

RESEARCH & ANALYSIS SECTION – LEGISLATIVE REFERENCE BUREAU
EXECUTIVE SUMMARY: 2010 PROPOSED BUDGET – MUNICIPAL COURT

Overall Impact of the Proposed 2010 Municipal Court Budget

The 2010 Proposed Budget for the Municipal Court makes minimal changes to the requested cost-to-continue budget submitted by the Court and includes a small reduction in personnel costs for Court Commissioners (-0.18 FTE leaving the Court with 40.38 FTEs). Forty-five positions continue to be authorized with 1 position funded from capital revenues for completion of the Electronic Case File and Records Management Project that will be supported by a combination of carryover funding authority and new 2010 authority in the amount of \$334,000.

1. Case Filings: The Municipal Court initially projected an increase in 2009 case filings of 40% based on experience during the first 4 months of the year. The projected increase has been reduced to 18%. Nevertheless, it appears that case filings will likely increase from a total of 158,473 in 2008 to 185,000 or more in 2010 (pages 3 and 4). The Court estimates that passage of state legislation authorizing a red-light camera citation program could result in an additional 23,000 to 25,000 case filings annually (page 13).

2. Revenue - Charges for Services, Fines and Forfeitures: The 2010 Proposed Budget estimates revenues from Fines and Forfeitures to be \$5,255,000, a 6.0 % decrease from the estimate in the 2009 adopted budget. Revenues from Charges for Services in 2010 are estimated to be \$1,613,000, a decrease of 5.6% from the estimate in the 2009 adopted budget (pages 7 to 9).

3. Capital Improvement: The proposed 2010 Budget reflects \$334,000 for the third appropriation for phase 2 of the Court Case Management System Project; the total projected capital costs of this project through 2010 are estimated to be \$1,328,828 (pages 11 and 12).

4. Personnel: The 2010 Proposed Budget provides \$2,006,358 for the salaries and wages supporting 44 O&M positions and 1 non-O&M capital funded position compared to \$2,002,024 budgeted for these positions in the 2009 adopted budget, and \$2,027,494 actually expended for 45 positions in 2008 (page 5). Court Commissioner staffing is reduced by 250 hours (page 5).

5. Operations: The 2010 Proposed Budget provides \$512,471 for Operating Expenditures compared to \$454,628 in the 2009 adopted budget. This 12.7% increase is due to increases in costs associated with the increased case filings including case jackets and an increase in the budget for the Wisconsin Department of Administration which handles court notices, printing and mailing (pages 5 and 6).

6. Special Funds: The 2010 Proposed budget provides \$35,000 in Special Funds allocated as follows: \$10,000 for Minor Projects, \$25,000 for Court Hardware Replacement Project and elimination of the Special Fund for Parking Citation Data Entry (page 7).

7. Special Purpose Accounts (SPAs): The 2010 Proposed Budget provides \$9,000 to fund the Clerk of Court Witness Fees SPA, the same amount as budgeted for 2009. An amount of \$425,320 is budgeted for the Municipal Court Intervention Program SPA, \$8,680 less than in the 2009 Budget. The Drivers Licensure and Employment Project SPA created in 2007 is reduced by \$25,000 to \$50,000 in the proposed 2010 Budget (page 9).

8. The Drivers Licensure and Employment Project: The City's overall contribution to this project remains at \$200,000 in 2010. The Court has taken a leading role in this effort to assist persons who do not have driver licenses due to suspension or otherwise. The funding formula in the 2010 Proposed Budget changes the structure from \$75,000 in the Court's SPA and \$125,000 allocated through CDBG reprogramming to \$50,000 from the Court's SPA, \$100,000 in regular CDBG funding allocation and \$50,000 to be allocated through CDBG reprogramming (pages 10 and 11).

RESEARCH AND ANALYSIS SECTION – Legislative Reference Bureau

2010 Proposed Budget Summary: Municipal Court

Expense Category	2008 Actual	2009 Budget	% Chg	2010 Proposed	% Chg
Operating*	\$3,585,918	\$3,332,482	-7.1%	\$3,379,436	+1.4%
Capital	\$147,717	\$683,645**	+363%	\$334,000	-51.1%
Special Purpose Accounts	\$557,739	\$518,000	-7.1%	\$484,320	16.5%
Positions	45	45	0.0 %	45	0.0%

*Includes salaries, fringe benefits, office expenses, rental costs, services and reimbursements.

**An additional amount of \$139,320 in prior borrowing authority is carried over into 2010.

MISSION

The mission of the Municipal Court is to adjudicate ordinance violation cases impartially to safeguard the legal rights of individuals and protect the public interest, enhance public safety, make court services accessible to the public, and enforce court judgments.

BACKGROUND

The Municipal Court is part of the Wisconsin statewide judicial system. The Court is responsible for processing all City ordinance violations initiated by citizen complaint and upon complaint of the following departments: Neighborhood Services, Health, Library, and Police. The Court also processes all DPW-Parking Fund contested Parking Citations.

The Municipal Court's strategic plan was developed in 2004 and continues to inform the objectives and activities of the Court and Court Administration. The plan may be accessed at <http://www.city.milwaukee.gov/CourtStatistics794/StrategicPlan.htm>. The five strategic objectives of the plan are:

- Fair and reliable adjudication of cases
- Court accessibility to the public
- Effective enforcement of court judgments
- Accountability for public resources
- Enhanced public safety

Several initiatives have been implemented over the last 5 years that promote one or more of these objectives:

- The Drivers Licensure and Employment Program was initiated in April of 2007.
- To assure continued reliability, effectiveness and consistency in dealing with the public, the Court established a Court Clerk Workforce Planning Program to

address the challenges presented by the potential turnover of 5 or more Court Clerk positions in the next 3 to 4 years due to retirement. Planning for this program began in July of 2005. Incumbents were surveyed to identify key competencies. Three areas of 'generic' competencies were established as a result: *Communication and Interpersonal Skills; Critical Thinking and Using Information; and Computers and Technology*. A number of job-specific competencies were also identified such as familiarity with ch. 800, Wis. Stats., legal terminology, and processing standards for legal documents such as warrants and commitments. Interested staff members of the Court are provided opportunities for courtroom experience and mentoring. Upon the advice of DER, temporary positions have been created for trainees to permit additional compensation for time spent on courtroom work. One trainee was promoted to a Court Clerk I position in January, 2008. Two additional employees are actively participating in the program.

- Following a feasibility study completed by the firm of WHITTMANHART in early 2007, an additional program was initiated to develop an Electronic Case File/Document Management system. The new system constitutes phase 2 of the Court Case Management System Project (also known as the "Court Automated Tracking System" – CATS). The WHITTMANHART study concluded that such a system, replacing current file jackets, will significantly improve workflow from the initiation of cases through court hearings and adjudications. This will be accomplished through a number of changes including the electronic initiation of cases by the police and other departments, and instant accessibility of files. The Court reports that it experiences approximately the same number of walk-in cases as scheduled arraignments. If a request is made to re-open a case, the file is often stored at the Zeidler Municipal Building and must be retrieved by courier. The estimated total cost of this project over 3 years will be \$1,307,945, an amount more than \$300,000 over the estimate in the WHITTMANHART study, partially due to delay in implementation. Operating cost savings to the City are expected to amount to \$2 million over 8 years. Further information is included in the section discussing Capital Accounts at pages 11 and 12.

Performance Measures

Case filings and appearances:

The number of case filings annually is not within the control of the Court. These numbers case reflect city department priorities and activities that generate citations.

From 2002 to 2006 the case filings by the Police Department dropped by 25.9%. The DPW-Parking cases handled by the Court rose during this same period by 215.3%. Cases initiated by the Department of Neighborhood Services also rose during the same period by 34.6%. Case filings by the Milwaukee Police Department rose from nearly 126,000 in 2007 to nearly 150,000 in 2008. This increase of approximately 24,000 cases is more than double the total of all cases brought by all other departments combined.

CASE FILINGS BY DEPARTMENT (Period 2004 – 2008)					
Department	2004	2005	2006	2007	2008
MPD	131,524	123,833	121,059	125,786	149,759
DNS	2,269	2,615	3,113	2,541	2,088
Health	190	79	60	50	100
DPW-Parking	6,962	5,205	6,287	7,234	6,318
Total	140,945	131,732	130,519	135,611	158,312

Source: Municipal Court

Numbers of case filings by type of case and Branch of the Court in 2009 are available through August 31, 2009, at:

<http://www.city.milwaukee.gov/CaseFilingsbyCaseTyp3319/2009CaseFilings.htm>

Numbers of charges filed by type of violation in 2009 through July 11, 2009, are available at:

<http://www.city.milwaukee.gov/ImageLibrary/User/municourt/ChargesFiled2009byNumber.pdf>

Current trends suggest that the overall number of case filings in 2009 may reach 180,000. This increase is driven largely by an increase in traffic cases. The Court reports that, based upon experience in previous years, the current staffing level should be sufficient to handle an increase of up to 180,000 cases annually, although some efficiencies may be lost due to the increased volume.

The number of case filings does not necessarily result in an increase or a decline in activity at the Court. Court appearances are influenced by factors including but not limited to: changes in household disposable income; size of the judgment; securing driver's license for employment; job loss resulting in extensions of payment; and other economic demands upon individuals and families.

It is also important to note that there is often a substantial period of time between the time of the case filing and the actual appearances in court related to the case.

Defensive Driving Program:

The Court continues to work with Milwaukee Police Department's Defensive Driving Program to refer eligible traffic defendants to the 4-hour defensive driving course at no cost to the Court. Approximately 75% of registered participants have completed the program annually since 2005. All traffic defendants having a valid driver's license are eligible for referral to the program.

Alternative Sentences:

The table at Appendix A summarizes the alternative sentences enforced in the years 2006 through 2008. These sentences include driver's license suspension cases, denial of registration, liens and commitments to the House of Corrections; Court ordered community service, as a condition of reducing the judgment, is not considered an alternative sentence.

Personnel

The leadership of the Municipal Court includes the following individuals and positions:

The Hon. Derek C. Mosley, Presiding Judge, first appointed by the Common Council to fill a vacancy in Branch 2 of the Court beginning August 1, 2002, and appointed Presiding Judge in August of 2004.

The Hon. Valarie A. Hill, Judge, first elected to fill the bench in Branch 1 of the Court in April of 2004.

The Hon. Phillip M. Chavez, Judge, first elected to fill the bench in Branch 3 of the Court in April of 2007.

Kristine M. Hinrichs, Chief Court Administrator, first appointed by the Presiding Judge and confirmed by the Common Council in November of 2001.

- There are 44 currently authorized O&M positions in the Municipal Court Budget. No changes in O&M positions are proposed in the 2010 Budget. The actual FTE level of 39.50 FTEs for O&M positions in the 2009 adopted budget will be reduced to 39.38 FTEs in the 2010 Proposed Budget as the result of a reduction in the use of Court Commissioners from 1,000 hours to 750 hours. This reduction was at the suggestion of the Court. One non-O&M (capital) funded position for a Programmer (grade 556) added to the budget in 2008 remains in the budget to support implementation of phase 2 of the Court Case Management System through the end of 2010.
- Net salaries and wages are budgeted at \$2,002,024 in the 2009 Budget and at \$2,006,358 in the proposed 2010 Budget, an increase of 0.2%.
- There are 5 authorized positions for Court Commissioner. Two of these positions remain vacant. The continuing reduction in the number of cases handled by Court Commissioners in recent years has resulted in a decision to allow these 2 positions to remain vacant.
- To improve job retention, the Court has instituted a pre-interview requirement for applicants who must observe departmental operations before scheduling an interview to ensure that they are interested in performing the type of work required by the Court.

Operating Expenditures

The 2009 Budget provided for \$454,628 Operating Expenditures. The Proposed 2010 Budget provides \$512,471, a 12.7% increase. The table on the following page displays funding level changes for operating expenditures.

Expenditures for General Operations

Budget Line	2009 Adopted	2010 Proposed	% Change
General Office Expense	\$204,628	\$276,000	+34.9%
Other Operating Supplies	\$2,500	\$2,000	-20.0%
Non-Vehicle Equipment Rental	\$5,000	\$5,000	0.0%
Professional Services	\$103,000	\$87,000	-15.5%
Information Technology Services	\$65,000	\$76,000	+16.9%
Property Services	\$50,000	\$50,000	0.0%
Other Operating Services	\$8,500	\$10,000	+17.6%
Reimburse Other Departments	\$16,000	\$18,000	+12.5%
Totals	\$454,628	\$524,000	+15.3%

General Office Expense: The increase in anticipated General Office Expense is due in part to the increasing caseload experienced by the Court requiring purchase of additional case jackets and other supplies. The primary factor in driving this account higher, however, involves the \$61,372 increase in the contract with the Wisconsin Department of Administration (DOA) which provides for printing, stuffing and mailing Court notices. The Court reports that this contract has resulted in a variety of economies and savings to the Court. These include costs of preparing mailings and Court staff time.

Professional Services: This category funds costs for guardians ad litem, substitute judges, transcripts, DER investigative services, credit card and property lien recording fees and clerical pool/temporary help. The Municipal Court files property liens which remain in effect for 10 years.

Information Technology: This category funds software purchase, upgrades and licenses related to computer network infrastructure.

Other Operating Services: Travel costs for judges, court commissioners, and the chief court administrator; mandatory judicial education and other training are budgeted in this category. This item has been reduced by \$2,000 as the chief court commissioner and the chief judge have chosen to forego travel to a national conference.

Reimburse Other Depts: This category primarily funds telephone service with the elimination of charges in 2008 for storage and reference services.

Equipment

The 2010 Proposed Budget provides \$3,000 for equipment primarily for office furniture, the same amount as provided by the 2009 adopted budget.

Special Funds

The 2009 Budget provided a total of \$52,000 in special funds with \$10,000 for Minor Projects, \$30,000 for the Court Hardware Replacement Project and \$12,000 for Parking Citation Electronic Case Transfer special funds.

The 2010 Proposed Budget maintains \$10,000 for Minor Projects, reduces the amount for the Court Hardware Replacement Project to \$25,000, and eliminates funding for Parking Citation Electronic Case Transfer which will now be the responsibility of the originating agency.

Revenues

The table below provides year-to-date accountings for all Municipal Court revenue. Note that revenues are down in all categories except for fees charged in matters involving motions to reopen a case and Court Clerk fees. The fee for a motion to reopen was raised from \$15 to \$20 in June, 2007. The numbers of motions appear to have increased as the result of the economic downturn.

Milwaukee Municipal Court Revenues (YTD 2006 to 2009)

	Accounts	2006-July	2007-July	2008-July	2009-July	% Change
1	Court Costs (Motion to Reopen)	\$28,744	\$25,743	\$36,199	\$48,378	+33.6%
2	Court Costs Terms	\$2,645	\$4,365	\$3,272	\$2,662	-18.6
3	County Court Costs (Appeal Fee)	\$30	\$10	\$0	\$10	100%
4	Court Citizen Witness Fee	\$1,401	\$1,195	\$858	\$1,193	39.0%
5	Court Clerk Fee	\$858,061	\$949,467	\$904,556	\$1,015,338	12.2%
6	Court Service Fee	\$93	\$69	\$20	\$10	-50%
7	Copy Fee	\$167	\$774	\$722	\$1,921	166%
8	Court Forfeiture	\$3,557,895	\$3,762,235	\$3,597,641	\$3,307,929	-8.0%
9	Miscellaneous Revenue	\$2,125	\$3,116	\$2,961	\$2,546	-14.0
10	Collection Shared (NEW)	N/A	\$154,188	\$93,499	\$102,179	9.3%

1. Motions to re-open are related directly to the number of case filings and judgments. The Motion-To-Reopen fee was increased from \$15 to 20 per case effective June 1, 2007.
2. Terms are assessed on a case-by-case basis at the discretion of the judge and based upon the costs associated with the adjudication.
3. Appeal Fees are determined by request for Appeal on the Record, which require the transfer of a transcript of the trial to Circuit Court. Current trend indicates that

defendants are requesting a Trial de Novo, an appeal that provides a new trial and, therefore, a transcript of the first trial is not necessary. Requests for Appeal on the Record are therefore declining.

4. Witness Fees are determined by the number of witnesses subpoenaed by the Office of the City Attorney for cases where the defendant has pled not guilty and requests to go to trial.
5. Factors affecting Court Clerk Fees are case filings, number of cases adjudicated with judgments imposed, and alternative sentences enforced in lieu of payment. Fees are set by statute. The increase observed in Clerk Fee revenue may be due to collection enhancement under the Tax Refund Intercept Program (TRIP), a 9% increase in case filings over the same period in 2006, and an increase in the Clerk Fee from \$18 to \$23 in the latter part of July 2006.
6. The Court discontinued certified mail service for Default Judgments in 1995. The number of unpaid Default Judgments that include service fees is therefore declining.
8. The Forfeiture amount is determined by judgments rendered in court. Although, partial payments may have decreased due to lower case filings, cases that are paid in full will result in an increase in forfeiture amount.
9. Miscellaneous Receipts include receipts from tape recordings of court proceedings among other services. County Court Appeals Fees may be included in this category in the future.
10. Collection Shared Revenue is derived from collection costs reimbursed to the City on past due judgments that are in active collection.

A Note About "Collection Shared" Revenue:

The Collection Shared Revenue account was initiated in January of 2007 to comply with Wisconsin Act 305 relating to the sharing of collection costs. A municipal court judgment includes a variety of fees and surcharges in addition to the forfeiture. These include state and local clerk fees, state penalty surcharges, jail assessments and crime lab assessments. In the past, the commission paid to the collection company was paid entirely from municipality funds. Other parties paid nothing for their portion of the collection. State law now requires an apportionment of the collection commission among all the parties receiving reimbursement. These new Court revenues totaled more than \$150,000 from January 1, 2007 through July 2007. This amount is approximately 40% lower through the same period in 2008 with a slight increase in 2009.

Other Collection Activities

The firm of Harris & Harris collects past due Municipal Court judgments upon referral of claims by the Court. The firm is paid by the City from the City Attorney's Collections Special Purpose Account. Collection trends are, however, more useful in evaluating Municipal Court experience. In 2008, Harris & Harris collected approximately \$2.1

million in outstanding judgments. Collection experience in the first 8 months of 2008 and 2009 shows a 9.7% increase in collections as follows:

2008 through August	\$1.45 million
2009 through August	\$1.59 million

The Tax Intercept Program has not experienced an increase in collections in 2009, but continues to produce revenues of \$1.4 million in the first 8 months of 2009 – the same as collected in the first 8 months of 2008. It is likely that increased case filings, coupled with the downturn in the economy, have contributed to keeping these numbers flat.

Special Purpose Accounts

The Municipal Court administers three special purpose accounts including the account initially created within the 2008 Budget for the Drivers Licensure and Employment Project. The 2010 Proposed budget provides total funding as follows:

Special Purpose Accounts (SPAs) of the Municipal Court

Account	2008 Actual	2009 Budget	% Change	2010 Proposed	% Change
Clerk of Court Witness Fees	\$ 7,641	\$ 9,000	+17.8%	\$ 9,000	0.0%
Municipal Court Intervention	\$475,098*	\$434,000	-8.6%	\$425,320	0.0%
Drivers Licensure & Employment	\$ 75,000	\$ 75,000	0.0%	\$ 50,000	-33.3%
Totals	\$557,739	\$518,000	-7.1%	\$484,320	-6.5%

*The Municipal Court Intervention program is operated under contract with Justice 2000 which receives a set monthly amount from this SPA. Thirteen payments were actually made in 2008 resulting in the higher 2008 annual total.

Clerk of Court Witness Fees – \$9,000

Tax levy funds support the Clerk of Court Witness Fees SPA. This account reimburses witnesses subpoenaed by the City to appear before the Municipal Court, excluding Police Officers as stipulated by City Ordinance and s. 814.67(1)(a), Wis. Stats. This reduction in filings and in the need for Witness Fee expenditures has continued through 2008 as illustrated by the following table.

	2002	2003	2004	2005	2006	2007	2008
BUDGET	\$15,000	\$15,000	\$17,000	\$15,000	\$15,000	\$12,000	\$ 9,000
ACTUAL	\$14,979	\$10,842	\$10,663	\$10,609	\$ 6,774	\$ 7,085	\$ 7,631

Municipal Court Intervention Program – \$425,320

The goal of this program is to provide the Court with alternatives to jail or forfeiture payments on behalf of municipal ordinance violators who are unable to pay fines due to indigence or who are in need of special services. Justice 2000, a local community-based organization, staffs the program.

This special purpose account funds these contractual services. From 2007 to 2009 the annual amount budgeted for this SPA has been \$434,000. The 2010 Proposed Budget reduces this amount slightly to \$425,320.

Drivers Licensure and Employment Project – \$50,000

Directed toward low- and moderate-income citizens who do not have driver's licenses due to their failure to pay court ordered judgments, this program targets referrals from agencies with clients who are job-ready or ready to begin apprenticeship or training programs but cannot proceed without a driver's license.

A 2006 study by the University of Wisconsin Milwaukee (UWM) Employment and Training Institute found that 89,489 Milwaukee County residents are under driver's license suspension or revocation. It is difficult to determine the additional number of persons who may drive under expired licenses, or who drive without ever obtaining a license. The UWM study also found that less than half of Milwaukee County African-Americans and Hispanic adults have a valid driver's license compared to 85% of white adults. A study conducted in the 1990s on employment outcomes for female welfare recipients determined that possession of a valid driver's license was a better predictor of sustained employment than a high school diploma.

The majority of suspensions and revocations are not based upon unsafe driving, but are based upon non-payment of forfeitures and fines.

The Drivers Licensure and Employability Program is a workforce development program coordinated by Justice 2000, Inc., with a budget of approximately \$1,000,000. The program is housed at the MATC main campus in space provided by MATC and is known as the Center for Driver's License Recovery & Employability. The 2008 budget for the Center was funded at approximately 80% by sources other than the City and it appears that these proportions have continued in 2009. The Center staff of 14 includes one full time director, one full time attorney, one full time office administrator/intake coordinator, case managers and other support staff.

The 2010 Proposed Budget once again assumes \$200,000 in City support for the Program, but funding sources are reconfigured as follows:

	<u>2008 Adopted</u>	<u>2009 Proposed</u>
Special Purpose Account	\$ 75,000	\$ 50,000
CDBG Reprogramming	\$125,000	\$ 50,000
CDBG Regular Allocation		\$100,000
Total	\$200,000	\$200,000

Common Council Communication File # 080655 contains an update of activity and accomplishments of the Program including information that in 2008:

- 55% of a projected caseload of 3,000 individuals would recover driving privileges; available figures suggest that the rate of recovery was higher at 57.4%.
- The projected cost of license recovery of \$1,262 per individual was exceeded and initial estimates are that the cost of recovery was \$1,516 per individual.
- In addition to City funding, more than 14 foundations, organizations and individuals contributed to the Program budget.
- It is estimated that more than 600 individuals recovered driving privileges in the program in 2008.

Capital Improvement Project: Upgrading the Court Case Information System

Background

The Common Council appropriated a total of \$2,000,000 capital improvement borrowing authority to replace the Municipal Court's case management system (\$1,750,000 in 2002 and \$250,000 in 2004). Court Specialists Inc. (CSI), the initial contractor that worked to transform MCMIS into ENACT, breached the contract by halting all work on the ENACT project and the matter was referred to the City Attorney. The project was, however, successfully completed on time and within budget.

The Municipal Court capital budget of \$683,645 adopted for 2009 funded the creation of a remote computer capacity to electronically mirror the Court's computer data (\$139,320 for IT Disaster Recovery) and also funded year 2 of the second phase of the Court Case Information System Upgrade (\$544,325 Case management System). The IT Disaster Recovery project complements the Phase 2 Information System Upgrade with the collaboration of the Information Technology Management Division (ITMD).

A feasibility study for the second phase upgrade of the Court's electronic system was conducted by the firm of WHITTMANHART in early 2007 concluding that the proposed new system for electronic case jackets/document imaging could be implemented for approximately \$980,000. Delays were experienced in the RFP authorized under the 2008 budget in part due to failure of the first round bidders to meet qualifications. A project manager was put in place in September, 2008. Carryover funding from 2008 was \$429,620.

Delays in the implementation of the Phase 2 project have contributed to increases in earlier projected costs by more than \$300,000. However, enhancements in the system, collaboration with ITMD, and incorporation of the Disaster Recovery Project have contributed to improved value of the system once implemented.

Current Project Status:

The total 3-year project is expected to come within the currently budgeted amount of \$1,328,828. This increase from the original estimate is partially due to the increased costs of management services as a result of the delay, but primarily due to acquisition of the original vendor, Stellant Imaging, by Oracle which has required equipment and related upgrading.

The Court projects that the project will be completed in 2010 with implementation in 2011. The schedule for completion has been extended from 24 months to 33 months. This includes an additional capital cost for the programmer of \$47,360.

The Court anticipates a balance in the capital budget account of approximately \$228,000 at the end of 2009.

To date, the following expenditures / encumbrances have been made:

Date	Item / Service	Amount
August 6, 2009	Oracle Backup & Recovery Training	\$1,395.00
August 18, 2009	HP Tape Autoloader Library for Disaster Recovery System	\$4,065.00
Pre-encumbered	MNJ Technologies – Hardware, Software and Installation Services	\$115,844.00
	TOTAL	\$121,304.00

The Court does not anticipate any carryover upon completion of this project.

Oracle's inability to provide a redundant virtual system resulted in a need for the Court to design its own document imaging system rather than make use of the City's existing Stellant system. In designing its own system, the Court then provided redundancy for these components as well as its case management system database and all of the other servers that make up its network. Because these systems provide real-time service to the public, redundancy is necessary both to maintain system availability and to ensure data integrity and recoverability in the event of an outage or disaster. This project should allow the Court to accomplish both goals with a single solution.

Note:

A comprehensive Strategic Technology Plan (2008 – 2012) has been published by the Municipal Court and can be accessed on the City website at:

www.city.milwaukee.gov/CourtStatistics794.htm.

Potential Challenges:

Two state legislative initiatives have been discussed that could potentially have a significant impact on the operation of the Municipal Court.

The first involves discussion about reducing the time of driver license suspensions for failure to pay judgments. It is difficult to predict how this might affect compliance with ordinances or payment of judgments.

The second involves discussion highlighted in the Administration's presentation about interest in state legislation to authorize a system of red-light camera citation enforcement. It has been suggested that, if implemented, this system could generate as much as \$1,000,000 in revenues annually. The Court reports that, to achieve this level of revenue generation, the Court may experience an increase of between 25,000 and 30,000 case filings.

Prepared by: Richard L. Withers (286-8532)
LRB – Fiscal Review Analysis
October 6, 2009

APPENDIX A – Alternative Sentences

Alternative sentences are not in lieu of payment but are served if the defendant does not pay the judgment as required. In the case of a driver's license suspension or commitment to the House of Corrections, the judgment is considered to have been paid once the defendant completes the alternative sentence.

Milwaukee Municipal Court Alternative Sentence Enforcements 2006 to 2008					
Year	Alternative Sentence	Enforcements		Percent Changes	
		Cases	Defendants	Cases	Defendants
2006	Commitments	3,663	1,975		
	Driver's License Suspensions	46,896	22,643		
	Property Liens	1,128	965		
	Referred to Collections	887	625		
	Vehicle Registration Denials	3,956	3,457		
	TOTAL	55,530	29,995		
2007	Commitments	3,171	1,744	-13.43%	-11.70%
	Driver's License Suspensions*	38,100	18,540	-18.76%	-18.12%
	Property Liens	1,300	987	15.25%	2.28%
	Referred to Collections	22,336	12,172	2,418.15%	1,847.52%
	Vehicle Registration Denials	5,610	4,828	41.81%	39.66%
	TOTAL	70,517	38,271	24.74%	29.01%
2008	Commitments	2,749	1,500	-13.31%	-13.99%
	Driver's License Suspensions	43,717	19,810	14.74%	6.85%
	Property Liens	1,080	886	-16.92%	-10.23%
	Referred to Collections	29,998	14,738	34.30%	21.08%
	Vehicle Registration Denials	5,570	4,699	-0.71%	2.67%
	TOTAL	83,114	41,633	17.86%	8.78%

From figures provided by the Milwaukee Municipal Court, September 2, 2009.

*Excludes 6,725 driver's license suspensions enforced on 4,744 defendants following a judicial decision to withdraw all outstanding juvenile warrants for sentencing and to impose a default judgment as this was a one-time event occurring in February of 2008.