



CITY OF COLORADO SPRINGS

MUNICIPAL COURT

ANNUAL REPORT
2010



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

Michele S. Price

Patrick R. Salt

Robert B. Warren

Spottswood W. H. Williams

Joseph D. Dirscherl, Per Diem

Rick Lewis, Court Administrator

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Executive Summary

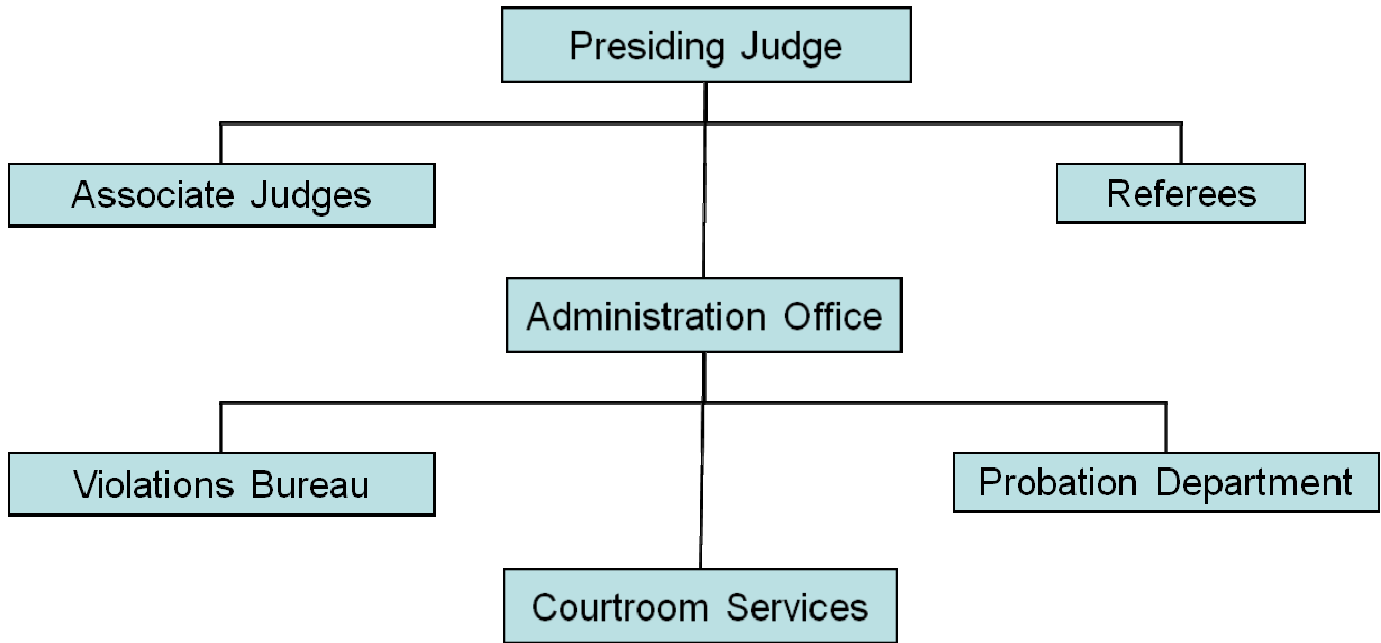
Pursuant to City Code Section 11.1.104(b), the Court has prepared this 2010 Annual Report of the receipts and business of the Colorado Springs Municipal Court.

The Municipal Court continues to function and operate in an effective manner. The City continues to be well-served by a professional, efficient and productive 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 and 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, 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. These facilities were 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 the current location at 224 East Kiowa Street.

The Robert Isaac Municipal Courthouse is a four story, 93,000 square foot modern and technologically advanced facility designed for court and public use. All judges and court 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 misdemeanor, traffic, 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.

Eleven 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. This appointment authority will be transferred to the Mayor as a result of the passage of a recent charter amendment in local government passed by the voters in November 2010. A per-diem judge is also "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 which include animal control regulations, proof of insurance verifications, photo "red" enforcement, 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, City Attorney's Office (prosecutors division), and 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 video conferencing system between the courthouse (Division V) and the Criminal Justice Center (CJC).

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 Case

Management, budget, finance, human resources, information technology research, statistics 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 to the judges. The Probation Department conducts enforcement functions such as assessments and pre-sentence investigations, restitution, payment plans and financial investigations. Probation monitors court-imposed sentencing conditions and 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.

2010 in Review

Case Management

The Municipal Court has jurisdiction for criminal (misdemeanor), traffic violations and parking tickets for both juvenile and adults arising within the city limits. In 2010, the Court also began handling photo enforcement tickets. The Court conducts various pre-disposition hearings: arraignments, pre-trials and bench and jury trials. Post disposition hearings include sentencing, deferred sentence, probation revocation, contempt, review and evidentiary hearings.

Caseload

- Court filings decreased from 93,847 in 2009 to 91,176 in 2010; a decrease of 2.8%. Of the 91,176 filings, 5,686 were misdemeanor (6.2%); 35,061 were traffic (38.5%); and 50,429 were parking (55.3%).
- Case dispositions decreased from 90,697 in 2009 to 89,540 in 2010; a decrease of 1.3%. Of the 89,540 case dispositions, 7,860 were misdemeanor (8.8%); 41,032 were traffic (45.8%); and 40,648 were parking (45.4%)
- Criminal filings decreased from 6,285 in 2009 to 5,686 in 2010; a decrease of 9.5%.
- Criminal case dispositions decreased from 9,037 in 2009 to 7,860 in 2010; a decrease of 13.0%
- Traffic filings decreased from 36,572 in 2009 to 35,061 in 2010; a decrease of 4.1%.
- Traffic case dispositions decreased from 43,518 in 2009 to 41,032 in 2010; a decrease of 5.7%.
- Parking ticket filings decreased from 50,990 in 2009 to 50,429 in 2010; a decrease of 1.1%
- Parking ticket dispositions increased from 38,142 in 2009 to 40,648 in 2010; an increase of 6.2%. Of the 40,648 parking ticket dispositions, 38,462 (94.6%) were paid and 2,186 (5.3%) were dismissed.
- The number of trials scheduled decreased from 402 in 2009 to 357 in 2010; a decrease of 11.2%. Of the 357 trials scheduled, 323 were bench trials (90.5%) and 34 were jury trials (9.5%).
- The number of warrants issued decreased from 7,074 in 2009 to 6,719 in 2010; decrease of 5.0%. The number of warrants disposed decreased from 8,159 in 2009 to 7,312 in 2010; a decrease of 10.4%. The number of active warrants decreased from 5,034 in 2009 to 4,443 in 2010; a decrease of 11.7%

Budget and Expenditures

The Municipal Court works with City Staff and City Council to determine appropriate funding to support administration and operations.

Budget and Expenditure Changes

- The adopted budget decreased from \$3,772,523 in 2009 to \$3,545,891 in 2010; a reduction of 6.1%
- Court expenditures decreased from \$3,547,017 in 2009 to \$3,444,523 in 2010; a reduction of 2.9%.
- Of \$3,444,523 in expenses, \$2,243,033 were salaries (65.1%), \$565,572 were benefits (16.4%), and \$635,918 were operating costs (18.5%).

Collections

The Municipal Court is responsible for the enforcement of its orders. Revenue is a by-product of the court's sanctioning process. The sanctions are generally in the form of criminal and traffic fines, violation surcharges, court costs and parking assessments.

Collections

- Court revenues increased from \$6,290,269 in 2009 to \$6,323,058 in 2010; an increase of 0.5%. Of the \$6,323,058 revenue collected, \$133,168 were criminal fines (2.1%); \$4,204,252 were traffic fines (66.5%); \$929,654 were parking fines (14.7%); \$387,932 were court costs (6.1%); \$512,016 were violations surcharge monies (8.4%); and \$156,036 were other court revenue sources (2.5%).
- Criminal fines collected decreased from \$157,462 in 2009 to \$133,168 in 2010; a decrease of 15.4%.
- Traffic fines collected increased from \$4,075,531 in 2009 to \$4,204,252 in 2010; an increase of 3.2%.
- Parking fines collected increased from \$908,074 in 2009 to \$929,654 in 2010; an increase of 2.4%.
- Court costs collected decreased from \$427,928 in 2009 to \$387,932 in 2010; a decrease of 9.3%.
- Violation surcharges collected decreased from \$533,057 in 2009 to \$512,016 in 2010; a decrease of 3.9%.
- Other court revenue sources decreased from \$188,215 in 2009 to \$156,036 in 2010; a decrease of 17.1%.

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- The collection rate for assessed traffic fines is very high, but decreased slightly from 96.3% in 2009 to 96.1% in 2010.

Human Resources

The Municipal Court is staffed by judges, referees and other administrative personnel. The Court has 11 judges; one of which serves as Presiding Judge. An additional judge employed as the per diem. The Court has 3 part-time hourly referees and an “on-call” per diem referee. The Court has 36.5 additional full-time equivalent (FTE) employees that serve in managerial, supervisory, professional, paraprofessional and general job categories.

Probation

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

Probation

- Probation cases decreased from 4,001 in 2009 to 3,454 in 2010; a decrease of 13.7%.
- Referrals decreased from 6,106 in 2009 to 5,875 in 2010, a decrease of 3.8%. Of the 5,875 referrals, 241 required restitution payments.
- Presentence investigations decreased from 268 in 2009 to 209 in 2010; a decrease of 22.0%.
- New payment plans decreased from 9,822 in 2009 to 9,518 in 2010; a decrease of 7.2%.
- Attorney appointments for indigent criminal defendants decreased from 735 in 2009 to 635 in 2010; a decrease of 13.6%.
- Interpreter assignments decreased from 695 in 2009 to 671 in 2010; a decrease of 3.5%.
- New probation services (presentence investigations, payment plans, attorney appointments, referrals, and interpreter assignments) decreased from 17,944 in 2009 to 17,032 in 2010; a decrease of 5.1%.

Achievements

The Municipal Court was involved in several key projects and activities in 2010. The highlights are as follows:

Court Management, Organization and Structure

- Court Reorganization Plan #2

Budget and Finance

- Reduced costs, budget cuts, and reductions in force (RIF)

Case Management

- Photo traffic enforcement program, evaluation committee and three-judge panel
- Docket consolidation
- Court Fee and Charge Schedule increases
- Enhanced juror lists
- Authorization for referee to hear waiver of impoundment fee requests
- Amendment to Spanish interpreter contract

Human Resources

- Judicial Compensation Agreements
- Appointment of replacement Court Referee/Per Diem Referee
- Judicial Ethics training program
- Municipal Court Clerk position analysis (Pikes Peak Workforce Center)

Information Technology

- JIS Rebuild/Replacement Project
- Xerox Printer/Scanner Project
- Digital Recording procedures

Facilities and Security

- El Paso County Facilities Service Level Agreement (SLA)
- Restructuring of Carnation Janitorial Contract
- Upgrades to Marshal's Office security cameras/monitors (Simplex)
- Department of Justice (DOJ) JAG fund reporting requirements
- El Paso County Committee on Continuity of Business Operations Planning (COOP)

Probation Services

- Probation fee (insurance)
- General liability coverage for community services providers.
- COMCOR contract

Court and Community Collaboration

- (CAMCA) Court Basics I class

Court Performance

The Municipal Court continues to maintain a high level of customer satisfaction within the community. Based on public comment cards received in 2010, 81.2% of respondents had an overall court experience that was either "excellent" or "good". Only 9.1% of these persons considered their experience "fair" or "poor".

The Court received the following feedback from the community:

- “The Court made this awful experience much better than I could have expected.
- “This was my first experience—I was quite apprehensive. It was so reassuring to be treated with respect.”
- “Outstanding municipal employees. Professional, courteous and knowledgeable.”
- “Good Service”
- “Staff was very professional and polite.”
- “Great customer service.”
- “I truly appreciated the reminder call for my court date. Great improvement.”
- “It was fair and friendly.”
- “There is not much to improve on this quick process.”
- “Everyone was cheerful and helpful. Painless experience.”
- “I appreciate the kindness and patience of the court when I needed help.”

Future Challenges and Initiatives

The Municipal Court is facing some important issues in 2011. These needs are particularly challenging due to the economic situation and on-going cost containment scenarios within the City of Colorado Springs. It is important that the Court maintains strong leadership, effective administration and quality customer services to address these demands.

The Court’s priorities for 2011 are as follows:

- Management of budget reductions and unavoidable/mandated costs.
- More effective utilization of judicial and staff resources.
- Evaluation and simplification of paper flow processes
- Implementation the Traffic Photo Red and Radar Enforcement System.
- Management of caseloads under the new consolidated docket system.
- Planning and implementation of video-conferencing system upgrade.

