



CITY OF COLORADO SPRINGS

MUNICIPAL COURT

ANNUAL REPORT
2008



Municipal Court Judges

HayDen W. Kane II, Presiding Judge

Robert D. Briggie

Carol Carter

William H. Cogswell

B.J. Fett, Jr.

Susan M. Grant

Spencer A. Gresham

R. Dennis Lambrecht

Michele S. Price

Patrick R. Salt

Robert B. Warren

Spottswood W. H. Williams

Joseph D. Dirscherl, Per Diem

Richard J. Lewis, Court Administrator

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Executive Summary

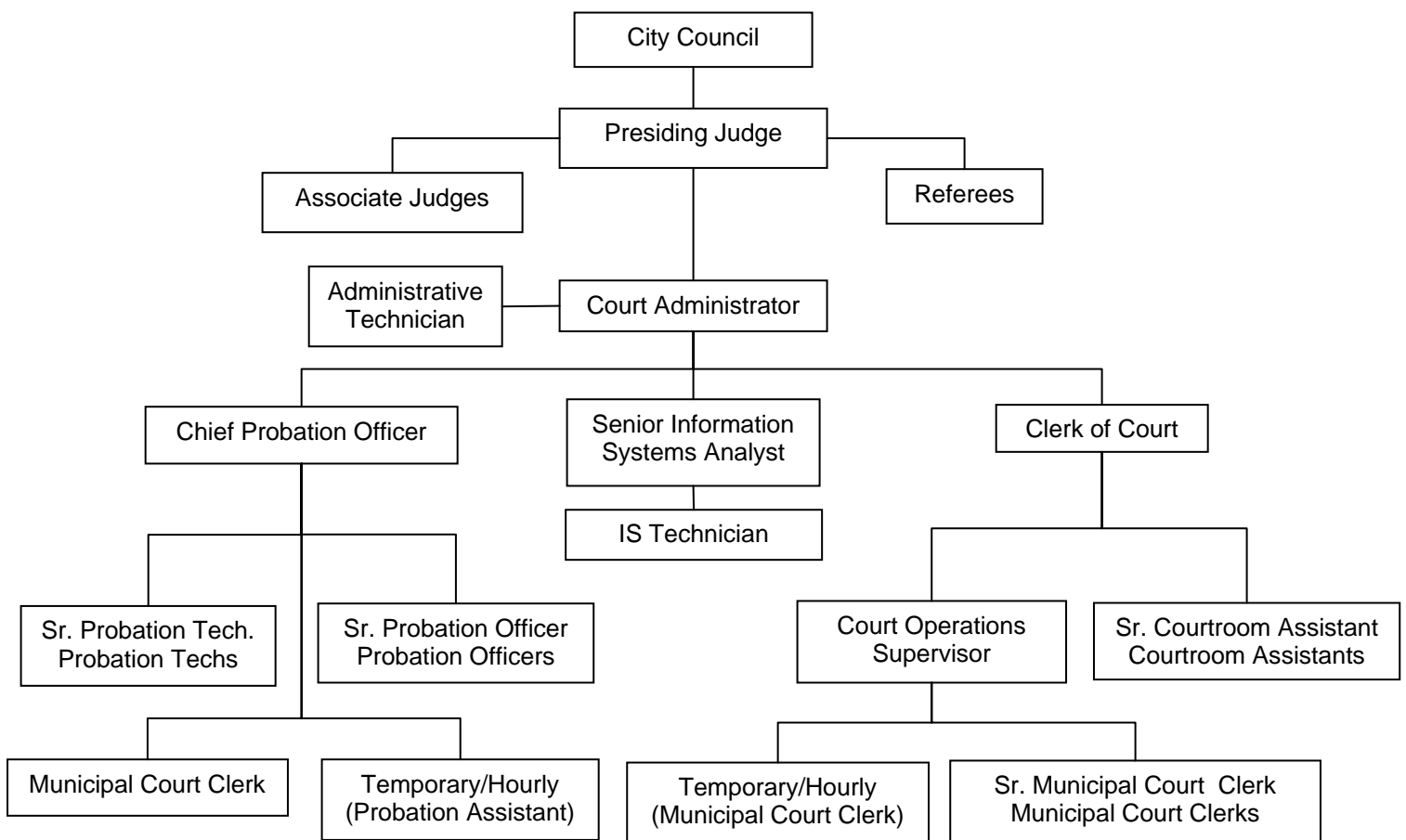
Pursuant to City Code Section 11.1.104 (B), the Court has prepared this 2008 Annual Report of the receipts and business of the Colorado Springs Municipal Court.

This report is dedicated to the late Judge R. Dennis Lambrecht, who passed away on February 6, 2009 after an extended illness. Judge Lambrecht worked as a Municipal Court Judge for 35 years, including service as Presiding Judge from 1984 to 1985. Dennis loved his family, animals, fishing and the outdoors. He will be missed by family, friends and colleagues in the legal community and court system.

Mission Statement

The Municipal Court enhances the quality of life for the citizens of Colorado Springs by promoting public safety, traffic safety and respect for the administration of justice by applying sanctions for violations of the City Charter and Municipal Ordinances.

Organization Chart



Historical Background

The Colorado Springs Municipal Court is the descendant of two frontier courts - the Police Courts of Colorado Springs and (Old) Colorado City. The town of (Old) Colorado City was eventually merged into Colorado Springs. The City of Colorado Springs was incorporated on September 2, 1872. Shortly thereafter, on March 4, 1878, the Colorado Springs Police Court was founded under the laws of the newly admitted State of Colorado.

For most of its existence, the Municipal Court was staffed simply with a Judge and City Attorney. The City Clerk provided clerical support to the court, as well as to other city offices. In recent years, however, this situation changed significantly due to population growth within the City.

Since its inception, the Municipal Court has conducted business out of four different facilities: the old City Hall at 8 South Nevada Avenue (1878-1904), new City Hall at 107 North Nevada Avenue (1904-1997), the Giddings Building at 108 East Kiowa Street (1988-1997) and its current location at 224 East Kiowa Street in downtown Colorado Springs.

The Courthouse is a four story, 93,000 square foot modern and technologically advanced facility designed for court and public use. All court and court associated employees are housed in this building.

Introduction and Overview

The Colorado Springs Municipal Court is a high volume, service-oriented limited jurisdiction court of record established to hear and resolve City Charter and ordinance violations for the City of Colorado Springs. These matters involve traffic, misdemeanor, and parking violations for adult and juvenile offenders.

Pursuant to City Ordinance 11.1.101, the Presiding Judge serves as the executive head of the Municipal Court and is nominated by the Associate Judges and appointed by City Council. The Presiding Judge is authorized and responsible for leading the Court consistent with the Constitutions of the United States and State of Colorado, State laws, and Charter and ordinances of the City of Colorado Springs. The Presiding Judge's powers and duties are conferred by the Charter, ordinances and other provisions inherent in the office.

Twelve judges, all appointees of City Council, are part-time employees of the City and are required to be attorneys in good standing and licensed to practice law in the State of Colorado. A per-diem judge is "on-call" to assist and support the Court as needed.

Municipal Court cases are assigned to individual divisions/courtrooms based on the following proceeding types: traffic arraignments - Divisions 1 and 2; deferred sentences - Division 1; criminal arraignments - Division 2; pre-trials - Divisions 3 and 4; trials and miscellaneous proceedings - Divisions 3, 4 and 5; and motions hearings and jail docket - Division 5.

The Presiding Judge appoints court referees to handle certain minor offenses. These matters include animal control regulations, proof of insurance verifications, and parking violations. The referee may also conduct contested hearings of record to determine probable cause on post-tow hearings.

The Robert Isaac Courthouse houses five courtrooms, the court's administration offices, the City Attorney's Office (prosecutors division), and the Marshal's Office. The El Paso County Criminal Justice Center (Jail Complex) also houses an off-site courtroom for Municipal Court in-custody arraignments and other pre-trial proceedings. The jail docket is conducted using a two-way closed circuit video system between the courthouse (Division V) and the jail.

The Municipal Court is organized into three divisions: (1) Court Administration, (2) Clerk's Office, and (3) Probation Department. The Administration Office is responsible for budget, finance, human resources, information technology, and facilities. The Clerk's Office has two customer support areas: Violations Bureau and Courtroom Services. The Violations Bureau handles all intake functions, receipt and control of court monies and preparation and

maintenance of records. The Courtroom Services staff provide case processing assistance and courtroom support. The Probation Department conducts enforcement functions such as assessments and pre-sentence investigations, restitution, and financial investigations; and monitoring of court-imposed sentencing conditions. The Department also coordinates interpreter and court-appointed counsel assignments.

The Marshal's Office is under the authority of the Colorado Springs Police Department, but assists the Court by serving warrants and subpoenas, transporting prisoners, and providing building security.

2008 Review

Case Management

The Municipal Court handles misdemeanors, traffic violations and parking tickets for both juveniles and adults. The Court conducts various pre-disposition hearings such as arraignments, pre-trials and bench and jury trials. Post-disposition hearings include sentencing, deferred sentence, probation revocation, contempt, review, and evidentiary hearings.

Municipal Court caseload changes were as follows:

- Court filings increased from 107,783 in 2007 to 113,056 in 2008; an increase of 4.9%. Of the 113,056 filings, 6,750 were misdemeanor (6.0%); 44,995 were traffic (39.8%); and 61,311 were parking (54.2%).
- Criminal filings increased from 6,368 in 2007 to 6,750 in 2008; an increase of 6.0%.
- Traffic filings decreased from 50,472 in 2007 to 44,995 in 2008; a decrease of 10.9%.
- Parking ticket filings increased from 50,973 in 2007 to 61,311; an increase of 20.3%.
- Active Warrants as of December 31st decreased from 6,263 in 2007 to 6,092 in 2008; a decrease of 2.7%.

Probation

The Probation Department is committed to providing the citizens of the community with innovative and effective alternatives to incarceration. This is achieved by balancing appropriate levels of supervision, client education, treatment, competency development, and offender accountability.

Probation Department workload changes were as follows:

- Probation cases decreased from 5,094 in 2007 to 4,386 in 2008; a decrease of 13.9%.
- Referrals increased from 5,565 in 2007 to 6,195 in 2008, an increase of 11.3%. Of the 6,195 referrals, 222 required restitution payments.
- Presentence investigations decreased from 322 in 2007 to 275 in 2008; a decrease of 14.6%.
- New payment plans decreased from 11,232 in 2007 to 10,583 in 2008; a decrease of 5.8%.
- Attorney appointments for indigent criminal defendants decreased from 379 in 2007 to 376 in 2008; a decrease of 0.8%.
- Interpreter assignments increased from 903 in 2007 to 908 in 2008; an increase of 0.5%.

- New probation services (i.e. presentence investigations, payment plans, attorney appointments, referrals, and interpreter assignments) decreased from 24,367 in 2007 to 23,529 in 2008; a decrease of 3.4%.

Budget and Expenditures

The Municipal Court is dependent on City Council for general fund resources to support its mission, operations and services. Budget and expenditure changes were as follows:

- The adopted budget increased from \$4,068,141 in 2007 to \$4,237,111 in 2008; an increase of 4.2%.
- The revised budget increased from \$4,074,214 in 2007 to \$4,250,472 in 2008; an increase of 4.3%.
- Court expenditures increased from \$3,931,983 in 2007 to \$4,072,054 in 2008; an increase of 3.6%.
- Of \$4,072,054 in expenditures, \$2,524,939 were salaries (62.0%), \$566,415 were benefits (13.9%), and \$980,700 were operating costs (24.1%).

Collections

Revenue is a by-product of the court sanctioning process. The sanctions are generally in the form of criminal and traffic fines, court costs, parking fines and fees. Changes in collections were as follows:

- Court revenues decreased from \$8,390,654 in 2007 to \$8,024,597 in 2008; a decrease of 4.4%.
- Criminal fines collected increased from \$142,490 in 2007 to \$154,815 in 2008; an increase of 8.6%.
- Traffic fines collected decreased from \$7,734,411 in 2007 to \$5,519,392 in 2008; a decrease of 28.6%.
- Parking fines collected increased from \$599,198 in 2007 to \$819,935 in 2008; an increase of 36.8%.
- Court costs collected decreased from \$740,895 in 2007 to \$635,979 in 2008; a decrease of 14.2%.
- Violations surcharge monies collected increased from \$497,208 in 2007 to \$628,826 in 2008; an increase of 26.5%.

Human Resources

The Municipal Court is staffed by judges, referees, and other administrative personnel. The Court has 12 judges; one of which serves as Presiding Judge. The Court also employs a

per-diem judge. The Court has 3 part-time hourly referees and an “on-call” per-diem referee. The Court has 40.5 additional full-time equivalent (FTE) employees that serve in manager, supervisor, professional, paraprofessional and general job categories.

Achievements

The Municipal Court was involved in several key projects and activities in 2008. These initiatives and efforts were as follows:

Court Organization and Structure

- Administrative Policies and Procedures Project
- Court Minute Orders Compilation and Index

Budget and Finance

- Violations Fee (Surcharge) Increase from \$10 to \$15
- Interpreter Costs and Accountability

Case Management

- City Attorney Cost Reduction Plan (Elimination of Instant Pre-trials/Fines Pre-payment)
- Ordinance 11.5.105 Amendment (Municipal Parking Violation Guidelines)
- Keep Colorado Springs Beautiful (KCSB) Contract
- Revision of Super Summons and Complaint form
- City Attorney Opinions and Index Project

Human Resources

- Employee Classification and Compensation Study and Analysis (Position Comparables)
- Employee Awards and Recognition Program

Information Technology

- Collaboration with City on IT Consolidation Project
- Court to Criminal Justice Center (CJC) Video Conferencing and Connectivity Project
- Digital Recording in Courtroom Divisions I and II

Procurement

- Review and Update of Court Contracts (Court Appointed Counsel, Workout Limited, Bridge to Awareness, Neighborhood Justice Center and West Publishing)

Facilities

- Courthouse HVAC System Replacement

Education and Training

- Colorado Municipal Judges Association (CMJA) Conferences in Beaver Creek /Grand Junction
- Contempt (CLE) Program

- City Employee Ethics Code Testing
- “All Court Training Day”

Court Performance

The Municipal Court continues to maintain a high level of customer satisfaction throughout the community. Based on public comment cards received in 2008, 90.4% of respondents had an overall court experience that was either “excellent” or “good”. Only 9.7% of those completing the cards considered their experience “fair” or “poor”.

The Court received the following feedback from the public:

- *“I’ve never been in a courthouse so organized and kind. Two thumbs up!”*
- *“You guys are just doing a great job.”*
- *“I appreciated the speediness of the process. Much more efficient!”*
- *“All parties provided exceptional services.”*
- *“I’m actually glad I had this violation so I got to experience this court. Thank you.”*
- *“Process was much less stressful than I expected. Staff was very professional.”*
- *“Very prompt and polite customer service.”*
- *“Very courteous and nice, make people feel at ease and conscious of people feelings.”*

Future Needs

The Municipal Court is facing some important issues in 2009. These needs are particularly challenging due to the existing state and local economic situation and possible cost reduction scenarios within the City of Colorado Springs. It is critical for the Court to continue to provide strong leadership, effective administration and quality customer services to address these demands.

The Court’s priorities are better management of existing judge, staff and operational resources; enhanced use of technology to enhance court services; refinement of administrative policies and procedures; more efficient storage, use and disclosure of electronic records and information; enhanced courthouse security, systems and equipment; and successful integration of the CSPD’s Marshal’s Unit Reorganization Plan.