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CRIMINAL COURTS TECHNICAL ASSISTANCE PROJECT

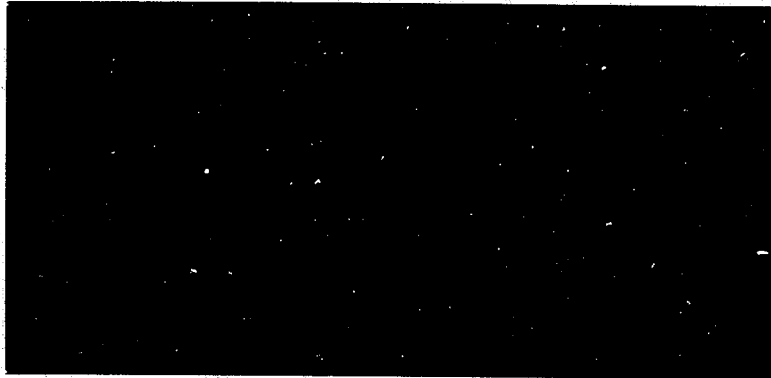
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STUDY DESIGN TO DETERMINE RESOURCE
ALLOCATION IN THE DELAWARE JUSTICE OF
THE PEACE SYSTEM AND SPECIFIC
ISSUES TO BE CONSIDERED

October, 1977

NCJRS
MAR 30 1978
ACQUISITIONS

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TABLE OF CONTENTS

	Page
I. INTRODUCTION	1
II. PROPOSED RESEARCH PROGRAM TO DETERMINE RESOURCE ALLOCATION IN THE DELAWARE JUSTICE OF THE PEACE COURT SYSTEM: Prepared by Peter Schwindt	3
A. Analysis of Existing Situation	4
B. Recommended Research Program	4
1. Inventory of Resources	5
2. Assessment of Resources Needed	2
3. Analysis of Workload Patterns	6
4. Development of Reorganization Plan	9
5. Evaluation of Reorganization Plans on Access- ibility	11
6. Selection of Optimum Plan	11
III. SUMMARY OF CONCERNS EXPRESSED BY INDIVIDUALS INVOLVED WITH THE JUSTICE OF THE PEACE SYSTEM OPERATIONS: Prepared by Samuel Hays.....	12
A. Caseload and Resource Distribution	12
B. Education and Training	12
C. Procedures	13
1. Scheduling	13
a. Police	13
b. Attorneys	14
c. Clerks	14
d. Preliminary Hearings	15
e. Probable Cause Hearings	15
2. Focus of Responsibility	15
3. Felony Warrants	16

	Page
4. Grievance Procedures	16
D. Other Concerns	16
1. Police Prosecutors	16
2. Service of Documents	16
3. Overcrowding of Prisons	17
4. Judicial Neutrality	17
5. Pretrial Hearings - Bail	18
E. General Observations	18
1. Scope of the Study	18
2. Preparation of a Statement of Policies	19
3. Analysis	20
F. Recommendations	21

I. INTRODUCTION

In February 1977, Tom Quinn of the Delaware Agency to Reduce Crime (SPA) requested the assistance of LEAA's Criminal Courts Technical Assistance Project at The American University in determining the future administrative needs and resources of Delaware's Justice of the Peace Court system. Specifically, Mr. Quinn sought the development of a study methodology, which could be implemented by SPA staff. For this reason the project provided this assistance in three phases.

Mr. Peter Schwindt, former Associate Director of the Institute for Judicial Administration which had conducted a previous study of the Delaware lower court system, was assigned by the project to meet with Mr. Quinn and other Delaware court officials on April 15, 1977. Based upon the specific needs evidenced by this meeting, Mr. Schwindt developed a preliminary research design, focussing on the data gathering and analysis necessary to conduct the planned study. This proposed research design is included in Section II of this report.

On August 9, 1977, Mr. Arnold Malech, former Executive Officer of the District of Columbia courts, conferred with Mr. Quinn and other court officials to explore appropriate strategies for conducting the study. It was determined at this meeting that before proceeding further with the study planning, the input of all individuals involved with the Justice of The Peace System operations should be sought to assure that the study adequately address existing problems.

On September 12, 1977, Mr. Samuel Hays, former Executive Secretary to the Administrative Committee of the District and Municipal Courts of New Hampshire, met with representatives from all aspects of the

lower court criminal justice system, including justices of the peace, court clerks, constables, state and local police, attorneys practicing in these court, pre-trial release officers, a former deputy attorney general, public defenders, and a representative of the court administrator's office. The concerns expressed at this meeting are summarized in Section III, and provide the basis for suggested preliminary planning upon which the study can subsequently be launched.

II. PROPOSED RESEARCH PROGRAM TO DETERMINE RESOURCE ALLOCATION IN THE DELAWARE JUSTICE OF THE PEACE COURT SYSTEM: Prepared by Peter Schwindt

A. Analysis of Existing Situation

The Delaware Administrative Office of the Courts and the Delaware Agency to Reduce Crime appear to agree that a thorough review of the present use and allocation of the judicial and non-judicial resources of and among the fifteen locations of the state supported, fifty three judge Justice of the Peace Court* system is appropriate. Delaware, like all states, must ensure that it spends public dollars wisely and efficiently. The existing distribution of court service centers and court personnel in the Justice of the Peace Courts may not represent an effective or efficient use of tax money.

For example, the very light workloads of Courts 5 and 6, and, 8 and 9; has prompted suggestions that these four court locations be reduced to two. Additionally, it has been thought appropriate to consider consolidation of civil and/or criminal court functions in counties, particularly New Castle. Thus, it appears that proper staffing of criminal sessions by the Attorney General's Office, Public Defenders and Pretrial Services is not possible because of the present distribution of criminal work among a number of court locations in each county and around the state. The results of this situation are that, neither the state nor the defendant is properly represented and defendants may be inappropriately committed to already overcrowded correctional facilities pending proper

*The Delaware Justice of the Peace Courts are first instance trial courts of limited jurisdiction, having plenary powers in civil matters of \$1500. and in minor criminal cases and preliminary jurisdiction of felonies. The courts are not of record, appeals lying to the Superior Court de novo.

pretrial release review not available at arraignment and only provided in the correctional facilities.

Hence, what follows is an outline of a research program designed to assist those concerned with the operations of the Justice of the Peace Courts in properly assessing the need for court service centers in the counties and state and appropriately allocating scarce resources among the various locations.

B. Recommended Research Program

The underlying question is, What resources, located where and at what times are needed by the Justice of the Peace Court system to ensure a proper level of judicial services? Courts, like other public sector agencies, are critical service centers that must be reasonably accessible to their users. The dilemma presented government policy makers is, What is "reasonably accessible?" Although court service centers must be located and open during such hours as to make them available to those who need them, limitations on public spending dictate that courts need not be located when and where workloads do not justify them.

It is important to note that the functioning of a court depends on more than the presence of a judge and his support personnel. On the criminal side, a prosecutor, defense counsel, police personnel and, at arraignments, pretrial service personnel may be needed to ensure proper functioning of a court. Further, certain types of judicial business are time critical, while others are not. Thus, the arraignment of an arrested person must take place within a limited period measured in hours, while the time for filing a civil complaint may be measured in terms of months or years.

To propose a reasonable distribution of Justice of the Peace Court service centers and an appropriate allocation of resources among the

centers, information must be gathered and analysed that describes the present resources and workloads of existing locations. Furthermore, the data must be such that will permit development of optional organizations of court centers, that may be tested against predictions of future workload and standards of accessibility. Accordingly the following research undertakings are proposed:

- Inventory of existing resources and their distribution,
- Assessment of resources needed for properly functioning court centers,
- Analysis of present workload patterns aimed at suggesting reorganizations of locations and resources,
- Development of reorganization plans,
- Evaluation of impact of reorganization plans on accessibility and
- Selection of best restructuring plan.

1. Inventory of Resources

A proper inventory should document both personnel and facilities resources. Included in personnel would be not only judges and their supporting staff, but also other personnel, such as prosecutors, defenders, detention officers, and pretrial service persons, necessary for the proper functioning of a court location. Under the heading facilities should be included not only physical space (courtrooms, waiting areas, clerical offices, chambers, detention areas, etc.), but also equipment, particularly that which is in short supply, such as computer terminals.

2. Assessment of Resources Needed

As noted earlier, one criticism of the existing organization of the justice courts in Delaware is that it does not permit proper staffing of criminal sessions, because there are fewer prosecutors and pretrial service personnel than there are court locations. This

criticism suggests the need to carefully assess what the critical resource needs are of any given court session. Who is needed at criminal arraignments or trials or preliminary hearings? If the ultimate re-organization plan is to be an improvement over the present system, it must reflect an awareness of staffing needs. A simple approach to this problem is the creation of model staffing patterns for the different court sessions. To the extent that computer terminals are available in the future, the need for this resource at given sessions of court should also be determined.

3. Analysis of Workload Patterns

The issue addressed by this task is, how much work may a judge and necessary support staff process in a given period and hence, based on work projections, how many judges and other personnel are needed to serve the various geographical areas. Solving this problem is not a simple matter. Although certain statistical computations are helpful in giving tentative conclusions, they must be supplemented by non-statistical information.

For example, the following table is instructive.

Filings per Judge in 1976

<u>Rank</u>	<u>Court</u>	<u>Total Filings</u>	<u>Judges</u>	<u>Filings Per Judge*</u>
1	11	19,006	6	3167
5	3	9,083	6	1513
6	4	7,235	5	1447
13	9	1,413	1	1413
15	5	1,088	1	1088

Thus, in Court 11 judges are asked to handle almost three filings for every one in Court 5 each year and two for every one filed in Courts 3, 4 and 9.

* Filings per Judge equals Total Filings divided by number of Judges.

However, this striking demonstration of imbalances in the distribution of cases may not reflect actual imbalances in the distribution of work among courts. All filings, civil, criminal, traffic, etc. in this computation are assumed to entail equal judicial work. This may not be the case. A simple technique for correcting this error is to "weight" filings. For example, if a criminal filing is to be given the weight 1.00, other types of filings may be given greater or lesser weight depending on how time consuming they are relative to criminal filings. Short of a time consuming effort to arrive at weights through statistical techniques based on how much time is actually spent on different case types, interviews with judges may suffice. These interviews would seek "off-the-cuff" estimates of relative amounts of time spent on different types of cases.

The following table is an example of the result of applying hypothetical weights to three types of filings.

<u>Weighted Filings per Judge in 1976</u>						
<u>Court</u>	<u>Civil x 1.5</u>	<u>Crim. x 1.0</u>	<u>Traf. x .75</u>	<u>Total</u>	<u>Judges</u>	<u>Weighted Filings per Judge</u>
11	1850 1233*	3181 3181	10400 13867	15431	6	2571
5	499 299	41 41	480 640	970	1	970

In this example judges in Court 11 are called upon to handle 2.65 times as many weighted filings per year as a judge in Court 5, confirming the imbalance depicted in the previous table.

To justify a consolidation of court location, for example to justify that one judge might handle the work of two, it is essential that a reasonable standard caseload of weighted filings per judge per year be determined. A figure somewhere between the high and the low is probably

* Lower figure in each court row is raw filings.

appropriate, perhaps an average or median. It may be helpful in arriving at a standard caseload to gather other kinds of evidence. For instance, as a guide to determining the workload of a centralized arraignment part, useful guidance may be obtained about the number of arraignments that may be processed by a judge per session of court, by a statistical analysis of court logs, that set forth work handled at court sessions.

A note of caution is in order with regard to establishing standard caseloads for judges. A court showing high filings per judge may be overloaded. For example, work may be carried on at too frantic a pace and/or backlogs may be building. On the other hand, a low volume court may be moving work too slowly and wasting scarce resources. The dilemma is to find a middle ground. Unfortunately the determination of a reasonable standard is more an art than a science and thus depends in part on the establishment of a consensus of opinion as to what is a proper pacing of judicial activity. Such a consensus should rest on a careful appraisal of the subjective judgements of critical participants in the judicial process.

So far only the issue of judges needed to service given workloads has been addressed. However, the same issue arises with regard to judicial support staff (clerks, bailiffs, etc.) and critical nonjudicial staff (prosecutors, defenders, etc.). Unfortunately, published statistical data on the work of nonjudicial staff is not available. Therefore, data will have to be gathered from staff directly through interviews and, perhaps, limited observations of court proceedings. With regard to judicial staff, the Administrative Office of the Courts does publish the staffing patterns for each court in its annual report. Moreover, Exhibit B of the Davies report relative to data processing needs in the

justice courts consists of a "Narrative of Magistrate Case Processing" that should be handling different types of cases. Also, Exhibit D of the Davies report, "Analysis of Caseload vs. Personnel Allocation Problem," may be of use in appraising clerical needs. However, this work should be updated. Further, it is of limited usefulness, because it does not purport to recommend specific redistributions of resources.

4. Development of Reorganization Plans

Once standard judicial and support staff caseloads have been arrived at and the distribution of work among the various catchment areas of the court has been determined, it will be possible to develop plans for locating court centers and resources needed for each center. The object of this task is evenly to match resources available with workload, resources needed, so that there is neither overload nor waste. Approaches would include, reduction of total locations, redistribution of resources among locations and/or concentration of certain functions in specific locations.

In considering various resource allocations the need for 24 hour courts should be reviewed, particularly the need for courts during the period between midnight and 8:00 a.m. Aside from criminal and traffic arraignments it is not clear what the purpose of holding court around the clock is. Further, it is questionable whether arraignments are sufficient cost justification for keeping a court open 24 hours a day. There are apparently five courts now open 24 hours per day seven days per week. If these courts were only available 16 hours per day seven days per week, saving one 8 hour shift per day in the five courts would free up over 8 judges and staff per year (assuming that personnel only work 220 days each year) for other duty.

Any plan for reorganizing or restructuring the work of the Justice of the Peace Courts must rest on accurate predictions of workloads in the various court locations. One approach to prediction is to extrapolate trends from historical data. However, future workloads may be effected by forces not operating in the past and past workload trends may be the result of forces not operating now or in the future. For example, the recent striking rise in criminal work in the Justice of the Peace Courts has been attributed to increased police resources. However, police resources may not continue to increase at recent rates and hence criminal filings in the future may not continue to increase at recent rates.

Further, nothing is known as yet of the impact of mail-in fine traffic procedures on the work of either the judges or clerical staff. Statistics currently collected on traffic filings do not differentiate between mail-in and regular summons cases. Either the Administrative Office of the Courts should alter its case reporting system to distinguish mail-in filings or a statistical sampling should be taken in each of the locations to determine what proportion of total traffic filings consists of mail-in fines. Once statistics on the impact of voluntary assessment cases are available estimates of the effect of this procedure on workload may be made. However, certain caveats are in order. The impact of the voluntary assessment system on judge work may not be simple to determine. Thus, uncontested traffic matters, although a large proportion of total cases handled, may be a small percentage of total workload. A given percent reduction in traffic cases presented to magistrates as a result of the mail-in fine procedures would probably not result in an equal reduction in workload. Moreover, although clerical work per filing of traffic cases may be reduced by the mail-in

fine procedures, there may be an increase in total filings, because police officers may be encouraged to issue citations that do not require a court appearance.

5. Evaluation of Reorganization Plans on Accessibility

The research plan so far has emphasized devising plans for a rational and cost effective distribution of court service locations and resources, using expected workload as the critical variable. However, possible reorganization schemes should be tested against standards of accessibility before being adopted. The critical accessibility variable is time needed to reach court and time is principally a function of geographical distance and transportation available. Accordingly, travel time to all proposed court centers should be computed for varying forms of transportation. In this way user objections, particularly police complaints, can be met with relevant accessibility facts.

6. Selection of Optimum Plan

The foregoing presents the critical factors to be taken into account in devising an optimum plan for reorganizing the Delaware Justice of the Peace Courts. Along with the collection and analysis of data concerning the work of the court described above it will also be necessary to review present statutes and rules governing the organization of the court in order to determine what must be done legislatively and administratively to reshape the court. Further, to produce a politically viable plan it will be necessary to establish contacts with critical persons and groups involved in the work of the court. Typically, a working committee of judges, clerks, lawyers, law enforcement personnel, concerned citizens, etc. is created for this purpose. This committee would serve as a "sounding-board" for staff proposals and would help assure that the ultimate plan developed might have broad support.

III. SUMMARY OF CONCERNS EXPRESSED BY INDIVIDUALS INVOLVED WITH THE JUSTICE OF THE PEACE SYSTEM OPERATIONS: Prepared by Samuel Hays

A committee representing those involved in all aspects of the Delaware lower court system met on September 12, 1977 to identify the concerns to be addressed in the comprehensive review of the Justice of the Peace system. Participants included Justices of the Peace, court clerks, constables, attorneys practicing in these courts, and state and local police. Representatives from the pre-trial release office, the public defender, the court administrator's office, and former deputy attorney general also took part in the discussions. The consultant emphasized that the meeting was being conducted to identify problems, not to solve them. A summary of the considerations raised at this meeting follows.

A. Caseload and Resource Distribution

Much time was devoted to this topic. Participants felt that the lower court system lacked the personnel and facilities to meet the expectations of its users. The problem of widely varying caseloads was also raised in this context. While in some courts the caseload was too small to warrant a full-time service staff, judicial and non-judicial personnel in high volume courts were overworked. Reference was made to procedures followed in low caseload courts which were not appropriate for use in high volume courts. Caseload and resources must be balanced in order for the Justice of the Peace system to maintain the high standards demanded by the public.

B. Education and Training

The Delaware Justice of the Peace courts are staffed by lay magistrates who on occasion need the assistance of an attorney to

respond to legal problems. Concern was expressed that the lack of legal resources has provided an opportunity for attorneys to abuse and deliberately confuse the lay judges.

A participating judge emphasized that training of newly appointed justices of the peace is a necessity, not a luxury. It was noted that new justices in New Castle county receive one month of classroom and two months of courtroom training before occupying the bench. Another judge raised the problem of keeping all justices abreast of new developments in criminal case adjudication and periodically refreshing their knowledge in all judicial matters. It was felt that the lack of pre-bench training, educational conferences and training materials increased the probability of judicial error on the lower court level, and caused the higher courts to devote time to correcting these mistakes.

The clerks in attendance also expressed a need for entry level and continuing education. On-the-job training was viewed as an inadequate and inefficient means of training these employees.

C. Procedures

1. Scheduling

a. Police

Representatives of the city police reported problems with court scheduling of cases involving police witnesses. Subpoenas for police presence in court did not give sufficient notice or were delivered after the court date. Cases were dismissed if the police witness was not in court on time, even if an emergency prevented his appearance.

The state police noted communication problems between the court and individual police officers. Continuances were granted by the court without notifying the police officer on the case. Defendants in motor vehicle cases who did not use the voluntary assessment procedures appeared for trial and the police were not informed that the cases were

being contested. Courts serving the same police areas recessed at the same time, causing these areas to be without a court.

The delay and waiting time spent in the courtroom were also considered a burden by the police, particularly when non-contested or routine minor cases or procedures caused the wait. The police asked if case scheduling could be arranged to accommodate those who had job-related responsibilities elsewhere. It was noted that delay time in Superior Court is as much a problem as it is in Justice of the Peace courts.

b. Attorneys

A lawyer noted problems with scheduling in a court with mixed civil-criminal jurisdiction, in which "walk-in" cases were disposed of before the scheduled calendar was called. In addition, a single lengthy civil case could consume the time allotted to hear all scheduled civil cases. Although the lawyer felt a responsibility to be prepared for trial, if no judge is available, the trial for which he has prepared is continued to another day. An administrator noted that some high-volume courts were being shifted to separate civil and criminal calendaring. The courts, however, need to become increasingly sensitive to the effects of scheduling practices on lawyers involved. Another attorney remarked that scheduling conflicts between the Justice of the Peace and other courts also need to be resolved.

c. Clerks

Clerks in attendance indicated that a new method for setting up the list of civil cases was necessary, possibly beginning by identifying contested cases, as is already the practice in Superior Court. They also observed that in order for public defender staff attorneys to cover all courts, increased coordination in scheduling between the Justice of the Peace and all other courts essential.

d. Preliminary Hearings

One participant estimated that preliminary hearings are continued in approximately 80% of all criminal cases, as a result of one or both sides being unprepared. In Kent County all cases in all courts are scheduled in the morning. Not enough prosecutors or defense attorneys are available to cover all these scheduled cases, in addition to scheduled Superior Court matters.

A discussion ensued concerning the positive or negative impact of the delays resulting from continuances and scheduling problems. The possibility of eliminating preliminary hearings was also raised. Although most participants agreed that delay was frequently beneficial to all concerned, the consensus was that problems of delay in preliminary hearings do exist and that care should be taken that they do not result in prejudice to any involved party.

e. Scheduling of Probable Cause Hearings

In Kent and Sussex Counties, probable cause hearings for all cases are scheduled for the same time. Cases in which there will be a full hearing are scheduled on the same list as those cases in which the defendant intends to waive the hearing. A procedure for indicating intent to waive prior to the scheduled hearing would save time and may lessen pressure on defendants to waive a hearing due to the waiting time involved.

2. Focus of Responsibility

The need for a central source of authority in monitoring and correcting procedural matters was raised by a variety of participants. Emphasis was placed on the importance of accessibility to and communication with such an individual, not only by the actors in the criminal justice system, but the public as well. One judge recalled a weekly

newsletter published at one time by the court administrator which he found helpful in noting and remedying incorrect and inconsistent procedures.

3. Felony Warrants

Some confusion exists regarding procedures to be used in issuing felony warrants. The attorney general's office is concerned by felony warrants being issued by justices of the peace to laymen without police intervention. Procedures governing requirement of police affidavit in issuing arrest warrants are inconsistently applied, e.g., in some courts a police affidavit is apparently required even if an arrest is made without a warrant.

4. Grievance Procedures

Several attendees felt that a procedure for handling grievances at all levels of the criminal justice system should be instituted.

D. Other Concerns

1. Police Prosecutors

The attorney general's office does not provide prosecutors for the Justice of the Peace courts. Unless a city prosecutor is available, police officers must prosecute their own cases. A representative of the attorney general reported that the police believe they are at a disadvantage in trying a case against an attorney in these courts and lack confidence in their ability to act in this capacity. The lack of trained prosecutors presents a serious problem to judges in their attempt to be fair and present an appearance of even-handed justice.

2. Service of Documents

Although attorneys in attendance stated that constables did not serve subpoenas given to them, a clerk commented that many documents prepared by attorneys for service did not provide the address

of the person to be served. The clerk also noted that constables are required to limit their mileage costs in the service of documents. A judge remarked that when documents are mailed from one court to another for service, little cooperation is received.

3. Overcrowding of Prisons

Participants observed that the police were arresting persons who did not need to be imprisoned or placed on bail to insure court appearance. These arrests add prisoners to an already overcrowded prison system, at a high cost to the state. Some police forces are apparently reluctant to issue citations instead of making arrests, while others are having success with this method.

The cost of keeping one prisoner in jail for one day is approximately \$19.00. If one prison bed per day went empty, the state would save \$6,935 per year. It was suggested that improved bail procedures, including release on personal recognizance, utilization of sentencing options, particularly in drug abuse cases, and possibly the use of central arraignment should be explored in an effort to relieve these problems.

4. Judicial Neutrality

A lawyer questioned the appearance of bias in favor of the police in some court operations, noting as an example the court's efforts to locate police witnesses if they do not appear, while no apparent effort is made to locate an absent defendant or his witnesses. The former deputy attorney general responded that it was indeed the prosecution's responsibility to account for its own witnesses, but felt that problems of non-appearance should be handled on a case by case basis.

5. Pretrial Hearings - Bail

The public defender is unable to be present at most bail hearings. The defendant remains in custody until a pretrial service officer can hold an interview. In courts No. 10 and 11, there is often not enough information available to make a bail determination and the defendant is detained while recommendations are prepared to be presented to the Court, usually at the preliminary hearing. If the public defender waives the preliminary hearing, the pre-trial service officer must take the initiative to present this information to the judge if a change is recommended. The results of a pre-trial service interview may not be presented to the Court until the preliminary hearing -- a wait of up to seven days.

In Kent County, there is no docket on these cases. The pretrial service officer must sort the files to identify cases in which there has been no bail hearing or interview.

Pretrial counselors serving more than one court have not proved adequate. It is unlikely that the counselor can be at the right place at the right time, in view of the caseload and travel time involved.

E. General Observations

1... Scope of the Study

The problems identified at the September 12th meeting identify much more than the **specific** problems that were discussed. They indicate the broader area in which the problems exist. For instance, the delay and scheduling problems raised suggest that the whole area of trial procedures requires study. Every part of the system should be the subject matter of any study of the system.

The momentum for change is now strong, and presents an opportunity to review the whole body of the Justice of the Peace Courts, not

some parts only. The general range of issues identified at the meeting is broad enough to require that the study also include the court related work of every agency affected by the work of the courts.

Reviewing reports of previous studies of the criminal justice system in Delaware and participating in the September 12th meeting, led the consultant to conclude that representatives of those agencies whose work is outside of the Justice of the Peace court system, but influences these courts in some way, should be invited to contribute to the study, e.g., the justices of the Court of Common Pleas, of the Alderman Courts, and of the municipal court, and the Chief Justice of the Supreme Court.

The officials who receive court income and those who appropriate funds to pay the court expenses have a decision-making responsibility toward any court structure.

Prior relevant studies should be considered, with a second look at the reports to determine if their recommendations have been implemented, or if they are still valid. The recent study on bail procedures is an example of such a report.

2. Preparation of a Statement of Policies

In view of the constitutional base of the Justice of the Peace Courts, the justices of these courts have the right and duty to be bold in asserting their needs in order to maintain a high level of quality in their courts. One committee member stated the problem: "The magistrate system needs to clarify its own position on its function. It needs to be more professional and self confident in its approach to its function."

The consultant recommends that the Justices of the Peace develop a Statement of Policies to be followed in all of their courts. These policies should be sufficiently broad to enable every justice in the

lower court system to agree on their content. These policies should set standards to be maintained in all operations of the Justice of the Peace Courts.

The court policies should be explicit, measurable and available to the public. There should be a statement of what the courts should be doing to serve the people of the state adequately. The policies should be bold and straight forward. They should reflect the confidence of the Justices of the Peace that they can perform their job in a professional manner and in a way that deserves the respect of the public and the other members of the state judiciary.

This task is not a small undertaking. All fifty-three justices of the peace must contribute to the statement of objectives for their courts. The reputation of the Justice of the Peace courts must be laid on the line. If the Justice of the Peace courts are not able to do what is expected, the final option left to the public may be to create some other court system that will.

3. Analysis

The problem areas discussed above could become the foundation for a program designed to demonstrate what the system could be doing if it was functioning in a way acceptable to all users of the court. The study should supply information to enable the planners to analyze the areas in which the courts need to change to give the public the quality of justice it expects. Studying each of these problems in isolation from the others, seems to miss the point of the project. All of these separate items will merge into the study of the whole system and will be addressed as part of the whole. The basis for a determination of needs, whether or not a statement of policies is formulated, should be found in the analysis of the information developed by the study.

There is enough dissatisfaction with the Justice of the Peace court system, internal and external, to warrant a thorough, objective study of current operations in the entire system. The judges want to improve it, the clerks want to improve it and the users want to improve it. The state should aid the courts in gathering the basic information needed for planning improvements in the system.

f. Recommendations

It would be beneficial to assemble a committee in each county similar to that which met on a state level on September 12th. The preliminary research design made a valid recommendation about developing persons and groups now working in the courts as sources of assistance in bringing about change. Without the help of people who are now working in the system, and who would be affected by change in the system, changes may be resisted.

People often become concerned by forces over which they have no control changing their familiar ways of work. They tend to resist any change by outsiders, no matter how well reasoned the change is. "Too far, too fast" is the familiar battle cry of court personnel resisting change. Emphasis should be placed on the importance of keeping in touch with people whose work habits are going to be affected by any change and on involving them in the planning process throughout. These persons can be valuable sources of assistance in obtaining broad support for any plan. The consultant strongly recommends that every person in the court system should have a chance to influence the plan, or at least have a chance to raise questions.

Corrections, probation, motor vehicle bureau, and taxpayer groups should be consulted. The press should certainly be informed and kept aware of the progress of the work. Concerned citizens should be encouraged to participate in all phases.

