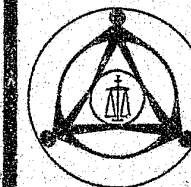


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REVIEW OF PERSONNEL ORGANIZATION
AND FUNCTIONS IN THE TOLEDO, OHIO
MUNICIPAL COURT

JULY 1974

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ACQUISITIONS

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FOREWARD

In March, 1973, the Criminal Courts Technical Assistance Project received a request for assistance through LEAA channels from the newly appointed court administrator of Toledo's Municipal Court. The purpose of this request was to provide a consultant to work with the administrator in developing a comprehensive personnel system for the Court. During the Spring of 1973, the substance of the request was discussed in depth with the court administrator as well as with other officials involved in court and LEAA operations in Region V. Accordingly, a consultant with the requisite background and expertise in analyzing court personnel structures was assigned to respond to the request and a site visit was scheduled for late June.

According to reports from local officials involved in the study, the consultant was extremely helpful during the site visit and was instrumental in resolving a number of immediate problems involved in the court's personnel planning. Subsequently, however, he encountered various difficulties in executing the final report of his study and developing recommendations for the court to use as a guideline for planning. In December, 1973, the project secured a draft of the analysis portion of his report and forwarded it to the court administrator for his comments and review. By July 1974, the final sections of the report and recommendations had not been secured from the consultant, and it was therefore determined to publish the consultant's analysis as Phase I of the Report and the Recommendations section, when completed, as Phase II. Since the site visit, the court administrator has proceeded to develop a comprehensive personnel system for the court based, in part, upon the guidance provided by the consultant during the field study and preliminary analysis, and, in part, upon the court administrator's own sensitivity and responsiveness to many of the major issues involved. The planning for an adequate personnel structure in the Municipal Court, supported by comprehensive and equitable policies, has, therefore, begun and will continue as an on-going project for some time. This planning will take into account not only the observations and recommendations of the consultant, but also the experiences and developments in other jurisdictions. Although additional technical assistance is available to the Court, the court administrator feels that he has been given adequate guidance for personnel planning at this time despite the lack of a completed formal report.

I. INTRODUCTION

Approximately 65 employees comprise the staff of the Toledo, Ohio Municipal Court. About half of this staff works in the Clerk's office which is directly responsible to the Clerk, who is elected for a six year term in a municipal election. The remainder of the Court's staff are employed in probation, assignment, bailiff, court reporters and other court divisions and are responsible to the Court Administrator, and, ultimately, to the Presiding Judge who is elected by the judges to head the Judges Department for a one year term. For most of these employees, job responsibilities have evolved informally over a period of years, with no formal designation of functions and supervisory relationships.

In order to develop a comprehensive personnel program for the Court which would both remedy current deficiencies and allow for future needs, the Court Administrator, Richard Friedman, requested assistance through LEAA's Criminal Courts Technical Assistance Project at The American University. Specifically, Mr. Friedman sought the following objectives: (1) to develop job task and responsibility descriptions, (2) to evaluate the organizational needs of the court relative to the present job descriptions, (3) to evaluate current personnel compensation levels based upon both internal and external comparisons, and (4) to develop a comprehensive in-house training program for Court employees geared to both job tasks and promotional opportunities. Richard Clague, a private consultant with considerable experience in analyzing personnel systems and organizational structures, was assigned by the Technical Assistance Project to perform the requested study. Mr. Clague spent two weeks on-site, during the period of June 16 through 29, 1973, during which time the purposes of the study

were clarified and court employees were interviewed. Of particular assistance were Judge Francis C. Restivo, Mr. Friedman and Raymond Block, Clerk of Courts. The results of this effort are described in the following sections of this report.

II. STUDY METHODOLOGY

While this study has primary applicability to the Toledo Municipal Court, the resultant observations and recommendations have relevance for other court systems utilizing similar organization structures and experiencing similar problems in service delivery effectiveness.

A. Objectives

The primary objective of the consultant was to determine the adequacy and effectiveness of the Court's personnel management philosophies, policies and practices as viewed from his own analysis as well as the viewpoint of the staff and supervisors.

Specifically, the study focussed upon the following tasks:

1. Job Task and Responsibility Descriptions

A review and revision of existing job task and responsibility descriptions and development of descriptions where currently nonexistent.

2. Evaluation of Organizational Needs Related to Present Job Descriptions

Examination of adequacy and nature of present organizational structure as defined in present job descriptions and a comparison of these descriptions with perceived organizational needs and consultant's recommendations pertaining to jobs and/or structure.

3. Personnel Compensation Evaluation with Internal and External Comparisons

Examination of current pay schedule and practices, with appropriate internal and external comparisons to determine adequacy, compression points, and equitability along with appropriate suggestions for

corrective action.

4. Development of Comprehensive In-House Training Program Related to Job Task for Upgrading Personnel

Preparation of suitable structure and mechanics for in-house upgrading of Court personnel, as appropriate, through on-the-job training efforts involving shifts in work content and job responsibility.

During the site visit, additional tasks were designated for study, including the following:

- ° Determine current and appropriate ratios of supervisory to non-supervisory personnel
- ° Determine ratios of "operating" to clerical/secretarial personnel
- ° Analyze supervisory structure
- ° Develop methods for performance evaluation
- ° Examine communications and data flow regarding ideas, grievances, suggestions, work direction, personal matters
- ° Study degree of employee satisfaction with work responsibilities
- ° Study degree of supervisor responsiveness to existing and potential problems

The study as it evolved was designed to provide insight into current personnel management practices in the municipal court system, coupled with recommendations for improvement, if appropriate. The study would be based upon interpretation of employee review of written personnel management policies and the consultant's observation and analysis of current practices. In terms of operational efficiency of Court processes, this area was considered only insofar as it directly affected personnel management practices or problems.

B. Methodology

1. Review of Job Descriptions

Where written job or functional descriptions currently exist, a review of their content and format was made, along with a comparison between duties described and duties performed as determined by employee interview data.

Where no job or functional descriptions currently exist, recommendations have been made as to positions or functions requiring same, and suggestions as to format and content areas. It was determined that the actual preparation of job descriptions would be beyond the scope of this technical assistance assignment.

2. Ratios of Supervisory to Non-Supervisory Personnel

An analysis of the effectiveness of present supervisory ratios was made along with recommendations for improvement or change as indicated by the analysis. Sources of information for the analysis include existing job descriptions, employee and supervisor interview data, accepted supervisory standards, and the judgment of the consultant.

3. Ratios of "Operating" to Clerical/Secretarial Personnel

4. Supervisory Structure

A review and analysis of the supervisory structure and staff-to supervisor ratios were made. Recommendations for improvement in personnel management practices resulting from structural concerns are provided. Principal focus was placed on general personnel management concerns first, with operational concerns as a secondary issue.

5. Salary Structure Evaluation

Examination of the job pay grades and accompanying salaries paid was made to determine any structural inequities or problem areas. To the extent possible, a review of the impact of the present salary structure was conducted. Recommendations regarding restructuring or shifting of job/ pay levels and practices are provided. It is assumed that a major objective of the salary program is to provide an adequate and competitive salary for each employee, recognizing the skills required in the job, the responsibilities of the job, the experience of the individual, and the performance of the employee. A comprehensive salary study with market comparisons was not anticipated or planned as part of this study.

6. Performance Evaluation Recommendations

Commentary and recommendations as to advisability and methodology of conducting performance reviews and evaluations have been developed. Employee interview data reflects the interest in and need for such activities. Guidelines for recommended efforts have been furnished, with suggestions for supervisory preparation and training activities.

7. Communications/Data Flow

Utilizing employee interview data regarding sources, direction, nature, and adequacy of information flow in a court system, an analysis of the communications patterns between individuals and work units was completed. Problem areas have been identified, and comments provided regarding possible corrective actions. Areas evaluated include co-worker communications, supervisor-to-employee communications, department-to-department communications, and other appropriate areas.

8. Pride in Job

An assessment was made through employee interview data of the level of individual job satisfaction and sense of personally contributed value, as seen by the interviewed sample of personnel. The degree of presence or absence of positive job motivational factors was determined from the sample of employees interviewed.

9. Supervisory Responsiveness

Individual reaction to the supervisor's responsiveness in handling and avoiding problems regarding work content, work loads, personnel conflicts, and other appropriate areas have been summarized and interpreted.

This provides a feedback mechanism to supervisors for their review and possible action. Since several areas are presently undergoing major changes in work nature, structure, and content, this information should be helpful in assessing what further communications and general management information needs are or are not being met. For other supervisors, it will provide insight into how they are seen by the employees they supervise.

Here again, a sample was used since it was not possible to interview the entire work force in the court system within the project time constraints.

10. Training Needs and Methods

Commentary on areas and methods of job skill training of court employees has been developed. This includes observations as to training needs, current methods, employee-perceived needs, and possible approaches to pre-service and in-service training of employees for increased effectiveness.

C. Conduct of Study

The primary methods used in gathering, analyzing, and evaluating data called for in the study structure are described below. The basic approaches used included review and analysis of existing pertinent documents, conversations with supervisory and management personnel, structured interviews with a sample of employees from each area of the court system, field observations and interpretation by the consultant in concert with appropriate court personnel.

1. Review of Existing Pertinent Documents

A review and analysis of existing appropriate documents was made to determine past practice, stated philosophies of operation (expressed or implied) and to gain insight into the operating mechanisms of the system. It is important to point out that this analysis not only included review of the stated contents, policies, or practices, but also focused on the psychosocial implications on work performance that these statements might produce. In other words, the stated mechanics themselves provided indications of areas to be probed for impact in subsequent employee interviews. The document review, then, provided both a content analysis of the system and the basis for process impact analysis through employee interviews.

Documents reviewed included, but were not limited to:

- ° Job descriptions
- ° Function descriptions of work units
- ° Work unit or departmental personnel policies, where available
- ° City of Toledo personnel policies

- ° Court and City salary/pay schedules and classifications
- ° Court records, operating reports, and in-process documents
- ° Samples of routine inter-office correspondence
- ° Samples of written work directions and assignments
- ° Samples of court documents processed by various employees
- ° Draft materials of the 1974 Toledo/Lucas County Comprehensive Plan for Criminal Justice
- ° Organization tables, lists, and charts.

2. Supervisory/Management Conversations

Through personal contact in group and one-to-one discussions, insights were gained into supervisory expectations of the study, current concepts of Court personnel supervision and how supervisors viewed their own roles in relation to their employees and colleagues. Time was spent in formal discussion with each supervisor individually in two separate meetings of approximately one hour each. The first such conversation took place before employee interviews began. The second occurred approximately midway through the employee interview schedule to permit the consultant to gather information to clarify for himself some of the employee data trends becoming evident. Two group meetings with all supervisors available were also held to frame the study effort and to assure agreement with the study structure, purposes and methodology.

3. Structured Employee Interviews

An employee interview pattern was formulated in accordance with the stated study structure. A sample of approximately 50 percent of all court employees was constructed with supervisory assistance. Criteria

for sample selection included:

- ° Numerical total of approximately 50 percent of employees in each organizational unit.
- ° Representation of all job levels in sample, where available.
- ° Representation of broad range of employment service from newly hired employees to multiple year veterans.
- ° Employee availability for interviews during June 20-June 29 period.

Employees could refuse to be interviewed if they desired.

This method of interview sample selection may leave some things desired as far as scientific method goes but has adequate validity for developing information. Interview length was from 45 to 50 minutes each, with 15 minute intervals between each for notation summary, etc. Interviews were conducted during work hours and in private by the consultant, with standard confidentiality and disclosure procedures in effect. All employees scheduled appeared for interviews and voluntarily provided data. Areas included in the interview structure included, but were not limited to, the following:

- ° Nature of job performed.
- ° How employee was hired for job.
- ° How long employee has been in present job.
- ° How long employee has been in court work/previous jobs held by employee.
- ° How job is defined and assigned.
- ° How job skills were learned.
- ° What training employee has had and what training has been received since taking current position.
- ° How performance standards are developed and used. How people know them.

- ° What work content relationships are between employee's job and jobs of others.
- ° Employee's reactions to present job, previous ones.
- ° What employee likes/dislikes about job content.
- ° What employee likes/dislikes about working at the Court.
- ° Who provides work direction and supervision.
- ° Employee's relationship with supervisor and other workers.
- ° What employee's supervisor does.
- ° What could be improved and how.
- ° What should be left as is and why.
- ° Employee's future job interests.
- ° Employee's future plans.
- ° How much influence on work and methods employee feels he has.
- ° Employee's description of information and communications flow:
 - * from supervisor to employee
 - * from employee to supervisor
 - * from employee to others in unit and vice versa
 - * between groups in unit
 - * between units.
- ° How employee knows how he is doing.
- ° Is employee sure he is doing what needs to be done. How?
- ° Would employee recommend the court to friends as a place to work, why or why not.

A total of 48 interviews were conducted over a 10 day period. The interviews were conducted in an informal setting, using the questions above and others that followed from answers given. No recordings were made. The consultant did make notations during the interview, within full view, knowledge and agreement of interviewees. Following each interview, summary notes and comments were dictated on to tape cartridges by the consultant for later review and use. Employee interviews accounted for 85 percent of on-site consultant time.

4. Field Observations by Consultant

Time was spent in observing employees at work to determine if interaction patterns described in interviews were observable and verifiable by consultant. Such observations cast further light on interview data. In addition, the setting and layout of work areas was evaluated for their potential impacts on interaction processes, work effectiveness and general efficiency. Standard sociometric and group dynamics measurements of on-going work processes were used where possible and applicable.

5. Refinement of Recommendations

Periodic discussions with appropriate supervisory and non-interviewed employees were held to explore and probe tentative conclusions reached from interviews and document study. Through such reflective processes, the consultant was able to verify, amplify and more correctly target conclusions and recommendations.

6. Summary

The study method involved both review of documentary data and extraction, interpretation, reflection and field validation of employee-

generated study information. The basic approach was one more characteristic of applied social sciences than that of pure empirical review and commentary. For this reason, it is felt that the conclusions regarding existing conditions are reasonably accurate and are well supported by employee reaction data. Likewise, subsequent recommendations for corrective or preventive action are more likely to receive internal system support since they have a basis in system-generated and owned observations.

III. ORGANIZATION OF THE TOLEDO MUNICIPAL COURT

The Toledo Municipal Court contains two major divisions: the Judges Department, and the Office of the Clerk of Court. Each of these divisions has sub-units or departments, depicting the division of work or services performed. The very nature of the organizational structure tends to create operating difficulties which will be described in detail in a subsequent section of this report.

The Presiding Judge, as head of the Judges Department, is elected by the judges for a one year term of office. The Clerk of Court is elected by general public election for a six year term of office. Thus, it is possible that any given Clerk of Court may well work with several Presiding Judges. While the Clerk of Court may receive occasional directives from the Court through the Presiding Judge, the Clerk has virtually no direct accountability to the Presiding Judge. Likewise, the Presiding Judge is limited in his ability to supervise or direct the operations of the Court as they relate to the Office of the Clerk of Court. Operationally, the Judges Department and the Office of the Clerk of Court are viewed as two distinct and relatively separate units having common work contact through the processing of Court business.

A. Judges Department

1. Judges

There are six (6) regular Municipal Court Judges including the Presiding Judge who exercises administrative direction over Court proceedings under his jurisdiction. In addition, the Court uses the services of four (4) retired or visiting Judges and two (2) Referees. The Presiding Judge

delegates much of the administration of Court business to the Court Administrator, who reports to the Presiding Judge and the Judges' Committee composed of the regular Municipal Court Judges (See Appendices B and C). The Judges in committee constitute the personnel policy-making body for the Court.

2. Court Administrator

The Court Administrator is, by structure, the administrative manager of business in the Judges' Department. While he has concern for the effective and efficient processing of all Court business, he has no direct authority or responsibility for the operations of the Clerk of Court office. The various department heads have reporting relationships to the Court Administrator regarding the operations of their respective units (See Appendices B and C). It should be noted that the Court Administrator has chief responsibility for the preparation of budgets to be submitted to the City Council for approval.

The Municipal Court operates as a relatively autonomous unit from the rest of City government, with separate budget and personnel operations. Employees of the Court are not covered under City employee contracts or under the City Civil Service structure. This is true for both units of the Court: the Judges' Department and the Clerk of Court office. The Court Administrator's job description calls for the establishment and maintenance of a personnel administration system for Court employees. In operational reality this applies to the Judges Department as opposed to including the office of the Clerk of Court as well. The Court Administrator then

formulates appropriate personnel administration policies and regulations as needed. Department heads may also formulate operating procedures for their units based on the overall policy guidelines.

Reporting to the Court Administrator are the heads of the following units:

- (a) Assignment Commissioner's Department.
- (b) Court bailiffs.
- (c) Probation and Corrections Department.
- (d) Court recorders.
- (e) Purchasing/Payroll.
- (f) Executive Secretary.

The Court Administrator is charged with responsibility for the effective operations of these units through their respective directors and supervisors.

(a) Assignment Commissioner

The Assignment Commissioner and his staff of eight have primary responsibility for the smooth functioning of the Court's case load. Principle focus is on the scheduling and tracking of civil cases in process, since this area comprises a major portion of the extended trial case load in municipal court. In addition, the Assignment Commissioner's office handles all incoming progress inquiries that come from attorneys, defendants, plaintiffs and other interested parties, as well as the scheduling of judges, court rooms and law clerk/bailiffs. The initial data processing of case indexes and summons materials including the primary input key punch work, is also handled in this office.

The Assignment Commissioner has an able assistant who handles the communications effort, does much of the key punch work, and keeps track of items in process. Since the office is located adjacent to the Judges' offices and chambers, there is heavy public traffic moving through this office daily. Additionally, there are two clerical personnel who assist in the on-going management efforts.

The Supervisor of the Law Clerk/Bailiffs also reports to the Assignment Commissioner. His responsibilities include the supervision, assignment and training of Law Clerk/Bailiffs. These are generally law students who work for the court in various capacities in the court rooms. They have responsibility for physical set up and operation of court proceedings, court room bailiff duties and additional work as legal assistants and researchers for their court room assignments. There are five (5) Law Clerk/Bailiffs as of this writing. (See Appendix B).

(b) Court Bailiff's Office

The Court Bailiff's office is composed of the Chief Bailiff, an Assistant Chief, Bailiff, two (2) supervisors and nine (9) deputy Bailiffs. Each deputy is assigned a general territory of the municipal area. This unit is responsible for serving all court processes including summonses, warrants, garnishments and attachments and court-ordered replevin and repossession actions. In addition, the City of Toledo Municipal Court also handles some legal actions for neighboring municipalities which become part of each bailiff's work area. Field training and audit is a major duty of all supervisory personnel. Each of the two supervisors is also assigned a daily case load of field work in addition to supervisory duties. As opposed to the court

room activities of the Law Clerk/bailiffs in the Assignment Commissioner's office, the Court bailiff's work is outside the court room in the community, and public contact and investigative skills are a critical part of his duties (See Appendices B and C).

(c) Probation and Corrections Department

The Probation and Corrections Department has experienced recent rapid growth, both in terms of staff and case load. The structure consists of a Director, an Assistant Director for Administration, a Case Work Supervisor, eight (8) Probation Officers, five (5) Para-professionals, a Traffic School staff of three (3), and six (6) clerical support personnel. The Department is physically separated in two different office buildings about one (1) block apart (See Appendices C and F). The Probation Department is organized in two divisions based upon job functions and program areas. Section VI of the 1972 Toledo Municipal Court Annual Report provides a description of the type and level of activity performed by the Probation and Corrections Department.

(d) Court Reporters

Presently, there are two (2) full-time Court Reporters available to the Court for recording and transcribing Court proceedings. One of the reporters functions as the supervisor and Chief Reporter, making scheduling and administrative decisions. The Court Reporters also are available, as Court schedules permit, to transcribe Court proceedings for attorneys on a direct fee basis.

(e) Purchasing/Payroll Officer

Purchasing and payroll functions are performed by one person working in concert with the Court Administrator and the Presiding Judge. The employee currently serving as Purchasing/Payroll Officer formerly served as Administrative Aide to the Judges for several years before the Court Administrator was hired.

(f) Executive Secretary

The Executive Secretary reports to the Court Administrator and assists with administrative reports and other matters. She maintains the personnel record files for the Judges Department. Her previous background in the Clerk of Court office provides a base of skill and ability found valuable by the Court Administrator.

g. Clerk of Court

The Clerk's office is divided into two major branches: the Criminal branch and the Civil branch. The Clerk of Court, as an elected official, has complete control of the operations of his office including staffing, policy making and personnel administration. The Secretary to the Clerk also serves as Chief Deputy Clerk in the Clerk's absence.

1. Criminal Branch

The Criminal branch has two shifts of personnel with two (2) Supervisors and fourteen (14) Deputy Clerks on the day shift, and one (1) Supervisor and six (6) Deputy Clerks on the night shift. This branch processes all documents relating to all traffic and criminal cases handled by the Municipal Court. With the exception of designated cashiers and

journal clerks, the Deputy Clerks receive no regular specialized assignments. Work is performed on a pooled basis on the theory that it is important for everyone to be able to do all needed work in the branch. Generally speaking, newer employees are trained by more experienced personnel and spend a greater share of their time working the public contact counter than do the more experienced employees in the branch. The Criminal Branch is located on the first floor of the Court Building for easy public access (See Appendix D).

2. Civil Branch

The Civil Branch has one (1) Supervisor and twenty-two (22) Deputy Clerks to process all civil case actions coming through the Clerk's office. In contrast to the Criminal Branch, the Civil Branch uses "desk" assignments which provide a degree of specialization and specified accountability for assigned employees. There are eight (8) general areas of desk assignment:

- ° Aid Desk
- ° Counter/Contact
- ° New Cases Desk
- ° Summons Desk
- ° Bookkeeping
- ° Trusteeship Desk
- ° General Clerk
- ° Data Processing

(See Appendix E)

The level and nature of case activities in both branches of the Clerk's office is described more fully in the Court's 1972 Annual Report (Section VI).

IV. ANALYSIS OF EXISTING SITUATION

The following observations are a product of data collected during the study from employee interviews and document review. While much of the data gathered through personal discussions with employees may be a product of their perceptions rather than actual fact, it is nonetheless significant as an indicator of the general work environment at the Court.

As a general observation, it should be noted that the physical setting, equipment and total lack of reasonable space contribute greatly to the morale and attitude problems described later. Social science research has repeatedly shown that acute problems tend to expand to near crisis proportions when the physical setting of work is viewed by employees in a negative way. Whenever people are so crowded together that the movement of one affects the others, smaller problems suddenly become bigger ones. The close physical proximity and physical hazards that employees are confronted with daily can only make the situation more explosive.

Remodeled and expanded facilities are critical to the effective operation of the Court and to a reduction in employee frictions. The 1973 report of the Regional Planning Unit makes brief mention of the deplorable facilities. However, it does not make clear the serious negative impact of the present facilities upon the staff involved.

A. Judges Department

1. Overview

On the whole, personnel in the Judges Department were very cooperative and helpful. They displayed a general level of moderate to high positive attitudes toward their work, their supervisors and general employment conditions. As with any study of this type, there was a degree of curiosity displayed regarding the purpose of the consultant and the anticipated result

of his work. The overall reaction of the Judges' Department personnel was in marked contrast with the predominantly cautious and negative reaction displayed by the Clerk of Court office personnel, as described later.

Between subunits of the Judges' Department a sense of overall cohesiveness was lacking. While no open frictions or overt antagonisms appear to exist, there was no displayed sense of common purpose and team unity in this area. Each subunit appeared to have worked things out well within its own area, but had not made an effort to integrate its subunit fully within the total activity of the Judges' Department.

Each subunit has a high volume workload in relation to its staffing level, and, thus, time pressures often preclude all subunits working together in an integrated fashion. As described later, the role of the Court Administrator is not yet clear or fully accepted by all of the staff -- a factor which adds to the lack of coordinated preventive action planning which should be taking place. This problem was particularly evident when the various unit heads met together with the Court Administrator and the consultant on two occasions to discuss this study. Other later observations further supported this finding.

The relative newness of the present Court Administrator, coupled with the difference in style between him and the previous Administrator, may well contribute to the distance between he and the staff which was apparent to the consultant. A clear style of operation of the unit heads working as a team with the Administrator has not yet developed. Each unit head either prefers, or has not developed an alternative, to work directly with the Presiding

Judge on operating policy matters, and with the Administrator on mechanical or equipment/supply oriented matters.

2. Judges

Unfortunately, there were no opportunities during the site visit to spend significant time with the Court Judges discussing their views of court operation. However, brief conversations between court sessions did take place and were supplemented with reviews of the journals of the Judges' meetings which dealt with operational concerns. Judge Restivo, Presiding Judge, reviewed the study outline and concurred with its focus. He further indicated that it was his desire to have the study concentrate on the staff employees of the Court rather than be complicated by adding in the potential bias of the Judges' opinions.

It was apparent that some of the Judges had become aware of problems in the Clerk's office and concern was expressed by several of them about the personnel practices and possible abuses occurring in that office. Other concerns dealt with the need for an integrated and codified set of personnel policies for the entire municipal court system to replace the either piecemeal or non-existent materials now in use.

Questions were raised concerning the effectiveness of case scheduling and processing. Are things being done in the most expeditious, yet equitable way? Are the resources of the Court employees being developed, tapped and utilized to the best possible extent? How can the Judges be of assistance in facilitating needed improvements? Shouldn't there be periodic management training for the Judges to help them become more efficient and effective? Other attitudes reflected the converse, i.e. that court operations should be left alone.

3. Court Administrator and Related Staff

Included in this section are comments and observations regarding the Court Administrator, Court Reporters, Payroll/Purchasing Officer and Executive Secretary. These are grouped together due to the limited size of their respective work units and their close working and supervisory relationship with the Court Administrator.

(a) Court Administrator

The Court Administrator appears to be experiencing an internal dilemma as to his operating role. The newness of the position of Court Administrator, the relatively short tenure of the first Administrator, and the arrival of a second Administrator have all helped to create the tentativeness of the present Administrator's style. The dichotomy between needs for facilities, equipment and operating system improvements, and the needs for the development of management and personnel administration methods further adds to the dilemmas of the Court Administrator.

His general operating style is a reasonably relaxed one with an undercurrent of determination and occasional directiveness characterized by some impatience in dealing with others. Conversely, he is often reluctant to assert himself in situations where the individuals or the situation itself seem to call for clear directions from the Administrator. He expressed concern over how best to fit his style of management with the needs of the Court which call for greater organization and definition of work assignments and methods and a clearer sense of overall direction and coordination between work units. The factors of time and increased experience within the Toledo

Court system should assist the Administrator in resolving some of these concerns.

Further, the Administrator has taken on the task of attempting to bridge the gulf between units of the Judges' Department and the office of the Clerk of Court. Due to the frictions and operating deficiencies described throughout this report, this role is taxing and highly time-consuming.

The Administrator may soon find himself caught in an activity trap where he is busy solving daily operating problems and neglecting the development of longer range plans, goals and operating objectives for the integration and improvement of court services and procedures. This may occur partly as a result of his own style of operation and partly as a result of his staff, consciously or unconsciously, providing work to the Administrator.

The consultant was impressed with the overall abilities and observable talents of the Administrator despite the described problems. With added confidence, he should achieve clearer support from the unit heads and can, thereby, perform a major role in improving the Court's operations.

Although the Administrator's job description calls for the development and maintenance of an overall personnel administration system, at present, the situation parallels that of a patchwork quilt, in that bits and pieces of policy and procedure exist rather than an overall personnel system per se. The apparent personnel guidelines being used are composed mainly of elements taken in direct copy form from the City of Toledo Municipal Personnel Policy materials. Since many of the City employee policies are

not directly applicable to the Court situation, there are gaps which may or may not be filled by Court-generated policy. The consultant was unable to find any manual or accumulation of policy statements constructed for the Court that was consistent for all units of the Court. The implication would seem to be that there are some generally recognized and accepted practices based on historical practice and the City personnel manual, but no court-wide personnel system as such. This leaves personnel policy matters to the discretion of unit heads except for salary actions which are based on the City salary classifications and schedules.

This situation raises natural questions as to consistency, equity and sound human resource management. The keeping of careful and detailed personnel records has only begun lately with the last one and a half to two years. Thus the accurate determination of accumulated leave time, service bonus credits, absence records and performance/discipline problems and actions poses a problem. While the number of Judges Department employees is relatively small, the problem still exists and is compounded by the high level of average years of service of these employees. Some work units have prepared their own policy statement materials which are given to employees, while other units leave policy determination/application decisions to the unit head on a problem-demand basis.

Presently, there is no apparent program or methodology for determining levels of employee performance effectiveness. With the Court system's high level of "fire-fighting" management approach, the importance of performance management in regard to long-range operating goals has received

little attention. Currently, performance evaluation efforts are done on an impressionistic basis, if at all. More often, performance effectiveness is dealt with by unit heads on a situation by situation (or problem/exception) basis.

Individual work assignments for employees in the Judges' Department as a whole are developed through extending or revising what have been traditional or historical operating functions. The Administrator is working to correct and redefine this approach, within the time limits his other activities permit. As new processes and operating procedures are developed, revised job function/responsibility/objectives descriptions will need to be prepared. Concurrent employee development and training efforts, which are now virtually non-existent will also have to be developed and instituted.

These problems, while pertaining to the operations of the Judges' Department as a whole, should not be construed as failures of the Court Administrator since they developed before an Administrator ever entered the system. They do point out, however, areas requiring his prompt attention before they become even more difficult to correct. He will need continuing outside assistance in getting some of these items under systematic development. Given the staggering load of daily operational problems facing the Administrator, he does not presently have sufficient staff assistance to both develop the much needed operating systems and plans, operate the daily court business volume, improve the inadequate support facilities and equipment problems and develop a cohesive operating team. These are all pressing issues requiring immediate and extensive action.

situations. The actual number of these occurrences may be small, but the potential is real, further increasing the dilemma of the Administrator as he attempts to establish an effective and accepted role in the Court's operational management. The Purchasing/Payroll Officer also appears unclear as to where he fits into the operational scheme. This could well lead to under-utilization of his skills and experience. It is also possible that he needs to be retrained to perform in another job area in the Court system. Given the low but present level of competitiveness he feels with the Administrator over what should be done and who should do it, this alternative may become a necessary way out. A clearer and broadly understood redefinition of his role must be developed.

(c) Court Reporter's Office

The Court Reporter's office, currently consisting of two people, has more volume presently than it seems able to handle. The reporters work both from standard court stenographic machine tapes they prepare personally and from recordings made in court rooms when a reporter is not available. The recording machines apparently present some problems of clarity, background noise, etc. which means transcriptions prepared from them may take extra time with a potential loss of accuracy. Since the sources for Court Reporters on a full-time employee basis are limited and since there appear to be problems regarding the use of part-time private agent or free-lance court reporters, additional staffing becomes a somewhat serious concern. Steps to alleviate a long-term staffing situation need to be taken now to provide for the growth and development that may be needed in breaking

in new personnel. Although temporary Reporters are not the best long-range solution, they permit situational flexibility at little long term cost.

The Chief Reporter has some apparent supervisory duties which were not readily apparent beyond that of scheduling. If a definition of her role exists, it is not clear to her precisely what supervisory or management responsibilities she has. No written job description was provided, leaving the conclusion that perhaps none exists. With the dual internal-external services performed by the Reporters, clear definition of internal responsibilities and indication of operating priorities should increase the effectiveness of this unit.

In summary, the Court Administrator's office functions at a reasonable level of effectiveness. The span of control for the Administrator is at a theoretical maximum, assuming that he should exert a degree of supervisory control over the activities under his charge. Since the Administrator is directing his efforts in three divergent areas (process equipment involvement, facilities upgrading and general management) it is understandable that his direct impact on any area will be a function of the attention he puts toward it. He cannot master all three at once. He appears to have chosen the first two as a means of effecting improvements, perhaps to the detriment of the third. The general management and supervisory area will be difficult for him to master given his natural style, the history of relative independence of his work units and the time and effort required of his or her duties. A clearer work relationship needs to be defined between the Administrator and his staff chiefs, both in definition of relationships and

responsibilities and in work direction/reporting interaction. Without clear guidelines, major changes planned by the Administrator for the good of the Court will meet with passive but effective resistance. Since the role of the Administrator is relatively new, most people have not yet made up their minds how to respond to him. It is the consultant's opinion that a confrontation of moderate or larger scale would put the Administrator in the losing side unless he can develop an operating base on his own. While he can garner support from the judges and particularly the Presiding Judge, he cannot substitute their authority for that which he already has in theory. He must be able to take clearer stands and establish his leadership position. It is possible that a sixth work unit, data processing, might fall under his direction. This would be a mixed blessing in that it would increase the span of control and provide a basis for real change while further diluting the energies of the Administrator. This may be inevitable, given the almost total lack of sophistication in management practice existent in the Clerk of Court's operation.

(d) Assignment Commissioner

The staff in the Assignment Commissioner's office consists of the Commissioner himself, one Assistant Commissioner who also doubles as a clerical/secretarial assistant and two clerk-typists. In addition there is one supervisor of the Law Clerk/Bailiffs and four Law Clerk/Bailiffs. Primary activities of the Assignment Commissioner's office are to schedule the approximately 6,000 to 10,000 per year, as well as to arrange the scheduling of judges and facilities. The Assignment Commissioner's Office also handles lawyer communications, basic legal research for some of the judges as requested, and provides estimates of approximate court time involved in any particular case going to trial. At the

time of this study, the key punch operation for many of the data processing functions being performed in the Municipal Court was being housed and handled through the staff of this office in addition to its regular duties. The Assignment Commissioner's office serves as a focal point for much of the Court activity in that the functions of scheduling, recording and processing information regarding trials, judges and facilities occurs in this one small office space which houses the entire section. In general, the Assignment Commissioner's office appears to function on a relatively well organized and effective basis.

As with most other sections of the Court system, an increase in the peak case load at any point in time obviously creates some manpower and service problems. The new Federal Criminal Guidelines will mean an increase in activities for the Assignment Commissioner's staff, and the expediting of appropriate court papers and documents will be essential for achieving operational improvements in the coming year. Coupled with the expediting of document and forms processing, will be the need to develop standardized forms and handling processes which, up to this point, have occurred either through serendipity or through occasional suggested improvements on the part of various members of the staff associated with this office.

It is interesting to note that this office was one of the few observed during the course of this study that attempted to list for its employees personnel policies which applied to their particular assignments in the court. Basically the set of policies that employees in this section received is a copy of the Toledo Municipal Employees Personnel Policies with

approximately 80% of the appropriate changes in names of agencies or supervisors having been made. It was noted, however, that some of the policy statements still made reference to the Toledo Department of Personnel, which would, in all probability, not be the appropriate personnel administration agency for court employees since personnel matters for the court system are handled through the Court Administrator's office for those employees working in the Judges' Department and by the Clerk for those court employees working in the Clerk of Court's Office. As indicated earlier, the Toledo Municipal Personnel Department policies serve as a basic guideline for supervisory decision making, but no formal policy manual for the court system per se was evident during the course of this study.

Job descriptions for employees in the Assignment Commissioner's office were provided for the supervisor of the Law Clerk/Bailiffs and for the Law Clerk/Bailiffs themselves. Job descriptions for the clerical positions and that of the Assistant Commissioner or the Commissioner himself apparently do not exist or were not made available at the time of the study. The job descriptions made available are primarily statements of activities to be carried out by the particular job incumbent with no detail as to specific functions to be performed, specific responsibilities to be discharged, level of authority to act in any given matter, or any statement of how working and operating objectives are to be worked out. It would, however, be unfair to say that employees in this area did not have a clear picture of what their job assignment was. The consultant was impressed with the fact that, for the most part, the employees in this section had perhaps a clearer picture of their job

responsibilities through verbal conversation with their supervisor than was evident in any other section of the court system. It is important to note that if the Assignment Commissioner's office operates with the clearest definition of job responsibility, but does so on a verbal level, this would raise serious questions as to how other employees in other portions of the court system gain any insight or knowledge regarding expectations for their performance.

A generalization which can be made about the Assignment Commissioner's office operations and which would appear to hold true in most circumstances is that they are highly dependent upon the presence and coordinating efforts of the Assignment Commissioner. While he has an able staff that can carry on for brief periods in his absence, serious doubts are raised regarding how the operation would survive if he were to suffer a prolonged illness or absence. It would seem that a good deal of the knowledge and experience that is available in this office is carried primarily in the form of mental notes and experiences developed primarily by Mr. Conyers, the Assignment Commissioner, and his staff. With a potentially increasing paperwork load, the advent of the new Federal Criminal Guidelines and expansion of the data processing operations of the court, it would be well for this office to formalize some of its operating procedures in an operating procedures manual or similar documents. This will be understandably difficult to achieve since this office, like most others in the Municipal Court System, presently functions at a minimal staff level and in a highly reactive sense. The suggested development of a manual might be hard to justify in terms of time required, but will ultimately be necessary for the assurance of future operational effectiveness and continuity.

The functions of the Assignment Commissioner's office interface to a high degree with those of the Clerk of Court's office with the result that the Assignment Commissioner's staff is often highly dependent upon staff of the Clerk's office to proceed with the discharge of their operating duties and responsibilities. It was also noted that many employees in the Clerk's office rely heavily for guidance and direction on the Assignment Commissioner rather than on the supervisors in the Clerk of Court's office. As will be discussed later in the section dealing with the Clerk of Court's office, the habit of court staff seeking guidance and direction outside the area of one's direct supervision occurs on a highly informal and not readily visible basis. Part of the reason for requesting guidance from the Assignment Commissioner by staff of the Clerk's office is that the Assignment Commissioner has a wealth of experience in the court system and is readily available and able to answer questions.

As mentioned earlier, the original data input preparation via keypunch occurs in the Assignment Commissioner's office. The materials processed into data card form for ultimate computerization are keypunched and then transferred to the Clerk's office for utilization. While the data processing activity necessarily creates a heavy interface between the Clerk's office and the Assignment Commissioner's office, it does not require the level of quasi-supervisory involvement sought by employees of the Clerk's office from the Assignment Commissioner. Rather, it appears that this flow of assistance occurs mainly from the Assignment Commissioner's staff to the Clerk's office.

On several occasions data needed by employees of the Assignment Commissioner's office was requested but not easily obtained from the office of the Clerk of Court. This situation was encountered, particularly, by the Law Clerk/Bailiffs who must secure precise documents such as warrant information, affidavits, etc., for use in courtroom proceedings. Often the Law Clerk/Bailiff appears to be regarded by the employees of the Clerk's office as more of a nuisance to be somewhat tolerated rather than an employee of the Court acting on official court business, with the result that a great deal of time is lost by the Law Clerk/Bailiff who is subsequently rebuked by the Judge in the courtroom for not having secured the needed materials at the appropriate time. This situation occurs partly because the Law Clerk/Bailiffs are law students who have undertaken the Law Clerk/Bailiffs job as a means of gaining practical court experience. Their mission in the court system has not been made clear enough to other units of the court to break down the confusion over whether they are merely students or are vital links in the Court employee network.

The concept of utilizing the Law Clerk/Bailiff to handle much of the courtroom routine and background assistance work appears to be a good one. However, greater clarity is needed for the Law Clerk/Bailiffs to understand their precise role and performance expectations. In addition, more communication with employees of the Clerk of Court's office regarding

the Clerk/Bailiff's role might ease the interface problems between these two functions of the court.

The Judges themselves appear to have either unclear impressions regarding the role of the Law Clerk/Bailiffs or have perhaps made judgments as to the relative need for or effectiveness of the Law Clerk/Bailiffs. Some Judges view the Law Clerk/Bailiff as a useful and vital court function while others see him primarily as an errand boy and even a nuisance.

It would appear that the Law Clerk/Bailiffs, if fully utilized, could be of great value to the court system, not only for their courtroom capabilities, but also for their abilities to perform background research, either in law or on specific cases for each Judge. It might be valuable if the Law Clerk/Bailiff were assigned to one or two Judges rather than on the present pool basis so that a clearer working relationship between the Law Clerk/Bailiff and the Judge could be more easily facilitated.

A discrepancy was noted in the job expectations of the Law Clerk/Bailiffs prior to beginning work vis-a-vis their activities actually performed on the job. This misunderstanding is a function of not having made clear what the job assignments would be to the prospective employee and to those who would be involved in executing the anticipated conditions of employment. A more clearly defined role coupled with a more structured in-service training program for the Law Clerk/Bailiffs might assist in resolving some of these

problems. Often a Law Clerk/Bailiff will spend the first four to six months groping to work out an understanding and necessary work relationships to perform his job, the next four to six months actually doing the work, with the result that any given Law Clerk/Bailiff might not be in the system long enough to establish positive work relationships and credibility without some external assistance.

Much of the activity of the Assignment Commissioner's office operates on a pool basis. This means that the clerical and secretarial support for the Judges themselves is provided on a pool basis rather than through assigning specific individual support personnel to specific Judges. The same situation holds true in the assignment of Law Clerk/Bailiffs as well as of Judges to specific cases in specific courtrooms. The obvious consequence of operating the major phases of this office on a pooled basis is that the office operation is in a real or simulated crisis condition most of the time since decisions are constantly being required as to who should be doing what, with whom, where and when. Under these conditions it is remarkable that the office functions as well as it does and credit must be given to the exceptional capability of the staff.

It has been clearly demonstrated in other settings that when most of the operating decisions must be made by one or two individuals in a situation where most of the resources, requirements and data are put together on a pooled basis, there is no joint ownership or collective sense of responsibility for the operation of the entire system. Rather, the responsibility for the smooth operation of the system necessarily rests on

one or two people who are required to make the decisions and the rest of the staff who are involved in the effective operation of the Court escape finite responsibility for making the decisions which they should make. This problem will have to be resolved in order for the Court to realize an increase in its operating effectiveness and, at the same time, reduce the level of other problem areas.

The data processing function also requires an increased level of direction, technical assistance and training. If the key punch operation is to be maintained in the Assignment Commissioner's office, it would be extremely helpful and beneficial, as a purely practical measure, to put a screen around the keypunch area so that the individual doing the keypunch work is not subject to the pressures of the public contact counter in the Assignment Commissioner's office. A keypunch operation requires a fair degree of uninterrupted concentration which is not presently available in the existing facility.

The suddenness of the installation of the data processing and keypunch operation was not without its impact on the staff. Initial questions were posed such as why is it here and how are we to go ahead and learn how to use it, as we are told, without any prior training or experience? However, this confusion is not to suggest that the keypunch operation be removed from this office and such a measure might well encounter resistance from the staff. As with the installation of any new operating system there is the need for clear and continuing communication regarding its intended use coupled with the provision for adequate technical training in the use of both the equipment

and in the understanding of the systems that are being put into use. There is little question that a data processing operation will be of great benefit to the court system. However, although there may have been a very clear plan of operation involving the development and installation of a data processing system to be used to expedite court business, it was not readily apparent either to the consultant or to the employees involved with its use in the course of this study.

In summary, the Assignment Commissioner's office appears to function well despite some potentially serious problem areas. These areas include the need for clearer operating procedures definition, clearer work responsibility definition, the need for a greater degree of compartmentalization of courtroom activities involving the Assignment Commissioner's staff and Judges, and the formalization of training activities for data processing and Law Clerk/Bailiff personnel. As with other areas of the Toledo Municipal Court, the Assignment Commissioner's physical facilities greatly hamper the ability of that office to perform well. The staff is to be commended for its ability to perform as well as it does under these conditions. It appears that the supervisory ratios are appropriate, that clerical support levels and ratios are in need of some increase in order to provide a more equitable distribution of work load, and that supervisory responsiveness in this office runs at a very high level. Comments have already been offered suggesting an improvement in the adequacy of existing job descriptions and that job descriptions for the clerical and Assistant Commissioner's staff be developed. A very healthy level of interchange regarding performance

review/evaluation data appears to exist. The work relationships among members of this office were sufficiently good so that there did not appear to be serious problems in that area. Employee attitudes appeared positive and directed toward finding ways to improve the effectiveness of the court operation.

4. Probation and Corrections Department

The Probation and Corrections Department has undergone rapid staff expansion which has had significant impact on the roles of almost every individual in the entire department. Appendix F provides an organizational outline of the major functional areas of the department. It is significant to note that the staff of the Probation and Corrections Department is split between two physical locations which are approximately two blocks apart. From a purely practical standpoint there are some inherent problems that immediately arise from the combination of an expanded staff split into two separate locations. At the time of the consultant's visit, the roles of several members of the department were being redefined and the program was being developed to coordinate the department operations in the two facilities. The Director anticipated that approximately six months would be required for the various aspects of the department's operations to be clarified and stabilized.

In examining the department's organization chart, inherent structural problems become evident. For example, the Assistant Director of Administration and the Casework Supervisor both appear to have direct responsibilities for the supervision of the remaining portion of the organization. The job descripti

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for these positions consisted of a statement paper from the Director regarding the need for the establishment of a Casework Supervisor's position, but no formal job description. No information was provided regarding the position responsibilities of the Assistant Director of Administration. It appeared that in this position, responsibility was lodged for the establishment of work flow and management systems, although this assumption was neither confirmed nor denied by interview data. Many of the key decisions in the Probation and Corrections Department regarding policy matters are probably made by the Director. The Assistant Director and the Casework Supervisor appear to function as operational facilitators in seeing that the operating load of the Department is adequately dealt with by the remaining staff.

As a practical matter, it appears that the Casework Supervisor might be responsible for providing supervisory direction to the bulk of the employees in the Probation and Corrections Department located in both the Safety Building offices and the Huron Building offices, some two blocks away. On a day to day work problem basis this would be a difficult task to achieve--particularly if the supervisor has responsibilities for the development of new program efforts, which his elemental job description indicates he has. The Director was consistently referred to by almost all members of the Department as "The Boss"--a reference indicating that when significant decisions regarding the Department's operations were necessary, the Director was the sole individual to whom people could or would go to seek such decisions or clarifications.

Among the members of the Department interviewed, a strong esprit de corps was evident. The staff indicated that it experienced

heavy demands in terms of both the volume of work assigned and the expectations of the Director. The general impression of the Department staff was one of people working under a great deal of work load pressure with relatively little understanding of their precise roles and in need of more clearly defined operating methods and specialized training to carry out programs to which they had committed effort and talent. In every interview, concerns were expressed by the staff over the ability to manage and schedule time; to develop, understand and utilize effective operating systems; and the need for increased levels of supervisory training in basic supervisory skills.

It appeared that most of the probation officers had developed a reasonably acceptable understanding of their particular areas of responsibilities as a combined result of their conversations with the Director and/or the Casework Supervisor and their own formulation as to what their particular responsibilities would be.

It appeared that the Department might have committed itself to the development and operation of a wide range of programs without adequate program and staff resources to execute them effectively. As a consequence, a great deal of energy was being generated to both define and operate the programs simultaneously--a nearly impossible feat. It is difficult to understand how an effective program can be developed when the objectives and guidelines for that program are being worked out at the same time services are being delivered. The result is an inevitable activity trap where the individuals working within the organization become trapped into repeating activities

The Department will have to make a fundamental decision as to which of three policies it will use in operating: (1) use specialists in some areas supported by casework personnel who follow a case from beginning to end; (2) operate strictly on a casework basis from beginning to end; or (3) use certain personnel to handle intake work, others to handle counseling and rehabilitation work, and use specialists in specific program areas. Such a decision is essential to resolve many of the problems cited earlier and would come as a logical consequence of a detailed study of work flow.

In the development and operation of programs, the Department should put more emphasis on potential problem analysis to identify areas that may present operational or service delivery problems before a program is actually instituted along with considering the means by which program efforts would be evaluated on an on-going and periodic basis. Many of the operating and supervisory personnel in the Department appear to exert very little direct management effort or intervention as long as things appear to be operating properly, and no exceptional or unexpected situations arise. When such situations do arise, the Director is generally the principal person to intervene. This modus operandi should be replaced with a greater sense of individual responsibility and accountability for performance which can be best accomplished by the development of clear job definitions supplemented, most importantly, by clear-cut operating objectives that are time based and measurable in terms of output. This would also permit feedback to individuals on a situation-by-situation basis and would be the most preferable way to deal with the question of performance management which is of key importance in this particular Department.

It would appear that a master plan for the provisions of probation and correction services needs to be articulated and distributed to the employees of this Department. Such a master plan might also help clarify what business is to be conducted within the Department, by what sections and by which individuals. Accompanying such a master plan could then be the specification of a management and document control system. Since many people handle case files, there is a clear and pressing need for simple management elements, such as a file control system which would permit logging and tracking of case file locations-- particularly essential in view of the current split in physical facilities. Equally important to the development of planned services and operational systems and procedures is the training of clerical support personnel regarding both the nature of work being performed in various areas of the Department and the relevant operating procedures. Presently, much of the clerical work is done on a pooled basis with much of the responsibility for the operation of the clerical pool falling on the Administrative Assistant to the Director. Since the development of operating procedures and operating mechanical systems will play a vital role in the operations of this Department, the development of such a system should not be the full responsibility of the chief of the clerical operation, for the potential problem again exists that an individual will be trapped into performing activities at the same time he is expected to define what those activities should be and how they should be performed. If possible, it would be to the advantage of the Department to take its key personnel out of the main stream of operating activity for a period of five to ten days and develop a basic operating system model. If each individual develops components of the model on his own in

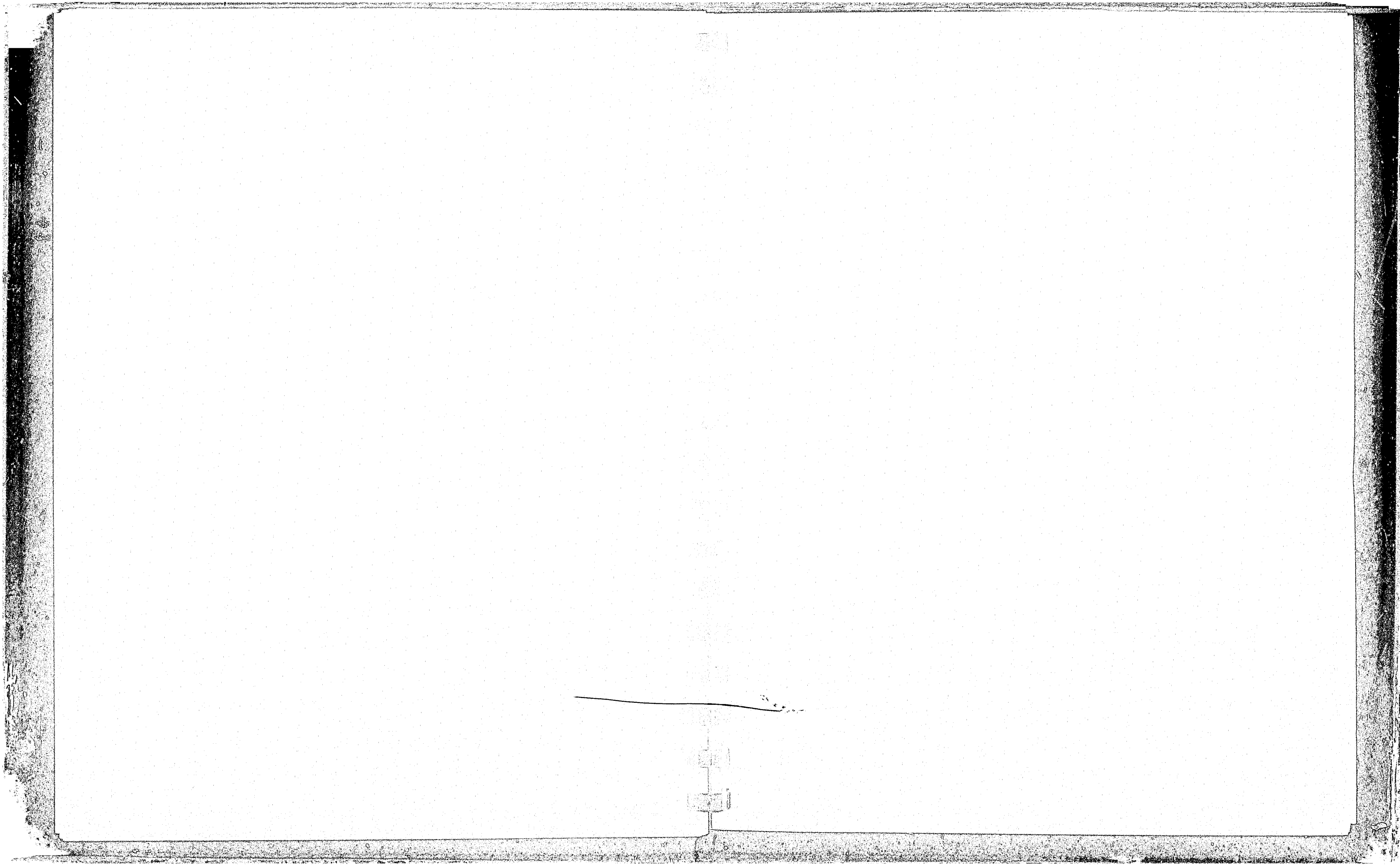
conjunction with his regular work, or if the Director does the definition work on his own, there is the likelihood that the final results will not have the degree of shared ownership, support and active execution that is necessary to make them useful and functional.

In summary, with regard to job descriptions, they apparently do not exist for all the jobs in the Probation and Corrections Department. Those that do exist have been developed at various points in time. Apparently, as the need arose for a job position, a description was generated. A major factor which is missing in the job descriptions that were furnished to the consultant are statements regarding the accountability of the incumbent--that is, to whom the incumbent is accountable, and for what and under what circumstances and with what time limits. Such statements of accountability help the incumbent realize the expectations set for the job and to whom the results are to be accounted.

In addition, the role of the casework supervisor needs to be more clearly defined. Is he to be the program development specialist? Is he to be the supervisor and work director for casework personnel? Is he to be all of these? If he is to be all of these, then the expectations of output from the casework supervisor need to be cut back. It would appear that the present job description requires that he perform equally in all of these areas--an impossible task at any level of effectiveness, particularly under the circumstances previously described. The role of the Director in regard to the Assistant Director and the casework supervisor also needs to be more clearly defined.

As a further comment on job descriptions, it should be noted that there are two types of job descriptions: a functional description which describes the basic nature of the services to be performed by any incumbent who holds the particular job title; and an individual job responsibility statement which is unique to a specific person who has been hired to perform a specific job. The second type of job description is a dynamic one. It may be developed for a specific time period with specific output results specified. A collection of such job descriptions could easily be used either to build a total game plan or to correlate with an over-all program plan in order to define individual responsibilities for a given time period. It is this type of job description which is much needed throughout the Toledo Municipal Court System.

With regard to supervisory control it would appear that even with clarified role responsibilities, the span of control for the Director or the casework supervisor is far greater than one individual can effectively manage. It appears that the intent of some of the supervisory positions is to have so-called working supervisors. This would mean that, in addition to supervisory duties, the individual would be expected to carry out a certain case load much the same as the people being supervised. While this strategy might appear to be economical from a payroll standpoint, it does not provide the organization with the level of management direction and control that is necessary for the delivery of the types of services contemplated by the Probation and Corrections Department. What is required is that there be specific supervisory positions in which the majority of time spent by the supervisor is in management-oriented situations. These positions would be supplemented by



deal with operating and management problems of the organization. Much of the responsibility seems to fall back on the Director which puts unreasonable pressures on his position. Increased performance management needs to be developed, particularly if two separate physical facilities are to be maintained. While this physical separation may be necessary because of space limitations, without attention now, it does create very real and serious operating and coordinating problems which will probably increase over time. Staff training needs must also be met and include professional skill training in various program aspects, and time management training in defining job responsibility. It will also be necessary to more fully compartmentalize and decentralize the supervisory decision-making processes in this Department, particularly if the diversity of programs and the division of facilities is to continue over any extended period of time.

5. Bailiff's Office

As indicated earlier, the structure of this department includes the Chief Bailiff and an Assistant Chief, two supervisors and nine bailiffs. The two supervisors also carry a basic work load roughly equivalent to that of the bailiffs. This department is responsible for the service of court actions. It is not responsible for any activities within the courtroom itself or court facility; all of its activities are outside the court building in the community and occasionally involve some service work in other municipalities as a result of Toledo Municipal Court actions. Bailiff service includes serving of subpoenas, attachments, garnishments, summons and warrants.

A great majority of its staff has worked in the department for many, many years during which the Department has undergone a number of changes.

Because of the history of the Department there are still remnants of the political patronage process at work, both in the appointment of individuals and the assignment of work and work territories.

The area served by the Bailiff's office is divided into districts with each bailiff assigned to a particular territory for a given period of time. This assignment is made by the Chief Bailiff and is subject to his redefinition at any time. As an indication of the remnants of the political patronage systems that have operated in the Department in the past, the present Chief Bailiff indicated that in regard to two supervisors, he was careful to select representatives of both major political parties to establish some political "balance" in that office.

A problem immediately apparent is that the work of the Bailiff's office has changed over a period of time from one of a fairly level and even work load which could be handled within a political patronage system, to one of an ever-increasing workload which requires a shift to a more professional and objectives-orientated operation. The Chief Bailiff, supplemented by the Assistant Chief, comprises the actual supervisory unit in this department. The consultant was unable to determine precisely what the supervisory function of the two supervisors would be other than possibly that of training new personnel who might come into the Bailiff's office. Since very few new personnel have come into that office in the past five years, this function apparently has not posed a heavy demand on the supervisor's time. In all fairness, the supervisors are available to the bailiffs in their "jurisdiction" to provide technical assistance and backup in the handling of any particularly difficult service situation.

It was apparent that sincere and heavy efforts had been made by the present Chief Bailiff to correct many of the operating deficiencies and ineffectiveness attributed to the former operation. He expressed a high level of concern for securing recognition for the bailiffs in their efforts to improve the operations of the Department. It should be noted that the consultant's conversations with the Chief Bailiff were quite friendly, in contrast to his somewhat evasive conversations with other department personnel. Despite assurances by the consultant that he was not auditing the performance of these personnel, the Department employees did not want to engage in any in-depth conversations regarding the operations of the Department.

There are no formal job or position descriptions for this department. Each individual receives his work definition by area from the Chief Bailiff. Subsequently, he receives either from the Chief Bailiff, the Assistant Chief or one of the supervisors a basic description of the geographic area that he is to service. New personnel are acquainted with their job primarily through on-the-job training and working with another Bailiff over a period of time. Each Bailiff plans his own work schedule around certain basic schedule criteria established by the Chief Bailiff. These time blocks include the necessity for being in the Court office at 8:00 a.m., again at noon, and a check in (usually by phone) in the early afternoon. Each man logs his own actions, services and disposition of work load. This is audited monthly by the Chief Bailiff. Apparently this monthly audit process is a recent change subsequent to the appointment of the current Chief Bailiff and was instituted apparently in order to cope with the potential problem of individuals leaving the office sometime in the morning and not returning until the following morning with little chance for direct supervision of their work

activities. In the past, problems had occurred where Bailiffs disappeared in the field for long periods of time without any check on their activities. This problem has been presently corrected.

The consultant was advised that clear guidelines for Bailiff operations existed. However, these guidelines were not available in a written document and therefore apparently had been developed and communicated to the Department staff orally and perhaps in segments over a period of time. While the staff is sufficiently small for this technique to seem reasonable, it is necessary to establish some firm base line which can be referred to during the course of handling any particular performance problem that may occur. In the case of the Bailiff's Office, this would not be possible. One of the specific areas in need of clarification concerns the policy toward enforcing the mandatory retirement age. The consultant and the Chief Bailiff shared a concern that one member of the Bailiff's staff who is presently age 70 is in an extremely vulnerable position due to the potential requirements of his job.

Another area of attention involves the Bailiff's need to establish his identity in the community as an officer of the Court. At one time employees of this department were called marshalls--a term which carried a more official connotation to some members of the public than the present title of Bailiff. Careful consideration should be given to a clearer labeling of these Court officers due to the fact that they are in the position of being the official public contact arm for the Municipal Court, particularly as the Court exerts its authority over individuals to appear in court or to execute

judgments of the Court. While it is now standard operating procedure for Bailiffs to utilize the services of the police and/or sheriff's office whenever assistance of this type is needed, there is still the problem of developing an adequate operating image in the community for the Bailiffs as officers and spokesmen for the Court.

Further, the Chief Bailiff should periodically rotate the geographic territories of each of the Bailiffs. While periodic re-assignment of personnel has been used as a means of modifying work performance behavior, the frequency of rotation should be increased. In this way the Chief Bailiff has a greater opportunity to determine the performance effectiveness of each individual and to develop a clearer set of operating guidelines and procedures. As long as an individual is locked in psychologically to a particular territory for a relatively long period of time, it is fairly easy to develop operating methods that may or may not be consistent with the job that needs to be done -- particularly in situations where there is a history of abuses or ineffective field practices. A further suggestion is that the supervisors be used in greater depth to review the activity logs of each Bailiff, both as a written document and through face to face conversations with each Bailiff on a weekly or bi-weekly basis. In this way operating problems can be surfaced fairly rapidly and worked out.

There is also the need for the Court Administrator to take a more active role as the manager of this section of the Court's operation. Although he may meet with a great deal of passive resistance on the part of the present staff in the Bailiff's Department, this relationship must be established at an early time if the Bailiff's Department is to be a part of the Judges Department for which the Court Administrator has chief managerial responsibility. This could be achieved through a statement from the Presiding Judge indicating his understanding that this working relationship between the Chief Bailiff can then meet to discuss the setting of Departmental operating objectives and performance effectiveness criteria for that work unit. These criteria can then be the basis of exchange between the Court Administrator and the Chief Bailiff as time goes by. This relationship will not be easy to achieve since the Bailiff's Department has regarded itself as an autonomous unit that is separate from the main stream of Court activities and subject only to the official direction of the Presiding Judge or other judges in the Court.

6. Conclusions

The Judges' Department, like many systems, operates reasonably well despite some serious management handicaps. In organizations where the work load has increased by a geometric factor in a relatively short period of time, and there is little history of systems development and planning to anticipate such increases in work load, it is not unusual to find the problems that have been described here.

Many of the operating systems which will have to be developed through the Court Administrator in conjunction with the Presiding Judge should be coordinated with the office of the Clerk of Court. The fact that the Clerk's office and Judges Department are separate units should not deter efforts to develop a master plan including the identification of priority areas which require substantial definition and development of appropriate operating systems.

From a personnel management standpoint, a clearer definition must be made of who has supervisory responsibility for which activities along with the level of authority accompanying this responsibility. The role of the Court Administrator vis-a-vis the Department heads needs to be clarified in greater detail, particularly if the Court Administrator is to truly function as the chief administrative and executive officer of the Judges Department. Similarly, the role of the department head of any given sub unit vis-a-vis other supervisory personnel and employees in that subunit needs to be clarified. A greater distribution of decision making responsibility and accountability throughout the supervisory structure of the Judges Department needs to occur in order to unburden some of the middle and upper level supervisory personnel. While it is a natural human reaction under conditions of expanding work load and increasing staff level to squirrel away more and more work and attempt to maintain tighter and tighter personal control over all situations, such a strategy is extremely unwise and is usually self-defeating. The key to success under such conditions is to develop the shared responsibility and accountability based on the approach of an operating team rather than one of individual control.

From a sheer work quantity standpoint, decentralization is a key factor that is necessary. Accompanying that decentralization, however, must be the clear definition of operating methods and procedures for each subunit so that there is some common-thread basis for control. A proper concept of control is one where monitoring of activities can take place against some predetermined standard in order to effect a reasonable judgment as to whether or not activities are actually or potentially leading toward results that are necessary to be achieved. It may be necessary for the court system to consider the periodic employment of management training consultants to assist in the development of operating systems and in the effective installation and operation of such systems.

In summary, areas requiring attention and improvement require the following actions:

(a) Develop clear job descriptions. These should describe the functions of each position for each category of employee in each unit and subunit of the court system.

(b) Develop job objectives. Clear, concise time-based operating objectives should be defined for each individual within a work unit. This would include statements regarding the quantity, quality and other performance parameters that are expected as a result of that individual's work over a period of time as well as a statement of to whom he is accountable. Rather than a simple description of general responsibilities, a dynamic and changing statement of actual work to be performed should be articulated.

(c) Refine operating procedure. Operating procedures should be developed and formalized for each subunit of the work system so that a procedural baseline can be established for work units to follow in

developing their specific work assignments. In developing operating systems and procedures, it is important to identify those areas requiring proceduralization and then to develop a priority rating as to which areas are most critical and require proceduralization first. A means for educating present and future employees in the use of these operating systems and procedures should also be developed.

(d) Develop personnel policies. Personnel policies that apply to all employees of the court system should be developed and codified. While the Judges' Department and the Clerk of Court are two distinct units, every attempt should be made to develop a set of operating personnel policies which apply equally to both units. If accomplished this would have the effect of creating an equalizing force between the two work units which is necessary for their coordination and inter-dependence. This statement of personnel policies should then be printed in a form suitable for distribution to all employees of the court system. As a minimum, their existence should be widely publicized and reference copies made available through subunit supervisory personnel. Initially, copies should be distributed to each employee with updates maintained in supervisory offices. The existence of a clear set of personnel policies which apply equally to all units of the court system has the further effect of reducing real and potential sources of friction between individual employees and supervisors in situations where the employee may feel preferential treatment is possible when, in truth, this is not the case.

(e) Develop performance management program. Operating objectives as described earlier in (b) can serve as a means for the on-going and periodic evaluation of employee performance. While the area of performance evaluation is usually regarded as sensitive, it need not be if handled on an informal basis. Its primary objective is to provide a meaningful discussion between the employee and supervisor regarding what is happening now versus what needs to be happening and outlining corrective actions if appropriate. Performance evaluation and performance management do not automatically require formal appraisal forms. In fact, in this court situation, such forms would be totally inappropriate at this point in time.

(f) Provide time budgeting training whereby a series of brief workshops for professional and clerical employees would provide instruction in the techniques of planning and budgeting time. Such training could well be provided after a reasonable level of operating procedures and operating objectives had been established, since these would be key elements in any time budgeting system.

(g) Provide supervisory skills training. A series of sessions in basic supervisory and management skills is needed for all supervisory people in the court system. It is highly possible that local sources exist which might be of help in formulating and conducting such programs. If not, the court should make every effort to locate suitable outside sources capable of developing and conducting programs that would be specifically oriented toward the needs of this system.

The inter-personal working relationships between the majority of the employees in the Judges Department is of a sufficiently high level

that there are not significant problems in this area. Problem areas in general that have been noted in this study are mechanical in nature and not ones based on structural or personality conflict bases. On an over-all basis, using a scale from zero to one hundred, the general operating effectiveness in relation to the personnel administration of the Judges Department would be assessed at approximately sixty-five. The situation is at a reasonably satisfactory level to permit an above average level of work output, yet contains a sufficient level of problems to warrant the investment of a significant portion of time toward problem correction and prevention.

B. Clerk of Court

1. Overview

As indicated earlier in this study, the Clerk of Court, as an elected official, has complete control of the operations of his office including staffing, policy making and personnel administration. The Clerk of Court's office is divided into two major branches: the Criminal Branch, which works on a pooled work basis, and the Civil Branch, which works on a "desk" assignment basis.

Personnel in the Clerk of Court's office were generally cooperative and helpful although obviously guarded in their responses to specific questions. They displayed a general level of moderate to semi-negative attitudes toward their work, their supervisors and general employment conditions. A high degree of curiosity about the consultant was expressed by the staff to determine

why he was there, what he was doing, etc. The generally guarded reaction of the Clerk of Court's office staff is in marked contrast with the predominantly cooperative and helpful attitudes displayed by employees of the Judges Department as described earlier.

Staff interviews in the Clerk of Court's office displayed a definite undercurrent of dissatisfaction, low morale and very low motivation levels. Almost universally there was concern over the confidentiality of the data that would be given to the consultant and the potential consequences, both personal and organizational, of speaking candidly with the consultant regarding their observations of the operations of this area of the Court. Since the Clerk of Court has the authority to hire and fire all personnel within his office, many employees expressed the fear that if they were quoted as having said anything negative regarding the operation of the Clerk's office their employment would be in immediate jeopardy.

The comments which follow, therefore, regarding conditions in the Clerk of Court's office represent the gist of the comments which were made most consistently by a significant number of employees in the office. These observations should be regarded as characteristic of the data obtained as a result of interviews with all of the employees sampled in the Clerk of Court's office.

It was difficult for the consultant to obtain detailed information regarding the current salary structure of the Clerk of Court's office. The data that was available through the City of Toledo Personnel Department indicated that with the exception of the Clerk, the chief deputy Clerk and some supervisory personnel, each employee in the Clerk's office was

classified as an assistant clerk of court. Examination of the actual salaries for these employees indicated that there are widely ranging actual rates paid, although there appears to be one pay grade for the majority of employees in this office. This has probably occurred as a result of individual employee salary determinations made by the Clerk of Court based on factors such as length of service, performance or other unknown considerations. The Clerk's Office is the only section of the entire Toledo Municipal Court system which does not use graded salary classifications which bear some resemblance to the level of responsibility and performance expectations of the individual employee or position. Again, the Clerk of Court has the sole apparent authority for the determination of all personnel administration policies, practices and decisions, including rate of pay and benefits.

The general operating framework of the Clerk of Court's office was one where all decisions of substance were made by the Clerk of Court personally. The function of so-called supervisory personnel was apparently to collect that information and relay it to the Clerk of Court. In actual practice it was observed that the supervisory personnel served very little purpose as supervisors per se. The prolonged illness of the Clerk of Court which necessitated an absence of several months followed by a schedule whereby he was only in the office for approximately three hours per day has had the effect of creating a monumental logjam within both branches of the office regarding decisions that need to be made. It was readily apparent to the consultant that the supervisory personnel in the office had neither the authority, experience or training to assume a level of responsibility to fill this void. In those situations where they attempted to deal with this

decision-making vacuum, their efforts had met with little success; many individual employees felt free to ignore their decisions since they were not made by the Clerk himself. It was also observed that in situations where supervisors attempted to execute what would be considered a normal management role, they were either shortcut by employees who would by-pass them and go directly to the Clerk, or undercut by the Clerk himself who would either negate, reverse or ignore the decisions that they had made.

It was readily admitted by most employees that original or continued employment in this office depended upon several factors which would have little relationship to actual job performance. These factors included the employee's political affiliation and personal relationship with the Clerk of Court. In conversations with the employment agencies used to refer clerical employees to the Clerk's office, it was apparent that only individuals of the same political persuasion as the Clerk would be considered for employment and this question was directly or indirectly asked of any candidate seeking employment in that office. It is also interesting to note that the Clerk of Court's office has experienced a level of turnover in the past three years that would be considered phenomenal in any commercial business setting.

The working relationship between the Clerk of Court's office and the Judges Department can be best characterized as alternating between an arm's length approach to one of passive resistance. This is particularly true at the management levels of the organization rather than at the lower operating levels. It is readily apparent, however, that at all levels the employees

of the Clerk's office do not see themselves as an integral part of the court system existing co-equally with the activities of the Judges Department.

There is often a great deal of assistance provided to the Clerk's office by the Judges Department; likewise there is a level of person-to-person assistance to the Judges Department from employees of the Clerk's office. The net effect is that two major units of the court system have not adequately worked out an inter-dependent and cooperative working relationship at all levels to facilitate the business of the court. While the Administrator has made attempts to provide assistance to the Clerk of Court with regard to facilities and equipment as a gesture of good faith, it was difficult to determine what impact these efforts might have. It should be made clear that there is no open conflict between the two departments or sections of the court operation, but, rather, a lack of coordination, cooperation and intergration of effort that is essential to improve effectiveness of court operations. Since the Clerk of Court's office essentially controls the flow of court operations because it processes and maintains all the major documentation of the court, it is in a unique position to either reflect such coordination or block it.

2. Criminal Branch

The Criminal Branch is the primary point at which the public has contact with the Municipal Court system and processes all criminal actions (including traffic violations). A major function of this office

involves public contact work.

The Clerk explained that employees, with the exception of those who do journal posting, work on a pooled job basis so that they can fill in for any other employee who is ill, absent or on vacation. While it is desirable to have backup personnel available in such circumstances, it would appear to be a massive duplication of effort to have everyone doing basically the same job. Another consequence of this approach is that no individual has any specific accountability for performance accomplishment. This results in widely varying work loads from individual to individual, depending upon the drive or initiative of that particular employee at any given point in time. It was interesting to note that a common comment made by employees in this area was "what you like to do is exactly what you don't get to do." With regard to the pooling of work it was interesting to note that during the Clerk's extended absence due to illness, an acting Clerk was appointed by the Presiding Judge, who then attempted to make individual assignments within the criminal branch. The response of some of the people interviewed indicated they did not particularly like that approach to work because it made them too visible.

On examining the various functions occurring in the criminal branch operation, it appears that the operations of this branch could be compartmentalized into major categories according to the type of action and phasing of any given document in the court process: counter work, journal work

cashier work and desk processing. At the present time, those people whose desks are located closest to the counter do most of the public contact and counter work. Others whose desks are farther away are expected to help out when the lines at the counter are sufficiently large. There were no apparent criteria for when the line would be large enough to require additional assistance at the counter with the result that if people want to help at the counter they do; if they don't want to they don't. For purposes of cash control, there are cashiers who handle the collection of fine monies. There are also journal clerks whose primary duties are to post the transactions of the court into the official journal books. The bulk of the staff in the criminal branch is expected to take their work assignments out of the work basket into which documents requiring various types of processing are placed in apparently random order. It is expected that when an employee needs something to do, he will go to the work basket, take the item at the top and work on it. It was not clear whether or not these items in the work basket were ever sorted out or put into any kind of priority setting. A natural priority process could be determined by examining a document to see when that particular situation required specific court action. Since the criminal branch handles a wide variety of criminal offenses, the contents of the work basket would vary in both quantity and complexity. Employees frequently sort through the work basket for types of actions with which they are familiar and appeal to them at that particular time, or for which someone has requested specific action.

The lack of specific accountabilities results in a high level of carelessness, misfiling and sorting of work on the basis of personal preference. There was general agreement that it would help to compartmentalize the activities of the branch and provide some means for assuring that reasonable and proper work procedures would be developed and followed.

It was apparent that although there were what might be considered standard operating procedures, these procedures were ones that had evolved over a period of years and had been passed by word of mouth from one individual to another. A common training pattern for new employees includes one-to-one training for a brief period of time followed by a period of loosely supervised learning by doing. In the absence of any clearly defined operating procedures the result of such a training approach is often to perpetuate mistakes and habits. Closer supervision should exist and can only be done by establishing effective supervisory positions to assist the Clerk of Court as a result of his illness and reduced work schedule. The development of supervisory positions should be concurrent with the development of more systematic methods of work processing.

Some uniform personnel and operating policy statements would also be of great value. Most employees interviewed felt that policy decisions were presently made on a case by case basis, resulting in inequitable application of any policies that presently exist. Whether or not any formal statements of policy in the Clerk of Court's office existed was not apparent despite several specific requests for such information by the consultant. Except for the daily court needs, a demonstrable lack of work planning and definition of priorities was noted. Work efforts in this area were oriented primarily toward survival.

There was also a demonstrable need for more modern office equipment in this area. The physical setting and equipment appeared to be extremely inadequate for the volume of work being processed through that office. To further complicate matters, desks were arranged in such a way that if one person moved a chair, he would be immediately either sitting in someone else's lap or bumping into a desk. An additional hazard was the hanging of telephone and power lines approximately eight inches off the floor, thus creating an obstacle to movement and presenting a definite safety hazard. From the standpoint of applied social science, the basic facility creates many of the conditions necessary to produce what has become a rat maze, in which much of the inter-personal difficulties that arise between employees can be directly traced to the physical structure and setting. However, it should also be pointed out that the over-all climate of concerns over job security and the all-inclusive powers of the Clerk are equally significant factors in the production of some of the concerns raised here. It was interesting to note that in discussions with local employment agencies which have on occasion referred personnel to the Clerk's office, that office's reputation in the community results in difficulty in recruiting candidates who are willing to even take an employment interview there.

As with any organization where there is a lack of accountability and where much of the decision making authority and power is concentrated in one location that functions on an intermittent basis, there have developed some internal social groupings of employees. These groupings generally fall into three categories: those who have been there for a substantial period of

time and have good working relationships with the Clerk; those who had a moderate length of service and an acceptable working relationship with the Clerk; and those who are relatively new and have not yet established themselves either with the other individuals or with the Clerk. In more than one situation it was confided to the consultant that employees were afraid to ask for time off from work for medical treatment for what appeared to be serious medical problems for fear of loss of employment. Also included was the concern over in-group/out-group dynamics that came into play whenever it was necessary for one person to ask another for assistance. While some of this type of social grouping occurs in any situation, these dynamics are further amplified when the other conditions described are present. A high level of internal tension and pressure was displayed by many of the individuals interviewed. A proper analogy might be that of a physiological pressure cooker in which the heat is being slowly but surely increased with a resultant rise in internal pressure with predictable consequences. This might be one reason for the high level of turn-over that has occurred in that office in recent years. Many of the employees working there are purported to be in a situation where they need to work for income, are concerned about making any waves that might jeopardize their job position, and fear that if they make the wrong move they will not only lose their position but will have to deal with an adverse reference in obtaining other employment in the area. This places many individuals in a double bind where they serve at the pleasure and direction of the Clerk and, at the same time, have very little opportunity

to influence their own working conditions without severe consequences.

The Clerk of Court is certainly not necessarily arbitrary or tyrannical in his management approach but, rather, displays a style of management which tends to be highly directive and highly concentrated. In such a situation, the results, as have been described, are reasonably predictable. Given the Clerk's present state of health, the increasing level of activity in the Clerk's office, changes in criminal processing operations as a result of a new federal criminal code, and in light of the problems described here, it would appear in the Clerk's best interest as well as that of the Court to develop a cadre of management and supervisory talent which can assume many of the routine operating responsibilities and problems that now rest with the Clerk. The Clerk must be able to place trust and confidence as well as accountability and responsibility in the hands of his supervisory subordinates if the operation is to be successful.

Without any changes, the organization will probably survive, but only through the periodic infusion of new personnel to replace those who have left for various reasons. In the meantime, very little operational improvement will be achieved. It is next to impossible to visualize how improvements in operating procedures and effectiveness can be generated by one individual who by reason of health is forced to work on a part-time basis and who has virtually no support staff who are able or authorized to fill the void. Certain mechanical improvements can be made in space and equipment which will help the situation some, but the more fundamental problem that needs to be resolved is the need for the development and empowering of additional

supervisory personnel in this branch who are recognizable by the Clerk and the employees as able and chartered to deal with operating problems and decisions.

The introduction of electronic data processing may ultimately be helpful to the entire court system. However, until such time as the basic data generating and processing sources and procedures have been defined, refined, and improved, the court is liable to realize the truth in the adage "garbage in - garbage out."

3. Civil Branch

The civil branch operates on a slightly different operational basis than the criminal branch in that there are desk assignments which provide some compartmentalization and/or breakdown of work responsibilities. There are, however, many similarities in the behavioral reaction patterns of the employees in this branch as compared with those in the criminal branch. The supervisor's role in this branch is perhaps a little clearer than in the criminal branch in that the Clerk of Court's personal office is located adjacent to the criminal branch, whereas the civil branch is located on the floor above and therefore physically separate.

The supervisor of the civil branch is experiencing difficulty in executing his role. Employees interviewed recounted situations in which the supervisor had made one decision, the employee had introduced the same question to the Clerk, and the supervisor had been undercut by the Clerk and over-ruled. Over a period of time this will have the predictable consequence of forcing the supervisor to not make any decisions, realizing that to do so will have minimal effect.

With regard to job training, again the predominant form of gaining job knowledge is through on-the-job training from other personnel or from one's predecessor on the job. A common attitude displayed was "I know I'm doing it right because I'm doing it the way I was taught". Unfortunately, such a philosophy operates on the presumption that the way you were taught was the most effective method. There is clearly the need to clarify the operating system of processing documents in this branch. While operating directives may exist, they appear to be passed on by word of mouth rather than through written communications. It appears that very rarely was there any review of performance unless an individual made a significant enough mistake to warrant such a discussion. As with the Judges Department earlier, it would be important to not only develop a clear statement of operating systems, models and procedures, but also to develop a clear understanding on the part of all employees as to how one desk inter-relates with another. While clearer accountability exists in the civil branch than in the criminal branch, there is still a need for greater individual clarification of responsibility. Periodic reviews of progress and problems as well as discussion of problem correction and prevention strategies would be extremely productive in this branch. The general morale in the civil branch is somewhat higher than that in the criminal branch, but still at a significantly low level in relation to that which would be considered minimally acceptable for average operating effectiveness. The civil branch handles an extremely large volume of work; therefore, it is equally important that all employees have a

clear idea of their specific job responsibilities and how those responsibilities inter-link with those of others in the same branch. Generally speaking, operations of the civil branch and the criminal branch have not developed on a systematic basis but, rather, as a result of perceived need. Both branches might well profit from a management systems/study coupled with the development of more positive employee relations.

It was generally expressed that employees desired a greater level of supervisory involvement and support in their activities. This might help to correct the very low sense of ownership or pride in workmanship that was clearly evident in both branches of the Clerk's office. Direct personal observation by the consultant of both office operations indicate that there was great potential for individuals to simply put in time without necessarily producing any work of significance. Similarly there was an air of apprehension, tension, and caution in the environment of both offices as people attempted to work out their day's activities.

Since there were no job descriptions, no operating procedures or other written statements of operating and personnel policy that the consultant could review, much of the study in the Clerk of Court's office was based on personal interview and direct personal observation. Despite the multitude of problems outlined earlier, it was refreshing to observe that individuals interviewed in both branches of the Clerk's office had several mechanical suggestions for improving the effectiveness of the operations. It would appear, then, that the situation is salvageable, provided that a major shift in operating practice could be effected.

A greater degree of coordination and cooperation between the Clerk's office and the Judges Department through the Court Administrator is highly desirable. This would apply not only to the acquisition of improved equipment and facilities, but also to the development of basic operating systems, policies, and common methods. Such a joint venture may be difficult to achieve but would yield significantly improved results in the over-all effectiveness of the court system.

The various components of the Toledo Municipal Court must operate in the context of an integrated whole. It is imperative that the Clerk of Court develop and charter an expanded supervisory organization to be able to cope with the magnitude of problems and decisions that need to be dealt with in this operation. It is inconceivable that anyone would attempt to maintain a span of control over approximately 45 employees and still expect a reasonable degree of productivity. This is particularly true when personal conditions permit only a limited time involvement on the part of the Clerk. Although the Clerk of Court serves as the chief executive and manager of that portion of the court system, he does not need to make every operating decision. In a setting where there is very limited supervisory backup, where individuals feel free to come to the Clerk and bypass their designated supervisors, and where there appears to be inconsistent application of unwritten policy, the situation can only be described as potentially explosive.

Some of the conclusions regarding job clarification and objective-setting described in the section on the Judges Department would also apply to the Clerk of Court's office.

APPENDICIES

APPENDIX A: STUDY PURPOSE AND METHODOLOGY

June 19, 1973

TO: R. S. Friedman, Court Administrator
Raymond Block, Clerk of Court

Assignment Commissioner
Bailiff's Department
Court Reporters
Payroll & Purchasing Officer
Probation Department

FROM: J. Richard Clague, Consultant

SUBJECT: PERSONNEL STUDY - STRUCTURE

In response to the discussion at the meeting on June 18, the following comments and study structure has been developed. Please review the proposed activities and provide your reaction at the meeting scheduled for 1:00 P.M., Tuesday, June 19. Your preparation and assembly of the requested data by the times indicated will be most appreciated.

I. PURPOSE OF STUDY

It is interpreted that the purpose of this study is to provide insight to management personnel regarding the relative state of the personnel management practices in the municipal court system; coupled with recommendations for improvement, if any. This would include summary and interpretation of employee reaction interview data, review of written personnel management policies, and observation/analysis of current practices. The major product of the study will be a written report document, which will be reviewed for action potential.

This study is not intended as an operations review or "efficiency" study. Such information will be dealt with only insofar as it directly affects personnel management practices or problems.

II. STUDY OBJECTIVES AND INTERPRETATIONS

1. Review of Job Descriptions

Where written job or functional descriptions currently exist, a review of their content and format will be made; along with a comparison between duties described and duties performed as determined by employee interview data.

Where no job or functional descriptions currently exist, recommendations will be made as to positions or functions requiring same, and suggestions as to format and content areas. It is not currently intended that study personnel would actually prepare job descriptions at this time.

2. Ratios of Supervisory to Non-Supervisory Personnel

An analysis of the effectiveness of present supervisory ratios will be made; along with any recommendations for improvement or change indicated by the analysis. Sources of information for the analysis will include existing job descriptions, employee and supervisor interview data, accepted supervisory span of control standards, and consultant judgement.

3. Ratios of "operating" to Clerical/Secretarial Personnel

An analysis similar to that in item 2 will be made, with appropriate recommendations.

4. Supervisory Structure

A review and analysis of the supervisory/management structure in regard to categories, duties, authority levels, span of control, and staff-to-supervisor ratios will be made. Recommendations for improvement in personnel management practices resulting from structural concerns will be made. There is the potential for consideration of supervisory job content analysis which will be done, if time permits. Principal focus will be placed on general personnel management concerns first, with operational concerns as a secondary issue.

5. Salary Structure Evaluation

Examination of the job pay grades and accompanying salaries paid will be made to determine any structural inequities or problem areas. To the extent possible, a review of the impact of the present salary structure will be made. Recommendations regarding restructuring or shifting of job/pay levels and practices will be provided. It is assumed that a major objective of the salary program is to provide an adequate and competitive salary to each employee, recognizing the skills required in the job, the responsibilities of the job, the experience of the individual, and the performance of the employee. A comprehensive salary study with market comparisons is not anticipated or planned as part of this study.

6. Performance Evaluation Recommendations

Commentary and recommendations as to advisability and methodology of conducting performance reviews and evaluations will be developed. Employee interview data will reflect the interest in and need for such activities. Guidelines for any recommended efforts will be furnished, with suggestions for supervisory preparation and training activities.

7. Communications/Data Flow

Utilizing employee interview data regarding sources, direction, nature, and adequacy of information flow in court system, an analysis of the communications patterns between people and work units will be made. Problem areas will be identified, and comments provided regarding possible corrective actions. Areas to be evaluated include; co-worker communications, supervisor-to-employee communications, department-to-department communications, and other appropriate areas.

8. Pride in Job

An assessment will be made through employee interview data of the level of individual job satisfaction and sense of personal contributed value as seen by the interviewed sample of

personnel. The degree of presence or absence of positive job motivational factors will be determined from the sample of employees interviewed.

9. Supervisory Responsiveness

Individual reaction to the supervisor's responsiveness in handling and avoiding problems regarding work content, work loads, personnel conflicts, and other appropriate areas will be summarized and interpreted.

This will provide a feedback mechanism to supervisors for their review and possible action. Since several areas are presently undergoing major changes in work nature, structure, and content; this information would be helpful in assessing what further communications and general management information needs are or are not being met. For other supervisors, it will provide insight into how they are seen by the employees they supervise.

Here again, a sample will be used; since it will not be possible to interview the entire work force in the court system.

10. Training Needs and Methods

Commentary on areas and methods of job skill training of court employees will be developed. This will include observations as to training needs, current methods, employee-perceived needs, and possible approaches to pre-service and in-service training of employees for increased effectiveness.

III. STUDY METHODS

A. Document Review

A review of existing or prepared documents as follows:

1. Job Function or Descriptions

Please furnish copies of any and all existing job or function descriptions for employees in your area. Need by June 20.

2. Employee listing, showing names of employees and job title.

Please furnish such a listing for your department by June 20.

3. Other documents as appropriate and requested.

B. Employee Interviews

A sample of employees will be selected by June 20. This will be done in consultation with department heads. Approximately 50% of the court employees will be interviewed between June 20 and June 29. Interviews of 45 - 60 minutes each will be scheduled with each person to be interviewed. It is important that the schedules be closely followed to ensure that all scheduled employees can be interviewed.

Dates Available:

Wed. - June 20 - 8:15 - 9:30 - 10:45
1:15 - 2:30 - 3:45

Thurs. - June 21 - Same

Fri. - June 22 - Same - except for 3:45 (delete)

Mon. - June 25 - 8:15 - 9:30 - 10:45 - 1:15 -
2:30 - 3:45

Tues. - June 26 - Same

Wed. - June 27 - Same

Thurs. - June 28 - Same

Fri. - June 29 - Same - except for 3:45 (delete)

The June 19 meeting will determine what departments will be scheduled which times on which days.

IV. Requested Data from Department Heads

- A. - Job Descriptions per III - A-1 - by June 20
- B. - Employee Listing per III - A-2 - by June 20
- C. - Time Schedules per III - B by June 20

Your assistance is appreciated in setting up and facilitating
the orderly flow of this study as soon as possible.

JRC
J. Richard Clague

JRC 1b

APPENDIX B: TOLEDO MUNICIPAL COURT PERSONNEL JUDGES'S DEPARTMENT

TOLEDO MUNICIPAL COURT PERSONNEL
JUDGES' DEPARTMENT

JUDGES - 6

Presiding Judge Francis C. Restivo
Judge Allen J. Andrews
Judge Ira Bane
Judge Andy Devine
Judge Gary E. Gabriel
Judge Harvey G. Straub

VISITING/RETIRED JUDGES - 4

Judge Roy Dague
Judge Clyde Deeds
Judge Louis Fulop
Judge Joseph Wetli

REFEREES - 2

Mr. Herman Binzer
Mr. A. A. (Abe) Haddad

COURT ADMINISTRATOR'S OFFICE

Richard S. Friedmar, Court Adm.
Elaine Rudanz, Sec.

PURCHASING AND PAYROLL OFFICER

Paul Thomas

ASSIGNMENT COMMISSIONER - 9

Mr. Stark (Whitey) Conyers,
Assignment Commissioner

Mrs. Jo Hutchinson, Asst. Comm.
Mrs. Kathleen (Danisoczky) Large
Miss Mary Myitray

Law Clerk/Bailiffs - 5

Stephen Armacost
Nicholas Sron, Supervisor
Lawrence LaRue
James Peden
Martin Donelson II

BAILIFF'S - 13

Walter Geremski, Chief Bailiff
Gerald Graves, Asst. Chief
William Barber
John Birmingham
Jude Burke, Supervisor
James Chambers
John J. Connors
John (Jack) Gaffney
Arthur Kreft
Delbert McClain
Emerson Ross
Wallace Stevens
William Tappen, Supervisor

COURT REPORTERS - 2

Ruth DeLauder, Chief Reporter
Beverly Vines

PROBATION DEPARTMENT - 21

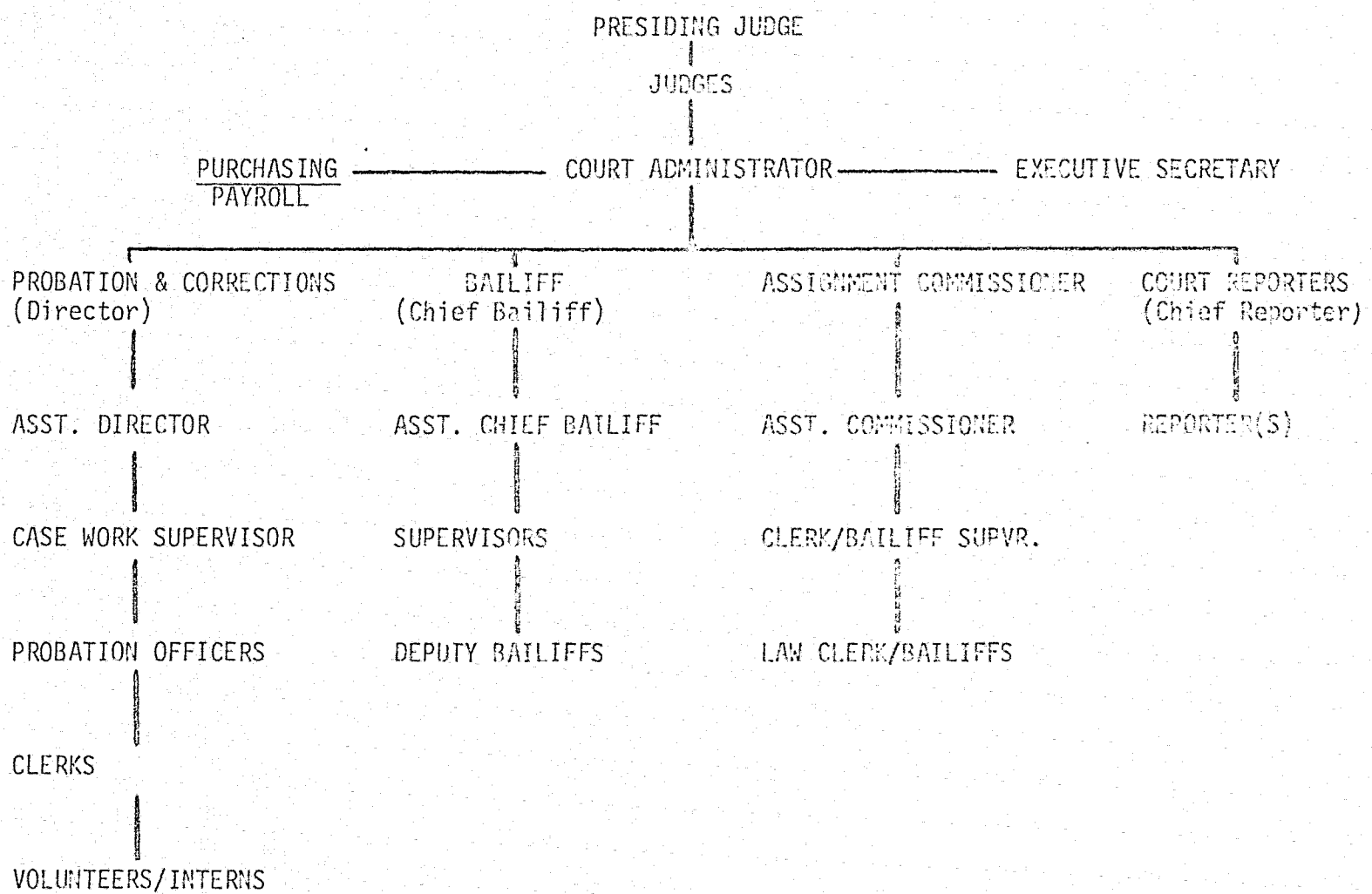
Chris Christoff, Director
Ed Kelb, Asst. Director

Benjamin Arnold
Jeanne Babel
Orval Cawthorn
John Flahie
Barbara Gardner
William Geiger
Suzanne Helzer
David Krzyminski
Carol Mason
Carol Cynthia May
Michael Narges
Charles Pfeifer
Helen Shinaver
Floyd Simon
Bernardine Steinmetz
Clyde Tisdale, Supervisor
Rodolfo Vargas
Eleanor Welter
James C. Wise

APPENDIX C: TOLEDO MUNICIPAL COURT ORGANIZATION

JUDGES' DEPARTMENT

TOLEDO MUNICIPAL COURT ORGANIZATION
JUDGES DEPARTMENT



APPENDIX D: TOLEDO MUNICIPAL COURT PERSONNEL

CLERK OF COURTS OFFICE

CRIMINAL BRANCH

TOLEDO MUNICIPAL COURT PERSONNEL

CLERK OF COURTS OFFICE
CRIMINAL BRANCH-23

Raymond J. Block, Clerk

Donna Worley, Chief Deputy Clerk/Secretary to the Clerk

Robert J. Overly, Deputy Clerk (Supervisor)
Donald Hanefeld, Deputy Clerk (Supervisor)

Mary Wood, Deputy Clerk (Chief Cashier)
George Willford, Deputy Clerk (Cashier)

Janet Watson, Deputy Clerk (Traffic Journal Clerk)
Cora Fulkerson, Deputy Clerk (Criminal Journal Clerk)

Brenda Armstrong, Deputy Clerk
Kathlett Strobl, Deputy Clerk
Ruth Carter, Deputy Clerk
Elmyrna Decker, Deputy Clerk
Ida Fournier, Deputy Clerk
Eugenia Fassold, Deputy Clerk
Diane Gorka, Deputy Clerk
Dolores Lentz, Deputy Clerk
Shirley Masteller, Deputy Clerk
Leina Pierce, Deputy Clerk

NIGHT SHIFT PERSONNEL

Winfield Kline, Deputy Clerk (Supervisor)

Lois Amer, Deputy Clerk
Marguerite Beckler, Deputy Clerk
Angela Higgins, Deputy Clerk
Melody Kischkau, Deputy Clerk
Violet Sherwin, Deputy Clerk
Jean Woods, Deputy Clerk

APPENDIX E: TOLEDO MUNICIPAL COURT - CLERK OF COURT
CIVIL BRANCH

APPENDIX E

TOLEDO MUNICIPAL COURT - CLERK OF COURT
CIVIL BRANCH - 23

Raymond J. Block, Clerk of Court

Donna Worley, Chief Deputy Clerk/Secretary to the Clerk

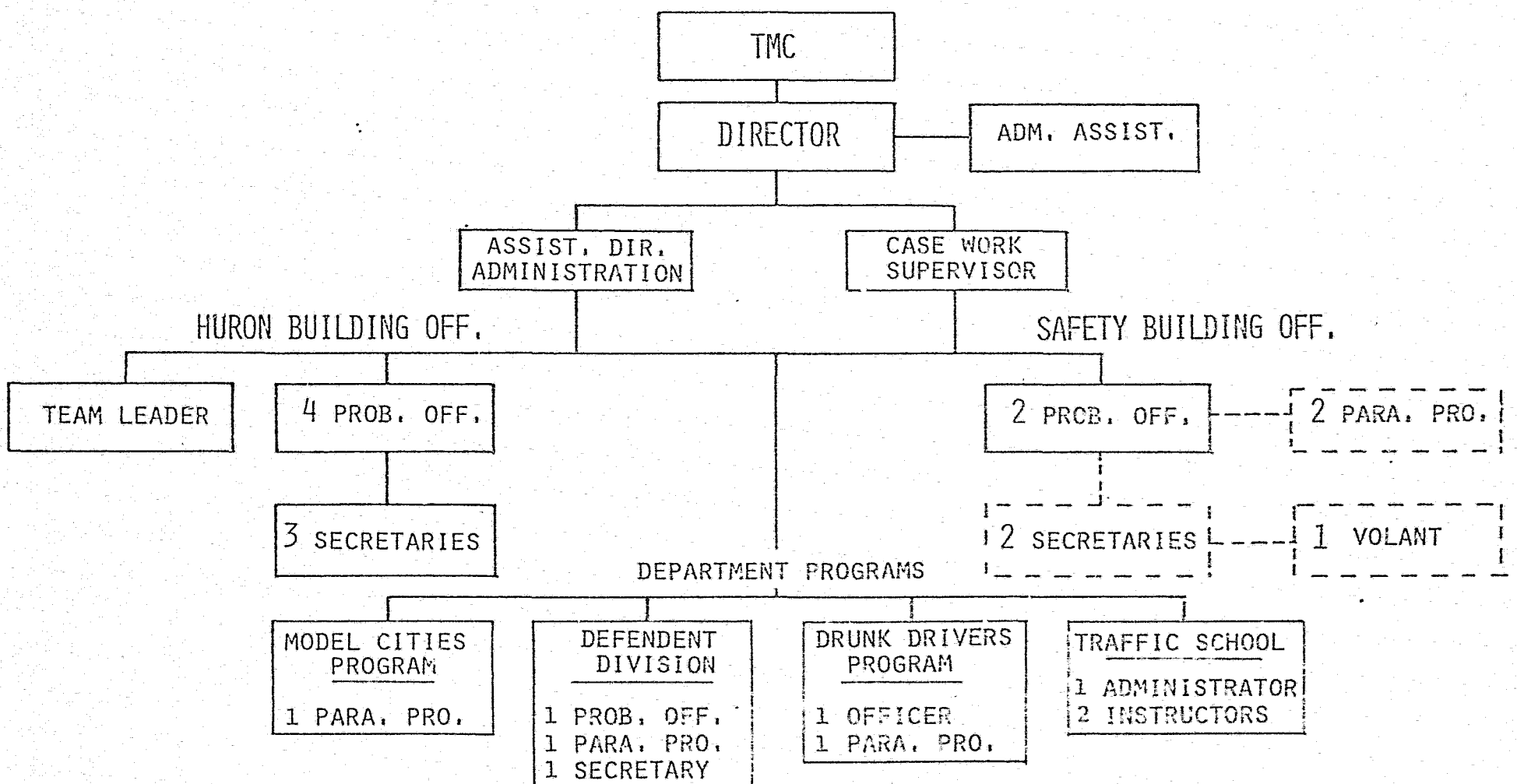
Kenneth Regent, Supervisor

Helen Lynch, Deputy Clerk
Vic Bellis, Deputy Clerk
Marian Weiss, Deputy Clerk
Virginia Weitzel, Deputy Clerk
Janet Garey, Deputy Clerk
Julie Duty, Deputy Clerk
Minnie Cook, Deputy Clerk
Diane Tillman, Deputy Clerk
Lois Hyott, Deputy Clerk
Janet Schaefer, Deputy Clerk
Florence Bankey, Deputy Clerk
Johanna Fears, Deputy Clerk
Charline Scharf, Deputy Clerk
Thressa Davis, Deputy Clerk
Julie Doyle, Deputy Clerk
Linda Lucas, Deputy Clerk
Inez Coutcher, Deputy Clerk
Gladys Walmsley, Deputy Clerk
* , Deputy Clerk
* , Deputy Clerk
* , Deputy Clerk
* , Deputy Clerk

* No names for existing personnel given, but presence observed.

APPENDIX F: ORGANIZATION CHART FOR TOLEDO MUNICIPAL COURT PROBATION AND
CORRECTIONS DEPARTMENT

TOLEDO MUNICIPAL COURT PROBATION AND CORRECTIONS DEPARTMENT



- 1 DIRECTOR
- 1 ASSISTANT DIRECTOR
- 1 CASE WORK SUPERVISOR
- 1 ADMINISTRATOR ASSISTANT
- 8 PROB. OFFICERS
- 5 PARA. PRO.'S
- 6 SECRETARIES
- 1 VOLANT
- 1 ADMINISTRATOR TRAFFIC SCHOOL
- 2 INSTRUCTORS