



REPORT

LEGISLATIVE REFERENCE BUREAU

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9. Municipal Court, 2015

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9. Municipal Court

\$3,426,963

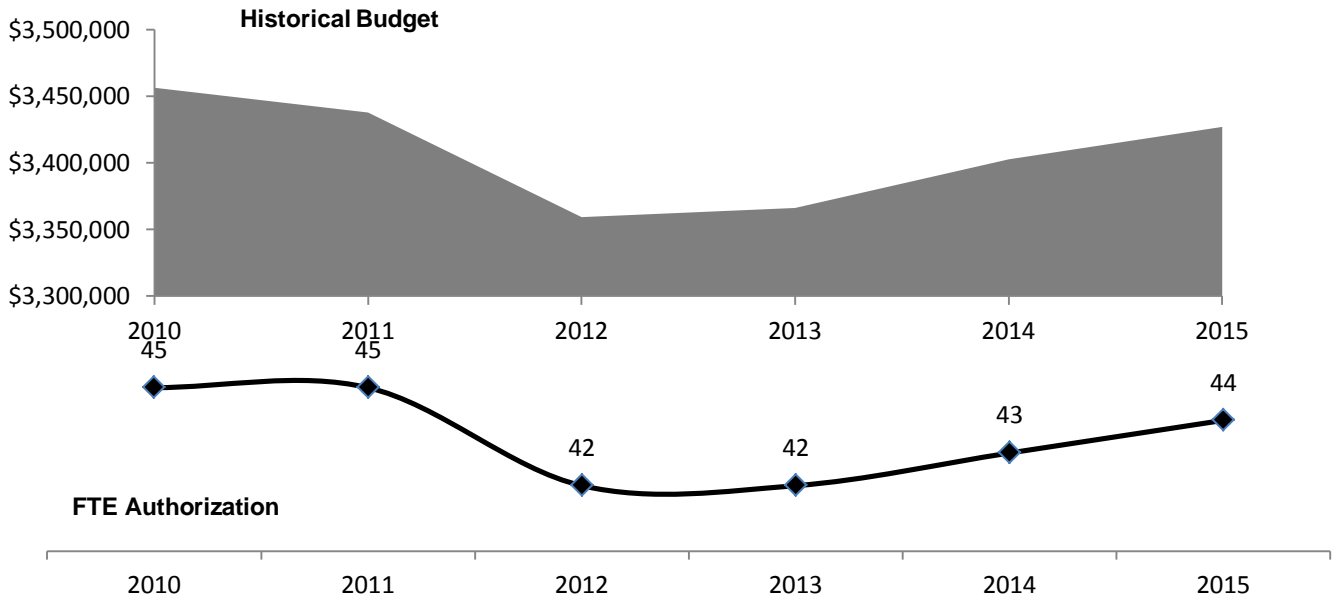
Proposed Department Budget

\$24,333

Nominal Change in Proposed Department Budget

0.72%

Percent Change in Proposed Department Budget



0%

Percent Change in FTE 2014 to 2015 Proposed

0

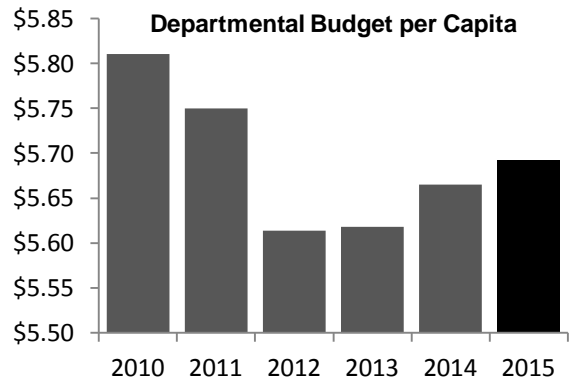
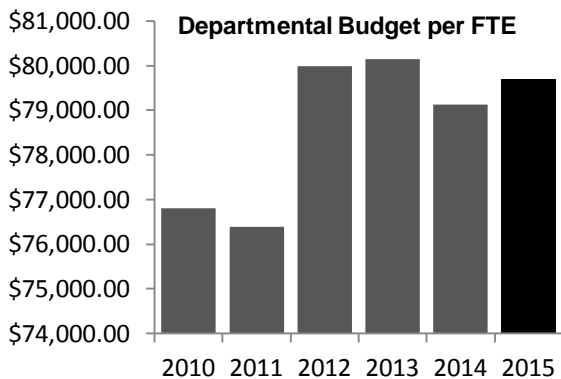
Nominal Change in FTE 2014 to 2015 Proposed

4

Vacant Positions

35%

% Eligible for Retirement within 10 years



2,223

The amount of DNS cases filed in 2014 as of June; a total of 4,240 cases filed in 2013.

110,000

The estimated number of court appearances for 2015; the number of case filings is estimated at 82,000.

\$3,000

Amount of increase for equipment cost in the Proposed Budget, attributed to expenditures for office furniture.

\$144,000

The amount of capital funding received in 2014 to upgrade the department's virtual server and for storage area network (SAN) replacement.

\$5,000

A decrease in the Proposed Budget for Information Technology Services. The decrease reflects a reduction in costs for the Virtual Server Software Maintenance.

\$290,000

The approximate amount of annual recurring savings from the Electronic Case Filing anticipated for 2015.

13,000

The number of individuals whose driver's license suspensions were lifted by the Court in 2013.

\$504,000

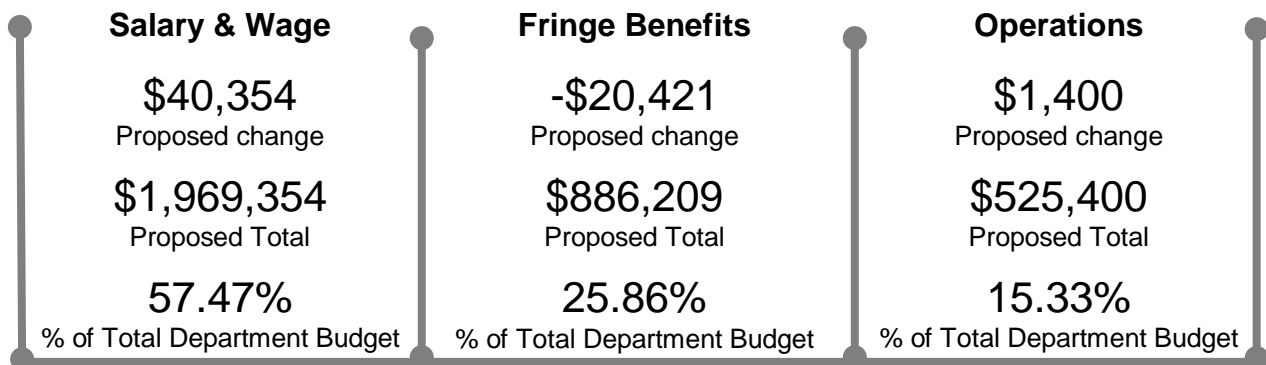
The amount of funding in the Proposed Budget to start an upgrade of the Court Automated Tracking System.

\$40,000

The amount of Special Funds in the Proposed Budget.

\$6,258,000

The anticipated amount of revenue for the Proposed Budget.



II. INITIATIVES AND PROGRAMS.

1. Department Overview

The Milwaukee Municipal Court is one of only 2 full-time municipal courts in the state of Wisconsin. The Court adjudicates City Ordinance violations, including traffic and building code cases. In addition, the Court handles the highest number of cases of any municipal court in the state. There are 3 elected judges who preside over the Court's 3 branches. In each of the 3 branches, up to 60,000 cases are filed and adjudicated per year.

2. Municipal Court Electronic Case File Project.

The electronic case file conversion continues to create savings and promote efficiencies, including staff reduction (3 positions eliminated in 2011 and 2012) and savings of an additional \$50,000 annually in the cost of paper jackets. In addition to these direct savings, Court Administration reports that benefits include:

- Total savings to date, including reduction in staffing and other efficiencies, which may be as high as \$400,000.
- Ability for all personnel to promptly locate case files.
- Online Internet capacity allowing the public to track the progress of cases.
- Decrease in required Court appearances or trips to make payments.
- Providing the Police Department with timely information on the status of warrants.
- Allowing Court "partner" programs to obtain limited case information without traveling to Court.

The Court reports that approximately 95% of all traffic citations and 93% of all municipal citations issued by MPD are filed digitally using the TraCs system. Since 2012, all DNS cases have been filed electronically. The only remaining charging documents filed in paper form (and scanned into the system by Court staff) are DPW Parking Enforcement contested citations and summons and complaint cases. Discussions have continued in efforts to move this process forward.

In 2013, the Court focused on minor improvements to the electronic case file project, such as the electronic receipt of charging documents, to make the paperless process more efficient. It is anticipated in 2015 that the Court's annual recurring savings from the project will reflect approximately \$290,000. The project continues to be successful for the Court in providing efficient case management and costs savings.

2. Department of Neighborhood Services (DNS) "Board-up" Arraignment Pilot Program.

During the summer of 2011, the Court began to address a back-log of new "board-up" cases by initiating a pilot program allowing DNS arraignments to be heard by a Municipal Court Commissioner. The pilot program was successful and expanded in 2012 and 2013. The number of DNS cases filed in 2014 (through June 2014) was 2,223, as compared to 4,240 cases in 2013; 4,566 in 2012 and 3,568 in 2011.

3. Client Assistance.

The Court supports, or has previously participated in, the following client assistance programs that have historically been supported by Special Purpose Account funding:

- **Center for Driver’s License Recovery and Employability Program (DLREP).**

The Court did not request funding in the Proposed Budget for the Driver’s License Recovery and Employability Program. The Court is currently seeking a partnership with an organization whose goal is to enhance the employability and economic stability of lower-income residents.

- **Municipal Court Intervention Program.**

The Municipal Court Intervention Program (MCIP), proposed for continued SPA funding in 2015, is administered under contract with Justice 2000 Division of Community Advocates, Inc.

Chapter 800, Wis. Stats., provides that no defendant may be imprisoned for failure to pay a municipal court fine if the defendant is indigent unless the defendant fails to perform community service, attend an indigency hearing or fails to complete a treatment program that was ordered in lieu of a fine.

The purpose of the MCIP is to offer alternative dispositions to the Court so that persons who have been cited for ordinance violations and who are at risk of incarceration due to indigence, mental health conditions, or alcohol and other drug abuse (AODA) issues are not incarcerated solely due to the inability to pay fines.

Monthly and quarterly outcome reports are provided to the Municipal Court including: number of assessments, number of admissions, discharge status, time in the program and daily census. Monthly reports also include outcome indicators pertinent to the Milwaukee Promise: jail days avoided, community service hours completed, fines paid, compliance rates and incarceration costs avoided.

See Part VI, Special Purpose Accounts for further information.

III. EXPENDITURES.

Table 9.2. Changes in Expenditure Amounts by Account.

Expenditure Account	2013 Actual	2014 Adopted Budget	% Change	2015 Proposed Budget	% Change
Salaries and Wages	\$1,893,987	\$1,929,000	1.9%	\$1,969,354	2.1%
Fringe Benefits	\$882,365	\$906,630	2.8%	\$886,209	-2.3%
Operating Expenditures	\$541,837	\$524,000	-3.3%	\$525,400	0.3%
Equipment Purchases	\$2,987	\$3,000	0.4%	\$6,000	100%
Special Funds	\$44,991	\$40,000	-11.1%	\$40,000	--
Total Operating Budget	\$3,366,167	\$3,402,630	1.1%	\$3,426,963	0.7%

1. Budget Summary.

The total 2015 Proposed Budget for the Municipal Court is \$3,426,963, an increase of \$24,333 (0.7%) from the 2014 Budget of \$3,402,630.

2. Personnel Costs.

Personnel costs in the 2015 Proposed Budget are \$2,855,563, an increase of \$19,933 (0.7%). Salaries and Wages increase \$40,354 (2.1%). Fringe benefits decrease \$20,421 (-2.3%). The salary increase is due the city-wide increase to base pay, in addition to an increase in salary for the Court Commissioner position (need for an increase in hours for DNS matters).

3. Operating Expenditures.

Operating Expenditures in the 2015 Proposed Budget is \$525,400, an increase of \$1,400 (0.3%) from the 2014 Adopted Budget amount of \$524,000. The increase includes the following breakdown:

- \$2,000 in General Office Expenses \$2,000 in Professional Services, and \$3,000 in Other Operating Services from the 2014 Proposed Budget.
- Decreases include \$5,000 in Information Technology and \$500 in Reimburse Other Departments.

4. Equipment Purchases.

Equipment purchases are \$6,000, a \$3,000 increase from the 2014 Proposed Budget. The increase reflects office furniture costs.

5. Special Funds.

The 2015 Proposed Budget provides \$40,000 in special funds. This amount is the same as the 2014 Budget.

Table 9.3. Special Funds.

Special Fund	2013 Actual Expenditures	2014 Adopted Budget	2015 Proposed Budget
Minor Projects	\$19,998	\$10,000	\$10,000
Court Hardware Replacement Project	\$24,993	\$30,000	\$30,000
Total	\$44,991	\$40,000	\$40,000

It should be noted that the capital project to develop and implement the Court's electronic filing system provided support for major hardware acquisition in previous years.

IV. PERSONNEL.

Table 9.4. Changes in Full-Time Equivalent (FTE) and Authorized Positions.

Position Category	2013 Actual	2014 Adopted Budget	Change	2015 Proposed Budget	Change
O&M FTEs	33.83	36.40	2.57	36.40	0
Non-O&M FTEs	0	0	0	0	0
Total Authorized Positions	42	43	1	43	0

1. Personnel Changes.

The total number of authorized positions in the department under the 2015 Proposed Budget is 43, the same as in the 2014 Budget.

2. Vacancies.

There are 4 vacant positions and one unfunded vacant Legal Office Assistant IV position. The vacant positions are as follows:

- Court Services Assistant II (no immediate plans to fill).
- IT Support Specialist-Senior (started recruitment process).
- Court Services Assistant II (going through reclassification study).
- Municipal Court Clerk I.

V. INFORMATION TECHNOLOGY.

The 2015 Proposed Budget provides \$112,500 for Information Technology Services, a decrease of -\$5000 from the 2014 Budget. The decrease is the result of a reduction in cost for the Virtual Server Software and Maintenance price (maintenance for existing system software).

VI. SPECIAL PURPOSE ACCOUNTS (SPA).

SPAs are budgeted outside of departmental operating accounts, and control over SPAs is provided to departments by resolution. The 2015 Proposed Budget includes funding for the SPAs identified in Table 9.5.

Table 9.5. Changes in Special Purpose Accounts by Account.

Account	2013 Expenditure	2014 Adopted Budget	% Change	2015 Proposed Budget	% Change
Clerk of Court—Witness Fees Fund	\$9,314	\$9,000	-3.4%	\$9,500	5.6%
Municipal Court Intervention Program	\$425,000	\$425,000	--	\$425,000	--
Driver's License Recovery and Employability Program	\$50,000	\$50,000	--	\$0	-100%
Total	\$484,314	\$484,000	-0.1%	\$434,500	-10.2%

1. Clerk of Court Witness Fees, \$9,000.

The account is proposed to be budgeted at \$9,500 which is a \$500 increase from the 2014 Budget. The budgeted amount 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.

2. Driver's License Recovery and Employability Project, \$0.

The Driver's License Recovery and Employability Project (DLREP) SPA was initiated in the 2007 Budget. The program is supported by a variety of public and private funders. There will be no funds provided for the project in the 2015 Proposed Budget.

3. Municipal Court Intervention Program, \$425,000.

The Proposed Budget for the Municipal Court Intervention program is \$425,000, the same amount as provided in the 2014 Budget. The amount is consistent with historical funding levels for this SPA as reflected in Table 9.5.

Table 9.6. Historical Funding of Client Services SPAs.

Year	Driver's License Recovery and Employability Program (DLREP)			DLREP Total	Municipal Court Intervention Program (MCIP) SPA Funding	MCIP Total
	SPA	CDBG Allocation	CDBG Reprogramming			
2009	\$75,000	\$0	\$125,000	\$200,000	\$434,000	\$434,000
2010	\$50,000	\$100,000	\$50,000	\$200,000	\$425,320	\$425,320
2011	\$50,000	\$150,000	\$0	\$150,000	\$425,320	\$425,320
2012	\$50,000	\$100,000	\$0	\$150,000	\$425,320	\$425,320
2013*	\$50,000	\$100,000	\$0	\$150,000	\$425,320	\$425,320
2014	\$50,000	\$100,000	\$0	\$150,000	\$425,000	\$425,000
2015	\$0	\$0	\$0	\$0	\$425,000	\$425,000

*The 2013 Proposed Budget eliminated SPA funding for the Driver's License program, but \$50,000 was restored in the 2013 Adopted Budget by amendment.

VII. REVENUES.

The 2015 Proposed Budget estimates that \$6,258,000 will be generated in revenues by the department, a \$295,200 (-4.5%) decrease from the 2014 Budget estimate and \$250,553 (4.2%) increase from the actual revenues for the year 2013; see Table 9.7.

The 2 sources of Court revenue are generated from Forfeitures (\$4,506,000) and from Charges for Services (\$1,775,000).

Table 9.7. Changes in Revenue by Category.

Revenue Account	2013 Actual	2014 Adopted Budget	% Change	2015 Proposed Budget	% Change
Forfeitures	\$4,483,325	\$4,755,400	6.3%	\$4,506,000	-5.2%
Charges for Services	\$1,524,122	\$1,797,800	18%	\$1,752,000	-2.6%
Total	\$6,007,447	\$6,553,200	42.3%	\$6,258,000	-7.8%

1. Forfeitures.

Forfeiture revenue is affected by numbers of cases filed, the number of judgments rendered by the Court, due dates, payment plans and extensions and other factors. The reduction in case filings is due to a noticeable reduction in both traffic and other municipal citations by the Police Department. Changes in charging and citation practices by MPD and DNS are outside the control of the Court and may have a significant impact on the numbers and nature of matters

handled by the Court in any given year.

2. Charges for Services.

A large variety of different charges are collected by the Court ranging from fees to reopen cases and City share of revenues collected by the Court for the state. Most notably, the Court anticipated 2013 revenues to include more than \$1.5 million in Clerk fees (established by statute), and more than \$215,000 in county and state collection shared revenue. 2014 estimates and revenues recognized by the Comptroller for Charges for Services total only \$7,700 less than 2013 estimates. 2015 estimates of revenues for Charges of Services total \$294,300 less than 2014 estimates.

Table 9.8. Municipal Court Revenues Received: 2009—2013*

Source	2010	2011	2012	2013	4-year Average	2015 Estimated
Forfeitures	\$5,414,813	\$5,065,144	\$5,030,932	\$4,439,114	\$4,987,501	\$4,750,000
Court Costs	\$63,400	\$53,276	\$65,757	\$51,914	\$58,587	\$55,000
Clerk Fees	\$1,616,453	\$1,518,172	\$1,452,273	\$1,277,346	\$1,466,061	\$1,500,000
Processing	\$176,231	\$177,918	\$195,262	\$178,738	\$182,037	\$180,000
Other Charges	\$9,096	\$23,329	\$24,689	\$37,807	\$23,730	\$6,000
Total	\$7,279,993	\$6,837,839	\$6,768,913	\$5,984,919	\$6,717,919	\$6,491,000

*Comptroller's adjusted figures.

VIII. CAPITAL PROJECTS.

The 2015 Proposed Budget includes \$504,000 in funding for one capital project an increase of \$360,000 (250%) from the 2014 Budget. Capital funding for the Municipal Court in recent years has been primarily for computer-related upgrades. Capital projects for 2015 are summarized in Table 9.9 and in the discussion that follows.

1. Currently-Funded Projects.

CATS and Website Upgrade, \$504,000.

This 2-year project is scheduled for 2015 and 2016. The focus of the upgrade will be the transition from a client-server-based architecture to a browser-based platform, similar to FMIS, HRMS and other City systems. This project will eliminate the need to install and maintain workstation software. It will also facilitate remote court operations, such as community court sessions. The original estimate for the project was \$936,000. The department was able to

purchase some of the necessary software with existing funds. Approximately \$384,000 in capital funding will be required in 2016 to complete the project.

Table 9.9 Capital Program Summary, 2015.

Program	2015 Proposed Budget	2014 Adopted Budget	Increase (decrease)	% Chng.	6-year Request
CATS and Website Upgrade	\$504,000	\$0	\$504,000	----	\$888,000
Virtual Server and SAN Replacement	\$0	\$144,000	(\$144,000)	-100%	\$0
Total	\$504,000	\$144,000	\$360,000	250%	\$888,000

2. Unfunded Capital Requests.

None.

3. Project Updates.

Virtual Server and SAN Replacement.

The Municipal Court received \$144,000 in capital funding in 2014 to upgrade their virtual server and for storage area network (SAN) replacement. The Court uses servers and a SAN to host its case management system (CATS). Purchases for the hardware and software are in progress with Procurement. The servers and storage equipment have been received. The Court is coordinating with vendors to prioritize the project. Once the plan is in place and the dates are confirmed, the Court will notify DOA-ITMD who is responsible for replacing the switches. Switch replacement will coincide with the Court's schedule.

Electronic Case Jacket

The Electronic Case Jacket project was a multi-phase project designed to eliminate physical case jackets and paper files and to promote efficiencies in Municipal Court operation. The Municipal Court now operates its sessions electronically. This allows greater efficiencies in the processing of court cases, greater access to case related documents and information and flexibility in where the Court can hold sessions.

Since 2007, the Electronic Case Jacket project has received just over \$1.3 million. The project was completed on time and within budget. In conjunction with this project, the Municipal Court has updated its website. The website has been optimized for mobile device use. An audit performed by the Comptroller in 2012 to evaluate an upgrade to the Court's Case Automated Tracking System (CATS) found that the system is well-implemented and has a high level of compliance with IT general control best practices; see Common Council File Number 120833.

4. Future Capital Requests.

The Municipal Court anticipates requesting capital funding for one project in the future.

CATS and Website Upgrade \$936,000

This 2-year project is scheduled for 2015 and 2016. The focus of the upgrade will be the transition from a client-server based architecture to a browser-based platform, similar to FMIS, HRMS and other City systems. This project will eliminate the need to install and maintain workstation software. It will also facilitate remote court operations, such as community court sessions.

IX. ISSUES TO CONSIDER.

- 1.** Revenues from payment of forfeitures are estimated to be down by nearly \$375,000 from the 2013 estimates. Estimates for 2014 charges for services, which are largely fixed per case filing such as including court costs and clerk fees, are comparable to 2013 estimates. It is not clear whether the reduction in recognized forfeiture revenues reflects a forecast of fewer case filings or an anticipated increase in the number of unpaid Municipal Court judgments, either of which could be expected to also result in a reduction in revenues from charges for services.
- 2.** The number of evening court sessions were expanded in 2012 with reported improvements in the appearance rate due to convenience. An expanded program that provides more evening sessions perhaps in more accessible and diverse locations may provide benefits both in public convenience but also in bringing government operations and visibility closer to neighborhoods.
- 3.** Promotion of the former Network Administrator to the Assistant Court Administrator position has resulted in a salary and wage differential between the Court Administrator and the Assistant Court Administrator of only \$1,387. It may be appropriate to consider an adjustment in the Court Administrator's salary to more fully reflect the leadership and responsibility of the position.
- 4.** The Court, more than many other departments, must keep up with current technologies and current generations of computer and related hardware. The Capital Projects summary in Part VIII notes that, when new servers and other equipment is obtained in 2014, there may be an opportunity for 'repurposing' equipment to less critical functions. Is there, or should there be, a program or effort in place to coordinate repurposing of this type of equipment throughout City government?

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