

SAINT LOUIS COMMISSION ON CRIME AND LAW ENFORCEMENT

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July 25, 1974

OTTO G. HEINECKE
EXECUTIVE DIRECTOR

NCJRS

SEP 16 1976

John S. Wilson, Project Director
Criminal Court Improvement Impact
22nd Judicial Circuit Court
Municipal Court Building
St. Louis, Missouri 63101

ACQUISITION

Re: Criminal Court Improvement
Impact-S-MP7-73
Final Evaluation Report

Dear Mr. Wilson:

Enclosed please find the final evaluation report for the above referenced project for the current award period. Your response to the report, in letter form, is requested within the next two weeks.

Specific questions relating to the report may be directed to the Evaluation Analyst listed below. Your cooperation and assistance are appreciated.

Sincerely,

Otto G. Heinecke
Executive Director

L. L. HOLMES

JUL 29 1974

RECEIVED

Evaluation Analyst: Robert S. Rosenthal

Enclosure
RR/OGH/dw

cc: William Abrams
Dr. Richard Barnes

Dr. Larry Holmes
Marc Dreyer

Judge James L. Sanders
William Taylor

36998

SAINT LOUIS COMMISSION ON CRIME AND LAW ENFORCEMENT

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PROJECT REVIEW AND EVALUATION REPORT

OTTO G. HEINECKE
EXECUTIVE DIRECTOR

Project: Criminal Court
Improvement Impact

Subgrant Period: 7-1-73 to 6-30-74

Project Number: S-MP7-73

Project Director: John S. Wilson -Court
Administrator

Subgrantee: 22nd Judicial Circuit Court

Authorizing Official: Honorable James L.
Sanders

<u>Grant Award:</u>	<u>Funding</u>
Federal	66,003
Local (cash)	10,000
Local (in-kind)	13,475
	<u>89,478</u>

Date of Report: July 25, 1974

The Criminal Court Improvement Impact project is a consolidation of two prior grants; Law Clerk Circuit Court Criminal Division S-MP14-72, and Circuit Court Improvement S-MP35-72.

PROJECT OBJECTIVES

The specific objectives of this project are:

- (1) Minimize delays in case processing,
- (2) insure the greatest number of case dispositions possible,
- (3) allow maximum courtroom time for both judges and court reporters,
- (4) allow the Court administration to operate more efficiently, and
- (5) assist the Criminal Division court reporters to remain as current as possible in the preparation of transcripts.

TABLE OF CONTENTS

Summary and Conclusions	2
Project Evaluation Report	3
Projective Objectives	4
Project History	4
Effort Expended Toward Meeting Project Objectives	
Assistant Court Administrator	5
Docket Controller	8
Law Clerk for Criminal Division	9
Swing Criminal Court Reporter	11
Stenographers	13

PROJECT
(S-MP7-73)

Summary and Conclusions

Most of the personnel positions provided under this grant were created under previous grants. The evaluation consists of an analysis of the services performed by these individuals under three Impact grants, the Law Clerk for the Circuit Court Criminal Division (S-MP14-72), the Circuit Court Improvement Project (S-MP35-72), and the Criminal Court Improvement Impact Project (S-MP7-73). A more rigorous evaluation of the impact on case processing will follow in October, when data recently supplied by the Court are analyzed. The present evaluation is based on interviews with project personnel and on their worklogs.

(1) Assistant Court Administrator

The Assistant Court Administrator functions mainly as a back-up for the Court Administrator. One of the main benefits of the Assistant Administrator's activities is that he has assumed many of the Administrator's responsibilities and is able to act in his absence, represent the Court at meetings with other agencies, and assist in relieving the judges of non-judicial matters thus enabling them to apply more time to judicial functions.

(2) Docket Controller

The Docket Controller expedites the flow of the criminal cases through the Court. By communicating well with the attorneys and the sheriff it appears that he has been able to cut the time between trials. Several innovative procedures have been implemented to enable a larger volume of cases to be heard, and to help speed up the trial process.

(3) Law Clerk for the Criminal Division

The Law Clerk keeps the judges informed of changes in federal and state laws by writing memoranda on important cases and then distributing it to the judges. In addition, he does research on specific topics as requested by the judges. Originally the Law Clerk worked exclusively in the Criminal Division; now, however, he spends the majority of his time on civil matters although his responsibility is to serve all the judges of the Court.

(4) Swing Court Reporter

The Swing Court Reporter periodically relieves the other court reporters from court room duties to permit them to remain as current as possible their court transcripts. This appears to be a sound approach towards controlling the transcription backlog.

(5) Stenographer

There are two stenographers hired under the grant. As expected, they are performing routine clerical and secretarial functions.

The data and methodology presently available do not permit assessment of the impact of any of these individuals on case processing or crime levels in the city. A future evaluation will examine the impact of this and a related project on the flow of cases in the Court.

PROJECT EVALUATION REPORT
CRIMINAL COURT IMPROVEMENT IMPACT PROJECT
S-MP7-73

The Criminal Court Improvement Impact Project began operation July 1, 1973.

The project is, however, a continuation of Court projects funded under previous grants.

This evaluation report includes discussions of:

- 1) project objectives,
- 2) project history, and,
- 3) effort expended toward meeting the objectives

Automated data recently obtained by the Evaluation Unit as a result of an automation program prepared for that purpose and recently completed by the Evaluation Unit will permit determination of the extent to which the project has met its overall objectives of improving court operations and reducing case processing delays. Because the data are to be extracted from the Court's computerized data base, a task involving the construction of several computer programs not now available, a decision was made to conduct a preliminary evaluation at this point, and to perform a more in-depth analysis, in a subsequent evaluation, for this and another project currently operational in the St. Louis Circuit Court (Court Automation S-MP13-72). Since both projects have similar objectives in that they both are directed to minimizing delays and maximizing efficiency in case dispositions and have been in operation simultaneously, the evaluation will examine their cumulative effects on Court operations. The projected completion date for the second evaluation, using the data recently supplied from the Court's automated data file, is October, 1974. In connection with that study, the judges and the Court Administrator have promised to be of assistance in helping to identify the reasons for any changes noted in Court operation or case processing time. A questionnaire survey of the judges will also be used to help measure qualitative aspects of the impact of these projects.

1. Project Objectives

The Criminal Court Improvement Impact Project seeks to improve Court operations and administration through the employment of personnel. Those employed under this grant include a law clerk, docket controller, assistant court administrator, swing court reporter, and secretary stenographer. The grant application states several tangible benefits to Court operations as a result of the implementation of this project:

1. Minimize delays in case processing,
2. insure the greatest number of case dispositions possible,
3. allow maximum courtroom time for both Judges and Court Reporters,
4. allow the Court administration to operate more efficiently, and
5. assist the Criminal Division Court reporters to remain as current as possible in the preparation of transcripts.

This evaluation consists of an analysis of the services performed by the personnel employed under the grant. As stated previously, a subsequent evaluation will examine the impact of the project on court operations.

2. Project History

The Criminal Court Improvement Impact Project continues positions created under previous grants. The positions of docket controller, assistant court administrator, swing criminal court reporter, and the secretary to the Criminal Assignment Judge, were created under an LEAA discretionary grant (71-DF-626) in February, 1971. Upon termination of the discretionary grant in October 1971, the cost of these positions was assumed by an Impact grant (Circuit Court Improvement Project, S-MP35-72). The Law Clerk was employed under a separate Impact grant (Law Clerk for the Circuit Court Criminal Division, S-MP14-72), in December 1972. In July 1973, at the suggestion of Region V personnel, the Impact grants were combined into the Criminal Court Improvement project.

Since most of the positions filled under the Criminal Court Improvement grant predate the project, it is doubtful that any dramatic changes will be observed subsequent to its implementation. Since the beginning of the Criminal Court Improvement Project however there have been innovations instituted.

3. Effort Expended Toward Meeting Project Objectives

Information was collected from those employed under the Project by the use of worklogs, and by the use of interviews. The law clerk, assistant court administrator, stenographer, and docket controller were also asked to include improvements or innovations instituted by them under the current grant, however none were submitted.

(a) Assistant Court Administrator

The position of Assistant Court Administrator was created July 7, 1971, and has been funded by grants since its inception. The position has generally come to be viewed as a stepping stone to other legal work (i.e. not a career job). It is a position requiring a high level of training but has limited funding available to pay for the salary. The current Assistant Administrator is the third to hold that position; his predecessors resigned to accept professional work with at a higher salary than was available at the Court.

Worklogs completed from January 21 - April 24 indicate responsibilities the Assistant Administrator has been delegated. Table I illustrates the approximate percentage of his time allocated to the various functions.

The Assistant Administrator works closely with the Administrator. As Table I indicates, the Assistant Administrator has only a few distinct responsibilities assigned to him. For the most part he shares the day to day administrative problems and responsibilities with his superior. On those days when the Administrator is called away from the office, his assistant assumes full responsibility.

TABLE I

RESPONSIBILITIES OF THE ASSISTANT COURT
ADMINISTRATOR AND PERCENTAGE OF TIME
DEVOTED TO EACH

FUNCTION	PERCENTAGE OF TIME ALOCATED TO EACH RESPONSIBILITY
Back-up Court Administrator or other Court Administrative Matters.	55%
Handling Court Correspondence	16%
Managing the Mental Docket	16%
Attending Seminars on Court Administration	4%
Administering Federal Grants	4%
Preparing Minor Judicial Actions	1%
Assisting in Court Automation	1%
Preparation and Maintenance of Court Statistics	1%
Others	2%

Some of the specific tasks delegated to the Assistant Court Administrator include managing the mental docket, handling correspondence, and administering the federal grants.

The mental docket includes those cases in which the defendant is claiming mental incompetency or insanity as a defense. In such instances the defendant must submit to a mental examination in the state mental hospital located in Fulton. In order to keep this procedure operating smoothly the Assistant Administrator must co-ordinate the activities of the Court, the Jail, the mental institution, the sheriff and the respective legal counsel.

Several innovations have been implemented with regard to the mental docket since this project began. A set of standardized forms have been devised to handle the usual paper work involved in processing the defendant through the examination. A computer printout is also being used to provide accurate data on the state of the active mental docket. This gives the Court a record of the status of all those who were to have had a mental examination. In addition the Assistant Administrator coordinates the transportation of prisoners between the jail and the hospital to facilitate as few trips as possible for the sheriff, saving both time and energy. He provides a similar function with regard to post conviction remedies by coordinating trips between the jail and the penitentiary.

The Assistant Administrator handles correspondence directed to the Court from the prisoners. These letters include inquiries regarding legal questions, such as how much time has been credited against their sentence. Previously these were handled by individual judges or members of their staffs.

Some other functions handled by the Assistant Administrator include handling most of the paper work involved with federal grants, and performing the duties of the docket controller when necessary, i.e. when on vacation, ill etc.

(b) Docket Controller

The general responsibilities of the Docket Controller include controlling and expediting the flow and processing of the criminal cases by the Court. This entails the assignment of cases to particular trial divisions for trial or other proceedings, and the notification of these case assignments to the defense attorney, Circuit Attorney, Sheriff, and Criminal Court Clerk. He is also responsible for any actions requested by the criminal Assignment Judge aimed at expediting a particular case disposition.

The present Docket Controller has held that position since its creation in August 1971. Prior to the employment of a docket controller the Presiding Judge of the Assignment Division would assign a case to a trial division, whereupon the clerk of that division contacted the respective attorneys. By employing a docket controller the Court has expedited the assigning of cases, shortened the time lag between the time when a case is assigned and when it starts, and thus has assisted in the increased number of cases heard. The Docket Controller utilizes his time as set out in the narrative of the grant application; any variances, however, cannot be ascertained without submission of the worklogs provided him (none of those provided him were submitted).

Several innovations have been implemented under the current grant. A weekly automated docket information sheet is utilized; this contains the assignment date, attorney's name, whether the defendant is bonded or confined, and previous continuances. This gives the Docket Controller information useful in setting priorities for assignment of cases, and it also provides the Assignment Judge with information on which to base his decision regarding whether or not a continuance should be granted for any given case.

Another innovation involves notifying attorneys on Friday that their trial will begin on Monday morning. Previously the Monday trials were delayed while the weekly docket was called.

To reduce the backlog and provide speedy trials, the docket controller has assigned criminal cases to the civil division during a general term. Also letters have been sent to the Warden of the jail, asking him to ascertain which prisoners wished to have their trial date advanced and promising prompt action on such requests; of the fifty odd responses to these inquiries only four or five had been found to have meritorious requests which could be coordinated with their counsel. These cases were given priority treatment in being assigned out to trial.

Of all those who are employed under this grant, the docket controller appears to be the one with the greatest potential effect on reducing case processing delays.

(c) Law Clerk for the Criminal Division

The position of law clerk in the criminal division was established December 1, 1972. Although the same person has been employed in this position from the beginning, his activities have changed substantially. His activities are best discussed in terms of pre-August 1973, and post-August 1973 operations.

Prior to 1973 the law clerk was located in the Municipal Courts Building, in close proximity to most of the Circuit Court criminal divisions. One of the Law Clerk's functions was to read legal periodicals and law cases to keep the judges informed on changes in the law. This included reading St. Louis appellate cases, Missouri Supreme Court cases, and United States Supreme Court cases. A synopsis was then prepared on those cases which were determined to be of general interest to the judges. In addition the Law Clerk regularly reviewed the Criminal Law Reporter and law reviews originating from the Missouri Law schools, summarizing articles affecting the Circuit Court.

The other function of the Law Clerk involved carrying out research for the individual judges. One of the major tasks assigned the Law Clerk by a judge was research of the bail bond system in the Circuit Court, done at the request of Judge McMullen. Among his recommendations were that the bondsmen file net worth statements regularly with the Clerk of the Court, and that the Clerk keep a list of bonds outstanding. This procedure would reveal those bondsmen who would not be in a financial position to deposit funds in case of a bail bond forfeiture.

Research was also undertaken regarding administrative matters (how the Court should operate). The docket calander system was revised based on research done by the Law Clerk.

As of August 1973 the Law Clerk was moved from the Municipal Courts Building to the Civil Courts Building. The move was made to enable the Law Clerk to devote some of his time to the Civil Division. Since the Circuit Court has only one law clerk it was felt that his skills could be best utilized in this manner. By situating the Law Clerk in the Civil Courts building, he is saved time otherwise spent going from the Municipal Courts Building to the Law Library and the Appellate Court, both located in the Civil Courts Building.

His work now includes researching civil as well as criminal cases, and procedural and jurisdictional questions. Although he is "on call" in the criminal division, the Law Clerk indicates that the majority of his time is spent on civil matters. More specifically, the Law Clerk also indicates, most of his work originated from the equity divisions of the Court. Since judges rotate between the civil and criminal divisions of the Court, it is important for them to keep up with changes in all areas of the Law. Thus research on civil cases may free some of the time a criminal judge might otherwise spend following changes in the civil law. In addition, cases heard by judges in equity and not

yet ruled upon by them are carried by them to the next Criminal Division. The Law Clerk's activities in the Civil Division may thus be construed as very indirectly effecting the Criminal Justice system.

The Law Clerk has provided the Court with a valuable service. The judges are kept up to date on changes in the Law, and pressing issues are being researched. This assists the judges to be as current as possible on the latest appellate decisions in handling cases and also frees some of their time for other judicial functions.

There is a serious question, however, of the appropriateness of funding the clerk's work for the civil division with Impact funds. It is not questioned that by dividing the law clerk's time between the civil and criminal division his time is utilized more efficiently. The issue revolves on whether or not research on civil cases provides benefits to the criminal justice system. Since there is only one Law Clerk for the Circuit Court, time spent working for the civil division must necessarily detract from time he could be spending working directly for the criminal division. The primary purpose of each Impact project is to help cut crime in St. Louis. If the work in the Civil Division does not contribute directly to Impact crime reduction it should not be funded under an Impact Grant.

(d) Swing Criminal Court Reporter

The position of the Swing Court Reporter was created under the Circuit Court Improvement project in October, 1972. Currently there are two swing court reporters in the criminal division of the Circuit Court; only one is employed under the Impact grant, the other is being paid from city funds.

The Swing Court Reporter relieves the regular Court reporters in the criminal divisions for a week at a time, and gives that court reporter an opportunity to remain as current as possible and to catch up on some of the backlog.

The main benefit of the services of the Swing Court reporter relates to speeding up the process of preparing transcripts for appellate purposes. Transcripts are required for all guilty pleas and for all convictions, so the criminal transcript load is substantial.

There has been another attempt to ameliorate the transcript backlog problem using Impact funds. Although the 22nd Judicial Court did not administer this project, it relates to efforts at speeding up the process for preparing transcripts for appellate purposes. In June, 1972 the Court Transcription Backlog project was instituted to automate the Court transcription process. It was anticipated that by using computers a transcript could be printed for any case in no more than a few days. This project was abandoned when it was found that the objective was not yet technologically feasible. The Swing Court Reporter provides an interim solution to the problem.

Another method which has been suggested for reducing the transcription backlog is to encourage attorneys to request only those parts of the transcripts which are relevant to their appeals. The law does not require the entire transcript be printed; in fact, the appellate judges are granted the authority to require an attorney ordering a transcript to pay the expense of printing the irrelevant sections. By employing partial transcripts, time is saved in transcribing, and in reading the transcript. It should be pointed out that this also is outside the control of the Circuit Court.

The Swing Court reporter clearly helps the other court reporters catch up on their backlog. The use of the Swing Court Reporter is probably the most practical approach toward handling the court transcript backlog problem at the present time.

(e) Stenographers

There are two stenographers employed under this grant, one works directly under the Assignment Judge and the other works for the Criminal Division. The stenographer for the Criminal Division, works as a secretary for judges assigned to the Criminal Divisions, and for persons connected with the Court Administrator's Office, including the Administrator, Assistant Administrator, Law Clerk, and the Pre-Trial Release Advisor. In addition she takes dictation from the judges on the Court as needed, and provides complete secretarial services to any judge as requested. Other activities of the stenographer include xeroxing, answering the phone, delivering material, filing, and working with court statistics. On the basis of worklogs submitted by the stenographer, she divides her time by devoting 50% to typing, 25% to taking dictation from the judges, and 25% to remainder of her activities.

The best procedure to measure the benefits provided by the stenographers appears to be to question those for whom they are providing services. This will be included in a subsequent evaluation. The stenographers seems to be providing a needed service to the Court, but the nature of the position is such that it is hard to measure any direct impact on the criminal justice system, and particularly on crime rates in the city, although it may be said to have an indirect effect since the net result of the stenographers efforts are to expedite the business of the Court.

Status Report

Project: Criminal Court Improvement

Grant Award: \$240,093

Project Number: 74-MPdl-SL34

Subgrant Period: 7-01-74
6-30-75

Subgrantee: 22nd Judicial Circuit
Court

Project Director:
John Wilson

Date of Report: April 30, 1975

Program Analyst: Bill Taylor ^{WET}
BNO

Authorized Official:
Hon. William Buder

Present Status/Summary of Activities:

This project is presently operating at full strength with a complete staff and no vacancies projected in the near future. Greyling Love, the new Assistant Court Administrator, is assuming more responsibility for the operations of the Court Administrator's office in the 22nd Judicial Circuit and has become quite well acquainted with the workings of the court system.

Mr. Ron Cornelison, the 21st Judicial Circuit Court's staff person for the \$150,000 REJIS portion of this subgrant, has been making equipment purchases and has submitted a budget revision to allow the 21st Circuit to complete all purchases projected with High Impact funds. This budget revision is presently being processed at the State and Federal levels and an approval is expected shortly.

It is anticipated that the scheduled termination date of June 30, 1975 will need to be extended slightly in order to allow complete expenditure of funds, especially those expenditures relating to the purchase of equipment for the 21st Circuit. As budget projections are formulated a more specific termination date will be established.

Until December, 1973 an in-house programmer was employed by the Court Administrator's office to perform everyday maintenance and updating duties associated with the Court's computer system. From December, 1973 to June, 1974 Bill Tucker of REJIS was contracted to perform these duties. In June Mr. Tucker was assigned by REJIS to work on corrections programming. Therefore Mr. Wilson's office has been without a programmer since that time.

Recently a contract has been negotiated with Designed Computer Systems, Incorporated to provide programming services to the Court Administrator's office. These services should begin on May 5.

The funding situation for continuance of this project is presently in a state of flux. The Court is requesting funds in the amount of \$100,315.50 from Region 5 of the Missouri Council on Criminal Justice. These funds are to cover the Court Administrator's office in fiscal year '76. In addition, a budget of \$76,325 has been submitted to the Board of Estimate and Apportionment which has approved the request and passed it on to the Board of Aldermen for consideration. As more details concerning future funding of this project become available a more detailed fiscal analysis will be outlined in the

next monthly Status Report.

Problems/Need For Further Action:

The only difficulty surrounding the administration of this project is the acquisition of funds for fiscal year '76. Although it is not anticipated that any serious impediments will be encountered, it will be necessary to monitor the negotiations for future funding rather carefully. Again, more detail will be furnished in the next monthly Status Report.

END

7 10/25/1964