City of Carson City Agenda Report

Date Submitted: September 23, 2011 Agenda Date Requested: October 6, 2011

Time Requested: 5 minutes

To: Mayor and Supervisors

From: Max Cortes, Court Administrator

Subject Title: Action to approve a Judicial Clerk I position in the Justice/Municipal Court in the amount of \$45,982, which includes benefits.

Staff Summary: In 2006, the District and Justice/Municipal Court Judges agreed to consolidate administrative functions and maximize court staff and resources. Court budgets were merged and currently, four unclassified full time staff: One Court Administrator, one Budget Analyst, one Information Technology Analyst and one Judicial Assistant work in the District and Justice/Municipal Courts. Three of the four full time unclassified staff also assist Juvenile Court. Additionally, one Court Interpreter is shared between District and Justice/Municipal Courts. The consolidation of administrative functions and merging of budgets is cutting edge and is in distinct contrast to the majority of courts throughout the State of Nevada. The vast majority of Nevada Courts do not share budgets and/or court staff.

The District Court and Justice/Municipal Court Judges remain committed to utilizing administrative assessments (paid for by defendants) and court funds (paid from filing fees and defendants) to support court operations. Since FY 2006, the District and Justice/Municipal Courts have spent a total of \$932,679 for items statutorily allowed. These administrative assessments and court funds are not General Fund monies and have been used to pay for mandatory financial audits, computers, laptops, copy machines, scanners, printers, updated filing systems, office furniture, annual user fees for the court case management system in Justice/Municipal Court, training/travel, professional services paid to programmers for crystal reports, upgraded security system, video/audio courtroom recording system, back-up recording units, and court specific office supplies.

In addition, the District and Justice/Municipal Courts appointed a collection team in 2009 to expand collection efforts by implementing various practices to collect outstanding fines, fees and restitution. This includes accepting online payments, creating payment plans, allowing drop box payments, using collection agency services and tracking cases in the court's case management system. The goal is to make diligent efforts to collect fines, fees and restitution for victims and reimburse the general fund for other services provided such as indigent defense costs.

Since 2005, the courts have reduced staffing levels and suspended court positions to assist with the budget crisis at the same time adhering to mandatory statutory requirements for processing court filings. In June of 2011, the Court Administrator met with the Interim Finance Committee (IFC) and requested that the suspended clerk position in District Court be reinstated.

The Court Administrator advised IFC that the position would cost \$45,982 at a rate of \$14.88 per hour. In addition, the Court Administrator advised that \$19,142 had been paid over the fiscal year in overtime specifically to employees working in the District Court to process the statutory court filings.

Additionally, the Court Administrator informed IFC that one District Court clerk was resigning and one District Court clerk was under medical care for stress. The Court Administrator advised IFC that the District Court could no longer continue to operate with the reduced staffing levels in order to meet statutory requirements. At that time, IFC approved filling this position with a position that was going to become vacant by an employee retiring in the Justice/Municipal Court in November of 2011. The Court Administrator stressed that to IFC that the position in Justice/Municipal Court would need to be replaced as the Justice/Municipal Court was also working with a reduction of staffing levels and State and Local technology projects were already impacting the workflow.

In September of 2011, the Court Administrator met again with IFC and advised that the employee in Justice/Municipal Court decided to retire early and that the difference between the salary of a Judicial Clerk I position and the retiring employee, who is a Judicial Clerk III, was a salary savings of \$26,941, including benefits. IFC advised that the matter would need to be reviewed and approved by the Board of Supervisors.

| Type of Action Requested: (check one) | |
|---|----------------------------------|
| () Resolution () Formal Action/Motion (|) Ordinance) Other (Specify) |
| Does This Action Require A Business Impa | ct Statement: () Yes (X) No |
| Recommended Board Action: I move to app Justice/Municipal Court in the amount of \$45, | • |
| Applicable Statue, Code, Policy, Rule or Re | gulation: |
| Fiscal Impact: \$45,982. | |
| Funding Source: General Fund | · · |
| Supporting Material: | • |
| Prengred Ry. May Cortes Court Administrat | or. |

| | | 7 3 31 3011 |
|--------------|--|----------------------|
| Reviewed By: | (James A. Russell, First Judicial District Court Judge, Dept I) | Date: $9-26-2011$ |
| | Chamiosillusof | Date: 9/26/11 |
| | (Japaes E. Wilson Jr., first Judicial District Court Judge, Dept II) | Date: <u>1/26///</u> |
| | (Pflomas R. Armstrong, Justice/Municipal Court Judge, Dept I) | Date: 9/20/201/ |
| | (City Manager) | Date: 9/21/11 |
| | (District Attorney) | Date: 9/79/11 |
| • | (Finance Director) | Date: 9/27/11 |
| | | |
| Board Action | Taken: | |
| Motion: | 1) 2) | Aye/Nay |
| | in the second se | |
| | | |
| | • | |
| | | |
| (Vote R | decorded By) | |