



Access and Service Delivery 2 Committee

Report to Judicial Council

December 14, 2009

Executive Summary

In its July 2008 report to the Judicial Council, the original Access and Service Delivery (ASD) Committee recommended creation of a committee to study longer term service delivery topics. In response, the Judicial Council created the ASD-2 Committee.

The Committee was comprised of over forty members representing trial court judges and a broad range of judicial branch employees, as well as court justice partners. The Committee met monthly from November 2008 to December 2009. The work culminated with a presentation of this report and findings to the Judicial Council in December 2009.

The service delivery topics of study by the Committee were largely of type not susceptible to easy or obvious solution(s). For this reason, and based upon the Committee's very thorough deliberations, there are a number of areas where multiple "options" are formulated for consideration by the Judicial Council. The options are described and the primary favorable and unfavorable rationale (pros and cons) are identified for each option.

This report is organized around five major themes discussed by the Committee: (1) Judge Unit; (2) Subordinate Officers; (3) Structure and Governance; (4) Workflow Reengineering; and (5) Judicial and Legislative Policy Reform. Background information on each theme is provided throughout the report, along with options or recommendations for consideration by the Judicial Council.

Following is a summary of options and recommendations detailed in this report.

Judge Unit

The Committee considered models for taking the record and providing courtroom support, digital reporting, and identification of courtroom duties that could be performed by judge unit staff. Both sets of options below (district and systemic) outline judge unit changes designed to create cost savings and efficiencies.

District Options

The underlying premise of the district options is that judge units should "share the pain" of budget reductions and that the Judicial Council should consider setting a statewide goal for judge unit contribution. Several strategies were identified as options for implementation by individual districts including:

1. Judge Unit Vacancy Savings
2. Small County Model
3. Digital Reporting

4. Large County Model
5. Court Administration Duties to be Assumed by Judge Unit Staff or Abandoned

Systemic Options

The systemic options are statewide strategies that identify ways the judge unit can contribute toward achieving cost savings and efficiencies to mitigate the resource shortages in court administration.

1. All Digital Reporting
2. Grandfather Judge Units into Eventual Exclusive Use of Digital Reporting
3. Implement Digital Recording with Remote Central Monitoring State-wide
4. Maintain Stenographic Option with Court Reporter Assuming Court Administration Duties

Other Recommendations

1. The Committee recommends that, in cases where the record is taken digitally and there is an appeal involving legal argument only without testimony, the record on appeal should consist of the digital record only.
2. The Committee recommends that the file transmitted to the appellate courts should not be restructured by district court administration before submission to the appellate courts.

Subordinate Judicial Officers

The Committee reviewed subordinate judicial officer topics to identify ways the Judicial Branch can achieve cost savings and efficiencies by using subordinate judicial officers at a lower cost without a significant decline in service delivery.

Recommendations

1. The Committee recommends that the Judicial Council form a workgroup of judges and administrative staff to develop an implementation plan for using pro bono attorneys to hear conciliation court (and potentially housing court) cases via ITV.
2. The Committee supports moving forward the current ASD-1 initiative of reconfiguring the Ramsey County CAMPER software for statewide use and centralizing the review of the annual conservatorship accounts. In addition, it is recommended that an implementation workgroup be formed to study the potential for regionalizing or centralizing the account review hearings using ITV and subordinate judicial officers.
3. The Committee recommends the transfer of implied consent cases to the Office of Administrative Hearings only if there is no negative impact on the Judicial Branch budget.

Structure and Governance Issues

The Committee discussed structure and governance issues to identify ways the branch can achieve cost savings through administrative restructuring and/or redistricting. The Committee also studied a future model employing trial and/or service centers.

Options

1. Administrative Restructuring/Consolidation combining the Seventh/Eighth, Sixth/Ninth and Third/Fifth Judicial District Administration offices
2. Redistricting “Model Three” which creates seven judicial districts by consolidating Districts Three and Five, Six and Nine, and Seven and Eight
3. Redistricting “Model Ten” which makes significant changes to current judicial district lines, by creating seven districts
4. Status Quo
5. Trial/Service Center Model which creates new regional trial court service centers

Recommendations

The Committee forwards models 1 through 3 above, which offer a continuum of changes ranging from consolidating existing judicial district administration offices to significant redistricting. The Committee recommends that the topic of Trial/Service Centers would benefit from ongoing discussion with an interagency group comprised of criminal justice partners such as the Criminal Justice Forum.

Workflow Reengineering

The Committee considered the topic of workflow reengineering with specific regard to understanding the effects of technology on the work of court administration post implementation of ASD-1 initiatives.

Recommendation

The Committee recommends tasking the State Court Administrator to form a workgroup to study court administration workflow following full implementation of ASD-1 initiatives, including workflow at the county, district, central and appellate levels. This workgroup shall report back to the Judicial Council on its findings.

Legislative and Judicial Policy Reform

The Committee recognized that there are substantive policy and statutory impediments to operating efficiently, reducing costs and providing value to the citizens. As such, the Committee recognized the need to advocate for statutory changes.

Recommendations

1. In June 2009, the Committee recommended to the Judicial Council that NEAC would be best evaluated by a group that includes broad stakeholder representation, such as the Criminal Justice Forum. In response to the recommendation, the Judicial Council approved that the Criminal Justice Forum determine if further action should be taken on NEAC recommendations
2. The Committee recommends that the Judicial Council review substantive law that impacts the efficient operation of the Judicial Branch and make recommendations to the Judicial Council for changes as part of the Branch's annual legislative proposals.