

The meeting was called to order at 9:30 AM. Present were: John H. Fisher, III, Chair; Edwin Carman (for Acting Commissioner Richman); Marvin Reed; Robert F. Casey; Gary Passanante; Steven M. Cozza. Absent: Treasurer David Rousseau.

The minutes of the October 22, 2009 meeting were approved. Robert F. Casey abstained.

Executive Director's Report: Dennis Smeltzer: WRI just returned the MOU with changes. Will send to Process Committee and DAG for review. Updated LUARCC brochure for the League. Bob Casey, Marvin Reed and I met on the roadmap which will be assembled and placed on our website when completed.

We are also looking to have information on what is currently being done in other municipalities with shared services. Propose to use an intern to update list of existing shared service arrangements.

A Commission member commented it appears that the same topics continue to come up throughout history and if LUARCC could try to centralize this information, the public could see that things keep repeating themselves.

A Commission member mentioned that we narrowed the list down to 6 or 7 clusters to review, however, there are others that we decided not to review which currently have activity happening so should be reflected in our list for the general public's attention i.e. Scotch Plains/Fanwood should be on our list as current projects of note.

The Walter Rand Institute is looking to hire a project coordinator. Meeting is taking place this afternoon to go over screening process.

Update on the Municipal Courts: Steve Somogyi, Chief of the Procedures & Policy Unit at the Administrative Office of the Courts (AOC). Municipal courts have been merging for years. Much more complicated is when joint municipal courts want to separate because everything becomes one: finances and cases. Have working group currently developing standards for municipal courts when they separate. Municipal courts can be fully merged in a joint court or share personnel and facilities, but keep cases, records, and funds separate.

Commission member would like to focus on why joint courts are deciding to dissolve. Why is it happening?

Mr. Somogyi indicated that it could be local politics, it could be that they have found a better arrangement – there is a lot of shopping going on.

Commission member asked if as part of the standards/procedures that the Administrative Office of the Courts were developing if it would be asking for an explanation as to why joint courts are reaching the decision to separate. If the AOC makes it easy for courts to dissolve then there is a loss of accountability when they

are spending their resources to join in the first place. Perhaps the AOC should ask for documentation before they are allowed to disband.

Mr. Somogyi said that the AOC is guided by statute and that it is the municipalities decision whether or not to continue as a joint court or to disband.

A Commission member stated that while the AOC is guided by specific language that it should not preclude them to ask the question. Dialogue continued regarding the statute and that it is poorly written if indeed it is “easy in, easy out”. Perhaps there is a need to go back to the Legislature so it is more difficult for courts to dissolve mergers.

There was further discussion regarding the opinion of a county-wide court system with a shift in tax bases and that if done correctly and if it could serve the public – it could work.

Mr. Somogyi indicated that there are various stages when considering merging of courts.

1. Thinking about doing it.
2. Formalizing the process – talking about how to do it
3. Doing resolutions
4. Implementation.

A Commission members commented that there seems to be a difference in how revenues are treated in shared and joint courts. Expenditures in the local budgets in both cases are based on the agreement. Revenues seem to be undergo no change when going to a shared court. In a joint court it was unclear if revenues were returned to the individual municipality that generated the case in question.

Linda Murphy: Shared Services Coordinator for Morris County: has 16 years relevant private sector experience. (See attached testimony.)

General Discussion:

Robert F. Casey: writing a shared services continuum article – in its fourth revision. There are eight different ways to provide services. Also working on municipal finance and budgeting and how to improve it. May cause municipalities to be more willing to share services. However, may require State regulations to be changed.

Commission member discussed the implementation of a county animal shelter in Camden County. One of the stipulations written in the agreement is that is you do not sign on within a certain timeframe and decide to join after the fact, there will be a cost associated with coming in late.

John Fry, member of the public, indicated that Rutgers is sending out a survey to the voters of Wantage Township asking why they rejected the consolidation with Sussex.

Adjournment.

INTRODUCTION: Linda K. Murphy

- Shared Services Coordinator – County of Morris
- President-Elect – NJ Shared Services Association (NJSSA)

BACKGROUND:

I have been involved in providing advisory services and support to local government entities since September 2007 and am funded by a three-year COUNT grant from DCA which expires in August 2010. Prior to working with Morris County, I was an operations consultant for over sixteen (16) years, specializing in customer operations and delivering services both domestically and internationally to firms in a variety of industries.

- As Morris County's Shared Services Coordinator, I provided advisory services and support to the municipalities involved in the formation of the 5-town Joint Municipal Court of Dover which went live 2/1/2009.
- Since 2/1/2009, a number of other feasibility studies of shared municipal court services have been completed in our County and I will provide comments and observations stemming from those efforts.
- This year, New Jersey Shared Services Association (NJSSA) has provided Educational Outreach related to municipal courts in Bergen, Essex, Morris, and Burlington Counties.
- Shared municipal court services have also been discussed by NJSSA and others at the conferences of our affiliate Associations such as NJAC, NJCM, and the League.

TESTIMONY THEMES:

- Viability of municipal court shared services
- Sources of cost reduction and efficiency
- Operational considerations
- Practical impediments
- Other LUARCC questions

VIABILITY OF MUNICIPAL COURT SHARED SERVICES:

The interest in shared services has been increasing over the last two years due to a number of factors: the downturn in the economy, the reductions in state aid for municipalities, and the caps on the municipal tax levy and budget.

Municipalities in Morris County are encouraged to think in terms of regional service delivery models and this notion has gained some traction for municipal courts by using a consistent and compelling message:

- 1) Consideration of shared services opportunities is done through a bottom-up approach, not being pushed upon the municipalities in any way by the state or county;
- 2) All participation is voluntary, as is any agreement to act upon any recommendation or finding of the process; and
- 3) That it is in the interests of our communities and our taxpayers to move even faster and farther in our efforts at finding greater efficiencies and reducing the cost of government, while still ensuring quality service delivery.

The benefits of regional municipal courts, I believe, are clear. The underlying goal should continue to be providing fair, impartial, and efficient municipal court services, but with the implicit idea of an outcome that results in doing more with less and with greater efficiency.

As you know from prior testimony, all court-related computer software, computers, and printers are provided by the state, and properly used the computer programs allow for standardized operations and generate most, if not all, of the necessary operational reports. Many potential barriers to sharing have already been addressed via this technology solution for the courts.

Since the Dover Joint Court went live earlier this year, over 50% of our Morris County municipalities have either implemented or are considering shared services for their courts. The primary driver behind this interest is the opportunity to reduce the cost of service delivery. The secondary driver is improvement in efficiency.

The size of a community can have an effect on the attractiveness of shared municipal court services. In Morris County, 59% of our communities (23 of 39) have less than 4,000 households (see Attachment I, page 12).

- 10 of 39 or 25.6% have less than 2,000 households (population range of 1,486 to 5,503).
- 5 of 39 or 12.8% have less than 3,000 households (population range of 5,827 to 7,761).
- 8 of 39 or 20.5% have less than 4,000 households (population range of 8,118 to 10,635).

Smaller communities generally have the best opportunities for achieving the goal of cost savings. This is because they will get to eliminate the necessary “over-staffing” in their court, achieve economies of scale with the larger pool of shared court administration personnel, and take advantage of the cost savings in shared court professionals. The potential for savings in the 30 to 50% range are not unusual for smaller municipalities.

The best opportunities for efficiency and cost savings, in my opinion, come from sharing municipal court services among three to six communities. The lowest level of savings identified

in our feasibility studies so far was \$1.81 million and the highest was \$5.29 million over the life of a ten year shared services agreement (conservative estimates).

SOURCES OF COST REDUCTION AND EFFICIENCY

A viable grouping of communities for municipal court shared services requires:

- At least one participant with adequate facilities to take on the increased caseload,
- Geographic proximity (not necessarily contiguous borders),
- A real possibility of cost savings, and
- A willingness to get to “yes”.

COST REDUCTION

Due to the fact that most of the expense for municipal courts is in personnel, communities entering into a feasibility study on municipal courts need to understand that any savings identified will likely mean impacts to people. Our feasibility studies have found that savings comes primarily from 1) court professionals (judges, prosecutors, and public defenders) and 2) to a lesser degree, court administration personnel. For instance:

- In the Dover Joint Court alone, court professionals went from 15 to 6.
- In all of the other Morris County Feasibility Studies completed so far, we have identified court administration reductions of about ten (10) employees.

Most other operational costs associated with the municipal court are relatively minor in nature. Many municipalities only track certain costs such as postage at the municipal, not department, level making it challenging to get a handle on them. See below for an illustrative example:

COURT RELATED EXPENSES:				
Maintenance / Equipment	Included	\$ 300.00	Borough data only	\$ 300.00
Professional & Special Services	\$ 2,000.00	\$ 750.00	\$ 3,750.00	\$ 6,500.00
Office Supplies	\$ 2,500.00	\$ 950.00	\$ 3,639.00	\$ 7,089.00
Printed Materials / Publications	\$ 3,000.00	\$ 2,050.00	\$ 4,250.00	\$ 9,300.00
Conferences / Meetings	\$ -	\$ 750.00	\$ 2,350.00	\$ 3,100.00
Education / Training	\$ 400.00	\$ 200.00	\$ -	\$ 600.00
Dues	\$ 400.00	\$ 75.00	\$ 225.00	\$ 700.00
Postage	Twp data only	\$ 2,100.00	Borough data only	\$ 2,100.00
Miscellaneous	\$ 100.00	\$ 50.00	\$ -	\$ 150.00
COURT EXPENSES SUBTOTAL	\$ 8,400.00	\$ 7,225.00	\$ 14,214.00	\$ 29,839.00
FACILITY/OTHER EXPENSES:				
<i>EXPENSES SHOWN HERE SHOULD BE ONLY THOSE DIRECTLY IMPACTED BY REDUCING OR ADDING MUNICIPAL</i>				
Insurance	\$ 16,130.00	\$ 17,280.00	Borough data only	\$ 33,410.00
Electricity	\$ 13,759.00	\$ 4,500.00	Borough data only	\$ 18,259.00
Natural Gas	\$ 3,666.00	\$ 1,620.00	Borough data only	\$ 5,286.00
Telephone	\$ 6,517.00	\$ 3,250.00	Borough data only	\$ 9,767.00
Audit Fees	\$ 2,000.00	\$ 2,475.00	Borough data only	\$ 4,475.00
Other (Cleaning Svc)	\$ 1,500.00	\$ -	Borough data only	\$ 1,500.00
FACILITY/OTHER EXPENSES SUBTOTAL	\$ 43,572.00	\$ 29,125.00	\$ -	\$ 72,697.00

There are also potential capital costs to be considered; particularly those associated with mandated court security requirements. Many municipalities use their public meeting room or elected body chambers for the courtroom. These facilities were not built to meet the state security mandates for courts and updating them to do so can be prohibitively expensive.

The court security mandate certainly played a role in bringing Mine Hill and Wharton into the Joint Court of Dover. Those two towns had signed a shared court agreement in the previous year, but were faced with an estimated \$350,000 capital expenditure to meet the security criteria of the Assignment Judge. By joining the Joint Court, this went away.

Another example is Madison, where that municipality is eager to act as “lead agency” in a joint court, but renovations at their municipal building have them in temporary quarters. Meeting the mandated security requirements in the temporary space was cost-prohibitive, so they currently renting the courtroom from Florham Park and have put their plans for court consolidation involving up to five municipalities on a phased implementation plan that will not be completed until 1/2011.

EFFICIENCY

The best opportunity for efficiency comes from the formation of a “Joint Court” if the participants are considering combining more than two municipal courts together. This is because that model – one facility, one court entity – provides operational options that are not available under a “Shared Court” – one facility, multiple court entities. In addition to providing flexible case scheduling through the use of one court calendar for all participating entities, advantages can be found in:

JOINT COURT	SHARED COURT
<p><u>LEGAL EXECUTION</u></p> <p>Established by ordinance specifying name of Joint Court.</p> <p>The Joint Court is a new legal entity with all former courts absorbed into it.</p>	<p><u>LEGAL EXECUTION</u></p> <p>Established by ordinance or resolution.</p> <p>The Shared Courts each remain as separate legal entities.</p>
<p><u>BANK ISSUES</u></p> <p>Establish new accounts (bail and general) for Joint Court.</p> <p>Close out old court accounts after a reasonable transition period (i.e., six months).</p>	<p><u>BANK ISSUES</u></p> <p>Maintain separate bank accounts for each court.</p>
<u>FINANCIAL ISSUES</u>	<u>FINANCIAL ISSUES</u>

<p>One joint court audit must be performed annually.</p> <p>All personnel who handle money must be bonded. <i>2B:12-12</i></p> <p>The Joint Court will have one journal, one deposit daily, one monthly cash book and disbursement, and one change fund.</p> <p>In addition to court reconciliation processes, Joint Court administration will reconcile monthly, quarterly, and annual revenue reports for the participating local entities.</p>	<p>Separate audits of each municipal court must be performed annually.</p> <p>Multiple bonds may be required if personnel serve multiple courts. <i>2B:12-12</i></p> <p>The Shared Court will have one journal, one deposit daily, one monthly cash book and disbursement, and one change fund for each Court.</p>
<p style="text-align: center;"><u>OPERATIONAL ISSUES</u></p> <p>New User IDs allow court administration employees to work all cases within Joint Court system screens.</p>	<p style="text-align: center;"><u>OPERATIONAL ISSUES</u></p> <p>Continued use of old User IDs limits ability to work cases to respective municipality.</p> <p>New User IDs allow court administration employees to work cases across entities, but within separate municipality system screens.</p>
<p style="text-align: center;"><u>FORMS/STATIONARY</u></p> <p>All materials carry Joint Court information (i.e., notices, mailers, tickets, complaints, receipt books, and calendars).</p>	<p style="text-align: center;"><u>FORMS/STATIONARY</u></p> <p>Maintain separate sets of materials for each court (i.e., notices, mailers, tickets, complaints, receipt books, and calendars).</p>
<p style="text-align: center;"><u>INTEGRITY OF COURT RECORDS</u></p> <p>All court records transfer to new site and are converted to Joint Court legal entity over transition period.</p> <p>Archived materials transfer to secure location (preferably at Lead Agency).</p> <p>Judicial records management and one destruction schedule after transition period.</p>	<p style="text-align: center;"><u>INTEGRITY OF COURT RECORDS</u></p> <p>All court records transfer to new site, but files must be maintained separately; each court remains a separate legal entity.</p> <p>Archived materials transfer to secure location (preferably at Lead Agency), but files are kept separate in storage site.</p> <p>Judicial records management; separate record destruction schedule maintained for each court.</p>

Other factors to consider in cost and efficiency determinations are less dependent on whether the court is “shared” or “joint”, and include but are not limited to:

- The scheduling of court sessions – business hours vs. evening hours;
- The scheduling of cases requiring law enforcement participation based on scheduled time on the job vs. overtime;
- The use of videoconferencing for first appearances, bail hearings, and payment negotiations to reduce the time and cost associated with prisoner transport;
- Productivity expectations related to court administration personnel;
- The consistent use of pre-trial negotiations to increase court session throughput; and
- The implementation of AOC programs such as “e-Ticketing” which will dramatically affect the data entry requirements of court administration personnel.

OPERATIONAL CONSIDERATIONS:

Practical operational considerations associated with municipal court shared services include:

- The facility best suited to house a combined court (generally associated with a larger municipal participant).
 - Office space and lay-out
 - Storage/archive space
 - Status re: security mandates
 - Ease of public access and parking
- The combined caseload and the extent to which this caseload expands court operations.
 - Case filings and backlog by type
 - Account reconciliation (general and bail)
 - Judicial records management
- Court administration staffing – especially since there are no valid staffing models to use.
 - Occasional focus on jobs protection vs. “right-sizing”
 - Civil Service rules/regulations, where applicable (9 of 39 Morris municipalities)
- Court professionals staffing
 - Interest and availability
 - Timing associated with existing contracts expiration
 - Occasional political concerns vs. experience and efficiency in moving cases
- The number/hours of court sessions.
- Productivity assumptions associated with the court staff.
- Security costs, including police overtime.
- Cost allocation methodology

Caseload often varies from year to year – when doing a municipal court feasibility study, we look at up to five (5) years of data available from the Judiciary website to establish trends. The causes of variability are largely outside the control of the municipal court and local knowledge is likely necessary to understand what the actual drivers are. In our experience, drivers of caseload volume include, but are not limited to:

- An actual reduction in crime and violations.

- The relationship between the Chief of Police and the Elected Body and/or Administrator.
- The “newness” of the police force (newer officers may tend to write more tickets).
- The timing or status of union contract negotiations.
- Grants or programs that focus police attention.
- Proximity to major roadways, town centers, etc.
- Changes that may affect police coverage areas, such as the closing of selected state police barracks in Monmouth County.

Viable benchmarks or “best practices” service delivery models would be helpful to guide municipalities through the process of sharing services. Municipalities like the ability to compare themselves to others while going through the decision process.

Process and technology changes over the last 8 to 10 years have rendered the AOC’s “weighted case load” staffing model out-of-date. I have been told by the AOC that using it in today’s environment will cause overstaffing to occur. There are plans to update this model; however, this will not be done until after implementation of “e-Ticketing”.

- Illustrative examples: Court Administration per headcount
 - 3,000 cases = 1.65 cases per hour per day per FTE

	JOINT MUNICIPAL COURT	ADMINISTRATION PRODUCTIVITY				
		# OF CASES	CASES PER	CURRENT	AT 3,000	AT 3,200
		ANNUALLY	HEADCOUNT	HEADCOUNT	CASES PER	CASES PER
	Town 1	5,479	2,740	2.00	1.83	1.71
	Town 2	2,976	1,653	1.80	0.99	0.93
	Town 3	2,497	1,249	2.00	0.83	0.78
	TOTAL	10,952	1,888	5.80	3.65	3.42

Feasibility studies have also identified substantial variability in the case load per court session statistics that would benefit from further study and benchmarking.

- Illustrative examples: Judge per court session

Goal: Fair, impartial, and efficient court				Number of Annual Court Sessions		
# OF CASES ANNUALLY	REGULAR SESSIONS	SPECIAL SESSIONS	AVG CASES PER SESSION	AT CURRENT LEVEL	AT 150 CASES PER	AT 170 CASES PER
(Town 1) 5,479	45	4	111.82	49.00	36.52	32.23
(Town 2) 2,976	26	3	102.62	29.00	19.84	17.51
(Town 3) 2,497	36	2	65.71	38.00	16.65	14.69
10,952	107	9	95.41	116.00	73.01	64.42

PRACTICAL IMPEDIMENTS:

JUDGE APPOINTMENTS

I strongly recommend that the Constitutional Amendment regarding the appointment of Judges in multi-jurisdictional courts go back on the ballot as soon as feasible with a simplified explanation that allows people to understand what it is intended to do. Removal of the real and perceived barrier – gubernatorial appointment of local Judge(s) – is important, I believe, although in Morris County we have been able to work around this for the most part.

JOINT COURT	SHARED COURT
<p><u>COURT PERSONNEL</u></p> <p>Municipalities recommend Judge appointment(s) to Assignment Judge.</p> <p>Statute calls for Gubernatorial appointment of Judge(s) with advice and consent of the Senate. 2B:12-4 (b)</p> <p>Appointment of Prosecutor, Public Defender, and Court Administrator to be determined as set forth in the Joint Court agreement.</p> <p>Appropriate court administration staffing level for new Joint Court.</p>	<p><u>COURT PERSONNEL</u></p> <p>Municipalities <u>may</u> agree to appoint the same Judge or appoint separate Judges. 2B:12-1 (c)</p> <p>Statute calls for Mayor with Governing Body advice and consent or Governing Body appointment. 2B:12-4 (b).</p> <p>Appointment of Prosecutor, Public Defender, and Court Administrator to be determined by the respective municipalities.</p> <p>Appropriate court administration staffing level for each separate Court.</p>

REVENUE ACCOUNTING

Municipalities will take note of the revenues associated with court cases and normally be aware if the monies are going up or down; they will also note whether the revenues are sufficient to make the court effectively “cost neutral”. The number of cases is driven by local, county, or state police and the fines/fees generated per case are driven by the Judge. Municipal courts actually have little or no control over the volume of cases coming their way.

I advise municipalities entering shared services agreements related to municipal courts to physically and mentally keep the revenue stream completely separate from the cost stream. Since the state computer system allows for the tracking of fines and fees by municipal identifier, we establish a reconciliation process in a joint court associated with those monies and insert appropriate clauses in the shared services agreement regarding the handling of same.

Below is the clause related to revenue from the Dover shared services agreement:

VI. REVENUE TRANSFER

- A. All municipal revenue accounts will be reconciled on or before the 15th of each month per **New Jersey Court Rule 7:14-4 Financial Control**. Supporting financial data by Municipality from the Dover Joint Municipal Court information system will be used to establish the accurate amounts to be transferred to each party to the Agreement.
- B. Checks for monthly revenue will be made out to the Municipalities within three (3) business days of municipal revenue account reconciliation and mailed to the appropriate municipal building address.
- C. Municipality income accounting will be done monthly to track and report on the monthly revenue transfer from Dover Joint Municipal Court to each Municipality; and a quarterly municipal income summary will be generated showing all income by Municipality by month and for the quarter.

HOME RULE AND OTHER BARRIERS

A recently completed survey within Morris County identified the following barriers to planning for or implementing shared services:

Government Efficiency Morris

❖ Initial GEM Survey Response

- What are the primary barriers that your municipality faces in planning for or implementing shared services with neighboring communities?

1	2	3
<u>Thought Process/Behavior</u>	<u>Costs/Service Levels</u>	<u>Other Barriers</u>
Short Term vs. Long Term Focus	Coverage of Start-Up Costs	Certain NJ Statutes
"Home Rule" Mindsets	Cost Allocation Methodologies	Civil Service Regulations
Territorial Leadership / Protectionist Dept Heads / Loss of Control Fears	Other Financial Incentives	Unions / Labor Agreements
Lack of Time / Staffing / Commitment / Trust	Service Level Expectations / Maintenance of Service Levels	Collective Bargaining and Arbitration Awards
Willingness to Consider New Ideas & Delivery Models	Desire for Savings Guarantee	Partner Proximity and Size (Including Cross-County)
Politics and Personalities	Must Have Obvious "Win-Win" w/ Cost Savings (i.e., a Better Deal)	Municipal Unique Needs
Jobs Protection vs. Taxpayer	"Right-Sizing" Personnel	Existing Management Structures / Fragmented Organization
	Term of Agreements	
	Exclusivity Requirements	

Analysis based on 34 responses to the initial GEM survey

QUESTIONS FROM LUARCC STAFF:

1. What are the most important problems with the delivery of Administration of Courts services in NJ?

There are a lot of positive aspects to the delivery of municipal court services in New Jersey.

- The Judiciary's organization structure establishes an Assignment Judge, a Presiding Judge, and a Municipal Division staff by Vicinage. The Assignment Judge has ultimate responsibility for court operations; our Vicinage encompasses Morris and Sussex Counties.
- The primary interface with municipal courts is through the Municipal Division staff members who offer support, as requested, and are required to do annual reviews of municipal court operations.
- The AOC offers court administrative personnel training, computer hardware and software, and a certification process for court administrators.

However, I believe the current organization structure and processes also create opportunities for improvement in this service delivery environment. Most of the comments I will make related to this question fall into the category of "it is no one's fault, it just is..."

- Since the municipal court is actually part of the Judiciary branch of government, the court administration staff members are nominally employees of the municipality, but effectively report directly to the Municipal Judge and indirectly to the County's Municipal Division Manager.
- The Judge is appointed for a three year term by the Governing Body of the municipality, often provides his/her service to multiple municipalities, and typically is only in the municipality for court sessions. The ability of the Judge to provide "hands-on" management, supervision, and performance coaching to court administration personnel is limited, although there are some notable exceptions.
- There are few benchmarks available to allow those involved to see how they are doing relative to other courts. As a result, we can find wide variability in the volume of cases handled by court personnel (both court professionals and court administration) based on the feasibility studies done so far.
- Due to the number of municipal courts in a Vicinage, the Municipal Division staff may only have an opportunity to visit a local court once per year for the annual review. Court administration personnel may be concerned that if they raise any issues or concerns, this will reflect negatively on them in the Municipal Division review process.
- Court administration personnel are encouraged to keep themselves separate from other municipal employees, so the Municipal Administrator may not be involved with or be

aware of any operational problems. This is further complicated by the fact that annual operational reviews done by the County's Municipal Division staff are forwarded only to the Judge and the Court Administrator for their information and action, excluding municipal administration from the information loop.

What could change? The municipal court could and probably should receive more support from an operational perspective. It may be possible to redefine the Municipal Division staff as "support staff" vs. "auditors" and allow them to be responsible for the coaching and development of court administration resources, the establishment and maintenance of benchmarks for all court personnel, as well as the proactive monitoring of court performance and costs. This likely could not be done without a reduction in the overall number of municipal courts.

2. Currently, what is it that we are trying to achieve within this service?

The goal is to provide fair, impartial, and efficient municipal court services. From both the AOC and a municipality's standpoint, there should also be the objectives of 1) improving efficiency in service delivery; 2) maintaining or improving the quality of service; and 3) reducing the costs of providing these services.

Municipalities will look at court costs overall and the cost of police overtime, but municipal administrators are largely dependent on the input of the Court Administrator and Judge re: staffing and expense needs.

What could change? The overall goals should stay the same; municipal court services would also benefit from adding measures and metrics for proactive management of service delivery efficiency, quality of service, and revenue/cost management. This means:

- 1) Establish and maintain expectations and benchmarks for court session throughput (for Judges and Prosecutors) and court case productivity (for Court Administration staff).
 - a. Using 1,820 hours for a FTE, a person handling 3,400 cases annually is working 1.87 cases per hour per day. Viewed from this perspective, there could be considerable room for productivity improvement.
- 2) Track and regularly report on cost-related factors: per court session, per court hour, and per case.
- 3) Track case load trends and make timely staffing adjustments to both court professionals and court administration personnel, as needed.

3. If we needed to improve this service, what would be the benefits we should be seeking?

The areas that are reviewed and reported upon by the Municipal Division staff are necessary from an AOC perspective. These areas include, but are not limited to: caseload volumes, case clearance rates and backlog, general and bail accounts reconciliation, and judicial records management.

Improvements can be made in the cost structure and overall efficiency with which these municipal court services are delivered.

What could change? Incentives to implement cost saving operational changes and proactive political encouragement of court consolidation should be considered.

4. What would you recommend needs to be done in order to consolidate the courts?

We can continue to work as we have so far – bottom-up, voluntary, and encouraged by municipal peers and our taxpayers to find ways to reduce the cost of local government. While Morris County has had a great deal of success in getting over 50% of our municipalities to study regional joint municipal courts, there are the remaining 50% that do not have this on their radar right now.

What could change? A feasibility study of municipal court consolidation could be done from a broader perspective – perhaps statewide or by vicinage – and driven by the AOC rather than bottom-up by individual local government entities. If necessary, start with a defined pilot similar to Gloucester County with tax assessment.

The question for LUARCC and the Judiciary is “do you want to move this along at a more accelerated pace”?

5. Are there any alternatives besides consolidation that would work?

The State of NJ and the Judiciary could always decide to leave things as they are. But if we truly believe that there is a need to reduce the cost and size of government, this means we must look for ways to change the way our services are delivered. I am personally a big proponent of regional service delivery models. I believe the municipal courts are one service area that should be studied aggressively since the rules and regulations guiding operations come from the Judiciary and are the same statewide.

What could change? Decisions on court-related service delivery models, staffing levels, service efficiency, service quality, and cost of service do not need to be made solely within the physical boundaries of a municipality. In fact, more guidance to local government entities from the AOC would likely be appreciated as I am asked all the time to share any available benchmarks and “best practices models”; and I would be happy to work collaboratively in development of same with the AOC if desired.

CONCLUSION

Thank you for the invitation and opportunity to testify today. I hope the information and opinions shared with you have been helpful to your endeavor. I would be happy to answer any questions you may have.

ATTACHMENT I

Morris County Municipalities	Square Miles	Est. 2008 Population	Est. 2008 Households	Jul 08 to Jun 09 Caseload
Town of Boonton	2.5	8,469	3,257	6,517
Township of Boonton	8.6	4,486	1,547	1,032
Borough of Butler	2.1	8,118	3,122	5,444
Borough of Chatham	2.4	8,212	3,041	3,425
Township of Chatham	9.4	10,159	3,907	2,019
Borough of Chester	1.5	1,678	621	1,367
Township of Chester	29.3	7,761	2,504	1,968
Township of Denville	12.6	16,483	6,340	10,173
Town of Dover	2.7	17,860	5,412	17,352
Twp of East Hanover	8.2	11,396	3,799	5,697
Borough of Florham Park	7.4	12,389	4,589	5,246
Township of Hanover	10.7	13,648	5,055	7,884
Township of Harding	20.5	3,316	1,228	2,683
Township of Jefferson	43.0	21,679	7,743	7,580
Borough of Kinnelon	18.8	9,582	3,091	2,446
Borough of Lincoln Park	7.0	10,635	3,939	2,308
Township of Long Hill	12.1	8,611	3,075	2,048
Borough of Madison	4.2	16,009	5,336	7,837
Borough of Mendham	6.0	5,053	1,742	2,343
Township of Mendham	17.9	5,503	1,834	3,766
Township of	3.0	3,587	1,329	1,171

Mine Hill				
Township of Montville	19.1	21,057	7,520	4,986
Borough of Morris Plains	2.6	6,005	2,224	4,622
Township of Morris	15.8	21,242	7,867	11,346
Town of Morristown	3.0	19,268	7,411	28,132
Borough of Mt Arlington	2.8	5,827	2,428	1047
Township of Mount Olive	31.1	25,810	9,559	10,739
Boro of Mountain Lakes	2.9	4,274	1,336	1,563
Borough of Netcong	0.9	3,222	1,239	2,426
Township of Parsippany	25.4	50,431	19,397	17,968
Township of Pequannock	7.2	16,658	5,949	6,730
Township of Randolph	21.1	25,196	8,688	7,094
Borough of Riverdale	2.1	2,858	1,059	6,143
Borough of Rockaway	2.1	6,263	2,409	1,685
Township of Rockaway	46.0	25,545	9,123	9,604
Township of Roxbury	21.9	23,302	8,035	10,371
Boro of Victory Gardens	0.2	1,486	550	431
Township of Washington	44.9	18,387	5,931	4,631
Borough of Wharton	2.2	6,083	2,253	3,450