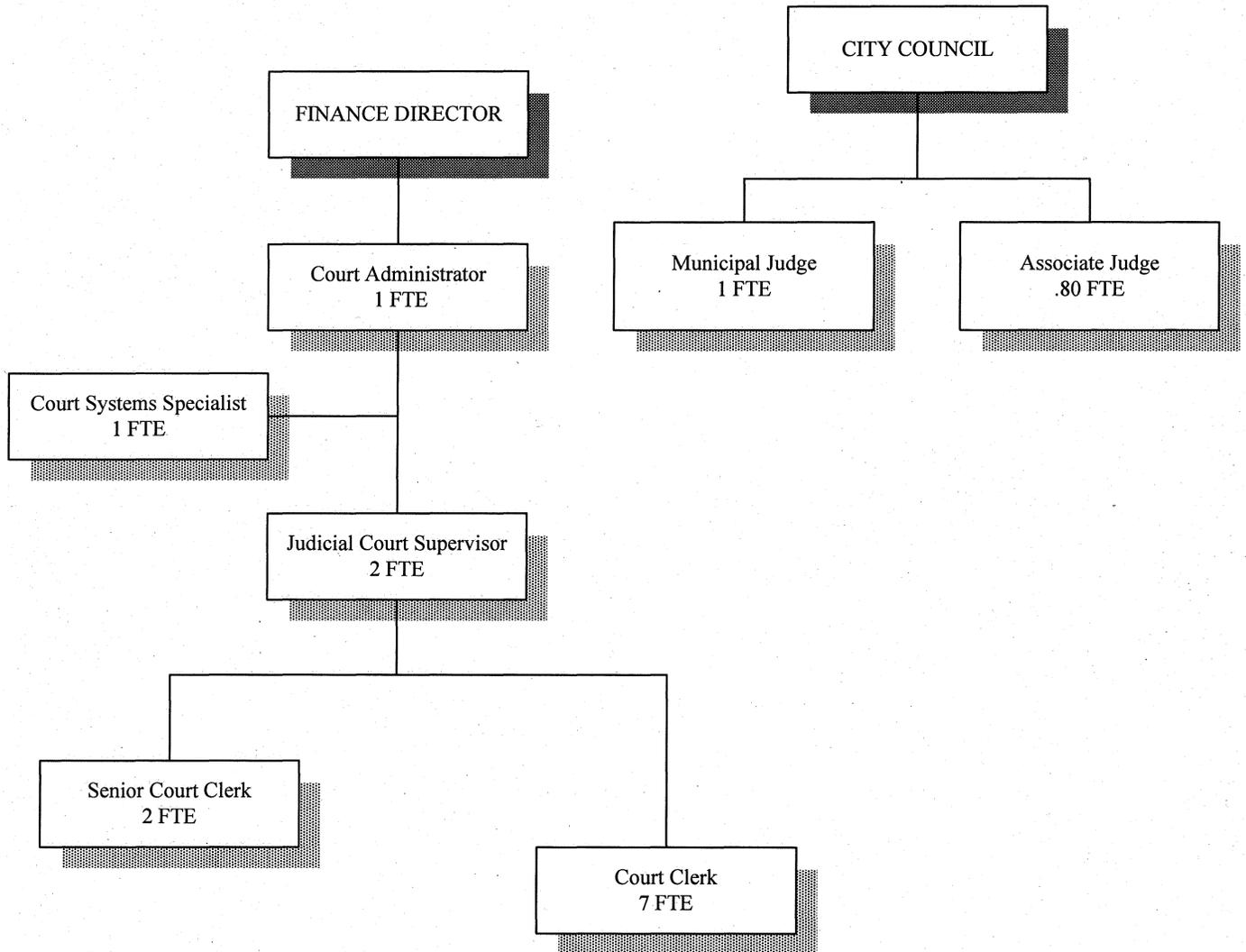
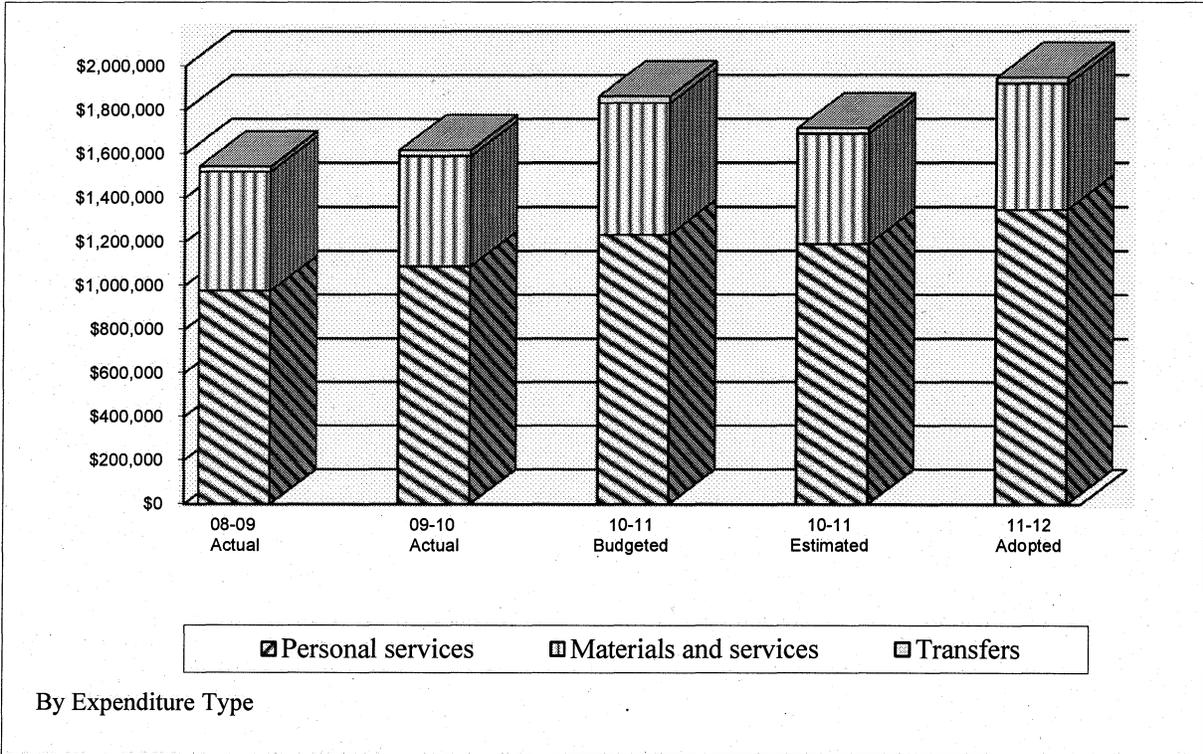


Municipal Court

FY 2011-12 BUDGETED POSITIONS



**GENERAL FUND
MUNICIPAL COURT
ADOPTED FY 2011-12**



CITY OF BEAVERTON, OREGON
FISCAL YEAR 2011-12 BUDGET

FUND: 001 GENERAL	DEPARTMENT: MUNICIPAL COURT
DEPARTMENT HEAD: PATRICK O'CLAIRE	

MISSION STATEMENT:

The mission of the Beaverton Municipal Court is to ensure that each person accused of a violation, infraction, or crime be guaranteed and provided all the constitutional rights to a fair and speedy judicial process in such a manner that it preserves both the dignity and rights of the defendant, as well as the citizens of Beaverton.

REQUIREMENTS	FY 2008-09 ACTUAL	FY 2009-10 ACTUAL	FY 2010-11 BUDGETED	FY 2011-12 PROPOSED	FY 2011-12 ADOPTED
POSITION	12.26	12.63	14.63	14.80	14.80
PERSONAL SERVICES	\$977,529	\$1,089,292	\$1,232,882	\$1,347,059	\$1,347,082
MATERIALS & SERVICES	542,625	500,728	598,549	573,259	573,259
CAPITAL OUTLAY	0	0	0	0	0
TRANSFERS	22,486	26,574	31,052	27,499	27,499
TOTAL	\$1,542,640	\$1,616,594	\$1,862,483	\$1,947,817	\$1,947,840

Funding Sources:	FY 2008-09	FY 2009-10	FY 2010-11	FY 2011-12	FY 2011-12
Court Fines & Forfeitures	\$2,795,172	\$3,000,765	\$2,863,261	\$3,003,000	\$3,003,000
Parking Fines	45,101	44,371	46,000	42,000	42,000
Photo Radar Court Fines	606,602	925,715	765,000	826,500	826,500
Photo Red Light Court Fines	400,475	418,492	821,993	1,213,648	1,213,648
State Victims Assistance Revenue	28,937	28,937	28,000	29,444	29,444

	FY 2008-09 Actual	FY 2009-10 Actual	FY 2010-11 Budgeted	FY 2011-12 Adopted
Court Budget Cost Per Capita	\$17.90	\$18.61	\$21.30	\$21.66
Court Budget as Percent of Total Budget	1.690%	1.672%	1.921%	1.218%

Services and Trends:

Beaverton Municipal Court uses a paper-on-demand case management system that relies on a networked computer database and scanned image system---WINCS (Windows Court System). With this system, judges and court staff are able to view all case information and documents on the computer. Photo Radar citations and e-citations are filed electronically and an e-print enhancement to WINCS allows some documents created in WINCS to go directly into the document files without having to be scanned. The systems development and programming of WINCS continues to be updated as staff members identify work and process improvements and to meet any new requirements of the law.

The Beaverton Municipal Court is a court of record which requires all court proceedings to be officially recorded. Beaverton Municipal Court uses For The Record, an audio recording system that allows for high-resolution four-channel audio recordings, which is typical of other courts of record. Appeals are filed with the Court of Appeals. Being a court of record reduces the amount of city resources needed to handle appeals.

Video arraignments are conducted for defendants held in the Washington County Jail on charges filed in the Beaverton Municipal Court. Conducting video hearings enables the court to process cases more efficiently and has reduced the steps needed to conclude the case in many instances (e.g., reducing the number of hearings needed and the number of warrants issued). The video arraignment procedures reduce the risk to the public and to the community service officers, who otherwise have to physically transport all of the in-custody defendants to Beaverton Municipal Court and back to Washington County Jail.

CITY OF BEAVERTON, OREGON
FISCAL YEAR 2011-12 BUDGET

FUND: 001 GENERAL	DEPARTMENT: MUNICIPAL COURT
	DEPARTMENT HEAD: PATRICK O'CLAIRE

Services and Trends (continued):

The Court continuously improves processes and procedures to ease the congestion and facilitate the traffic flow to and from the courtroom. The Police Department has added two new traffic officers and the Photo Red Light Program has been expanded to include illegal right turns on a red light. To accommodate the increase in citation activity, in March, the Court added a second courtroom which operates three days a week and an additional staff member.. The difficulty of maintaining high-quality customer service and efficient case management remains a challenge.

Last year the court contracted the National Center for State Courts (NCSC) to conduct an audit of the business processes, information systems and technology, staffing and human resources, external relations, facilities and security, and structure and governance. Many recommendations for best practices, new technology and efficiencies have been evaluated and implemented as a result of the audit. With the changing electronic environment in court management, it is clear that a new case management system and document management system needs to be adopted. The NCSC has been selected as a consultant to help us move forward it determining the best option for a new Case Management System and a new Document Management System. We have not identified a 3rd party court software system that has the capabilities of our current in-house written system so we are coming to the conclusion to re-write the WINC's system in-house with the ability to incorporate or integrate with some existing document management software to keep us at the forefront of court technology.

The Beaverton Municipal Court hours are from 7 a.m. to 5 p.m. on Monday and Friday and from 7 a.m. to 7 p.m. on Tuesday through Thursday. This schedule allows the public an option to appear and conduct business before or after they go to work and gives the City better staff utilization for the busiest hours. The court is also closed on Thursdays from 1:00 p.m. to 2:00 p.m. for staff meetings allowing all staff members to attend the meeting.

There are many non-English speaking defendants accessing the court. While the majority of these defendants are Spanish speaking, the court is experiencing an increased need for interpreters to provide services in Chinese (several dialects), Korean, Japanese, Somalian, Vietnamese, Russian, Serbo-Croatian, Bosnian, and American Sign Language. The court is fortunate to have clerks who are fluent in Bosnian, Spanish, and Vietnamese and who can be utilized for certain types of hearings.

The court offers a Traffic School Program which gives drivers who qualify the option to complete an educational program so that the violation does not appear on their driving records. The popular program has a goal of driver improvement and safer streets for the City of Beaverton. The court will continue to offer an improved Youth Offender Program and the Seat Belt Diversion Program. The Beaverton Police Department has begun a Vehicle Compliance Program which allows some specific charges to be dismissed upon bringing the violation into compliance with the state law. The court will be dismissing the charge(s) when the defendant presents appropriate documentation to show the violation has been corrected and pays an administrative fee.

The court instituted a new program for defendants that are on bench probation for financial obligations only (having already completed any other conditions of probation.) The court invites the defendant to participate in Compliance Court in lieu of appearing for a probation violation. The court works very closely with the defendant in a non-threatening environment to help them be successful in completing their terms of probation. The judge at her/his discretion may dismiss the defendant from Compliance Court based upon unwillingness or inability to adhere to the schedule of performance established for the defendant. However, the judge is very compassionate yet realistic about the ability of each defendant to comply with the individual agreement that s/he makes with the court. This program has proven to be very effective and mutually beneficial for the defendant and the court.

CITY OF BEAVERTON, OREGON
FISCAL YEAR 2011-12 BUDGET
CURRENT LEVEL OF SERVICES

FUND: 001 GENERAL	DEPARTMENT: MUNICIPAL COURT
PROGRAM: 0571 MUNICIPAL COURT	PROGRAM MANAGER: KAY RENFRO

Program Goals:

The Beaverton Municipal Court will maintain an accurate accounting of all case activity, as well as provide a forum for the timely adjudication and resolution of these cases, while preserving the constitutional rights and dignity of the defendant.

Program Objectives (services provided):

- To provide fair, timely, and speedy resolution of cases involving violations, infractions, and crimes in a manner which is efficient both for the City and for the defendants/citizens. *(Council Goal #4: Provide a responsive, cost-effective service to the community; Council Goal #5: Assure a safe and healthy community.)*
- To ensure strict compliance with judicial orders, including the payment of court ordered fines and fees and the completion of court-ordered time obligations such as jail time, special counseling, classes or community service. *(Council Goal #4: Provide a responsive, cost-effective service to the community; Council Goal #5: Assure a safe and healthy community.)*
- To ensure timely processing of all funds received, as well as the reconciliation of these accounts and forwarding of mandatory payments to the appropriate parties (including the Department of Revenue, Washington County, City of Beaverton General Fund and victims for whom restitution has been ordered). *(Council Goal #2: Use City resources efficiently to ensure long-term financial responsibility; Council Goal #7: Maintain Beaverton as a regional leader in cooperative efforts with other agencies and organizations.)*
- To provide a sufficient and randomly selected pool of jurors for those defendants who choose the right to trial by a jury of their peers and to ensure that those citizens who participate in this civil responsibility have a positive experience and a better understanding of the judicial process. *(Council Goal #1: Preserve and enhance our sense of community.)*
- To identify and provide statistical analysis information for planning, goal setting, strategic decision-making, program analysis, and resource allocation. *(Council Goal #6: Manage growth and respond to change consistent with maintaining a livable, full-service city; Council Goal #8: Provide and support a highly-qualified and motivated work force.)*
- To provide timely notification to other departments and outside agencies of court actions pursuant to law requirements, inter-agency agreements, or inter-departmental agreements. *(Council Goal #5: Assure a safe and healthy community.)*

Prior Year Accomplishments:

- Completed setting up the second court room which started operations on March 7, 2010.
- Implemented 9 of the 11 top priority (57 total) NCSC audit recommendations such as:
 - Directing offenders to make some initial payment on the day an assessment is imposed
 - Increased staff cross training
 - Created a Justice Coordinating Committee that meets regularly
 - Completed an internal safety audit for court ingress and egress
- In conjunction with the Police Department's Traffic Safety Proposal, which was adopted December 1, 2010:
 - Implemented the photo radar right-turn-on-red citation generation into the WINC's and court operations effective February 1, 2011.
 - Implemented the Fix-It or Ticket program into the WINC's and court operations effective February 1, 2011. This program will enable motorist who have received citations for various equipment failures (tail light out, head light out etc.) to show proof that the repairs were made and then the citation will be dismissed.
 - Hired an additional Court Clerk position
 - Incorporated a Court Bailiff position (from the Police Department) to address security issues during heavy court appearance times. This will address one of the recommendations from the NCSC audit.

New Year Action Plan:

- Develop an action plan and a resource plan for re-writing the WINC's software system using in-house and external resources.
- Work with the Oregon State Department of Revenue to take advantage of the tax intercept program that is now available to municipal courts to assist in collecting delinquent fines.

CITY OF BEAVERTON, OREGON
FISCAL YEAR 2011-12 BUDGET
CURRENT LEVEL OF SERVICES

FUND: 001 GENERAL	DEPARTMENT: MUNICIPAL COURT
PROGRAM: 0571 MUNICIPAL COURT	PROGRAM MANAGER: KAY RENFRO

Workload Measures:	FY 2008-09 Actual	FY 2009-10 Projected/Actual	FY 2010-11 Budgeted/Revised	FY 2011-12 Adopted
<u>Cases Filed by Charge</u>				
Traffic Violations	11,562	14,000 / 11,836	13,400 / 14,175	15,875*
Photo Speed and Red Light	9,488	8,400 / 9,964	11,400 / 10,500	13,150*
Other Violations	<u>59</u>	<u>40 / 66</u>	<u>55 / 64</u>	<u>65</u>
Subtotal	21,109	22,400 / 21,866	24,855 / 24,739	29,090
<u>Cases Filed by Charge</u>				
Traffic Crimes	516	560 / 426	520 / 422	430
DUII	665	700 / 613	650 / 564	570
Other Misdemeanors	<u>1,874</u>	<u>2,080 / 1,270</u>	<u>1,300 / 1,556</u>	<u>1,600</u>
Subtotal:	3,055	3,340 / 2,309	2,470 / 2,542	2,600
Parking Citations	2,696	2,600 / 2,432	2,560 / 2,246	2,200
Code Enforcement	<u>84</u>	<u>80 / 38</u>	<u>60 / 44</u>	<u>45</u>
Subtotal:	2,627	2,680 / 2,470	2,620 / 2,290	2,245
Grand Total:	<u>26,791</u>	<u>28,460 / 26,645</u>	<u>29,945 / 29,571</u>	<u>33,935</u>
Criminal Hearings by Charge	10,039	11,700 / 8,236	8,700 / 8,150	8,200
Violation Hearings by Charge	<u>11,573</u>	<u>9,500 / 9,880</u>	<u>11,000 / 11,075</u>	<u>14,000</u>
TOTAL	<u>21,612</u>	<u>21,200 / 18,116</u>	<u>19,700 / 19,225</u>	<u>22,200</u>
Trials Held per FTE**	142	140 / 111	140 / 125	150
Other Hearings Held per FTE**	1,960	1,850 / 1,491	1,500 / 1,420	1,700
Cases Filed per FTE**	2,679	2,511 / 2,422	2,994 / 2,711	3,146
Warrants Issued per FTE**	138	165 / 102	90 / 97	100
Suspensions Issued per FTE**	670	750 / 769	800 / 900	1,150
Collection Letters Issued per FTE**	276	400 / 102	130 / 898	998
Cases sent to Collections per FTE**	283	220 / 87	130 / 880	970
Population Served per FTE**	8,750	8,776 / 7,955	8,750 / 8,002	8,000

* The increase in cases is due to an additional Police Officer hired in the Traffic Patrol Program and instituting Photo Red Light Right Turn on Red.

** Full-time equivalent is based on 11 FTE

Performance Measures:	FY 2008-09 Actual	FY 2009-10 Budgeted/Actual	FY 2010-11 Budgeted/Revised	FY 2011-12 Adopted
Percent of Imposed Fines Collected to Fines Imposed	64%	60% / 64%	54% / 56%	60%
Percentage of Cases Disposed Per Month to New Cases Filed	91%	91% / 94%	91% / 96%	95%
Average Number of Days -Arraignment to Trial (Misdemeanors)	150	175 / 115	110 / 107	110

**CITY OF BEAVERTON, OREGON
FISCAL YEAR 2011-12 BUDGET
CURRENT LEVEL OF SERVICES**

FUND: 001 GENERAL	DEPARTMENT: MUNICIPAL COURT
PROGRAM: 0571 MUNICIPAL COURT	PROGRAM MANAGER: KAY RENFRO

Performance Measures (continued):	FY 2008-09 Actual	FY 2009-10 Budgeted/Actual	FY 2010-11 Budgeted/Revised	FY 2011-12 Adopted
Average Number of Days – Arraignment to Trial (Violations)	61	55 / 53	50 / 50	58
Average Number of Days – Arraignment to Disposition (Misdemeanors)	52	60 / 68	60 / 62	60
Average Number of Days – Arraignment to Disposition (Violations)	9	10 / 9	9 / 9	12
New Measures				
Average Number of Days – Issue Date to Disposition (Misdemeanors)	N/A (New Measure)	N/A (New Measure)	N/A (New Measure)	90
Average Number of Days – Issue Date to Disposition (Violations)	N/A (New Measure)	N/A (New Measure)	N/A (New Measure)	34

Performance Outcomes and Program Trends:

Ninety percent of all traffic violations are adjudicated or otherwise concluded within 60 days from the date of arraignment, and all misdemeanors are adjudicated or otherwise concluded within 90 days from the day of arraignment. For both traffic violations and misdemeanors, 98 percent are adjudicated within 180 days, and 100 percent within one year, except for exceptional cases in which continuing review should occur. These timelines meet state standards.

Collection of monetary penalties will be increased through process improvement and active collection efforts by the court staff. The court will be contacting the Department of Revenue to take advantage of the tax intercept program that is now available to municipal courts. Windows Court System (WINCS) has the capability to track those cases that have been assigned to a collection agency, and a collection process has been implemented incorporating a collection agency into the overall collection process for the court. The court has collected 74% of all fines imposed from FY 99-00 through December 31, 2010, with annual collection rates ranging from 56% to 76% during the past five years. There are many factors that may contribute to collection rates, including the type of debt, economic conditions, and available sanctions for enforcement.

The court maintains a high level of productivity, as well as participating in systems testing and module development of WINCS, in addition to the daily work of the court. Reporting requirements to the state and other agencies are completed in a timely manner.

A large portion of the court's budget is for professional services, covering court-appointed representation, interpreters, and pro-tem judges. The court continues to refine the indigent defense process, both for verification of applicants' information and approval of representation as well as the monitoring of indigent defense expenses.

To accommodate the number of traffic citations being issued, the court has several arraignment sessions throughout the week. The Beaverton Police Department has hired two new traffic officers and added photo enforcement of illegal right turns. To handle the increase in citations the court has added a second courtroom three mornings a week. In an attempt to obtain an even distribution of those cases among the court sessions, the court sets the arraignment dates for the traffic team and a cap has been placed on the number of photo radar citations to be scheduled for each court session. The court will continue to experience long lines at various times, dependent upon the number of citations officers issue daily and due to the court's open-court policy to provide excellent customer service.

**CITY OF BEAVERTON, OREGON
FISCAL YEAR 2011-12 BUDGET
CURRENT LEVEL OF SERVICES**

FUND: 001 GENERAL	DEPARTMENT: MUNICIPAL COURT
PROGRAM: 0571 MUNICIPAL COURT	PROGRAM MANAGER: KAY RENFRO

Performance Outcomes and Program Trends (continued):

The Beaverton Municipal Court Violations Bureau was established pursuant to ORS 153.800 designating the court administrator as the violations clerk who in turn has designated each court staff member as a deputy violations clerk. A violations clerk has the authority to adjudicate specific violations authorized by a general order signed by the presiding judge. Any person charged with a violation, under the authority of the violations bureau, may appear before the violations clerk or deputy violations clerk in lieu of appearing before the judge. When a defendant fails to appear for their arraignment, the case is adjudicated and collections pursued.

Defendants charged with a traffic violation or parking citation are given the opportunity to appear before the violations bureau, through the mail, or on our website which reduces the number of court appearances before the judge. All defendants have the option to make payments through the mail, by phone, or on-line via our website payment system which reduces the number of defendants needing to come into the court to make payments.

Call hearings are set each Monday before a jury trial and assures that all parties to a criminal case are prepared to go to trial. Any pretrial resolution to the case is handled at that hearing or the trial may be reset for good cause. This has reduced the number of times that a jury is called unnecessarily because the scheduled trials have been canceled at the last minute. This has ultimately reduced the court's expenses and the frustration of our citizens being unnecessarily called for jury duty.