



COUNCIL BUDGET STAFF REPORT

CITY COUNCIL of SALT LAKE CITY

council.slcgov.com/budget

TO: City Council Members

FROM: Sylvia Richards
Budget & Policy Analyst

DATE: May 22, 2019

RE: FY 2018-19 Budget – JUSTICE COURT

Project Timeline:

Briefing: May 22, 2018

Budget Hearings: May 15 and
June 5, 2018

Potential Action: June 12, 2018 TBD

ISSUE AT-A-GLANCE

The Justice Court handles misdemeanor criminal citations, small claims, traffic citations and traffic school for moving violations. The 2018-19 budget remains relatively flat, with a minimal increase of \$121,986 for a total budget of \$4,502,322 with 44.0 FTE's.

Highlights include:

- A request to provide TRAX fare reimbursement for Court jurors
- Changing a part-time Judge position to full-time (Budget Amendment No. 1)
- Recognizing vacancy savings from two Judicial Assistant positions
- Eliminating one vacant Records Clerk position

The Salt Lake City Justice Court Administrator and Judges extend an open invitation to Council Members to visit and receive a tour of the Court. This would provide an opportunity to observe court in session, and see the calendar (or schedule) that a Judge covers. More information about the background of the Justice Court is provided on page 3.

POLICY QUESTIONS

1. POPs Program

In response to Council Member Mendenhall's interest in reinstating the POPs program, Council staff added this item to the Unresolved Issues staff report located in Council packets.

2. TRAX Reimbursement for Court Jurors - \$5,100

In order to encourage jurors to use TRAX and public transit, the Justice Court is requesting \$5,100 in reimbursement funds to jurors. Currently, jurors are offered city library parking vouchers which come out of the Court's budget at approximately \$16,000 annually. The new program would reimburse jurors \$5.00 (roundtrip) per day if they take TRAX to the



Courthouse. During the past four years, the average number of jurors has been 1,740. The Court is hoping that half the jurors will choose to take TRAX or public transit and reduce the cost and number of vouchers.

3. Impact of Operation Rio Grande

According to the Administration, this operation greatly impacted the Court. The arraignment calendar and video arraignment calendar (for those in custody) doubled in size beginning in August 2017. These calendars have been reduced since the end of 2017; however, they continue to be noticeably higher than the arraignment numbers before Operation Rio Grande seven out of ten days. ***The Council may wish to ask whether the Justice Court anticipates this trend to continue into the next fiscal year.***

4. Vacancy/Attrition Savings from two Judicial Assistant Positions (\$57,432)

The Court is recognizing (\$57,432) for six months of vacancy savings from two Judicial Assistant positions; however it wishes to retain the positions for the anticipated increase in citations, which the Court expects due to the increase in police officers being phased-in over the next fiscal year.

5. Court Programs and Special Services

The Council may request an update on the effectiveness of the special programs and services the Court offers to the public, such as the Homeless Court and Veterans Court. (Refer to Attachment A for case statistics.)

6. Changes to Court Processes and Systems

- The Court will be using CITRIX for roaming profiles. This gives Court employees the ability to login to computers in multiple locations, creating efficiencies.
- The Court implemented an auto-email system to notify defendants of their court dates.
- The State Court is working on a clerk or judicial assistant certification. This may be a training expectation/requirement for all justice court judicial assistants.

7. Recent Legislative Changes May Influence Court Business

Several bills were passed during the 2018 legislative session which may have an influence on Court business. Some of the bills are listed in the chart below.

Bill Number	Bill Title	Summary	Effective Date
HB 161 Rep. Watkins	Auto Registration Requirements	Removes the requirement to sign or carry an automobile registration card.	May 8, 2018
HB 248 Rep. King	Compensatory Service in Lieu of Fine Amendments	Requires a court to consider allowing a defendant the opportunity to complete compensatory service in lieu of a fine for an infraction, a class C misdemeanor, or a class B misdemeanor.	May 8, 2018
SB 20 Sen. Thatcher	Misdemeanor Amendments	Amends penalties so that if a misdemeanor offense is created, but does not list a specific penalty level, the offense will be an infraction. Specifies that if a misdemeanor offense created by a city or county is without a specified penalty level, it will be a class B misdemeanor until June 30, 2019, at which point it will be an infraction.	May 8 th , 2018 June 30, 2019
SB 142 Sen. Christensen	Victims of Domestic Violence Services Account Amendments	Changes the surcharge amount that is dedicated to the Domestic Violence Services Account from 4% to 4.5%.	May 8, 2018
SB 214 Sen. Weiler	Solicitation Amendments	Changes sexual solicitation from a class B misdemeanor to a class A misdemeanor.	May 8, 2018

SB 219 Sen. Thatcher	Court Citation Amendments	Allows a court to accept an electronic filing received after five business days if: (i) the defendant consents to the filing, and (ii) the court finds that the interests of justice would be served by accepting the filing.	May 8, 2018
Rule 9-109 Judicial Council	Presiding judges & associate presiding judges	To establish the procedure for election, term of office, role, responsibilities, and authority of presiding judges, associate presiding judges, and education directors for justice courts, by District.	Effective April 1, 2018 pursuant to CJA Rule 2-205
HB 81 Rep. McKell	Safety Belt Violations Amendments	A court shall waive the fine for a first violation of failure to use a child restraint device upon proof of “acquisition, rental, or purchase.”	May 8, 2018
HB 98 Rep. Thurston	Driving Under the Influence Amendments	Removes the definition of “novice licensed driver” and removes a novice licensed driver from the definition of “alcohol restricted driver” from the legislation, not yet enacted, but passed last year. Changes the effective date for .05 DUI blood alcohol levels to December 30, 2018.	Dec. 30, 2018

ADDITIONAL BACKGROUND INFORMATION

Justice Court Background

The Salt Lake City Justice Court was opened in 2002 in order to provide follow-through and prosecution for Class B and C misdemeanors occurring in Salt Lake City. This allowed the City to pursue cases that historically were excused from the District Court level, due to the number of other more severe cases. Cases include traffic or moving violations, domestic violence, driving under the influence, drugs, assault, thefts, housing and zoning civil cases that have escalated to the point of a criminal violation, and civil or small claims disputes.

Cases are prosecuted by the City Prosecutor’s Office. (The Prosecutor’s Office budget will be reviewed with the Attorney’s Office on May 29.) Defendants also have access to an attorney through the City’s required contract with the Legal Defenders Office (funded out of non-departmental). Cases often will require other representatives from the City or outside organizations - including Police Officers, Highway Patrol, Animal Control, or zoning officials, for example – to attend court.

The jurisdiction of city Justice Courts is established in State Code, and the requirements and operations of the Courts are administered through the State’s Administrative Office of the Courts (AOC). Although all employees at the Salt Lake City Justice Court are City employees, the Court operates in compliance with the AOC.

Appeals to Justice Court decisions, and more severe criminal violations that occur in the City, are handled through the District Court. This process affects the caseload of City Prosecutors, and file clerks for preparation of documents.

ATTACHMENTS:

- Attachment A – Court Caseload Statistics
- Attachment B – Court Annual Report

FY2017

	Traffic Cases Filed, including DUI	Cases Disposed	Clearance Rate	Criminal Cases Filed, No DUI	Cases Dispose d	Clearance Rate	Homeless Ct. Defendants Seen	Homeless Ct. Cases Heard	Crimina l Appeals	DUI Filed
July '16	1660	1865	112%	773	1183	153%	15	33	16	84
Aug	2382	2085	88%	1079	1100	102%	24	60	9	88
Sep	2137	2201	103%	985	1209	123%	19	28	14	94
Oct	2211	1964	89%	1123	1356	121%	18	29	6	101
Nov	1956	2314	118%	985	846	86%	0	0	5	86
Dec	<u>1859</u>	<u>2055</u>	<u>111%</u>	<u>840</u>	<u>742</u>	<u>88%</u>	<u>30</u>	<u>63</u>	<u>12</u>	<u>70</u>
6 Mo. Total	12,205	12,484	102%	5,785	6,436	111%	106	213	62	523
Monthly Ave.	2,034	2,081	102%	964	1,073		18	36	10	87
Jan '17	2409	2073	86%	886	871	98%	46	94	8	116
Feb	2421	2611	108%	846	939	111%	28	61	10	99
Mar	2904	2934	101%	921	1396	152%	42	97	7	127
Apr	2084	2371	114%	977	874	89%	0	0	8	74
May	2407	2335	97%	901	843	94%	40	88	20	95
June	<u>2080</u>	<u>2406</u>	<u>116%</u>	<u>855</u>	<u>783</u>	<u>92%</u>	<u>27</u>	<u>67</u>	<u>16</u>	<u>85</u>
6 Mo. Total	14305	14730	103%	5386	5706	106%	183	407	69	596
Monthly Ave.	2384	2455	103%	898	951	106%	31	68	12	99
Annual Total	26,510	27,214	103%	11,171	12,142	109%	289	620	131	1,119
Monthly Ave.	2,209	2,268	103%	931	1,012	109%	24	52	11	93

DV Filed	S.C. Cases Filed
102	397
165	339
109	621
87	1001
113	987
<u>103</u>	<u>1010</u>
679	4,355
113	726

112	1243
101	882
133	396
85	600
82	568
<u>81</u>	<u>370</u>
594	4059
99	677

1,273	8,414
106	701

FY2018

	Traffic Cases Filed, including DUI	Cases Disposed	Clearance Rate	Criminal Cases Filed, No DUI	Cases Disposed	Clearance Rate	Homeless Ct. Defendants Seen	Homeless Ct. Cases Heard	Criminal Appeals
July '17	2415	2148	89%	956	670	70%	38	52	8
Aug	2165	2162	100%	1336	1303	98%	42	90	17
Sep	2636	2243	85%	1129	1087	96%	81	244	11
Oct	2279	2454	108%	1134	1120	99%	45	96	8
Nov	2708	2552	94%	887	856	97%	20	44	11
Dec	1701	1964	115%	795	801	101%	33	82	5
6 Mo. Total	13904	13,523	591%	6,237	5,837	94%	259	608	60
Monthly Ave.	2,317	2,254	97%	1,040	973		43	101	10
Jan '18	2479	2192	88%	877	1063	121%	56	137	11
Feb	2229	2406	108%	787	1044	133%	61	176	8
Mar	2743	2565	94%	808	921	114%	82	150	8
Apr	2329	2319	100%	781	885	113%	51	123	14
May									
June									
6 Mo. Total	9780	9482	97%	3253	3913	120%	250	586	41
Monthly Ave.	2445	2371	97%	813	978	120%	63	147	10
Annual Total	23,684	23,005	97%	9,490	9,750	103%	509	1,194	101
Monthly Ave.	1,974	1,917	97%	791	813	103%	42	100	8

Homeless

Connect 30 def &
numbers 65 cases
included

ORG 15 def &
Expungment 23 SLC
Day cases

DUI Filed	DV Filed	S.C. Cases Filed
90	122	40
86	105	25
91	131	533
96	146	590
71	83	384
79	83	337
513	670	1,909
86	112	318

69	90	647
58	96	1030
73	70	615
86	73	1163

286	329	3455
72	82	864

799	999	5,364
67	83	447

Salt Lake City JUSTICE COURT ANNUAL REPORT FOR FISCAL YEAR 2017

Justice Court
Honorable John Baxter; Presiding Judge
Curtis Preece; Court Administrator





Salt Lake City Municipal Court

The Salt Lake City Justice Court is a limited jurisdiction court under the umbrella of the Utah State Court system. We strive each day to reach and exceed our Core Values of Excellence, Respect, Integrity, Community and Unity. We are proud to be part of the Salt Lake City portfolio of public institutions and to serve the residents and visitors of this great city.

We are the largest municipal court in the State of Utah with a very high volume of misdemeanor cases. The mission of the Salt Lake City Justice Court is;

“Ensure the highest standards of justice, professionalism, responsiveness and respect to those we serve.”

The judges and professional staff of the Salt Lake City Justice Court are dedicated to open and transparent access to justice for all, providing a safe and civil environment for dispute resolution for anyone drawn to the court. By treating people with respect and dignity, we serve the public, fairness and the law, making our community a better place to live.

- Honorable John Baxter, Presiding Judge

INTRODUCTION



The Salt Lake City Justice Court opened its doors on July 1, 2002, with the intent to preserve the City’s ability to adjudicate Class B and C misdemeanors, infractions and small claims cases, and to return municipal court services to the local community. In order to adjudicate these cases in a fair and timely manner, the court works daily with many agencies, (Legal Defender’s Office, City and County Prosecutors, Criminal Justice Services, University of Utah Police, Utah Highway Patrol, County Sheriff, Airport Police, State Motor Vehicles and Unified Police Department, Office of State Debt Collection, numerous treatment providers

and independent Interpreters providing language services in over 40 different dialects).

The City has appointed qualified judges with the expectation to deliver impartial and independent justice and with the hope they would be sensitive to community issues and willing to implement creative sentencing alternatives. This includes victim restitution and accountability through probation or pleas-in-abeyance which may require the offender to reimburse the City and the citizens of the City for all case-related costs.

ORGANIZATIONAL CHART



COURT STATISTICS

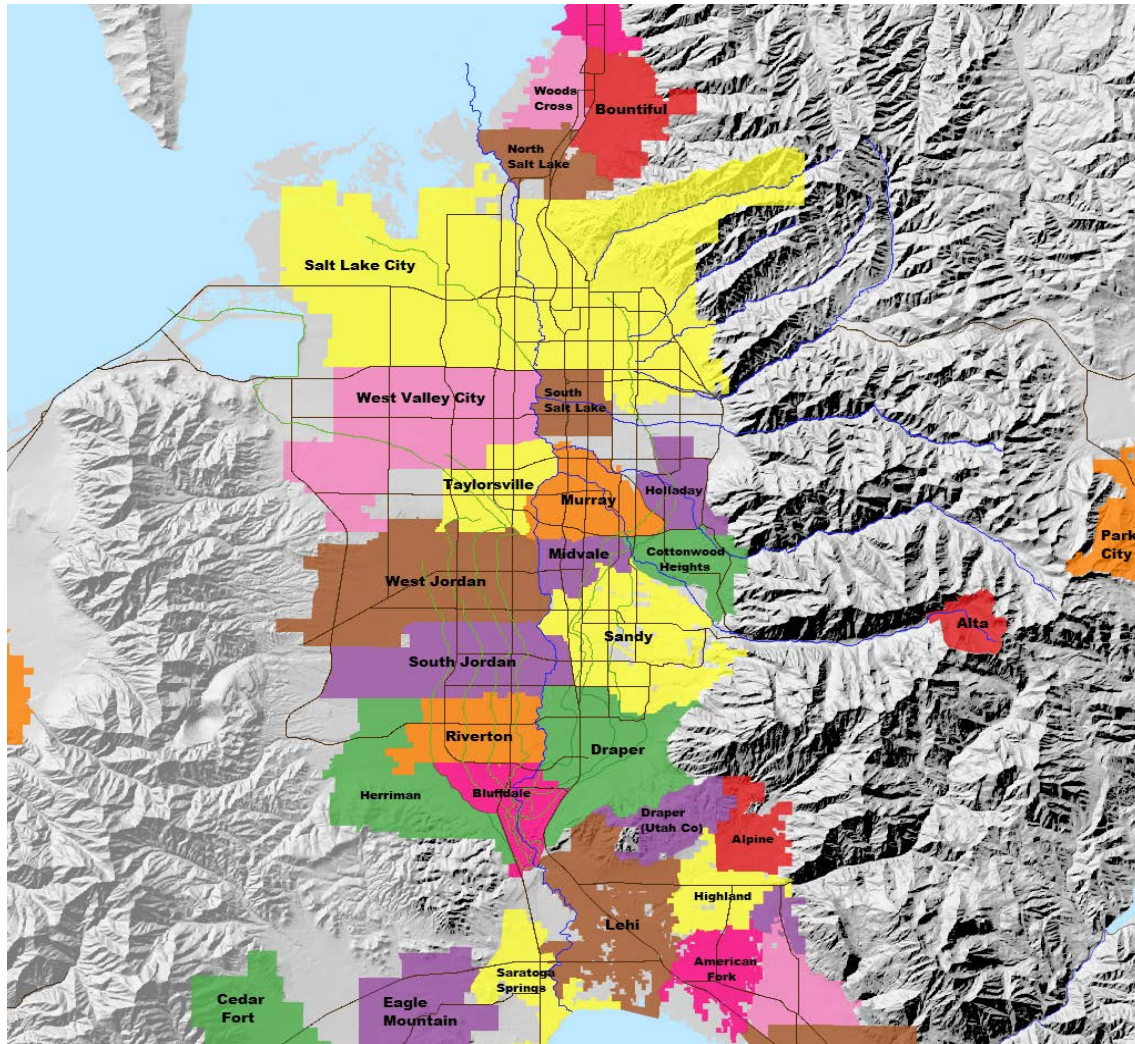
Salt Lake City Justice Court is the largest Utah Municipal Court

- ❖ 48,914 Charges Filed (-9,671 charges, -20% from FY16)
- ❖ 46,090 New Cases Filed (+2,003 cases, +5% from FY16)
 - 11,169 Criminal Cases
 - 26,507 Traffic Cases
 - 8,414 Small Claims
 - 14 Protective Orders
- ❖ 103% Clearance Rate
- ❖ 81 Jury Trials Held
- ❖ 645 Prisoner & Forthwith Defendants Transported
- ❖ 43.5 Employees

National Center for State Courts, “CourTools”

- 1) **91%** - Public satisfaction rating on Access and Fairness public survey
- 2) **103%** - Clearance Rate
- 3) **91%** - Criminal cases disposed in 180 days or less
98% - Traffic cases disposed in 90 days or less
- 4) **86%** - Employee satisfaction rating
- 5) **\$137** – Overall cost per case
- 6) **86%** - Criminal cases meeting Age of Active Pending Caseload goals (180 days or less)
92% - Traffic cases meeting Age of Active Pending Caseload goals (90 days or less)

COURT JURISDICTIONAL MAP



Salt Lake City Facts

- ◆ Population: estimated to be 191,000 residents
- ◆ County: Salt Lake, 112 square miles
- ◆ Daytime population jumps 84% to 352,000
- ◆ Incorporated: 1851 ◆ Size: 109 square miles
- ◆ Known as the “Crossroads of the West” & “Ski City”

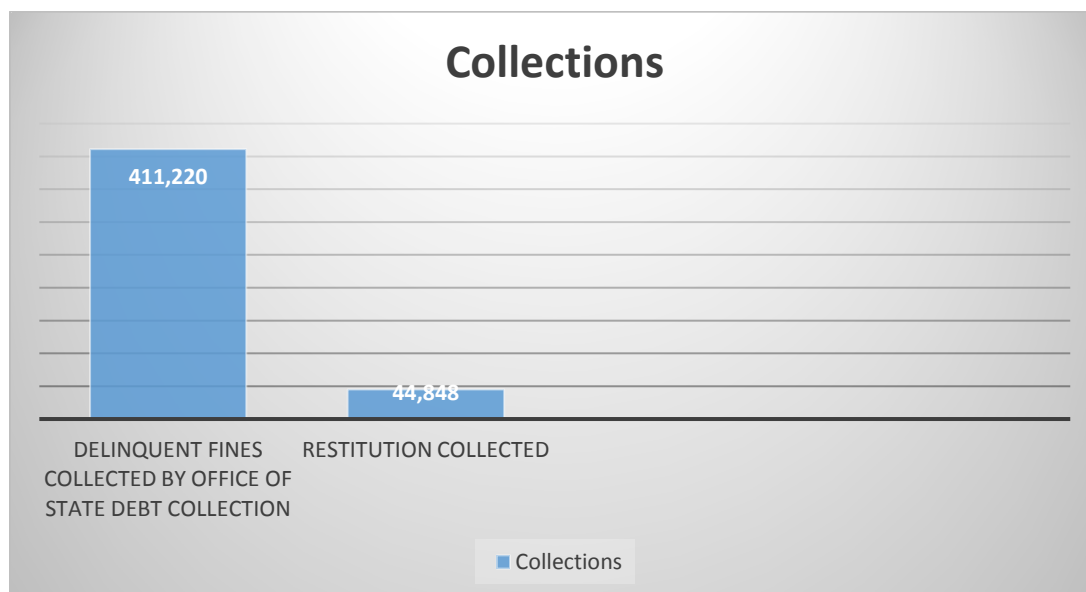
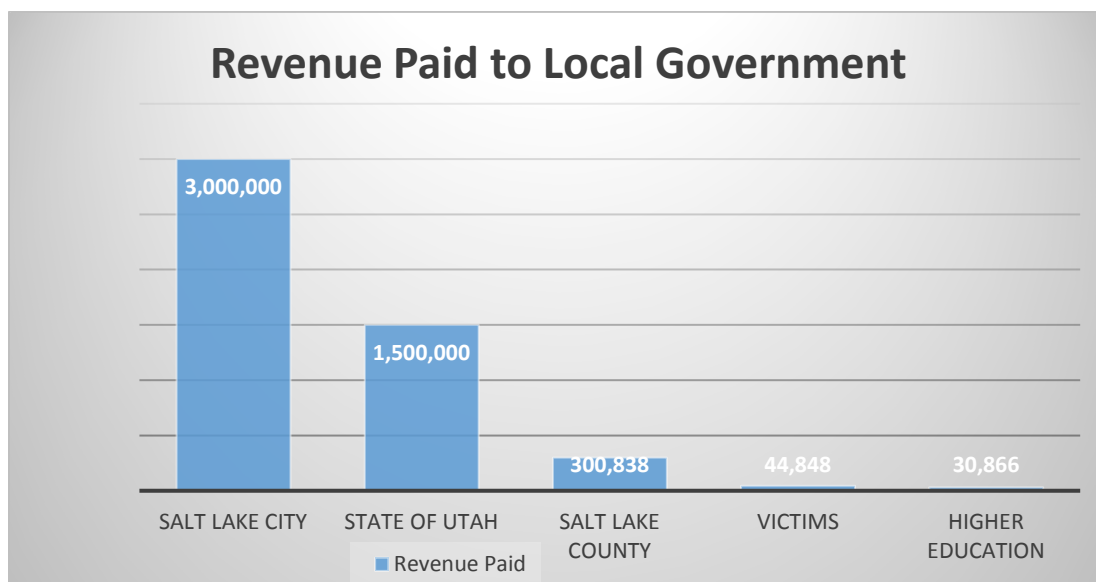
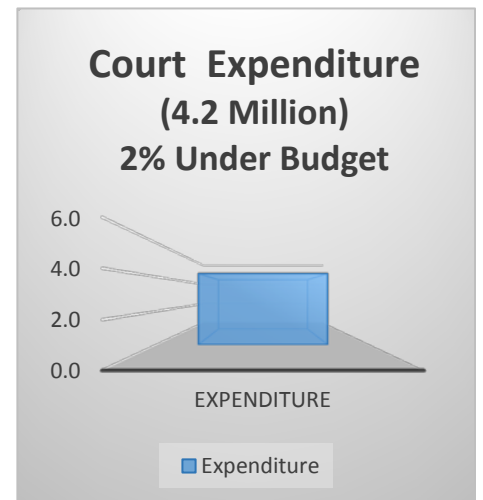
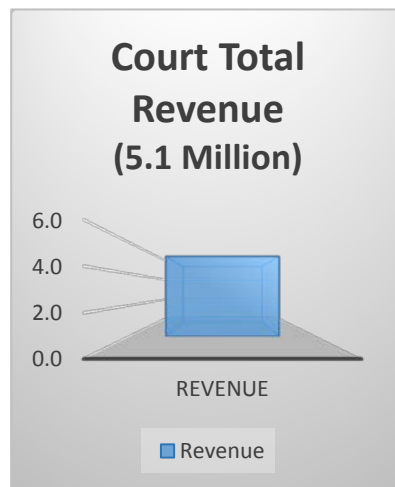
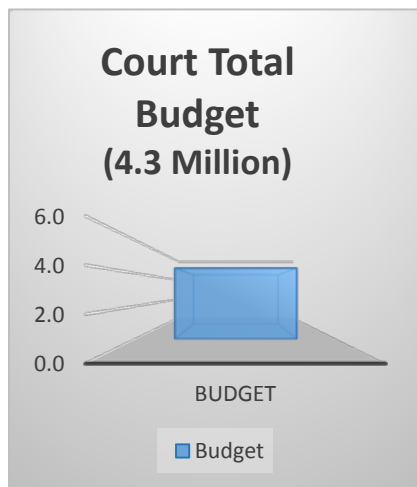
GOALS ACHIEVEMENTS & PERFORMANCE OBJECTIVES

- ✓ ***Improved Training Program*** – The Court went through a restructuring program to achieve improved cross-training opportunities for all employees.
- ✓ ***Work Group Restructuring*** – With the restructuring we have improved resource utilization through new team structure and improving assignments of daily responsibilities.
- ✓ ***Electronic Work flow queues*** – With technological opportunities from the AOC and internal design, the Court has improved efficiencies in many of our processes.
- ✓ ***Customer Feedback*** - The Court has updated the online public questionnaire, request to judge and annual public survey.
- ✓ ***Employee Satisfaction*** – Employee Survey completed every other year, Improved Team & One-on-One meetings and improved communication through our Continuous Improvement Assessment.
- ✓ ***Consistent Partnering and Collaboration*** - Regular meetings with Legal Defender, Prosecutor, Judges, City Administration, Law Enforcement and IT Department.
- ✓ ***Focus on Public Trust and Confidence*** – Continued emphasis on improved customer service, interactive website, opportunities for public input and feedback, workshops and tours.
- ✓ ***Award*** - Honorable Jeanne M. Robison was awarded the *Quality of Justice Award*, by the Utah Judicial Council. This award is given for performance of judicial responsibilities with

Performance Objectives

- * 100% accuracy, one case at a time
- * Commitment to excellence for citizens, court customers and employees
- * Heightened focus on court governance
- * Measuring NCSC performance standards and sharing results (Time to Disposition, Age of Active Pending Cases, Clearance Rate, Cost per Case, Collections of Monetary Penalties, Access & Fairness Public Survey)
- * Ongoing & continuous performance improvement
- * Increased attention to training
- * Shift from paper management to information & data management

COURT BUDGET FY-2017



COURT CORE VALUES



PLANNING AND EXPERIENCE

Planning

- ◆ Succession Planning at all levels
- ◆ Continuity of Operations through emergency planning, cross training, and back-up systems
- ◆ Fiscal responsibility and responsiveness
- ◆ Making business decisions geared toward strategic planning and available resources
- ◆ Strive toward NACM Core Competencies for High Performance
- ◆ Hire, promote and retain the highest qualified and most professional employees
- ◆ On-going training program for clerks, management and judges

Experience

Judicial Bench:

Four full-time Judges and one part-time Judge, with 50 years of judicial service.

Court Administration:

Seven individuals with 82 years court experience including Municipal and State Courts.

Judicial Assistants & Support Staff:

32 individuals with combined court experience of over 200 years.



- ◆ On-Line Payment Options
- ◆ Automatic Bill Pay
- ◆ Electronic Request to Judge
- ◆ Video Court Hearings
- ◆ E-Filing & E-Signatures for Criminal cases
- ◆ E-Documents for Small Claims cases
- ◆ Electronic Case Search and Case Lookup
- ◆ Paper and Toner Cartridge Recycling
- ◆ Statewide Warrant Search
- ◆ On-Line Jury Qualification
- ◆ On-Line Traffic School
- ◆ No Paper Files
- ◆ Paper-on-Demand Environment

COMMUNITY

National Science Foundation Study

Domestic Violence Intervention and Alternative Treatment: The Salt Lake City Justice Court was invited to participate in this study partnering with the University of Utah and New York University. The court is in the third phase of the three year national domestic violence study. This national research project, funded by the National Science Foundation and the National Institute for Justice is comparing standard batterer intervention and alternative therapeutic approaches for domestic violent offenders. The objective is to study and gather data to find which treatment methods show the most promising results for this societal problem.

Customer Feedback

Court Survey: The court continually seeks for ways to improve the services we provide. One of the best ways to find out how we are doing is through asking the customers we serve. The court conducts a survey every other year following the recommended format by the National Center for State Courts, (NCSC). We polled nearly 200 surveys which showed that 91% of the respondents thought the court's overall customer experience was excellent or adequate.

Mock Trials: Every year since 2008, the Justice Court participates with local school districts to assist in the education of students in civics and trial court processes. For several days each year the Justice Court welcomes numerous schools to use the court rooms for the entire day to run mock trials. The students, and faculty, are responsible for all the roles within the court room. This is a very practical and beneficial opportunity for these middle school students.

Community Service/Restitution

Community Service: When circumstances prevent an individual from paying a fine, community work hours may be imposed. The conversion rate from dollar amount to community service is \$10 per hour. When community service hours are performed community non-profit agencies benefit. Some of the agencies that are used on a regular basis in Salt Lake City are; Utah Food Bank, Catholic Community Services, LDS Welfare Square, Salt Lake County Parks and Recreation, Saint Vincent DePaul, Salvation Army, Rescue Mission, Re-Store (Habitat for Humanity), Salt Lake County Animal Services. Last fiscal year the court verified 8737 hours of Community Service.

Restitution to Victims: The court is diligent in ensuring all monies ordered to victims is tracked and all dollars collected for victims are paid out in a timely manner. Last fiscal year the court collected and distributed \$44,000 to victims.

Mediation for Civil Hearings: In processing over 8,414 filed small claims cases in the last year, the court has worked closely with Utah Dispute Resolution (UDR) and the University of Utah to provide mediation services. This service benefits both the plaintiff and the defendant in the civil court process. UDR data shows that approximately 50% of cases which were involved in mediation came to a full agreement through this process.

Problem Solving Courts

Homeless Court: The Salt Lake City Homeless Court allows those who have been affected by homelessness the chance to resolve misdemeanor cases in a court setting at the Bishop Weigand Center. Last fiscal year the Homeless Court saw 289 defendants and processed 620 cases.

Veterans Court: The Salt Lake City Justice Court holds this court every other week for any veteran with a charge in the City court. The court has led the way in this joint effort which includes Salt Lake County therapeutic services and outreach from the Veterans Association to assist with this population.

Interpreters Services: Throughout the last fiscal year the Salt Lake City Justice Court provided interpreters representing 41 different languages. This type of service is vital and ensures access to the court and access to justice. The top seven languages needed include: Spanish, Arabic, Somali, Mandarin, Tongan, Farsi and Burmese.

Public Trust and Confidence

- Responsible oversight of public monies
- 2% under budget
- Compliance to Government Accounting Standards
- Exceptional outcomes for local and state financial audits
- Continuous Improvement Environmental Assessment
- Dedicated position to provide case management for court ordered warrants
- Consistent case tracking for compliance and completion of court orders

Connecting to the public

- Language services provided to litigants
- E-Services on court website
- Provide regular workshops and tours for the Office of Diversity & Human Rights
- Litigant and citizen assessment through survey feedback
- Exceptional and efficient juror services
- Provide monthly and annual statistics
- Ease of access to court records (securing confidential information)
- Community education
- Court Security and Community Safety
- Mock trials educational support for schools throughout the Wasatch Front