

Departmental Strategic Plan

Municipal Court

For the Period 2006 - 2011
As of October 28, 2005

Reviewed: _____ Date _____

Approved: _____
Mayor Mike McKinnon Date _____

Submitted to Council _____
Date _____

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Department Mission

J

Just,

U

Useful

S

Service

T

In a
Timely

I

Informative

C

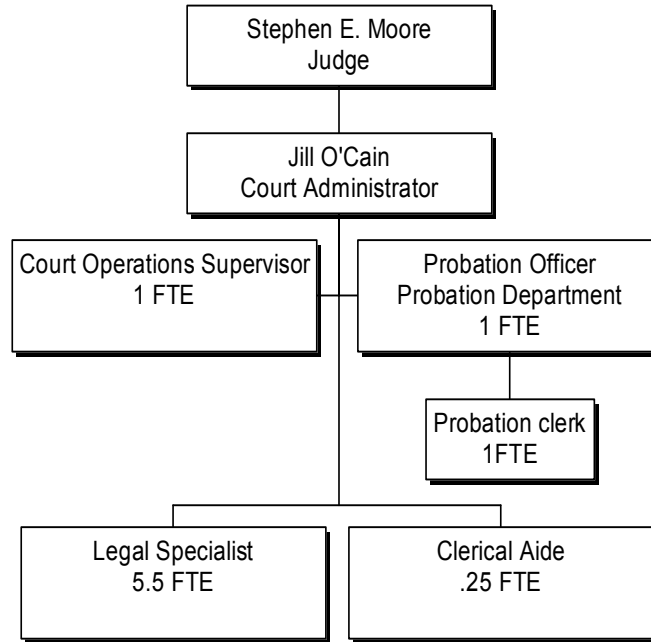
Courteous

E

Environment

Department Organization

October 27, 2005



Discussion – An organizational structure change was implemented in 2004. We terminated the Legal Specialist II position, and created a new position, Court Operations Supervisor. All clerical positions became equal. We now rotate assignments and legal specialists are fully trained on all clerical positions. This promotes efficiency in the department especially during vacations and sick leaves. DUI filings increased 107% from 344 in 2002 the year we hired our probation officer to 712 in 2004. DUI cases require the first hearing to be set the next judicial day. This has impacted our in custody calendar along with next day hearings on domestic violence cases. Court staffing is presently at 5.5. We would like to add a .5 FTE to handle the incustody calendar exclusively. Though other criminal case filings have remained the same DUI's have impacted both court staff and probation. DUI cases require intense supervision, for as long as five years. A second probation officer is needed to properly monitor the monitor the caseload.

Personnel

As of 2005

	2003 Actual	2004 Actual	2005 Actual	2006 Actual	2007 Budget	2008 Budget	2009 Forecast	2010 Forecast	2011 Forecast
Court Administrator	1	1	1	1	1	1	1	1	1
Court Operations Supervisor	0	1	1	1	1	1	1	1	1
Legal Specialist II	2	0	0	0	0	0	0	0	0
Legal Specialist I	4.5	5.5	5.5	6	6	6	6	6	6
Clerical Aide	.25	.25	.25	.25	.25	.25	.25	.25	.25
Probation Officer	1	1	1	2	2	2	2	2	2
Probation Assistant	1	1	1	1	1	1	1	1	1
Total	<u>9.75</u>	<u>9.75</u>	<u>9.75</u>	<u>11.25</u>	<u>11.25</u>	<u>11.25</u>	<u>11.25</u>	<u>11.25</u>	<u>11.25</u>

Future Needs and Trends

The state is presently piloting an electronic citation filing program with the State Patrol. The citing officer enters the citation information electronically by swiping the person's drivers license through a bar code reader. The information is then downloaded to the court bypassing the need for duplicate entry of the information. There are still many details to be worked out. When electronic filing is available, data entry of new case filings will be streamlined and may possibly reduce our FTE requirements. Implementation is expected to take place in 2006.

Moving closer to a paperless court, we are looking into storing our data electronically. Though scanning documents is labor intensive the amount of time clerical staff spends filing documents and retrieving files is tremendous. By scanning and storing documents electronically access to court records for the public and court users becomes instantaneous. The cost of the scanner equipment is estimated at \$30,000.

The caseload of the Lynnwood Municipal Court has a direct relationship with the number of police on duty. As the Lynnwood Police Department has increased in size and with their emphasis on traffic, the court's traffic infractions and criminal misdemeanor cases increased. Presently case filings have stabilized at about 20,000. Future annexations will impact court filings and hearings.

This plan is based upon three assumptions:

- ❑ there will be no annexations nor an increase in filings.
- ❑ there will be no changes in the city's policy on enforcement efforts
- ❑ the legislature will not impose new mandates on the court without appropriate funding

Should the police put additional emphasis on traffic safety and traffic infraction filings increase, the court would recommend the addition of a magistrate for six hours a week to hear mitigation or contested hearings and a clerk to manage the caseload. A magistrate would free the courtroom for other types of hearings. (Approximate effect on budget \$60,000.00 a year).

Should the city decide to implement photo citations we believe there would be a considerable impact on court services. Based on the city of Lakewood's experience, we expect we would need two more legal specialists to manage the caseload and a ½ time magistrate to hear the cases.

The Board for Judicial Administration continues to seek legislation to require the election of all limited jurisdiction judges. So far only full time judges must be elected. However state controls and court consolidation continue to be issues facing municipal courts.

The citizens are interested in speedy and fair resolution of matters and expect repeat offenders to be dealt with swiftly. It is the court's goal to process cases in a fair and just matter and to encourage defendants to embrace and support the laws of the land. This is best accomplished by close supervision of first time offenders. Studies indicate that quick intervention has the greatest impact on changing behavior. The expansion of the probation department would include a re-classification of our senior probation officer. A facility remodel or expansion is necessary to accommodate additional staff and caseload. The expansion and remodel of the Criminal Justice Center is an area of emphasis of the council and a priority financial management goal of our mayor.

The court's goals are to improve court services to decrease recidivism and to promote quality of life by providing quality justice

Description of Major Functions and Operations

Our department consists of two programs: Court Services and Probation.

Court Services Program: Court Services provides the forum for the adjudication of all citations and complaints arising from violations of city of Lynnwood ordinances. It incorporates 3 areas of service, infraction processing, criminal processing and administration.

Infraction Processing: Infractions are civil citations issued by the Lynnwood Police Department or prosecuting attorney for violations of minor traffic rules such as speeding, running a red light, failing to yield. Penalties are established by the state legislature but may be lowered after a court appearance. Infractions are processed according to how the defendant responds. Persons receiving an infraction must respond to the court within 15 days. A person may pay the penalty, request a hearing to mitigate the circumstances surrounding the commission of the infraction, or contest the determination that the infraction was committed. Both mitigation and contested hearings may be handled through the mail. In 2004, 13% of infractions were contested, 41% mitigated, 24% paid without a hearing and 22% failed to respond. 2.5 legal specialists are dedicated to infraction caseload.

Criminal Trial Processing: Misdemeanor and gross misdemeanor cases require a mandatory court appearance. Defendants are advised at their first appearance (the arraignment) of the charge(s), their rights and the maximum and minimum penalties if they are convicted of the offense(s). The defendant's plea (or answer to the charge(s)) determines how the case proceeds. Defendants that plead not guilty have a right to have their case heard before a jury of their peers or they may choose to have a bench trial where the judge determines the finding. Most cases are disposed at pre-trial. The court holds 48 criminal calendars a month. 3.25 Legal Specialists are dedicated to the trial caseload.

Administration: Court Administration handles the non-judicial administrative matters of the court. Our goal is to maximize operational efficiency while minimizing city costs. These functions include but are not limited to accounting, time pays, warrant processing, data entry, case flow management, jury management, records retention and public awareness. Fines and penalties contribute to public safety and education programs, crime victims compensation, public defense, drivers education programs, law enforcement training and local programs as deemed appropriate by the city council. 2 people are dedicated to administrative activities.

Probation Program: The Probation Department assists the court in management of post sentence cases by supervising defendants assigned to the program. The department performs pre-sentence investigations, determines the defendant's risk to the community, evaluates appropriate treatment programs, oversees community agencies providing services and reports to the court as directed by the judge or when judicial intervention is warranted. High risk offenses such as DUI and Assault DV are placed on active probation. Failing to comply with the court imposed sentence will result in re-imposition of the suspended sentence. 2 people are dedicated to the probation program.

Department Goals, Objectives and Outcomes

These goals, objectives and outcomes are specifically related to the direction provided by the City Council. A one-word phrase, in parentheses, after each goal will correlate to the city-wide goals.

Goal #1 – Pursue procedures that are efficient and effective for court operations and the public to insure accountability of public resources and access to justice. (Public Safety - #3)

Objective #1 – Propose additional probation officer in 2006 to manage additional probation caseload..

Objective #2 – Develop a questionnaire for an ongoing survey of court users to ascertain whether court calendars meet all participants requirements in 2006.

Objective #3 – Continue to promote volunteerism. Specifically to call defendants prior to their hearing, and assist staff in filing.

Objective #4 – Implement E-Citation filings in 2006. Re-assess staffing needs mid-2006 after full implementation of E-Citation filing.

Objective #5 – Plan and fund development of electronic filing system in 2006

Outcomes –

Increased accountability of offenders

Increased access to justice

Improved customer satisfaction.

Program cost savings with increased accountability and public awareness

Goal #2 – Provide a courteous and impartial atmosphere for all participants and spectators to promote public trust and confidence in the judiciary and promote employee excellence. (Employees - #10)

Objective #1 – Determine space needs and develop plan for court remodel.

Objective #2 - Send all court personnel to at least one court professional education and skill development program every year.

Objective #3 – Cross train all employees within their classification on a nine month job rotation.

Objective #4 – Survey jurors monthly to determine juror needs and best practices.

Outcomes – Facility designed to promote trust and confidence.

Motivated, knowledgeable and skilled staff.

Improved jury management.

Goal #3 – Enhance the public’s understanding of the court’s role in providing a safe community. (City Representation #9)

Objective #1 – Promote community awareness by participating in local service group programs.

Objective #2 – Encourage school classroom visitations and civic responsibilities.

Objective #3 - Participate in the Lynnwood University and Citizens Academy.

Outcomes – Supportive community

Knowledgeable citizenry

Enhanced public participation in government

Goal #3 – Build a safer community by helping to reduce crime by holding offender’s accountable for their behavior (Public Safety #3)

Objective #1 - The Probation Department will provide the court with thorough, timely, accurate reports regarding offender relapse and recidivism on a quarterly basis.

Objective #2 - The Probation Department will notify the court of violations of law in a timely manner and schedule hearings within 60 days of the violation of court ordered conditions.

Objective #3 - Reduce the risk of re-offending by combining active probation supervision with an offender risk classification system that focuses on risk to the community.

Outcomes - Timely consequences for non law-abiding behavior.

A safer community.

Goal #4 – Participate in City, County, State and National organizations. (City Representation #9)

Objective #1 – The judge and court administrator will actively participate in State committees to promote court excellence

Objective #2 – Communicate with the appropriate state representatives on municipal court issues.

Outcomes – Municipal courts will be represented and their needs addressed by the Board for Judicial Administration (BJA).

Municipal courts will be respected statewide.

Evaluations of programs and services Performance Targets

Workload Measures

	2003 Actual	2004 Actual	2005 Target	2006 Target	2007 Forecast	2008 Forecast	2009 Forecast	2010 Forecast	2011 Forecast
Infraction Filings	12475	13063	14000	14000	14000	14000	14000	14000	14000
Parking Filings	1541	1062	1000	1000	1000	1000	1000	1000	1000
DUI Filings	528	712	700	700	700	700	700	700	700
Criminal Traffic Filings	1687	1167	1200	1600	1600	1600	1600	1600	1600
Criminal Non-Traffic Filings	1620	1572	1500	1500	1500	1500	1500	1500	1500
Mitigation Hearings	4948	4961	5000	5000	5000	5000	5000	5000	5000
Mitigation by Mail	1793	2137	2400	2400	2400	2400	2400	2400	2400
Contested Hearings	1078	1848	1950	1950	1950	1950	1950	1950	1950
Contested by Mail	276	201	500	500	500	500	500	500	500
Arraignments	3235	3185	3400	3500	3500	3500	3500	3500	3500
Non Jury Trials Set	144	144	120	120	120	120	120	120	120
Non-Jury Trial	13	35	24	24	24	24	24	24	24
Jury Trials Set	2926	3528	3500	3500	3500	3500	3500	3500	3500
Jury Trials	8	5	12	12	12	12	12	12	12
Stipulations	651	596	1500	2500	2500	2500	2500	2500	2500
Other Hearings	5127	6214	6200	6200	6200	6200	6200	6200	6200
Active Probation	1020	750	700	700	700	700	700	700	700
Revocations	1883	1993	2200	2200	2200	2200	2200	2200	2200
Warrants Issued	2864	2453	2450	2450	2450	2450	2450	2450	2450
Warrants Served	2349	3221	3000	3000	3000	3000	3000	3000	3000
Appeals	12	12	12	12	12	12	12	12	12
Cases Disposed	19377	19722	20000	20000	20000	20000	20000	20000	20000
Receipts	2646696	2884790	3000000	3100000	3100000	3100000	3100000	3100000	3100000

Effectiveness Measures:

Hearings held per Disposition in 2004

	Statewide	Lynnwood
DUI	9.8	6.8
Other Traffic	1.9	1.25
Criminal Non-Traffic	3.1	2.4

	2004 Actual	2005 Target	2006 Target	2006 Target	2007 Target	2009 Target	2010 Target	
Resolve Criminal Matters within 90 days	>98%	98%	98%	98%	98%	98%	98%	
Administrative Staff ratio to Filings	1:2132	1:2000	1:2000	1:2000	1:2000	1:2000	1:2000	
Administrative Staff ration to dispositions	1:2386	1:2000	1:2000	1:2000	1:2000	1:2000	1:2000	
Judicial Officer ratio to filings	1:20655	1:20,500	1:20,500	1:20,500	1:20,500	1:20,500	1:20,500	
Judicial Officer ratio to dispositions	1:23116	1:20,500	1:20,500	1:20,500	1:20,500	1:20,500	1:20,500	

Data Methodology

Data is obtained from the Judicial Information System maintained by the Administrative Office of the Courts. These statistics are used to compare Lynnwood to other courts in the state of Washington. The report includes statistics on filings by case type, dispositions, hearings set and hearings held, revenues, staffing and judicial officers. A Web based query program is used to further research data entered in JIS to determine court trends and effectiveness. Probation performance is tracked on the probation Case Management System and surveys of other probation departments.

Analysis

Holding infraction hearings by mail has freed the courtroom for other types of hearings as well as offered the public an alternative to appearing in court in person. This is an internal policy decision and an efficiency comparison.

The ratio of cases filed to cases disposed is an indirect comparison because the cases disposed may or may not be the cases filed. However the value of the comparison is that it is an indicator of backlog and court congestion. If there are more cases filed than disposed for an extended period of time there needs to be an analysis of the backlog and then implement steps that can be taken to reverse the trend. A 1:1 ratio is a reasonable target.

The number of hearings it takes to dispose of a case is an efficiency measure coupled with quality of justice. The public does not want to come to court for unnecessary hearings however there needs to be adequate time allotted for the public to perceive they are receiving a fair hearing. By us requiring both the prosecutor and public defender to be present at all criminal hearings we are providing the public with full access to reach agreements at every hearing. Our hearings held to reach disposition is significantly lower than the state average of for all criminal case types.

The court imposes fines and penalties and allows up to 60 days for full payment. Payments are now being accepted on line through a link on the court's web site to Official Payments Corporation (OPC). OPC charges a flat transaction fee and deposits payments directly to our bank account. Persons wanting more time to pay may do so through an outside vendor. Referring long term payments to a vendor has allowed staff that used to work on time payments to focus on other court tasks. Delinquent fines are assigned to a collection agency. Defendants are given 30 days notice that their fine will be referred to collection.

The most common criminal charge filed at our court is Driving While License Suspended 3rd. A Supreme Court ruling in June, 2004 declared most DWLS3 charges unconstitutional. The state legislature in 2005 corrected the statute and beginning July 1, 2005 DWLS3 is again valid. However, the correction to the statute is not retroactive so the city potentially loses revenue for all unpaid traffic citations issued prior to 7/1/2005. We expect a return to the number of 2003 criminal traffic filings in 2006.

Our Probation Department opened in June 2002. People are placed on probation usually for two years but can be on probation for up to 5 years on DUI's. One goal of a probation department is to reduce recidivism (repeating the crime). A new Probation software program is scheduled to be installed in 2005. The new program will track probation caseload and provide analysis of our program. A typical probation officer's caseload is 300 – 350. Our Probation Officer's caseload is double that. We've worked diligently to manage the probation caseload and now conclude a second probation officer is needed.

Administrative staff and judicial FTE ratios to filings and dispositions indicate a high caseload per judicial officer and FTE. The Administrative Office of the Courts Judicial Needs Estimates for Lynnwood based on projected 2004 filings is 1.58 Judicial FTE's. Our Judge's case management ability allows him to handle over twice the recommended caseload. This is also true for the administrative staff.

Explanatory Information

Included in analysis.

Departmental Strategy

General Organizational Changes:

The Presiding Judge, Stephen E. Moore is appointed by the Mayor and confirmed by the City Council. The Judge is responsible for establishing judicial policy and guidelines. A staff of 11 (9.75 FTE's) assists the judge in his duty of administering justice. The Court Administrator reports directly to the presiding judge according to Washington State Supreme Court General Rule 29 (adopted April 30, 2002). She is responsible to manage the staff, make sure that the court has adequate resources and that court resources are used in accordance with court mission and strategic objectives. The court is presently organized to provide the core court services. The restructuring of the department in 2004 has encouraged creativity and efficiency through cross training. The probation department continues to be stressed with an unusually high caseload. We are continually reviewing and adjusting our procedures to implement strategies that accomplish our goal to hold defendant's accountable within our present budget constraints. The strategic plan includes an additional probation officer in 2006 and .5 FTE in court services. The .5 FTE positions could be a temporary position if the e-citation implementation is successful. The strategic plan includes an additional probation officer in 2006. The office restructuring discussed under personnel and the additional technology of electronic filing of citations and court documents will improve court services without a significant financial impact. Our present ability to manage caseload will hold true even with a slight increase in filings. Court services change due to new mandates of the State Legislature or changes in court filings. There is no reason to assume significant changes will occur in court services.

Program and Service Level Changes

Short Name: Probation Officer One-Time On-Going

Program Description:

Addition of one probation officer to manage present caseload.

Program/Service Measures (Outcome/Output):

Improved accountability
A safer community

(attach separate sheets if necessary)

	<u>2006</u>	<u>2007</u>	<u>2008</u>	<u>2009</u>	<u>2010</u>
Revenue Sources:					
Probation Fees	60,000	60,000	60,000	61,000	62,100
	\$ 60,000	\$ 60,000	\$ 60,000	\$ 61,000	\$ 62,100

Changes by Category:

Salaries and Wages	\$ 41,572	\$ 42,819	44104	45337	46697
Personnel Benefits:		14,800	14800	14800	14800
Supplies:		600	600	600	600
Other Services and Charges:					
Intergovernmental Services:					
Capital Outlay:	10,000				
Interfund Services:					
Total Changes:	\$ 51,572	\$ 58,219	\$ 59,504	\$ 60,737	\$ 62,097
Net Surplus (Cost)	\$ 8,428	\$ 1,781	\$ 496	\$ 263	\$ 3

**CITY OF LYNNWOOD
Strategic Plan - Program Service Level Change
For Years 2006 - 2010**

Program Description: .5 Legal Specialist 1 dedicated to In Custody Calendar

City Goal that Addresses Request: _____

Short Name: .5 Legal Specialist 1 **One-Time** **X** **On-Going** TBD

Program Description:

1/2 time employee dedicated to the In Custody Calendar. Prepares, Clerks and processes all in custody hearings. Hours would be 5:30 AM to 9:30 AM. Would share equipment and desk with other 1/2 employee.
Position could be temporary depending on efficiencies with E-Citations.

Program/Service Measures (Outcome/Output):

Improves Customer Service by having to work with one person rather than 3
Relieves desk workload on other desks.
Provides better coverage during office hours for vacations, sick leave, etc.

(attach separate sheets if necessary)

	<u>2006</u>	<u>2007</u>	<u>2008</u>	<u>2009</u>	<u>2010</u>	<u>2011</u>
Revenue Sources:						
Fines, Fees and Forfeitures	25,000	25,000				
	\$ 25,000	\$ 25,000	\$ -	\$ -	\$ -	

Changes by Category:

Salaries and Wages	\$ 16,500	\$ 16,500				
Personnel Benefits:	8,500	8,500				
Supplies:						
Other Services and Charges:						
Intergovernmental Services:						
Capital Outlay:						
Interfund Services:						
Total Changes:	\$ 25,000	\$ 25,000	\$ -	\$ -	\$ -	\$ -

By Program:

	2003-04 Actual	2005-06 Budget	2007-08 Forecast	2009-10 Forecast
Court Services	\$ 1,336,848	\$ 1,414,178	\$ 1,460,836	\$ 1,483,144
Probation	\$ 258,203	\$ 284,372	\$ 346,903	\$ 357,310
Total	\$ 1,595,051	\$ 1,698,550	\$ 1,807,739	\$ 1,840,454
Assumptions:				
FTE's	9.75	9.75	11.25	11.25

Comments about Strategic Budget: Figures are based on present dollars and include 3% yearly salary increases.

Total Department:

	Actual	Budget	Forecast	Forecast
	2003-04	2005-06	2007-08	2009-10
Department Total				
Personnel	\$ 1,147,009	\$ 1,222,833	\$ 1,321,034	\$ 1,329,649
Operations	432,611	478,260	478,260	478,260
Capital	5,500			
Other	9,932	7,545	7,545	7,545
Total	\$ 1,595,052	\$ 1,708,638	\$ 1,806,839	\$ 1,815,454
Assumptions:				
FTE's	9.75	9.75	11.25	11.25