



*METROPOLITAN GOVERNMENT OF NASHVILLE AND
DAVIDSON COUNTY*

INTERNAL AUDIT SECTION

Professional Audit, Advisory, and Consulting Services

AUDIT REPORT

Performance Audit Of The Juvenile Court System

Date Issued: March 28, 2006

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*METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON
COUNTY*

OFFICE OF INTERNAL AUDIT

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*METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON
COUNTY*

OFFICE OF INTERNAL AUDIT

Section I

Report of the Internal Audit Section

**BILL PURCELL
MAYOR**



**DEPARTMENT OF FINANCE
INTERNAL AUDIT SECTION**

**METROPOLITAN
GOVERNMENT OF NASHVILLE
AND DAVIDSON COUNTY**

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March 28, 2006

Honorable Betty Adams Green
Juvenile Court
100 Woodland Street
Nashville, TN 37213

Mr. Vic Lineweaver
Juvenile Court Clerk
100 Woodland Street
Nashville, TN 37213

Dear Judge Green and Mr. Lineweaver:

We have recently completed a performance audit of the Davidson County Juvenile Court System. *Government Auditing Standards* issued by the Comptroller General of the United States define performance audits as follows:

Performance audits entail an objective and systematic examination of evidence to provide an independent assessment of the performance and management of a program against objective criteria as well as assessments that provide a prospective focus or that synthesize information on best practices or cross-cutting issues. Performance audits provide information to improve program operations and facilitate decision-making by parties with responsibility to oversee or initiate corrective action, and improve public accountability.

A performance audit is different than a financial statement audit, which is limited to auditing financial statements and controls, without reviewing operations and performance. In performing this audit, we retained National Center for State Courts and Matrix Consulting Group to work under our direction. Their final report dated March 2006, *Performance Audit of the Davidson County, Tennessee Juvenile Court System*, accompanies this report and is hereby submitted to you.

The mission of the Juvenile Court is to provide judicial decisions, safety, support, and guidance products to children and families who come in contact with the Court so they can become productive members of our community.

The Juvenile Court Clerk, another elected official running a separate agency, is responsible for providing services to the Juvenile Court that are integral to the successful daily operations of the Juvenile Court.

Objectives, Scope, and Methodology

The primary objectives of this performance audit were as follows:

- Compare the Juvenile Court and Juvenile Court Clerk's actual practices against written policies, procedures, and established standards in primary areas of operation.
- Compare the Juvenile Court system operations to industry benchmarks, peer city model juvenile court systems, and best practices.
- Evaluate the operating efficiency and effectiveness of all Juvenile Court system operational areas.
- Examine the allocation of personnel and other resources.
- Identify major strengths and weaknesses for all operational areas and describe significant contributing factors.
- Describe any instances of non-compliance with laws and regulations, fraud and abuse, or illegal acts.
- Provide a list of recommendations for areas where performance could be improved.
- Assess the Juvenile Court Clerk's office implementation of recommendations contained in the Internal Audit report issued in August 2003.

This audit utilized case data from 2005 and probation caseload data from 2000 through 2004.

The methodology employed throughout this audit was one of objectively reviewing various forms of documentation, including written policies and procedures, financial information and various other forms of data. Intensive interviews with leadership of the Davidson County Juvenile Court and Office of the Juvenile Court Clerk as well as with the managers of each Court unit and Clerk's Office section and many members of the staff of both organizations were conducted. Data obtained from various sources were

analyzed, and the practices and performance of the Juvenile Court and Juvenile Court Clerk were compared to comparable jurisdictions.

We performed the audit procedures in accordance with generally accepted government auditing standards.

Findings and Recommendations

The National Center for State Courts and Matrix Consulting Group report addresses the Juvenile Court and Juvenile Court Clerk operations and the resulting findings and recommendations in detail. The following is an overview of some of the more significant findings and recommendations included in their report.

In the view of the Project Team, the Davidson County Juvenile Court is dedicated to achieving excellence and to fully meeting its responsibilities to assist troubled youth and families, protect public safety, ensure justice, and operate as efficiently as possible. By reviewing some of its current approaches, making a number of administrative changes, and upgrading some of its infrastructure, the Project Team believes that the Court can even more fully meet its goals and the expectations of the citizens of Davidson County. The Davidson County Juvenile Court Clerk's Office, on the other hand, though it has implemented a number of the recommendations resulting from its most recent audit, is still not operating at the level of quality required to fully meet its responsibilities.

In considering the more than 90 recommendations for the Court and the Clerk's Office, six themes emerge. While perhaps a third of the recommendations are related only to a specific unit or procedure, the remaining two-thirds fall within the following overarching categories:

- The need to establish clear performance expectations and methods for measuring performance for Juvenile Court staff, Clerk's Office staff, and the interactions between the Court and the Clerk's Office.
- The need to increase, broaden, and improve staff training and cross-training.
- The need for improved coordination between the Juvenile Court and the offices and agencies that work with the Court.
- The need for the Juvenile Court to carefully define its role and determine the workload and resource implications when it takes on new programs or expanded responsibilities.

- The need for a thorough review of salary classifications, job qualifications, and job descriptions.
- The need to enhance the security of Judicial Officers, staff, litigants, detainees, witnesses, attorneys and members of the public using the Juvenile Justice Center.

The Project Team recognized that many of the recommendations in this report are interrelated, and that because of time, funds, and efforts required, they all cannot be implemented immediately. However, they provide a roadmap for a multi-year journey toward improved operations, service, and results for the Davidson County Juvenile Court and Juvenile Court Clerk.

Detailed findings and recommendations can be found in the National Center for State Courts and Matrix Consulting Group report and a summary of findings and recommendations and the related fiscal impact can be found in Appendix H.

Management's response to the audit recommendations is attached to this report.

We appreciate the cooperation and help provided by all Juvenile Court staff.

This report is intended for the information of the management of the Metropolitan Government of Nashville and Davidson County. This restriction is not intended to limit the distribution of this report, which is a matter of public record.

Internal Audit Section

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Internal Audit Manager

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OFFICE OF INTERNAL AUDIT

Section II

Management's Response

Management Response to Audit Report.....See Attached

BILL PURCELL
MAYOR



METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY

BETTY ADAMS GREEN, JUDGE

JUVENILE COURT OF DAVIDSON COUNTY
100 WOODLAND STREET
NASHVILLE, TENNESSEE 37213

March 16, 2006

Mr. Don Dodson
Department of Finance
Division of Internal Audit
222 Third Avenue North, Suite 401
Nashville, Tennessee 37201

Dear Mr. Dodson:

The Juvenile Court is in receipt of the Performance Audit conducted by the staff at the National Center for State Courts and the Matrix Consulting Group under the Project Management of Mr. Richard Van Duizend. The Juvenile Court Administration has carefully reviewed the audit recommendations and findings and are offering the attached responses.

Please know that the Juvenile Court staff members are determined to work diligently to address the issues raised in the report and are committed to implementing it's recommendations.

The Juvenile Court would like to thank the Matrix Consulting Group and the National Center for State Court's consultant teams for the time they spent with our department in gathering information that has now translated into a thorough and concise report. The recommendations, once implemented will impact the Nashville Juvenile Justice system in a most positive manner.

Sincerely,

A handwritten signature in cursive script that reads "Betty Adams Green".

Betty Adams Green, Judge
Davidson County Juvenile Court

BILL PURCELL
MAYOR



METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY

BETTY ADAMS GREEN, JUDGE

JUVENILE COURT OF DAVIDSON COUNTY
100 WOODLAND STREET
NASHVILLE, TENNESSEE 37213

JUVENILE COURT'S MANAGEMENT RESPONSES

Recommendation 1-1

The Juvenile Court should contact parties prior to settlement hearing to determine whether a potential settlement has been reached in the case.

Management's Response 1-1

Juvenile Court agrees with this recommendation. Implementation will require the addition of 3 Delinquent dockets and 3 Neglect/Dependent Dockets. 1.5 FTE's will be required to staff.

Recommendation 1-2

The Juvenile Court should review the actual case flow and the proportion of cases that settle on the day set for the adjudication hearing, and adjust scheduling accordingly, to provide more time for settlement, violations, and other types of hearings

Management's Response 1-2

Juvenile Court also concurs with this recommendation and will accomplish this by implementing recommendation 1.1.

Recommendation 1-3

Schedule the truancy and tobacco dockets in the afternoon, after school hours.

Management's Response 1-3

The Juvenile Court recognizes the value of this, but realizes that flex shifts or overtime will be issues, since dockets would begin at 3:30 or 4:00 p.m.

Recommendation 1-4

The Juvenile Court should establish a set of written performance expectations for minute clerks.

Management's Response 1-4

We concur.

Recommendation 1-5

The Juvenile Court Clerk's office should provide coverage for every courtroom, regardless of absences due to illness or vacations.

Management's Response 1-5

We concur.

RECOMMENDATIONS AND RESPONSES continued

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Recommendation 1-6

The Juvenile Court should, in collaboration with the Juvenile Court Clerk, develop training for minute clerks newly assigned to the Parentage Division and periodic refresher training. Court staff should be made available to participate as trainers, and other key system participants should be recruited as trainers.

Management's Response 1-6

We concur.

Recommendation 1-7

At the next opportunity for amendment of the title IV-D agreement, the court should request that provisions of the agreement that require the Juvenile Court to treat non-Title IV-D cases with lower priority and which dictate specific hearing procedures or times be amended or deleted from the agreement.

Management's Response 1-7

We concur.

Recommendation 1-8

The Juvenile Court should continue to monitor the process and update the procedures guide to determine the necessary resources required to process ex parte orders of protection.

Management's Response 1-8

We concur

Recommendation 1-9

The review of incident reports and the determination of charges in felony cases involving a juvenile should be undertaken by qualified staff of the District Attorney's Office.

Management's Response 1-9

We concur. The alternative would be to add 2 FTE's classified as Paralegals.

Recommendation 1-10

The Juvenile Court should assign additional intake personnel to staff the front counter staff in order to avoid the frequency with which those processing initial case paperwork must interrupt their work to cover the front counter.

Management's Response 1-10

We concur. Responsibilities should tie in with 1-9; or add 1 FTE to the Intake staff.

Recommendation 1-11

The Juvenile Court should improve signage at the Juvenile Court Center.

Management's Response 1-11

We concur and have been working with Real Property Services to get this accomplished.

RECOMMENDATIONS AND RESPONSES continued

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Recommendation 1-12

The Juvenile Court should cross-train members of the Intake Division staff to be able to substitute for the intake supervisor in making judicial assignments and determinations regarding the diversion of cases.

Management's Response 1-12

This has been accomplished.

Recommendation 1-13

The court should develop a policy limiting the number of cases on the appearance docket. The court should hear initial appearances on at least one additional day each week.

Management's Response 1-13

We concur, and multiple days will be scheduled.

Recommendation 1-14

The Juvenile Court should review the classification and necessary qualifications of Intake Department staff who perform quasi-legal functions such as advising juveniles and parents of the charges, and who are responsible for making diversion, release, and other key discretionary decisions.

Management's Response 1-14

We concur. This function should be placed with the DA or performed as a Paralegal at the Juvenile Court. See 1-9.

Recommendation 1-15

The Juvenile Court should allocate JIS hours earmarked for the Court to integrating the DIVERT database into the JIMS system.

Management's Response 1-15

We concur. JIS has announced a freeze on all Power Builder coding effective December 2006 until all JIS applications are migrated to JAVA. While it is doubtful this can be accomplished at this time it will be a priority in JAVA.

Recommendation 1-16

The Juvenile Court should develop a protocol with Youth Services to ensure that decisions by Youth Services to divert a juvenile are promptly reported to the Intake Department and recorded.

Management's Response 1-16

We concur. This ties to 1-15.

Recommendation 1-17

The Juvenile Court should ensure that staff responsible for supervising juveniles in custody are properly trained and equipped to perform this function.

Management's Response 1-17

We concur. Juvenile Court will work with G4S to plan how staffing will occur during periods of training of detention staff to comply with ACA accreditation standards.

RECOMMENDATIONS AND RESPONSES continued

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Recommendation 1-18

The Juvenile Court should conduct a thorough workload assessment for Community Supervision Probation Officers and establish staffing levels and caseload standards based on the time and work required to meet the requirements of the CSPS Policy and Procedure Manual.

Management's Response 1-18

We concur. This can be accomplished through the implementation of Graduated Sanctions along with a validated risk assessment tool. Should this also pertain to Intake/Diverts.

Recommendation 1-19

Given the limited resources available, the Juvenile Court should prioritize the types of cases or circumstances in which it orders supervised probation and develop other mechanisms to provide services to the low risk but needy populations.

Management's Response 1-19

We concur. This is basically the same as 1-18; the use of pretrial diversion has reached 600 cases as an alternative and success requires DA/PD/Referee involvement.

Recommendation 1-20

The Juvenile Court should either validate its current risk assessment instrument or adopt one that has been validated in a comparable jurisdiction and permits probation officers to identify strengths, needs, and protective factors. Using the validated instrument, a risk assessment should be completed prior to the disposition for all juveniles found to have committed a delinquent offense.

Management's Response 1-20

We concur.

Recommendation 1-21

The Community Supervision Probation Section should implement case planning and the use of graduated sanctions as quickly as possible, starting with high risk youth.

Management's Response 1-21

Recommendation 1-22

The Court should develop a full set of management and supervision guidelines for sexual offense cases. These guidelines should address, at a minimum the following areas: specialized assessment, specialized treatment requirements, supervision protocols and practices, including visitation schedule, response to violations, no contact orders with victims or potential victims, and specialized conditions for sexual abusers.

Management's Response 1-22

This has been done through specialized CPIT probation staff

Recommendation 1-23

Decisions to release a juvenile from probation should be made by a judicial officer at the recommendation of the Probation Officer. The District Attorney's Office should be provided with notice of the recommendation and opportunity to request a hearing if it has an objection

Management's Response 1-23

We concur.

RECOMMENDATIONS AND RESPONSES continued

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Recommendation 1-24.

The Court should review the current procedures to initiate a violation of probation hearing to ensure that unnecessary steps and complexities are eliminated.

Management's Response 1-24

We concur

Recommendation 1-25

The Juvenile Court should develop different job descriptions and possibly different job titles for Community Supervision Probation Officers and probation staff who work at the Juvenile Court Center and who are not responsible for supervising juvenile offenders. The Court should provide relevant and appropriate training to Community Supervision Probation Officers to respond to emergency medical, safety, or other situations that could occur while they assume responsibility for the detention population.

Management's Response 1-25

We do not concur. We do have functional job descriptions for Probation Officers who work in different areas of the Court. We will take a look at them and rework if necessary.

Recommendation 1-26

The Juvenile Court should provide relevant and appropriate training to Community Supervision Probation officers to respond to emergency medical, safety, or other situations that could occur while they assume responsibility for the detention population.

Management's Response 1-26

Same as 1-17

Recommendation 1-27

The Juvenile Court should review its current policies regarding work schedules, compensatory time, and overtime and adjust them, to the extent permitted by law, to reflect irregular hours that Community Supervision Probation Officers may need to work to perform their responsibilities. It should also ensure that CSPA managers understand compensatory time and overtime regulations and apply them consistently.

Management's Response 1-27

We concur. This has been addressed as the result of a previous audit. We will provide a refresher training for Managers to assure that they apply the policy consistently.

Recommendation 1-28

The Juvenile Court should provide "outpost" locations with the office and other equipment required for Community Supervision Probation Officers to perform their responsibilities effectively, and should make arrangements to provide regular office maintenance and cleaning services to these locations.

Management's Response 1-28

We concur.

RECOMMENDATIONS AND RESPONSES continued

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Recommendation 1-29

The Juvenile Court should provide "outpost" locations with basic security equipment such as security cameras and panic buttons wired to the closest law enforcement agency and should require each office to develop an emergency evacuation plan.

Management's Response 1-29

We concur; however, the financial impact should be addressed.

Recommendation 1-30

The Juvenile Court should develop a detailed policy regarding home visits that require the officer to check in with someone prior to and at the end of each home visit and provide guidance on when such visits should be conducted by pairs of probation officers or by a probation officer and law enforcement officer.

Management's Response 1-30

We concur. This will be addressed in the procedural manual.

Recommendation 1-31

The Juvenile Court should consider providing cultural diversity training to CSPS staff and develop strategies and practices for staffing cases that involve members of an immigrant community who have limited English language skills, may not be familiar with the American juvenile justice system, or have cultural practices that make traditional probation supervision difficult.

Management's Response 1-31

We concur. This training is provided through the Metro Human Resources Department and through the Administrative Office of the Court.

Recommendation 1-32

The Juvenile Court should place a priority on the development of regular management reports which provide each Judicial Officer, the Court Administrators, and relevant managers with the status of dependency cases in relation to federally mandated case processing requirements, and the overall performance of the court in relation to those guidelines.

Management's Response 1-32

We concur. This is a JIS issue and may be realized when state reporting is operational.

Recommendation 1-33

The Juvenile Court should continue its current plans with the DCS to increase the number of court liaison personnel at the Juvenile Justice Center in order to further enhance communication and coordination between DCS, the Judicial Officers hearing dependency cases, and Court staff.

Management's Response 1-33

We concur.

RECOMMENDATIONS AND RECOMMENDATIONS continued
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Recommendation 1-34

The Juvenile Court should consider adding or reallocating a staff person whose role and sole focus is development and coordination of community resources for treatment and other family services.

Management's Response 1-34

We concur. One FTE will be required.

Recommendation 1-35

The Juvenile Court should consider a formal effort to reach out and engage the business community in providing support for services to children and families at risk. Any initiative should be carefully reviewed in the context of limitations on the judge and the court by ethics rules.

Management's Response 1-35

We concur. These duties should be performed by the person recommended in 1-34.

Recommendation 1-36

The Juvenile Court should make resources available to allow the Drug Court staff to conduct home visits.

Management's Response 1-36

We concur. An additional 1 FTE would be required as a PO or Enforcement Officer for Drug Court.

Recommendation 1-37

The Juvenile Court should make training available when staff are assigned to the Drug Court and on an ongoing basis thereafter.

Management's Response 1-37

We concur.

Recommendation 1-38

The Juvenile Court should allocate a portion of its JIS time to the development of a module for JIMS that would allow Drug Court staff to track cases, produce statistical reports regarding case events, outcomes, and capture information for long term program evaluation.

Management's Response 1-38

We concur.

Recommendation 1-39

The Juvenile Court should provide TRP "outpost" locations with the office and other equipment required for community supervision probation officers to perform their responsibilities effectively, and should make arrangements to provide regular office maintenance and cleaning services to these locations.

Management's Response 1-39

We concur.

RECOMMENDATIONS AND RESPONSES continued

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Recommendation 1-40

The Juvenile Court should consider creating a 501(C) (3) organization that can accept donations and otherwise raise funds from private sources to strengthen the TRP and the summer enrichment program

Management's Response 1-40

We concur. This is tied to the role of 1-34.

Recommendation 1-41

CSWP staff should attempt to expand work options and relate the work to the delinquent acts committed by youth to better fit the balanced and restorative justice philosophy underlying the program.

Management's Response 1-41

We concur.

Recommendation 1-42

The Juvenile Court should consider using assignments to the CSWP as part of a set of graduated sanctions to enforce compliance with probation conditions.

Management's Response 1-42

We concur. Full implementation of Graduated Sanctions is necessary.

Recommendation 1-43

The Court should require basic safety training for all CWSP program staff.

Management's Response 1-43

We concur.

Recommendation 1-44

If pursuant to the recommendation in the chapter of this report on the Juvenile Court Clerk's Office at least one representative from that office does not regularly attend the monthly meetings held by the Juvenile Court, the Juvenile Court Judge should direct the Juvenile Clerk or a senior member of the Clerk's Office staff to participate in all monthly partner meetings.

Management's Response 1-44

We concur.

Recommendation 1-45

The Juvenile Court should clarify for staff and supervisors that all time worked must be accounted for and that the requirements of the Fair Labor Standards Act (FLSA) and Metro county work rules must be followed for compensation for time worked in excess of the normal work week and of the alternative of compensating time off during the same work week. It should also review its current policies regarding work schedules, compensatory time, and overtime and adjust them, to the extent permitted by law, to reflect the irregular hours that some Court employees may need to work to perform their responsibilities.

Management's Response 1-45

We concur. This issue was addressed after a previous audit, however, additional training on the standards will be provided.

RECOMMENDATIONS AND RESPONSES continued

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Recommendation 1-46

The Juvenile Court should clarify for staff its policy for recruiting for vacant positions for staff, being careful to distinguish between the process of filling a vacancy and reassignments due to reorganization. In addition, e-mail should be used to circulate notice of vacant positions to all staff, and a central location should be designated for posting vacancies for the benefit of staff.

Management's Response 1-46

We concur

Recommendation 1-47

The Juvenile Court should determine whether improvements could be made in the security lock system at the entrance door to the Administration offices to allow support staff to determine the identity of persons requesting access to the Administrative Offices without having to leave their workstation prior to allowing entry.

Management's Response 1-47

We concur. Additional cameras and DVR monitors have been installed.

Recommendation 1-48

The Juvenile Court should determine whether functions relating to the production and mailing of court orders for the Judge and referees could be re-allocated to the Clerk's Office or another office, in order to ensure that the Court's business operations are not delayed or interrupted by fluctuations in Court activity.

Management's Response 1-48

We concur.

Recommendation 1-49

The Juvenile Court's current initiative to shift funding for ongoing, core operations to general revenue sources or "entitlement grants" should be continued. Limited term grants should be limited to funding short term improvement or demonstration projects where the grant priorities are in line with the Court's priorities and where there is a reasonable expectation of securing funding for ongoing operations if the improvement or demonstration effort is successful.

Management's Response 1-49

We concur.

Recommendation 1-50

The Juvenile Court should consider dedicating at least one additional full time position to the support of computer hardware and software systems. Both positions should be knowledgeable about all software the Court uses, including both JIMS and JCMS. Total staffing should include 1 FTE Administrative Assistant – this person should understand IT and support; and 2 FTE level 3 support persons (maintenance, traveling and security).

Management's Response 1-50

We concur.

RECOMMENDATIONS AND RESPONSES continued

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Recommendation 1-51

In the interim, the Juvenile Court should cross-train the half-time employee providing IT support on the development of Crystal reports.

Management's Response 1-51

We concur. However, are unclear as to who the Part-time employee is.

Recommendation 1-52

The Juvenile Court should strongly encourage the JIS Policy Committee to authorize resources to have the state-mandated JIMS management reports as well as the management reports in JCMS developed as soon as possible.

Management's Response 1-52

We concur. The Administrative Office of the Court is now involved.

Recommendation 1-53

The Juvenile Court should use a portion of its allocation of JIS hours to address the user level, security, inconsistencies, and fixes required by JIMS and JCMS.

Management's Response 1-53

We concur. However, as mentioned earlier, JIS has initiated a moratorium on power builder coding. This can be accomplished in JAVA but the conversion date is unknown.

Recommendation 1-54

As an alternative, the Juvenile Court should explore with the Metro Government and the Administrative Office of the Courts whether general fund monies or grant funding is available to contract with programmers who could work exclusively with the Juvenile Court and the Juvenile Court Clerk to bring both systems to baseline working order and to allow the systems to work as consistently as possible.

Management's Response 1-54

We concur

Recommendation 1-55

The Juvenile Court should consider the creation of an Information and Technology Unit that includes a manager, support staff, and at least three FTE. The FTE would support both the JIMS and JCMS programs through participation in JIS committees and by providing user assistance, conduct training on the use of both systems as well as other software used by the court, and keep abreast of other technologies that could be used to improve the work of the court, either by improving efficiencies or by improving public safety.

Management's Response 1-55

It is our contention that JIS should be providing these services. However, in the absence of services, we concur that additional support is needed.

Recommendation 1-56

The Juvenile Court should provide the training to ensure that all members of its staff have a basic working knowledge of the software they are expected to use in the course of their jobs including basic computer maintenance procedures, such as file storage and back-up. The Court should also set an expectation that its staff will perform these tasks as a part of their job duties.

Management's Response 1-56

We concur.

RECOMMENDATIONS AND RESPONSES continued

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Recommendation 1-57

The Juvenile Court should work with JIS to develop or adapt an automated system for tracking service of process, return of service information, and arrest warrants.

Management's Response 1-57

We concur.

Recommendation 1-58

The Juvenile Court should explore the availability of federal grant funds to ensure that the enforcement and security functions are able to be performed effectively and efficiently. Among the items that should be considered are hand-held or in-vehicle computers that enable security officers in the field to check JIMS without compromising the security of the system, state-of-the-art body armor, and batons or other non-lethal weapons.

Management's Response 1-58

We concur. Security is also an issue within the courtroom. Staffing levels should be addressed for Court Officers.

Recommendation 1-59

The Juvenile Court should ensure that the policy and procedures manual being developed by the Enforcement and Security Department includes explicit guidelines on the appropriate use of deadly and non lethal force, and that all security officers understand and are able to apply these guidelines in the course of their duties

Management's Response 1-59

We concur.

Recommendation 1-60

The Juvenile Court should consider developing a plan to remodel the court facility to provide adequate waiting and seating space to accommodate all of the courtrooms in the facility. The waiting areas should be 200 square feet in size per general trial courtroom and up to 400 square feet in size for larger courtrooms.

Management's Response 1-60

We concur.

Recommendation 1-61

Safe and separate waiting rooms should be available to victims and witnesses in court proceedings to minimize the trauma and potentially dangerous situations created by the physical association between adversarial parties.

Management's Response 1-61

We concur. This issue ties directly to 1-59.

Recommendation 1-62

Attorney conference rooms should be provided for attorneys waiting for trials or during recesses.

Management's Response 1-62

We concur

RECOMMENDATIONS AND RESPONSES continued

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Recommendation 1-63

All courtrooms and other waiting rooms/lounges should have adequate soundproofing so as to deaden sound transmissions from common waiting areas.

Management's Response 1-63

We concur

***PERFORMANCE AUDIT OF THE
DAVIDSON COUNTY, TENNESSEE
JUVENILE COURT SYSTEM***

*Final Report
March 2006*





***PERFORMANCE AUDIT OF THE
DAVIDSON COUNTY, TENNESSEE
JUVENILE COURT SYSTEM***

*Final Report
March 2006*

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***PERFORMANCE AUDIT OF THE
DAVIDSON COUNTY, TENNESSEE
JUVENILE COURT SYSTEM***

This document has been prepared under an agreement dated June 28, 2005 between the National Center for State Courts and the Metropolitan Government of Nashville and Davidson County, Tennessee. The points of view and opinions offered in this report are those of the project consultants and do not necessarily represent the official policies or position of the Metropolitan Government of Nashville and Davidson County or the National Center for State Courts.

Online legal research provided by LexisNexis.



**PERFORMANCE AUDIT OF THE
DAVIDSON COUNTY, TENNESSEE
JUVENILE COURT SYSTEM**

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INTRODUCTION

Objectives

The National Center for State Courts and the Matrix Consulting Group (the Project Team) were retained by the Metropolitan Government of Nashville-Davidson County to conduct a Performance Audit of its Juvenile Court and Juvenile Court Clerk. The purpose of this audit was to:

- Compare the Juvenile Court and Juvenile Court Clerk's actual practices against written policies, procedures, and established standards in primary areas of operation
- Compare the Juvenile Court system operations to industry benchmarks, peer city model juvenile court systems, and best practices
- Evaluate the operating efficiency and effectiveness of all Juvenile Court system operational areas
- Examine the allocation of personnel and other resources
- Assess the Juvenile Court Clerk's office implementation of recommendations contained in the Internal Audit report issued in August 2003
- Identify major strengths and weaknesses for all operational areas and describe significant contributing factors
- Describe any instances of non-compliance with laws and regulations, fraud and abuse, or illegal acts
- Provide a list of recommendations for areas where performance could be improved

Methodology

The audit began in July 2005 with an initial meeting of the Steering Committee at which Juvenile Court stakeholders met with the Project Team leaders to identify key issues and concerns to consider in the audit. The first data collection site visit occurred in October 2005 with follow-up site visits conducted in November 2005. A variety of data collection and analytic approaches were utilized by the Project Team including:

- Discussions with Metro’s Internal Audit Office staff to obtain background information, identify potential issues, and confirm the scope of work and schedule
- Review of prior audits and evaluations of the Davidson County Juvenile Court and Juvenile Court Clerk’s Office as well as Court data, reports, policies and procedures, and other background information
- Intensive interviews with the leadership of the Davidson County Juvenile Court and the Office of the Juvenile Court Clerk as well as with the managers of each Court unit and Clerk’s Office section and many members of the staff of both organizations
- Obtaining available data from the Juvenile Court and Juvenile Court Clerk’s Office to determine workloads, workflow, service levels, and costs
- Requesting data from comparable jurisdictions to provide a context for assessing the operations of the Juvenile Court and Juvenile Court Clerk
- Identifying best practices from jurisdictions throughout the country and the literature on juvenile court operations, procedures, and facilities
- On-going discussions with the leadership and key managers of the Juvenile Court and Juvenile Court Clerk’s Office to refine issues and obtain additional information

Standard quantitative and qualitative data analysis techniques were used to compile and examine the information collected.

Report Organization

Chapters 1 and 2 of this report provide detailed descriptions of the mission, organization, staffing, and work processes of the Davidson County Juvenile Court and the Office of the Davidson County Juvenile Court Clerk, respectively. Each chapter begins with a profile of the entity examined, followed by an operational review of each of the key units or functions within the Court and Clerk’s Office. These assessments are divided into three primary sections – Findings (an objective description of the unit); Observations (key concerns or problem areas); and Recommendations for Improvement (recommended actions that the Court, Clerk, or both should take to improve the effectiveness and

efficiency of their operations). Where specific staffing changes are recommended, estimates of the costs of these changes are provided. Chapter 3 summarizes the overarching themes that tie together the core recommendations offered in Chapters 1 and 2.

Attached to the body of the report are several appendices that contain examples of the interview protocols for data collection (A); detailed organization tables (B) and (C); workflow diagrams (D); the data collected from the comparison jurisdictions (E and F); a sample Collections Program Policy (G), and a list of all the recommendations offered in this report (H).

Acknowledgment

In closing, the Project Team wishes to acknowledge and thank Judge Betty Adams Green, Juvenile Court Clerk Vic Lineweaver, Court Administrators Tim Adgent and Phoebe Johnson, and the managers and staff of the Davidson County Juvenile Court and the Office of the Juvenile Court Clerk for their openness, cooperation, and candor. We also wish to thank Don Dodson and his colleagues at the Metro Government's Finance and Internal Audit Department for their guidance and encouragement throughout this project.

CHAPTER 1 – THE DAVIDSON COUNTY JUVENILE COURT

A. PROFILE OF THE JUVENILE COURT

The mission of the Davidson County Juvenile Court is:

To provide a judicial and non-judicial service delivery system that is fair, accessible, efficient, and responsive that will meet the immediate and long term needs of the citizens of Greater Nashville and Davidson County, Tennessee in a manner consistent with public safety.¹

The Davidson County Juvenile Court is one of 17 juvenile courts in the state of Tennessee that is a “Private Act” court; in these jurisdictions, a local act established the court as having specific juvenile jurisdiction. The remaining 81 courts in Tennessee are General Sessions courts with juvenile jurisdiction. In Davidson County, the Juvenile Court hears and has jurisdiction over all cases related to delinquency, neglect, parentage², and status offenses³ and is one of four courts in Tennessee that administers county probation. State probation is considered more serious and restrictive than county probation. Juveniles are usually placed on county probation first and then sentenced to state probation if delinquency continues. The Court is headed by Judge Betty Adams Green.

There were a total of 132.87 FTE⁴ positions budgeted for the Juvenile Court in 2004-05 fiscal year, including one judge and seven referees; 29.65 FTE were grant-funded positions. For the 2005-06 fiscal year, the same number of FTE were budgeted, however, the general fund supported 1.5 of the previously grant-funded FTE positions. During FY 05, approximately 11 percent of the state’s juvenile court cases were referred to the Davidson County Juvenile Court.

¹ Nashville Juvenile Court website (9/15/05), http://www.nashville.org/juvenile_court/index.htm.

² Parentage cases include child custody matters, visitation, determination and establishment of parentage (fathers), and child support orders.

³ Status offenses are those acts which are unlawful because of a person’s age, such as running away from home, truancy, violations of curfew, and unruly behavior.

⁴ Statistical reports indicate a total of 147 staff, which includes part-time and full-time employees and explains the difference in count from the FTE figure.

Statewide, approximately half of the referrals to juvenile court were for delinquent acts and 25 percent were status offense/unruly behavior⁵.

Organization of the Court

In 1996, the Davidson County Juvenile Court was designated as a Model Court by the National Council of Juvenile and Family Court Judges' Permanency Planning for Children Department. An outgrowth of this program, driven by the Court's desire to strive for excellence and better service to the public, was to implement a one family-one judge docket system throughout the court in 2004. The intent of this docketing structure is to improve the process of assigning and disposing cases and to decrease caseloads. The one family-one judge system extends beyond judicial officers and includes probation staff and intake personnel in the singular involvement of court staff with families. Additionally, agencies outside of the court such as the District Attorney's Office, the Public Defender's Office, the Department of Children Services, and other agencies involved in the Juvenile Court system honor the one-family one-judge system.

The Davidson County Juvenile Court is organized around three divisions: the Adjudication Division, Professional Services Division, and the Administrative Services Division.

The *Adjudication Division* is comprised of Judge Green and seven referees who conduct court proceedings. Judge Green legally presides over all cases entering the Juvenile Court of Davidson County and is responsible for the supervision of the seven referees and related services. The Adjudication Division is responsible for hearing all cases relating to alleged delinquency, unruly child behavior (truancy, curfew, runaway, etc.), neglect and abuse, termination of parental rights, paternity, legitimatization, child support, child custody, visitation and all

⁵ Tennessee Council of Juvenile and Family Court Judges, 2004 State of Tennessee Annual Juvenile Court Statistical Report, Administrative Office of the Courts, Nashville, TN. The breakdown of case types by jurisdiction is not available.

parentage cases filed by the IV-D agency. It also manages “Law Library” and related information.

Within the *Professional Services Division* there are 11 sections that provide specialized services to the Court and juveniles and families who come before the Court. The sections encompassed within this Division include the Juvenile Family Drug Courts, Truancy Prevention and Reduction, Community Supervision Probation, Resource Services and Assessment, Enforcement and Warrants, Community Service, Building Security, Centralized Intake and Pretrial Services, Family Services, Parentage/Child Support, and Detention Contract Monitoring.

The *Administrative Services Division* is responsible for the day-to-day operations and management of the Juvenile Justice Center, including management of the Juvenile Court fiscal and purchasing services, human resources, coordination of all grants and contracts, coordination of training initiatives for employees, and providing information systems services to the Court and court facilities.⁶

Physically, the County’s youth detention facility is co-located with the Juvenile Court; however, a private corporation, Securicor, is responsible for managing the detention facility under a closely-monitored contract from the Court.

The Juvenile Court has two management information systems in place: the Justice Information Management System (JIMS) and the Juvenile Case Management System (JCMS). Both management information systems were developed for the Juvenile Court by Metro’s Justice Integration Systems (JIS)⁷. JIMS is a management information system adapted for the Juvenile Court from the general sessions court management information system. JCMS was built specifically for the court to be used primarily as a management and information

⁶ A full organization chart of the Juvenile Court is contained in Appendix C.

⁷ The JIMS was originally developed by Unisys, but is now supported by JIS; JCMS was developed – and continues to be supported by -- JIS.

tool for probation cases. The court divisions and the sections within these divisions are described in greater detail later in this report.

Training Requirements

County juvenile probation officers must have 60 semester hours or 90 quarter hours in criminal justice or social services courses. This education requirement is not mandated by law, but is a regulation of the Tennessee Commission on Children and Youth which distributes a state supplement to each court that follows these guidelines.

Probation Officers are not professionally certified. However, the Tennessee Council of Juvenile and Family Court Judges (TCJFCJ) and the Tennessee Juvenile Court Services Association (TJCSA) train probation officers. According to policies of the Tennessee Commission on Children and Youth, courts must meet minimum training requirements to receive a state supplement. An officer must receive 40 hours of training in the first year and 20 hours of training annually thereafter or 15 hours if the county has more than one officer on staff and one is a supervisor. The supervisor has to receive 20 hours of training a year.

The Administrative Office of the Court educates and provides training to judges, referees, and over 350 staff with juvenile court jurisdiction to enable them to better administer justice for Tennessee's children, youth, and families referred to the courts. TCJFCJ develops and maintains a Core Curriculum to be used as orientation and training for all new court staff and provides an annual two day training for juvenile court staff. Additionally, the juvenile court staff are required to attend monthly staff meetings where agencies are invited to provide overviews of programs or address matters that are pertinent. The Court also closes dockets twice a year to provide training to the local bar association and other interested parties regarding local, state, or federal rule and statutory changes that are

pertinent to the work of the Court (these training events are CE and CLE qualified).

Recent History

The Juvenile Court was last audited in 2005. This audit was conducted locally, and focused primarily on the financial aspects of the court. In 1999, the Court was reviewed by the Office of Juvenile Justice and Delinquency Prevention (OJJDP) regarding its juvenile delinquency case handling. Both of these reviews prompted changes in the Court.

Given that many of the recommendations of the recent audit pertained to financial and accounting procedures, the Court recently hired a CPA to focus on these recommendations. Based upon the OJJDP review and the Court's participation in the Model Court Program, the intake process has been completely reorganized and the one family—one judge concept for docketing and case management has been implemented⁸.

The Court has made significant attempts to collaborate with agencies and organizations in the community, both governmental and non-governmental. There are offices for Department of Human Services caseworkers and Court Appointed Special Advocates (CASA) in the Juvenile Justice Center, allowing them to have a more permanent presence in the courtroom. Offices for Public Defender attorneys have also been made available. A recent renovation included the development of temporary work stations for community probation officers. Prior to this, when community-based probation officers were required to come to court, they had no place to work while waiting for the matter to be heard in Court. Given the use of these temporary work stations, officers can now access case notes and enter case-related information into JIMS and JCMS, make telephone calls, and complete additional paperwork.

⁸ Prior to this model, the courts were run by specialty areas (delinquency, truancy, etc.). Now the judges have a mix of cases (except for the parentage division) which decreases burnout.

Finally, monthly staff meetings are held and all Juvenile Court members are expected to attend; additionally, vendors and community collaborators have a standing invitation to attend these meetings. A great deal of the expanded collaborative effort has been a result of the Court's participation in the national Model Court Program coordinated by the National Council of Juvenile and Family Court Judges.

Workload

In 2006, the Juvenile Court heard 60,363 cases; this figure is slightly higher than the five-year average of 58,455. The Court's Probation Unit retained oversight of 7,407 children including those on delinquent, unruly, neglect and dependent, and diverted case status, compared to a five-year average of 7,891 children. Annual probation caseload figures were not available for 2005; however, during the past five years (2000 through 2004), probation caseloads have averaged between 32 and 35. Caseload figures for the end of January 2006 were at 32 for general caseloads; 34 for CPIT cases, and 25 for the specialized gang unit. The Juvenile Court's 2005 budget was \$9,745,900.

B. OPERATIONAL REVIEW OF THE JUVENILE COURT

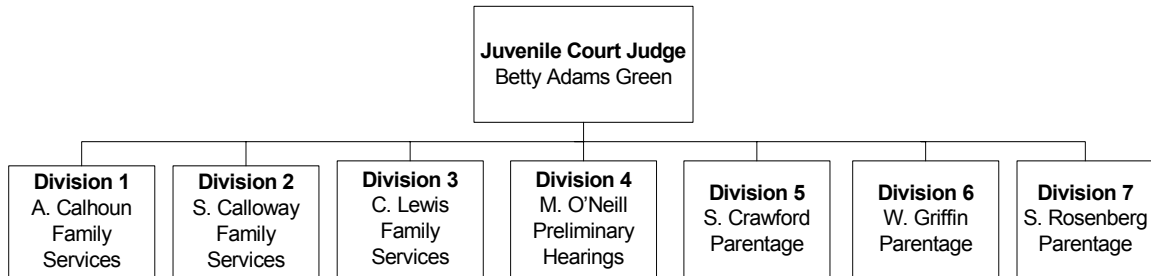
1. The Adjudication Division

Findings

The Adjudication Division is responsible for hearing all cases filed in the Juvenile Court of Davidson County. These include: delinquency, unruly child cases (truancy, curfew, runaway, etc.), neglect and abuse proceedings, termination of parental rights as well as paternity, legitimatization, child support, child custody, and visitation matters. Judge Betty Adams Green is responsible for the supervision of the seven referees and all related services.

The Division is divided into three family courts, three parentage courts, and one emergency court. Any action by a referee can be sent to Judge Green (as a result of an appeal or recusal),

Adjudication Division



As noted above, the Court recently transitioned from a specialized referee system in which cases were assigned according to case type, to a one family-one judge model where all cases for a single family (other than IV-D cases⁹) are overseen by a single judicial officer. Supporters of this model argue that a unique perspective is developed when a single judge hears all matters related to a single family's court experience. "One family-one judge calendaring affords the opportunity for the judge to identify patterns of behaviors over time, ensure that expectations for all parties are consistent and clearly communicated, invest the time necessary to gather information, assess the results of decisions, and develop a working relationship with all parties" (National Council of Juvenile and Family Court Judges, 2005). In Davidson County, the one family-one judge system is strengthened by the assignment of probation officers, and one or more prosecuting attorneys and public defenders to a specific family court. The Court continues to make changes in its operational procedure to adapt and improve this Model Court system. The model allows all judicial officers to hear a variety of case types, but the main focus is to retain the case and the family. The Court works hard to minimize the number of times a person is required to appear in

⁹ Cases to establish, enforce, or modify the child support obligation of a non-custodial parent, including establishment of paternity. The term "IV-D" refers to the federal Child Support Enforcement program established by Chapter IV-D of the Social Security Act.

court, and the one family-one judge model assists with this by allowing multiple cases for one individual or family to be heard together.

The Court maintains a three-week repeating schedule, which allows for all Family Court judicial officers to schedule all case types. Generally, caseload is relatively consistent across the courts. If one referee gets overbooked, the Intake staff can put a hold on new cases assigned to that judicial officer. The schedule rotates so that Judicial Officer 1 holds DCS trials on Monday and Thursday on week 1; Judicial Officer 2 holds DCS trials on Monday and Thursday of week 2¹⁰; and Judicial Officer 3's DCS trials are set for Monday and Thursday of week 3. Trials for other case types and various hearings, such as motions, settlement, and permanency planning are set for different days throughout the week. This rotation schedule holds true for all case types. Generally, trials are scheduled for the morning and motions, settlements, reviews, and similar matters are scheduled for the afternoon, to better accommodate the schedule of attorneys. In the Parentage Division, the three Referees maintain their own consistent docket schedules each week.

In addition to their standard caseloads, the Family Court referees are assigned to special calendars. One Referee presides over all Juvenile and Family Drug Court matters; another Referee hears all CPIT cases (child protective investigative team – juvenile offenders charged with sexual offenses); and all shelter and permanency planning matters are divided between the CPIT Referee and another Referee. This distribution of “specialty” cases maintains the consistency of the one family-one judge philosophy by placing all of those case types with the single judicial officer in addition to all other related family matters before the Court. However, if a new CPIT case was filed on a juvenile who had previously been involved with the Court and a different Referee, the case would be assigned to Referee Lewis, violating the one family-one judge assignment

¹⁰ During this week, Judicial Officer 2 would hold DCS trials on Tuesday and Friday and Judicial Officer 3 would hold DCS trials on Wednesday.

pattern. On any given day during the week, trials on Division of Children's Services (DCS), family services or delinquency matters may be scheduled; however, settlement dockets occur only three afternoons per week, one for each judicial officer.

Court staff from the Intake and Pre-trial Services Unit triage cases. This Unit determines which cases require a court appearance and which will be diverted or otherwise handled. These decisions are made based on the age of the child, the type and seriousness of the case, and whether the child has had prior contact with the court.¹¹ Cases assigned at this juncture, other than tobacco citation cases, are heard and could end up on any of the following docket types. Those appearing on the Misdemeanor, Emergency Order, and Unruly dockets are all heard by the fourth Referee.

- Misdemeanor citation docket -- non-violent misdemeanors, cases without restitution owed, loitering, and curfew cases. Most of these cases go to court and, upon a guilty plea, are ordered to pay a fine and court costs (\$58.50) or, in lieu of these costs, the child may opt to take a CPR class (for the cost of \$20).¹² Misdemeanor citations cases are heard every Wednesday between 1:00 and 2:30
- Tobacco citations docket¹³ -- citations for tobacco use, typically at school. These cases are heard both at the Juvenile Justice Center as well as in select schools. Tobacco use laws and penalties are defined in state statute and include the payment of a fine and court costs (\$108.50), which may be waived (on the first offense) by attending a smoking cessation class (which costs the youth \$50). Upon a second or subsequent tobacco violation, youths are required to pay the court fees and a fine. Youths charged with this offense may also be ordered to complete up to 100 hours of community service work. Tobacco citations cases are heard on Wednesday mornings in the community court locations and on Thursday mornings from 9:00 – 9:30 at the Juvenile Justice Center location.

¹¹ A more detailed description of the Intake and Pretrial Services Unit follows on page 31.

¹² The CPR classes are offered as a way to provide youth with a valuable life skills tool. This option was suggested by the local Red Cross some years ago and the Court has seen it as a useful option to offer youth who come before the Court.

¹³ The Tobacco citation is a state mandated offense. Cases primarily come from citations written by school officials and filed with the Court.

- Emergency orders docket -- cases in which decisions or issues are time sensitive, such as preliminary hearings, removal, or detention hearings. These cases are scheduled each afternoon.
- Unruly docket – cases which include general complaints regarding runaways or other “unruly” or difficult-to-manage behavior of a child, in addition to petitions for custody. If youths are adjudicated as unruly, they are placed under a valid court order and overseen by an Intake Probation Officer until the case is either closed or a violation occurs. Upon a second violation of the court order, the case is placed on the delinquency settlement docket. Unruly appearances are scheduled for Friday mornings.
- Truancy docket -- failure to attend school cases are first handled through the Truancy Reduction Program,¹⁴ where Probation Officer Assistants work with the youth and family to get the child back in school on a regular basis. If progress cannot be made informally, the truant officer files the case with the Court¹⁵. The court may order services to the youth and family, but the main objective is to devise a plan to get the child back into school on a regular basis. Truancy cases are heard in community court locations on Wednesday mornings and at the Juvenile Justice Center on Thursday mornings at 9:30.
- Family Drug Court docket – involves cases in which families and respondents have been through a screening process and accepted into the Drug Court Program. Drug court staffing occurs each Tuesday and Thursday from 1:30 to 3:30; case management occurs after the staffing on those days.
- Child Protective Investigation Team (CPIT) docket – involves juvenile offenders charged with sexual offenses. All matters regarding these cases are scheduled each Friday in the afternoon.
- Permanency planning and reviews docket – involves cases in which permanent residency plans are reviewed and authorized by the Referee. These cases are heard on Monday and Friday afternoons.

¹⁴ The Truancy Reduction Program, described later in this document, is a program designed to determine the causes of chronic unexcused school absenteeism and remedy these to get children (in grades K-8) back in school regularly.

¹⁵ Cases get on the truancy docket by being filed by the truancy officer with family services intake (Lana Barry). Delores Gwin sets the case on the docket. Once the case has been entered into JIMS, she generates an original summons which is sent to the clerk's office for review and file generation (or added to an existing file).

- Motions docket – motions on cases already before the court on a pending matter are set for hearing on the dockets by Intake staff and are determined by the Judicial Officers to whom the case has been assigned. Legal arguments may be heard and agreements announced on the motion docket. Testimony is not heard at an initial motion docket. Motions are scheduled for Monday and Friday afternoons.
- Parentage cases -- these IV-D cases are initiated with the filing of a petition to establish parentage or a petition to set support. Any additional issues, such as modification or enforcement of payment on child support and reimbursement and providing for medical insurance may also be heard. Cases are assigned to Judicial Officers by the Administrative Assistants¹⁶. Each of the three Parentage Referees maintains the same docket schedule from week to week. There are specific times set in each courtroom for IV-D appearances, motions, and trials; additionally, each Referee sets aside one day per week for appearances, motions, and trials on non-IV-D parentage matters.
- Settlement dockets -- cases in which the parties are ready to reach disposition in the case. These dockets are generally scheduled by Intake Staff. All family services Judicial Officers experience very large settlement dockets. Settlement dockets are scheduled by case type (e.g., violations or DCS/family services). Violations settlements are heard on Monday, Tuesday, and Thursday afternoons; DCS/family services settlements are heard on Wednesday afternoons.
- Trial dockets -- include cases that are scheduled for adjudication either by the Intake Unit staff when a defendant does not want to settle the case or by the Judicial Officer when a case cannot reach disposition after being placed on a settlement docket. Many cases are set for adjudication, but end up settling the case instead, once the reality of the trial process has begun. Trial dockets, like settlements, are scheduled by case type across all three family services divisions. DCS, delinquency, and family services trials are scheduled for Monday through Friday mornings.

¹⁶ The Parentage Unit employs administrative assistants through grant funds. No other courtroom has these positions.

Courtroom Support by the Juvenile Court Clerk¹⁷

All of the paperwork associated with court cases begins and ends in the Juvenile Court Clerk's Office. Problems experienced in the Adjudication Division associated with the Clerk's office include the following:

- Missing pleadings in case files
- Incorrect computer schedule for dockets
- Incomplete decree sheets¹⁸
- Files from cases on the docket have no applicable paperwork¹⁹
- The information a Judicial Officer needs to make case-related decisions is not always present
- Motions docket – sometimes there is no information in the file on which to make a decision

Observations

Employing the Resource Guidelines recommended by the National Council of Juvenile and Family Court Judges,²⁰ the Davidson County Juvenile Court has made great strides in developing an adjudication process designed to fairly, efficiently, and effectively process the multitude of family-related actions referred to the Court. Its focus on the family and emphasis on bringing all cases involving a family before a single Judicial Officer and one set of public attorneys is

¹⁷ A thorough discussion of the operations of the Juvenile Court Clerk's Office appears in Chapter 2 of this report. This section describes the impact of those operations on the work of the Adjudication Division of the Juvenile Court.

¹⁸ The Court expects the minute clerk to fill out party names on decrees prior to any court event; this can be done and is done in some courtrooms, but is not done consistently in others.

¹⁹ When the Clerk leaves the courtroom to obtain the necessary documents, the Court is left un-staffed, resulting in inefficiencies due to the inability of the court to carry out required court functions, such as cataloguing exhibits, obtaining additional files that might be needed (e.g., case-relevant files, including those of other family members), or obtaining orders (e.g., orders to parents, etc.). When this occurs, judicial officers must write all orders on a decree sheet (in long hand, because they do not issue verbal orders). The clerk is expected to type these orders, but if they are not in the courtroom they cannot be typed or disseminated to the parties. Often, it appears the minute clerks are able to type orders only as time permits – there is no clear prioritization of their duties. Often, judicial officers must rely on a probation officer or court officer, who is responsible for the security of the courtroom, to perform some of the functions of the minute clerk.

²⁰ NCJFCJ, *Resource Guidelines: Improving Court Practice in Child Abuse and Neglect Cases* (1995).

commendable. However, in its ongoing drive for excellence, there are two areas in which changes could yield improved performance.

The first is scheduling. The Settlement Docket is a particular problem. Despite the fact that all the relevant parties are assigned to one courtroom (youth, parents, district attorney, public defender, DCS attorney, probation officer), the parties have not always discussed the issue prior to the hearing and the parents and children are not always agreeable to the decision reached by the professionals. At present, the Court has no way of knowing prior to calling the parties forward whether they are in agreement or not. If there is no actual settlement, the Judicial Officer must either conduct a hearing, delaying the rest of the crowded docket, or continue the case to another date, thus postponing a final resolution. Also, as noted above, the truancy and tobacco dockets are currently scheduled each Thursday at 9:00 am, thus requiring the juvenile involved to miss at least a portion of the school day. This appears unnecessary for tobacco cases and counterproductive for truancy proceedings.

The second area of needed improvement is coordination between the Juvenile Court and the Office of the Juvenile Court Clerk. As indicated above and discussed in greater detail in other sections of this report, there does not appear to be a common understanding between the Court and the Clerk's Office of the responsibilities of minute clerks in the courtroom much less among individuals assigned to this role; and case files are too often not delivered to the courtroom where they are needed, and when they are, they are too often incomplete. This lack of coordination disrupts individual proceedings and the docket as a whole and impairs fair and effective decision making.

Recommendations for Improvement

Based upon these findings and observations and the best practices and efficiencies achieved in other courts across the country the Project Team recommends the following:

1-1. The Juvenile Court should contact parties prior to settlement hearing to determine whether a potential settlement has been reached in the case.

This recommendation builds on a practice already initiated by Judge Green. A recently hired “docket clerk” calls the parties prior to a trial to remind them of the date and time and determine whether they are ready to proceed on time. When counsel are not ready to proceed to trial, the docket is adjusted and the Court’s time is more efficiently allocated. Extending this practice to settlement proceedings can expand these benefits and enable judicial officers to spend greater time on cases in which they must take an active role without inconveniencing the attorneys and parties in other cases.

1-2. The Juvenile Court should review the actual caseflow and the proportion of cases that settle on the day set for the adjudication hearing and adjust scheduling accordingly, to provide more time for settlement, violations, and other types of hearings.

While it is axiomatic that cases tend to settle on the courthouse steps just before the hour of trial, the ratio of settlements to trials varies from court to court. By collecting data on the average number of day-of-trial settlements, the Court can better determine how many cases it should schedule for each trial docket, and whether some of the time set for the trial docket can be reallocated to other dockets.

1-3. The Juvenile Court should schedule the truancy and tobacco dockets in the afternoon, after school hours.

Truancy is taken seriously in Davidson County and the Judicial Officer conducting truancy hearings stresses the importance of attending school to both the parents and youth present. Thus, it is ironic that the current scheduling of hearings to enforce school attendance requires the youth to be out of the classroom.

1-4. The Juvenile Court should establish a set of written performance expectations for minute clerks.

The responsibilities and expectations for minute clerks should be clearly defined. Ideally, these performance expectations will be developed jointly by the Court and the Juvenile Court Clerk. However, just as the Court sets the standards for performance of the attorneys appearing before it, the Court must establish the expectations for the offices and agencies that assist the Court in performing its responsibilities. The performance expectations should be clearly written and collected in a manual or guidebook so that each judicial officer can anticipate the same level and quality of work regardless of which individual is assigned to his or her courtroom. Conversely, this will also require Judicial Officers to standardize their practices, so that minute clerks are not required to do things one way for Referee A and another for Referee B.

1-5. The Juvenile Court Clerk's office should provide coverage for every courtroom, regardless of absences due to illness or vacations.

Among the basic performance expectations to be established is that the Juvenile Court Clerk's Office provide a qualified minute clerk for each courtroom in which proceedings are scheduled. The Project Team has encountered no other jurisdiction in which the presence of a minute clerk was even a question.

2. Parentage Division

Findings

The Parentage Division handles all paternity and child support cases and post-judgment issues. The majority of the cases (approximately 97 percent) are filed by the Metro Child Support Services (CSS), which is the Title IV-D agency. CSS is operated by a private firm, Policy Studies, Inc., under contract with the Department of Human Services. Cases may also be filed by private attorneys or pro se litigants.

The Parentage Division establishes parentage, sets the amount of and responsibility for payment of child support, specifies provisions for coverage of health care, and determines custody and visitation. The Parentage Division enforces provisions of its parentage orders and makes modifications to parentage orders as needed in post-judgment proceedings.

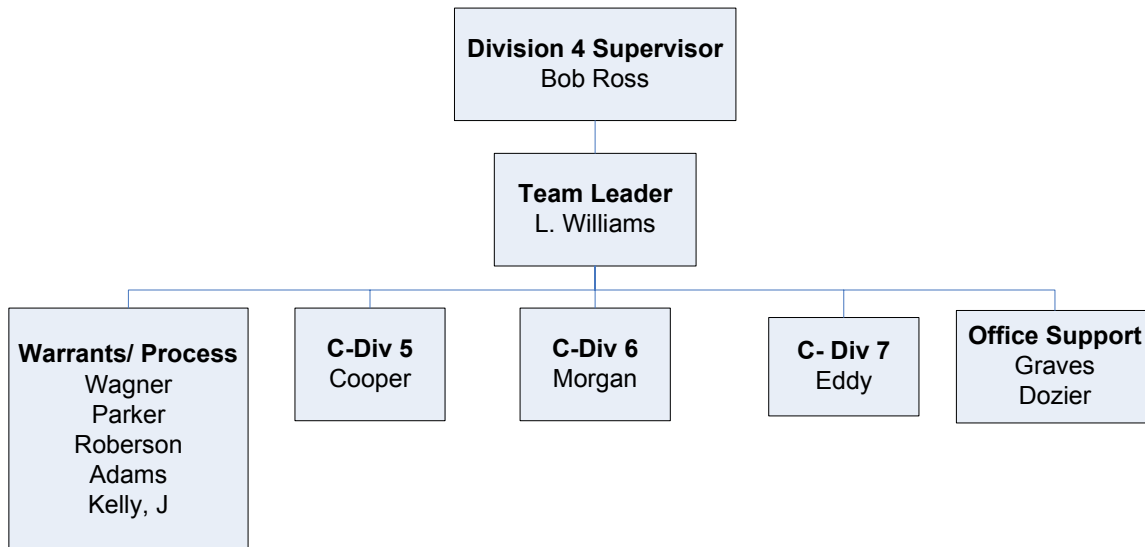
Subsequent to the Project Team's data collection visits to the Juvenile Court, the Parentage Division took responsibility for hearing petitions for Orders of Protection when the petitioner and respondent are not married, but have a minor child/children together.

Three Referees serve the parentage division and a Program Manager oversees a staff of three administrative assistants (one assigned to each Judicial Officer), five warrant officers, and two support staff. The Juvenile Court Clerk is required to provide record-keeping support and receive and disburse child support payments in non-IV-D cases. Child support payments in IV-D cases (those filed by CSS) are required by state and federal law²¹ to be made directly to a state operated Central Child Support Receiving Unit, except in cases where payments

²¹ The federal Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (P.L. 104-193) requires each state to establish a central collections unit. The Tennessee Code, Chapter 1048, Public Acts of 1998, provide for establishment of a central collections unit.

are required immediately for release from custody or to avoid custody in contempt situations. In those cases where payments are made to the Juvenile Court Clerk, the Clerk sends the funds to the Central Child Support Receiving Unit for disbursement. As indicated in the chapter of this report on the Juvenile Court Clerk, a significant number of payments are being taken locally by the Nashville Juvenile Court Clerk's Office.

Parentage



The Parentage Division receives a substantial portion of its operational funding through a Title IV-D Grant Agreement with the Tennessee Department of Human Services, which reimburses 66 2/3 percent of eligible costs for processing cases where the child support recipient is receiving Title IV-D services from the Child Support Services. The Juvenile Court Clerk's Office receives no Title IV-D funding.

In addition to identifying services eligible for funding and providing for payment terms, auditing, time accounting, and other standard grant contract terms, the agreement specifies a number of performance requirements, such as standards for timely establishment of child support obligations (Agreement section A.2.)

Most of these provisions appear to be designed to comport with performance requirements established for state Title IV-D programs by federal law. Others, however, appear to dictate court procedure and require that priority be given to Title IV-D cases. Agreement section A.17, for example, provides that the Court give priority to Title IV-D cases and specifies that non-Title IV-D cases may not be scheduled other than at specific times.

A statewide automated system, the Tennessee Child Support System (TCSES) has been implemented by the state to track Title IV-D cases. For non-Title IV-D cases, the Model Clerk's system is used by the Juvenile Court Clerk of Davidson County as well as a number of clerk's offices around the State.

Case Processing for Parentage Cases

Cases for establishment of paternity or child support and orders to show cause for enforcement of orders are filed by the CSS or private parties with the Clerk of Court. Summonses or subpoenas of attachment (arrest warrants) are distributed for service depending upon the circumstances of the case and the location of the individual to be served:

- For Title IV-D cases where the party to be served is determined to be living in Davidson County, service documents are provided to the Warrant Service Division
- For Title IV-D and non Title IV-D cases where the party to be served resides in Tennessee but outside of Davidson County, the Clerk's Office transmits the service documents to the sheriff of the county in which the party to be served resides
- For Title IV-D and non Title IV-D cases where the party to be served resides outside of the state of Tennessee, the Clerk's Office forwards service documents to the Tennessee Secretary of State

Service documents are logged in at the Warrant Service Office by the secretary, assigned to a warrant service officer, and stamped with the warrant service officer's name. If a subpoena is issued for a local business, an attempt is made to contact the business by phone and fax to arrange service. If contact cannot

be made, those subpoenas are assigned to warrant officers for service. A routing form is attached to service documents for use in logging attempts at service and to record information relevant to service.

Warrant officers must return summonses to the warrant secretary with a completed return of service or full documentation regarding the officer's attempts at service and related information:

- By the close of business two to three days prior to the scheduled hearing; or
- As soon as possible after successful service; or
- As soon as a determination is made that service is not possible.

If a warrant officer returns a summons after unsuccessful attempts at service, the warrant secretary will check the local jail management system and the state Criminal Justice Information System to determine if the respondent is incarcerated. When time permits, the Lead Warrant Officer will make additional attempts to make service for those returned by a warrant officer without successful service. Summonses that cannot be served are logged in and returned to the Clerk's Office for filing with the case file in order that the information is available for the Court on the scheduled hearing date. According to data compiled by the Program Manager, the Warrant Office Unit achieves a service rate of 75 percent. The Title IV-D Grant Agreement requires a service rate of 50 percent or more.

Cases are assigned among the three Parentage Division referees based on the last three digits of the case number. Each referee maintains a structured docket, with time blocks established for different types of hearings, which include initial appearances, trials, motions, jail transports (hearings for persons incarcerated as a result of warrants), and motions. Trials and hearings for Title IV-D and non-

Title IV-D are scheduled in separate time blocks.²² Each Referee's docket is structured somewhat differently, but generally each Referee devotes approximately 1/2 day per week for non-Title IV-D cases. Approximately 1 to 1-1/2 days each week are allocated for Title IV-D trials, and approximately 1 day is allocated for Title IV-D appearances. The remaining time available is used for Title IV-D motions, jail transport hearings, and overflow for Title IV-D matters (generally additional motions, trials, and extended trials).

Hearings

In preparation for hearings, the assigned minute clerk will deliver a copy of the docket to the Referee's administrative assistant and pull files. During the hearing, the minute clerk operates the recording device, maintains a tape log for proceedings, makes copies of completed orders as needed (after completion by the administrative assistant), and distributes them to the parties. The minute clerk also completes the disposition record forms and enters case disposition information into the JIMS system. The minute clerk may also be required to pull additional files as needed and prepare notices for next action dates if ordered by the referee. When appearances are held for non-Title IV-D cases, clerks will maintain files in the courtroom and complete orders (on pro se cases).²³

The administrative assistant will maintain the files in the courtroom and assist in calling the docket, maintain notes of orders and agreements, and check orders and agreements for accuracy and completeness. The administrative assistant completes orders of arrest and other orders requiring custody of the defendant, assists attorneys with case related matters, and assists the Referee with other matters. Administrative assistants maintain the referee's trial schedule and will

²² Title IV-D and non Title IV-D cases are scheduled in separate blocks in part to be able to determine the amount of time spent on the two types of cases for grant management purposes, and for efficient use of litigant's time, in view of the fact that Child Support Services is the plaintiff in all Title IV-D cases.

²³ Administrative assistant salaries are paid from Title IV-D grant funds, so their time is restricted as to involvement with non-Title IV-D cases.

schedule trials and other matters as needed. For some cases, the administrative assistant will also assist in calculating income for respondents to use in the application of child support guidelines and in calculating arrearages.

Court officers attend hearings as well, in order to maintain order and provide security, assist with courtroom clerical activity as needed, and escort parties and counsel as needed to ensure compliance with court orders regarding payments and other matters.

Paternity Establishment and Testing

The Juvenile Court has made arrangements with a DNA testing corporation to have staff on-site during times scheduled for initial appearances. In this way, upon the issuance of an order for testing, DNA testing can be completed immediately on the day of the initial appearance for a contested paternity, if the respondent has identification and if the children who are the subject of the proceeding are available. For Title IV-D cases, payment for the testing is not required at the time of the test. In cases where the respondent is found to be the father, CSS will apply to the Juvenile Court for a judgment for the costs of the testing. For non-Title IV cases, payment must be made on the day of the testing by the respondent. The DNA testing company offers discounted rates to respondents in non-Title IV-D cases.

***Ex Parte* Orders of Protection**

Intake custody staff have recently begun processing *ex parte* orders of protection (OPs) that are generated by the Night Commissioner at the Metropolitan General Sessions Court. The Juvenile Court has designated one of the child support Referees to preside over these cases on Wednesdays and Fridays at 1:00 pm. An OP Coordinator was also assigned as well as four other staff members to process the petitions. All staff were full-time and considered to be performing other full-time functions prior to the assignment of processing *exparte* orders.

The first docket was held on January 5, 2006. Petitioners seeking court protection must appear in front of the Night Commissioner at the Criminal Justice Center. The Night Commissioner reviews and rules on the petitions and determines which of three courts holds jurisdiction; General Sessions Civil Division, Circuit Court, or the Juvenile Court. Juvenile court cases have jurisdiction when the petitioner and respondent are not married but have a minor child/children together. Sixty-five petitions have been generated and heard during the first month the docket opened.

After the matter is heard and the Juvenile Court is determined to have jurisdiction, the Davidson County Sheriff's Office serves the respondent and delivers all temporary orders and service papers to the Juvenile Court OP Coordinator for processing. The OP Coordinator must review the paperwork for completeness and determine if the respondent has been served and a proper hearing date assigned. The OP coordinator is responsible for maintaining the files and filing the petitions with the Clerk's Office. Orders of Protection files are confidential and, as such, must be kept separate from other files and assigned a separate ID number from JIMS.

The OP Coordinator must follow-up on petitions that are not served by the Sheriff. The OP Coordinator sends a 14-day letter to the petitioner requesting a better address and files the petition in an accordion file system for periodic review. If a good address is not obtained within 14 days, the petitioner is sent another letter giving them 30 days to obtain a valid address and notification of a scheduled hearing to dismiss the *ex parte* order of protection.

The OP Coordinator has also taken on the responsibility of ensuring that those individuals who come to the Juvenile Court to file an *ex parte* order of protection are directed or transported to the Criminal Justice Center.

Observations

The Parentage Division appears to be well administered. Due to the availability of the Title IV-D funds, the Parentage division is well staffed (Title IV-D cases make up 97 percent of the Division's caseload). The Warrant Service Division has a very good service success rate at 75 percent and exceeds the contract requirements comfortably. The iterative process employed to make service and use other locate resources permits efficient use of staff time.

As discussed in greater detail in the chapter on the Juvenile Court Clerk's Office, there continues to be a significant number of Title IV-D payments being made at the Juvenile Court Clerk's office, despite the fact that federal and state law requires Title IV-D payments to be made to the state's central collection unit except in cases where payments are being made in order to purge contempt.²⁴ According to state authorities, the Davidson Juvenile Court Clerk is not alone in this; it is a lingering issue in a number of jurisdictions around the state, generally the more metropolitan counties. The Juvenile Court's written procedures do provide that payments should be made to the Central Child Support Receipting Unit or the Juvenile Court Clerk.

Referees, representatives of CSS, and attorneys, all indicate that there are frequent problems with the completeness of case files, timely delivery case documents after the initial filing, missing documents in case files, and delays in obtaining out-of-county service. Some recent examples:

- One case was filed as a Motion to Modify Child Support and should have been by petition.
- An attorney traveled from out of county to review a case file. There were pleadings that had been filed that were not in the file. At the time of hearing, a request from that attorney to continue the case was not in the file, resulting in a dismissal of one of the petitions by the referee.

²⁴ When the child support obligor is either in custody or is facing custody for non-payment.

- On the same day, a case that had been reset from a prior date was not on the docket and the file was not pulled. Apparently, it had not been entered into the system.
- In another case on the same day, a motion filed three weeks previously was not in the file.

These lapses in recordkeeping cause serious problems of delay and confusion, resulting in the need to re-schedule cases, wasting time for the court and litigants. Further, because the receipt of Title IV-D funds by the state and the Court (via grant agreement) is contingent upon meeting requirements for expedited processing, the delays could affect the availability of Title IV-D funding. The company providing child support services by contract to the state Department of Health and Human Services faces contract penalties if it fails to meet contractual performance criteria for expedited order establishment and enforcement. That has prompted CSS to file some child support matters in other courts within the county on occasion.

The current Title IV-D grant agreement does not provide reimbursement for the services provided by the Juvenile Court Clerk's Office. Federal regulations generally provide that entities not engaged exclusively in child support enforcement activities are not eligible to be parties to reimbursement agreements. In some jurisdictions, however, local governments have been able to secure reimbursement for clerk functions indirectly through the use of cost allocation plans. In Michigan, for example, (where an agency of the court provides the majority of local Title IV-D services), each county has developed a cost allocation plan which includes clerks' services. Counties are able to indirectly recoup some clerks' cost through indirect costs.

Finally, the newly assigned duties surrounding the processing of *ex parte* orders is part of a continuing theme in the Juvenile Court -- the Court's willingness to take on assignments and tasks when other members of the justice community lose resources or if there is a general lack of confidence in an organization's

ability to perform the function. This process is new to the Court and the overall impact of the assignment is not known. The court has a committee that meets regularly to discuss process and procedures and has developed a *Juvenile Court Order of Protection Policy and Procedures Guide*.

Recommendations for Improvement:

1-6. The Juvenile Court should, in collaboration with the Juvenile Court Clerk, develop training for minute clerks newly assigned to the Parentage Division and provide periodic refresher training. Court staff should be made available to participate as trainers, and other key system participants should be recruited as trainers.

The Juvenile Court currently provides training to clerks newly assigned to serve in courtrooms on an *ad hoc* basis and has made itself available for training. Child support enforcement law is complex and continuously changing due to federal requirements. A more formalized program for Clerk's Office personnel assigned to child support functions would serve to ensure a more complete understanding on the part of staff of their responsibilities and ensure currency on laws, regulations, and related procedures.

The Parentage Division Referees and staff provide a ready source of expertise for training. Representatives from other agencies with expertise, such as Child Support Services, should be recruited as trainers as well.

(See the related recommendations on training, development of performance measures, and eliminating receipt of almost all child support payments in the Chapter on the Juvenile Court Clerk's Office).

1-7. At the next opportunity for amendment of the Title IV-D agreement, the Court should request that provisions of the agreement that require the Juvenile Court to treat non-

Title IV-D cases with lower priority and which dictate specific hearing procedures or times be amended or deleted from the agreement.

It is certainly reasonable for the grant agreement to provide for performance criteria as to timeliness, etc. as a pre-condition for payment. However, requiring priority for Title IV-D cases over non-Title IV-D cases is unnecessary, unfair to litigants not using Title IV-D services, and creates potential legal questions regarding equal treatment (see Section A.17. of the agreement). Furthermore, giving priority to Title IV-D cases does not provide assurance that the grant agreement's performance standards will be met.

In addition, detailing the method of scheduling for Title IV-D is not required to meet requirements relating to the proportion of time allocated to Title IV-D cases (See Section A.17. of the agreement). The Juvenile Court should maintain the flexibility to adjust its procedures to meet the demands of caseload. The Court may decide, however, that this provides the most straightforward means of assuring allocation of reimbursable time. If so, the provision should be left intact and reviewed periodically to determine if a change is required to reflect changed circumstances.

The Court should carefully review the agreement to determine if there are other provisions that unnecessarily restrict the Court in its responsibility to administer its caseload, or which have the effect of unfair treatment of a subset of litigants appearing before it.

1-8. The Juvenile Court should continue to monitor the process and update the procedures guide to determine the necessary resources required to process ex parte orders of protection.

This process has only been in place for one month. The Project Staff as well as Court Administration require more information to determine if the current process and allocated resources will be sufficient. The OP team was meeting

every week during the initial start up and is now meeting every other week to monitor the process.

3. Centralized Intake and Pre-Trial Services

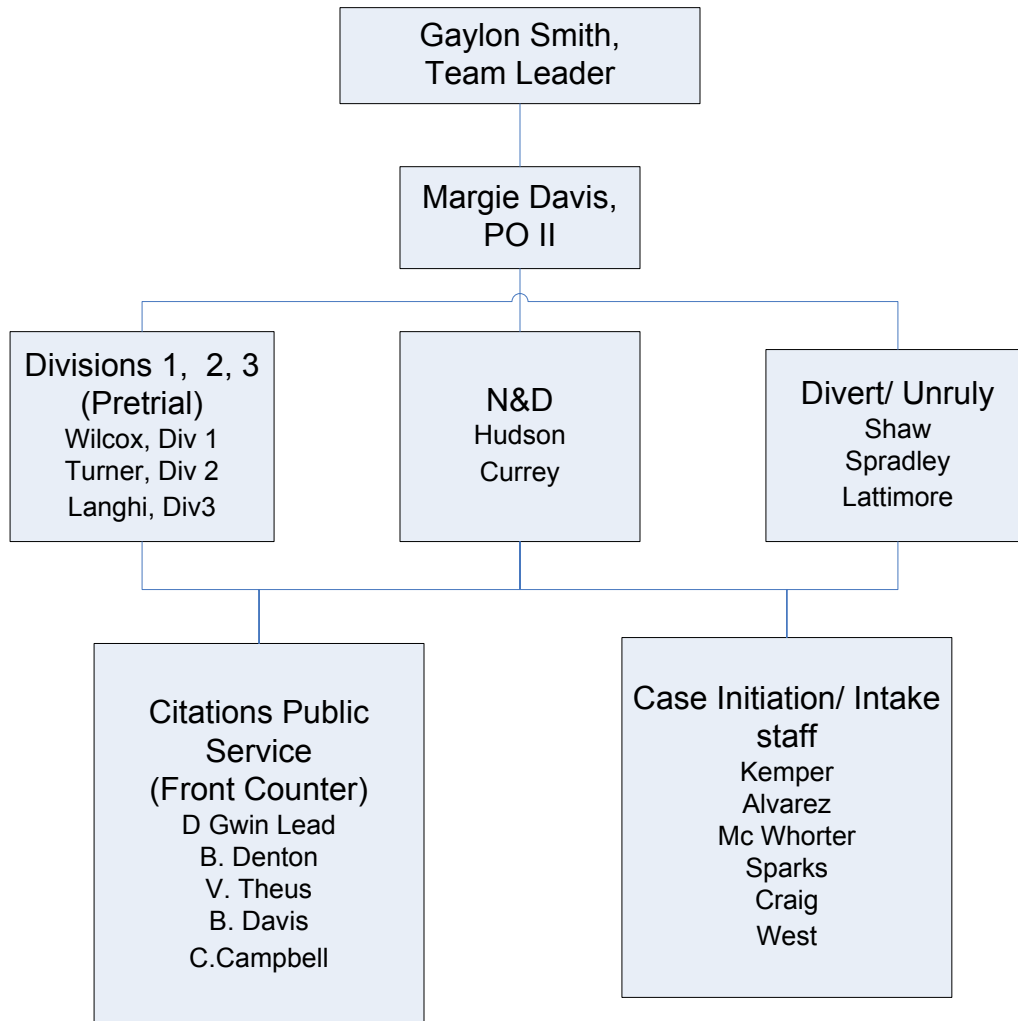
Findings

The Intake unit in many ways is the hub of the court. All case filings begin in this department. Intake conducts the initial review of the complaint, files the petition, conducts the preliminary interviews, makes referrals to service agencies, and determines if cases are eligible for diversion or informal adjustments all before the case goes to a referee. The Intake Unit of the Davidson County Juvenile Court's stated purpose is to "strive(s) to provide services to any and all that request help from the court." Its hours of operation are 8:00AM – 5:00PM.

Intake administrative personnel are assigned to each courtroom, staff the front counter, make referrals to court and community programs, prepare petitions and arrest orders, type tobacco citations, process the delinquent appearance docket, conduct initial intake interviews (first appearance), maintain various logs, and make attorney appointments. As petitions come to the front counter, clerical personnel set appointments with intake probation officers who are assigned to each courtroom. In delinquency cases, these probation officers conduct preliminary inquiries, provide informal supervision, and make informal adjustments. In dependency and neglect cases, intake probation officers conduct interviews, initial assessments, and make referrals to the Department of Child Services (DCS), court-appointed special advocates (CASAs), or other relevant resources. In non- delinquency and non-neglect and abuse cases such as unruly cases, probation officers conduct a case review, make suggestions or recommendations, if a Judicial Officer determines an intervention plan is required, and work with the family. In traffic matters, probation officers determine a disposition which could include diversion, fine, or require attendance at a driver's safety class. In runaway, frequent runaway, and domestic assault cases,

the probation officers become involved only after a Judicial Officer has intervened and determined a particular course of action.

Central Intake Staff



Cases are initiated in one of three ways.

1. Complaints and citations are received at the front counter; (public, lawyers)
2. Citations and long form citations are delivered directly to the Intake Lead Clerk from the police, schools, and the District Attorney's Office; and

3. Cases are initiated through the detention facility when a child is picked up by the Metro Police.

Front Counter

Court administrative personnel, assigned to the Intake Department, staff the front counter on a two-hour rotational basis. Because there is no permanent staff at the front counter, individuals generally stay at their assigned desks and listen for activity at the front counter when it is their turn to staff the counter. They get up from their desk to assist the customer at the front counter and then return to their assigned desk to complete their tasks. This process is designed to give administrative staff a change from their daily duties and alleviates the need to hire a full time receptionist. The unit is fully staffed and currently has no plans to hire a full time receptionist although intake management is considering longer rotational shifts.

Administrative intake

Staff at the front counter accept the forms when individuals wish to file an unruly, runaway, or general complaint, in addition to petitions for custody. Unruly complaints require that the juvenile and parent or guardian be present to meet with the intake probation officer. If the youth is not present, the intake staff inform the petitioner that he or she must be present, set an appointment with a probation officer, and files the complaint in an accordion folder of pending complaints. Appointments for intake probation officers are kept in a three-ring binder at the front counter.

The work received at the front counter is processed at the intake administrative staff person's assigned desk. In delinquency cases, the process includes ensuring that all appropriate paperwork is present and complete, including: complaints, petitions, and arrest orders, summons, and other decrees created in the JIMS system. In truancy cases, intake staff enters the case into the JCMS system for tracking as part of the Probation Section's caseload. Clerical staff

only initiate cases in the JCMS for truancy cases. When the parent or guardian brings the juvenile to court and requests information to file an unruly petition, the administrative staff assist the individual with the appropriate paperwork and notifies probation staff of a client waiting to be seen. With custody cases, the individual is instructed to go to the Juvenile Court Clerk's Office to pay the filing fee and then return to the juvenile court to complete the petition and summons with the assistance of the administrative staff. When all petitions are completed, they are placed in a basket for supervisory review and signature and delivered to the Clerk's Office.

Citations filed directly with the Intake Supervisor

When a child is cited, the Metro Police Officer delivers a copy of the citation directly to the intake supervisor. The intake supervisor also receives petitions from Youth Services and tobacco citations from the Davidson County schools. The supervisor evaluates the juvenile's history and determines whether the matter should be diverted. In doing so, the supervisor must review and assess the case to determine if the juvenile is in JIMS (i.e., has another case pending or has been previously adjudicated) or is already in the DIVERT database. If the case is diverted, the supervisor schedules an appointment for the youth and his/her parents or guardian with one of two intake probation officers to discuss the terms and conditions of the diverted case. If diversion is not appropriate, the intake supervisor assigns an intake probation officer, assigns the case to a judicial officer, prepares a summons for the youth and his/her parent or guardian, and places the case on the appearance docket.

Diverted Cases

When the intake supervisor determines that a case initiated via an unruly petition or a citation issued by a Metro police officer can be diverted,²⁵ no official petition is filed. Once a case has been diverted, the parents/guardian and the juvenile

²⁵ Alcohol and drug related cases cannot be diverted.

agree to certain conditions for a period not to exceed three months. If the juvenile is uncooperative, the Intake Probation Officer summons the juvenile to appear before a judicial officer for a hearing where the juvenile could be adjudicated unruly or delinquent.

There are 4.5 FTE who handle diverted cases: two intake probation officers and administrative staff totaling 2.5 FTE. Because there is no “official” filing, the case information is not kept in the JIMS case management system. The DIVERT database is maintained on an Excel spreadsheet. Probation officers keep case notes in the JCM system for follow-up and review.

Although the policy only allows for one diversion, it is possible, in practice, for a juvenile to have two or more cases diverted. When Youth Services submits a petition, it can subsequently decide to divert the matter in the course of working with a juvenile. In those instances, there currently is no mechanism to forward that information to the Juvenile Court.²⁶

Appearance Docket

When juveniles receive a citation or when they are arrested, they are summoned to appear at the court, along with their parent or guardian. If they are cited, they receive notice via first class mail; if they have been arrested, they are served while they are detained. This first appearance is called the Appearance Docket and is held generally within two weeks of arrest or within approximately one month from the issuance of the citation. The appearance docket is held on two afternoons each week. Court staff report an average docket to be 15-20 youth, but have seen dockets with as many as 40 juveniles.

Intake staff prepare for the docket the day before the cases are scheduled. The docket is created automatically by the JIMS system when intake staff initially

²⁶ The Juvenile Court is currently reviewing the issue of multiple diversions.

entered the citation. Files are created and pulled by personnel in the Juvenile Court Clerk's Office and picked up prior to the set time by intake staff. All those summoned are required to check in at a table in the foyer area of the Court. There, a member of the intake staff checks their names on a copy of the docket sheet and gives them a yellow General Data Form and an Indigent Status Form (if needed). The list of those who have checked in is transferred to a specially-trained member of the intake administrative staff who calls each juvenile and his/her parents or guardian back to her cubicle for an interview and to review the General Data Form and the Indigent Status Form. If the family qualifies, the interviewer assigns a public defender to the case and makes copies of all relevant paper for the family to give to the public defender. The interviewer then advises the juvenile of the charges against him or her and schedules the next event in JIMS, which depending upon the charge, is usually a settlement conference.

Large crowds congregate in the foyer area during this time, waiting to be called. Crowds range from 30 to more than 100 individuals per each appearance docket. The parents and juveniles sometimes have to wait several hours for their name to be called resulting in families loitering around the outside of the courtrooms, creating a distraction for individuals inside the courtrooms by raising the noise level. Potential security issues exist also when alleged victims are in the same area as the alleged perpetrator.

Intake Felony Charges

When a member of the public files a complaint at the front counter, they record the events in a narrative on the complaint form. Intake administrative staff and the intake supervisor determine charges and prepare the narrative for a felony occurrence complaint and type the felony charges. Previously this was performed by the District Attorney's Office through a grant funded program that employed two interns but has been assumed by Juvenile Court staff following the loss of program funding. The Intake Supervisor reviews the original narrative of

the occurrence; determines what, if any, charge should be brought forward; rewrites the narrative; and assigns clerical staff to type the rewritten narrative into the petition. Once the narrative and charges are entered, the petition is then filed with the Juvenile Court Clerk's Office.

Cutbacks in the Public Defender's Office have also resulted in additional work for intake staff. Where once the Public Defender's Office contained an attorney appointment staff person, intake clerical staff are now determining whether families qualify for court appointed counsel during first appearance meetings.

Tobacco Citations

The Intake Supervisor assigns a member of the intake administrative staff to type the citations received from the school and submit the citation to the Juvenile Court Clerk's Office for filing.

Cases Originating in Detention

When juveniles are taken into custody by the Metro Police, they are brought to the Davidson County Juvenile Detention Center, where they are processed, fingerprinted, and placed on the Detention Census List. It is then determined whether they can be released with a future court date or detained pending a Detention Hearing. A member of intake's administrative staff makes the initial release/detention decision. If the youth is eligible for release, intake staff prepare the paperwork and talk with the family when they arrive. After the juvenile is released, they are required to speak with one of the intake staff at the Juvenile Court regarding any conditions of release and to be advised of the charges and the next scheduled court date.

Detention Hearings

Detention hearings are held every day at the Emergency Court. During detention hearings, juveniles are housed in a holding area adjacent to the detention facility. It was reported that there is a lack of staff to supervise the youth while they wait

in the holding cell. Staff reports families being left alone with detainees and detainees being “forgotten” while housed in the holding cell. Intake administrative staff are occasionally required to supervise the detained youth, even though they do not possess the training necessary to perform this function safely.

Observations

Overall, the intake process proceeds reasonably smoothly. Members of the intake staff indicated that they sometimes had difficulty completing all their tasks. Sometimes this appeared to be the result of understaffing (e.g., at the front counter). More often it appeared to be the result of the willingness of the Juvenile Court to absorb responsibilities that had historically been performed by other components of the juvenile justice system.

Of greatest concern to the Project Team is the fact that non-attorney intake staff in the Juvenile Court have assumed the District Attorney’s responsibilities in charging felony cases. This goes well beyond the role normally played by juvenile court intake units. While the Project Team did not hear of any inappropriate decisions that could potentially have compromised public safety, charging is normally the prerogative of executive branch agencies -- the prosecutor and/or law enforcement. Incorporating this responsibility within the judicial branch raises at least the appearance of a violation of the separation of powers principle, even if legally-trained intake were to be assigned this duty.

The Juvenile Court Center itself causes other types of problems for intake staff and the public. Because of the building’s configuration, days on which there is a large Appearance Docket can become somewhat chaotic due to the lack of an area other than the foyer for the juveniles and their families to wait. In addition, it is often difficult for persons unfamiliar with the building to determine where they must go to file a complaint. They must proceed through a set of double doors off

the main foyer area to gain access to the intake front counter which is not clearly visible.

Recommendations for Improvement

Based on its findings and observations, the Project Team recommends:

1-9. The review of incident reports and the determination of charges in felony cases involving a juvenile should be undertaken by qualified staff of the District Attorney's Office.

As suggested above, charging decisions are not within the scope of judicial branch responsibilities. Statutory interpretation, evidentiary questions, public safety concerns, victim's rights, and prosecutorial policy issues are all part of the determination whether to file a delinquency petition and what the charges underlying that petition should be. These considerations are different from the rehabilitative focus that guides Juvenile Court decisions. While the willingness of intake staff to take on these duties is commendable, the District Attorney cannot delegate these responsibility.

1-10. The Juvenile Court should assign additional intake personnel to staff the front counter in order to avoid the frequency with which those processing initial case paperwork must interrupt their work to cover the front counter.

The current rotation system does not appear to effectively serve either the members of the public and bar who come to the front counter or the prompt, accurate completion of the initial case paperwork. Having designated staff trained to respond to questions and assist those filing petitions and complaints and appropriate cross-training to allow others to provide back-up in case of absences or unusually heavy demand, should enable this unit of the Intake Department to increase its productivity.

1-11. The Juvenile Court should improve signage at the Juvenile Court Center.

The signs should be easily visible and clearly direct persons having business at the Juvenile Court Center to the offices that directly serve the public as well as to the various courtrooms.

1-12. The Juvenile Court should cross-train members of the Intake Department staff to be able to substitute for the intake supervisor in making judicial assignments and determinations regarding the diversion of cases.

Currently, many critical responsibilities are vested in one individual. Developing clear guidelines and providing cross-training ensures that when this person is absent, the operations of the Court will not be affected.

1-13. The court should develop a policy limiting the number of cases on the appearance docket. The court should hear initial appearances on at least one additional day each week.

Limiting the number of cases on the Appearance Docket and increasing the frequency of these dockets will reduce the milling crowd and potential for violence, improve the dignity of the court, and spread out the burden of these proceedings on the intake staff.

1-14. The Juvenile Court should review the classification and necessary qualifications of Intake Department staff who perform quasi-legal functions such as advising juveniles and parents of the charges, and who are responsible for making diversion, release, and other key discretionary decisions.

It was not clear to the Project Team that the members of the Intake Department staff entrusted with making determinations that greatly impact the juveniles brought to the Court and the future direction of the case have job titles or classifications that are distinct from those not required to exercise such discretion. A separate classification will not only enable these staff to be

appropriately compensated, but also will make it easier to focus the requisite training so that these critical functions are carried out properly.

1-15. The Juvenile Court should allocate JIS hours earmarked for the Court to integrating the DIVERT database into the JIMS system.

See Recommendation 1-38 and 1-53.

1-16. The Juvenile Court should develop a protocol with Youth Services to ensure that decisions by Youth Services to divert a juvenile are promptly reported to the Intake Department and recorded.

The current practice leads to inconsistent decision-making, ineffective use of limited resources, and confusion on the part of the youths and families affected about what is required of them.

1-17. The Juvenile Court should ensure that staff responsible for supervising juveniles in custody are properly trained and equipped to perform this function.

Implementation of this recommendation is needed to protect the safety and well-being not only of court personnel, but of the juveniles being held, and the public. It will also limit the potential liability of the County if a detained juvenile is injured or injures the intake staff member or another person.

4. Community Supervised Probation Section

Findings

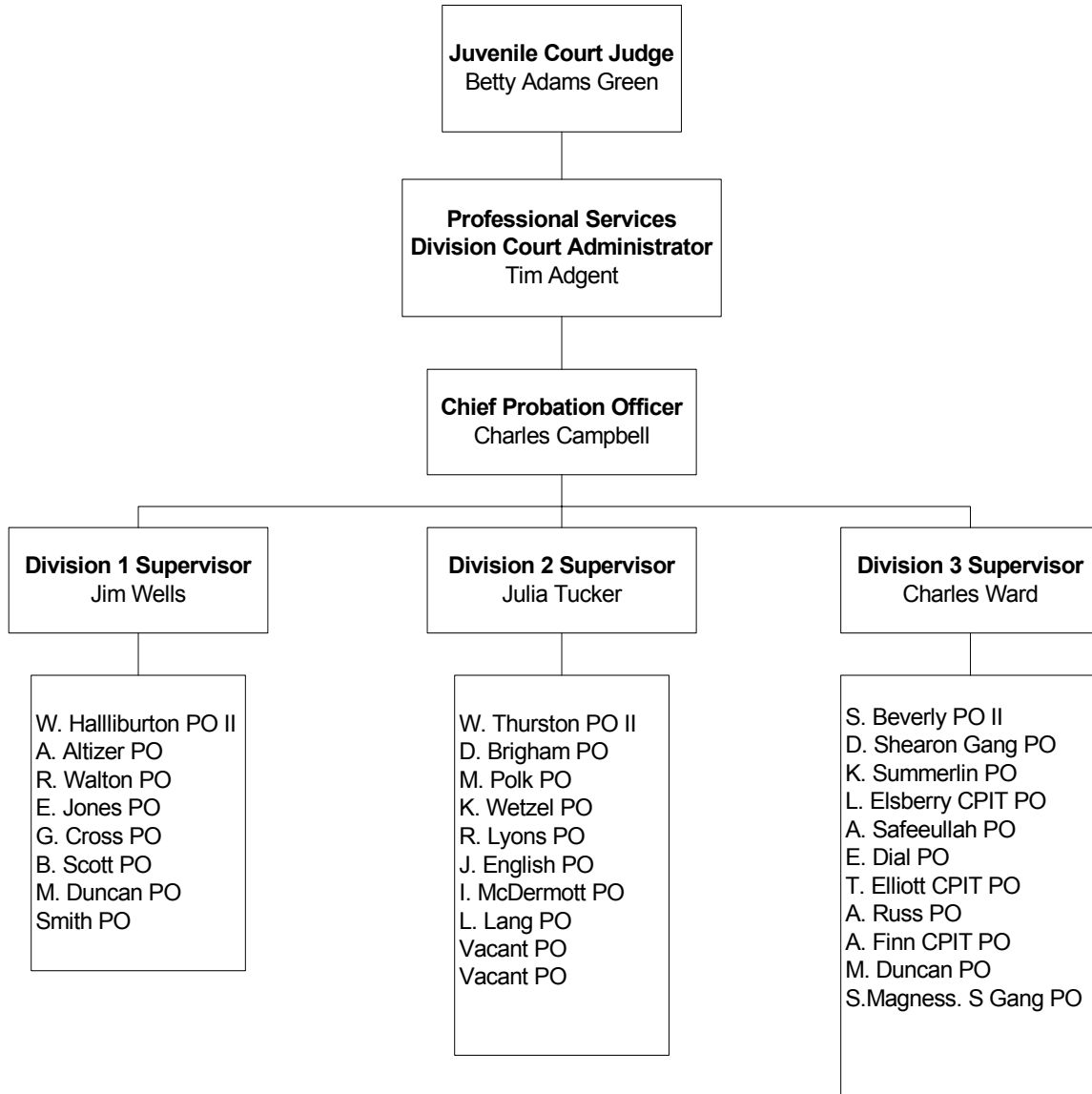
The purpose of supervised probation is to provide supervision, referral, and case management to youth on supervised probation and their families. The primary goal is to avoid the youth's return to the juvenile justice system. Community Supervision Probation Officers are responsible for providing supervision services to adjudicated youth formally placed on probation or in the Truancy Reduction Program. The Community Services Work Program also falls under the

Community Supervised Probation Section (CSPS). Each of these programs will be addressed separately within this section.

The CSPS is bound by statute to pursue reasonable efforts to provide education and social services to youth in need. To achieve this rehabilitative goal, the Juvenile Court and probation system rely heavily on community-based resources and community partners. Probation staff at all levels, from the Chief Probation Officer, directors, supervisors and line staff all work to develop and maintain strong community collaboration and relationships. CSPS operations are guided by the *Community-Based Probation Policies and Procedures Manual* that delineates the process and requirements for intake, school notification, case initiation upon assignment, initial probation interviews (with child and family), violations and revocations of probation, obtaining arrest orders, and release of probation. This manual is quite basic in terms of content but, to the extent that it does provide guidance for officers to follow in terms of case management and casework requirements, community supervision officers appear to be in compliance.

Community Supervision Probation Officers supervise juvenile offenders through personal contact with the youth and their families. Instead of requiring offenders to meet them in a probation office, many probation officers meet offenders in their homes and at their places of employment or school. Community Supervision Probation Officers also seek the assistance of community organizations, such as religious institutions, neighborhood groups, and local residents, to monitor the behavior of many youth.

Probation



According to the supervising probation officers, active caseloads average in the range of 40-45 cases per non-specialized probation officer; 34 for CPIT officers, and 25 for gang specialists. In Tennessee, probation sentences are indeterminate in length, and, if youths are placed on probation supervision prior

to their 18th birthday, the juvenile court retains jurisdiction until the juveniles' 19th birthday. In Davidson County, probation sentences are typically terminated upon the youth's completion of court-ordered terms and conditions. Generally, supervision terms last 3 to 12 months. For sex offense cases where treatment terms are longer or in cases where high amounts of restitution have been ordered, supervision terms may last longer.

Community Supervision Probation Officers provide monitoring and case management to juveniles on probation, conduct alcohol and drug assessments, prepare cases for court hearings, and work with neighborhood organizations such as schools, religious institutions, and agencies to address prevention and intervention issues for youth. Supervision is comprised of meeting with probationers, home visits, school visits, random curfew checks, providing information and referral services, providing help finding jobs, working to see that services (educational, mental health, and social services) are provided, arranging and monitoring community services assignments, and collecting urine samples to monitor drug and alcohol use.

New cases arrive on a community supervision officer's caseload from the Court's settlement docket (most cases), trial docket, and the daily detention docket. The case is assigned to a probation officer based on the Family Court from which it derives and the geographical region of the city in which the child lives. The geographic assignment is intended to facilitate supervision and assistance in order to enhance the likelihood of the youth's success on probation.

Specialized Caseloads

The Juvenile Court recognizes two specialized caseloads, one for juveniles who have been adjudicated for committing sexual offenses (CPIT -- Child Protective Investigative Team) and one for gang members. There are three CPIT FTE and two gang specialist FTE. All other caseloads are general in nature. Both CPIT and specialized gang Community Supervision Probation Officers have received

specialized training to manage their respective caseloads²⁷. All juveniles who have been adjudicated for a sex-related offense are placed on a CPIT caseload. Juveniles who have been adjudicated for sex offenses tend to have longer lengths of stay on probation, driven largely by lengthy terms of treatment – residential or non-residential. CPIT officers carry smaller caseloads because of increased demands related to supervising this population. The program, in its infancy, is currently working with a multi-agency collaborative team, made up of probation, DCS, and local treatment providers to staff cases and develop a general set of guidelines for managing this caseload.

Gang specialists (both Community Supervision Probation Officers) are only located in the southern region of the county, since the majority of gang-involved youth reside in that area. There are, however, gang members across the county. Not all known gang members are placed on the specialized gang caseload. The Chief Probation Officer has created a gang caseload screening committee, made up of himself and probation officer representatives from each division, which reviews referrals made by probation officers for placement on this caseload. The committee reviews, discusses, and makes recommendations regarding the placement of these referrals on the specialized caseload, but the Chief Probation Officer has the final approval authority. Since not all gang-involved youth are placed on the specialized caseload, Community Supervision Probation Officers who have not received specialized training in this area must supervise some of these cases.

²⁷ Both the CPIT and gang programs are new within the last two years. CPIT officers receive training on managing juvenile who have been adjudicated for sexual abuse from the Tennessee Sex Offender Treatment Board and the National Association of Juvenile and Family Court Judges. These officers are required to attend sex offense specific related training annually. The gang specialists have been provided a host of training from gang specialists across the country as well as locally.

Risk Assessment and Case Planning

A risk assessment instrument is used to assess each juvenile prior to the dispositional hearing. The instrument is not included in the section's Policy and Procedure Manual. It was designed for the Juvenile Court, but never validated to determine its accuracy or validity in determining risk. According to practice, youth are reassessed quarterly, to assess risk level, but not after a new arrest or adjudication that occurs while under supervision. The instrument produces a score which places a child in one of three categories: High, Medium, and Low. Supervision strategies and contact requirements are based on the supervision level (frequency and type of contact are determined by the risk assessment)²⁸. Risk assessment is not conducted or considered at pretrial hearings; but it is considered at the original case disposition.

Supervising Community Supervision Probation Officers do not develop case plans to direct the course of supervision with probationers. They did conduct a pilot test to develop case plans and use graduated sanctions, but it is unclear what became of the project. The section anticipates the use of case plans and graduated sanctions in the near future. Probation officers suggested that current caseloads are too high to incorporate the use of case plans.

Safety Training

Basic safety training is not required for Community Supervision Probation Officers. They conduct home, school, and other outside visits on their own; there is no backup and no system for requiring officers to call in to let anyone know where they are. These visits are unannounced, which has the potential to escalate a situation if the youth or other family members perceive they may be in trouble for illegal behavior. Community Supervision Probation Officers conduct home visits either alone or with local police. A police escort is requested when

²⁸ There are no guidelines regarding contact types or frequency and how these relate to risk in the policy and procedure manual.

the officer suspects it may be necessary – either based on past experiences or present circumstances.

Violation and Revocation of Probation

The violation of probation procedure (VOP), instituted after some frivolous violations were filed, is a cumbersome process, especially for those Community Supervision Probation Officers posted in community offices rather than the Juvenile Court Center. An otherwise simple process now takes as many as two days to complete because the community supervision officer must physically transport the paper back and forth between locations and offices within the Juvenile Justice Center. The lengthy multi-step procedure interferes with the ability to provide swift responses to violations, which is a basic and generally accepted tenet of effective correctional supervision practice. Currently, the procedure is:

- The Community Supervision Probation Officer prepares an application to file a VOP/ROP petition;
- An Intake Clerk at the Juvenile Justice Center types the petition/arrest order summons that accompanies the application ;
- The Community Supervision Probation Officer's supervisor at the Juvenile Justice Center approves the application;
- The Community Supervision Probation Officer brings the petition to a judicial officer for signature; and then
- The Community Supervision Probation Officer personally serves the probationer with a summons to appear in court.

Release from Probation

Release from probation is recommended by the Community Supervision Probation Officer when all court-ordered conditions have been completed. According to the Court's policies and procedures, once the probation officer and his/her supervisor have made a decision to release a youth from probation, the prosecutor must review and approve the release before the file can be forwarded to a judicial officer for signature. In the event the prosecutor does not agree with

the release, a motion is filed in court by the probation officer for determination of case status by the judicial officer. Review by the prosecutor is a local agreement, not required by statute. It lengthens and complicates the release process. When the case has been closed, the appropriate data entry into JIMS and JCMS is completed by the Community Supervision Probation Officer.

Out-posted Officers

Community Supervision Probation Officers are located in offices outside of the Juvenile Court Center, referred to as “out-posts.” In some cases, the Juvenile Court has entered into an agreement with Metropolitan District Housing Authority (MDHA), the local low-income housing agency; in others, probation officers are located in schools. Out-posting allows probation officers to become very familiar with the local community services. They are able to easily collaborate with community programs that can provide another level of support and treatment to the youth and families. They also work with the local police units to conduct home visits and conduct surveillance, when necessary.

Originally, Community Supervision Probation Officers posted in schools primarily had a caseload of youth in those schools, and probation officers located in housing units primarily supervised youth in those developments. With the change to one family-one judge and geographical assignments, probation officers may have to go out to different schools or neighborhoods from where they are posted. The new arrangement has both advantages and disadvantages. In housing units, probation officers require residents on probation to check-in daily to briefly discuss their day at school and plans for the remainder of the day. Under the current assignment system, some youth remain conveniently located to their probation officer’s office; others do not. This increases the travel time and planning for the probation officer and somewhat defeats the purpose of out-posting.

Out-posted Community Supervision Probation Officers are also pulled away from their offices to staff the detention center once per month, for an approximate two-hour period, when detention center staff receive in-service training. Responsibility for this coverage rotates by Family Court. The rationale for assigning this responsibility to Community Supervision Probation Officers is that they “know the detention issue.” However, these Community Supervision Probation Officers have not received training on how best to respond to potential situations that may occur. (For example, if a detained youth hurt him/herself; e.g., hanging or other self-inflicted wound.) They are concerned about potential liability if something goes wrong on their watch.

Finally, outposts do not receive regular maintenance, cleaning, and security services provided by the Court. The Community Supervision Probation Officers assigned to these offices are often expected to purchase their own cleaning supplies and provide their own cleaning services.²⁹ Additionally, copy machines, fax machines, and other office supplies (with the exception of land-line telephones) are not provided to the outposts, forcing probation officers to drive to the Juvenile Court Center to use such equipment. As a result, they save up that work until a trip to the court must otherwise be made. With regard to security, locking doors are the primary line of defense. There are no security cameras, no panic buttons, or any other security devices.

Language and Cultural Challenges

Davidson County is experiencing growth in the number of non-English speaking communities. The CSPA is experiencing language and cultural challenges, especially among Spanish-speaking populations. When neither a youth nor his family are able to communicate effectively in English, Community Supervision

²⁹ One Probation Officer’s office experienced a fire, recently. Neither the juvenile court nor the housing agency took responsibility for cleaning the office, so the Officer had to clean her own office. She was later questioned regarding the purchase and request for reimbursement of cleaning supplies.

Probation Officers must request a DCS interpreter to help them communicate with the youth and their families. Similar problems arise with the Nashville area's growing Kurdish population.

Allocation of Probation Supervision Resources

Increasingly, youth with low-level delinquency cases and status offenders are being placed on supervised probation as opposed to informal adjudication or pretrial³⁰. These less serious cases compete for scarce resources of both time and treatment services with youth adjudicated and placed on probation for felonies and higher level misdemeanors. On the other hand, despite the relatively minor nature of the offense, the families of these probationers are often dysfunctional and in need of precious services.

Compensatory Time, Overtime, and Reimbursement for Work-related Expenditures

It appears there is an inconsistent application of the rules and procedures regarding the granting and use of compensatory time and overtime. Community Supervision Probation Officers reported that requests for overtime and compensatory time are not uniformly addressed by supervisors. Supervisors interpret the use of compensatory time differently (e.g., compensatory time must be used within a 30 day period vs. compensatory time must be used within the week taken). Probation officers reported that their schedules do not always allow for the use of compensatory time within the week (for example, a Community Supervision Probation Officer might be called to respond to an emergency situation on a Thursday night and have a mandatory court hearing on Friday morning). Further, Community Supervision Probation Officers reported that supervisors will sometimes or never approve compensatory time once used. In addition, Community Supervision Probation Officers reported that they are the only staff required to work holidays (so they can stay in the community and

³⁰ This information is anecdotal as opposed to data-based.

respond to emergency calls if necessary). Probation Officers posted inside the court are not required to work these hours.

Mileage reimbursement, telephone expenses, and general office supplies and costs are included in the Officers' payroll check each pay period; *however, these reimbursements are paid as non-taxable reimbursement costs* to the Juvenile Court employees³¹. Many officers were concerned that these reimbursement costs were being taxed, which would effectively short-change the employees for reimbursement of work-related expenses.

Observations

The Juvenile Court takes its mission of rehabilitation of children and families seriously. This mission drives the work of all professionals within the court, community supervision probation being no exception. Probation here is seen as an opportunity to provide services to youth and their families, rather than to serve as a punishment. When a juvenile is placed on probation, the focus is not only on the individual probationer, but also on his/her family. While the youth on probation is the main concern, siblings and parents are "assessed" and referrals are made if determined to be necessary. The intent is to stop the cycle of delinquent behavior by treating the underlying causes. By addressing the needs of "at-risk" siblings, it is hoped that the Court is preventing these children from ever entering the juvenile justice system. The apparently increasing reliance on formal probation rather than diversion is consistent with this philosophy.

It is clear that Community Supervision Probation Officers are passionate about their work and are committed to addressing the needs of all of their clients and their families to the best of their ability. As a group, they are professional, knowledgeable, and connected to the community.

³¹ The separation of non-taxable work-related expenses from taxable payroll costs was verified in a personal conversation with Mary Ann Love, Administrative Services Officer for Payroll.

While this prevention/rehabilitation oriented approach is commendable, it does place added responsibilities on Community Supervision Probation Officers. The extension of the one judge-one family assignment system to the CSPA also adds to the workload of individual officers in comparison to the former strictly geographic assignments because of the greater time required to visit the youth they supervise. Several officers complained about their caseloads. Although they do not appear to be high in comparison to many other juvenile probation departments, the shift in focus from supervising an individual youth to addressing the needs of the juvenile's family greatly increases the burden. There is in fact no national standard that is considered suitable for determining what an "optimal" caseload is. An American Probation and Parole Association (APPA) position paper has suggested that a workload approach be used instead of a simple caseload measure.

Case Priority	Hours Per Month	Total Caseload³²
High	4 hours	30 cases
Medium	2 hours	60 cases
Low	1 hour	120 cases

Of course, few Probation Officers carry caseloads that are solely assessed at a certain level of risk or priority, so finding the appropriate mixture is a task every jurisdiction must determine for themselves.

The Juvenile Court is taking some steps to adjust assignments to reflect special situations. For example, the supervision and management of sexually abusive youth requires specialized knowledge and specialized management skills. The creation of CPIT caseloads and the providing of specialized training to manage these cases to the Community Supervision Probation Officers assigned these caseloads is commendable. It is noteworthy that all of these cases are funneled through one court, allowing one Judicial Officer to specialize in this type of case.

³² Assuming 120 hours for supervision/month. APPA, *Juvenile Probation White Paper* (2000), App. 4.

Recommendations for Improvement

The following recommendations are made with the intention of strengthening the Davidson County Juvenile Court's already outstanding Community Supervision Probation Program.

1-18. The Juvenile Court should conduct a thorough workload assessment for Community Supervision Probation Officers and establish staffing levels and caseload standards based on the time and work required to meet the requirements of the CSPS Policy and Procedure Manual.

As indicated above, the best practice is to assess probation caseloads in terms of the work required of probation officers to meet the requirements of their jobs. Currently, it is not possible to determine whether caseloads are high, low, or about right, although the scope of service expected of Community Supervision Probation Officers in Davidson County and the increasing reliance on supervised probation as a disposition, suggests that the capacity of CSPS is being strained.

1-19. Given the limited resources available, the Juvenile Court should prioritize the types of cases or circumstances in which it orders supervised probation and develop other mechanisms to provide services to the low-risk but needy populations.

The use of probation resources to dispense services to lower level offenders is antithetical to the Evidence Based Practices embraced within community corrections nationally. Primary supervision and treatment resources for offenders who are at higher risk to re-offend should be prioritized. Research demonstrates that:

Supervision and treatment resources that are focused on lower-risk offenders tend to produce little if any net positive effect on recidivism rates. Shifting these resources to higher risk offenders promotes harm reduction and public safety because these

offenders have greater need for pro-social skills and thinking and are more likely to be frequent offenders. Reducing the recidivism rates of these higher risk offenders has a much greater impact than focusing on the lower-risk, less likely to recidivate population.³³

1-20. The Juvenile Court should either validate its current risk assessment instrument or adopt one that has been validated in a comparable jurisdiction and permits probation officers to identify strengths, needs, and protective factors. Using the validated instrument, a risk assessment should be completed prior to the disposition for all juveniles found to have committed a delinquent offense.

The cornerstone of “Evidence Based Practices” in community corrections is a system of ongoing risk assessment of offenders.

Assessing offenders in a reliable and valid manner is a prerequisite for the effective management . . . of offenders. Timely, relevant measures of offender risks and needs at the individual and aggregate levels are essential for the implementation of numerous principles of best practice in corrections (e.g., risk, need and responsivity). Offender assessments are most reliable and valid when staff are formally trained to administer tools. Screening and assessment tools that focus on dynamic and static risk factors, profile criminogenic needs, and have been validated on similar populations are preferred. They should be supported by sufficiently detailed and accurately written procedures.³⁴

Additionally, in the juvenile justice field, emerging best practices include using risk instruments that identify offender strengths and protective factors, so these can be incorporated into a solid case management strategy.

1-21. The Community Supervision Probation Section should implement case planning and the use of graduated sanctions as quickly as possible, starting with high risk youth.

³³ See “Implementing Evidence-Based Practice in Community Corrections: The Principles of Effective Intervention” National Institute of Corrections and Crime and Justice Institutes.

³⁴ Crime and Justice Institute, December 8, 2005.

The use of case planning that specifies goals and services and requirements designed to meet those goals, together with graduated sanctions as an enforcement tool lies at the heart of effective mandated rehabilitative programs. Because case planning in particular does impose additional workload on probation officers, it should be implemented first in the high risk cases and then expanded following implementation of Recommendations 1-18 through 1-20.³⁵

1-22. The Court should develop a full set of management and supervision guidelines for sexual offense cases. These guidelines should address, at a minimum, the following areas: specialized assessment, specialized treatment requirements, supervision protocols and practices, including visitation schedule, response to violations, no contact orders with victims or potential victims, and specialized conditions for sexual abusers.

While the Court is on the right track regarding the development of a specialized CPIT caseload, there is still more to do. Two instruments are currently available for use with juvenile sexual abusers; the J-SOAP II and the ERASOR. These are the only two risk-based instruments developed specifically for juvenile sexual abusers to date.³⁶ While neither of these instruments has been validated, they are currently the industry's best practice standard.

³⁵ See Andrews, D.A., J. Bonta, And R. Hoge (1990), *Classification for effective rehabilitation: Rediscovering psychology*. Criminal Justice and Behavior, 17:19-52; and Andrews, D.A., and Bonta, J. (1998) *The psychology of criminal conduct*, Cincinnati: Anderson Publishing Co.; and *Implementing Evidence-Based Practice in Community Corrections: The Principles of Effective Intervention*, National Institute of Corrections and Crime and Justice Institutes.

³⁶ Information on both instruments can be obtained from the Center for Sex Offender Management at www.csom.org. Additionally, at this website the document Understanding Juvenile Sexual Offending Behavior: Emerging Research, Treatment Approaches and Management Practices (December 1999) might be of some assistance.

1-23. Decisions to release a juvenile from probation should be made by a judicial officer at the recommendation of the Probation Officer. The District Attorney's Office should be provided with notice of the recommendation and opportunity to request a hearing if it has an objection.

The recommended change in procedure would reduce delay and complexity in the release process, while preserving the prosecutor's opportunity to object to the early termination of probation

1-24. The Court should review the current procedures to initiate a violation of probation hearing to ensure that unnecessary steps and complexities are eliminated.

As discussed above, the current process is complex and time-consuming given the geographically dispersed allocation of CSPS staff. Even if communication technology between outposts and the Juvenile Court Center are enhanced in accordance with recommendation 1-13, the procedural steps should be reviewed to make certain that the checks on inappropriate violation petitions do not preclude a swift response to serious violations.

1-25. The Juvenile Court should develop different job descriptions and possibly different job titles for Community Supervision Probation Officers and probation staff who work at the Juvenile Court Center and who are not responsible for supervising juvenile offenders.

This differentiation would clarify the distinct job responsibilities and duties of probation staff and alleviate potential concerns regarding differential treatment and expectations. In developing this reclassification, however, care should be taken to assure appropriate opportunities for staff development and advancement.

1-26. The Juvenile Court should provide relevant and appropriate training to Community Supervision Probation Officers to respond to emergency medical, safety, or other situations that could occur while they assume responsibility for the detention population.

If Community Supervision Probation Officers will continue to be required to periodically stand-in for detention personnel, they must have the training necessary to respond when there is a medical or security emergency. Such training will benefit the youth in the facility as well as the individual probation officer and may well limit potential liability for the County.

1-27. The Juvenile Court should review its current policies regarding work schedules, compensatory time, and overtime and adjust them, to the extent permitted by law, to reflect irregular hours that Community Supervision Probation Officers may need to work to perform their responsibilities. It should also ensure that CSPS managers understand compensatory time and overtime regulations and apply them consistently.

Although the Juvenile Court has established compensatory time and overtime policies that comply with the federal Fair Labor Standards Act, it is evident that the policies do not reflect the expectation that Community Supervision Probation Officers may have to work outside of normal working hours to meet with and supervise the youth for whom they are responsible. It also is evident that the current policies are not being consistently applied. The current situation is likely to impair performance and create unfairness to individual probation officers. It also may subject the County to the potential of liability should current practices be challenged.

1-28. The Juvenile Court should provide “outpost” locations with the office and other equipment required for Community Supervision Probation Officers to perform their responsibilities effectively and should make arrangements to provide regular office maintenance and cleaning services to these locations.

There are many inherent benefits of basing probation officers in the communities in which the youth they are supervising reside. But, there are necessary costs as well. Failure to provide the communications links such as fax machines and e-mail that allow probation officers to efficiently transmit and receive forms, reports, records, and orders with staff at the Juvenile Court Center and what is now standard office equipment such as computers that enable them to prepare these required documents can significantly reduce probation officers' capacity to perform their supervisory and assistance responsibilities effectively.

1-29. The Juvenile Court should provide "outpost" locations with basic security equipment such as security cameras and panic buttons wired to the closest law enforcement agency and should require each office to develop an emergency evacuation plan.

The best risk assessments and most careful procedures cannot totally eliminate the potential for violence from probationers or families, and the community locations increase the potential for theft, vandalism, and fire. Basic security equipment and emergency plans are needed to protect not only the Community Supervision Probation Officers, but also the youth they serve and the members of the community in the housing or school in which the outpost office is located.

1-30. The Juvenile Court should develop a detailed policy regarding home visits that require the officer to check in with someone prior to and at the end of each home visit and provide guidance on when such visits should be conducted by pairs of probation officers or by a probation officer and law enforcement officer.

Home visits are an essential element of supervision and family assistance, but the dangers of conducting home visits, particularly at night, must be recognized and appropriate procedures and guidance provided.

1-31. The Juvenile Court should consider providing cultural diversity training to CSPS staff and develop strategies and practices for staffing cases that involve members of an immigrant community who have limited English-language skills, may not be familiar with the American juvenile justice system, or have cultural practices that make traditional probation supervision difficult.

Consistent with the community and family emphasis of the Davidson County Juvenile Court, Community Supervision Probation Officers must be equipped to deal with the increasingly diverse population of the County. The first step is increasing awareness of the lack of understanding and cultural differences that they may encounter.³⁷ The second step is securing interpreters or bilingual probation officers. Although not a formal recommendation, it would certainly be helpful if a minimum of one Spanish-speaking community supervision probation officer was included on each team and in the special Gang unit in the South region of the county.

5. Family Services Division

The Family Services Division provides case management primarily for dependency, neglect, and abuse cases. Case management is also provided for cases relating to guardianship, paternity, custody, and parental rights. In addition to case management, staff spends considerable time providing pre-hearing screening and settlement services, and preparing cases for hearing.³⁸

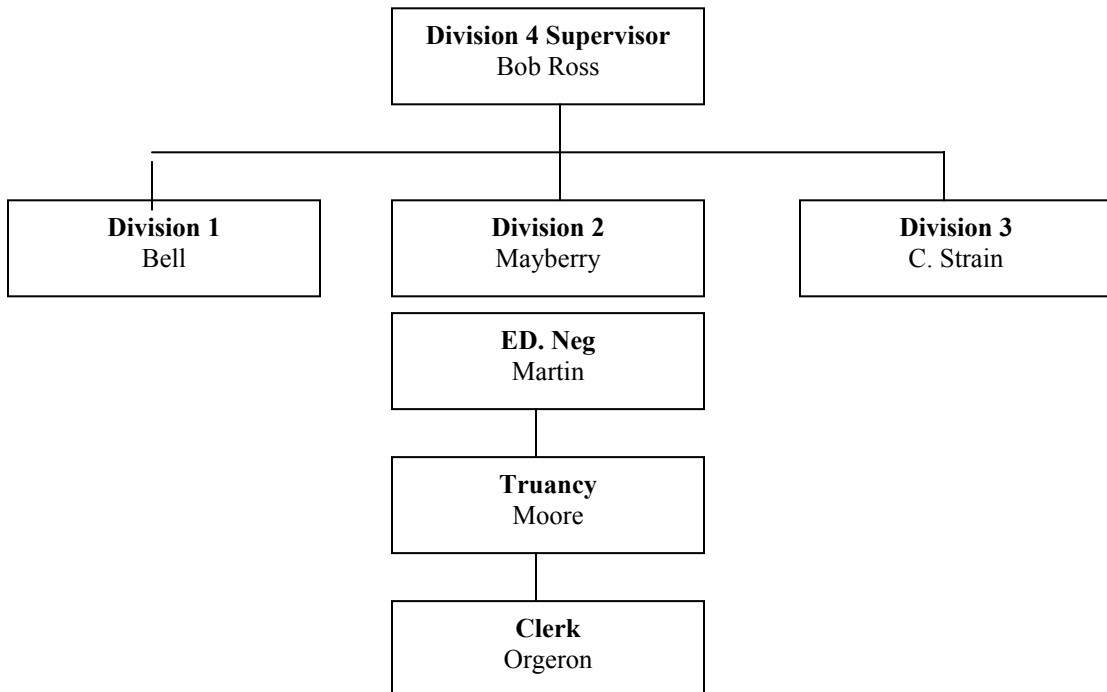
³⁷ Such training may be helpful to judicial officers and Juvenile Court and Juvenile Court Clerk staff other than Community Supervision Probation Officers who deal directly with the public.

³⁸ Intake functions for the Juvenile Court are handled by the Intake Division, which includes a team, which handles intake for dependency, neglect, and abuse matters. Three staff are assigned to that team, which works closely with Family Services Division staff.

Family Services oversees the management of Foster Care Review Boards, composed of professional and lay volunteers, and which review dependency, neglect, and abuse cases as ordered by the court. It also provides community outreach by working with neighborhood organizations, schools, and religious, and community organizations to develop prevention and early intervention programs, and other family services for families and children at risk.

Six court employees staff the Division. Three are assigned to dependency, neglect and abuse case management, and pre-hearing support services. The others are assigned to community outreach including management of Foster Care Review Boards.

Family



Court Staff Case Management and Pre Hearing Preparation

Following assignment of a dependency, neglect, or abuse case to a courtroom by the Intake Division staff, one of the Family Division Probation Officers receives an information packet and becomes familiar with the case. These probation officers are responsible for handling inquiries regarding the case, appearing at court hearings, assisting with completion and implementation of court orders and decrees, arranging for assignment of counsel, and assisting parties in settlements and agreements, referrals to a Foster Care Review Board (FCRB), referrals to the Court Appointed Special Advocate (CASA), and referrals for services.

At preliminary hearings, the Judicial Officer explains the nature of the allegations, the rights of the parties, and the process that will be used to process the case. The Department of Children's Services (DCS) or another moving party is given the opportunity to discuss the case with the respondents. The probation officer will meet with parties to determine eligibility for appointed counsel and arrange for appointment of counsel and/or guardians *ad litem* if indicated.

Prior to all hearings, the probation officer ascertains whether the parties are present. If necessary parties are not present, the Judicial Officer determines if additional service is required and directs the minute clerk to prepare any necessary summonses for personal service. If the party resides outside of Davidson County, the probation officer will deliver the summons and a copy of the petition via certified mail.

If interpreter services are required, the probation officer makes a request to the Administrative Division for scheduling an interpreter to appear. In the event that a party not represented by counsel is incarcerated, Family Services staff will arrange for issuance of a transportation order to have the party transported to the Juvenile Court for the scheduled hearing.

For each hearing, the probation officer informs the Judicial Officer of any changes in case status since the prior court proceedings. The Judicial Officer may order the probation officer to meet with the parties to determine if an agreement can be reached. (This typically occurs at a preliminary hearing or settlement conference.) Prior to settlement conferences and shelter hearings, probation staff assemble necessary reports, home studies, and other information required for the conference or hearing.

At the close of hearings, the probation officer is responsible for preparing any decrees for filing and distributing them to the parties, and for making referrals to the Foster Care Review Board, Court Appointed Special Advocate (CASA) or to service providers. The Family Division Probation Officer is also responsible for ensuring that any other orders issued by the Judicial Officer are implemented (e.g., for drug screens or home studies).

Foster Care Review Boards

Foster Care Review Boards (FCRB) are composed of professional and lay volunteers who meet and review the status of children in care and the efforts that are being made to achieve a safe and permanent placement for the child. FCRBs make recommendations regarding efforts to achieve permanency to the Juvenile Court and to DCS.

Cases are referred to a FCRB by order of a Judicial Officer. Upon referral, Family Services Division staff assigns the case to a Board. If a sibling of the child who is the subject of the petition is currently assigned to an FCRB, the case is assigned to the same Board. If the child was previously assigned to a specific Board as a result of a prior petition, the case will be assigned to the same FCRB that handled the prior case. Otherwise, cases are assigned on a rotating basis.

FCRB hearings are scheduled by Family Services Division staff. They provide notice of the hearing to DCS, the District Attorney, the assigned CASA volunteer, private counsel and guardians *ad litem*, the Juvenile Court Clerk's Office, and interested service agencies as required. DCS has the responsibility to notify the child, parents, foster parents, and the persons who may provide a permanent placement for the child.

Hearings are scheduled for 15–25 minutes, depending on the number of children involved in the case. Regular reviews require the attendance of all parties and result in a “decree” which sets out the findings and recommendations of the Board as a result of the review. The decree will indicate the date for the next review. Family Services Probation Officers complete the decree and distribute it to the Juvenile Court Clerk for filing in the case file, to DCS, and to the attorneys. “Verbal reviews” are conducted by FCRBs in situations where the Board requires a report on a specific issue rather than a full review. Verbal reviews only require the attendance of Juvenile Court staff and the DCS Liaison.

Observations

The Juvenile Court has made a substantial staff investment in monitoring the progress of dependency, neglect, and abuse cases. This commitment of staff has been a very effective tool in ensuring the coordination that is typically required to move these complex and sensitive cases rapidly. DCS has placed two court liaison workers on site at the Juvenile Justice Center at the invitation of the Juvenile Court, in an effort to facilitate communication and improve coordination for dependency, neglect, and abuse cases. Current plans call for increasing the number of DCS liaisons.

It is critical that dependency cases are addressed thoroughly and expeditiously by the judiciary. The Pew Commission on Children and Foster Care³⁹ in its final report, indicated, “Courts are responsible for ensuring that children’s rights to safety, permanence and well-being are met in a timely and complete manner.”⁴⁰ In many other jurisdictions, all case management services are left to the exclusive responsibility of the social service agency. The priority that has been placed on addressing dependency cases by the Davidson County Juvenile Court is extremely positive.

The Juvenile Court attempts to develop relationships with neighborhood and civic organizations, religious and charitable organizations, schools, and other community-based service organizations in order to coordinate prevention and intervention efforts for children and families at risk. This also is a critical activity that many other juvenile courts fail to emphasize. However, the manager who is responsible for oversight of the Family Services Division, as well as Intake and the Parentage Division, spends a significant share of his time on this task. This highlights a problem that the Davidson County Juvenile Court shares with many of its counterparts across the nation—the difficult problem of shrinking revenues, which in turn strains court resources and affects the availability of services tailored to the needs of families and children at risk.

Finally, as noted throughout this report, the Juvenile Court’s automated case management and case tracking systems do not provide adequate regular management reports that allow the court to assess the overall status of its

³⁹ The Pew Commission on Children and Foster Care was launched in May 2003, supported by a grant from The Pew Charitable Trusts. The Commission’s charge was to develop recommendations to improve outcomes for children in the foster care system—particularly to expedite the movement of children from foster care into safe, permanent, nurturing families, and prevent unnecessary placements in foster care. Its final report, issued in 2004, has been endorsed by the Conference of Chief Judges and the Conference of State Court Administrators, as well as the National Council of Juvenile and Family Court Judges.

⁴⁰ The Pew Commission on Children in Foster Care, *FOSTERING THE FUTURE: Safety, Permanence and Well-Being for Children in Foster Care* (Washington, DC: 2004).

caseload. The Juvenile Court does appear to be meeting federally required time frames for expeditious processing of cases, largely due to a combination of the court's philosophy to actively manage cases, the coordination that results from intensive staff commitment to case management, and the addition of a docket coordination function to ensure efficient use of the court's docket time.

Recommendations for Improvement

1-32. The Juvenile Court should place a priority on the development of regular management reports which provide each Judicial Officer, the Court Administrators, and relevant managers with the status of dependency cases in relation to federally mandated case processing requirements, and the overall performance of the court in relation to those guidelines.

While the court appears to be handling its dependency caseload well, it needs to take advantage of technology as an added tool to ensure overall adherence to performance standards to ensure adherence to those standards by individual Divisions so that no individual case gets "lost" in the system. Adequate management reporting will also enable the Court to better diagnose system problems or issues that must be addressed to maintain or improve performance. Development of management reports should be included as a part of a broader effort to develop regular management information reports (See Recommendation 1-53).

1-33. The Juvenile Court should continue its current plans with the DCS to increase the number of court liaison personnel at the Juvenile Justice Center in order to further enhance communication and coordination between DCS, the Judicial Officers hearing dependency cases, and Court staff.

Dependency, neglect, and abuse cases are extremely complex matters requiring substantial coordination in order for effective and timely processing. Placing DCS staff in a position to work directly with court staff and be

immediately available to the judge and referees will facilitate the communication required to process these cases in a timely, effective manner.

1-34. The Juvenile Court should consider adding or reallocating a staff person whose role and sole focus is development and coordination of community resources for treatment and other family services.

The Juvenile Court has demonstrated a commitment to community outreach. That outreach has focused on developing prevention and intervention services. Many staff assist in that outreach through their regular interaction with community organizations. A member of the management team commits significant time focusing on developing community resources.

In view of budget revenue shortfalls at federal, state, and local levels, however, the need to develop community resources for prevention, early intervention, and treatment has increased and will likely increase for the foreseeable future. Having staff dedicated to the task of community resource development not only will help in improving services, but could potentially develop resources that might otherwise rely on budget appropriations or might be unavailable due to a lack of budget appropriations.

1-35. The Juvenile Court should consider a formal effort to reach out and engage the business community in providing support for services to children and families at risk. Any initiative should be carefully reviewed in the context of limitations on the Judicial Officer and the Court by ethics rules.

Businesses have an interest in ensuring the vitality of families in their workforce and communities and in the quality of the justice system. A number of courts have been successful in recruiting businesses to provide expertise to assist with operational improvements in court processes and facilitate participation by employees and others in volunteer support efforts

such as serving as a CASA or on an FCRB. Other courts have engaged businesses to help with job counseling and placement services.

Thus, the Juvenile Court may wish to consider forming a business advisory council focused on improving community support for families and children. In so doing, it would need to avoid any direct solicitation for financial support, either for community initiatives or the court itself. Ethics rules generally prohibit Judges or Judicial Officers from engaging in solicitations for financial support, even in the case where the recipient is a charitable organization. The approach to forming a council should be carefully reviewed with existing state authorities responsible for oversight of judicial ethics issues.

6. Special Programs

Drug Court Programs

Findings

The Drug Court Program consists of a Juvenile Drug Court and a Family Drug Court. Three probation officers, one of whom is designated as a drug court coordinator and provides operational oversight for both programs, staff the two programs.

Juvenile Drug Court

The Juvenile Drug Court has been in operation since 2001. The program became fully operational in 2002. Two probation officers are assigned to supervise participants. The program capacity is 30 participants, with each probation officer handling a caseload of 15.

Youth adjudicated delinquents may be referred to the program for review and screening by the Judicial Officer handling the case or by a probation officer assigned to the case. Basic eligibility criteria include:

- The youth must be 17 or under if found responsible of a delinquent charge and 16 or under if found responsible of an unruly charge
- An adjudication must have occurred in the case
- A substance abuse and mental health assessment must have been completed
- The juvenile must acknowledge the substance abuse and responsibility for the offense
- The youth's parents must agree
- The juvenile must agree to follow treatment plans, program rules, attend school, and all court hearings
- The youth must agree to submit to sanctions for non-compliance with program rules

Those charged with handgun violations or violent felonies may not participate in the drug court program. Prior to referral, the probation officer assigned to the case will complete a packet, which includes a Drug Court Referral Form and other information regarding the juvenile and the offense. The Drug Court Referral Form provides basic demographic information, health insurance information, and information regarding prior drug use assessments and prior drug treatment. The form requires a summary explanation of why the prospective participant should be admitted to the Drug Court Program. It provides for an acknowledgment on the part of the juvenile regarding his or her responsibilities, the basic elements of the program, and the possible sanctions which could be imposed for non-compliance with Drug Court rules, and for an agreement by a parent to permit his/her child's participation, be financially responsible for costs, and assist in monitoring the youth's compliance with Drug Court rules. The top of the form has a section to be used for tracking disposition of the Drug Court application (for example, the receipt date, committee review date, committee action and court date). The form used is a multi-generation photocopy.

After the probation officer completes and submits the Drug Court packet, including the referral form and other documentation including prior assessments,

history, and case information, Drug Court team staff conducts an interview and refer the youth for an assessment if one has not been conducted. The staff will also assess family responsiveness.

A Drug Court Screening Committee, consisting of the Judicial Officer, Drug Court staff, and representatives of the public defender and district attorney screen cases for admission to the Drug Court program. The Judicial Officer may add others to the screening committee in his or her discretion.

The Drug Court program consists of three phases. The first phase (minimum 45 days) focuses on assessment, development, and implementation of a treatment plan, and maintenance of drug free status. The second (minimum 60 days) focuses on continued drug free status, the 12-step program, modification of negative behavior, and compliance with rules of probation. The third phase (minimum 90 days) focuses on continued drug free status and compliance with probation rules and the development of a relapse prevention program.

The Drug Court staff maintain a log of juveniles in the program, with data regarding the juvenile's name, date of birth, race, sex, date of entry to the program, and status. The log is maintained separately from the court's information system in a spreadsheet style report. In addition, the staff produces a report with statistical data regarding admissions during a reporting year. The report provides data by month regarding new admissions, graduates, children in the custody of the Department of Children's Services, and unsuccessful releases.

Family Treatment Drug Court

The Family Treatment Drug Court was implemented more recently. The Drug Court Coordinator handles approximately 12 -15 cases. Family Treatment Drug Court participants are parents cited in a neglect and abuse petition who may

benefit from intensive drug treatment and supervision and whose primary barrier to reunification with his or her child is substance abuse. To be eligible for participation, a parent must agree to participate and adhere to the treatment plan and all recommendations and requirements of the Family Treatment Drug Court. Those with medical or psychiatric impairments that would interfere with participation are ineligible, as are those on methadone maintenance programs and those who have participated in five or more treatment services in the preceding 24 months. Parents who have committed violent offenses may not participate.

Referrals are made based on the facts of the case. Those referred for potential inclusion in the program are referred to the Health Department for a health assessment and recommendations.

At intake, extensive information is collected via a Client Intake Form. In addition to demographic data, data is gathered regarding the children and their status, the medical condition of the parent and available diagnoses, medication, and drug use are recorded. Drug Court staff make a recommendation based on the intake data gathered, a health assessment and recommendation, and current caseload. The presiding judicial officer will determine program participation.

The program has four “phases,” each with specific goals. The first phase is focused on assessment and detoxification. The second focuses on stabilizing lifestyles and planning for the longer term needs of the parent and his or her children; the third on parenting skills, visitation with children, and obtaining housing, and employment; and the fourth on improved interaction with children, securing and maintaining housing, and employment. The parent must meet the goals of one phase to move to the next. Reports on progress are made during regular appearances in court. The overall program requires 12 to 24 months.

The Family Treatment Drug Court, like those in other jurisdictions, relies more heavily on supportive services than other Drug Courts, since parents typically require assistance in a greater number of areas in order to address not only the substance abuse problem but to prepare them for becoming an adequate parent. For example, a parent may need assistance in being an effective participant in his or her child's education, something not necessarily faced by participants in other Drug Court programs.

Observations

Overall, the Drug Court programs appear to operate effectively, particularly given the limited number of staff and limitations on resources. This is particularly true given that both the Juvenile Drug Court program and the Family Treatment Drug Court program are relatively new and, thus, the staff are relatively new to their assignments and have had limited training.

Staff indicated that budget constraints had limited the ability to conduct home visits, which negatively affected their ability to monitor the children and parents they are supervising. Those budget cuts have also had a negative impact on the availability of services for many clients.

The reports maintained by staff are adequate for the purpose of monitoring caseloads and providing limited information regarding the status of participants and outcomes, but are not designed to provide substantial management information or long-term evaluation information. The Court's automated information system appears to provide little support for the management of the Drug Court caseload or the ability to measure performance or cost effectiveness. Without the ability to draw concrete conclusions regarding the effectiveness of the Drug Court programs, it will be difficult to make informed decisions regarding the maintenance or expansion of the program.

Recommendations for Improvement

1-36. The Juvenile Court should make resources available to allow the Drug Court staff to conduct home visits.

One of the key components of a Drug Court is the intensive nature of the intervention that is provided for the child or the parent. Without the ability of the staff to visit the home to observe the living environment, the intensive intervention is diluted. Drug Courts are, by definition, resource intensive. If performing well, however, the Drug Court intervention will reduce overall system costs by limiting recidivism.

1-37. The Juvenile Court should make training available when staff are assigned to the Drug Court and on an ongoing basis thereafter.

Drug Court programs are unique and require staff to be knowledgeable in a variety of disciplines, particularly, in the area of substance abuse intervention. Experience from other Drug Court programs appears to indicate that collaborative planning and training are key factors for program success. Training could be made available in the form of attendance at classroom programs, participation in state Drug Court meetings, or through technical assistance. The National Council of Juvenile and Family Court Judges and the National Drug Court Institute both provide training and technical assistance for juvenile and family Drug Courts.

1-38. The Juvenile Court should allocate a portion of its JIS time to the development of a module for JIMS that would allow Drug Court staff to track cases, produce statistical reports regarding case events and outcomes, and capture information for long term program evaluation.

The reports currently used by program staff are developed separately and not integrated with the Court's information system. This limits the ability to

maintain detailed information about the progress of cases and regarding the children and adults who participate in the program. The Court should be able to readily produce information regarding the status of all Drug Court cases, the program outcomes for all cases where a participant has completed the program or has been terminated from the program, and compare post treatment program Court contacts for those who have completed the program with other children and parents. The system should also have the ability to capture and store demographic data regarding program participants for longer-term evaluation as well. Ideally, the system might also include links to assessment and treatment resources to facilitate electronic exchange of information regarding Drug Court participants.

There are existing Drug Court information systems in use around the country that could be used as models for development. The Drug Court Programs Office of the Bureau of Justice Assistance and the Center for Court Innovation have implemented a Drug Court Technology Resource Center on the Internet (<http://www.drugcourtech.org/>). The Center is a useful tool in identifying other systems and in identifying key elements of Drug Court information systems.

Truancy Reduction Program

Findings

The Truancy Reduction Program (TRP) is a joint program between the Juvenile Court and the Metro Development and Housing Agency (MDHA) to keep youth in grades K-8 in school on a regular basis. There are four program locations within Davidson County. TRP staff have designated schools for which they are responsible. The program is grounded in the research which supports early intervention as the best prevention of juvenile delinquency.⁴¹ The goals of the

⁴¹ Howell, J.C. (1995). *Guide for Implementing the Comprehensive Strategy for Serious, Violent and Chronic Juvenile Offenders*. US Department of Justice, Office of Juvenile Justice and Delinquency, Washington, D.C.

program are to increase attendance and enable youth to travel safely to and from school. The 11.25 Truancy Reduction Program FTE are probation officer assistants, many of whom are residents or one-time residents of the public housing community. In each of the four locations, the program is overseen by a Community Supervision Probation Officer, but these officers do not carry truancy caseloads. The program operates out of public housing units that have been converted to offices and meeting areas.

Youth come to the attention of program staff formally through a truancy petition and informally through notification of a string of unexcused absences in school or or as a result of program staff seeing them on the housing project grounds during school hours. TRP staff first try to resolve the truancy problem informally. The initial response is to visit the family and determine the reason for the absences. Often, basic interventions, such as purchasing an alarm clock, can alleviate the problem. In many cases, program staff will make referrals to relevant services, which can resolve the problem. If the truancy problem persists, the case is referred to the Attendance Review Board. These boards are made up of local professionals and residents. The Board reviews the attendance records, makes recommendations for additional family services, if needed, and monitors the case. At this stage, services provided could include family counseling, rental assistance, food, or clothing. If the problem persists, a formal case is filed with the Court.

The Referee addresses youth against whom truancy petitions have been filed and their parent or guardian when they come before the Court. On a first petition, the youth is generally offered the choice to pay a fine with court costs or to engage in services that will assist the youth in regularly returning to school. On a second or subsequent petition, the youth is typically assigned to the TRP.

The TRP also offers a suspension school at which youth who have been suspended from school can come in during school hours and complete school work under the supervision of program staff. Often, the child can return to school after the suspension and be caught up on his/her school work. The program also offers a summer enrichment program, which provides both educational and recreational opportunities for youth and their families during the summer break from school. Participation in the program is voluntary. The Juvenile Court does not provide adequate funds to support this program, so they can only take youth to locations where admission is free, such as the state capitol, museums, and the zoo (on free admission days). Early on, the program received donations from local businesses, but this practice had to be stopped because the Juvenile Court Judge is an elected position and the acceptance of donations was determined to be a conflict of interest.

The Truancy Reduction Program offices are not adequately equipped with office equipment, including computers, copiers, fax machines, etc. In one office six people work on one computer; in another office, staff members hand-write reports because there is not sufficient computer equipment.

Observations

The TRP is an effective addition to the services provided by the Juvenile Court and is particularly noteworthy because many juvenile justice systems have left truancy as a low priority. The program is well regarded and school and community professionals and residents are supportive of the program. A two-year outcome evaluation conducted by the National Institute of Justice in 2000 found that the TRP reduced truancy by 14 percent for youth participating in the program.⁴² The report linked the ability to identify truant children early and reduce their truant behavior with a subsequent decrease in delinquent behavior.

⁴² Hepler, Nancy A., Nicely, Gerald F., Platt, Jan, Wells, Jim (2002). Nashville, Davidson County, Tennessee, Tennessee Juvenile Court Truancy Reduction Program, Final Report, National Institute of Justice, Washington, D.C.

Recommendations for Improvement

To further strengthen the Truancy Reduction Program, the Project Team recommends that:

1-39. The Juvenile Court should provide TRP “outpost” locations with the office and other equipment required for community supervision probation officers to perform their responsibilities effectively, and should make arrangements to provide regular office maintenance and cleaning services to these locations.

See comment to recommendation 1-28.

1-40. The Juvenile Court should consider creating a 501(C)(3) organization that can accept donations and otherwise raise funds from private sources to strengthen the TRP and the summer enrichment program.

A number of juvenile courts have sanctioned creation of a charitable, tax-exempt organization that can raise funds for important programs. These separately incorporated “Friends of the Court” organizations identify service needs for youth and families and approach private foundations and other charitable resources for grants and donations to establish or strengthen programs to address these needs.⁴³

Community Service Work Program

Findings

The Community Services Work Program (CSWP) oversees youth required by the Juvenile Court to perform community service as a condition of their disposition. The CSWP provides a variety of services to the community. The program is based on the philosophy that delinquent behavior must be met with consequences and the need to hold juvenile delinquents accountable for their

⁴³ National Council of Juvenile and Family Court Judges, *Juvenile Delinquency Guidelines: Improving Court Practice in Juvenile Delinquency Cases*, 224 (Reno, NV: NCJFCJ, 2005).

behavior. The program works under a restorative and balanced justice approach, meaning that youth are expected to give back to the community in an effort to reduce, or make right, the harm they have caused. A program employs five part-time staff, for a total of 2.5 dedicated FTE.

Work assignments are made according to the seriousness of the offense. Each work “block” is a four-hour period which may be performed during the morning (8:30-12:30) or evening (3:30-7:30) work session, or on a Saturday crew between 8:30-12:30. Each crew consists of no more than 14 youths and two court supervisors. Boys and girls are not co-mingled in work groups.

Approximately 3,000 to 4,000 hours of community service are ordered to be performed each month. The court employs one full-time employee to supervise and administer the program as well as five staff members to supervise work crews. Work crew supervisors are expected to transport youth to and from job sites, provide hands-on supervision, and maintain order and security on-site. Community service program staff, who are Community Supervision Probation Officers, are responsible for ensuring that vehicles are maintained, serviced, and in good working order

The CSWP works in conjunction with Metropolitan government agencies to identify work sites and service needs. Additionally, the program accepts requests from all government entities and the public.

Program staff report participants’ successful completion or failure to complete a work session to the youth’s Community Supervision Probation Officer. Failure to complete work as assigned may result in a return to court.

Observations

Generally, the Community Service Work Program appears to be well organized and well managed and is providing both positive opportunities for youth to give back to the community for the harm they have caused and provide a positive service to the residents of the Nashville and Davidson County Community. The program has received commendations from work recipients and there appears to be plenty of useful work to do.

Recommendations for Improvement

The following recommendations are based upon the program review and discussions with staff.

1-41. CSWP staff should attempt to expand work options and relate the work to the delinquent acts committed by youth to better fit the balanced and restorative justice philosophy underlying the program.

The impact of the work assignments could be heightened if, for example, youths who have been adjudicated for vandalism were required to clean graffiti or youths who have been involved in an assault might be required to work in a hospital emergency room.

1-42. The Juvenile Court should consider using assignments to the CSWP as part of a set of graduated sanctions to enforce compliance with probation conditions.

See Recommendation 1-22.

1-43. The Court should require basic safety training for all CWSP program staff.

While there have been no incidents to date, the potential exists for CSWP staff to be in danger and they must know how to respond, be it through the use of physical force or verbal de-escalation tactics.

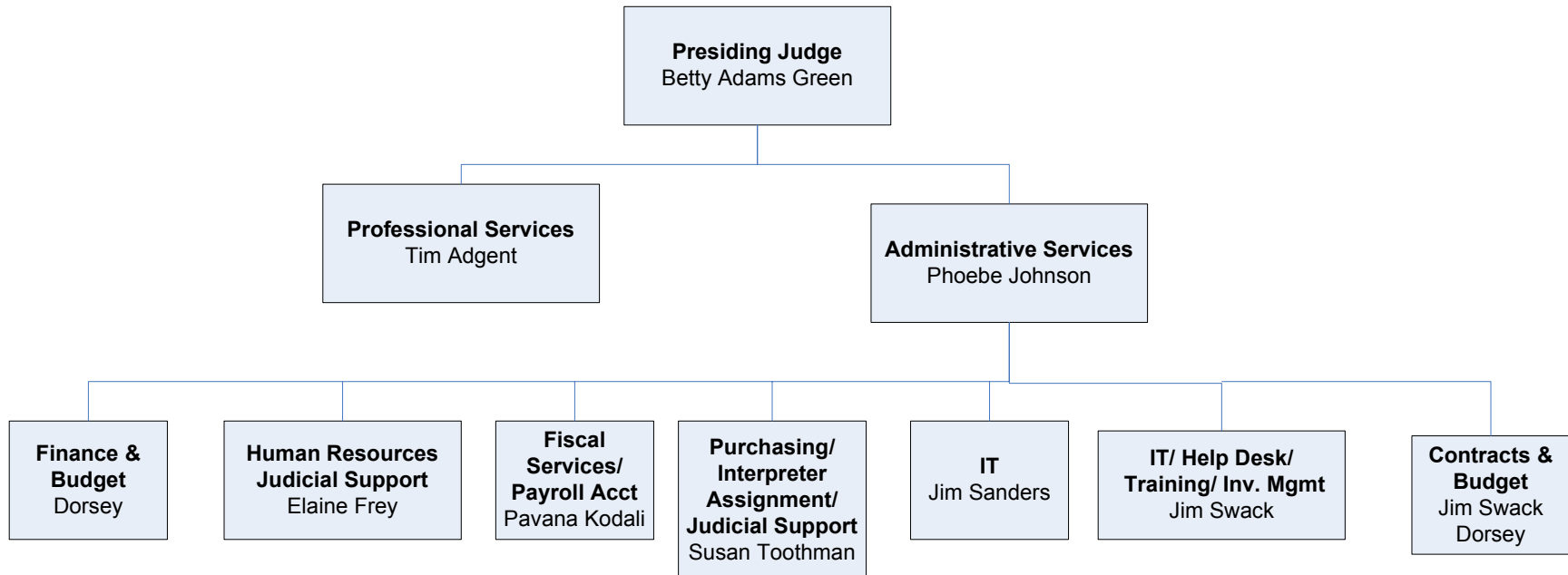
7. Administrative Services Division

Findings

The Administrative Services Division is responsible for the day-to-day operations of the court. This Division manages the Juvenile Court's fiscal and purchasing services, coordinates and manages all human resource issues for the Court, coordinates all grants and contracts, coordinates training initiatives for employees, provides information systems services for the Court and all planning initiatives.

The Judge's and the two Administrators' offices are located on the second floor of the Juvenile Justice Center, allowing for frequent contact and easy communication. The offices for court administration personnel are set behind closed doors. Entry into the offices is controlled via electronic card lock system. The door locks can be released by administrative staff seated immediately inside the entrance to permit entry to those without key card access after the individuals use buzzer/intercom system to request entry. However, there is no way to readily determine who is requesting access without getting up from their desks and going to the door itself. The result is either that one of the staff must go to the door every time someone requests access, or simply unlock the door without being sure who is requesting access.

The Administration Department



On a monthly basis, a Court-wide all staff meeting is conducted,⁴⁴ at the beginning of the workday. No Court activity is scheduled during this meeting. The meeting has a published agenda, and staff is encouraged to request that items be put on the agenda. Outside court service agencies are frequently requested to participate and make educational presentations regarding the services that those agencies provide or to address a Court-related procedural or policy issue. Frequently those agencies will request the opportunity to make such presentations.

The administration sets the agenda based on the time available and its discretion regarding the priority of items that need to be discussed. The Juvenile Court Judge and the two Court Administrators make regular presentations regarding the status of the Court, new programs, new statutes and/or court rules, court administrative policy, the budget, and other matters affecting the Court's operation and the employees.

The two Court Administrators and key division managers also meet monthly on the third Thursday of the month with court system "partners," including agencies such as the District Attorney, Public Defender, Department of Children's Services, and other service providers to address justice system policy and procedure, to collaboratively develop program improvements, and related issues. The Clerk of the Juvenile Court or his representative is invited to these meetings, but attends only sporadically. An agenda is developed and formal minutes are maintained.

Business Operations

In addition to the Court Administrator for Business Operations, six staff handle the budgeting, personnel, procurement, accounting, grants and contracts management, and MIS responsibilities for the Juvenile Court.

⁴⁴ Some staff is assigned to cover key functions such as security during these meetings.

Budgeting Process

The Court Administrator for Business Operations is directly responsible for budget planning, preparation, and monitoring. The budget process is driven by the Metro Government budget planning process. The Metro Davidson County budget year runs from July to June. The County has implemented a performance budgeting approach. The Court and executive agencies have developed program areas, each of which has identified performance objectives. Budget requests must address how requests for changes in budgets address those objectives. Budgets for the Court and executive agencies allocate funding and the number of authorized permanent positions. Budget requests are also presented in line-item format.

The Court Administrator for Business Operations initiates the court budget planning process by providing notice of the budget planning process to Division managers in late January. The budget planning process begins in February. Division managers provide revenue estimates, identify needed modifications to expenditures that are required for mandated activities (those required by statute or court rule), and propose changes associated with service improvement or new program development. Budget requests and adjustments for maintaining mandatory services are reviewed with the Professional Services Court Administrator and the Juvenile Court Judge and approved or modified. The final budget request includes a “position” budget, which reflects the number of positions that are authorized for the Court.

The overall approved budget request is forwarded to the Metro Davidson County Finance Department. The Finance Director develops a recommendation (often after interaction with the Court), makes a recommendation for the entire Metro Davidson County Budget, including the Court’s requested budget, to the Mayor. The Mayor conducts hearings with the judge and senior staff (this parallels the

process for executive agencies) and makes his recommendation to Metro Davidson County Council. His recommendation must be delivered to the Council by May 21st. The Council must approve or modify the Mayor's recommended budget by June 30th. If the Council fails to act by June 30th, the Mayor's recommended budget goes into effect on July 1st.

In light of the budget constraints faced by Metro Davidson County, the Court has made a concerted effort to be conservative in its budget requests and to work collaboratively with the Mayor's office on budget issues, voluntarily sharing in the fiscal burdens faced by Metro Davidson County.

The Court has also made a concerted effort in recent years to reduce its reliance on limited-term grants for established operational programs and staff, so as to avoid the negative impact on ongoing operations as grants expire and as the availability of federal and state grant funds has dwindled. In the alternative, the Court has attempted to maximize, where possible, the use of entitlement funds (such as federal financial participation for handling Title IV-D child support cases and Title IV-E funds for care of eligible dependent children). The opportunity for the Court to access other special revenue is limited. Fine and cost revenue accrues to the Juvenile Court Clerk's budget. The Court does receive some revenue from the sale of detention center beds to other jurisdictions.

Once the budget has been enacted, the Court works with the Finance Department to adjust line-items and cost centers to reflect the enacted budget. Cost centers are established by the Finance Department, although the Court (like executive agencies) can request additions or changes to the cost centers. Adjustments cannot be made between operations (non-personnel) and personnel and overhead line items. Changes to budget allocations, after the budget is enacted and implemented, require the Finance Director's approval. The Finance Department provides a monthly "Budget Accountability Report" for the Court and

executive departments to use in monitoring expenditures and revenues against the enacted budget. The Court Administrator for Business Operations uses these reports to monitor the Court's expenditures against budgeted allocations.

Human Resources and Payroll

The Court uses the County's "FastNet" system to manage human resources information and payroll. Once a new employee is hired, or an employee is moved to a new position or classification, Business Operations staff gather required documentation regarding the transaction. Staff enters data required for payroll into the FastNet system. New Court employees are scheduled by Business Operations staff for an orientation session, conducted by Metro Government Human Resources staff, that addresses employee benefits and related matters.

Business Operations staff coordinate and monitor human resources recordkeeping for all Juvenile Court staff. Notices are e-mailed to Division managers as reminders when due dates for the annual personnel evaluations are approaching. Business Operations staff enters completed evaluations into FastNet.

A revised timekeeping process has been implemented in response to concerns expressed in a 2005 internal audit report regarding the consistency of timekeeping. For each bi-weekly payroll period, staff work-hours are recorded on a divisional time sheet. Each employee verifies his or her work hours, and each divisional manager approves the time record for that Division. This has helped ensure consistent and complete timekeeping and has improved controls on the use of overtime, compensatory time, and leave. Business operations staff collects time sheets and enter the data into FastNet for payroll.

Procurement and Asset Management

Procurement and asset management functions are also handled using Metro Government procedures. Two Business Operations staff persons handle most procurement and asset management functions, including purchasing; travel, travel authorization and reimbursement; accounts payable; and asset inventory. Staff also manage the acquisition of telephones, pagers, and allocation of office space.

Business Operations staff can handle requisitions of less than \$1,000. When requisitions are filed, invoices are matched to approved requisitions, authorized for payment, and entered to the FastNet system. Metro Government's Real Property Division must bid purchases of equipment over \$1,000, after approval by the Court Administrator for Business Operations. All real property with a value of \$5,000 and computer equipment are logged by Business Operations staff into an inventory management system maintained by the Real Property Division. The equipment must be tracked until disposition.

Judicial Support

Two Business Operations staff provide judicial support services for Judicial Officers, in addition to other duties relating to procurement, human relations recordkeeping, and general office management. One individual calendars the judge's appointments, screens visitors for the judge, prepares and maintains correspondence, prepares and distributes orders to attorneys and litigants to ensure proper and timely delivery, and screens telephone calls that come to the administrative office. Another individual provides backup administrative assistance, shares responsibility for screening visitors and phone calls, and also provides support for referees. (Approximately 40 percent of her time is devoted to referee support.) In addition, she will attend court proceedings in referee courtrooms to back up the administrative support staff as needed and arranges

for interpreters when interpreters are required for scheduled hearings. Managing interpreter scheduling consumes approximately 20 percent of her time.

Grants and Contracts

One individual monitors grants under the general direction of the Court Administrator for Business Operations. Grant revenue has diminished in recent years due, in large part, to diminished federal funds availability. The Court has begun to scrutinize its grant funding streams carefully and is shifting away from reliance on grants for ongoing core functions, in order to ensure resource stability. At one time, the Court was receiving \$625,000 annually in Juvenile Accountability Block Grant Funds (JABG), supporting 6.25 FTE's. That grant stream is now down to \$140,000, supporting two full time Community Service Probation Officers and one part time Intake Probation Officer.

In 2005, overall grant funding was approximately \$1.7 million (not including local match amounts). The largest grant was for Title IV-D child support, at \$878,000 annually (with a local matching requirement of \$452,000). The other significant grant is the Child and Family Intervention grant administered by the State Department of Children's Services, which currently provides \$580,000 to the Court (with no matching requirement) and funds 15 probation officer positions. The grant is made available in an effort to provide the Court with the ability to use community supervision and avoid custody. The state has added performance measurement requirements. Given the state's financial position, there is some concern that this grant could be subject to cuts in the future. Reductions in available grants have been absorbed primarily through staff attrition and cuts in contracts with service providers.

The Court follows Metro Government's grant approval process. The Court must submit proposed grant applications to Metro's Division of Grants Coordination in accordance with the Division's policy manual. Proposed grants are reviewed by

the Grants Coordinator and are sent to the Mayor's Legislative Liaison and then to the Legal Division for drafting a Council resolution. The Finance Director must then approve the resolution before the resolution can be presented for Council approval. The Court submits the approved application to the grantor. If a grant is awarded, a similar multi-step process is followed. The multi-step grant application process requires careful planning to ensure that time is built in for the approval process prior to grant submission. Similarly, the time required for the contract approval process must be taken into account when planning the availability of grants funds for expenditure.

County policy contemplates that, in most instances, required local matching funds will come from appropriated budgets. If a grant includes a significant match requirement, the Court must consider whether it can absorb the match within its current appropriation. Otherwise, the grant planning process will also require planning far enough ahead to request additional appropriations for the matching requirement.

The Court's grant coordinator maintains close contact with the Metro Division of Grants Coordination when planning or developing grants to ensure that the process is handled as smoothly as possible and to keep informed of developments with respect to the status of federal and state grant programs. In turn, the coordinator keeps the two Court Administrators and the Division managers advised of the status of the availability of funding for ongoing grants to ensure that contingency planning can be undertaken when cuts are anticipated.

Observations

The regular staff meetings and monthly meetings with justice system partners are very positive means to maintain communication internally and externally. In addition to providing the opportunity for exchange of information and joint problem solving, face-to-face meetings facilitate better operational

communications. While the Court also makes regular use of written and electronic communication, the monthly meetings appear to be well attended and appreciated by staff.

The Business Operations Staff appears to have a substantial workload with its responsibility for managing and monitoring the budget, finance, grants, procurement, human relations, interpreter scheduling, general office support, and judicial support. Temporary increases in activity levels or temporary staff shortages due to illness or extended leave could put some activities at risk of being incomplete or untimely.

The payroll recordkeeping process has been improved to capture and verify staff work time. However, it appears from interviews with court staff that some court employees are voluntarily working additional hours on occasion without recording them or without taking off-setting compensatory time. This often occurs when staff put in extra time to complete time-sensitive tasks and is testimony to the dedication of the staff. However, it could put the Court at risk when non-exempt staff work extra hours, even though it is voluntary or undertaken without supervisor approval or knowledge.

Finally, the process for posting positions is not as transparent as it could be. Some staff noted that they were not always aware of internal position vacancies, and that they were not aware of a central location for posting Court positions within the Juvenile Justice Center itself.

Recommendations for Improvement

- 1-44. If pursuant to the recommendation in the chapter of this report on the Juvenile Court Clerk's Office at least one representative from that office does not regularly attend the monthly meetings held by the Juvenile Court, the Juvenile Court Judge should direct the Juvenile Clerk or a***

senior member of the Clerk's Office staff to participate in all monthly partner meetings.

Although the Juvenile Clerk is invited to attend monthly meetings with juvenile justice system partners, a representative of that Office usually does not attend. These meetings are very important for maintaining communications among all key organizations in the juvenile justice process and for continuous coordination and assessment of procedures and the performance of the key components of the juvenile justice system. Although the Juvenile Court Clerk is independently elected, the purpose of the Juvenile Court Clerk's Office is to perform the essential record-keeping functions for the Court. It, thus, has a key part to play in most of the Court's processes.

1-45. The Juvenile Court should clarify for staff and supervisors that all time worked must be accounted for and that the requirements of the Fair Labor Standards Act (FLSA) and Metro county work rules⁴⁵ must be followed for compensation for time worked in excess of the normal work week and of the alternative of compensating time off during the same work week. It should also review its current policies regarding work schedules, compensatory time, and overtime and adjust them, to the extent permitted by law, to reflect the irregular hours that some Court employees may need to work to perform their responsibilities.

As indicated above, the time accounting process has been improved to better track work time. However, it appears that some non-exempt staff are working beyond the standard workweek voluntarily and not accounting for that time. The staff dedication is laudable. However, the practice could put the Court at risk of violating not only the Metro Government work rules that it has adopted, but also FLSA. It is also important to ensure that the Court has an accurate record of all hours worked for planning, budgeting, and performance management, and to ensure that workload is as evenly distributed as possible. The Court should consider an in-service training session for

⁴⁵ The court has chosen to follow Metro County time accounting and payroll work rules.

managers and supervisors regarding these issues, perhaps with assistance from the Metro Human Resources Division. However, the Court should ensure that trainers are thoroughly briefed on the nature of its work, since the Court staff, particularly probation officers are typically called on to be available for non traditional hours and emergencies much more frequently than most government workers.

1-46. The Juvenile Court should clarify for staff its policy for recruiting for vacant positions for staff, being careful to distinguish between the process of filling a vacancy and reassignments due to reorganization. In addition, e-mail should be used to circulate notice of vacant positions to all staff, and a central location should be designated for posting vacancies for the benefit of staff.

Like all organizations, the Court uses both internal and external recruitment processes to fill vacant positions. It is important, both to ensure maximum effectiveness for the recruiting process and to ensure that staff feel that they have adequate opportunity to compete for vacant positions, that internal and external advertising of positions be complete. In times when significant change is taking place (often due to budget restrictions) that result in reorganization of staff functions and/or elimination of positions, it is important that staff understand that functional reorganization or the need to downsize can result in a management decision (and often necessity) to reassign a staff person or to reassign functions rather than fill a vacancy. Reorganization can create what appear to be new positions, but due to changing priorities or budget realities, that new position is different than traditional vacancy that occurs when a staff person leaves the position. Depending on the circumstances, managers could decide that the “new” position will be filled by recruitment. More likely, though, when reorganization necessitates the creation of the “new” position, it is effectuated through a reassignment of duties to an existing staff person in a current position (who may already be performing some or all of the duties). When organizational changes are

made, it is important to communicate as clearly as possible the nature of the changes taking place to ensure a good understanding of the new role of the affected position and to avoid the perception that recruiting policies are being circumvented.

1-47. The Juvenile Court should determine whether improvements could be made in the security lock system at the entrance door to the Administration Offices to allow support staff to determine the identity and purpose of persons requesting access to the Administrative Offices without having to leave their workstation prior to allowing entry.

Because there are courtrooms on both floors, there is significant public traffic around the entrance of the Administrative Offices. The Juvenile Court has a substantial number of people appearing for court every day under stressful circumstances, increasing the likelihood of a distraught individual entering the Administrative Offices and creating a disturbance or worse. The current card lock–buzzer system provides little actual security. A video camera and intercom that would allow staff to determine the identity and purpose of persons wishing access, before unlocking the door, would significantly improve safety at relatively little cost.

1-48. The Juvenile Court should determine whether functions relating to the production and mailing of court orders for the Judge and Referees could be re-allocated to the Clerk's Office or another office, in order to ensure that the Court's business operations are not delayed or interrupted by fluctuations in Court activity.

The Business Operations Division has put in place key business management processes for managing and monitoring procurement, accounts receivable, inventory control, payroll and other human relations functions, budget, and grants and contract management. In addition, the staff provide office support for the Judge and Administrators and oversee assignment and scheduling of

interpreters. Those procedures are essential to the functioning of the Court and must be accomplished thoroughly and in a timely manner. Production and mailing of court orders are important and time sensitive and, of necessity, will take precedence over business functions.

In most courts, the production and mailing of court orders to parties or the agencies responsible for service of process is the responsibility of the clerk's office. If this responsibility is shifted back to the Juvenile Court Clerk's office, the Juvenile Court should indicate clearly its expectations regarding timeliness and quality. If the Clerk's Office is unable to fulfill the responsibility, the Court should consider requesting the resources necessary to provide these support functions for all judicial officers through a separate unit. If a separate unit is created, some consideration should be given to allocating the interpreting scheduling function to the unit as well. If this shift results in periods of "down time" for some Business Operations Division staff, they could be re-assigned on an as needed to provide assistance to other units.

1-49. The Juvenile Court's current initiative to shift funding for ongoing, core operations to general revenue sources or "entitlement grants"⁴⁶ should be continued. Limited term grants should be limited to funding short-term improvement or demonstration projects where the grant priorities are in line with the Court's priorities and where there is a reasonable expectation of securing funding for ongoing operations if the improvement or demonstration effort is successful.

The leadership of the Juvenile Court have wisely determined to attempt to reduce reliance on limited term funding sources for core functions. There is no doubt that grant funding will continue to dwindle at the federal level. From

⁴⁶ "Entitlement grants" is used to refer to funds supplied by federal and state sources that are intended to be used on an ongoing basis to support a particular activity, such as the Title IV-D funds used to offset the costs of operation in the Parentage Division.

our discussion with the Court's administrators and staff, it appears that pressure on the state budget will put state grants at continuing risk. It is prudent that core functions be supported by sustainable funding sources, and that the Mayor and Council be kept continuously apprised of those core functions where "entitlement grants" are relied on, in the event that those funds are reduced.⁴⁷

Opportunities for limited term grant funding should be vetted carefully against the Court's goals to ensure compatibility. Otherwise, extending its operations into non-critical areas could dilute the Court's key initiatives and core functions. Further, the Court needs to ensure that there is a reasonable chance of securing funding for ongoing operations if the project funded is successful, or face the prospect of painful downsizing and/or an inability to meet expectations that may be created from the grant project.

8. Management Information Systems

Findings

The Juvenile Court is currently supported by two management information systems -- the Justice Information Management System (JIMS), which maintains electronic Juvenile Court case files for both the Juvenile Court and the Juvenile Court Clerk; and the Juvenile Case Management System (JCMS), which maintains case information for probation officer monitoring and tracking. Both systems are maintained by the Justice Integration System (JIS), a department within the Metropolitan Government, that provides comprehensive integrated justice information management products to Metro justice and public safety agencies. The JIS also developed and maintains an adult-based criminal justice integration system (CJIS) that links general sessions, criminal, and state traffic

⁴⁷ Entitlement grants are not immune to reduction. Title IV-D funding, for example, has been a target for reduction recently in the federal budget process.

cases and that allows users to access and view defendant and case-based information. Juvenile cases – of any type – are not part of this integrated system.

In February 2003, the JIMS was completed and introduced in the Juvenile Court. The system, which was modeled after the General Sessions court management information system and originally developed by Unisys, provides the court and clerk with case calendaring, docketing, and filing functions. The JIMS program was designed to link all related cases together in a logical manner, allowing the court to address all case-related issues in a single court appearance (e.g., additional charges and co-defendants on the original charge).

According to the Justice Integration Services website (reviewed last on January 18, 2006), major functions of JIMS include:

Data exchange with the Metropolitan Nashville Police Department, including:

- New arrests
- Arrest orders issued
- Arrest orders served
- Charge dispositions
- Officer schedules

Court-related functions including:

- Docket management
- State reporting (management reports)
- Court date notification
- Accounting/general ledger (scheduled for maintenance in July 2005)
- File check-in/check-out using barcodes
- Petition administration
- Document imaging
- Management of diverted cases

- Conflict checking for court date scheduling

Because the JIMS system was modeled after the adult criminal justice system, it uses criminal justice business rules, which do not easily translate to juvenile cases. Building the system in this manner resulted in the inability to distinguish between the various case types in the juvenile court. As a result, the JIMS system cannot capture either the diversion or truancy caseloads. In general, JIMS cannot currently keep up with the baseline work, and the bugs cannot be fixed with the number of hours allotted by the JIS Policy Committee.

JCMS enables Community Supervision Probation Officers to monitor cases and maintain case notes and actions on youth under their supervision. It went live in July 2005. This system, which features the ability to create and maintain a customized case plan for each child, schedules court-ordered classes, reviews and monitors attendance on court-related matters⁴⁸, and has the capacity to “track compliance with conditional release, public service, risk assessment, alcohol and drug assessments, drivers license restrictions, court ordered educational programs, and drug screen results.”⁴⁹ The JCMS system was built from the ground up by JIS, and the naming conventions between JIMS and JCMS are not consistent. For example, a “letter of apology” in one system is an “apology letter” in another.

The mission statement for JIS is clear that the agency is to provide justice management information products to Metro justice and public safety agencies in Davidson County. With the exception of a helpline, JIS does not provide ongoing support for the software products. To address this need, the Juvenile Court oversees matters relating to the daily maintenance of the automated information systems internally. Responsibility for this area lies with the Administrative Services Division. Two staff members are assigned to oversee the day-to-day

⁴⁸ JIS website, <http://jis.nashville.gov>. Justice Integration Services, Past Projects.

⁴⁹ JIS website, <http://jis.nashville.gov>, Justice Integration Services, Past Projects.

technology concerns of the Juvenile Court, which include the JIMS and JCMS programs – one full-time, the other half-time. The full time employee provides first (basic computer and software user questions) and second level (hardware concerns and system fixes) JIMS support for the Juvenile Court building including for administrative and management-level staff in the Juvenile Court Clerk's Office. They report directly to Court Administrator for the Division. Additionally, a Probation Supervisor provides support to out-posted probation officers as time permits; he also provides training to probation officers on the use of JCMS.

Although the JIS believes that state-mandated reporting capabilities have been completed for JIMS, the Juvenile Court Staff indicate that these have not been sufficiently completed to produce the reports needed. Currently, a Crystal Report (a Unisys application) must be written and the data must be analyzed in a separate spreadsheet or data analysis application to generate these reports⁵⁰. The full-time staff person in the Administrative Services Division is the only person in the Juvenile Court who has the capacity to write and produce reports using this application. Similarly, JCMS was supposed to include a number of PowerBuilder reports to use for management purposes. These reports were not developed with the JCMS software, so the system does not currently have the capacity to produce management reports. The delay in obtaining these reports likely results from JIS's development of the Version Control Management (VCM) system, which prevents problems associated with users having different versions of applications, such as PowerBuilder.

Priorities for the work of JIS are determined by the JIS Policy Committee, made up of representatives of the Metro justice and public safety agencies served by JIS. This body approves the priorities of the department as well as the design,

⁵⁰ Development of Crystal reports requires the user to fully understand the application, the data base and the data structure. Currently, all data queries must be written using this application.

development and operation of their projects.⁵¹ Additionally, the Operations Subcommittee makes policy recommendations to the Policy Committee. Each agency that is supported by JIS makes requests for new work or “fixes” to current products annually. Requests are accompanied with the approximate number of hours their request will require. The Policy Committee reviews these requests and determines what work will be completed each year and how many hours will be allotted to each agency. The Policy Committee determines the hours allotted and the individual agency determines the priorities within that allotment of hours. For example for fiscal year 2005, 600 hours were allotted to the Juvenile Court Clerk’s Office, and the Juvenile Court was allotted 300 hours for various fixes. These hours are “commissioned” to the agencies in 100-hour increments.

A number of issues that were not and could not be anticipated when JCMS was developed have come up since its original conception. Diverted cases is one such issue. Neither the JIMS nor the JCMS systems have the ability to respond quickly to business changes and needs or to quickly develop new components or modules for the system.

Software and hardware use training in the Juvenile Court and the Juvenile Court Clerk’s Office is limited and inconsistent. There is an unofficial “super users” group of employees who are computer literate and adept at using various types of software. These people are expected to help their less computer literate colleagues with software and hardware problems to the best of their ability. There is and has been no systematic training on either JIMS or JCMS for either the Juvenile Court or the Office of the Juvenile Court Clerk; JIS does not provide training for these programs. The Juvenile Court facility has a small training facility located in the basement of the building; however, training events are not regularly scheduled.

⁵¹ Justice Integration Services 2004 Annual Report, no date, no author.

The JIMS system provides for only two levels of authority for users. Anyone with authority to *touch* the record can *change* it. Only the full time Administrative Services Division Technology Specialist can make deletions, and he can only do this in a “back-ended” manner. In a file with no decree, he must delete the file, then send an email to the person requesting the deletion to verify and provide a record of the action.⁵² Delete authority cannot be given to users, because they would have access to too much of the system’s data. The JCMS maintains case protection by allowing users the ability to enter data into their own cases only. Supervisors can view cases, but cannot make changes or notations.

Observations

In general, the applications in JIMS and JCMS work, but the system is not totally normalized; that is, there are a number of fixes that must still be addressed if the software systems are to be of benefit to the Court’s daily operations. Moreover, the centralized control of the systems inhibit employees from making routine corrections to records. In many cases the Court has developed workarounds to problems found in the software, but some of these are cumbersome and time consuming.

Recommendations for Improvement

Accordingly, the Project Team recommends that:

1-50. The Juvenile Court should consider dedicating at least one additional full time position to the support of computer hardware and software systems. Both positions should be knowledgeable about all software the Court uses, including both JIMS and JCMS. Total staffing should include 1 FTE Administrative Assistant – this person should understand IT and support; and 2 FTE level 3 support persons (maintenance, traveling, and security).

⁵² This is a time-consuming and cumbersome work-around that should be fixed in the system.

The Juvenile Court's management information systems are key to its effective operation. If the one current support employee should take another position or go on extended leave, there would be no one to provide the necessary support and training. Increasing the Court's IT support capacity is necessary to ensure that it can carry out its responsibilities efficiently and effectively.

1-51. In the interim, the Juvenile Court should cross-train the half-time employee providing IT support on the development of Crystal reports.

The JIS, the Juvenile Court, and Juvenile Court Clerk must determine who has primary responsibility for training, technical assistance, quality assurance, and data integrity where management information systems are concerned. Currently, there is little coordination among these entities regarding training, and efficiencies could be gained by making some agreements here.

1-52. The Juvenile Court should strongly encourage the JIS Policy Committee to authorize resources to have the state-mandated JIMS management reports as well as the management reports in JCMS developed as soon as possible.

The absence of management reports hampers the Juvenile Court's ability to monitor and assess its performance. Enabling JIMS to easily produce at least the basic reports required by the state is the minimum necessary to enable the Court to effectively manage its operations. Since probation is a major component of the Juvenile Court's operation, developing at least basic management reports from the JCMS system is essential as well.

1-53. The Juvenile Court should use a portion of its allocation of JIS hours to address the user level, security, inconsistencies, and fixes required by JIMS and JCMS.

The Court's MIS systems need to more closely reflect the distribution of work within the Court's organization. Different levels of users need to be created

with different levels of authority – system administrators (the IT staff in the Administration Services Division), supervisors, and line users. Delete actions should be allowable by users and these actions should be tracked within the system to create records of these actions. Supervisors should have review and edit authority – should be able to add case notes, with a notation that they were made by the supervisor. The Court’s IT staff currently hold a weekly users meeting, called the Jigsaw Group, to discuss MIS needs and issues. The Jigsaw group should be asked to review the current workarounds, inconsistencies, fixes, and changes to JIMS and JCMS and should be prioritized within this group, reviewed by Judge Green, Mr. Adgent, and Ms. Johnson, and sent to the JIS Policy Committee for approval and action. See also, Recommendation 1-15.

1-54. As an alternative, the Juvenile Court should explore with the Metro Government and the Administrative Office of the Courts whether general fund monies or grant funding is available to contract with programmers who could work exclusively with the Juvenile Court and the Juvenile Court Clerk to bring both systems to baseline working order and to allow the systems to work as consistently as possible.

The JIS has been responsive regarding discussing the needs of the Juvenile Court. There are regular meeting times set by JIS staff to discuss JIMS and JCMS. The analysts know the applications well and the product that JIS produces is usually good. The problem is the amount of time it takes to make changes. Thus, exploring alternative ways of updating and fixing the current systems to better meet the needs of the Juvenile Court should be considered. If this work is contracted to a private vendor, JIS should participate in the oversight of the project to make certain the changes are consistent with state policies and standards.

1-55. The Juvenile Court should consider the creation of an Information and Technology Unit that includes a manager,

support staff, and at least three FTE. The FTE would support both the JIMS and JCMS programs through participation in JIS committees and by providing user assistance, conduct training on the use of both systems as well as other software used by the court, and keep abreast of other technologies that could be used to improve the work of the court, either by improving efficiencies or by improving public safety.

The court is committed to using technology – but the organizational structure of this unit may not be the best to take advantage of all technology. In addition to standard IT support, the use of technology requires attention to data integrity and quality assurance, which must be embraced by the technology unit. The technology unit could and should also be addressing and researching the use of additional technologies that could be used by the court, such as improved substance abuse testing, EHM and GPS monitoring, if the court should choose to use such technologies.

1-56. The Juvenile Court should provide the training to ensure that all members of its staff have a basic working knowledge of the software they are expected to use in the course of their jobs including basic computer maintenance procedures, such as file storage and back-up. The Court should also set an expectation that its staff will perform these tasks as part of their job duties.

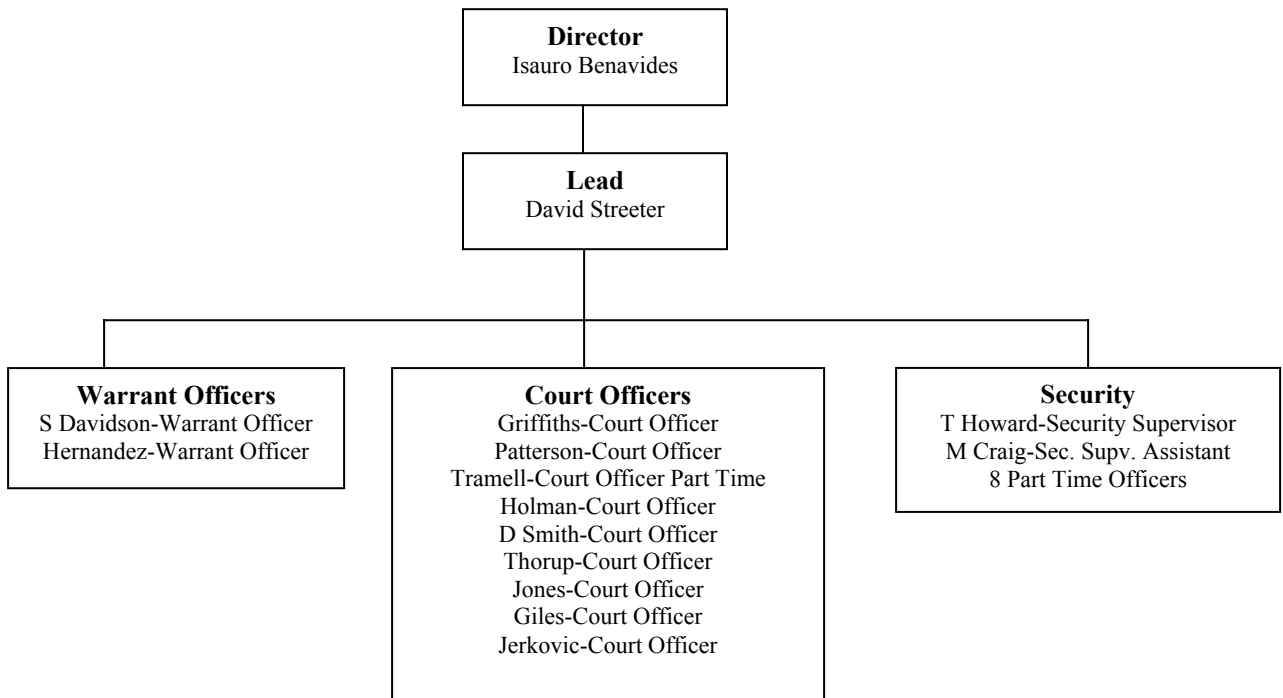
Together with providing the necessary equipment and software, the Court should ensure that its staff is able to use the computers and both the Court-specific and general programs effectively including JIMS or JCMS, whichever is applicable to their position, and the email, calendaring, word processing, and spreadsheet programs on the Court's system. These are now basic tools for their jobs. Staff should also be provided guidance on and expected to comply with the proper file storage protocols and backup procedures.

9. Security and Safety

Findings

Security enforcement officers, known as Warrant Officers or Court Officers provide safety and security to the court – both in and out of the courtrooms. The officers are also responsible for executing all service of process, arrest orders, and other orders as directed by the Court. The officers work with the Community Supervision Probation Section and the Metropolitan Nashville Police Department in developing the juvenile criminal intelligence information. Security officers are also frequently utilized as couriers for payroll and personnel. The department is staffed by two warrant officers, 8.5 court officers, two security supervisors, 8 part time security officers, and one department lead officer and director.

The Department of Security and Safety



Service of Process

The Security and Safety Department is charged with serving 500-800 warrants issued annually by the juvenile court. At the time of this study, 375 warrants were pending in the Davidson County Juvenile Court.

When warrants are received, they are delivered to the lead officer. The lead officer takes them to the detention facility where they are logged into the warrant logbook. A member of the Detention Center staff initials the entry into the log and is given a copy of the warrant. This individual then enters the warrant information into the electronic record system of the Metropolitan Police. When warrants are quashed, the security supervisor brings in the order to void the warrant and records the void status into the warrant log book next to the appropriate case name and number. The detention staff person also initials the entry. The original order to void is then hand-delivered to the Juvenile Court Clerk's office for filing and recordation. Detention staff void the warrant in the Metropolitan Police records and update the warrant card in the warrant bins.

After a warrant officer receives and enters the warrant into the log, a courtesy letter is sent informing the individual that a warrant has been issued. Fifty to one hundred courtesy letters are sent each month. If there is no response, the officer visits the address to serve the warrant. If present, the juvenile is taken into custody and detained. Warrants generated as result of a failure to appear (FTA) follow the same procedure.

The Security and Safety Department also serves summons. When a summons is served, the officer records the date and time along with the signature of the individual summoned to verify receipt. Warrant officers report that they frequently receive summons for a hearing too late to personally serve parties; as a result, they attempt to notify the individual telephonically that their hearing will occur the next day. When a warrant officer is unable to serve a summons, the

reason is manually recorded in a log book and the original summons is returned to the Juvenile Court Clerk to file for filling.

One security officer is assigned to work with the Community Supervision Probation Section to monitor gang-related activity. Together, the security and probation officer assigned to the special gang unit is able to ensure that all conditions of probation of an adjudicated gang member will be followed. This team also collects a great deal of information on gangs in the Nashville area.

There are currently two warrant officers who are responsible for all warrant and summons produced by five of the eight courts. Due to their numbers and the current workload, warrant officers must work alone and rely upon each other or more frequently Metro Davidson County police for any back-up required in the process of serving summons or exercising orders of arrest.

Procedures, Training, and Equipment

The Enforcement and Security Department is currently developing a policies and procedures manual. The current policy manual is more of a human resources guide and does not define the processes pertinent to the tasks and responsibilities assigned to the department.

Security officers report that their three largest concerns are staffing, training, and equipment. Many security officers believe that the bulletproof vests they are provided are ill-fitted and they lack any available avenue for having them adjusted. Security officers also expressed a desire to carry a baton in order to provide an additional non-lethal means of subduing an individual and for dealing with dogs when serving a warrant or summons. Currently, they carry handcuffs, mace, and a department-issued pistol.

Officers also reported that they do not have the ability to look up addresses or case information when in the field. Although officers are each issued a cell

phone, time is wasted by having to call the Court and wait for staff to find the proper information.

Building Security

The Juvenile Justice Center was constructed in the early 1990s and opened in 1994. Juvenile Court Administrative staff indicated that the building was, admittedly, “too small the day we moved in.” While the Court has been creative in the use of the space by consolidating processes in one location and using cubicles for court staff, there are still problems. For example, the physical workspace is not large enough to adequately house all eight judicial officers. Depending upon dockets and trial schedules, Judicial Officers are forced to switch courtrooms to accommodate anticipated crowds.

The court facility does not provide space which allows for the separation of victims, witnesses, and defendants. All parties must wait in the halls on either the first or second floor prior to Court sessions. The inability to separate potentially hostile parties presents problems in custody, child support, neglect and dependency, and potentially in delinquency cases. In 2000, there was a shooting in the parking lot across the street from the courthouse. This prompted some changes in security, but there are still several issues of concern regarding matters of safety and order.

A security supervisor and one assistant supervisor supervise eight part time officers who provide security at the main door to the court. The security unit scans all persons entering the juvenile court for weapons or contraband that would compromise the integrity of the building and judicial proceedings. This section monitors and operates all metal detector equipment; directs visitors to appropriate areas or to courtrooms as needed; monitors activity on the grounds of the juvenile court facility and parking areas; and escorts persons to the parking lot if necessary.

Courtroom Security

The lack of waiting space also affects the atmosphere inside the Court, when in session. The crowds in the hallways are noisy and the courtrooms are not adequately soundproofed, making it difficult to hear the proceedings. Also, parties often appear in court without having agreed to a settlement, and they must retreat to the courthouse hallways to finish business.

There are 8.5 FTE court security officers that maintain security and order within the eight Juvenile Courts. One court security officer is assigned to each court. In addition to providing security within the courtroom court officers also engage in some administrative case processing tasks such as making copies, calling the docket, and looking for participants. Although it is not unusual for court security to engage in such activities, security obviously is diminished while these duties are performed, particularly when these duties cause the court security officer to leave the court room. When a court requires coverage due to illness or vacation, a warrant (field) officer is pulled into the court to provide courtroom security. This removes the back-up potential for the one remaining warrant officer in the field who then must rely solely on Metro Davidson police.

Observations

The officers reported their primary concern was staffing. They feel stretched amongst their assigned job duties and responsibilities. If any officer calls in sick, takes vacation, or if a security event arises which requires several officers, the security coverage for the rest of the court is compromised. The department does not utilize technology nor do they have any administrative staff to perform tasks such as documenting return of service, receipt of summons or warrants, or any internal administrative functions. These duties fall to the Director and lead officer who also on occasion in addition to administrative duties assume security assignments. It appears there just are not enough bodies to perform all the tasks

and duties to their satisfaction nor do they take advantage of technology that could free up resources that could be utilized elsewhere. The ultimate result is a diminished level of safety and security for the court and for the individual officers especially those in the field.

Secondary to staffing are training and equipment concerns. The bullet proof vests issue has been discussed and court administration is aware of the concern. The Project Team observed what seems to be a disconnect between court administration and the Department regarding the necessary annual expenditures for a security force. The ammunition the Department utilizes is not routinely replaced and the Department reports that requests for asps or batons has not been addressed. Training is not routinely approved. The department is currently developing a procedures manual which will greatly aid the department but, in addition, officers require training. This procedures manual should include a use of force policy.

The Project Team also observed the existence of some “professional envy” between the Title IV-D grant funded (parentage) officers and the Department of Security and Safety officers. Although all those concerned recognize the parentage positions are federally funded positions, the Department of Security and Safety Officers take note of the significant differences in funding, assignments, workload, and training opportunities. The five parentage warrant officers have a support staff of three clerks and two administrative staff and are responsible for executing all notices of service of process and arrest orders for three parentage courts, while two warrant officers execute and serve notices for five courts and 8.5 officers provide courtroom security to all eight courts with no assistance from support staff.

Recommendations for Improvement

The Project Team recommends that:

1-57. The Juvenile Court should work with JIS to develop or adapt an automated system for tracking service of process, return of service information, and arrest warrants.

The current manual process is time-consuming and inefficient, and the multiple entry of basic information is prone to error. This may be an area in which a program being used by local police departments could be easily adapted for use by the Juvenile Court at relatively little cost.

1-58. The Juvenile Court should explore the availability of federal grant funds to ensure that the enforcement and security functions are able to be performed effectively and efficiently. Among the items that should be considered are hand-held or in-vehicle computers that enable security officers in the field to check JIMS without compromising the security of the system, state-of-the-art body armor, and batons or other non-lethal weapons.

Given the small number of officers involved, a modest grant from the Office of Juvenile Justice and Delinquency Prevention or the Department of Homeland Security may enable the Court to significantly upgrade the capabilities and safety of its Security and Enforcement Department.

1-59. The Juvenile Court should ensure that the policy and procedures manual being developed by the Enforcement and Security Department includes explicit guidelines on the appropriate use of deadly and non lethal force, and that all security officers understand and are able to apply these guidelines in the course of their duties.

Officers can be faced with making decisions that affect their futures in an instant. The time of the incident is not the time when your officers should be forced to decide whether they can or cannot use deadly force.

1-60. The Juvenile Court should consider developing a plan to remodel the court facility to provide adequate waiting and seating space to accommodate all of the courtrooms in

the facility. The waiting areas should be 200 square feet in size per general trial courtroom and up to 400 square feet in size for larger courtrooms.⁵³

The traffic patterns of the general public and persons having business before the court must be addressed by the Juvenile Court. When the court is in session, people⁵⁴ tend to congregate in the hallways by the courtroom entrances while waiting for their cases to be called or for court to begin. Aside from limited seating along the walls of the common lobby areas on both the first and second floors of the courthouse, there is limited waiting space for courthouse visitors, forcing them to mill about in congested areas and to compete for limited seating.

1-61. Safe and separate waiting rooms should be available to victims and witnesses in court proceedings to minimize the trauma and potentially dangerous situations created by the physical association between adversarial parties⁵⁵.

One of the most traumatic aspects of a trial or other court case proceedings for victims and witnesses is the potential for physical confrontation with the defendant or other adversarial parties in the matter before the court. The intermingling of defendants and witnesses for prosecution always presents the potential for intimidation and conflict. The opportunity for a mistrial due to improper communication is also increased.⁵⁶

⁵³ Hardenbergh, D., Griebel, M., Tobin, R.W., and Yeh, C.M. (1998). *The Courthouse: A Planning and Design Guide for Court Facilities*, National Center for State Courts, Second Edition, Williamsburg, VA.

⁵⁴ This includes defendants and their families, private and public attorneys, law enforcement officers, witnesses, CASA workers, probation staff, GALs, CSD workers, etc.

⁵⁵ Office for Victims of Crime, *Breaking the Cycle of Violence: Recommendations to Improve the Criminal Justice Response to Child Victims and Witnesses* (Washington, D.C.: Office of Justice Programs, U.S. Department of Justice, 1999); Hardenbergh, D., Griebel, M., Tobin, R.W., and Yeh, C.M., *The Courthouse: A Planning and Design Guide for Court Facilities*, National Center for State Courts, Second Edition, (Williamsburg, VA: NCSC 1998).

⁵⁶ Hardenbergh, *et al.*, *id.* at 101.

1-62. Attorney conference rooms should be provided for attorneys waiting for trials or during recesses.

The area can be used for group meetings, conferences with colleagues, telephone calls, and reading or writing. Such meeting spaces eliminate the need for attorneys to hold negotiation or other meetings in common areas.

1-63. All courtrooms and other waiting rooms/lounges should have adequate soundproofing so as to deaden sound transmissions from common waiting areas.⁵⁷

The atmosphere inside the courtroom should allow all persons inside the courtroom to hear the proceedings.

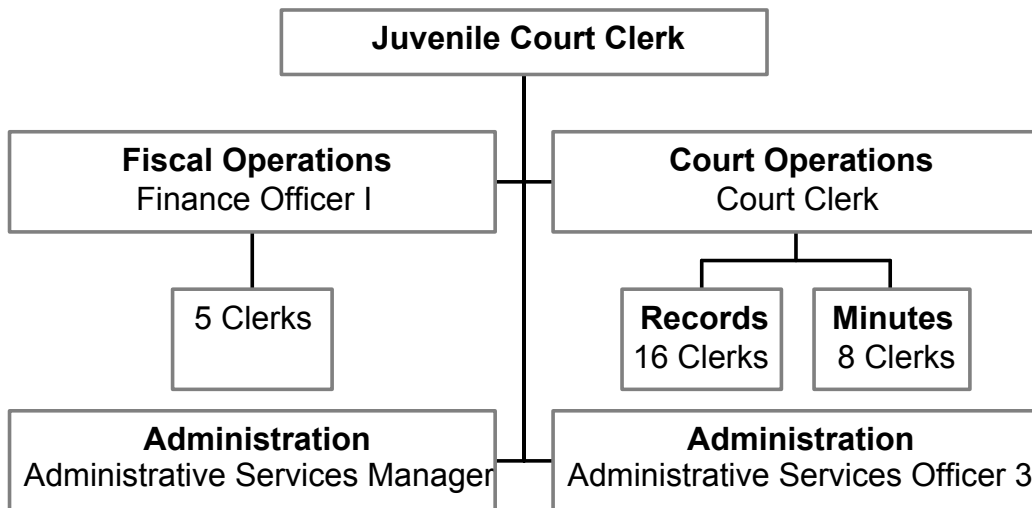
⁵⁷ *Id.*

CHAPTER 2. OFFICE OF THE JUVENILE COURT CLERK

A. PROFILE

The Juvenile Court Clerk is an elected official and maintains a separate budget from the Juvenile Court. The Clerk's Office is responsible for providing support to the Juvenile Court. This includes keeping all minutes, dockets, and records for all matters pertaining to the Juvenile Court. Additionally, the Office of the Juvenile Court Clerk collects fines, payments, and restitutions, as well as maintains accounts for child victim criminal injury. The Juvenile Court Clerk is also responsible for receiving and placing in the proper case files all petitions and other pleadings and documents filed with the Court.

The Office of the Clerk is staffed by a total of 34 permanent personnel including the elected Clerk of Court, plus temporary summer personnel.⁵⁸ The following chart presents the current organizational structure of the Office.



⁵⁸ A table describing the key roles and responsibilities of the staff of the Office of the Juvenile Court Clerk is contained in Appendix C.

The Office is organized into two operating groups – Fiscal Operations and Court Operations.

Fiscal Operations -- manages the finances of the Office, including the collection and accounting of monies for court fines and fees and for Title IV-D Child Enforcement Support Services. Six personnel, including a manager, work in Fiscal Operations.

Court Operations -- is composed of two separate and distinct functions: Records and Minutes. *Record clerks* are responsible for creating and maintaining case files, updating the Justice Information Management System (JIMS), pulling and re-filing case files from the Clerk's various record repositories, answering the office phone, and staffing the Clerk's customer counter to answer citizen inquiries. *Minute clerks* operate in the courtroom with the judicial officers. The minute clerks ensure that all records are available for court sessions. They also record case decisions and outcomes in the Court's automated records system (JIMS).

In addition, the Clerk maintains two administrative officers. The *Administrative Services Manager* serves as a deputy to the Clerk, sits on various Metro committees, interacts with the JIS on information system updates, and enters leave data into Metro's personnel system. This position does not have any direct reports. The *Administrative Services Officer 3* collects leave data from employees, distributes court documents, including mail, reviews the collection of court costs, and makes garnishment decisions. This position does not directly supervise any staff.

The authorized staffing levels for the Office of the Juvenile Court Clerk have decreased slightly since FY 2002-2003.

Office of the Juvenile Court Clerk - Position Summary						
Classification	2002-2003		2003-2004		2004-2005	
	Pos.	FTEs.	Pos.	FTEs.	Pos.	FTEs.
Administrative Services Manager	–	–	–	–	1	1
Administrative Services Officer 3	–	–	–	–	1	1
Chief Deputy Clerk - Juvenile Court Clerk	1	1	1	1	–	–
Court Clerk	8	7.5	8	7.5	6	6
Finance Officer 1	1	1	1	1	1	1
Juvenile Court Clerk	1	1	1	1	1	1
Office Support Manager	–	–	–	–	1	1.1
Office Support Rep 1	13	13	13	13	15	14
Office Support Rep 2	6	5.5	6	5.5	4	4
Office Support Rep 3	5	5	5	5	4	4
Office Support Specialist	1	1	1	1	–	–
Total Positions and FTEs	36	35	36	35	34	33.1
Seasonal / Part-time / Temporary	1	1	1	1	1	1
TOTAL AUTHORIZED POSITIONS / FTEs	37	36	37	36	35	34.1

Changes in staffing levels from fiscal year 2002–2003 to fiscal year 2004–2005 include:

- Addition of 1.0 Administrative Services Manager
- Addition of 1.0 Administrative Services Officer 3
- Reduction of 1.5 Court Clerk positions
- Addition of 1.0 Office Support Rep 1
- Reduction of 1.0 Office Support Rep 3
- Reduction of 1.0 Office Support Specialist

Expenditures for the Clerk’s Office since 2002-2003 were:

	2002-2003 (Actual)	2003-2004 (Budget)	2004-2005 (Budget)	% Change from '03 to '05
Operating Expenses				
Personal Services	\$1,194,839	\$1,379,700	\$1,321,100	11%
Operating and Maintenance	\$110,198	\$132,000	\$133,900	22%
Total	\$1,305,037	\$1,511,700	\$1,455,000	11%
% Change	–	16%	-4%	

Between fiscal year 2002–2003 and fiscal year 2004–2005, the budget for the Office of the Juvenile Court Clerk increased by 11 percent. This increase includes:

- An overall increase in personal services costs by 11 percent, which reflects a 15 percent increase from fiscal year 2002–2003 to fiscal year 2003–2004 and a 4 percent decrease from fiscal year 2003–2004 to fiscal year 2004–2005.
- An overall increase in operating costs, including a 20 percent increase from fiscal year 2002–2003 to fiscal year 2003–2004 and a 1 percent increase from fiscal year 2003–2004 to fiscal year 2004–2005.

Personal services costs represent 91 percent of the Office of Juvenile Court Clerk's operating budget.

B. ORGANIZATION, MANAGEMENT, AND TRAINING

Organization

Findings

As described above, the Juvenile Court Clerk's Office is divided into two major functional units, each with a manager and two additional senior level managers neither of whom have supervisory responsibilities. The organizational structure minimizes the number of exchanges required among the various functions with the Clerk's Office.

The Fiscal Operations Division has a supervisory ratio of one supervisor to five staff. The Court Operations Division has a supervisory ratio of 1 manager to 24 staff. Moreover, the supervisor for the Court Operations Division oversees units (Records and Minutes) with two distinct functions that have differing service level needs. Staff in this Division, in particular, are unclear about who is their direct supervisor.

Staff classification is not consistent with their assigned responsibilities. For example, the manager of the Court Operations Division is classified as a court

clerk (Grade SR06) as are several of the staff members under the manager's supervision. This manager also supervises an office support manager classified as a Grade SR09 who is utilized in the same capacity as a technical para-professional (Grade SR03) and an office support representative-1 (Grade SR04). The two senior level managers without direct supervisory responsibilities are also classified differently. The Administrative Services Office 3 is a Grade SR10; the Administrative Services Manager is a Grade SR15.

The Clerk's Office has not established a staff development system nor a formal training plan for personnel. Training, when provided, is very limited and focused primarily on courses offered by the Metro government that are general in nature. Technical training related to duties unique to the Clerk's Office is lacking.

Observations

In assessing the organization of the Juvenile Court Clerk's Office, the Project Team applied the following basic organizational principles:

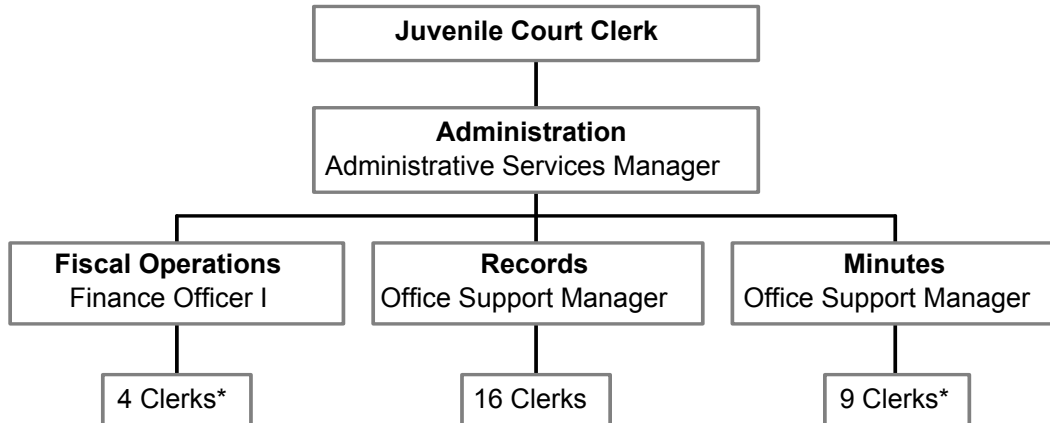
- Organizational form should follow function and the importance of each subunit in achieving organization-wide goals
- Organizational structure should foster accountability
- Organizational structure should enhance internal and external communication
- Organizational structure should promote operational efficiency
- The span of control for any manager should not exceed the number of staff who can be effectively supervised

As described above, there are significant opportunities for improvement in each of these areas.

Recommendations for Improvement

Based on these findings and observations, the Project Team recommends:

2-1. *The Office of the Clerk of Court should be reorganized as follows:*



This reorganization provides for direct supervision of each of the Office's functions and shifts one of the two administrative services managers into a "number two" position to provide day-to-day management of the office and oversight of all administrative functions, as well as supervising the managers of each of the operational units. While increased levels of automation and the implementation of performance management systems over the last decade have enabled organizations to increase supervisory spans of control, the environment that would enable this to occur does not exist in the Juvenile Court.

One administrative manager position would be eliminated under this plan. It is estimated that the net fiscal impact of this reorganization would be a cost reduction of approximately \$47,000, assuming a benefit rate of 30 percent and salary at the highest step for each classification.

Recommendation	Effect on Current Salary	Effect on Benefits @ 30%	Total Salary and Benefits Costs/ (Savings)
Eliminate the Court Clerk position over the Court Operations Division. Divide the Court Operations Division into two Divisions: Records and Minutes. Create an Office Support Manager position to manage a Division. Utilize the existing Office Support Manager to manage the other Division.	(\$33,145) \$41,886 None	(\$9,944) \$12,566 None	(\$43,089) \$54,452 None
The Office Support Managers over Records and Minutes Divisions report to the Administrative Services Manager.	None		
Eliminate the Administrative Services Officer-3 position. The Administrative Services Manager should be responsible for day-to-day oversight of the Clerk's Office. This position should absorb the duties of the Administrative Services Officer 3 when necessary. All financial related duties of the Administrative Services Officer 3 should be absorbed by the Finance Officer I	(\$44,943) None None	(\$13,483) None None	(\$58,426) None None
TOTAL COSTS/SAVINGS	(\$36,202)	(\$10,861)	(\$47,063)

Management

Findings

The Office of the Juvenile Clerk does not have a long-range plan, performs few planning activities for service improvement, and does not use formal performance goals or objectives in charting a course for the Office. Aside from planned enhancements to JIMS, the Office has not engaged in any strategic planning. While JIMS enhancements are critical to improved efficiency and effectiveness, JIMS addresses only a portion of the Clerk's activities. While in

several cases, the Juvenile Clerk has identified changes that would improve office operations (such as bar-coding files, utilizing imaging systems for documents, and increasing staff to support the court room activities of the Judge and referees), no plans have been developed to assist the Juvenile Clerk in moving these improvements forward.

No formal goals or performance objectives have been developed for the Juvenile Court Clerk's Office. There are no standards developed for distinguishing between "satisfactory" versus "unsatisfactory" performance levels. This lack of direction results in management of the Office being informal and reactive in response to problems that arise. Correspondingly, performance measures are not routinely utilized to assess overall performance of the Juvenile Clerk's Office. The Office does not collect or analyze any performance information regarding the level and quality of service it provides to the Juvenile Court, to citizens who use the court, lawyers who practice before the court, or other elements of the criminal justice system with which it must work. Although the JIMS information system has the capability to provide a great deal of information about the functioning of the Court and the Clerk's Office, it is neither being reviewed nor its data analyzed to make policy and operational decisions.

At the staff level, annual performance reviews are not always conducted. When they do occur, they do not usually include a discussion or documentation of goals and objectives for the coming year, leaving staff with little guidance regarding priorities or performance expectations.

Formal management team meetings are infrequent. When they do occur, they are largely limited to the senior managers. Regular staff meetings are not held on a functional unit basis. Managers confer on an as-needed basis as issues or problems develop. Communications to supervisors in the office and to staff are verbal and informal.

The Office of the Juvenile Clerk has limited written policies and procedures for use by staff in the performance of their duties. The notable exception is in the Fiscal Operations area, where written policies and procedures were developed in response to a prior audit. The lack of written policies results in personnel performing duties in a largely self-directed manner and relying upon other staff for guidance. Most information about business processes, and any associated changes, is primarily transmitted verbally among staff and managers. The JIMS system contains embedded in the program itself extensive documentation on the utilization of the system.

Meetings with individuals representing users of the Juvenile Clerk's Office services are not routinely held to enhance communication or address service delivery issues. While managers in the Clerk's Office are invited to several monthly staff meetings held by the Juvenile Court, they do not regularly attend. This lack of participation in these meetings results in a level of poor understanding between the two entities regarding the level and quality of services currently provided. Coordination with the Court is essential because the smooth functioning of the Court is dependent on the attendance of Minute Clerks in court sessions and the availability case files and the materials they contain.

Observations

Effective management systems ensure that an organization is focused on both immediate and long-term objectives designed to accomplish the daily mission and to plan for the future. They enable personnel to operate productively and efficiently. Among the management tools typically found in a well functioning public sector agency are:

- Written and up-to-date policies and procedures which are accessible to all personnel. A key related component is a process of regular review and updating of these procedures.

- Documented goals and objectives for each key functional unit. Performance against these goals and objectives should be measured and reviewed at least annually and serve as a basis for making decisions regarding service delivery methods, staff performance, and staffing levels.
- Periodic management and supervisory meetings focused on promoting internal communications and accountability of all management personnel. This should include both formal and informal interaction focused on addressing issues and on furthering the goals and objectives of the department.
- Periodic meetings with key external agencies to ensure external communications and discuss performance levels provided to users of the department's services. These meetings should be focused on addressing problem areas and reviewing service delivery alternatives.
- Utilization of data, from management reporting systems, for decision making and evaluating the effectiveness of service delivery methods.

There are several significant opportunities to improve the management systems used by the Juvenile Court Clerk's Office.

Recommendations for Improvement

2-2. The Juvenile Court Clerk should establish a strategic planning process.

Strategic planning need not be a time-consuming or burdensome effort. For example, as part of the annual budgeting process, the management staff of the Clerk's Office could identify the key issues in services or service-delivery methods that should be addressed over the next two-to-three year period and then utilize formal planning tools to develop implementation plans.

2-3. The Juvenile Court Clerk's Office should conduct employee performance evaluations annually.

These performance evaluations should look both backward and forward. In addition to assessing employees' performance over the prior year, they should be used to set goals and objectives for the coming year and develop an individual training plan to assist the employee in attaining these goals and

objectives and in developing the knowledge and skills needed for career advancement.

2-4. The Juvenile Court Clerk, in collaboration with the Juvenile Court, should develop measurable performance expectations for the fiscal, minute, and records functions of the Office.

These measures should form the basis of a monthly performance review of the Office to be held with the Court and be utilized for evaluation of staff and identification of trends. Standards should clearly identify “satisfactory” versus “unsatisfactory” performance levels and implications for either rating should be clearly communicated to staff.

2-5. The Juvenile Court Clerk should utilize a portion of its allocation of JIS resources to enable JIMS to record the data and produce management reports that will enable the Office to determine the extent to which it is meeting the performance expectations.

Performance standards can do little unless there is an effective means of measuring actual performance. Currently, the JIMS system captures significant data regarding the disposition of cases processed by the Clerk’s Office that could be accessed to measure various performance indicators including workload volumes and assessed fees versus collected fees. However, despite this capability, it is not producing reports to enable the leadership of the Clerk’s Office to manage operations effectively.

- 2-6 a. The Clerk should conduct monthly supervisors meetings to determine progress in meeting goals and objectives, review performance measure reports, and discuss service delivery issues that have arisen.**
- b. The Managers of each operating unit should hold monthly staff meetings with their respective personnel. Topics to be discussed at these meetings should include: organizational goals and accomplishments, work scheduling, operational**

issues and their resolution, customer service issues, and automation and training needs.

These meetings need not be time-consuming. They should be considered quick check-ups on Office operations, an opportunity to identify problems and possible solutions, and enhance coordination. Minutes from the supervisors meetings should be circulated to all staff in the office.

2-7. The Juvenile Court Clerk should develop a written policy and procedures manual for the Minutes and Records Units and review the existing policies and procedures for the Fiscal Operations Division for completeness, appropriateness, and current applicability. These policy and procedure manuals should be reviewed and updated at least every three years.

Policy and procedure manuals are an essential resource for existing staff, a key learning device for new staff, and a critical management tool for standardizing performance. In developing the policy and procedures for the Minutes and Records Units, the sample policies from Nashville-Davidson County Circuit Clerk can be used as a useful example.

2-8. At least one representative from the Juvenile Clerk's office should attend the monthly meetings held by the Juvenile Court to increase the exchange of information between the parties.

As noted throughout this report, improved coordination and communication between the Clerk's Office and the Juvenile Court is needed to improve operations of both entities and ensure that the public receives the highest levels of performance and service possible.

The Court generally convenes two monthly staff meetings, an all-hands meeting and an administrators meeting. The latter is attended by the Chief Judge, Juvenile Court managers, and representatives from other parts of the

juvenile justice system (District Attorney, Child Support, JIMS, etc.). The Clerk is invited to and receives an agenda for these meetings. The Court keeps minutes and records of attendance for the Administrative meetings but not for the all-hands meetings. A review of the minutes for 2005 indicated the Clerk's office attends most but not all of these meetings. The Clerk's attendance at these meetings for the January – October period of 2005 is listed below.

Month	JCC Attendees
January	Drury
February	No Clerk's attendee
March	Drury
April	Whitely
May	Utley
June	Drury
July	No meeting
August	Drury, Utley
September	No meeting
October	Utley

The Juvenile Court Clerk should continue to send those managers who work most closely with the Juvenile Court on day-to-day operations to the administrators meeting.

2-9. An annual survey should be conducted to determine satisfaction levels with the support provided by the Juvenile Clerk's Office.

It is critical for any business or public agency to periodically check with its customers on whether it is meeting their needs and expectations.⁵⁹ The recommended annual survey can begin with the Juvenile Court Judge and the referees to establish satisfaction levels and solicit feedback and input on ways service levels could be improved. Over time, the Juvenile Clerk's Office could expand the survey to include attorneys and other individuals who utilize their services.

Training

Findings

The Clerk's Office has little or no formal training or written training materials to guide new employees or to reinforce processes and procedures among seasoned employees. For example, there are no instructions on the creation, maintenance, and filing of the Office's manual record files. Most training in the Office is accomplished via on-the-job consultations with supervisors and colleagues. One employee remarked that, because training was limited, she learned office processes by making mistakes that were later discovered by other employees or managers. This process can be slow and painful for the personnel and for the smooth functioning of the Office and for relationships with the Court. Some mistakes, if left unchecked, can also result in significant legal implications, such as cases being dismissed due to procedural problems. Personnel in the Clerk's Office participate in training programs provided by Metro Nashville's Personnel Office. While these programs are valuable they do not address the specific needs of the specialized functions provided by the Clerk. On occasion, the Clerk will take several members of the staff to meetings of the State Clerk's Association where Court Clerk functions are discussed. The full extent of the

⁵⁹ See e.g., National Center for State Courts, *CourTools – Access and Fairness* (Williamsburg, VA: NCSC 2005).

Clerk's training program could not be determined because the Office does not maintain training logs for employees.

The Records Manager does provide at least some training to all new employees on the use of the JIMS system. To the extent that JIMS contains documentation and a structured format this training is consistent across the organization. There is, however, no guide to the JIMS training such that the level and consistency of this training may vary from employee to employee.

Observations

Effectively developing human capital is another basic organizational principle. Training and other staff development opportunities are essential not only to ensure consistent and efficient operation over time, but also to enhance staff morale and limit staff turnover. In addition, training is a critical means for effectively introducing improvements in processes and technology.

Recommendations for Improvement

2-10. The Juvenile Court Clerk should require the manager of each operational unit to develop a training plan and training materials for the staff of the unit. This training should focus on the basic office processes related to that unit and to the Office as a whole.

Among the topics that are appropriate for internal staff training are performance expectations, personnel procedures and benefits, use of the technology utilized in the office including the telephones, and customer service with the Court and persons appearing before the Court. Topics for staff of the Records Unit could include customer counter procedures, file creation and maintenance, and records retrieval and re-filing. For the Minutes Unit, the training could encompass court procedures, changes in the law affecting court orders, and file preparation. The training for the Fiscal Operations Division would cover proper fiscal and cash management

procedures and applicable statutes and regulations. The training program should include cross-training to facilitate staff rotation and accommodate absences and departures.

In developing the training materials, the managers should consult the Office policies and procedures, when developed, and review training materials prepared by the Court and by the Clerks of the Circuit and Criminal Courts of Nashville-Davidson County. Preparation of the training materials and the provision of training should be one element in the annual performance plans for each of the managers.

C. COMPLIANCE WITH RECOMMENDATIONS OF THE 2003 INTERNAL AUDIT REPORT

Findings

An Internal Audit was conducted from January 1, 2001 through August 30, 2002 examining the operations of the Juvenile Court Clerk's Office. A report was issued in 2003. The overall objectives for the Internal Audit report were to:

- Review Office's business processes
- Evaluate key operating and financial controls
- Identify weakness and strengths in the processes and control systems
- Develop findings and recommendations for any areas where performance could be improved

The audit reviewed various forms of documentation, including written policies and procedures, financial data, standard reports, and information maintained by the Clerk's Office and other Metro departments. Additionally, the audit team observed work site operations and interviewed key internal and external staff.

Among the key recommendations to the then newly-elected Juvenile Court Clerk were:

- Internal accounting controls should be strengthened over teller functions and bookkeeping operations

- Basic internal accounting controls should be implemented including:
 - Operational policies and procedures to strengthen internal controls over cash receipting and other processes and to ensure accountability for all funds under JCC responsibility
 - Appropriate cross-training for staff
 - Improvements in the teller, reconciliation, and accounting processes that address specific exceptions and weaknesses identified and provide an acceptable level of accountability
 - Implementation of a computerized accounts receivable system to process all transactions
 - Implementation of a requirement that all entries be accompanied by adequate supporting documents
 - Working with the Metro Treasurer to utilize the current Metro-wide banking contracts
- Implementation of basic payroll and personnel procedures and internal controls including:
 - Creation of written policies and procedures for non-civil service employees
 - Training to enhance the efficiency, effectiveness, and job satisfaction of all employees
- Completion of annual performance evaluations for all employees
- Correcting the fixed assets records in FASTnet and reconciling the differences between the computer inventory lists

In response to these recommendations, the Juvenile Court Clerk has initiated a number of improvements including:

- Improved internal controls such as:
 - Assignment of individual cash drawers
 - Consolidation of receipt books
 - Assignment of individual receipt books
 - Separation of duties (e.g., receipts and deposits)
- Development of policies and procedures relating to cash handling processes
- Updates of its fixed asset inventory to better reflect its current fixed assets

In addition, the Office has begun to utilize the new Metro automated personnel system. Once the Clerk's Office has fully transitioned to the new system, all payroll reporting and tracking will be automated.

Observations

Although the Clerk's Office has made progress in implementing the audit recommendations, there remain several areas of potential improvements, including the following:

- Internal controls in the automated systems are limited though the anticipated expansion of the JIMS system will remedy many of the deficiencies⁶⁰
- Manual processes are not being used to compensate for gaps in the capabilities of the computer programs
- With the exception of Model Clerk system for Title IV-D child support enforcement cases, there are not adequate financial reporting tools to: (a) determine all outstanding debt; (b) track payments; and (c) monitor performance and needs of collections activities
- Fiscal Operations Division personnel do not receive formal cash handling and internal controls training, as well as formal cross-training of key functions and remain in one assignment for long periods

Recommendations based on these findings and observations are included in the following section.

D. THE FISCAL OPERATIONS DIVISION

Internal Controls and Procedures

Findings

The Fiscal Operations Division is responsible for the receipt, disbursement, and recording of all monies collected for filing fees, court costs, restitution, drug and paternity tests, child support payments. Overall, the Fiscal Operations Division has six fulltime equivalents, including the Division Manager. The manager (Finance Officer I) is primarily responsible for directing the activities of Division staff, as well as performing the daily posting of transactions to accounts, reviewing daily receipts and disbursements, and balancing all accounts. There are two Office Support Representative-3 positions. One has primary

⁶⁰ A more detailed discussion of the capabilities of the Office's automated fiscal management systems is contained in the section on the Fiscal Operations Division.

responsibility for overseeing daily cashiering activities, including processing mail receipts, staffing the front counter, processing child support checks, balancing daily transactions in the State's financial tracking system, Model Clerk, and maintaining and issuing restitution payments. The other is primarily responsible for staffing the front counter and processing payments, as well as processing all garnishments for the Court. The one Office Support Representative-2 is responsible for the data entry of child support court orders into the Model Clerk system. Data entered includes address, employment information, amount of child support, custody information, and any additional data on the demographic sheet. This employee also staffs the front counter. An additional 0.6 FTE provides part-time assistance and is responsible for updating data in the Model Clerk system. The 1.4 Office Support Representative-1 FTEs are responsible for staffing the front counter, as well as the cashiering stations on the first and third floors of the Juvenile Justice Center and overseeing the collections activities. With the exception of the Division Manager, all staff are responsible for handling cash and processing payments for the Clerk's Office.

On average, the Division receives nearly \$17,000 per day. These funds must be disbursed to a variety of recipients, including state agencies, the Metro government, individuals, and businesses. The amount collected, the complexity of disbursements, and the high volume of transactions place a premium on internal control and tracking systems, both manual and automated.

The Juvenile Court Clerk's Office uses two automated information systems to conduct, record, and monitor its financial transactions. The Model Clerk System is a State system, which is utilized to document and track the Title IV-D child support enforcement payments. JIMS tracks all case information but currently is not able to track court costs, fines and fees, restitution payments, or garnishments. These payments are tracked manually in varying and limited ways.

Moreover, these financial systems and case files are not integrated. Payments are recorded and maintained in a receipt book and copies are sometimes stored in case files but, historically, this has been inconsistent. Financial data are also not linked to accounts including outstanding balances and to-date payments. Because of these gaps in automated programs and manual processes, Clerk's Office personnel do not have an easy way to access data regarding payments and monitor outstanding receivables. In addition, as indicated in the 2003 audit report, there are inadequate internal controls in Model Clerk to prevent personnel from voiding, refunding, or changing a transaction and insufficient manual audits of receipt books to ensure proper accounting for each numerical receipt issued or voided.

The information system, as it operated during the data collection phase of this study, did not provide the Juvenile Court Clerk's Office with the data necessary to ensure proper fiscal accountability and tracking (e.g., lack of complete and current data, proper internal controls, etc.).

The Juvenile Court Clerk's Office is in the process of implementing the accounting functions of JIMS. Full implementation will be complete in August of 2006 and will enable the Clerk's Office to:

- Enhance cash management capabilities of the Clerk's Office
- Automatically assess fees (e.g., filings, restitution, garnishments, etc.)
- Receive payments and balance multiple cash drawers and issue receipts
- Reduce duplicative, manual processes, including duplicative databases to track collections information

Implementation of the expanded functionality of the JIMs will provide the Clerk's Office with essential information about the fiscal performance of the Juvenile Court Clerk's Office. The Clerk's Office is aware of the importance of the

expanded capabilities of JIMs and is working closely with JIS to implement the additional functions in JIMs.

Apart from the recording and tracking financial data, the Office's collections process is uneven. Not only are there no criteria for determining whether an amount owed is "collectable," the Clerk's Office only pursues collection of outstanding court costs. Staff do not monitor or attempt to collect outstanding fines, fees, and other payments.

Furthermore, cash, checks, and records are not secured. The secured door that serves as the entrance into the Juvenile Court Clerk's Office is usually unlocked. Staff routinely place a passkey in the electronic lock to prevent the door from locking. Checks are not stored in the vault or another secured area. Access to checks is not restricted (i.e., in the Fiscal Operations Unit, boxes of checks were stored in the common area of the Unit and were not secured). Receipt books are not secured when unattended.

Observations

Internal controls help to provide assurance that assets are protected from theft, loss, or mismanagement and that reliable financial information is produced in a timely manner. Specific internal control objectives that help to achieve these broader goals include the following:

- Proper authorization of all transactions and activities to reduce the possibility that incorrect or fraudulent transactions or activities occur
- Assigning different people the responsibilities of authorizing transactions, recording transactions, and maintaining custody of assets to reduce the opportunity for any individual employee to both commit and conceal errors of theft of assets
- Design and use of adequate documents and records to help ensure proper recording of transactions and events
- Adequate safeguards over access to and use of assets and records to reduce the possibility of theft of those assets and concealment of illegal activity

Establishing effective internal control procedures will help minimize potential problems such as theft, fraud, and unintentional errors in recording accounting data. An important aspect to ensure that internal controls are effectively utilized requires management to monitor internal control procedures. Implementing internal control procedures is of little value in itself if there is not an effort to ensure that staff comply with the control procedures.

Recommendations for Improvement

In order to minimize the Office's exposure to risk:

2-11. The Juvenile Court Clerk should further improve internal controls over cash handling by ensuring that:

- a. All cashiers are required to document and report receipts that are not issued in numerical order on a daily basis***
- b. All refunds and voided transactions are approved by the Division Manager before being finalized***
- c. All voided transactions are reviewed weekly***
- d. Weekly reports are prepared of all voided transactions that list the transactions by cashier, the total dollar amount, and the reasons the transaction was voided***
- e. Weekly audits are conducted of receipt book that account for each receipt in order and are compiled into monthly reports that are submitted for review to the Juvenile Court Clerk***
- f. Monthly reports of transactions, by employee and type, are prepared and provided to the Juvenile Court Clerk for review and signature***
- g. Bi-monthly random audits are conducted of change funds***
- h. The enhancements to JIMS will restrict the ability to perform certain automated transactions, including refunds and voids***
- i. All members of the Fiscal Operations Division staff are cross-trained, and primary assignments are rotated twice each year***

The responsibility for performing the recommended audits and reviews other than the review of the monthly transaction reports should be assigned to the

manager of the Fiscal Operations Division. Given the relatively simple nature of these basic internal controls, the timeframe for implementing should be no longer than is necessary to provide the assigned personnel with the policy guidance and training required.

The cross-training for all staff should also be provided as quickly as possible (e.g., within 90 days), with refresher training and updates annually. Although it can be argued that periodic staff rotation decreases efficiency, it is needed for three reasons: to enhance skill levels; avoid staff burn out, and minimize exposure to risk. The provision of cross-training can substantially lessen any impact on productivity.

2-12. The Juvenile Court Clerk should improve the tracking of receivables by:

- a. Using the automated information systems to document all receivables**
- b. Requiring monthly reports to document outstanding receivables**

These improvements must await the expansion of the JIMS systems capabilities. Implementation can probably occur within six months. Creation of the monthly reports should be the responsibility of the Fiscal Operations Division's manager.

2-13. The Juvenile Court Clerk should establish and enforce policies to ensure the safety of Office staff, funds, and records.

This policy should prohibit the practice of keeping a passkey in the electronic door lock to prevent the door from locking and require that cash and checks are stored in the vault when they are not being directly monitored by the staff member responsible for them. Employees should be issued electronic passkeys and all entrances to the facility should be secured at all times.

2-14. The Juvenile Court Clerk should strengthen the Clerk's Office collections activities, including:

- a. Development of policies and procedures**
- b. Utilization of the new functionality of the JIMS system to minimize manual and duplicative processes**
- c. Expansion of collections activities to include all fines, fees, and restitution payments ordered by the Court.**

Establishing formal policies and procedures for collections will help to assure a professionalized and consistent method for performing all collections activities, minimize the perception of bias or differential treatment; and provide a tool to which staff can be held accountable. The procedures should clearly specify:

- The processes and associated timeframes, such as initial delinquent notice to be sent out 30 days after default, second letter mailed at 60 days, etc.
- The criteria for determining which accounts will be processed through collections (e.g., amount outstanding, payment histories, availability of pertinent information, such as address, employer data.)
- The staff responsible for performing all key tasks relating to collections.
- The manager responsible and criteria for reviewing cases on an exception basis (e.g., cases which meet established criteria but that the Clerk's Office has determined uncollectible.)

Additionally, the Juvenile Court Clerk's Office only attempts to collect delinquent court costs. The Juvenile Court orders a variety of fines, fees, and restitution payments, which are to be tracked and collected by the Juvenile Court Clerk's Officer. As noted in this report, the Juvenile Court Clerk's Office has lacked an automated financial management system to facilitate input and monitoring of outstanding receivables. However, the Clerk's Office is in the process of implementing accounting modules in JIMS, which will enable the Clerk's Office to document and track all financial data, including court costs,

finances, fees, and restitutions. Utilizing this added capacity, the Juvenile Court Clerk’s Office should be able to expand its collections activities to include fines, fees, and restitution without adding personnel.

A sample collections policy for the Juvenile Court Clerk’s Office is contained in Appendix G.

2-15. The Juvenile Court Clerk should review the collections program annually and assess if adjustments should be made, including the level of resources dedicated to the program, the overall collection rate.

Annual assessment of the Office’s collections efforts is necessary to determine which aspects of the program are effective and which aspects are not and to ensure that resources are being allocated appropriately. For example, does the amount of staff time and other costs warrant pursuit of amounts under \$25 or accounts receivable more than six months old?

Title IV-D Collections and Staffing Levels

Findings

The Project Team sampled cashiering transactions. The sample consisted of 16 randomly chosen days from calendar year 2005. The sample included all cashiering transactions (e.g., receipts from mail, Model Clerk, front counter, and outpost cashier booths) that occurred on the selected days. As shown in the following table, based on this sample, the Juvenile Court Clerk’s Office processes approximately 35,000 transactions per year.

Date	Cashier 1	Cashier 2	Cashier 3	Cashier 4	Cashier 5	Cashier 6	Total
02/28/05	30	0	26	65	33	0	154
03/01/05	80	0	20	33	0	0	133
03/02/05	16	0	0	18	49	0	83
03/03/05	18	0	2	31	13	0	64
03/04/05	96	0	17	27	33	2	175
03/07/05	22	0	0	7	7	0	36
07/05/05	129	0	0	42	0	0	171
07/06/05	46	0	0	21	27	0	94

Date	Cashier 1	Cashier 2	Cashier 3	Cashier 4	Cashier 5	Cashier 6	Total
07/07/05	134	0	0	17	37	0	188
07/08/05	89	0	0	42	27	9	167
07/11/05	50	0	10	0	106	61	227
10/31/05	152	0	2	50	35	0	239
11/01/05	49	49	3	7	39	0	147
11/02/05	33	0	22	22	18	0	95
11/03/05	68	0	0	14	31	0	113
11/04/05	77	0	0	47	22	1	147
Total	1,089	49	102	443	477	73	2,233
Annualized	17,016	766	1,594	6,922	7,453	1,141	34,891
% of Total	49%	2%	5%	20%	21%	3%	100%

These cashiering transactions involve a variety of payments, including Title IV-D child support. Currently, the Clerk’s Office accepts Title IV-D child support payments and documents receipt in the Model Clerk system. Funds are then deposited in the Clerk’s bank accounts. When the Clerk’s Office enters a payment in Model Clerk, the system is designed to flag the case and send a message to the State to process an automated clearinghouse (ACH) transaction against the Clerk’s account.

As shown on the following table, processing State child support enforcement payments accounts for 75 percent of the transactions processed by the Fiscal Operations Division.

<i>Payments by Type for Sample Period</i>			
Date	IV-D/Model Clerk Payments	All Non-Model Clerk Payments	Grand Total
2/28/05	154		154
3/1/05	109	24	133
3/2/05	60	23	83
3/3/05	46	18	64
3/4/05	124	51	175
3/7/05	0	36	36
7/5/05	132	39	171

<i>Payments by Type for Sample Period</i>			
Date	IV-D/Model Clerk Payments	All Non-Model Clerk Payments	Grand Total
7/6/05	76	18	94
7/7/05	128	60	188
7/8/05	114	53	167
7/11/05	194	33	227
10/31/05	195	44	239
11/1/05	110	37	147
11/2/05	56	39	95
11/3/05	60	53	113
11/4/05	119	28	147
Grand Total	1677	556	2,233
% of Total	75%	25%	100%

While the recording of child support payments is automated, the process for documenting other types of payments is largely manual, at least until the improvements in the JIMS system have been implemented. For example, the process for collecting court costs that have been assessed but not paid entails a manual review of accounts and court orders. Once documents are reviewed and determined to be “collectable,” these documents must be entered into a spreadsheet of accounts. Letters are then mailed to all delinquent accounts. The Office Support Representative-1 manually reviews daily payments to determine if delinquent court costs have been settled and updates the Excel spreadsheet accordingly.

The garnishment process is relatively manual as well. Accounts that have remained delinquent for several months are sent to an Office Support Representative-3, who is responsible for processing garnishments and maintains a paper file of all garnishments and updates each file as payments are received. The processing of restitution payments is similar. A paper file is created that lists the case number, victim, and person making the payment. As payments are received, the amount is logged onto the form and then posted into accounting

books. For other types of receivables, cashiers document each transaction in several ways, including documenting them in a written receipt book and then posting them in the accounts books daily.

Observations

The Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PRWORA), P.L.104-193, requires states to establish and operate a centralized unit for the collection and disbursement of any support collected under Title IV-D of the Child Support Enforcement Program. The Tennessee General Assembly passed legislation implementing the federal requirement to establish the Centralized Collection Unit (CCU) in Chapter 1048, Public Acts of 1998. Thus, local offices should not be receiving these payments with the exception of payments made to avoid going to jail or to get out of jail. Eliminating these transactions would have a significant effect on the Fiscal Operations Division's workload. The elimination or significant reduction of the several manual and duplicative processes as well as the introduction of the expanded fiscal management capacity of the JIMS system will have an impact on staffing needs in the Juvenile Court Clerk's Office.

The Fiscal Operations Division staffs the front counter from 8:30 AM to 5:00 PM, as well as additional cashiering windows from 9:30 AM to 4:30 PM. As shown in the table below, this totals 3,625 hours annually. The table is based on the assumption that the Office is open 250 days annually and that the ground floor counter is open during lunch and break periods but that the first and second floor counters are not open during lunch and break periods.

Cashiering Station	Hours per Week	Hours per Year
Ground Floor	42.5	2,125
First Floor	12.0	600
Second Floor	18.0	900
Total	72.5	3,625

Total annual staff hours per FTE is 1,950 (i.e., 37.5 hours per week for 52 weeks per year). Typically, the net availability for administrative positions is 80 percent. This figure includes 390 hours for annual leave time, holiday, and sick time. Thus, the Juvenile Court Clerk’s Office dedicates approximately 2.3 FTE to performing cashiering. This leaves 2.7 FTE hours to perform the other tasks such as garnishments, updating of demographic data, and collections. If collection of IV-D payments is largely eliminated and the remaining processes automated, the total staff time required to be dedicated to cashier-related tasks could potentially be as low as .6 FTE.

Recommendations for Improvement

2-16. The Juvenile Court Clerk, together with the Juvenile Court, should promote direct payment of Title IV-D child support to the State, and promote alternative methods of payment including the provision of a secured terminal in the Clerk’s Office that would permit child support obligors to make their payments directly to the State.

To reduce the workload of the Juvenile Court Clerk’s Office and improve the level of service to the community, the Juvenile Court Clerk and the Juvenile Court could: develop a campaign of awareness to ensure the public understands where and how to make payments to the State for Title IV-D cases and work with the State to promote alternative avenues of payment. Since only a secure internet connection is required for a web-enabled

terminal, installation of a computer terminal for use by child support obligors without computer access would cost less than \$1,300.

2-17. The Juvenile Court Clerk should eliminate all manual and duplicative processes once the accounting functions of the automated information system, JIMS, is fully implemented. Once fully implemented, the Clerk should eliminate at least the full-time Office Support Representative-1 position in the Fiscal Operations Division.

The efficiencies gained by automation and the workload eliminated by shifting child support payment responsibilities to the State in accordance with federal and state law will enable the Fiscal Operations Division to accomplish its remaining work with a smaller staff at the same or greater level of productivity and customer service. Staff assigned to the cashiering window can utilize the “downtime” resulting from fewer transactions to perform other functions, including garnishments, collections, and updating demographic information. The fiscal impact of this recommendation would be an estimated net reduction of at least \$37,000 based on the salary at the top step for the Office Support Representative-1 position (\$28,482) plus 30 percent benefits.

E. THE RECORDS UNIT

Findings

The Records section is the single largest component of the Clerk’s Office. The section is managed by a Court Clerk classified employee who splits his time between this function and managing the Minute Clerks. The 16 other employees in the Records section include:

- 1 Office Support -3
- 1 Office Support -2
- 11 Office Support -1
- 3 Technical Para-professional

Records personnel are responsible for creation, maintenance, and filing of all of the Juvenile Court's working records. These records must be stored in a secure environment and are maintained for use by the Court, legal representatives, and litigants as well as other components of the juvenile justice system. The Clerk is responsible for two basic sets of files because juvenile and adult records must be stored in separate filing systems. Juvenile files contain cases in which the juvenile is either a victim or a respondent in a case and adult files primarily contain paternity and child support cases. Child support cases have become a larger part of the Court's caseload in recent years spurred on by the role of Federal Legislation and State initiatives. A third set of files is used to store Order of Protection cases.

Juvenile files remain open until the juvenile reaches the age of 18 at which time the files can be de-activated and archived. During the past summer, the Clerk employed some of the 6 part-time temporary staff to package and ship 700 boxes (1,400 linear feet of files) to the Metro Nashville-Davidson County archives. The routine archiving of records will need to continue because of the finite file space in the office. The Clerk of Courts currently maintains the following files in its office:

- Juvenile Cases – Less than 19 years old, 1987 to the present
- Juvenile Cases – Over 19 years old, 1982 to 1986
- Adult Cases – 1968 to the present

These files are stored in the following locations within the office.

Case Files and Record Storage Locations	
Location	Content
“Cave”	Juvenile files – 1982 – 1984 Adult files – 1983 – 1984
“Cage”	First Lektriever – Adults 1985 – 1990 Second Lektriever – Juveniles 1985 File cabinets – Adults – 1968 – 1979
Office Vault	Sealed files in lateral file
Back Office Lektrievers	First Lektriever – Juveniles 1987 Second Lektriever – Juvenile Fat files Third Lektriever – Juveniles 1986 & Adult 1992 Fourth Lektriever – Adults 2003 – 2005 & Juveniles 1985 Pre-1994 and JIS Card files
Front Office Lektriever	Juvenile – 1988 – current Adult – 1994 – 73137
Locked File Cabinet	Order of Protection Cases – October 2005 – Current

As noted previously, personnel are also responsible for creating entries in two computer systems in addition to the physical records – the JIMS system that records all court activities and the Model Court system that is used to record information about child support enforcement cases. Records personnel staff the Clerk Office’s service counter where they dispense forms and information and gather filings from customers and lawyers. They also answer the office telephones. Because of the many functions performed by the records clerks, nearly all are cross-trained to provide multiple services. While some clerks have specific on-going duties, it is not uncommon for the manager to move personnel among functions (front service counter, telephones, file updating, pulling or re-filing cases) depending on the workload coming into the Office.

Record Clerks routinely pull files to add and update documents while Minute Clerks pull files for use in the courtrooms. In addition, records are made available to legal counsel in the Clerk’s Office for review and members of the

Juvenile Court staff visit the Clerk's Office to review and take files. The checkout process for tracking the flow of the paper files is quite rudimentary and prone to error. Whenever a case file is removed from the repository, the staff member removing it records the name of the person receiving the file on a card, notes the date on the card, and substitutes the card for the case file in the repository. The removal of the file is not recorded either manually or electronically so as to enable checked-out files to be tracked. The integrity of the system is further complicated by the fact that files may be passed among members of the Clerk's staff and Juvenile Court personnel without updating the checkout card placed in the repository. Finally, because the files are manually maintained, misfiling occurs. The fact that a file is missing is typically not discovered until the Juvenile Court has a need for that file. At this point the missing file becomes a crisis for the Court and the Clerk. The Clerk's Office staff does periodic "file roundups" by physically checking the desks of both Clerk and Court staff.

Metro's Information Technology Services (ITS) group upgraded the Clerk's Office phone system in mid-2005. The current system works through the Juvenile Court's telephone system. Since the upgrade, there have been problems with the technology that the Clerk's Office has been discussing with ITS and its telephone vendor, Bell South. These problems primarily entail losing calls when customers try to access the Clerk through the Court's main number and the queue management system. As a consequence, the Clerk has not been able to fully use the system's functionality. Several Record Clerks share responsibility for answering the office telephones. The number of personnel assigned to the phones varies by how busy the Office is with other duties (service counter, case file updates, JIMS computer entries, filing) and the number of people working on a particular day.

The Clerk's Office's automated voice message system is extremely limited. It instructs callers to remain on the line and states that the call will be answered in

the order in which it was received. The message does not provide any other information that might address the caller's needs, such as basic information about office hours, location, and directions to the Juvenile Court, or answers to the most frequently asked questions. In addition, the current automated telephone system does not enable callers to automatically leave a message. If a call is answered by a clerk and transferred to another person in the Office and that person does not pick up, the original operator does not come back on the line to take a message and there is no option to leave a voice message. The system has voice messaging capability but it has not been activated because the Clerk wants callers to talk with Office personnel.

The Juvenile Clerk's web site is similar in structure and content to the Juvenile Court's web site. Both contain basic information about their respective operations but do not provide any downloadable materials or interactive capabilities.

Observations

Record storage and retrieval is the core function of any court clerk's office. As noted in the discussion of the Juvenile Court's Adjudication Division, nothing can hamper the operations of a court, frustrate judges and lawyers, and anger litigants more than missing or incomplete files. While some of the problems discussed above are attributable to the failure to return or passing around of files by Juvenile Court personnel, even the impact of this practice would be mitigated if an effective file tracking system and active monitoring of file movement were in place.

The JIMS system has a bar coding feature that would enable the Clerk to better control the removal of case files from the repository. The bar coding system would enable the Clerk to keep better track of case files and the transfer of these files among Clerk and Court personnel. Furthermore, records managers would

be able to run periodic reports from JIMS to identify files checked out for extended periods of time. In the event that a file is missing, the Clerk would be able to document the chain of control for the file. The bar coding system is not infallible. It will require Clerk and Court personnel to routinely make check out and return entries in JIMS. This should not be a significant burden because both the Clerk and Court have access to JIMS. However, implementation of this procedure will require changes in the way Clerk and Court personnel routinely record their handling of files. Although this bar coding capacity has been available for some time, it has not been implemented and the Clerk does not currently plan for its implementation.

The JIMS system also has the capacity to image case file documents. Imaging documents in the case files would not only reduce the amount of work needed to maintain and pull files, but also enable employees in both the Court and Clerk's office to access documents electronically, thus eliminating the need for some records to be removed from the Clerk's Office. In addition, it would be possible to develop a front end to the imaged case files that would enable attorneys to access relevant records on cases they are working.

Another core obligation of courts and public agencies is to be accessible and convenient for the citizens they serve.⁶¹ Accessibility in this electronic age includes not only good signage including signs in Braille and ramps and doorways that accommodate wheelchairs, but also the capacity to obtain information via telephone and computer.

During the course of the audit, members of the Project Team tested the phone answering system and were sometimes placed on hold for 3 to 5 minute periods while waiting for a clerk to answer the line. It is unclear whether the long wait times are a function of inadequate telephone staffing in the Clerk's Office or a

⁶¹ Commission on Trial Court Performance Standards, *Trial Court Performance Standards*, Standard 1.2 (Williamsburg, VA: National Center for State Courts 1990).

function of the telephone system's queue management capability. Meetings between the Clerk and ITS about the phone system were on-going as this report was drafted. Whatever the cause, these waits combined with the minimal information available through voicemail and the inability to leave messages is more than a glitch; it is a structural impediment to access.

Public agencies in general have implemented web sites in recent years to better serve citizens. Nashville.gov is Metro's portal for accessing information about local government agencies in Nashville-Davidson County. Metro's portal references the Office of the Juvenile Clerk, but it only provides the name of the Clerk and the address and telephone number for the Office. Neither the Metro Nashville web site nor the Juvenile Court web site contains a reference or link to the Juvenile Court Clerk's site. The Juvenile Court has a web site (www.nashville.gov/jcc) that provides the following information:

- A list of key staff members
- A description of what the Clerk's Office does
- Daily office hours
- Court costs and fees
- Links to related agencies
- Static Information

Web sites are being used by clerks of court across the country to provide both static and interactive information to the end-users of the courts. Listed below is some of the information and services currently provided by the Circuit and Criminal Court Clerks in Nashville-Davidson County on their web sites.

The Clerk should carefully review the extent to which case information can be listed on the web given the need to protect the privacy of juvenile records.

Static Features

- Forms and applications – MS word and PDF formats
- Instructions on how to fill out the forms
- Local court and clerk rules
- Frequently asked questions
- Fee schedules

- Payment instructions
- Office hours
- Court address and directions to the court

Dynamic Features

- Docket schedules with case listings
- Case Link for attorneys–Information subscription service
- Case lookup by case number, names of litigants, attorney.

Interactive Features

- Ask the Clerk–Submit questions via the web
- Submit forms via the web
- Child support calculator

It was noted during interviews with members of the Clerk’s staff that information technology upgrades for the Juvenile Court and the Clerk have sometimes been extensions of developments that were originally developed for and implemented in the Criminal and Chancery Courts. It is possible that the re-use of code developed for the Criminal and Chancery Court web sites in Nashville could facilitate enhancements to the Juvenile Court Clerk’s web site.

Recommendations for Improvement

2-18. The Juvenile Court Clerk should immediately implement procedures and protocols to strengthen the controls on file removal and re-filing by:

- a. Establishing performance expectations for the expeditious return of case files to the repositories by all staff***
- b. Requiring periodic desk audits of files to ensure that all personnel are in compliance with the standards***
- c. Requiring periodic audits of pulled record cards to determine if checked out files are being returned to the repositories in compliance with Office standards and if files that have been checked out are still in the possession of the person who requested them***

With or without the technological enhancements recommended below, a great deal can be done to improve the manner in which case files are handled currently. Consistent with the Recommendations 3 and 6 under

management, standards, policies, and procedures governing the staff of the Clerk's Office need to be established, monitored, and enforced. In addition, the Clerk should work with the Juvenile Court to assure that Court personnel who routinely handle and retain files follow the same prescriptions. The recommended records audits should be conducted by the Records Unit Manager and Supervisor (Office Support 3).

2-19. The Juvenile Court Clerk should develop a plan for the implementation of the bar coding case tracking capacity of the JIMS system.

Since the bar coding and file tracking system functionality exists in JIMS and has been tested, implementation should require only limited JIMS resources. In addition, the system will require only minimal hardware (scanning wands for Court Personnel and Clerks and a bar code printer). It will require personnel resources. The Court handled 4,200 new juveniles and 3,800 continuing juveniles in FY2005—approximately 32 juveniles daily based on a workyear of 248 days. Some cases may require the creation of files and bar codes in both the juvenile and adult files of the Clerk. Using an estimate of 10 minutes to set up and bar code files for a case, approximately 1,333 hours of work would be required during the first year of operation at a personnel cost of approximately \$15,900.

Bar Coding Position	Hourly Rate	Benefits	Total Costs
Technical Para-Professional	\$9.18	\$2.75	\$11.93
Year 1 costs – 1,333 Hours			\$15,902

During the second year of implementation, the bar coding workload will drop because most of the coding would involve only new cases being processed by the Court. By focusing on bar coding new cases and continuing cases rather than all cases in the files, the Clerk should be able to efficiently extract maximum benefit from the bar code technology.

The plan to be developed should include firm dates for implementation and contain written policies and procedures as well as training materials. The Records Supervisor should be responsible for conducting the bar code training for both Clerk and Court personnel.

2-20. The Juvenile Court Clerk should develop a plan to implement the case file imaging capacity of the JIMS System. In addition, the Clerk should work with JIS to develop requirements for system enhancements that would enable attorneys working in the Juvenile Court to access some records electronically.

There are significant personnel and equipment costs associated with imaging. Since the number of documents in a file can be large and documents are added every time a case is heard in the court by a judge or referee, personnel would need to be assigned to scanning the documents. The Court handled 4,200 new juveniles and 3,800 continuing juveniles in FY2005—approximately 32 juveniles daily based on a work year of 248 days. Some cases may require imaging in both the juvenile and adult files of the Clerk. Using an estimate of 10 minutes to set up and image files for a case would require approximately 1,333 hours of work during the first year of operation at a personnel cost for Technical Para-professionals of approximately \$15,902.⁶²

Bar Coding Position	Hourly Rate	Benefits	Total Costs
Technical Para-Professional	\$9.18	\$2.75	\$11.93
Year 1 costs – 1,333 Hours			\$15,902

During the second year of implementation, the imaging workload will drop because most of the coding would involve only new juveniles being processed by the Court. By focusing on imaging new cases and continuing cases rather than all cases in the files, the Clerk should be able to efficiently extract maximum benefit from the imaging technology.

⁶² A more precise estimate of the time that will be required can be gained by tallying the number of documents processed by the Office over a two-week period.

- 2-21. The Juvenile Court Clerk should continue to work with Metro ITS to identify technical problems with the current phone system and to search for alternatives. Whatever phone system is eventually implemented should enable the Clerk's Office to:**
- a. Analyze call patterns (profile of incoming calls by time, the number of rings per call, and the number of dropped calls) to assess answering performance and telephone staffing needs**
 - b. Develop automated phone scripts that provide basic information about the Court and the Clerk's Office**
 - c. Conduct a study of the types of information requested by callers in order to compile a list of frequently asked questions and create scripts for telephone receptionists and for automated responses to these questions**
 - d. Implement the voice message capabilities of the system so that whenever a caller cannot reach a person in the office, a message can be left by the caller**

While ideally every caller should be able to speak to an actual person rather than listening to an automated message, it is evident that the number of calls, the level of work required currently of Records Unit staff, and the limitations of the current telephone system make achieving this ideal unlikely. Automated messages have limits, but they are better than having to wait for long periods on hold and can provide a quick means for answering basic and frequent questions from callers. Thus, installing a user-friendly voice message system would better serve people making inquiries and relieve clerks of having to personally respond to every caller. At a minimum, the scripts should provide information about operating hours, directions to the Court, and an option to select additional information about case initiation, records, and payments.

- 2-22. The Juvenile Court Clerk should develop a strategy for enhancing the Office's website to include capabilities currently available on the local Criminal and Chancery Court Clerk web sites. The Clerk should work with Metro**

ITS to develop a cost and implementation plan (time schedule) for the web site's development.

As indicated above, courts and clerks' offices across the country are using websites to provide basic information and make it easier for attorneys and members of the public to access the Court, their records, file documents, and make payments. While the latter two sets of capabilities are for the future, the Davidson County Juvenile Court Clerk's Office website should at least be comparable to those of the Clerks of other courts in the County. It should provide static information and the ability of users to download files (forms, instructions, dockets) as well as dynamic information on cases and the ability to submit inquiries to the Clerk.

F. MINUTE CLERKS UNIT

Findings

The Minute Clerks directly support the daily operations of the Juvenile Court by attending all court sessions, preparing and posting all court dockets, preparing court files for use by the judge and referees, and entering all case disposition information into the case file and JIMS. In short, their performance is critical to the ability of the Juvenile Court to effectively perform its responsibilities. As discussed earlier in this chapter, the Minute Clerks are supervised by an individual who is also responsible for overseeing the Records Management unit. While the interaction between the Minute Clerks and the Records Clerks are highly integrated and must be closely coordinated, the current lack of management controls and systems makes the oversight of both of these functional areas difficult and impractical for one individual to supervise.

The supervision provided to the Minute Clerks at the present time is lacking in several key management areas. In addition to those identified in the Management section of this chapter is the need for improved coordination of work schedules and time off. Despite the requirement that a Minute Clerk be in

the courtroom during open sessions, little to no effort is made to coordinate employee time off to minimize the number of individuals that are off work on the same day. The Minute Clerks are essentially left on their own to manage their work, address issues that arise, and set their work schedule, which frequently results in the lack of Minute Clerk coverage of a courtroom.

The Juvenile Court operates eight courtrooms staffed by the Juvenile Court Judge and seven referees. These courtrooms generally are in operation five days a week and handle multiple sessions or dockets to manage the assigned caseloads. For the 6-month period beginning on January 1, 2006, approximately 100 dockets or court sessions are scheduled weekly.

Whenever the Court is in session, state statute requires that a Minute Clerk be present to manage the case files, collect documents, and record actions taken by the Judicial Officer. At a minimum, one clerk must be assigned to each courtroom to support the basic needs of the Court (without consideration of employee time off). At the present time, an informal arrangement has been reached between the Juvenile Court Judge and the Juvenile Court Clerk under which a Minute Clerk is only provided to the Judge's courtroom approximately half time. This agreement was reached due to limited staffing and the identification of more pressing needs for the Minute Clerks' time.

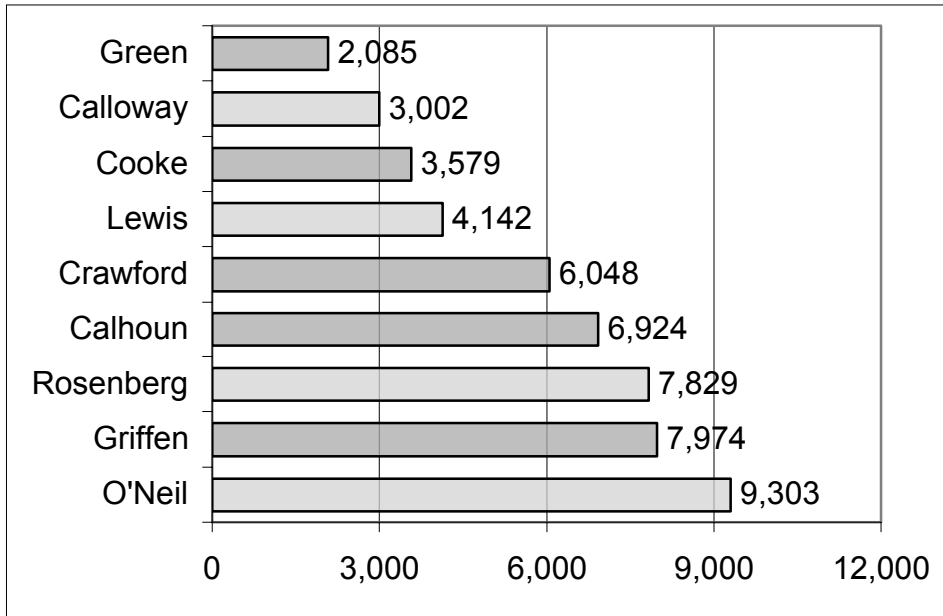
The Juvenile Court Clerk has addressed Minute Clerk staffing by shifting personnel from other Office units to serve as a Minute Clerk to cover absences of the permanently assigned Minute Clerk. Most often, the replacements are pulled from the Records Unit. However, this does not always occur. Many instances occur in which the Clerk is unable to assign an individual to a courtroom. This typically occurs when more than one Minute Clerk is absent at the same time. Neither the Court nor the Clerk collect data on the extent to which Minute Clerks are not on duty in the courtrooms, so the exact extent of this situation cannot be

quantified. When a Minute Clerk is not in the courtroom, the burden of performing these duties is reallocated to other individuals such as the court officers, probation officers, and/or secretarial staff from the Court.

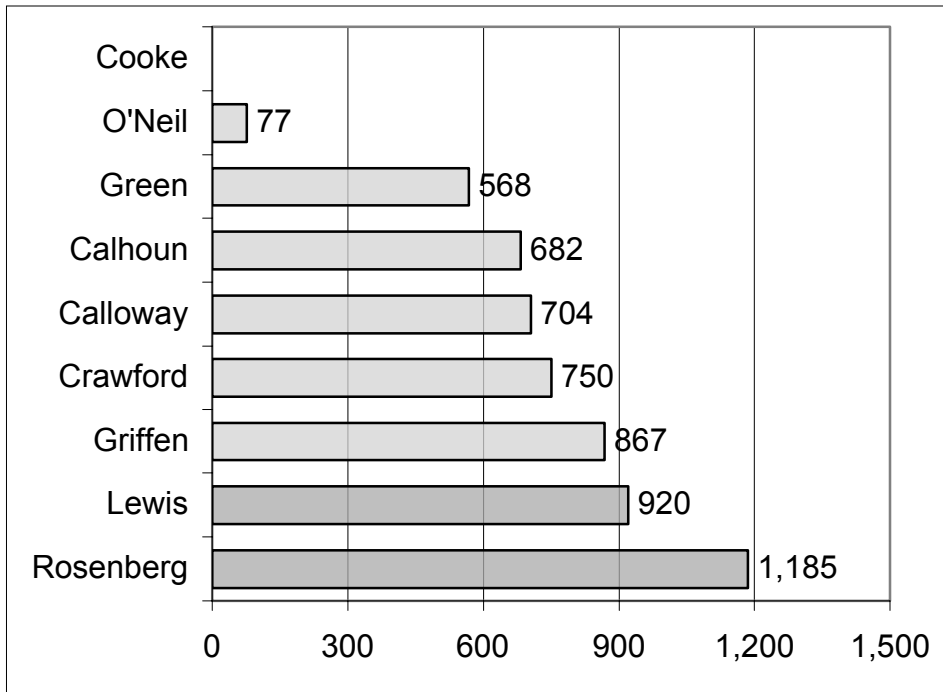
As noted in the profile, the individuals performing the position of Minute Clerk are currently classified in the budget in a variety of classifications including Clerk, Office Support Representative-1, and Technical Paraprofessional. However, all the positions perform the same basic duties in the courtroom related to referee support, document distribution, and the entry of court decrees into the computerized court system. The difference in position titles and salary levels appear to have occurred due to a variety of reasons including the reallocation of personnel within the department and historical budget limitations. These differences contribute to a poorly defined understanding of job duties and work expectations, which is exacerbated by particularly limited training that is offered. Upon hire, they are provided on-the-job training (largely at the hands of the Judicial Officer or other Clerk staff members) regarding their duties and the computer system but there are no formally scheduled training activities occurring after that point.

Two of the most critical duties of the Minute Clerk—entry of data into the JIMS system and filing of documents from court into the case file—are not reviewed for accuracy in any manner. Errors in entry and/or filing are noticed typically only at some future date when an individual's record or file is accessed. Workload varies considerable from courtroom to courtroom:

50,886 Hearings in 2004 – Listed by Judge or Referee



5,753 Trials in 2004 – Listed by Judge or Referee



One way the Office has attempted to address differences in workloads between courtrooms is to provide assistance to the Minute Clerks with the heaviest workloads by having Records Unit staff pull and re-file their case files.

Observations

The use of master work schedules and coordination of time off is important in any organization in order to provide staffing needed to cover on-going work activities. However, this need is even more critical in a function such as that performed by the Minute Clerks because of the need to support Juvenile Court activities. Additionally, the current staffing levels of the Minute Clerk function provide no excess personnel to cover normal absences from work due to vacation, illness, or other absences from the courtroom. Periodically, the ratio of Minute Clerks to Judicial Officer needs to be reviewed to ensure that it is appropriate and the staffing levels increased or decreased when necessary to ensure that the dispensation of justice is not hampered by the lack of a clerk in the courtroom.

Annual Work Hours	1950
Holidays (court closed)	75
Net Courtroom Hours to cover	1875
Allowance for Vacation, Sick Leave, & Training	315
Net Employee Availability	1560

Taking the leave or unavailable time per Minute Clerk multiplied by the number of courtrooms would result in a need for approximately 2,520 hours of additional staff time to supplement the assigned Minute Clerks. This equates to the need for 1.6 additional Minute Clerks to cover employee time off.

Based upon the above analysis, the Juvenile Court Clerk should target a staffing level in the Minute Clerk Unit that equals one more clerk than the number of active courtrooms. At the present time, this would require a total of nine Minute Clerks. The Minute Clerk who is not assigned to a courtroom should be utilized to cover courtrooms when other employees are off work. This addition of staff

would also provide an additional person to assist with extremely high workloads in a particular courtroom or to assist Minute Clerks who are falling behind in filing, docket preparation, or file review for completeness. While there will still be occasions when more than one Minute Clerk is absent at the same time, these should be reduced, in part, through better and more coordinated scheduling as noted in the preceding section. When this does occur, it will still be necessary to have an individual from the Records Unit, who should be fully cross-trained in the Minute Clerk function, to provide the necessary and legally mandated level of support to the Court.

Regardless of the number, for consistency and fairness, all personnel assigned to provide primary support to the Court as a Minute Clerk should be placed in a job classification title, such as the existing classification of "Court Clerk," that clearly reflects the nature of their job and that outlines roles, responsibilities, and assigned duties. The implementation of this change will require that some employees be brought to the minimum of the new salary schedule if it exceeds their current salary. For example, the entry rate for the Court Clerk classification is \$26,169 annually. Several of the existing Minute Clerks are paid below this rate. Implementation costs are estimated, if this salary level were utilized, at approximately \$10,000 to \$15,000.

Recommendations for Improvement

2-23. The Juvenile Court Clerk should expand upon the use of the master calendar to coordinate vacation and training absences for Minute Clerks against the daily assignment for the "floating" Minute Clerk.

The utilization of a master schedule for leave time is a common practice in both the public and private sectors to manage personnel resources. Given the current staffing levels of the Juvenile Court Clerk's Office, specifically in the Minute Clerk function, the enhanced utilization of a master calendar is necessary to address recurring issues related to the inability to cover each courtroom on a daily basis.

While in the past, full staffing of the courtrooms could not occur – due to insufficient staffing levels and expansion of dockets, the recommendations contained within this report should provide sufficient person hours to cover each courtroom on a daily basis – except in those cases of high utilization of unplanned leave time. However, this can only be accomplished with very tight control over scheduled time off (such as vacation, training leave, etc.) and adequate planning for the use of the recommended “floater” Minute Clerk. Unscheduled time off (such as sick leave and bereavement leave) may continue to create occurrences in which resources outside of the Minute Clerk work unit (such as assigning a trained employee from Records) will need to be allocated to assist in fully staffing the courtrooms.

2-24. The Juvenile Court Clerk should implement a tracking document that indicates the Minute Clerk who works each courtroom on a daily basis.

The proposed tracking system will provide data that will enable the Juvenile Court Clerk and the Juvenile Court to accomplish several functions: (1) better track the number of days Minute Clerks are absent from their assigned courtroom, (2) conduct advanced planning regarding daily work assignments for the new floating Minute Clerk position, and (3) track the utilization of staff from the Records unit to cover courtrooms. The data from this effort will enable a more refined analysis of the required staffing levels needed to cover courtroom duties. Additionally, it will ensure that data entry errors made in the processing of court orders can be attributed to a specific individual so that corrective action can be taken. While ideally this should be a feature of the JIMS system until such time as necessary modifications to JIMS are made, tracking should be conducted using an electronic spreadsheet. This tracking mechanism does not need to be elaborate and could be incorporated as an enhancement to the current master calendar kept by the Clerk’s Office.

2-25. The Juvenile Court Clerk should base staffing in the Minutes Unit to have one more Minute Clerk trained and available than the number of active courtrooms. The unassigned Minute Clerk should be utilized to cover the duties and courtrooms of Minute Clerks who are absent from the workplace.

At the present time, implementation of this recommendation would require the assignment of an additional person to serve as a Minute Clerk. The estimated annual cost of this position would be \$29,400 utilizing a salary in the lower third of existing staff and a benefit rate of 30 percent. During times when the person in this position is not filling in for an absent employee, time should be spent either assisting in entering data into JIMS, doubling up clerks for the day in the most active courtroom, or assisting the Manager in developing training programs for the Minute Clerks.

2-26. The Juvenile Court Clerk should standardize the classification developed and utilized for all the individuals performing the Minute Clerk function.

This reclassification should be based on a full evaluation of the position to ensure that the appropriate salary level is assigned. Employees transferred from the Minute Clerk unit to another unit in the Juvenile Clerk's Office should be placed into a more appropriate classification upon transfer.

2-27. The Juvenile Court Clerk should require the Manager of the Minute Clerk Unit to perform monthly audits of the work performed by the Minute Clerks including the accuracy and timeliness of entry into the JIMS system and the accuracy and timeliness of updating and returning case files to the repository or Records Unit.

While it is not possible, nor necessary, for a review to occur of all the entry and filing performed by the Minute Clerk on an monthly basis, the Manager should randomly select three or four cases for each Minute Clerk and review the accuracy and completeness of both the data entry in JIMS and the information contained in the case file. Additionally, when a complaint from a

Judicial Officer or other person is received regarding file incompleteness or other concerns, those complaints should be investigated, and the information should be recorded attributed to the clerk who was responsible for the contents of the file.

The Manager should keep a record or log of the audit reviews and performance on them included as part of the annual performance process. Errors noted should be discussed with the relevant Minute Clerk immediately for correction. The Manager should be looking for trends in these audits that might indicate issues where additional staff training or policy clarification should be developed to prevent repeated errors.

2-28. The Minute Clerk Manager should develop a monthly activity report that tracks key performance data for each Minute Clerk and Courtroom.

The monthly activity reports should use information accessible in JIMS to document the level of work activity for the Minute Clerk unit. Data collected and monitored should include basic workload information for each clerk and courtroom (such as number of cases handled, decrees processed, entries made), so that workload trends can be identified and utilized for adjustment in practices and future staffing decisions. This report should be shared with and discussed with the Juvenile Court Clerk and at the monthly meeting with the Juvenile Court.

2-29. The pulling and re-filing of case files by Records Unit employees should continue for those Minute Clerks assigned to the highest volume courtrooms.

The utilization of Records Unit personnel to pull and re-file case files for those Minute Clerks assigned to the highest volume courtrooms has assisted in ensuring that the duties of the Minute Clerks for whom this task is performed

should be periodically reviewed to ensure that Records Unit personnel are assisting those Minute Clerks whose caseloads are the greatest. If the number of Minute Clerks for whom this service increases significantly, this may impact the ability of the Records Unit personnel to timely complete other normally assigned duties.

CHAPTER 3 – RECURRING THEMES

In the view of the Project Team, the Davidson County Juvenile Court is dedicated to achieving excellence and to fully meeting its responsibilities to assist troubled youth and families, protect public safety, ensure justice, and operate as efficiently as possible. By reviewing some of its current approaches, making a number of administrative changes, and upgrading some of its infrastructure, the Team believes that the Court can even more fully meet its goals and the expectations of the citizens of Davidson County. The Davidson County Juvenile Court Clerk's Office, on the other hand, though it has implemented a number of the recommendations resulting from its most recent audit, is still not operating at the level of quality required to fully meet its responsibilities.

In considering the more than 90 improvements proposed for the Court and the Clerk's Office in this report, six themes emerge. While perhaps a third of the recommendations are related only to a specific unit or procedure, the remaining two-thirds fall within the following overarching categories:

3-1. The need to establish clear performance expectations and methods for measuring performance for Juvenile Court staff, Clerk's Office staff, and the interactions between the Court and the Clerk's Office.

Throughout the Court and the Clerk's Office, most units and staff do not have a defined set of performance standards, and neither the Court nor the Clerk's Office receive regular management reports that provide an indication of how well they are operating. Closely related are the recommendations concerning various upgrades in the capacity of the JIMS and JCMS systems to transform them from case tracking and recording mechanisms to true management tools. Although it appears that at least the Juvenile Court is operating effectively overall, without performance expectations and a measurement system in place, determining the effectiveness and efficiency of the Court and Clerk's Office overall, particular units, and individual managers and staff is left

to anecdote and impression. Examples of specific recommendations encompassed by this theme include:

Performance Expectations Recommendations: 1-4 and 1-5 (Court-related duties of minute clerks); 1-22 (probation officers); 1-59 (security officers); 2-4 and 2-7 (all Clerk's Office staff); 2-11 (cashiers); 2-14 (collections program); and 2-18 (records unit).

Measuring Performance Recommendations: 1-2 (caseflow and scheduling); 1-32 (Dependency cases); 1-38 (Drug Court programs); 2-3 (conducting annual employee performance evaluations); 2-6 (regular meetings of Clerk's Office managers to review performance); 2-9 (customer satisfaction survey); 2-15 (collections program review); 2-18 (case records audits); and 2-27 and 2-28 (minute clerk performance).

Upgrading JIMS and JCMS Recommendations: 1-15 (integrating the tracking of diverted cases into JIMS); 1-38 (Drug Court programs); 1-52 and 1-53 (working with JIS); 1-57 (tracking service of process and arrest warrants); 2-5 (Clerk's Office); 2-11 and 2-12 (developing automated financial controls); 2-19 (file tracking system); 2-20 (activating JIMS' imaging capacity); and 2-24 (employee leave schedule tracking).

3-2. The need to increase, broaden, and improve staff training and cross-training.

Most of the training that Juvenile Court staff and particularly Clerk's Office staff receive is "on-the-job." There is little orientation for new employees to explain their duties and what is expected of them; little skill enhancement training; little or no safety training to protect themselves and the juveniles they may be supervising; and little cross-training to facilitate staffing flexibility and job development. An enhanced training program is closely related to implementing a performance standards/measurement system and ensuring

that the Juvenile Court and the Clerk's Office operate as fairly, consistently, efficiently, and effectively as possible. Recommendations related to this theme include:

Training Recommendations: 1-6 (for minute clerks assigned to the Parentage courtrooms); 1-12 (cross-training for Intake staff); 1-17 (staff supervising juveniles in custody); 1-26 (safety training for community supervision probation officers when temporarily assigned to staff the detention center); 1-27 and 1-45 (training work time recording, comp. time, and overtime rules); 1-31 (cultural diversity training); 1-37 (for staff assigned to the drug court programs); 1-43 (safety training for staff assigned to the CWSP program); 1-51 (Crystal reports training for the Court's half-time MIS employee); 1-56 (training on Court software for all Court staff); 2-10 (training for all Clerk's Office staff); and 2-11 (Cross-training for Fiscal Operations Division staff).

3-3. The need for improved coordination between the Juvenile Court and the offices and agencies that work with the Court.

All courts necessarily have a symbiotic relationship with the office responsible for creating, receiving, maintaining, and providing its case files and records, and a defining characteristic of juvenile and family courts is their close collaboration with a host of juvenile justice, child and family services, educational, and health social services agencies. Thus, effective coordination is key if a court is to be able to provide timely justice and facilitate the delivery and receipt of needed services. Like most juvenile courts, the Davidson County Juvenile Court maintains a broad range of court-agency relationships. Thus, it is noteworthy that the Project Team learned of only a few coordination issues. The most significant of these concerns the on-going service delivery and communication problems related to the support functions

of the Juvenile Court Clerk's Office. Areas in which coordination can be improved are discussed in the following recommendations:

Coordination Recommendations: 1-16 (with Youth Services regarding diversion); 1-33 (increase number of DCS court liaisons); and 1-44, 1-48, and 2-8 (between the Juvenile Court and Juvenile Court Clerk).

3-4. The need for the Juvenile Court to carefully define its role and determine the workload and resource implications when it takes on new programs or expanded responsibilities.

Tennessee Code sections 37-1-105 and 37-1-106 define the Juvenile Court's work as determining and addressing the needs of juveniles and their families. The Davidson County Juvenile Court interprets this authority expansively. Throughout the Court organization there is a "can-do" attitude and a "if no one is willing to do it, we will" approach. This is reflected in its numerous specialized programs, the emphasis on families rather than juveniles of its probation staff, the "work-arounds" developed to deal with problems with court records and the timely distribution of court orders, and the willingness of Court staff to take on responsibilities that may be more properly performed by other entities. In the instance of the acceptance of child support payments, the Clerk's Office has also taken on a burden that is another office's responsibility. While this full-service approach is a clear benefit in many instances to troubled families and youth, it may be unnecessarily straining the capacity of the Court's and Clerk's Office staff. Many Court employees regularly work extra hours each week just to get their work done. Others are performing tasks for which they are not trained or equipped. In some instances this is the result of inadequate support or inefficient processes and procedures. In some, it may be the result of inadequate staffing. But, in at least a few notable instances, it can be ascribed to the Court absorbing

functions that are properly vested in executive branch agencies. Recommendations concerning these issues include:

1-8 (determine the workload impact of the new ex parte protection order program); 1-9 (leave charging determinations in felony matters to the District Attorney); 1-18 (workload assessment for Community Supervision Probation Officers); 1-19 (prioritize the cases in which full probation will be ordered); 1-21, and 1-42 (employ a more strategic approach to the use of probation); 1-23 (streamline release from probation decisions); and 2-16 (promote direct payment of Title IV-D child support to the state rather than through the Clerk's Office).

3-5. The need for a thorough review of salary classifications, job qualifications, and job descriptions.

In almost any organization, the salaries, duties, and qualifications of staff will drift out of balance over time as duties and jobs change, personnel leave or change positions, and workload shifts. This has happened in both the Juvenile Court and the Clerk's Office. Staff with the same job title have highly different responsibilities; staff performing the same functions have differing titles and salary classifications; administrative staff have taken on professional staff responsibilities; and line staff are serving as supervisors. To ensure fair payment and recognition of individual staff, maintain the integrity of the job classification system, and make certain that staff have the training and experience to perform the duties they are assigned, the Court's and Clerk's personnel structures require realignment. Specific recommendations include:

1-14 (intake staff), 1-25 (probation officers), and 2-26 (minute clerks).

3-6. *The need to enhance the security of Judicial Officers, staff, litigants, detainees, witnesses, attorneys and members of the public using the Juvenile Justice Center.*

Recent incidents have graphically demonstrated that courthouse security and the security of probation officers and other court staff who work directly with juvenile offenders and troubled families cannot be ignored. Emotions run high in many types of cases coming before the Juvenile Court, and at least a few of the juvenile and adult respondents with which Court and Clerk's staff must work, are prone to violence. Building design, appropriate procedures, and proper equipment and training can significantly lessen the danger to all involved and reduce the potential liability of the County should an incident occur. The recommendations discussing these issues include:

1-17 (intake staff who supervise detained youth); 1-29 (probation outpost offices); 1-30 (home visit procedures); 1-47 (Court administrative offices); 1-58 (safety equipment); 1-60 and 1-61 (waiting areas); and 2-13 (safety of Clerk's Office staff, funds, and records).

The Project Team recognizes that many of these recommendations are inter-related, and that because of the time, funds, and efforts required, they all cannot be implemented immediately. However, they provide a roadmap for a multi-year journey toward improved operations, service, and results for the Davidson County Juvenile Court and the Davidson County Juvenile Court Clerk.

APPENDIX A

SAMPLE DATA COLLECTION INSTRUMENTS

**Adjudication Division
Work Process**

NAME: _____ TITLE: _____

PHONE: _____ YEARS WITH AGENCY: _____ NON-EXEMPT? _____

DUTIES/RESPONSIBILITIES

1. What are the primary duties/responsibilities of your court?

2. What key outcomes are associated with the work of your court?

ORGANIZATIONAL STRUCTURE

3. Who is your immediate supervisor?
 - What role does s/he play for you?
 - How often do you meet?
 - Does s/he sign off on reports or major decision points?
4. Do you supervise anyone?
 - If so, how many?
 - What do they do?

POLICIES/PROCEDURES

5. Do you have a set of policies and procedures/standards that guide your work?
6. Are these measured in any way?
 - Please explain how:
7. Do the policies/procedures/standards help you to complete your work?
 - Please explain:
8. Are there areas of your work that are not guided by policies/procedures/standards?
 - Please explain:

WORKLOAD

9. What is your average workload size?
 - New Cases
 - Open Cases
 - Other
10. How does your workload compare to others referees?
11. How manageable is your workload?
12. How does your caseload compare to 1 year ago? 6 months ago?

13. Have there been any significant recent changes in the work you are expected to perform with your caseload?

- If so, explain:

14. How has the transformation to 1 judge/1 family model impacted your work?

- If so, explain.

CUSTOMERS

15. Who do you consider to be your customers?

16. How do you determine customer satisfaction?

17. Do you know whether you are doing a good job?

- If so, how?

RESOURCES

18. Do you have adequate resources to do your job?

- Please explain:

19. Is your work space adequate for conducting your work?

- Please explain:

20. What additional resources would help you do your job better?

- How would they improve your work?
- How would they improve performance/outcomes?

AUTOMATION/INFO SYSTEMS

21. To what extent is your work automated?

- Case assignment
- Case documentation/minutes/notes
- Schedule of events/reminders
- Other

22. How well does your automated system work?

- What do you like about it?
- What don't you like about it?
- How could it be improved?

23. Are there assurances/controls in the system that ensure privacy of information and limited access?

- Please explain:

24. Tell me about the training you received to use this system.

- Was it adequate?
- Was it timely?
- What more did you need to learn?

25. Could the system be improved?

TRAINING: NEEDS AND OPPORTUNITIES

26. What kind of on the job training did you receive when you first took this job?

27. Do you receive regular training related to your job?

- What kind?
- How often?

28. Do you have annual training requirements?

- If so, please explain:
- Are they enforced?

29. How do training opportunities arise?

- Are they presented?
- Do you request training?

30. Is the ongoing training you receive adequate?

- Why/how?
- Why not?

STRENGTHS/WEAKNESSES/OPPORTUNITIES FOR CHANGE

31. What do you do well in your court?

32. What could be improved upon in your court?

33. Think about the *system* you work in: what does the system do well?

34. What could the *system* improve on?

35. What are the five issues or practices that, if resolved, could improve the work you do?

- _____
- _____
- _____
- _____
- _____

36. What are the five practices or policies from outside agencies that have made it more difficult to do your job?

- _____
- _____
- _____
- _____
- _____

37. In the past five years, what changes have improved your ability to do your job?

- _____
- _____
- _____
- _____
- _____

Adjudication Division
Work Flow

1. Take me through a normal day in your job.
2. What are the primary tasks you perform each day?
3. Is your work typically the same from day to day?
 - a. If not, can you identify your primary job duties and walk me through each one, from beginning to end?
 - b. What is the “beginning” of each primary job duty and what are the steps you take to “close” the case or project?

Are there primary tasks that you could divide your work into? Could you walk us through those from beginning to end?

Professional Services Division: Adolescent and family drug court services
(Services, supervision, monitoring, drug assessments and screens)
Work Process

NAME: _____ TITLE: _____
PHONE: _____ YEARS WITH AGENCY: _____ NON-EXEMPT? _____

DUTIES/RESPONSIBILITIES

1. What are the primary duties/responsibilities of your unit?
2. Are your individual duties/responsibilities different?
 - If so, how?
3. What kinds of cases do you handle?
4. What are the primary services you provide to your clients?
 - Assessment
 - Referrals for treatment/service
 - Case management
 - Reports
 - Contacts with other agencies/entities
 - Drug testing (process/protocol?)
 - Other
 - Other
5. Do you have responsibilities to people other than your direct "client?" (i.e. parents, family members, treatment providers, DA, defense bar, etc.).
6. What key outcomes are associated with the work you do?

ORGANIZATIONAL STRUCTURE

7. Who is your immediate supervisor?
 - What role does s/he play for you?
 - How often do you meet?
 - Does s/he sign off on reports or major decision points?
8. Do you supervise anyone or are you a team leader?
 - If so, how many?
 - What do they do?

POLICIES/PROCEDURES

9. Do you have a set of policies and procedures/standards that guide your work?
10. Are you familiar with the 10 Key Components for Drug Courts? Do you follow these?
11. Are these measured in any way?
 - Please explain how:

12. Do the policies/procedures/standards help you to complete your work?

- Please explain:

13. Are there areas of your work that are not guided by policies/procedures/standards?

- Please explain:

WORKLOAD

14. What is your average caseload size?

15. Do you manage your caseload alone or by team?

- If a team, who are the other team members?

16. How does your caseload compare to others in your unit/doing similar work?

17. How manageable is your caseload?

18. Do you believe you can complete all of your work according to expectations with the given caseload?

19. How does your caseload compare to 1 year ago? 6 months ago?

20. How does your workload compare to others doing the same kind of work?

21. Have there been any significant recent changes in the work you are expected to perform with your caseload?

- If so, explain.

CUSTOMERS

22. Who are your customers inside the court?

23. Who are your external customers?

24. How do you determine customer satisfaction?

25. Do you know whether you are doing a good job?

- If so, how?

RESOURCES

26. Do you have adequate resources to do your job?

- Please explain:

27. Is your work space adequate for conducting your work?

- Please explain:

28. What additional resources would help you do your job better?

- How would they improve your work?
- How would they improve performance/outcomes?

AUTOMATION/INFO SYSTEMS

29. To what extent is your work automated?

- Case assignment
- Case documentation/narratives and other
- Case management
- Schedule of events/reminders
- Drug screens (#, type, outcome)
- Other

30. How do you correspond with others outside of the network? (DCS, schools, etc.)

31. How well does your automated system work?

- What do you like about it?
- What don't you like about it?
- How could it be improved?

32. Are there assurances/controls in the system that ensure privacy of information and limited access?

- Please explain:

33. Tell me about the training you received to use this system.

- Was it adequate?
- Was it timely?
- What more did you need to learn?

34. Could the system be improved?

TRAINING: NEEDS AND OPPORTUNITIES

35. What kind of on the job training did you receive when you first took this job?

36. Do you receive regular training related to your job?

- What kind?
- How often?

37. Do you have annual training requirements?

- If so, please explain:
- Are they enforced?

38. How do training opportunities arise?

- Are they presented?
- Do you request training?

39. Is the ongoing training you receive adequate?

- Why/how?
- Why not?

STRENGTHS/WEAKNESSES/OPPORTUNITIES FOR CHANGE

40. What does your unit do well?

41. What could be improved upon in your unit's work?

42. Think about the system you work in: what does the system do well?

43. What could the system improve on?

44. What are the five issues or practices that, if resolved, could improve the work you do?

- _____
- _____
- _____
- _____
- _____

45. What are the five practices or policies from outside agencies that have made it more difficult to do your job?

- _____
- _____
- _____
- _____
- _____

46. In the past five years, what changes have improved your ability to do your job?

- _____
- _____
- _____
- _____
- _____

Professional Services Division: Adolescent and family drug court services
(Services, supervision, monitoring, drug assessments and screens)
Work Flow

1. Take me through a normal day in your job.

2. Is your work typically the same from day to day?
 - a. If not, can you identify your primary job duties and walk me through each one, from beginning to end?
 - b. What is the “beginning” of each primary job duty and what are the steps you take to “close” the case or project?

3. What are the primary components of your job? Could you walk me through these, describing the work from start to finish?

- In-court Work

- Assessment/screening

- Case Management

- Case Documentation

- Contacts with Client

- Collateral Contacts

- Responding to Violations

- Other

- Other

- Other

**Administrative Services Division
Work Process**

NAME: _____ TITLE: _____

PHONE: _____ YEARS WITH AGENCY: _____ NON-EXEMPT? _____

DUTIES/RESPONSIBILITIES

38. What are the primary duties/responsibilities of your unit?

39. Are your individual duties/responsibilities different?

- If so, how?

40. What kinds of cases do you handle?

41. What are the primary services you provide to your clients?

-
-
-
-
-
-
-

42. What key outcomes are associated with the work you do?

ORGANIZATIONAL STRUCTURE

43. Who is your immediate supervisor?

- What role does s/he play for you?
- How often do you meet?
- Does s/he sign off on reports or major decision points?

44. Do you supervise anyone or are you a team leader?

- If so, how many?
- What do they do?

POLICIES/PROCEDURES

45. Do you have a set of policies and procedures/standards that guide your work?

46. Are these measured in any way?

- Please explain how:

47. Do the policies/procedures/standards help you to complete your work?

- Please explain:

48. Are there areas of your work that are not guided by policies/procedures/standards?

- Please explain:

WORKLOAD

49. How does your workload compare to others in your unit/doing similar work?
50. How manageable is your caseload?
51. On a daily basis, do you believe you can complete all of your work according to expectations?
52. How does your workload compare to 1 year ago? 6 months ago?
53. How does your workload compare to others doing the same kind of work?
54. Have there been any significant recent changes in the work you are expected to perform with your caseload?
 - If so, explain.

CUSTOMERS

55. Who are your customers inside the court?
56. Who are your external customers?
57. How do you determine customer satisfaction?
58. Do you know whether you are doing a good job?
 - If so, how?

RESOURCES

59. Do you have adequate resources to do your job?
 - Please explain:
60. Is your work space adequate for conducting your work?
 - Please explain:
61. What additional resources would help you do your job better?
 - How would they improve your work?
 - How would they improve performance/outcomes?

AUTOMATION/INFO SYSTEMS

62. To what extent is your work automated?
 -
 -
 -
 -

63. How well does your automated system work?

- What do you like about it?
- What don't you like about it?
- How could it be improved?

64. Are there assurances/controls in the system that ensure privacy of information and limited access?

- Please explain:

65. Tell me about the training you received to use this system.

- Was it adequate?
- Was it timely?
- What more did you need to learn?

66. Could the system be improved?

TRAINING: NEEDS AND OPPORTUNITIES

67. What kind of on the job training did you receive when you first took this job?

68. Do you receive regular training related to your job?

- What kind?
- How often?

69. Do you have annual training requirements?

- If so, please explain:
- Are they enforced?

70. How do training opportunities arise?

- Are they presented?
- Do you request training?

71. Is the ongoing training you receive adequate?

- Why/how?
- Why not?

STRENGTHS/WEAKNESSES/OPPORTUNITIES FOR CHANGE

72. What does your unit do well?

73. What could be improved upon in your unit's work?

74. Think about the system you work in: what does the system do well?

75. What could the system improve on?

76. What are the five issues or practices that, if resolved, could improve the work you do?

- _____
- _____
- _____
- _____
- _____

77. What are the five practices or policies from outside agencies that have made it more difficult to do your job?

- _____
- _____
- _____
- _____
- _____

78. In the past five years, what changes have improved your ability to do your job?

- _____
- _____
- _____
- _____
- _____

Administrative Services Division
Work Flow

4. Take me through a normal day in your job.
5. What are the primary tasks you perform each day?
6. Is your work typically the same from day to day?
 - a. If not, can you identify your primary job duties and walk me through each one, from beginning to end?
 - b. What is the “beginning” of each primary job duty and what are the steps you take to “close” the case or project?

APPENDIX B

**DAVIDSON COUNTY JUVENILE COURT
ORGANIZATION CHART**

Betty Adams Green
Judge Div. 8

Administrative Services
Court Administrator
Phoebe Johnson

Elaine Frey	Human Resources
Pavana Kodali	Fiscal Services
Susan Toothman	Purchasing
Jim Sanders	IT
Jim Swack	IT/Help Desk/Trainig/Inv.Mgmt
Margaget Dorse	Grants Acctng/ Management

- REFEREES**
- Calhoun Div 1
 - Calloway Div 2
 - Lewis Div 3
 - O'Neil Div 4 PRELIMS
 - Crawford Div. 5 PARENTAGE
 - Griffin Div. 6 PARENTAGE
 - Rosenberg Div. 7 PARENTAGE
 - Div. 9 Misd-Cit

Professional Services
Court Administrator
Tim Adgent

Charles Campbell
Chief Probation Officer

Division 4
Supervisor
Bob Ross

Security/Enforcement
Supervisor
Isauro Benavides

Division 1
Supervisor
Jim Wells

POII	Halliburton
PO	Pretrial Wilcox
PO	Family Svs M. Bell

Division 2
Supervisor
Julia Tucker

POII	Thurston
PO	Pretrial Turner
FS	Family Svs Mayberry

Division 3
Supervisor
Charles Ward

POII	Beverly (TR)
PO	Pretrial Langhi
FS	Family Svs C. Strain

Division 9
Supervisor
Ben Denton

Tobacco
Reinstatements
Misdemeanors
Comm. Serv.

Central Intake

Smith, G	Team Leader
----------	-------------

Family Services

Wilcox	Div. 1	Bell	Div. 1
Turner	Div. 2	Mayberry	Div. 2
Langhi	Div. 3	C Strain	Div. 3

Community Ct,
Fost. Care.
Mentors & Interns
Nielsen PO II
Bailey, W
Swartwout

PARENTAGE

L Williams	TEAM LEADER
Cooper	C-Div 5
Morgan	C-Div 6
Eddy	C-Div7
Dozier	
Graves	
Warrants/Process	
Wagner	
Parker	
Roberson	
Adams	
Kelly, J	

Warrant / Court officers
D. Streeter-Lead
Griffiths - Court Officer
S Davidson - Warrant Officer
Patterson - Court Officer
Tramell - Court Officer part-time
Holman - Court Officer
D Smith - Court Officer
Thorup - Court Officer
Hernandez - Warrant Officer
Jones - Court Officer
Giles - Court Officer
Jerkovic - Court Officer
Security
T Howard - Security Supervisor
M. Craig - Sec. Supv. Assistant
8 partime Officers

Sec 1
Sec 2
Sec 3
Sec 1
Sec 3
Sec 2
Sec 3
Sec 1
Sec 2
Sec 3

PO South	Altizer	PO South	Brigham	PO South	Shearon
PO South	McClellan	PO South	Polk	PO South	Summerlin
PO South	Walton	PO South	Wetzel	PO South	Eisberry -CPIT
PO East	Jones	PO South		PO South	Safeulla
PO East	Cross	PO East	Lyons	PO East	Dial
PO East	Scott	PO East	English	PO East	Elliott
PO Northwest	Duncan, I, A	PO Northwest	McDermott	PO Northwest	Russ
PO Northwest		PO Northwest	Lang	PO Northwest	Finn -CPIT
PO Northwest	Smith	PO Northwest		PO Northwest	Duncan, M
PO DC	Gordon			PO Gang Unit	Magness, S
PO DC	Taylor				

DIVISIONS 1, 2, & 3
Clerical Team
Hicks
Cothorn
Heard
Supervised by Tucker

Hudson	N/D PO II	Martin	Ed Neg
Currey	N/D	Moore	Truancy
		Orgeron	C
M Davis	POII		
Shaw	Div. Unruly		
Spradley	Div. Unruly		
Rankhorn			
Ahlgim			
Lattimore			
Case Initiation			
Gwin	Lead		
Kemper	C		
McWhorter	C		
West	C	Dale	Docket
Sparks	C		
Alvarez	C		
Craig	C		

1/30/2006 revision ib

APPENDIX C

**DAVIDSON COUNTY JUVENILE COURT CLERK'S OFFICE
KEY ROLES AND RESPONSIBILITIES**

Unit / Position	No. of Positions		Responsibilities
	Auth.	Current	
ADMINISTRATION			
Juvenile Court Clerk	1.0	1.0	<ul style="list-style-type: none"> Responsible for the overall management and direction of the Office of the Juvenile Court Clerk. Responsible for overseeing the Office's budget and personnel. Responsible for setting Office policies. This is an elected position.
Administrative Services Manager	1.0	1.0	<ul style="list-style-type: none"> Performs duties at the direction of the Juvenile Court Clerk. Responsible for the data entry of leave time into the Enterprise Business Solutions (EBS) system. Assists with the management of Office operations. Serves as the Office's representative on numerous committees. Responsibilities also include preparation of budget submissions, entry into WeBudget system, tracking expenses, budget reporting, etc. Coordinates information technology needs for the Clerk's Office. Coordinates file retrieval from off-site storage.
Administrative Services Officer	1.0	1.0	<ul style="list-style-type: none"> Performs duties at the direction of the Juvenile Court Clerk. Responsible for the collection and tracking of leave time data for all Office personnel. Receives and distributes court documents relating to collections. Reviews cases in which court costs are assessed to determine likelihood of payments and forwards those cases to an Office Support Rep 1 who is responsible for monitoring collections. Responsible for determining which participants will be garnished.
Finance Officer I	1.0	1.0	<ul style="list-style-type: none"> Performs duties at the direction of the Juvenile Court Clerk. Oversees fiscal operations for the Office, including: <ul style="list-style-type: none"> Supervise cashiering personnel. Daily posting of transactions to accounts. Review of daily receipts and disbursements. Manage and balance all accounts. Responsible for ensuring proper internal controls, as well as developing cash handling procedures.
Court Clerk	1.0	1.0	<ul style="list-style-type: none"> Performs duties at the direction of the Juvenile Court Clerk. Responsible for managing and directing staff assigned to the Court Operations Division (e.g., Records and Minutes). Responsible for scheduling and job assignments for personnel. Serves as the Office's coordinator with respect to information technology needs and support.

Unit / Position	No. of Positions		Responsibilities
	Auth.	Current	
COURT OPERATIONS			
Minutes Clerk Office Support Manager Office Support Rep 1 Technical Para-Prof	2.0 1.0 4.0 1.0	2.0 1.0 4.0 1.0	<ul style="list-style-type: none"> • Handles dockets for assigned courtroom • Prepares dockets for each court session including posting of docket on bulletin boards and outside courtroom. • Pulls files needed for daily docket (sometimes done by Records personnel for certain heavy dockets) and reviews them to ensure they are complete. Prints decrees for docket. • Locates files needed for docket if files are checked out • Attends court session providing administrative support to the Referee or Judge including printing of decrees and orders • Tapes court sessions • Processes orders and decrees issued during court-hearing by date stamp filing, making necessary copies for court personnel, attorneys, and files in appropriate folder • Enters information from decrees into JIS computer system including assignment of court costs, fines, fees, etc. • Responsible for filing docket files following court session (in some cases filing done by records personnel) • Employees assigned divide time with courtroom duties and handling other administrative functions including processing Family Services List and all appeals to the Court of Appeals.
Records Office Support Rep 3 Office Support Rep 2 Office Support Rep 1 Technical Para-Prof	1.0 1.0 10.6 3.0	1.0 1.0 10.6 3.0	<ul style="list-style-type: none"> • The Office Support Rep 3 serves as the Assistant Office Manager. Key responsibilities for this position include: <ul style="list-style-type: none"> – Front counter (window) record checks – Creates amended petitions and motions – Provides support for office personnel in handling technical and/or unique customer service issues at the front counter – Stamp files documents received over counter including date and time received and initialing – Handles expungement of records from computer system and paper files based upon court order – Serves as back-up for records personnel – Assists attorneys needing to review files in the office – Processes subpoenas and summons for cases – Assists with training of new personnel. • There is one Office Support Rep 2, responsible for: <ul style="list-style-type: none"> – Working the Appearance Court Docket. – Printing the docket. – Creating and updating records in JIMS. – Pulling files for the Minute Clerks. – Answering phone and providing customer support. • There are eleven Office Support Rep 1s. Key responsibilities for this function include: <ul style="list-style-type: none"> – Creates new case files (Juvenile, Adult, Protection Orders, IV-D child support and non-IV-D child support, Truancy). – Creates and updates records in JIMS files (Juvenile, Adult,

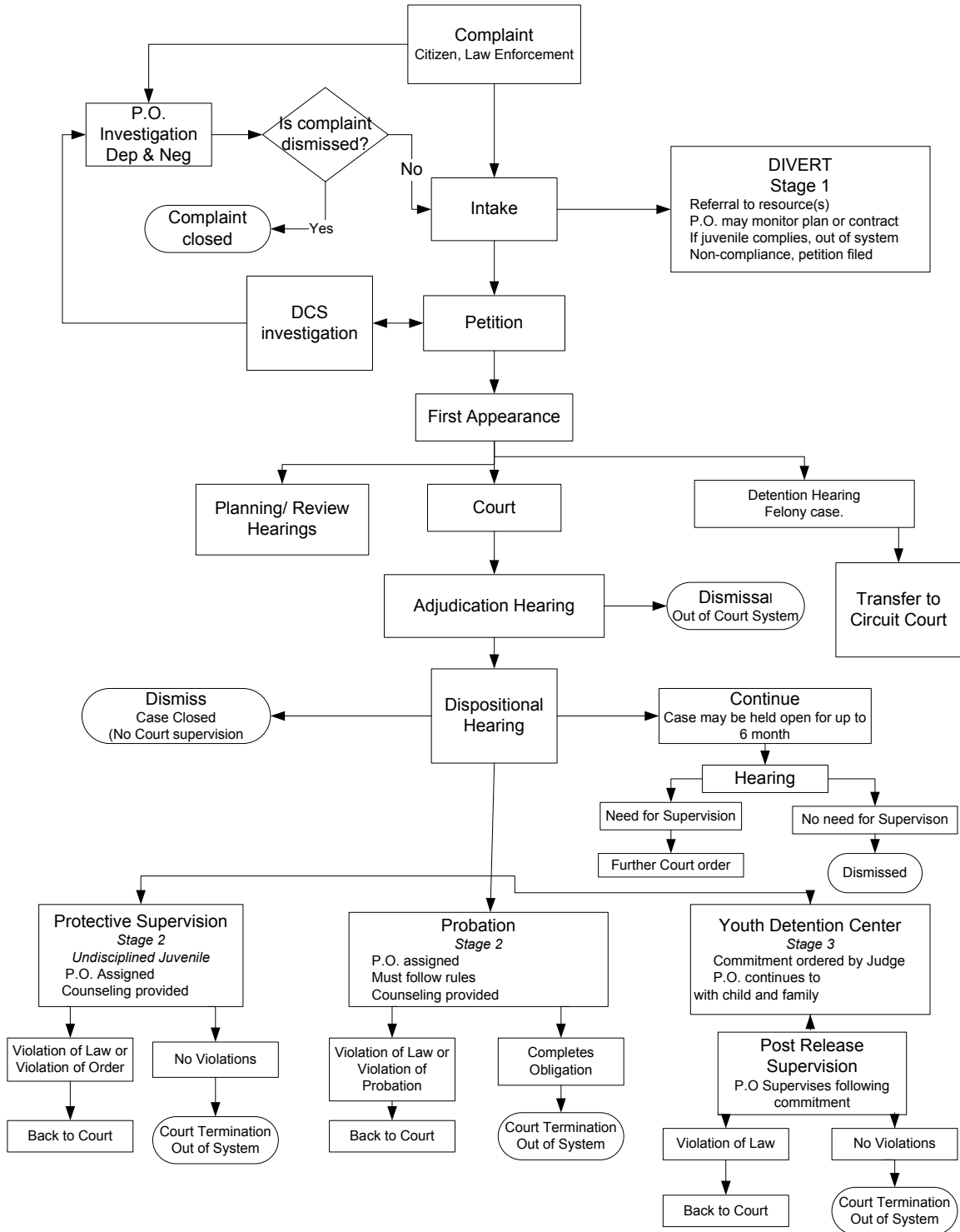
Unit / Position	No. of Positions		Responsibilities
	Auth.	Current	
			Protection Orders, Child Support). <ul style="list-style-type: none"> – Creates summons, subpoenas, alias and plurries. Enters appropriate information in JIMS. – Delivers summons and subpoenas to the Sheriff’s Office. – Creates paperwork for out of state summons. – Works the customer support window (Accepts petitions, provides information and copies of documents). – Pulls files and examines for completeness for the Minute Clerks. – Returns files to the records repositories. – Searches for missing files and paperwork. – Makes photocopies of documents. – Answers phone and provides customer information. – Records Title IV-D child support reimbursement activities. – Processes non-Title IV-D child support cases.
FISCAL OPERATIONS			
Office Support Rep 3	2.0	2.0	<ul style="list-style-type: none"> • Serve as lead workers for the Fiscal Operations Division. • One Office Support Rep 3 has the following primary responsibilities: <ul style="list-style-type: none"> – Receives and posts all payments received by mail. – Runs daily report from the Model Clerk and researches any problems (between three and ten problems daily). – For all garnishment payments received, log payment amount and close file if payment is made in full. – Maintains restitution payment records and will issue restitution payments when required. – Responsible for issuing checks for child support payments (those that are not part of the State clearing house). – Responsible for the daily balance of cash drawer. – Assists, as needed, with the data entry of child support orders. – Answers phones and provides customer assistance. • One Office Support Rep 3 has the following primary responsibilities: <ul style="list-style-type: none"> – Staff the front counter for one shift each day (2.5 to 3 hours daily). – Responsible for receiving payments at the front counter, as well as balancing cash drawer daily and posting all transactions to the appropriate books. – Responsible for processing all garnishment for the Office, including: <ul style="list-style-type: none"> • Receive a list from the Court Clerk with respect to accounts to be garnished. • Informally, reviews and filters out cases for which garnishment is unlikely. • Research information, including address, employment data, etc. • Complete State garnishment forms and submit forms to State. • Create file folder for garnishments, including copy of paperwork and payment log. Also makes copy for the Court record file.

Unit / Position	No. of Positions		Responsibilities
	Auth.	Current	
Office Support Rep 2	1.0	1.0	<ul style="list-style-type: none"> • Primarily responsible for the data entry of Child Support court orders into the Model Clerk system, including address, employment information, amount of child support, custody information, and any additional data on the demographic sheet. • Receives court orders from the Court Clerk (who receives copies from the Minute Clerks). • Responsible for staffing the front counter for one shift daily (between 2.5 and 3 hours per day). • Responsible for daily cash balance of cash drawer.
Office Support Rep 1	1.4	1.4	<ul style="list-style-type: none"> • Responsible for general bookkeeping tasks, including staffing the front counter, receipt and processing of payments, posting transactions to appropriate books, etc. • One Office Support Rep 1 works two days (Tuesday and Thursday) in the Fiscal Operations Division and three days in the Records Division. • Office Support Rep 1 has primary responsibility for the following: <ul style="list-style-type: none"> – Staffs the cashier windows on the first and second floors of the Court: first floor, Mondays and Tuesdays from 9:30 am to 4:30 pm and second floor, Wednesdays, Thursdays and Fridays from 9:30 am to 4:30 pm. – Responsible for the daily balance of cash drawer. – Responsible for collections activities (for Court costs only) for the Court, including: <ul style="list-style-type: none"> •• Receive copies of court orders from the Court Clerk, which are to be sent the collections letters. •• Creates a database, which includes name, amount, date, contract information, etc. •• Generates and mails letters. •• Updates database.
Seasonal / Part – Time	0.6	0.6	<ul style="list-style-type: none"> • This position is part-time and works Mondays, Wednesdays and Fridays from 8:30 am to 4:00 pm. • Primarily responsible for updating the employment information into Model Clerk. • Employment information sheets are completed and collected in the courtrooms and are then copied and forwarded to the Clerk’s Office.

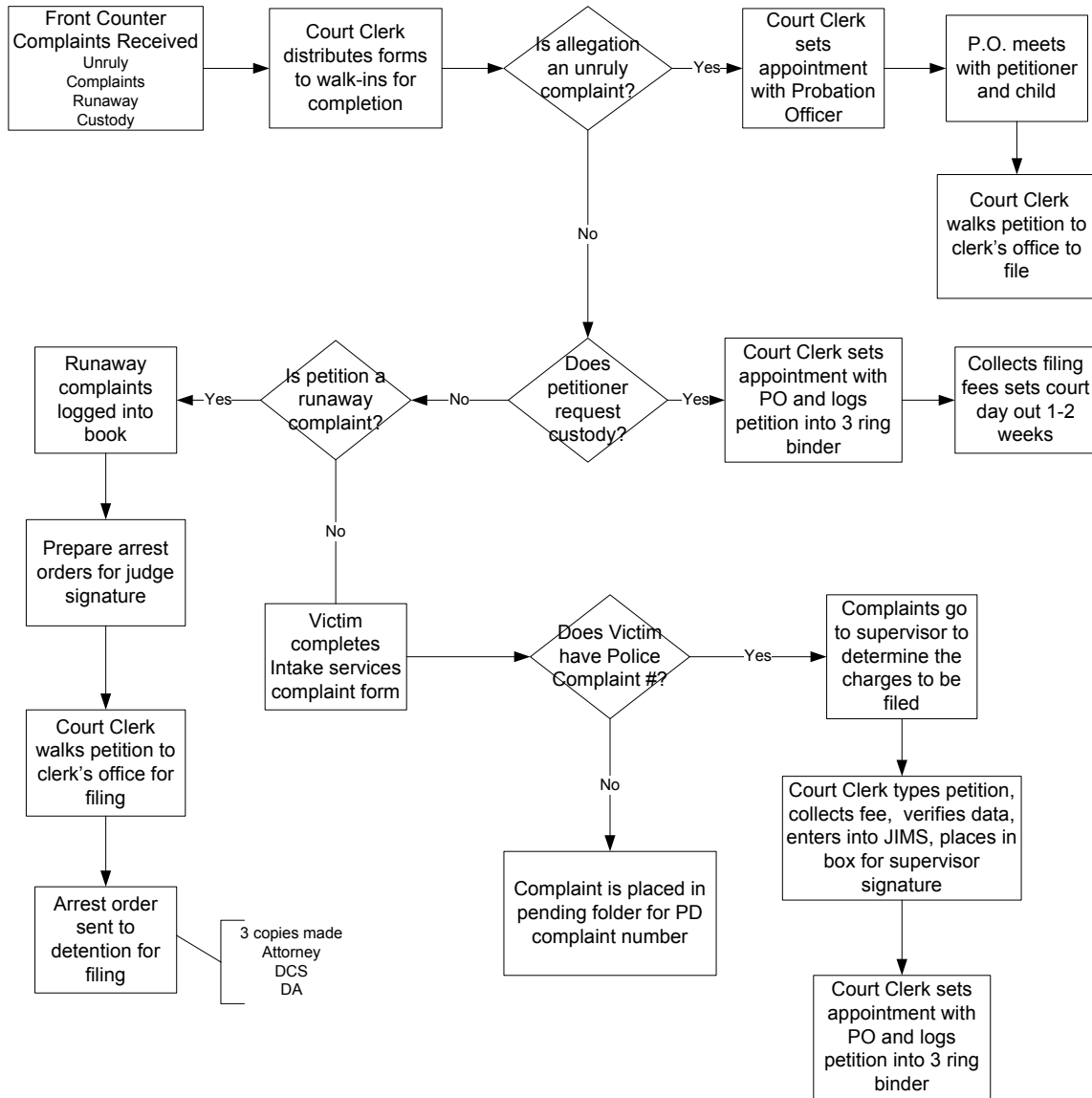
APPENDIX D

WORKFLOW DIAGRAMS

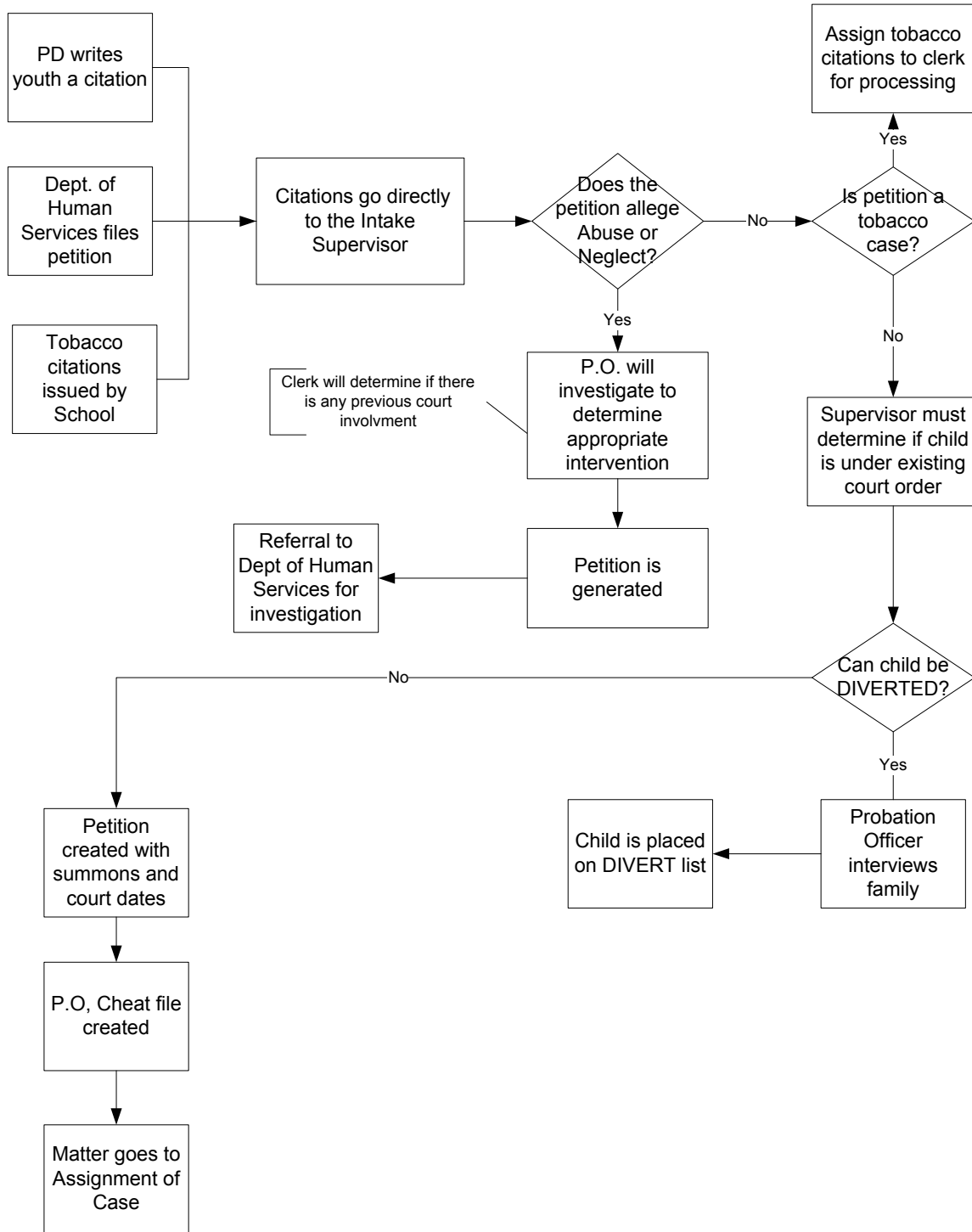
Davidson County Juvenile Court



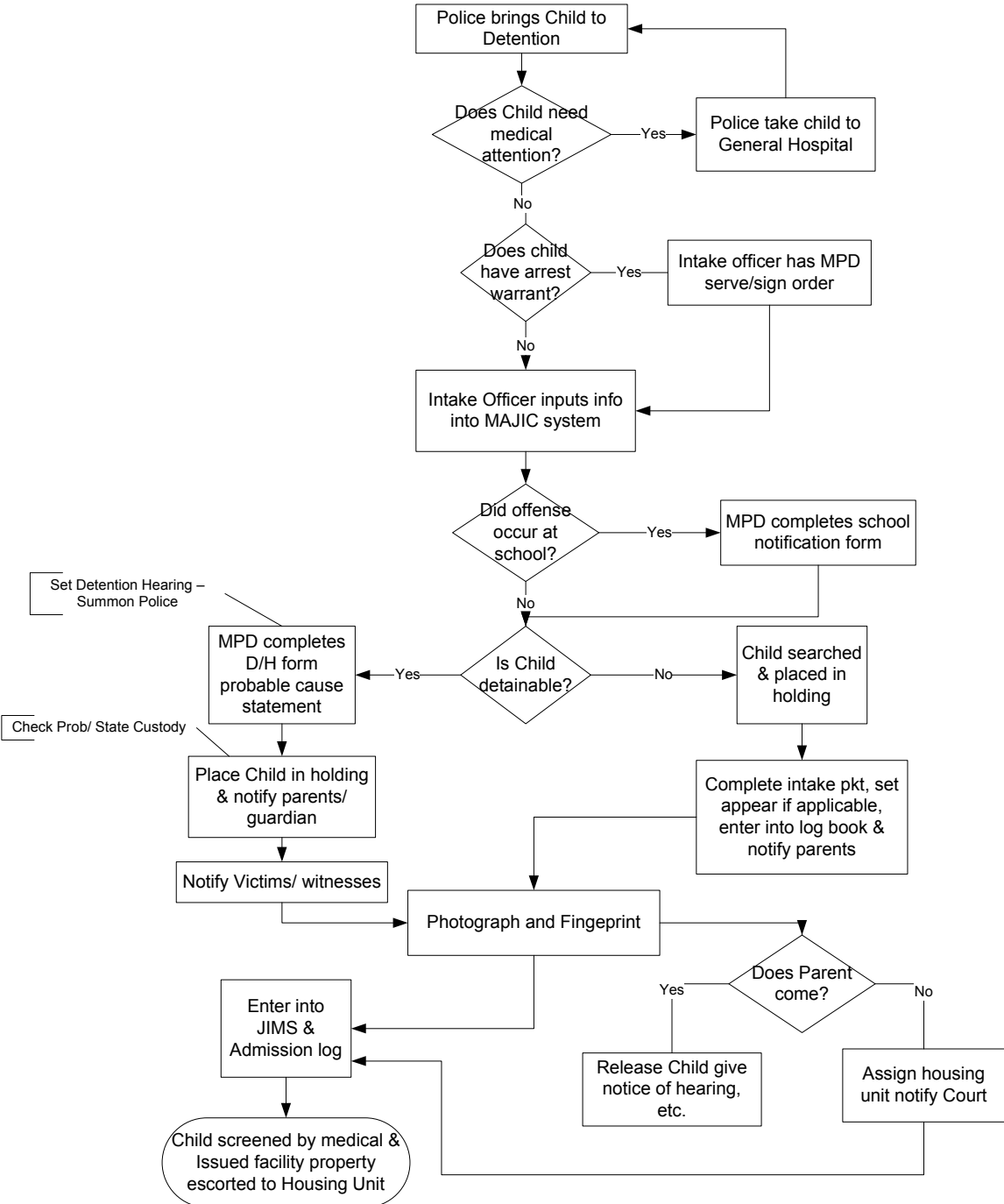
Intake Front Counter



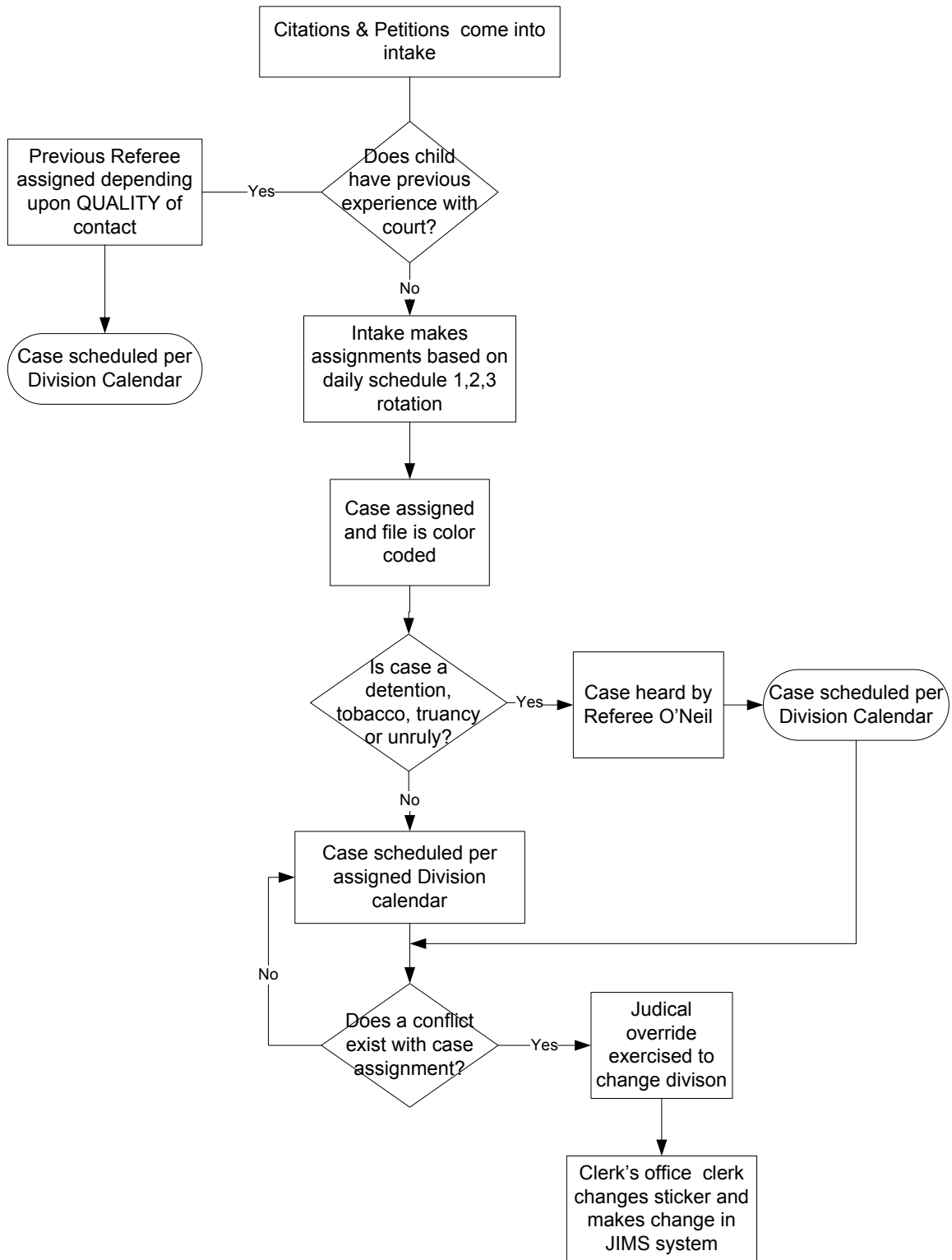
Intake Citations



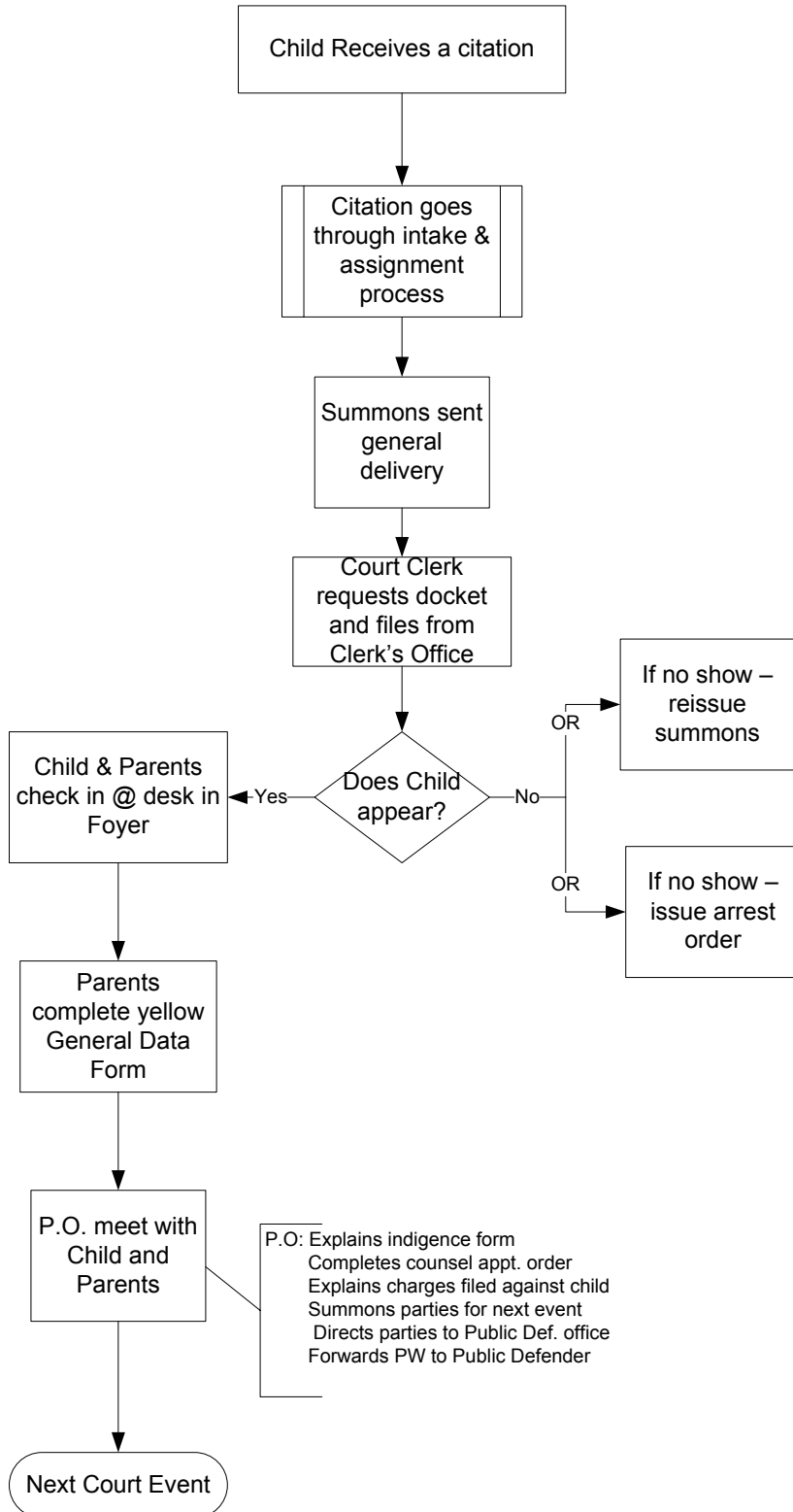
Intake Detention



Assignment of Cases

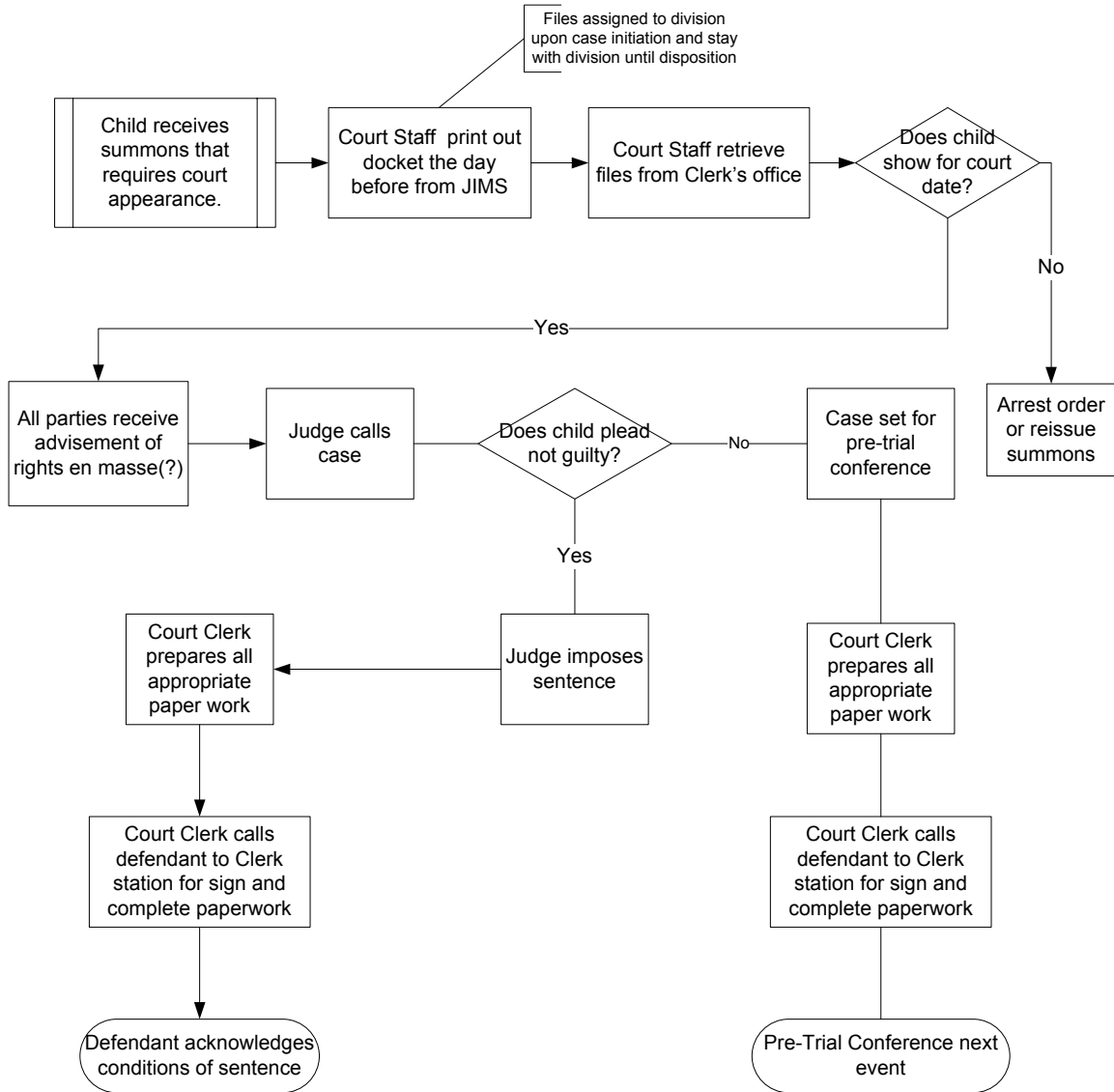


Appearance Docket



In Court

Misd./ Unruly



APPENDIX E

DATA FROM COURTS IN COMPARATIVE JURISDICTIONS

COMPARISON OF JUVENILE COURT SYSTEMS OPERATIONS

Methodology

Project Staff identified 6 peer “Model Courts” to provide a context for the operational assessment of the Davidson County Juvenile Court. Following approval of the use of these comparison courts by the Contract Officer and Juvenile Court Judge, data was requested from each court regarding its governance structure, organization, services, and budgets. The courts identified were the:

- Jefferson County (Louisville), Kentucky Family Court
- Hamilton County (Cincinnati), Ohio Juvenile Court
- Mecklenburg County (Charlotte), North Carolina Juvenile Court
- Polk County (Des Moines) Iowa Juvenile Court
- Marion County (Indianapolis), Indiana Juvenile Court
- Shelby County (Memphis), Tennessee Juvenile Court

Like the Davidson County Juvenile Court, the above courts are all model courts and strive to comply with the National Council of Juvenile and Family Court Judges (NCJFCJ) Resource Guidelines for abuse and neglect and juvenile delinquency cases.¹

A survey was developed after project staff conducted the first site visit during October 3-6 to gain a better understanding of court operations. (See attachment). The Court Administrator and/or Chief Judge of each model court were contacted by telephone and asked to participate in the survey. Three courts participated after initial telephone contact -- Jefferson County, KY, Mecklenburg County, NC, and Hamilton County, OH. To facilitate participation by

¹ National Council of Juvenile and Family Court Judges, *Resource Guidelines: Improving Court Practice in Child Abuse and Neglect Cases* (Reno, NV: NCJFCJ, 1995); National Council of Juvenile and Family Court Judges, *Juvenile Delinquency Guidelines: Improving Court Practice in Juvenile Delinquency Cases* (Reno, NV: NCJFCJ, 2005).

the remaining courts, Project staff prepared a web survey to provide easier access to the data collection instrument by the responding administrators and judges and allow them the flexibility to respond at a more convenient time. However, despite regular follow-up and frequent promises, no information was received from Polk, Marion, or Shelby Counties.

Findings

Staffing

	Metro	Louisville	Hamilton	Mecklenburg
Number of Judges	1	10	2	4
Referees	7	0	26	0
Court Staff	104.72	60	526	10
Grant Staff	28.15			

Court Budgets and Population of Jurisdiction

	Metro	Louisville	Hamilton	Mecklenburg
Estimated Budget	\$12,185,100	\$1,000,000	\$36,900,00	Reported unknown
Grants Received	\$1,874,100		\$5,800.000	
Population of Jurisdiction	572,475	640,000	800,000	753,355

Programs Services Offered

	Metro	Louisville	Hamilton	Mecklenburg
Centralized Intake and Pretrial Services	yes	yes	no	Yes
Community Probation	yes	no	yes	Yes
Tuancy Reduction	yes	yes	yes	No
Family Services	yes	yes	yes	Yes
Child and Family Intervention Program	yes	no	yes	Yes
Resources Services	yes	yes	yes	No
Community Service Work Program	yes	no	yes	Yes
Juvenile Drug Court Program	yes	no	no	No
Mentoring Program	yes	yes	yes	No
Alternative School Program	yes	no	no	Yes
Mediation Program	yes	yes	yes	Yes

The survey participants were asked to compare the program services they offered through their court facilities with those offered through Metro. This program comparison was an attempt to compare an aspect of the qualitative delivery of the services provided by each court by reviewing the overall services provided. All programs indicated are offered by the Metro court. In comparison no other court who responded offered all of the service programs that are offered through the Metro court.

Organizational Comparison

	Metro	Louisville	Hamilton	Mecklenburg
Is Juvenile Clerk Elected or appointed?	elected	elected	appointed by the judge	elected

The courts were asked if there were any issues with the services the clerk's office provides the court to determine if there was any correlation between relationship between an elected Juvenile Court clerk and the court as opposed to an appointed clerk of court. In all three of the courts with elected clerks of court, the courts reported that they had a lack of confidence in the records and in the orders produced, and that there was a high turnover rate in each clerk's office.

None of the courts participating were able to provide sufficient case filing data to comply with NCJFCJ guidelines or to permit a valid statistical analysis.

National Center for State Courts

**Juvenile Court
Davidson County, Tennessee
Best Practices Court
Comparison Questionnaire**

January 2006

Name of court: _____
Your name/title: _____
Immediate supervisor/title (if applicable): _____
Telephone number and extension: _____

General Background Information

Number of Judges

Full Time _____ Part Time _____ Referees/ Commissioners/
Masters _____

Number of Staff

Full Time _____ Part Time _____ Contract _____ Grant Funded _____

Annual Budget \$ _____

Yes No
' '

Does this amount include grants?

How much does the court receive in grants to support court operations? \$ _____

Yes No
' '

Has your court adopted the "One Family - One Judge" model?

Yes No
' '

Has your court adopted the "One Team - One Family" model?

Approximate population within your jurisdiction _____

Case Filing and Disposition Numbers

*Please send me your latest annual filings and disposition data as submitted to your
Administrative Office of the Courts*

If data is available

Average case processing time breakdowns of all cases? _____

Age at adjudication _____ Age to date not adjudicated _____

Programs /Services Offered*

**Programs/ services defined on back page of survey*

	Yes	No
Centralized Intake and Pretrial Services	'	'
Comment _____		

	Yes	No
Community Probation	'	'
Comment _____		

	Yes	No
Truancy Reduction	'	'
Comment _____		

	Yes	No
Family Services	'	'
Comment _____		

	Yes	No
Child and Family Intervention Program	'	'
Comment _____		

	Yes	No
Resource Services	'	'
Comment _____		

	Yes	No
Community Service Work Program	'	'
Comment _____		

	Yes	No
Juvenile Drug Court Program	'	'
Comment _____		

	Yes	No
Mentoring program	'	'
Comment _____		

	Yes	No
Alternative School Program	'	'
Comment _____		

	Yes	No
Mediation Program	'	'
Comment _____		

Organizational Comparison

	Yes	No
Is the Clerk responsible for the juvenile court an elected official ?	‘	’
If not, by whom is the clerk appointed? _____		

What services are provided by the Clerk’s Office?

Have the provision of these services caused any problems? _____

	Yes	No
Does the Court have a Juvenile Court Community Advisory Committee or Is your clerk’s office a separate organizational component?	‘	’

Who performs the case initiation duties (entry into the case management system, create case file)? _____

Who files unruly complaints and determines charges to be filed? _____

Who hears arraignments and advises juveniles of charges? _____

Who determines if they qualify for a public defender? _____

Case Processing and Practice

Delinquency (Qualitative)

Written standards/guidelines guide the practice(i.e. National Council of Juvenile and Family Court Judges, NCJFCJ)	Yes	No
	‘	’

Use of a standardized, juvenile-specific assessment instruments guide the intake, detention, and supervision strategies and treatment referrals.	Yes	No
	‘	’

Graduated sanctions are in place and used for youth in response to violations of probation	Yes	No
	‘	’

Staff are required to receive 20-40 hours of continuing education annually	Yes	No
	‘	’

Delinquency (Quantitative)

Number of Cases diverted _____ in 2004?

Number of drug treatment court referrals _____ graduations _____ terminations _____ in 2004?

If known, annual costs/average cost per client of treatment and ancillary services, relapse and recidivism. \$ _____.

Caseload per judicial officer _____ .per probation staff _____

The percentage of accused youth in pre-adjudication detention? _____

The percentage of youth adjudicated delinquent placed in residential facilities? _____

Dependency (Qualitative)

Written standards/guidelines guide the practice (i.e. National Council of Juvenile and Family Court Judges, NCJFCJ) Yes No
' '

Are there explicit deadlines for each preliminary, protective, adjudication, disposition, review and perm planning hearing. Yes No
' '

In addition to ASFA are the deadlines above incorporated into court rules and made legal and binding upon the court? Yes No
' '

Staff are required to receive 20-40 hours of continuing education annually. Yes No
' '

Dependency (Quantitative)

Average case processing time breakdowns of all cases? _____

Age at adjudication _____

Age to date not adjudicated _____

Caseload per judicial officer _____ per case worker _____

Child Support

Child Support orders established as percent of filings/ child support collected as percent of amount ordered, percent of orders on which a collection is made, etc.

Child support collected as percent of amount ordered _____ %

The number of child support orders as a percent of filings _____ %

Other Types of Cases Handled by the Court?

What other types of cases does your court handle? _____

APPENDIX F

**DATA FROM JUVENILE COURT CLERK'S OFFICES
IN COMPARATIVE JURISDICTIONS**

The Project Team conducted a comparative survey focusing on the operations, staffing and workload of the Office of the Juvenile Court Clerk. Based on consultations with the contract officer and others, the following jurisdictions were selected:

- Hamilton County (Chattanooga), TN
- Knox County (Knoxville), TN
- Marion County (Indianapolis), IN
- Shelby County (Memphis), TN

A variety of information was requested from the Juvenile Court Clerk’s Offices in these jurisdictions including organization, staffing, revenues, expenditures, policies, and workload data.

Table F-1
STAFFING

Function	Hamilton County	Knox County	Marion County	Metro	Shelby County
Management / Supervisory	4	2	2	5	8
Court Room / Minute Clerks	19	5		8	7
Fiscal Operations	8	1		5	6
Records	8	1		16	17
Other	N / A	6	8	N / A	19
Total	39	15	10	34	57

- Hamilton County has a total of thirty-nine FTEs.
 - The Hamilton County Juvenile Court Clerk’s Office supports 7 judge/referees. Each courtroom is staffed with a Court Clerk.
 - There are 8 FTEs assigned to collections. The Clerk’s Office handles 173 transactions per day or approximately 43,250 transactions per year.
 - Of the 173 daily transactions, approximately 40 or 23 percent of transactions are for child support payments. In Metro, this number is significantly higher with nearly 75 percent of transactions are child support payments.
 - Hamilton County performs collections in-house. The collection rate is estimated at 40 percent of total receivables.

- Knox County has a total of 15 FTEs with specific job functions and titles. The points, below, present the specific titles and unique operations of the Juvenile Court Clerk’s Office in Knox County.
 - There are 2 managers/supervisors. This is a span of control of 1:7.
 - There are 5 courtroom clerks. One of which serves as a back up, as the Clerk’s Office supports four courtrooms.
 - There is 1 file clerk. This position is responsible for creating case files, as well as checking case files out. Knox County’s process relating to files is unique

- compared to other surveyed jurisdictions. Specifically, detention and/or probationary staff maintain all active files. The file room stores all closed cases. All new documents that must be filed into the active cases are submitted to the Clerk's Office who then forwards to the person with the case file.
- There are 3 FTEs, responsible for providing customer and/or counter support with 2 FTEs being front counter clerks and one being a information clerk.
 - There is 1 FTE assigned to bookkeeping tasks. The front counter clerks support this position.
 - The Clerk's Office has 1 minute book clerk who is responsible for recording all actions in the minute book.
 - The Clerk's Office also has 1 subpoena clerk responsible for receiving and processing all subpoenas and 1 custody petition clerk.
 - The Clerk's Office falls under the Circuit Court Clerk. Court Administration is responsible for collections.
 - The Clerk's Office handles approximately 10,000 hearings annually.
- Marion County has 10 FTEs assigned to the Clerk's Office. Staff are responsible for receiving, processing, and maintaining all records, as well as handling financial transactions on behalf of the Court. Court Administration is responsible for staffing the courtrooms and providing direct support to the judges/referees. In 2005, there were approximately 10,500 hearings.
 - Metro has 34 FTEs assigned to Juvenile Court Clerk's Office.
 - There are 5 FTEs in managerial and/or supervisory positions in the Clerk's Office. This is an overall span of control of one to seven FTEs.
 - The Clerk's Office has 8 FTEs assigned to provide courtroom support to the Judge and referees. The Clerk's Office does not have backup to ensure that courtrooms are covered 100 percent.
 - There are 16 FTEs assigned to records that are responsible for maintaining all official court records and documents.
 - There are 5 FTEs assigned to fiscal operations. The Clerk's Office handles approximately 35,000 transactions per year. Of which, an estimated 75 percent are related to child support enforcement payments.
 - The Clerk's Office is responsible for performing collections. This is done entirely in-house, using existing personnel resources. Due to limited financial information systems, the Clerk's Office does not track total outstanding receivables and therefore, cannot determine its collection rate.
 - Shelby County has a total of 57 FTEs.
 - The Clerk's Office provides 1 minute clerk for each judge. The Clerk's Office provides 100 percent coverage.

- The Clerk's Office has 1 FTE assigned to court costs. On average, the Clerk's Office process 85 transactions per day or 21,250 financial transactions per year.
- The Clerk's Office has an estimated 50 percent collections rate. This is performed both in-house, as well as via contract for older outstanding receivables.
- The Clerk's Office had approximately 15,000 juvenile cases in 2005 and 15,300 adult cases.

TABLE F-2
Comparison of Structure, Automation, and Funding

Function	Hamilton County	Knox County	Marion County	Metro	Shelby County
Does the Clerk's Office receiving any grant funding?	No	No	No	No	Yes, for IV-D
Are there any deputized clerks outside of the Clerk's Office?	No	No	No	Yes	Yes
Are case files fully automated?	No	No	No	No	No
Is the case record check out and return process automated?	No	Yes	Yes	No	No
Does the Clerk's Office have a policy regarding the release of case files (e.g., timeframes, etc.)?	No	No	No	No	No
Does the Clerk's Office use a document imaging process for records storage and retrieval?	Yes	Yes	Yes	No	No
What is the average annual training hours for Office personnel?	2 conferences per year	Approximately 4 hours	Approximately 6 hours	No records or formal training	New employee training of up to 2 weeks.

- The cost of the program is \$720,325 of which the Juvenile Court Clerk's Office is responsible for contributing 34% of the program costs or \$236,707. The State contributes the balance.
- Metro and Shelby County are the only Clerk's Offices that have deputized personnel to be clerks that are not part of the Clerk's Office.
- None of the comparative agencies have fully automated case records systems.
- Knox and Marion Counties have automated the record check out process. As noted, all active case files in Knox County are assigned to and maintained by either the detention center or probationary personnel. Marion County utilizes a

specially designed system, Quest, to maintain a current log of the location of cases.

- While most Clerk's Offices had a limited policy with respect to the release of case files (i.e., to 'appropriate' court personnel only), none of the surveyed agencies had developed specific policies that dictate how long a person can check out a file without having to return it to the Clerk's Office or re-check out the file.
- Three of the four survey respondents utilize a document imaging system for case files.
- Annual training for Clerk's Office personnel varied among the survey participants. In Hamilton County, staff attend two conferences per year depending on time availability. Knox and Marion counties provide four and six hours of annual training, respectively. Metro, on the other hand, does not have a formal training program and does not have an effective system of documenting and tracking ongoing training.

Overall, the survey result indicate there are opportunities to learn from operations in the comparative agencies, including the opportunities to expand the use of technology, such as better financial data tracking, imaging of documents, etc.

APPENDIX G

SAMPLE COLLECTIONS PROGRAM POLICY

Office of the Juvenile Court Clerk Sample Collections Program Policy

Collections is the responsibility of the Fiscal Operations Division. The Finance Officer I shall manage the collections process, including coordination with the Court Clerk with respect to policy and/or procedural changes, as well as managing and directing staff activities with respect to collections.

Collection Policy

The Juvenile Court Clerk's Office begin collection efforts on accounts that have a minimum aggregate balance of \$100 and are at least 61 days old. Once collection activities begin, the JIMS and/or Model Clerk systems will be updated and the account will be flagged, indicating that Clerk's Office is actively pursuing payment for the outstanding balances on the account.

Statutory Regulations

There are legal guidelines that anyone performing collection efforts must follow. Most of these statutes refer to collecting against individuals, as opposed to companies, hospitals, universities, etc. However, in no case should anyone take any action that could be identified as harassment or any other illegal action. The Clerk's Office will provide appropriate instruction to all Fiscal Operations Division personnel.

Collection Functionality in the Justice Information Management System (JIMS)

The automated information system, JIMS, shall be used to document the following:

- Demographic information, including name, address, social security number, phone
- Employment data, including employer's name, address, and phone number
- Total assessed fine, fees and court costs
- Payment history
- All outstanding receivables, including age
- Automatically update accounts as new information is received and/or

processed (e.g., payments made will automatically update account balances, any new demographic or employment data entered into JIMS as a result of a court hearing will be utilized for collections, etc.)

The automated information system, JIMS, shall be used to automate the collections process whenever possible to minimize impact on staff time. This includes the ability to:

- Generate letters by age of collection account (e.g., 30, 60 and 90 day notices)
- Document any collections case histories, such as partial payments, verbal commitments
- Schedule follow-ups that automatically generate reminders (e.g., follow-ups to phone calls, etc.)

Garnishments

The Juvenile Court Clerk's Office will garnish wages when accounts have been delinquent for six months. The Fiscal Operations Division staff responsible for collections will process all garnishments. All accounts will be garnished provided that the information is available to complete the state required documents.

Management Reports

Fiscal Operations Division personnel assigned to collections will be responsible for generating monthly reports that document:

- Distribution of outstanding receivables by amount and age;
- Activities performed, including letters distributed, phone calls made, etc.
- Outstanding receivables collected by age of account;
- Percentage of accounts closed (e.g., paid in full);
- Amount of outstanding receivables;
- Number of accounts and amount written off as bad debt; and
- Any accounts which met the general criteria for collections but were deemed 'uncollectible.'

Monthly management reports will be provided to, and reviewed by, the Finance Office I and the Juvenile Court Clerk.

Annual Program Review

The collections program will be reviewed annually and adjustments made based on the overall performance of collection activities. The Finance Officer will be responsible for generating a report that presents an analysis of the collections program and presents recommended adjustments. This report shall be presented to the Juvenile Court Clerk.

APPENDIX H

FISCAL IMPACT OF RECOMMENDATIONS

The following table lists the recommendations resulting from the Performance Audit of the Davidson County Juvenile Court and Office of the Clerk of the Juvenile Court, together with an estimate of the increase or decrease in the costs that is likely to result from the implementation of each recommendation. In formulating its recommendations, the Project Team has sought to offer suggestions that, to the greatest extent possible, will improve the efficiency and effectiveness of the operations of the Juvenile Court and Office of Clerk of Court without incurring additional cost. It should be noted that in some instances, it is not possible to determine, in advance, the value of the increased productivity and efficiency that can be achieved by streamlining procedures and prioritizing the types of services to be provided. Thus, the net overall effect on the budgets of the Court and Clerk's Office of those expenditure increases that are recommended may be less than figures listed suggest.

Key Findings & Observations		Recommendation	Estimated Fiscal Impact
Operation of the Settlement Docket can be improved by more effective scheduling practices.	1-1	<i>The Juvenile Court should contact parties prior to settlement hearing to determine whether a potential settlement has been reached in the case.</i>	It may be necessary to hire an Administrative Assistant to perform this function at a salary of \$ 35,901 plus benefits of \$10,770 (calculated @ 30%) for a total of \$46,671 per year.
	1-2	<i>The Juvenile Court should review the actual caseflow and the proportion of cases that settle on the day set for the adjudication hearing, and adjust scheduling accordingly, to provide more time for settlement, violations, and other types of hearings.</i>	Greater productivity at \$0 increase in marginal costs.
	1-3	<i>The Juvenile Court should schedule the truancy and tobacco dockets in the after-noon, after school hours.</i>	Decreased missed school time at \$0 increase in marginal costs.
Clear performance expectations and a performance measurement system are needed to improve coordination between the Court and the Clerk's Office and determine the effectiveness and efficiency of particular units, individual managers, and staff, as well as operations overall.	1-4	<i>The Juvenile Court should establish a set of written performance expectations for minute clerks.</i>	Greater productivity at \$0 increase in marginal costs.
The effective and efficient operation of the Courtroom is greatly hampered when there is not a trained Minute Clerk present.	1-5	<i>The Juvenile Court Clerk's office should provide coverage for every courtroom, regardless of absences due to illness or vacations.</i>	Hiring an additional person to serve as a Minute Clerk would cost \$29,400 in salary & benefits. See Rec. 2-25.

Key Findings & Observations		Recommendation	Estimated Fiscal Impact
Most of the training that Juvenile Court and Clerk's staff receive is on-the-job. An enhanced training and cross-training program is needed to ensure fair, consistent, efficient, and effective operations and implement a performance measurement system.	1-6	<i>The Juvenile Court should, in collaboration with the Juvenile Court Clerk, develop training for minute clerks newly assigned to the Parentage Division and provide periodic refresher training. Court staff should be made available to participate as trainers, and other key system participants should be recruited as trainers.</i>	A line item equal to at least 1% of salaries should be included in the Juvenile Court and Clerk's Office budgets to cover all training related expenses. This would add \$67,181 to the Court's budget. ²
Giving priority to Title IV-D cases does not provide assurance that performance standards in the Title IV-D agreement will be met and creates a potential legal question regarding the equal treatment of non-Title IV-D child support obligors and obligees.	1-7	<i>At the next opportunity for amendment of the Title IV-D agreement, the Court should request that the provisions of the agreement that require the Juvenile Court to treat non-Title IV-D cases with lower priority and which dictate specific hearing procedures or times be amended or deleted from the agreement.</i>	Greater productivity at \$0 increase in marginal costs.
The impact of the new procedures for processing <i>ex parte</i> orders is not yet clear.	1-8	<i>The Juvenile Court should continue to monitor the process and update the procedures guide to determine the necessary resources required to process <i>ex parte</i> orders of protection.</i>	It is too early to determine whether additional staff will be required to ensure that these new duties are performed effectively.
Charging is normally the prerogative of executive branch agencies – the prosecutor and law enforcement. Incorporating this responsibility with the judicial branch raises at least the appearance of a violation of the separation of powers principle and adds unnecessarily to the workload of court staff.	1-9	<i>The review of incident reports and the determination of charges in felony cases involving a juvenile should be undertaken by qualified staff of the District Attorney's Office.</i>	There would be no impact on the Court's budget; staff now performing this function would be better able to perform their other duties. There may be an impact on the District Attorney's budget if additional staff will need to be hired to replace what were formerly grant-funded positions in that Office. The Project Team did not have access to the DA's budget.
Having designated staff trained to respond to questions from the public and assist those filing petitions and complaints should enable the Intake Department to increase its productivity and better serve the public.	1-10	<i>The Juvenile Court should assign additional intake personnel to staff the front counter in order to avoid the frequency with which those processing initial case paperwork must interrupt their work to cover the front counter.</i>	One additional probation officer position at \$32,415 plus benefits of \$9,725 for a total of \$42,140 per year.
It is often difficult for persons unfamiliar with the Juvenile Court Center to find their way.	1-11	<i>The Juvenile Court should improve signage at the Juvenile Court Center.</i>	Less than \$1,000 .

² A portion of this amount could be offset by Title IV-D funds in future budget years if the Title IV-D agreement is amended.

Key Findings & Observations		Recommendation	Estimated Fiscal Impact
See Rec. 1-6	1-12	<i>The Juvenile Court should cross-train members of the Intake Department staff to be able to substitute for the intake supervisor in making judicial assignments and determinations regarding the diversion of cases.</i>	A line item equal to at least 1% of salaries should be included in the Juvenile Court budget to cover all training related expenses. This would add \$67,181 to the Court's budget.
On Appearance Docket days, large crowds congregate in the foyer of the Juvenile Justice Center waiting for their case to be called. Some parents and juveniles may have to wait several hours and there are potential security issues when alleged victims are in the same area as the alleged perpetrator.	1-13	<i>The Juvenile Court should develop a policy limiting the number of cases on the appearance docket. The court should hear initial appearances on at least one additional day each week.</i>	Greater productivity at \$0 increase in marginal costs.
To ensure fair payment and recognition of individual staff, maintain the integrity of the job classification system, and make certain that staff have the training and experience to perform the duties they are assigned, the Court's personnel structure requires review and adjustment.	1-14	<i>The Juvenile Court should review the classification and necessary qualifications of Intake Department staff who perform quasi-legal functions such as advising juveniles and parents of the charges, and who are responsible for making diversion, release, and other key discretionary decisions.</i>	It is difficult to accurately determine the fiscal impact before the recommended desk audit is completed. A preliminary estimate is that salary increases may result for at least 2 FTE totaling \$20,000 .
Neither the Court nor the Clerk's Office receive regular management reports that provide a comprehensive indication of how well they are operating. Management data and case tracking information are maintained on several, non-integrated databases.	1-15	<i>The Juvenile Court should allocate JIS hours earmarked for the Court to integrating the DIVERT database into the JIMS system.</i>	Since there is already JIS time allotted to the Juvenile Court and Clerk's Office, there would be \$0 increase in marginal costs. The various upgrades needed in JIMS and JCMS should be appropriately packaged to permit effective use of the annual allocation. See Rec. 1-32, 1-38, 1-52, 1-53, 1-57, 2-5, 2-11, 2-12, 2-19, 2-20, & 2-24.
Although the policy only allows for one diversion, it is possible, in practice, for a juvenile to have two or more cases diverted because Youth Services may divert a case without notifying the Juvenile Court.	1-16	<i>The Juvenile Court should develop a protocol with Youth Services to ensure that decisions by Youth Services to divert a juvenile are promptly reported to the Intake Department and recorded.</i>	More consistent performance at \$0 increase in marginal costs.
In addition to the Observations and Findings cited for Rec. 1-6, appropriate procedures and proper equipment can significantly lessen the danger to youth, staff, and the public and reduce potential liability of the County should an incident occur.	1-17	<i>The Juvenile Court should ensure that staff responsible for supervising juveniles in custody are properly trained and equipped to perform this function.</i>	A line item equal to at least 1% of salaries should be included in the Juvenile Court budget to cover all training related expenses. This would add \$67,181 to the Court's budget. It is anticipated that Intake Dept. staff would use already available equipment.

Key Findings & Observations		Recommendation	Estimated Fiscal Impact
The American Probation and Parole Assoc. suggests that workload rather than caseload should be used to determine probation staffing levels. Without determining the worktime required to meet expected performance levels after implementing the prioritization and streamlining recommendations listed below, it is not possible to determine whether Community Supervision Probation Officers' caseloads are too high, low, or about right.	1-18	<i>The Juvenile Court should conduct a thorough workload assessment for Community Supervision Probation Officers and establish staffing levels and caseload standards based on the time and work required to meet the requirements of the CSPS Policy and Procedure Manual.</i>	Workload assessments of similar scope have cost \$80,000 to \$100,000.
The use of full supervised probation for lower level offenders is antithetical to the Evidence-Based Practices embraced by community corrections nationally. Prioritizing will enable CSPS to focus its resources on those juveniles who require them the most and ease the strain on limited resources.	1-19	<i>Given the limited resources available, the Juvenile Court should prioritize the types of cases or circumstances in which it orders supervised probation and develop other mechanisms to provide services to the low-risk but needy populations.</i>	More efficient use of existing resources; \$0 increase in marginal costs.
Best practice suggests that "assessing offenders in a reliable and valid manner is a prerequisite for the effective management of offenders." To do so, a validated screening and assessment tool is needed. The accuracy or validity of the instrument developed by the Juvenile Court has not been determined.	1-20	<i>The Juvenile Court should either validate its current risk assessment instrument or adopt one that has been validated in a comparable jurisdiction and permits probation officers to identify strengths, needs, and protective factors. Using the validated instrument, a risk assessment should be completed prior to the disposition for all juveniles found to have committed a delinquent offense.</i>	Initial cost to obtain a validated instrument \$5,000 to \$10,000. On-going costs are between \$100 - \$200 per 25 instruments.
The use of case planning that specifies goals and services and requirements designed to meet those goals, together with graduated sanctions as an enforcement tool lies at the heart of effective mandated rehabilitation programs.	1-21	<i>The Community Supervision Probation Section should implement case planning and the use of graduated sanctions as quickly as possible, starting with high risk youth.</i>	If initiated with high-risk offenders first, and expanded only after implementation of Rec. 1-18 through 1-20, \$0 additional cost is anticipated.
See Recs. 1-19 through 1-21.	1-22	<i>The Juvenile Court should develop a full set of management and supervision guidelines for sexual offense cases. These guidelines should address, at a minimum, the following areas: specialized assessment, specialized treatment requirements, supervision protocols and practices, including visitation schedule, response to violations, no contact orders with victims or potential victims, and specialized conditions for sexual abusers.</i>	Initial cost to obtain an assessment instrument specially tailored for use with juvenile sexual offenders \$5,000 - \$10,000.

Key Findings & Observations		Recommendation	Estimated Fiscal Impact
Given that Community Supervision Probation Officers are based away from the Juvenile Justice Center, all processes should be designed to minimize the number trips back and forth for both staff and paper.	1-23	<i>Decisions to release a juvenile from probation should be made by a judicial officer at the recommendation of the Probation Officer. The District Attorney's Office should be provided with notice of the recommendation and opportunity to request a hearing if it has an objection.</i>	Greater productivity at \$0 increase in marginal costs.
	1-24	<i>The Court should review the current procedures to initiate a violation of probation hearing to ensure that unnecessary steps and complexities are eliminated.</i>	Greater productivity at \$0 increase in marginal costs.
See Rec. 1-14.	1-25	<i>The Juvenile Court should develop different job descriptions and possibly different job titles for Community Supervision Probation Officers and probation staff who work at the Juvenile Court Center and who are not responsible for supervising juvenile offenders.</i>	It is not anticipated that this will require salary adjustments. Therefore, there should be \$0 impact on marginal costs.
See Rec. 1-6.	1-26	<i>The Juvenile Court should provide relevant and appropriate training to Community Supervision Probation Officers to respond to emergency medical, safety, or other situations that could occur while they assume responsibility for the detention population.</i>	A line item equal to at least 1% of salaries should be included in the Juvenile Court budget to cover all training related expenses. This would add \$67,181 to the Court's budget.
There is inconsistent application of the rules and procedures regarding the granting and use of compensatory time and overtime.	1-27	<i>The Juvenile Court should review its current policies regarding work schedules, compensatory time, and overtime and adjust them, to the extent permitted by law, to reflect irregular hours that Community Supervision Probation Officers may need to work to perform their responsibilities. It should also ensure that CSPS managers understand compensatory time and overtime regulations and apply them consistently.</i>	While there may be some initial increase in overtime, it is anticipated that the numerous recommendations designed to streamline operations will quickly reduce use of overtime.

Key Findings & Observations		Recommendation	Estimated Fiscal Impact
<p>“Outpost” offices are not provided with computers and communications links (e.g., e-mail & fax machines) that allow staff to prepare required documents and efficiently transmit and receive forms, reports, records, and orders with the Juvenile Court Center. This can significantly reduce their capacity to perform supervisory and assistance responsibilities effectively. In addition, CSPS staff are often expected to purchase cleaning supplies and clean these outpost offices.</p>	1-28	<p><i>The Juvenile Court should provide “outpost” locations with the office and other equipment required for Community Supervision Probation Officers to perform their responsibilities effectively and should make arrangements to provide regular office maintenance and cleaning services to these locations.</i></p>	<p>\$1,800 for purchase of a computer; \$150 for purchase of a printer/fax/copier and \$100/month for communication and supply costs per outpost office for a total of \$56,700 for year 1 ($[\\$1,800+\\$150+\\$1200] \times 18$ outposts); and on-going costs in years 2 and 3 of \$21,600 for communications and supplies [$\\$1,200 \times 18$ outposts].</p>
<p>“Outpost” offices currently have no security cameras, panic buttons, or other security devices other than a door lock. See Rec. 1-17.</p>	1-29	<p><i>The Juvenile Court should provide “outpost” locations with basic security equipment such as security cameras and panic buttons wired to the closest law enforcement agency and should require each office to develop an emergency evacuation plan.</i></p>	<p>Estimated cost of providing necessary security equipment is \$2,000 per office plus \$200/month for monitoring for a total of \$17,600 for year 1 ($[\\$2,000 +\\$2,400] \times 4$) and on-going costs of \$9,600 for years 2 and 3.</p>
<p>See Rec. 1-17.</p>	1-30	<p><i>The Juvenile Court should develop a detailed policy regarding home visits that require the officer to check in with someone prior to and at the end of each home visit and provide guidance on when such visits should be conducted by pairs of probation officers or by a probation officer and law enforcement officer.</i></p>	<p>\$0 increase in marginal costs anticipated.</p>
<p>Davidson County is experiencing growth in the number of non-English speaking communities creating language and cultural custom challenges for CSPA.</p>	1-31	<p><i>The Juvenile Court should consider providing cultural diversity training to CSPA staff and develop strategies and practices for staffing cases that involve members of an immigrant community who have limited English-language skills, may not be familiar with the American juvenile justice system, or have cultural practices that make traditional probation supervision difficult.</i></p>	<p>A line item equal to at least 1% of salaries should be included in the Juvenile Court budget to cover all training related expenses. This would add \$67,181 to the Court’s budget.</p>

Key Findings & Observations		Recommendation	Estimated Fiscal Impact
See Rec. 1-15.	1-32	<i>The Juvenile Court should place a priority on the development of regular management reports which provide each Judicial Officer, the Court Administrators, and relevant managers with the status of dependency cases in relation to federally mandated case processing requirements, and the overall performance of the court in relation to those guidelines.</i>	Since there is already JIS time allotted to the Juvenile Court and Clerk's Office, there would be \$0 increase in marginal costs. The various upgrades needed in JIMS and JCMS should be appropriately packaged to permit effective use of the annual allocation. See Rec. 1-15, 1-38, 1-52, 1-53, 1-57, 2-5, 2-11, 2-12, 2-19, 2-20, & 2-24.
Dependency, neglect, and abuse cases are complex matters requiring substantial coordination in order for effective and timely processing. DCS currently has assigned two court liaison workers on site at the Juvenile Justice Center.	1-33	<i>The Juvenile Court should continue its current plans with the DCS to increase the number of court liaison personnel at the Juvenile Justice Center in order to further enhance communication and coordination between DCS, the Judicial Officers hearing dependency cases, and Court staff.</i>	There will be \$0 impact on the Court's budget.
In view of budget revenue shortfalls at federal, state, and local levels, the need to develop community resources for prevention, early intervention, and treatment has increased and will likely increase for the foreseeable future. Having staff dedicated to developing community resources not only will help improve services, but could potentially develop resources that might otherwise rely on budget appropriations or might be unavailable due to a lack of budget appropriations.	1-34	<i>The Juvenile Court should consider adding or reallocating a staff person whose role and sole focus is development and coordination of community resources for treatment and other family services.</i>	One additional probation officer position at \$32,415 plus benefits of \$9,725 for a total of \$42,140 per year.
Businesses have an interest in ensuring the vitality of families in their workforce and communities and in the quality of the justice system. A number of courts have been successful in recruiting businesses to provide expertise to assist with operational improvements in court processes and facilitate participation by employees and others in volunteer support efforts. Other courts have engaged businesses to help with job counseling and placement services.	1-35	<i>The Juvenile Court should consider a formal effort to reach out and engage the business community in providing support for services to children and families at risk. Any initiative should be carefully reviewed in the context of limitations on the judge and the Court by ethics rules.</i>	\$0 impact on marginal costs anticipated.

Key Findings & Observations		Recommendation	Estimated Fiscal Impact
Budget constraints limit the ability of Drug Court staff to conduct home visits. This negatively affects their ability to monitor the children and parents they are supervising.	1-36	<i>The Juvenile Court should make resources available to allow the Drug Court staff to conduct home visits.</i>	One additional probation officer position at \$32,415 plus benefits of \$9,725 for a total of \$42,140 per year, plus \$1,602 for reimbursement for 300 mi./month @ \$.445/mile.
See Rec. 1-6.	1-37	<i>The Juvenile Court should make training available when staff are assigned to the Drug Court and on an ongoing basis thereafter.</i>	A line item equal to at least 1% of salaries should be included in the Juvenile Court budget to cover all training related expenses. This would add \$67,181 to the Court's budget.
See Rec. 1-15	1-38	<i>The Juvenile Court should allocate a portion of its JIS time to the development of a module for JIMS that would allow Drug Court staff to track cases, produce statistical reports regarding case events and outcomes, and capture information for long term program evaluation.</i>	Since there is already JIS time allotted to the Juvenile Court and Clerk's Office, there would be \$0 increase in marginal costs. The various upgrades needed in JIMS and JCMS should be appropriately packaged to permit effective use of the annual allocation. See Rec.1-15 1-32, 1-52, 1-53, 1-57, 2-5, 2-11, 2-12, 2-19, 2-20, & 2-24.
See Rec. 1-28	1-39	<i>The Juvenile Court should provide TRP "outpost" locations with the office and other equipment required for community supervision probation officers to perform their responsibilities effectively, and should make arrangements to provide regular office maintenance and cleaning services to these locations.</i>	\$1,800 for purchase of a computer; \$150 for purchase of a printer/ fax/ copier and \$100/month for communication and supply costs per TRP office for a total of \$12,600 for year 1 ($[\$1,800+\$150+\$1200] \times 18$); and on-going costs in years 2 and 3 of \$4,800 per year for communications and supplies.
A number of juvenile courts have sanctioned creation of a charitable, tax-exempt organization that can raise funds for important programs. These separately incorporated "Friends of the Court" organizations identify service needs for youth and families and approach foundations and other charitable resources for grants and donations to establish or strengthen programs to address these needs.	1-40	<i>The Juvenile Court should consider creating a 501(C)(3) organization that can accept donations and otherwise raise funds from private sources to strengthen the TRP and the summer enrichment program.</i>	Less than \$1,000 for fees.

Key Findings & Observations		Recommendation	Estimated Fiscal Impact
The impact of the work assignments could be heightened if, for example, youths who have been adjudicated for vandalism were required to clean graffiti or youths who have been involved in an assault might be required to work in a hospital emergency room.	1-41	<i>CSWP staff should attempt to expand work options and relate the work to the delinquent acts committed by youth to better fit the balanced and restorative justice philosophy underlying the program.</i>	Greater productivity at \$0 increase in marginal costs.
See Rec. 1-22	1-42	<i>The Juvenile Court should consider using assignments to the CSWP as part of a set of graduated sanctions to enforce compliance with probation conditions.</i>	\$0 impact on marginal costs is anticipated.
See Rec's. 1-6 and 1-17	1-43	<i>The Court should require basic safety training for all CWSP program staff.</i>	A line item equal to at least 1% of salaries should be included in the Juvenile Court budget to cover all training related expenses. This would add \$67,181 to the Court's budget.
The regular monthly meetings with justice system partners are very positive means to maintain communication internally and externally. In addition to providing the opportunity for exchange of information and joint problem solving, face-to-face meetings facilitate better operational communications.	1-44	<i>If pursuant to the recommendation in the chapter of this report on the Juvenile Court Clerk's Office at least one representative from that office does not regularly attend the monthly meetings held by the Juvenile Court, the Juvenile Court Judge should direct the Juvenile Clerk or a senior member of the Clerk's Office staff to participate in all monthly partner meetings.</i>	Greater productivity at \$0 increase in marginal costs.
See Rec. 1-27	1-45	<i>The Juvenile Court should clarify for staff and supervisors that all time worked must be accounted for and that the requirements of the Fair Labor Standards Act (FLSA) and Metro county work rule must be followed for compensation for time worked in excess of the normal work week and of the alternative of compensating time off during the same work week. It should also review its current policies regarding work schedules, compensatory time, and overtime and adjust them, to the extent permitted by law, to reflect the irregular hours that some Court employees may need to work to perform their responsibilities.</i>	While there may be some initial increase in overtime, it is anticipated that the numerous recommendations designed to streamline operations will quickly reduce use of overtime.

Key Findings & Observations		Recommendation	Estimated Fiscal Impact
It is important, both to ensure maximum effectiveness for the recruiting process and to ensure that staff feel that they have adequate opportunity to compete for vacant positions, that internal and external advertising of positions be complete.	1-46	<i>The Juvenile Court should clarify for staff its policy for recruiting for vacant positions for staff, being careful to distinguish between the process of filling a vacancy and reassignments due to reorganization. In addition, e-mail should be used to circulate notice of vacant positions to all staff, and a central location should be designated for posting vacancies for the benefit of staff.</i>	\$0 impact on marginal costs is anticipated.
The Juvenile Court has a substantial number of people appearing for court every day under stressful circumstances, increasing the likelihood of a distraught individual entering the Administrative Offices and creating a disturbance or worse. The current card lock–buzzer system provides little actual security.	1-47	<i>The Juvenile Court should determine whether improvements could be made in the security lock system at the entrance door to the Administration Offices to allow support staff to determine the identity and purpose of persons requesting access to the Administrative Offices without having to leave their workstation prior to allowing entry.</i>	Less than \$2,500 .
In most courts, the production and mailing of court orders to parties or the agencies responsible for service of process is the responsibility of the clerk’s office.	1-48	<i>The Juvenile Court should determine whether functions relating to the production and mailing of court orders for the Judge and referees could be re-allocated to the Clerk’s Office or another office, in order to ensure that the Court’s business operations are not delayed or interrupted by fluctuations in Court activity.</i>	\$0 impact on the Court’s budget, and if Rec. 2-17 is implemented, on the Clerk’s Office budget as well.
It is prudent that core functions be supported by sustainable funding sources.	1-49	<i>The Juvenile Court’s current initiative to shift funding for ongoing, core operations to general revenue sources or “entitlement grants” should be continued. Limited term grants should be limited to funding short-term improvement or demonstration projects where the grant priorities are in line with the Court’s priorities and where there is a reasonable expectation of securing funding for ongoing operations if the improvement or demonstration effort is successful.</i>	Over the next 3 years, this could result in shifting 3 FTE from JABG and other federal grants to general revenue at a cost of approximately \$150,000 .

Key Findings & Observations		Recommendation	Estimated Fiscal Impact
The Juvenile Court's management information systems are key to its effective operation. Increasing the Court's IT support capacity is necessary to ensure that it can carry out its responsibilities efficiently and effectively. If the one current support employee should take another position or go on extended leave, there would be no one to provide the necessary support and training.	1-50	<i>The Juvenile Court should consider dedicating at least one additional full time position to the support of computer hardware and software systems. Both positions should be knowledgeable about all software the Court uses, including both JIMS and JCMS. Total staffing should include 1 FTE Administrative Assistant – this person should understand IT and support; and 2 FTE level 3 support persons (maintenance, traveling, and security).</i>	Adding one administrative assistant at \$35,901 plus \$10,770 fringe benefits (calculated at 30%) and two professional IT staff at \$37,000 (the midrange of PO1-3) plus \$11,100 in fringe benefits will increase salary costs by \$142,871 .
See Rec. 1-6	1-51	<i>In the interim, the Juvenile Court should cross-train the half-time employee providing IT support on the development of Crystal reports.</i>	A line item equal to at least 1% of salaries should be included in the Juvenile Court budget to cover all training related expenses. This would add \$67,181 to the Court's budget.
See Rec. 1-15	1-52	<i>The Juvenile Court should strongly encourage the JIS Policy Committee to authorize resources to have the state-mandated JIMS management reports as well as the management reports in JCMS developed as soon as possible.</i>	Since there is already JIS time allotted to the Juvenile Court and Clerk's Office, there would be \$0 increase in marginal costs. The various upgrades needed in JIMS and JCMS should be appropriately packaged to permit effective use of the annual allocation. See <i>Rec.1-15, 1-32, 1-38, 1-53, 1-57, 2-5, 2-11, 2-12, 2-19, 2-20, & 2-24.</i>
See Rec. 1-15	1-53	<i>The Juvenile Court should use a portion of its allocation of JIS hours to address the user level, security, inconsistencies, and fixes required by JIMS and JCMS.</i>	Since there is already JIS time allotted to the Juvenile Court and Clerk's Office, there would be \$0 increase in marginal costs. The various upgrades needed in JIMS and JCMS should be appropriately packaged to permit effective use of the annual allocation. See <i>Rec.1-15, 1-32, 1-38, 1-52, 1-57, 2-5, 2-11, 2-12, 2-19, 2-20, & 2-24.</i>

Key Findings & Observations		Recommendation	Estimated Fiscal Impact
<p>The allocation of time that JIS can provide to the Juvenile Court and Clerk's Office may not be sufficient to develop all the needed reports and upgrades to JIMS and JCMS within a year. A contract with a private vendor could speed the process greatly, but JIS must participate in the oversight of the development to ensure that the changes are consistent with state policies and standards.</p>	1-54	<p><i>As an alternative, the Juvenile Court should explore with the Metro Government and the Administrative Office of the Courts whether general fund monies or grant funding is available to contract with programmers who could work exclusively with the Juvenile Court and the Juvenile Court Clerk to bring both systems to baseline working order and to allow the systems to work as consistently as possible.</i></p>	<p>Fiscal impact on the County is dependent upon whether federal grant funds can be secured. The total cost of the upgrades should not exceed \$150,000.</p>
<p>If the IT staff is increased as recommended in Rec. 1-50, creation of a separate IT Unit will be necessary to effectively integrate and coordinate their work.</p>	1-55	<p><i>The Juvenile Court should consider the creation of an Information and Technology Unit that includes a manager, support staff, and at least three FTE. The FTE would support both the JIMS and JCMS programs through participation in JIS committees and by providing user assistance, conduct training on the use of both systems as well as other software used by the court, and keep abreast of other technologies that could be used to improve the work of the court, either by improving efficiencies or by improving public safety.</i></p>	<p>There would be \$0 fiscal impact beyond that listed in 1-50.</p>
<p>See Rec. 1-6</p>	1-56	<p><i>The Juvenile Court should provide the training to ensure that all members its staff have a basic working knowledge of the software they are expected to use in the course of their jobs including basic computer maintenance procedures, such as file storage and back-up. The Court should also set an expectation that its staff will perform these tasks as part of their job duties.</i></p>	<p>A line item equal to at least 1% of salaries should be included in the Juvenile Court budget to cover all training related expenses. This would add \$67,181 to the Court's budget.</p>
<p>See Rec. 1-15</p>	1-57	<p><i>The Juvenile Court should work with JIS to develop or adapt an automated system for tracking service of process, return of service information, and arrest warrants.</i></p>	<p>Since there is already JIS time allotted to the Juvenile Court and Clerk's Office, there would be \$0 increase in marginal costs. The various upgrades needed in JIMS and JCMS should be appropriately packaged to permit effective use of the annual allocation. See Rec. 1-15, 1-32, 1-38, 1-52, 1-53, 2-5, 2-11, 2-12, 2-19, 2-20, & 2-24.</p>

Key Findings & Observations		Recommendation	Estimated Fiscal Impact
The lack of modern communication links and inadequate personal safety equipment are of major concern of security officers.	1-58	<i>The Juvenile Court should explore the availability of federal grant funds to ensure that the enforcement and security functions are able to be performed effectively and efficiently. Among the items that should be considered are hand-held or in-vehicle computers that enable security officers in the field to check JIMS without compromising the security of the system, state-of-the-art body armor, and batons or other non-lethal weapons.</i>	The amount of the grant should be based on exact number of computer units, safety vests, and non-lethal weapons required by the Department of Security and Safety. The only fiscal impact for the County would be any applicable match requirement and maintenance costs.
See Rec. 1-6	1-59	<i>The Juvenile Court should ensure that the policy and procedures manual being developed by the Enforcement and Security Department includes explicit guidelines on the appropriate use of deadly and non lethal force, and that all security officers understand and are able to apply these guidelines in the course of their duties.</i>	A line item equal to at least 1% of salaries should be included in the Juvenile Court budget to cover all training related expenses. This would add \$67,181 to the Court's budget.
The Juvenile Justice Center does not provide space which allows for the separation of victims, witnesses, and defendants. The inability to separate potentially hostile parties presents problems in custody, child support, neglect and dependency, and potentially in delinquency cases. The lack of waiting space also makes settlement discussions and negotiations difficult, and affects the atmosphere inside the Court, when in session. The crowds in the hallways are noisy and the courtrooms are not adequately soundproofed, making it difficult to hear the proceedings.	1-60	<i>The Juvenile Court should consider developing a plan to remodel the court facility to provide adequate waiting and seating space to accommodate all of the courtrooms in the facility. The waiting areas should be 200 square feet in size per general trial courtroom and up to 400 square feet in size for larger courtrooms.</i>	The fiscal impact of providing 200 sq. ft. of meeting space for 7 courtrooms @ \$200 per sq. ft. is \$280,000.
	1-61	<i>Safe and separate waiting rooms should be available to victims and witnesses in court proceedings to minimize the trauma and potentially dangerous situations created by the physical association between adversarial parties.</i>	The fiscal impact of providing 2 special waiting rooms of 150 sq. feet each @ \$200 per sq. ft. is \$60,000.
	1-62	<i>Attorney conference rooms should be provided for attorneys waiting for trials or during recesses.</i>	The fiscal impact of providing 400 sq. ft. of attorney conference space @ \$200 per sq. ft. is \$80,000.
	1-63	<i>All courtrooms and other waiting rooms/lounges should have adequate soundproofing so as to deaden sound transmissions from common waiting areas.</i>	The fiscal impact of soundproofing 7 courtrooms @ \$4,000 per courtroom is \$28,000.

Key Findings & Observations		Recommendation	Estimated Fiscal Impact
The organizational structure of the Clerk's Office should be modified to increase accountability and supervision. The current span of control is too high in the Operations Division and there is poor staff utilization in some classifications.	2-1	<p><i>The Office of the Clerk of Court should be reorganized by:</i></p> <ul style="list-style-type: none"> <i>A. Eliminating Court Clerk position over Operations Division.</i> <i>B. Creating an Office Support Manager position.</i> <i>C. Eliminate the Administrative Officer-3 position.</i> 	The net fiscal impact of eliminating the salary and fringe benefits (@30%) of two positions and adding these costs for an Office Support Manager would be (\$47,063) . [(\$41,886 + \$12,556) – (\$33,145 + \$9,944) – (\$44,943 + \$13,483)]
Planning for service level improvements is lacking.	2-2	<i>The Juvenile Court Clerk should establish a strategic planning process.</i>	Greater productivity at \$0 increase in marginal costs.
Performance evaluations are often not conducted effectively or timely and do not always include discussion of goals, work priorities, or performance expectations.	2-3	<i>The Juvenile Court Clerk's Office should conduct employee performance evaluations annually.</i>	\$0 impact on marginal costs is anticipated.
No performance standards, goals, or objectives are in place to distinguish between "satisfactory" and "unsatisfactory" performance.	2-4	<i>The Juvenile Court Clerk, in collaboration with the Juvenile Court, should develop measurable performance expectations for the fiscal, minute, and records functions in the Office.</i>	Greater productivity at \$0 increase in marginal costs.
Neither the Court nor the Clerk's Office receive regular management reports that provide a comprehensive indication of how well they are operating. Management data and case tracking information are maintained on several, non-integrated databases.	2-5	<i>The Juvenile Court Clerk should utilize a portion of its allocation of JIS resources to enable JIMS to record the data and produce management reports that will enable the Office to determine the extent to which it is meeting the performance expectations.</i>	Since there is already JIS time allotted to the Juvenile Court and Clerk's Office, there would be \$0 increase in marginal costs. The various upgrades needed in JIMS and JCMS should be appropriately packaged to permit effective use of the annual allocation. See Rec. 1-15, 1-32, 1-38, 1-52, 1-53, 1-57, 2-11, 2-12, 2-19, 2-20, & 2-24.
Formal management team meetings are conducted infrequently leaving little coordinated understanding of priorities, staffing issues, or service level concerns.	2-6	<ul style="list-style-type: none"> <i>a The Clerk should conduct monthly supervisors meetings to determine progress in meeting goals and objectives, review performance measure reports, and discuss service delivery issues that have arisen.</i> <i>b The Managers of each operating unit should each hold monthly staff meetings with their respective personnel. Topics to be discussed at these meetings should include: organizational goals and accomplishments, work scheduling, operational issues and their resolution, customer service issues, and automation and training needs.</i> 	Greater productivity at \$0 increase in marginal costs.

Key Findings and Observations		Recommendation	Estimated Fiscal Impact
Policies and procedures manuals do not exist for key function of the Juvenile Court Clerk's Office and, where they do exist, are not routinely reviewed and updated.	2-7	<i>The Juvenile Court Clerk should develop a written policy and procedures manual for the Minutes and Records Units and review the existing policies and procedures for the Fiscal Operations Division for completeness, appropriateness, and current applicability. These policy and procedure manuals should be reviewed and updated at least every three years.</i>	Greater productivity at \$0 increase in marginal costs.
Attendance at the Juvenile Court monthly meetings by the Clerk's Office is not consistent resulting in little coordination and dialogue between the two offices.	2-8	<i>At least one representative from the Juvenile Clerk's Office should attend the monthly meetings held by the Juvenile Court to increase the exchange of information between the parties.</i>	Greater productivity at \$0 increase in marginal costs.
Satisfaction levels with the services provided by the Juvenile Clerk's Office are not measured.	2-9	<i>An annual survey should be conducted to determine satisfaction levels with the support provided by the Juvenile Clerk's Office.</i>	\$0 impact on marginal costs is anticipated.
Employee training is mainly conducted "on the job" or on a sporadic basis. No comprehensive approach to training exists.	2-10	<i>The Juvenile Court Clerk should require the manager of each operational unit to develop a training plan and training materials for the staff of the unit. This training should focus on the basic office processes related to that unit and to the Office as a whole.</i>	Because internal training is anticipated, \$0 fiscal impact is anticipated.

Key Findings and Observations		Recommendation	Estimated Fiscal Impact
<p>The internal controls regarding the handling of funds remain lacking.</p> <ul style="list-style-type: none"> ▪ Receipts are not issued in numerical order. ▪ No approvals are required on the issuance of refunds or voided transactions. ▪ No systematic review of voided transactions is occurring. ▪ Auditing of receipt books are not occurring. ▪ Management reports summarizing transaction activity are not prepared or reviewed. ▪ Random audits of funds are not conducted. ▪ Employees are not fully cross-trained leaving key functions without appropriate backup and preventing management from reassigning staff as needed to cover work loads or for professional development. 	<p>2-11</p> <p><i>The Juvenile Court Clerk should further improve internal controls over cash handling by ensuring that:</i></p> <p>a <i>All cashiers are required to document and report receipts that are not issued in numerical order on a daily basis.</i></p> <p>b <i>All refunds and voided transactions are approved by the Division Manager before being finalized.</i></p> <p>c <i>All voided transactions are reviewed weekly.</i></p> <p>d <i>Weekly reports are prepared of all voided transactions that list the transactions by cashier, the total dollar amount, and the reasons the transaction was voided.</i></p> <p>e <i>Weekly audits are conducted of receipt books that account for each receipt in order and compiled into monthly reports that are submitted for review to the Juvenile Court Clerk.</i></p> <p>f <i>Monthly reports of transactions by employee and type are prepared and provided to the Juvenile Court Clerk for review and signature.</i></p> <p>g <i>Bi-monthly random audits are conducted of change funds.</i></p> <p>h <i>The enhancements to JIMS will restrict the ability to perform certain automated transactions, including refunds and voids.</i></p> <p>i <i>All members of the Fiscal Operations Division staff are cross-trained, and primary assignments are rotated twice each year.</i></p>	<p>\$0 impact on marginal costs is anticipated for each of the listed recommendations. With regard to Rec. 2-11 (h), since there is already JIS time allotted to the Juvenile Court and Clerk’s Office, there would be \$0 increase in marginal costs. The various upgrades needed in JIMS and JCMS should be appropriately packaged to permit effective use of the annual allocation. See Rec. 1-15, 1-32, 1-38, 1-52, 1-53, 1-57, 2-5, 2-12, 2-19, 2-20, & 2-24.</p>	
<p>The tracking of receivables by the Juvenile Clerk’s Office is deficient. There is no automated financial system to track receivables due to the Court and management reports regarding outstanding receivables are not prepared.</p>	<p>2-12</p> <p><i>The Juvenile Court Clerk should improve the tracking of receivables by:</i></p> <p>a <i>Using the automated information systems to document all receivables.</i></p> <p>b <i>Requiring monthly reports to document outstanding receivables.</i></p>	<p>Because these recommendations are part of the JIMS upgrade now underway, there will be \$0 fiscal impact.</p>	
<p>Policies and procedures related to security procedures are either lacking or not enforced.</p>	<p>2-13</p> <p><i>The Juvenile Court Clerk should establish and enforce policies to ensure the safety of Office staff, funds, and records.</i></p>	<p>\$0 impact on marginal costs is anticipated.</p>	

Key Findings and Observations		Recommendation	Estimated Fiscal Impact
Collection activities are deficient and inconsistently applied.	2-14	<p><i>The Juvenile Court Clerk should strengthen the Clerk's Office collections activities, including:</i></p> <ul style="list-style-type: none"> a <i>Development of policies and procedures.</i> b <i>Utilization of the new functionality of the JIMS system to minimize manual and duplicative processes.</i> c <i>Expansion of collections activities to include all fines, fees, and restitution payments ordered by the Court.</i> 	Greater productivity at \$0 increase in marginal costs.
No periodic reviews are conducted of the effectiveness of the collections process.	2-15	<p><i>The Juvenile Court Clerk should review the collections program annually and assess if adjustments should be made, including the level of resources dedicated to the program, the overall collection rate.</i></p>	\$0 impact on marginal costs pending the results of the initial review.
Direct payment of Title IV-D payments to the state is not promoted sufficiently resulting in a missed opportunity to reduce work volume in the Clerk's Office.	2-16	<p><i>The Juvenile Court Clerk, together with the Juvenile Court, should promote direct payment of Title IV-D child support to the State, and promote alternative methods of payment including the provision of a secured terminal in the Clerk's Office that would permit child support obligors to make their payments directly to the State.</i></p>	An outlay of no more than \$1,250 for purchase and installation of the secure terminal is anticipated.
Full utilization of the JIMS software has not occurred.	2-17	<p><i>The Juvenile Court Clerk should eliminate all manual and duplicative processes once the accounting functions of the automated information system, JIMS is fully implemented. Once fully implemented, the Clerk should eliminate at least the full-time Office Support Representative-1 position in the Fiscal Operations Division.</i></p>	A reduction of (\$37,027) is anticipated. [Salary of \$28,482 plus \$8,545 in fringe benefits]

Key Findings and Observations		Recommendation	Estimated Fiscal Impact
The policies and procedures related to the control, utilization, and tracking of files are deficient.	2-18	<p><i>The Juvenile Court Clerk should immediately implement procedures and protocols to strengthen the controls on file removal and re-filing by:</i></p> <ul style="list-style-type: none"> a <i>Establishing performance expectations for the expeditious return of case files to the repositories by all staff.</i> b <i>Requiring periodic desk audits of files to ensure that all personnel are in compliance with the standards.</i> c <i>Requiring periodic audits of pulled record cards to determine if checked out files are being returned to the repositories in compliance with Office standards and if files that have been checked out are still in the possession of the person who requested them.</i> 	Greater productivity at \$0 increase in marginal costs.
The JIMS system's capability for bar coding files to improve tracking has not been implemented.	2-19	<i>The Juvenile Court Clerk should develop a plan for the implementation of the bar coding case tracking capacity of the JIMS system.</i>	A fiscal impact of \$15,902 is anticipated. [1333 hours of work by a Technical Paraprofessional @ \$9.18/hr plus \$2.75/hr in benefits.]
The JIMS system's capability for file imaging has not been implemented.	2-20	<i>The Juvenile Court Clerk should develop a plan to implement the case file imaging capacity of the JIMS system. In addition, the Clerk should work with JIS to develop requirements for system enhancements that would enable attorneys working in the Juvenile Court to access some records electronically.</i>	A fiscal impact of \$15,902 is anticipated. [1333 hours of work by a Technical Paraprofessional @ \$9.18/hr plus \$2.75/hr in benefits.]

Key Findings and Observations		Recommendation	Estimated Fiscal Impact
<p>The new phone system recently implemented has resulted in extensive problems relating to a caller's ability to reach an individual and for staff to analyze call volumes.</p>	<p>2-21</p>	<p><i>The Juvenile Court Clerk should continue to work with Metro ITS to identify technical problems with the current phone system and to search for alternatives. Whatever phone system is eventually implemented should enable the Clerk's Office to:</i></p> <ul style="list-style-type: none"> a <i>Analyze call patterns (profile of incoming calls by time, the number of rings per call, and the number of dropped calls) to assess answering performance and telephone staffing needs.</i> b <i>Develop automated phone scripts that provide basic information about the Court and the Clerk's Office.</i> c <i>Conduct a study of the types of information requested by callers in order to compile a list of frequently asked questions, and create scripts for telephone receptionists and for automated responses to these questions.</i> d <i>Implement the voice message capabilities of the system so that whenever a caller cannot reach a person in the office a message can be left by the caller.</i> 	<p>Better service at \$0 increase in marginal costs.</p>
<p>The website of the Juvenile Clerk is "static" and provides no direct services to the public that would enhance public access and/or reduce staff work volumes.</p>	<p>2-22</p>	<p><i>The Juvenile Court Clerk should develop a strategy for enhancing the Office's website to include capabilities currently available on the local Criminal and Chancery Court Clerk web sites. The Clerk should work with Metro ITS to develop a cost and implementation plan (time schedule) for the web site's development.</i></p>	<p>Cannot be estimated until there is a determination of the features to be implemented.</p>
<p>No coordinated approach to the utilization of staff leave is in place resulting in the inability to plan for the staffing of courtrooms.</p>	<p>2-23</p>	<p><i>The Juvenile Court Clerk should expand upon the use of a master calendar to coordinate vacation and training absences for Minute Clerks against the daily assignment for the "floating" Minute Clerk.</i></p>	<p>Greater productivity at \$0 increase in marginal costs.</p>

Key Findings and Observations		Recommendation	Estimated Fiscal Impact
No coordinated approach to the utilization of staff leave is in place resulting in the inability to plan for the staffing of courtrooms.	2-24	<i>The Juvenile Court Clerk should implement a tracking document that indicates the Minute Clerk who works each courtroom on a daily basis.</i>	Since there is already JIS time allotted to the Juvenile Court and Clerk's Office, there would be \$0 increase in marginal costs. The various upgrades needed in JIMS and JCMS should be appropriately packaged to permit effective use of the annual allocation. See <i>Rec.1-15, 1-32, 1-38, 1-52, 1-53, 1-57, 2-5, 2-12, 2-19, 2-20, & 2-24.</i>
Existing staffing levels in the classifications assigned to perform the Minute Clerk function are insufficient to meet the needs of the Juvenile Court.	2-25	<i>The Juvenile Court Clerk should base staffing in the Minutes Unit to have one more Minute Clerk trained and available than the number of active courtrooms. The Minute Clerk not assigned to a courtroom should be utilized to cover the duties and courtrooms of Minute Clerks who are absent from the workplace.</i>	The anticipated fiscal impact is an increase in salary and fringe benefit costs of \$29,400 [\$22,615 salary plus \$6,785 fringe benefits (@ 30%)].
Individuals assigned to perform the Minute Clerk function in the courtroom are currently in a variety of job classifications resulting in inconsistent pay scales and job duty descriptions.	2-26	<i>The Juvenile Court Clerk should standardize the classification developed and utilized for all the individuals performing the Minute Clerk function</i>	It is estimated that this recommendation will result in a \$10,000 to \$15,000 increase in personnel costs.
No review or auditing of the performance of the Minute Clerks is conducted related to the entries they make into the JIMS system.	2-27	<i>The Juvenile Court Clerk should require the Manager of the Minute Clerk Unit to perform monthly audits of the work performed by the Minute Clerks including the accuracy and timeliness of entry into the JIMS system and the accuracy and timeliness of updating and returning case files to the repository or Records unit.</i>	Improved performance at \$0 increase in marginal costs.
No performance data is compiled or reviewed regarding the activities of the Minute Clerks resulting in an inability to discern trends in workloads or project staffing needs.	2-28	<i>The Minute Clerk Manager should develop a monthly activity report that tracks key performance data for each Minute Clerk and Courtroom.</i>	Improved performance at \$0 increase in marginal costs.
The number of cases in the high volume courtrooms often makes it difficult for one person to retrieve and replace all the case files needed.	2-29	<i>The pulling and re-filing of case files by Records Unit employees should continue for those Minute Clerks assigned to the highest volume courtrooms.</i>	\$0 impact on marginal costs.