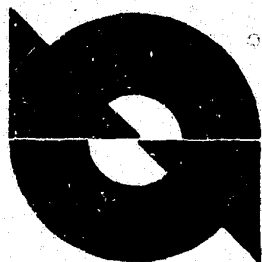


U.S. Department of Justice  
Washington, D.C. 20350  
FJRP-78/001



# Federalism and Assistance to State Court Systems 1969 to 1978

by Ralph N. Kleps

Federal Justice Research Program  
Office for Improvements in the  
Administration of Justice

July 1978

64687

July 1978

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ACQUISITIONS

FEDERALISM AND ASSISTANCE  
TO STATE COURT SYSTEMS  
1969 TO 1978

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Support for this project was provided by the Federal Justice Research Program under contract number J-42672. Points of view or opinions expressed in this document are those of the author and do not necessarily represent the official position or policies of the U.S. Department of Justice.



# United States Department of Justice

## OFFICE FOR IMPROVEMENTS IN THE ADMINISTRATION OF JUSTICE

WASHINGTON, D.C. 20530

### Preface

The past decade has witnessed the development of a phenomenon new to the administration of justice in this country: the provision of federal financial assistance to state courts. During this period, millions of dollars in federal funds have been made available to the states and to private organizations for the purpose of improving the operations of state courts.

Federal financial support of state judicial activities may have far-reaching implications, not only in terms of the quality of justice available in state courts, but also in terms of federal-state relations and the independence and diversity of state judiciaries. Yet, despite such implications, no comprehensive examination of the practice, or analysis of its actual or potential impact, has yet been undertaken.

Recognizing that a prerequisite to such an undertaking is the development of adequate data concerning the subject, the Department of Justice's Federal Justice Research Program, in 1978, contracted with Ralph Kleps, an experienced state court administrator, to undertake a survey of the experience of states with federal programs that have provided financial assistance to state court systems during the past ten years.

The report does not purport to be an exhaustive accounting of all federal financial assistance that has reached state courts. Neither does the report attempt to provide detail on federal assistance reaching state courts through federal grants to private organizations for projects that benefit state judicial systems. Rather, it focuses on the extent of state use of Law Enforcement Assistance Administration funds from 1968 to 1978 for court projects.

August 15, 1978

ERRATA PAGE - Report on Federalism and  
Assistance to State Courts - 1969 to 1978

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p. vi - insert:

APPENDICES

APPENDIX A. Methodology of the Study

APPENDIX B. Charts Showing the Experience  
of 25 States

- p. 7 - change "report" to "chapter" in line 8
- p. 21 - change "Georgia" to "Alabama" in the footnote
- p. 88 - insert "Chapter I" in footnote 10 before "fn.1"
- p. 90 - change "produce" to "produces"
- p. 91 - change "charterize" to "characterize" in line 2
- p. 97 - change "Aster" to "Astor" in fn.14
- p. 98 - insert "largely" before "derived" in the last  
sentence of fn. 15

## CONTENTS

	<u>Page Number</u>
ACKNOWLEDGEMENTS	1
SUMMARY OF FINDINGS AND CONCLUSIONS	11
CHAPTER I. INTRODUCTION	
CHAPTER II. THE STATE EXPERIENCE WITH FEDERAL GRANTS	
A. Types of Federal Funding	7
B. National Highway Traffic Safety Grants	10
C. Law Enforcement Assistance Administration Grants	14
1. Alabama	19
2. California	26
3. Georgia	45
4. New Jersey	56
5. New York	68
6. Washington	79
7. Summary of LEAA Experience	88
CHAPTER III. OTHER ASSISTANCE TO STATE COURTS	96

## ACKNOWLEDGEMENTS

This study was performed under a contract with the United States Department of Justice. It is a research project of the Federal Justice Research Program, which is administered by the Department's Office for Improvements in the Administration of Justice. The statements, findings and conclusions in this report are those of the author and not necessarily those of the Department of Justice or of the Office for Improvements in the Administration of Justice.

Deep appreciation is expressed to the many state court administrators, state planning agency executives and to their staffs for generous assistance in providing the information needed in making this report. Acknowledgement is also made to the Law Enforcement Assistance Administration's Adjudication Branch (James B. Swain, Dennis R. Murphy and Carolyn Burstein) and to the National Highway Traffic Safety Administration's Adjudication Branch (George D. Brandt) for valuable help with the project.

Professional assistance in connection with the study was rendered by Norman E. Woodbury and Jon D. Pevna, and statistical analysis and secretarial services were performed by Patricia P. Kleps and Cathy Rodgers.

## SUMMARY OF FINDINGS AND CONCLUSIONS

### OVERVIEW

This report summarizes the experience of the 50 states over the past 10 years with the use of federal funds for state court improvement. It explores the question of whether federal controls have followed the federal dollars and gives an in-depth analysis of the experience of the states of Alabama, California, Georgia, New Jersey, New York and Washington. The report is confined to true court projects, narrowly defined, and it constitutes a preliminary survey of the impact upon state court systems of federal assistance programs during the past decade.

### STATE EXPERIENCE WITH FEDERAL GRANTS

#### Types of Federal Funding

Among the federal funding programs the Law Enforcement Administration's grants have been the most widely used by state court systems and have had the greatest impact upon them. National Highway Traffic Safety Administration grants are the next most widely used, but they are far behind LEAA' totals. Federal revenue sharing, Comprehensive Employment Training Act (CETA) grants, Employment Development Act (EDA) and other federal assistance programs are also used by state courts, but those programs are not specifically targeted toward court im-

provement. The LEAA programs dominate the field.

#### National Highway Traffic Safety Grants

NHTSA grants are targeted for traffic court improvement, but the allocation of funds is made by state highway safety agencies. A limited amount of money has been provided for state court systems and the recent federal emphasis has been on development systems of administrative adjudication for minor traffic offenses.

#### Law Enforcement Assistance Administration Grants

The expenditure of LEAA grant funds, as reported by state court systems, is presented in the report and is summarized for the 10 years covered. Data was provided by 31 states, and it is analyzed in detail for the 6 states in which interviews were also conducted. The grant management information contained in LEAA's Profile System for state court grants was also analyzed, but it is incomplete and does not furnish a reliable basis for assessing federal impact upon state court systems in the absence of state additions and corrections for the entries that it does contain. In the 6 state group that was analyzed in detail LEAA's Profile System contains 28% of the grant award total reported by the states as part of this report.

##### 1. Alabama

The Alabama court system has spent 4.5 million dollars over the 10-year period, with 1.9 million



dollars coming in discretionary grants and 2.6 million dollars in block grants. Virtually all of the money was spent at the state level (94 percent) and the most significant impact was found in the devising and execution of a master plan for judicial reform. A professionally staffed Administrative Office of the Courts and a Judicial Planning Committee were instituted through the use of LEAA grants.

## 2. California

The California courts used 23.5 million dollars in LEAA grants, consisting of 2.0 million dollars in discretionary funding and 21.5 million dollars in block grants (of which 15.7 million dollars was spent at the local level of government). The creation of the Center for Judicial Education and Research, a Calendar Management Technical Assistance Team, a Judicial Planning Committee and a number of research studies were the major projects at the state level; improved court management resulted from a number of projects that were completed at the local level. Local government spent 8.1 million dollars in California on court automation and information system projects.

## 3. Georgia

LEAA grants for the Georgia courts totaled 3.8 million dollars, divided between .76 million dollars in discretionary grants and 3.1 million in block grants. Discretionary grants set the stage for a court moderniza-

tion program that led to the creation of a functioning Judicial Council/Administrative Office of the Courts. Court organization and management projects have accounted for 38 percent of the funds expended and have supported a Judicial Planning Committee, public information projects, and judicial education and research.

#### 4. New Jersey

The New Jersey court system received 13.6 million dollars over the 10-year period, divided into 2.7 million dollars in discretionary funds and 10.9 million dollars in block grant funds. The state level grants provided assistant trial court administrators, set up special processing procedures for cases having unusual impact, instituted pretrial intervention programs and set up an appellate court screening staff. Federal funds were used for court information systems at the local level (\$2.4 million), but substantial amounts of discretionary and block grant money is being used to create a state judicial information system (SJIS).

#### 5. New York

LEAA grants to New York totaled 31.8 million dollars, with 13.4 million dollars in discretionary grants and 18.4 million dollars in block grants. A major use of grant funds was to create a management and planning unit in the Office of Court Administration

(\$1.9 million) and to develop a judicially managed criminal history and statistics system (\$4.1 million). Large grants of discretionary funds were used to create special narcotics courts (\$8.0 million).

#### 6. Washington

Washington received 4.3 million dollars in LEAA grants, divided into .55 million dollars in discretionary funds and 3.7 million dollars in block grants. Its largest expenditures were for court information systems (\$1.8 million), with 93 percent being spent at the state level. A major revision of appellate rules and procedures was funded, and substantial programs in judicial education and research were conducted with grant funds.

#### 7. Summary of LEAA Experience

Although LEAA's grants to state court systems have been placed at the 715 million dollar level in the past, the amount reported by court systems themselves is calculated at 229 million dollars over the 10-year period. State courts do not report any serious interference with judicial independence by federal funding administrators but several states are willing to terminate their use of the program because of the cost, the delays and the unnecessary paperwork involved. Notwithstanding these factors LEAA has been the single most

powerful impetus for court improvement during the study period and significant judicial changes have resulted in many states.

#### OTHER ASSISTANCE TO STATE COURTS

Although a few private foundations have assisted state courts by funding projects for improvement, the total amount of aid from private sources is minimal. Federal funds have provided the major impetus for those private organizations that engage regularly in court improvement programs.

## CHAPTER I. INTRODUCTION

This report summarizes the experience of the 50 states with respect to federal programs that have provided financial assistance to state court systems during the past 10 years. That experience has raised novel issues in federal-state relations with which state court systems have had no prior experience. It has been pointed out, in the clearest terms, that federal dollars have nearly always brought federal controls and that federal funding of state court systems is a dramatic departure from the traditions of our first 150 years.<sup>1/</sup> This study is designed to explore, preliminarily, whether the recent experience of the states gives a substantial basis for concern in this respect and whether the expenditure of federal dollars is viewed by state court leadership with favor or disfavor. Such an examination is particularly timely in view of the thought that is currently being given to the role of the federal government in connection with justice system improvement throughout the United States.

This study follows and builds upon the information contained in two prior reports in the same field, both funded

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<sup>1/</sup> See Daniel J. Meador, "Are We Heading for a Merger of Federal and State Courts?," 17 The Judges Journal (Spring 1978), 9 (American Bar Association, Judicial Administration Division). See, also, Assistant Attorney General Meador's presentation of the Robert Houghwout Jackson Lecture at the National Judicial College, Reno, "The Federal Government and the State Courts" (Oct. 14, 1977).

by the Law Enforcement Assistance Administration (LEAA).<sup>2/</sup> Those reports were undertaken to provide specific information on the amount of federal LEAA funds that were being provided to state court systems under the Omnibus Crime Control and Safe Streets Act of 1968, as amended. They also addressed the contention that state judicial systems were underrepresented in the administration of that program.

The 1975 Report of the Special Study Team played a very significant role in the 1976 restructuring of LEAA and it led, among other things, to the creation of judicial planning committees in the states and to an increased emphasis on providing an adequate share of LEAA funds for state court systems. It is only tangentially useful in connection with the present study, however, since it was not concerned with the uses to which available money had been put. The 1976 Analysis of LEAA Block Grants is more useful because for a limited time span it does undertake to describe the amounts of money that were granted to state courts in percentage terms and in dollar amounts.

The 1976 Analysis, however, was subject to very serious limitations on the availability of data, and those limitations are explicitly set forth in the report. The information

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<sup>2/</sup> American University, Criminal Courts Technical Assistance Project, Washington, D.C. Irving, Haynes and Pennington, "Report of the Special Study Team," (1975); Haynes, Lawson, Lehner, Richards and Short, "Analysis of LEAA Block Grants," (1976).

that was used was derived exclusively from LEAA's Grants Management Information System (GMIS). Discretionary grants were excluded and only the block grant information that had been reported to GMIS by the states was available. The period 1972 to 1975 was covered in the report, but information for only 36 states was available for 1972, 1973 and 1974 and information for only 32 states was available for 1975. The GMIS data base was thought to be substantially complete only for the years 1972 and 1973.<sup>3/</sup> Because the LEAA computer printouts furnished the only information usable for the 1976 Analysis, that study was based on LEAA's broad "adjudication function" category that includes prosecution, defense and law reform grants. The report also makes it clear, as was true in this study as well, that the LEAA data is incomplete in a variety of ways. State information is incompletely reported to Washington, update reports are fragmentary (canceled awards, modified awards, sums actually spent, etc.) and the coding of the information for data entry is done in Washington from inadequate project titles and descriptions. Notwithstanding its limitations, however, the 1976 Analysis furnished a valuable starting point for the present undertaking.

The present study undertakes a far more extensive

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<sup>3/</sup> LEAA's grants management information system is now called the "Profile System" and printouts from it covering both discretionary and block grant awards were furnished to all 50 states as part of this research study. The years 1972 to 1978 were included.

inquiry than has been attempted before, but it is more narrowly confined to true court projects.<sup>3a/</sup> Both discretionary and block grant awards are included; LEAA's Profile System printouts (1972 to 1978) for all court grants were furnished to each of the 50 states; and each state was asked to submit project summaries covering the state's use of LEAA funds for the full 10-year period. In six states (Alabama, California, Georgia, New Jersey, New York and Washington) in-depth interviews were conducted that make it possible to give a detailed review of their experience with LEAA funding. (See Chapter II-C of this report.) In addition those six states, project-by-project summaries were submitted by state court administrator's offices in 25 states.<sup>4/</sup> Only in 19 states are the conclusions contained in this report based solely on LEAA computer printout figures. Because of the differing bases from which the experience of the states has been derived, the three categories of states will be referred to from time to time throughout this report as: "the 6 State Group," "the 25 State Group," and "the 19 State Group."

Some of the special problems confronted in connection with this study should be mentioned. States were asked to identify grants by project year and in the tabulations

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- 3a. The study is limited to "court projects" in the narrow sense, that is, projects sponsored by a judicial agency or projects that were carried on within a judicial system. It does not include probation projects or projects dealing with prosecutors or defenders.

4/ Alaska, Arizona, Arkansas, Florida, Hawaii, Idaho, Illinois, Kentucky, Maine, Maryland, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, Nevada, North Carolina, Oregon, Rhode Island, Tennessee, Texas, Vermont, Virginia and Wyoming.



made for the report the year is identified by the grant award date or the start date. In the case of states that used a fiscal year identification, the beginning of the fiscal year is used as the start date in the absence of more detailed information. Categorization of grants was difficult because the information given was simply the project title in many cases, and the division between state level grants and local grants is somewhat arbitrary since it is not always clear whether a grant was made at the state level or at the local level. If the grant was made to a local court, however, it has been treated as local money unless there is some indication that a state level program was involved. There are often differences between the LEAA computer printout and the state report in the amount for a particular grant. In such cases the state figure is used, on the theory that those closest to the expenditure are most likely to have the best information on the amount spent.

Finally, it should be noted that this is a survey report; it does not purport to present an auditor's cost accounting as to the expenditure of federal funds. It is based upon the data and views that could be furnished on short deadlines. That information is inevitably incomplete at both state and federal levels, and it is apparent that some states were unable to furnish any detailed information at all concerning their use of federal funds within the short time allotted. The report does not attempt to evaluate the success of the

projects listed by the states, except to the extent that continued state financing of a federally instituted program might be taken as proof of success.

## CHAPTER II. THE STATE EXPERIENCE WITH FEDERAL GRANTS

### A. Types of Federal Funding

It will be apparent from the data presented in this report that the Law Enforcement Assistance Administration's grants have been the most widely utilized and that they have had the greatest impact upon state court systems. The next most widely used federal assistance has been provided by the traffic safety grants of the U. S. Department of Transportation's National Highway Traffic Safety Administration (see Section B of this chapter). Detailed information has been made available concerning both of these programs and that information has been provided from both the national and state levels. The projects discussed in this report, and the conclusions that are stated, are entirely based upon these two programs. As between the two, however, the LEAA grants are so overwhelming in amount as to make it almost unnecessary to consider any other program, so far as impact on court improvement is concerned.<sup>5/</sup>

The other federal programs that are widely referred to include federal revenue sharing, grants under the Comprehensive Employment Training Act (CETA) and public works

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<sup>5/</sup> In the 6 State Group, only three states (California, Georgia and Washington) reported traffic safety grants. In those states the LEAA grants totaled \$33,693,000 and the NHTSA grants added up to \$1,236,000.

grants under the Employment Development Act (EDA). A number of states have referred to the use of these programs for court projects, but no state level office furnished any detailed information concerning the amounts of money spent in their states. New York undertook to make a rough calculation as to the percentage of the state budget that was met by federal revenue sharing money. It was concluded that, since 6 to 10 percent of the state's budget was met from federal sources it might be appropriate to assume that the court budget was to that extent partially financed by federal funds. (See Chapter II-C-5 of this report.) No impact on specific New York court improvement could be attributed to those federal funds, of course, since they simply took their place as part of the general revenue upon which the court system depends. Local revenue sharing projects are mentioned in some states but, since the funds are administered by the local governmental units, they also tend to be absorbed into the operating revenues of the governmental entity and to have no specific impact upon court betterment. In any event, no specific dollar amounts were provided concerning the federal revenue sharing impact on courts, either from the state or federal levels.

CETA funds and EDA funds have been used for court operations in a number of states and they, too, have been at the local level. Very few state level offices have the responsibility or the capacity to report concerning the details of these programs. In Georgia, however, fairly detailed information has been published concerning the use of EDA funds for

courthouse renovation and concerning the use of CETA funds to provide law clerks and other support personnel for the trial courts. (See Chapter II-C-3 of this report.) Arizona also reported some specific dollar amounts for the use of CETA funds and federal revenue sharing in 1976-1977. These funds are made available to local government and, insofar as court systems are concerned, the funds are used to meet local obligations. In most states those obligations include the providing of court facilities and support personnel, and the decision as to how federal funds are used in meeting local obligations is not one that state level offices participate in to any great extent. Consequently, there is little or no central information in the states concerning the use of these funds for court purposes. Other federal programs that were mentioned, without any specific data being submitted, were the grant programs of the Intergovernmental Personnel Act and of the Department of Health, Education and Welfare.

The common thread in all of these general revenue supplement programs, however, is that they are without any specific emphasis on court improvement. As budget supplements, they make it possible for a court to function more easily in the local environment but, unlike the LEAA and the NHTSA grants, they are not specifically aimed at court problems. As to these general federal assistance programs, therefore, it is not possible to answer the question posed for this study, that is, what federal expenditures have had significant value in the improvement of state court systems?

## B. National Highway Traffic Safety Grants

A federal grant program specifically aimed at the traffic courts of the nation is operated under the Highway Safety Act of 1966, as amended. Under that act the Secretary of Transportation has adopted a Highway Safety Program Standard for traffic courts, Standard B.7.1 (1967), whose purpose is to promote prompt and impartial adjudication of traffic cases in the states and to promote uniformity in traffic court proceedings. The traffic court standard grew out of concern expressed by the American Bar Association, the Conference of Chief Justices and other national organizations concerning conditions in traffic courts, and the National Highway Traffic Safety Administration (NHTSA) has devoted a major share of its effort to improving operations in those courts.<sup>6/</sup>

Under Section 402 of the Act matching-grant funds are apportioned to the states to carry out traffic programs that are in accord with the standards promulgated by the Secretary of Transportation. NHTSA reports that, through February 1978, a total of 9 million dollars has been expended on this program and that some 18.4 million dollars have been spent on programs of training, research and demonstration under

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<sup>6/</sup> See U. S. Department of Transportation, Secretary of Transportation's Report to Congress, "An Evaluation of the Highway Safety Program" (July 1977), pp. III - 28 to 31.

Section 403 of the Highway Safety Act. These funds have been spent in the traffic adjudication area under Traffic Court Standard B.7.1 and most of the expenditures have dealt with improved adjudication procedures, both within traffic courts and through administrative programs.<sup>7/</sup>

In recent years NHTSA has devoted major attention to the effort to relieve traffic courts of some of their caseload burdens by developing programs for the administrative adjudication of minor traffic cases, usually called traffic infractions. Section 222 of the Highway Safety Act of 1973 calls upon the Secretary of Transportation to file annual reports concerning state efforts to create a traffic infraction category of cases (in states that still treat such offenses as crimes) and to promote the administrative adjudication of these minor cases.<sup>8/</sup> Much of NHTSA's recent effort has been in this field and in the states of Rhode Island and Washington it has funded for three years Special Adjudication for Enforcement (SAFE) projects. (See Chapter II-C-6 of this report.)

The national data furnished for this report does

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<sup>7/</sup> Letter from George D. Brandt, Chief of Adjudication Branch, April 21, 1978. See fn. 5.

<sup>8/</sup> National Highway Traffic Safety Administration, Report on the Administrative Adjudication of Traffic Infractions (1977), 27 pp.; same, supplement (1977), 83 pp.; same (1975), 85 pp.; same, supplement (1976), 14 pp. Also, George D. Brandt, "Improved Highway Safety Through Improved Adjudication Procedures" (1973), 56 Judicature 358.

not include any information on specific projects funded by the states with money allocated to them under Section 402 of the Highway Safety Act. Those funds are administered by the executive branches of the various states, through their highway departments or motor vehicle departments, and it is probable that information as to specific projects cannot be obtained in at the federal level.

The information submitted by the states is colored by the fact that traffic courts are not infrequently outside the area of central judicial administration's responsibility. In some states traffic courts are municipal affairs and it is not possible for state level court administrators to report upon their activities or their sources of revenue. In several of the state reports submitted for this study, therefore, reference was made to the use of NHTSA grants within the state, but no specific project information was given. In this report the federal traffic safety grants that were reported by the states can be found on the charts prepared for each state as a separate line at the bottom of the chart, indicated in yearly amounts. The national totals over the 10-year period for 31 states are as follows:



## National Highway Traffic Safety Grants

### 6 State Group

3 states reporting grants (California,  
Georgia, Washington) \$ 1,236,000

### 25 State Group

7 states reporting grants (Alabama,  
Arkansas, Florida, Minnesota,  
Nebraska, Nevada, Oregon) \$ 1,247,000

In terms of the basic questions asked in this study, it is clear that the judicial leadership of the states looks with favor upon the grant programs of NHTSA insofar as they have been available for traffic court improvement. Federal influence is not cited as a problem even though it is apparent that the federal funding is designed solely to implement policies that are framed in Washington. Since the funds are allocated directly to the states, however, the policy issues are raised and debated in the state environment and the actual use of the funds is dependent upon state executive decision making.

A number of state court systems have not been able to utilize the program because funds are not allocated to them by the state executive agencies. At least one state court administrator expressed general approval of the NHTSA grant program while regretting the fact that no funds had been made available to the court system in his state. The highway safety program is also viewed with approval because,

at least as contrasted with LEAA's procedures, the grant process is relatively uncomplicated.

C. Law Enforcement Assistance Administration Grants

This section of the report presents a detailed examination of LEAA grants to state courts over the past 10 years. The data submitted by the states is contained in chart form, and for the 6 State Group each state's chart immediately follows the text discussion of that state's experience. The charts for the 25 State Group will be found in Appendix B and, since the only information available for the 19 State Group comes from the LEAA Profile System, no specific state data is presented with respect to those states.

Reference has already been made to the gaps in information that existed in LEAA's grants management information system from 1972 to 1975. (See Chapter I of this report.) Earnest efforts have been made to improve the system in the past few years, particularly with respect to court data, but the deficiencies still exist as the system's managers are prompt to point out.

Even the discretionary grants that are awarded from Washington and administered there are omitted in part from the Profile System. But as to information concerning LEAA block grants made to courts by state planning agencies, the Profile System data is so incomplete that state administrators universally relied upon their own information rather than the

federal computer printout. The following list shows the LEAA grant totals (1) as submitted by the 6 State Group, (2) as submitted by LEAA's computer for the 6 State Group, (3) with LEAA totals as percentages of the state totals, and (4) with LEAA discretionary grants reported by the 6 State Group as percentages of their own block grant awards:

	<u>State Report</u>	<u>LEAA Report</u>	<u>LEAA Report as a percent- age of state report</u>	<u>State's discre- tionary grants as a percentage of its block grants</u>
Alabama	4,490,000	2,032,350	45	42
California	23,528,000	1,866,230	8	9
Georgia	3,848,000	1,049,803	27	20
New Jersey	13,624,000	3,867,223	28	20
New York	31,762,000	13,302,271	42	42
Washington	4,317,000	736,121	17	13
	<u>81,569,000</u>	<u>22,853,998</u>	<u>28</u>	

Another, and more dramatic example, of this condition of the federal records is illustrated by Maine, whose 10-year experience as one of the 25 State Group was calculated in terms of the categories of grants reported by LEAA and by the state. Those figures (in thousands of dollars) are:

	<u>Org.</u>	<u>Proc.</u>	<u>Sent.</u>	<u>Educa.</u>	<u>Equip.</u>	<u>Info.Sys.</u>	<u>Research</u>	<u>Total</u>
Maine								
(state data)	722	75	0	105	54	0	86	1,042
(LEAA data)	31	0	0	37	1	0	0	69

These figures can be duplicated in the experience of the remaining 44 states and they illustrate the extent to which

LEAA's effort to keep track of the expenditure of federal funds in the state court systems has been unreliable. The figures also show, as would be expected, that the degree of completeness of state data in the Profile System rises in direct proportion to the percentage of discretionary Washington grants that have been made to the state.

The LEAA "adjudication function" category that includes precourt diversion, prosecution, defense and law reform has already been mentioned. (See Chapter I of this report.) Despite the incompleteness of the Profile System's entries, as a result the system still contains many entries that do not constitute "court projects" in the specific sense used in this study. Those entries have been deleted for the purpose of compiling the statistical data used in this report.

Finally, the data entry problems that have always plagued LEAA's grants management information systems are still present. Entries are coded in Washington from bare project titles and there is little or no update information provided with respect to them. Grant award amounts are used rather than grant expenditure amounts and the project may have started long after the award date that LEAA uses. Worse yet, information concerning block grants has to be derived from reports made by state agencies to LEAA and those reports are not made with any great degree of reliability and

consistency.<sup>9/</sup> In states that have a high concentration of national organizations, such as Colorado (National Center for State Courts, Institute for Court Management), Illinois (American Bar Association, American Judicature Society, Conference on Uniform State Laws), Nevada (National Judicial College) and New York (Institute for Judicial Administration), their state LEAA computer totals include grants made to those organizations for national studies. The most dramatic example of the consequences of this kind of programming is illustrated by Colorado where the LEAA computer run shows 17.5 million dollars as the state total for discretionary grants, but shows that only three of them (\$ .23 million) were for state court purposes.

It should be said at this point that the managers of the Profile System are fully aware of these deficiencies and are attempting to correct them. Their assistance in connection with this study has been helpful and none of these observations is intended to make their situation more difficult. It is nevertheless true that neither state court systems, LEAA administrators nor Congress or the President

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<sup>9/</sup> One of the minor mysteries that arose during this study is the fact that, in state after state, LEAA's Profile System reports judicial training grants in the \$250 to \$750 range but omits virtually all of the state judicial projects of major substance in the same states. Hundreds of these "expense account" entries are contained in the system even though they are primarily local in nature and could not have been reported by state administrators (who certainly would not omit the significant projects in favor of the relatively insignificant ones).

can expect to obtain reliable information on state court LEAA grants from the Profile System at this time. In fact, a fundamental question exists as to whether a central computer in Washington, forced to rely on periodic state reports concerning federal fund expenditures in their states, can be expected to provide the state data that is needed for informed decision making in Washington.

1. Alabama

a. Law Enforcement Assistance Administration Grants

Block grant funds were not put to use in the Alabama court system until 1972. Early discretionary grants were used, however, for an educational seminar at the appellate level in 1970 (\$ .36 million) and for a circuit court management study in 1971 (\$ .46 million).

Commencing in 1972, and continuing until the present time, Alabama has placed a high priority on the expenditure of both discretionary and state level block grant funding upon the organizational and management problems of its court system. The major expenditures took place in this field (22 grants averaging \$ .14 million each). The 3.0 million dollars that were spent in this area constitutes 67 percent of all LEAA funds reported to have been used in Alabama.

Five discretionary grants, made from 1973 to 1978, were used to aid in the implementation of the Alabama Courts Master Plan and to set up a planning unit in the Administrative Office of the Courts (\$ 1.3 million).

Over the same period, in a program that is still continuing, the Alabama court system has utilized 1.1 million dollars of block grant money in providing management services to the judicial system as a whole. These grants have made it possible to organize and to staff a state level management office for the court system that could deal with the constitutional reorganization that was adopted in Alabama in 1974 and 1975.

The LEAA grants made possible the drafting of a five-year Comprehensive Master Plan for the Alabama Courts, and then provided very substantial funding to enable the court system to carry on a program of implementing the constitutional and statutory changes that resulted. The then Chief Justice of Alabama expressed the view that LEAA funding had contributed significantly to the reform of the court system in Alabama from 1972 to 1975.<sup>1/</sup> Commencing in 1977 the planning function in the courts has been supported by the annual \$50,000 grant that has been made available to judicial planning committees in Alabama and in other states. Meantime, a 1978 grant that provides management services to the unified court system (\$ .21 million) supports a staff of four professionals and seven clerical employees who would not otherwise be available to assist the Administrative Office of the Courts.

Block grant funds have also been used over this period to provide support personnel. State level funds have provided trial court administrative positions for a year or so in at least two counties and, commencing in 1977, a substantial amount of funding was provided for state level positions (\$ .19 million). These grants funded additional court reporters, secretaries and other support personnel.

The Alabama system did not use its funding on programs affecting court procedure to any great extent. In 1977

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<sup>1/</sup> Letter from Chief Justice Howell T. Heflin to LEAA Administrator Richard Velde, November 5, 1975.



and 1978, however, a pretrial release program was instituted in one circuit court under the sponsorship of the Administrative Office of the Courts (\$ .06 million) and it provided two professional positions and one clerical position to carry on the program.

In addition to the discretionary educational grants that were previously mentioned, Alabama used .32 million dollars in LEAA funding for educational grants. Sixty five percent of all the grants made in Alabama were for educational purposes (82 out of 127). Most of these grants occurred at the local level, however, and they averaged a little over \$2,000 each, being used primarily to send Alabama trial judges to educational programs organized outside the court system. In 1977 and 1978, however, state level LEAA funds were allocated to preparing a judicial education plan and to conducting a jury management conference and training sessions for trial court personnel (\$ .15 million). An effort is now being made to raise private funding to institute a continuing judicial education program in the state.<sup>2/</sup>

The only Alabama expenditures of LEAA funds for equipment and facilities occurred at the state level during the years from 1975 to 1978. Nine grants were used for micro-filming projects and for other equipment purchases at the state and trial levels (\$ .23 million). Court information systems have not been funded with federal funds in Alabama insofar as block grants are concerned, but in 1976 and 1978

<sup>2/</sup> It is reported that LEAA is reluctant to continue or extend its extended financing of the Alabama educational program.

Alabama accepted two discretionary grants totaling \$398,000 and agreed to undertake a state judicial information system (SJIS) project, as have a number of other states.

A modest research program has been conducted with LEAA funding in Alabama (\$ .33 million). These grants funded a study of appellate court operations, started a permanent study commission on the judiciary, dealt with state and trial court management problems, and examined criminal code revision.

LEAA funds reported for the Alabama court system total 4.5 million dollars over the 10-year period, divided into 1.9 million dollars in discretionary funds and 2.6 million dollars in block grants. Virtually all of the block grant funding was spent at the state level (94 percent) and all of the money spent at the local level went for judicial educational purposes. As previously mentioned, 67 percent of all LEAA funds used in the state went into organizational and management projects.

b. Other Federal Funding

No report was made from Alabama concerning the use of federal funding other than that provided by LEAA although some commentators referred to the possible use of traffic court grants from the Department of Transportation.

c. Alabama Comments

It is generally agreed by those who were interviewed

in Alabama that the most significant federal projects were those that enabled the state to construct a master plan for judicial reform and to implement the changes that resulted. These grants included the supplying of personnel as well as the funding of the research studies that preceded the changes, and they involved both the appellate and the trial courts of the state. In addition, administrative staff support was provided to some trial courts with state block grants and some equipment was provided at both the state and local levels. The general picture is one of an understaffed, underfunded and poorly organized judicial system that was given the funding impetus and support needed to convert it into a more modern system.

Only LEAA funding is cited in Alabama with respect to court improvement, and no private funds have been made available although some effort is being made to secure private funding in the field of judicial education. Private agencies have been helpful in rendering technical assistance to the state. The National Center for State Courts is mentioned as being particularly helpful in that respect. The University of Alabama has assisted with judicial educational programs and the American Judicature Society is credited for its help in arranging citizens' conferences on judicial reform.

The executive branch is viewed as having controlled the allocation of funds and as having had only a limited interest in court problems until about 1974. Since the 1976

changes in the LEAA enabling legislation and the creation of a judicial planning committee, however, court problems are being treated more fairly. The Legislature has played a very limited role but it has provided the necessary matching funds and has been generally sympathetic to court reform efforts. Local government has not had a significant role in connection with the use of LEAA funds in Alabama except for the trial court programs of judicial education and training.

Alabama has been successful in having federally funded projects picked up by the state, particularly where personnel projects were involved, and that is true also at the local level. The usual complaints were voiced concerning bureaucratic red tape and delay in the federal funding process, and limitations on the amending process for grants were also cited as creating difficulty in administering the program. No complaints were made of federal interference or pressure in connection with Alabama's experience.

Formal evaluation reports have been used minimally but Auburn University has engaged in evaluations of trial court educational programs and trial court administrator positions. Alabama has a federal-state Judicial Council which meets at the time of the Fifth Circuit Conference sessions, and it is said to have made a significant contribution to cooperation between the state and federal judges.

Alabama has had a good experience with the use of federal funds and it seems clear that it is prepared to continue to participate in any future programs of that nature.

## State

Discretionary:	(9)	1,870,000	<u>**</u>
Block - state:	(45)	2,452,000	
local:	(73)	168,000	
Total	:(127)	4,490,000	

\*/ In reviewing a draft of this chart the Alabama Administrative Office of the Courts undertook a more extensive search of the state archives and fiscal records to make a detailed check of local grants (not part of the AOC function until 1977). On July 26, too late for any revision of the text, they telephoned the following corrected figures:

Discretionary:	(9)	1,870,000
Block - state:	(43)	2,150,000
local:	(387)	<u>2,264,000</u>
Total	(439)	6,284,000

## 2. California

### a. Law Enforcement Assistance Administration Grants

California presents a unique picture in its court improvement use of federal grant funds. Its difference from the usual pattern is indicated by a comparison with New York, the only other state comparable in population in this six-state sampling. California utilized 368 grants in comparison with New York's 85, and 272 of those grants (74 percent) were used for trial court problems by local units of government. Putting the situation another way, two-thirds of all the LEAA funds provided for court purposes in California (\$ 15. million) were expended at the local level of government. This is, of course, consistent with the Law Enforcement Assistance Administration's guidelines which mandate that up to 75 percent of the funds made available to the courts must be "passed through" to local government.

In California the central administration of the judicial system has had very little to do with the way in which funds were expended at the local level, at least until well after the establishment of the Judicial Planning Committee. California has subdivided its 58 counties into 21 planning regions for LEAA grant purposes. Local block grant funds were allocated regionally so that trial courts were required to compete with agencies of local government for a share of the available LEAA funds within their region.

Another interesting comparison with New York is

found in the fact that only 2.0 million dollars, constituting 8.5 percent of the total amount (21 grants) were provided in discretionary funding in California, as contrasted with New York's discretionary grants of 13.4 million dollars (17 grants constituting 42 percent of the total amount).

California's expenditures in the area of organization and management were substantial (\$ 6.7 million). That category constituted the second most substantial one in California's use of federal funds, following closely behind the 8.5 million dollars spent on court information systems. As already indicated, the major proportion of the expenditures for organization and management occurred at the local level of government where 78 projects accounted for 3.3 million dollars of block grant money and for all of the discretionary funding. From 1970 to 1977 about .77 million dollars were expended on 11 discretionary grants to trial courts. They covered management studies of the trial courts in Ventura and San Diego Counties, an "alternative processing" system in Los Angeles County and the installation of a municipal court executive officer in the Compton Municipal Court (Los Angeles). These trial court discretionary projects were funded directly from Washington without consultation with the state court administrative structure at least until 1977.

Until the creation of the California Judicial Planning Committee by a 1973 statute, local projects also were

funded without review or comment by the state level administration of the court system.<sup>1/</sup> The block grant funds spent at the local level for 78 organization and management projects covered a wide range, from the provision of trial court administrators and executive officers to efforts to improve specific aspects of the court operations in a particular county. Calendar management projects were undertaken and funds were put into recordkeeping improvements, forms analysis and traffic court improvements.

At the state level the earliest block grant was made in 1970 and it was devoted to an updating and an evaluation of California's weighted caseload system (\$ .07 million).<sup>2/</sup> In 1971 an LEAA grant (\$ .12 million) provided for the creation of the Chief Justice's Select Committee on Trial Court Delay. It created a major program for trial court

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<sup>1/</sup> Calif. Pen. Code, §§ 13800-13834; Stats. 1973, ch. 1047. For a history of the California background for the creation of the Judicial Planning Committee, see 1974 Judicial Council Report, pp. 13-16. This was the first such judicial planning committee in the country and was the forerunner of those provided for other states by the 1976 amendment to the Safe Streets Act. Since 1974 the annual reports of the Judicial Planning Committee have covered the use of LEAA funds in California in complete detail. The 1977 Annual Report contains a compendium of all federal projects since 1969.

<sup>2/</sup> 1972 Judicial Council Report, pp. 61-63; Arthur Young & Company, Final Report: A Study of the Weighted Caseload System (1971), 80 pp. A later update of the time values was undertaken with block grant funds in 1973 (\$ .06 million). See 1974 Judicial Council Report, p. 93; Arthur Young & Company, Final Report: Judicial Weighted Caseload System Project (1974), 70 pp.



improvement, including a recommendation for the unification of California's municipal and superior courts and for a regional system of state court administration.<sup>3/</sup> In 1971 and 1972, also, the early stages of a state level calendar management program were funded using the Sacramento and San Francisco Superior Courts as operating bases (\$ .16 million). This project was continued by the Judicial Council from 1974 through 1976 (\$ .41 million), and the Calendar Management Technical Assistance Team was continued in 1977 as a permanent part of the Judicial Council's operations.<sup>4/</sup>

Other state level block grants enabled the Judicial Council to undertake important management projects:

- (a) to establish a trial court coordinating position at the state level to assist trial courts with federal grant programs (1973 to 1976, \$ .14 million);
- (b) to establish criteria for branch court operations and for nonjudicial staffing of trial courts (1972, \$ .22 million);
- (c) to establish a Judicial Planning Committee (1974 to 1977, \$ .30 million);

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<sup>3/</sup> See, Select Committee on Trial Court Delay, Final Report No. 6 (June 1972), 114 pp.

<sup>4/</sup> See, 1974 Judicial Council Report, p. 94. From 1973 on, an annual listing of state level block grant judicial projects is contained in Judicial Council reports. See, 1973 Judicial Council Report, pp. 170-172; 1974 Judicial Council Report, pp. 91-94; 1975 Judicial Council Report, pp. 61-64; 1976 Judicial Council Report, pp. 72-77; 1977 Judicial Council Report, pp. 174-177; and 1978 Judicial Council Report, pp. 56-58.

- (d) to test videotape usage in trial courts (\$ .18 million); and
- (e) to undertake the drafting of uniform statewide juvenile court rules (\$ .09 million).

In all, some 2.6 million dollars of state level block grant funds were expended over the 10-year period for 34 projects dealing with the organization and management concerns of the California court system.

A limited amount of federal funding was used in the area of court procedure (17 projects, totaling \$ 1.1 million). Discretionary funds were used in 1971 (\$ .08 million) in Santa Clara County for a pretrial release program, and discretionary funds were also used in Sacramento County in 1972 for a demonstration project in preparing court transcripts from electronic recordings (\$ .12 million). The only other discretionary project in this category of court procedure was in the Municipal Court of Los Angeles where .51 million dollars was expended from 1974 to 1976 on a witness coordination project.

A substantial amount (\$ .30 million) was spent during the 10-year period at state and local levels for 11 projects that dealt primarily with jury management. In addition, a major undertaking, funded with block grant funds awarded to the Judicial Council, was utilized by the National Center for State Courts to design management standards for the handling of jurors and witnesses (\$ .09 million).

Experimentation with sentencing alternatives and

with court referral programs took place entirely at the local level in California. Some 50 grants, totaling 2.1 million dollars were made over the 10-year period. Grants for this purpose were made each year and they were scattered widely throughout the state, both at the superior and the municipal court level.

A pretrial intervention program received funds in Sonoma County (1972 to 1975, \$ .39 million) and a bail release program was funded in San Francisco in 1971 (\$ .16 million). Block funds were used for 81 grants that provided education and training programs both at the state and local levels (\$ 2.9 million). The most significant educational project for the judiciary was the creation of the California Center for Judicial Education and Research, a project that used 1973 to 1975 state level block grants (\$ .73 million). These grants created a permanent agency for continuing judicial education in California and they set the stage for its continuation by state appropriations in 1976 and thereafter. From 1976 to 1978 a project was funded, again by block grant funds awarded to the Judicial Council, to create an orientation program for new trial judges (\$ .33 million). Lesser grants have been made to enable the Center for Judicial Education and Research to publish manuals and benchbooks for the use of the trial judges of the state.

Another major educational venture was the funding of a project designed to explain the operations of the judicial system to teachers and students ("Project Benchmark").

Over a four-year period commencing in 1972 grants totaling .17 million dollars were made to the California Judges Association for this project. Other state level grants provided for workshops, institutes and training programs for trial court presiding judges, administrators and clerks. Finally, in 1971 and 1972 some .34 million dollars of block grant funding was used to create a graduate degree program in judicial administration at the University of Southern California, a program that has been continued with private funds.

At the local level 57 grants totaling 1.1 million dollars were made to establish local training programs in a number of areas throughout the state. Nearly all of the California funds expended for educational purposes, including those at the local level, were designed to create training programs rather than to pay expenses of attendance at programs conducted outside the judicial system.

There was a small expenditure of federal funds for equipment and facilities in California. No discretionary or state level block grant funds were reported in this category and eight grants totaling .36 million dollars were reported at the local level. These local projects were, for the most part, minor acquisitions of business equipment for trial courts.

In the automation and court information system category, California spent the greatest amount of federal funds, and nearly all of it was at the local level of government

(\$ 8.1 million, or 96 percent of the total amount expended in this category). The only discretionary money used for information systems in California was used in connection with the state judicial system (SJIS) project. The Judicial Council conducted a pilot project to determine the feasibility of California's attempting to install a state level judicial information system along the lines being devised at the national level. This discretionary grant (\$ .14 million) financed an experimental project in the superior court and in one municipal court in Alameda County. The project resulted in the conclusion that, although such a system would be conceptually workable, no economic feasibility existed that would warrant further federal expenditures or any commitment on the part of the state to install such a system.<sup>5/</sup> There were relatively minor expenditures of block grant funds at the state level in this field, consisting primarily of a 1971 examination of the extent to which data processing was in use in the California court system (\$ .20 million).<sup>6/</sup> In 1974 and 1975, also, .08 million dollars was expended for the position of information systems coordinator at the state level. This position was thereafter continued on the Judicial Council staff by state appropriations in order for the Administrative Office of the Courts to keep itself informed

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<sup>5/</sup> Judicial Council Advisory Committee, Report on California Experimental Project for a State Judicial Information System (1976), 52 pp.

<sup>6/</sup> Arthur Young & Company, Final Report for an Integrated Court Automation Information System (1972), 2 vols., 60 pp. and 75 pp.

concerning developments in the use of automation systems in trial courts. The coordinator also monitored the state level law enforcement computer systems used for maintaining criminal history files and court dispositions of criminal cases.<sup>7/</sup>

At the trial court level one discretionary grant was used in the Sacramento Superior Court to design a court information system. The vast bulk of such expenditures, however, came from local block grant funding. These local projects were individually designed and very little state level uniformity has been achieved. Automation projects were funded widely throughout the state at all court levels. Major programs were undertaken by the San Francisco Superior Court (\$ 1.3 million), by the Santa Clara Superior Court (\$ 1.0 million), by the San Joaquin County Superior Court (\$ .48 million), by the Los Angeles Municipal Court (\$ .43 million), by the San Bernardino Superior Court (\$ .76 million), by the trial courts in San Diego County (\$ .30 million), and by the trial courts in Orange County (\$ 2.6 million). These projects were undertaken in conjunction with county data processing offices and have resulted, for the most part, in court operating procedures that are integrated with the general operations of county government.

In the research field only three discretionary

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<sup>7/</sup> See, 1974 Judicial Council Report, pp. 16-21.

grants were made devoted to projects of special interest to LEAA's Washington office, and they were granted without consultation with the state's judicial administration. As part of a national program for "impact cities," a 1974 discretionary grant was made in Santa Clara County (\$ .13 million), and two projects were funded in 1977 for Whittier College's School of Law to study space management as related to judicial administration and to study the reduction of delays in metropolitan criminal courts (\$ .21 million).

Unlike other categories of California expenditure, more research projects were funded with state block grant funds than with local. Overall, 27 grants were made for research purposes at both levels. Block grant funds were used by the Judicial Council for a number of significant projects including:

- (a) a study of procedures for measuring the impact of legislation upon the state's judicial system (1973 to 1975, \$ .22 million);<sup>8/</sup>
- (b) a study of the language needs of non-English speaking persons in the California court system (1975 to 1976, \$ .18 million);<sup>9/</sup>

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<sup>8/</sup> Ralph Anderson & Associates, Guidelines for Determining the Impact of Legislation on the Courts (1974), 151 pp.; (1975), 100 pp.

<sup>9/</sup> Arthur Young & Company, Report on the Language Needs of Non-English Speaking Persons in Relation to the State's Justice System, Phase I (1976), 130 pp.; Phase II (1976), 50 pp.; Phase III (1977), 55 pp.

- (c) a study of court sponsored arbitration procedure;<sup>10/</sup> and
- (d) a number of projects undertaken by the Western Regional Office of the National Center for State Courts on behalf of the Judicial Council, including studies of jury management, the nonpublication of intermediate appellate decisions and the operating procedures of appellate courts.<sup>11/</sup>

Local research projects included studies of sentencing practices in several superior courts, and an omnibus pretrial hearing study.

b. Other Federal Funding

Although some of those interviewed in California spoke of the court use of employment funds provided under the Comprehensive Employment and Training Act (CETA), no report was made concerning the use of those funds. As in many other states where the support staffs for trial courts are paid for through local tax revenues, it is probable that some staff support from CETA funding has assisted trial courts but no specific amounts can be provided.

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<sup>10/</sup> John G. Fall and Associates, A Study of the Role of Arbitration in the Judicial Process, in 1973 Judicial Council Report, pp. 29-147.

<sup>11/</sup> National Center for State Courts, Report on Jury Selection and Management (1976), 81 pp.; National Center for State Courts, The California Courts of Appeal (1974), with summary in 1975 Judicial Council Report, pp. 13-17; National Center for State Courts, Study of Unpublished Opinions of Appellate Courts (1975).



A substantial amount of money has been provided, however, by the National Highway Traffic Safety Administration. California's first major use of federal funding in aid of its court system came with the awarding of 1969 grants totaling \$362,000 for the purpose of conducting a study of California's lower court system. That study resulted in the most detailed examination of California's municipal and justice courts that has been made and it furnished the factual basis for a number of proposals for the unification of the lower courts by the Judicial Council.<sup>12/</sup> That project also furnished the basis for a later LEAA project on full court unification in California that used the same consulting firm and was supervised by the Chief Justice's Select Committee on Trial Court Delay.<sup>13/</sup> A traffic court coordinator position was established on the staff of the Judicial Council with NHTSA funds in 1970 that has since been continued by state appropriations. Traffic safety grants have provided for court workshops over the past several years, have funded the publication of court manuals and have sponsored an alcohol education program for traffic court judges. The total amount of money for these purposes, however, was only about \$50,000 during the 10 years.

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<sup>12/</sup> Booz, Allen and Hamilton, Inc., Final Report on the California Lower Court Study (1971), 125 pp. See, also, 1972 Judicial Council Report, pp. 13-30, pp. A-87 to A-138; 1976 Judicial Council Report, pp. 13-31.

<sup>13/</sup> Booz, Allen and Hamilton, Inc., Final Report on the Unified Trial Court Feasibility Study (1971), in 1972 Judicial Council Report, pp. A-3 to A-84.

c. California Comments

In the view of the California commentators the most important contribution to its court system through the provision of federal funds is the establishment of the Center for Judicial Education and Research. Now funded by state government at a level of about \$350,000 per year, this agency has become the focal point for the judicial educational effort of the state with the exception of the Judicial Council's court management workshops. It has responsibility for an orientation program for new judges and it also has a substantial list of publications, including benchbooks and court manuals.

The creation of a Calendar Management Technical Assistance Team at the state level, now funded by the state at the level of about \$150,000, is also highly praised by those in the California system. Other state level projects that rated highly are: the regular workshop conferences of the Administrative Office of the California Courts that are provided for presiding judges, administrators and staff personnel; the work done on weighted caseload studies; the creation of a Judicial Planning Committee; the institution of an appellate defender's staff in San Diego; the drafting of uniform juvenile court rules; the funding of an educational project for the California Judges Association ("Project Benchmark"); the sponsorship of a graduate degree program in judicial administration at the University of Southern California; and the research studies undertaken by the Judicial

Council including those on court reorganization, trial court delay, court arbitration, language needs in the courts, impact of legislation on courts and videotaping in trial courts.

The most often cited local projects of significance are those which instituted trial court administrative positions in California. Executive officer positions were created, and later continued with local funds, in both superior and municipal courts. Criminal court coordinator positions, research assistants and other staff support positions were funded, and the creation of a planning and research unit by the Los Angeles Municipal Court is regarded highly. Trial court diversion projects and bail release projects are also praised.

The executive branch control over LEAA funding in California caused some major difficulties during the years from 1969 to 1973. The judicial management of the state was unrepresented, or minimally represented, in the policy decision making process and a number of court projects were sponsored primarily by the Governor's Office, including a 1972 "system development" plan that mandated the use of 2.6 million dollars of local funds on court projects. These problems led to the 1973 creation of California's Judicial Planning Committee, and thereafter judicial policymaking decisions have been followed for the most part in the use of LEAA funds although trial court funds are still locally

allocated.<sup>14/</sup> Since 1973 the only serious executive interference with judicial programs came during the first seven months of Governor Brown's administration when he brought the operations of the state planning agency to a virtual standstill. After that time, although the funding levels have decreased, there has been no executive interference with federally funded judicial programs and several of them have been included in the Governor's budget for permanent funding.<sup>15/</sup>

The Legislature has provided the matching funds needed for all California LEAA projects and its members have not interfered with the use of federal grants in the judicial system. One project, a study of language needs in the California courts, was funded by the state planning agency in response to a specific request by the Legislature for such a study.<sup>16/</sup> There has been no serious difficulty with the continuation of federally funded projects in California. In the case of a few research studies, however, there has

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<sup>14/</sup> See, 1974 Judicial Council Report, pp. 13-21, for a discussion of the 1969-1973 background in California.

<sup>15/</sup> That is the case with respect to court arbitration (Stats. 1975, ch. 1006; Cal. Code Civ. Proc., § 1141.10 et seq.) and with the Judicial Council's calendar management technical services.

<sup>16/</sup> Assembly Concurrent Resolution No. 74; supra, n. 9.

been a limited follow-up in the provision of state funds.<sup>17/</sup> Local projects, particularly those that furnished added staff support, have been picked up with local funds in almost all cases.

Local government has not interfered with court projects to any great extent and has been supportive, on the whole, in continuing positions that were started with federal funds. The regional administration of court funds for trial courts in California, however, has created a further level of administration that makes the design and implementation of court projects very difficult. A coordinator's position at the state level has helped some but the paperwork, approval processes and delay factors are greatly increased. It is also the case that local representatives make up a large part of the membership of the state planning agency and that they have very little understanding of the needs of the court system.

Operational red tape has been a serious problem, largely because of the complications of California's executive branch structure, including the regional administration of federal funds. Other state level approvals are involved

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<sup>17/</sup> Governor Brown vetoed Assem. Bill No. 1599 (1977), which would have implemented the language needs study, and would have provided court interpreters, upon the ground that it was an unnecessary bureaucratic addition to the state level judicial administration. Also, the recommendation for judicial impact studies in California was implemented at a reduced level that provided only one professional position to carry on the effort.

that slow up the use of funds unreasonably. Finally, the overly complicated guidelines and regulations of the national LEAA administration are serious limitations on the program.

Formal evaluations are rare although an evaluation component is required for each grant. The use of Judicial Council advisory committees on state level projects furnished a continuous monitoring process that worked well, and the Administrative Office of the Courts also provided a staff project monitor for its grants. Formal written reports were published with respect to all major research projects. Private consultants have been widely used in California and their work, for the most part, has been excellent. The National Center for State Courts (through its Western Regional Office) has furnished the most extensive and most valuable technical assistance services, but the Institute of Court Management has provided educational programs within California and has also performed court unification studies in Ventura County that were highly regarded. Private funding in aid of court improvement has been minimal in California, but the Ford Foundation financed three years of a summer judicial college program and the California Foundation for Judicial Education has paid for the publication of some educational materials.

California created a federal-state Judicial Council to work on problems of conflicting jurisdiction but it has not been active and has not used federal funds in its work. The only issue of real concern was the conflict between federal

judges and the state courts on prisoner petitions and that conflict has tapered off in recent years.

Despite the involved nature of California's administration of the LEAA program, the court system has utilized federal funding to good advantage. With its Judicial Planning Committee, the judiciary is well structured to take advantage of any future programs of this nature although at least one major superior court has concluded that it has no need for the use of such funds. The National Highway Traffic Safety Administration funds have also been effectively used in California, and a far simpler administration of the program has been used probably because the funding level is far below that of LEAA.

## CALIFORNIA

State

LEAA COURT SYSTEM GRANTS - 1969 to 1978  
[Number of grants: (0); dollars in thousands: (000)]

Discretionary: (21) 2,026,000  
 Block - state: (75) 5,815,000  
 local: (272) 15,687,000  
 Total " (368) 23,528,000

Categories of grants	1969	1970	1971	1972	1973	1974	1975	1976	1977	1978		Grants	Dollars
1 Organization/management											1		
(a) Discretionary		(1) 51	(2) 211		(1) 40	(2) 171	(1) 75	(2) 122	(2) 100		(a)	11	770
(b) Block - state		(1) 73	(4) 235	(6) 483	(4) 276	(7) 512	(6) 562	(4) 313	(2) 178		(b)	34	2,632
(c) local			(3) 148	(2) 50	(22) 947	(17) 809	(10) 685	(4) 186	(7) 185	(13) 329	(c)	78	3,339
2 Procedure											2		
(a) Discretionary			(1) 79	(1) 115		(1) 145	(1) 290	(1) 75	(1) 75		(a)	6	779
(b) Block - state				(1) 50		(1) 100			(1) 90		(b)	3	240
(c) local	(1) 14						(6) 46	(1) 2			(c)	8	62
3 Sentencing/alternates											3		
(a) Discretionary											(a)	0	0
(b) Block - state											(b)	0	0
(c) local	(1) 46	(1) 15	(1) 160	(2) 147	(4) 215	(7) 248	(7) 307	(10) 412	(9) 295	(8) 252	(c)	50	2,097
4 Education/training											4		
(a) Discretionary											(a)	0	0
(b) Block - state			(2) 250	(4) 191	(3) 221	(7) 369	(2) 308	(2) 112	(2) 185	(2) 185	(b)	24	1,821
(c) local			(2) 21	(6) 102	(18) 233	(13) 393	(4) 88	(4) 50	(6) 115	(4) 65	(c)	57	1,067
5 Equipment/facilities											5		
(a) Discretionary											(a)	0	0
(b) Block - state											(b)	0	0
(c) local					(2) 273	(1) 9			(1) 45	(4) 35	(c)	8	362
6 Automation/information											6		
(a) Discretionary						(1) 140					(a)	1	140
(b) Block - state			(1) 199			(1) 43	(1) 38				(b)	3	280
(c) local		(2) 262	(2) 634	(4) 338	(14) 1,113	(8) 2,115	(8) 1,286	(10) 1,454	(5) 800	(2) 123	(c)	55	8,125
7 Research/miscellany											7		
(a) Discretionary						(1) 130			(2) 207		(a)	3	337
(b) Block - state				(1) 13	(2) 211	(3) 346	(3) 141	(2) 131			(b)	11	842
(c) local			(1) 9		(2) 68	(1) 30	(1) 28	(4) 178	(4) 183	(3) 139	(c)	16	635
Annual Totals	(2) 60	(5) 401	(19) 1,946	(27) 1,489	(72) 3,597	(71) 5,560	(50) 3,854	(44) 3,035	(42) 2,458	(36) 1,128		368	23,528
												[Average grant]	[64]
National Highway Traffic Safety	(2) 362	(1) 12								(2) 38			412

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### 3. Georgia

#### a. Law Enforcement Assistance Administration Grants

Except for a 1971 discretionary grant of \$46,000 to study juvenile court operations in Atlanta, it was 1972 before the Georgia court system began to use federal LEAA funds. Beginning in that year, however, and triggered by a move to modernize the Georgia courts, both discretionary and block grant funds were made available.

A major discretionary grant (\$ .13 million) was made to the Governor's Commission on Judicial Processes for the purpose of developing a court modernization program.<sup>1/</sup> This discretionary grant, operating through 1972 and 1973, set the stage for the creation of the Judicial Council of Georgia and the organization of the Administrative Office of the Georgia Courts. (Georgia Laws of 1973, p. 288, Act 178.) Block grants were made in 1972 (totaling \$129,000) to support state court administration, including a grant to the Georgia Council of Superior Court Judges for the purposes of trial court modernization.

With the creation of the Judicial Council and the Administrative Office of the Courts in Georgia in 1973 the use of federal funding in aid of the Georgia courts was

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<sup>1/</sup> An interesting commentary on the work of Governor Carter's Commission on Judicial Processes is that its Research Director, James D. Thomas, has recently become the State Court Administrator for the State of Colorado.

stepped up to about .60 million dollars a year, and it continues at near that level. Funding has been heaviest in organization and management, with 15 out of 39 grants (38 percent) occurring in that area. From 1974 to the present, annual block grants in the order of .20 million dollars have been made for court administration in Georgia and these funds have supported the continuing activities of the Judicial Council and the Administrative Office of the Courts. Among the specific programs provided are: planning, public information, judicial education and research.

The court planning functions supported by LEAA grants include the work of a Judicial Council long-range planning committee which created 12 major planning goals for the Georgia judicial system. It also includes the work of the newly created Judicial Planning Committee which will carry on the court planning function in Georgia in the years to come.

Public information grants have made it possible for the Georgia system to create a periodic newsletter concerning the activities of the Georgia justice system, as a means of communication with the judiciary and the public.<sup>2/</sup>

Judicial education has been another major priority

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<sup>2/</sup> Georgia Courts Journal, published five times annually by the Administrative Office of the Courts. This publication is perhaps the best and most complete newsletter published by any court system.

for the federal funding used in the Georgia system. Seven block grants totaling some .38 million dollars over the past six years have been expended for this purpose. These grants laid the foundation for the 1978 creation of a legislatively funded Institute for Continuing Judicial Education in Georgia.<sup>3/</sup>

Research projects funded by LEAA and carried out by the Georgia Judicial Council are worthy of special comment. Research grants used during the past four years have produced major studies dealing with court facilities (\$ .17 million), a juvenile justice master plan (\$ .13 million) and the designing of a system of model court records (\$ .22 million).<sup>4/</sup>

The other major state-level grant area in Georgia involves judicial information systems for which 64 percent of all discretionary LEAA funding for the State of Georgia has been spent. Four discretionary grants (\$ .49 million) have been utilized by the Administrative Office of the Georgia Courts in this area. They have been used primarily for the purpose of preparing a plan for a state-level judicial

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<sup>3/</sup> In funding this program, however, the Georgia Legislature prohibited the use of such funds for "attendance at the National College of State Trial Judges" in Reno, whose programs are thought to be too costly.

<sup>4/</sup> Georgia Statewide Facilities Study (1975-1977); Facility Standard and Design Guidelines (1977?); Survey of Records Keeping in Georgia Courts (1977?); Juvenile Justice Masterplan, 4v. (1977).

information system (SJIS), but the funds were also used to test a criminal subsystem pilot program in one county as compared to a manual recording system in another county.<sup>5/</sup>

Finally, although the figure has not been included in the dollar amount of LEAA grants contained in the Georgia compilation (Table 2), note should be taken of the 1977 discretionary grant (\$ .21 million) made to the Neighborhood Justice Center of Atlanta, Inc. This is one of the three experimental projects of the Department of Justice funded in the effort to find alternatives to court action.

Local projects funded by LEAA grants have been almost nonexistent in Georgia, with two notable exceptions. In 1976 the Georgia Legislature created 10 judicial districts and provided regional administration for the Georgia trial courts which operate in 87 counties (Georgia Laws of 1976, p. 782, Act 1130). The Administrative Office of the Courts obtained block grant funding for the purpose of establishing district administration under the terms of the 1976 legislation (\$ .18 million in 1976 and \$ .38 million in 1977). This program has now been included in the 1978-1979 budget of the State of Georgia as a full obligation of the state. During 1977 law clerk positions were funded for the superior courts in nine counties (\$ .07 million)<sup>6/</sup> and it is reported that most, but not all, of these positions have been picked up by

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<sup>5/</sup> The state Legislature, however, has declined to continue the Georgia SJIS project because of its long-range cost.

<sup>6/</sup> Georgia Courts Journal, Aug. 1977, p. g.

the local court funding agencies.

LEAA funds reported for Georgia over the 10-year period total 3.8 million dollars, divided into .76 million dollars in discretionary funds and 3.1 million dollars in block grant funds. Most of the funding went into organization and management (\$ 2.3 million or 60 percent) followed by information systems (\$ .49 million or 13 percent) and judicial education (\$ .50 million or 13 percent). The 39 grants averaged \$99,000 each.

b. Other Federal Funding

The Administrative Office of the Courts lists nine Economic Development Act courthouse construction or planning projects that used federal funding.<sup>7/</sup> Local government is responsible for providing court facilities in the Georgia system and the federal infusion of local public works money under the Economic Development Act has created a very large courthouse construction program in Georgia. Four projects recently reported total 1.9 million dollars to be expended within four counties.<sup>8/</sup> Federal revenue sharing funds were also used for architects' services in connection with courthouse planning.<sup>9/</sup> Interviews conducted within the state also made it clear that Comprehensive Employment Training

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<sup>7/</sup> See, Fourth Annual Report (1978), p. 33.

<sup>8/</sup> Georgia Courts Journal, Oct. 1977, p. 16.

<sup>9/</sup> Georgia Courts Journal, Aug. 1977, p. 18.

Act (CETA) personnel had been allocated to court programs in Georgia, but since that was done locally no figure was available at the state level to show the total amount of federal funds so used.

The U. S. Department of Transportation's National Highway Traffic Safety Administration (NHTSA) has made grants for traffic court improvement in Georgia annually since 1974 (\$ .21 million). These funds made possible the preparation and distribution of a Traffic Court Judges Manual, as well as the holding of traffic court seminars and the development of a uniform traffic citation form. The Administrative Office of the Courts also used the funds to assist several courts to establish alcohol safety programs.<sup>10/</sup>

c. Georgia Comments

It is generally agreed by those knowledgeable about the use of federal funds in connection with the Georgia court system that the best and most significant projects are those that dealt with the organization and management of the courts. The grant to Governor Carter's Commission on Judicial Processes in 1972 that started a court modernization process and the grants that have funded the operations of the new Judicial Council and its Administrative Office of the Courts are given high marks.

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<sup>10/</sup> Fourth Annual Report, Administrative Office of the Courts (1978), p. 36.

Not everyone approves of the Administrative Office of the Courts, of course, and it has just survived a 1978 legislative move to abolish it organized by a state Senator who resented the Judicial Council's ability to prevent the creation of a new judicial district in his area.<sup>11/</sup> The office has also received criticism because of the large discretionary LEAA grants that it accepted to plan a State Judicial Information System (SJIS) that is now considered to be too costly.<sup>12/</sup> Projects that provided law clerks, court facilities, model docket systems and district court administrators are highly regarded, as is the program for continuing judicial education.

Until recently the judiciary was inadequately represented in the planning process which was under executive branch control. The creation of the Judicial Planning Committee has changed the picture for the better, but without federal funding the Legislature would probably not have funded a planning function in the judicial system.

The Georgia comments do not support the conclusion that either the executive branch or the legislative branch has used the federal programs to interfere with the independence of the judiciary. It is said that at the beginning it

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<sup>11/</sup> Georgia Courts Journal, June 1978, p. 8.

<sup>12/</sup> It was suggested that the SJIS grants were accepted without adequate local clearances in view of the magnitude of the project.

was the executive branch that urged court modernization and got the movement started by using a federal grant. Thereafter the funds were channeled to the judiciary. The Legislature has not played an active role in connection with the use of federal funds, but both the legislative and the executive branches are beginning to be concerned about the ongoing costs of the court programs that are being inaugurated with federal funds.

Until recently there has been no problem in securing matching funds for federal grants and, on the whole, the Georgia experience with state assumption of the costs upon termination of a federal project has been good. Some local units of government have declined to pick up the continuing cost of law clerk salaries for superior courts, however, and the state's refusal to continue the SJIS project has already been mentioned. There is a natural inclination, of course, for state funding agencies to tell courts to use federal funds first and to come to state sources later. One commentator has suggested that this factor has a negative effect upon the judiciary's ability to secure proper state funding for its ongoing needs.

The requirement for passing on 75 percent of the LEAA funds to local government constitutes a serious difficulty for the central administration of the court system, but in Georgia local government has not played a very large role in federal funding except for the programs that provide support to local units of government. CETA and EDA programs are



popular at the local level because they do not impose burdensome obligations. LEAA, on the other hand, is viewed as a cumbersome operation whose guidelines and regulations require a specialist to handle them. Delays in processing are also cited as a handicap in the use of LEAA funds.

Formal evaluations have not been prepared for Georgia projects as a general rule, but such an evaluation was done with respect to the district administrator program as an incident to its full funding by the state. Most evaluation is done in an interviewing mode, and that has been effective where continuation funding is involved.

There is a state-federal Judicial Council in Georgia which meets in conjunction with the annual meetings of the State Bar. It has not used federal funding, however, and it is concerned primarily with jurisdictional conflicts in the habeas corpus area and with diversity jurisdictional problems. It is not regarded in Georgia as having any significant impact.

No report was made of private funding in aid of the Georgia system, at least within the period covered by the report, but mention was made of several private agencies that were helpful in connection with federally funded projects. The Southeastern Regional Office of the National Center for State Courts, and its Washington office, were said to have rendered valuable assistance in connection with several Georgia projects, particularly the establishment of a court planning unit in the Georgia system. The Institute of Government at the University of Georgia and the National Council on

Crime and Delinquency were also mentioned. Both the American Judicature Society and the American Academy of Judges were noted and the National Judicial College was said to be helpful, but the cost of its programs has become a barrier to their use.

A strong position is taken by some members of the Georgia judiciary to the effect that federal funding has a deleterious effect on state court systems. It is suggested that such funding will make them dependent upon the federal government which may, in the end, undertake to supervise the administration of justice in the states. A member of the Supreme Court of Georgia, and a former Chairman of its Judicial Council, has said that LEAA's bureaucratic procedures and the temptation of mid-level federal employees to dictate to state judicial officers leads him to the conclusion that the program should be terminated and that a "special revenue sharing" plan of federal assistance to state courts should be substituted. Simultaneously he would urge that a National Institute of Justice, operated in conjunction with the Administrative Office of the U. S. Courts, should be set up as a federal research agency to assist state court systems with their problems.<sup>13/</sup>

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<sup>13/</sup> Justice Robert H. Hall, "Federal Assistance to State Courts," an address to the Mid-Year Meeting of the Conference of Chief Justices, New Orleans, February 9, 1978.

GEORGIA  
State

LEAA COURT SYSTEM GRANTS - 1969 to 1978  
[Number of grants: (0); dollars in thousands: (000)]

Discretionary: (8) 760,000  
Block - state: (28) 2,461,000  
local: (3) 627,000  
Total : (39) 3,848,000

	Categories of grants	1969	1970	1971	1972	1973	1974	1975	1976	1977	1978		Grants	Dollars
1	Organization/management											1		
	(a) Discretionary				(1) 130							(a)	1	130
	(b) Block - state				(2) 129	(2) 143	(1) 212	(2) 317	(2) 276	(2) 225	(1) 224	(b)	12	1,526
	(c) local								(1) 182	(2) 445		(c)	3	627
2	Procedure											2		
	(a) Discretionary				(1) 85							(a)	1	85
	(b) Block - state					(1) 15						(b)	1	15
	(c) local											(c)	0	0
3	Sentencing/alternates											3		
	(a) Discretionary											(a)	0	0
	(b) Block - state											(b)	0	0
	(c) local											(c)	0	0
4	Education/training											4		
	(a) Discretionary					(1) 13						(a)	1	13
	(b) Block - state					(1) 15	(1) 45	(2) 33	(1) 57	(1) 64	(1) 167	(b)	7	381
	(c) local											(c)	0	0
5	Equipment/facilities											5		
	(a) Discretionary											(a)	0	0
	(b) Block - state							(1) 40				(b)	1	40
	(c) local											(c)	0	0
6	Automation/information											6		
	(a) Discretionary						(2) 200		(1) 200	(1) 86		(a)	4	486
	(b) Block - state											(b)	0	0
	(c) local											(c)	0	0
7	Research/miscellany											7		
	(a) Discretionary			(1) 46								(a)	1	46
	(b) Block - state					(3) 169	(2) 214			(1) 50	(1) 66	(b)	7	499
	(c) local											(c)	0	0
	Annual Totals			(1) 46	(4) 344	(8) 355	(6) 671	(5) 390	(5) 715	(7) 870	(3) 457		39	3,848
													[Average grant]	[99]
	National Highway Traffic Safety						19	63	66	66				214

#### 4. New Jersey

##### a. Law Enforcement Assistance Administration Grants

The substantial use of LEAA funds in New Jersey commenced in 1971, and 1972 to 1976 were the years of highest use. In those years the number of projects averaged 35 or more and the volume of federal grant awards for court improvement ranged between two and three million dollars a year.<sup>1/</sup> As in the other states, the heaviest expenditures came in the area of organization and management, with some 4.2 million dollars being expended in 32 projects over the 10-year period. These funds were relatively evenly divided between local expenditures, state expenditures and federal discretionary grants.

By far the heaviest discretionary grant emphasis was placed on organization and management, with 1.6 million dollars being expended on five projects averaging .32 million dollars each. Since New Jersey has long had a strong central administration in its court system, a number of discretionary grants were devoted to providing assistant trial court administrators for the superior courts of the state and to setting up special case processing procedures for cases having an unusual impact upon the trial court system. In 1972 and 1974 block grant funds (\$ .23 million) were used to support

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<sup>1/</sup> Although probation grants are within judicial system responsibility in New Jersey, they have been deleted from this report to provide consistency with other state reports.

assistant trial court administrators, but federal discretionary money was also allocated to this program in 1973 and 1974 (\$ .47 million).

The organizational program with the most innovative state level impact upon New Jersey was the "Appellate Justice Project" organized with the assistance of the National Center for State Courts in 1972. Through 1975 both discretionary funds that were made available to the National Center<sup>2/</sup> and five block grants totaling .68 million dollars were used for this project. The program was part of a larger National Center undertaking that involved the Supreme Courts of Nebraska and Virginia and the intermediate appellate court in Illinois.

New Jersey grants were also made for the purpose of general management improvement in the municipal courts. Over the period from 1972 to 1977, 1.3 million dollars were expended on municipal court management projects, primarily in the Cities of Newark, Jersey City and Camden.

Unlike a number of other states, New Jersey spent a substantial amount of its federal grant funds on court procedure (\$ 1.4 million). Discretionary funds were spent for pre-trial intervention projects in trial courts and for a jury management demonstration project (\$ .20 million). State

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<sup>2/</sup> See, National Center for State Courts, "The Appellate Process and Staff Research Attorneys in the Appellate Division of the New Jersey Superior Court," (1974) 112 pp., (1975) 29 pp.

block grant funds in limited amounts were spent for an experimental bail project and for a jury orientation film project, but .63 million dollars in local block grant moneys were expended on bail release projects during the 10 years.

In 1971 and 1976 block grants at the state level were used by the Administrative Office of the New Jersey Courts for experimental projects in pretrial intervention, a project designed to experiment with alternative dispositions at the early stages of a criminal case. In the years 1974 to 1977 this approach was followed by local units of government where 35 or more projects expended 2.2 million dollars in implementing highly effective pretrial intervention programs.

Education and training grants, primarily at the state level, accounted for over 60 projects in New Jersey. These grants were administered through the Administrative Office of the New Jersey Courts, and for the most part they paid for attendance at the Institute of Court Management for court administrative personnel and at the National Judicial College for judges (\$ .38 million from 1971 to 1976). Commencing in 1975 a substantial grant was made to establish the position of judicial training coordinator in the Administrative Office of the New Jersey Courts, a position which was continued with further federal funding and finally incorporated permanently into the office functions.

Only a very limited amount of federal money was

expended in New Jersey for equipment and facilities, most of it occurring at the local level and involving microfilming projects and projects for the improvement of court reporting systems. On the other hand, information systems and court automation constituted a very substantial element in the use of LEAA funds in New Jersey. Of all the federal funding, 3.6 million dollars (26 percent) were utilized for that purpose in the New Jersey courts. Most of the money was spent in the local courts (\$ 2.4 million) and it represents an effort by trial courts to commence the automation of court processes and to create local information systems. Federal discretionary money has also been used at the state level for judicial management information systems. That funding was derived primarily from the federal State Judicial Information System (SJIS) project for which New Jersey has received two grants amounting to .20 million dollars each. The effort to create such an information system in New Jersey is still in the design stages, however, and as with a number of other states that participated in this discretionary LEAA undertaking, the costs of implementation are still uncertain. Other state level expenditures in the automation field have included grants to establish an office of court information systems coordinator, general grants related to judicial management systems, including a management information system in the appellate division of the superior court (block grants amounting to \$ .66 million from 1972

to 1975). More recent grants to the Administrative Office of the New Jersey Courts have included one in 1976 for automated legal research.

A modest research program has been undertaken in New Jersey using state block grant funds. Some .61 million dollars have been spent in research, programmed through the Administrative Office of the New Jersey Courts. One major undertaking, funded in 1975 and 1976 involves the development of criteria for use in criminal sentencing (\$ .36 million). A project also funded in 1976 is a continuing study involving the unification of the New Jersey court system (\$ .13 million).

LEAA funds reported for New Jersey over the 10-year period totaled 13.6 million dollars, divided into 2.7 million dollars in discretionary funds and 10.9 million dollars in block grant funds. In block grant funding the local dollar amount was about twice that spent at the state level, but there were about 100 projects in each category. The 223 New Jersey grants averaged \$61,000 each. The federal funds went primarily into organization and management (\$ 4.2 million), sentencing and alternate disposition projects (\$ 2.5 million), and judicial information systems (\$ 2.4 million).

b. Other Federal Funding

No additional federal funding sources were reported by the Administrative Office of the New Jersey Courts for



state level programs, but at the local level a substantial use has been made of other federal grant programs. The Comprehensive Employment Training Act (CETA) grants made to counties have been used extensively in the trial courts, which are staffed through local funding. CETA employees have been used on trial court administrators' staffs, in clerks' offices, in bail release programs and in pretrial intervention programs.

Public works funding derived from the Economic Development Act (EDA) program has been used in New Jersey counties for courthouse improvement projects. In addition, some local revenue sharing money has gone into court projects, including in some instances the purchase of computer hardware for data processing departments.

No report was made by New Jersey concerning the use of traffic court improvement grants from the U. S. Department of Transportation's Highway Traffic Safety Administration (NHTSA). There was speculation, however, at the state level that some grants of that nature were used in municipal courts.

c. New Jersey Comments

A variety of major projects are cited by New Jersey in support of its conclusion that LEAA funding has made a substantial contribution to court improvement in the last 10 years. One early development, the creation of assistant trial court administrator positions in New Jersey's regional

administrative districts ("vicinages"), is highly regarded. This is so even though state government refused to continue the positions at state expense when the federal funding ceased.<sup>3/</sup> Local units of government, however, did assume the costs of that program in a substantial number of cases.

The Central Appellate Research Staff has made a definite contribution to the handling of the intermediate appellate caseload in New Jersey.<sup>4/</sup> Federally funded from 1972 on, it was doubled in size and included in the general state budget as a permanent court function in July 1977. Judicial educational programs, both outside the state and within it, have been heavily supported by federal grants.<sup>5/</sup> The creation of the New Jersey Judicial College in 1976 and the establishment of the position of judicial education coordinator in the Administrative Office of the New Jersey Courts are credited to the impetus given by federal grants.

The investment of federal funds in the field of court automation and judicial information systems has had a major effect both at the state and the local level. Local programs started early, dealt with particular county problems

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<sup>3/</sup> It is assumed that a controlling issue in the nonfunding decision was whether state government should assume an additional burden for staffing locally funded trial courts.

<sup>4/</sup> Annual Report, Administrative Director of the Courts (1976-1977) pp. 70-71.

<sup>5/</sup> Id., pp. 58-59. New Jersey has used federal funds for extensive participation in the programs of the National Judicial College, the American Academy of Judicial Education and the Institute of Court Management.

and were uncoordinated. State level interest in information systems has been high since 1975 and heavy expenditures of both state and federal funding, designed to create a state judicial information system are continuing. Other highly regarded grant programs include: the establishment of pre-trial intervention projects in nearly all New Jersey counties together with the creation of a state level coordination office;<sup>6/</sup> microfilming and other programs involving court reporter services; and the funding of research studies on sentencing disparities<sup>7/</sup> and on the possibilities of court unification in New Jersey.<sup>8/</sup>

It is agreed that the relationships between the executive and judicial branches in New Jersey have been good and that judicial priorities have been generally followed in the expenditure of federal funds for courts. An inadequate judicial representation on the state planning agency has been largely negated by the fact that judicial grants are not made by the State Law Enforcement Planning Agency (SLEPA) unless approved by the state's judicial leadership. There has been the usual complaint that an inadequate share of federal funds were allocated to state judicial needs and in the years from 1976 to 1978 the judicial share declined (\$ 1.2

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<sup>6/</sup> Id., pp. 59-60.

<sup>7/</sup> State of the Judiciary Address to the Legislature, Chief Justice Richard J. Hughes (Nov. 1977), pp. 15-16.

<sup>8/</sup> Supra, n. 4, pp. 53-55.

million, \$ .77 million and \$ .62 million).<sup>9/</sup> A major executive-judicial difference of view exists, however, in the very important judicial management information system program, where there is executive branch insistence that the judicial system be operated on the Department of Law and Public Safety's computer system. Operating priorities, inadequate system resources and an inability to secure needed program changes are cited in support of the desirability of a judicial system computer operating under judicial management, particularly in view of the substantial judicial branch systems that are now in place and operating.<sup>10/</sup>

No particular legislative problems have existed, although the Legislature did decline to pick up the assistant trial court administrator salaries when federal funds ran out. Matching funds for all of the federal programs are supplied by legislative appropriations and several legislators serve on the state planning agency in a liaison capacity. Local county officials have been cooperative, but in some instances local court data processing staff positions have been transferred into county offices, causing a court to become dependent upon general county personnel. Some local federally funded projects have had statewide support and followup,

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<sup>9/</sup> Id., pp. 65-67.

<sup>10/</sup> Id., pp. 62-64 and 48.

particularly in the videotaping and jury management areas.<sup>11/</sup>  
As indicated earlier, local projects are generally funded in New Jersey only if the state judicial administration is in support of them.

Administration of federally funded programs in New Jersey is hampered by the inevitable paperwork snarls, but the major complaint concerns the delay experienced in getting projects under way. In some instances a number of state approvals are required, in addition to the federal requirements, and it is often the case that a one-year project may not get started until six months of project time has elapsed. The use of outside consultants has been limited in New Jersey, but the National Center for State Courts has provided technical assistance at the state level and other consultants have been used at the local level, primarily in the jury management and computer fields.

Formal evaluations are unusual in New Jersey; the ordinary method is to do project monitoring as the project progresses and this technique has been successful. An outside evaluation of the New Jersey sentence disparity project presents something of a problem because that \$200,000 undertaking of LEAA's National Institute for Law Enforcement and Criminal Justice will occur long prior to the completion of the New Jersey project. A number of evaluations are thought

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<sup>11/</sup> Guidelines to Videotaping of Live Testimony, Administrative Office of the New Jersey Courts (1976); Annual Report of the Administrative Office of the Courts (1976-1977), p. 52.

to have been too theoretical in nature and not very helpful.

There is a federal-state Council in operation in New Jersey that has been concerned primarily with jurisdictional conflicts, including problems in calendaring and in bar ethics, but no federal funding has been used for these purposes. No report of private funding in aid of courts was reported in New Jersey, but the work of the National Center for State Courts in technical assistance and the educational programs of the National Judicial College, the American Academy of Judicial Education and the Institute of Court Management were said to be very helpful.

New Jersey believes that federal funds have been very valuable incentives to court improvement. No serious impairment of judicial independence has been experienced and the state is prepared to continue to take advantage of any federal funding that may be provided. The areas of continuing interest include: the state judicial information system effort, further work on the sentencing disparity project, the judicial educational programs and additional studies of automated legal research and court unification. Continued support of the recently-activated Judicial Planning Committee is also given a high priority in New Jersey.

## NEW JERSEY

State

LEAA COURT SYSTEM GRANTS - 1969 to 1978  
[Number of grants: (0); dollars in thousands: (000)]

Discretionary: (14) 2,750,000  
 Block - state: (100) 3,994,000  
 local: (109) 6,880,000  
 Total " (223) 13,624,000

	Categories of grants	1969	1970	1971	1972	1973	1974	1975	1976	1977	1978		Grants	Dollars
1	Organization/management											1		
	(a) Discretionary					(1) 237	(1) 229	(2) 852	(1) 300			(a)	5	1,618
	(b) Block - state				(3) 158	(3) 147	(3) 388	(2) 371		(1) 67	(1) 50	(b)	13	1,181
	(c) local				(2) 327		(2) 440	(4) 237	(4) 224	(2) 142		(c)	14	1,370
2	Procedure											2		
	(a) Discretionary					(1) 475		(1) 103	(1) 100			(a)	3	678
	(b) Block - state			(1) 26				(2) 66				(b)	3	92
	(c) local				(2) 17	(4) 115	(3) 203	(3) 210	(3) 70	(1) 14		(c)	16	629
3	Sentencing/alternates											3		
	(a) Discretionary											(a)	0	0
	(b) Block - state			(1) 131					(1) 105			(b)	2	236
	(c) local				(1) 185		(5) 407	(13) 673	(13) 653	(7) 331		(c)	39	2,249
4	Education/training											4		
	(a) Discretionary					(1) 1		(1) 42				(a)	2	43
	(b) Block - state			(9) 81	(5) 88	(6) 101	(9) 67	(12) 198	(19) 429	(1) 58		(b)	61	1,022
	(c) local			(2) 1								(c)	2	1
5	Equipment/facilities											5		
	(a) Discretionary											(a)	0	0
	(b) Block - state								(1) 11			(b)	1	11
	(c) local					(3) 44	(3) 86	(4) 70	(1) 47			(c)	11	247
6	Automation/information											6		
	(a) Discretionary					(1) 11		(2) 200			(1) 200	(a)	4	411
	(b) Block - state			(1) 30	(2) 121	(2) 201	(2) 219	(2) 147	(3) 128			(b)	12	846
	(c) local		(1) 76	(6) 426	(5) 671	(11) 921	(3) 86		(1) 204			(c)	27	2,384
7	Research/miscellany											7		
	(a) Discretionary											(a)	0	0
	(b) Block - state		(1) 14		(1) 5		(1) 48	(1) 137	(4) 402			(b)	8	606
	(c) local											(c)	0	0
	Annual Totals		(2) 90	(20) 695	(21) 1,572	(33) 2,253	(32) 2,173	(49) 3,306	(52) 2,673	(12) 612	(2) 250		223	13,624
													[Average grant]	[61]

## 5. New York

### a. Law Enforcement Assistance Administration Grants

In New York, as in most other states, judicial participation in federal grant programs started slowly. Following a typically inactive period, a few minor grants were made for local court studies in the \$100,000 range that used consultants. (Monroe and Westchester Counties.) Other locally inspired grants were made to courts for additional staff support during this period, and court information system studies were funded in Buffalo (\$ .16 million) and Rochester (\$ .13 million). After this initial flurry, however, local projects did not play a very large part in the New York experience, except for an unavoidable concentration on the problems of the New York City area.

When substantial federal grants commenced to be used in the New York system, they were devoted to furnishing organizational and management support for the critical needs of the system as viewed by its leadership. Over the 10-year period involved in this report federal funding has been viewed as a significant, though modest, additional support for the system. The federal funds used by the New York court system came mostly from the Law Enforcement Assistance Administration and were applied in relatively large amounts (an average of \$ .37 million for 85 grants).

The earliest major projects were organized, not by



the state Office of Court Administration, but by the New York metropolitan area planning board (Criminal Justice Coordinating Council of New York - CJCC) and by the Appellate Divisions of the First and Second Departments which constituted the regional administration of the state court system. These grants concentrated on the creation of planning staffs in the New York area and they were followed by similar grants for the other Appellate Divisions and for the Office of Court Administration itself. Over the 10-year period more than two-thirds of the grant funds used in New York (\$ 22.4 million out of \$ 31.8 million) were used in the category of organization and management staffing. The next three categories in order are: information system (\$ 5.3 million); research (\$ 2.0 million); and equipment and facilities (\$ 1.2 million).

The New York area's special problems have led, of course, to the expenditure of substantial amounts of federal money there. Early grants in New York City were directed toward improving master calendar operations in the criminal courts (\$ .74 million) and increasing dispositions in those courts (\$ .08 million). Grants were made to improve calendaring in the family courts in New York City (\$ .48 million) and to speed the handling of cases by providing a special corps of court reporters (\$ .96 million).

A major use of funds from 1971 to 1973 was to open night and weekend courts in Queens and Bronx Counties (\$ 1.2 million). Similar large amounts of money, from both discretionary and block grant funds, were provided for other night

and weekend court programs through 1976 (\$ 2.7 million).

Commencing in 1973 very large amounts of discretionary money were made available to open special narcotics courts in New York City. The original 1973 grant was 4.7 million dollars and that was followed by a 1975 grant in the amount of 3.3 million dollars. These courts, created in an effort to meet the demands imposed by New York's increased penalties for drug abuse cases, were also supported by block grant funds (\$ .93 million) and have now been incorporated into the New York system.

Commencing in 1975 very large amounts of block grant funding were made available for the purpose of creating a management and planning unit in the New York State Office of Court Administration. Over a three-year period 1.9 million dollars in block grants were allocated for this purpose, and the cost of the program was continued at the .70 million dollar level by the state thereafter. These grants, following upon the earlier ones that provided a planning staff for the Appellate Divisions (\$ .92 million) had a great deal to do with implementing the reorganization of central court administration in New York. They enabled the OCA to achieve the professional capacity and the stability needed to take on such major new functions as administering the full state funding of the court system.

During the years from 1975 to 1978 another major undertaking, involving both discretionary and block grants,

was the organization of a judicially managed criminal history and statistics system for New York. Over a four-year period about 4.1 million dollars in federal grants were made to New York for this purpose, and the program has been fully accepted as a state funding responsibility. Another large special program was carried on from 1976 to 1978 for the early disposition of cases involving long-term prison detainees awaiting trial (\$ 1.9 million in block grants and \$ 1.2 million in discretionary grants).

Limited amounts were spent in New York for projects involving court procedure although in 1975 and 1976 about .57 million dollars was spent on two projects dealing with criminal jury instructions and with jury management. Modest amounts were also spent for judicial education and training (\$ .33 million) and for equipment and facilities (\$ 1.1 million) over the 10-year period. The New York administrators have thought that the programs provided by state funds in these areas were generally adequate and that federal funding for such purposes was not a high priority use.

A substantial amount of federal funding has been provided in New York for research studies, most of it in the form of LEAA discretionary grants or research grants from the National Institute of Law Enforcement and Criminal Justice. Block grant funds have been devoted to local information system studies (\$ 1.2 million) and to local court studies (\$ .69 million). Other topics funded with discretionary grants include: a study of an ombudsman approach for victims,

witnesses and jurors (\$ .05 million); a study of the feasibility of bilingual, centralized arraignments (\$ .22 million); and the evaluation of a court employment project (\$ .26 million).

LEAA funds reported for the New York court system over the 10-year period total 31.8 million dollars, divided into 13.4 million dollars in discretionary funds and 18.4 million dollars in block grant funds. With full state funding of the courts, New York is giving serious consideration to whether the relatively small amount of federal funds (0.4 percent of the state court budget) warrants the administrative burden involved in securing and accounting for those funds.

b. Other Federal Funding

No additional federal funding was reported for New York. No Comprehensive Employment Training Act funds (CETA) or public works employment funds from the Economic Development Act (EDA) were attributed to court projects. This is probably due to the fact that those decisions are made locally and that local government in New York has not viewed court problems as their responsibility. Revenue sharing in New York is treated as an additional source of funds for state and local budgets and it has been suggested that a proportionate share (perhaps 6 to 10 percent) of the court budget could be attributed to that source. No specific impact can

be derived from such funds, of course, since they are absorbed within the general appropriations made to the court system.

The Office of Court Administration did not report the use of any National Highway Traffic Safety Administration funds in New York. The administrative adjudication program of the New York Motor Vehicle Department has been studied in depth by the U. S. Department of Transportation,<sup>1/</sup> but apparently no grant funds were used in undertaking the program. The National Highway Traffic Safety Administration, however, did report the funding of an "alcohol safety action project" in Nassau County, New York, during 1971 to 1973.

c. New York Comments

In part, the slow start in using federal funds in New York was attributed to a relatively weak central administration of the court system, but in part it was due to judicial reluctance to become involved in such programs. Although a few local grants were made, local interest in funding court improvement projects has been at a low level for some years. Since 1961 proposals for full state funding of the court system have been growing in intensity in New York and the local taxing authorities have considered court

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<sup>1/</sup> See U. S. Department of Transportation, "Report on Administrative Adjudication of Traffic Infractions" (1975), pp. 29 et seq.; (1976), p. 2; (1977), pp. 19-21.

problems to be a state matter.

When federal funds were used in New York it is clear that they were allocated to priority uses as determined by the judicial system. The comments of those in the New York judicial system make it clear that they have not felt any particular pressure from federal fund administrators that has affected the operating principles or the priorities in New York. Large amounts of discretionary funding have been used in New York (42 percent of LEAA funds used), but discretionary grants have been applied to the same priorities that have been used for block grant funding in the state.

Similarly, the judicial system has not experienced any state legislative or executive interference in the use of federal funds. In some instances federal funding has made it easier for the court system to adjust to new executive and legislative policies, as with the creation of special narcotics courts to deal with increased caseload generated by harsher narcotics penalties, but the priorities have been those of the judicial branch. Observers credit this situation in large measure to the fact that the State Administrative Judge, who heads the Office of Court Administration, was the first chairman of the New York Crime Control Planning Board in 1969 and has served on the Board continuously since that time. With full state funding of the judicial system and with administrative authority vested in the Office of

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**1 OF 3**

Administration (by delegation from the Administrative Board even prior to the recent constitutional change), it is assumed in New York that judicial policy decisions are to be made by the judicial department of state government. At the present time it is the Office of Court Administration that prepares the annual judicial plan and, when funds are allocated by the state planning agency (the Division of Criminal Justice Services - DCJS), it is the OCA that prepares the grant applications designed to carry out the plan. The approval and consent of the OCA is obtained as a general rule even where private agencies are used as the grantees of funds intended to be used for judicial system projects.

No problems have been experienced in New York with the provision of matching funds to meet the requirements for obtaining federal grants. The Legislature provides those funds as part of the regular budget process. Neither has there been any difficulty in carrying on those projects that are deemed worthwhile with state funding. Those decisions, also, are made as part of the regular budget process. The Legislature itself has not played a significant role in the allocation of federal grant funds in New York even though there are legislative oversight committees that watch over such programs.

In the current budget of the New York court system all outstanding federal grant programs are to be brought within the regular state budget. The State Administrative Judge has



suggested to the Legislature that the limited amount of federal money being made available to the court system creates an unnecessary administrative burden for a relatively small sum. He estimated that the 1.5 million dollars that could be expected, from state allocations amounting to 40 million dollars, would comprise only 0.4 percent of the state appropriation for court purposes. Under these conditions the question is being seriously asked in New York whether the impact of the federal grants would warrant the energy required to obtain and administer them. Other fundamental issues are also being raised: (1) doesn't the federal program's preoccupation with criminal matters unduly overbalance the systemwide need for judicial planning; (2) isn't there an underlying danger of the imposition of federal standards upon the states even though it hasn't yet been experienced; (3) isn't the need to bargain with local criminal justice agencies a serious obstacle to state court administration, particularly in a state-funded system? The New York system indicates, however, that a federal grant program administered for recognized judicial improvement purposes could be framed and would be desirable in that event.

A number of private organizations interested in court improvement are located in New York. They are most frequently concerned with court projects that are national in scope, but federal grants have been made in some instances

to permit them to work on problems of the New York court system. The National Center for State Courts received a discretionary grant of .18 million dollars for the purpose of assisting the New York court system to convert to a state-funded basis. The Economic Development Council of New York has conducted studies funded with block grant funds in connection with family court operations (\$ .13 million) and, using its own resources, has made studies specifically related to New York court problems, particularly including studies on state budgeting and financing.<sup>2/</sup> The Fund for Modern Courts received grants in 1976 and 1977 to study means for the public monitoring of family court operations (\$ .19 million). Finally, the Vera Institute of Justice has received .46 million dollars with the concurrence of the Office of Court Administration, for a study of juvenile court dispositions in New York. No substantial use of private funds for state court improvement purposes has been reported in New York, however, over the period covered by the report.

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<sup>2/</sup> The Council's Court Task Force Chairman estimates that 3.5 million dollars have been spent by it on court-related projects, of which less than \$200,000 came from federal funds (LEAA). Letter from Richard F. Coyne, July 12, 1978.

State

[Number of grants: (0); dollars in thousands: (000)]

Discretionary:	(17)	13,369,000
Block - state:	(46)	15,749,000
local:	(22)	<u>2,644,000</u>
Total :	(85)	31,762,000

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## 6. Washington

### a. Law Enforcement Assistance Administration Grants

Until 1972 the State of Washington did not make any substantial use of LEAA grant funds in its court system. No 1969 grants are reported and in the years 1970 and 1971, 12 grants were utilized, averaging \$16,000 each with 6 at the state level and 6 at the local level. The state projects during this period were largely research studies, primarily undertaken by the Judicial Council of Washington and related to the revision of appellate procedure. Except for a major grant to the Snohomish County (Everett) courts for improvements in the family court and for a survey of court services, the local projects related to bail reform. The Judicial Council did accept two grants during this period, one for a study of district courts and one for a citizen's conference on the needs of the Washington court system.

Commencing in 1972 the level of expenditure of LEAA funds in aid of the court system reached the .40 million dollar level which it has reached or exceeded each year since then, except for one year (1974) in which it dropped to the .19 million dollar level.

A major discretionary grant (\$ .11 million) was made in 1972 to study the jurisdiction and procedure of Indian tribal courts but with that exception no discretionary grants were made to the Washington court system until 1975. The major

projects funded by discretionary grants occurred in 1976 and involved the establishment of a planning unit in the Office of the Administrator for the Courts (\$ .05 million), the funding of an appellate section of the state judicial information system (\$ .14 million) and the institution of a jury management project (\$ .10 million). The 11 discretionary grants made to the state totaled .55 million dollars and accounted for 13 percent of the LEAA money provided.

Washington's major area for the expenditure of block grant funds involved court information systems where 1.8 million dollars (42 percent of the total) have been spent in addition to the discretionary funds reported above. Except for a major project in the Kings County (Seattle) courts, virtually all of these expenditures have been at the state level (\$ 1.6 million, or 93 percent of the total). They are designed to create an operational state judicial information system for the Washington courts.<sup>1/</sup>

Organization and management projects accounted for 1.0 million dollars in block grants (24 percent of the total). At the state level a judicial planning committee was provided for in 1978 (\$ .05 million),<sup>2/</sup> but the major expenditures have been for the creation of an appellate screening

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<sup>1/</sup> Office of the Administrator for the Courts, 20th Annual Report (1976), pp. 61-62.

<sup>2/</sup> Id., 20th Annual Report, pp. 60-61.

unit of staff attorneys to assist the Supreme Court and the intermediate appellate court (1976 to 1978, \$ .09 million).<sup>3/</sup>

A substantial number of local court management grants have been made (\$ .45 million). They have provided for trial court administrator positions in four counties and for operational projects to improve court operations in several more counties, particularly including King County (Seattle).

A major procedural effort has been made in Washington in the field of appellate procedure where a thorough revision of the rules on appeal was accomplished. Commencing with a small planning study, the Judicial Council was financed over the period 1970 to 1975 for this purpose in the amount of .06 million dollars in block grant funding, and the Administrative Office of the Courts also received .03 million dollars in 1973 for implementation of the appellate justice project. The new rules on appeal have been adopted by the Supreme Court, effective July 1, 1976.<sup>4/</sup>

Educational grants (\$ .43 million) and research studies (\$ .43 million) are the other important categories to which the State of Washington has applied its federal grant funds. Substantial grants have been made to the Office of the Administrator for the Courts for educational programs for the judiciary. These grants have covered the attendance of Washington judges at national educational programs, but

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<sup>3/</sup> Id., 20th Annual Report, pp. 5-6.

<sup>4/</sup> Id., 20th Annual Report, p. 6.

they have also funded a continuing program for judicial education within the state.<sup>5/</sup> The Washington educational programs have resulted in the creation of a Board on Judicial Training Standards and Education which has adopted long-range policies and procedures for the further development of judicial education in the state.<sup>6/</sup> This Board has also developed training manuals and benchbooks, utilizing LEAA block grants (\$ .04 million).

Research studies in Washington have included the use of both discretionary and block grant funds. Discretionary funds have been used primarily for studies involving Indian tribal courts (\$ .11 million), but block grant funds have covered a variety of topics. They include: district court studies, a survey of judicial operations in the state, research projects related to proposed constitutional changes in the judicial system, a study of the use of a weighted case-load system and work on the drafting of sentencing guidelines.

In summary, LEAA funds reported for Washington over the 10-year period total 4.3 million dollars, divided into .55 million dollars in discretionary funds and 3.7 million dollars in block grant funds. Most of the money went into automation and information systems (\$ 1.8 million or 42 percent) and the next highest amount was 1.0 million dollars for

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<sup>5/</sup> Id., 20th Annual Report, p. 69.

<sup>6/</sup> Washington Laws of 1974, ch. 94 (1st Ex. Sess.); Office of the Administrator for the Courts, 20th Annual Report, pp. 59-60.

improvements in organization and management (or 24 percent), followed by expenditures for education and training .43 million dollars (or 10 percent), and research studies at .43 million dollars (or 10 percent) also.

b. Other Federal Funding

Mention was made of the use of public works funds, CETA funds and juvenile court funds from the Department of Health, Education and Welfare but, the only funds other than LEAA grants reported from Washington are the grants made by the Highway Traffic Safety Administration to the state. The state had a far more active use of traffic court funding than is usual, having received 28 grants in the years 1974 to 1978 (\$ .61 million). The grants range from the revision of traffic citations to management studies of traffic courts. A traffic court coordinator was provided for the Office of the Administrator for the Courts and some personnel were provided for particular trial courts. Funds were made available for judicial education, for a survey of traffic court facilities, for computer services in traffic courts and for a weighted caseload study in the traffic courts.

The most significant grant made in this area involved a project of the National Highway Traffic Safety Administration that involved two states, one of which was Washington.<sup>7/</sup> Seattle was selected as one of the experimental

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<sup>7/</sup> National Highway Traffic Safety Administration, Report on Administrative Adjudication of Traffic Infractions (1977), 27 pp.



sites for the Special Adjudication for Enforcement (SAFE) project, and the experiment was conducted in the Seattle Municipal Court from 1973 to 1976. About .63 million dollars was expended over the life of the project which is evaluated as having saved court time and having improved traffic safety. The program is continuing under local funding and other municipal courts are said to be interested in adopting the informal adjudication procedures instituted under it.<sup>8/</sup>

c. Washington Comments

The major projects having a lasting effect in the state include the revision of appellate rules and procedures, the strengthening of state court administration and the commencement of a state judicial information system. The educational programs that were instituted with LEAA grant funds are highly regarded and are credited with creating a continuing judicial education program for the state. Some judicial disenchantment was expressed with the extent to which federal funds have been relied on for expenditures that ought to have been made by the state, particularly in the area of information systems.

The state executive branch is rated as having been uncooperative insofar as judicial needs were concerned until the 1976 changes in the LEAA enabling act, which made it clear

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<sup>8/</sup> Office of the Administrator for the Courts, 20th Annual Report, pp. 67-68; Washington State Department of Motor Vehicles, Final Report: Special Adjudication for Enforcement (SAFE), 1976, 291 pp.

that courts were to receive an adequate share of the funds and were to plan for judicial needs in light of the priorities assigned by the judiciary. Both the executive branch and the local boards of commissioners were said to have been more interested in law enforcement needs than in court problems, but the situation has changed for the better in recent times. The Legislature has not taken very much interest in the program except where the need to provide continuation funding at state expense has arisen. No problem has been experienced in securing matching funds for the federal grant programs.

Local government has had a minor role with respect to court grants. Many trial courts have been reluctant to become involved in the LEAA program, and the projects proposed by those that did have not been enthusiastically received by the local law and justice planning agencies. The view was expressed that the only satisfactory way for local courts to participate would be for the Office of the Administrator for the Courts to secure overall funding and to allocate money to the local courts for their needs.

The federal program is viewed as far too cumbersome, particularly at the local level where a number of local approvals are required in addition to those imposed by federal and state governments. At least one major court questions whether continued use of the federal grants is sensible in light of the difficulties encountered in securing the funds. The Washington experience with state continuation of federal

projects has been good, but an effort has been made to hold down the number of projects that will require a continuing effort and continuing expense. Some difficulty may be expected with respect to the state judicial information system effort in that respect.

The National Center for State Courts is credited with rendering valuable assistance to the state. A number of the federal grant programs undertaken have been executed with the assistance of the Center's Western Regional Office including: a superior court benchbook, an analysis of district court administration, the appellate staffing project, forms and statistical work, a study of weighted caseloads and the background work for the proposed revision of the judiciary article of the Washington Constitution.

In a few instances Washington has relied upon outside consultants in the evaluation of projects, notably in the information system area, but for the most part they have been done informally or through advisory committees. A federal-state Judicial Council exists in the state, but it is not thought to have done very much. Private agencies have not been involved in assisting the Washington courts to any great extent and no report is made of the use of private funds in aid of the courts.

WASHINGTON  
State

LEAA COURT SYSTEM GRANTS - 1969 to 1978  
[Number of grants: (0); dollars in thousands: (000)]

Discretionary: (11) 553,000  
Block - state: (63) 2,833,000  
local: (43) 931,000  
Total : (117) 4,317,000

Categories of grants		1969	1970	1971	1972	1973	1974	1975	1976	1977	1978		Grants	Dollars
1	Organization/management											1		
	(a) Discretionary							(1) 21	(3) 66		(1) 100	(a) 5	5	187
	(b) Block - state					(4) 109		(2) 58	(3) 53	(1) 9	(3) 155	(b) 13	13	384
	(c) local		(2) 81		(3) 196		(6) 68	(4) 65	(4) 37	(1) 4		(c) 20	20	451
2	Procedure											2		
	(a) Discretionary								(1) 97			(a) 1	1	97
	(b) Block - state		(1) 12		(1) 7	(3) 41	(1) 30	(1) 5	(1) 5	(1) 18		(b) 9	9	118
	(c) local			(3) 47	(2) 40			(1) 2		(1) 97		(c) 7	7	186
3	Sentencing/alternates											3		
	(a) Discretionary											(a) 0	0	0
	(b) Block - state									(1) 40	(1) 68	(b) 2	2	108
	(c) local										(1) 68	(c) 1	1	68
4	Education/training											4		
	(a) Discretionary											(a) 0	0	0
	(b) Block - state				(3) 7	(5) 65	(2) 54	(3) 139	(1) 54	(2) 49	(1) 54	(b) 17	17	422
	(c) local					(1) 2	(2) 3			(1) 3		(c) 4	4	8
5	Equipment/facilities											5		
	(a) Discretionary											(a) 0	0	0
	(b) Block - state											(b) 0	0	0
	(c) local				(2) 8	(1) 18						(c) 3	3	26
6	Automation/information											6		
	(a) Discretionary								(1) 137			(a) 1	1	137
	(b) Block - state				(1) 18	(2) 37		(2) 178	(2) 292	(1) 350	(2) 700	(b) 10	10	1,575
	(c) local				(2) 21	(1) 19	(1) 1		(1) 80			(c) 5	5	121
7	Research/miscellany											7		
	(a) Discretionary				(1) 105				(2) 11	(1) 16		(a) 4	4	132
	(b) Block - state		(3) 18	(2) 29		(2) 78	(2) 32		(2) 58	(1) 11		(b) 12	12	226
	(c) local		(1) 8			(1) 60	(1) 3					(c) 3	3	71
Annual Totals			(7) 119	(5) 76	(15) 402	(20) 429	(15) 191	(14) 468	(21) 890	(11) 597	(9) 1,145		117	4,317
											[Average grant]			[37]
National Highway Traffic Safety							(1) 16	(4) 93	(12) 101	(8) 334	(3) 66		28	610

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## 7. Summary of LEAA Experience

The question of how much of the LEAA grant funds are actually used for court projects, as the court systems view such projects, has been a much debated question throughout the 10 years of the program. The figure for state courts reached by the studies referred to in Chapter I of this report is about 5 percent of the available funds. LEAA's appropriations were about 6,569 million dollars over the 10-year period,<sup>9/</sup> and 5 percent of that figure would be in the neighborhood of 328 million dollars. Another figure that has been widely used is that LEAA has provided about 715 million dollars for court purposes over the period of its existence.<sup>10/</sup>

The figures submitted by the states themselves, with the 19 State Group adjusted upward to account for the Profile System's underreporting of state grants, are as follows:

### LEAA Grants for Court Projects (1969 to 1978)

6 State Group	81,569,000
25 State Group	76,328,000
19 State Group (with LEAA's 19,935,000 ad- justed upward by using the 28 percent figure in Table III below)	71,196,000
	<u>229,093,000</u>

<sup>9/</sup> See Congressional Budget Office, Federal Law Enforcement Assistance: Alternative Approaches, April 1978, at p. 34.

<sup>10/</sup> See Meador article cited in Chapter I, fn.1, above.

Any such calculation must, of course, take into account all of the inaccuracies in recordkeeping that have already been mentioned. In addition, LEAA has funded many national research projects, has provided a great deal of technical assistance and has supported a wide variety of private agencies that are devoted to the cause of court improvement. Nevertheless, insofar as direct grants to state court systems are concerned, it is suggested that the 715 million dollar estimate for LEAA's grants to state courts is about three times the actual figure.

The extent of federal influence upon state court systems as a result of the grant programs has not been significant in the experience reported by the states. Occasionally projects sponsored by LEAA's top officials have been accepted reluctantly by state systems, and some have expressed concern about the possibility of mandated federal standards for court operation, derived from LEAA's "standards and goals" project of a few years back. Some states noted that the federally devised priorities often do not fit a state's particular judicial needs. Finally, it is obvious that the acceptance of federal grants always subjects the recipient to any policies that are expressed by Congress in the federal statutes, as interpreted by LEAA administrators. No serious complaints have been made on that score, however, in the reports submitted for this study.

The states do not report any serious problems in

securing the matching funds needed to obtain federal court grants, at least until recent times. One state (Nevada) reports that its Legislature declined at a recent session to appropriate matching funds, however, and another had the same experience in 1976 (Idaho). Several states have mentioned an increasing demand by Legislatures for justification of particular projects as a condition to providing the matching appropriation. For the most part, though, Legislatures have simply included appropriations in their regular budget bill for this purpose. <sup>11/</sup>

The most serious internal management problem for state court systems in respect to federal grant programs is found in the diffused responsibility for the allocation of funds. The need to compete with executive branch agencies in an allocation system that often operates directly from a Governor's office sometimes produces decisions that have a political basis rather than a court improvement goal. The participation of local governing bodies in the grant process also tends to defeat the efforts of centrally administered court systems to maintain an organized approach to court reform programs. Local planning units, not particularly concerned with court problems, tend to dominate the use of any federal funds that are routed through them and, again, political

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<sup>11/</sup> In one state (Massachusetts), however, the Legislature made an attempt that was overturned in the courts to have federal grant funds deposited in the state treasury, subject to legislative appropriation.

considerations are apt to rule the day.

The procedural complexities, the paperwork avalanche and the frustrating delays that have always characterized LEAA's operations are universally cited as obstacles to the use of federal funding in aid of courts. The suggestion has been made in Georgia, and in other states, as well, that these bureaucratic and costly processes might well justify a state in refusing to participate further in the LEAA grant programs. In New York the State Administrative Judge has made such a recommendation to the legislative budget committees and in Idaho a decision was made in 1977 to phase out any further reliance on federal funding in support of the Idaho court system.

Notwithstanding these developments, any review of the past 10 years must conclude that LEAA has been the single most powerful impetus for improvement in state court systems. Central administrative offices have been created, or strengthened, through the use of federal funds (Alabama, Florida, Georgia, Kentucky, Maine, Missouri, New York, Nevada, Washington). Judicial planning committees have been instituted in most of the states and in some have developed into court administrative offices (Nevada). These federally funded structural changes have generally been accepted as permanent parts of state judicial systems and increased capacity for



future improvements in those systems now exists.<sup>12/</sup> Judicial education has been stimulated within the states, creating well-funded and well-staffed judicial colleges in several. Out-of-state educational programs have also been supported on a continuing basis and that has proved to be very effective.<sup>13/</sup> Most states, although they are keeping a watchful eye on the federal administrators, are willing to continue to participate in such programs because they frequently provide the only funding that is available for the educational, research and demonstration projects that state courts believe to be essential.

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<sup>12/</sup> State assumption of the costs of such judicial changes has not always been easy (Maine) and occasionally an unsuccessful effort has been mounted to terminate an administrative office that is still partially supported by federal funds (Georgia).

<sup>13/</sup> LEAA's funding has been used in some states for continuous support of educational programs since 1970 or 1971. Unlike most LEAA grants there is apparently no three-year limit for educational funds, presumably upon the theory that different judges are being benefitted. Some states have devoted virtually all of their funds, except for a few facilities grants, to local educational grants (Wyoming). In Illinois and Tennessee a large share of the state level grants have been used for educational programs and judicial colleges or institutes have received initial funding in Alabama, California, Georgia and Washington.

TABLE I

6 State Group

LEAA Court System Grants [\$ in thousands: (000)]		Organization/ Management	Procedure	Sentencing/ Alternates	Education/ Training	Equipment/ Facilities	Automation/ Information	Research/ Miscellany	Total	Average Grant
<u>1969 to 1978 States/Grants</u>		<u>Org.</u>	<u>Proc.</u>	<u>Sent.</u>	<u>Educa.</u>	<u>Equip.</u>	<u>Info. Sys.</u>	<u>Research</u>	<u>Total</u>	<u>Grant</u>
<u>6 States Studied</u>										
Alabama	(127)	3,044	55	0	428	233	398	332	4,490	35
California	(368)	6,741	1,081	2,097	2,888	362	8,546	1,814	23,528	64
Georgia	(39)	2,283	100	0	394	40	486	545	3,848	99
New Jersey	(223)	4,169	1,399	2,485	1,066	258	3,641	606	13,624	61
New York	(85)	22,398	566	0	331	1,150	5,345	1,972	31,762	374
Washington	(36)	1,022	401	176	430	26	1,833	429	4,317	120
Sub-total (878)		- - - - -	- - - - -	- - - - -	- - - - -	- - - - -	- - - - -	- - - - -	81,569	93
LEAA figure (1972-1978)		- - - - -	- - - - -	- - - - -	- - - - -	- - - - -	- - - - -	- - - - -	22,854	
[28% of state total]										

பெரிய அளவுக்குள்ளேயே பணம் செலவாகியிருக்கிறது. அதைத் தவிர்த்து, பணத்தைச் சேமித்துக் கொடுக்க வேண்டும். அதற்கு என்ன செய்ய வேண்டும்? அதைத் தவிர்த்து, பணத்தைச் சேமித்துக் கொடுக்க வேண்டும். அதற்கு என்ன செய்ய வேண்டும்?

94

25 States  
te Data Incl.)

[illegible]

TABLE III

19 State Group

LEAA Court  
System Grants  
[\$ in thousands: (000)]

1969 to 1978  
States

19 States  
(LEAA figures only)

	Organization/ Management Org.	Procedure Proc.	Sentencing/ Alternates Sent.	Education/ Training Educa.	Equipment/ Facilities Equip.	Automation/ Information Info. Sys.	Research/ Miscellany Research	Total
Colorado	205	0	0	115	0	0	56	376
Connecticut	126	361	0	27	0	0	35	549
Delaware	36	52	100	53	0	5	16	262
Indiana	193	0	0	755	0	0	110	1,058
Iowa	111	100	0	128	0	0	0	339
Kansas	200	23	0	227	0	3	25	478
Louisiana	195	198	0	102	0	400	0	895
Massachusetts	1,072	100	0	250	50	400	2,632	4,504
New Hampshire	1	0	0	46	0	0	0	47
New Mexico	64	0	0	736	0	133	50	983
North Dakota	130	0	0	82	0	0	92	304
Ohio	2,519	153	39	269	0	0	35	3,015
Oklahoma	244	0	0	237	0	0	0	481
Pennsylvania	3,045	38	255	712	0	230	173	4,453
South Carolina	0	0	243	153	0	0	359	755
South Dakota	23	49	0	105	0	0	0	177
West Virginia	0	0	0	60	0	0	98	158
Wisconsin	139	100	79	301	0	0	22	641
Utah	125	100	0	154	81	0	0	460
								<u>19,935</u>

71,196\*/

\*/ Adjusted figure to compensate  
for LEAA's underreporting,  
using 28 percent LEAA report-  
ing figure from Table I above.

### CHAPTER III. OTHER ASSISTANCE TO STATE COURTS

One of the collateral lines of inquiry specified for this study involves the extent to which sources for assistance to state courts exist, other than programs of the federal government. Private agencies operating on their own funds, and private foundations willing to assist state courts, are known to exist but no overall assessment of their number and of the extent of their interest has been made. Among the questions asked of state court administrators, therefore, was a question as to the extent of such private assistance in the experience of their states.

For the most part the response from the states was that only minimal assistance has been rendered by private agencies during the past 10 years. Leaving aside for the moment the private agencies that service state courts almost entirely through the use of federal funds, it is clear that very few private organizations devote their principal attention to court problems. Two that do, however, are the American Judicature Society in Chicago and the Institute for Judicial Administration in New York. Both organizations have a long and distinguished history of work in court improvement and have been supported primarily by private funds although LEAA grants have been used in more recent years.<sup>14/</sup>

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<sup>14/</sup> The Institute of Judicial Administration reports the receipt of about 3.0 million dollars in LEAA grant funds over the 10-year period, with cash matching funds from its own resources and from private groups such as the

In New York reference was made to the work of the Vera Foundation (now the Vera Institute for Justice) whose early work in the field of bail reform is well known. That organization, however, is only interested in court problems to a limited extent although it presently is working under a federal grant obtained with the approval of the New York Office of Court Administration to analyze dispositions in the New York City family court. The Economic Development Council of New York, a privately funded business organization has also spent substantial sums of private money on court projects (see Section C-5 of Chapter III of this report). It has also been the recipient of federal LEAA funds with respect to particular projects undertaken in aid of the New York system, as has the Fund for Modern Courts.

In California the Ford Foundation was responsible for three years of funding to support the California Judges Association summer judicial college program which has now developed, with LEAA funding, into the California Center for

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14/ (Continued)

American Bar Association and the Goldman-Aster Foundation. The IJA projects have included court studies in Connecticut, Delaware, Kansas, Louisiana, Maine, New Hampshire, South Carolina and Tennessee. In addition, special programs have been undertaken like the annual Appellate Judges Seminar and the Juvenile Justice Standards project.

The American Judicature Society, in a partial report, identifies the use of about .72 million dollars in LEAA and National Science Foundation funding in support of its research projects. The Society also acts as subcontractor for projects that are federally funded in the states.

Judicial Education and Research. A locally funded California Foundation for Judicial Education has also provided the resources for several publications of the Center. The Kellogg Foundation is cited for its contributions to the Michigan court system, but most of its undertakings have been national in scope. Other scattered grants from private organizations are mentioned in the state submissions, but the general picture is that very little money and very few foundations have shown an interest in the problems of the state courts.

There are private organizations, of course, whose efforts are specifically devoted to the field of court improvement, but they are supported in large part by the grants they receive from the LEAA or from other federal agencies. The National Center for State Courts, the Institute for Court Management and the National Judicial College are the primary private agencies in this category.<sup>15/</sup>

There are also a number of national organizations with broad governmental interests that have participated in the effort

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<sup>15/</sup> Grants to the National Center for State Courts, as reported in the Colorado printout from LEAA's Profile System (1973 to 1978) amounted to 14.2 million dollars. The same source reports 1.0 million dollars in grants to the Institute for Court Management.

The Nevada printout shows .87 million dollars in grants in the National Judicial College, primarily in the juvenile court area, and since 1973 the College has received between 13 and 39 percent of its annual operating budget from LEAA funds. In addition, the attendance costs for participating judges (1,000 to 1,300 per year) are largely derived from state block grant funds.

to aid state courts and, again, federal funding has been a large part of the impetus for their court-related work. American University (Washington, D.C.) has been involved continuously since 1972 in performing technical assistance services for state courts under contracts with LEAA's Adjudication Branch (\$ 2.1 million). It has also performed research studies for LEAA's National Institute of Law Enforcement and Criminal Justice on alternatives to conventional criminal adjudication (\$ .30 million) and on model court management programs (\$ .29 million). The American Bar Association has used LEAA funding in connection with its promulgation of new Standards of Judicial Administration and for the purpose of its annual Appellate Judges' Seminar series now in its ninth year. Utilizing discretionary grants the Council on State Government has undertaken research on judicial planning and judicial education, and the National Research Council (National Academy of Sciences) has evaluated the research activities of LEAA's National Institute of Law Enforcement and Criminal Justice.<sup>16/</sup> That LEAA agency has also funded a great deal of criminal justice research over the past 10 years, but until recently has taken a limited interest in state court problems. Although more emphasis is now being given in that area, state court administrators have not found that the National Institute's work is very closely related to the problems of the state courts.

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<sup>16/</sup> National Academy of Sciences, Understanding Crime: An Evaluation of the National Institute of Law Enforcement and Criminal Justice (1977), 251 pp.



A P P E N D I C E S

## Appendix A - Methodology

This 90-day study was contracted for by the United States Department of Justice which on May 1, 1978 engaged Mr. Ralph N. Kleps of San Francisco, California to perform the task.<sup>1/</sup> The contract is administered by the Office for Improvements in the Administration of Justice, which supervises the Federal Justice Research Program within the Department (DOJ Contract No. J-42672 - \$10,000). The contract calls for a survey report on relationships between the federal government and state court systems during the past 10 years, with specific reference to federal operational funding, federal research and technical assistance programs and federal-state programs for cooperation. The report is based primarily on the information and comments submitted by state officers who have knowledge of the federal programs and experience with them. Information has also been solicited from federal agencies and from semipublic and private agencies that have undertaken to assist state court systems.

The cutoff date for information used in the report

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<sup>1/</sup> Mr. Kleps is a consultant on law and court management. He was California's first Administrative Director of the Courts (1961 to 1977), and he previously served as Legislative Counsel of California (1950 to 1961) and Director of the Office of Administrative Hearings (1945 to 1950). He was assisted in the study by Mr. Norman E. Woodbury, former Assistant Director for Management (Administrative Office of the California Courts) who conducted the California and Washington interviews, and by Mr. Jon D. Pevna (Manager, California Judicial Planning Committee) who conducted the Alabama and Georgia interviews.

is July 24, 1978 and the period covered by it runs from July 1, 1969 to June 30, 1978. The report does not deal with jurisdictional interrelationships between state and federal courts. It is limited strictly to programs in direct aid of courts. A "court project" for the purpose of this report does not include projects for probation offices, for district attorneys, for public defenders or for law reform generally. When data submitted for the report contained such items, they were deleted to the extent that was possible in order that the experience of all states could be summarized upon a uniform basis.

This report undertakes to answer the question, in preliminary form, as what uses were made by the state courts of the substantial sums of money that were made available by the federal government during the past 10 years for court improvement. All 50 states were asked to submit information concerning their use of federal funds during this period (see attached May 1, 1978 letter to all state court administrators). Each state was also furnished a computer printout from the Law Enforcement Assistance Administration's Profile System. This grant management information was designed to go out to the states shortly after May 1, 1978, but actually was not sent until May 31 (see attached LEAA letter to all state court administrators).

A majority of the states (31) responded to this inquiry by submitting detailed information although the responses were delayed in some cases by the instruction that it would be desirable to await receipt of the LEAA printout. (The material from the last state whose information is included in the report

arrived on July 24.) Nineteen states were unable to provide any detail concerning the use of federal grants in their court systems, some because of particular conditions in their own offices (change of personnel, fiscal year budgets, etc.) or because of the unavailability of the historical records. In six states special interviews were conducted that enabled a detailed analysis of their use of federal funding. The persons interviewed in the six states included judges, court administrators, judicial planners, state planning agency board members and staff personnel, other state officers and members of the bar.

Finally, national organizations that have an interest in state courts, including federal agencies believed to have participated in assistance programs that have affected courts, were asked to submit information. (See, materials attached and list of addresses.)

Attachments

RALPH N. KLEPS  
COUNSELOR - LAW AND COURT MANAGEMENT

P.O. BOX 31509  
SAN FRANCISCO, CA 94131

LEGISLATIVE COUNSEL OF CALIF. (1951-61)  
ADMIN. DIRECTOR OF CALIF.  
COURTS (1961-77)

Study on Federalism and Assistance  
to State Court Systems - 1969 to 1973 \*/  
(DOJ Contract No. J-42672)

May 1, 1978

Dear

As you may know, I have been engaged by the Office for Improvements in the Administration of Justice to do a survey report on the relationships between the federal government and state court systems during the past ten years, with specific reference to federal operational funding, federal research and technical assistance programs and programs for federal-state coordination. The report will reflect the experience of the states with respect to the Law Enforcement Assistance Administration and all other sources of federal funds for courts. It will be based upon the information and views contributed by the state officers who have participated in the programs.

The purpose of this letter is to solicit your assistance in compiling the information upon which the report, which is to be submitted on July 31, 1978, will be based. It is not expected that any special state reports will be prepared for this project; our purpose is to collect the information that already exists. If you have seen the California Judicial Criminal Justice Planning Committee's 1977 Annual Report, which identifies each court project since 1969, you will know the kind of data we are seeking. The study is limited to "court projects" in the narrow sense, that is, projects sponsored by a judicial agency or projects that were carried on within the judicial system. It does not include, for example, prosecutor or defender projects.

As an aid to gathering the information, I am enclosing an "Interviewer's Check List" that is being used in the five states where personal interviews will be conducted. There is also enclosed a "Project Summary Sheet" that can be used to report data for each project included. These documents can be photocopied and used to furnish your state's information if that proves feasible. In addition, shortly after you receive this letter you should receive an LEAA printout (from Dennis Murphy, Adjudication Division, LEAA, 633 Indiana Avenue, Washington, D.C. 20531) that will undertake to list the court projects in your state

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\*/ Study Director: Ralph N. Kleps. Study sponsored by the Federal Justice Research Program, Office for Improvements in the Administration of Justice, U.S. Department of Justice, Washington, D.C. 20530

from 1971 to date. It will cover the categorical grants and the block grant projects in your state to the extent that they have been reported to LEAA. It may miss some pretrial, probation or information system grants that are not recorded under the "courts" heading, and it may include some national organization grants for agencies headquartered in your state. But it is hoped that the information will be valuable as a "check list" for your state to work against.

We are interested in the types of projects that have been funded for courts in your state, in the workload and budgetary data about them, in published materials, in evaluations that have been performed, and in any semi-public or private organizations that are relevant to relationships between the federal government and state court systems. I hope that this data can be in hand by June 1, and the Western Regional Office of the National Center for State Courts has expressed its willingness to act as a collection center for it. Will you send your information, therefore, to:

Ralph N. Kleps, Director  
Study on Federalism and Assistance to State Courts  
c/o Western Regional Office, NCSC  
235 Montgomery Street, Suite 1550  
San Francisco, Calif. 94104  
(415) 557-1515

During the week of June 12 to June 16 I plan to be available in that office on a daily basis for telephone contact on the subject of this report, and I may be telephoning your office (or any other office you designate) for clarification of particular issues. At other times you can reach me at the telephone listed on this stationery.

It is hoped that all informed state officers will have an opportunity to express their judgments concerning the federal role in aiding state courts. The report will undertake to reflect their experience in a form that will permit it to be used in connection with any future programs of the same nature. Your assistance will be greatly appreciated.

Yours truly,

Ralph N. Kleps

INTERVIEWER'S CHECK LIST

Interviewer:

Interviewee:

Title:

Date:

1. Over what period of time and from what background has your knowledge of federal assistance to state court systems been obtained?

2. What types of federally funded projects have had a substantial impact upon your court system? Can you identify specific projects that had major value, for example, alternative forms of dispute resolution?

3. What federal agencies or federal programs have been the sources for federally funded court projects in your state? Are there particular factors that influenced the choice of one source over another?

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\*/ Study Director: Ralph N. Kleps. Study sponsored by the Federal Justice Research Program, Office for Improvements in the Administration of Justice, U.S. Department of Justice, Washington, D.C. 20530.

"Court project" for the purpose of this report means a project sponsored by a judicial agency or one that was carried on within the judicial system. It does not include prosecutor or defender projects.

4. How would you describe the role of your state's executive branch in the obtaining and administering of federally funded court projects in your state? Has that role infringed upon judicial independence in any way?

5. How would you describe the role of your state's legislative branch in the obtaining and administering of federally funded court projects in your state? Has that role infringed upon judicial independence in any way?

6. How would you describe the role of local government agencies in the obtaining and administering of federally funded court projects in your state? Has that role infringed upon judicial independence in any way?

7. What major impediments have there been, if any, to obtaining matching funds for federally funded court projects?

8. Have there been unnecessary federal, state or local administrative impediments to obtaining federally funded court projects in your state?



9. What has been the experience in your state in having federally funded court projects continued with state or local funding? Can you identify particular projects that have been refused such funding, as well as those that have received it?
10. Can you identify any semi-public or private organizations that have used federal funding in rendering assistance to your state court system, for example, in providing technical assistance?
11. Have formal evaluations been made of the federally funded court projects in your state?
12. What evaluation techniques have been used and how would you rate them?
13. Have there been significant efforts in your state to improve federal-state coordination in the judicial area? Have federal funds been used?
14. How much non-federal funding has been made available in your state for court projects from sources other than state or local agencies, for example, from private foundations?

State of \_\_\_\_\_

COURT PROJECT SUMMARY SHEET

Item No. \_\_\_\_\_

Project Title: \_\_\_\_\_

Federal Funding Source: \_\_\_\_\_

Project Identification No: \_\_\_\_\_

Sponsoring Agency: \_\_\_\_\_

Funding Year(s): 1st \_\_\_\_\_  
2nd \_\_\_\_\_  
3rd \_\_\_\_\_  
4th \_\_\_\_\_

Federal Amount: 1st \_\_\_\_\_  
2nd \_\_\_\_\_  
3rd \_\_\_\_\_  
4th \_\_\_\_\_

Staff positions involved: Professional \_\_\_\_\_ Clerical \_\_\_\_\_ Other \_\_\_\_\_

Present Status: Active \_\_\_\_\_ Completed \_\_\_\_\_

If completed, any continuation funding? Yes \_\_\_\_\_ No \_\_\_\_\_

Amount of continuation funding \$ \_\_\_\_\_ for Fiscal Year \_\_\_\_\_

For further information contact:

Date: \_\_\_\_\_

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\*/ Study Director: Ralph N. Kleps. Study sponsored by the Federal Justice Research Program, Office for Improvements in the Administration of Justice, U.S. Department of Justice, Washington, D.C. 20530.

"Court project" for the purpose of this report means a project sponsored by a judicial agency or one that was carried on within the judicial system. It does not include prosecutor or defender projects.



UNITED STATES DEPARTMENT OF JUSTICE  
LAW ENFORCEMENT ASSISTANCE ADMINISTRATION  
WASHINGTON, D. C. 20531

May 31, 1978

Dear State Court Administrator:

Please consider this an addendum to the letter of introduction (enclosed) by Ralph Kleps, Study Director for a Study on Federalism and Assistance to State Court Systems - 1969 to 1978.

The enclosed print-outs--separated by a pink sheet--of "national" and "block" grants from LEAA for court programs in each state should assist you in providing Mr. Kleps with the information he needs to complete his study. His deadline, by the way, has slipped--mostly as a result of my tardiness--but he can complete his study in time if you have the information to him by the third or fourth week in June at the latest.

To assist you in reviewing these print-outs, I offer the following caveats (some of which Mr. Kleps noted in his letter):

1. We have better information on the national, or categorical, grants than we do on the block grants. There are several reasons. First, all the coding is done in Washington and the source information (and files) are here. Second, we are developing a new coding scheme, which to date has only been applied to the categorical grants. The earlier grants classification dictionary is not as easy to work with, and the block grant information suffers accordingly. Third, OMB says LEAA and other federal agencies cannot require the states (i.e., State Planning Agencies) to submit this information at all. Some do not. Some do poorly (no narrative detail). Some do late.
2. Mr. Kleps and I intentionally chose to narrow our query to avoid "system-wide" activities and all grants which do not have the judicial function as the focus. This means that we did not retrieve the following types of grants:

- indigent defense
- prosecution
- probation
- family and juvenile reform
- pretrial programs
- information systems development (unless exclusively courts related, such as SJIS)
- criminal code revision

We did this because there has been, over the past three years, considerable debate over what "courts" funding was and is. The debate is, of course, memorialized in the document entitled Analysis of LEAA Block Grant Financial Assistance To State Courts: 1972-1975 by Peter Haynes, Harry Lawson, Tom Lehner, Judge James Richards, and Ernie Short. I am not convinced that the debate is fully resolved, and I offer these print-outs as Exhibit 1. We definitely missed a great number of court-related block grants, and we have included some "ineligible" grants. Please bear with us and I will try to provide you with a more comprehensive block grant summary. Also, I can provide a project summary for each of the listed grants.

3. The national grant print-out for each state includes grants which can only be considered national--e.g., a grant to the National Center for State Courts on Court Equipment Analysis. Therefore, some of the totals are clearly misleading.

In sum, these print-outs underreport courts grants, particularly at the block grant level. If you have any questions whatsoever, please do not hesitate to contact me at your convenience.

Sincerely,



Dennis R. Murphy  
 Courts Specialist  
 Adjudication Division, OCJP, LEAA  
 202/376-3615

RALPH N. KLEPS  
COUNSELOR - LAW AND COURT MANAGEMENT  
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ADMIN. DIRECTOR OF CALIF.  
COURTS (1961-77)

Study on Federalism and Assistance  
to State Court Systems - 1969 to 1978 \*/  
(DOJ Contract No. J-42672)

To Each State Court Administrator:

This printout from the Law Enforcement Assistance Administration's "Profile System" displays your state's court projects as shown in their records. It follows up on my letter to you of May 1 and should be helpful as a check list in furnishing information on your state. You will recognize immediately that it has limitations: it goes back only to 1971; it may include some national projects that were located in your state; and it may not show some pretrial, probation or information system grants. Nevertheless it should be helpful.

It is furnished through the courtesy of LEAA's Adjudication Division, 633 Indiana Avenue, Washington, D.C.

Ralph N. Kleps, Study Director

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\*/ Study sponsored by the Federal Justice Research Program, Office for Office for Improvements in the Administration of Justice, U.S. Department of Justice.

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(415) 647-7700

LEGISLATIVE COUNSEL OF CALIF. (1951-61)  
ADMIN. DIRECTOR OF CALIF.  
COURTS (1961-77)

May 1978

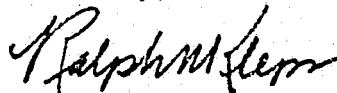
Gentlemen:

The attached memorandum describes a survey project in which I am engaged on behalf of the U. S. Department of Justice, Office for Improvements in the Administration of Justice.

We are interested in a description of any research programs or grants in aid of state courts that your agency may have participated in, and in any reports or published materials that bear upon federal assistance to state courts over the past ten years. We are also interested in the efforts of private and semi-public agencies to assist state courts, particularly if federal funds were used. A list of participating agencies and of the pertinent reference materials will accompany the report.

Yours assistance in connection with this work will be appreciated by the Department of Justice and by me.

Yours truly,



Ralph N. Kleps

RALPH N. KLEPS  
COUNSELOR - LAW AND COURT MANAGEMENT

P.O. BOX 31509  
SAN FRANCISCO, CA 94131

LEGISLATIVE COUNSEL OF CALIF. (1951-61)  
ADMIN. DIRECTOR OF CALIF.  
COURTS (1961-77)

Study on Federalism and Assistance to  
State Court Systems - 1969 to 1978 \*/

The U. S. Office for Improvements in the Administration of Justice has contracted for a survey report on the relationships between the federal government and state court systems during the past ten years, with specific reference to federal operational funding, federal research and technical assistance programs and programs for federal-state coordination. The report will reflect the experience of the states with respect to the Law Enforcement Assistance Administration and all other sources of federal assistance to state courts. The study will be completed by July 31, 1978.

Primary reliance will be placed upon the information and comments furnished by state officers who have participated in the various programs. Data and views will be solicited, however, from other sources including the federal agencies that have been involved and from the private and semi-public agencies that have been working in this field.

The study will not cover jurisdictional interrelationships between state and federal court systems, and it will not cover projects funded through nonjudicial agencies that may have had some effect on courts. The focus is on federal assistance rendered specifically to state courts.

To the extent possible, the study will include budgetary and workload data. It will list the relevant statutes and bibliographic materials, and it will report upon the evaluations that have been made over the ten year period concerning federal assistance to state courts.

Other comments on this field of study will be found in:  
(1) Daniel J. Meador, "The Federal Government and the State Courts," (The Robert Houghwout Jackson Lecture, National College of the State Judiciary, October 14, 1977); (2) Paul J. Nejelski, "State-Federal Relations: A Progress Report," (Address Before the Mid-Year Meeting, Conference of Chief Justices, February 9, 1978); (3) Washington Newsletter, National Center for State Courts, Vol. 4, No. 2 (March 31, 1978), p. 3.

Information and comments concerning this study are welcomed, but they should be received by July 1, 1978. Please send them to:

Ralph N. Kleps, Study Director  
Study on Federalism and Assistance to State Courts  
c/o Western Regional Office, NCSC  
235 Montgomery Street, Suite 1550  
San Francisco, Calif. 94104

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\*/ DOJ Contract No. J-42672. Study sponsored by the Federal Justice Research Program, Office for Improvements in the Administration of Justice, U. S. Department of Justice, Washington, D. C. 20530.

Academy of Crim. Just. Sciences John Jay Coll. of Crim Justice New York, N.Y.	*Institute for Court Management Denver, Colorado
*Administrative Office of the United States Courts Washington, D.C.	*Institute for Judicial Admin. New York, N.Y.
*Am. Acad. of Judicial Education Washington, D.C.	*Institute for Law and Social Res. Washington, D.C.
*American Bar Association Chicago, Illinois	*National Judicial College Reno, Nevada
*American University, Inst. for Advanced Studies in Justice Washington, D.C.	Nat'l Assn. of Crim. Justice Planning Directors Washington, D.C.
*American Judicature Society Chicago, Illinois	Nat'l Assn. of Counties Washington, D.C.
Brookings Institution Washington, D.C.	National Criminal Justice Reference Service Washington, D.C.
Civil Service Commission Washington, D.C.	Nat'l Endowment for Humanities Washington, D.C.
*Economic Development Council New York, N.Y.	*Nat'l Inst. for Alcohol Abuse Bethesda, Md.
*Community Services Admin. Washington, D.C.	*Nat'l Institute of Mental Health Rockville, Maryland
*Council of State Governments Lexington, Ky.	* Nat'l Inst. on Drug Abuse Rockville, Md.
*Federal Judicial Center Washington, D.C.	National League of Cities Washington, D.C.
Ford Foundation New York, N. Y.	Nat'l Pretrial Services Center Washington, D.C.



Nat'l Inst. of Corrections  
Washington, D.C.

\*Nat'l Council on Crime and  
Delinquency  
Hakensack, N.J.

\*Nat'l Research Council  
Washington, D.C.

\*Nat'l Science Foundation  
Washington, D.C.

\*President's Reorg. Project on  
Improvement of Justice System  
Washington, D.C.

Office of Revenue Sharing  
Washington, D.C.

\*U.S. Advis. Comm. on Inter-  
governmental Affairs  
Washington, D.C.

U.S. Dept. of Commerce  
Washington, D.C.

U.S. Dept. of Labor  
Washington, D.C.

\*Vera Institute of Justice  
New York, N.Y.

\*Dept. of Health, Ed. & Welfare  
Div. of Drug Abuse, Alco., Men.  
Rockville, Md.

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\* Study Director's Note: Those agencies marked by an  
asterisk responded to the request for information  
either by letter or by telephone.

## Appendix B - 25 States

The data and charts contained in this appendix summarize the 1969 - 1978 experience of the 25 states that submitted project-by-project summaries concerning the federal projects that aided their court systems.

**CHART 1**

**LEAA COURT SYSTEM GRANTS/HIGHWAY SAFETY GRANTS**  
 [Number of grants: (0); dollars in thousands: (000)]

**ALASKA**  
 State

B-1

Categories of grants	1969	1970	1971	1972	1973	1974	1975	1976	1977	1978		Dollars
1 Organization/management											1	
(a) Discretionary							146				(a)	146
(b) Block - state			20		14	13	17		98	64	(b)	226
(c) local											(c)	0
2 Procedure											2	
(a) Discretionary			31			13					(a)	44
(b) Block - state		14	16								(b)	30
(c) local											(c)	0
3 Sentencing/alternates											3	
(a) Discretionary											(a)	0
(b) Block - state							42				(b)	42
(c) local											(c)	0
4 Education/training											4	
(a) Discretionary			32								(a)	32
(b) Block - state			34	51	30	71	59	30		17	(b)	292
(c) local											(c)	0
5 Equipment/facilities											5	
(a) Discretionary					133	307	23				(a)	463
(b) Block - state			8	3	4						(b)	15
(c) local											(c)	0
6 Automation/information											6	
(a) Discretionary											(a)	0
(b) Block - state						30					(b)	30
(c) local											(c)	0
7 Research/miscellany											7	
(a) Discretionary						29		300			(a)	329
(b) Block - state			29	26							(b)	55
(c) local											(c)	0
Annual Totals		14	170	80	181	463	287	330	98	81		1,704
National Highway Traffic Safety			40		5		20		50			115

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CHART 2  
LEAA COURT SYSTEM GRANTS  
[Number of grants: (0); dollars in thousands: (000)]

Categories of grants		1969	1970	1971	1972	1973	1974	1975	1976	1977	1978		Dollars
1	Organization/management											1	
	(a) Discretionary						47	89	128			(a)	264
	(b) Block - state		5	11		135	160	160	111	225		(b)	807
2	(c) local			6	15	29	4	178	172			(c)	404
	Procedure											2	
	(a) Discretionary											(a)	0
3	(b) Block - state		8	89	35			44				(b)	176
	(c) local				64	74		2				(c)	140
	Sentencing/alternates											3	
4	(a) Discretionary											(a)	0
	(b) Block - state											(b)	0
	(c) local											(c)	0
5	Education/training											4	
	(a) Discretionary					226						(a)	226
	(b) Block - state		9		14							(b)	23
6	(c) local				3				31			(c)	34
	Equipment/facilities											5	
	(a) Discretionary											(a)	0
7	(b) Block - state											(b)	0
	(c) local			27			8	131	3			(c)	41
	Automation/information											6	
8	(a) Discretionary				51							(a)	0
	(b) Block - state											(b)	51
	(c) local						96	41				(c)	137
9	Research/miscellany											7	
	(a) Discretionary					28						(a)	28
	(b) Block - state		3		173				167			(b)	343
10	(c) local		5		10	24			6			(c)	45
	Annual Totals		30	133	365	516	315	517	618	225			2,719

**CHART 3**

**LEAA COURT SYSTEM GRANTS/HIGHWAY SAFETY GRANTS**  
 [Number of grants: (0); dollars in thousands: (000)]

**ARKANSAS**  
**State**

B-3

Categories of grants		1969	1970	1971	1972	1973	1974	1975	1976	1977	1978		Dollars
1	Organization/management											1	
	(a) Discretionary											(a)	0
	(b) Block - state					18	52		30	15	49	(b)	164
	(c) local						98		108			(c)	206
2	Procedure											2	
	(a) Discretionary											(a)	0
	(b) Block - state							29	15			(b)	44
	(c) local											(c)	0
3	Sentencing/alternates											3	
	(a) Discretionary											(a)	0
	(b) Block - state											(b)	0
	(c) local											(c)	0
4	Education/training											4	
	(a) Discretionary											(a)	0
	(b) Block - state				2	67	48	99		70		(b)	286
	(c) local						12		17			(c)	29
5	Equipment/facilities											5	
	(a) Discretionary											(a)	0
	(b) Block - state											(b)	0
	(c) local											(c)	0
6	Automation/information											6	
	(a) Discretionary									179		(a)	179
	(b) Block - state											(b)	0
	(c) local											(c)	0
7	Research/miscellany											7	
	(a) Discretionary		8									(a)	8
	(b) Block - state											(b)	0
	(c) local											(c)	0
Annual Totals			8		2	85	210	128	170	264	49		916
National Highway Traf-													
fic Safety						73	92	120	100				385

**CHART 4**

**FLORIDA**  
State

**LEAA COURT SYSTEM GRANTS/HIGHWAY SAFETY GRANTS**  
[Number of grants: (0); dollars in thousands: (000)]

Categories of grants		1969	1970	1971	1972	1973	1974	1975	1976	1977	1978		Dollars
1	Organization/management											1	
	(a) Discretionary											(a)	0
	(b) Block - state				40	92	446	371	437	497	50	(b)	1,933
	(c) local				252	80						(c)	332
2	Procedure											2	
	(a) Discretionary											(a)	0
	(b) Block - state											(b)	0
	(c) local											(c)	0
3	Sentencing/alternates											3	
	(a) Discretionary											(a)	0
	(b) Block - state											(b)	0
	(c) local											(c)	0
4	Education/training											4	
	(a) Discretionary											(a)	0
	(b) Block - state				67	51	40	18	80	121		(b)	377
	(c) local											(c)	0
5	Equipment/facilities											5	
	(a) Discretionary											(a)	0
	(b) Block - state											(b)	0
	(c) local											(c)	0
6	Automation/information											6	
	(a) Discretionary						149		130		200	(a)	479
	(b) Block - state				194	23						(b)	217
	(c) local											(c)	0
7	Research/miscellany											7	
	(a) Discretionary											(a)	0
	(b) Block - state						173				58	(b)	231
	(c) local											(c)	0
Annual Totals					553	246	808	389	647	618	308		3,569
National Highway Traf-													
fic Safety							37	72	71				180

**CHART 5**

**LEAA COURT SYSTEM GRANTS**

[Number of grants: (0); dollars in thousands: (000)]

**HAWAII**  
**State**

Categories of grants		1969	1970	1971	1972	1973	1974	1975	1976	1977	1978		Dollars
1	Organization/management											1	
	(a) Discretionary											(a)	0
	(b) Block - state				48	15	17	89	40	11	55	(b)	275
	(c) local											(c)	0
2	Procedure											2	
	(a) Discretionary	3		9		73			40			(a)	0
	(b) Block - state											(b)	125
	(c) local											(c)	0
3	Sentencing/alternates											3	
	(a) Discretionary											(a)	0
	(b) Block - state											(b)	0
	(c) local											(c)	0
4	Education/training											4	
	(a) Discretionary											(a)	0
	(b) Block - state			6	27	15	19	16	43	1		(b)	227
	(c) local											(c)	0
5	Equipment/facilities											5	
	(a) Discretionary											(a)	0
	(b) Block - state											(b)	0
	(c) local											(c)	0
6	Automation/information											6	
	(a) Discretionary						192		200			(a)	392
	(b) Block - state											(b)	0
	(c) local											(c)	0
7	Research/miscellany											7	
	(a) Discretionary											(a)	0
	(b) Block - state			15			13					(b)	28
	(c) local											(c)	0
Annual Totals		3		30	75	103	241	105	423	12	55		1,047

**CHART 6**

**LEAA COURT SYSTEM GRANTS**

[Number of grants: (0); dollars in thousands: (000)]

**IDAHO**

**State**

Categories of grants		1969	1970	1971	1972	1973	1974	1975	1976	1977	1978		Dollars
1	Organization/management											1	
	(a) Discretionary			195		21			40	140		(a)	396
	(b) Block - state							14				(b)	14
	(c) local						9					(c)	9
2	Procedure											2	
	(a) Discretionary								100			(a)	100
	(b) Block - state							9	12			(b)	21
	(c) local											(c)	0
3	Sentencing/alternates											3	
	(a) Discretionary					41						(a)	41
	(b) Block - state							9				(b)	9
	(c) local											(c)	0
4	Education/training											4	
	(a) Discretionary		15			10						(a)	25
	(b) Block - state					48	33	26	127			(b)	234
	(c) local											(c)	0
5	Equipment/facilities											5	
	(a) Discretionary											(a)	0
	(b) Block - state											(b)	0
	(c) local											(c)	0
6	Automation/information											6	
	(a) Discretionary							195				(a)	195
	(b) Block - state					46		15				(b)	61
	(c) local											(c)	0
7	Research/miscellany											7	
	(a) Discretionary									175		(a)	175
	(b) Block - state											(b)	0
	(c) local											(c)	0
Annual Totals			15	195		166	42	268	279	315			1,280

B-6



## ILLINOIS

State

## CHART 7

## LEAA COURT SYSTEM GRANTS

[Number of grants: (0); dollars in thousands: (000)]

Categories of grants		1969	1970	1971	1972	1973	1974	1975	1976	1977	1978		Dollars
1	Organization/management											1	
	(a) Discretionary											(a)	0
	(b) Block - state			9	25	292	132	153	202	140	140	(b)	1,093
	(c) local				20		74	67	381	413	364	(c)	1,319
2	Procedure											2	
	(a) Discretionary											(a)	0
	(b) Block - state											(b)	0
	(c) local					22	38	85	202	90	43	(c)	480
3	Sentencing/alternates											3	
	(a) Discretionary											(a)	0
	(b) Block - state											(b)	0
	(c) local											(c)	0
4	Education/training											4	
	(a) Discretionary											(a)	0
	(b) Block - state			57	57	90	21	45	45	50	71	(b)	436
	(c) local			4						11	13	(c)	28
5	Equipment/facilities											5	
	(a) Discretionary											(a)	0
	(b) Block - state				11	45		956	135	140		(b)	1,287
	(c) local							326	23	32	42	(c)	423
6	Automation/information											6	
	(a) Discretionary											(a)	0
	(b) Block - state				100		276		121	68		(b)	565
	(c) local						101		184	53	138	(c)	476
7	Research/miscellany											7	
	(a) Discretionary								100			(a)	100
	(b) Block - state				53		32	24	29	20		(b)	158
	(c) local			28		596						(c)	624
Annual Totals				98	266	1,045	674	1,656	1,422	1,017	811		6,989

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### CHART 8

## LEAA COURT SYSTEM GRANTS

[Number of grants: (0); dollars in thousands: (000)]

## KENTUCKY

## State

[illegible]

## CHART 9

## LEAA COURT SYSTEM GRANTS

[Number of grants: (0); dollars in thousands: (000)]

**MAINE**

**State**

[illegible]

**CHART 10**  
**LEAA COURT SYSTEM GRANTS**  
**[Number of grants: (0); dollars in thousands: (000)]**

[illegible]

**State**

## LEAA COURT SYSTEM GRANTS

[Number of grants: (0); dollars in thousands: (000)]

[illegible]

CHART 12

**LEAA COURT SYSTEM GRANTS/HIGHWAY SAFETY GRANTS**  
 [Number of grants: (0); dollars in thousands: (000)]

MINNESOTA

State

Categories of grants		1969	1970	1971	1972	1973	1974	1975	1976	1977	1978		Dollars
1	Organization/management											1	.
	(a) Discretionary											(a)	0
	(b) Block - state				54	34				9	132	(b)	229
	(c) local	5			41		135	86	70	72	51	(c)	460
2	Procedure											2	
	(a) Discretionary											(a)	0
	(b) Block - state			10	24		6	4				(b)	44
	(c) local					7	27					(c)	34
3	Sentencing/alternates											3	
	(a) Discretionary											(a)	0
	(b) Block - state											(b)	0
	(c) local											(c)	0
4	Education/training											4	
	(a) Discretionary			21	24	24			17			(a)	86
	(b) Block - state			7	19	141	135	103	15	33		(b)	453
	(c) local											(c)	0
5	Equipment/facilities											5	
	(a) Discretionary											(a)	0
	(b) Block - state											(b)	0
	(c) local									26		(c)	26
6	Automation/information											6	
	(a) Discretionary				160			40		200		(a)	400
	(b) Block - state											(b)	0
	(c) local											(c)	0
7	Research/miscellany											7	
	(a) Discretionary						98					(a)	98
	(b) Block - state				56	12	107	46	41	52	133	(b)	447
	(c) local	18					37	16				(c)	71
Annual Totals		23		38	378	218	545	295	143	392	316		2,348
National Highway Traf- fic Safety					67	67	67		5		13		219

### CHART 13

## LEAA COURT SYSTEM GRANTS

[Number of grants: (0); dollars in thousands: (000)]

**MISSISSIPPI**

State

[illegible]

**CHART 14**

## LEAA COURT SYSTEM GRANTS

[Number of grants: (0); dollars in thousands: (000)]

**MISSOURI**  
**State**

[illegible]



## LEAA COURT SYSTEM GRANTS

**State**

[Number of grants: (0); dollars in thousands: (000)]

[illegible]

CHART 16

**LEAA COURT SYSTEM GRANTS/HIGHWAY SAFETY GRANTS**  
 [Number of grants: (0); dollars in thousands: (000)]

**NEBRASKA**  
 State

Categories of grants		1969	1970	1971	1972	1973	1974	1975	1976	1977	1978		Dollars
1	Organization/management											1	
	(a) Discretionary											(a)	0
	(b) Block - state			43	10	57	4	22	24	16	1	(b)	183
	(c) local				19	51	31		22			(c)	123
2	Procedure											2	
	(a) Discretionary											(a)	0
	(b) Block - state					1	1					(b)	2
	(c) local											(c)	0
3	Sanctuary/alternates											3	
	(a) Discretionary											(a)	0
	(b) Block - state											(b)	0
	(c) local											(c)	0
4	Education/training											4	
	(a) Discretionary											(a)	0
	(b) Block - state				39	30	28	42	29	28	20	(b)	216
	(c) local				9	9	1	6				(c)	25
5	Equipment/facilities											5	
	(a) Discretionary											(a)	0
	(b) Block - state				49							(b)	49
	(c) local				1			115	11			(c)	127
6	Automation/information											6	
	(a) Discretionary											(a)	0
	(b) Block - state						26	33	38	35		(b)	132
	(c) local							83		8		(c)	91
7	Research/miscellaneous											7	
	(a) Discretionary											(a)	0
	(b) Block - state											(b)	0
	(c) local											(c)	0
Annual Totals				43	127	148	91	301	124	87	27		948
National Highway Traf-													
fic Safety					16	58	18	184		10			286

LEAA COURT SYSTEM GRANTS/HIGHWAY SAFETY GRANTS  
[Number of grants: (0); dollars in thousands: (000)]

**State**

[illegible]

### CHART 18

## LEAA COURT SYSTEM GRANTS

[Number of grants: (0); dollars in thousands: (000)]

**NORTH CAROLINA**

**State**

[illegible]

**CHART 19**

**LEAA COURT SYSTEM GRANTS/HIGHWAY SAFETY GRANTS**  
 [Number of grants: (0); dollars in thousands: (000)]

**OREGON**  
**State**

Categories of grants		1969	1970	1971	1972	1973	1974	1975	1976	1977	1978		Dollars
B-19	1 Organization/management											1	
	(a) Discretionary							26		14		(a)	40
	(b) Block - state					27		29	36	58	77	(b)	227
	(c) local											(c)	0
	2 Procedure											2	
	(a) Discretionary											(a)	0
	(b) Block - state											(b)	0
	(c) local											(c)	0
	3 Sentencing/alternates											3	
	(a) Discretionary											(a)	0
	(b) Block - state				24	28	63	56	85	57	41	(b)	354
	(c) local											(c)	0
	4 Education/training											4	
	(a) Discretionary					8						(a)	8
	(b) Block - state				6							(b)	6
	(c) local											(c)	0
	5 Equipment/facilities											5	
	(a) Discretionary											(a)	0
	(b) Block - state							62				(b)	62
	(c) local											(c)	0
	6 Automation/information											6	
	(a) Discretionary						200	465				(a)	665
	(b) Block - state									104	53	(b)	157
	(c) local											(c)	0
	7 Research/miscellany											7	
	(a) Discretionary											(a)	0
	(b) Block - state				65	49	17	3				(b)	134
	(c) local											(c)	0
Annual Totals					95	112	280	641	121	233	171		1,653
National Highway Traf-													
fic Safety									29				29

**State**

## LEAA COURT SYSTEM GRANTS

[Number of grants: (0); dollars in thousands: (000)]

[illegible]

**CHART 21**

## LEAA COURT SYSTEM GRANTS

[Number of grants: (0); dollars in thousands: (000)]

**TENNESSEE**

**State**

[illegible]

TEXAS  
State

**CHART 22**  
**LEAA COURT SYSTEM GRANTS**  
[Number of grants: (0); dollars in thousands: (000)]

Categories of grants		1969	1970	1971	1972	1973	1974	1975	1976	1977	1978		Dollars
1	Organization/management											1	
	(a) Discretionary					273						(a)	273
	(b) Block - state				233	301			437			(b)	971
	(c) local				327	988	99		1,666			(c)	3,080
2	Procedure											2	
	(a) Discretionary								100			(a)	100
	(b) Block - state											(b)	0
	(c) local				74	103			119			(c)	296
3	Sentencing/alternates											3	
	(a) Discretionary											(a)	0
	(b) Block - state											(b)	0
	(c) local											(c)	0
4	Education/training											4	
	(a) Discretionary				2							(a)	2
	(b) Block - state				152	44			586			(b)	782
	(c) local				78							(c)	78
5	Equipment/facilities											5	
	(a) Discretionary											(a)	0
	(b) Block - state											(b)	0
	(c) local								9			(c)	9
6	Automation/information											6	
	(a) Discretionary											(a)	0
	(b) Block - state											(b)	0
	(c) local								145			(c)	145
7	Research/miscellany											7	
	(a) Discretionary											(a)	0
	(b) Block - state								278			(b)	278
	(c) local											(c)	0
Annual Totals					866	1,709	99		3,340				6,014

B-22



**CONTINUED**

**2 OF 3**

## LEAA COURT SYSTEM GRANTS

**State**

[Number of grants: (0); dollars in thousands: (000)]

[illegible]

CHART 24  
LEAA COURT SYSTEM GRANTS  
[Number of grants: (0); dollars in thousands: (000)]

[illegible]

Categories of grants		1969	1970	1971	1972	1973	1974	1975	1976	1977	1978		Dollars
1	Organization/management											1	
	(a) Discretionary											(a)	0
	(b) Block - state							1	72	32		(b)	105
	(c) local							5	70			(c)	75
2	Procedure											2	
	(a) Discretionary											(a)	0
	(b) Block - state											(b)	0
	(c) local											(c)	0
3	Sentencing/alternates											3	
	(a) Discretionary											(a)	0
	(b) Block - state											(b)	0
	(c) local											(c)	0
4	Education/training											4	
	(a) Discretionary							14				(a)	14
	(b) Block - state			206		1		6	9	3		(b)	225
	(c) local			4	17	9	3	5	3	10		(c)	51
5	Equipment/facilities											5	
	(a) Discretionary						5					(a)	5
	(b) Block - state											(b)	0
	(c) local			32	28	60	110	38	16	49		(c)	333
6	Automation/information											6	
	(a) Discretionary			25								(a)	25
	(b) Block - state											(b)	0
	(c) local											(c)	0
7	Research/miscellaneous											7	
	(a) Discretionary						125					(a)	125
	(b) Block - state								2			(b)	2
	(c) local											(c)	0
	Annual Totals			267	46	70	243	69	172	94			960

**END**