 <p>U. S. DEPARTMENT OF JUSTICE LAW ENFORCEMENT ASSISTANCE ADMINISTRATION</p>		<p>DISCRETIONARY GRANT PROGRESS REPORT</p>		
GRANTEE		LEAA GRANT NO.	DATE OF REPORT	REPORT NO.
Alabama Law Enforcement Planning Agency		76-ED-04-0001	3-31-76	2
IMPLEMENTING SUBGRANTEE		TYPE OF REPORT		
Alabama Law Enforcement Planning Agency 2863 Fairlane, Bldg. F, Suite 49 Montgomery, Alabama 36111		<input type="checkbox"/> REGULAR <input type="checkbox"/> SPECIAL REQUEST <input checked="" type="checkbox"/> FINAL REPORT		
SHORT TITLE OF PROJECT		GRANT AMOUNT		
Standards and Goals		\$20,000.00		
REPORT IS SUBMITTED FOR THE PERIOD		THROUGH		
1-1-76		3-31-76		
SIGNATURE OF PROJECT DIRECTOR		TYPED NAME & TITLE OF PROJECT DIRECTOR		
<i>Robert G. Davis</i>		Robert G. "Bo" Davis, Director		
COMMENCE REPORT HERE (Add continuation pages as required.) <p style="text-align: center;">(See Attached)</p>				
<p>NCJRS</p> <p>MAY 28 1976</p> <p>ACQUISITIONS</p>				
RECEIVED BY GRANTEE STATE PLANNING AGENCY (Official)			DATE	
<i>Dorothy Blacklock</i>			5-13-76	

STANDARDS AND GOALS SUPPLEMENT-
76 ED 04 0001 and 76 DF 4 0001

(Document Control No. 760001)

FINAL REPORT

A PROJECT OF ALABAMA LAW ENFORCEMENT PLANNING AGENCY

GEORGE C. WALLACE - GOVERNOR
STATE OF ALABAMA

EARL C. MORGAN
CHAIRMAN, ALEPA

ROBERT G. "BO" DAVIS
DIRECTOR, ALEPA

Bud Searcy
Project Director

LEAA
MAY 19 2 41 PM '76
ATLANTA
REGIONAL
OFFICE

15091
READING ROOM

STANDARDS AND GOALS SUPPLEMENT--76 ED 0001 and 76 DF 04 0001

Having completed over months of time a set of standards and pointing toward the goals of achievement, our task forces were not certain how much cooperation would come from the local and state levels in the different components of the project. The question: how would the standards and goals be looked upon by the different agencies--how would they accept them? The workbook project was a way to find out.

PURPOSE OF THIS FINAL PROJECT:

The purpose of the project was to distribute the Alabama Standards and Goals Workbooks statewide, assist state and local agencies in utilizing the workbooks in planning for standards integration and implementation--and to develop legislative proposals in those areas where deemed necessary. To evaluate the worth of the project, it was necessary to establish the degree of acceptance by local agencies and officials.

THE PROCEDURE:

Workbooks for local and state agencies were printed for each of the major components. Workbooks were forwarded to 417 courts, 473 sheriff and police departments, 375 criminal institutions and 23 juvenile institutions. There were a total of 1,358 workbooks mailed.

Section V in each of the workbooks listed the standards and recommendations for its particular component and asked the recipient about acceptance and the degree of compliance to date, plus a

statement as to how long it will take to come to complete compliance. (Samples of the questionnaire and other procedural methods are attached, (Exhibit "A").)

The workbook development was started in mid-January this year but was held up because of delay in budget request answers and foot dragging by the printers. It became obvious that the project could not be completed in the time covered by the grant. We requested an extension of one month, redistributing the funds remaining to absolutely essential parts of the operation, namely receiving and tabulating returns of the Section V survey.. All other expenditures were curtailed and the remaining staff agreed to continue work without pay unless an extension was granted. It was granted (See requests and acceptance correspondence attached (Exhibit "B").)

The Alabama Task Force had accepted 94% of the guideline standards suggested by the National Advisory Commission on Criminal Justice Standards and Goals. In some instances, the language was highly technical, too technical for many local agency officials to comprehend. It is our view that this affected response to the survey to some extent.

THE RESULTS:

The first look at response to the survey was not encouraging. Percentage by the numbers was not high. However, a further analysis revealed that the replies represented the key population centers of the state and almost 100% of the geographic area--considering response from some associations (such as the Sheriffs' Association) with the endorsement of their membership.

Generally, the standards and recommendations of Section V in each of the workbooks were overwhelmingly accepted. A few scattering rejections cropped up here and there, but overall only one standard was rejected by a majority of the respondents. This was the standard in the Courts Workbook which calls for the judge to do all sentencing, never leaving it to the jury. Obviously, the judges do not go for that. (See Standard 5.1 for Courts.)

All other standards were accepted by wide majority in all four workbooks, despite all the complicated language and bulky form. One very astute Circuit Judge, who had returned his form, complained about the complexity of the section and said the standards for Courts could be simplified as follows:

"What we really could get by with (in the way of standards) is (1) a courtroom for each judge; (2) a bailiff or court manager capable of setting calendars and dockets and keeping up with each judge's appointments; and (3) a pool secretary for the three judges." (There are three judges in his circuit.)

Significantly, the new Judicial Implementation Act (the Judicial Article) signed into law in late 1975 will provide for the staff the judge says is necessary.

One other important accomplishment of the workbook project was to put on the desk of every state and local agency head a record of uniform standards of operation. The workbooks were sent in duplicate, so that having returned section V the officials would still have a complete copy.

RECOMMENDATIONS:


Standards and Goals of Alabama, through ALEPA, wielded considerable influence in the passing of the Judicial Article in 1975.

This is the legislative act establishing a uniform Court System for criminal justice actions throughout the state. However, there are several other areas in the list of standards in the workbooks that may require enabling legislation. A list of the standards in each component which may require legislation is attached (Exhibit "C"). Also attached are copies of requests to legislative leaders that these matters be considered.

It is our recommendation that these requests be followed up when the legislature reconvenes.

It is further recommended that some system be devised for checking on the follow-through of local agencies in adjusting to the standards they have approved, and how they are reaching for the goals of compliance. Although they recorded acceptance of the standards, less than half are already in compliance (practically none in full compliance). Some (many) are in partial compliance, and some indicate it will take up to five years to meet all the standards they have accepted. Their progress should be recorded.

Since the Standards & Goals function is an ongoing program in the service to the Criminal Justice Community of the State of Alabama, the Governor should appoint a standing committee (perhaps called the Standards & Goals Review and Revision Committee) to study, research, revise and make changes consistent with the ongoing planning systems of ACJIC and ALEPA, following LEAA's recommendations.



STANDARDS AND GOALS SUPPLEMENT -

76 ED 04 0001 & 76 DF 04 0001

EXHIBITS TO FINAL REPORT

Exhibit A Sample Questionnaire

Exhibit B Requests & Acceptance Correspondence

Exhibit C Legislative Recommendations

Exhibit D Abstract of Multi-Year Plan with
Applicable Standards & Status

Exhibit E Sample of Tabulation Method -
Returns from Section V of Workbook

Exhibit F Example of Standards & Goals Workbook

Standards and Goals	Remarks				
	Accept	Reject	C	PG	NC
<p>STANDARD 4.12 <u>CONTINUANCES</u></p> <p>Continuances should not be granted except upon a written motion and a showing of good cause.</p>	✓			✓	
<p>STANDARD 4.13 <u>JURY SELECTION</u></p> <p>Questioning of prospective jurors should be conducted exclusively by the trial judge. His examination should cover all matters relevant to their qualification to sit as jurors in the case on trial. Attorneys for the prosecution and defense should be permitted to submit questions to the judge to be asked of the jurors concerning matters not covered by the judge in his examination. The judge should put such questions to the jurors unless they are irrelevant, repetitive, or beyond the scope of proper juror examination.</p> <p>The number of peremptory challenges should correspond to the size of the jury and should be limited to multiple defendant cases. The prosecution should be entitled to the number of challenges equal to the total number to which the defendants are entitled.</p>	✓			✓	
<p>STANDARD 4.14 <u>JURY SIZE AND COMPOSITION</u></p> <p>Juries in criminal prosecutions for offenses not punishable by life imprisonment should be composed of 12 persons. If a 12-member jury has been seated, a reduction in jury size during the course of a trial to no less than 10 members should be permitted where a juror has died or is discharged for illness or other good cause. Persons 18 years of age and older should not be disqualified from jury service on the basis of age.</p>	✓			✓	
<p>STANDARD 4.15 <u>TRIAL OF CRIMINAL CASES</u></p> <p>In every court where trials of criminal cases are being conducted, daily sessions should commence promptly at 9 a.m. and continue until business before the court is concluded in the opinion of the judge. Jury selection in the next case should start as soon as the jury in the preceding case has retired to consider a verdict.</p> <p>All criminal trials should conform to the following:</p>	✓			✓	

Standards and Goals	Remarks				
	Accept	Reject	C	PG	NC
<p>1. Opening statements to the jury by counsel should be limited to a clear, nonargumentative statement of the evidence to be presented to the jury.</p> <p>2. Evidence admitted should be strictly limited to that which is directly relevant and material to the issues being litigated. Repetition should be avoided.</p> <p>3. Summations or closing statements by counsel should be limited to the issues raised by evidence submitted during trial and should be subject to time limits established by the judge.</p> <p>4. Standardized instructions should be utilized in all criminal trials as far as is practicable. Request by counsel for specific instructions should be made at, or before, commencement of the trial. Final assembling of instructions should be completed by support personnel under the court's direction prior to the completion of the presentation of the evidence.</p>	✓			✓	
<p>STANDARD 5.1 <u>THE COURT'S ROLE IN SENTENCING</u></p> <p>Jury sentencing should be abolished in all situations. The trial judge should be required to impose a sentence that, within limits imposed by statute, determines the maximum period a defendant's liberty may be restricted. Within this maximum period, other agencies may be given the power to determine the manner and extent of interference with the offender's liberty.</p>				✓	
<p>STANDARD 6.1 <u>UNIFIED REVIEW PROCEEDING</u></p> <p>Every convicted defendant should be afforded the opportunity to obtain one full and fair judicial review of his conviction and sentence by a tribunal other than that by which he was tried or sentenced. Review in that proceeding should extend to the entire case, including:</p> <p>1. The legality of all proceedings leading to the conviction;</p> <p>2. Matters that have heretofore been asserted in motions for new trial; and</p> <p>3. Errors not apparent in the trial record that heretofore might have been asserted in collateral attacks on a conviction or sentence.</p>	✓			✓	

L.E.P.A. Copy

STANDARD 5.1

THE COURT'S ROLE IN SENTENCING

Jury sentencing should be abolished in all situations. The trial judge should be required to impose a sentence that, within limits imposed by statute, determines the maximum period a defendant's liberty may be restricted. Within this maximum period, other agencies may be given the power to determine the manner and extent of interference with the offender's liberty.

THE ABOVE STANDARD WAS REJECTED BY A MAJORITY AT THE LOCAL LEVEL
OF GOVERNMENT .



STATE OF ALABAMA
ALABAMA LAW ENFORCEMENT
PLANNING AGENCY
MONTGOMERY

Exhibit "B"

BERT G. "BO" DAVIS
DIRECTOR

March 9, 1976

Mr. William J. Hannon, Jr.
U. S. Department of Justice
Law Enforcement Assistance Administration
Region IV
730 Peachtree Street, N.E., Suite 985
Atlanta, Georgia 30308

Re: Discretionary Grants 76-DF-04-0001 and 76-ED-04-0001
"Alabama Standards and Goals"

Dear Mr. Hannon:

The attached information submitted by Alabama Standards and Goals, is forwarded in response to your telephone request for additional budget information to accompany the February 6, 1976 request for extension and budget revision.

If there are any questions, please contact Barbara Glasscock of this agency.

Yours truly,

Bo

Robert G. "Bo" Davis
Director

bg

Attachment

CONTINUATION OF LEAA FORM 4000-3 (6-73)
SECTION B - BUDGET CATEGORIES -- (NARRATIVE)
BUDGET REVISION REQUEST

Brief Summary of Proposed Revision

Revision of Grant Period: Last Approved: 9/1/75 - 2/27/76
Proposed: 9/1/75 - 3/31/76

Justification for Revision

a. Personnel:

In view of the one month extension, salaries for the personnel on the staff of Standards and Goals have to be provided for out of other (unnecessary) items of this budget.

b. Fringe Benefits:

A decrease in the 76-ED-04-0001 is due to the fact that only one person is carried under the insurance on this grant, compared with the previous budget which had three persons under this grant.

On 76-DF-04-0001 salaries were increased and social security was increased accordingly. Insurance was increased due to the one month extension.

c. Travel:

Travel was decreased because it was determined that insufficient time remained to carry out the initial planned on-site aid to local governmental agencies in completion of Section V of the Standards and Goals Workbook. We determined, instead, however to allow a nominal amount of travel to executive committee meetings and ALEPA supervisory board meetings for the Standards and Goals staff.

d. Equipment:

This item was lined out because it was determined that the bookcase and/or filing cabinet, as initially planned for the project, were not in fact needed. Instead, this line item was transferred to personnel and fringe benefits in order to cover the extended one month base there.

e. Supplies:

Governor George C. Wallace issued a memorandum admonishing all state departments to decrease expenses in whatever categories possible. The Standards and Goals Project responded accordingly.

and did in fact decrease the requirements of office supplies.

The only other item previously budgeted under this category was for automobile gasoline, and a sufficient amount of money was left under this category to cover only gasoline previously used in this project.

f. Contractual:

No change.

g. Construction:

No change.

h. Other:

The item covering the Xerox copying machine previously indicated under this item of the budget, did not change since it was changed in the previous budget revision request.

Telephone:

The project transferred from the downtown Executive Building to the smaller building and smaller quarters at 825 Adams Avenue, consequently experiencing some additional and unanticipated telephone costs there. This is provided for in the budget. It is anticipated that all of the budgeted allowance under this sub category will be utilized by the project, since more telephone calls are being made in view of the absence of travel allowance above.

Postage:

Postage requirements were accurately projected, the remaining balance of approximately \$150.00 is transferred to personnel and fringe benefits to provide for the additional one month extension there.

Rent:

Initially, rent was being shared with the Juvenile Justice sub grant under ALEPA, and while this project was located in the Executive Building in downtown Montgomery, it experienced a lower rate of rent than after moving to 825 Adams Avenue in Montgomery.

Upon entering the premises at 825 Adams Avenue in Montgoemry, the project succeeded another grant which was already in

progress and which had been completed, but whose lease for the premises had not yet terminated. Consequently, the Standards and Goals Project had no alternative but to enter the premises on the same rental basis which the previous project had. Their rental rate (the former project) was \$1,000.00 per month. During the continuation of the Standards and Goals Project in these premises and assuming all budget revision requests are approved by LEAA as requested, the former rental agreement with the former project and the former tenant expired. The Standards and Goals Project would with this request approval run one month beyond that lease.

Rather than have the lease renew itself automatically by our continuing in the premises for one further month, a memorandum of agreement was reached with the former tenant and the landlord (lessor) whereby the Standards and Goals Project might continue through March 1976 at one half the previous rental agreement. This explains the wide degree of variance between the \$1,000.00 per month during earlier 1976 rent requirements and the March 1976 \$500.00 rental requirement. Additionally, the Standards and Goals Project agreed with the lessor and his former tenant, by way of a memorandum of agreement that should he lease the space now occupied by the Standards and Goals Project, the project would move across the hallway into somewhat smaller quarters for the same \$500.00 per month. There is hardly any way to simplify this rather complicated arrangement through three landlord - tenant and state agency leasing parties.

Printing:

It is anticipated that printing requirements have substantially been met, the task force report having been completed, the Standards and Goals Workbooks having been completed, and the two taken together with the final report of this project (which we anticipate only xeroxing for narrow distribution requirements) resulted in an excess of printing money under this sub category. Any balance left under this sub category was transferred to personnel and fringe benefits in order to continue the project one additional month. Any printing requirements over and beyond what may be covered under office expenses, will have to be assumed by the Alabama Law Enforcement Planning Agency.

Further Justification:

A. See comprehensive memorandum dated March 5, 1976 to Bo Davis from Bud Searcy.

B. (1) See initial LEAA delay per last budget revision request dated 12/8/75.

(2) See memorandum to all departments from Governor George C. Wallace dated 11/29/75.



STATE OF ALABAMA
ALABAMA LAW ENFORCEMENT
PLANNING AGENCY
MONTGOMERY

BERT G. "BO" DAVIS
DIRECTOR

February 6, 1976

Mr. Charles Rinkevich
Regional Administrator
Room 985, 730 Peachtree Street, N.E.
Atlanta, Georgia 30308

Dear Charles:

Attached please find the revised pages of the budget revision request as revised on February 5, 1976 for Grant Number 76-ED-04-0001. This is as requested per telephone conversation with Bill Hannon and this office on February 2, 1976.

Your earliest consideration of this will be greatly appreciated.

Sincerely,

Robert G. "Bo" Davis
Director

RGD/ebs
Attachment

PART III - BUDGET INFORMATION

SECTION A - BUDGET SUMMARY

Grant Program, Function or Activity (a)	Federal Catalog No. (b)	Estimated Unobligated Funds		New or Revised Budget		
		Federal (c)	Non-Federal (d)	Federal (e)	Non-Federal (f)	Total (g)
1. ED-Part E	16,501	\$	\$	\$20,000.00	\$ 2,222.00	\$ 22,222.00
2.						
3.						
4.						
5. TOTALS		\$	\$	\$20,000.00	\$ 2,222.00	\$ 22,222.00

SECTION B - BUDGET CATEGORIES

6. Object Class Categories	- Grant Program, Function or Activity				Total (5)
	(1) ED	(2)	(3)	(4)	
a. Personnel	\$ 18,771.07	\$	\$	\$	\$ 18,771.07
b. Fringe Benefits	1,204.44				1,204.44
c. Travel	560.00				560.00
d. Equipment	-0-				-0-
e. Supplies	330.78				330.78
f. Contractual					
g. Construction					
h. Other	1,355.71				1,355.71
i. Total Direct Charges					
j. Indirect Charges					
k. TOTALS	\$ 22,222.00	\$	\$	\$	\$ 22,222.00
7. Program Income	\$	\$	\$	\$	\$

Exhibit B

Program Description	Estimated Total Cost			Federal Share			Difference		
	Latest Approved	Difference (+) or (-)	Request	Latest Approved	Difference (+) or (-)	Request	Latest Approved	Difference (+) or (-)	Request
Personnel	16,850.04	+1,921.03	18,771.07	15,165.03	+1,728.93	16,893.96	1,685.00	+192.11	1,877.11
Per Diem Benefits	1,259.15	- 54.71	1,204.44	1,133.24	- 49.24	1,084.00	125.92	- 5.48	120.44
Travel	2,000.00	-1,440.00	560.00	1,800.00	-1,296.00	504.00	200.00	-144.00	56.00
Equipment	84.00	- 84.00	-0-	75.60	- 75.60	-0-	8.40	- 8.40	-0-
Supplies	655.50	- 324.72	330.78	589.95	- 292.25	297.70	65.55	- 32.47	33.08
Contractual	-0-	-0-	-0-	-0-	-0-	-0-	-0-	-0-	-0-
Construction	-0-	-0-	-0-	-0-	-0-	-0-	-0-	-0-	-0-
Other	1,373.31	- 17.60	1,355.71	1,235.93	- 15.84	1,220.14	137.33	- 1.76	135.57
TOTAL	22,222.00	-0-	22,222.00	19,999.80	-0-	19,999.80	2,222.20	-0-	2,222.20

Exhibit 10

CONTINUATION OF LEAA FORM 4000-3, (6-73)
SECTION B - BUDGET CATEGORIES - (NARRATIVE)
BUDGET REVISION

Brief Summary of Proposed Revision

Revision of Grant Period:

Last Approved: 9/1/75 - 2/27/76

Proposed 9/1/75 - 3/31/76

Justification for Revision

Printing and distribution of workbooks was delayed from the original plan of 12/25/75 to date of distribution-completion, 1/21/76; estimated receipt at local agency level January 28, 1976. Total delay, approximately four weeks.

In view of the comprehensive nature of the intended survey, the relative importance of local agencies responding to Section V of the workbook, and the complexities involved with tabulation of data from same as returned, an additional month is required in order that the project may be assured of successful completion.

a. Personnel:

A continuation for one month with the same staff is anticipated as indicated above under the caption "Revision of Grant Period" as proposed. The Executive Assistant to the ALEPA Director is on temporary loan to the Standards & Goals Project, but at no additional cost to the project. His duties are to assist the Coordinator as needed.

b. Fringe Benefits:

FICA and insurance costs are changed according to the line items mentioned above, per extension of time request.

c. Travel:

A nominal allowance for travel is provided, the balance transferred to "Personnel" and "Fringe Benefits" per this Budget Revision request.

d. Equipment:

Anticipating no further need of additional equipment, this category has been transferred to Personnel and Fringe Benefits to cover the extended base there.

e. Supplies:

Small portions of this category are also transferred to Personnel and Fringe Benefits in order to cover expenses in these categories through the end of March, 1976.

f. Contractual : (No cost to Project).

No Change, excepting the memorandum with lessor for office space (attached).

g. Construction:

No Change

h. Other:

Having already completed most of the mailing requirements, having already released our copying machine back to the company, having reached an agreement with the landlord regarding his permitting our use of the premises or one-half of the premises previously used at one-half the original rate after February, 1976, the budget in the fiscal portion is rearranged to reflect these changes as indicated under caption "Other" in the fiscal portion of this budget revision request.

An agreement was reached with the printers also, whereby they will provide us additional single copies of the workbook at \$1.50, as compared with the approx-

imate \$7.20 original cost which included start-up costs for the printers.

With this arrangement it is possible for the Project to have additional sets of workbooks printed and to provide the influential law enforcement community throughout Alabama with complete sets of the workbook, in addition to the complete saturation, or over-saturation, of the local agencies of government already achieved with workbooks to Police, Courts, Corrections and Juvenile agencies.

See Exhibits "A" and "B" attached.

76-ED-04-0001
STANDARDS AND GOALS

	Gross Salary	Percent of Time on This Grant	Salary	Category Total
a. Personnel				
Coordinator	4,102.07	40	1,640.83	
Accountant	1,820.70	40	728.28	
Community Services Public Affairs Specialist	3,439.70	25	859.92	
Corrections Specialist	7,680.75	100	7,680.75	
Juvenile Specialist	6,326.55	100	6,326.55	
Clerical	4,046.85	20	809.37	
Secretary	2,417.90	30	725.37	
				18,771.07
b. Fringe Benefits				
Social Security	\$18,771.07 X 5.85%			1,098.11
Insurance	\$15.19 X 1 person X 7 months			106.33
				<u>19,975.51</u>

SECTION B -- BUDGET CATEGORIES (DETAIL)

76-ED-04-0001
STANDARDS AND GOALS

c. Travel
Per Diem 28 days at \$20.00

Category Total
560.00

Exhibit B

SECTION B - BUDGET CATEGORIES (DETAIL)

76-ED-04-0001
STANDARDS AND GOALS

	<u>Total Cost</u>	<u>Percent of Time on This Grant</u>	<u>Cost</u>	<u>Category Total</u>
e. Supplies				
Gas 790 miles X 10 miles/gallon X .55 per gallon	43.97	30	30.78	
Office Supplies	1,000.00	30	300.00	330.78

SECTION B - BUDGET CATEGORIES (DETAIL)

76-ED-04-0001
STANDARDS AND GOALS

	<u>Total Cost</u>	<u>Percent of Time on This Grant</u>	<u>Cost</u>	<u>Category Total</u>
h. Other				
Copies \$150.00/month X 2½ months	375.00	30	112.50	
Telephone \$160.00/month X 7 months	1,120.00	20	224.00	
Postage	1,450.00	20	290.00	
Rent 1 month X \$430.00 1 month X \$1,000.00 1 month X \$500.00	1,930.00	30	579.00	
Printing	2,930.42	5.2	150.21	
				1,355.71



LAW ENFORCEMENT ASSISTANCE ADMINISTRATION
GRANT ADJUSTMENT NOTICE

1. GRANT NUMBER
76-DF-04-0001

2. GRANTEE

Alabama Law Enforcement Planning Agency

3. ACCOUNTING CLASSIFICATION CODE

X-A-BX-10-01-01

4. APPROPRIATION NUMBER
15X0400

5. TITLE OF PROJECT

Alabama Standards and Goals Supplement

6. ADJUSTMENT NO.

5 (Page 1 of 2)

7. DATE

March 23, 1976

8. TO GRANTEE: PURSUANT TO YOUR REQUEST OF 2/6/76 and 3/9/76

THE FOLLOWING CHANGE, AMENDMENT, OR ADJUSTMENT IN THE ABOVE GRANT PROJECT IS APPROVED,
SUBJECT TO SUCH CONDITIONS OR LIMITATIONS AS MAY BE SET IN ITEM 10 BELOW.

9. NATURE OF CHANGE, AMENDMENT, OR ADJUSTMENT

Budget Revision

RECEIVED
APR 1 1976

10. CONDITIONS OR LIMITATIONS

I.

The detailed budget for the subject grant is changed as follows:

Category	Latest Approved	Change	Revised
A. Personnel	\$ 20,034.23	\$+ 3,525.95	\$ 23,560.18
B. Fringe Benefits	1,627.70	+ 282.22	1,909.92
C. Travel	4,390.00	- 3,690.00	700.00
D. Equipment	126.00	- 126.00	-0-
E. Supplies	1,529.50	- 816.31	713.19
F. Contractual	-0-	-0-	-0-
G. Construction	-0-	-0-	-0-
H. Other	5,625.57	+ 824.14	6,449.71
TOTAL	\$ 33,333.00	\$ -0-	\$ 33,333.00

II.

FEDERAL	\$ 29,999.70	\$ 29,999.70
NON-FEDERAL	\$ 3,333.30	\$ 3,333.30

This revision is in accord with the attached "Grant Adjustment Summary."

11. TYPED NAME & TITLE OF RESPONSIBLE OFFICER

Charles F. Rinkevich
Regional Administrator

12. SIGNATURE OF RESPONSIBLE OFFICER

Charles F. Rinkevich

13. DATE

3/29/76



LAW ENFORCEMENT ASSISTANCE ADMINISTRATION
GRANT ADJUSTMENT NOTICE

1. GRANT NUMBER

76-ED-04-0001

2. GRANTEE

Alabama Law Enforcement Planning Agency

3. ACCOUNTING CLASSIFICATION CODE

X-A-4X-10-04-01

4. APPROPRIATION NUMBER

15X0400

5. TITLE OF PROJECT

Alabama Standards and Goals Supplement

6. ADJUSTMENT NO.

5 (Page 1 of 2)

7. DATE

March 23, 1976

8. TO GRANTEE: PURSUANT TO YOUR REQUEST OF 2/6/76 and 3/9/76
THE FOLLOWING CHANGE, AMENDMENT, OR ADJUSTMENT IN THE ABOVE GRANT PROJECT IS APPROVED,
SUBJECT TO SUCH CONDITIONS OR LIMITATIONS AS MAY BE SET IN ITEM 10 BELOW.

9. NATURE OF CHANGE, AMENDMENT, OR ADJUSTMENT

Budget Revision

RECEIVED
APR 1 1976
LEAA

10. CONDITIONS OR LIMITATIONS

I. The detailed budget for the subject grant is changed as follows:

Category	Latest Approved	Change	Revised
A. Personnel	\$ 16,850.04	\$ + 1,921.03	\$ 18,771.07
B. Fringe Benefits	1,259.15	- 54.71	1,204.44
C. Travel	2,000.00	- 1,440.00	560.00
D. Equipment	84.00	- 84.00	-0-
E. Supplies	655.50	- 324.72	330.78
F. Contractual	-0-	-0-	-0-
G. Construction	-0-	-0-	-0-
H. Other	1,373.31	- 17.60	1,355.71
TOTAL	\$ 22,222.00	-0-	\$ 22,222.00
II. FEDERAL	\$ 19,999.80		\$ 19,999.80
NON-FEDERAL	\$ 2,222.20		\$ 2,222.20

This revision is in accord with the attached "Grant Adjustment Summary."

11. TYPED NAME & TITLE OF RESPONSIBLE OFFICER

Charles F. Rinkevich
Regional Administrator

12. SIGNATURE OF RESPONSIBLE OFFICER

Charles F. Rinkevich

13. DATE

3/29/76

Byron Brown, Agency



LAW ENFORCEMENT ASSISTANCE ADMINISTRATION
GRANT ADJUSTMENT NOTICE

1. GRANT NUMBER 76-DF-04-0001	
2. GRANTEE Alabama Law Enforcement Planning Agency	3. ACCOUNTING CLASSIFICATION CODE 15X0400
5. TITLE OF PROJECT Alabama Standards and Goals Supplement	4. APPROPRIATION NUMBER 15X0400
	6. ADJUSTMENT NO. 4
	7. DATE March 9, 1976
8. TO GRANTEE: PURSUANT TO YOUR REQUEST OF <u>February 6, 1976</u> THE FOLLOWING CHANGE, AMENDMENT, OR ADJUSTMENT IN THE ABOVE GRANT PROJECT IS APPROVED, SUBJECT TO SUCH CONDITIONS OR LIMITATIONS AS MAY BE SET IN ITEM 10 BELOW.	
9. NATURE OF CHANGE, AMENDMENT, OR ADJUSTMENT Grant Period Extension	
10. CONDITIONS OR LIMITATIONS The grant period of the subject project is changed as follows: Old Grant Period: September 1, 1975 to February 27, 1976 New Grant Period: September 1, 1975 to March 31, 1976	
11. TYPED NAME & TITLE OF RESPONSIBLE OFFICER CHARLES F. RINKEVICH Regional Administrator	12. SIGNATURE OF RESPONSIBLE OFFICER <i>Charles F. Rinkevich</i>
	13. DATE 3/15/76



GEORGE C. WALLACE
GOVERNOR

EARL C. MORGAN
CHAIRMAN

ROBERT G. "BO" DAVIS
DIRECTOR

STATE OF ALABAMA
ALABAMA LAW ENFORCEMENT
PLANNING AGENCY
2863 FAIRLANE DR.
BLDG. F SUITE 49
EXEC. PARK
MONTGOMERY, AL 36111

EXHIBIT C

April 16, 1976

M E M O R A N D U M

TO: *H. Gov* Jere Beasley, Senate President
FROM: Robert G. "Bo" Davis, Director
SUBJECT: Legislation on Standards and Goals

We submit four copies of the Standards and Goals Task Force Reports, which are self-explanatory.

Also enclosed are four lists of those standards for the implementation of which the component specialists consider legislation a necessary prerequisite.

Your consideration and/or referral to the appropriate Committee or Subcommittee according to the Senate Rules will be appreciated.

No complete comparative analysis has been made to determine whether some areas may already be covered by the Judicial Article Implementation Act of 1975.



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April 16, 1976

M E M O R A N D U M

TO: Mr. Joe McCorquodale, House Speaker
FROM: Robert G. "Bo" Davis
SUBJECT: Legislation on Standards & Goals

We submit four copies of the Standards and Goals Task Force Reports, which are self-explanatory.

Also enclosed are four lists of those standards for the implementation of which the component specialists consider legislation a necessary prerequisite.

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No complete comparative analysis has been made to determine whether some areas may already be covered by the Judicial Article Implementation Act of 1975.

POLICE

STANDARDS THAT MAY REQUIRE LEGISLATION

- Standard 1.3 Police Discretion
- Standard 4.3 Diversion
- Standard 5.1 Responsibility for Police Service
- Standard 5.2 Combined Police Services
- Standard 7.1 Command and Control Planning
- Standard 7.5 Legal Considerations
- Standard 9.4 State Specialist
- Standard 13.4 State Mandated Minimum Standards for the Selection of Police Officers
- Standard 16.1 State Legislation and Fiscal Assistance for Police Training
- Standard 16.3 Preparatory Training
- Standard 16.7 Police Training Academies and Criminal Justice Training Centers
- Standard 18.4 Work Stoppages and Job Actions
- Standard 20.5 State Retirement Plan
- Standard 24.1 Police Reporting.

- Recommendation 4.1 Alcohol & Drug Abuse Centers
- Recommendation 4.2 Telephonic Search Warrants
- Recommendation 4.3 Court Supervised Electronic Surveillance
- Recommendation 26.5 Auto Theft Prevention Programs and Legislation

COURTS

STANDARDS WHICH MAY REQUIRE LEGISLATION

Standard	3.4	Time Limit on Plea Negotiations
Standard	(3.5)	(Case Law)
Standard	3.6	Prohibited Prosecutorial Inducements to Enter a Plea of Guilty
Standard	3.7	Acceptability of a Negotiated Guilty Plea
Standard	4.2	Citation and Summons in Lieu of Arrest
Standard	4.3	Procedure in Misdemeanor Prosecutions (case law)
Standard	4.5	Presentation Before Judicial Officer Following Arrest
Standard	4.6	Pre-Trial Release
Standard	4.7	Non-Appearance After Pre-trial Release
Standard	4.8	Preliminary Hearing and Arraignment
Standard	4.10	(Pre-Trial Motions & Conference) (suggests administrative or Court's Discretion)
Standard	4.11	Priority Case Scheduling (Judicial Article?)
Standard	4.12	Continuances
Standard	4.13	Jury Selection
Standard	4.14	Jury Size and Composition
Standard	4.15	Trial of Criminal Cases
Standard	5.1	The Court's Role in Sentencing (Local Rejection)
Standard	6.1	Unified Review Proceeding
Standard	6.4	Disposition Time in Reviewing Court
Standard	7.1	Judicial Selection
Standard	7.2	Judicial Tenure
Standard	7.5	Judicial Education
Standard	8.1	Unification of State Court System
Standard	8.2	Administrative Disposition of Certain Matters Now Treated as Criminal Offenses
Standard	9.1	State Court Administrator (Judicial Article?)
Standard	9.2	Presiding Judge & Administrative Police of the Trial Court
Standard	9.3	Local & Trial Court Administrator
Standard	9.4	Caseflow Management
Standard	9.5	Coordinating Councils
Standard	9.6	Public Input into Court Administration
Standard	10.1	Courthouse Physical Facilities
Standard	10.3	Court Public Information & Education Programs
Standard	10.4	Representatives of Court Personnel
Standard	10.5	Participation in Criminal Justice Planning
Standard	10.6	Production of Witnesses
Standard	10.7	Compensation of Witnesses
Standard	11.1	Court Administration
Standard	11.2	Automated Legal Research
Standard	12.1	Professional Standards for Chief Prosecuting Officer
Standard	12.3	Supporting Staff & Facilities
Standard	12.4	Statewide Organization of Prosecutors

*This standard unpopular with local judges - a majority of those replying rejected 5.1.

COURTS - CONTINUED

- Standard 12.5 Education of Professional Personnel
- Standard 13.1 Availability of Publicly Financed Representation in Criminal Cases
- Standard 13.2 Payment for Public Representation
- Standard 13.3 Initial Contact with Client
- Standard 13.5 Method of Delivering Defense Services
- Standard 13.6 Financing of Defense Services
- Standard 13.7 Defender to be Full Time and Adequately Compensated
- Standard 13.8 Selection of Public Defenders
- Standard 13.9 Performance of Public Defender Functions
- Standard 13.10 Selection & Retention of Attorney Staff Members
- Standard 13.11 Salaries for Defense Services
- Standard 13.14 Supporting Personnel & Facilities
- Standard 13.15 Providing Assigned Counsel
- Standard 13.16 Framing & Education of Defenders
- Standard 15.1 The Court Component & Responsibility for Its Development
- Standard 15.2 Subject Matter of the Court Plan
- Standard 15.3 Prosecution Services
- Standard 15.4 Defense Services
- Standard 16.1 Criminal Code Revision
- Standard 16.2 Completeness of Code Revision
- Standard 16.3 Penalty Structures
- Standard 16.4 (Corrections Report) - (Corrections Law Revision)
- Standard 16.5 Organization for Revision
- Standard 16.6 Procedural Law Revision
- Standard 16.7 Code Commentaries
- Standard 16.8 Education on the New Code
- Standard 16.9 Continuing Law Revision
- Standard 17.1 Criminal Penalties
- Standard 18.1 Maintaining Integrity in the Local Prosecutor's Office
- Standard 18.2 Statewide Capability to Prosecute Corruption

RECOMMENDATIONS

- 4.1 Study of the Exclusionary Rule
- 6.1 Transcript Preparation
- 6.2 Problems Outside the Courts
- 11.1 Instruction in Automated Legal Research Systems

JUVENILE

STANDARDS THAT MAY REQUIRE LEGISLATION

Standard	2.7	Funding
Standard	2.8	Legislation
Standard	4.3	Processing Certain Delinquency Cases as Adult Criminal Prosecutions
Standard	4.4	Adjudicatory Hearing in Delinquency Cases
Standard	4.5	Dispositional Hearings in Developing Cases
Standard	5.2	Juvenile Irtake Services
Standard	6.7	Recruiting and Retaining Professional Personnel for Juvenile Institutions
Standard	6.8	Regional Cooperation
Standard	6.9	Detention and Disposition of Juveniles
Standard	6.10	Industries Within Juvenile Correctional Programs
Standard	6.11	Community-Bases Programs for Juvenile Offenders
Standard	6.12	Special Offender Types
Standard	7.1	Planning New Juvenile Correctional Institutions
Standard	8.1	Juvenile Probation Legislation
Standard	8.2	Organization of Juvenile Probation and After Care Services
Standard	9.1	State Correctional Information Systems
Standard	10.1	Comprehensive Correctional Legislation

RECOMMENDATIONS

- 2.3 Literacy
- 2.5 Reality-Based Curricular

CORRECTIONS

STANDARDS WHICH MAY REQUIRE LEGISLATION

Standard 2.10 Retention and Restoration of Rights
Standard 3.1 Use of Diversion
Standard 4.1 Comprehensive Pretrial Process Planning
Standard 4.4 Alternatives to Pretrial Detention
Standard 4.5 Procedures Relating to Pretrial Release and
Detention Decisions
Standard 4.6 Organization of Pretrial Services
Standard 4.8 Rights of Pretrial Detainees
Standard 4.9 Programs for Pretrial Detainees
Standard 5.1 The Sentencing Agency
Standard 5.2 Sentencing the Nondangerous Offender
Standard 5.3 Sentencing to Extended Terms
Standard 5.7 Effect of Guilty Plea in Sentencing
Standard 5.10 Judicial Visit to Institutions
Standard 5.11 Sentencing Institutes
Standard 5.13 Sentencing Councils
Standard 5.19 Imposition of Sentence
Standard 9.2 State Operation and Control of Local Institutions
Standard 9.4 Adult Intake Services
Standard 9.10 Local Facility Evaluation and Planning
Standard 10.1 Organization of Probation
Standard 12.5 Organization of Field Services
Standard 16.1 Comprehensive Correctional Legislation
Standard 16.2 Administrative Justice
Standard 16.4 Unifying Correctional Programs
Standard 16.7 Sentencing Legislation
Standard 16.8 Sentencing Alternatives

- ABSTRACT OF 1976 MULTI-YEAR PLAN, ALABAMA LAW ENFORCEMENT PLANNING AGENCY

<u>Priority</u>	<u>Subject-Matter</u>	<u>Applicable Standards</u>
I.	Unified State Court System:	7.1 thru 7.5, 8.1, 15.2
II.	State & Local Court Administrators:	8.2, 9.1 thru 9.6, 10.1 thru 10.3, 11.1 & 16.5
III.	Statewide Information System:	10.2, 10.3, 11.1, 11.2 & 16.5
<hr/>		
1.		
IV.	Case Processing Within Time Limits:	4.11
V.	Law Reform	1.1, 2.1, 2.2, 3.2 thru 3.7, 4.2 thru 4.4, 4.6 thru 4.8, 4.10 thru 4.15, 5.1, 16.1 thru 16.7, 16.9, & 17.1
<hr/>		
2.		
VI.	Comprehensive, Professional Prosecution System:	3.6, 4.3, 12.1 thru 12.9, 15.3, 18.1 & 18.2
VII.	Indigent Defense:	13.1 thru 13.3, 13.5 thru 13.11, 13.13 thru 13.16
VIII.	Comprehensive, Coordination Education Program:	7.5, 10.3, 12.5, 13.16, & 16.8

Status of Plan-Implementation Process

- I. A Unified State Court System is implemented by the Judicial Article which passed the legal hurdles in December 1975. Unification is under way as to planning now. Between January 16, 1977 and five (5) years thereafter, partial to full operational state Judiciary will become reality in Alabama.
- II. The Judicial Article also addresses itself to state & local administration of Courts. While a state Department of Court Management is now operational, the same time table as above should see a blending of this department's activities with local activities & operations.
- III. Alabama Criminal Justice Information System(s) (ACJIS), is now funded & operational as an agency of state government. It interfaces with local, state & federal information systems.

IV. Each & every court in the state has a copy of standard 4.11 for courts, from the Supreme Court right down to the Municipal court. Nothing in the Alabama law prevents the court from adopting this standard for its own use in view of its general nature. *However,*

V. The 1975 Legislature did not get around to the "Proposed Revision with Commentary - Alabama Criminal Code", but the 1976 Legislature is expected to consider this far-reaching code as prepared by the Alabama Law Institute which was created by the 1967 Legislature by Act No. 249, H. 492. The proposed code was published in October 1974 and is now available in printed form. Inquiries should be addressed to the Director, A.L.I., P. O. Box 1287, University of Alabama 35486.

VI. Planning and partial funding, state and federal, currently. Substantially more funding indicated in High Crime areas

VII. A public defender law is needed. Legislation should be drafted following the suggestions of the standards applicable. Local and state systems are not now considered adequate.

VIII. A Judicial College is planned. The Judiciary seems to be of one mind as to the need of continuing education. Out-of-state training is now being utilized. In-state Judicial College in futuro.

Recapitulation of Development Process

The subjects covered in priority ratings I thru III are in development and/or operational and partially operational process.

The subjects in priority IV are not considered imperative, but more likely discretionary.

Priority V is in printed form and the research phase is completed. It is time for the Legislature to address the matter of Law Reform, unless they require further reasonable research.

VII & VIII, Indigent Defense & Comprehensive Education Coordination appear to require research and development. The avenue of approach to these matters and the resulting disposition within the planning systems are not considered to be within the scope of the Standards and Goals Project, except as to interest incidental to standards applicability.

Summary

In terms of (1) Research, (2) Development, & (3) Legislative enactment or Law; priorities I, II, & III are complete. Unified Courts will be 1977. Alabama has state administrator, and will have local administrators in 1977. Statewide Information System is partially operational and is scheduled to be fully operational in 1978.

Down to line '1' planning has been effectively carried out and implementation is a certainty.

Between lines '1' and '2' Research is complete and development is in process.

Below line '2' Research is due to commence, is partially completed or contemplated.

A summary of local response to standards is attached.

STANDARD 2.1 ACCESS TO COURTS

Year 1-5	
NC	
PC	
C	
Reject	
Accept	

STANDARD 2.2 ACCESS TO LEGAL SERVICES

Year 1-5	
NC	
PC	
C	
Reject	
Accept	

STANDARD 2.3 ACCESS TO LEGAL MATERIALS

Year 1-5	
NC	
PC	
C	
Reject	
Accept	

STANDARD 2.4 PROTECTION AGAINST PERSONAL ABUSE

Year 1-5	
NC	
PC	
C	
Reject	
Accept	

STANDARD 2.5 HEALTHFUL SURROUNDINGS

Year 1-5	
NC	
PC	
C	
Reject	
Accept	

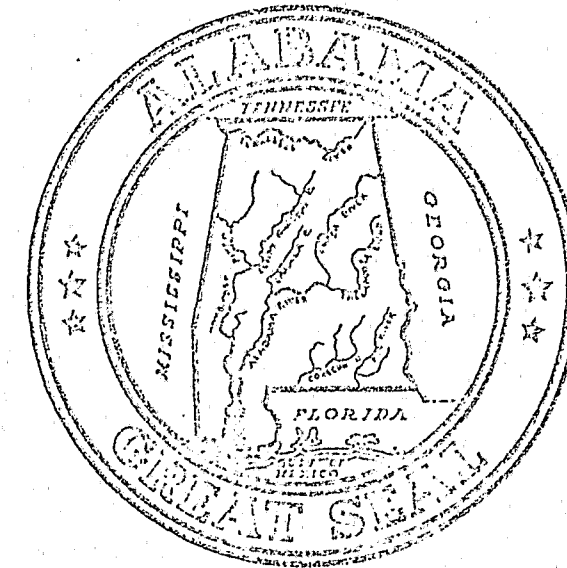
STANDARD 2.6 MEDICAL CARE

Year 1-5	
NC	
PC	
C	
Reject	
Accept	

Exhibit E

TABULATION SHEET

A WORKBOOK ON STANDARDS AND GOALS
COURTS



USING
THE COURTS TASK FORCE REPORT
FROM
THE STANDARDS AND GOALS PROJECT

GEORGE C. WALLACE, GOVERNOR
STATE OF ALABAMA

EARL C. MORGAN
Chairman, ALEPA

ROBERT G. BO DAVIS
Director, ALEPA

JOHN STARNES, Chairman,
Standards & Goals Project

RONALD M. SHUM & J. RAY SANFORD, JR., Project Directors
ALABAMA LAW ENFORCEMENT PLANNING AGENCY
BUILDING F, EXECUTIVE PARK, SUITE 49
MONTGOMERY, ALABAMA 36111

STANDARDS AND GOALS WORKBOOK PROJECT

Project Director

Ron Shum

J. Ray Sanford, Jr.

Police Specialists

J. Ray Sanford, Jr.

William L. Hobbie, II

Courts Specialists

Tom Collins

Mays Jemison

Doug Valeska

Everett B. Searcy

Corrections Specialist

Vergil Chames

Juvenile Specialist

Sandra Wrenn

Project Coordinator

Everett B. Searcy

Fiscal Auditor

Byron Higgins

Secretaries

Nancy Traylor

Eufraan Medley

Original Workbook Project Dates

9/1/75 - 12/21/75

Revised Project Dates

9/1/75 - 2/27/76 - 3/31/76

A L E P A
Standards & Goals Project
825 Adams Avenue
Montgomery, Alabama 36104
832-5932

Alabama Law Enforcement Planning Agency
2863 Fairlane Drive
Bldg. F, Suite 49, Executive Park
Montgomery, Alabama 36111
277-5440

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Step 3—Develop a Work Plan 9

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Preface

This handbook presents an effective local approach to utilizing recent reports on criminal justice standards and goals for planning improvements to the court functions.

Standards and goals for the improvements of the criminal justice system have been proposed by the National Advisory Commission on Criminal Justice Standards and Goals and by the American Bar Association Project on Minimum Standards Relating to the Judicial Function. Of particular interest to local officials, criminal justice planners, and court administrators is the National Advisory Commission's Report on Courts, which proposes and discusses a comprehensive series of standards, goals, and recommendations for improving the quality and effectiveness of local courts.

The current emphasis on standards and goals reflects a broad consensus that substantial change is needed in the structure and operation of judicial departments and in the process of formulating and carrying out Court policy. How to stimulate and bring about such change is nevertheless a complex and difficult problem. One approach is to use the Report on Courts as a catalyst for local review of the judicial function and to develop appropriate local standards and goals. Such an understanding should lead to a clear strategy for implementing improvements and mobilizing the support necessary to do so.

During the past year, many state and local governments have begun to review the national reports on standards and goals. Too often, however, review has been dominated by statewide processes that involve few, if any, local officials.

This workbook sets forth the techniques necessary to be used in the planning effort for Alabama's Judicial System. It presents a step-by-step analysis and planning necessary to lay the groundwork for the implementation of the myriad and often demanding standards and goals recommended by the Alabama Courts Task Force. Some of the benefits to be gained by engaging in the process include the creation of a base for future decision-making and the determination of preliminary budgetary projections.

The first two sections of this document are written primarily for Alabama's Judicial Circuits and other Judicial agencies in an 'executive summary' form. The remaining sections, though of interest to policymakers, are written primarily for criminal justice and court planning personnel.

Since the commencement of this workbook, the state Legislature has passed the new Judicial Article which implements the changes previously made in the Judiciary. Of particular interest to most of the state's Judiciary is the new District Court which is due to start being phased in after January 16, 1977. Hopefully, this workbook can be of assistance to local and state Executives and Administrative personnel responsible for implementation of the District Courts, as a starting place. (See Judicial Article, Act 1205, (1975)).

This workbook is patterned after a publication which was prepared jointly by the Criminal Justice Project of the National League of Cities and United States Conference of Mayors and the Pilot City Program of the Metropolitan Criminal Justice Center in Norfolk, Virginia, and we would like to express our gratitude to these agencies for their contribution.

of these are several "topic areas" (e. g. under Administration, a topic area might be "fiscal management"). The applicable standards, which are found in Section V, are listed beside each topic area. The principal planning task is the scheduling in a logical sequence of those actions necessary to meet accepted standards.

- A) Jurisdictional Ordinance creating department
- B) Relationship to city/courts
- C) Jurisdiction area (define circuit area)
- D) Case load per docket
 - 1) Percentage of docket criminal
 - 2) Percentage of docket civil
 - 3) Percentage of docket domestic
- E) Cases convicted, acquitted, and now proposed in past docket (%)

In Section III, Sequential Array of Actions, a prescriptive pattern of activities, or "actions," are listed in sequence, with an approximated number of person-days of effort required for each action. The Sequential Array takes the steps listed in Section II and presents them, primarily to give an idea of how much time will be required for each action.

Section IV is a Sample Work Plan which provides for time phasing and the assignment of implementation of responsibility. Like Section III it is to be used as a guide. Each department, of course, will want to generate its own workplan, based on the steps presented in Section II and the Sequential Array of Actions.

Section V, Standards and Goals Comparison Worksheets, contains worksheet pages on which are listed the Standards and Goals from the Report on Court's. Instructions for using these worksheets to compare one's own department to recommended standards are given at the beginning of this section.

Section VI consists of Task Planning Sheets, to aid planning efforts regarding the implementation of the standards and goals contained in Section V. They take each Area of Concern and the subdivided topic areas listed in Section II, with the applicable standards from Section V, and put them in the form of tasks, providing fundamental information required to indicate planning, timing, priority, and cost activities involved in each task. These sheets should be completed while referring to the comments and notations made on the Standards and Goals Comparison Worksheets. Again, each department will want to expand or modify the language and structure of these worksheets to meet its individual needs.

Section I

Background and Process

The National Advisory Commission on Criminal Justice Standards and Goals was established in 1971, "to formulate for the first time national criminal justice standards and goals to improve the Judicial System at the state and local levels." The comprehensive Report on Court's, developed by the Commission's Task Force on Court's, contains a wealth of information in support of its recommended standards and goals and addresses issues of concern to court personnel at all levels. For the purpose of comparing a department to the standards and goals and establishing requisite implementation plans, schedules, and budgeting projections, the recommendations may be usefully grouped into certain functional "Areas of Concern," which run throughout the national document (for example, personnel issues surface in at least six different chapters). We have further broken down these Areas of Concern into "topic areas".

Following the suggestions and steps which appear in the ensuing sections, any judicial agency should be able to measure its present level of activity against the standards recommended by the Alabama Court's Task Force. By engaging in this requisite analysis and deciding upon the department's acceptance or rejection, in whole or in part, of each standard (or modification thereof), a department can determine for itself its strengths and weaknesses and develop short-, mid-, and long range plans which are responsive to its needs.

Planning is a continuous process undertaken either to modify existing activities or to establish new ones; it is characterized in part by the correlation of activities with time frames.

For the purpose of this workbook, planning approaches can be conveniently labeled as short-, mid-, or long-range. Short-range approaches involve those actions to be studied and resolved within a one year period; for example, within a budget year. Mid-range planning normally encompasses a time period of from one to five years and long-range planning consists of the delineation of activities beyond five years.

In Section II, Analysis and Planning, each of the eight steps which we feel are necessary to relate Alabama's standards to a department's current operation and management are listed and briefly described. At the end of this section six major Areas of Concern (such as Administration) are listed, and under each

Section II

Analysis and Planning

Step 1: Gain Commitment of Decision-making Executives

If recommendations for change are to be seriously considered, it is essential that policy decisionmakers commit themselves and their departments to the planning process. If commitment is half-hearted, the results will not approach their full potential. Most judicial departments should be receptive to the development of a plan detailing departmental direction and budgetary projections.

Step 2: Determine Approach

There are several alternatives for implementing the planning effort. The possibilities include: use of planning unit personnel, reliance on an administrative assistant, assignment of selected individuals to each area, or formation of departmental task forces. We suggest that one individual be designed as project director and be held responsible for supervising and coordinating the analysis and implementation activities.

To the extent possible, the planning should be coordinated through local resources. Consultants may be used to enhance local planning participation, but should not have primary responsibility for plan or policy development.

Step 3: Develop Work Plan

Before any major effort can be undertaken, a work plan should be prepared. In one sense, this is a "plan to plan." The work plan should identify key tasks, cover review points, make assignments to individuals or groups, and provide for the scheduling of all activities to be accomplished, including the setting of target dates for completion. A work plan should be a dynamic document which acts as a guide but is flexible and responsive to external factors. Development of a work plan assures that the distribution and scheduling of work is reasonable and that individual assignments are understood and accepted by all concerned. Consideration should be given to all types of plans submitted related to the State of Alabama's Court System. A sample work plan is presented in Section IV as a general information file.

Step 4: Develop a General Information File

A general information file needs to be prepared to serve as a data base for evaluation efforts and to acquaint the project director (and others involved) with the resources of the judicial department and its organization and use.

Step 5: Compare Department to the Recommended Standards and Goals

To begin the analysis, a comparison of what exists vis-a-vis what is recommended is in order. To facilitate this process, we have included sample comparison worksheets (Section V) which lists all of the standards as they appear in the Report on Court's. The comparison worksheets are arranged so that a person knowledgeable in the department's administration and operation can determine whether or not the department is meeting in whole or in part, each recommended standard.

The first consideration in this comparison is the department accepts a given recommendation, in whole or in part. The second consideration is the correlation of recommendations made in past management surveys (both external and internal) to the newly recommended standards to determine why previous recommendations were not implemented, or if they might be more feasibly implemented.

Step 6: Establish Priorities By Year

After the scheduling of the specific topic areas over the five year period (less if appropriate for your jurisdiction) has been completed, it is necessary to prioritize all of the activities planned for each successive year. This not only allows for more specific time phasing, ("Let's get this done in two months!") but allows for re-examination of the total activities planned for a given year. It will not be unusual that to decide later than what was initially planned for the first year is either too much or too little. Some rearrangement of the general schedule will occur as a spin-off from in-year priority setting.

The priority scale may be numerical or alphabetical and can be whatever length needed. A one-to-five rating system is suggested. Participatory management can be encouraged by getting input at all levels during the priority setting process. The final decision on priorities should be made by the court administrator after receiving the recommendations of his staff, since he is ultimately responsible for program implementations, including the allocation of often scarce resources. It should be remembered that priorities provide a tool for planning and not an end in themselves. They are flexible and may change with external influences.

Step 7: Evaluate Process

Any effort worthy of understanding warrants evaluation. Evaluation of the effort requires comparing your initial level of staffing, organizational structure, resource utilization, manpower allocation, training and productivity, with levels of activity after changes have been made to determine the value of the change and direct future planning.

The evaluation plan should include the general information file mentioned previously and should address change factors at every level of the organization. There is nothing mysterious about evaluation. It is simply the process of determining whether goals and objectives were reached and if so, what changes both positive and negative, have been caused by the effort. The techniques of evaluation can range from simple comparison measurements to sophisticated attitudinal and victimization surveys. To assure validity, evaluations should not be conducted by those who planned or implemented the change or who for any other reason could be biased.

Step 8: Review Areas of Concern and Topic Areas

We have listed six areas of Concern--Administration, Personnel, Training, Operations, Support Services, and Extra-Departmental Co-operation, and Assistance--, and listed under each of these are several topic areas to be dealt with.

On the following pages we have listed each of the Standards from the Alabama Courts Task Force Report which apply to each of these topic areas. These Standards are contained in Section V of this workbook.

Section III

Sequential Array of Actions

The following twenty-one steps are based upon the previous discussion of process for analysis and planning (Section II), and provide guidance in a pattern only. The approximate person-days of effort required are projections based upon experience, and may vary with a different experience.



Indicates decision point.



Indicates activity requiring time.

SEQUENTIAL ARRAY OF ACTIONS

Step	Action	Person-days * Approximate days of Effort Required
1	Department decision to compare its organization and operations to the National Advisory Commission on Criminal Justice Standards and Goals Report on Courts (hereafter referred to as : STANDARD (S)).	None
2	Identify various approaches to the comparison and implementation process (staffing, assignments, etc).	2
3	Select the optimal approach for your department.	None
4	Develop preliminary time phase schedule (work plan) for program including detailed actions required to meet objectives including assignment of responsibility for each action. (See Sample - Section IV).	2
5	Brief department command staff.	1
6	Acceptance by command staff of time phase schedule.	None
7	Develop General Information File.	11
8	Compare organization to the recommended standards and goals and specify acceptance, rejection modifications, and additions; time phase by year.	10

* Person-days of effort is an approximate level of time required and not necessarily a span of time (i. e. two persons x 4 hours each = 1 person-day.)

CONTINUED

1 OF 2

In order to initiate a planning implementation effort of this magnitude, a work plan which assigns task responsibility and sets target dates for their completion is required. This sample work plan is enclosed for your use as a guide. Although they have proven to be realistic and workable, you may determine to adopt, reject, or modify the recommended actions and time frames to suit the demands of your own agency.

WORK PLAN FOR STANDARDS AND GOALS PROGRAM

Step	Action	Weeks																		
		0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18
1	Present work plan to command staff and court administrator and obtain acceptance																			
2	Develop General Information File Identify data elements Gather and analyze data																			
3	Compare department status to recommended standards and goals and time phase by year in order of implementation importance																			
4	Review past management studies of department and isolate recommendations on functions of department (and compare to recommended standards and goals)																			
5	Brief command staff on analysis and planning results and obtain acceptance of court administrator to proceed																			
6	Develop profiles of department +5 years +3 years +4 years +2 years +1 years																			
7	Identify and time phase required actions to achieve department profile																			

Section V

Standards and Goals Comparison Worksheets

This section contains analysis forms which can be used by a department to compare its current status in relation to the recommended standards and goals which are duplicated from the Alabama Courts Task Force Report. They are presented in a format conducive to comparative analysis. Utilization of these worksheets enables anyone knowledgeable in department administration and operations to compare departmental status with the recommended standards and goals.

INSTRUCTIONS FOR USING WORKSHEETS ABBREVIATIONS:

A	Accept
R	Reject
C	Compliance
PC	Partial Compliance
NC	Non-Compliance
I	Implementation
RS	Research :
1-5	Number of Years to Implementation

The person(s) conducting the analysis should read each standard and substandard while considering the following:

- (a) Do you accept or reject, in whole or in part, the standard or substandard? If you accept or reject, so indicate by placing an "A" (Accept) or "R" (Reject) in the appropriate column under the 'remarks' section.
- (b) Does your department presently meet or exceed the standard being reviewed? If so, place a "C" (Compliance) in the column marked "C". If you are in partial compliance, place "PC" in the column thus marked.
- (c) If the department does not meet the standard, place "NC" (Non-Compliance) in the appropriate column. If the department desires to implement the standard, determine the specific actions and their timing. Actions to be taken might include:
 - (1) Research - in cases where you deem it necessary to explore or study a subject before changing departmental organization, policies or procedures resulting in the recommended standard being met;

- (2) Implementation - the actual implementation of programs; actions, policies, and procedures resulting in the recommended standard being met. (Indicate by year (1, 2, 3, 4 or 5) when you wish to research (RS) and/or implement (I) the standard in the year column).

Example: if it is desirable to explore the feasibility of establishing a District Court in your jurisdiction, it may be necessary to research the topic and develop alternative approaches in the first year and you set a target date of five years for full implementation. Indicate this decision by placing "RS-1" (for Research - first year) in the year column; and "I-5" (for implementation - fifth year) in the same column.

In summary, successful use of the Standards and Goals Comparison Worksheets requires that you read and consider each standard carefully, proceed standard-by-standard as they appear, without skipping around, be as detailed and explicit as possible during the comparison, and write down your thoughts. (Use additional sheets of paper as necessary and attach to the worksheets).

Please Note: There are two copies of each standard. The second copy is for your agency. The first copy is to be sent to:

STANDARDS & GOALS PROJECT
Alabama Law Enforcement Planning Agency
Building F, Executive Park, Suite 49
Montgomery, Alabama 36111

Exhibit F

STANDARD 4.12
CONTINUANCES

Continuances should not be granted except upon a written motion and a showing of good cause.

STANDARD 4.13
JURY SELECTION

Questioning of prospective jurors should be conducted exclusively by the trial judge. His examination should cover all matters relevant to their qualification to sit as jurors in the case on trial. Attorneys for the prosecution and defense should be permitted to submit questions to the judge to be asked of the jurors concerning matters not covered by the judge in his examination. The judge should put such questions to the jurors unless they are irrelevant, repetitive, or beyond the scope of proper juror examination.

The number of peremptory challenges should correspond to the size of the jury and should be limited to multiple defendant cases. The prosecution should be entitled to the number of challenges equal to the total number to which the defendants are entitled.

STANDARD 4.14
JURY SIZE AND COMPOSITION

Juries in criminal prosecutions for offenses not punishable by life imprisonment should be composed of 12 persons. If a 12-member jury has been seated, a reduction in jury size during the course of a trial to not less than 10 members should be permitted where a jury member has died or is discharged for illness or other good cause. Persons 18 years of age and older should not be disqualified from jury service on the basis of age.

STANDARD 4.15
TRIAL OF CRIMINAL CASES

In every court where trials of criminal cases are being conducted, daily sessions should commence promptly at 9 a.m. and continue until business before the court is concluded in the opinion of the judge. Jury selection in the next case should start as soon as the jury in the preceding case has retired to consider a verdict.

All criminal trials should conform to the following:

1. Opening statements to the jury by counsel should be limited to a clear, nonargumentative statement of the evidence to be presented to the jury.
2. Evidence admitted should be strictly limited to that which is directly relevant and material to the issues being litigated. Repetition should be avoided.
3. Summations or closing statements by counsel should be limited to the issues raised by evidence submitted during trial and should be subject to time limits established by the judge.
4. Standardized instructions should be utilized in all criminal trials as far as is practicable. Request by counsel for specific instructions should be made at, or before, commencement of the trial. Final asserbing of instructions should be completed by support personnel under the court's direction prior to the completion of the presentation of the evidence.

STANDARD 6.1
THE COURT'S ROLE IN SENTENCING

Jury sentencing should be abolished in all situations. The trial judge should be required to impose a sentence that, within limits imposed by statute, determines the maximum period a defendant's liberty may be restricted. Within this maximum period, other agencies may be given the power to determine the manner and extent of interference with the offender's liberty.

STANDARD 6.2
UNIFIED REVIEW PROCEEDING

Every convicted defendant should be afforded the opportunity to obtain one full and fair judicial review of his conviction and sentence by a tribunal other than that by which he was tried or sentenced. Review in that proceeding should extend to the entire case, including:

1. The legality of all proceedings leading to the conviction;
2. Matters that have heretofore been asserted in motions for new trial; and
3. Errors not apparent in the trial record that heretofore might have been asserted in collateral attacks on a conviction or sentence.

	11th	12th	9-15
STANDARD 4.12 CONTINUANCES	✓	✓	
STANDARD 4.13 JURY SELECTION	✓	✓	
STANDARD 4.14 JURY SIZE AND COMPOSITION	✓	✓	
STANDARD 4.15 TRIAL OF CRIMINAL CASES	✓	✓	
1. Opening statements to the jury by counsel should be limited to a clear, nonargumentative statement of the evidence to be presented to the jury.	✓	✓	
2. Evidence admitted should be strictly limited to that which is directly relevant and material to the issues being litigated. Repetition should be avoided.	✓	✓	
3. Summations or closing statements by counsel should be limited to the issues raised by evidence submitted during trial and should be subject to time limits established by the judge.	✓	✓	
4. Standardized instructions should be utilized in all criminal trials as far as is practicable. Request by counsel for specific instructions should be made at, or before, commencement of the trial. Final asserbing of instructions should be completed by support personnel under the court's direction prior to the completion of the presentation of the evidence.	✓	✓	
STANDARD 6.1 THE COURT'S ROLE IN SENTENCING			
Jury sentencing should be abolished in all situations. The trial judge should be required to impose a sentence that, within limits imposed by statute, determines the maximum period a defendant's liberty may be restricted. Within this maximum period, other agencies may be given the power to determine the manner and extent of interference with the offender's liberty.	✓	✓	
STANDARD 6.2 UNIFIED REVIEW PROCEEDING			
Every convicted defendant should be afforded the opportunity to obtain one full and fair judicial review of his conviction and sentence by a tribunal other than that by which he was tried or sentenced. Review in that proceeding should extend to the entire case, including:			
1. The legality of all proceedings leading to the conviction;	✓	✓	
2. Matters that have heretofore been asserted in motions for new trial; and	✓	✓	
3. Errors not apparent in the trial record that heretofore might have been asserted in collateral attacks on a conviction or sentence.	✓	✓	

STANDARD 4.12

CONTINUANCES

Continuances should not be granted except upon a written motion and a showing of good cause.

STANDARD 4.13

JURY SELECTION

Questioning of prospective jurors should be conducted exclusively by the trial judge. His examination should cover all matters relevant to their qualification to sit as jurors in the case on trial. Attorneys for the prosecution and defense should be permitted to submit questions to the judge to be asked of the jurors concerning matters not covered by the judge in his examination. The judge should put such questions to the jurors unless they are irrelevant, repetitive, or beyond the scope of proper juror examination.

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STANDARD 4.14

JURY SIZE AND COMPOSITION

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STANDARD 4.15

TRIAL OF CRIMINAL CASES

In every court where trials of criminal cases are being conducted, daily sessions should commence promptly at 9 a.m. and continue until business before the court is concluded in the opinion of the judge. Jury selection in the next case should start as soon as the jury in the preceding case has retired to consider a verdict.

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3. Summations or closing statements by counsel should be limited to the issues raised by evidence submitted during trial and should be subject to time limits established by the judge.
4. Standardized instructions should be utilized in all criminal trials as far as is practicable. Request by counsel for specific instructions should be made at, or before, commencement of the trial. Final assembling of instructions should be completed by support personnel under the court's direction prior to the completion of the presentation of the evidence.

STANDARD 5.1

THE COURT'S ROLE IN SENTENCING

Jury sentencing should be abolished in all situations. The trial judge should be required to impose a sentence that, within limits imposed by statute, determines the maximum period a defendant's liberty may be restricted. Within this maximum period, other agencies may be given the power to determine the manner and extent of interference with the offender's liberty.

STANDARD 6.1

UNIFIED REVIEW PROCEEDING

Every convicted defendant should be afforded the opportunity to obtain one full and fair judicial review of his conviction and sentence by a tribunal other than that by which he was tried or sentenced. Review in that proceeding should extend to the entire case, including:

1. The legality of all proceedings leading to the conviction;
2. Matters that have heretofore been asserted in motions for new trial; and
3. Errors not apparent in the trial record that heretofore might have been asserted in collateral attack on a conviction or sentence.

Section VI

Task Planning Sheets

In this section, standards and goals task planning sheets are included to aid planning efforts regarding the implementation of standards and goals for the State of Alabama.

These sheets should be completed while referring to the comments and notations made on the standards and goals worksheets. The task planning sheets provide the fundamental areas required to indicate planning area, product, timing, priority, and cost. Local needs and purposes may require expansion, modification, or rejection of component parts of the information indicated on these sheets.

Description of Required Information

Budget Program: This space is for the inclusion of a budget program for those departments who are planning to use program budgeting.

Development Schedule: Place a check in the year or years in which research of the various alternatives or actions required for the department to meet or exceed the standards considered in this topic area will begin.

Implementation Schedule: Place a check in the year or years in which research of the various alternatives or actions necessary to meet the standards under this topic area will begin.

Review Schedule: Place a check in the year or years in which review of department status and progress in this topic area is required.

Priority: Indicate the year this topic is to be considered and its priority in relation to the other topic areas that fall in the same year. Priority setting should be accomplished after all tasks have been time phased by year. For example, if 20 out of the 43 tasks are to begin in the first year, rank the 20 task by number in order of priority. You may wish to use a standard code to designate the priority within a year. For example, a code using the numbers one, two, and three (the number one indicating a high priority within a year; two, a medium priority; and three, a low priority) would indicate a high in year priority, and consideration would be given that priority during the early part of the year. Likewise, if ranked as low priority, it would not warrant action until the latter part of the year.

Technical Assistance: While developing a topic area for implementation, outside assistance from other departments or organizations may be desired. The estimated expenditures for bringing a person to the department should be indicated by year. Estimates can be based on average round trip air fare, per diem expenses, and an average fee (if required).

Contractual Support: Consultants may be required to aid with technical considerations, plans (such as communications, studies, etc.) and implementation requirements. Indicate the estimated cost of the contract under the year in which it is planned.

Travel: It may be necessary for department personnel to visit other agencies to review their approach for replication. Estimate funds needed and indicate them by year. (Estimates can be based on average round-trip air fares and per diem expenses.)

Other: This is for any anticipated miscellaneous expenses, such as the cost for printing a departmental manual.

A sample task sheet precedes the ones included for your use. Review of the commentary (including rationale and examples) accompanying the various recommended standards and goals in the Report on Court's is necessary to fully appreciate their potential impact and effort.

Sample

STANDARDS AND GOALS TASK PLANNING SHEET

AREA OF CONCERN: Administration

TOPIC AREA: News Media Relations

APPLICABLE STANDARDS:

1.7 News Media Relations

BUDGET PROGRAM:

PURPOSE: To define and establish the relationship and communication flow between this department and the news media.

PRODUCTS: Developed guidelines to establish liaison, cooperation, and coordination between this department and the news media, including the dissemination of information within legal restraints and formulated policies and procedures.

	1st Year	2nd Year	3rd Year	4th Year	5th Year
Development Schedule	✓				
Implementation Schedule	✓				
Review Schedule		✓	✓	✓	✓
Priority	1	2	2	3	3

Fiscal Requirements

Technical Assistance	\$200.00				
Contractual Support					
Travel	\$200.00				
Other					
Total	\$400.00				

STANDARDS AND GOALS TASK PLANNING SHEET

AREA OF CONCERN: Administration

TOPIC: Policy

APPLICABLE STANDARDS:

- 1.1 Criteria for Screening
- 2.1 General Criteria for Screening
- 4.5 Pretrial Release
- 7.1 Judicial Selection
- 7.2 Judicial Tenure
- 9.2 Presiding Judge and Administrative Policy of the Trial Court
- 10.4 Representatives of Court Personnel
- 12.1 Professional Standards for the Chief Prosecuting Officer
- 12.2 Professional Standards for Assistant Prosecutors
- 12.6 Filing Procedures and Statistical Systems
- 13.5 Method of Delivering Defense Services
- 13.9 Performance of Public Defender Function

BUDGET PROGRAM:

PURPOSE: To embody the philosophies, principles, attitudes, values, and intentions of management.

PRODUCTS: Guidance and direction to assist the employee in determining his or her course of action and to provide legal protection for him/her when he/she follows that course. To be accomplished by the department and continual refinement of departmental manual.

	1st Year	2nd Year	3rd Year	4th Year	5th Year
Development Schedule	✓				
Implementation Schedule	✓				
Review Schedule		✓	✓	✓	✓
Priority	1	2	2	3	3
Fiscal Requirements					
Technical Assistance	\$200.00				
Contractual Support					
Travel	\$200.00				
Other					
Total	\$400.00				

STANDARDS AND GOALS TASK PLANNING SHEET

AREA OF CONCERN: Administration

TOPIC: Procedure

APPLICABLE STANDARDS:

- 2.2 Procedure For Diversion Programs
- 3.4 Time Limit On Plea Negotiations
- 3.5 Representation By Counsel During Plea Negotiations
- 3.6 Prohibited Prosecutorial Inducements To Enter A Plea Of Guilty
- 4.2 Citation And Summons In Lieu Of Arrest
- 4.7 Nonappearance After Pretrial Release
- 4.8 Preliminary Hearing and Arraignment
- 4.10 Pretrial Motions and Conference
- 4.15 Trial of Criminal Cases
- 5.3 Flexible Review Procedures
- 8.2 Administrative Disposition Certain Matters Now Treated As Criminal Offenses
- 10.5 Production Of Witnesses
- 13.16 Financing Of Defense Services

BUDGET PROGRAM:

PURPOSE: Methodology of implementing policies to achieve department objectives.

PRODUCTS: Required actions reflected in written procedures to be incorporated into department manual.

	1st Year	2nd Year	3rd Year	4th Year	5th Year
Development Schedule					
Implementation Schedule					
Review Schedule					
Priority					
Fiscal Requirements					
Technical Assistance					
Contractual Support					
Travel					
Other					
Total					

N O T E :

EXHIBIT "F" IS BUT ONE OF THE FOUR WORKBOOKS USED BY THE
STANDARDS AND GOALS PROJECT OF ALABAMA TO REACH LOCAL AGENCIES.
THE OTHER THREE WORKBOOKS WERE FOR THE "COURTS", "CORRECTIONS",
AND "JUVENILE" COMPONENTS.
