall serve as the administrative agency of the Municipal Court under the supervision of the Presiding Judge and shall be empowered to provide expeditious service in connection with the administrative adjudication of ordinance violations, the handling of uniform traffic tickets and complaints, the issuance of arrest warrants, and other powers provided by law.

The office of the court administrator shall have two officers, the court administrator and the assistant court administrator, both of whom shall be "special" employees appointed by the judges of the Huntsville Municipal Court and confirmed by the City Council. The salary and benefits of these officers shall be set through City Personnel Policies and

⁴ *Changing Times in Trial Courts*, p. 198.

Procedures commensurate with the city department heads and their assistants, who are appointed by the Mayor. The court administrator and assistant court administrator shall serve at the pleasure of the judges of the Municipal Court. With the approval of the City Council, additional "special" management positions within the Huntsville Municipal Court may be created.

The court administrator shall serve as the chief administrative officer of the court and shall assist the Presiding Judge in connection with her or his duties as the administrative head of the Municipal Court, which shall include the Presiding Judge's responsibility to ensure that the business of the court is attended with proper dispatch, the court dockets are not permitted to become congested and trials of cases are not unreasonably delayed. The court administrator shall also perform such other duties as are prescribed by the Presiding Judge. Additionally, the court administrator, or in his or her absence the assistant court administrator, or such other person as directed by the Presiding Judge, shall perform all duties of the court clerk as defined by the laws and Supreme Court Rules of the State of Alabama, provided, however, that before performing the duties of magistrate, such assistant must be duly appointed as a Municipal Court magistrate. The court administrator shall, under the supervision of the Presiding Judge, represent the court on administrative matters before the Mayor and Council and at other times as deemed appropriate.

All officials, officers and employees of the office of the court administrator, excluding the court administrator and assistant court administrator, shall be appointed, employed, serve and receive compensation in accordance with the provisions of the Municipal Personnel Policies and Procedures whether employed by grant funds or otherwise. When there is an established City Personnel Department testing procedure for a specific job classification or the City Personnel Department is requested by the court to conduct recruitment for job openings; if possible, the City Personnel Department shall provide the court administrator with the names of the top three candidates to fill a job vacancy in the Municipal Court, from which the court administrator will select the person to fill that position.

The Presiding Judge shall request the appointment of employees as needed for the efficient conduct of the business of the Municipal Court, subject to the provisions of the Municipal Personnel Policies and Procedures. Personnel action requests made by the Municipal Court shall be submitted by the Presiding Judge to the Mayor and the City Council. These requests should clearly justify the employee positions needed, including compensation ranges and special requirements for the position.

The Presiding Judge is authorized to direct the expenditure of funds budgeted and appropriated to the Municipal Court in connection with the continuing education of the judges and court support personnel, as well as grants, projects and other budgeted items, to establish priorities and coordinate the disbursement of same with the overall administration of justice.

In connection with the administration of justice within the Municipal Court, the court administrator shall coordinate the functions and duties of administrative personnel and court- support persons and agencies, including magistrates, probation officers, court referral officers, victim advocates, and research personnel, so that the overall administration of justice may function with efficiency and cooperation. The court administrator shall disburse funds collected by the court to the proper agencies, such disbursements to be made not less than monthly, as provided by state law for Municipal Court clerks.

On behalf of the Municipal Court, the Presiding Judge with the assistance of the office of the court administrator, shall report once every six months to the Mayor on the state of the court. This report shall include, at a minimum, activities of the court that have fostered the maintenance or improvement in the five performance areas established by the *Trial Court Performance Standards*: Access to Justice, Expedition and Timeliness, Equality, Fairness, and Integrity, Independence and Accountability, and Public Trust and Confidence.⁵ This report shall also include the court's compliance with the time standards for misdemeanors, infractions, and non-felony cases established by the American Bar Association or whatever modification to these time standards that the Municipal Court may have adopted.

The provisions of this ordinance are cumulative to other provisions of law and in no way interfere with the authority granted the Mayor and/or City Council under the general laws of the state as relates to those specific circumstances cited therein.

Any ordinance heretofore adopted by the City Council of the City of Huntsville, which is in conflict with this ordinance is hereby repealed to the extent of such conflict.

If any part, section or subdivision of this ordinance shall be held unconstitutional or invalid for any reason, such holding shall not be construed to invalidate or impair the remainder of this ordinance, which shall continue in full force and effect notwithstanding such holding.

This ordinance shall become effective on _____.

V. Delay Reduction and Prevention

Justice delayed is justice denied. This maxim holds true in all court systems. As Municipal Court caseloads grow, legal procedures become more complex, and efficiencies in court services are increasingly demanded by its constituents, it is

⁵ Trial 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.

imperative that the court lead a justice system effort to prevent and/or reduce delay in processing cases before the court.

The first step in an effort to prevent and/or reduce delay is to adopt time processing goals or standards. The National Center recommends that the Huntsville Municipal Court consider the immediate adoption of the American Bar Association Standards Relating to Trial Courts, Standard 2.52, E. Criminal, section ii. which states “90 percent of all misdemeanors, infractions, and non-felony cases should be adjudicated or otherwise concluded within 30 days from the date of arrest or citation and 100 percent within 90 days.” Local modification to these standards should be considered, if necessary.

Meeting these standards requires the cooperation of all members of the justice community. This memorandum has previously discussed the important leadership role of the Presiding Judge in the prevention and reduction of delay in the courts. Dr. Mahoney, in *Changing Times in Trial Courts*, discusses the breadth of cooperation needed to process cases in a timely fashion. “Leadership with respect to delay prevention is not exclusively the province of the chief judge. Within a trial court, the trial court administrator or clerk has a key role. More than anyone else, the court administrator or clerk must convey the goals of the program to members of the court staff, obtain their input, allay their concerns, and organize the resources necessary to implement the program on a day-to-day basis. Outside the court, bar leaders have vitally important roles. Their active support for delay reduction (or delay prevention) goals, and their involvement in developing a workable program, will greatly enhance the prospects of success. With respect to criminal case processing, the prosecutor’s role is crucial. A prosecutor who is committed to expeditious resolution of criminal cases can establish policies and deploy staff resources in ways that will minimize delays.”⁶

To realize the system-wide cooperation needed to prevent delay, the Municipal Court should establish a permanent caseload management committee to recommend practices and procedures that will provide the resolution of cases brought before the court

⁶ *Changing Times*, pp. 198-199.

within the court's adopted time standards. This committee should be chaired by the Presiding Judge or his or her designee and include representatives from court staff, county counsel, law enforcement, the bar and citizen interest groups. This committee would be established by the Municipal Court and invite the participation of the above agency representatives who would serve on a voluntary basis. Recommendations from the committee would serve to foster cooperation among the agencies and departments, but would not bind them to specific performance. Similarly, recommendations that directly affect the judicial operations of the court would require the approval of the judges of the Municipal Court.

During its initial operations, the caseflow management committee might benefit from an outside facilitator to help its membership focus on system-wide goals and objectives, reaching initial areas of consensus among its membership. The caseflow management committee should support its adopted practices and procedures for efficient caseflow management, communicate them to the justice community, and report its efforts and needs to the Mayor and City Council.