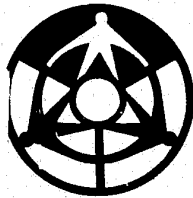


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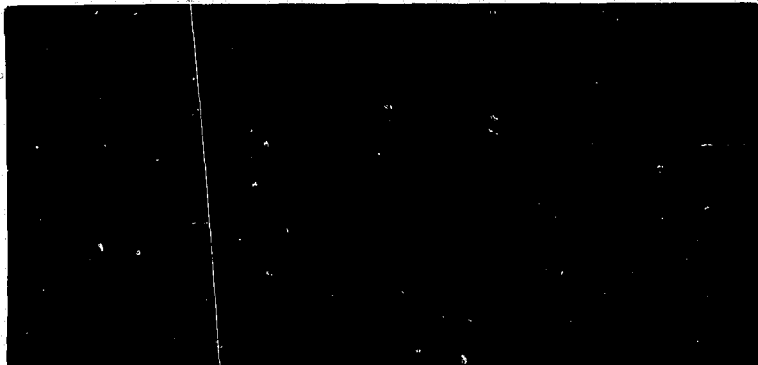


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CRIMINAL COURTS TECHNICAL ASSISTANCE PROJECT
Institute for Advanced Studies in Justice
The American University Law School
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COURT MANAGEMENT PROJECT

~~X~~ REVIEW OF THE MANAGEMENT NEEDS
OF THE CIRCUIT COURT OF
~~X~~ PULASKI COUNTY (LITTLE ROCK), ARKANSAS:
Records, Caseflow, and Statistical
Systems

June, 1979

NCJRS

JAN 15 1980

ACQUISITIONS

CONSULTANTS:

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I. INTRODUCTION

A. Background of Request

The Circuit Court of Pulaski County, a general jurisdiction trial court serving the Little Rock, Arkansas area,¹ presently is engaged in a process of reviewing clerical operations, records system design, and management information needs. The recently elected Circuit Court Clerk, Ms. Jacque Alexander, requested assistance for these endeavors from LEAA's Criminal Courts Technical Assistance Project at the American University to complement the ongoing analysis of her office and provide guidance in the areas of workflow analysis, records procedures and forms, and information system development.

Also prompting the request was Ms. Alexander's concern over the effects of recent changes in the organization of case assignment to judges. To cope with these changes and with increasing workload pressures, Ms. Alexander sought direction on making use of automation either through the Prosecuting Attorney's PROMIS system or through the SJIS system presently being developed by the Office of the Executive Secretary to the Judicial Department. A previous technical assistance study sponsored by the Criminal Courts T.A. Project (June, 1977) focused on land records, microfilming, and archival storage of inactive records, leading the present project to focus on the management of active case records in the context of the above concerns.

In response to the request, it was arranged for consultants Ernest Short and Charles Doolittle of Ernest H. Short and Associates, Inc. to visit the Court February 25-27 to review management needs, workflow operations and otherwise respond to the technical assistance request. A second site visit was made by Mr. Doolittle on June 12 to review progress in manual records system development and to focus on potential uses of the

¹The Circuit Court hears criminal and civil matters; the Chancery Court of Pulaski County (located in the same building) hears only equity cases.

aforementioned computerized information systems. Documentation of the results of the second site visit is found at Section IV of this report.

B. Summary of Approach

The workflow analysis began by assessment of overall organizational structure and personnel roles and was followed by detailed review of clerical procedures, paperflow, and records forms. Initially, the consultants met with Ms. Alexander and Ms. Frances Fendler, Administrative Court Clerk, to discuss these areas and attendant problems. Next, Ms. Alexander and Ms. Fendler escorted the consultants on a "walk-through" of clerical procedures first in the civil division and then in the criminal division; the micrographics division, which films land records and inactive civil case records, was also visited. Materials detailing clerical procedures and paperflow, as well as some of the more pressing problems in these areas were provided to the consultants.

After becoming familiar with the Court's procedures and problems, the consultants met with Judge Floyd Lofton of Division One and subsequently with various staff persons,² discussing particular personnel roles and perceived problems. During these meetings, it was possible to begin discussion of potential solutions to record system problems. The meetings also surfaced difficulties in the caseflow area, some of which are directly related to paperflow and clerical procedures.

The site visit concluded with a meeting with Ms. Alexander and Ms. Fendler to discuss the consultants' observations, potential solutions, and possible difficulties in the implementation of alternative solution approaches. As is documented in the

²The following persons were interviewed during the site visit:
Ms. Jacquetta Alexander, Circuit Clerk
Ms. Frances Fendler, Administrative Court Clerk
Hon. Floyd Lofton, Division One
Ms. Cindy Scaife, Criminal Courtroom Clerk
Ms. Margaret Smith, Criminal Courtroom Clerk
Ms. Jane Hulsey, Case Coordinator, Division Two

following sections of this report, attention during the site visit focused on re-designing the manual records system and delineating more clearly the duties of clerical personnel and judges' staff. The question of automating clerical and recordkeeping procedures and of obtaining management information through automated systems was deferred to a later site visit in light of the need for standardization of procedures among the five divisions, better manual record forms, and more effective coordination of personnel resources.

II. ANALYSIS OF THE EXISTING SITUATION:

PROCEDURES AND PROBLEMS

A. Background Information

Until a few years ago, clerical procedures in the Pulaski County Circuit Court had changed little in the preceding half century. In January 1977, a new Circuit Clerk took office and began making changes. For example, a flat filing system was initiated in the Civil Division and civil docket book records were consolidated rather than separated by division. Some of the procedures at that time were highly inadequate; for example, until 1977, no receipts for fee intake were issued and no cash register was used to store cash. The last two years have seen the beginning of a change process which in 1979 has placed the Court's systems and procedures in a state of flux. Ms. Alexander, who took office in January, 1979, is attempting to carry on with the modernization of records and clerical systems in the Circuit Clerk's office.

Contributing to the state of flux in the Court is the recent reorganization of the case assignment system. Prior to 1979, the Court had four judges, two hearing only civil cases and two hearing only criminal cases. As of January, 1979, the distribution of cases to judges is following the system displayed in Figure 1. Cases are assigned by blind draw according to the percentage of civil and criminal judges to be heard by each judge.

This reorganization and the addition of one judgeship for the Court has placed new burdens on the Clerk's office, which are summarized in the following excerpt from internal analytical material:

FEWER EMPLOYEES AVAILABLE TO DO WORK

The addition of a new Division of Circuit Court and the recent case assignment reorganization

FIGURE 1

CIRCUIT COURT CASE ASSIGNMENT SYSTEM

	<u>Percent of Civil Assigned</u>	<u>Percent of Criminal Assigned</u>
Division One Hon. Floyd Lofton	40%	0%
Division Two Hon. Perry V. Whitmore	20%	20%
Division Three Hon. Tom F. Digby	0%	40%
Division Four Hon. Richard B. Adkinson	20%	20%
Division Five Hon. Lowber Hendricks	<u>20%</u>	<u>20%</u>
TOTAL	100%	100%

whereby three of our Circuit Judges now hear both Criminal and Civil cases has resulted in a decrease in the number of employees available to perform daily tasks. Whereas in 1978 each of the four Circuit Judges was assigned one courtroom clerk to be present during all judicial proceedings, to keep the records specifically pertaining to that Court, and to enforce the judgments of that Court, we now must have nine courtroom clerks to perform these functions. These courtroom clerks are now normally unavailable to perform other tasks which the law requires of Office, i.e., filing new cases, preparing transcripts for the Supreme Court, waiting on the public and keeping various specialized records. Anticipating this need for additional personnel, we requested for 1979 an additional four clerk positions, but only two additional court clerk positions were authorized. In order to meet Court needs, we were forced to transfer one position from the Recording Department to the Criminal Division, with the result that the Recording Department is also understaffed.

The provision of clerical support to the five judges is made more difficult because of the fact that each judge is relatively independent in certain clerical and procedural practices. For example, each division is able to prescribe its own procedural rules and two divisions have each promulgated their own set of rules. Another example of procedural differences is the fact that three judges perform scheduling and notification of defendants in criminal cases from the bench while one coordinates scheduling and notification at a later time. Although the lack of uniformity creates obvious difficulties in procedural analysis and prescription of solutions, it is possible in this analysis to speak of general procedural practices to some degree. Subsequently, the recommendations in this report underscore the need to unify court operations around common systems and procedures.

B. Personnel Organization

The Circuit Court Clerk's Office is divided into four divisions, as explained in the Clerk's internal material:

OPERATIONS IN CIRCUIT CLERK'S OFFICE

A. CIVIL DIVISION

The Civil Division is responsible for keeping all records pertaining to civil litigation in Circuit Court. This requires the maintenance of case files, docket books, and other special records required by law. Civil Division is also involved in enforcing the Courts' judgments by issuing writs that affect litigants' property and or money. Clerks work in the courtroom during jury trial.

B. CRIMINAL DIVISION

The Criminal Division performs the same sorts of functions as the Civil Division, but the nature of the records and procedures is entirely different. Clerks work in the courtroom and in Chambers during all judicial proceedings. Criminal Division enforces the Courts' judgments by issuing instruments which arrest, incarcerate, or free defendants.

C. RECORDING DIVISION

The Recording Division records various legal instruments, primarily documents pertaining to real estate transactions. Examples of these documents include deeds, mortgages, plats, liens, and Uniform Commercial Code documents.

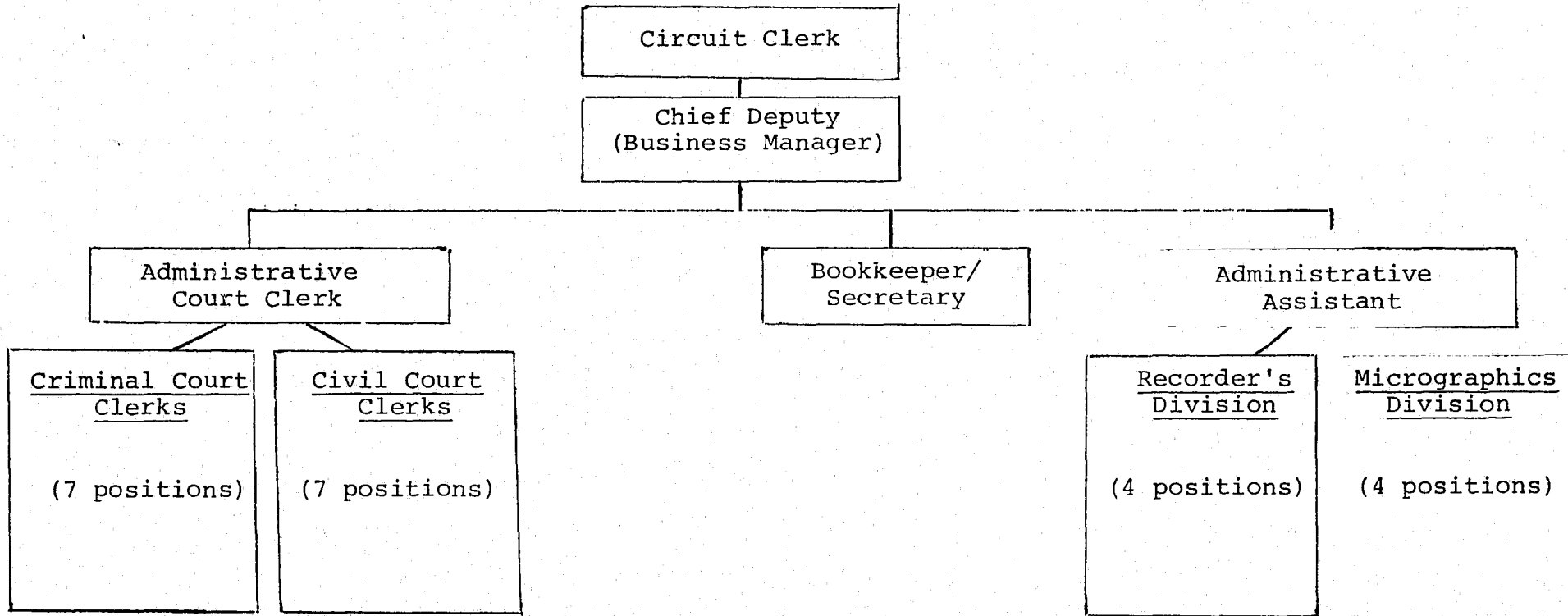
D. MICROGRAPHIC DIVISION

This Division is primarily involved in technical operations relating to microfilming, automated indexing and computerization. A large portion of the Division's time is devoted to micro-filming old records and all current Recording Division records.

Figure 2 depicts in simplified fashion the personnel organization of the Clerk's office. The job duties of the four administrative positions under the Clerk (Chief Deputy, Administrative Court Clerk, Bookkeeper, and Administrative Assistant) appear at Appendix A. Since the technical assistance effort was geared toward court clerical operations, the duties and responsibilities of the two sets of court clerks are of primary concern. Nine

FIGURE 2

PERSONNEL ORGANIZATION OF CIRCUIT CLERK'S OFFICE (SIMPLIFIED)



of the fourteen positions shown in the chart are assigned to a judge. One civil and one criminal clerk are assigned to each of the three judges hearing both case types, two criminal clerks are assigned to the judge hearing 40% of the criminal caseload, and one civil clerk is assigned to the judge hearing only civil cases.

Of the court clerk positions, criminal court clerks assigned to a judge are under the heaviest pressure. These clerks are required to be in court when the judge is on the bench (civil court clerks are not). The clerical operations in the criminal division carry significant consequences, e.g. the release of defendants from jail, issuance of warrants for arrest, and other "executions" of court actions. The time spent in court obviously diminishes time available for other clerical duties, which are increasing rapidly with the caseload. Another time-consuming task performed by criminal court clerks is preparation of the plea and arraignment calendar, which requires advance notice of bondsmen as well as other clerical procedures.

The clerical staff of the Circuit Clerk is in the unfortunate position of having a lower salary scale than comparable positions in the public or private spheres. A Deputy Circuit Clerk's starting salary in the county's classification scale is \$6,755 per year as compared to \$9,746 for the lowest paid employee of the Chancery Clerk's office and similar salaries in the private market. Exacerbating the problem is the fact that new employees must be compensated at this entry level rate, and the low salary seems to be contributing to high turnover. The Circuit Clerk has requested personnel reclassifications from the county by memorandum to the County Judge; the memo, which further details the problem, is found at Appendix B.

In addition to their assigned clerk(s), the judges each have four other positions helping with courtroom operations: case coordinator, court reporter, bailiff, and probation officer. The case coordinator position has the greatest degree of

interaction with the Clerk's office primarily because of their scheduling function and role in the flow of records. Case coordinator positions are authorized by statute and are not a classified position in the county personnel system, receiving up to \$16,000 per year.

Because they keep a calendar of settings for the judge, case coordinators are required to be in the courtroom during criminal proceedings as well as the courtroom clerk. With the exception of the plea and assignment calendar, scheduling and notification functions are performed by the case coordinator. Courtroom clerk's in-court duties include swearing in witnesses, noting court actions for entry into the docket, noting scheduling for her own calendar, and other miscellaneous functions. Neither the case coordinators or the courtroom clerks feel their time is particularly productive in court, suggesting an unnecessary duplication of personnel time expenditure.

C. Case Records System

The records system for Circuit Court cases has only recently begun to employ modern recordkeeping practices. The criminal division began using a flat-filing system in 1978 (the civil division went to flat files in 1977). Until recently, both divisions used docket books and the criminal division still retains an adapted version of the docket book system. The remainder of this section documents the present format and form of the Court's case records system in anticipation of recommending alternative forms which minimize duplication and maximize usability.

1. Indexing

Index records in both the civil and criminal division represent a modern and convenient method of keeping indexes. A key-to-floppy-disc computer system provides computer-output-microfiche (COM) which is updated every two weeks. Both plaintiff and defendant indexes are

generated in the civil division referencing the assigned case number, assigned division, filing date, and miscellaneous information such as third parties. Three COM fiche cards contain the entire plaintiff index from 1974-78 and three cards contain the entire defendant index. The criminal division naturally needs only a defendant index. During the two week delay for updating, the civil division uses a small display on the IBM 3742 input unit and the criminal division uses index cards filled out at the time of initial indexing.

2. Case Files

Both the criminal and civil division use a flat-filing system for case files, using legal size file folders and color coding corresponding to the first two digits of the four digit assigned number. (The court uses a duplex-numeric case numbering system with an alpha code to indicate civil or criminal case type. Thus, the first civil case in 1979 receives the designation CV 79-0001.)

In the civil division, 1977-79 cases are in open shelving, 1971-76 cases are in cabinets, 1965-71 cases are in bucket storage using a fold-filing system, and pre-1965 cases have been sent to archival storage. The Clerk's office houses both inactive and active case files together; the civil docket book must be referenced to determine active/inactive status. The criminal division has 1978 cases (start-up of flat-filing) in open shelving. Prior cases are fold-filed in cabinets. Case heading information for active cases is put on the pre-printed file folders in both divisions.

3. Docket Records

a. Civil Docket

The Civil Docket, found at Appendix C, was recently implemented in the Clerk's office and is working well for the civil division. The docket sheet is kept in

loose leaf binders and is therefore easily accessed. The binders are kept in one location in the civil division. Until recently, the Court used a dual book system: a Civil Fee Docket and Civil Docket. In 1978, the two were combined into one Civil Docket book before converting to the present system in 1979.

b. Criminal Docket

Perhaps the most pressing records problem presently faced by the Circuit Clerk is with the criminal docket. There is now no single official record containing case heading and history of events information in a criminal case. The present system uses both a docket sheet filed in a post-binder book and a "Case Index" (Appendix D) filed in the case file. Generally, the judge makes notations in the docket book and the courtroom clerk uses the Case Index. The practice of having the judge update the docket book stems from a tradition in the court that the judge's handwriting is necessary to constitute an official record. The judges adhere to this tradition to varying degrees.

The present docketing system represents an evolution from an even more disparate system. In the past, each judge had one active felony docket book, one active misdemeanor docket, and one closed docket. Subsequently, each judge's felony and misdemeanor books were consolidated and the closed dockets of all judges were consolidated. The Case Index form was instituted so that docket books (or pages removed from docket books, which tended to become lost easily) did not have to be taken into the courtroom. Thus, the Case Index is a tool of the courtroom clerk and is essentially a series of notes on case events, usually written in pencil. The docket book contains minimal and essential information such as charges and appearance settings, and also is generally

written in pencil. Although procedures vary by division, the judges generally make notations in the docket books themselves.

4. "Scratch" Book

This record is kept by the courtroom clerks and contains a chronological listing of courtroom events. Kept in a bound book, the scratch book serves as a backup record for criminal courtroom clerks. An important function of this record is to note the attorneys appearing for any given courtroom event, information needed in preparing transcripts for cases on appeal to the Supreme Court. (The Supreme Court requires a separate document indicating which attorneys appeared for any events, a requirement adding to the time burdens of preparing cases for appeal).

5. Judgment Record

Arkansas law requires the maintenance of a judgment record in civil cases, which in the past created additional work for the Clerk's office. Years ago, the deputy clerks would create a new record containing an abstract of disposition information contained on the judgment document. Then, the Court began copying the actual judgment document and keeping the new record in book form. Presently, the judgment record requirement is satisfied by including the judgment document(s) in the film-jacket microfilm record of inactive cases.

6. Execution Docket

The Execution Docket is a statutorily required record which contains a chronological listing of abstracts of executions filed in the civil division. Kept in a bound book, the execution records have their own numbering system and contain the following: date, judgment amount, reference to location of judgment record, on whom execution served, fees of officers, and return information. All of these data elements are contained in other case records and, in the opinion of the Circuit Clerk, the Execution Docket is a duplicative and unnecessary record.

7. Bond Records Paperflow

In addition to the duplicative format and form of the case records system, the Circuit Court is experiencing some difficulties in paperflow, particularly with bonding documents on bindover from the Municipal Court. Theoretically, the bonding records are to follow the defendant through the court system. In practice, however, some municipal court clerks do not release bonding records with the other case records upon bindover. Consequently, the Circuit Court clerk does not know the defendant's bond status. Another obstacle is the fact that the Prosecuting Attorney may opt to file directly in Circuit Court even though the case has been filed in Municipal Court. (This is done for the sake of speed or convenience of witnesses). If the prosecuting Attorney files directly after also filing in the lower court, the lower court case is nolle prossed, leaving the bonding status of the defendant unknown to the Circuit Court Clerk's office.

For whatever reason the Circuit Court Clerk's office does not know the bonding status of defendants in newly filed cases, the results are undesirable. An alias warrant may be issued mistakenly resulting in the re-arrest of a defendant who has already posted bond. Or, if the bond information is obtained shortly after issuance of the warrant, the considerable paperwork involved must be recalled.

8. Lack of Management Information

The Circuit Clerk and the Administrative Court Clerk recognize a need for more statistical information than is presently generated. The statistical report required by the Office of Executive Secretary to the Judicial Department contains only the most basic caseload information, and the accuracy of these figures is, in the Clerk's opinion, questionable. The report is filed quarterly and requires pending, filing, and disposition figures for civil and criminal cases, with the criminal portion broken out into

capital, felony, and misdemeanor categories. The form allows for reporting numbers of pending cases under specified time periods, but this type of case age data is not reliably available under the present records system.

Ms. Alexander has documented the type of management information, particularly in criminal cases, that would be useful to the administration of her office. Appendix E-1 provides a listing of the desired informational elements in criminal case processing and Appendix E-2 presents some internal analysis done by the Clerk's office on general information needs. For both civil and criminal cases, the Court needs a breakdown by case type, (e.g. personal injury, contract, etc. in civil, and robbery, burglary, etc. in criminal). The identification of outstanding bench warrants and bond forfeitures would aid operations as would the identification of court costs to be assessed, collected, and distributed. Better disposition information is needed, including at what stage of litigation cases are being dispositioned.

The question of how to generate caseload statistics relates directly to the format of the records system and the clerical procedures in use. Consequently recommendations on this subject in Section III are presented in the context of records form and procedures.

D. Caseflow Management

During the consultants' examination of records system form and procedures, several related caseflow problems surfaced which are in need of management attention. Although some of these problems relate to the records system, the cause of the problem and the potential solutions relate more to the procedures for the movement of cases than to the records system itself. In some instances, finding a solution to the problem requires the attention of entities outside the Clerk's office. This section briefly documents the more severe caseflow problems observed by the consultants; recommendations for possible solutions are set forth in Section III.

1. Scheduling Effectiveness

Many trial courts have difficulty dealing with the complex job of scheduling cases so as to maximize efficiency in the use of judicial and non-judicial time. The problem in Pulaski County Circuit Court is exacerbated by the fact that each division of court is a relatively independent entity and little or no coordination of scheduling amongst the judges exists. The Court seems to be experiencing a significant incidence of "settlement on the courthouse steps" in civil cases and last minute guilty pleas in criminal cases. Presently there exists little flexibility in the scheduling system to allow for last minute changes in the schedule, often resulting in "dark" courtrooms despite the heavy pending caseload.

2. Criminal Appeals from Municipal Courts

Misdemeanors tried in the Municipal Courts are appealed de novo to the Circuit Court. These cases comprise an inordinately large portion of Court and Clerk's office time. Many of these appeals are traffic-related with fines having been imposed in the lower court. Commonly, defendants file an appeal to "buy time" to acquire money to pay the fine. When the fine is finally paid, the Circuit Clerk's office has already gone to the expense of setting up a file and doing other necessary paperwork, a problem worsened by the fact that each traffic ticket receives its own case record even though one defendant may have multiple tickets. Another reason for the large number of appeals is that some defendants appeal to Circuit Court trying to get the judge to allow a greater fine to be paid in lieu of license suspension in lower court (a mandatory punishment if the defendant has accrued sufficient "penalty points" under Arkansas law). The large number of traffic appeals is congesting an already overburdened criminal caseload.

3. Delay Due to Bindover Procedures

In Pulaski County, the Prosecuting Attorney does not automatically and immediately pursue prosecution of felonies in Circuit Court once past probable cause hearing in a lower court. For those cases held back by the Prosecuting Attorney, two undesirable results ensue: 1) the defendant, if in custody, may remain incarcerated for an unnecessarily long period of time, and 2) the Circuit Court is prevented from coordinating with lower courts as to scheduling for plea and arraignment, a procedure that would facilitate the scheduling function. Also, the defendant in "limbo" commonly files a habeas corpus pleading, an added workload which could be avoided.

4. Notification Procedures

The task of notifying defendants of court events involves two related problems. First, the delay during bindover described above precludes notification during lower court proceedings; defendants are currently notified through their bondsman or at the jail. Secondly, Division One, which hears 40% of the criminal caseload, notifies defendants of trial settings by mail, often an ineffective procedure. Judge Lofton of Division One is aware of the difficulties of notice by mail and is searching for a solution. The Judge has only been on the bench for two months and in that time has been engaged in a "clean-up" operation of the division's backlog, resulting in a need to put off trial settings temporarily and allowing him to turn his attention to these kinds of problems only recently.

5. Current Backlog and Increasing Volume

The Circuit Court is presently setting civil jury trials two years hence and disposition times in criminal cases are less than optimal. The civil backlog has been the

result partially of a priority given to criminal cases. a priority mandated by statute. There exists among the Circuit Clerk's office and the judges and their staff both a desire to eliminate unacceptable delay in case processing and a frustration at not having the resources available or the most efficient systems and procedures in operation to combat the problem. Caseload information in Appendix B-1 projects that 1979 will see a dramatic increase in new filings, underscoring the need for better systems in recordkeeping and caseflow management.

E. Summary

This section has presented an analysis of operations and workflow in the Circuit Court Clerk's office in Pulaski County, Arkansas, covering personnel organization, records systems for court cases, and selected problems of caseflow management. The problems in these areas as documented in this section are well recognized by management personnel in the Clerk's office and by most of the judges and their staff. In that the Circuit Clerk and three of the five judges are recently elected, the Court is desirous of proceeding swiftly yet cautiously in the resolution of management problems. The principles and procedures suggested in the following section to address these problems represent an application of techniques which the consultants have observed as successful in other trial courts. The likelihood of their success is greatly increased by the fact that judicial managers in the Pulaski County Circuit Court have already recognized their problems and are committed to their successful resolution.

III. CONCLUSIONS AND RECOMMENDATIONS

A. Management Capabilities

Management is a goal-oriented process involving numerous steps in the definition and realization of goals and objectives tailored to the needs of the particular organization. The process of improving the management of personnel, records, and caseflow ideally follows a logical sequence of activities: research, coordination, planning, evaluation, decision-making, negotiating, implementation, and monitoring. During the initial stages of this process, problem identification occurs; the management staff of the Clerk's office, with the aid of judges and their staff, have been engaged in problem identification in the past two months and have done a thorough job of documenting procedures and problems.

The next phase of the improvement process entails goal-setting both on a comprehensive level and in response to specific problems. This technical assistance project has arisen in response to specific problems which have been identified as priority items: the case records system, management information needs, the coordination of personnel resources, and caseflow management. Because the Clerk is recently elected (as are three of the five judges) and is therefore only beginning to direct the improvement process, the recommendations presented in this section are placed in the context of comprehensive goals and objectives so as to provide an overall framework for the change process.

The Circuit Court is not lacking in certain elements in the management environment which are indispensable to the success of the improvement process: 1) the Clerk herself is committed to bettering court procedures and is well trained in modern court administration; 2) the management staff resources are available--the Clerk has a capable Administrative Court Clerk

and sufficient staff within each division to carry out implementation; 3) the judges are generally receptive to change and have a good working relationship with the Clerk's office. With these elements supporting improved judicial administration, the prospects for success are encouraging.

Despite the generally favorable climate for change, one important recommendation must be emphasized which pertains to all management areas.

Recommendation: In personnel functions, records form and procedure, and caseload management, the five divisions of the Circuit Court should work toward standardization of their activities.

Better cohesion amongst the divisions will result in the Court becoming a more viable organization able to protect its interests and perform its functions in better fashion. The Circuit Court Clerk is beginning to develop an office procedural manual, which presents an excellent opportunity to document the results of the current change process, i.e. a set of standardized procedures for all five divisions.

B. Personnel Organization

1. Compensation

In the consultants' opinion, the salary scale of Circuit Court Deputy Clerks is exceptionally low and constitutes an obstacle to the development of stable, well-trained staff. This analysis supports the Clerk's efforts to reclassify certain positions and otherwise improve the compensation of these positions.

2. Coordination of Case Coordinators and Criminal Courtroom Clerks

Case Coordinators and Criminal Courtroom Clerks are duplicating much of their activity. Commonly, both

employees are present during courtroom proceedings when one would quite easily suffice; both are keeping similar records, e.g. calendars and notation of courtroom events. The duties and responsibilities of case coordinators should be clearly defined, preferably with some of the burden taken off the courtroom clerks by eliminating duplicative activity. As a guideline in delineating job duties, the consultants make the following recommendation.

Recommendation: As a rule, case coordinators should perform scheduling and notification functions and the courtroom clerks should perform recordkeeping functions.

Thus, ideally, courtroom clerks would not construct calendars for plea and arraignment nor keep calendars of trials and hearings settings. The case coordinator would not keep case progress information except that which affects scheduling. Although both scheduling and recordkeeping activities occur during courtroom criminal proceedings, the case coordinator and courtroom clerk should coordinate amongst themselves to minimize their both being present in the courtroom. This coordination is explained in more detail in the following section on recordkeeping.

C. Case Records System

The recommendations below are intended to minimize duplication and records system costs, maximize ease of information retrieval, and standardize form and procedures among the five divisions. In so doing, this analysis responds to some of the common records management problems experienced by trial courts. To place these ideas in some perspective, Appendices F and G outline the basics of a records management program. Appendix F presents the components of records management which correspond to the "life cycle" of court records; Appendix G lists the goals and objectives of records management. The consultants wish to note that the indexing system, the active

case filing system (flat-filing, open-shelving, color-coding), the numbering system, and the microfilming program are efficient records systems and in no need of major changes.

1. Docket Records

Although the civil docket records system is functioning well, the criminal system is not. Precious clerical time is being wasted in duplicative record keeping and the result is still unsatisfactory. Since procedures among the five divisions are not yet standardized, the option to automate docketing is not a realistic one at this time. Therefore, improving and standardizing the manual system seems to be the best approach.

Recommendation: The Circuit Clerk should convert to a "crack and peel" manual docketing system which would result in 1) a complete, readable, and accessible register of actions docket for each case, and 2) a chronological "minutes" record of courtroom proceedings.³

This system, employed successfully in Colorado and advocated by the National Center for State Courts, requires a single typing of the day's courtroom events; the "crack and peel" copy is then transferred by "cut and paste" to docket sheets and the second copy is kept as a daily minutes record. After typing the day's entries, the judge verifies that the minutes record is true and accurate by affixing his signature. This verification procedure should replace the practice of having the judge make the docket entries himself. The docket sheets could be of stiff stock and kept in a tub file, or of lighter stock kept in a binder similar to the practice in the civil division. Copies of the recommended system are found at Appendix H-1 and H-2.

³The Circuit Clerk has been provided with a complete sample of the system along with detailed instructions.

This simplified system also provides a means of eliminating posting of case heading information. An index card is typed once in four copies. One is pasted on the docket sheet, one on the outside of the file folder. The other two are plaintiff and defendant index cards which can be used as the temporary index during the two week delay for update of the COM fiche index.

2. "Scratch" Book

The above docketing system creates a daily listing of courtroom actions at the same time the docket record is being created.

Recommendation: The minute record of the new docketing system should replace the "scratch book."

3. Execution Docket

Since this record is entirely duplicative of the information kept elsewhere, and since the authorizing statute is vague in its meaning, the Circuit Court may not need to continue keeping this record.

Recommendation: The Circuit Clerk should explore the possibility of satisfying the statutory requirement by other presently kept records and dispense with maintenance of the Execution Docket.

4. Bonding Information

The Circuit Clerk's office has a right to the receipt of complete records upon bindover of criminal cases from Municipal Courts. In addition, defendants and the Circuit Clerk's procedures should not have to suffer as a result of direct filing of cases having already been filed in a lower court.

Recommendation: The Circuit Clerk should implement a policy whereby criminal cases received upon bindover must have bonding information or will not be accepted. Similarly, the Circuit Clerk should require the Prosecuting Attorney to provide the Clerk with bonding status information for those cases filed directly having been filed already in a Municipal Court.

The Circuit Clerk may require the support of the judges by way of local rule or court order in "getting tough" with this clerical requirement. However, the Circuit Court cannot afford to devote time unnecessarily to researching bond status, nor should defendants suffer because of paperflow problems.

5. Scheduling Records

If case coordinators are to be, in effect, caseload managers in their division, they need an effective system of scheduling records. A simple manual system using multi-part cards kept in a tickler file seems appropriate for the case coordinator's needs. Such a system has been developed in California and is successful in several trial courts.⁴ The system has the advantage of allowing easy creation of daily calendars. The tickler file format allows quick access to future calendar information to respond to scheduling inquiries and prepare notices. Also, the card system can be used to generate caseload statistics. Ideally, the card system should be the only scheduling record necessary for each division.

Recommendation: The case coordinators should employ the calendar card system and the courtroom clerk's should have access to the system and dispense with

⁴Sample forms and instructions have been forwarded to the Circuit Clerk.

maintenance of their own calendar. A sample form is found at Appendix I.⁵

D. Caseflow Management

Since some of the caseflow management problems (e.g. bindover delay, bonding paperflow) involve outside entities (e.g. Prosecuting Attorney and Municipal Clerks) solution recommendations for these problems are beyond the scope of Clerk's Office operations and hence this report. However, the consultants suggest that a criminal caseflow coordinating committee with representatives from all organizational constituencies would be helpful in solving some of the community's procedural problems.

For example, bindover problems with bond information and scheduling plea and arraignment could be addressed by coordinating activities of Municipal Clerks, the Prosecuting Attorney, the Circuit Clerk, and the Circuit Judges. Los Angeles Superior Court and Allegheny County Court of Common Pleas both use a system whereby scheduling and notification of defendants for initial appearance after lower court proceedings takes place immediately, obviating the need for notification by mail at a later time.

Although this system may not be presently feasible in Pulaski County, a criminal caseflow coordinating committee could work toward this and other systemwide goals. A comprehensive listing of the goals and objectives of caseflow management appears at Appendix J.

1. Scheduling Effectiveness

Presently, the case coordinators do not appear to engage in manipulation of scheduling so as to maximize the use of judge time and minimize the incidence of "dark" court-

⁵ Sample forms and instructions have been provided to the Circuit Clerk.

rooms. Such manipulation entails deriving formulas for setting and "over-setting" cases based on the likelihood of settlement or guilty plea, case type, attorney's patterns as to trying cases, and other relevant factors. Setting and notification procedures could employ a "standby" system to allow the division to replace cases that fall off the calendar at the last minute.

Recommendation: Case coordinators should develop scheduling and notification procedures using a setting formula based on past experience. A "standby" system and last minute notification procedures can improve the continuity of trials and hearings.

2. Criminal Appeals from Municipal Court

In the consultants' interview with Judge Lofton, it was discovered that the Judge is planning to take steps to discourage unnecessary appeals from Municipal Court. Judge Lofton and the judges of the Circuit Court are in a much better position than the consultants to determine the policies and practices necessary to address this kind of problem. The Court has a right to review the type of judicial business before it and take steps to eliminate or divert from the calendar those cases in which it is not in the best interest of the people to maintain.

E. Summary

The recommendations presented in this section speak to the need to standardize records forms and procedures around an efficient, non-duplicative records system. The savings in clerical labor justify the effort to streamline the records system; furthermore, efficient recordkeeping procedures in the criminal division will relieve some of the burden from the heavily pressured criminal court clerk position. The delineation and coordination of job duties between these

clerks and the case coordinators should lead to a more unified, interdependent personnel organization, creating courtroom "teams" where duplicative positions now exist.

A more effective records system will have two other important benefits. First, the movement of cases to just and timely disposition will be facilitated. Secondly, the Circuit Clerk's office will be in a better position to look toward automation for operational applications and management information needs. The following section expands upon this question.

The Circuit Court Clerk, her staff, the Circuit Court Judges, and their staff all seek to better the administration of justice in Pulaski County. The communication and spirit of cooperation necessary to effect change are developing steadily, and there is general recognition of the fact that sound clerical procedures are indispensable to effective dispensation of Court business. The Circuit Court has the motivation, capability, and opportunity to improve their operations, making the prospects for real advancement an imminent probability.

IV. SECOND SITE VISIT DOCUMENTATION

A. Update on Manual Records System Development

On June 12, 1979, nearly four months after the initial Technical Assistance site visit, a second site visit was conducted by Charles Doolittle. One purpose of the visit was to review progress to date on manual record system development pursuant to the recommendations contained in the draft report based upon the first site visit. As of June 12, several steps had been taken or are planned for implementation in manual records area.

1. Standardized Criminal Case Register of Actions

Ms. Alexander and Ms. Fendler have developed a register of action (ROA) form to replace the current criminal docket book system. The new form uses stiff stock paper to be maintained in a tub file. Entries on the form will utilize a "crack and peel" system whereby typed entries on the sticky-back part of the form will be pasted on the ROA. The minute sheet part of the form cataloging court orders and events, will be signed by the judge, thereby obviating the need to have the judge himself make entries into the docket book. The minutes sheet system will replace the "Scratch Book", the case index has also been eliminated.

2. Multi-Part Index Card

A multi-part index card will be used having four copies to be used as follows: 1) sticky-back copy to paste on the ROA; 2) sticky-back copy for the file folder; 3) an index or register card for case coordinators; and 4) an index card for new filings for the criminal division for the interim period between updates of the COM fiche card index.

3. Execution Docket

The Execution Docket Book with its own numbering system is to be eliminated. The execution records will be designated with the same number as the case to which it pertains and will be filed in the case file folder.

4. Form Changes

Although not specifically addressed in the first draft report, the Circuit Clerk's Office has taken the initiative to revise and combine many of its forms: subpoenas, writs, garnishments, and summons. The effort was largely the work of Ms. Fendler, Administrative Court Clerk.

5. Summary

The prospects for completing the implementation of the above concerns are good in that the Circuit Clerk has both the initiative and authority to proceed. Also, two staff persons, a case coordinator and a criminal courtroom clerk, took the opportunity on a recent trip to Denver, Colorado, to observe similar manual record systems having a proven effective history of usage. Many of the proposed changes will serve to organize criminal division recordkeeping, bringing it along so as to be similar in format and effectiveness with civil division recordkeeping.

B. Potential Uses of Available Computerized Information Systems

1. State Judicial Information System

The Systems Division of the State Judicial Department currently is developing an automated information system geared primarily toward compilation of statewide management information on a case-by-case basis with some development of trial court applications. The Systems Division has procured the necessary hardware and is now developing the programming and detailed design of the system.

The hardware is the Harris 1600 Distributed Processing System ECOS. The processor has 196 K memory, upwards expandable to 526 K memory capacity. Disc storage capacity is 48 megabytes. Thus, unless one anticipates applications requiring entry of comprehensive interim case events with considerable free style docket entries, there is no reason

to expect a storage capacity problem in the future. It is estimated to take five to seven years before all active cases are on line.

The benefits to trial courts of Arkansas' SJIS are two-fold: 1) feedback from the State of management information reports and exception reports, and 2) the opportunity for trial courts to use the system for their own purposes and applications. The latter benefit may be contingent upon the particular county contributing resources for development such as programming or purchase of additional tape drives.

The Pulaski County Circuit Court, being the largest trial court and located near the computer hardware, has an opportunity to benefit from the system for relatively little cost. Installation and line maintenance cost would run \$200 per month as opposed to upwards of \$750 in some other more remote counties. Ms. Alexander and a staff person from the Systems Division are presently determining the data elements and data entry format appropriate for Pulaski County Circuit Court.

SJIS offers the Pulaski County Circuit Court the opportunity to develop the management capability to use information as a management and operational tool. The process of deciding what types of reports would be useful and determining the data needed to produce them are themselves learning experiences. (The level of data entry labor required will not be prohibitive.) Also, the Clerk's Office can proceed in developing operational applications as desired without having to underwrite hardware costs. Since the major system development costs of hardware procurement and software development are being borne by the State, it is entirely cost justifiable for Pulaski County Circuit Court to fully cooperate in SJIS development. The timetable for SJIS implementation is slow enough to allow the Clerk's Office to proceed cautiously and correctly.

Recommendation: The Clerk's Office should proceed with SJIS system development for the purposes of generating management information, simultaneously exploring potential operational applications.

2. Pulaski County's Modified PROMIS System

At the county level, an automated information system serving criminal justice is presently fully operational. Although primarily a prosecutor based system, it was developed with a participatory, shared system concept in mind. Law enforcement and prosecution share in data entry and return benefits, with the Circuit Court having been invited to use the system so long as their data entry or other contribution offsets benefits and maintains the notion of a participatory system. In fact, a terminal has been installed in the Criminal Division of Circuit Court for one and one-half years, but has not been used.

The modified PROMIS system contains only felony cases, and therefore applies to less than one-fourth of the Circuit Court's caseload. Within this sphere of cases, the potential benefits to the Clerk's Office are:

- case status source;
- management reports (for use by Clerk's Office and Case Coordinators); and
- operational applications such as the generation of bench warrants.

The questions facing the Clerk's Office with regard to the system are:

- 1) Is there the inclination or capability within the Clerk's Office Criminal Division to use the system effectively?
- 2) Would its use be cost beneficial considering data entry and monthly line maintenance costs?

Monthly costs for the terminal and printer are running about \$100, with the cost expected to rise slightly. Although the extent of data entry is unknown, (e.g. entry of misdemeanor appeals, filling in a gap in system data) it is not likely to impose a prohibitive burden on operations in relation to the benefits available from the system. The more cogent question, however, is that of management inclination within the Criminal Division to use the system, especially if further data entry requirements are imposed upon an already taxed clerical operation.

Although the potential uses of the PROMIS data base do not directly relate to the impending manual changes, it may be unwise at this time to complicate the focus of change by developing uses of the system when more pressing operational concerns exist, i.e. changing manual case records. The fact that the terminal has been installed for some time with no inclination to use it, portends considerable effort and perhaps difficulty in its integration into Criminal Division operations.

The Circuit Court Clerk and Administrative Court Clerk would be involved in developing uses of PROMIS, and would benefit from it, but the primary users and beneficiaries would be the Criminal Division, and until they are ready to proceed with it, any effort at integration would likely produce minimal positive results.⁶ It should not be assumed that it will never be appropriate for the Circuit Court to tie-in to the modified PROMIS system, but such development should be deferred to a later time. In the meantime, the Clerk's Office can become familiar with how to work with automated information systems as they proceed with the SJIS system.

⁶Evidently, there is a need for a terminal at the Sheriff's Office, suggesting that better use of the terminal now in the Criminal Division would be made at the Sheriff's Office.

Recommendation: The Criminal Division of the Circuit Court Clerk's Office should defer making use of the modified PROMIS system until after satisfactory development of the manual system and until such time as the need to make use of the system is recognized in the Criminal Division.

APPENDICES

CHIEF DEPUTY
BUSINESS MANAGER
(Tim Geary)

Personnel & Budget

1. Responsible for direct formulation of:
 - a. Personnel policies - officewide (oversee implementation)
 - b. Office Procedural Manual for each division.
 - c. Detailed job descriptions - keep updated - recommend changes in personnel classifications.
2. Pinpoint training needs of employees. Develop programs for employee education in re: machine operations, office policies/procedures, employee requirements.
3. Maintain personnel records:
 - a. Applications
 - b. Job descriptions
 - c. Annual leave and sick days (monthly reports from supervisors).
4. Budget creation and monitoring - work with bookkeeper/controller for routine budget monitoring - work with Administrative Assistant on purchasing/bidding, etc. - routine review of purchases.
5. Develop methods and procedures for *interviewing prospective employees, routine employee evaluations, disciplinary actions.
6. Directly supervise department heads or first line supervisors.
7. Responsible for employee education - training on equipment, in policies, programs, etc. - w/administrative assistant.
8. Conduct and follow-through with routine employee evaluations.

ADMINISTRATIVE COURT CLERK
 (Frances Fendler)

1. Responsible for workflow evaluation and project implementation for Criminal and Civil Courts.
2. Liason between courts and clerical offices.
3. Project director for federal projects and such other programming relative to the courts.
4. Project director for the following work in the Courts:
 - a. Workflow evaluation/needs analysis.
 - b. Information processing.
 - c. Jury management i.e. study of service, methods of juror administration among courts, juror orientation, evaluation, telephone system.
 - d. Court records retention/destruction schedule.
 - e. Forms design.
5. Handle specific problem areas of the courts.
6. Available on emergency basis to do routine work or take over supervisory responsibilities in courts.
7. Coordinating member of legal advisory committee.

ADMINISTRATIVE ASSISTANT
(Barbara Smith)

Routine

1. Serve as Public Relations Officer for office.
2. Maintain supply inventory.
3. Order necessary supplies on a regular basis.
4. Keep a record of amounts of supplies needed by each division.
5. Handle routine meetings with sales people. Responsibility for bidding and open market pricing when necessary. All formal bidding or telephone bidding should be done with assistance of Chief Deputy.
6. Publish and distribute a routine newsletter to attorneys, abstractors, and other interested parties regarding office and courts policies.
7. Maintain news coverage information concerning county and related articles. Responsibility for press releases when necessary.
8. Receptionist.
9. Receive, open and distribute mail - answer and process when possible - especially Civil.
10. Collect and maintain office-wide statistics on regular basis.
*Ask Francis.
11. Maintain regular internal office reports - statistics; office changes; meetings; educational opportunities; employee notices.
12. Maintain administrative office files; legal books.
13. Assist with creation, typing, revision and maintenance of Procedural and Personnel Manual.
14. Assist Chief Deputy with initial initiation of new employees - familiarize with procedures, policies, etc.

Supervisory

1. Supervise operations of Real Estate and Micrographics Division. Be familiar with operations, changes, problem areas, etc. Assist in problem solving in these divisions.
2. Develop and supervise implementation and operations of a retention/destruction/records storage system for these two divisions.
3. Be available on emergency basis to perform routine responsibilities in Real Estate and Micrographics Division.

BOOKKEEPER - SECRETARY
(Barbara Brady)Bookkeeping

1. Maintain all accounts of clerks' office and Circuit Clerks Association (i.e. Trust Fund Account, Appeal Bond Account, Daily Transactions Account)
2. Pay all bills incurred by office.
3. Keep record of money in each budget item for internal control system (purchases over _____ amount should be verified by bookkeeper prior to order; invoices/delivery slips given to her upon delivery).
4. Authorized to receive and sign for supplies, etc.
5. Work with auditor and accountant to redesign bookkeeping methods.
6. Expedite payment of fees, etc. into appropriate funds (monthly basis).
7. Keep track of current fines/files and other charges (especially charges in Civil)

Secretarial

1. Personal outgoing correspondence and answering of mail of Circuit Clerk and other secretarial responsibilities to Circuit Clerk.
2. Keep schedules of meeting for Clerk and other Administrative Officers.
3. Answer telephone and direct calls (morning or afternoon - share responsibilities with Administrative Assistant). Answer questions when possible.
4. Assist Circuit Clerk with internship study.

Jacquetta Alexander

APPENDIX B-1

CLERK OF THE CIRCUIT COURT AND RECORDER
PULASKI COUNTY COURTHOUSE
LITTLE ROCK, ARKANSAS 72201

MEMORANDUM

TO: The Honorable Bill Beaumont, County Judge
Mr. Kie Hall, Comptroller
Mrs. Gwen Wetzel

FROM: Jacquetta Alexander, Circuit Clerk

DATE: February 14, 1979

RE: Personnel Reclassification

The purpose of this memorandum is to formally request an immediate reclassification of certain employees within the court divisions of the Circuit Clerk's Office. While the need for a complete review of the personnel classifications of the entire Circuit Clerk's Office is undeniable, there are certain positions for which reclassification and salary increases are crucial if the present level of operations is to be maintained.

The recent organization of the case assignments in the Circuit Courts has thrown the Clerk's Office into a critical situation in terms of manpower needs to service these courts. In the place of two divisions of court hearing criminal cases and two hearing civil litigation, we are now in the enviable position of having four circuit courts handling criminal matters and four hearing civil cases. While this arrangement will surely result in a more expeditious handling of the Court's caseload, the impact upon the Circuit Clerk's Office has been tremendous.

This change, in conjunction with other significant circumstances has made it necessary to assign additional personnel to courtroom responsibilities. We have, therefore, enlisted personnel who presently occupy Court Clerk I positions to undertake courtroom responsibilities doing the work commensurate with the Court Clerk II classification.

The reasons for this assignment are as follows:

1. Because of the specialization involved in processing cases in distinct areas of procedural law, two clerks have been assigned to the divisions of court with mixed caseloads, one from the criminal division office and one from civil.
2. The tremendous backlog of criminal cases in the first division coupled with the driving personality of a Judge who is anxious to reduce his pending case inventory, has made it necessary to assign two courtroom clerks to the first division.

Memo to the Honorable Bill Beaumont

Mr. Kie Hall
Mrs. Gwen Wetzel

February 14, 1979

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Therefore, in place of five courtroom clerks (Court Clerk II's) as we had last year, it is now necessary to have nine employees assigned these responsibilities.

3. While the caseload of the Circuit Court was expected to increase this year, as in the past, it seems unlikely that anyone could have anticipated the substantial increase in numbers of criminal and civil filing which has been seen during the first month of this year. The illustration below reflects January's caseload in comparison to the past years.

CASELOAD COMPARISONS

COURT	YEAR	MONTH OF JANUARY	TOTAL FOR YEAR
CIRCUIT, CRIMINAL	1977	170	2286
" "	1978	161	2422
" "	1979	253	----
<hr/>			
CIRCUIT, CIVIL	1977	468	6456
" "	1978	528	7331
" "	1979	673	----
<hr/>			
CIRCUIT, TOTAL	1977	636	8742
" "	1978	689	9753
" "	1978	926	----
<hr/>			
CHANCERY	1977	414	5593
"	1978	384	5505
"	1979	448	----

PERCENTAGE CHANGES

COURT	JAN. 77 - JAN. 79	1977-1978
CIRCUIT, CRIMINAL	+33%	+6%
CIRCUIT, CIVIL	+31%	+12%
CIRCUIT, TOTAL	+31%	+10%
CHANCERY	+8%	+2%

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Based on the increasing work done thus far in February, there is no reason to believe this trend will weaken in the coming months.

4. One effect of both the increasing workload and the zeal with which all the courts have begun processing cases is that in the month of January alone, employees of the court divisions of this office had had to put in over 140 hours of uncompensated overtime. While certainly employees do not mind occasional sacrifices of this type, when one considers the pay levels and classifications these employees are saddled with, it becomes obvious that the employees will not and should not tolerate the situation for long. Attrition, in fact, has already begun.

Proposal #1

My first priority is to have persons performing courtroom duties (of the Court Clerk II) classified as such. This should be accompanied by a substantial enough salary increase to create equity among all those in the Circuit Clerk II classification.

The work of the employees of the court divisions of the Circuit Clerk's Office must not be regarded in terms of routine clerical responsibilities and as such, the term "clerk" is a misnomer. These employees perform paraprofessional responsibilities more akin to that of a law clerk or legal secretary. Their daily activities impact upon the very lives and property of the litigants. They make daily decisions affecting the personal freedom of criminal defendants. By enforcing judgments against civil litigants, the actions of the clerk affects title and ownership of personal property. However, paradoxically, the clerks' work seems sadly undervalued. Salaries in the entry level positions are too low to attract employees capable of handling these responsibilities.

Proposal #2

The next act of reclassification should then involve upgrading of court employees as follows:

All Court Clerk I's should be classified in the 7 range.
All Court Clerk II's should be classified in the 9 range.
File clerks should be reclassified in a 5 range.
The effect of enactment of these two proposals would be as follows:

Court Clerk I's classified as Court Clerk II's where applicable.
All Court Clerk II's classified in 9 range.

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<u>Position Control Number</u>	<u>Present Classification and Salary</u>	<u>Requested Classification and Salary</u>
21	5G, Court Clerk I, \$ 8,993.76	9D, Court Clerk II, \$ 9,436.32
23	5F, Court Clerk I, 8,571.42	9C, Court Clerk II, 8,993.76
24	5A, Court Clerk I, 5,755.76	9A, Court Clerk II, 8,170.32
25	5A, Court Clerk I, 6,755.76	9A, Court Clerk II, 8,170.32
10	8F, Court Clerk II, 9,436.44	9E, Court Clerk II, 9,901.44
11	8H, Court Clerk II, 10,893.84	9H, Court Clerk II, 11,421.54
09	8F, Court Clerk II, 9,901.44	9F, Court Clerk II, 10,387.20
12	8D, Court Clerk II, 8,993.76	9D, Court Clerk II, 9,436.96
13	8D, Court Clerk II 8,993.76	9D, Court Clerk II, 9,436.96
SUBTOTAL	Cost per year: 78,295.94	Cost per year: 85,354.82

Reclassification of remaining Court Clerk I's and File Clerks:

22	5A, Court Clerk I, 6,755.76	7A, Court Clerk II, 7,431.36
26	4B, File Clerk, 6,755.76	5B, File Clerk, 7,093.68
	Cost per year: 13,511.52	Cost per year: 14,525.04

These requests should be considered in terms of the following data:

1. The budget ordinance dictates that all new employees will begin in the "A" step of the particular salary range. Because of inadequate evaluations of the jobs from the very outset of the County's personnel system, the Clerk now finds herself in the untenable situation of trying to fill vacancies at salaries lower than those same jobs offered in 1977. See illustration below.

2. This problem is exaggerated when we consider starting salaries of comparable jobs both within Pulaski County and in the local labor market. See details below.

Starting Salary - Deputy Circuit Clerk

1977	\$ 7,245.00
1978	7,800.00
1979	6,755.00

Present Starting Salary - Deputy Chancery Clerk

\$ 9,746.10 (lowest paid employee)

Secretarial Staff - Prosecuting Attorney's Office

1979	\$ 10,395.00	Warrant Clerks
	9,097.00	Stenographers
	7,507.00	Paralegals

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Mr. Kie Hall
Mrs. Gwen Wetzel

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Local Labor Market as of November, 1977*

Secretaries (all classes)	\$	9,963.20
Typists " "		6,947.20
File Clerks " "		6,884.80

3. The employees of the court departments of the Circuit Clerk's Office are the only court support employees in the entire system whose jobs are classified and subject to the guidelines of personnel department restrictions as to entry levels and advancements. This has handicapped the Clerk of Court in areas of personnel administration with salaries which are substantially lower than comparable jobs. These inequities have had an extremely detrimental effect on employee morale.

4. Reclassification of the positions indicated will not be enough. Immediate salary increases must be included consistent with routine promotion policies so that such employees who have suffered thus far will see immediate results.

The Pulaski County Courts are extremely fortunate to now have an energetic and ambitious group of judges anxious to expedite their work. Certainly the Circuit Clerk is gratified by the challenges this poses to her office by the Courts. It is for these reasons that I respectfully request your consideration and support of the following changes in personnel classification, so urgently needed.

JA:DS
Jacqueline Alexander

*Figures based on National Labor Bureau Statistics, November, 1977.

SALARIES

We have many problems in this area, and a request for reclassification of certain employees and salary increases will be presented to the Quorum Court Finance and Administration Committee very soon. However, I felt that you should be aware of the nature of our problems in this area.

A. CURRENT RATES OF PAY

In light of increased workloads and responsibilities discussed above, current pay rates are woefully low. Our salaries are much lower than those for comparable jobs in other County offices, in the outside job market, and in comparison with salaries made by members of the Judges' staffs. Our employees have worked many overtime hours without compensation (over 140 hours of overtime were put in by court division employees during January.) The nature of the courtroom clerks' jobs is such that overtime work is mandatory. Attrition due to low wages has already begun.

B. ENTRY-LEVEL SALARIES

Our entry-level salaries are too low to allow us to compete in the job market with other County and government offices and with the private sector. In fact, our entry-level salary decreased by \$1,050.00 per year between 1978 and 1979.

STARTING SALARY - DEPUTY CIRCUIT CLERK

1977	\$ 7,245.00
1978	7,800.00
1979	6,755.00

PRESENT STARTING SALARY - DEPUTY CHANCERY CLERK

\$ 9,746.10 (lowest paid employee)

SECRETARIAL STAFF - PROSECUTING ATTORNEY'S OFFICE

1979	\$10,395.00	Warrant Clerks
	9,097.00	Stenographers
	7,507.00	Paralegals

JUDGES' STAFF - CASE COORDINATORS

1979	\$16,500.00
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LOCAL LABOR MARKET AS OF NOVEMBER, 1977

Secretaries (all classes)	\$ 9,963.20
Typists " "	6,947.20
File Clerks " "	6,884.80

(Figures based on
National Bureau
Statistics, November,
1977)

DATE

REGISTRY OF ACTIONS

BOOK

CHARGES

Vol.

Page

Case No.: _____

CASE INDEX

Notations

Date

NOTE: This form is actually on 8½ x 14 paper

CRIMINAL INFORMATION CAPABILITIES REQUIRED
BY CLERK'S OFFICE

1. General Case/Docket Information
 - a) variation - fees
 - b) variation - outstanding bench warrants
 - c) variation - outstanding bond forfeitures
 - d) variation - outstanding alias warrants
2. Index - must be permanent
3. Statistics
4. Defendant Subpoenas (create)
5. Bench Warrants (create)
6. Jury management information (later)

DETAILS OF CRIMINAL INFORMATION CAPABILITIES
REQUIRED FOR CLERK'S OFFICE

1. General Case/Docket Information

Must include:

- a. Defendant(s) name
- b. Defendant(s) case number(s) primary, secondary
- c. Charge(s)
- d. Bond information - if made, amount, location, by whom
- e. Court actions - by date
- f. Defense Attorney
- g. Prosecuting Attorney
- h. Next action date
- i. Continuances - number of, date of, reason
- j. Division of court in which case is assigned

As additional frames from #1, the following variations would be required:

- a. Fees/Court costs accrued - need to be able to access by deft. name & number
 - b. Outstanding bench warrants - need to be able to get list from information entered on #1
 - c. Outstanding bond forfeitures - need to be able to get list from info in #1
 - d. Outstanding Alias warrants - same as above
2. Index - Must be able to enter by deft.'s name, or case number
Should reflect division of court.
3. Statistics - listed by case number
- Should reflect:
- a. number of cases filed in each division of court
 - b. Types of cases filed in each division of court
 - c. Percentages of b
 - d. number of cases receiving judgment in each division of Court

- e. type of disposition (d)
- f. percentages of each (e)
- 5. Defendant subpoenas - prepare, ability to list witnesses called by subpoenas
- 6. Bench warrants - prepare, list by defendant's name as to date issued, date served, outstanding bws

Statistical Data Collection

A pitifully small amount of statistical information is maintained by the court and related agencies. This is reported on a quarterly basis to the State Court Administrator's office. The information collected includes:

- number "cases filed" during quarter
- number "cases disposed" of during quarter
- total number pending
- age of those pending

While a distinction is made between civil and criminal cases there is no indication as to the type of action being pursued in either case classification. As a result, although we know that approximately 6,500 civil cases were filed in the circuit courts in Pulaski County in 1978, there is no way to tell how many were debt, damage, land condemnation, etc. The same is true of criminal cases.

Likewise, no information is maintained as to type of disposition I.E. default judgments, jury trial, settlements, etc. therefore there is no way to discern what type of work the courts are doing.

Additional problems exist which are probably the most serious in terms of sound statistical analysis. That is, there is no uniform method or policy which dictates what constitutes a "case". Therefore, it is extremely difficult to "count" cases when the requirements are unspecified. The problem is further complicated by the fact that there is no standard definition of when a case is in fact terminated. Whereas the courts consider a case terminated after the final judgment is rendered, for the purpose of the clerical offices, a case file does not close until the judgment has received satisfaction. Still another facet of the problem is that frequent dismissals of cases for failure to prosecute, dismissals without prejudice, and default judgments are frequently returned to an active status by the courts. No policy regarding such reinstatements has been established for statistical purposes.

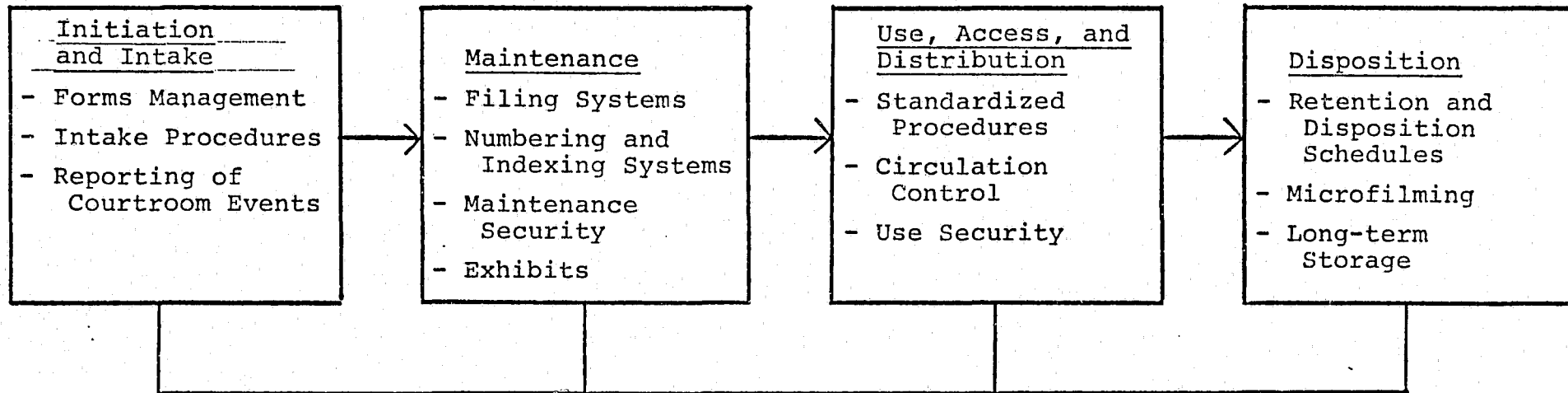
THEREFORE - in attempting to establish some meaningful picture of the case processing situation based on statistical data collection the following questions must be answered:

1. What information is currently maintained - outlined above.
2. What additional information is easily accessible for the purposes of this study?
3. For future purposes, what information should be collected and analyzed?
4. What could be learned from such information? What use would it be to the courts?
5. How should such information be collected, maintained, and analyzed in the future?

APPENDIX F

The Components of Trial Court Records Management

Components Relating to
the Records Lifecycle:



Components Relating to the
Records System as a Whole:

- Legal Guidelines
- Equipment, Supplies and Technology
- Information System Applications
- Management and Staff Skills

APPENDIX G

RECORDS MANAGEMENT GOALS AND OBJECTIVES

1. Normative Goals

- a. The maintenance of material having sufficient accuracy and completeness to enable "a neutral person to reconstruct the essential aspects of the matter under consideration," including the preservation of case records and other legally binding records for appeal and other legal scrutiny.
- b. The availability and provision of timely, accurate, and complete records (information) to judges, judicial officers, court managers, and other court personnel, and to attorneys, law enforcement officers, other public agencies, litigants, the public, and the press.
- c. The protection of the integrity of court records through adequate security and design of procedures to minimize loss, theft, or tampering.
- d. The secure and proper handling of confidential records.
- e. The provision of a records maintenance system which optimizes accessibility and minimizes inconvenience in retrieval.
- f. The creation of timely, accurate, meaningful management information for caseflow, financial, personnel, and other management areas.
- g. The coordination and cooperation with archival and historical societies in the preservation of records with historical value.
- h. The minimization of costs of the records system

in money, space, and labor in records intake, maintenance, use, and disposition (i.e. the economic expenditure of public funds).

2. Operational Objectives

- a. Court control of records in their intake maintenance, use, and disposition.
- b. The provision of competent personnel dedicated to records management and operations (e.g. records manager, microfilm supervisor and personnel).
- c. The training and oversight of court personnel who use the records system (e.g. judges, court clerks).
- d. The appropriate use of available technology to suit the court's individual needs.
- e. The minimization of the numbers and complexity of records necessary to the operation of the court.
- f. The development of standards regarding forms, size, content, and other characteristics of records to facilitate intake, maintenance, use, and disposition.
- g. The development of standard procedures for the intake, maintenance, use, and disposition of records, commonly by documentation in a procedural manual.
- h. The elimination of duplication in data entry, forms design and use, and other aspects of the records system.
- i. The supervision and monitoring of records location, especially case files, and restriction of access as deemed appropriate.
- j. The development and implementation of a retention/ destruction schedule for all records series.
- k. The compatibility of the records system with the court information system or criminal justice information system, including the development of an historical data base.

REGISTER OF ACTIONS

Case No. _____

District Court _____ County _____

	Fees		
	Date	By	Amount

Date	MEMORANDUM OF PROCEEDINGS

Case No.	Title
Date of Filing	
Judge	
ATTORNEYS	
Type of Case	REGISTER OF ACTIONS
Case	CASE JACKET
Case	INDEX-PL, PET, ESTATE OF
Case	INDEX-DEF, RESP

5DF 229 11/77

Plaintiff's Attorney(s)		Phone	Defendant's Attorney(s)		Phone	Dates	
						Comp	
						Memo	
						Disposition	
						M to D	
						months	
Fees		Notes			C to T	M to T	length
					months	months	days
Memo	P/T-TSC	Set. Conf.	Trial	Disposition			

APPENDIX J

CASEFLOW MANAGEMENT GOALS AND OBJECTIVES

1. Normative Goals

- a. The just and fair resolution of disputes, including:
 - 1) Protection of due process in the administration of criminal justice;
 - 2) Provision of court services and protection of the public interest in the administration of civil, probate, family law, and juvenile justice;
 - 3) Assurance of equal access to court services for all potential litigants;
 - 4) Provision of speedy and timely trials or other disposition for all court business.
- b. The protection of the integrity and independence of the court system as the judicial branch of government.
- c. The provision of court services in as cost-efficient manner as possible, i.e. the economic handling of public funds (cost considerations, however, must defer to legal norms).
- d. The maximization of reasonable convenience to the public and justice community.

2. Operational Objectives

- a. Establishment of court control of caseflow management.
- b. The provision of resources to conduct court business with maximum efficiency; the coordination in time and space of the people, information, and other resources necessary to resolve disputes.
- c. Derivation of performance standards pertaining to disposition time, quality, and quantity.
- d. Monitoring of case progress, comparison to performance standards, and established procedures for handling protracted or overdue cases.

- e. Availability of complete and accurate scheduling information and caseload data, with periodic reporting of system performance.
- f. Insuring a steady flow of work to the judges through effective scheduling (i.e. a scheduling system that produces reliable calendars and minimizes the number of calendar collapses, continuances, resettings, and attorney scheduling conflicts).
- g. Reduction of demand for court services when appropriate (through diversion, arbitration, jurisdictional change, or other means, providing access and due process are not impaired).
- h. Impartial, intelligent, and fair assignment of cases to judges (elimination of "judge shopping"), protection of the right to move for disqualification, and equal distribution of workload.
- i. Maximization of judges' time for trials and other forms of conflict resolution by: (a) maximization of the opportunity for settlement in civil cases; and (b) maximization of opportunity for disposition before trial in criminal cases with judicial oversight of plea bargaining.
- j. Provision of adequate notice and courteous treatment to litigants, jurors, and witnesses.
- k. Maximization of communication and consultation within the court and with other members of the justice community regarding case processing.
- l. Maximization of flexibility in sharing and adjusting workloads.
- m. Maintenance of meaningful, reliable records to preserve decisions (and the reasons for them) and otherwise record court involvement with cases.



OFFICE OF

The Prosecuting Attorney
Wilbur C. "Dub" Bentley

 PROSECUTING ATTORNEY
 SIXTH JUDICIAL DISTRICT

April 10, 1979

P. O. BOX 1070

Little Rock, Arkansas

72203

PHONE (501) 375-9143

5700

 Mrs. Jacque Alexander
 Pulaski County Circuit Clerk
 Circuit Clerk's Office
 Courthouse
 Little Rock, Arkansas 72201

Re: Terminal and Printer Costs

Dear Jacque:

Please consider this the annual billing for communications and maintenance cost for your terminal and printer. Please make your checks payable in the following manner:

<u>Payee</u>	<u>Mo. Rate</u>	<u>Annual Rate</u>
Sperry-Univac (maintenance)	\$50 X 12	600.00
Bell Telephone	\$38 X 12	456.00
City of L. R. (Sept. to Dec. 1979)	\$38.50 X 4	144.20
	TOTAL	\$ 1,200.20

If you plan to add terminals or printers, these amounts may change. You should also be aware that since our contract with the City of Little Rock has expired, there will be a tie-in charge for added terminals.

If there are any rate changes, we will notify you promptly; in the meantime, we are assuming that the above charges will take care of the entire year. If your bookkeeper has any questions, please have her/him call me at 375-5700.

Sincerely,

 Ellen Wingfield
 Systems Manager

END