

A WORKBOOK ON STANDARDS AND GOALS COURTS



USING
THE COURTS TASK FORCE REPORT
FROM
THE STANDARDS AND GOALS PROJECT
OF ALABAMA

GEORGE C. WALLACE, GOVERNOR
STATE OF ALABAMA

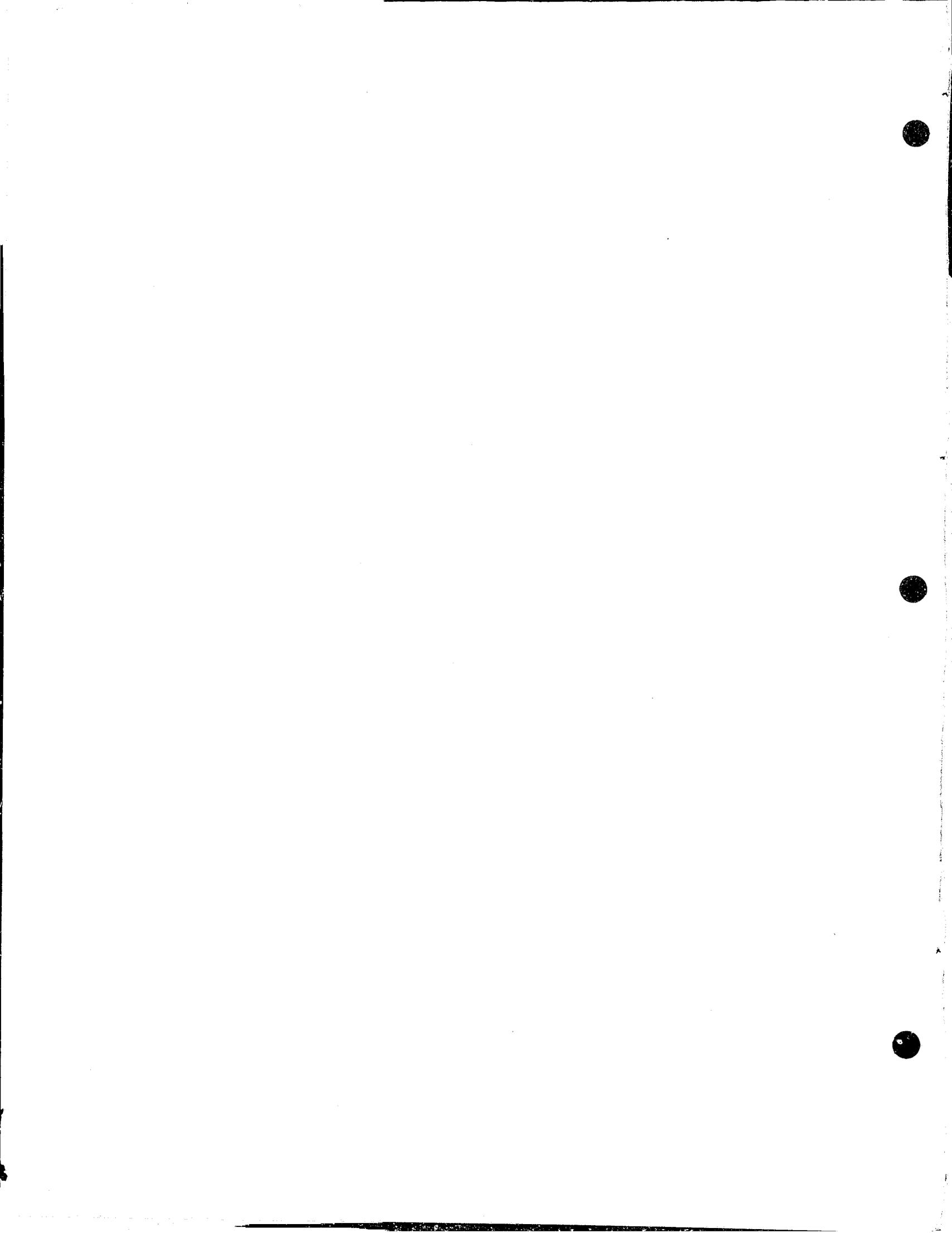
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The Courts Standards and Goals Committee has undertaken the task assigned to us at our original meeting and has now made the final report to the Standards and Goals Committee and to the L.E.P.A. Supervisory Board.

We want to personally commend the individual members of the Courts Committee for their conscientious efforts to produce a product that would work and fit the needs of the State of Alabama.

Following the guidelines, the Committee considered the 93 Standards and 6 recommendations submitted to it. We have rejected completely 13 Standards and 2 recommendations with reasons stated for the rejection. We modified, in part, many of the remaining Standards but were able to accept several as stated by the National Advisory Commission.

Much labor has gone into this product. We held seven meetings in Montgomery, Tuscaloosa, and Prattville for a total of 62 man hours. The Committee meetings were spirited with much discussion and observation. The product represents a consensus rather than the view of any one person.

The Courts Task Force would like to express its sincerest gratitude to Byron L. Higgins who contributed his support, expertise, and encouragement to the Project.

On behalf of the Courts Task Force, I extend special and warmest thanks and admiration to Ron Shum, Project Director, of the Standards and Goals for guiding this project through to completion.

It has been a satisfying experience for me to serve as Chairman of the Courts Committee and to participate in this project.



Walter Turner
Chairman
Courts Task Force



Doug Valeska
Courts Specialist
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Preface

This handbook presents an effective local approach to utilizing recent reports on criminal justice standards and goals for planning improvements to the court functions.

Standards and goals for the improvements of the criminal justice system have been proposed by the National Advisory Commission on Criminal Justice Standards and Goals and by the American Bar Association Project on Minimum Standards Relating to the Judicial Function. Of particular interest to local officials, criminal justice planners, and court administrators is the National Advisory Commission's Report on Courts, which proposes and discusses a comprehensive series of standards, goals, and recommendations for improving the quality and effectiveness of local courts.

The current emphasis on standards and goals reflects a broad consensus that substantial change is needed in the structure and operation of judicial departments and in the process of formulating and carrying out Court policy. How to stimulate and bring about such change is nevertheless a complex and difficult problem. One approach is to use the Report on Courts as a catalyst for local review of the judicial function and to develop appropriate local standards and goals. Such an understanding should lead to a clear strategy for implementing improvements and mobilizing the support necessary to do so.

During the past year, many state and local governments have begun to review the national reports on standards and goals. Too often, however, review has been dominated by statewide processes that involve few, if any, local officials.

This workbook sets forth the techniques necessary to be used in the planning effort for Alabama's Judicial System. It presents a step-by-step analysis and planning necessary to lay the groundwork for the implementation of the myriad and often demanding standards and goals recommended by the Alabama Courts Task Force. Some of the benefits to be gained by engaging in the process include the creation of a base for future decision-making and the determination of preliminary budgetary projections.

The first two sections of this document are written primarily for Alabama's Judicial Circuits and other Judicial agencies in an 'executive summary' form. The remaining sections, though of interest to policymakers, are written primarily for criminal justice and court planning personnel.

Since the commencement of this workbook, the state Legislature has passed the new Judicial Article which implements the changes previously made in the Judiciary. Of particular interest to most of the state's Judiciary is the new District Court which is due to start being phased in after January 16, 1977. Hopefully, this workbook can be of assistance to local and state Executives and Administrative personnel responsible for implementation of the District Courts, as a starting place. (See Jucicial Article, Act 1205, (1975)).

This workbook is patterned after a publication which was prepared jointly by the Criminal Justice Project of the National League of Cities and United States Conference of Mayors and the Pilot City Program of the Metropolitan Criminal Justice Center in Norfolk, Virginia, and we would like to express our gratitude to these agencies for their contribution.

Section I

Background and Process

The National Advisory Commission on Criminal Justice Standards and Goals was established in 1971, "to formulate for the first time national criminal justice standards and goals to improve the Judicial System at the state and local levels." The comprehensive Report on Court's, developed by the Commission's Task Force on Court's, contains a wealth of information in support of its recommended standards and goals and addresses issues of concern to court personnel at all levels. For the purpose of comparing a department to the standards and goals and establishing requisite implementation plans, schedules, and budgeting projections, the recommendations may be usefully grouped into certain functional "Areas of Concern," which run throughout the national document (for example, personnel issues surface in at least six different chapters). We have further broken down these Areas of Concern into "topic areas".

Following the suggestions and steps which appear in the ensuing sections, any judicial agency should be able to measure its present level of activity against the standards recommended by the Alabama Court's Task Force. By engaging in this requisite analysis and deciding upon the department's acceptance or rejection, in whole or in part, of each standard (or modification thereof), a department can determine for itself its strengths and weaknesses and develop short-, mid-, and long range plans which are responsive to its needs.

Planning is a continuous process undertaken either to modify existing activities or to establish new ones; it is characterized in part by the correlation of activities with time frames.

For the purpose of this workbook, planning approaches can be conveniently labeled as short-, mid-, or long-range. Short-range approaches involve those actions to be studied and resolved within a one year period; for example, within a budget year. Mid-range planning normally encompasses a time period of from one to five years and long-range planning consists of the delineation of activities beyond five years.

In Section II, Analysis and Planning, each of the eight steps which we feel are necessary to relate Alabama's standards to a department's current operation and management are listed and briefly described. At the end of this section six major Areas of Concern (such as Administration) are listed, and under each

of these are several "topic areas" (e. g. under Administration, a topic area might be "fiscal management"). The applicable standards, which are found in Section V, are listed beside each topic area. The principal planning task is the scheduling in a logical sequence of those actions necessary to meet accepted standards.

- A) Jurisdictional Ordinance creating department
- B) Relationship to city/courts
- C) Jurisdiction area (define circuit area)
- D) Case load per docket
 - 1) Percentage of docket criminal
 - 2) Percentage of docket civil
 - 3) Percentage of docket domestic
- E) Cases convicted, acquitted, and now proposed in past docket (%)

In Section III, Sequential Array of Actions, a prescriptive pattern of activities, or "actions," are listed in sequence, with an approximated number of person-days of effort required for each action. The Sequential Array takes the steps listed in Section II and presents them, primarily to give an idea of how much time will be required for each action.

Section IV is a Sample Work Plan which provides for time phasing and the assignment of implementation of responsibility. Like Section III it is to be used as a guide. Each department, of course, will want to generate its own workplan, based on the steps presented in Section II and the Sequential Array of Actions.

Section V, Standards and Goals Comparison Worksheets, contains worksheet pages on which are listed the Standards and Goals from the Report on Court's. Instructions for using these worksheets to compare one's own department to recommended standards are given at the beginning of this section.

Section VI consists of Task Planning Sheets, to aid planning efforts regarding the implementation of the standards and goals contained in Section V. They take each Area of Concern and the subdivided topic areas listed in Section II, with the applicable standards from Section V, and put them in the form of tasks, providing fundamental information required to indicate planning, timing, priority, and cost activities involved in each task. These sheets should be completed while referring to the comments and notations made on the Standards and Goals Comparison Worksheets. Again, each department will want to expand or modify the language and structure of these worksheets to meet its individual needs.

Section II

Analysis and Planning

Step 1: Gain Commitment of Decision-making Executives

If recommendations for change are to be seriously considered, it is essential that policy decisionmakers commit themselves and their departments to the planning process. If commitment is half-hearted, the results will not approach their full potential. Most judicial departments should be receptive to the development of a plan detailing departmental direction and budgetary projections.

Step 2: Determine Approach

There are several alternatives for implementing the planning effort. The possibilities include: use of planning unit personnel, reliance on an administrative assistant, assignment of selected individuals to each area, or formation of departmental task forces. We suggest that one individual be designed as project director and be held responsible for supervising and coordinating the analysis and implementation activities.

To the extent possible, the planning should be coordinated through local resources. Consultants may be used to enhance local planning participation, but should not have primary responsibility for plan or policy development.

Step 3: Develop Work Plan

Before any major effort can be undertaken, a work plan should be prepared. In one sense, this is a "plan to plan." The work plan should identify key tasks, cover review points, make assignments to individuals or groups, and provide for the scheduling of all activities to be accomplished, including the setting of target dates for completion. A work plan should be a dynamic document which acts as a guide but is flexible and responsive to external factors. Development of a work plan assures that the distribution and scheduling of work is reasonable and that individual assignments are understood and accepted by all concerned. Consideration should be given to all types of plans submitted related to the State of Alabama's Court System. A sample work plan is presented in Section IV as a general information file.

Step 4: Develop a General Information File

A general information file needs to be prepared to serve as a data base for evaluation efforts and to acquaint the project director (and others involved) with the resources of the judicial department and its organization and use.

Step 5: Compare Department to the Recommended Standards and Goals

To begin the analysis, a comparison of what exists vis-a-vis what is recommended is in order. To facilitate this process, we have included sample comparison worksheets (Section V) which lists all of the standards as they appear in the Report on Court's. The comparison worksheets are arranged so that a person knowledgeable in the department's administration and operation can determine whether or not the department is meeting in whole or in part, each recommended standard.

The first consideration in this comparison is the department accepts a given recommendation, in whole or in part. The second consideration is the correlation of recommendations made in past management surveys (both external and internal) to the newly recommended standards to determine why previous recommendations were not implemented, or if they might be more feasibly implemented.

Step 6: Establish Priorities By Year

After the scheduling of the specific topic areas over the five year period (less if appropriate for your jurisdiction) has been completed, it is necessary to prioritize all of the activities planned for each successive year. This not only allows for more specific time phasing, ("Let's get this done in two months!") but allows for re-examination of the total activities planned for a given year. It will not be unusual that to decide later than what was initially planned for the first year is either too much or too little. Some rearrangement of the general schedule will occur as a spin-off from in-year priority setting.

The priority scale may be numerical or alphabetical and can be whatever length needed. A one-to-five rating system is suggested. Participatory management can be encouraged by getting input at all levels during the priority setting process. The final decision on priorities should be made by the court administrator after receiving the recommendations of his staff, since he is ultimately responsible for program implementations, including the allocation of often scarce resources. It should be remembered that priorities provide a tool for planning and not an end in themselves. They are flexible and may change with external influences.

Step 7: Evaluate Process

Any effort worthy of understanding warrants evaluation. Evaluation of the effort requires comparing your initial level of staffing, organizational structure, resource utilization, manpower allocation, training and productivity, with levels of activity after changes have been made to determine the value of the change and direct future planning.

The evaluation plan should include the general information file mentioned previously and should address change factors at every level of the organization. There is nothing mysterious about evaluation. It is simply the process of determining whether goals and objectives were reached and if so, what changes both positive and negative, have been caused by the effort. The techniques of evaluation can range from simple comparison measurements to sophisticated attitudinal and victimization surveys. To assure validity, evaluations should not be conducted by those who planned or implemented the change or who for any other reason could be biased.

Step 8: Review Areas of Concern and Topic Areas

We have listed six areas of Concern--Administration, Personnel, Training, Operations, Support Services, and Extra-Departmental Co-operation, and Assistance--, and listed under each of these are several topic areas to be dealt with.

On the following pages we have listed each of the Standards from the Alabama Courts Task Force Report which apply to each of these topic areas. These Standards are contained in Section V of this workbook.

AREAS OF CONCERN AND TOPIC AREAS

<u>ADMINISTRATION</u>	<u>PERSONNEL</u>	<u>TRAINING</u>	<u>OPERATIONS</u>	<u>SUPPORT SERVICES</u>
-Policy	-Policy	-Policy	-Policy	-Policy
-Procedure	-Procedure	-Procedure	-Procedure	-Procedure
-Courts Role	-Recruitment & Selection	-Program Development	-Specialization	-Information Systems
-Discretion	-Classification & Pay	-Education		-Supporting Personnel
-Community Relations	-Utilization	-Fiscal Assistance		-Administrators
-News Media Relations	-Education	-Legal Research		-Public Relations
-Organization	-Employee & Service			-Court House Facilities
-Fiscal Management				-Education
-Internal Discipline				-Finances
-Planning				

AREAS OF CONCERN AND TOPIC AREAS

EXTRA-DEPARTMENTAL COOPERATION, COORDINATION, & ASSISTANCE

- Policy
- Procedure
- Developing Community Relations
- Professional Assistance
- Diversion
- Combined Courts Services
- Community Physical Planning
- Inter-criminal Justice Agency Coordination

AREAS OF CONCERN

APPLICABLE STANDARDS
(from Report on Courts)

ADMINISTRATION

Policy	1.1, 2.1, 4.6, 7.1, 7.2, 9.2, 10.4, 12.1, 12.2, 12.6, 13.5, 13.9
Procedure	2.2, 3.4, 3.5, 3.6, 4.2, 4.7, 4.8, 4.10, 4.15, 6.3, 8.2, 10.6, 13.16
Courts Role	3.7, 4.3, 4.5, 4.13, 6.1, 9.3,
Discretion	4.12, 6.9
Community Relations	9.3, 9.6, 10.2, 10.3, 12.9, 13.13
News Media Relations	9.3, 10.2, 10.3, 12.9, 13.13
Organization	4.11, 4.14, 5.1, 6.2, 8.1, 9.3, 9.4, 9.5, 10.1, 11.1, 11.2, 12.4, 12.6, 13.3, 13.5, 13.8, 13.10
Fiscal Management	7.3, 9.1, 9.2, 10.7, 12.3, 13.1, 13.2, 13.6, 13.7, 13.11, 13.14
Internal Discipline	7.4
Planning	9.1, 9.3, 10.5, 11.2, 12.7

PERSONNEL

	APPLICABLE STANDARDS (from Report on Courts)
Policy	6.2, 7.2, 7.4, 9.1, 9.2, 9.3, 9.5, 12.1, 12.2, 12.8, 13.1, 13.9
Procedure	10.5, 12.4, 12.9
Recruitment and Selection	7.1, 10.4, 13.8, 13.10, 13.15
Classification and Pay	7.3, 10.7, 13.2, 13.7, 13.11
Utilization	9.6, 10.2, 10.3, 10.6, 12.3, 12.6, 12.7, 13.3, 13.14
Education	7.5, 11.1, 11.2, 12.5, 13.16
Employee Service	13.5

TRAINING

	APPLICABLE STANDARDS (from Report on Courts)
Policy	6.2, 7.5, 10.3, 12.1, 12.2, 12.3, 12.5, 12.7, 13.9, 13.10, 13.14
Procedure	7.2
Program Development	7.4, 13.15
Education	7.1, 13.16
Fiscal Assistance	7.3
Legal Research	11.2, 12.6

OPERATIONS

APPLICABLE STANDARDS
(from Report on Courts)

Policy	1.1, 2.1, 3.4, 3.6, 4.2, 4.5, 4.8, 4.10, 4.12, 4.15, 5.1, 8.1, 13.16
Procedure	2.2, 3.2, 3.5, 3.7, 4.3, 4.6, 4.7, 4.11, 6.1, 6.3, 6.4, 8.2
Specialization	4.13, 4.14

SUPPORT SERVICES

APPLICABLE STANDARDS
(from Report on Courts)

Policy	10.4, 13.1, 13.2, 13.5, 13.7, 13.9,
Procedure	10.7
Information Systems	10.2, 10.5, 11.2, 12.6
Supporting Personnel	6.2, 10.6, 12.3, 13.8, 13.10, 13.14
Administrators	9.3, 9.5, 11.1
Public Relations	9.6, 10.3, 12.9, 13.13
Court House Facilities	10.1
Education	12.5, 13.16
Finances	13.6, 13.11

EXTRA-DEPARTMENTAL COOPERATION, COORDINATION AND ASSISTANCE

Policy	8.1, 10.4, 10.7, 12.1, 12.2, 12.7, 13.1, 13.2, 13.5, 13.7,
Procedure	13.9
Developing Community Relations	9.6, 10.2, 10.3, 12.9, 13.13
Professional Assistance	6.2, 9.2, 13.10, 13.8, 13.16, 12.8, 12.3, 12.5
Diversion	2.2
Combined Courts Services	3.2, 3.3, 10.6, 11.1,
Community Physical Planning	10.1, 13.14
Inter-criminal Justice Agency Coordination	10.5, 11.2, 12.6

Section III Sequential Array of Actions

The following twenty-one steps are based upon the previous discussion of process for analysis and planning (Section II), and provide guidance in a pattern only. The approximate person-days of effort required are projections based upon experience, and may vary with a different experience.



Indicates decision point.



Indicates activity requiring time.

SEQUENTIAL ARRAY OF ACTIONS

Step	Action	Person-days * Approximate days of Effort Required
1	Department decision to compare its organization and operations to the National Advisory Commission on Criminal Justice Standards and Goals Report on Courts (hereafter referred to as : STANDARD (S)).	None
2	Identify various approaches to the comparison and implementation process (staffing, assignments, etc).	2
3	Select the optimal approach for your department.	None
4	Develop preliminary time phase schedule (work plan) for program including detailed actions required to meet objectives including assignment of responsibility for each action. (See Sample - Section IV).	2
5	Brief department command staff.	1
6	Acceptance by command staff of time phase schedule.	None
7	Develop General Information File.	11
8	Compare organization to the recommended standards and goals and specify acceptance, rejection modifications, and additions; time phase by year.	10

* Person-days of effort is an approximate level of time required and not necessarily a span of time (i. e. two persons x 4 hours each = 1 person-day.)

<u>Step</u>	<u>Action</u>	<u>Approximate person-days of Effort Required</u>
9	Review past management studies of department, isolate recommendations, and compare to standards and goals.	2
10	Brief command staff on analysis and plans and obtain acceptance of Court Administrator.	1
11	Develop desired department profile (+5, +4, +3, +2, +1 years).	8
12	Determine in-year priorities and time phase-anticipated costs and responsibility for implementation.	12
13	Brief department command staff.	1
14	Acceptance by Court Administrator and command staff of comparative analysis conclusions, designation of priorities, anticipated costs and responsibilities as assigned.	None
15	Develop evaluation criteria for review of progress and achievements.	4
16	Develop final plan for submission to Court Administrator for submission to City/County manager for review and budgetary approval.	15
17	Submit plan to City/County manager for review, approval and briefing to local elected and appointed officials.	4
18	Adopt budgetary plans into normal department budget.	None
19	Begin implementation activities (including advising all employees of planning effort).	-
20	Develop departmental plans for inclusion in local (regional) five year Criminal Justice plan.	-
21	Determine whether goals and objectives were/are being reached and what changes resulted.	-

Section IV

Sample Work Plan

In order to initiate a planning implementation effort of this magnitude, a work plan which assigns task responsibility and sets target dates for their completion is required. This sample work plan is enclosed for your use as a guide. Although they have proven to be realistic and workable, you may determine to adopt, reject, or modify the recommended actions and time frames to suit the demands of your own agency.

WORK PLAN FOR STANDARDS AND GOALS PROGRAM

<u>Step</u>	<u>Action</u>	<u>Weeks</u>																		<u>Responsibility</u>			
		<u>0</u>	<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>	<u>5</u>	<u>6</u>	<u>7</u>	<u>8</u>	<u>9</u>	<u>10</u>	<u>11</u>	<u>12</u>	<u>13</u>	<u>14</u>	<u>15</u>	<u>16</u>	<u>17</u>		<u>18</u>		
8	Determine resource requirements to accomplish needed improvements or change																						
9	Identify technical and contractual assistance requirements																						
10	Brief command staff on plan and obtain acceptance by court administrator																						
11	Develop evaluation plan to assure quarterly review and analysis of accomplishments against plan and projections of future action																						
12	Submission of plan by court administrator to city/county manager																						
13	Adopt budgetary plans into normal department budget process																						
14	Begin implementation activities																						
15	Develop court portion of local (regional) five year criminal justice plan																						

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Section V

Standards and Goals Comparison Worksheets

This section contains analysis forms which can be used by a department to compare its current status in relation to the recommended standards and goals which are duplicated from the Alabama Courts Task Force Report. They are presented in a format conducive to comparative analysis. Utilization of these worksheets enables anyone knowledgeable in department administration and operations to compare departmental status with the recommended standards and goals.

INSTRUCTIONS FOR USING WORKSHEETS ABBREVIATIONS

A	Accept
R	Reject
C	Compliance
PC	Partial Compliance
NC	Non-Compliance
I	Implementation
RS	Research
1-5	Number of Years to Implementation

The person(s) conducting the analysis should read each standard and substandard while considering the following:

- (a) Do you accept or reject, in whole or in part, the standard or substandard? If you accept or reject, so indicate by placing an "A" (Accept) or "R" (Reject) in the appropriate column under the 'remarks' section.
- (b) Does your department presently meet or exceed the standard being reviewed? If so, place a "C" (Compliance) in the column marked "C". If you are in partial compliance, place "PC" in the column thus marked.
- (c) If the department does not meet the standard, place "NC" (Non-Compliance) in the appropriate column. If the department desires to implement the standard, determine the specific actions and their timing. Actions to be taken might include:
 - (1) Research - in cases where you deem it necessary to explore or study a subject before changing departmental organization, policies or procedures resulting in the recommended standard being met;

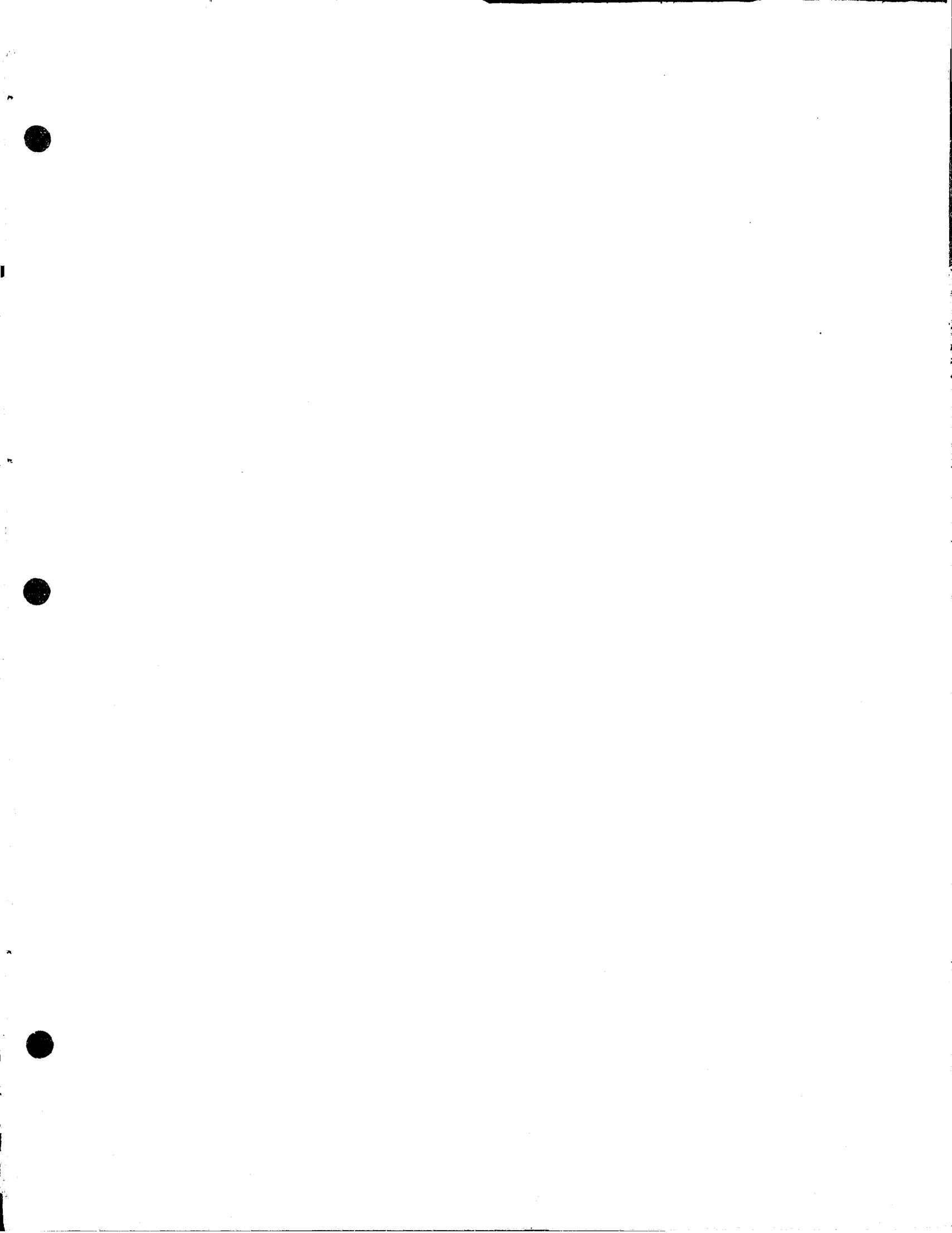
- (2) Implementation - the actual implementation of programs, actions, policies, and procedures resulting in the recommended standard being met. (Indicate by year (1, 2, 3, 4 or 5) when you wish to research (RS) and/or implement (I) the standard in the year column).

Example: if it is desirable to explore the feasibility of establishing a District Court in your jurisdiction, it may be necessary to research the topic and develop alternative approaches in the first year and you set a target date of five years for full implementation. Indicate this decision by placing "RS-1" (for Research - first year) in the year column, and "I-5" (for implementation - fifth year) in the same column.

In summary, successful use of the Standards and Goals Comparison Worksheets requires that you read and consider each standard carefully, proceed standard-by-standard as they appear, without skipping around, be as detailed and explicit as possible during the comparison, and write down your thoughts. (Use additional sheets of paper as necessary and attach to the worksheets).

Please Note: There are two copies of each standard. The second copy is for your agency. The first copy is to be sent to:

STANDARDS & GOALS PROJECT
Alabama Law Enforcement Planning Agency
Building F, Executive Park, Suite 49
Montgomery, Alabama 36111



Standards and Goals	Remarks					
	Accept	Reject	C	PC	NC	Year 1-5
<p>STANDARD 1.1</p> <p><u>CRITERIA FOR SCREENING</u></p> <p>The need to halt formal or informal action concerning some individuals who become involved in the criminal justice system should be openly recognized. This need may arise in a particular case because there is insufficient evidence to justify further proceedings or because - despite the availability of adequate evidence - further proceedings would not adequately further the interests of the criminal justice system.</p> <p>An accused may be screened out of the criminal justice system if there is not a reasonable likelihood that the evidence admissible against him would be sufficient to obtain a conviction and sustain it on appeal. In screening on this basis, the prosecutor should consider the value of a conviction in reducing future offenses, as well as the probability of conviction and affirmation of that conviction on appeal.</p> <p>An accused may be screened out of the criminal justice system when the benefits to be derived from prosecution or diversion would be outweighed by the costs of such action. Among the factors to be considered in making this determination are the following:</p> <ol style="list-style-type: none"> 1. Any doubt as to the accused's guilt; 2. The impact of further proceedings upon the accused and those close to him, especially the likelihood and seriousness of financial hardship or family life disruption; 3. The value of further proceedings in preventing future offenses by other persons, considering the extent to which subjecting the accused to further proceedings could be expected to have an impact upon others who might commit such offenses, as well as the seriousness of those offenses; 4. The value of further proceedings in preventing future offenses by the offender, in light of the offender's commitment to criminal activity as a way of life; the seriousness of his past criminal activity, which he might reasonably be expected to continue; the possibility that further proceedings might have a tendency to create or reinforce commitment on the part of the accused to a criminal activity as a way of life; and the likelihood that programs available as diversion or sentencing alternatives may reduce the likelihood or future criminal activity; 5. The value of further proceedings in fostering the community's sense of security and confidence in the criminal justice system; 6. The direct cost of prosecution, in terms of prosecutorial time, court time, and similar factors; 7. Any improper motives of the complainant; 8. Prolonged nonenforcement of the statute on which the charge is based; 						

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<p>9. The likelihood of prosecution and conviction of the offender by another jurisdiction; and</p> <p>10. Any assistance rendered by the accused in apprehension or conviction of other offenders, in the prevention of offenses by others, in the reduction of the impact of offenses committed by himself or others upon the victims, and any other socially beneficial activity engaged in by the accused that might be encouraged in others by not prosecuting the offender.</p> <p>STANDARD 2.1</p> <p><u>GENERAL CRITERIA FOR DIVERSION</u></p> <p>In appropriate cases offenders should be diverted into noncriminal programs before formal trial or conviction.</p> <p>Such diversion is appropriate where there is a substantial likelihood that conviction could be obtained and the benefits to society from channeling an offender into an available noncriminal diversion program outweigh any harm done to society by abandoning criminal prosecution.) Among the factors that should be considered favorable to diversion are: (1) the relative youth of the offender; (2) the willingness of the victim to have no conviction sought; (3) any likelihood that the offender suffers from a mental illness or psychological abnormality which was related to his crime and for which treatment is available; and (4) any likelihood that the crime was significantly related to any other condition or situation such as unemployment or family problems that would be subject to change by participation in a diversion program.</p> <p>Among the factors that should be considered unfavorable to diversion are: (1) any history of the use of physical violence toward others; (2) involvement with syndicated crime; (3) a history of antisocial conduct indicating that such conduct has become an ingrained part of the defendant's lifestyle and would be particularly resistant to change; and (4) any special need to pursue criminal prosecution as a means of discouraging others from committing similar offenses.</p> <p>Another factor which may be considered in evaluating the cost to society is that the limited contact a diverted offender has with the criminal justice system may have the desired deterrent effect.</p> <p>STANDARD 2.2</p> <p><u>PROCEDURE FOR DIVERSION PROGRAMS</u></p> <p>The appropriate authority may make the decision to divert as soon as adequate information can be obtained.</p> <p>Where the diversion program involves significant deprivation of an offender's liberty, diversion should</p>						

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<p>3. The defendant does not know his constitutional rights and how the guilty plea will affect those rights; rights that should be waived upon the entry of a guilty plea include:</p> <ul style="list-style-type: none"> a. Right to the privilege against compulsory self-incrimination (which includes the right to plead not guilty); b. Right to trial in which the government must prove the defendant's guilt beyond a reasonable doubt; c. Right to a jury trial; d. Right to confrontation of one's accusers; e. Right to compulsory process to obtain favorable witnesses; and f. Right to assistance of counsel at trial. <p>4. During plea negotiations the defendant was denied a constitutional or significant substantive right that he did not waive;</p> <p>5. The defendant did not know at the time of the plea the mandatory minimum sentence, if any, and the maximum sentence that may be imposed for the offense to which he pleads;</p> <p>6. The defendant has been offered improper inducements to enter the guilty plea;</p> <p>7. The defendant continues to assert facts that, if true, establish that he is not guilty of the offense to which he seeks to plead; and</p> <p>8. Accepting the plea would not serve the public interest. Acceptance of a plea of guilty would not serve the public interest if it:</p> <ul style="list-style-type: none"> a. places the safety of persons or valuable property in unreasonable jeopardy; b. depreciates the seriousness of the defendant's activity or otherwise promotes disrespect for the criminal justice system; c. gives inadequate weight to the defendant's rehabilitative needs; or d. would result in conviction for an offense out of proportion to the seriousness with which the community would evaluate the defendant's conduct upon which the charge is based. <p style="text-align: center;">STANDARD 4.3</p> <p style="text-align: center;"><u>PROCEDURE IN MISDEMEANOR PROSECUTIONS</u></p> <p>Preliminary hearings should not be available in misdemeanor prosecutions.</p>						

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<p>All motions and election of nonjury trial should be required within a reasonable time after appointment of counsel. At the time motion is made copies of motions should be served upon the prosecutor by defense counsel.</p> <p>Upon receipt of the motions, the court should evaluate the issues raised. Motions requiring testimony should be heard immediately preceding trial. If testimony will not be needed, arguments on the motions should be heard immediately preceding trial. However, should a continuance be needed, the court should notify the prosecution and defense that the motions will be heard on the scheduled trial date and that trial will be held at a specified time before the next session of court.</p> <p style="text-align: center;">STANDARD 4.5</p> <p style="text-align: center;"><u>PRESENTATION BEFORE JUDICIAL OFFICER</u></p> <p style="text-align: center;"><u>FOLLOWING ARREST</u></p> <p>When a defendant has been arrested and a citation has not been issued, the defendant should be presented before a judicial officer within 48 hours of the arrest. At this appearance, the defendant should be advised orally and in writing of the charges against him, of his constitutional right (including the right to bail and to assistance of counsel), and of the date of his trial or preliminary hearing. If the defendant is entitled to publicly provided representation, arrangement should be made at this time. If it is determined that pretrial release is appropriate, the defendant should then be released.</p> <p style="text-align: center;">STANDARD 4.6</p> <p style="text-align: center;"><u>PRETRIAL RELEASE</u></p> <p>Adequate investigation of defendants' characteristics and circumstances should be undertaken to identify those defendants who can be released prior to trial solely on their own promise to appear for trial. Release on this basis should be made wherever appropriate. If a defendant cannot appropriately be released on this basis, consideration should be given to releasing him under certain conditions, such as the deposit of a sum of money to be forfeited in the event of nonappearance, or assumption of an obligation to pay a certain sum of money in the event of nonappearance, or the agreement of third persons to maintain contact with the defendant and to assure his appearance.</p> <p>Participation by private bail bond agencies in the pre-trial release process should be eliminated.</p> <p>In certain limited cases, it may be appropriate to deny pretrial release completely.</p>						

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<p>STANDARD 4.7</p> <p><u>NONAPPEARANCE AFTER PRETRIAL RELEASE</u></p> <p>Substantive law should deal severely with offenders who fail to appear for criminal proceedings. Programs for the apprehension and prosecution of such individuals should be established to implement the substantive law.</p> <p>1. Substantive Law Concerning Failure to Appear. The substantive law regarding failure to appear after pre-trial release should have the following features:</p> <p>a. The felony of failing to appear should be defined as the failure to appear on the designated date by an individual who, after receipt of a citation or summons to appear in court or after arrest, has been released from custody or has been permitted to continue at liberty upon the condition that he will appear subsequently in connection with the criminal action or proceeding, and who has had due notice of the date on which his appearance is required.</p> <p>b. It should be an affirmative defense to the felony of failing to appear that the defendant was prevented from appearing at the specified time and place by unavoidable circumstances beyond his control.</p> <p>With the exception of capital cases, the penalty provided for the felony of failing to appear should be the same as the penalty for the substantive crime originally charged.</p> <p>2. Programs for Apprehension of Fugitives. Programs for the implementation of Standard 4.7(1) should have the following features:</p> <p>a. If a defendant fails to appear at any scheduled court appearance, the trial court immediately should issue a warrant for his arrest for the offense of failing to appear and immediately should notify the prosecutor.</p> <p>b. Each jurisdiction should establish an Apprehension Unit within a law enforcement agency to secure the arrest of defendants who fail to appear for court appearances. This unit should be required to report within a reasonable time to a trial court that has given notice that a defendant has failed to appear for a scheduled court appearance; this report should describe the progress towards arresting the defendant. The trial court should have the power to require further reports as necessary.</p> <p>STANDARD 4.8</p> <p><u>PRELIMINARY HEARING AND ARRAIGNMENT</u></p> <p>If a preliminary hearing is held, it should be held within 2 weeks following arrest. Evidence received</p>					Year 1-5

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<p>at the preliminary hearing should be limited to that which is relevant to a determination that there is probable cause to believe that a crime was committed and that the defendant committed it.</p> <p>If a defendant intends to waive his right to a preliminary hearing, he should file a notice to this effect at least 24 hours prior to the time set for the hearing.</p> <p>STANDARD 4.10</p> <p><u>PRETRIAL MOTIONS AND CONFERENCE</u></p> <p>All pretrial motions should be filed after arraignment but within 15 days of the preliminary hearing, the waiver of the preliminary hearing, or apprehension or service of summons following indictment, whichever form the initiation of prosecution has taken in the case. A hearing should be held on such motions within 5 days of the filing of the motions. The court should rule on such motions within 72 hours of the close of the hearing.</p> <p>At this hearing, the court should utilize a checklist to insure that all appropriate motions have been filed and all necessary issues raised. All issues raised should be resolved at this point; reserved rulings on motions should be avoided.</p> <p>STANDARD 4.11</p> <p><u>PRIORITY CASE SCHEDULING</u></p> <p>Immediately following the preliminary hearing, the return of an indictment, or the waiver of such proceedings, the prosecutor should advise the court administrator of those cases that are to be tried and that should be given priority in assigning cases for trial.</p> <p>Cases should be given priority for trial where one or more of the following factors are present:</p> <ol style="list-style-type: none"> 1. The defendant is in pretrial custody; 2. The defendant constitutes a significant threat of violent injury to others; 3. The defendant is a recidivist; 4. The defendant is a professional criminal, that is, a person who substantially derives his livelihood from illegal activities; or 5. The defendant is a public official. <p>In addition, the prosecutor should consider in setting priorities for trial the age of the case, and whether the defendant was arrested in the act of committing a felony.</p>					Year 1-5

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<p>3. The defendant does not know his constitutional rights and how the guilty plea will affect those rights; rights that should be waived upon the entry of a guilty plea include:</p> <ul style="list-style-type: none"> a. Right to the privilege against compulsory self-incrimination (which includes the right to plead not guilty); b. Right to trial in which the government must prove the defendant's guilt beyond a reasonable doubt; c. Right to a jury trial; d. Right to confrontation of one's accusers; e. Right to compulsory process to obtain favorable witnesses; and f. Right to assistance of counsel at trial. <p>4. During plea negotiations the defendant was denied a constitutional or significant substantive right that he did not waive;</p> <p>5. The defendant did not know at the time of the plea the mandatory minimum sentence, if any, and the maximum sentence that may be imposed for the offense to which he pleads;</p> <p>6. The defendant has been offered improper inducements to enter the guilty plea;</p> <p>7. The defendant continues to assert facts that, if true, establish that he is not guilty of the offense to which he seeks to plead; and</p> <p>8. Accepting the plea would not serve the public interest. Acceptance of a plea of guilty would not serve the public interest if it:</p> <ul style="list-style-type: none"> a. places the safety of persons or valuable property in unreasonable jeopardy; b. depreciates the seriousness of the defendant's activity or otherwise promotes disrespect for the criminal justice system; c. gives inadequate weight to the defendant's rehabilitative needs; or d. would result in conviction for an offense out of proportion to the seriousness with which the community would evaluate the defendant's conduct upon which the charge is based. <p style="text-align: center;">STANDARD 4.3</p> <p style="text-align: center;"><u>PROCEDURE IN MISDEMEANOR PROSECUTIONS</u></p> <p>Preliminary hearings should not be available in misdemeanor prosecutions.</p>						

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<p>at the preliminary hearing should be limited to that which is relevant to a determination that there is probable cause to believe that a crime was committed and that the defendant committed it.</p> <p>If a defendant intends to waive his right to a preliminary hearing, he should file a notice to this effect at least 24 hours prior to the time set for the hearing.</p> <p>STANDARD 4.10</p> <p><u>PRETRIAL MOTIONS AND CONFERENCE</u></p> <p>All pretrial motions should be filed after arraignment but within 15 days of the preliminary hearing, the waiver of the preliminary hearing, or apprehension or service of summons following indictment, whichever form the initiation of prosecution has taken in the case. A hearing should be held on such motions within 5 days of the filing of the motions. The court should rule on such motions within 72 hours of the close of the hearing.</p> <p>At this hearing, the court should utilize a checklist to insure that all appropriate motions have been filed and all necessary issues raised. All issues raised should be resolved at this point; reserved rulings on motions should be avoided.</p> <p>STANDARD 4.11</p> <p><u>PRIORITY CASE SCHEDULING</u></p> <p>Immediately following the preliminary hearing, the return of an indictment, or the waiver of such proceedings, the prosecutor should advise the court administrator of those cases that are to be tried and that should be given priority in assigning cases for trial.</p> <p>Cases should be given priority for trial where one or more of the following factors are present:</p> <ol style="list-style-type: none"> 1. The defendant is in pretrial custody; 2. The defendant constitutes a significant threat of violent injury to others; 3. The defendant is a recidivist; 4. The defendant is a professional criminal, that is, a person who substantially derives his livelihood from illegal activities; or 5. The defendant is a public official. <p>In addition, the prosecutor should consider in setting priorities for trial the age of the case, and whether the defendant was arrested in the act of committing a felony.</p>					

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<p>1. Opening statements to the jury by counsel should be limited to a clear, nonargumentative statement of the evidence to be presented to the jury.</p> <p>2. Evidence admitted should be strictly limited to that which is directly relevant and material to the issues being litigated. Repetition should be avoided.</p> <p>3. Summations or closing statements by counsel should be limited to the issues raised by evidence submitted during trial and should be subject to time limits established by the judge.</p> <p>4. Standardized instructions should be utilized in all criminal trials as far as is practicable. Request by counsel for specific instructions should be made at, or before, commencement of the trial. Final assembling of instructions should be completed by support personnel under the court's direction prior to the completion of the presentation of the evidence.</p> <p>STANDARD 5.1</p> <p><u>THE COURT'S ROLE IN SENTENCING</u></p> <p>Jury sentencing should be abolished in all situations. The trial judge should be required to impose a sentence that, within limits imposed by statute, determines the maximum period a defendant's liberty may be restricted. Within this maximum period, other agencies may be given the power to determine the manner and extent of interference with the offender's liberty.</p> <p>STANDARD 6.1</p> <p><u>UNIFIED REVIEW PROCEEDING</u></p> <p>Every convicted defendant should be afforded the opportunity to obtain one full and fair judicial review of his conviction and sentence by a tribunal other than that by which he was tried or sentenced. Review in that proceeding should extend to the entire case, including:</p> <p>1. The legality of all proceedings leading to the conviction;</p> <p>2. Matters that have heretofore been asserted in motions for new trial; and</p> <p>3. Errors not apparent in the trial record that heretofore might have been asserted in collateral attacks on a conviction or sentence.</p>						

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<p style="text-align: center;">STANDARD 6.2 <u>PROFESSIONAL STAFF</u></p> <p>The reviewing court should have a full-time professional staff of lawyers, responsible directly to the judges, to perform the following functions in review of criminal cases:</p> <ol style="list-style-type: none"> 1. Monitoring. The staff should affirmatively monitor each case to insure that the court's rules are complied with and that there is no unnecessary delay in the review process. 2. Shaping the Record. The full trial transcript should be expeditiously provided the reviewing court, and the staff should take action to insure that those portions of transcript, trial court papers and other matters that are essential to a full and fair adjudication of the issues are put before the judges. 3. Screening. The staff should review all cases before they are considered by the judges and recommend appropriate procedural steps and disposition; the staff should identify tentatively those cases that contain only insubstantial issues and should prepare recommended dispositional orders so as to permit the court to dispose of them with a minimum involvement of judicial time, thereby leaving for fuller judicial consideration those cases of arguable merit. <p>The function of this staff should be to supplement rather than replace the work of attorneys representing the prosecution and the defendant in each case.</p> <p style="text-align: center;">STANDARD 6.3 <u>FLEXIBLE REVIEW PROCEDURES</u></p> <p>The reviewing court should utilize procedures that are flexible and that can be tailored in each case by the staff and the judges to insure maximum fairness, expedition, and finality through a single review of the trial court proceeding. The review procedures should provide for:</p> <ol style="list-style-type: none"> 1. Receiving and considering new evidence bearing on the issue of guilt, or on the legality of the trial court proceedings, which could not reasonably have been offered at trial; 2. Referral by the reviewing court to the trial judge of those issues that the reviewing court deems appropriate for the trial judge to decide; 3. Internal flexibility permitting the reviewing court to control written briefs and oral argument, including leeway to dispose of the case without oral argument or an oral argument without written briefs on some or all of the issues; 						

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<p>4. Authority in the reviewing court, at its discretion, to require or permit the presence of the defendant at a review hearing; and</p> <p>5. The reviewing court should be given the authority to affirm a conviction despite the existence of error if to do so would not amount to a miscarriage of justice. This power should be exercised more frequently to speed finality.</p> <p style="text-align: center;">STANDARD 6.4 <u>DISPOSITIONAL TIME IN REVIEWING COURT</u></p> <p>In a reviewing court functioning under flexible procedures with a professional staff, a criminal case should be ready for initial action within 60 days after the imposition of sentence. Cases containing only insubstantial issues should be finally disposed of within 120 days of imposition of sentence. Cases presenting substantial issues should be finally disposed of within 180 days after imposition of sentence.</p> <p style="text-align: center;">STANDARD 6.9 <u>STATING REASONS FOR DECISIONS AND LIMITING PUBLICATION OF OPINIONS</u></p> <p>A reviewing court should always state its reasons for its decision in a criminal case.</p> <p>As to insubstantial issue, the statement of reasons should be brief and designed only to inform the defendant of what contentions the court considered and why, by citation to authority or otherwise, it rejected them.</p> <p style="text-align: center;">STANDARD 7.1 <u>JUDICIAL SELECTION</u></p> <p>The selection of judges should be based on merit qualifications for judicial office. A selection process should aggressively seek out the best potential judicial candidates through the participation of the bench, the organized bar, law schools, and the lay public.</p> <p>Judges should be selected by a judicial nominating commission. Representatives from the judiciary, the general public, and the legal profession should organize into a 7-member judicial nominating commission for the sole purpose of nominating a slate of qualified candidates eligible to fill judicial vacancies. The Governor should fill judicial vacancies from this list.</p>						

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<p>5. Each State should publish periodically -- and not less than quarterly -- a newsletter with information from the chief justice, the court administrator, correctional authorities, and others. This should include articles of interest to judges, references to new literature in the judicial and correctional fields, and citations of important appellate and trial court decisions.</p> <p>6. Each State should adopt a program of sabbatical leave for the purpose of enabling judges to pursue studies and research relevant to their judicial duties.</p> <p style="text-align: center;">STANDARD 8.1</p> <p style="text-align: center;"><u>UNIFICATION OF THE STATE COURT SYSTEM</u></p> <p>State courts should be organized into a unified judicial system financed by the State and administered through a statewide court administrator or administrative judge under the supervision of the chief justice of the State supreme court.</p> <p>All trial courts should be unified into a single trial court with general criminal as well as civil jurisdiction. Criminal jurisdiction now in courts of limited jurisdiction should be placed in these unified trial courts of general jurisdiction, with the exception of certain traffic violations. The State supreme court should promulgate rules for the conduct of minor as well as major criminal prosecutions.</p> <p>All judicial functions in the trial courts should be performed by full-time judges. All judges should possess law degrees and be members of the bar.</p> <p>A transcription or other record of the pretrial court proceedings and the trial should be kept in all criminal cases.</p> <p>The appeal procedure should be the same for all cases.</p> <p>Pretrial release services, probation services, and other rehabilitative services should be available in all prosecutions within the jurisdiction of the unified trial court.</p> <p style="text-align: center;">STANDARD 8.2</p> <p style="text-align: center;"><u>ADMINISTRATIVE DISPOSITION OF CERTAIN MATTERS</u></p> <p style="text-align: center;"><u>NOW TREATED AS CRIMINAL OFFENSES</u></p> <p>All traffic violation cases should be made infractions subject to administrative disposition, except certain serious offenses such as driving while intoxicated, reckless driving, driving while a license is suspended or revoked, homicide by motor vehicle, and eluding police officers in a motor vehicle. Penalties for such infractions should be limited to fines; outright suspension or revocation of driver's license; and compulsory attendance at educational and training programs, under penalty of suspension or revocation of driver's license.</p>					

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<p>Procedures for disposition of such cases should include the following:</p> <ol style="list-style-type: none"> 1. Violators should be permitted to enter pleas by mail, except where the violator is a repeat violator or where the infraction allegedly has resulted in a traffic accident. 2. No jury trial should be available. <p>Consideration should be given, in light of experience with traffic matters, to similar treatment of certain nontraffic matters such as public drunkenness.</p> <p style="text-align: center;">STANDARD 9.1</p> <p style="text-align: center;"><u>STATE COURT ADMINISTRATOR</u></p> <p>An office of State court administrator should be established in each State. The State court administrator should be selected by the chief justice or presiding judge of the State's highest appellate court, and he should be subject to removal by the same authority. The performance of the State court administrator should be evaluated periodically by performance standards adopted by the State's highest appellate court.</p> <p>The State court administrator should, subject to the control of the State's highest appellate court, establish policies for the administration of the State's court. He also should establish and implement guidelines for the execution of these policies, and for monitoring and reporting their execution. Specifically, the State court administrator should establish policies and guidelines dealing with the following:</p> <ol style="list-style-type: none"> 1. Budgets. A budget for the operation of the entire court system of the State should be prepared by the State court administrator and submitted to the appropriate legislative body. 2. Personnel Policies. The State court administrator should establish uniform personnel policies and procedures governing recruitment, hiring, removal, compensation, and training of all nonjudicial employees of the courts. 3. Information Compilation and Dissemination. The State court administrator should develop a statewide information system. This system should include both statistics and narrative regarding the operation of the entire State court system. At least yearly, the State court administrator should issue an official report to the public and the legislature, containing information regarding the operation of the courts. 4. Control of Fiscal Operations. The State court administrator should be responsible for policies and guidelines relating to accounting and auditing, as well as procurement and disbursement for the entire statewide court system. 5. Liaison Duties. The State court administrator should maintain liaison with government and private organizations, labor and management, and should handle public relations. 					

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<p>5. Each State should publish periodically -- and not less than quarterly -- a newsletter with information from the chief justice, the court administrator, correctional authorities, and others. This should include articles of interest to judges, references to new literature in the judicial and correctional fields, and citations of important appellate and trial court decisions.</p> <p>6. Each State should adopt a program of sabbatical leave for the purpose of enabling judges to pursue studies and research relevant to their judicial duties.</p> <p style="text-align: center;">STANDARD 8.1 <u>UNIFICATION OF THE STATE COURT SYSTEM</u></p> <p>State courts should be organized into a unified judicial system financed by the State and administered through a statewide court administrator or administrative judge under the supervision of the chief justice of the State supreme court.</p> <p>All trial courts should be unified into a single trial court with general criminal as well as civil jurisdiction. Criminal jurisdiction now in courts of limited jurisdiction should be placed in these unified trial courts of general jurisdiction, with the exception of certain traffic violations. The State supreme court should promulgate rules for the conduct of minor as well as major criminal prosecutions.</p> <p>All judicial functions in the trial courts should be performed by full-time judges. All judges should possess law degrees and be members of the bar.</p> <p>A transcription or other record of the pretrial court proceedings and the trial should be kept in all criminal cases.</p> <p>The appeal procedure should be the same for all cases.</p> <p>Pretrial release services, probation services, and other rehabilitative services should be available in all prosecutions within the jurisdiction of the unified trial court.</p> <p style="text-align: center;">STANDARD 8.2 <u>ADMINISTRATIVE DISPOSITION OF CERTAIN MATTERS</u> <u>NOW TREATED AS CRIMINAL OFFENSES</u></p> <p>All traffic violation cases should be made infractions subject to administrative disposition, except certain serious offenses such as driving while intoxicated, reckless driving, driving while a license is suspended or revoked, homicide by motor vehicle, and eluding police officers in a motor vehicle. Penalties for such infractions should be limited to fines; outright suspension or revocation of driver's license; and compulsory attendance at educational and training programs, under penalty of suspension or revocation of driver's license.</p>					

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<p>Procedures for disposition of such cases should include the following:</p> <ol style="list-style-type: none"> 1. Violators should be permitted to enter pleas by mail, except where the violator is a repeat violator or where the infraction allegedly has resulted in a traffic accident. 2. No jury trial should be available. <p>Consideration should be given, in light of experience with traffic matters, to similar treatment of certain nontraffic matters such as public drunkenness.</p> <p style="text-align: center;">STANDARD 9.1 <u>STATE COURT ADMINISTRATOR</u></p> <p>An office of State court administrator should be established in each State. The State court administrator should be selected by the chief justice or presiding judge of the State's highest appellate court, and he should be subject to removal by the same authority. The performance of the State court administrator should be evaluated periodically by performance standards adopted by the State's highest appellate court.</p> <p>The State court administrator should, subject to the control of the State's highest appellate court, establish policies for the administration of the State's court. He also should establish and implement guidelines for the execution of these policies, and for monitoring and reporting their execution. Specifically, the State court administrator should establish policies and guidelines dealing with the following:</p> <ol style="list-style-type: none"> 1. Budgets. A budget for the operation of the entire court system of the State should be prepared by the State court administrator and submitted to the appropriate legislative body. 2. Personnel Policies. The State court administrator should establish uniform personnel policies and procedures governing recruitment, hiring, removal, compensation, and training of all nonjudicial employees of the courts. 3. Information Compilation and Dissemination. The State court administrator should develop a statewide information system. This system should include both statistics and narrative regarding the operation of the entire State court system. At least yearly, the State court administrator should issue an official report to the public and the legislature, containing information regarding the operation of the courts. 4. Control of Fiscal Operations. The State court administrator should be responsible for policies and guidelines relating to accounting and auditing, as well as procurement and disbursement for the entire statewide court system. 5. Liaison Duties. The State court administrator should maintain liaison with government and private organizations, labor and management, and should handle public relations. 					

Standards and Goals	Remarks					
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<p>6. Continual Evaluation and Recommendation. The State court administrator should continually evaluate the effectiveness of the court system and recommend needed changes.</p> <p>7. Assignment of Judges. The State court administrator, under the direction of the presiding or chief justice, should assign judges on a statewide basis when required.</p> <p style="text-align: center;">STANDARD 9.2 <u>PRESIDING JUDGE AND ADMINISTRATIVE POLICY</u> <u>OF THE TRIAL COURT</u></p> <p>Local administrative policy for the operation of each trial court should be set out, within guidelines established by the State's highest appellate court, by the judge or judges making up that court. Each trial court consisting of more than one judge should meet, on a regular schedule with an agenda, to consider and resolve problems facing the court and to set policy for the operation of the court.</p> <p>Ultimate local administrative judicial authority in each trial jurisdiction should be vested in a presiding judge for a substantial fixed term. The presiding judge should be selected on the basis of administrative ability rather than seniority.</p> <p>The functions of the presiding judge should be consistent with the statewide guidelines and should include the following:</p> <p>1. Personnel matters. The presiding judge should have control over recruitment, removal, compensation, and training of nonjudicial employees of the court. He should prepare and submit to the court for approval rules and regulations governing personnel matters to insure that employees are recruited, selected, promoted, disciplined, removed, and retired appropriately.</p> <p>2. Trial court case assignment. Cases should be assigned under the supervision of the presiding judge. He should apportion the business of the court among the trial judges as equally as possible and he should reassign cases as convenience or necessity requires. In addition, he should require that a judge to whom a case is assigned accept that case unless he is disqualified or the interest of justice require that the case not be heard by that judge. He also should require that when a judge has finished or continued a matter that the judge immediately notify the presiding judge of that fact.</p> <p>3. Judge assignments. The presiding judge should prepare an orderly plan for judicial vacation, attendance at educational programs and similar matters. The plan should be approved by the judges of the court and should be consistent with the statewide guidelines. The presiding judge also should require any judge who intends to be absent from his court one-half day or more to notify the presiding judge well in advance of his contemplated absence. The presiding judge should have the power to assign judges to the various branches within the trial court.</p>						

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<p>4. Information compilation. The presiding judge should have responsibility for development and coordination of statistical and management information schemes.</p> <p>5. Fiscal matters. The presiding judge should have responsibility for accounts and auditing as well as procurement and disbursing. He also should prepare the court's proposed annual budget.</p> <p>6. Court policy decisions. The presiding judge should appoint the standing and special committees of judges of the court necessary for the proper performance of the duties of the court. He also should call meetings of all the judges as needed, and designate one of the other judges as acting presiding judge in his absence or inability to act.</p> <p>7. Rulemaking and enforcement. The presiding judge should, with the assistance of appropriate committees, propose local rules for the conduct of the court's business. These rules should include such matters as the times for convening regular sessions of the court and should be submitted to the judges for their approval. The presiding judge should have authority to enforce these rules.</p> <p>8. Liaison and public relations. The presiding judge should have responsibility for liaison with other court systems, and other governmental and civic agencies. He should represent the court in business, administrative, or public relations matters. When appropriate, he should meet with (or designate other judges to meet with) committees of the bench, bar, and news media to review problems and promote understanding.</p> <p>9. Improvement in the functioning of the court. The presiding judge should continually evaluate the effectiveness of the court in administering justice. He should recommend changes in the organization, jurisdiction, operation, or procedures of the court when he believes these would increase the effectiveness of the court.</p> <p style="text-align: center;">STANDARD 9.3 <u>LOCAL AND REGIONAL TRIAL COURT ADMINISTRATORS</u></p> <p>Each trial court with five or more judges (and where justified by caseload, courts with fewer judges) should have a full-time local trial court administrator. Trial courts with caseloads too small to justify a full-time trial court administrator should combine into administrative regions and have a regional court administrator. Local trial court administrators and regional court administrators should be appointed by the State court administrator.</p> <p>The functions of local and regional court administrators should include the following:</p> <p>1. Implementation of policies set by the State court administrator;</p> <p>2. Assistance to the State court administrator in setting statewide policies;</p> <p>3. Preparation and submission of the budget for the court or courts with which he is concerned;</p>						

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<p>4. Recruiting, hiring, training, evaluating, and monitoring personnel of the court or courts with which he is concerned;</p> <p>5. Management of space, equipment, and facilities of the court or courts with which he is concerned;</p> <p>6. Dissemination of information concerning the court or courts with which he is concerned;</p> <p>7. Procurement of supplies and services for the court or courts with which he is concerned;</p> <p>8. Custody and disbursement of funds for the court or courts with which he is concerned;</p> <p>9. Preparation of reports concerning the court or courts with which he is concerned;</p> <p>10. Juror management;</p> <p>11. Study and improvement of caseflow, time standards, and calendaring; and</p> <p>12. Research and development of effective methods of court functioning, especially the mechanization and computerization of court operations.</p> <p>The local and regional court administrators should discharge their functions within the guidelines set by the State court administrator.</p> <p style="text-align: center;">STANDARD 9.4 <u>CASEFLOW MANAGEMENT</u></p> <p>Ultimate responsibility for the management and movement of cases should rest with the judges of the trial court. In discharging this responsibility, the following steps should be taken:</p> <p>1. Scheduling of cases should be delegated to nonjudicial personnel, but care should be taken that defense attorneys and prosecutors do not exercise an improper influence on scheduling.</p> <p>2. Recordkeeping should be delegated to nonjudicial personnel.</p> <p>3. Subject-in-process statistics, focusing upon the offender at each stage of the criminal process, should be developed to provide information concerning elapsed time between events in the flow of cases, recirculations (multiple actions concerning the same defendant), and defendants released at various stages of the court process.</p> <p>4. The flow of cases should be constantly monitored by the presiding judge, and the status of the court calendar should be reported to the presiding judge at least once each month.</p> <p>5. The presiding judge should assign judges to areas of the court caseload that require special attention.</p> <p>6. A central source of information concerning all participants in each case -- including defense counsel and the prosecuting attorney assigned to the case -- should be maintained. This should be used to identify as early as</p>					

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<p>possible conflicts in the schedules of the participants to minimize the need for later continuances because of schedule conflicts.</p> <p style="text-align: center;">STANDARD 9.5 <u>COORDINATING COUNCILS</u></p> <p>Coordinating councils should be established on statewide, local, and -- where trial courts are regionalized for administrative purposes -- regional cases. Each council should contain official representatives of all agencies of the criminal justice process within the area, as well as members of the public, Chief executives of police agencies, prosecutor's offices, defender's offices, probation, parole, correctional agencies, and youth authorities (where they exist) should be included. The presiding or chief judge of the appellate court (in the case of a statewide council) or the presiding judge of the trial court (in the case of a local or regional council). The chairman of the State coordinating council should be a member of the State Criminal Justice Planning Board, and the chairman of the local or regional council should be a member of the local criminal justice planning agency.</p> <p>These coordinating councils should continuously survey the organization, practice, and methods of administration of the court system; assist in coordinating the court system with other agencies of the criminal justice system; and make suggestions for improvement in the operation of the court system.</p> <p style="text-align: center;">STANDARD 9.6 <u>PUBLIC INPUT INTO COURT ADMINISTRATION</u></p> <p>The presiding judge of each court (or group of courts consolidated for management purposes) should establish a forum for interchange between judicial and nonjudicial members of the court's staff and interested members of the community. Lay individuals should be appointed to the group, and representatives of the prosecutor's staff, the bar association, and the defense bar should participate. Representatives from law schools and other university sources as well as representatives of minority, church, and civic groups should be included.</p> <p style="text-align: center;">STANDARD 10.1 <u>COURTHOUSE PHYSICAL FACILITIES</u></p> <p>Adequate physical facilities should be provided for court processing of criminal defendants. These facilities include the courthouse structure itself, and such internal components as the courtroom and its adjuncts, and facilities and conveniences for witnesses, jurors, and attorneys. Facilities provided should conform to the following requirements:</p>					

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<p>6. Continual Evaluation and Recommendation. The State court administrator should continually evaluate the effectiveness of the court system and recommend needed changes.</p> <p>7. Assignment of Judges. The State court administrator, under the direction of the presiding or chief justice, should assign judges on a statewide basis when required.</p> <p style="text-align: center;">STANDARD 9.2 PRESIDING JUDGE AND ADMINISTRATIVE POLICY OF THE TRIAL COURT</p> <p>Local administrative policy for the operation of each trial court should be set out, within guidelines established by the State's highest appellate court, by the judge or judges making up that court. Each trial court consisting of more than one judge should meet, on a regular schedule with an agenda, to consider and resolve problems facing the court and to set policy for the operation of the court.</p> <p>Ultimate local administrative judicial authority in each trial jurisdiction should be vested in a presiding judge for a substantial fixed term. The presiding judge should be selected on the basis of administrative ability rather than seniority.</p> <p>The functions of the presiding judge should be consistent with the statewide guidelines and should include the following:</p> <p>1. Personnel matters. The presiding judge should have control over recruitment, removal, compensation, and training of nonjudicial employees of the court. He should prepare and submit to the court for approval rules and regulations governing personnel matters to insure that employees are recruited, selected, promoted, disciplined, removed, and retired appropriately.</p> <p>2. Trial court case assignment. Cases should be assigned under the supervision of the presiding judge. He should apportion the business of the court among the trial judges as equally as possible and he should reassign cases as convenience or necessity requires. In addition, he should require that a judge to whom a case is assigned accept that case unless he is disqualified or the interest of justice require that the case not be heard by that judge. He also should require that when a judge has finished or continued a matter that the judge immediately notify the presiding judge of that fact.</p> <p>3. Judge assignments. The presiding judge should prepare an orderly plan for judicial vacation, attendance at educational programs and similar matters. The plan should be approved by the judges of the court and should be consistent with the statewide guidelines. The presiding judge also should require any judge who intends to be absent from his court one-half day or more to notify the presiding judge well in advance of his contemplated absence. The presiding judge should have the power to assign judges to the various branches within the trial court.</p>					

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<p>4. Information compilation. The presiding judge should have responsibility for development and coordination of statistical and management information schemes.</p> <p>5. Fiscal matters. The presiding judge should have responsibility for accounts and auditing as well as procurement and disbursing. He also should prepare the court's proposed annual budget.</p> <p>6. Court policy decisions. The presiding judge should appoint the standing and special committees of judges of the court necessary for the proper performance of the duties of the court. He also should call meetings of all the judges as needed, and designate one of the other judges as acting presiding judge in his absence or inability to act.</p> <p>7. Rulemaking and enforcement. The presiding judge should, with the assistance of appropriate committees, propose local rules for the conduct of the court's business. These rules should include such matters as the times for convening regular sessions of the court and should be submitted to the judges for their approval. The presiding judge should have authority to enforce these rules.</p> <p>8. Liaison and public relations. The presiding judge should have responsibility for liaison with other court systems, and other governmental and civic agencies. He should represent the court in business, administrative, or public relations matters. When appropriate, he should meet with (or designate other judges to meet with) committees of the bench, bar, and news media to review problems and promote understanding.</p> <p>9. Improvement in the functioning of the court. The presiding judge should continually evaluate the effectiveness of the court in administering justice. He should recommend changes in the organization, jurisdiction, operation, or procedures of the court when he believes these would increase the effectiveness of the court.</p> <p style="text-align: center;">STANDARD 9.3 LOCAL AND REGIONAL TRIAL COURT ADMINISTRATORS</p> <p>Each trial court with five or more judges (and where justified by caseload, courts with fewer judges) should have a full-time local trial court administrator. Trial courts with caseloads too small to justify a full-time trial court administrator should combine into administrative regions and have a regional court administrator. Local trial court administrators and regional court administrators should be appointed by the State court administrator.</p> <p>The functions of local and regional court administrators should include the following:</p> <p>1. Implementation of policies set by the State court administrator;</p> <p>2. Assistance to the State court administrator in setting statewide policies;</p> <p>3. Preparation and submission of the budget for the court or courts with which he is concerned;</p>					

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<p>4. Recruiting, hiring, training, evaluating, and monitoring personnel of the court or courts with which he is concerned;</p> <p>5. Management of space, equipment, and facilities of the court or courts with which he is concerned;</p> <p>6. Dissemination of information concerning the court or courts with which he is concerned;</p> <p>7. Procurement of supplies and services for the court or courts with which he is concerned;</p> <p>8. Custody and disbursement of funds for the court or courts with which he is concerned;</p> <p>9. Preparation of reports concerning the court or courts with which he is concerned;</p> <p>10. Juror management;</p> <p>11. Study and improvement of caseflow, time standards, and calendaring; and</p> <p>12. Research and development of effective methods of court functioning, especially the mechanization and computerization of court operations.</p> <p>The local and regional court administrators should discharge their functions within the guidelines set by the State court administrator.</p> <p style="text-align: center;">STANDARD 9.4 CASEFLOW MANAGEMENT</p> <p>Ultimate responsibility for the management and movement of cases should rest with the judges of the trial court. In discharging this responsibility, the following steps should be taken:</p> <p>1. Scheduling of cases should be delegated to nonjudicial personnel, but care should be taken that defense attorneys and prosecutors do not exercise an improper influence on scheduling.</p> <p>2. Recordkeeping should be delegated to nonjudicial personnel.</p> <p>3. Subject-in-process statistics, focusing upon the offender at each stage of the criminal process, should be developed to provide information concerning elapsed time between events in the flow of cases, recirculations (multiple actions concerning the same defendant), and defendants released at various stages of the court process.</p> <p>4. The flow of cases should be constantly monitored by the presiding judge, and the status of the court calendar should be reported to the presiding judge at least once each month.</p> <p>5. The presiding judge should assign judges to areas of the court caseload that require special attention.</p> <p>6. A central source of information concerning all participants in each case -- including defense counsel and the prosecuting attorney assigned to the case -- should be maintained. This should be used to identify as early as</p>					Year 1-5

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<p>possible conflicts in the schedules of the participants to minimize the need for later continuances because of schedule conflicts.</p> <p style="text-align: center;">STANDARD 9.5 COORDINATING COUNCILS</p> <p>Coordinating councils should be established on statewide, local, and -- where trial courts are regionalized for administrative purposes -- regional cases. Each council should contain official representatives of all agencies of the criminal justice process within the area, as well as members of the public, Chief executives of police agencies, prosecutor's offices, defender's offices, probation, parole, correctional agencies, and youth authorities (where they exist) should be included. The presiding or chief judge of the appellate court (in the case of a statewide council) or the presiding judge of the trial court (in the case of a local or regional council). The chairman of the State coordinating council should be a member of the State Criminal Justice Planning Board, and the chairman of the local or regional council should be a member of the local criminal justice planning agency.</p> <p>These coordinating councils should continuously survey the organization, practice, and methods of administration of the court system; assist in coordinating the court system with other agencies of the criminal justice system; and make suggestions for improvement in the operation of the court system.</p> <p style="text-align: center;">STANDARD 9.6 PUBLIC INPUT INTO COURT ADMINISTRATION</p> <p>The presiding judge of each court (or group of courts consolidated for management purposes) should establish a forum for interchange between judicial and nonjudicial members of the court's staff and interested members of the community. Lay individuals should be appointed to the group, and representatives of the prosecutor's staff, the bar association, and the defense bar should participate. Representatives from law schools and other university sources as well as representatives of minority, church, and civic groups should be included.</p> <p style="text-align: center;">STANDARD 10.1 COURTHOUSE PHYSICAL FACILITIES</p> <p>Adequate physical facilities should be provided for court processing of criminal defendants. These facilities include the courthouse structure itself, and such internal components as the courtroom and its adjuncts, and facilities and conveniences for witnesses, jurors, and attorneys. Facilities provided should conform to the following requirements:</p>					Year 1-5

Standards and Goals	Remarks					
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<p>1. Space assigned in the courthouse structure should be given on a priority basis to those who must urgently justify the need. Any agency whether state, county, or local should be given a lower priority assignment if in evaluation their function does not conform to the immediate need of actually being located within the confines of the courthouse facilities. All such agencies should seek suitable office space in the close proximity.</p> <p>2. The courthouse structure should be adequate in design and space in terms of the functions housed within and the population served. In areas served by a single judge, adequate facilities should be provided in an appropriate public place. In metropolitan areas where the civil and criminal litigation is substantial and is served by the same personnel, there should be one centrally located courthouse. All rooms in the courthouse should be properly lighted, heated, and air-conditioned.</p> <p>3. The detention facility should be near the courthouse.</p> <p>4. The courtroom should be designed to facilitate interchange among the participants in the proceedings. The floor plan and acoustics should enable the judge and the jury to see and hear the complete proceedings. A jury room, judges' chambers, staff room, and detention area should be convenient to each courtroom.</p> <p>5. Each judge should have access to a library containing the following: the annotated laws of the state, the State code of criminal procedure, the municipal code, the United States code annotated, the State appellate reports, the U. S. Supreme Court reports, the Federal courts of appeals and district court reports, citators covering all reports and statutes in the library, digests for State and Federal cases, a legal reference work digesting law in general, a form book of approved jury instructions, legal treatises on evidence and criminal law, criminal law and U. S. Supreme Court reporters published weekly, looseleaf services related to criminal law, and if available, an index to the State appellate brief bank.</p> <p>6. Provision should be made for witness waiting and assembly rooms. Separate rooms for prosecution and defense witness should be provided. The rooms should be large enough to accommodate the number of witnesses expected daily. They should be comfortably furnished and adequately lighted.</p> <p>7. A lawyer's workroom should be available in the courthouse for public and private lawyers. The room should be furnished with desks or tables, and telephones should be available. It should be located near a law library. A receptionist should be available to take messages and locate lawyers. There also should be rooms in the courthouse where defense attorneys can talk privately with their clients, without compromising the security needed.</p> <p>8. The physical facilities described in this standard should be clean and serviceable at all times.</p>						

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<p style="text-align: center;">STANDARD 10.2</p> <p style="text-align: center;"><u>COURT INFORMATION AND SERVICE FACILITIES</u></p> <p>Facilities and procedures should be established to provide information concerning court processes to the public and to participants in the criminal justice system:</p> <p>1. There should be information desks strategically placed in public areas of the courthouse to direct defendants (and friends and relatives), witnesses, jurors, and spectators to their destinations. In metropolitan courthouses, visual screens should be installed to identify the proceedings currently in progress in each courtroom and other proceedings scheduled that day for each courtroom.</p> <p>2. The information service should include personnel who are familiar with the local criminal justice system and the agencies serving that system. These persons should be under the supervision of the public defender or legal aid office. Their role should be to answer questions concerning the agencies of the system and the procedures to be followed by those involved in the system.</p> <p>3. The defendant, in addition to being told of his rights, should be provided with a pamphlet detailing his rights and explaining the steps from arrest through trial and sentencing. This pamphlet should be provided to the accused by the police at booking. Where necessary, the pamphlet should be published not only in English but also in other languages spoken by members of the community. The pamphlet should be drafted in language readily understood by those to whom it is directed.</p> <p>4. The prosecutor and the court should establish procedures whereby witnesses requesting information relating to cases or court appearances in which they are involved may do so by telephone.</p> <p>5. To assist the prosecutor and the court in responding to telephone inquiries from witnesses, each witness should be provided with a walletsize card giving a phone number to call for information, and data regarding his case. The card should contain the name of the defendant or the case, the court registry or docket number, and other information that will be helpful in responding to witnesses' inquiries.</p> <p>6. The judge should instruct each jury panel, prior to its members sitting in any case, concerning its responsibilities, its conduct, and the proceedings of a criminal trial. Each juror should be given a handbook that restates these matters.</p> <p style="text-align: center;">STANDARD 10.3</p> <p style="text-align: center;"><u>COURT PUBLIC INFORMATION AND EDUCATION PROGRAMS</u></p> <p>The court, the news media, the public, and the bar should have coordinate responsibility for informing and educating the public concerning the functioning of the courts. The court should pursue an active role in this process:</p>						

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<p>1. Each court should appoint a public information officer where appropriate to provide liaison between courts and the news media. Where a court has a court administrator, he should act as the public information officer or should designate someone in his office to perform this function. The public information officer should:</p> <ul style="list-style-type: none"> a. Prepare releases, approved by the court, regarding case disposition of public interest; b. Prepare releases describing items of court operation and administration that may be of interest to the public; c. Answer inquiries from the news media; and d. Specify guidelines for media coverage of trials. <p>2. Each courthouse should have an office specifically and prominently identified as the office for receiving complaints, suggestions, and reactions of members of the public concerning the court process. All communications made to this office should be given attention. Each person communicating with this office should be notified concerning what response, if any has or will be made to his communication.</p> <p>3. The court should take affirmative action to educate and inform the public of the function and activities of the court. This should include:</p> <ul style="list-style-type: none"> a. The issuance of periodic reports concerning the court's workload, accomplishments, and changes in procedure; b. The issuance of handbooks for court employees concerning their function; c. Preparation of educational pamphlets describing the functions of the court for the general public, and for use in schools; d. Preparation of handbooks for jurors explaining their function and pamphlets for defendants explaining their rights; e. Organization of tours of the court; and f. Personal participation by the judges and court personnel in community activities. <p>These functions should be performed by the court information officer or by the court administrator's office, by associations of judges, or by individual judges.</p> <p>4. The court should encourage citizen groups to inform themselves of the functions and activities of the courts and in turn share this information with other members of the public.</p> <p style="text-align: center;">STANDARD 10.4</p> <p style="text-align: center;"><u>REPRESENTATIVENESS OF COURT PERSONNEL</u></p> <p>Court personnel should be representative of the community served by the court. Special attention should be given to recruitment of members of minority groups without discrimination.</p>						

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<p style="text-align: center;">STANDARD 10.5</p> <p style="text-align: center;"><u>PARTICIPATION IN CRIMINAL JUSTICE PLANNING</u></p> <p>Judges and court personnel should participate in criminal justice planning activities as a means of disseminating information concerning the court system and of furthering the objective of coordination among agencies of the criminal justice system.</p> <p style="text-align: center;">STANDARD 10.6</p> <p style="text-align: center;"><u>PRODUCTION OF WITNESSES</u></p> <p>Prosecution and defense witnesses should be called only when their appearances are of value to the court, or the jury. No more witnesses should be called than necessary.</p> <p>1. Witnesses Other Than Police Officers. Steps that should be taken to minimize the burden of testifying imposed upon witnesses other than police officers should include the following:</p> <ul style="list-style-type: none"> a. Prosecutors and defense counsel should carefully review formal requirements of law and practical necessity and require the attendance only of those witnesses whose testimony is required by law or would be of value in resolving issues to be litigated. b. Procedures should be instituted to place certain witnesses on telephone alert. To insure that such a procedure will be capable of producing witnesses on short notice on the court date, citizen witnesses should be required as early as possible to identify whether and how they may be contacted by telephone on court business days and whether, if so contacted, they can appear at court within 2 hours of such notification. Witnesses who appear likely to respond to telephone notification should be identified by both the prosecution and the defense and placed on telephone alert. On the morning of each court date, the prosecutor and defense counsel should determine the status of cases on which witnesses are on alert and should notify promptly those witnesses whose presence will be required later in the day. Witnesses who unreasonably delay their arrival in court after such notification should not be placed on telephone alert for subsequent appearances. c. Upon the initiation of criminal proceedings or as soon thereafter as possible, the prosecutor and defense counsel should ask their witnesses which future dates would be particularly inconvenient for their appearance at court. The scheduling authority should be apprised of these dates and should, insofar as is possible, avoid scheduling court appearances requiring the witnesses' attendance on those dates. 						

Standards and Goals	Remarks				
	Accept	Reject	C	PC	NC
<p>1. Space assigned in the courthouse structure should be given on a priority basis to those who must urgently justify the need. Any agency whether state, county, or local should be given a lower priority assignment if in evaluation their function does not conform to the immediate need of actually being located within the confines of the courthouse facilities. All such agencies should seek suitable office space in the close proximity.</p> <p>2. The courthouse structure should be adequate in design and space in terms of the functions housed within and the population served. In areas served by a single judge, adequate facilities should be provided in an appropriate public place. In metropolitan areas where the civil and criminal litigation is substantial and is served by the same personnel, there should be one centrally located courthouse. All rooms in the courthouse should be properly lighted, heated, and air-conditioned.</p> <p>3. The detention facility should be near the courthouse.</p> <p>4. The courtroom should be designed to facilitate interchange among the participants in the proceedings. The floor plan and acoustics should enable the judge and the jury to see and hear the complete proceedings. A jury room, judges' chambers, staff room, and detention area should be convenient to each courtroom.</p> <p>5. Each judge should have access to a library containing the following: the annotated laws of the state, the State code of criminal procedure, the municipal code, the United States code annotated, the State appellate reports, the U. S. Supreme Court reports, the Federal courts of appeals and district court reports, citators covering all reports and statutes in the library, digests for State and Federal cases, a legal reference work digesting law in general, a form book of approved jury instructions, legal treatises on evidence and criminal law, criminal law and U. S. Supreme Court reporters published weekly, looseleaf services related to criminal law, and if available, an index to the State appellate brief bank.</p> <p>6. Provision should be made for witness waiting and assembly rooms. Separate rooms for prosecution and defense witness should be provided. The rooms should be large enough to accommodate the number of witnesses expected daily. They should be comfortably furnished and adequately lighted.</p> <p>7. A lawyer's workroom should be available in the courthouse for public and private lawyers. The room should be furnished with desks or tables, and telephones should be available. It should be located near a law library. A receptionist should be available to take messages and locate lawyers. There also should be rooms in the courthouse where defense attorneys can talk privately with their clients, without compromising the security needed.</p> <p>8. The physical facilities described in this standard should be clean and serviceable at all times.</p>					

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<p style="text-align: center;">STANDARD 10.2</p> <p style="text-align: center;"><u>COURT INFORMATION AND SERVICE FACILITIES</u></p> <p>Facilities and procedures should be established to provide information concerning court processes to the public and to participants in the criminal justice system:</p> <p>1. There should be information desks strategically placed in public areas of the courthouse to direct defendants (and friends and relatives), witnesses, jurors, and spectators to their destinations. In metropolitan courthouses, visual screens should be installed to identify the proceedings currently in progress in each courtroom and other proceedings scheduled that day for each courtroom.</p> <p>2. The information service should include personnel who are familiar with the local criminal justice system and the agencies serving that system. These persons should be under the supervision of the public defender or legal aid office. Their role should be to answer questions concerning the agencies of the system and the procedures to be followed by those involved in the system.</p> <p>3. The defendant, in addition to being told of his rights, should be provided with a pamphlet detailing his rights and explaining the steps from arrest through trial and sentencing. This pamphlet should be provided to the accused by the police at booking. Where necessary, the pamphlet should be published not only in English but also in other languages spoken by members of the community. The pamphlet should be drafted in language readily understood by those to whom it is directed.</p> <p>4. The prosecutor and the court should establish procedures whereby witnesses requesting information relating to cases or court appearances in which they are involved may do so by telephone.</p> <p>5. To assist the prosecutor and the court in responding to telephone inquiries from witnesses, each witness should be provided with a walletsize card giving a phone number to call for information, and data regarding his case. The card should contain the name of the defendant or the case, the court registry or docket number, and other information that will be helpful in responding to witnesses' inquiries.</p> <p>6. The judge should instruct each jury panel, prior to its members sitting in any case, concerning its responsibilities, its conduct, and the proceedings of a criminal trial. Each juror should be given a handbook that restates these matters.</p> <p style="text-align: center;">STANDARD 10.3</p> <p style="text-align: center;"><u>COURT PUBLIC INFORMATION AND EDUCATION PROGRAMS</u></p> <p>The court, the news media, the public, and the bar should have coordinate responsibility for informing and educating the public concerning the functioning of the courts. The court should pursue an active role in this process:</p>					

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<p>1. Each court should appoint a public information officer where appropriate to provide liaison between courts and the news media. Where a court has a court administrator, he should act as the public information officer or should designate someone in his office to perform this function. The public information officer should:</p> <ul style="list-style-type: none"> a. Prepare releases, approved by the court, regarding case disposition of public interest; b. Prepare releases describing items of court operation and administration that may be of interest to the public; c. Answer inquiries from the news media; and d. Specify guidelines for media coverage of trials. <p>2. Each courthouse should have an office specifically and prominently identified as the office for receiving complaints, suggestions, and reactions of members of the public concerning the court process. All communications made to this office should be given attention. Each person communicating with this office should be notified concerning what response, if any has or will be made to his communication.</p> <p>3. The court should take affirmative action to educate and inform the public of the function and activities of the court. This should include:</p> <ul style="list-style-type: none"> a. The issuance of periodic reports concerning the court's workload, accomplishments, and changes in procedure; b. The issuance of handbooks for court employees concerning their function; c. Preparation of educational pamphlets describing the functions of the court for the general public, and for use in schools; d. Preparation of handbooks for jurors explaining their function and pamphlets for defendants explaining their rights; e. Organization of tours of the court; and f. Personal participation by the judges and court personnel in community activities. <p>These functions should be performed by the court information officer or by the court administrator's office, by associations of judges, or by individual judges.</p> <p>4. The court should encourage citizen groups to inform themselves of the functions and activities of the courts and in turn share this information with other members of the public.</p> <p style="text-align: center;">STANDARD 10.4 <u>REPRESENTATIVENESS OF COURT PERSONNEL</u></p> <p>Court personnel should be representative of the community served by the court. Special attention should be given to recruitment of members of minority groups without discrimination.</p>					

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<p style="text-align: center;">STANDARD 10.5 <u>PARTICIPATION IN CRIMINAL JUSTICE PLANNING</u></p> <p>Judges and court personnel should participate in criminal justice planning activities as a means of disseminating information concerning the court system and of furthering the objective of coordination among agencies of the criminal justice system.</p> <p style="text-align: center;">STANDARD 10.6 <u>PRODUCTION OF WITNESSES</u></p> <p>Prosecution and defense witnesses should be called only when their appearances are of value to the court, or the jury. No more witnesses should be called than necessary.</p> <p>1. Witnesses Other Than Police Officers. Steps that should be taken to minimize the burden of testifying imposed upon witnesses other than police officers should include the following:</p> <ul style="list-style-type: none"> a. Prosecutors and defense counsel should carefully review formal requirements of law and practical necessity and require the attendance only of those witnesses whose testimony is required by law or would be of value in resolving issues to be litigated. b. Procedures should be instituted to place certain witnesses on telephone alert. To insure that such a procedure will be capable of producing witnesses on short notice on the court date, citizen witnesses should be required as early as possible to identify whether and how they may be contacted by telephone on court business days and whether, if so contacted, they can appear at court within 2 hours of such notification. Witnesses who appear likely to respond to telephone notification should be identified by both the prosecution and the defense and placed on telephone alert. On the morning of each court date, the prosecutor and defense counsel should determine the status of cases on which witnesses are on alert and should notify promptly those witnesses whose presence will be required later in the day. Witnesses who unreasonably delay their arrival in court after such notification should not be placed on telephone alert for subsequent appearances. c. Upon the initiation of criminal proceedings or as soon thereafter as possible, the prosecutor and defense counsel should ask their witnesses which future dates would be particularly inconvenient for their appearance at court. The scheduling authority should be apprised of these dates and should, insofar as is possible, avoid scheduling court appearances requiring the witnesses' attendance on those dates. 					

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<p>2. Police Officers. Special efforts should be made to avoid having police officers spend unnecessary time making court appearances. Among the steps that should be taken are the following:</p> <ul style="list-style-type: none"> a. Upon production of the defendant before a magistrate, the arresting police officer should be excused from further appearances in the case unless the prosecutor requires the attendance of the police officer for any particular proceeding. b. Police agencies should establish procedures whereby police officers may undertake their regular police duties and at the same time be available for prompt appearance at court when a notification that such appearance is communicated to police command. Whenever possible, this procedure should be used. c. Routine custodial duties relating to the processing of a criminal case should be undertaken by a central officer to relieve the individual arresting office of these duties. Electronic document transmission equipment should be used when feasible in place of police transportation of documents to court. d. Police agencies should provide to the authority scheduling court appearances the dates on which each police officer will be available. The schedules should list a sufficient number of available dates for each month or term of court to permit the scheduling authority flexibility in choosing among them when assigning court dates. The scheduling authority should consult the schedules in selecting dates for criminal proceedings. Insofar as possible, appearances that inconvenience the officer and his department as little as possible. <p style="text-align: center;">STANDARD 10.7 <u>COMPENSATION OF WITNESSES</u></p> <p>Police witnesses should be compensated for their attendance at criminal court proceedings at a rate equal to that at which they would be compensated were they performing other official duties at the time of the court appearance. Compensation should cover the actual time spent in the court process by the police officer. Citizen witnesses in criminal proceedings should receive compensation for court appearances at the rate of the current minimum wage for each hour the witnesses spend in court. An officer of the court should certify the time spent by the witness in court between arrival and dismissal; payment should be made accordingly.</p> <p>Witnesses should be paid for round trip travel between the court and their residence or business address, whichever is shorter, at the Federal Government mileage rate for each mile traveled to and from court.</p>						

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<p style="text-align: center;">STANDARD 11.1 <u>COURT ADMINISTRATION</u></p> <p>There should be available for all high-volume criminal justice systems computer services adequate to perform functions such as multiple indexing, jury selection, and case scheduling. Provision should be made for input and access by all participants in the court process, including the prosecutor and public defender, as well as the court itself. Costs should be minimized by joint use of centrally located computer systems. Courts with a sufficiently large workload should utilize the computer for additional services. The system should be designed with flexibility to be modified as necessary to reflect the requirements of each court.</p> <p>Computerized production of transcripts of trial proceedings for use in review should be employed on an experimental basis, and further efforts to perfect that means of transcript production should be encouraged.</p> <p style="text-align: center;">STANDARD 11.2 <u>AUTOMATED LEGAL RESEARCH</u></p> <p>Automated legal research services should be made available to judges, prosecutors, and defense attorneys on an experimental basis in those jurisdictions where there is available a full-text data bank of all statutes and decisions relevant to the court's workload, and where the service provides interactive terminals.</p> <p>The data bank necessary for such services should be developed by a public agency or a regulated or supervised private entity.</p> <p style="text-align: center;">STANDARD 12.1 <u>PROFESSIONAL STANDARDS FOR THE CHIEF PROSECUTING OFFICER</u></p> <p>The complexities and demands of the prosecution function require that the prosecutor be a full-time, skilled professional selected on the basis of demonstrated ability and high personal integrity. The prosecutor should be authorized to serve a minimum term of 4 years at an annual salary no less than that of the presiding judge of the trial court of general jurisdiction.</p> <p>In order to meet these standards, the jurisdiction of every prosecutor's office should be designed so that population, caseload and other relevant factors warrant at least one full-time prosecutor.</p>						

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<p>STANDARD 12.2</p> <p><u>PROFESSIONAL STANDARDS FOR ASSISTANT PROSECUTORS</u></p> <p>The primary basis for the selection and retention of assistant prosecutors should be demonstrated legal ability. Care should be taken to recruit lawyers from all segments of the population. The prosecutor should undertake programs, such as legal internships for law students, designed to attract able young lawyers to careers in prosecution</p> <p>The position of assistant prosecutor should be a full-time occupation, and assistant prosecutors should be prohibited from engaging in outside law practice. The starting salaries for assistant prosecutors should be no less than those paid by private law firms in the jurisdiction, and the prosecutor should have the authority to increase periodically the salaries for assistant prosecutors to a level that will encourage the retention of able and experienced prosecutors, subject to approval of the legislature, city or county council as appropriate. For the first 5 years of service, salaries of assistant prosecutors should be comparable to those of attorney associates in local private law firms.</p> <p>The caseload for each assistant prosecutor should be limited to permit the proper preparation of cases at every level of the criminal proceedings. Assistant prosecutors should be assigned cases sufficiently in advance of the court date in order to enable them to interview every prosecution witness, and to conduct supplemental investigations when necessary.</p> <p>The trial division of each prosecutor's office should have at least two attorneys for each trial judge conducting felony trials on a full-time basis or the equivalent of such a judge. Each office also should have a sufficient number of attorneys to perform the other functions of the office.</p> <p>STANDARD 12.3</p> <p><u>SUPPORTING STAFF AND FACILITIES</u></p> <p>The office of the prosecutor should have a supporting staff comparable to that of similar-size private law firms. Prosecutors whose offices serve metropolitan jurisdictions should appoint an office manager with the responsibility for program planning and budget management, procurement of equipment and supplies, and selection and supervision of nonlegal personnel. Paraprofessionals should be utilized for law-related tasks that do not require prosecutorial experience and training. There should be adequate secretarial help for all staff attorneys. Special efforts should be made to recruit members of the supporting staff from all segments of the community served by the office.</p> <p>The office of the prosecutor should have physical facilities comparable to those of similar-size private law firms. There should be at least one conference</p>					

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<p>STANDARD 12.5</p> <p><u>EDUCATION OF PROFESSIONAL PERSONNEL</u></p> <p>Education programs should be utilized to assure that prosecutors and their assistants have the highest possible professional competence. All newly appointed or elected prosecutors should attend prosecutors' training courses prior to taking office, and in-house training programs for new assistant prosecutors should be available in all metropolitan prosecution offices. All prosecutors and assistants should attend a formal prosecutors' training course each year, in addition to the regular in-house training.</p>						
<p>STANDARD 12.6</p> <p><u>FILING PROCEDURES AND STATISTICAL SYSTEMS</u></p> <p>The prosecutor's office should have a file control system capable of locating any case file in not more than 30 minutes after demand, and a statistical system, either automated or manual, sufficient to permit the prosecutor to evaluate and monitor the performance of his office.</p>						
<p>STANDARD 12.7</p> <p><u>DEVELOPMENT AND REVIEW OF OFFICE POLICIES</u></p> <p>Each prosecutor's office should develop a detailed statement of office practices and policies for distribution to every assistant prosecutor. These policies should be reviewed every 6 months. The statement should include guidelines governing screening, diversion, and plea negotiations, as well as other internal office practices.</p>						
<p>STANDARD 12.8</p> <p><u>THE PROSECUTOR'S INVESTIGATIVE ROLE</u></p> <p>The prosecutor's primary function should be to represent the State in court. He should cooperate with the police in their investigation of crime. Each prosecutor also should have investigatorial resources at his disposal to assist him in case preparation, to supplement the results of police investigation when police lack adequate resources for such investigation, and, in a limited number of situations, to undertake an initial investigation of possible violations of the law.</p> <p>The prosecutor should be given the power, subject to appropriate safeguards to issue subpoenas requiring</p>						

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<p>potential witnesses in criminal cases to appear for questioning. Such witnesses should be subject to contempt penalties for unjustified failure to appear for questioning or to respond to specific questions.</p>						
<p>STANDARD 12.9</p> <p><u>PROSECUTOR RELATIONSHIPS WITH THE PUBLIC AND WITH OTHER AGENCIES OF THE CRIMINAL JUSTICE SYSTEM</u></p> <p>The prosecutor should be aware of the importance of the function of his office for other agencies of the criminal justice system and for the public at large. He should maintain relationships that encourage interchange of views and information and that maximize coordination of the various agencies of the criminal justice system.</p> <p>The prosecutor should maintain regular liaison with the police department in order to provide legal advice to the police, to identify mutual problems and to develop solutions to those problems. He should participate in police training programs and keep the police informed about current developments in law enforcement, such as significant court decisions. He should develop and maintain a liaison with the police legal adviser in those areas relating to police-prosecutor relationships.</p> <p>The prosecutor should develop for the use of the police a basic police report form that includes all relevant information about the offense and the offender necessary for charging, plea negotiations, and trial. The completed form should be routinely forwarded to the prosecutor's office after the offender has been processed by the police. Police officers should be informed by the prosecutor of the disposition of any case with which they were involved and the reason for the disposition.</p> <p>The relationship between the prosecutor and the court and defense bar should be characterized by professionalism, mutual respect and integrity. It should not be characterized by demonstrations of negative personal feelings or excessive familiarity. Assistant prosecutors should negate the appearance of impropriety and partiality by avoiding excessive camaraderie in their courthouse relations with defense attorneys, remaining at all times aware of their image as seen by the public and the police.</p> <p>The prosecutor should establish regular communications with correctional agencies for the purpose of determining the effect of his practices upon correctional programs. The need to maximize the effectiveness of such programs should be given significant weight in the formulation of practices for the conduct of the prosecutor function.</p> <p>The prosecutor should regularly inform the public about the activities of his office and of other law enforcement agencies and should communicate his</p>						

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<p>views to the public on important issues and problems affecting the criminal justice system. The prosecutor should encourage the expression of views by members of the public concerning his office and its practices, and such views should be taken into account in determining office policy.</p> <p style="text-align: center;">STANDARD 13.1</p> <p style="text-align: center;"><u>AVAILABILITY OF PUBLICLY FINANCED REPRESENTATION</u></p> <p style="text-align: center;"><u>IN CRIMINAL CASES</u></p> <p>Public representation should be made available to eligible defendants in all criminal cases at their request, beginning at the time the individual either is arrested or is requested to participate in an investigation that has focused upon him as a likely suspect. The representation should continue during trial court proceedings and through the exhaustion of all avenues of relief from conviction.</p> <p>Defendants should be discouraged from conducting their own defense in criminal prosecutions. No defendant should be permitted to defend himself if there is a basis for believing that:</p> <ol style="list-style-type: none"> 1. The defendant will not be able to deal effectively with the legal or factual issues likely to be raised; 2. The defendant's self-representation is likely to impede the reasonably expeditious processing of the case; or 3. The defendant's conduct is likely to be disruptive of the trial process. <p style="text-align: center;">STANDARD 13.2</p> <p style="text-align: center;"><u>PAYMENT FOR PUBLIC REPRESENTATION</u></p> <p>An individual provided public representation should be required to pay any portion of the cost of the representation that he is able to pay at the time. Where any payment would cause substantial hardship to the individual or his family, such representation should be provided without cost.</p> <p>The test for determining ability to pay should be a flexible one that considers such factors as amount of income, bank account, ownership of a home, a car, or other tangible or intangible property, the number of dependents, and the cost of subsistence for the defendant and those to whom he owes a legal duty of support. In applying this test, the following criteria and qualifications should govern:</p> <ol style="list-style-type: none"> 1. Counsel should not be denied to any person merely because his friends or relatives have resources adequate to retain counsel or because he has posted, or is capable of posting, bond. 					

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<p>2. Whether a private attorney would be interested in representing the defendant in his present economic circumstances should be considered.</p> <p>3. The fact that an accused on bail has been able to continue employment following his arrest should not be determinative of his ability to employ private counsel.</p> <p>4. The defendant's own assessment of his financial ability or inability to obtain representation without substantial hardship to himself or his family should be considered.</p> <p style="text-align: center;">STANDARD 13.3</p> <p style="text-align: center;"><u>INITIAL CONTACT WITH CLIENT</u></p> <p>The first client contact and initial interview by the public defender, his attorney staff, or appointed counsel should be governed by the following:</p> <ol style="list-style-type: none"> 1. The accused, or a relative, close friend, or other responsible person acting for him, at any critical stage of any criminal proceedings. Procedures should exist whereby the accused is informed of this right, and of the method for exercising it. Upon such request, the public defender or appointed counsel should contact the interviewee. 2. If, at the initial appearance, no request for publicly provided defense services has been made, and it appears to the judicial officer that the accused has not made an informed waiver of counsel and is eligible for public representation, an order should be entered by the judicial officer referring the case to the public defender, or to appointed counsel. The public defender or appointed counsel should contact the accused as soon as possible following entry of such an order. 3. Where, pursuant to court order or a request by or on behalf of an accused, a publicly provided attorney interviews an accused and it appears that the accused is financially ineligible for public defender services the attorney should help the accused obtain competent private counsel in accordance with established bar procedures and should continue to render all necessary public defender services until private counsel assumes responsibility for full representation of the accused. <p style="text-align: center;">STANDARD 13.5</p> <p style="text-align: center;"><u>METHOD OF DELIVERING DEFENSE SERVICES</u></p> <p>Services of a full-time local public defender organization, and/or coordinated assigned counsel system involving substantial participation of the private bar, should be available in each jurisdiction to supply attorney services to indigents accused of crime. Cases should be divided between the public defender and assigned counsel in a manner that will encourage significant participation by the private bar in the criminal justice system.</p>					



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Standards and Goals	Remarks					
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<p align="center">STANDARD 12.5</p> <p align="center"><u>EDUCATION OF PROFESSIONAL PERSONNEL</u></p> <p>Education programs should be utilized to assure that prosecutors and their assistants have the highest possible professional competence. All newly appointed or elected prosecutors should attend prosecutors' training courses prior to taking office, and in-house training programs for new assistant prosecutors should be available in all metropolitan prosecution offices. All prosecutors and assistants should attend a formal prosecutors' training course each year, in addition to the regular in-house training.</p> <p align="center">STANDARD 12.6</p> <p align="center"><u>FILING PROCEDURES AND STATISTICAL SYSTEMS</u></p> <p>The prosecutor's office should have a file control system capable of locating any case file in not more than 30 minutes after demand, and a statistical system, either automated or manual, sufficient to permit the prosecutor to evaluate and monitor the performance of his office.</p> <p align="center">STANDARD 12.7</p> <p align="center"><u>DEVELOPMENT AND REVIEW OF OFFICE POLICIES</u></p> <p>Each prosecutor's office should develop a detailed statement of office practices and policies for distribution to every assistant prosecutor. These policies should be reviewed every 6 months. The statement should include guidelines governing screening, diversion, and plea negotiations, as well as other internal office practices.</p> <p align="center">STANDARD 12.8</p> <p align="center"><u>THE PROSECUTOR'S INVESTIGATIVE ROLE</u></p> <p>The prosecutor's primary function should be to represent the State in court. He should cooperate with the police in their investigation of crime. Each prosecutor also should have investigatorial resources at his disposal to assist him in case preparation, to supplement the results of police investigation when police lack adequate resources for such investigation, and, in a limited number of situations, to undertake an initial investigation of possible violations of the law.</p> <p>The prosecutor should be given the power, subject to appropriate safeguards to issue subpoenas requiring</p>						

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<p>potential witnesses in criminal cases to appear for questioning. Such witnesses should be subject to contempt penalties for unjustified failure to appear for questioning or to respond to specific questions.</p> <p align="center">STANDARD 12.9</p> <p align="center"><u>PROSECUTOR RELATIONSHIPS WITH THE PUBLIC AND WITH OTHER AGENCIES OF THE CRIMINAL JUSTICE SYSTEM</u></p> <p>The prosecutor should be aware of the importance of the function of his office for other agencies of the criminal justice system and for the public at large. He should maintain relationships that encourage interchange of views and information and that maximize coordination of the various agencies of the criminal justice system.</p> <p>The prosecutor should maintain regular liaison with the police department in order to provide legal advice to the police, to identify mutual problems and to develop solutions to those problems. He should participate in police training programs and keep the police informed about current developments in law enforcement, such as significant court decisions. He should develop and maintain a liaison with the police legal adviser in those areas relating to police-prosecutor relationships.</p> <p>The prosecutor should develop for the use of the police a basic police report form that includes all relevant information about the offense and the offender necessary for charging, plea negotiations, and trial. The completed form should be routinely forwarded to the prosecutor's office after the offender has been processed by the police. Police officers should be informed by the prosecutor of the disposition of any case with which they were involved and the reason for the disposition.</p> <p>The relationship between the prosecutor and the court and defense bar should be characterized by professionalism, mutual respect and integrity. It should not be characterized by demonstrations of negative personal feelings or excessive familiarity. Assistant prosecutors should negate the appearance of impropriety and partiality by avoiding excessive camaraderie in their courthouse relations with defense attorneys, remaining at all times aware of their image as seen by the public and the police.</p> <p>The prosecutor should establish regular communications with correctional agencies for the purpose of determining the effect of his practices upon correctional programs. The need to maximize the effectiveness of such programs should be given significant weight in the formulation of practices for the conduct of the prosecutor function.</p> <p>The prosecutor should regularly inform the public about the activities of his office and of other law enforcement agencies and should communicate his</p>						

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<p>views to the public on important issues and problems affecting the criminal justice system. The prosecutor should encourage the expression of views by members of the public concerning his office and its practices, and such views should be taken into account in determining office policy.</p> <p style="text-align: center;">STANDARD 13.1</p> <p style="text-align: center;"><u>AVAILABILITY OF PUBLICLY FINANCED REPRESENTATION</u></p> <p style="text-align: center;"><u>IN CRIMINAL CASES</u></p> <p>Public representation should be made available to eligible defendants in all criminal cases at their request, beginning at the time the individual either is arrested or is requested to participate in an investigation that has focused upon him as a likely suspect. The representation should continue during trial court proceedings and through the exhaustion of all avenues of relief from conviction.</p> <p>Defendants should be discouraged from conducting their own defense in criminal prosecutions. No defendant should be permitted to defend himself if there is a basis for believing that:</p> <ol style="list-style-type: none"> The defendant will not be able to deal effectively with the legal or factual issues likely to be raised; The defendant's self-representation is likely to impede the reasonably expeditious processing of the case; or The defendant's conduct is likely to be disruptive of the trial process. <p style="text-align: center;">STANDARD 13.2</p> <p style="text-align: center;"><u>PAYMENT FOR PUBLIC REPRESENTATION</u></p> <p>An individual provided public representation should be required to pay any portion of the cost of the representation that he is able to pay at the time. Where any payment would cause substantial hardship to the individual or his family, such representation should be provided without cost.</p> <p>The test for determining ability to pay should be a flexible one that considers such factors as amount of income, bank account, ownership of a home, a car, or other tangible or intangible property, the number of dependents, and the cost of subsistence for the defendant and those to whom he owes a legal duty of support. In applying this test, the following criteria and qualifications should govern:</p> <ol style="list-style-type: none"> Counsel should not be denied to any person merely because his friends or relatives have resources adequate to retain counsel or because he has posted, or is capable of posting, bond. 					

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<p>2. Whether a private attorney would be interested in representing the defendant in his present economic circumstances should be considered.</p> <p>3. The fact that an accused on bail has been able to continue employment following his arrest should not be determinative of his ability to employ private counsel.</p> <p>4. The defendant's own assessment of his financial ability or inability to obtain representation without substantial hardship to himself or his family should be considered.</p> <p style="text-align: center;">STANDARD 13.3</p> <p style="text-align: center;"><u>INITIAL CONTACT WITH CLIENT</u></p> <p>The first client contact and initial interview by the public defender, his attorney staff, or appointed counsel should be governed by the following:</p> <ol style="list-style-type: none"> The accused, or a relative, close friend, or other responsible person acting for him, at any critical stage of any criminal proceedings. Procedures should exist whereby the accused is informed of this right, and of the method for exercising it. Upon such request, the public defender or appointed counsel should contact the interviewee. If, at the initial appearance, no request for publicly provided defense services has been made, and it appears to the judicial officer that the accused has not made an informed waiver of counsel and is eligible for public representation, an order should be entered by the judicial officer referring the case to the public defender, or to appointed counsel. The public defender or appointed counsel should contact the accused as soon as possible following entry of such an order. Where, pursuant to court order or a request by or on behalf of an accused, a publicly provided attorney interviews an accused and it appears that the accused is financially ineligible for public defender services the attorney should help the accused obtain competent private counsel in accordance with established bar procedures and should continue to render all necessary public defender services until private counsel assumes responsibility for full representation of the accused. <p style="text-align: center;">STANDARD 13.5</p> <p style="text-align: center;"><u>METHOD OF DELIVERING DEFENSE SERVICES</u></p> <p>Services of a full-time local public defender organization, and/or coordinated assigned counsel system involving substantial participation of the private bar, should be available in each jurisdiction to supply attorney services to indigents accused of crime. Cases should be divided between the public defender and assigned counsel in a manner that will encourage significant participation by the private bar in the criminal justice system.</p>					

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<p>STANDARD 13.7</p> <p><u>DEFENDER TO BE FULL TIME AND ADEQUATELY COMPENSATED</u></p> <p>The office of public defender should be a fulltime occupation. State or local units of government should create regional public defenders serving more than one local unit of government if this is necessary to create a caseload of sufficient size to justify a full-time public defender. The public defender should be compensated at a rate not less than that of the District Attorney of the trial court of general jurisdiction.</p>					
<p>STANDARD 13.8</p> <p><u>SELECTION OF PUBLIC DEFENDERS</u></p> <p>The method employed to select public defenders should insure that the public defender is as independent as any private counsel who undertakes the defense of a fee-paying criminally accused person. The most appropriate selection method is nomination by a selection board and appointment by the Governor. If a jurisdiction has a Judicial Nominating Commission as described in Standard 7.1, that commission also should choose public defenders. If no such commission exists, a similar body should be created for the selection of public defenders.</p> <p>An updated list of qualified potential nominees should be maintained. The commission should draw names from this list and submit them to the Governor. The commission should select a minimum of three persons to fill a public defender vacancy unless the commission is convinced there are not three qualified nominees. This list should be sent to the Governor within 30 days of a public defender vacancy, and the Governor should select the defender from this list. If the Governor does not appoint a defender within 30 days, the power of appointment should shift to the commission.</p> <p>A public defender should serve for a term of not less than four years and should be permitted to be reappointed.</p> <p>A public defender should be subject to disciplinary or removal procedures for permanent physical or mental disability serious interfering with the performance of his duties, willful misconduct in office, willful and persistent failure to perform public defender</p>					

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<p>STANDARD 13.9</p> <p><u>PERFORMANCE OF PUBLIC DEFENDER FUNCTION</u></p> <p>Policy should be established for and supervision maintained over a defender office by the public defender. It should be the responsibility of the public defender to insure that the duties of the office are discharged with diligence and competence.</p> <p>The public defender should seek to maintain his office and the performance of its function free from political pressures that may interfere with his ability to provide effective defense services. He should assume a role of leadership in the general community, interpreting his function to the public and seeking to hold and maintain their support of and respect for this function.</p> <p>The relationship between the law enforcement component of the criminal justice system and the public defender should be characterized by professionalism, mutual respect, and integrity. It should not be characterized by demonstrations of negative personal feelings on one hand or excessive familiarity on the other. Specifically, the following guidelines should be followed:</p> <ol style="list-style-type: none"> 1. The relations between public defender attorneys and prosecution attorneys should be on the same high level of professionalism that is expected between responsible members of the bar in other situations. 2. The public defender must negate the appearance of impropriety by avoiding excessive and unnecessary camaraderie in and around the courthouse and in his relations with law enforcement officials, remaining at all times aware of his image as seen by his client community. 3. The public defender should be prepared to take positive action, when invited to do so, to assist the police and other law enforcement components in understanding and developing their proper roles in the criminal justice system, and to assist them in developing their own professionalism. In the course of this educational process he should assist in resolving possible areas of misunderstanding. 4. He should maintain a close professional relationship with his fellow members of the legal community and organized bar, keeping in mind at all times that this group offers the most potential support for his office in the community and that, in the final analysis, he is one of them. Specifically: <ol style="list-style-type: none"> a. He must be aware of their potential concern that he will preempt the field of criminal law, accepting as clients all accused persons without regard to their ability or willingness 					

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<p>to retain private counsel. He must avoid both the appearance and fact of competing with the private bar.</p> <p>b. He must, while in no way compromising his representation of his own clients, remain sensitive to the calendaring problems that beset civil cases as a result of criminal case overloads, and cooperate in resolving these.</p> <p>c. He must maintain the bar's faith in the defender system by affording vigorous and effective representation to this own clients.</p> <p>d. He must maintain dialogue between his office and the private bar, never forgetting that the bar more than any other group has the potential to assist in keeping his office free from the effects of political pressures and influences.</p> <p style="text-align: center;">STANDARD 13.10 <u>SELECTION AND RETENTION OF ATTORNEY</u> <u>STAFF MEMBERS</u></p> <p>Hiring, retention, and promotion policies regarding public defender staff attorneys should be based upon merit. Staff attorneys, however, should not have civil service status or merit system status.</p> <p style="text-align: center;">STANDARD 13.11 <u>SALARIES FOR DEFENDER ATTORNEYS</u></p> <p>Salaries through the first 5 years of service for public defender staff attorneys should be comparable to those set in Standard 12.2.</p> <p style="text-align: center;">STANDARD 13.13 <u>COMMUNITY RELATIONS</u></p> <p>The public defender should be sensitive to all of the problems of his client community. He should be particularly sensitive to the difficulty often experienced by the members of that community in understanding his role. In response:</p> <p>1. He should seek, by all possible and ethical means, to interpret the process of plea negotiation and the public defender's role in it to the client community.</p> <p>2. He should, where possible, seek office locations that will not cause the public defender's office to be excessively identified with the judicial and law</p>					

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<p>charges, legal treatises on evidence and criminal law, criminal law and U. S. Supreme Court case reporters published weekly, loose leaf services related to criminal law, and, if available, an index to the State appellate brief bank. In smaller offices, a secretary who has substantial experience with legal work should be assigned as librarian, under the direction of one of the senior lawyers. In large offices, a staff attorney should be responsible for the library.</p> <p style="text-align: center;">STANDARD 13.15 <u>PROVIDING ASSIGNED COUNSEL</u></p> <p>The public defender office should have responsibility for compiling and maintaining a panel of attorneys from which a trial judge may select an attorney to appoint to a particular defendant. The trial court should have the right to add to the panel attorneys not placed on it by the public defender. The public defender's office also should provide initial and inservice training to lawyers on the panel and support services for appointed lawyers, and it should monitor the performance of appointed attorneys.</p> <p style="text-align: center;">STANDARD 13.16 <u>TRAINING AND EDUCATION OF DEFENDERS</u></p> <p>The training of public defenders and assigned counsel panel members should be systematic and comprehensive. Defenders should receive training at least equal to that received by the prosecutor and the judge. An intensive entry-level training program should be established at State and national levels to assure that all attorneys, prior to representing the indigent accused, have the basic defense skills necessary to provide effective representation.</p> <p>A defender training program should be established at the national level to conduct intensive training programs aimed at imparting basic defense skills to new defenders and other lawyers engaged in criminal defense work.</p> <p>Each State should establish its own defender training program to instruct new defenders and assigned panel members in substantive law procedure and practice.</p> <p>Every defender office should establish its own orientation program for new staff attorneys and for new panel members participating in provision of defense services by assigned counsel.</p> <p>Inservice training and continuing legal education programs should be established on a systematic basis at the State and local level for public defenders, their staff attorneys, and lawyers on assigned counsel panels as well as for other interest lawyers.</p>						

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<p style="text-align: center;">STANDARD 15.1 <u>THE COURT COMPONENT AND RESPONSIBILITY</u> <u>FOR ITS DEVELOPMENT</u></p> <p>Each comprehensive plan for the administration of justice in a mass disorder situation should contain a court processing section dealing in detail with court operations and the defense and prosecution functions required to maintain the adversary process during a mass disorder.</p> <p>Where no other adequate judicial planning body exists in a community, that portion of the court processing plan that deals with court operations should be developed under the auspices of a council of judges containing representatives of all courts within the community. Where the general plan for mass disorders includes multiple counties or municipalities, the judiciary of each county or municipality within the purview of that plan should be assured adequate representation on the council of judges.</p> <p>The council of judges or its equivalent also should have responsibility for reviewing, modifying if necessary, and approving those portions of the court processing plan that deal with defense and prosecution functions.</p> <p style="text-align: center;">STANDARD 15.1 <u>THE COURT COMPONENT AND RESPONSIBILITY</u> <u>FOR ITS DEVELOPMENT</u></p> <p>Each comprehensive plan for the administration of justice in a mass disorder situation should contain a court processing section dealing in detail with court operations and the defense and prosecution functions required to maintain the adversary process during a mass disorder.</p> <p>Where no other adequate judicial planning body exists in a community, that portion of the court processing plan that deals with court operations should be developed under the auspices of a council of judges containing representatives of all courts within the community. Where the general plan for mass disorders includes multiple counties or municipalities, the judiciary of each county or municipality within the purview of that plan should be assured adequate representation on the council of judges.</p> <p>The council of judges or its equivalent also should have responsibility for reviewing, modifying if necessary, and approving those portions of the court processing plan that deal with defense and prosecution functions.</p>						

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<p style="text-align: center;">STANDARD 15.2</p> <p style="text-align: center;"><u>SUBJECT MATTER OF THE COURT PLAN</u></p> <p>The court plan should be concerned with both judicial policy matters and court management matters. The council of judges should develop the judicial policy aspects of the plan. The court management aspects also should be developed by the council of judges, unless the community has an adequate court management operation to which such planning may be delegated.</p> <p>1. Judicial Policy Matters. Generally, the following policies should be developed and enunciated. Provision should be made for their institutionalization by the judicial planning body in its mass disorder plan:</p> <ol style="list-style-type: none"> a. The court plan, to the extent possible, should be made public and disseminated widely to assure the community and individual arrestees that their security and rights are being protected. Portions of the plan that contain sensitive information should not be made public. b. Provision should be made for pretrial release procedures normally available to remain available during a disorder. c. The adversary process should function as in normal times and to this end the defense and prosecution functions should be performed adequately. d. Persons coming before the bench should be informed of all their rights as in normal times. e. Arrested persons should be assured speedy presentation before a judicial officer and a speedy trial. f. Sentencing growing out of a mass disorder should be deferred until the conclusion of the disorder, with the exception of sentencing to time served in pretrial detention or a minimal and affordable fine. <p>2. Management Considerations. Generally, the following management considerations should be contained in the court component of the mass disorder plan:</p> <ol style="list-style-type: none"> a. To insure prompt execution of the plan in the event of a mass disorder, responsibility for its activation should be vested in a single member of the council of judges. An alternate also should be designated, and he should have activation responsibility in the event that the first member is unavailable. Deactivation should take place under the direction of the same council member. b. The plan should be designed to be activated in phases scaled to the precise degree required by the disorder at hand. In order to activate to that precise degree, a basic 					

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<p>processing module formula for both initial appearance and trial should be developed and used.</p> <ol style="list-style-type: none"> c. The normal business of the courts should proceed during a disorder unless the disorder is of such a magnitude that sufficient personnel and facilities are unavailable. In that event, normal business should be postponed and rescheduled for the earliest possible time. d. Plans should be made for the identification, recruitment, and assignment of sufficient judicial personnel from all courts within the municipality, and, when necessary, from neighboring municipalities or even neighboring States. The requisite intrajurisdictional and interjurisdictional compacts should be entered into, and where necessary, legislation or constitutional amendment should be enacted in conjunction with the planning process. e. Plans should be made for the identification, recruitment, and assignment of sufficient court administrative and clerical personnel for all purposes, drawing such personnel, if necessary, from nonjudicial governmental departments within the municipality or from the entire metropolitan area. Such auxiliary personnel should be identified and recruited as part of the planning process for potential callup in the event they are needed. The list of such personnel should be updated periodically. f. Court papers should be designed to conform as nearly as possible to the paper forms employed by the police and the prosecution. Sufficient quantities of such forms should be produced in advance so that they will be available in the event of a mass disorder. g. Attention should be given to the problem of paper flow and mechanical and electronic data flow, to the end that papers and mechanically and electronically retrieved information move smoothly from the police to prosecutors and defense counsel and to the court. h. Arrangements should be made to identify and secure facilities within the municipality or metropolitan area suitable for potential use as court, prosecutorial, and defense facilities. Such facilities should be used in the event that the usual facilities become insufficient. Other governmental buildings suitable for such use should be considered first, and, if this is inadequate, arrangements should be made for the use of other facilities. i. Arrangements should be made for sufficient clerical supplies and equipment to be available for use in processing arrestees during a mass disorder. Material should include sufficient business machinery, office equipment, computers, and the like. 					

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<p>charges, legal treatises on evidence and criminal law, criminal law and U. S. Supreme Court case reporters published weekly, loose leaf services related to criminal law, and, if available, an index to the State appellate brief bank. In smaller offices, a secretary who has substantial experience with legal work should be assigned as librarian, under the direction of one of the senior lawyers. In large offices, a staff attorney should be responsible for the library.</p> <p style="text-align: center;">STANDARD 13.15 <u>PROVIDING ASSIGNED COUNSEL</u></p> <p>The public defender office should have responsibility for compiling and maintaining a panel of attorneys from which a trial judge may select an attorney to appoint to a particular defendant. The trial court should have the right to add to the panel attorneys not placed on it by the public defender. The public defender's office also should provide initial and inservice training to lawyers on the panel and support services for appointed lawyers, and it should monitor the performance of appointed attorneys.</p> <p style="text-align: center;">STANDARD 13.16 <u>TRAINING AND EDUCATION OF DEFENDERS</u></p> <p>The training of public defenders and assigned counsel panel members should be systematic and comprehensive. Defenders should receive training at least equal to that received by the prosecutor and the judge. An intensive entry-level training program should be established at State and national levels to assure that all attorneys, prior to representing the indigent accused, have the basic defense skills necessary to provide effective representation.</p> <p>A defender training program should be established at the national level to conduct intensive training programs aimed at imparting basic defense skills to new defenders and other lawyers engaged in criminal defense work.</p> <p>Each State should establish its own defender training program to instruct new defenders and assigned panel members in substantive law procedure and practice.</p> <p>Every defender office should establish its own orientation program for new staff attorneys and for new panel members participating in provision of defense services by assigned counsel.</p> <p>Inservice training and continuing legal education programs should be established on a systematic basis at the State and local level for public defenders, their staff attorneys, and lawyers on assigned counsel panels as well as for other interest lawyers.</p>					

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<p style="text-align: center;">STANDARD 15.1 <u>THE COURT COMPONENT AND RESPONSIBILITY</u> <u>FOR ITS DEVELOPMENT</u></p> <p>Each comprehensive plan for the administration of justice in a mass disorder situation should contain a court processing section dealing in detail with court operations and the defense and prosecution functions required to maintain the adversary process during a mass disorder.</p> <p>Where no other adequate judicial planning body exists in a community, that portion of the court processing plan that deals with court operations should be developed under the auspices of a council of judges containing representatives of all courts within the community. Where the general plan for mass disorders includes multiple counties or municipalities, the judiciary of each county or municipality within the purview of that plan should be assured adequate representation on the council of judges.</p> <p>The council of judges or its equivalent also should have responsibility for reviewing, modifying if necessary, and approving those portions of the court processing plan that deal with defense and prosecution functions.</p> <p style="text-align: center;">STANDARD 15.1 <u>THE COURT COMPONENT AND RESPONSIBILITY</u> <u>FOR ITS DEVELOPMENT</u></p> <p>Each comprehensive plan for the administration of justice in a mass disorder situation should contain a court processing section dealing in detail with court operations and the defense and prosecution functions required to maintain the adversary process during a mass disorder.</p> <p>Where no other adequate judicial planning body exists in a community, that portion of the court processing plan that deals with court operations should be developed under the auspices of a council of judges containing representatives of all courts within the community. Where the general plan for mass disorders includes multiple counties or municipalities, the judiciary of each county or municipality within the purview of that plan should be assured adequate representation on the council of judges.</p> <p>The council of judges or its equivalent also should have responsibility for reviewing, modifying if necessary, and approving those portions of the court processing plan that deal with defense and prosecution functions.</p>					

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<p>b. Arrested persons should be informed of their rights, including their right to representation at the earliest possible time after arrest. Counsel should be available to the arrestee as soon after arrest as is required to protect the arrestee's rights, including the right not to be unnecessarily detained prior to charging.</p> <p>c. Each attorney should represent only one arrestee at a time before a judicial officer or judge unless the case is of such a nature that it is not in the best interests of the defendants to be so represented.</p> <p>2. Management Considerations. The following management considerations should be included in the defense plan:</p> <p>a. Provision should be made for the identification, recruitment, and assignment of sufficient defense counsel, utilizing the public defender staff and assigned counsel lists where available. If this will not provide sufficient personnel, private attorneys from within the jurisdiction who have indicated a willingness to represent defendants during a mass disorder should be included.</p> <p>Members of the bar of other States should be permitted to serve as counsel during a mass disorder if necessary; provision should be made for admission on motion. Provision should be made for periodically updating the recruitment list.</p> <p>b. Law students should be employed in the defense function in conformity with rules for utilizing law students during normal times.</p> <p>c. Special training programs should be conducted for attorneys on the list of those who will provide defense services during a mass disorder.</p> <p>d. Plans should be made for the identification, recruitment, and assignment of sufficient administrative, investigatory, and clerical personnel to serve, if needed, as backup to defense counsel. Such personnel should be drawn from governmental or nongovernmental departments within the municipality or the metropolitan area. Provision should be made for periodically updating the recruitment list.</p> <p>e. Arrangements should be made for sufficient space, clerical material, and equipment to be available for use in processing the anticipated caseload in the event of a mass disorder. This includes sufficient business machinery, office equipment, telephones, duplicating equipment, and computer facilities.</p>						

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<p>STANDARD 16.5</p> <p><u>ORGANIZATION FOR REVISION</u></p> <p>In determining eligibility for funding of criminal law revision projects, a drafting body should be favored that, in the case of substantive and corrections code revision, maintains maximum effective liaison with the legislature or, in the case of procedural revision, maintains liaison with the State supreme court if this court has broad rulemaking powers. An applicant agency should rely either on law faculty members for the preparation of drafts, or should employ qualified full-time committee or commission staff members to prepare drafts and commentaries.</p> <p>The drafting commission membership, in combination with special advisory committees, should reflect the experience of all branches of the legal profession, corrections, law enforcement, and key community leadership. There are several alternative methods of organization for revision commissions:</p> <ol style="list-style-type: none"> 1. Legislative Commission; 2. Augmented Legislative Commission; 3. Executive Commission; 4. State Bar Committee; and 5. Judicial Council or Advisory Committee. <p>STANDARD 16.6</p> <p><u>PROCEDURAL LAW REVISION</u></p> <p>Concurrently with or immediately after criminal code revision, each State that has not done so within the past decade should thoroughly revise its criminal procedure law, using the same drafting organization or a separate special committee. Federal or State funds should underwrite the expense. The draft rules or code should substantially incorporate the American Bar Association Standards for Criminal Justice and other uniform or model draft statutes on specialized topics.</p> <p>STANDARD 16.7</p> <p><u>CODE COMMENTARIES</u></p> <p>All interim and final code drafts should be supported by detailed commentaries that show the derivation of language of each section, the relationship of the section to existing State law, and the changes proposed through the draft. A list of statutes to be repealed, amended, or transferred by the effective date of the code also should be submitted to the legislature.</p>						

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<p>STANDARD 16.8</p> <p><u>EDUCATION ON THE NEW CODE</u></p> <p>After a new code has been enacted and before its effective date, intensive continuing education of bench, bar, prosecution, law enforcement, and citizens is essential to a smooth transition to the new law. Federal or State funds should be allocated to support continuing education programs whenever fees to be charged by continuing education organizations cannot meet the costs of presenting a program series. Subsidy is essential to programs of this nature for judges, prosecutors, and law enforcement officers, because local budgets rarely authorize reimbursement of tuition fees.</p> <p>STANDARD 16.9</p> <p><u>CONTINUING LAW REVISION</u></p> <p>Continuing law revision is required if the achievements of initial code reform are to be maintained. Federal or State funds, therefore, should underwrite the creation of criminal law review commissions, or review functions within existing law revision commissions: (1) to screen all legislative proposals bearing criminal penalties in order to ascertain whether a need for them actually exists; (2) to review the penalties in proposed criminal statutes to insure that they are consonant with the revised criminal code sentencing and penalty structure; (3) to propose draft statutes for legislative consideration whenever functional gaps in criminal law enforcement appear; and (4) to correlate criminal statutes with cognate statutes elsewhere in the body of State statute law. Placement of the review function within the legislative, executive, or judicial branch should be made in view of each State's governmental and political needs.</p> <p>STANDARD 17.1</p> <p><u>CRIMINAL PENALTIES</u></p> <p>The State of Alabama should define as violations of their criminal codes certain situations involving conflicts of interest, and should assign meaningful penalties when such violations constitute a serious and substantial abuse of public office. State criminal codes should include the following minimum provisions:</p> <ol style="list-style-type: none"> 1. No public official shall use confidential information for the purpose of financial gain to himself or to any other person. This provision shall continue to be applicable for 2 years after an official leaves office. 2. No public official shall accept compensation, gifts, loans, privileges, advice and assistance, or other favors from private sources for the performance of tasks within the scope of his public office. 						

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Standards and Goals	Remarks					
	Accept	Reject	C	PC	NC	Year 1-5
<p>3. No public official shall represent another person before a court, or before a government agency or commission, when such client is claiming rights against the government.</p> <p>4. No public official, and no business in which a public official has a substantial interest (including but not limited to substantial financial investments, directorates, and partnerships) shall enter into a contract with the government or with a business regulated by the government, unless the contract has been awarded through a competitive bidding process with adequate public notice. This provision shall continue to be applicable for 1 year after the official leaves office.</p> <p>5. No public official or candidate for public office shall fail to file a disclosure statement by the date established by the Ethics Board, and no public official or candidate for public office shall knowingly file a false financial statement.</p> <p>6. Any official or candidate for public office alleged to be in violation of the above criminal provisions shall be granted a prompt preliminary hearing. If tried and convicted, he shall be guilty of a felony.</p> <p>7. Any elected official convicted of any felony or misdemeanor involving moral turpitude shall be removed from office. Any appointed official likewise convicted shall be suspended from his duties.</p> <p style="text-align: center;">STANDARD 18.1</p> <p style="text-align: center;"><u>MAINTAINING INTEGRITY IN THE LOCAL PROSECUTOR'S OFFICE</u></p> <p>1. The State of Alabama should redefine their law enforcement districts so as to combine smaller jurisdictions into districts having sufficient workload to support at least one full-time district attorney.</p> <p>2. The State of Alabama should devise training standards for prosecution service, and should provide prosecutors' salaries that will attract the best-qualified personnel.</p> <p>3. All local prosecutors and their staff attorneys should be prohibited from engaging in partisan political activity. Local prosecutors who are elected should be elected in non-partisan elections.</p> <p>4. All local prosecutors should be required to publish and make available annual reports detailing the deployment of personnel and resources during the preceding reporting period. Such reports should disclose the number of cases pending, hours spent in court and before the grand jury, and other details cataloging the number and kinds of cases handled by the prosecutor and their status at the time of reporting. Reports should be available for public inspection.</p>						

Remarks

Standards and Goals	Remarks					
	Accept	Reject	C	PC	NC	Year 1-5
<p style="text-align: center;">STANDARD 18.2</p> <p style="text-align: center;"><u>STATEWIDE CAPABILITY TO PROSECUTE CORRUPTION</u></p> <p>States having a history of concern regarding the existence of public corruption and organized crime, both within and outside the criminal justice system, should establish an ongoing statewide capability for investigation and prosecution of corruption.</p> <p>1. The office charged with this responsibility should have clear authority to perform the following functions:</p> <ul style="list-style-type: none"> a. Initiate investigations concerning: the proper conduct and performance of duties by all public officials and employees in the State, and the faithful execution and effective enforcement of the laws of the State with particular reference but not limited to organized crime and racketeering; b. Prosecute those cases that are within the statutory purview and that the State unit determines it could most effectively prosecute by itself, referring all other evidence and cases to the appropriate State or local law enforcement authority; c. Provide management assistance to State and local government units, commissions, and authorities, with special emphasis on suggesting means by which to eliminate corruption and conditions that invite corruption; d. Participate in and coordinate the development of a statewide intelligence network on the incidence, growth, sources, and patterns of corruption within the State; and e. Make recommendations to the Governor or State legislature concerning: removal of public officials, government reorganization that would eliminate or reduce corruption and encourage more efficient and effective performance of duties and changes in or additions to provisions of the State statutes needed for more effective law enforcement. <p>2. The office should have the following minimum characteristics and powers:</p> <ul style="list-style-type: none"> a. Statewide jurisdiction; b. Constant capability to obtain and preserve evidence prior to the filing of formal complaints; c. Power to compel testimony for purposes of investigation and prosecution; authority to subpoena witnesses, administer oaths, obtain grants of immunity, and have access to the sanction of contempt; ability to hold private and public hearings; and power to prosecute cases in court; d. Adequate budget, protected from retaliative reduction; e. Specialized staff: investigators, accountants, and trial attorneys, with access to others as needed; f. Consulting services available to all units of State and local government, commissions, and public corporations for counsel on means of maximizing the utilization of available staff and resources to meet workload demands, with special priority for service to licensing, regulatory, and law enforcement agencies; and g. Annual disclosure of financial interests to the State Ethics Board by all persons performing regular duties in fulfillment of the above. Legislation should be enacted to authorize these and other powers as needed. 						

Standards and Goals	Remarks				
	Accept	Reject	C	PC	NC
<p>STANDARD 16.5</p> <p><u>ORGANIZATION FOR REVISION</u></p> <p>In determining eligibility for funding of criminal law revision projects, a drafting body should be favored that, in the case of substantive and corrections code revision, maintains maximum effective liaison with the legislature or, in the case of procedural revision, maintains liaison with the State supreme court if this court has broad rulemaking powers. An applicant agency should rely either on law faculty members for the preparation of drafts, or should employ qualified full-time committee or commission staff members to prepare drafts and commentaries.</p> <p>The drafting commission membership, in combination with special advisory committees, should reflect the experience of all branches of the legal profession, corrections, law enforcement, and key community leadership. There are several alternative methods of organization for revision commissions:</p> <ol style="list-style-type: none"> 1. Legislative Commission; 2. Augmented Legislative Commission; 3. Executive Commission; 4. State Bar Committee; and 5. Judicial Council or Advisory Committee. <p>STANDARD 16.6</p> <p><u>PROCEDURAL LAW REVISION</u></p> <p>Concurrently with or immediately after criminal code revision, each State that has not done so within the past decade should thoroughly revise its criminal procedure law, using the same drafting organization or a separate special committee. Federal or State funds should underwrite the expense. The draft rules or code should substantially incorporate the American Bar Association Standards for Criminal Justice and other uniform or model draft statutes on specialized topics.</p> <p>STANDARD 16.7</p> <p><u>CODE COMMENTARIES</u></p> <p>All interim and final code drafts should be supported by detailed commentaries that show the derivation of language of each section, the relationship of the section to existing State law, and the changes proposed through the draft. A list of statutes to be repealed, amended, or transferred by the effective date of the code also should be submitted to the legislature.</p>					

Standards and Goals	Remarks				
	Accept	Reject	C	PC	NC
<p>STANDARD 16.8</p> <p><u>EDUCATION ON THE NEW CODE</u></p> <p>After a new code has been enacted and before its effective date, intensive continuing education of bench, bar, prosecution, law enforcement, and citizens is essential to a smooth transition to the new law. Federal or State funds should be allocated to support continuing education programs whenever fees to be charged by continuing education organizations cannot meet the costs of presenting a program series. Subsidy is essential to programs of this nature for judges, prosecutors, and law enforcement officers, because local budgets rarely authorize reimbursement of tuition fees.</p> <p>STANDARD 16.9</p> <p><u>CONTINUING LAW REVISION</u></p> <p>Continuing law revision is required if the achievements of initial code reform are to be maintained. Federal or State funds, therefore, should underwrite the creation of criminal law review commissions, or review functions within existing law revision commissions: (1) to screen all legislative proposals bearing criminal penalties in order to ascertain whether a need for them actually exists; (2) to review the penalties in proposed criminal statutes to insure that they are consonant with the revised criminal code sentencing and penalty structure; (3) to propose draft statutes for legislative consideration whenever functional gaps in criminal law enforcement appear; and (4) to correlate criminal statutes with cognate statutes elsewhere in the body of State statute law. Placement of the review function within the legislative, executive, or judicial branch should be made in view of each State's governmental and political needs.</p> <p>STANDARD 17.1</p> <p><u>CRIMINAL PENALTIES</u></p> <p>The State of Alabama should define as violations of their criminal codes certain situations involving conflicts of interest, and should assign meaningful penalties when such violations constitute a serious and substantial abuse of public office. State criminal codes should include the following minimum provisions:</p> <ol style="list-style-type: none"> 1. No public official shall use confidential information for the purpose of financial gain to himself or to any other person. This provision shall continue to be applicable for 2 years after an official leaves office. 2. No public official shall accept compensation, gifts, loans, privileges, advice and assistance, or other favors from private sources for the performance of tasks within the scope of his public office. 					

Standards and Goals	Remarks					
	Accept	Reject	C	PC	NC	Year 1-5
<p>3. No public official shall represent another person before a court, or before a government agency or commission, when such client is claiming rights against the government.</p> <p>4. No public official, and no business in which a public official has a substantial interest (including but not limited to substantial financial investments, directorates, and partnerships) shall enter into a contract with the government or with a business regulated by the government, unless the contract has been awarded through a competitive bidding process with adequate public notice. This provision shall continue to be applicable for 1 year after the official leaves office.</p> <p>5. No public official or candidate for public office shall fail to file a disclosure statement by the date established by the Ethics Board, and no public official or candidate for public office shall knowingly file a false financial statement.</p> <p>6. Any official or candidate for public office alleged to be in violation of the above criminal provisions shall be granted a prompt preliminary hearing. If tried and convicted, he shall be guilty of a felony.</p> <p>7. Any elected official convicted of any felony or misdemeanor involving moral turpitude shall be removed from office. Any appointed official likewise convicted shall be suspended from his duties.</p> <p style="text-align: center;">STANDARD 18.1</p> <p style="text-align: center;"><u>MAINTAINING INTEGRITY IN THE LOCAL PROSECUTOR'S OFFICE</u></p> <p>1. The State of Alabama should redefine their law enforcement districts so as to combine smaller jurisdictions into districts having sufficient workload to support at least one full-time district attorney.</p> <p>2. The State of Alabama should devise training standards for prosecution service, and should provide prosecutors' salaries that will attract the best-qualified personnel.</p> <p>3. All local prosecutors and their staff attorneys should be prohibited from engaging in partisan political activity. Local prosecutors who are elected should be elected in non-partisan elections.</p> <p>4. All local prosecutors should be required to publish and make available annual reports detailing the deployment of personnel and resources during the preceding reporting period. Such reports should disclose the number of cases pending, hours spent in court and before the grand jury, and other details cataloging the number and kinds of cases handled by the prosecutor and their status at the time of reporting. Reports should be available for public inspection.</p>						

Standards and Goals	Remarks					
	Accept	Reject	C	PC	NC	Year 1-5
<p style="text-align: center;">STANDARD 18.2</p> <p style="text-align: center;"><u>STATEWIDE CAPABILITY TO PROSECUTE CORRUPTION</u></p> <p>States having a history of concern regarding the existence of public corruption and organized crime, both within and outside the criminal justice system, should establish an ongoing statewide capability for investigation and prosecution of corruption.</p> <p>1. The office charged with this responsibility should have clear authority to perform the following functions:</p> <ul style="list-style-type: none"> a. Initiate investigations concerning: the proper conduct and performance of duties by all public officials and employees in the State, and the faithful execution and effective enforcement of the laws of the State with particular reference but not limited to organized crime and racketeering; b. Prosecute those cases that are within the statutory purview and that the State unit determines it could most effectively prosecute by itself, referring all other evidence and cases to the appropriate State or local law enforcement authority; c. Provide management assistance to State and local government units, commissions, and authorities, with special emphasis on suggesting means by which to eliminate corruption and conditions that invite corruption; d. Participate in and coordinate the development of a statewide intelligence network on the incidence, growth, sources, and patterns of corruption within the State; and e. Make recommendations to the Governor or State legislature concerning: removal of public officials, government reorganization that would eliminate or reduce corruption and encourage more efficient and effective performance of duties and changes in or additions to provisions of the State statutes needed for more effective law enforcement. <p>2. The office should have the following minimum characteristics and powers:</p> <ul style="list-style-type: none"> a. Statewide jurisdiction; b. Constant capability to obtain and preserve evidence prior to the filing of formal complaints; c. Power to compel testimony for purposes of investigation and prosecution; authority to subpoena witnesses, administer oaths, obtain grants of immunity, and have access to the sanction of contempt; ability to hold private and public hearings; and power to prosecute cases in court; d. Adequate budget, protected from retaliative reduction; e. Specialized staff: investigators, accountants, and trial attorneys, with access to others as needed; f. Consulting services available to all units of State and local government, commissions, and public corporations for counsel on means of maximizing the utilization of available staff and resources to meet workload demands, with special priority for service to licensing, regulatory, and law enforcement agencies; and g. Annual disclosure of financial interests to the State Ethics Board by all persons performing regular duties in fulfillment of the above. Legislation should be enacted to authorize these and other powers as needed. 						

Section VI

Task Planning Sheets

In this section, standards and goals task planning sheets are included to aid planning efforts regarding the implementation of standards and goals for the State of Alabama .

These sheets should be completed while referring to the comments and notations made on the standards and goals worksheets. The task planning sheets provide the fundamental areas required to indicate planning area, product, timing, priority, and cost. Local needs and purposes may require expansion, modification, or rejection of component parts of the information indicated on these sheets.

Description of Required Information

Budget Program: This space is for the inclusion of a budget program for those departments who are planning to use program budgeting.

Development Schedule : Place a check in the year or years in which research of the various alternatives or actions required for the department to meet or exceed the standards considered in this topic area will begin.

Implementation Schedule: Place a check in the year or years in which research of the various alternatives or actions necessary to meet the standards under this topic area will begin.

Review Schedule: Place a check in the year or years in which review of department status and progress in this topic area is required.

Priority: Indicate the year this topic is to be considered and its priority in relation to the other topic areas that fall in the same year. Priority setting should be accomplished after all tasks have been time phased by year. For example, if 20 out of the 43 tasks are to begin in the first year, rank the 20 task by number in order of priority. You may wish to use a standard code to designate the priority within a year. For example, a code using the numbers one, two, and three (the number one indicating a high priority within a year; two, a medium priority; and three, a low priority) would indicate a high in year priority, and consideration would be given that priority during the early part of the year. Likewise, if ranked as low priority, it would not warrant action until the latter part of the year.

Technical Assistance: While developing a topic area for implementation, outside assistance from other departments or organizations may be desired. The estimated expenditures for bringing a person to the department should be indicated by year. Estimates can be based on average round trip air fare, per diem expenses, and an average fee (if required).

Contractual Support: Consultants may be required to aid with technical considerations, plans (such as communications, studies, etc.) and implementation requirements. Indicate the estimated cost of the contract under the year in which it is planned.

Travel: It may be necessary for department personnel to visit other agencies to review their approach for replication. Estimate funds needed and indicate them by year. (Estimates can be based on average round-trip air fares and per diem expenses.)

Other: This is for any anticipated miscellaneous expenses, such as the cost for printing a departmental manual.

A sample task sheet precedes the ones included for your use. Review of the commentary (including rationale and examples) accompanying the various recommended standards and goals in the Report on Court's is necessary to fully appreciate their potential impact and effort.

Sample

STANDARDS AND GOALS TASK PLANNING SHEET

AREA OF CONCERN: Administration

TOPIC AREA: News Media Relations

APPLICABLE STANDARDS:

1.7 News Media Relations

BUDGET PROGRAM:

PURPOSE: To define and establish the relationship and communication flow between this department and the news media.

PRODUCTS: Developed guidelines to establish liaison, cooperation, and coordination between this department and the news media, including the dissemination of information within legal restraints and formulated policies and procedures.

	1st Year	2nd Year	3rd Year	4th Year	5th Year
Development Schedule	✓				
Implementation Schedule	✓				
Review Schedule		✓	✓	✓	✓
Priority	1	2	2	3	3

Fiscal Requirements

Technical Assistance	\$210.00				
Contractual Support					
Travel	\$210.00				
Other					
Total	\$400.00				

STANDARDS AND GOALS TASK PLANNING SHEET

AREA OF CONCERN: Administration

TOPIC: Policy

APPLICABLE STANDARDS:

- 1.1 Criteria for Screening
- 2.1 General Criteria for Screening
- 4.6 Pretrial Release
- 7.1 Judicial Selection
- 7.2 Judicial Tenure
- 9.2 Presiding Judge and Administrative Policy of the Trial Court
- 10.4 Representatives of Court Personnel
- 12.1 Professional Standards for the Chief Prosecuting Officer
- 12.2 Professional Standards for Assistant Prosecutors
- 12.6 Filing Procedures and Statistical Systems
- 13.5 Method of Delivering Defense Services
- 13.9 Performance of Public Defender Function

BUDGET PROGRAM:

PURPOSE: To embody the philosophies, principles, attitudes, values, and intentions of management.

PRODUCTS: Guidance and direction to assist the employee in determining his or her course of action and to provide legal protection for him/her when he/she follows that course. To be accomplished by the department and continual refinement of departmental manual.

	1st Year	2nd Year	3rd Year	4th Year	5th Year
Development Schedule					
Implementation Schedule					
Review Schedule					
Priority					
Fiscal Requirements					
Technical Assistance					
Contractual Support					
Travel					
Other					
Total					

STANDARDS AND GOALS TASK PLANNING SHEET

AREA OF CONCERN: Administration

TOPIC: Procedure

APPLICABLE STANDARDS:

- 2.2 Procedure For Diversion Programs
- 3.4 Time Limit On Plea Negotiations
- 3.5 Representation By Counsel During Plea Negotiations
- 3.6 Prohibited Prosecutorial Inducements To Enter A Plea Of Guilty
- 4.2 Citation And Summons In Lieu Of Arrest
- 4.7 Nonappearance After Pretrial Release
- 4.8 Preliminary Hearing and Arraignment
- 4.10 Pretrial Motions and Conference
- 4.15 Trial of Criminal Cases
- 6.3 Flexible Review Procedures
- 8.2 Administrative Disposition Certain Matters Now Treated As Criminal Offenses
- 10.6 Production Of Witnesses
- 13.16 Financing Of Defense Services

BUDGET PROGRAM:

PURPOSE: Methodology of implementing policies to achieve department objectives.

PRODUCTS: Required actions reflected in written procedures to be incorporated into department manual.

	1st Year	2nd Year	3rd Year	4th Year	5th Year
Development Schedule					
Implementation Schedule					
Review Schedule					
Priority					
Fiscal Requirements					
Technical Assistance					
Contractual Support					
Travel					
Other					
Total					

STANDARDS AND GOALS TASK PLANNING SHEET

AREA OF CONCERN: Administration

TOPIC: Courts Role

APPLICABLE STANDARDS:

- 3.7 Acceptability Of A Negotiated Guilty Plea
- 4.3 Procedure In Misdemeanor Prosecutions
- 4.5 Presentation Before Judicial Officer Following Arrest
- 4.13 Jury Selection
- 6.1 Unified Review Proceeding
- 9.3 Local and Regional Trial Court Administrators

BUDGET PROGRAM:

PURPOSE: To define and inform the public of the role this Court as an agency of local government.

PRODUCTS: Defined functional responsibilities and objectives of judicial branch and a greater public awareness of them.

	1st Year	2nd Year	3rd Year	4th Year	5th Year
Development Schedule					
Implementation Schedule					
Review Schedule					
Priority					
Fiscal Requirements					
Technical Assistance					
Contractual Support					
Travel					
Other					
Total					

STANDARDS AND GOALS TASK PLANNING SHEET

AREA OF CONCERN: Administration

TOPIC: Discretion

APPLICABLE STANDARDS:

- 4.12 Continuances
- 6.9 Stating Reasons For Decisions And Limiting Publication Of Opinions

BUDGET PROGRAM:

PURPOSE: To explore and establish limits on discretion that will guide the court's personnel in administrative and operational duties and to make the legal limits of authority under which the court's function.

PRODUCTS: Establish limits of discretion incorporated into departmental policies, procedures, and training programs.

	1st Year	2nd Year	3rd Year	4th Year	5th Year
Development Schedule					
Implementation Schedule					
Review Schedule					
Priority					
Fiscal Requirements					
Technical Assistance					
Contractual Support					
Travel					
Other					
Total					

STANDARDS AND GOALS TASK PLANNING SHEET

AREA OF CONCERN: Administration

TOPIC: Community Relations

APPLICABLE STANDARDS:

- 9.3 Local and Regional Trial Court Administrators
- 9.6 Public Input Into Court Administration
- 10.2 Court Information and Service Facilities
- 10.3 Court Public Information and Education Programs
- 12.9 Prosecutor Relationships With The Public And With Other Agencies Of The Criminal Justice System
- 13.13 Initial Contact With Client

BUDGET PROGRAM:

PURPOSE: Recognizing the requisite support of the community in order to perform the court's function, the department seeks to explore and develop new and improved methods of communicating and interacting with the public.

PRODUCTS: Expanded methods for court's-community interactions and greater involvement of the community in the court system.

	1st Year	2nd Year	3rd Year	4th Year	5th Year
Development Schedule					
Implementation Schedule					
Review Schedule					
Priority					
Fiscal Requirements					
Technical Assistance					
Contractual Support					
Travel					
Other					
Total					

STANDARDS AND GOALS TASK PLANNING SHEET

AREA OF CONCERN: Administration

TOPIC: News Media Relations

APPLICABLE STANDARDS:

- 9.3 Local and Regional Trial Court Administrators
- 10.2 Court Information and Service Facilities
- 10.3 Court Public Information and Education Programs
- 12.9 Prosecutor Relationships With the Public and With Other Agencies Of The Criminal Justice System
- 13.13 Community Relations

BUDGET PROGRAM:

PURPOSE: To define and establish the relationship and communication flow between the court and the news media.

PRODUCTS: Developed guidelines to establish liaison, cooperation, and coordination between the court's and the news media, including the dissemination of information concerning the policies and procedures of the Court.

	1st Year	2nd Year	3rd Year	4th Year	5th Year
Development Schedule					
Implementation Schedule					
Review Schedule					
Priority					
Fiscal Requirements					
Technical Assistance					
Contractual Support					
Travel					
Other					
Total					

STANDARDS AND GOALS TASK PLANNING SHEET

AREA OF CONCERN: Administration

TOPIC: Organization

APPLICABLE STANDARDS:

- 4.11 Priority Case Scheduling
- 4.14 Jury Size and Composition
- 5.1 The Court's Role In Sentencing
- 6.2 Professional Staff
- 8.1 Unification Of The State Court System
- 9.3 Local And Regional Trial Court Administrators
- 9.4 Caseload Management
- 9.5 Coordinating Councils
- 10.1 Courthouse Physical Facilities
- 11.1 Court Administration
- 11.2 Automated Legal Research
- 12.4 Statewide Organization Of Prosecutors
- 12.6 Filing Procedures And Statistical Systems
- 13.3 Initial Contact With Client
- 13.5 Method Of Delivering Defense Service
- 13.8 Selection Of Public Defenders
- 13.10 Selection and Retention of Attorney Staff Memebers

BUDGET PROGRAM:

PURPOSE: Analyze the existing structure, and identify the optimal organizational structure for the court.

PRODUCTS: Established organizational structure that will insure effective performance of the court's function necessary to fulfill the Court's role within the community.

	1st Year	2nd Year	3rd Year	4th Year	5th Year
Development Schedule					
Implementation Schedule					
Review Schedule					
Priority					
Fiscal Requirements					
Technical Assistance					
Contractual Support					
Travel					
Other					
Total					

STANDARDS AND GOALS TASK PLANNING SHEET

AREA OF CONCERN: Administration

TOPIC: Fiscal Management

APPLICABLE STANDARDS:

- 7.3 Judicial Compensation
- 9.1 State Court Administrator
- 9.2 Presiding Judge and Administrative Policy Of The Trial Court
- 10.7 Compensation Of Witnesses
- 12.3 Supporting Staff and Facilities
- 13.1 Availability Of Public Financed Representation In Criminal Cases
- 13.2 Payment For Public Representation
- 13.6 Financing Of Defense Services
- 13.7 Defender To Be Full Time And Adequately Compensated
- 13.11 Salaries For Defender Attorneys
- 13.14 Supporting Personnel and Facilities

BUDGET PROGRAM:

PURPOSE: To provide this department with fiscal management capabilities and to establish policies and procedures for fiscal management.

PRODUCTS: Departmental fiscal planning and program budget preparation and control through improved administrative and management support to the court administrator.

	1st Year	2nd Year	3rd Year	4th Year	5th Year
Development Schedule					
Implementation Schedule					
Review Schedule					
Priority					
Fiscal Requirements					
Technical Assistance					
Contractual Support					
Travel					
Other					
Total					

STANDARDS AND GOALS TASK PLANNING SHEET

AREA OF CONCERN: Administration

TOPIC: Internal Discipline

APPLICABLE STANDARDS:

7.4 Judicial Discipline and Removal

BUDGET PROGRAM:

PURPOSE: To provide for improved control of employee conduct, processing and investigation of community and internal complaints, the fair and impartial enforcement of discipline and the resultant adjudication of all complaints with the results provided to the complainant.

PRODUCTS: Improved policies and procedures relating to conduct, including their incorporation into departmental training programs. Established administrative mechanism for investigating and adjudicating complaints.

	1st Year	2nd Year	3rd Year	4th Year	5th Year
Development Schedule					
Implementation Schedule					
Review Schedule					
Priority					
Fiscal Requirements					
Technical Assistance					
Contractual Support					
Travel					
Other					
Total					

STANDARDS AND GOALS TASK PLANNING SHEET

AREA OF CONCERN: Administration

TOPIC: Planning

APPLICABLE STANDARDS:

9.1 State Court Administrator
 9.3 Local and Regional Trial Court Administrators
 10.5 Participation In Criminal Justice Planning
 11.2 Automated Legal Research
 12.7 Development and Review Of Office Policies

BUDGET PROGRAM:

PURPOSE: To develop written policies which state the department's commitment to planning and written procedures to guide that planning and to develop or improve agency and jurisdictional planning capabilities.

PRODUCTS: Written policies and procedures.
 Developed or improved planning capabilities.

	1st Year	2nd Year	3rd Year	4th Year	5th Year
Development Schedule					
Implementation Schedule					
Review Schedule					
Priority					
Fiscal Requirements					
Technical Assistance					
Contractual Support					
Travel					
Other					
Total					

STANDARDS AND GOALS TASK PLANNING SHEET

AREA OF CONCERN: Personnel

TOPIC: Policy

APPLICABLE STANDARDS:

- 6.2 Professional Staff
- 7.2 Judicial Tenure
- 7.4 Judicial Discipline and Removal
- 9.1 State Court Administrator
- 9.2 Presiding Judge and Administrative Policy Of The Trial Court
- 9.3 Local and Regional Trial Court Administrators
- 9.5 Coordinating Councils
- 12.1 Professional Standards For The Chief Prosecuting Officer
- 12.2 Professional Standards For Assistant Prosecutors
- 12.8 The Prosecutor's Investigative Role
- 13.1 Availability Of Publicly Financed Representation In Criminal Cases
- 13.9 Performance Of Public Defender Function

BUDGET PROGRAM:

PURPOSE: To research and develop personnel policies which reflect this department's position in order to offer sufficient guidance to the agency and its personnel in performing their functions within acceptable limits.

PRODUCTS: Written personnel policies to be incorporated into the department manual.

	1st Year	2nd Year	3rd Year	4th Year	5th Year
Development Schedule					
Implementation Schedule					
Review Schedule					
Priority					
Fiscal Requirements					
Technical Assistance					
Contractual Support					
Travel					
Other					
Total					

STANDARDS AND GOALS TASK PLANNING SHEET

AREA OF CONCERN: Personnel

TOPIC: Procedure

APPLICABLE STANDARDS:

- 10.5 Participation In Criminal Justice Planning
- 12.4 Statewide Organization Of Prosecutors
- 12.9 Prosecutor Relationships With The Public And With Other Agencies Of The Criminal Justice System

BUDGET PROGRAM:

PURPOSE: To research and develop written procedures which provide this department and its personnel with definitive courses of action.

PRODUCTS: Required actions reflected in written procedures to be incorporated into the department manual.

	1st Year	2nd Year	3rd Year	4th Year	5th Year
Development Schedule					
Implementation Schedule					
Review Schedule					
Priority					
Fiscal Requirements					
Technical Assistance					
Contractual Support					
Travel					
Other					
Total					

STANDARDS AND GOALS TASK PLANNING SHEET

AREA OF CONCERN: Personnel

TOPIC: Recruitment

APPLICABLE STANDARDS:

- 7.1 Judicial Selection
- 10.4 Representativeness Of Court Personnel
- 13.8 Selection Of Public Defenders
- 13.10 Selection and Retention of Attorney Staff Members
- 13.15 Providing Assigned Counsel

BUDGET PROGRAM:

PURPOSE: To design a progressive recruitment and selection process which will attract and retain high quality personnel, including minority group members, needed to properly fulfill the role and mission of the department.

PRODUCTS: An improved recruitment and selection process to fulfill the personnel requirements of the department.

	1st Year	2nd Year	3rd Year	4th Year	5th Year
Development Schedule					
Implementation Schedule					
Review Schedule					
Priority					
Fiscal Requirements					
Technical Assistance					
Contractual Support					
Travel					
Other					
Total					

STANDARDS AND GOALS TASK PLANNING SHEET

AREA OF CONCERN: Personnel

TOPIC AREA: Classification and Pay

APPLICABLE STANDARDS:

- 7.3 Judicial Compensation
- 10.7 Compensation Of Witnesses
- 13.2 Payment For Public Representation
- 13.7 Defender To Be Full Time and Adequately Compensated
- 13.11 Salaries For Defender Attorneys

BUDGET PROGRAM:

PURPOSE: To develop an equitable and workable classification and pay plan based on carefully constructed job criteria which is designed to attract and retain the quality level of personnel needed to fulfill the role of the department.

PRODUCTS: A classification and pay plan based upon the job to be performed.

	1st Year	2nd Year	3rd Year	4th Year	5th Year
Development Schedule					
Implementation Schedule					
Review Schedule					
Priority					
Fiscal Requirements					
Technical Assistance					
Contractual Support					
Travel					
Other					
Total					

STANDARDS AND GOALS TASK PLANNING SHEET

AREA OF CONCERN: Personnel

TOPIC AREA: Utilization

APPLICABLE STANDARDS:

- 9.6 Public Input Into Court Administration
- 10.2 Court Information and Service Facilities
- 10.3 Court Public Information and Education Programs
- 10.6 Production Of Witnesses
- 12.3 Supporting Staff and Facilities
- 12.6 Filing Procedures and Statistical Systems
- 12.7 Development and Review Of Office Policies
- 13.3 Initial Contact With Client
- 13.14 Supporting Personnel and Facilities

BUDGET PROGRAM:

PURPOSE: To explore the most profitable use of manpower alternatives so as to reduce costs, and increase efficiency.

PRODUCTS: Improve the use of Court's personnel.

	1st Year	2nd Year	3rd Year	4th Year	5th Year
Development Schedule					
Implementation Schedule					
Review Schedule					
Priority					
Fiscal Requirements					
Technical Assistance					
Contractual Support					
Travel					
Other					
Total					

STANDARDS AND GOALS TASK PLANNING SHEET

AREA OF CONCERN: Personnel

TOPIC AREA: Education

APPLICABLE STANDARDS:

- 7.5 Judicial Education
- 11.1 Court Administrator
- 11.2 Automated Legal Research
- 12.5 Education Of Professional Personnel
- 13.16 Financing Of Defense Services

BUDGET PROGRAM:

PURPOSE: To establish entry and promotional requirements and incentives to insure the acquisition and retention of qualified personnel within the department.

PRODUCTS: Standards for entry level and promotional requirements, educational incentive programs, and college credit for completion of judicial training programs.

	1st Year	2nd Year	3rd Year	4th Year	5th Year
Development Schedule					
Implementation Schedule					
Review Schedule					
Priority					
Fiscal Requirements					
Technical Assistance					
Contractual Support					
Travel					
Other					
Total					

STANDARDS AND GOALS TASK PLANNING SHEET

AREA OF CONCERN: Personnel

TOPIC AREA: Employee Service

APPLICABLE STANDARDS:
13.5 Method of Delivering Defense Services

BUDGET PROGRAM:

PURPOSE: To review procedures for department employees and their families to receive all benefits and compensations to which they are entitled.

PRODUCTS: Establishment of means by which employees are informed of a guaranteed receipt of departmental benefits and compensations; perhaps through the establishment of an Employee Services Unit, which could operate on either a part or full-time basis. Status reports on jurisdictional retirement plan and other employment benefits.

	1st Year	2nd Year	3rd Year	4th Year	5th Year
Development Schedule					
Implementation Schedule					
Review Schedule					
Priority					
Fiscal Requirements					
Technical Assistance					
Contractual Support					
Travel					
Other					
Total					

STANDARDS AND GOALS TASK PLANNING SHEET

AREA OF CONCERN: Training

TOPIC: Policy

APPLICABLE STANDARDS:
6.2 Professional Staff
7.5 Judicial Education
10.3 Court Public Information and Education Programs
12.1 Professional Standards For The Chief Prosecuting Officer
12.2 Professional Standards For Assistant Prosecutors
12.3 Supporting Staff and Facilities
12.5 Education Of Professional Personnel
12.7 Development and Review Of Office Policies
13.9 Performance Of Public Defender Function
13.10 Selection and Retention Of Attorney Staff Members
13.14 Supporting Personnel and Facilities

BUDGET PROGRAM:

PURPOSE: To research and develop training policies which reflect this department's position; to offer guidance to the agency and its personnel in performing their functions within acceptable limits.

PRODUCTS: Written policies to be incorporated into the department's manual.

	1st Year	2nd Year	3rd Year	4th Year	5th Year
Development Schedule					
Implementation Schedule					
Review Schedule					
Priority					
Fiscal Requirements					
Technical Assistance					
Contractual Support					
Travel					
Other					
Total					

STANDARDS AND GOALS TASK PLANNING SHEET

AREA OF CONCERN: Training

TOPIC: Procedure

APPLICABLE STANDARDS:

7.2 Judicial Tenure

BUDGET PROGRAM:

PURPOSE: To research and develop training procedures which provide this department and its personnel with definitive courses of action.

PRODUCTS: Required actions reflected in written procedures to be incorporated into the departmental manual.

	1st Year	2nd Year	3rd Year	4th Year	5th Year
Development Schedule					
Implementation Schedule					
Review Schedule					
Priority					
Fiscal Requirements					
Technical Assistance					
Contractual Support					
Travel					
Other					
Total					

STANDARDS AND GOALS TASK PLANNING SHEET

AREA OF CONCERN: Training

TOPIC: Program Development

APPLICABLE STANDARDS:

7.4 Judicial Discipline And Removal

13.15 Providing Assigned Counsel

BUDGET PROGRAM:

PURPOSE: To develop an effective overall training program which meets the needs of the agency and effectively responds to community service requirements.

PRODUCTS: A comprehensive training program encompassing but not limited to recruitment, inservice, specialized, management, and inter-personal communications training.

	1st Year	2nd Year	3rd Year	4th Year	5th Year
Development Schedule					
Implementation Schedule					
Review Schedule					
Priority					
Fiscal Requirements					
Technical Assistance					
Contractual Support					
Travel					
Other					
Total					

STANDARDS AND GOALS TASK PLANNING SHEET

AREA OF CONCERN: Training

TOPIC: Education

APPLICABLE STANDARDS:

- 7.1 Judicial Selection
- 13.15 Providing Assigned Counsel

BUDGET PROGRAM:

PURPOSE: To establish entry and promotional educational requirements and incentives to insure the acquisition and retention of qualified personnel within the department.

PRODUCTS: Standards for entry level and promotional requirements, educational incentive programs and college credit for completion of judicial training programs.

	1st Year	2nd Year	3rd Year	4th Year	5th Year
Development Schedule					
Implementation Schedule					
Review Schedule					
Priority					
Fiscal Requirements					
Technical Assistance					
Contractual Support					
Travel					
Other					
Total					

STANDARDS AND GOALS TASK PLANNING SHEET

AREA OF CONCERN: Training

TOPIC: Fiscal Assistance

APPLICABLE STANDARDS:

- 7.3 Judicial Compensation

BUDGET PROGRAM:

PURPOSE: To provide the department with fiscal management capabilities and to establish policies and procedures for fiscal management.

PRODUCTS: Departmental fiscal planning and program budget preparation and control through improved administrative and management support to the court administrator.

	1st Year	2nd Year	3rd Year	4th Year	5th Year
Development Schedule					
Implementation Schedule					
Review Schedule					
Priority					
Fiscal Requirements					
Technical Assistance					
Contractual Support					
Travel					
Other					
Total					

STANDARDS AND GOALS TASK PLANNING SHEET

AREA OF CONCERN: Training

TOPIC: Legal Research

APPLICABLE STANDARDS:

- 11.2 Automated Legal Research
- 12.6 Filing Procedures and Statistical Systems

BUDGET PROGRAM:

PURPOSE: To provide every court employee with the means to obtain state established minimum training through the establishment of local, regional, or state training centers.

PRODUCTS: Identification of the training opportunities offered to court personnel.

	1st Year	2nd Year	3rd Year	4th Year	5th Year
Development Schedule					
Implementation Schedule					
Review Schedule					
Priority					
Fiscal Requirements					
Technical Assistance					
Contractual Support					
Travel					
Other					
Total					

STANDARDS AND GOALS TASK PLANNING SHEET

AREA OF CONCERN: Operations

TOPIC: Policy

APPLICABLE STANDARDS:

- 1.1 Criteria For Screening
- 2.1 General Criteria For Diversion
- 3.4 Time Limit On Plea Negotiations
- 3.6 Prohibited Prosecutorial Inducements To Enter A Plea Of Guilty
- 4.2 Citation And Summons In Lieu Of Arrest
- 4.5 Presentation Before Judicial Officer Following Arrest
- 4.8 Preliminary Hearing And Arraignment
- 4.10 Pretrial Motions And Conference
- 4.12 Continuances
- 4.15 Trial Of Criminal Cases
- 5.1 The Court's Role In Sentencing
- 8.1 Unification Of The State Court System
- 13.16 Training and Education Of Defenders

BUDGET PROGRAM:

PURPOSE: To research and develop optional policies which reflect this department's position and offer sufficient guidance to the agency and its personnel in performing their functions within acceptable limits.

PRODUCTS: Written policies to be incorporated into the department manual.

	1st Year	2nd Year	3rd Year	4th Year	5th Year
Development Schedule					
Implementation Schedule					
Review Schedule					
Priority					
Fiscal Requirements					
Technical Assistance					
Contractual Support					
Travel					
Other					
Total					

STANDARDS AND GOALS TASK PLANNING SHEET

AREA OF CONCERN: Operations

TOPIC: Procedure

APPLICABLE STANDARDS:

- 2.2 Procedure For Diversion Programs
- 3.2 Record Of Plea and Agreement
- 3.5 Representation By Counsel During Plea Negotiations
- 3.7 Acceptability Of A Negotiated Guilty Plea
- 4.3 Procedure In Misdemeanor Prosecutions
- 4.6 Pretrial Release
- 4.7 Nonappearance After Pretrial Release
- 4.11 Priority Case Scheduling
- 6.1 Unified Review Proceeding
- 6.3 Flexible Review Procedures
- 6.4 Dispositional Time In Reviewing Court
- 8.2 Administrative Disposition Of Certain Matters Now Treated As Criminal Offenses

BUDGET PROGRAM:

PURPOSE: To research and develop training procedures which provide this department and its personnel with definitive courses of action.

PRODUCTS: Required actions reflected in written procedures to be incorporated into the departmental manual.

	1st Year	2nd Year	3rd Year	4th Year	5th Year
Development Schedule					
Implementation Schedule					
Review Schedule					
Priority					
Fiscal Requirements					
Technical Assistance					
Contractual Support					
Travel					
Other					
Total					

STANDARDS AND GOALS TASK PLANNING SHEET

AREA OF CONCERN: Operations

TOPIC: Specialization

APPLICABLE STANDARDS:

- 4.13 Jury Selection
- 4.14 Jury Size and Composition

BUDGET PROGRAM:

PURPOSE: To establish and review levels of specialization within the department required to effectively meet departmental and community needs.

PRODUCTS: Established levels of specialization which enhances the ability of the department to respond to community needs and service demands.

	1st Year	2nd Year	3rd Year	4th Year	5th Year
Development Schedule					
Implementation Schedule					
Review Schedule					
Priority					
Fiscal Requirements					
Technical Assistance					
Contractual Support					
Travel					
Other					
Total					

STANDARDS AND GOALS TASK PLANNING SHEET

AREA OF CONCERN: Support Services

TOPIC: Policy

APPLICABLE STANDARDS:

- 10.4 Representatives of Court Personnel
- 13.1 Availability Of Publicly Financed Representation In Criminal Cases
- 13.2 Payment for Public Representation
- 13.5 Method Of Delivering Defense Services
- 13.7 Defender To Be Full Time And Adequately Compensated
- 13.9 Performance Of Public Defender Function

BUDGET PROGRAM:

PURPOSE: To research and develop support services policies which reflect this department's position and other sufficient guidance to the agency and its personnel in performing their functions within acceptable limits.

PRODUCTS: Written policies to be incorporated into department manual.

	1st Year	2nd Year	3rd Year	4th Year	5th Year
Development Schedule					
Implementation Schedule					
Review Schedule					
Priority					
Fiscal Requirements					
Technical Assistance					
Contractual Support					
Travel					
Other					
Total					

STANDARDS AND GOALS TASK PLANNING SHEET

AREA OF CONCERN: Support Services

TOPIC: Procedure

APPLICABLE STANDARDS:

- 10.7 Compensation Of Witnesses

BUDGET PROGRAM:

PURPOSE: To research and develop Support Services procedures to provide this department and its personnel with definitive courses of action.

PRODUCTS: Required actions reflected in written procedures to be incorporated into departmental manual.

	1st Year	2nd Year	3rd Year	4th Year	5th Year
Development Schedule					
Implementation Schedule					
Review Schedule					
Priority					
Fiscal Requirements					
Technical Assistance					
Contractual Support					
Travel					
Other					
Total					

STANDARDS AND GOALS TASK PLANNING SHEET

AREA OF CONCERN: Support Services

TOPIC: Information Systems

APPLICABLE STANDARDS:

- 10.2 Court Information and Service Facilities
- 10.5 Participation In Criminal Justice Planning
- 11.2 Automated Legal Research
- 12.6 Filing Procedures and Statistical Systems

BUDGET PROGRAM:

PURPOSE: To improve the department's capability to collect, store, retrieve, and utilize information necessary for the effective performance of agency functions.

PRODUCTS: Improved information systems with attention to but not limited to basic court reporting, criminal statistics, managerial data retrieval, and personnel records systems.

	1st Year	2nd Year	3rd Year	4th Year	5th Year
Development Schedule					
Implementation Schedule					
Review Schedule					
Priority					
Fiscal Requirements					
Technical Assistance					
Contractual Support					
Travel					
Other					
Total					

STANDARDS AND GOALS TASK PLANNING SHEET

AREA OF CONCERN: Support Services

TOPIC: Supporting Personnel

APPLICABLE STANDARDS:

- 6.2 Professional Staff
- 10.6 Production Of Witnesses
- 12.3 Supporting Staff And Facilities
- 13.8 Selection Of Public Defenders
- 13.10 Selection and Retention Of Attorney Staff Members
- 13.14 Supporting Personnel and Facilities

BUDGET PROGRAM:

PURPOSE: To establish levels of specialization within the department required to effectively meet departmental and community needs.

PRODUCTS: Established levels of specialization which enhance the ability of the department to handle all situations arising under the judicial system.

	1st Year	2nd Year	3rd Year	4th Year	5th Year
Development Schedule					
Implementation Schedule					
Review Schedule					
Priority					
Fiscal Requirements					
Technical Assistance					
Contractual Support					
Travel					
Other					
Total					

STANDARDS AND GOALS TASK PLANNING SHEET

AREA OF CONCERN: Support Services

TOPIC: Administrators

APPLICABLE STANDARDS:

- 9.3 Local And Regional Trial Court Administrators
- 9.5 Coordinating Councils
- 11.1 Court Administrators

BUDGET PROGRAMS:

PURPOSE: To provide for improvements which will contribute to the departments effectiveness in performing its judicial role.

PRODUCTS: Improved judicial capabilities.

	1st Year	2nd Year	3rd Year	4th Year	5th Year
Development Schedule					
Implementation Schedule					
Review Schedule					
Priority					
Fiscal Requirements					
Technical Assistance					
Contractual Support					
Travel					
Other					
Total					

STANDARDS AND GOALS TASK PLANNING SHEET

AREA OF CONCERN: Support Services

TOPIC: Public Relations

APPLICABLE STANDARDS:

- 9.6 Public Input Into Court Administration
- 10.3 Court Public Information and Education Programs
- 12.9 Prosecutor Relationships With The Public And With Other Agencies Of The Criminal Justice System
- 13.13 Initial Contact With Client

BUDGET PROGRAM:

PURPOSE: To define and establish the relationship and communication flow between the court's and the general public.

PRODUCTS: Develop guidelines to establish liaison, cooperation, and coordination between the court's and general public, including the dissemination of information within legal restraints and formulated policies and procedures.

	1st Year	2nd Year	3rd Year	4th Year	5th Year
Development Schedule					
Implementation Schedule					
Review Schedule					
Priority					
Fiscal Requirements					
Technical Assistance					
Contractual Support					
Travel					
Other					
Total					

STANDARDS AND GOALS TASK PLANNING SHEET

AREA OF CONCERN: Support Services

TOPIC: Courthouse Facilities

APPLICABLE STANDARDS:
10.1 Courthouse Physical Facilities

BUDGET PROGRAM:

PURPOSE: To provide for better courthouse physical facilities.

PRODUCTS: Identify and improve courthouse needs.

	1st Year	2nd Year	3rd Year	4th Year	5th Year
Development Schedule					
Implementation Schedule					
Review Schedule					
Priority					
Fiscal Requirements					
Technical Assistance					
Contractual Support					
Travel					
Other					
Total					

STANDARDS AND GOALS TASK PLANNING SHEET

AREA OF CONCERN: Support Services

TOPIC: Education

APPLICABLE STANDARDS:
12.5 Education Of Professional Personnel
13.16 Training and Education Of Defenders

BUDGET PROGRAM:

PURPOSE: To establish entry and promotional educational requirements and incentives to insure the acquisition and retention of qualified personnel within the department.

PRODUCTS: Standards for entry level and promotional requirements, educational incentive programs and college credit for completion of judicial training programs.

	1st Year	2nd Year	3rd Year	4th Year	5th Year
Development Schedule					
Implementation Schedule					
Review Schedule					
Priority					
Fiscal Requirements					
Technical Assistance					
Contractual Support					
Travel					
Other					
Total					

STANDARDS AND GOALS TASK PLANNING SHEET

AREA OF CONCERN: Support Services

TOPIC: Finances

APPLICABLE STANDARDS

- 13.6 Financing Of Defense Services
- 13.11 Salaries For Defender Attorneys

BUDGET PROGRAM:

PURPOSE: To provide money for support services related to the court system.

PRODUCTS: To improve the need for methods of obtaining professional assistance.

	1st Year	2nd Year	3rd Year	4th Year	5th Year
Development Schedule					
Implementation Schedule					
Review Schedule					
Priority					
Fiscal Requirements					
Technical Assistance					
Contractual Support					
Travel					
Other					
Total					

STANDARDS AND GOALS TASK PLANNING SHEET

AREA OF CONCERN: Extra-Departmental Cooperation and Assistance

TOPIC: Policy

APPLICABLE STANDARDS:

- 8.1 Unification Of The State Court System
- 10.4 Representativeness Of Court Personnel
- 10.7 Compensation Of Witness
- 12.1 Professional Standards For The Chief Prosecuting Officer
- 12.2 Professional Standards For Assistant Prosecutors
- 12.7 Development And Review Of Office Policies
- 13.1 Availability Of Publicly Financed Representation In Criminal Cases
- 13.2 Payment For Public Representation
- 13.5 Method Of Delivering Defense Services
- 13.7 Defender To Be Full Time And Adequately Compensated

BUDGET PROGRAM:

PURPOSE: To research and develop policies relating to extra-departmental cooperation, coordination, and assistance which this department's position and offer sufficient guidance to the agency and its personnel in performing their function within acceptable limits.

PRODUCTS: Written policies to be incorporated into departmental manual.

	1st Year	2nd Year	3rd Year	4th Year	5th Year
Development Schedule					
Implementation Schedule					
Review Schedule					
Priority					
Fiscal Requirements					
Technical Assistance					
Contractual Support					
Travel					
Other					
Total					

STANDARDS AND GOALS TASK PLANNING SHEET

AREA OF CONCERN: Extra-Departmental Cooperation, Coordination, and Assistance

TOPIC: Procedure

APPLICABLE STANDARDS
13.9 Performance Of Public Defender Function

BUDGET PROGRAM:

PURPOSE: To research and develop written procedures which provide the agency and its personnel with definitive courses of action.

PRODUCTS: Required actions reflected in written procedures to be incorporated into departmental manual.

	1st Year	2nd Year	3rd Year	4th Year	5th Year
Development Schedule					
Implementation Schedule					
Review Schedule					
Priority					
Fiscal Requirements					
Technical Assistance					
Contractual Support					
Travel					
Other					
Total					

STANDARDS AND GOALS TASK PLANNING SHEET

AREA OF CONCERN: Extra-Departmental Cooperation, Coordination, And Assistance

TOPIC: Developing Community Relations

APPLICABLE STANDARDS:
9.6 Public Input Into Court Administration
10.2 Court Information And Service Facilities
10.3 Court Public Information And Education Programs
12.9 Prosecutor Relationships With The Public And With Other Agencies Of The Criminal Justice System
13.13 Community Relations

BUDGET PROGRAM:

PURPOSE: To develop programs which bring the citizens and court's together and to encourage the public to take an active role in judicial activity.

PRODUCTS: Programs for citizen involvement in the judicial process.

	1st Year	2nd Year	3rd Year	4th Year	5th Year
Development Schedule					
Implementation Schedule					
Review Schedule					
Priority					
Fiscal Requirements					
Technical Assistance					
Contractual Support					
Travel					
Other					
Total					

STANDARDS AND GOALS TASK PLANNING SHEET

AREA OF CONCERN: Extra-Departmental Cooperation, Coordination, and Assistance

TOPIC: Professional Assistance

APPLICABLE STANDARDS:

- 6.2 Professional Staff
- 9.2 Presiding Judge and Administrative Policy Of The Trial Court
- 13.10 Selection And Retention Of Attorney Staff Members
- 13.8 Selection Of Public Defenders
- 13.16 Training And Education
- 13.15 Providing Assigned Counsel
- 12.8 The Prosecutor's Role
- 12.5 Education Of Professional Personnel

BUDGET PROGRAM:

PURPOSE: To determine the need for an availability of professional expertise, which could improve the department's effectiveness in performing its functions.

PRODUCTS: Identified needs for and methods of obtaining professional assistance.

	1st Year	2nd Year	3rd Year	4th Year	5th Year
Development Schedule					
Implementation Schedule					
Review Schedule					
Priority					
Fiscal Requirements					
Technical Assistance					
Contractual Support					
Travel					
Other					
Total					

STANDARDS AND GOALS TASK PLANNING SHEET

ARE OF CONCERN: Extra-Departmental Cooperation, Coordination, And Assistance

TOPIC: Diversion

APPLICABLE STANDARDS:

- 2.1 General Criteria For Diversion
- 2.2 Procedure For Diversion Programs

BUDGET PROGRAM:

PURPOSE: To identify diversionary needs and alternatives and the establishment of requisite policies and procedures.

PRODUCTS: Identified diversionary needs and alternatives and the establishment of requisite policies and procedures.

	1st Year	2nd Year	3rd Year	4th Year	5th Year
Development Schedule					
Implementation Schedule					
Review Schedule					
Priority					
Fiscal Requirements					
Technical Assistance					
Contractual Support					
Travel					
Other					
Total					

STANDARDS AND GOALS TASK PLANNING SHEET

AREA OF CONCERN: Extra-Departmental Cooperation, Coordination, And Assistance

TOPIC: Combined Court's Services

APPLICABLE STANDARDS:

- 3.2 Record of Plea and Agreement
- 3.3 Uniform Plea Negotiation Policies
- 10.6 Production of Witnesses
- 11.1 Court Administration

BUDGET PROGRAM:

PURPOSE: To evaluate departmental line and staff operations as to their adequacy and cost effectiveness in order to determine what services may be more effectively or economically performed by combining them with other judicial agencies.

PRODUCTS: Feasibility of combining specific services with other judicial departments determined including cost identification and time-phase requirements.

	1st Year	2nd Year	3rd Year	4th Year	5th Year
Development Schedule					
Implementation Schedule					
Review Schedule					
Priority					

Fiscal Requirements

Technical Assistance					
Contractual Support					
Travel					
Other					
Total					

STANDARDS AND GOALS TASK PLANNING SHEET

AREA OF CONCERN: Extra-Departmental Cooperation, Coordination, and Assistance

TOPIC: Community Physical Service

APPLICABLE STANDARDS:

- 10.1 Courthouse Physical Facilities
- 13.14 Supporting Personnel And Facilities

BUDGET PROGRAM:

PURPOSE: To establish the means by which the department may provide input into community physical planning in those areas related to the safety of persons and property.

PRODUCTS: Departmental involvement and input into community physical planning and appropriate changes to city building and health.

	1st Year	2nd Year	3rd Year	4th Year	5th Year
Development Schedule					
Implementation Schedule					
Review Schedule					
Priority					

Fiscal Requirements

Technical Assistance					
Contractual Support					
Travel					
Other					
Total					

STANDARDS AND GOALS TASK PLANNING SHEET

AREA OF CONCERN: Extra-Departmental Cooperation, Coordination, and Assistance

TOPIC: Inter-criminal Justice Agency Coordination

APPLICABLE STANDARDS:

- 10.5 Participation In Criminal Justice Planning
- 11.2 Automated Legal Research
- 12.6 Filing Procedures And Statistical Systems

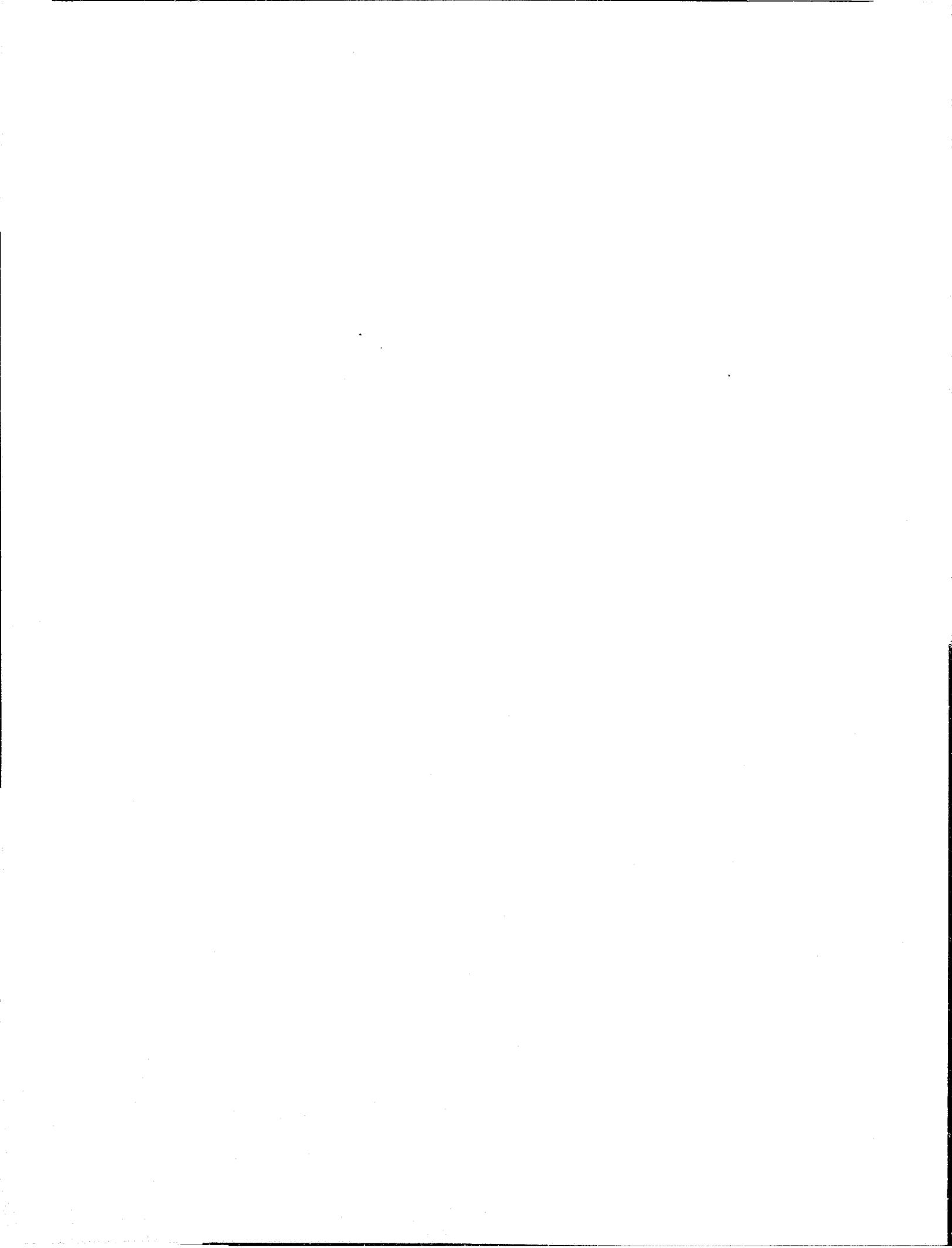
BUDGET PROGRAM:

PURPOSE: To develop a workable inter-agency training program, improve liaison with other elements of the criminal justice system, and expand criminal case follow-up procedures in order to foster greater understanding, cooperation, and coordination among the counterparts of the system.

PRODUCTS: Inter-agency training programs, improvements in liaison, and improved case follow-up procedures.

	1st Year	2nd Year	3rd Year	4th Year	5th Year
Development Schedule					
Implementation Schedule					
Review Schedule					
Priority					
Fiscal Requirements					
Technical Assistance					
Contractual Support					
Travel					
Other					
Total					

	1st Year	2nd Year	3rd Year	4th Year	5th Year
Development Schedule					
Implementation Schedule					
Review Schedule					
Priority					
Fiscal Requirements					
Technical Assistance					
Contractual Support					
Travel					
Other					
Total					



END