

Memorandum



DATE: September 11, 2015

TO: Honorable Members of the Ad Hoc Judicial Nominations Committee:
Philip T. Kingston (Chair), Tiffinni A. Young (Vice Chair), Mayor Pro Tem Monica R. Alonzo,
Rickey D. Callahan, B. Adam McGough, Casey Thomas, II

SUBJECT: **Policy/Budget Discussion Related to the Municipal Court**

On Monday, September 14, 2015, the Ad Hoc Judicial Nominations Committee will be briefed on Policy/Budget Discussion Related to the Municipal Court by Gloria Carter, Director and Ryan Rogers, Assistant Director, Court & Detention Services.

The briefing materials are attached for your review.

Please contact me if you have any questions or need additional information.



Eric D. Campbell
Assistant City Manager

Attachment

cc: Honorable Mayor and Members of the City Council
A.C. Gonzalez, City Manager
Warren M.S. Ernst, City Attorney
Craig D. Kinton, City Auditor
Rosa A. Rios, City Secretary
Daniel F. Solis, Administrative Judge
Ryan S. Evans, First Assistant City Manager

Jill A. Jordan, P.E., Assistant City Manager
Mark McDaniel, Assistant City Manager
Joey Zapata, Assistant City Manager
Jeanne Chipperfield, Chief Financial Officer
Sana Syed, Public Information Officer
Elsa Cantu, Assistant to the City Manager – Mayor & Council

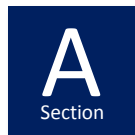
Policy/Budget Discussion Related to the Municipal Court

Ad Hoc Legislative Committee for Judicial
Nominations
September 14th, 2015



Briefing Purpose

Review Policy and Budget Discussion Related to the Municipal Court



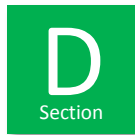
Responsibilities



Expenses/Revenues



Option



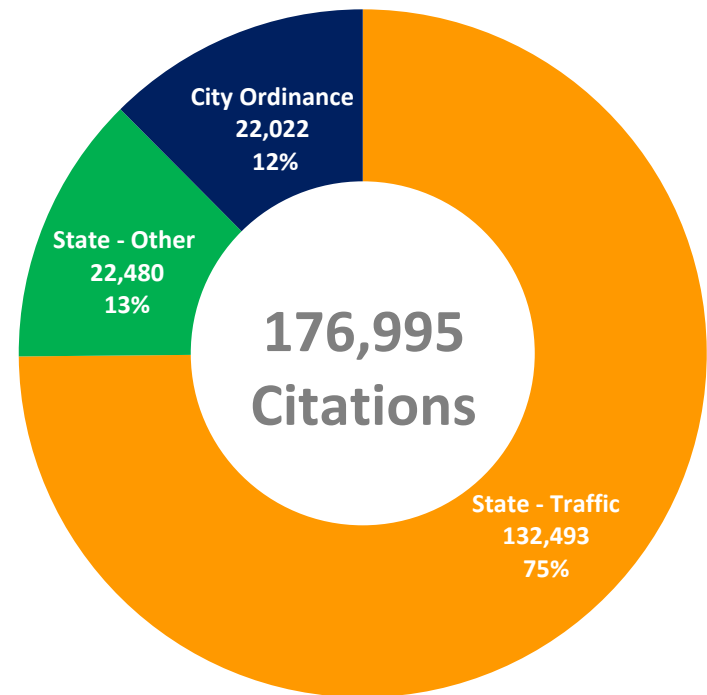
Outstanding Items



Municipal Court Responsibilities

- Administer Class C citations and civil citations
 - Jurisdiction over 1,052 violation types
 - Receive approx. 200,000 citations annually




FY15 YTD Violations



NOTE: Chart includes 2,784 "V" citations for Community Court



Municipal Court Structure

Group	Basic Functions	FTEs	Direct Report
Clerks / Marshals 	Update Cases & Records Collections & Accounting Enforce & Confirm Warrants	138	City Manager
Prosecutors 	Prosecute Cases & Defend Appeals Support Staff	26*	City Attorney
Judiciary / Bailiffs 	Adjudicate Cases Courtroom Security	39**	City Council

NOTES: Uses FY16 Proposed numbers, *Includes 16 municipal court prosecutors and 3 office-wide support staff allocated to this unit, ** Includes 12 full-time Judges and 2.2 FTEs for Associates



Municipal Court General Fund Expenses

	FY15 General Fund	FY16 General Fund Prop
CTS - Clerks	8,525,026	7,207,898
CTS - Marshals	2,221,663	2,851,666
ATT - Prosecution	2,182,517	2,091,144
CTJ - Judicial	3,695,256	3,232,377
Total	\$16,624,462	\$15,383,085

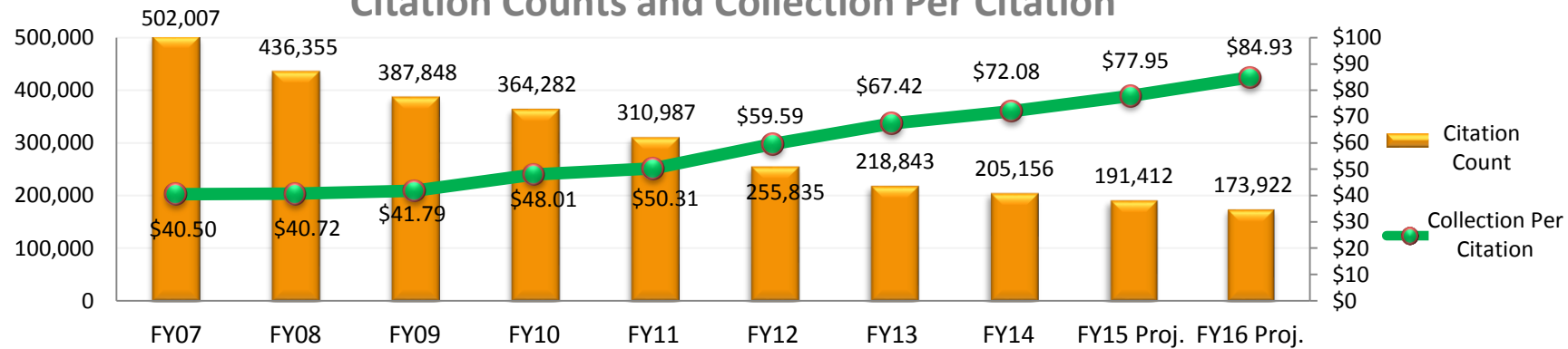


Current Revenues

Municipal Court General Fund Revenue Collections



Citation Counts and Collection Per Citation



Right-Sizing Operations

Clerks & Marshals

Reduction of clerk staffing by 24% since FY14 (from 122 FTEs to 93)

FY16: Reducing 9.5 clerk FTEs and other expenses, but adding 12 Marshals

FY17: Opportunity to make further reductions in clerical staff

Prosecution

FY16: Reducing 2 prosecutor positions

FY17: Plan to reduce prosecutors if number of full-time judges reduced

Judiciary and Bailiffs

FY16: Reducing \$203,000 in associate judge funding & 1 Bailiff

FY17: Plan to reduce 1 bailiff and opportunity to reduce full-time judges



Transferring to the County

- Under State law, a Municipal Court and County's Justice of the Peace (JP) Courts have concurrent jurisdiction of all state law cases
- Municipal Court has exclusive jurisdiction of all City ordinance cases and civil appeals
- The City Council can have police officers file state law cases in JP Courts instead of Municipal Court
- The County may want to retain most or all revenues obtained by the JP Courts from the new state law cases, though the City can negotiate the terms of any transfer of cases

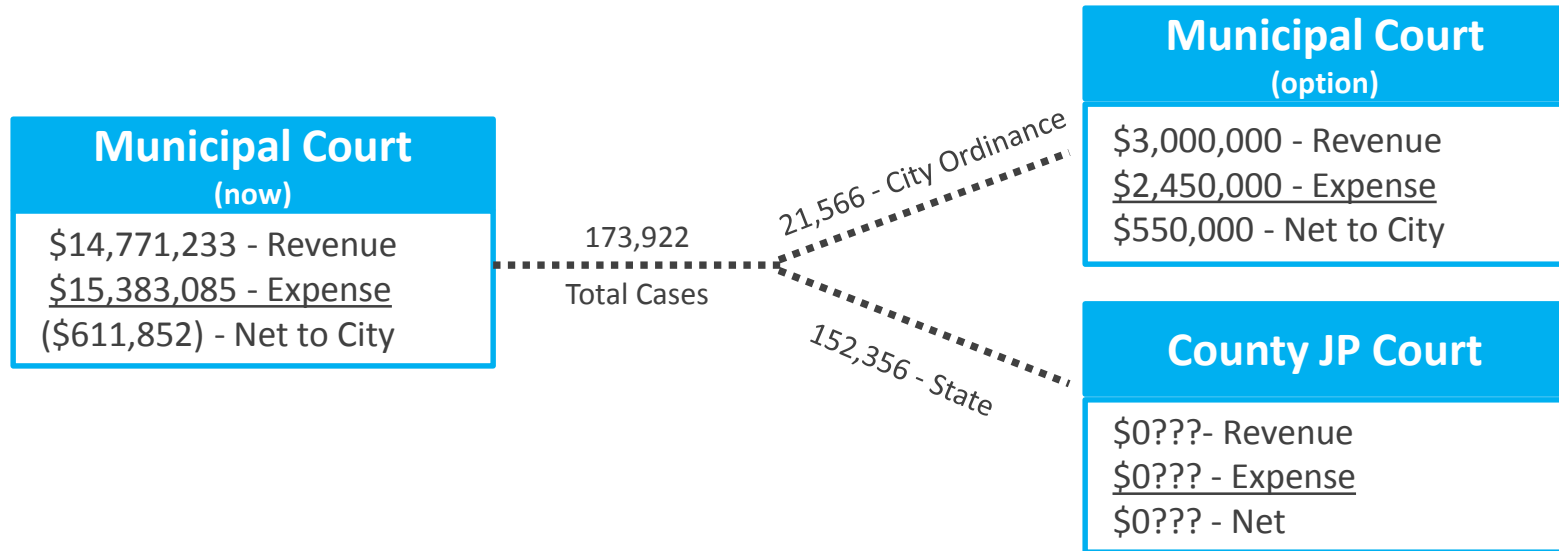


Examples of ordinances where Municipal Court has exclusive jurisdiction

- Alcoholic beverages
- Animals
- Litter
- Convenience stores
- Dance halls
- Burglar alarms
- Emergency wreckers
- Lobbyists
- Food establishments
- Solid wastes
- High weeds
- Junked vehicles
- Swap and buy shops
- Valet parking services
- News racks
- Swimming pools
- Trash collection
- Health and sanitation
- Storm water drainage
- Fair housing
- Massage parlors
- Urban rehab standards
- Some traffic laws
- Parking & parking meters
- Red-light camera
- School bus stop-arm
- Secondary metal recyclers
- Smoking
- Sexually-oriented businesses
- Home solicitations
- Transportation for hire
- Vacant buildings
- Water & wastewater
- Consumer protection
- Motor vehicle repairs
- Payday lenders
- Street vendors
- Tow trucks
- Zoning
- Historic preservation
- Flood plain
- Noise
- Signs
- Platting
- Landscape & trees
- Gas drilling
- Fire Code
- Building Code
- Plumbing Code
- Mechanical Code
- Electrical Code



Operating Margins Overview



Assumptions: •Uses FY16 data for costs comparison •Transition would occur in FY17 after judicial appointments expire •City ordinance cases would only be issued as civil in order to eliminate warrant enforcement costs
 •Overview only addresses direct costs and excludes the following: DPD summons costs, technology costs, one time conversion costs, agreement management costs and other indirect costs •Overview assumes zero dollars in expenses and revenues from the County for citations written by the City of Dallas



Court Activity

Data from August 2014 – July 2015

Court	New Cases	Final Dispositions	Case Clearance Rate	Class C Warrants	Percent Dismissals
Dallas Muni. Court	187,943	169,478	90%	200,554	13.52%
All County JP Courts (10)*	95,898	70,369	73%	38,366	22%
<i>Dallas JPs (4)</i>	<i>72,357</i>	<i>51,151</i>	<i>71%</i>	<i>34,265</i>	<i>23%</i>

*Dallas JP Courts exist in the cities of: Dallas, Lancaster, Garland, Mesquite, Richardson, Grand Prairie, and Irving

Source: JP Stats from OCA reports, Muni. Court Stats from internal reports



Proposed Option Considerations

Pros

- Municipal Court and County's Justice of the Peace (JP) Courts have concurrent jurisdiction of all state law cases
- Possibly financially viable – full cost analysis has yet to be conducted
- Prosecution would occur at a JP court geographically near the DPD substation

Cons

- Enforcement concerns:
 - *Outstanding citations grow*
 - *Dismissal rate increases*
- Streamlined court processes have increased DPD's "time on the street"; switching to JP significantly increases demands on officers' time
- Transfer from Judges who are licensed attorneys with >2 yrs. of experience and accountable to Council, to elected JPs with no legal background required



Outstanding Items

- Full cost analysis needed
- Data transfer for 2.3m cases/11.3m images
- Service level agreements
- What functions are retained/transferred/eliminated, impacts realized savings:
 - Marshals
 - Community Courts
 - Prosecution
 - Regional Confirmation / Jail Dockets / Bonds & Releases

Outstanding Items (cont.)

- Any special cases that would stay?
- Staffing draw down plan
- Current warrant pool (>500,000)
- Technology & material changes
- Juvenile Court Case Manager funding, loss of approx. \$350k
- Require review of School Crossing Guard Contract
- Third party collection contract
- Does County JP need to increase staff considering the volume increases 2.5x under consolidation option?

Source: OCA Data: August 2014 – July 2015



Questions?

