

## **Southern Regional Office**

A MANAGEMENT STUDY  
OF THE  
LAFAYETTE CITY COURT  
Lafayette, Louisiana



**National Center for State Courts  
1600 Tullie Circle, N.E., Suite 119  
Atlanta, Georgia 30329**

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Project Staff:  
James R. James  
Regional Director  
Ned A. Mitchell  
Senior Staff Attorney  
Elisabeth G. MacNamara  
Staff Attorney  
Charles E. Ferrell, Jr.  
Senior Staff Associate  
Gerald B. Kuban  
Staff Consultant

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## Introduction

This study of the City Court of Lafayette, Louisiana, pursuant to contract between the Court and the National Center for State Courts will embrace the following tasks:

(a) an analysis of the internal operating practices and procedures of the Court with recommendations for the improvement thereof;

(b) an analysis of current equipment usage and recommendations for the improved best usage of equipment, including an assessment of future needs for automation;

(c) an analysis of current personnel policies and procedures and recommendations for the improvement thereof; and

(d) an analysis of caseloads and staffing levels to forecast future judicial and non-judicial personnel needs.

## Recommendations

1. The Court should consider a calendaring system for civil cases which permits a court controlled docket but still remains within statutory requirements prohibiting dismissal within five years for inactivity in such cases. (pp. 18, 19)
2. Consideration should be given to a flat filing system for civil cases. (p. 19)
3. The deposit fee system should eventually be replaced with a flat fee system in civil cases. (p. 19)
4. A uniform numbering system incorporating the year of filing and the type of case should be considered. (p. 20)
5. The preparation of petitions under the code of juvenile procedure should be the responsibility of the district attorney. (p. 22)
6. Data processing should be expanded to include all functional areas in traffic, criminal, OWIs, and civil case processing. (p. 26)

7. One additional computer terminal should be installed to enhance data processing technology in the Traffic Bureau. (p. 27)
8. The court should use the computerized traffic system for indexing purposes. (p. 27)
9. The transcribing of data from the "call sheets" to "traffic feeder forms" should be eliminated. (p. 28)
10. The court should purchase an additional cash register for use in the Traffic Bureau. (p. 28)
11. The automated traffic system should be expanded to include OWI cases. (p. 29)
12. The court should upgrade its electronic recording system. (p. 31)
13. The purchase of a microfilm reader/printer should be pursuant to nationally recognized standards for such equipment. (p. 34)
14. The court should adopt a personnel plan for its employees including classification, pay plan, fringe benefits and policies. (pp. 35 et seq.)
15. The court should examine the feasibility of creating a salary fund, contributed to by the various governmental jurisdictions, from which employees could be paid on a uniform basis. (p. 42)
16. The Traffic Violations Bureau and Parking Violations Department should be consolidated. (p. 46)
17. All traffic cases should be consolidated into one department. (p. 46)
18. Zip codes should be automated for mailing arraignment notices. (p. 47)
19. Consideration should be given to the purchase of additional employee bond coverage and for liability insurance. (p. 48)
20. An administrative manual for the orientation and training of court personnel should be developed (p. 49)
21. In view of the increasing caseload the court should plan either for the creation of an additional judgeship or for a change in its jurisdiction. (pp. 52 et seq.)

## Overview of Statutory Provisions

### General Provisions

The Lafayette City Court is a court of limited jurisdiction. Its territorial jurisdiction includes the City of Lafayette and part of the parish as well.

The city court judge is elected for a six-year term and is required to be licensed to practice law in the state for five years and a qualified resident elector of the court's territorial jurisdiction for 2 years prior to the election (LSA - R.S. 13:1872, 1873). The election of a city court judge has abolished the office of justice of the peace and constable within that judge's ward (LSA - R.S. 13:1872).

In the event of the judge's absence, incapacity or inability, a judge ad hoc, who shall be another judge or qualified domiciliary, shall be appointed by an order which reflects the term and reasons for the absence. The order shall be entered on the court's minutes (LSA - C.C.P. art. 4865). The Code of Civil Procedure also outlines a procedure for the recusal of the city court judge. If a motion for recusal is made, the judge shall do so or the motion (LSA - C.C.P. art. 4862) shall be tried to another judge of the city court or to the district court. The judge's replacement shall be appointed by the judge trying the motion (LSA - C.C.P. art. 4863). Such replacement shall be another city court judge or a city or parish court judge sitting in an adjoining parish. Otherwise a qualified domiciliary may be appointed. The order shall reflect the term of and reasons for the appointment and shall be entered on the court's minutes (LSA - C.C.P. art. 4864).

In criminal cases, grounds for recusation of the judge are set forth in article 671 of the Code of Criminal Procedure. The judge may recuse himself, whether a motion for recusation has been filed or not, in any criminal cases in which a ground for recusation exists (C.Cr.P. art. 672). If the judge recuses himself he shall appoint to try the case either a city court judge from an adjoining parish or a lawyer who is domiciled in the parish and has the qualifications of a city court judge (C.Cr.P. art. 676). If a recusal motion is filed, the judge shall refer the motion to a district judge of his district and if the city judge is recused after trial on the motion the judge who tried the motion shall appoint to try the case a city court judge from an adjoining parish or a qualified lawyer domiciled in the parish (C.Cr.P. art. 676).

The court shall be served by a marshal elected at the congressional elections for representatives (LSA - R.S. 13:1879). The marshal must be a resident elector of the court's territorial jurisdiction. A bond in favor of the city judge and conditioned on faithful performance of duties shall be executed by the marshal. The bond for which premiums are paid by the city shall be in the amount of \$5,000 (LSA - R.S. 13:1880).

The marshal is charged with executing the orders and mandates of the court and has the same powers and authority as the sheriff. The marshal may appoint deputies, with the approval of the judge (LSA - R.S. 13:1881). If the marshal is absent or incapacitated, the judge may appoint a temporary marshal. If the office is vacant, a temporary marshal may be appointed for the unexpired term if it is less than one year. If the unexpired term is over one year, a special election shall be ordered (LSA - R.S. 13:1882).

The judge may appoint a clerk for both the civil and criminal sections of the court who shall serve at the pleasure of the judge or until a successor is appointed (LSA - R.S. 13:1884). The clerk shall be a qualified elector of the court's territorial jurisdiction. A bond in favor of the judge, in an amount fixed by the court to be at least \$1,000, and conditioned on faithful performance of duties shall be posted (LSA - R.S. 13:1886).

The judge may also appoint a deputy clerk who shall serve in the same manner as the clerk. In the absence of the clerk, the judge may appoint a special deputy to serve temporarily (LSA - R.S. 13:2078).

The clerk is charged with keeping minute entries, docketing all proceedings, signing, under seal, all writs and processes including citations and subpoenas. The clerk may also make and take affidavits for arrest warrants and for the issuance of peace bonds and for all other court-related purposes. The clerk has the power to sign such orders as the judge may sign, whether the latter is present or not. All official court documents shall be certified by the clerk. The clerk's power to administer oaths, and perform acts and issue certificates is the same as those of the district court clerk. Additionally, upon request of a judgment creditor, the clerk shall record all money judgments obtained in city court in the parish mortgage records and shall charge reasonable fees for same (LSA - R.S. 13:1885).

The court shall appoint a court reporter if required by the law to take evidence, unless the parties waive. If requested by party, the court shall order transcription of testimony (LSA - R.S. 13:1893).

The court may also have clerical help at no less than \$150 per month



payable in a two-thirds to one-third ratio by the city and parish. Costs in criminal cases may supply funds for clerks and deputies salaries as well as for those of the stenographer and other clerical or operational expenses incurred by the court (LSA - R.S. 13:2078).

The city shall furnish a courtroom and offices for the judge, clerk and marshal. Fireproof vaults or other filing equipment for the preservation of records shall also be provided. Expenses of operating the court shall be borne by the city or apportioned between the city and parish as the two governing authorities shall determine (LSA - R.S. 13:1889).

The city court has a seal for use on all writs, orders and processes issued by the court. Absence of the seal will not affect the validity of same (LSA - R.S. 13:1890).

The city court shall be open every day except legal holidays (LSA - R.S. 13:1901).

The state shall distribute all current acts and journals of the legislature to all city courts (LSA - R.S. 24:173).

The city court judge must report to the office of the judicial administrator before the tenth day of each month the number of cases fully submitted and under advisement for over 30 days along with an explanation and an expected decision date (LSA - R.S. 13:4207.1).

The court has the power to punish for contempt (LSA - R.S. 13:4611, LSA - C.C.P. art. 4850), to adopt rules and regulations with regard to its sessions, and for the conduct of its business (LSA - R.S. 13:1901, 13:1902). The court may also create a traffic violations bureau and adopt the necessary operating and administrative rules. The court may appoint one or more clerks to administer the bureau who shall be compensated by the city and parish (LSA - R.S. 13:1900).

The judge shall designate the clerk or marshal to collect fines, forfeitures and penalties as well as costs and exclusive of the costs, to pay same into the city treasury if prosecution is on behalf of the city or into the parish treasury if the prosecution was on behalf of the parish (LSA - R.S. 13:1898). In all criminal and traffic cases the court may assess costs of up to \$10. These proceeds are deposited into a special fund, subject to audit, to be used for operational expenses or clerical fees as approved by the judge. An additional sum of not less than \$5 or more than \$10 in criminal cases may be assessed to defray expenses of the marshal's office (LSA - R.S. 13:1899).

#### Jurisdiction and Venue

The territorial jurisdiction of the Lafayette City Court encompasses all territory now or hereafter in the city limits and the third and tenth wards of the parish. Any justice of the peace existing in a ward partially within the city limits continues to have jurisdiction over that part of the ward not within the city limits (LSA - R.S. 13:1952).

The court's criminal jurisdiction is limited to offenses committed within the court's territorial jurisdiction not punishable by imprisonment at hard labor<sup>1</sup> but includes city or parochial ordinance violations. City judges may require peace bonds, issue arrest warrants, examine and commit as well as admit to jail; discharge defendants; hold preliminary examinations in noncapital cases (LSA - R.S. 13:1894). See also LSA - C.Cr.P. art. 26.

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<sup>1</sup> The definition of a felony. Misdemeanors are defined as any crime other than a felony (LSA - R.S. 14:2).

The court also has traffic violations jurisdiction as well as concurrent jurisdiction over juvenile proceeding with the district court (LSA - R.S. 13:1900; LSA - C.C.P. art. 14).

The Lafayette court's civil jurisdiction is as provided by the Code of Civil Procedure (LSA - R.S. 13:1891). The code provides that subject matter jurisdiction shall be determined by the amount in dispute and nature of the proceedings. The amount in dispute is defined as the amount demanded or the assessed value of property involved exclusive of costs, interest, fees and penalties (LSA - C.C.P. art. 4841). Jurisdiction over amounts under \$3,000 is concurrent with district court (LSA - C.C.P. art. 4843). Other current jurisdiction includes suits by owners to evict if:

- a lease by the day is less than \$50 a day;
- a lease by the week is less than \$125 a week;
- a lease by the month is less than \$500 a month;
- a lease by the year is for under \$6,000;
- annual value of right to occupy property does not exceed the court's jurisdictional amount (LSA - C.C.P. art. 4845).

The court may hear incidental demands regardless of the disputed amount if it has jurisdiction of the principal action (LSA - C.C.P. art. 4846). The court's jurisdiction is limited in that it can not hear actions involving:

- Title to immovable property
- Right to public office or position
- Civil or political rights under the United States or State Constitution
- Annulment of a marriage, separation from bed and board, divorce, separation of property, alimony

- Succession, interdiction, receivership, liquidation, habeas corpus, or quo warranto
- State, parish, municipal or political corporation or succession as defendant
- Other matters excepted by law (LSA - C.C.P. art. 4848).

City court may exercise jurisdiction of the person in the same manner as the district court (LSA - C.C.P. art. 4851). It may exercise in rem jurisdiction over movable property only and quasi in rem jurisdiction over both movable and immovable property. Writs of seizure and sale in execution to enforce privileges or mortgages on movable or immovable property may also be issued by the city court (LSA - C.C.P. art. 4852).

The rules of venue in city court shall be the same as those for district court (LSA - C.C.P. art. 4853).

Within its territorial jurisdiction the city court has original juvenile jurisdiction concurrent with that of the district court (C.J.P. art. 14). This jurisdiction includes the following proceedings:

A. A proceeding in which a child is alleged to be a delinquent child except in cases where criminal prosecution as an adult is required by law or cases transferred to another court for criminal prosecution as an adult as provided by law.

B. A proceeding in which a child is alleged to be in need of supervision.

C. A proceeding in which a child is alleged to be in need of care.

The court also has jurisdiction over proceedings involving adults charged with a misdemeanor where the law violated was enacted for the protection of children such as child abuse cases, desertion, nonsupport,

criminal neglect and reciprocal enforcement of support. Such cases are not considered confidential and proceedings may be open to the public at the discretion of the court. If trial by jury is required the case is subject to transfer to the districts (C.J.P. art. 16).

With regard to its juvenile jurisdiction the court has jurisdiction in the following matters:

- (1) Cases involving parents in need of supervision.
- (2) Proceedings to award custody of a child to an agency or individual upon consent of the parent.
- (3) Adoption of a child.
- (4) Proceedings to declare a child abandoned or for the termination of parental rights.
- (5) Proceedings for the treatment or commitment of a child who is mentally ill or suffering from substance abuse (C.J.P. art. 17).

#### Criminal and Traffic Procedure

Procedures applicable exclusively to city court are very sketchy. This summary tracks only those provisions relating to city court alone.

The city court has authority to fix bail in noncapital cases (LSA C.Cr.P. art. 315). Persons accused of ordinance violations shall be released upon an order admitting to bail and execution of a bond as soon as practicable after arrest. In a city court with criminal jurisdiction the bond shall not exceed \$500. The city, by ordinance, may grant power of parole or release to the presiding judge and officers of its municipal court (LSA - R.S. 15:81).

Criminal prosecutions in city court are commenced by affidavit, information or indictment and shall be tried without a jury. Both sides

are entitled to process to compel the attendance of up to six witnesses each. With leave of court, and on a showing of necessity, more witnesses may be called (LSA - R.S. 13:1895).

If a criminal case is appealed, the clerk shall file, within the delays prescribed by law, the transcript in the appeal court (LSA - R.S. 13:1897).

Procedure in traffic cases is not governed by any special statutes. Special provisions are made for cases involving driving while intoxicated (OWI) which are prosecuted under state statute. On prosecution of first or second alleged violations (OWI) the city court has concurrent jurisdiction with the district court. The district court has exclusive jurisdiction in cases involving a third or fourth offense. OWI cases are prosecuted in the city court by a special assistant district attorney.

Fines, forfeitures and costs collected in cases prosecuted by the city are paid into the city treasury; when prosecuted by the state or parish such monies are paid into the parish general fund (LSA - 13:1898) except for OWI offenses occurring within the territorial limits of the city and in such cases the monies are paid into the city treasury (LSA - 13:1894.1).

Evidence of conviction of a person charged with first OWI offense shall be reported to the Department of Motor Vehicles (LSA - R.S. 32:414).

#### Civil Procedure

Generally the Code of Civil Procedure applies in city court in cases in which the amount in dispute exceeds \$3,000 (LSA - C.C.P. art. 4901). A special procedure is provided for cases involving \$500 and less than \$3,000.

In small claims cases (\$750 or less) written pleadings are unnecessary. The petition may be made orally to the clerk unless an attachment or sequestration is sought (in which case an affidavit stating the grounds shall be filed) or executory process to immovable property is demanded. If no written pleadings are filed, the clerk shall record certain information in a permanent record book, to wit, the title of the case, docket number, names and addresses of the parties, brief statement of facts and the amount of the claim, issuance and service of citations, defenses, motions and other pleas, witnesses names, documents offered, judgment and appeal (LSA - C.C.P. art. 4912, 4913).

#### Appeals

Appeal on the record may be entered to the appropriate court of appeal if filed within 10 days of judgment, notice of judgment or denial of new trial (LSA - C.C.P. art. 5001, 5003). Procedure on appeal is the same as that for an appeal from district court (LSA - C.C.P. art. 5004).

Cases in city court shall be decided immediately upon conclusion of the trial unless exceptional circumstances demand that the record remain open for 15 days for filing testimony by deposition or document. Immediately after the filing or after the lapse of 15 days, the court shall decide the case. The court may order a posttrial hearing on briefs or transcripts, allowing plaintiff 20 days within which to file a brief; defendant is allowed a maximum of 20 days to answer. Plaintiff, thereupon, has 10 days to file a rebuttal. The court may extend the time for an additional period not to exceed the original. A transcript of the evidence, if needed, shall be filed within 30 days with a possible 15-day extension (LSA - R.S. 13:4207.1).

The city court shall render judgment in cases taken under advisement within 30 days after submission. If upon the 30th day, the court is not in session in the parish, the judge shall forward the decree to the clerk for entry on the minutes. If the case is appealable, appeal bond shall also be fixed. Appeal time runs from time notice of decree is served or date decree received if notice waived (LSA - R.S. 13:4207, 4208).

If the judge dies, resigns, is removed or is out of office, successor shall decide cases under advisement. The record shall suffice, or a statement of facts. If none exist, the case may be tried de novo (LSA - R.S. 13:420).

Motions for new trial shall be decided within seven days with an additional 10 days upon written consent of both attorneys filed for the record and spread upon the minutes (LSA - R.S. 13:4207).

#### Contempt

The city court may punish for contempt as follows:

- Direct contempt by an attorney at law, a fine of up to \$100 and/or imprisonment for up to 24 hours (a subsequent offense in the same court will result in a \$200 fine and/or 10 days in jail).
- Disobeying or resisting lawful restraining order or preliminary or permanent injunction, a fine of up to \$500 and/or up to 6 months in jail.
- Deliberate refusal to perform an act within the offender's power to perform, imprison until the act is performed
- Any other contempt, a fine of up to \$250 and/or 30 days in jail

(LSA - R.S. 13:4611). For other contempt references see articles 221 et seq. of the Code of Civil Procedure; also LSA - C.C.P. art. 3611 for contempt of injunctive orders.



## Jury

Trials are to the court without a jury. If an action is commenced in city court and defendant would otherwise be entitled to a jury trial, defendant may petition for a transfer to the district court. If the demand entitled to a jury is incidental, the right is waived by filing in city court (LSA - C.C.P. art. 4871, 4872).

A motion for transfer shall be filed with the city court within the delay for answer or 20 days after the answer. The motion shall declare that the matter is entitled to a jury trial and that defendant demands the jury. If there is no opposition within 10 days the court shall order the transfer. Any opposition shall be tried summarily. If the transfer is ordered, the clerk shall forward a certified copy of the record with minutes, pleadings and all other proceedings. The district court clerk shall file a new proceeding upon payment of filing fee. The ruling on the transfer is not appealable but it is reviewable through the exercise of supervisory jurisdiction by the appellate court. The motion constitutes a demand for jury which may not be withdrawn without consent of the court and all parties. The transfer deprives the lower court of jurisdiction of all claims and parties (LSA - C.C.P. art. 4873, 4874, 4875).

## Internal Operating Practices and Procedures

Generally, the court holds hearings and trials every afternoon of the week according to the following schedule:

Monday -	City Traffic City Criminal (ordinance violations)
Tuesday -	Civil
Wednesday -	OWI
Thursday - (2nd & 4th)	Juvenile Delinquency & Traffic
Thursday - (1st & 3rd)	State Traffic & State Criminal
Friday -	Civil

Court commences at one o'clock each afternoon or as soon thereafter as possible and continues until the calendar is cleared for the day. On busy days it may be six or seven o'clock before the court adjourns.

In addition to the judge, court proceedings are attended by the bailiff, the court reporter, a deputy clerk and a minute clerk. Immediately adjacent to the courtroom is a small room used for paying and collecting fines and costs. This room is staffed during court hours. On days OWI cases are taken up representatives of the court's alcohol and sobriety program and alcohol drivers education program are also present.

Ancillary support services are provided by the State Division of Youth Services for juvenile probation, the State Department of Corrections for adult probation, representatives of the schools for truancy type cases, a juvenile detention home and a special section of the district attorney's

office assigned to family and nonsupport matters.

City cases are prosecuted by the city prosecutor; state cases by the district attorney. Defense services are provided by private counsel or in case of indigency, the public defender.

In cases involving the offense of driving while intoxicated a pre-court conference is conducted by the representatives of the court's alcohol programs who outline the court's general policies and practices regarding such offenses as well as the requirements of state law if conviction or pleas of guilty or nolo contendere occur. A representative of the public defender is also present to explain the rights of the defendants.

The court is presently organized, generally along jurisdictional lines, into the following departments:

- (1) Civil Department
- (2) Juvenile Department
- (3) Criminal and State Traffic Department
- (4) City Traffic and DT (OWI) Department
- (5) Traffic Violations Bureau and Bond Department
- (6) Parking Violations Department.

The overall administrative functions of the court are supervised by the court administrator subject to the city judge. Each department is staffed by one or more clerks usually supervised by a deputy clerk. The Traffic Violations Bureau and Bond Department is supervised by a deputy marshal.

The court administrator has direct supervision of the computer operation which services traffic cases.

## Civil Department

Cases within the Courts' civil jurisdiction are filed with the Civil Department. A civil docket sheet is maintained by the clerk for each case filed. A number docket is maintained to log cases in and to assign new case numbers. In addition a day sheet is kept listing all cases filed and fees paid during each day. Receipts are issued for cash received.

For regular civil cases, an advance deposit of \$30 is required; in multi-party defendants cases an additional \$10 is required for each defendant. The deposits are kept by the clerk in a bank account and when the case is closed certain amounts are paid out of the account for court fees and marshal services. Any unused portion of the deposit remaining after the case is closed is refunded to the depositor.

When a case is at issue or in default a party may request in writing a trial setting and the case is sent to the judge for calendaring. The clerk assists the judge in preparing the calendar, sends notice of trial settings to the parties and attends court when civil cases are heard. All transactions in a case are recorded by the clerk in the civil docket including minutes of the judge's decisions and orders. Judgments, usually prepared by counsel, may be subject to certification to the district court for recordation. Process is served by the marshal.

Cases in which there has been no activity are subject to dismissal after five years and when that occurs the unused balance of the advance docket fee is returned.

Indices to civil cases are included in the court's master index dockets.

Various forms utilized by the Civil Department include the following:

Docket sheets  
Citation to appear  
Eviction notice  
Summons  
Notice of seizure  
Notice of judgment  
Writ of Fieri Facias  
Appointment of marshal's keeper  
Order of seizure and sale

Case files are maintained in small, old fashioned envelope type files.

Civil cases filed and terminated for the years 1976 through 1981 are as follows:

	<u>1976</u>	<u>1977</u>	<u>1978</u>	<u>1979</u>	<u>1980</u>	<u>1981</u>
Filed	991	1,343	1,207	1,212	1,433	1,499
Terminated	964	1,096	1,032	982	1,216	1,163

Commentary: Several practices within the Civil Department probably should be addressed.

Two features work adversely to the concept of a modern court managed calendaring system: the practice of scheduling cases for trial only upon request of the attorneys and the practice of dismissing cases only after five years of inactivity, this latter feature being a requirement of statute (C.C.P. art. 561). From the foregoing statistics it is apparent that there is a gradual but certain increase in civil filings. While

terminations are also increasing they are not keeping up with the rate of filings. Eventually this will result in a backlog of civil cases. Somehow, there should be a shift from an attorney controlled docket to a court controlled docket, i.e., the scheduling of such cases as the work of the court permits. This can be done and still accommodate attorneys who have good reasons for continuances. Perhaps a combination of effort by attorneys and the court could effect a change in the system. It is suggested that the court start scheduling six month old cases in which no request for trial setting has been lodged. If a continuance is then requested in particular cases new trial dates may be given. While this practice may result in larger calendars and more paper work it would have the effect of bringing the docket into a more current status.

The filing system in the civil department is obsolete. A more modern system would include the utilization of lateral or open files with flat file folders and a numbering system that included color tabs, year filed and type of case. Flat files are easier to access, store and copy.

The court should eventually switch over to a different fee system. The cost deposit system requires that there be an accounting in each case and that refunds be made at the conclusion of the case of any unused portion of the deposit. While it would take legislation to achieve it, a better and simpler system would be to charge a flat fee at the time a case is filed. The clerk would make distribution to the various places required - sheriff, marshal, etc., but the balance would go to the court's fee account with no refund to the parties. This would negate the "nickel and dime" accounting and the refunding of a few dollars, if any at all, in each case. The amount of money involved in a single case may not even justify

the time and expense of issuing a check. This is especially true if the court must wait at least five years before final disposition of some cases.

A new system of numbering cases should be considered. Such numbering system would incorporate the year of filing, the type of cases and a docket number. For instance, the first civil case to be filed in 1983 would be assigned the following number:

83CV0001

The second civil case would be assigned the following number:

83CV0002

Utilizing color coded tabs any person handling the file in either of the above cases would know that it is a civil case, the year in which it was filed and the number. At present, small claims cases are placed in the same docket as other cases. If it becomes necessary for them to be separately docketed a code description could be utilized for small claims such as "CS" for those cases.

Similarly, an abbreviation of the various types of cases over which the court has jurisdiction, and depending on its docketing system, could be assigned to such cases in the following manner:

- CV - Civil
- ST - State Traffic
- CT - City Traffic
- DT - OWI
- CC - City Criminal
- SC - State Criminal
- JT - Juvenile Traffic
- JC - Juvenile Criminal
- FC - Family Court

Some aspects of the foregoing numbering system are in effect presently but a uniform numbering system is lacking throughout the court.

## Juvenile Department

This department processes three types of cases:

- (1) Juvenile delinquency cases
- (2) Criminal non-support cases
- (3) Juvenile traffic cases

Juvenile delinquency cases are initiated by a police offense report which is filed with the clerk's office. Confidential indexed cards are maintained containing the names of the juveniles. If the juvenile has a prior record with the court, the old file is reactivated; if the juvenile is new to the court a new file and index card is initiated.

Based on the report, the judge authorizes a petition to be filed. Usually the petition is prepared by the clerk who transmits certified copies to the district attorney and the public defender. A certified copy is served on the parents or guardian of the juvenile along with a citation and summons to appear in court with the child.

The same procedure is followed for neglected children or children in need of supervision.

Sometimes the petition is filed directly in the court by the district attorney or a juvenile officer of the police force.

The cases are scheduled for first appearance in the same manner and on the same days as juvenile traffic cases.

Lists of cases are furnished appropriate officials.

A witness list is maintained for each case.

Upon failure to appear a writ of attachment or pick up order is issued.

Minutes of court proceedings are recorded in the trial docket.



Commentary: The preparation of the petition under the code of juvenile procedure is basically a prosecutorial function and not one which normally should be handled by the court's clerical staff and approved by the judge in advance. Article 45 of the code provides that the district attorney may file the petition without leave of the court. While it also provides that the court may authorize any person to file the petition, its approval is not necessary for the district attorney to act. It would seem that the matter of deciding whether a petition is filed or not is appropriate for the prosecutor to determine and his staff should be in charge of preparation of such documents.

#### Criminal and State Traffic Department

This department processes state criminal cases, city ordinance violations and state traffic cases.

In criminal cases including ordinance violations a case is initiated by an affidavit signed by the prosecutor, police officer or private citizen. Affidavits are prepared by the prosecutor in ordinance violations; otherwise, they are prepared by the clerk based on police report and signed by the prosecutor or police officer or in shoplifting cases a private individual. The clerk is notified if the prosecutor declines to accept a case. Files are maintained on both types of cases - those in which prosecution will result and those in which it is declined. In both instances the bond department is notified and reports received as to whether a bond has been posted.

After an affidavit is properly executed, the case is placed on the criminal docket and number assigned designating whether it is a state or city case.

Cases are indexed in the court's central indices.

Notice of arraignments and trials are issued by the clerk and may be served personally by the marshal or the sheriff or by mail. Notice may also be served on the police officer, attorneys, prosecutor, witnesses, and bondsman.

The clerk attends all court sessions, records minutes of court decisions, judgments, etc. and may prepare receipts for the payment of costs and fines.

In some cases an arrest warrant may issue.

#### City Traffic and DWI (OWI) Department

Separate dockets, termed "call sheets" are maintained on all city traffic cases except parking violations. One call sheet is for OWI cases; one is for other non-parking violations. The call sheets are generated from a computer and contain certain information attained from traffic tickets received from the Traffic Violations Bureau. Following preparation of the call sheets the cases are indexed in the city traffic book; OWI cases are indexed in a separate book for OWI cases.

Call sheets are produced weekly but are kept up to date by hand. The call sheets contain all cases pending such as old arraignments, continuances, trial warrant information.

The department issues summonses, notices of arraignment and trials, warrants, bond forfeitures and reports to the state. The department also prepares release forms for pleas of guilty or no contest, and forms for enrollment in the court's sobriety program and driver improvement school.

The clerk attends all court arraignments and trials and records the minutes of court proceedings.

#### Traffic Violations Bureau and Bond Department

As a control measure, the Traffic Violations Bureau issues and accounts for all city traffic tickets used by city police officers. The original and one copy of each ticket issued by police officers for an alleged traffic violation are returned to the bureau by the officer issuing same along with the violator's drivers license surrendered in lieu of cash bond. The driver's license is retained until disposition of the case. On a daily basis, the tickets are sent to the city Traffic Department and computerized on the call sheets and returned to the bureau.

Fines are paid into the bureau according to a fixed schedule; receipts are served, copies of which are given to the city Traffic Department for recordation. Licenses are returned to the drivers upon payment of fines. If a court hearing is requested or if one is required a summons is issued to the alleged violator for appearance in court.

Docket numbers on all city traffic cases are assigned by the city Traffic Department which maintain a listing of all cases on its call sheets.

Moneys received by the bureau are accounted for and deposited regularly with the city.

#### Parking Violations Department

In a manner similar to the Traffic Violations Bureau, this department issues and accounts for all parking violation notice books used by the city police. The department receives all money, by mail or in person, paid for parking violations. All payments are run through the cash register and tape receipts issued. Ticket numbers are recorded in each transaction. All tickets issued and payments, therefor, are recorded on the city's computer.

The department is regularly given a list of delinquent tickets on a computer printout and search is conducted through state records for names and addresses of alleged violators. Notices of arraignment are sent out to delinquent violators; failure to appear and pay fine may result in the issuance of a warrant.

## Automation and Technology

### Background

Courts across the nation are turning to automated information systems to assist in the handling of spiraling caseloads as well as to limit the number of additional clerical personnel required to maintain their current manual system. The Lafayette City Court has experienced a steady increase in caseload over the past several years. The court at the present time has secured the use of two computer terminals and a printer to handle traffic cases. The current use of data processing in the Lafayette City Court is limited and should be expanded to include all of the functional areas in traffic, criminal misdemeanors, OWIs, and civil case processing. This expansion of data processing technology will provide the Lafayette City Court with greater control and utilization of resources for the administration of justice by the court.

There are certain procedures currently employed in the Lafayette City Court that should be enhanced or encompassed by data processing technology. This application of technology will prove to be cost effective and efficient to implement.

The remainder of this section describes those functional areas that should be automated as well as those areas in which improved manual procedures would be beneficial to the court.

### Observations and Recommendations

1. Traffic Bureau. The clerks of court in the Traffic Bureau currently maintain handwritten ledgers that account for all traffic citations (by citation number) issued to Lafayette police officials. In addition,

other duties performed by the Traffic Bureau include the acceptance of payment for traffic violations (receipts are handwritten), the maintenance of an alphabetical index, and confiscated driver's licenses turned in by police officers.

Recommendation--The installation of one additional computer terminal would facilitate the applicability and usefulness of data processing technology in the Traffic Bureau. The following flowcharts (see appendix) illustrate the enhancement and improvement of the existing manual and automated system to accommodate the recommendations contained in this report for the Lafayette City Court. The issuance and accountability of traffic citations in manual ledger books should be eliminated and maintained by the computer system. The Lafayette Data Processing Department has developed such a program for the accountability of traffic citations which should be reviewed for implementation by the court. By using an automated accountability system the clerks of court in the Traffic Bureau would not have to manually maintain ledger books and account for each traffic citation.

By having a computer terminal installed in the Traffic Bureau the clerks of court could accept payment of traffic fines on either the defendant's copy or the officer's return. This process would eliminate backlogs in data entry as well as provide a current case tracking capability for the Bureau.

Recommendation--Lafayette City Court should use the computerized traffic system for indexing purposes. We recommend that the Lafayette City Court use the computerized system to index all traffic cases. The computer system should easily be able to provide a true alphabetic index of all

pending traffic cases through the on-line terminal as well as periodically produce printed index reports for use in the event the on-line system is not available. The elimination of the current index books would save the court a great amount of personnel time and cost in maintaining the current index book.

Recommendation--The transcribing of data from the "call sheet" to "traffic feeder forms" should be eliminated. The computerized system produces call sheets for those cases that are to be arraigned before the judge. The call sheets have sufficient space available for the minute clerk to post all pertinent events, dispositions, and sentencing information. The present method of entering event or disposition information into the system is to transcribe the information from the call sheets onto special forms (traffic feeder). This method is redundant and has a great potential for error in that the information must be transcribed from one form to another and subsequently transcribed from the feeder sheet onto the computer terminal. Thus, there are three chances in which errors may occur. We recommend that the clerk of court (minute clerk) use the call sheets to annotate case events and disposition codes and that the call sheet be forwarded to the data entry section for updating of the traffic system.

Recommendation--The court should purchase an additional cash register for use in the Traffic Bureau. The writing of hand receipts for the payment of traffic fines is a time consuming operation that should be replaced by a cash register. We recommend that the court investigate the purchase of a cash register that produces a receipt and maintains an audit tape for cash accounting purposes. We feel that by eliminating the handwriting of receipts that the cash register will be a cost effective purchase.

2. Driving Under the Influence (DUI Cases). The Lafayette City Court refers to these cases as "OWIs". The court manually maintains a separate index for these cases primarily for purposes of identifying repeat offenders and transfers to the district court. The court, at the request of the district attorney, is required to furnish prior conviction and sentencing information for use at the district court level.

The city court must manually extract conviction and sentencing information from the case files. In order to extract this information clerks must check the index, determine alias names, and locate the appropriate case file to complete the requests for information from the district attorney.

Recommendation--Expand the automated traffic system to include OWI cases.  
The vast majority of OWI cases originate through the issuance of a traffic citation. The system as currently designed would need a few modifications to handle OWI cases.

The traffic system should be enhanced so that the clerks could request all cases with the same driver's license number. The driver's license number thus becomes one of the primary keys for inquiry purposes. By linking all cases together by driver's license number all OWI cases for an individual would be available with prior conviction and sentencing information. Each case could be printed and used by the court to provide requested information to the district attorney.

The indexing of all OWI cases should also be accomplished by the computer system. The existing system would have to be modified or a separate copy of the system with modifications implemented for OWI cases only.



3. Computer Response Time. The computer terminals located in the city court share a 1200 baud line with five other terminals located in the police department. We recommend that the court system be established on a separate line from the police department. The court's workload and anticipated enhancements to the system require that the court have a dedicated communication line in order to perform the day-to-day tasks required.

#### Conclusion

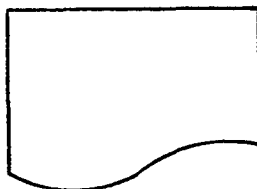
The Lafayette City Court should enhance and expand the data processing capabilities of their automated system in lieu of purchasing word processing machines. The automated system (traffic) and the city data processing department have the capability of accomplishing and exceeding all the tasks envisioned to be performed by a word processing system.

We recommend that the court administrator contact the director of data processing of the city for the purposes of having system analysts work with the court to identify the needs and requirements of the court. The analysts can subsequently determine what enhancements are required to the existing system, and also establish the requirements for a new system to handle other case types (OWI's, civil, indexing). This approach will prove to be more efficient and cost effective in the long-run.

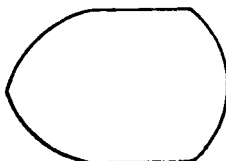
Appendix

To read a flowchart start at the flowchart symbol closest to the top of the page--Connecting arrows indicate the flow of activity to and from disk files, process blocks, paper documents and visual display terminals. Follow each of the connecting lines down the page from one symbol to another in order to understand the logic depicted in the flowchart.

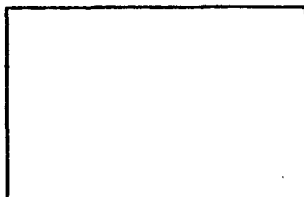
The symbol representations listed below will assist you in understanding the flowchart.



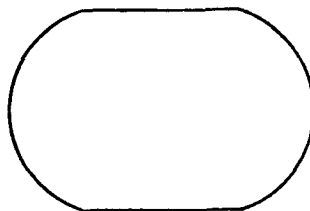
DOCUMENT



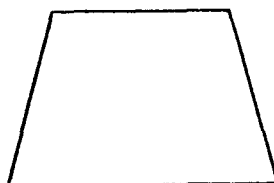
VISUAL DISPLAY TERMINAL



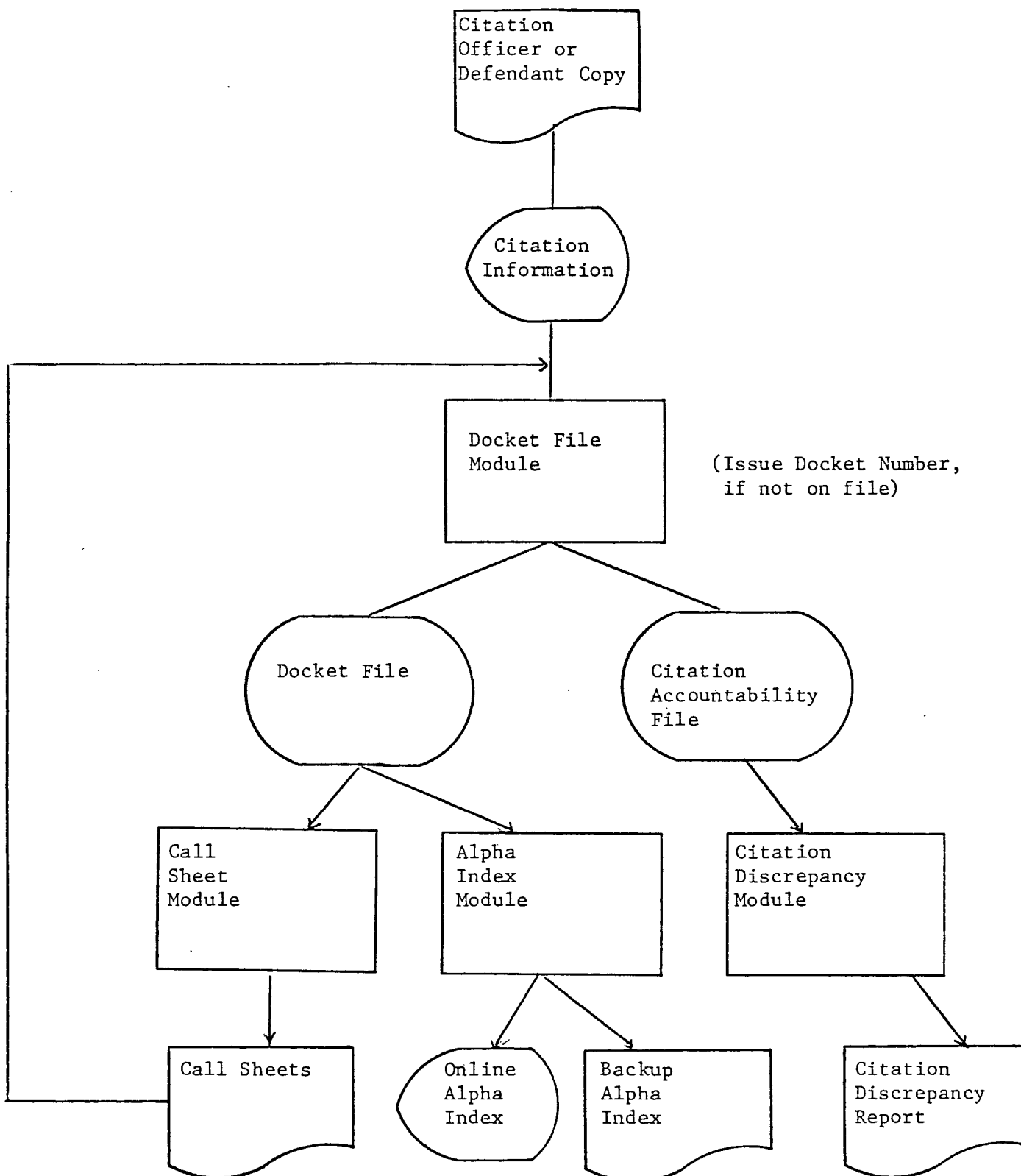
PROCESSING MODULE

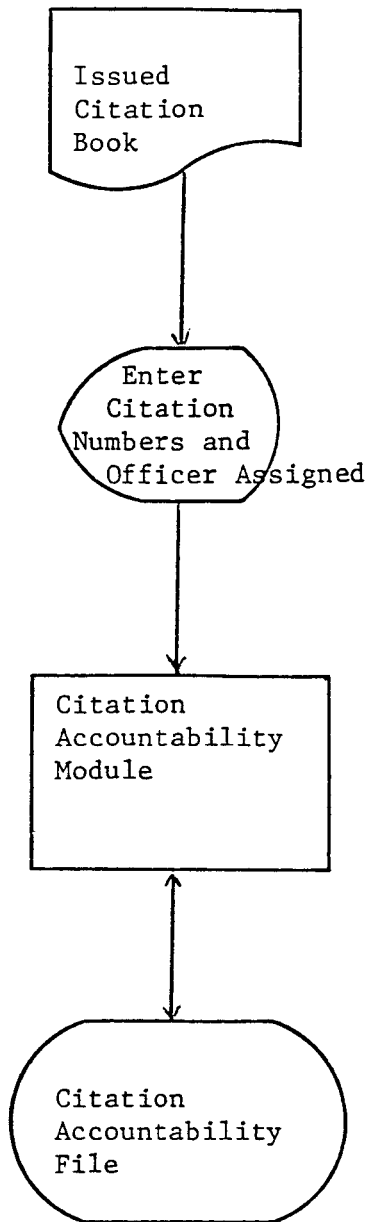


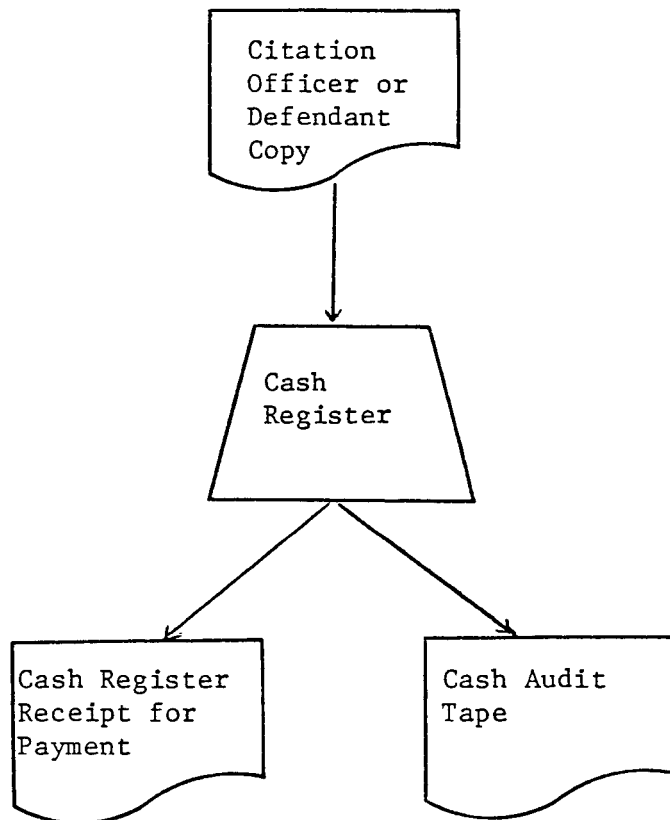
DISK FILE



CASH REGISTER







## Electronic Recording and Transcript Preparation

The electronic recording equipment in the courtroom and in the juvenile hearing room is a single track system which is not designed for courtroom use. Consideration should be given to phasing it out and replacing it with multi-channel recording capability which would permit better identification of speakers and separation of simultaneous statements. With such equipment, the court reporter can better monitor the recording and index the various events by log and identify speakers who would use individual microphones and be separately recorded. Playback from the tape may be from one or more single tracks or from all tracks simultaneously.

Most courtrooms are adequately equipped with four track recording units, with microphones at the bench, the witness stand and one for each counsel location. However, in juvenile cases more than the usual four participants are likely to be present, hence an eight track system should be considered. Multi-track units usually carry four- or eight-track recording capability.

If the court adopts a replacement policy, the National Center recommends that the following minimum standards be considered:

### Minimum Technical Standards for Multi-Track Audio Equipment

The following minimum technical standards should be met and evaluated when purchasing audio equipment for the recording and transcribing of judicial proceedings in any court of record:

- a) Multi channel recording capability -- usually four channels -- to allow separation of simultaneous conversation and eliminate or reduce ambient noise by recording speakers on separate channels;
- b) Separate recording and playback mechanisms to permit operators to monitor the tape output as the voices are being recorded -- monitoring the input signal from the microphone is totally unacceptable, since it does not assure the recording of the signal on the tape;
- c) Fail-safe devices to prevent accidental erasure or recording over previous testimony;
- d) Alert system to notify operator of malfunction due to failure of machine magnetic tape;
- e) Magnetic 1/4" reel tape on standard 7" reels or 1/8" cassette tape on standard cassette cartridges;
- f) Four low impedance balanced-output microphones using combination of unidirectional and omnidirectional microphones depending on courtroom acoustics and type of proceedings -- battery operated (condensor) microphones are unacceptable;
- g) Remote foot pedal control for transcribing on audio transcription machines (forward, reverse, and backspace modes);



- h) Automatic gain control (AGC) and manual audio switch controls;
- i) Visual indicators (VU strength meters or blinking lights) for each recording channel; and
- j) Either electronic or mechanical indexing system on recorder.

The equipment of several manufacturers meets or exceeds these standards. Courts should carefully compare and field test various models in actual court proceedings before making a selection.<sup>2</sup>

Transcripts from tapes in cases that are appealed are prepared by the court reporter or by a private transcriptionist employed by the court reporter and working under supervision of the court reporter. Fees collected for transcripts are retained by the reporter as outside income. If, in the future, the court is equipped with word processing equipment it would expedite transcript preparation if such equipment would be made available to the court reporter. However, such an arrangement would not be considered feasible if the cost is borne entirely by the court with the reporter reaping the benefits from it. Perhaps an accommodation could be reached whereby the court reporter would utilize the word processor, but would share with the court an appropriate portion of the transcript fees collected by the reporter.

<sup>2</sup> See Management of Court Reporting Services, Publication No. R0025, National Center for State Courts, August, 1976.

### Microfilm Equipment

Project staff has been advised that the court is in need of a new microfilm printer/reader. Microfilming of court records has been the subject of a study by the National Center for State Courts which has resulted in a comprehensive reference manual. Excerpts from that manual dealing with the subject of microfilm printers/readers are included in this report and set forth guidelines to be considered when purchasing such equipment.

The text of the reference manual follows as an appendix to this volume.

## Personnel Management Issues

The personnel management issues confronting the Lafayette, Louisiana, City Court can be grouped under the following general headings:

- Employee classification problems
- Pay-related issues
- Problems with salary funding sources
- Personnel policies and fringe benefits
- Organizational issues and work procedures
- Employee bonds and liability insurance
- Orientation and training of court employees

These topics are covered in the sections which follow. The analysis and recommendations are the result of interviews with the city judge, key court officers, court employees and the director of personnel for the city. In addition, employees were requested to complete questionnaires which detailed their work assignments, supervision exercised and received and equipment used. Lastly, work procedures were reviewed as well as payroll information and general city personnel policies.

### Employee Classification Problems

Although the City of Lafayette has a formal position classification and pay plan, city court employees are not included in the plan. From a classification standpoint, a number of problems have surfaced. First, no clerk audits (interviews) have ever been undertaken to analyze job content in the court work force. Desk audits would have provided a proper understanding of the similarities and differences between the court workforce and other city departments.

Further, such audits would have revealed the unique factors in court positions such as the high degree of accuracy required in the work as well as the consequence of error.

Because job analysis has not been conducted, a number of related deficiencies have been noted. There are no specific written job descriptions which describe the kinds of work found in the court. As courts have become more and more interested in personnel management, the need for written statements of the duties of various positions has become significant, not only for employees but for court management as well.

The creation of court specific job classes and written job descriptions helps employees understand the job structure and, if properly constructed, serves to create career ladders to which employees can aspire. A constant comment, when interviews were conducted with employees, was that they felt isolated from the rest of the city's personnel plan, that they did not know what promotional opportunities were available to court employees and that there did not seem to be any incentive for doing better than average work.

The lack of court specific job classes has also led to an overuse of the clerk-typist classification in the court. Six of the nineteen court clerical positions are titled as clerk-typists even though their work requires the performance of duties not normally required of typists, such as: preparation of subpoenas, entry of accurate court disposition information in court dockets, preparing formal juvenile petitions within requisite time limits for detention

hearings, proper notification of parties and witnesses for hearings and court appearances, preparing trial lists and assigning court appearance dates and clerical accounting duties such as receiving and receipting for cash and cash bonds, transferring and splitting bonds, preparing bank deposits and balancing accounts.

Court classifications should be identified by the following levels:

Court Clerk I - an entry level job characterized by routine assignments, close supervision, accurate rather than fast typing and some experience (six months to one year) in general clerical work.

Court Clerk II - technical clerical work characterized by the performance of a variety of clerical functions which require the application of independent judgment based on training and knowledge gained through experience on the job. Work may involve limited lead worker duties over the clerical employees. One to three years court clerical experience is required.

Court Clerk III - supervisory and technical clerical work; performs a wide variety of technical operations requiring specialized clerical knowledge and supervisory ability. Typical assignments include performing as the clerk in charge of a technical processing unit within a major division of the court, with supervision exercised over a small to moderate number of clerical subordinates. Four to six years of court clerical experience is required.

The three aforementioned classifications would suffice for those employees doing strictly court clerical work.

There are at least six other positions, all in the Traffic Violations Bureau and Parking Violations Division that perform clerical accounting functions. A class of court accounting clerk with three levels similar to the court clerk could be established.

Additional court jobs which require the development of written job descriptions include the supervisor of data entry, data

entry operator, court reporter/transcriptionist, secretary (marshal's office), deputy city marshal and court administrator. It was also mentioned during the on-site visit that a minute clerk position would possibly be created and that a sample job description would be helpful. A sample of that description plus examples of a number of the other suggested job descriptions have been attached as Exhibit "A". They can be viewed as a "place to start" in developing the job classification structure for the City Court of Lafayette.

#### Pay Plan

Closely tied to a job classification structure is an equitable pay plan. The current pay structure of the court suffers from a number of deficiencies. There are no formal, recognized salary ranges for the various types of work found in the court. Court employees indicated that salaries are not to be discussed with one another and they are unaware of salary ranges for various jobs. Other city employees, on the other hand, have access to a published job classification structure and pay ranges and steps, and while they may be unaware of actual pay rates of co-workers, they are at least aware of pay ranges and the relative worth of one job to another.

The lack of salary ranges and steps for jobs has resulted in the payment of the same salary for newly hired as well as experienced employees. Employees repeatedly questioned this policy since the experienced employees feel that they are of more value to the court and that this value should be reflected in salary differentials.

The salary grid currently used by the city or something similar to it should be adopted by the court and each employee placed in a range and step after a proper classification study. Movement through the steps should then be dependent upon a satisfactory or excellent performance evaluation. In this manner, employees who do similar work and who are in the same range of pay would be paid at differing amounts depending on performance. How employees would be paid at the first step in the range in whatever classification of work is applicable to their particular job.

Along with the establishment of salary ranges and merit salary increases based on performance, the court should also establish a system of longevity salary increases for long-term employees, particularly if this is a feature of the general city pay plan. Some systems adopt a flat dollar amount for each year of service; other systems adopt a percentage of annual salary. Whatever system is used, it provides recognition of the career employee at a minimal cost.

The application of cost of living increases has also proved to be cumbersome, particularly for those employees who are paid from two different sources, i.e., city and parish. More will be said about funding source problems in a succeeding section; however, the significant problem here is that whatever cost of living increase is granted by the city or parish is only applied to that portion of the employee's salary paid by that particular governmental entity. In some instances, the amount of increase is negligible because of the way in which salaries are allocated between the funding authorities. Further, some employees receive more than one cost of

living increase because of the sources of their pay.

One final pay-related problem which deserves attention is that of the pay similarity between those employees functioning as clerk-typists and those functioning as deputy clerks. It was recommended in the section on classification that at least three levels of court clerk be created with appropriate pay differentials between such levels. A minimum of 10 percent (and possibly more) should exist between the court clerk I and II. A minimum of 15-20 percent (and possibly more) should exist between the court clerk II and III. In this manner real differentials are recognized between levels of work and responsibility. The additional advantage is that promotional and career ladder opportunities are built into the system.

Under the current system, which has no formal salary ranges to match ascending classification levels, at least five employees are all paid at the same salary rate even though their responsibilities and experience, and therefore value to the court, vary. At least ten employees of the court are paid within the same general range of salary. This is over half the court's workforce, and unless all these employees were hired at exactly the same time and learned the job at exactly the same pace, it is unlikely that they all should be earning similar rates of pay. More salary differentials need to be built into the pay structure, and it is hoped that some of the recommendations made here on job classifications and pay ranges aid that effort.



### Funding Sources

Employees of the clerical operation of the court and the marshal's office are paid salaries from a number of governmental jurisdictions. Exhibit "B" indicates this breakdown by employee. Of the nineteen employees in the clerical operation of the court, fifteen are paid totally by the city, and four are paid partly by the city and partly by the parish. The breakdown ranges from 16% to 38% for the parish and from 64% to 84% for the city.

In the marshal's office, of the nine employees, two are paid totally by the city, five are paid by the city and state and two are paid by the city and parish. The state share ranges from 12 to 18% for the affected employees, while the city share ranges from 82% to 88%. In those instances where the parish and city are contributors, the range is from 22% to 56% for the parish and from 44% to 78% for the city.

There have been negotiations in the past concerning the necessity for a single salary fund. Apparently such negotiations have stalled on the questions of a funding formula.

The problems inherent in using multiple funding sources are many. Among them are:

- o Employee time spent on work for one jurisdiction or the other may not always be the same.
- o Different fiscal years are used by all three levels of government, thus budgeting and payroll adjustments are more difficult than they need to be.

- o Cost of living increases are granted at varying percentages by each jurisdiction, thus some employees may be treated more favorably than others, depending upon which payrolls they are paid from.
- o Salary increases, whether cost of living or otherwise, go to specific positions rather than to the court workforce as a whole. Over a period of time salary inequities can result.

It is likely that the multiple funding sources for salaries will continue; however, an effort should be made to have one salary fund from which all court and marshal's office employee salaries would be administered. It would be most appropriate to have the court administrator responsible for the administration of salaries from this fund.

To establish such a fund, it is suggested that the following steps be used as a guideline:

1. Determine the number of transactions (citations, etc.) related to a specific jurisdiction; the emphasis here is on transactions rather than dollar amounts.
2. Determine what percentage of total transactions each government jurisdiction has of the total number of transactions.
3. Apply this transaction percentage to the total payroll cost (court clerical operations and marshal's operation should be kept separate).
4. The resulting payroll amounts would be paid into one salary fund to be administered by the court administrator.
5. Cost of living increases granted by a particular jurisdiction would be applied to the appropriate gross salary amounts set by the funding formula.

6. Cost of living increases to court clerical employees and marshal's office employees would be determined by the judge and court administrator and the same percentage would be granted to all employees of the court depending on the availability of funds.

#### Personnel Policies and Fringe Benefits

Two generalizations can be made about personnel policies and fringe benefits in the city court: 1) there is a general lack of written policies, 2) the policies and fringe benefits which do exist are not comparable to those covering other city employees.

Interviews with employees revealed that court employees are unsure of what policies and fringe benefits are applicable to the court. In some instances employees noted that there were inconsistent policies.

The two areas which seemed to be of most concern were those of annual and sick leave.

Annual Leave. Court employees currently receive one week of vacation after six months and two weeks after one year regardless of the years of service. Thus, new employees and career employees have exactly the same vacation time. Further, female court employees must first use their annual leave when maternity leave is desired.

City personnel policies provide for a graduated scale of annual leave accrual based on increased years of service. This is clearly the standard approach to annual leave policies and has existed in public jurisdictions for many years. It is recommended that the city court adopt a graduated accrual system for annual leave based on years of service.

With regard to the mandatory use of annual leave for maternity leave, it should be noted that the Pregnancy Discrimination Act of 1978<sup>3</sup> amended Title VII of the Civil Rights Act of 1964 to prohibit sex discrimination on the basis of pregnancy.

Pregnancy, miscarriages, abortion, childbirth and recovery therefrom are, for job-related purposes, "temporary disabilities" for the period in which the employee cannot or should not (on medical advice) perform her job and should be treated as temporary disabilities under any sick leave plan available for such purposes.

Sick Leave. There is currently no stated policy on sick leave in the city court, and there is no policy on accrual of same. Sick leave is granted on a case by case basis for whatever length of time is necessary; however, employees are concerned about the lack of predictability with regard to sick leave policies.

Court employees do not receive payment for unused sick leave upon retirement or death; however, it is a general city policy (see Policy and Procedure Memorandum No. 82, October, 1980) that each employee shall be paid upon retirement, or his beneficiary shall be paid upon his death, for all accrued, unused sick leave hours credited to his account.

Other City Personnel Policies. The city personnel plan contains a number of provisions which should be adopted in spirit by the court. These policies and procedures cover annual and sick leave, payment for accrued sick leave upon retirement, compensatory

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<sup>3</sup> P.L. 95-555 §1, 92 Stat. 2076, 42 U.S.C. §2000e(k)

leave, civil leave, worktime/overtime, absences, conditions of employment, temporary employees, annual physical examination and retirement.

The court should adopt similar provisions in order to put court employees on a par with other city employees as far as personnel policies and fringe benefits are concerned. The era is quickly passing which looked upon courts as isolated from the modern precepts of public personnel management. This component of court management deserves as much attention in the courts as it has received in the other branches and levels of public employment.

Retirement System. Although all city employees must enroll in the Municipal Employees' Retirement System of Louisiana, at least one employee (Ritchey) has failed to qualify for enrollment under any governmental retirement plan. This employee is a career court employee with many years of service, and the exact details of her attempt to seek enrollment are unknown to project staff. The only recommendation which can be made is that a special act of the legislature be sought to qualify this individual for participation in the municipal retirement system.

#### Organizational Issues and Work Procedures

Some organizational restructuring could be done in order to combine similar functions to achieve better coordination and management of operations. (See Exhibit "C" for current organizational structure.)

Traffic Violations Bureau and Parking Violations. Currently the Traffic Violations Bureau is under the supervision of a deputy marshal who technically is an employee of the marshal but who reports directly to the court administrator.

It is recommended that this bureau and division be consolidated into a Traffic and Parking Violations Bureau or Division.

This is recommended for a number of reasons:

1. It would consolidate similar cash collection, receipting and related accounting/bookkeeping and financial reporting functions into one division under one supervisor.
2. There is evidence that the Parking Violations Division has peaks and valleys in its workload depending upon the parking enforcement activity of the police department. Consolidation of staff would lead to a better balanced workload, closer supervision and better utilization of staff.
3. It would remove the court administrator from the day-to-day supervision of the Parking Violations Division and allow him more time to concentrate on broader court management matters.

If the consolidation is done, an appropriate upgrade of the deputy marshal's position should be undertaken.

Criminal and Traffic Divisions. Currently one division of the court handles city and state criminal offense and state traffic. Another division handles city traffic and state OWI (operating while intoxicated).

It is recommended that all traffic cases should be consolidated into one division. Since the same defendant may be charged with both city and state traffic violations, it makes sense to have one division process the cases rather than two divisions as is now the case. Having two divisions involved complicates the need for

coordination. Further, it has been noted that court staff from one division or the other may be sitting in court waiting for a case to be called on either docket. If the divisions were consolidated, one staff person could handle both areas with no overlap of court time.

Related to this recommended consolidation is the creation of a city and state criminal division to handle the functions remaining once state traffic is combined with city traffic and state OWI.

Work Procedures. One final recommendation on work procedures must be made. Under current practice the city traffic and state OWI division types 400-500 envelopes per week for arraignment notices. An additional step is required in that zip codes must be researched based on street addresses.

A number of suggestions can be made:

1. Since the city computer department is currently printing the arraignment notices, it is recommended that they print them out in zip code sequence based on street address. Even if this is done only for the city of Lafayette it would save time in the preparation of these notices.
2. Address labels can be prepared, again in zip code sequence, to eliminate the need for typing envelopes. In the alternative, window envelopes could be used to eliminate this typing task.
3. Once zip code sequence is achieved for mailing purposes, the local postal authorities should be contacted with regard to the possibility of a bulk mailing permit to reduce postage costs. The pre-sorting which zip code sequence allows may provide the basis for a reduction in mailing costs.

A cost analysis of this recommendation should be made to determine if changes in the current system are feasible.

### Employee Bonds and Liability Insurance

Performance bonds are required of the marshal in the amount of \$5,000 and a similar amount for deputy marshals. Each deputy clerk is bonded for \$1,000. Premiums on the bonds are paid by the city. (LSA - R.S. 13:1880, 13:1887). Project staff has been advised that all elected city officials, which would presumably include the city court judge, are bonded in the amount of \$500,000.

In view of the large amount of money that is handled by court personnel (approximately \$800,000 per year) consideration might be given to providing more coverage than that required by statute. The purchase of a blanket bond covering all court employees should be considered notwithstanding there are many checks on how money is correctly handled.

It is not uncommon for court personnel to be concerned about personal liability for failure to perform certain acts such as the failure to cancel an arrest warrant. The end result may be an arrest and incarceration of a person for whom an arrest warrant was not cancelled and a subsequent lawsuit against a court employee. According to the office of judicial administrator, the matter of personal liability and litigation for alleged negligence has been a concern of the Louisiana Clerks' Association to the extent that liability insurance is being purchased to cover official actions of the courts employees. This is something that is worthy of future consideration for the Lafayette City Court.



Orientation and Training of Court Employees.

A competent administrative staff, acting under the direction of the court is essential to effective trial court management. The ABA Standards Relating to Trial Courts provides that, "administrative services for the trial court, established under the authority of the judges of the court and supervised by the presiding judge should include the following:

- (c) Training and education of non-judicial personnel . . . , " (Section 2.41).

The Lafayette City Court has been alert to the need for training programs for its staff. The court administrator has been conducting meetings of personnel from the various departments to review procedures followed in those departments.

This program should be enhanced to include not only in-service training for incumbent employees but also orientation of new employees. It should include training both as to specific job function for each employee and its relationship to the overall court operation. It is recommended that a manual be prepared for court employees -- a handbook or guide which can be studied and followed by each person in the court. The following items are submitted for consideration to be included in the manual:

- (a) The function of the judiciary
- (b) State court organization
- (c) Jurisdiction of the city court
- (d) Role of the judge
- (e) Role of the attorneys

- (f) Courtroom decorum/procedure
- (g) Role of marshal; police
- (h) Ancillary court programs
- (i) Legal procedures - statutes and rules
- (j) Internal organization of the court
- (k) Function and duties of each department
- (l) Personnel policies

The foregoing list is not intended to be all inclusive but is illustrative of what could be included in a manual. Ideally, the employees manual would be in loose leaf form for routine updating as changes are made either by law or by the court in its administration.

## COURT ROOM CLERK I

### DEFINITION OF WORK

This is responsible court room clerical work in a court of the Missouri State Court System.

Work involves responsibility for attending court and recording all court actions and related matters as directed by the judge in the assigned division. Additional clerical and public contact activities are performed when court is not in session. Actions recorded become a part of the case file, necessitating a high degree of accuracy and completeness. Work is performed under the general supervision of a unit manager or higher level Court Room Clerk and is reviewed through discussions and evaluation of work products.

EXAMPLES OF WORK PERFORMED (Any one position may not include all of the duties listed, nor do the examples cover all the duties which may be performed.)

Composes concise, narrative summaries of major case actions and enters as minutes in the case file; places pleadings, motions and related documents in case files; types or hand writes a variety of memoranda needed for files or other proceedings.

Swears in jury panels and witnesses; reads jury verdict; polls jury; operates electronic recording instruments to record court proceedings.

Obtains case files from various sources and has responsibility for the security and maintenance of files while in possession of the division.

Sets dates for court proceedings; contacts attorneys and others to notify of continuances and court settings.

Serves as a point of contact for attorneys, plaintiffs, defendants and others concerning activities of the court; provides information and responds to inquiries.

Participates in the provision of statistical and narrative data for reporting purposes.

Performs other related work as directed by the judge or supervisor.

### DESIRABLE EDUCATION AND EXPERIENCE

Graduation from high school and some responsible court clerical experience; or any equivalent combination of education and experience which provides the following knowledge, abilities and skills:

Knowledge of business English, spelling and punctuation.

Knowledge of standard office practices and procedures.

Some knowledge of court procedures and policies, legal documents, laws and legal factors pertaining to the court.

COURT ROOM CLERK I (Cont'd)

Ability to understand and follow oral and written instructions.

Ability to maintain accurate records of proceedings.

Ability to communicate effectively with others.

Ability to establish and maintain effective working relationships with others.

Skill in the operation of a typewriter may be required.

## COURT CLERK I

### DEFINITION OF WORK

This is routine clerical work in a division of the Unified District Court.

Work involves routine and standardized duties which follow well established methods and procedures in any one of several divisions. Work is performed under the supervision of a higher level court clerk and is reviewed for accuracy.

EXAMPLES OF WORK PERFORMED (Any one position may not include all of the duties listed, nor do the examples cover all the duties which may be performed.)

Files documents, such as complaints, petitions, summonses, information, affidavits, motions, depositions, and proof of service and checks same for completeness and appropriate information; determines general case category; prepares case jacket and docket sheet and makes case docket entries.

Determines need for signature on documents filed and takes or causes required action to be taken to obtain signatures; verifies addresses; clocks in documents, stamps documents with court seal.

Records and logs case identification data and receipt of documents or case activity on court records by hand or typewriter; prepares and makes entries in case index; assembles documents in chronological order for case records; files cards, documents, and records using chronological, alphabetical, or numerical filing system.

Types orders, subpoenas, summons, warrants, executions, garnishments, minute sheets, hearing dispositions, index cards, journal and docket entries and other standard forms; posts fees and other monies in routine journals or registers; operates cash register and issues receipts; assists in other functions related to receipts and disbursements; locates and checks out files for attorneys, court, and other authorized persons.

Answers telephone, makes and certifies copies, waits on counter, greets and assists the public; issues marriage licenses based on standard criteria; performs some routine microfilming duties.

Performs related work as required.

### DESIRABLE EDUCATION AND EXPERIENCE

Graduation from high school; and some general clerical experience, or any equivalent combination of education and experience which provides the following knowledges, abilities and skills:

COURT CLERK I (Cont'd)

Some knowledge of court procedures and policies, legal documents, laws and legal factors pertaining to the court.

Some knowledge of the organization, operations, functions and scope of authority of the court or activity to which assigned.

Some knowledge of modern office practices, and procedures and equipment.

Ability to understand follow oral and written instructions.

Skill in the operation and care of a typewriter.

## COURT CLERK II

### DEFINITION OF WORK

This is technical clerical work in a division of the Unified District Court.

Work involves performing a variety of technical clerical functions which require application of independent judgement and regulations on the basis of training and knowledge gained through experience on the job. Work may involve limited lead worker duties over other clerical employees. Work is reviewed by a higher level court clerk through observation of operations, and advice and assistance are available when unusual or difficult matters arise.

EXAMPLES OF WORK PERFORMED (Any one position may not include all of the duties listed, nor do the examples cover all the duties which may be performed.)

Performs technical clerical work in any one of several divisions of the Unified District Court.

Reviews legal documents for completeness, adequacy, and accuracy; determines processing required and takes necessary action in accordance with court rules or refers difficult matters to superiors.

Issues, summonses, notices, subpoenas, and similar processes; computes applicable dates for service and return of service, affixes court seal, and authenticates documents.

Organizes and prepares docket sheets, updates as necessary depending on subsequent action or request.

Receives and records all fees and other receipts, calculates court costs; makes necessary disbursements and prepares required statements and reports; may operate bookkeeping machine and cash register; checks deferred payments which are delinquent.

Assures completeness and accuracy of records and transcripts leaving the court's jurisdiction pursuant to transfer on appeal and similar matters.

Enters required information on permanent records by hand, typewriter, or photocopy process; and prepares appropriate indices for ready reference; locates and checks out files for attorneys, court and other authorized persons.

Types minutes of court proceedings; prepares abstracts of case dispositions.

Prepares and types orders, garnishments, executions, wage attachments or levy forms, bonds, liens, petitions, affidavits, warrants and routine reports and reviews same for accuracy.

## COURT CLERK II (Cont'd)

Answers inquires and furnishes information by reviewing court records.

Determines the proper routing of complaints and petitions; notifies parties.

May provide limited supervision as a lead worker to a lower level clerical workers.

Performs related work as required.

### DESIRABLE EDUCATION AND EXPERIENCE

Graduation from high school; and court clerical experience, or any equivalent combination of education and experience which provides the following knowledges, abilities and skills:

Knowledge of court procedures and policies, legal documents, laws and legal factors pertaining to the court.

Knowledge of the organization, operations, functions and scope of authority of the court or activity to which assigned.

Knowledge of modern office practices and procedures.

Ability to understand and follow oral and written instructions.

Ability to make work decisions in accordance with laws, regulations and departmental policies and procedures.

Ability to maintain a variety of complex records and prepare reports from such records.

Skill in the operation of a typewriter and other standard office machines.



## COURT CLERK III

### DEFINITION OF WORK

This is technical clerical and supervisory work in the District Court of the 3rd Judicial District.

Work involves responsibility for performing a wide variety of technical operations requiring specialized clerical knowledge and which may include supervisory responsibilities. Typical assignments include performing as the clerk in charge of a technical processing unit within a major jurisdictional area of the District Court, with supervision exercised over a small to moderate number of clerical subordinates; or the performance of duties requiring unusual technical expertise in numerous aspects of court operations or where the consequence of clerical error would be significant.

Work is performed under the general supervision of a higher level court clerk and is reviewed through conference reports and on the basis of results obtained.

EXAMPLES OF WORK PERFORMED (Any one position may not include all of the duties listed, nor do the examples cover all the duties which may be performed.)

Supervises a limited number of employees; functions as supervisor in a specialty area of high volume.

Performs technical court clerical duties of an unusually broad or technical nature, such as supervision of criminal case processing, commitments, preparation of appeals, statistical reporting, docket control; small claims or traffic supervision, may assist junior court clerks in performance of duties; generally provides supervision and direction to subordinates and coordinates work flow of the office or unit.

Performs a variety of technical court clerical operations within a division; is able to substitute in various divisions of the court upon request.

Prepares statistical case reports for judicial administrator's office; examines case files in order to categorize and report proper data; reviews computer print outs from administrator's office, checks against pending cases and reports errors.

Reviews and issues notices, subpoenas, summonses, warrants, bonds and other writs and documents pursuant to judicial orders; checks returns; prepares docket records reflecting pertinent court proceedings necessary for accuracy.

Prepares indices, court docket sheets, transcribes notes from court room proceedings; and gathers and reviews case files to make certain records are in order prior to hearing; serves as required in courtroom; arranges and organizes the docket, notes continuances, makes docket entries to reflect case progress; abstracts judgments.

### COURT CLERK III (Cont'd)

Prepares case files for hearings on appeal; makes certain all case documentation and exhibits are in order and properly transmitted, prepares table of contents.

Contacts attorneys, other court personnel and law enforcement to resolve discrepancies discovered in reviewing records or for other matters; prepares a variety of orders, documents and correspondence requiring a detailed knowledge of applicable terminology, rules and procedures.

Responsible for control and accounting of receipts of the unit of assignment, including fees, fines, payments, deposits, bonds, taxes etc., makes journal entries.

Assists in the scheduling of cases and preparation of notices to parties for scheduling and continuances; monitors cases to insure compliance with required time factors.

Prepares various statistical reports as required by the area of assignment.

Answers inquires and furnishes information by reviewing court records.

Trains new employees.

Performs related work as required.

#### DESIRABLE EDUCATION AND EXPERIENCE

Graduation from high school; and considerable court clerical experience, or any equivalent combination of education and experience which provides the following knowledges, abilities and skills:

Considerable knowledge of court procedures and policies, legal documents, laws and legal factors pertaining to the court.

Considerable knowledge of the organization, operations, functions and scope of authority of the court or activity to which assigned.

Considerable knowledge of modern office practices and procedures.

Ability to understand and follow oral and written instructions.

Ability to make work decisions in accordance with laws, regulations and departmental policies and procedures.

COURT CLERK III (Cont'd)

Ability to maintain a variety of complex records and prepare reports from such records.

Ability to plan, assign and supervise the work of subordinate employees engaged in a variety of activities.

Ability to express ideas concisely and clearly, orally and in writing.

Skill in the operation of a typewriter and other standard office machines.

## COURT ACCOUNTING CLERK I

### DEFINITION OF WORK

This is bookkeeping and related specialized clerical work in maintaining fiscal records.

An employee in this class is responsible for bookkeeping and clerical tasks involved in maintaining routine journals, ledgers, and other financial records. Assignments may include recording either receipts or budgetary transactions. Work in this class requires the application of some bookkeeping knowledge in the maintenance of routine accounts and preparation of routine reports according to established procedures. Work is reviewed through checks of financial reports, statements, and reconciliations.

EXAMPLES OF WORK PERFORMED (Any one position may not include all of the duties listed, nor do the examples cover all the duties which may be performed.)

Posts accounting data by hand or machine to docket sheets, ledgers, control sheets, books, registers, journals, and makes routine adjustments to accounts; takes trial balance and prepares routine financial statements.

Classifies invoices, receipts and disbursements in accordance with established codes, referring questionable allocations to superiors; maintains billing and posting of charges and credits to accounts; prepares summary sheets and trial balances, requisitions equipment and supplies; checks invoices and prepares vouchers for payment.

Extracts and prepares periodic cumulative expenditure reports of a routine or proceduralized nature.

Receives and posts cash payments for support, court fines and costs and other receipts; prepares and issues a receipt for funds received.

Receives, records and prepares cash receipts for deposit; prepares daily tabulations and reports of cash receipts; distributes receipts to proper funds following established routines; makes daily entries in cash receipts ledger; prepares checks for deposit.

Balances cash; prepares required tabulations and deposits.

Reads totals of cash registers and checks with amount of money in register; maintains records of all transactions, receipts and disbursements.

Maintains property inventory; may perform secondary non-accounting clerical functions in addition to normal accounting clerical responsibilities.

Performs related work as required.

COURT ACCOUNTING CLERK I (Cont'd)

DESIRABLE EDUCATION AND EXPERIENCE

Graduation from high school, including or supplemented by courses in bookkeeping; and some experience in bookkeeping or any equivalent combination of education and experience which provides the following knowledges, abilities and skills:

Some knowledge of the principles, methods and practices of bookkeeping.

Some knowledge of departmental bookkeeping and financial procedures and related laws and regulations.

Knowledge of modern office practices, methods and appliances.

Ability to make arithmetical computations rapidly and accurately.

Ability to prepare financial reports and to keep financial records of average complexity.

Ability to operate office and bookkeeping machines.

Ability to understand and follow brief oral instructions in regard to accounting problems.

## COURT ACCOUNTING CLERK II

### DEFINITION OF WORK

This is responsible and varied bookkeeping and clerical work involving the application of basic bookkeeping principles and practices to a variety of financial records.

An employee in this class works independently in the maintenance of a set of moderately complex accounting records. Work is further distinguished from that of the Court Accounting Clerk I class by the increased breadth of responsibility and the ability to quickly process complex or high volume transactions. Work involves posting and proving, classifying documents, and preparation of prescribed financial statements and reports. Work methods are governed by established procedures with technical problems and irregularities being referred to a supervisor who periodically reviews records and reports.

EXAMPLES OF WORK PERFORMED (Any one position may not include all of the duties listed, nor do the examples cover all the duties which may be performed.)

Collects monies by mail or in person from the public; makes receipts and posts to journal sheets and ledger cards using bookkeeping machine or hand-posting updates supportive records; files ledger cards, endorses checks over to payee, counts money and prepares deposit.

Balances cash register tapes with collections, and accounting records; checks old cases to determine outstanding costs and prepares requests for payment.

Balances monthly bank statements; prepares recapitulation sheets; prepares checks for transmittal to other government agencies.

Prepares collection and disbursement reports, outstanding check report and checkbook disbursement report.

Transfers support cases to District Court Trustee for follow up.

Supplies public with information on amounts due; prepares required tabulations.

Performs related work as required.

### DESIRABLE EDUCATION AND EXPERIENCE

Graduation from high school, including or supplemented by courses in bookkeeping; and experience in bookkeeping or any equivalent combination of education and experience which provides the following knowledges, abilities and skills:

COURT ACCOUNTING CLERK II (Cont'd)

Knowledge of the principles, methods and practices of bookkeeping.

Knowledge of modern office practices and procedures.

Knowledge of departmental bookkeeping and financial procedures and related laws and regulations.

Ability to prepare financial reports and to keep financial records.

Ability to understand and follow brief oral instructions in regard to accounting problems.

Ability to make arithmetical computations rapidly and accurately.

Ability to operate office and bookkeeping machines.

Ability to tactfully deal with the public.

## COURT ACCOUNTING CLERK III

### DEFINITION OF WORK

This is advanced bookkeeping and related sub-professional accounting work in supervising and participating in the maintenance of court bookkeeping and statistical records.

Work includes the performance of responsible bookkeeping duties in a division of the District Court, or performance of specialized bookkeeping activities requiring the assumption of substantial responsibility. Work may include performing subprofessional accounting duties which nevertheless require a working acquaintance with professional principles and practices. Supervision is exercised over accounting clerks and clerical employees. Work is performed within established policies and procedures and is reviewed by administrative superiors through conferences and reports.

EXAMPLES OF WORK PERFORMED (Any one position may not include all of the duties listed, nor do the examples cover all the duties which may be performed.)

Supervises and performs complex accounting duties in receiving and disbursing monies including court costs, fines, restitution, taxes, alimony and support payments. Validates amounts; balances account and posts to proper journal; prepares checks for signature on order of court or for transmittal to State or County agency.

Researches warrant records to obtain information on delinquent personal property taxes; prepares execution, calculates interest due and transmits execution for further collection activity; handles related correspondence.

Transfers cases to court trustee for follow up or to District Attorney for reciprocal enforcement of support.

Processes tax foreclosure sales; notifies parties, accounts for proceeds and makes deductions.

Prepares disbursements of garnishments, judgments and other monies after making proper deductions for court costs and related items.

Participates in and supervises the processing and accounting for support and other payments; answers inquiries from the public concerning payment matters.

Supervises and participates in the work of subordinate clerks; supervises and participates in recording payments by machine and hand posting.



### COURT ACCOUNTING CLERK III (Cont'd)

Maintains and supervises a segment of an accounting system for cash receipts, cash receivables and cash disbursements in a division with a high volume of activity. Performs daily and monthly posting and balancing; prepares various monthly financial reports.

Performs related court clerical work as required.

#### DESIRABLE EDUCATION AND EXPERIENCE

Graduation from high school, including or supplemented by courses in bookkeeping; and considerable experience in bookkeeping or any equivalent combination of education and experience which provides the following knowledges, abilities and skills:

Considerable knowledge of bookkeeping principles and subprofessional accounting practices.

Considerable knowledge of modern office practices and procedures and familiarization with the uses of standard office equipment, including accounting machines.

Considerable knowledge of departmental bookkeeping and financial procedures and related laws and regulations.

Ability to supervise and participate in the processing of bookkeeping and related sub-professional accounting work of considerable volume.

Ability to maintain financial records and to supervise clerical production of financial reports and statements.

Ability to apply bookkeeping and procedural principles to specific work problems.

Ability to understand and follow complex oral and written instructions.

Ability to operate office and bookkeeping machines.

Ability to tactfully deal with the public.

## PROCESS SERVER I

### DEFINITION OF WORK

This is responsible work involving the personal or substitute service of summonses, subpoenas, writs and petitions, and other civil process, over the geographical area served by the District Court of the 18th Judicial District.

Work involves responsibility for the performance of duties which serve to notify parties of pending court actions. Work also involves picking up and transporting individuals under court order who require treatment for mental disorders or alcoholism. Work is performed under supervision and is in accordance with standardized procedures. Review of work is through conferences and on the basis of results obtained.

EXAMPLES OF WORK PERFORMED (Any one position may not include all of the duties listed, nor do the examples cover all the duties which may be performed.)

Serves summonses, subpoenas, writs, executions, garnishments, orders, citations and other court process issued by the Clerk of the Court directing parties to appear in court at a certain time or to comply with orders of the court.

· Delivers divorce petitions by personal and special service.

Travels over a wide area served by the court in order to accomplish notification of parties and deliver instruments.

Keeps a log of papers received and those served.

Contacts movers to repossess property or move out residents based on replevin or eviction order.

Makes inquiries of people and checks various reference sources in order to ascertain the whereabouts of an individual to accomplish service of process.

Picks up and transports under court order, those individuals requiring treatment for mental disorders or alcoholism.

Performs related work as required.

## PROCESS SERVER I (Continued)

### DESIRABLE EDUCATION AND EXPERIENCE

Graduation from high school; and experience in law enforcement or related work or any equivalent combination of education and experience which provides the following knowledges, abilities and skills:

Knowledge of a variety of legal documents designed to achieve notification of parties and compliance with court orders.

Knowledge of the methods of meeting and tactfully dealing with the public.

Knowledge of the geography of Sedgwick County or the ability to acquire such knowledge.

Ability to speak effectively and communicate.

Ability to interview and question individuals.

Ability to keep simple records.

Skill in the operation of a motor vehicle.

Skill in the use of a firearm if required by the position.

### NECESSARY SPECIAL REQUIREMENT

Possession of a valid driver's license to operate a motor vehicle in the State of Kansas.

## PROCESS SERVER II

### DEFINITION OF WORK

This is supervisory work in directing the activities of subordinate process servers in the personal or substitute delivery of civil process for the court.

Work involves responsibility for insuring that notice to proper parties is carried out legally and is timely. Work is reviewed by the Marshal of the 18th Judicial District through meetings and discussions.

EXAMPLES OF WORK PERFORMED (Any one position may not include the duties listed, nor do the examples cover all the duties which may be performed.)

Clocks in civil process to be served after issuance by the Clerk of the Court.

Assigns process to be served to a particular process server based upon a geographical breakdown of the area served by the court.

Follows up to insure that process has been properly served.

Assigns employees to pick up and transport individuals requiring treatment for mental disorders or alcoholism.

Accompanies subordinate process servers when required in order to review work methods or accomplish difficult service.

Answers attorneys' questions concerning the service of court documents.

Keeps necessary records.

Performs related work as required.

### DESIRABLE EDUCATION AND EXPERIENCE

Graduation from high school; and considerable experience in serving court documents or related work, or any equivalent combi-

PROCESS SERVER II (Continued)

nation of education and experience which provides the following knowledges, abilities and skills:

Considerable knowledge of a variety of court documents designed to achieve notification of parties and compliance with court orders.

Considerable knowledge of the methods of meeting and tactfully dealing with the public.

Considerable knowledge of the geography of Sedgwick County.

Ability to train, supervise, and assign work to subordinates.

Ability to speak effectively and communicate.

Ability to interview and question individuals.

Ability to keep administrative records.

Skill in the operation of a motor vehicle.

Skill in the use of a firearm.

NECESSARY SPECIAL REQUIREMENT

Possession of a valid driver's license to operate a motor vehicle in the State of Kansas.

## MARSHAL

### DEFINITION OF WORK

This is administrative and supervisory work in directing the Marshal's Office of the 18th Judicial District.

Work involves the supervision of subordinate process servers and clerical staff and the maintenance of record keeping systems which verify the service of process and compliance with court orders. Work also involves the assignment of subordinates to duties involving the taking into custody and transportation, under court order, of individuals requiring treatment for mental disorders and alcoholism. Work is performed with substantial independence and is reviewed by the District Court Administrator through conferences and reports.

EXAMPLES OF WORK PERFORMED (Any one position may not include all of the duties listed, nor do the examples cover all the duties which may be performed.)

Assigns work and supervises process servers in the delivery of civil process, repossessions and evictions.

Organizes work according to geographic breakdowns; makes adjustments in assignments based upon workload.

Accompanies process servers in instances involving difficult service, move outs or repossessions.

Prepares a preliminary annual budget for administrative review.

Provides for the maintenance of equipment, including vehicle use in the service of process.

Monitors work activities to insure that service of process and other activities are legal and timely.

Performs related work as required.

### DESIRABLE EDUCATION AND EXPERIENCE

Graduation from high school; and thorough experience in serving court documents or related work, or any equivalent combination of education and experience which provides the following

MARSHAL (Continued)

knowledges, abilities and skills:

Thorough knowledge of the laws, rules and regulations pertaining to the service of process.

Thorough knowledge of a variety of court documents designed to achieve notification of parties and compliance with court orders.

Thorough knowledge of the methods of meeting and tactfully dealing with the public.

Thorough knowledge of the geography of Sedgwick County.

Considerable knowledge of the methods of supervision and organization of work.

Ability to train, supervise, and assign work to subordinates.

Ability to speak effectively and communicate.

Ability to interview and question individuals.

EMPLOYEE CLASSIFICATION AND PAY

<u>Incumbent</u>	<u>Job Title</u>	<u>Monthly Pay by Source</u>
Dorothy Ritchey	Clerk of Civil Court	\$ 851.07 City 472.50 Parish <u>1,323.57</u> Total
Marilyn Bossier	Deputy Civil Clerk	986.27 City
Fay Markham	Deputy Clerk of Court (Criminal Division)	1,034.80 City 577.50 Parish <u>1,612.30</u> Total
Lisa Gerard	Deputy Clerk of City Court	851.07 City
Raymond Nararre	Deputy Marshal	1,386.67 City 260.00 State <u>1,646.67</u> Total
Dorothy LaCombe	Deputy Clerk	736.67 City 446.25 Parish <u>1,182.92</u> Total
Sonya Boyer	Clerk Typist II	851.07 City
Laura Smith	Clerk Typist II	851.07 City
Karen Honore	Traffic Violation Bureau Clerk	939.47 City
Yvette Guidry	Deputy Clerk	894.40 City
Catherine Journet	Deputy Clerk	851.07 City
Aura Robichaux	Clerk Typist II	851.07 City
Brenda Williams	Clerk Typist II	851.07 City
Lea Hulin	Clerk III	1,320.80 City
Gloria Wheeler	Clerk Typist	939.47 City 178.50 Parish <u>1,117.97</u> Total
Marie Phillips	Clerk Typist	851.07 City
Shirley Huckaby	Supervisor	939.47 City

EXHIBIT B

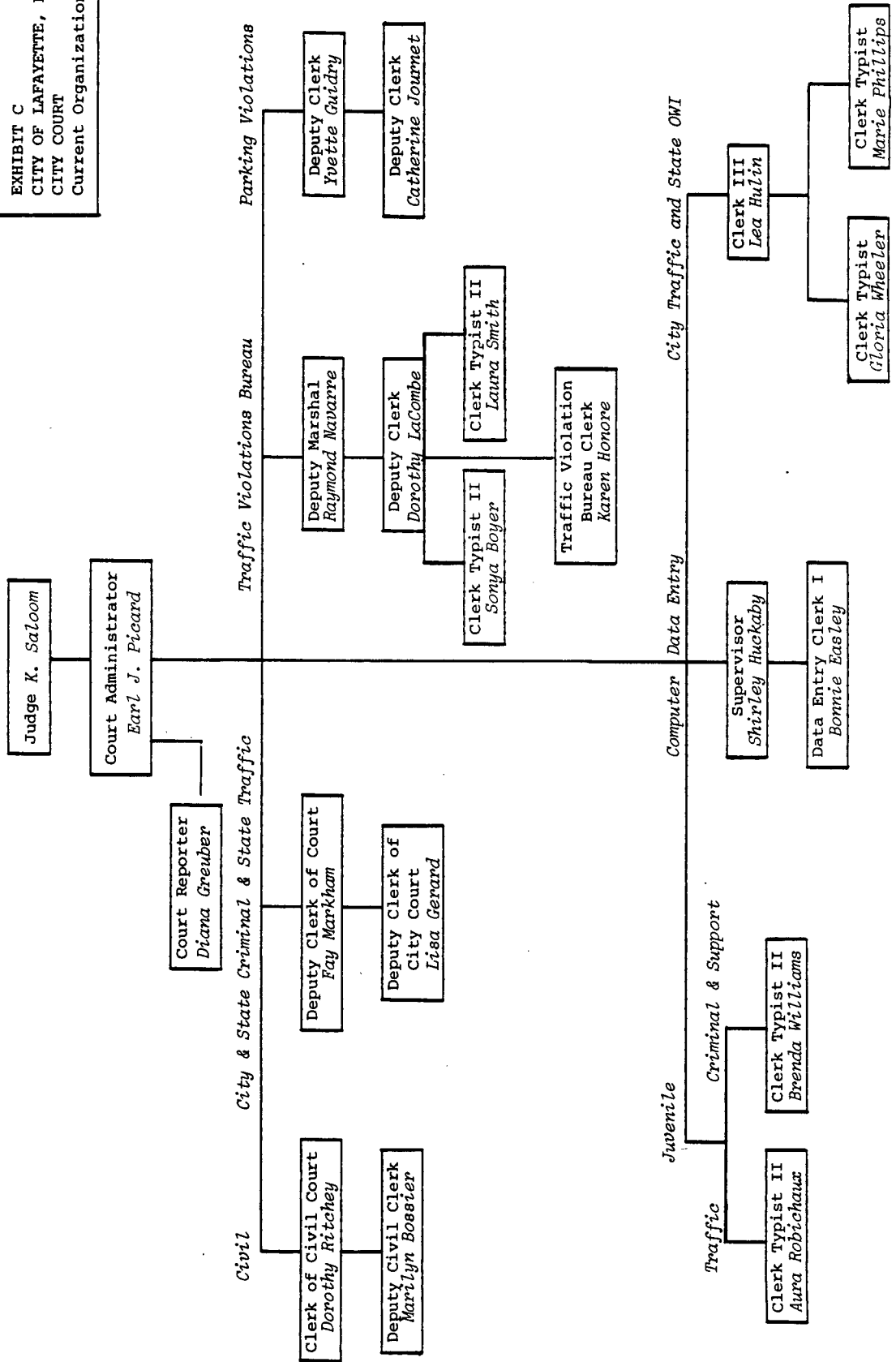


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<u>Incumbent</u>	<u>Job Title</u>	<u>Monthly Pay by Source</u>
Bonnie Easley	Data Entry Clerk I	\$ 851.07 City
Diana Grueber	Court Reporter	1,528.80 City
Earl Picard	Court Administrator	1,769.73 City
Donald Breaux	City Marshal	1,650.50 City 260.00 State 1,910.50 Total
Francis Fontenot	Deputy City Marshal	1,086.80 City 309.75 Parish 1,396.55 Total
Katherine Hebert	Deputy City Marshal	1,140.53 City 151.00 State 1,291.53 Total
Marc Mouton	Deputy City Marshal	1,320.80 City 229.00 State 1,549.80 Total
Melven Mouton	Deputy City Marshal	986.27 City
Mitchell St. Julien	Deputy City Marshal	1,197.73 City 260.00 State 1,457.73 Total
Clarence Thibodeaux	Deputy City Marshal	669.07 City 855.00 Parish 1,524.07 Total
Bradley Broussard	Janitor II	984.53 City

[illegible]

EXHIBIT C  
CITY OF LAFAYETTE, LOUISIANA  
CITY COURT  
Current Organization 1/82



## Caseloads and Staffing Levels

### Caseload Analysis

Total filings for each year 1976 through 1981 have been compiled by project staff and appear at page 56 of this report. An analysis of the cases filed during this period reveals several factors that should be listed:

The total caseload has increased from 19,231 in 1976 to 30,336 in 1981, an increase of 11,105 cases or a 57.7% increase or an average of 11.5% a year.

While increasing generally from 1976 to 1981 the increase has not been steady but fluctuating somewhat:

<u>Year</u>	<u>Change from Prior Year</u>
1977	+38%
1978	-12.3%
1979	-12.2%
1980	+27%
1981	+16.5%

Nevertheless, taking into consideration that there was a substantial increase in filings in three of the last five years it must be said that the court is experiencing substantial growth in its caseloads.

A further analysis of the caseloads by jurisdictions shows the following change in types of cases being filed:

<u>Case Type</u>	<u>1976</u>	<u>1981</u>	<u>Change</u>
Civil	991	1,499	+51%
Criminal	2,227	2,608	+17%
Traffic	14,839	25,365	+80%
Juvenile	1,174	864	-36%

It would appear from the foregoing that the major increase in caseload activity has been in traffic and civil jurisdictions, although there is a trend in criminal cases. The juvenile caseload has reduced and the court's work in this jurisdiction has been primarily with city juvenile traffic

cases. It appears that only a relatively few delinquency cases are being filed in the city court with most new cases of that nature now being filed in the district court. The number of city juvenile traffic cases remains fairly stable, however, and it would not be expected that there be much further decline in juvenile cases.

Much of the increase in the workload of the court can be attributed to the increase in population. The city grew from 68,908 in 1970 to 81,961 in 1980 or about 19% in the ten-year period. It is estimated that the city population increased to 85,046 in 1981 or almost 4% in one year. Furthermore, the city has become a hub of business activity in recent years due primarily to increased oil production in that region of the state.

If the overall caseload continues to increase and there is no reason to anticipate that it will not, the court (and the city and parish) will need to address several issues that undoubtedly will arise. It can be expected that after the court has addressed its own internal operations and procedures it must look to the need for another judgeship, the need for more staff, and the need for space utilization. Of course, one other alternative is available and that is the need to address the jurisdiction of the court. In other words, the court could be reverted to strictly a municipal court with all state jurisdiction being shifted to the parish level courts. This is not recommended herein by project staff; it is only mentioned to provide a possible alternative in the future.

#### Judgeship Needs

With regard to the need for another judgeship the first question that arises is whether the present judgeship should become fulltime. It is the opinion of the project staff that this would not really bring about more

efficient use of the present judge's time after having observed his court activity. While technically the judge is supposed to be parttime he is for all practical purposes a fulltime judge, averaging many hours a day on the bench. Although project staff would not normally recommend that a position be left parttime before addressing the need for another judgeship, project staff is confident that should not be the approach to take in this unique instance. Furthermore, it does not appear to be the state policy to require fulltime judges in city courts. Additional judgeships have been authorized for Baton Rouge, Lake Charles, Monroe, and Shreveport without the requirement of being fulltime with prohibition against outside practice of law. It would be unfair to have that requirement be placed on the Lafayette judges without a general state policy on the matter.

In review of the annual reports of the Judicial Council of Louisiana it can be asserted that the Lafayette City Court has the largest caseload of any single judge court of comparable jurisdiction. A comparison of the Lafayette City Court with selected other city and parish courts is shown below and at page 57. In total filings Lafayette is comparable to Lake Charles, a two-judge court and its total exceeds that of Monroe which is also a two-judge court. Per judge filings in these and other courts are shown below:

Comparisons Per Judge  
Selected City and Parish Courts  
Cases Filed - 1981

<u>CITY</u>	<u>CIVIL</u>	<u>CRIMINAL</u>	<u>TRAFFIC</u>	<u>JUVENILE</u>	<u>TOTAL</u>
BATON ROUGE	1,871	1,288	11,973	0	15,132
LAFAYETTE	1,412	2,608	25,332	967	30,319
LAKE CHARLES	1,332	3,004	10,555	393	15,282
MONROE	1,722	6,107	4,996	340	13,254
SHREVEPORT	1,633	2,455	13,237	0	17,355

It would appear that the city court will soon need another judgeship in light of the present trend and in light of how the matter has been addressed by the legislature for other cities.

#### Space Utilization

While an analysis of the court's space needs was not a part of the study it is the opinion of project staff that the present facility is probably adequate for the needs of the immediate future. An existing room near the present judge's chambers could house another judge. Most offices are fairly large and could accommodate additional staff if necessary. Automation and records management will help to keep additional space requirements to a minimum. Related to the question of space needs and as an aside, it probably should be noted that there is a certain awkwardness to the arrangement in the courtroom which could be remedied by a redesign of counsel tables and the location of staff who need to be present at trials and hearings.

#### Staff Needs

The court has a support staff of 20 employees exclusive of the Marshal's office and the building janitor but including the deputy marshal in charge of the Traffic Violations Bureau. Project staff usually uses the formula of 1,285 filings per F.T.E. (fulltime equivalent) in determining the number of employees in a high volume court of limited jurisdiction. If this is a rational formula the city court would be justified in having a staff of 23 employees. The reason it is not so staffed can easily be attributed to the work of the court administrator (with the backing of the judge). He is most knowledgeable of every procedure and activity within the court and is willing to make changes that produce efficiencies in all aspects of court management.



Serious consideration should be given to the recommendations of this report, namely the consolidation of departments and the extension of the use of automation, before addressing the need for additional staff in any of the departments. Nevertheless, given the continued increase in filings, additional staff will probably be needed. Consideration is being given to creation of the position of minute clerk to serve at all court hearings instead of a clerk from each department performing this duty. This is clearly justified in the opinion of project staff. It also should be noted that one or perhaps two persons will have to be utilized to carry into effect the court's microfilm program.

An alternative to increasing the court's staff should be mentioned if only for the sake of discussion and that relates to the court's traffic cases. It is possible to shift most of its traffic cases to an administrative agency. Only those cases in which trial is requested or in which a court appearance is required would be handled by the courts. The main bulk of such cases would be processed in the City Hall. Such an arrangement would still require a staff and there is no reason to think that it could be handled more efficiently than if the court continues as it is. There is a philosophy today, however, that would remove the ordinary traffic matter from court involvement since its disposition is basically an administrative function, i.e., the appearance and payment of a scheduled fine for a traffic violation.

Cases Filed  
(1976-1981 incl.)

	<u>1976</u>	<u>1977</u>	<u>1978</u>	<u>1979</u>	<u>1980</u>	<u>1981</u>
CIVIL:						
Civil	991	1,343	1,207	1,155	1,362	1,418
Small Claim	<u>-</u>	<u>-</u>	<u>-</u>	<u>57</u>	<u>71</u>	<u>81</u>
<u>CIVIL TOTAL</u>	991	1,343	1,207	1,212	1,433	1,499
CRIMINAL:						
State misdemeanors (non-traffic)	1,386	1,185	1,454	1,588	1,712	1,286
Ordinance violators (non-traffic)	<u>841</u>	<u>792</u>	<u>861</u>	<u>1,083</u>	<u>1,240</u>	<u>1,322</u>
<u>CRIMINAL TOTAL</u>	2,227	1,977	2,315	2,671	2,952	2,608
TRAFFIC:						
State Cases	659	1,174	1,210	830	908	1,197
Ordinance Cases (does not include parking tickets processed by Traffic Violations Bureau)	<u>14,180</u>	<u>20,745</u>	<u>17,270</u>	<u>14,815</u>	<u>19,723</u>	<u>24,168</u>
<u>TRAFFIC TOTAL</u>	14,839	21,919	18,480	15,645	20,631	25,365
JUVENILE JURISDICTION:						
Juvenile Delinquency	261	115	307	174	170	72
Criminal Neglect (New cases)	48	209	153	91	20	0
Supervision (cins)	-	15	8	8	5	2
Special proceedings	21	34	19	43	2	1
Traffic (City Cases)	815	1,029	853	643	815	789
Traffic (State Cases)	<u>29</u>	<u>6</u>	<u>11</u>	<u>8</u>	<u>2</u>	<u>-</u>
<u>JUVENILE TOTAL</u>	1,174	1,408	1,351	967	1,014	864
<u>GRAND TOTAL</u>	<u>19,231</u>	<u>26,647</u>	<u>23,353</u>	<u>20,495</u>	<u>26,030</u>	<u>30,336</u>

Comparisons of Lafayette City Court  
with Selected Other City and Parish Courts - 1981  
Per Judge Averages in ( )

CITY	CIVIL		CRIMINAL		TRAFFIC		JUVENILE		TOTAL	
	FILED	TERM	FILED	TERM	FILED	TERM	FILED	TERM	FILED	TERM
BATON ROUGE (4 Judges)	7,485 (1,871)	6,019 (1,505)	5,151 (1,288)	4,266 (1,067)	47,891 (11,973)	53,179 (13,295)	0	0	60,527 (15,132)	63,464 (15,866)
LAFAYETTE (1 Judge)	1,412	1,163	2,608	2,590	25,332	24,178	967	974	30,319	28,905
LAKE CHARLES (2 Judges)	2,663 (1,332)	1,170 (585)	6,007 (3,004)	2,082 (1,041)	21,109 (10,555)	13,136 (6,568)	785 (393)	724 (362)	30,564 (15,282)	17,112 (8,556)
MONROE (2 Judges)	3,643 (1,722)	2,673 (1,337)	12,214 (6,107)	6,762 (3,381)	9,991 (4,996)	9,115 (4,558)	680 (340)	583 (292)	26,508 (13,254)	19,133 (9,567)
SHREVEPORT (3 Judges)	4,990 (1,633)	3,942 (1,314)	7,366 (2,455)	7,374 (2,458)	39,710 (13,237)	38,537 (12,846)	0	0	52,066 (17,355)	49,853 (16,618)

Source: Annual Report - 1981  
The Judicial Council of Louisiana

Microfilm Equipment Appendix

## CHAPTER XX: MICROFILM READING AND PRINTING PROCEDURES

Courts must provide public users and clerical staff with a means of reading microfilm records and, if necessary, provide a paper copy of the record.

### 20.1 MICROFILM READING STATIONS

A reading station permits the user to review microfilmed documents, but not to produce print copies. Reading stations can be classified into two categories: public reading stations, and clerical reading stations.

#### 20.1.1 Public Reading Stations

(a) Purpose: Public reading stations are provided to permit public users to access microfilm records through the use of microfilm readers. These stations consist of microfilm readers only, rather than reader-printers.

In some applications such as deeds records, the public is provided free access to duplicate copies of microfilm records. Few controls need be imposed, except to ensure that the records are returned to their proper location or a "return box."

In many applications, however, public access must be restricted to avoid abuse or loss of records. By requiring public users to request the desired record from the clerical staff, courts can identify the person and check his authority for the request. In most "controlled access" applications, the requesting party must return the microform to the clerical staff for refiling.

In active case file applications, however, most courts will elect to provide the user with a disposable duplicate copy of the file. The user is free to keep or destroy the duplicate when he has finished.

(b) Location: Most readers may be placed wherever there is standard power, ordinary or subdued lighting, and controlled heating. When a large number of readers are to be installed, it is recommended that the electrical power circuits be checked to ensure adequate power. It is not necessary in most instances to provide subdued lighting for microfilm readers. A screen hood is available for unusual glare conditions. Furthermore, conditions maintained in normally heated facilities are appropriate for reader operations; an air conditioned facility is ideal.

The location of public reading stations will also be influenced by a number of other considerations. These include:

- the proximity of microfilm records and indices
- the proximity and availability of clerical personnel
- the need for a conducive environment for microfilm reading
- the impact upon other court activities

#### 20.1.2 Clerical Reading Stations

(a) Purpose: Clerical reading stations are provided to permit clerical access to microfilmed records through the use of readers or reader-printers. Reader-printers used for printing stations may also be used as clerical reading stations. In a few applications such as deeds records, clerical reading stations are optional; the public reading stations suffice for clerical use.

(b) Location: Since most readers may be placed wherever there is standard power, ordinary lighting and controlled heating, it is usually practical to place the clerical reader at or near the clerk's work station. Most readers fit easily on a corner of a desk or receiving counter. Other considerations for a suitable location include:

- the proximity of microfilm records and indices
- the frequency of clerical access and need for rapid access
- the needs of other clerical activities and tasks, e.g., phone location, specific file duties, supervisor's office, document receiving station, information desk, etc.

## 20.2 PRINTING STATIONS

### 20.2.1 Purpose

Courts may need to provide public users and court staff with a means of obtaining a paper copy of microfilmed records. A printing station (reader-printer) may also serve as just a clerical reading station.

### 20.2.2 Access

Printing stations should be operated only by clerical personnel--never by the general public! Factors supporting this recommendation include:

- clerical personnel should collect copying fees
- clerical personnel should be available to perform copy certification and to collect any appropriate fees
- clerical personnel may be trained in equipment operations, assuring that legible copies are obtained and that equipment is not abused
- clerical operation helps ensure that maintenance problems are minimized
- clerical personnel should be aware when paper and/or chemical replenishment is needed

### 20.2.3 Location

Most reader-printers may be placed wherever there is standard power, ordinary lighting, and controlled heating and humidity. Other considerations for a suitable location include:

- convenience to clerical staff
- convenience to public users
- the needs of other clerical activities
- the proximity of supply storage
- the potential of disrupting normal activities due to frequent maintenance and repairs, chemical odors and noise

[Note: These problems may not be typical for all reader-printers and printing technologies.]

### 20.2.4 Alternative Copying Methods

A few courts may elect to use alternative copying methods rather than using reader-printers. Two common alternatives are available.

(a) Paper Copiers: In a few microfilm applications, the court will insist on retaining the paper originals in files kept in secondary storage. Some courts will find it easier or less expensive to use available paper copiers rather than acquire, supply, and maintain a printing station.

(b) Diazo Card Duplication: In applications where unitized microforms are used, it is sometimes feasible to provide users with a diazo duplicate instead of a printer-produced paper copy. [Note: Copy certification procedures must be established for diazo duplicates.] In an application such as plats and condominiums, where an expensive and hard-to-maintain enlarger-printer



would be used, diazo duplicators are recommended, especially since a diazo duplicator is necessary for purposes within the microfilm system.

### 20.3 OPERATING DIRECTIONS

Instructions for the operation and maintenance of reading and printing stations must be given to public and clerical users. Two levels of instructions are generally recognized: in-depth instruction and training for clerical personnel and cursory instructions for the general public.

#### 20.3.1 Instruction and Training for Clerical Personnel

(a) Training: The equipment vendor will normally give a training presentation to staff after equipment installation. Instruction in equipment maintenance and supply replenishment should be provided and supplemented by operating manuals.

Clerical staff should be trained to provide directions and assistance to public users. Operating a reader is generally simple. Clerical staff should learn how to instruct public users to operate readers without overwhelming them with needless detail.

(b) Operating Manuals: Manufacturer vendors must provide equipment operating manuals for clerical staff. These manuals provide instructions for the operation, maintenance, supply replenishment, bulb replacement, and common equipment repairs.

### 20.3.2 Instructions for the General Public

(a) Posting Direction: Simplified directions for the use of readers should be posted on or near the equipment. Lengthy, complicated directions are counter-productive. A sample posting for a reader is included in Figure 20.1.

(b) Clerical Assistance: Clerical staff should be located nearby to provide public users assistance in equipment operation.

### 20.4 EQUIPMENT MAINTENANCE

Reading and printing equipment should be maintained only by authorized clerical personnel and the manufacturer's representative. This maintenance includes general housekeeping practices, cleaning the optical projection system, bulb replacement, supply replenishment, minor mechanical rapair, preventive maintenance, and calls to the manufacturer's representative.

#### 20.4.1 General Housekeeping Practices

Dust is harmful to all forms of microfilm and microfilm equipment. Microfilm facilities should be kept clean. The external surfaces of the reader cabinet and screen should be wiped with a soft lintless cloth at least on a weekly basis. When not in use, the unit should normally be covered with a dust cover.

The room in which equipment is kept should be cleaned frequently. A portable vacuum cleaner should be basic equipment for all microfilm departments. Air conditioning also helps to reduce dust in the air.

#### 20.4.2 Cleaning the Optical Projection System

The optical projection system of a reader or reader-printer should be cleaned at least once every other month. The following components are included: the screen, mirrors, lenses, and the glass or plastic flats or platen. Cleaning procedures vary widely; every manufacturer provides complete and detailed instructions for cleaning his equipment's optical projection system. A few simple suggestions follow:

- use a camel's hair brush to remove dust
- clean with an approved lens solution and lens tissue
- do not change the mirror's position during cleaning
- do not use excessive force when cleaning mirror surfaces

#### 20.4.3 Bulb Replacement

Lamp failure is the most frequently encountered parts problem. Always keep a spare bulb handy. Clerical staff should be trained to replace lamp bulbs as part of their duties. The lamp and lens assembly should be periodically inspected and adjusted.

#### 20.4.4 Supply Replenishment

Different print processes will vary in terms of chemicals and toners, the degree of chemical mixing needed, chemical shelf life and sensitivity to light. The manufacturer's loading instructions and chemical storage recommendations should be carefully followed. One or two clerical personnel should be trained to load paper and add chemicals.

#### 20.4.5 Minor Mechanical Repair and Preventive Maintenance

Some mechanical problems, such as paper jams, can be expected during the normal life of a reader-printer. Equipment manufacturers usually provide directions to remedy common failures without the need for outside assistance. One or two clerical personnel should be trained to remove paper jams and scraps. [Note: Be sure to know what repairs are permitted by the manufacturer. Unauthorized tampering with equipment may void an equipment warranty.]

A few simple suggestions for preventive maintenance will help avoid repairs. Preventive maintenance should be performed by a qualified technician two or three times annually. This includes at least the following:

- removing, draining, and cleaning chemical trays
- inspecting and adjusting rollers and drive mechanisms
- inspecting electronic circuits

#### 20.4.6 Calls to the Manufacturer's Representative

If the repair directions provided in the operating manual fail to adequately remedy a problem, the manufacturer's representative should be called in. It is suggested that a log be maintained for each piece of equipment to record the following: dates of periodic maintenance by representative, time and date of any calls to representative, time and date of response by representative, and time duration of a response. This data will document the service of the representative and the reliability of individual reader units.

## CHAPTER XXXII: READERS AND READER-PRINTERS

### 32.1 INTRODUCTION

A reader is an optical projection system which enlarges microfilm images for normal reading. A reader-printer is an optical projection system with a photocopying component to produce an enlarged paper copy of the microfilm image. While a reader permits a user to view a particular microfilm image, a paper copy of the microfilm image is desirable for remote study, mark-up, or distribution purposes.

### 32.2 SITE REQUIREMENTS

Readers and reader-printers used by the courts should be operated in locations having standard electrical power, ordinary room lighting, and controlled heating. For the court's reader and reader-printer environment, the court facility should have:

- a standard power source with properly grounded three-pronged electrical receptacles.
- ordinary room lighting (readers should be tested in the room lighting of the operating site before selection and should be positioned to avoid strong, direct light on the viewing screen)
- temperatures between 60 and 80°F and moderate humidity
- air conditioning, if possible

### 32.3 READER CLASSES

The most popular way to classify readers and reader-printers is by the type of microforms accommodated. They can be grouped into the following classes: (1) roll film; (2) cartridge or cassette; (3) microfiche; (4) aperture cards; and (5) universal or multiform.

#### 32.3.1 Roll Film Readers and Reader-Printers

Roll film readers and reader-printers accept film on open reels or spools (not cartridges or cassettes) and have the following general characteristics:

- less expensive than cartridge or cassette readers
- permanently installed transport mechanisms, requiring few adjustments and little maintenance; generally more reliable than other roll film transport systems.
- will accept either 16mm and 35mm reels, although supply and take-up spindles will need adjusting when changing from 16mm to 35mm film.
- motorized drives are typically available
- film normally requires manual threading, although automatic or self-threading is sometimes available.
- slower searching capacities than cartridge or cassette units

#### 32.3.2 Cartridge and Cassette Readers and Reader-Printers

Cartridge and cassette readers and reader-printers have the following characteristics:

- simple to operate; cartridge reader units are automatic or self-threading; cassettes require no threading
- high speed search and retrieval; almost all units have motorized drives; image count retrieval is available on many units
- frequently will also accommodate 16mm reels or magazines
- more expensive than open reel roll film readers
- prone to malfunctions and require excellent maintenance
- potential lock-in to a single vendor's readers and cartridges/cassettes.

#### 34.3.3 Microfiche Readers and Reader-Printers

Microfiche readers and reader-printers have the following general characteristics:

- least expensive reader type
- simplest to operate and maintain; pop-open flats and smooth, easy movement to desired frame; convenient pointer-handle and interchangeable grids for the standard microfiche formats
- wide selection of excellent models
- accept all flat, unitized media (i.e., fiche, jackets, aperture cards); 105 x 148mm is standard, but larger carrier sizes are available.

#### 32.3.4 Aperture Card Readers

Aperture card readers have the following characteristics:

- rarely designed to accommodate microfiche or jackets
- constructed for EAM or tab-sized cards
- usually 10-24X magnification
- dual lens systems are available

- usually a simple slot or card carrier is provided; frame location is either done manually or aided by a "joy stick" control
- limited number of reader models from which to select

#### 32.3.5 Universal Readers and Reader-Printers

Universal readers and reader-printers have the following general characteristics:

- suitable for both roll film and flat, unitized microforms
- manual threading and film transports are standard; motorized drives available on few models
- operator must physically replace the carrier/transport mechanism when switching microform types
- generally not recommended; should only be considered when:
  - a mixture of roll and flat unitized microforms must be accommodated
  - fast retrieval is not important.

\*\*\*\*\*

#### 32.4 FUNCTIONAL COMPONENTS

Readers and reader-printers have the following functional components:

- an optical projection system
- a physical carrier/transport mechanism
- basic reader controls for the optical projection system and carrier/transport mechanism
- automatic retrieval mechanisms (optional)
- a printing system (reader-printers, printers, and enlarger-printers only)
- basic printer controls (reader-printers, printers, and enlarger-printers only)



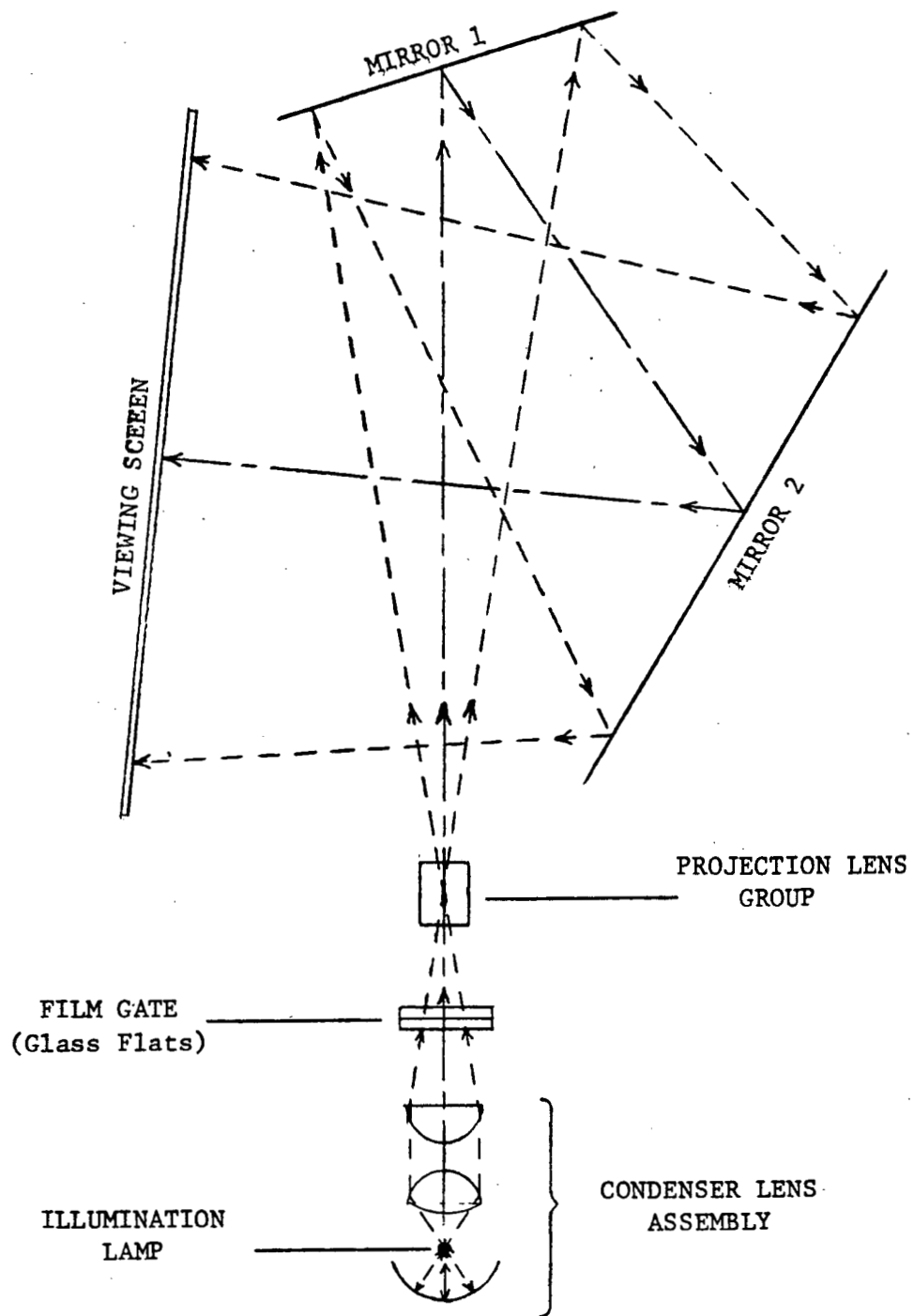


Figure 32.1

#### 32.4.1 Optical Projection System

Every reader and reader-printer has an optical projection system to illuminate and enlarge the microimage, projecting it onto a screen or photosensitive surface. Optical projection systems in most readers and reader-printers include a film carrier, an illumination lamp, a condenser lens assembly, a projection lens (also called an "objective" lens), mirrors, and a screen. A schematic of a typical reader and the optical projection system components is included in Figure 32.1.

(a) Film Carrier: The purpose of the film carrier is to hold the selected microfilm media securely in position, keeping it flat in the focal plane for viewing. The basic methods by which microfilm is held in the film gate are discussed in Section 32.4.2(b)(3): Film Gates.

(b) Illumination Lamp: The power of the illumination lamp is the primary determinant of screen brilliance. In many readers lamp brilliance is varied by adjusting the wattage to the bulb. Typically, high and low light settings are available; some readers offer continuously variable light settings.

Bulb replacement is the most frequent parts problem which a user will encounter. The bulb's life expectancy (frequency of failure), cost, availability, and accessibility for replacement are important considerations in choosing a reader or reader-printer.

Readers and reader-printers must have cooling systems to avoid microfilm curl or damage. The housing of a reader or reader-printer should not become untouchably hot, even after prolonged usage. Excessively noisy fans or blowers should be avoided.

(c) Condenser Lens Assembly: The condenser lens assembly significantly affects screen brilliance and resolution. The condenser-lens assembly is a group of lenses and mirrors which collect the light from the illumination lamp, direct it through the film carrier, and focus it on the projection lens.

(d) Projection Lens (Objective Lens): The projection lens has the dual purpose of controlling the magnification ratio and focusing the image upon the screen. Projection lenses are ordinarily referred to by the magnification ratio which they provide. A projection lens requires little or no maintenance but must be carefully protected against scratches and dust. Cleaning of a projection lens is rarely necessary.

Projection lenses are of four types:

(1) A fixed projection lens (two or more magnification ratios) is one which is installed by the manufacturer and cannot be removed or changed except by a technician.

(2) A turret lens (two or more magnification ratios) system allows the user to easily switch from one magnification ratio (and lens) to another. This system is useful where various microforms with different magnification ratios are used or where a few different magnification ratios are necessary for the same microform.

(3) Interchangeable or drop-in lenses are popular in applications where a number of different reductions are used. One of the drawbacks to "drop-in" lenses is that they may be easily stolen or misplaced.

(4) A zoom lens is rarely used but may be desirable in applications where reduction ratios vary widely or where "zoom" capacities are a

primary need. Zoom lenses are expensive, subject to focus problems, and are prone to mechanical difficulties.

(e) Mirrors: Most readers and reader-printers use one or more mirrors to reflect the light to the screen. Two types of mirrors are employed:

- front surfaced mirrors:
  - sharper and clearer image than rear surfaced mirrors
  - easily scratched or marred (require careful cleaning)
- rear surfaced mirrors:
  - durable and easily cleaned
  - may produce a slight "double image"

(f) Screens: Screens display wide variations in their physical dimensions and characteristics. The determining factors for screen selection are: (1) type of screen; (2) size of screen; (3) screen color; and (4) screen position.

(1) Type of Screen: Within the user community, opaque (front projection) screens have not found favor and are not recommended. Rear projection screens (also called translucent screens) are recommended for court applications.

Of the different types of translucent or rear projection screens, diffusion screens are used most frequently. Although less efficient than the other types, diffusion screens are far less expensive than the Fresnel and Fresnel-diffusion screens. They do, however, display a "hot spot" in the center of the screen. The "hot spot" should be minimized when possible.

(2) Screen size: Full-page image display is needed for most applications. It is usually desirable for a screen to be large enough to

permit the full microfilm image to appear at the approximate size of the original document. However, a full image may not be needed if the user wants to read only one portion of a page at a time, provided that the portions not appearing on the screen can be brought into the field of view with the use of controls.

Reduced blow-back (screen image size less than the original document size) may be desirable and/or necessary in many applications. For example, very few readers are designed for legal-sized documents. Rather than restrict reader selection to those few readers which will display legal-sized documents, the documents can be satisfactorily "blown-back" at three-quarter size. This permits a wider selection of readers, namely those with standard 8 1/2 x 11 inch screens. Many users find the three-quarter size images to be easily readable and fully acceptable.

Wide screens are desirable in many instances. In applications where the user must browse or scan images, a wider screen permits a passing image to remain in view for a longer time so that its content can be scanned.

Due to the increase in the COM reader market, there has been a recent growth and technological development of wide screen viewers. Since wide screen viewers will display standard-size documents, they are suitable for court applications.

Very large screens to display full-sized engineering drawings or newspaper pages are available. Users should consider whether or not a turret lens system will permit scanning the full image at a reduced size (with the low power lens), as well as scanning portions of the image at full size (with a high-magnification lens). It has been found by the engineering micrographics

community that entire images are not always required to be full-sized, since engineering drawings are scanned for their detail and not for the content of the entire document.

(3) Screen color: Translucent screens may be produced with or without color tints. Color tints may reduce eye fatigue and also enhance image contrast. Studies have found that a blue tint appears to increase image contrast, but affords less relief from eye fatigue than a green tint. A green tint is more comfortable to the eye and slightly enhances image contrast.

(4) Screen position: Most reader screens are positioned nearly perpendicular to the surface upon which the reader rests. The middle of the screen should not be higher than eye level for anyone. [Note: Screens should be placed lower than eye level for bifocal wearers.]

Most reader units have transport mechanism at the bottom of the screen. Controls placed above the screen are more tiring to use, while controls at either side may impede note-taking.

Translucent screens that are tilted backwards are easy to view, but may reflect glare from overhead lights. Many manufacturers use a hood to reduce overhead glare. Forward tilted screens are more difficult for some people to view, especially for bifocal wearers. Most users, but certainly not all, prefer a translucent screen to be tilted to the rear about five to fourteen degrees.

It is recommended that the personnel who will be using the readers test the various models and indicate their individual preference for tilting.

Frequently, readers are provided with adjustable legs to facilitate tilting, or some object can be placed in the front or rear of the reader to adjust its position.

#### 32.4.2 Carrier/Transport Mechanisms

Every reader or reader-printer has a film gate which holds the desired microfilm frame in the proper focal position for viewing. Carrier/transport mechanisms are divided into two generic categories: unitized ("flat") carriers, and roll film transport mechanisms.

(a) Unitized ("Flat") Carriers (for microfiche, film-jackets, and aperture cards) have three operational segments: microform loading, carrier movement, and frame locators (aids to frame location).

(1) Microform Loading: Most good microfiche readers employ retractable flats. The flats open automatically for loading or unloading when the carrier is pulled outward to its fullest extension.

Stationary flats or slots are used principally in aperture card readers. The card is inserted into the stationary flat or slot and is locked into position, usually with a snap-action lock.

(2) Carrier Movement: Smooth, gliding transports are utilized in the majority of microfiche readers. The carrier is moved by a handle or handle-pointer to position images for viewing. When proper focus is obtained, refocusing should not be needed for subsequent frames.

Geared transports of various forms are used in most aperture card readers and more primitive microfiche readers. Aperture card readers normally employ either a "joystick" or scanning knobs.

(3) Frame Locators: Most microfiche readers have a pointer which may be used in conjunction with a microfiche grid index. Aligning the pointer over a selected grid frame will display the corresponding microfiche frame on the viewing screen. Interchangeable grids for the various microfiche formats are sometimes available.

Although automatic retrieval units for microfiche are available on the commercial market, such units are not recommended for most court applications.

(b) Roll Film Transports: Roll film readers (e.g., roll film, cartridges, cassettes) have more complex mechanisms than unitized ("flat") microform readers. Roll film transports may be divided into five segments: microform loading, threading, film gates, transport ("drive") mechanisms, and frame locators (aids to frame location).

(1) Microform Loading: Most roll film readers and some cartridge readers require the roll film reel or cartridge to be mounted on the supply spindle. (The procedure is fairly straightforward and simple.) The specific loading procedures vary among reader units; the guidelines set forth by the manufacturer should be followed.

Cassette readers and most cartridge readers have simplified loading procedures. The cartridge or cassette is simply snapped into position, ready for use.

A few readers will accommodate various cartridges and magazines in addition to open reels. These readers usually employ adaptors which must be affixed to the supply spindle. The guidelines set forth by the manufacturer should be followed.



(2) Threading: The great majority of roll film readers and a few cartridge readers are manually threaded. Most cartridge and cassette readers (and some roll film readers) are automatic or self-threading, although manual assistance may have to be provided in a few instances.

(3) Film Gates: Roll film gates are of two basic types: "open throat" (employing edge guides), and glass or plastic flats. Glass or plastic flats are more commonly used and are of four basic types: stationary flats, manually opened flats, automatically opened flats, and moving flats. Automatically opened flats and moving flats are preferred. Stationary flats are not recommended because they have a tendency to damage the film. Manually opened flats are not recommended because of their inconvenience.

(4) Transport ("Drive") Mechanisms: Manual wind transports are infrequently used, except as a back-up transport to some motorized drives. Cartridge and cassette readers, and most roll film readers, rely on motorized drive mechanisms.

(5) Frame Locators: Roll film readers have a number of devices to facilitate frame location--namely, odometers, image-count retrieval mechanisms, and retrieval systems (e.g., binary-coded film systems).

Odometers simply indicate how many feet (or inches) of microfilm have been unrolled. Odometers are useful only for locating the general area of a particular image.

Image-count retrieval techniques are available on many cartridge and cassette reader units and a few roll film readers. These techniques will be discussed in a subsequent portion of this chapter.

Retrieval systems such as binary-coded film systems and scroll systems are available on the commercial market. Such systems are not recommended for most court applications.

### 32.4.3 Operating Controls of Readers

A number of control switches, levers and/or knobs are found on every reader unit. The operating controls listed below are found in one form or another on many readers. The controls and their functions are listed in the general order they would be applied during use.

- On/Off (Power) Switch: An on/off switch is available on every reader unit. On models with cooling fans, the switch may be "on/off/fan," so the fan can be operated after the illumination lamp is off.
- Screen Brightness Control: This knob or switch is used to vary screen illumination. Although variable (rheostat) control is sometimes available, illumination levels are usually fixed, such as "HI-LO" and "HI-MED-LO." On a few readers, no screen brightness control is available.
- Focus control: A thumbwheel, lever, or knob is used to focus the image sharply on the screen.
- Magnification control: Reader units with a single magnification lens have no such control. Turret and multiple fixed lens systems use switches or levers to change magnification, while zoom lenses employ a knob. On a few units, moving the screen changes the magnification.
- Scan (frame) control: Controls to adjust the screen position of the image are not available for all reader units. "Traverse" controls, one for horizontal and one for vertical, may operate from a single or separate control.
- Image rotation control: Many reader units employ a dove prism (via control knob) to rotate an image on the screen. Manual alternatives are frequently available, either rotating the transport/carrier or rotating the media itself.
- Lock/release control: Only a few readers have a control to close the glass flats. Most readers have automatic film gates.

#### 32.4.4 Automatic Retrieval Mechanisms

There are two steps in the retrieval of a microfilm image. First, the microfilm media containing the desired frame(s) must be identified and removed from storage. Second, the proper frame(s) must be located after the microform is placed on a viewing unit. A standard reader or reader-printer cannot perform the logic necessary for either step. On the other hand, readers and reader/printers equipped with automatic retrieval mechanisms can provide assistance in one, if not both, of these stages.

Automatic retrieval mechanisms may be divided into two groups: image-count ("blip") retrieval mechanisms, and retrieval systems (more sophisticated, frequently called "automated" retrieval units). Image-count retrieval mechanisms assist in performing the second step (locating the proper frame) but cannot help in locating the proper microform and removing it from storage. On the other hand, retrieval systems assist in performing both steps. [Note: Retrieval systems have not been recommended in any of the court applications discussed in this report. While it is conceivable that retrieval systems may find use in a special court application, most courts are unlikely to find them worth the effort and expense.]

(a) Image-Count Retrieval Mechanisms: Image-count mechanisms depend on a mark ("blip") which is placed under each frame during microfilming. As the film is transported through the reader, a photo-electric counter counts the passing "blips." When the counted number corresponds to the number set at the control keyboard, the motorized transport automatically stops at that frame, presenting its image on the reader screen.

(b) Retrieval Systems: A number of automated retrieval units are available. In general, court applications are not suited to these devices, chiefly due to high equipment costs and marginal returns. A few key decision factors can be used by courts when evaluating such systems:

1. Is the data base of extremely large volume? (For example, at least 40,000 documents.)
2. Is the volume of information requests high when compared to the volume of available information? (For example, 5% of the documents need to be accessed each day.)
3. Is rapid retrieval absolutely necessary?
4. Does recently updated material constitute a large portion (e.g., 15%) of the information requests?

If all four of the aforesaid questions are not answered affirmatively, "automated" retrieval units should probably not be examined further.

Retrieval systems present major obstacles to any court: (1) they are extremely costly, (2) they are not always reliable, and (3) they can completely prevent all information access during a breakdown. They have not been recommended in any of the court applications discussed in this report and can rarely be justified in courts. Those court considering such systems should perform a careful feasibility study under the direction of an expert, independent consultant prior to acquiring any of these extremely expensive and complicated systems.

#### 32.4.5 Printing Systems

Reader-printers, printers, and enlarger-printers have the same principles as do readers; additionally, the microfilm image must be projected onto a surface of photo-sensitive material (forming a "latent image") and some

chemical or physical process must be employed to develop the image and affix it to paper. The developed image must be rendered stable for a reasonable time period against light, heat, or atmospheric conditions.

Some primary factors in selecting a print process include the following:

- copy size(s) required
- print quality and life
- dampness or dryness of emerging prints
- ability to write on a print
- operating ease
- supply costs and availability
- equipment costs
- need and response for maintenance

A comparison chart of the characteristics of print processes is enclosed as Figure 32.2.

The following print technologies are used in today's reader- printers, printers, and enlarger-printers: transfer-type xerography, direct-type xerography ("electrostatic"), electrochemical ("electrolytic"), silver emulsion, dry silver, and diazo.

(a) Transfer-Type Xerography ("Xerographic"): Characteristics of transfer-type xerographic processes include the following:

- quick, dry, permanent prints
- readable, high-contrast prints
- equipment is easy to operate

# COMPARISON CHART OF PRINT TECHNOLOGIES

## PRINT TECHNOLOGY

FEATURE	Transfer-Type Xerography	Direct-Type (Electrostatic) Xerography	Electrochemical (Electrolytic)	Silver Emulsion	Dry Silver	Diazo
Print Speed	Fast	Fast	Moderate	Slow	Fast	Slow
Wet/Dry	Dry	Dry	Semi-dry	Damp	Dry	Dry
Print Life	Permanent	Permanent	Good	Good, but discolors	Short	Good, but fades
Polarity of Print	Positive image from either positive or negative film.	Positive image from either positive or negative film.	Positive from negative film.	Positive from negative; negative from positive.	Pos from neg; neg from pos.	Pos from pos; neg from neg.
Operating Ease	Easy	Easy	Easy	Less easy	Easy	Less easy
Maintenance Required	A fair amount	Transfer-type	Very little	Little	Very little	Little
Paper type	Ordinary bond paper	Special paper (expensive)	Roll-stock (expensive) paper	Photographic (expensive) paper	Special paper (proprietary, expensive)	Special paper (NOT costly)
Chemicals	Toner	Toner	Liquid	Liquid	None	Ammonia
Overall Conclusion	Good for high volume needs	Good for high and medium volume needs	Good for small and medium volume needs	Not recommended	Good	Not recommended

FIGURE 32.2

- uses low cost materials, namely any cut-sheet, bond paper and toner
- black and white process; little color gradations in between
- broad spectral response, responding to a wide range of line densities
- equipment is expensive, complex, and requires good maintenance
- high-volume applications realize an economic advantage over most other processes and equipment, due to high-speed and low-material costs.

(b) Direct-Type Xerography ("Electrostatic"): Characteristics of the direct-type xerographic processes include the following:

- quick, clean and dry prints as permanent as the paper
- excellent prints result from low, uniform image line densities and near-standard image background density; however, poor prints result from wide image line densities
- equipment requires less maintenance than the transfer-type process
- uses specially coated paper which is expensive; paper also has a tendency to crack and cannot be written upon with certain writing media.

(c) Electrochemical: Characteristics of electrochemical processes include the following:

- fast, semi-dry prints, usually dry within a minute
- easy to operate and requiring minimal maintenance
- low cost equipment
- capable of reproducing images which the other processes cannot
- wide range of line densities, but a lesser contrast of line and background densities than other processes
- infinite tonal gradations, but within limited tonal scales

- paper is of a continuous roll type, has a unique coating, and is expensive
- paper can recover from accidental exposure to light if returned to darkness for several hours
- silver salt activator will stain clothing.

(d) Silver Emulsion Processes: While silver emulsion paper was the first to be used for making enlarged microfilm prints, it has not yet been found to be entirely satisfactory, practical or economical. There are two basic variations of wet-silver emulsion processes: stabilized development and monobath development.

Characteristics of wet-silver emulsion processes include the following:

- comparatively slow processing time
- good contrast, sharper image than other processes; however, paper discolours with age or heat application (the legibility is little impaired, but the print becomes unsightly)
- equipment is not difficult to operate, gives fair response time, is reliable, and involves moderate investment costs
- SERIOUS DRAWBACKS of wet development:
  - high expense of silver emulsion paper and associated chemicals
  - high light sensitivity and the associated storage problems
  - limited shelf life of supplies
  - special handling of liquid chemicals
- equipment must be inspected and adjusted relatively frequently
- sometimes obnoxious chemical odors

(e) Dry-Silver Processes: Dry-silver processing is different from wet-silver processing in that no liquid solutions are used during the development



stage. Currently, only 3M markets dry-silver equipment; their process is proprietary and no other vendors appear to be developing a similar capability.

Characteristics of the dry-silver process include the following:

- newest process; can expect further research and developments
- one of the fastest processes
- produces dry prints
- prints currently do not last as long as other types; prints darken in a few months (adequate for short-term use of copies)
- equipment is simple to operate, requires minimal maintenance
- no liquid chemicals or toners
- dry-silver paper is fairly expensive

(f) Diazo Processes: Characteristics of diazo processes include the following:

- non-reversal process; that is, positive prints are produced from positive film, negative from negative (perhaps objectionable in some applications)
- satisfactory print permanence if kept away from high humidity and ultraviolet light
- very low-cost paper, readily available
- equipment is expensive
- very slow process

#### 32.4.6 Operating Controls of Printers

The operating controls listed below are found in one form or another on many reader-printers and printers. The controls, and their functions, are listed in the general order they would be applied during use.

[Note: Controls common to both readers and reader-printers are detailed in Section 32.4.3: Operating Controls of Readers.]

- On/off (power) switch: Same as readers.
- Screen brightness control: Same as readers.
- Focus control: Same as readers.
- Magnification control: Same as readers.
- Scan (frame) control: Same as readers.
- Image rotation control: Same as readers.
- Print control: Used in bi-modal printers, the print control is set to either "POS" or "NEG" to obtain a positive image from either positive or negative images, respectively.
- Exposure control: Also called contrast or light intensity control, the exposure control is used to control print contrast. The exposure control is marked in graduated increments to either (1) adjust exposure time, or (2) adjust illumination (functionally a screen brightness control).
- Paper length control: Used only in roll-stock printers, this control adjusts the length to which paper is cut.
- Print button: A button or lever to initiate the print cycle, the print button or lever is frequently incorporated into another control, such as the print control above.
- Intensifier control: Used only in direct-type xerographic ("electrostatic") processors, the intensifier control adds "intensifier" (used in conjunction with the timer) to the next print cycle. This control is used to improve the contrast when the other exposure controls cannot. However, it is difficult to control.
- Repeat control: A few units employ a repeat control to produce a specified number of prints.

### 32.5 Selection Criteria

While reader(s) and reader-printer(s) are not as critical as the other system components, there are a multitude of units which may be considered. Selecting the best units for a given application is largely a process of eliminating unsuitable readers and selecting from the remainder. The following steps are recommended:

1. Restrict the scope of examination to the reader class which best suits the microfilm media.
2. Restrict the scope again to those units whose magnification ratios and screen sizes are adequate.
3. Evaluate the remaining reader units for their convenience and comfort, image quality, printing capacity (reader-printers only), and all other factors, e.g., cost, parts, replacements, maintenance, etc.

#### 32.5.1 Selecting a Reader Class

Selecting a reader class for the microfilm media in use will quickly reduce the number of readers to consider. The following checklist may aid in selection:

- Roll film media:
  - 16mm roll film only?
  - 35mm roll film only?
  - both 16 and 35mm roll film?
  - cartridges?
  - both cartridges and roll film?
- Unitized media:
  - 105 x 148 microfiche or jackets?
  - tab-sized aperture cards?

### 32.5.2 Magnification Ratios and Screen Size

The magnification ratios used to enlarge micro-images and the screen size are related. Restricting the selection of reader units to those with acceptable magnification ratios and screen sizes will aid selection. The following checklist will assist the selection process:

- Magnification ratio(s):
  - Is one magnification ratio adequate?
  - Will just two or three different ratios suffice?
  - Should the image be full-size, or will three-quarters size be adequate?
  - Does the entire image have to be on the screen? Is viewing isolated to portions of the image?
  - Will the reader be compatible with future microfilm programs?
- Screen size:
  - Are the documents horizontal (length greater than width) or vertical (width greater than length)?
  - Is the displayed information area of the page adequate for rapid and easy legibility?
  - Must the full document be displayed at full size, or will three-quarters size suffice? Is sectional viewing adequate?
  - Is an oversized screen needed? Or are different magnification ratios acceptable for full and partial views?
  - Is a wide screen useful for document scanning?

### 32.5.3 Convenience and Comfort

A large number of factors affect the comfort and convenience with which readers are used:

- Ease of loading and unloading:
  - Is the carrier conveniently located?
  - Do the flats open automatically for loading (microfiche and jackets) or when the film is advanced (roll film)?
  - Is threading simple or complex?
  - Are the instructions adequate for proper loading? Or is trial and error needed?
- Transport mechanisms:
  - Is the film advance motor-driven (roll film only)?
  - Are controls conveniently positioned and simple to operate?
  - Is the film and carrier movement smooth and uniform?
  - Does the image remain in position after a stop or does it slip?
- Frame locator aids:
  - Is the pointer useful? Are interchangeable grids used for different microfiche formats?
  - Is an odometer needed? Does it have the desired accuracy?
- Image focus:
  - Is the focus control conveniently located and easy to use?
  - Is the entire image in focus?
  - After using the transport, are subsequent images in focus?
  - Does the screen image remain in reasonable focus while the film is advancing?
- Image rotation:
  - Is image rotation needed?
  - Can rotation be accomplished with a convenient control knob? Or must the media be removed and re-inserted?
- Changing magnification ratios:
  - Must the magnification ratio be changed?
  - Are tools required? Are they common tools which are easy to use?
  - Could a lens be stolen?

- Screen position:

- Is the screen at or below (not above) eye level?
- Can the height be adjusted for comfort?
- Can the screen be tilted back for comfort?

#### 32.5.4 Image Quality

A number of factors affect image quality and, thus, viewing comfort:

- Sharpness:

- Is the image easily legible under normal office light conditions?
- Is the image clear and sharp?
- Is the image uniform and uniformly lit edge-to-edge?
- Can the image brightness be adjusted?
- Is a double image (ghost) visible?

- Glare:

- Is the image too sharp and harsh?
- Is glare present under normal operating conditions?
- Does the screen reflect the image of surrounding objects?
- Does a hood cover help reduce glare? Does tilting the screen help?
- Does the screen have a "hot spot" in the center? Is it too intense for normal use?
- Does a screen tint cut glare?
- Is the brightness adjustable?

[Note: A number of tests can be performed to determine if image quality is adequate. Evaluating Microfiche Readers: A Handbook for Librarians by William R. Hawken is excellent. It can be obtained from: Council on Library Resources, Inc., One Dupont Circle, Washington, D.C. 20036.]

### 32.5.5 Printing Capacities

A number of factors affect the proper selection of a printing process and reader-printers:

- Print Quality:

- What is the expected life required of the print?
- How often will the print be referenced? Will writing be done on the print?
- Is a high quality print necessary?
- Will a polarity change be required (if positive film is used)?
- Is the print wet? For how long? Does the paper curl? How inconvenient is it?

- Print Size:

- What size prints are needed? Are variable lengths required?
- What is the image size? Print size?
- Is the paper made from roll or sheet paper stock?

- Printing Volume:

- How many prints are needed each month?
- What is the cost per print on a pro rata (i.e., equipment, manpower, supplies, etc.) basis?

- Ease of Obtaining Prints:

- Are the controls conveniently positioned and simple to use?
- Are special features necessary?
- Is the film simple to load? Chemicals? Paper?
- How often does the unit jam? How easy is it to remove jams?

- Chemicals and Paper:

- Is special paper needed? It is expensive?
- Is the paper sensitive to light? What is its shelf life?

- Are special chemicals needed? Are they expensive?
- Are the chemicals sensitive to light? Do they require special handling? Mixing?
- What amount of chemicals are consumed? Do the chemicals require special storage? What is the shelf life? Are they caustic?

#### 32.5.6 Other Factors

A number of miscellaneous factors should be taken into consideration before selecting a reader or reader-printer:

- Bulb life:
  - What does a replacement bulb cost?
  - What is its life expectancy? At what setting?
  - Are bulbs easily and quickly available? From the equipment vendor only?
  - How difficult is replacing the bulb?
  - Are special tools required?
  - Does the bulb provide consistent illumination over its expected life?
- Screen Cleaning:
  - Is the screen easily removed for cleaning?
  - Will the screen break or scratch easily? How long will it last? How much does a replacement screen cost?
  - Does the screen collect dust? What cleaning chemicals can be used?
- Mirror Cleaning:
  - Are the mirrors easily accessible?
  - Can the mirrors be removed? Can they be replaced and securely fastened?
  - Are the mirrors easily cleaned or do they require special care?



- Does dust adversely affect the mirror surface? What is the mirror life?
- Do mirrors need frequent cleaning?
- Power Requirements and Heat Dissipation:
  - How much electrical power does each reader need? How many readers will the electrical lines at the court facility support?
  - When a hand is placed on the external surface of the reader, is it unbearably hot?
  - Is the fan or blower noisy? Does it cause the image to vibrate? Is the noise distracting?
- Transport Mechanism Repair:
  - How frequently will repairs be required?
  - How much will repairs cost?
- Cost:
  - All factors considered, is the cost-to-quality ratio acceptable?
  - Have all costs been considered? Purchase or lease? Maintenance contract? Chemicals and supplies? Parts (bulb) replacement?