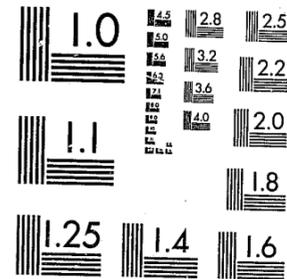


National Criminal Justice Reference Service



This microfiche was produced from documents received for inclusion in the NCJRS data base. Since NCJRS cannot exercise control over the physical condition of the documents submitted, the individual frame quality will vary. The resolution chart on this frame may be used to evaluate the document quality.



MICROCOPY RESOLUTION TEST CHART  
NATIONAL BUREAU OF STANDARDS-1963-A

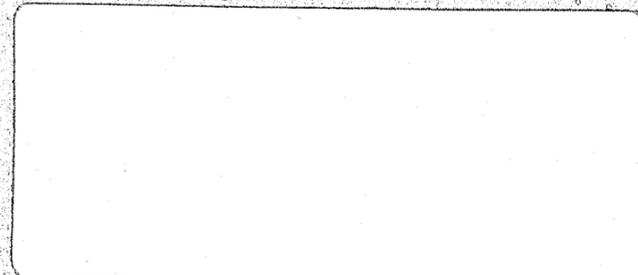
Microfilming procedures used to create this fiche comply with the standards set forth in 41CFR 101-11.504.

Points of view or opinions stated in this document are those of the author(s) and do not represent the official position or policies of the U. S. Department of Justice.

National Institute of Justice  
United States Department of Justice  
Washington, D. C. 20531

5-14-82

MF-1



81817

BUREAU OF SOCIAL SCIENCE RESEARCH, INC.

WASHINGTON, D. C.

U.S. Department of Justice  
National Institute of Justice

This document has been reproduced exactly as received from the person or organization originating it. Points of view or opinions stated in this document are those of the authors and do not necessarily represent the official position or policies of the National Institute of Justice.

Permission to reproduce this copyrighted material has been granted by

Public Domain/LEAA  
Bur. of Social Research, Inc.

to the National Criminal Justice Reference Service (NCJRS).

Further reproduction outside of the NCJRS system requires permission of the copyright owner.

REPORT ON THE  
TECHNICAL ASSISTANCE VISIT TO THE  
DISTRICT ATTORNEY

TULSA, OKLAHOMA  
SEPTEMBER 22-24, 1981

CRIMINAL PROSECUTION TECHNICAL ASSISTANCE PROJECT

LEONARD R. MELLON, PROJECT DIRECTOR

WALTER F. SMITH, PROJECT MANAGER

This study was performed in accordance with the terms of Law Enforcement Assistance Administration Contract #J-LEAA-010-80.

The views expressed in this report are not necessarily those of the Law Enforcement Assistance Administration.

Bureau of Social Science Research, Inc.  
1990 M Street, N.W.  
Washington, D. C. 20036

TABLE OF CONTENTS

I.	INTRODUCTION.....	1
II.	SUMMARY OF RECOMMENDATIONS.....	4
III.	SYSTEM OVERVIEW.....	6
IV.	ANALYSIS.....	8
	A. Organization of Professional Staff.....	8
	B. Management and Administration of Clerical Staff and Functions.....	16
V.	CONCLUSIONS.....	32
	Appendix A.....	i
	Appendix B.....	ii
	Appendix C.....	iii
	Appendix D.....	iv
	Appendix E.....	v
	Appendix F.....	vi
	Appendix G.....	vii

## INTRODUCTION

On September 22-24, 1981 a Technical Assistance team from the Criminal Prosecution Technical Assistance Project visited the offices of David L. Moss, District Attorney for Tulsa, Oklahoma. The Technical Assistance team examined the District Attorney's management and operations functions in accord with the terms of a contract with the Law Enforcement Assistance Administration. Members of the team included:\*

Walter F. Smith, Project Manager/Research Analyst  
Criminal Prosecution Technical Assistance Project  
Washington, D. C.

Peter S. Gilchrist, III, Consultant  
District Attorney  
Twenty-sixth Prosecutorial District  
Charlotte, North Carolina

The purpose of the visit was to analyze problems inherent when a new District Attorney takes office. For Tulsa, Oklahoma, these included an examination of the record keeping and filing system and the organization of a strong management system for the office. An overall assessment of the office was not attempted, nor was it desired. The purpose of a technical assistance visit is to evaluate and analyze specific problem areas and provide recommendations and suggestions for dealing with those areas. It is designed to address a wide range of problems stemming from paperwork and organizational procedures, financial management and budgeting systems, space and equipment requirements and specialized operational programs, projects and procedures unique to the delivery of prosecutorial services.

---

\*Vitae are attached as Appendix A.

During the visit, interviews are conducted with those members of the office who are most directly involved with the problem areas. Their functions and tasks are examined as well as their perceptions of the problems. The flow of paperwork and the statistical system may also be examined if they are problem areas. Interviews may also be conducted with personnel involved with other component areas of the criminal justice system such as the police, courts and the public defender's office.

The basic approach used by the Technical Assistance team is to examine the office with reference to its functional responsibilities. This means that the process steps of intake, accusation, trials, post-conviction activities, special programs and projects, juveniles and other areas are examined, as required, with respect to their operations, administration and planning features. Taking a functional analysis approach permits observation of the interconnecting activities and operations in a process step and identification of points of breakdown if they exist.

Once the problem and its dimensions have been specified, an in-depth analysis is made which results in an identification of the major elements and components of the problem, and an exposition of needed change, where applicable.

After the office has been fully examined, its dimensions discussed, and the analysis of the critical component factors undertaken, recommendations which are practical and feasible are made.

The visit to the Tulsa, Oklahoma District Attorney's office focused on the problems surrounding the appointment of a new District Attorney. The emphasis of the visit was on developing a strong, working management plan for the office.

The Technical Assistance team would like to thank Mr. Moss and his staff for their cooperation and assistance during the visit. Reception of the team was excellent, and the staff's willingness to discuss the strengths and weaknesses of the office was of considerable assistance to the Technical Assistance team in carrying out its tasks.

## II. SUMMARY OF RECOMMENDATIONS

1. Provide a strong management plan for the office and implement procedures to insure that the policies are carried out.
2. Reorganize the criminal attorneys into three, or possibly four, trial teams. Designate the most experienced attorneys as the trial team leaders.
3. Assign each trial team to one of the three District Court judges.
4. Have the team leaders meet with their team to review cases and provide instructions for disposing of the team's caseload.
5. If a fourth trial team is established, assign defendants who would fall into career criminal or major offender categories to this team. Keep the caseload small for this team to allow adequate time for preparation.
6. Have the experienced assistants prepare job descriptions and procedures on the workings of the office. This will serve as a reference tool for the less experienced attorneys.
7. Have the team leaders assign the less experienced assistants to sit second chair on complicated felony cases and sit first chair on less complicated felony cases. This will give them experience under close supervision.
8. Send the less experienced assistants to the training programs that are available around the country. In addition, have the assistants make more use of the video tapes available in the office.
9. Evaluate the policy of walk-in complaints and set a schedule of hours when consultations are available. Make better use of the investigators in this capacity.
10. Have the clerical staff request prosecution summaries from the police and pull together "second page informations".
11. Acquire a full-time Office Administrator/Manager.
12. Develop a strict file control policy and hire a file clerk to be solely responsible for pulling and refiling case files.
13. Develop a "prosecutor's impression sheet" to facilitate lateral communication among the assistants.
14. Design new case file jackets to be preprinted requiring fewer long hand entries by the assistants.
15. Have the alphabetical index cards used for case tracking preprinted so that information will be uniformly found in the same places.

16. Replace the system of using case files for calendaring preliminary hearings with a second preprinted index card which can be used to calendar all court events.
17. Develop an archives system to gradually replace the three systems for record keeping now in use.
18. Begin to keep statistics using forms such as those provided in Appendix G.
19. Evaluate the computer systems of the Oklahoma State Bureau of Investigation to determine whether and in what capacity it could assist the office.
20. Update the current policy and procedures manual substituting the current policies for those established under the previous administration.
21. Continue with the plans to hire a witness coordinator to establish early and continuous communication with witnesses throughout the court process.
22. Develop a witness brochure containing useful information for witnesses and mail it out with every subpoena and make it available in the courthouse.
23. Consider the use of college interns to supplement the witness unit.

### III. SYSTEM OVERVIEW

The Tulsa, Oklahoma, District Attorney, David L. Moss, was appointed to that position by the Governor in July, 1981. Prior to that time he had been a felony trial deputy with the office. The appointment coincided with an exodus of approximately nine of the most experienced attorneys in the office. These former prosecutors left the office for a variety of reasons that included taking positions with the Oklahoma Attorney General's office, being appointed to the bench, and moving on to private practice. One experienced prosecutor, who was the former Chief Prosecutor, estimated that the office lost nearly 100 years of prosecutorial experience when the combined time of all the assistants who left was totalled.

The office enjoys a current reputation of being staffed by a District Attorney and assistants who have integrity and who work hard but are handicapped by having a lack of both manpower and experience. There were no serious criticisms of the office heard by the Technical Assistance team from any source.

At the present time, the District Attorney oversees a staff of approximately 40 employees, of whom approximately 20 are assistant district attorneys, who serve at the pleasure of the prosecutor. The District Attorney and his Chief Prosecutor are funded by the State of Oklahoma. The remaining funds for the office are appropriated out of the county's budget. The District Attorney employs four investigators, three of whom investigate criminal cases and one who handles mental health cases.

The Tulsa District Attorney has jurisdiction over approximately 700,000 people. Within the county, there are nine law enforcement agencies which bring cases to the District Attorney's office. During 1980, approximately 4600 felony cases entered the criminal justice system through the office of the District Attorney. The figures for 1981 show that this may increase to approximately 5000 felony cases. The most prevalent felonies prosecuted by the Tulsa District Attorney's office are burglary, grand larceny and bad check cases. The law enforcement agency which brings in the largest number of arrests is the Tulsa Police Department. This agency accounts for approximately 80 percent of the District Attorney's workload.

Three judges regularly hear criminal cases in the District Court. Cases are set by way of an individual docketing system which creates backlogs in some courts. These backlogs can generally create problems for the District Attorney's office, although there is no speedy trial rule in existence.

#### IV. ANALYSIS

The analysis of the Tulsa District Attorney's office focused on the problems encountered by a newly appointed District Attorney. The technical assistance provided related to the overall management of the office, which included the management of the professional staff and the management and administration of the clerical and support staff and their functions.

##### A. Organization of Professional Staff

With the loss of so many of the experienced prosecutors, the Tulsa District Attorney finds himself operating an office with a relatively inexperienced staff. This may seem hazardous on the surface, but it provides the District Attorney with an excellent opportunity to put a well thought out management and organizational plan in place in his office. A strong management plan will insure that the policies and procedures of the Tulsa District Attorney are carried out in an orderly and complete fashion.

At the present time, there is no management and organizational plan for the assistants in the District Attorney's office. This has lead to a failure to assign specific responsibilities to specific attorneys. While this may have been adequate when the office had an abundance of experienced attorneys, the inexperienced attorneys will require more direction and supervision.

The office has approximately twenty attorneys. Six of the attorneys have very specific job assignments. Of the six with specific assignments, three attorneys work in the civil division, and one attorney each is assigned to the omitting to provide support, traffic and juvenile divisions. The six attorneys with specific assignments appear to be performing their tasks reasonably and only fine tuning seems necessary to result in acceptable job performance. The balance of the attorneys are all assigned to the criminal division and consist of a Chief Prosecutor with four attorneys assigned to the District Court Division to handle felony cases, including jury trials, and an additional nine attorneys assigned to the Special District Court with the responsibility of handling preliminary hearings.

Of the nine assistants who work in the Special District Court, seven handle the call of the criminal calendar each seventh day on a rotating basis. The balance of the group consisting of eight lawyers then take the other felony cases in the Special District Court and conduct preliminary hearings. The preliminary hearing calendars are congested, some have over 100 cases set per day, and cases frequently cannot be heard on the date set and thus must be "passed". As a result, cases frequently are scheduled multiple times before the preliminary hearing is finally conducted, and on each setting are usually handled by a different assistant district attorney. Because different assistants handle the case each time it is set, each must reprepare the case for the hearing and much time is lost due to duplication of efforts. In the District Court, the four assistant district attorneys

with trial capabilities are each assigned cases bound over or waived from the Special District Court. In theory each assistant will handle his own cases, but because the cases are scheduled before three separate District Court judges, it is more likely than not that another assistant will have to handle the case rather than the assigned assistant because of situations where the assistant has cases simultaneously in two courts and sometimes three. In order for the case to be tried, another assistant must handle it.

The assistants work together well and there is a good spirit of assisting one another but the practice is to go to court, pick up some case, try it if you can, and if you cannot, "pass it". As a result in 1980 some 970 cases or 24.4 percent of the felony District Court caseload was dismissed by the court. Presumably a large portion of these cases were dismissed because the state was unable to try the case when calendared.

Immediately after felony cases are filed, the Clerk assigns the felonies to one of the three District Court judges on a rotating basis so that each judge is assigned one-third of all cases. If a defendant has a case already pending before a judge his new cases will be assigned to the same judge. After a case is bound over to the District Court from the Special District Court, the Chief Prosecutor then assigns the case to one of the District Court trial attorneys based on experience and caseload. No attention is presently paid to which of the three judges is assigned the case, thus each trial assistant ends up with cases assigned to each of the three Criminal District Court judges, and when the criminal calendars are prepared by the District Court judges, as likely as not, each trial assistant has cases scheduled for trial in all three courts.

The Technical Assistance team recommends that the District Attorney divide the attorneys into at least three and possibly four trial teams. Each of the trial teams would consist of an experienced attorney capable of trying jury cases and three other less experienced assistant district attorneys capable of conducting preliminary hearings. Each of the three trial teams would be assigned to one of the three Criminal District Court judges. The trial teams would be numbered one, two and three. This procedure would allow a felony case when filed to be assigned to a judge, and handled by a trial team. It would be a form of vertical prosecution in which the same assistant or team of assistants would handle a case from the preliminary hearing through its final disposition in the District Court. Responsibility would be pinned to either one attorney or a team of attorneys so that the defense lawyers could deal with some person(s) familiar with the facts of the case who were in a position to discuss appropriate pleas or to otherwise negotiate a disposition of the case. The scheduling of one trial team to one court would stop the problem of one attorney having cases in multiple courts simultaneously for trial. This procedure would encourage team meetings so that the team leader could review cases to give instructions as to what cases should be dismissed, plead out as misdemeanors, bound over for felony pleas or set for ultimate trial. At the present time, the attorneys assigned to the Special District Court preliminary hearing section have little or no guidance from experienced lawyers on how to handle the cases. The results are that cases end up being bound over which could have been disposed of earlier in the process.

In addition to the creation of the three trial teams, the District Attorney should give consideration to establishing a fourth team which would have only two assistant district attorneys assigned to it. The purpose of the fourth team would be to handle a limited number of "special" defendants, perhaps no more than 24 per year. This fourth team could be known as the Major Offenders team or as a Career Criminal team. It has been the practice in the district for the District Attorney himself to try certain cases. These cases might be those assigned to the fourth team. A further refinement would be to consider some written criteria for their selection such as (a) extraordinary prior criminal history of the defendant, (b) a particularly heinous crime, or (c) public interest in the outcome of the trial. Having a fourth team would allow assignment of special cases to a special prosecution team for preparation, not to the same teams which handle the routine felony cases.

Additional benefits to be derived from the team approach would be that experienced assistant district attorneys as team captains would be given the responsibility to train and supervise newer assistant district attorneys. The team captains would also have the responsibility of doing regular performance reviews of those assigned to the teams. These performance evaluations are especially useful when an office is relatively inexperienced and is trying out a new system. An example of an attorney evaluation form is attached as Appendix B.

At some time in the past, the trial team approach was used by the office. It was later abandoned because it was felt that the team

captains and the judges to whom they were assigned developed a relationship that was too close to permit proper operation of the courts. Since this has been a problem in the past, it should be addressed openly at an early stage of establishing this organizational approach. Team captains should be instructed that they are never to discuss details of specific cases with judges unless the defense attorney is present. It may be that at some point the public defender will use a team approach so that the public defender will have the same opportunity to develop rapport with the judges that the state does. In any event if this is identified as a potential problem early, it would seem that a professional approach can be devised and the problem minimized.

A second problem which can be anticipated is that loyalty will develop towards the teams and diminish towards the office. It should be expected that different teams and different judges will not always operate with the same efficiency. Therefore, it will be expected that certain courts will have backlogs and others will not. Attorneys and judges by their very nature do not work at the same speed, therefore it should be expected that some teams and judges will be more efficient and move cases faster than others. Most attorneys seem to prefer that there be an equal division of labor which they complete at their own speed.

Because of high staff turnover and restaffing with inexperienced attorneys, the office needs to develop methods of quickly training new lawyers as to their assignments. The first step recommended by

the Technical Assistance team is to have existing attorneys prepare job descriptions and procedures on such subjects as conducting a preliminary hearing, instructions on how to add new witnesses to informations, how to have subpoenas issued, and other recurring office duties of the assistants. The drafts should be turned over to the new assistants, and they should be instructed that it is part of their responsibility to add to and improve the job description and procedures as they learn more about the jobs. Within a relatively short period of time, written job descriptions and procedures can be developed to assure that necessary steps in the orderly and complete processing of cases are not being overlooked.

The development of the trial team approach will assign specific experienced attorneys to oversee the work of less experienced and new assistants to insure that the new assistants understand their responsibilities. A caveat is important here: the District Attorney should make sure that the job descriptions and procedures are the same for all teams and not developed by particular teams for their own operations. One of the anticipated problems is that loyalty may develop for the teams and not to the office. Development of specific procedures that vary between the teams will only increase this problem whereas standardized operational procedures for all teams will tend to reduce these discrepancies.

The team captains will have the responsibility to assign cases to the newer assistants that will develop their trial experience and, when appropriate, move the newer assistants into the District

Court for jury trial experience. The assistants in the team could sit second chair during the course of more complicated trials and the team leader could sit second chair in the less complicated cases allowing the newer assistants to have the major trial responsibility with backup as required by more experienced members.

The office apparently has a budget which allows sending the assistants to formal education programs either at the National College of District Attorneys, National Institute For Trial Attorneys or at Northwestern University. Further, the office has a series of video tapes on trial techniques. These video tapes have been prepared by the former District Attorney and other local lawyers and deal specifically with problems encountered by the office. All these methods should be utilized for the training of new attorneys.

Under the prior administration the office made a policy decision to handle walk-in complaints from citizens or police officers as a part of their public relations program. At the present time, citizens who have made no prior contact with the office walk in and expect to be able to discuss matters, which they deem important, with attorneys. As a result attorneys, who may be in the midst of an important case, are then asked by members of the secretarial staff to handle these consultations. First, the office should re-examine the practice and determine whether or not at the current level of their staff this is a service which can be provided. In the event that the decision is made that citizens will be provided this service, a schedule of hours when consultations are available should be set. Thus, if a citizen calls

or comes in wanting to discuss a matter with a member of the staff, they can be given an appointment with someone assigned during specified hours to handle the matters. Even in private practice clients do not expect to walk in unscheduled and have access to a practicing attorney. Further, this would seem to be an area where an investigator can handle most routine matters and completely avoid having attorneys tied up with questions involving potential civil litigation or other matters which should be referred to other agencies.

Attorneys are also being required to do work which could best be done by the clerical staff. Attorneys end up having to call the police departments to obtain copies of prosecution summaries which should have been turned over at an earlier stage. Also attorneys are being required to get what is known as the "second page information". When the state is seeking to enhance punishment because the defendant has previously been tried and convicted of an offense which increases punishment on the second offense, certain paperwork is necessary. This information could easily be obtained by the clerical staff, in lieu of having an attorney invest his time in performing routine clerical duties.

#### B. Management and Administration of Clerical Staff and Functions

The resignation of the previous District Attorney, who had held the office for the last 15 years, and the installment of a new administration provides an excellent opportunity to make some needed changes in the administration and management of the clerical staff and support functions.

The Technical Assistance team recommends that the District Attorney begin to interview and search for a competent person to become the Office Administrator/Manager. Preferably this person should be a non-lawyer, and a person not presently employed by the office. What is needed is someone with a fresh perspective, who has not been influenced by the way things have been done in the past. A good administrator/manager can make any office function in an efficient and effective manner. The Office Administrator/Manager would report directly to the District Attorney and should perform the following duties:

- supervision of all clerical staff
- periodic evaluation in writing and orally of each support staff member
- preparation of job descriptions for each office position
- responsibility for all files, ensuring each is completed in a timely fashion, orderly, complete and accessible
- develop a strict file control policy
- evaluate the mechanics of the internal paperflow system to make it more efficient
- supervise all data collection
- develop procedures for file security
- responsibility for physical facilities and equipment
- budget management
- assist with the development of a policy and procedural manual
- cross training of secretarial staff.

A good personnel management program is an essential component of an effective, working prosecutor's office. Performance reviews for the clerical and support staff should be conducted by the Office Administrator/Manager. These should be structured, and employees rated against an average performance concept for their job classification, not against some overall ideal standard. Interviews with the administrator/manager

should become part of the performance evaluations. A structured appraisal form is attached as Appendix C. The specific rating criteria may be varied according to the needs of the office, however, this type of evaluation form has been found to be effective in other prosecutor's offices.

The Office Administrator/Manager should immediately begin to reorganize the clerical and support staff to give each a specific responsibility. The present organization has become one where the staff decides what needs to be accomplished on what priority level. This is totally inefficient and is due to the lack of effective management of the staff. In addition, police officers, for example, are able to impose on the clerical staff to do things for them while they wait. This should not happen, and it will be the administrator/manager's duty to see that this practice stops. The clerical staff should be assigned specific duties such as typing informations, posting minutes, checking for priors etc. As crises develop, the administrator/manager should make the decision as to who will help out until the crisis is over. Also, the clerical staff should begin to assume more of the duties that are presently being performed by the attorneys in the office. This would include reviewing files to determine if the prosecution summaries had been sent by the police and producing "second page informations" in AFCF cases when appropriate.

File control is a serious problem in the office as it is presently structured. There is no real system for checking files out of the

file room and, as a result, files are lost and/or misplaced causing a clerical employee to take the time to track the file down. The problem is caused by too many people having access to the filing cabinets. Currently, every secretary, most of the attorneys and even probation officers are using the file cabinets in the file room. This is a very inefficient procedure for two reasons. First, it creates serious problems for file accountability. Second, it wastes resources by allowing attorneys and those whose time is most valuable to pull and refile folders.

The Technical Assistance team recommends that one person be hired at an entry level position to function as file clerk. That person should be the only person authorized to pull and check out files, except for the Office Manager. If that person is at lunch or out of the office due to vacation or illness, the Office Manager should delegate this responsibility to another person. However, under no circumstances should attorneys be allowed to retrieve files for themselves from the file room. In addition, cards should be developed that can be placed in the file cabinets that designate to whom the file has been released.

In reviewing the operations of the District Attorney's office, the Technical Assistance team focused on the flow of paperwork, not only from the standpoint of ease and efficiency of operation, but also from the standpoint of lateral communication. At the present time, there is a great deal of paperwork being generated by the attorneys handling a case. It is also clear that one of the problem areas noted by the team was the duplication of paperwork, almost all of it being written out in long hand.

The assistant district attorney generally makes a long hand entry noting the outcome of the court event that was just completed. There generally is no indication that the attorneys are providing an account of the facts of the case as it now stands or write-ups on the quality of the witnesses anywhere within the case file, so that these views would be available for the assistant handling the case at a later stage. This requires the next attorney handling the case to reprepare the case. The Technical Assistance team recommends that assistant district attorneys prepare a "prosecutor's impression sheet" (see Appendix D) that will allow a continuation of the lateral communication to the assistants handling the next stages of a particular prosecution. It would also alleviate a problem relative to the way police agencies recite facts as compared to the way a prosecutor would phrase them. It would seem that by the use of a trial team approach that there would be less need for notes to be put in files because the same attorney should be handling many cases all the way through. However, professionalism dictates that standardized formats be used to include notes in the file as to the strengths and weaknesses of cases, discussions with defense attorneys and other problems that arise.

To the same end, it is also recommended that the case file jackets be redesigned. At the present time, they consist of plain manila jackets where assistants note the outcomes of the court events on the outside of the jackets and notes by assistants, sometimes resembling graffiti, are written on the inside front covers. The Technical Assistance team recommends that the District Attorney consider redesigning the case file jackets to have them preprinted,

requiring fewer long hand entries and substituting check mark entries to be done by the assistant working on the case. Two model case jackets are attached as Appendix E. Not only will this add to the feeling of professionalism by the attorneys, check mark entries can be a much simpler starting point for data accumulation. Word processing systems which are sufficiently sophisticated to summarize, add, subtract and perform other simple functions are now available and should be considered for use by the clerical staff in the office. Moreover, to eliminate lost paperwork problems, the case file jacket should be of the type which has a clip attached to the file folder itself. Inside the case file jacket it is useful to keep legal documents on one side of the file and attach correspondence to the other side.

The present system for case tracking needs only minor changes to make it more effective. One of the problems that the office has been plagued with in the past was lost files. The addition of a file clerk and a check out system should prevent having to track files from secretary to investigator to attorney, and allow cases to be located at any time. The other part of the system is related to finding defendants and preparing cases for the next court date. At the present time, an index card, which is prepared along with the case file jacket, is used as the defendant index file and list the results of court hearings along with the defendant's name, co-defendant names if any, charges and case number. This card is lined on one side and entries are written in long hand for each court event. After arraignment, the files themselves are indexed by the date of the preliminary hearing. This can cause problems with misfiling the case files resulting in wasted time and effort locating the case files. It is the recommendation

of the Technical Assistance team that this system be refined by one that is based upon file cards only, in which data are kept in two files.

The District Attorney should immediately have index cards designed in which information is entered in preprinted spaces on each card. These cards may be of any design, but a suggested format is attached as Appendix F. For maximum effectiveness, all of the arrest information should be entered when the case is presented at the intake stage. The intake assistant may also record remarks as to why a case is being declined or downgraded.

The two cards should then be filed in their respective locations. The first card should be filed alphabetically to become the active defendant file, much like the current index card system with one exception. When cases are closed, the card should be moved to a closed portion of the file. This will become a quick reference as to whether the defendant has been through the criminal justice system before. If the office decides to follow the recommendations with respect to automating their record keeping system, the closed case index cards could be sent to a commercial organization for the information to be keypunched and entered into the computer system. This system will be described in more detail later in this report.

The second card should be filed according to the next event and then by date within that type of event. This file becomes the master calendar record. One section should contain cases pending arraignment, another those pending preliminary hearing, another those pending trial, and a fourth section for cases pending sentencing. Other sections

may be added as needed. Under this system, the clerical employee would pull the appropriate cards from the alphabetical file and the calendar file and would post information on these two cards. The files would then be returned with the cards for refiling by the file clerk. Both file systems should remain in the central records office.

Each card has three sections. Information about the defendant, the offense and the overall case is typed in the first section. The second part contains information regarding complaints, case numbers, charges and disposition of charges. The back of card contains both the event history and the sentencing information. The District Attorney may wish to change this format, however, this general type of data has been found to be useful in many other prosecutor's offices.

Once these cards are established, there will be no need for separate card index for trial settings kept by the Chief Prosecutor's secretary. The criminal division secretaries can take charge of notifying attorneys of future court action and making sure that the attorney has the correct case files.

The most pressing problem at the present time in the record keeping area is the background check for defendants who may have been through the system before. Currently, three record keeping systems exist in the District Attorney's office. There is a master card index file, which accounts for cases and defendants for the years 1970, 1971, 1974-1975, and 1980 to the present. This consists of index cards containing the defendant's name, co-defendants if any, charge, case number, and court and disposition information. The second system was installed in 1976 and abandoned in 1979. This consists of large cards which contain information on the defendant and his previous court history.

This was intended to be the "master system" and to replace all other systems. It was abandoned because it was felt not be working. The third system catalogs defendant information for the years 1940-1969. It was also used in 1972 and 1973 before the office returned to the index card system. This consists of smaller index cards placed in small file card drawers. In all, three systems are used on a daily basis to conduct prior record checks. This becomes cumbersome, time consuming and totally inefficient.

The Technical Assistance team recommends that the District Attorney develop an archives system for cataloging and computerizing prior case record information. The mechanics for developing this system would be similar to developing a master mailing list from a number of smaller mailing lists which could possibly include the same names on two or more of the lists.

The first step would be to develop a listing of all the necessary information that is deemed desirable to keep. Once this is done, a codebook which would transfer the data to symbols suitable for key-punching onto one computer card should be developed by someone with this experience. Information that would go on the computer cards could be such things as defendant name, case number, crime and disposition, etc. One card should be developed for each defendant on each case. Once the codebook is developed, the oldest file cards should be taken into a commercial keypunch operator who would punch and verify the information. The cards should be taken over in small batches at a time, so that the process allows the least disruptions

and loss of informaton to the present system. This should continue until all of the present index cards have been keypunched. Then, if the new system of case tracking using two file cards is adopted, keypunching can be performed as cases are closed.

As the computer cards are entered in to the computer system, they should be sorted by defendant name and case number. This will provide an easy way for the computer to scan the list and eliminate duplicates. Once this system is in place, secretaries will only have to call for a prior record check, entering the defendant name and date of birth, and will receive a print-out with this information. This will prove to be an economical system both in terms of time and a savings in personnel resources.

Statistics are not being kept at the present time, largely because of the type of case tracking system being used in the office. It is estimated that the Tulsa County law enforcement agencies refer approximately 5,000 felonies per year for prosecution. But no one knows that for sure; the office knows, because of the court numbering system, how many felonies were accepted for prosecution, but can only estimate the number of felonies declined for prosecution. The three District Court judges keep some statistics but these are very general types of statistics and are unverifiable by the District Attorney's office. Absent good statistical data, the District Attorney, other officials, and the public cannot accurately identify the strengths and weaknesses of the system. Priorities for improvement cannot be established. Of equal importance, the system cannot inspire the confidence that is the touchstone of the respect for law.

With the implementation of the case tracking system proposed in this report some statistics should be kept. These statistics will assist the District Attorney in managing the case flow of his office, instituting internal evaluation evaluation procedures, allocating resources and predicting the need for additional resources in the future, and informing the public as to the work accomplished by the District Attorney's office.

It is the recommendation of the Technical Assistance team that the District Attorney begin keeping statistical records by making a determination to count cases and defendants as they enter the system. This can be accomplished manually by the use of a tally sheet such as Form 1 found in Appendix G. This form is a weekly intake report to be filled out each day by the use of simple hash marks in the appropriate boxes. The amount of detail which is to be used may be determined by the needs of the prosecutor. On Form 1, both cases and defendants are counted, and the detail is sufficient to permit analysis of changes in charges filed, as well as cases accepted, referred or rejected. The clerk enters a hash mark in the appropriate box to indicate the result of the intake process.

At the end of the week, all of the columns are totalled and the monthly total from the previous week's report is entered in the next to the last row. The new monthly total to date is obtained by adding the weekly total to the monthly total from the last week.

Form 2 in Appendix G is a disposition report having basically the same format as the intake report. The headings should include all possible dispositions. While these may vary from one jurisdiction to another, the most common ones are listed on the form. Cases and defendants reaching disposition for each day are recorded in column 1. The upper half of the first block should be used to show defendants. In all other blocks along the table, only defendants should be counted, as there are too many variations in the disposition of individual cases involving multiple defendants to use cases as the basis of the count. Therefore, the various categories, such as pled to original, pled to reduced, and so forth all refer to the number of defendants.

There are several ways in which this information can be collected. It has been found to be highly successful to either analyze the court calendar for each day, which has been appropriately annotated with the courtroom results, or to use a master list of all defendants reaching final disposition in a given month.

To use the latter approach, a form such as Form 3 in Appendix G should be used. Each day, whether the calendar is prepared in the prosecutor's office or returned to the prosecutor at the conclusion of the day's work, a clerk should review the calendar to obtain the information and place it on this report. The date called for on the form is the date that the case was heard. The case number, defendant's name, docket number and charge should be listed individually and the disposition should be shown for each charge. The name of the assistant prosecutor who tried the case or handled the plea and of the trial

judge, if applicable, should also be listed. The disposition categories should correspond to the weekly disposition report. The clerk should determine what occurred for each defendant at the trial or plea and mark only one column. At the end of the day, this information should be transferred to the weekly summary report.

Form 4 in Appendix G is an example of a calendar report. This report measures the amount of delay arising in the system and the reason it is occurring. The first column indicates, for any given day, the total number of cases scheduled. The third column, "Defendants Rescheduled" is a measure of the number of continuances being granted during a particular day. The next boxes enumerate the reasons why the defendant was rescheduled. This will show whether delays in the system are due to court backlog, prosecutor-requested continuances or defense-requested continuances.

By using these four forms, the District Attorney will be able to keep useful statistics for the office with a minimum of burden to the clerical personnel who will be performing these tasks.

The Technical Assistance team also observed that the Oklahoma State Bureau of Investigation maintains a computer system which could very possibly be utilized to provide a wealth of information to the office without having to establish an independent system for the District Attorney's office. An adequate evaluation of the services of this system could not be performed by the team during the on-site visit, however, it is suggested that the District Attorney fully explore the possibilities provided by this system. It may be that the OKBI system is not adequate for the needs of the office.

If this is the case, it may still be able to provide some assistance to the office with a minimum of cost. One of the assistant district attorneys seems very interested in this area and might be a good candidate to assign the task of evaluating the services of the OKBI system with respect to the office's needs.

An effort should be made by the District Attorney to refine the existing policy and procedures manual. The success of a prosecutor's office often depends on the perception that the local constituents have of the prosecutor and his office. The manual in existence now is made up of the policies of the former District Attorney and was compiled in January, 1978. As 1982 approaches it is time to review the policy manual and make any appropriate changes so that it reflects the current District Attorney's policies. There is no single way that this policy manual or management plan has to be written, but however the plan is designed, it must be followed up by an administrator who can see that the people in the office follow the plan developed until it is either modified or abandoned. The existing members of the community and the office expect and know that changes will be made by the District Attorney, and expressed this understanding to the Technical Assistance team.

The manual should reflect the policies of the District Attorney for staff conduct, hours of operation, leave of absence and other matters affecting personnel within the office. It should also incorporate an organizational chart, job descriptions and a salary schedule showing various levels and steps through which staff may expect to progress through the office. The manual should also

contain procedures to be followed in each program in the office. This will provide a reference for how the work is done so that if an attorney is on vacation, or otherwise absent on short notice, the office has a guideline of what work must be done. It will also provide a reference for new staff learning new positions. Responsibility for developing the manual can be shared by the staff in the office, though the policies should be those of the District Attorney alone. Most important, the manual must be kept current. An annual review by the staff is recommended.

The final recommendation made by the Technical Assistance team is the acquisition of a witness coordinator. The District Attorney is currently involved in developing this area and should be commended for this. A witness coordinator can provide a great service to the community and to the office. The witness coordinator can help to locate witnesses, but the first priority should be to establish early and continuous contact with witnesses throughout the progress of a case. In most cases, all calls from witnesses can go directly to this person without the need to disrupt the attorney working on the case. In addition, if a case is "passed" the witness coordinator can call off the witness and avoid the needless appearance of the witness.

Another high priority should be the completion and distribution of an informational brochure. This brochure should contain, at a minimum, information concerning the criminal process, what to expect in court, the layout of the courthouse, a map showing the location of the court and available bus routes to take, and information concerning

how to collect witness fees. This brochure should be included in every subpoena which is sent out, and should also be available in the courthouse.

One way to establish this unit at a low cost to the District Attorney's office is through the use of college interns. These should not be law students, but rather students from various Schools of Criminal Justice and Social Work. They will benefit greatly from experiencing first hand the workings of the criminal justice system and observing the court process and the unit will benefit from an expansion of available resources, which will enable more victims and witnesses to be served. These students can provide many services from assisting with telephone contacts, to assisting the witnesses in the courthouse, to providing transportation for those unable to get to the courthouse unaided.

#### IV. CONCLUSIONS

This analysis and these recommendations are presented with the knowledge that the Tulsa District Attorney, David L. Moss, already has an effective, working system in place. The areas highlighted in this report are those areas that should next be addressed as the District Attorney strives to constantly improve the delivery of prosecution services to the citizens of Tulsa, Oklahoma.

The Tulsa District Attorney has inherited an office which has just lost close to 100 years of prosecutorial experience through the departure of some former assistants. As hazardous as this seems on the surface, it provides the District Attorney with an excellent opportunity to implement a strong management plan into the office to insure that his policies are carried out in an orderly and complete fashion. When an office is staffed with many assistants with little prosecutorial experience, a strong management plan becomes a high priority.

The Technical Assistance team recommends that the District Attorney reorganize the attorneys in the office and develop three and possibly four trial teams. Each of the trial teams would consist of an experienced assistant directing the operations of three less experienced attorneys. Each of the three trial teams would be assigned to one of the Criminal District Court judges and would be assigned all of the cases for that particular court. The trial team approach is a form of vertical prosecution in which an assistant or team of assistants would handle a case from the preliminary hearing to its

final disposition in District Court. The scheduling of one trial team to one court will eliminate the problems of one attorney having cases scheduled simultaneously in different courtrooms. The team leader, an attorney with the most experience, would schedule team meetings to discuss the various cases assigned to the team and give instructions as to how the case should be disposed. This will eliminate the problem of the Special District Court attorneys not having the experience or the authority to dispose of cases in the proper way at the proper time.

The purpose of the fourth trial team will be to handle the "special" defendants, who would fit the Career Criminal or Major Offender category. The fourth trial team would consist of only two attorneys and could possibly include the District Attorney himself. The number of cases assigned to this team should be small, to allow as much time as needed for the preparation of the case so that the appropriate disposition can be reached.

Additional benefits derived from the team approach are that the inexperienced attorneys will be trained and supervised by the team leader and their progress regularly reviewed by the team leader. In addition, the teams are better able to cover vacations and other leaves of absence by the assistants. As part of the training of the less experienced attorneys, the experienced assistants should prepare job descriptions and procedures on a number of subjects. These should be turned over to the newer assistants to add to and improve as they learn their job. Within a relatively short period of time, written job descriptions and procedures can be developed to assure that necessary steps in the orderly and complete processing of cases are not being overlooked.

The team captains will have the responsibility to assign cases to the less experienced assistants that will develop their trial experience. These assistants could sit second chair during the more complicated trials and sit first chair during the less complicated trials to allow them to have major trial responsibility with backup as required by the more experienced members.

The Technical Assistance team also recommends the use of training programs such as those available through the National College of District Attorneys, the National Institute for Trial Attorneys and Northwestern University programs. The office also has video tapes that have been prepared in the past that can become useful training tools for the newer assistants.

The policy of handling walk-in complaints should again be evaluated by the District Attorney. At the present time, attorneys are being disturbed and asked by the secretarial staff to handle consultations. If a decision is made to continue this practice, a schedule of hours when consultations are available should be set. Citizens can then be given an appointment and an attorney designated to handle these complaints. Further, this may be an area that is better handled initially by investigators. They can handle most routine matters and avoid the necessity of taking up an attorney's time.

Attorneys are also being required to perform some tasks which could best be done by the clerical staff. Calling the various law enforcement agencies to request prosecution summaries and compiling "second page informations" in habitual offender cases are typical of these kinds of tasks.

The highest priority in the clerical and support staff area is the acquisition of an Office Administrator/Manager. What is needed is someone with a fresh perspective who has not been influenced by the way things have been done in the past. This individual would supervise and evaluate all clerical personnel, prepare job descriptions, be responsible for all files and data collection, cross train secretarial staff and be involved with the budget preparation. The person chosen should answer directly to the District Attorney.

The first task to be taken by the Officer Manager is to assign each of the clerical staff a specific responsibility. It will become the Office Manager's responsibility to fill vacancies and pull clerical employees together to meet office crises. In addition, a strict file control policy should be developed. At the present time, police officers, attorneys and even probation officers are allowed into the central file room. This causes disruptions in the workings of the clerical staff. This creates serious problems for file accountability and wastes resources by allowing attorneys and those whose time is most valuable to pull and refile folders.

To alleviate this situation the Technical Assistance team recommends that a file clerk be hired at an entry level position to pull and check out files. Under no circumstances should attorneys be allowed to retrieve files for themselves. In addition, cards should be developed that can be placed in the file cabinets to designate to whom the file has been released.

At the present time there is little written communication between the various assistants handling a case at each stage of the process. Few accounts of facts or witness quality write-ups were found inside the files reviewed by the Technical Assistance team. When these write-ups were included in the files, it was usually written in a form that resembled graffiti. It would seem that with the adoption of a trial team format there would be less need for the assistants to place notes in files because in many cases the same assistant would be in charge of a case all the way through to disposition. However, professionalism dictates that standardized formats be used to include notes in the file as to the strength and weakness of a case, discussions with defense attorneys and other problems that arise. A "prosecutor's impression sheet" is attached as Appendix D and will facilitate the lateral communication that is needed between attorneys handling the case at different stages. To the same end, it is also recommended that the case jackets be redesigned to be preprinted, requiring fewer long hand entries. The case file jacket should be of the type which has a clip attached to the file folder itself. This will solve the problem of lost documents. Two models of case jackets are attached as Appendix E.

The present system for case tracking needs only minor changes to make it more effective. It is recommended that the index card in use at the present time be redesigned to include preprinted spaces for entering information. In addition a second card should be filed according to the next court event and then by date within that type of event. This card would replace the practice of using the file folders

as a means of calendaring cases. It would also replace the need for the card index on trial settings that is kept by the Chief Prosecutor's secretary. The use of these cards is explained in more detail in the body of this report.

The most pressing problem in the record keeping area is the use of three record keeping systems to provide background checks for defendants who may have been through the system before. During various times in the past the office has used a different type of system for record keeping. At the present time, all three systems must be checked for each defendant so that AFCF cases can be established. The office would like to consolidate these systems so that these prior record checks can be made faster and easier.

The Technical Assistance team recommends that the District Attorney develop an archives system for cataloging and computerizing prior case record information. The first step is to determine what information is important to be collected. Second, the office should develop a codebook that would transfer the data into symbols suitable for keypunching onto computer cards. One card should be developed for each defendant on each case. Once this is accomplished, the oldest file cards should be sent to a commercial keypunching firm, in small batches to reduce disruptions, to be keypunched and verified. This process should continue until all of the index cards on inactive defendants have been sent over and entered into the computer.

As the computer cards are entered into the computer system, they should be sorted by defendant name and case number. This will

provide an easy way for the computer to scan the list and eliminate duplicates. Once this system is established, secretaries will only have to enter the defendant's name and date of birth to receive a prior record check. Active cases will remain in the active defendant file.

Statistics are not being kept at the present time, largely because of the type of case tracking system used in the office. With the implementation of the case tracking system proposed in this report, some general statistics should be kept. Four forms are attached as Appendix G and their use explained in the body of this report. These will add greatly to the District Attorney's ability to effectively manage and control his office.

It is the recommendation of the Technical Assistance team that the District Attorney evaluate the services of the Oklahoma State Bureau of Investigation computer system. If the OKBI system proves to be inadequate for the needs of the District Attorneys office, it may still be able to provide partial support with a minimum of cost and can be supplemented by a mini computer or a word processing system.

An effort should be made by the District Attorney to refine the existing policy and procedures manual. The current manual contains the policies set forth by the previous administration and was compiled in January, 1978. The Technical Assistance team recommends that it be reworked to include the present District Attorney's policies. In addition, more emphasis should be placed to see that the policies are followed through. If the manual is thorough and complete, it can be used as a reference tool for new staff. Most importantly, the manual

should be kept current. An annual review by the staff is recommended.

Finally, it is recommended that the District Attorney expedite his plans to acquire a witness coordinator for the office. The function of the witness coordinator will be to establish early and continuous contact with witnesses throughout the progress of a case. Another high priority should be the completion and distribution of a witness brochure which would contain information on the criminal process, the location of the courthouse, what to expect in court and other relevant information. This brochure should be mailed out with every subpoena as well as available in the courthouse. The team also recommends the use of college interns from the criminal justice programs to assist in working with witnesses. The benefits to be derived are useful both for the student and the witness unit.

The implementation of these suggestions and recommendations should result in a more effective and efficient office for the District Attorney as well as a savings in the long run to the community through a more productive office.

APPENDIX A

VITA

Walter F. Smith

Work Address: Bureau of Social Science Research, Inc.  
1990 M Street, N.W. Suite 700  
Washington, D.C. 20036  
(202) 223-4300

Home Address: 8623 Geren Road  
Silver Spring, Md. 20901  
(301) 588-5135

Date of Birth: December 17, 1952, Bethesda, Maryland

Education: Miami-Dade North Community College 1972, A.A.  
University of Florida, Gainesville 1975, B.A. Sociology  
University of Florida, Gainesville 1977, M.A. Sociology

Research and Work Positions:

Research Analyst and Project Manager. Criminal Prosecution Technical Assistance Project, Bureau of Social Science Research, Inc. Coordinated LEAA-funded contract of \$450,000 to provide technical assistance to State Attorneys General, district and local prosecutors, and other relevant agencies nationwide. The technical assistance generally focused on one or more areas of the management, operations, and planning functions of an organization. Principle duties include: day-to-day management of the project which includes a staff of five and a roster of 50-75 consultants from around the country; assessing the need and type of technical assistance to be provided; acting as team leader when conducting on-site evaluations and assessments of organizations; editing all technical assistance reports; and writing and editing three substantive monographs on prosecution and a final report on the project. April, 1980 to present.

Assistant Director. Wisconsin Parole Guideline Evaluation Project, Wisconsin Center for Public Policy. LEAA-funded grant to evaluate Wisconsin's Parole Decision-Making Guidelines. Principle duties included: assisting with the overall design, analysis and administration of the project; designing data collection instruments and codebooks; working with the Wisconsin Department of Health and Social Services, Department of Corrections on structuring parole guidelines; and responsibility for final report and articles. May, 1979 to December, 1979.

Consultant. Police and Social Services Agency Project, Wisconsin Center for Public Policy. Project funded under a grant from LEAA to examine community interaction between the police and the various social service agencies in the areas of criminal justice and mental health. Consultant areas: research design and final report review. April, 1979 and February-March, 1980.

Assistant Director. Wisconsin Sentencing Project, Wisconsin Center for Public Policy. Project funded by LEAA grant to examine felony sentencing patterns in Wisconsin's trial courts. Principle duties included: assistance in project administration, design and all methodological matters; making presentations at state advisory committee meetings; advising the Wisconsin Legislature on sentencing areas; designing data collection instruments and codebooks; and responsibility for final report and articles. January, 1978 to March, 1979.

Research Analyst. First Appearance Court Study, University of Florida, Gainesville, Dr. Charles Frazier, principle investigator. Principle duties included: coding, writing and documenting the relevant computer programs. 1976-1977.

Instructor. University of Florida, Department of Sociology. Principle duties included: Sole instruction of Introductory Sociology to 50 undergraduates for three quarters; design and grading of all exams. 1977.

Publications and Professional Papers:

Policy and Prosecution. (with Joan Jacoby and Leonard Mellon), Washington, D.C.: National Institute of Justice, forthcoming.

"Letting the Cases In: The Effects of Intake Procedures on Prosecution", (with Leonard Mellon and Paul Whipple), Bureau of Social Science Research, Washington, D.C., June, 1981.

"Technical Assistance: A History of the Response of LEAA to the Needs of Prosecutors", (with Leonard Mellon and Karen Greenwood), Bureau of Social Science Research, Washington, D.C., January, 1981.

"The Effects of Policy on Prosecution: Some Recent Findings", Paper presented at the Northeastern Political Science Association meetings, New Haven, Connecticut, November, 1980.

"Urban Prosecution: Highlights of a National Survey", Paper presented at the American Society of Criminology meetings, San Francisco, California, November, 1980.

Technical Assistance Reports (with Leonard Mellon) in Maricopa, Gila and Florence counties, Arizona; Santa Cruz, San Luis Obispo and Ventura counties, California; Lexington, Louisville, and Bowling Green, Kentucky; St. Mary's, Howard, Carroll and Frederick counties, Maryland; Raleigh, North Carolina; Philadelphia, Pennsylvania; Cumberland County, New Jersey; Washington, D.C.; and Cook County, Illinois.

Wisconsin Parole Guidelines: A Concept Review and Evaluation. (with Sandra Shane-DuBow), Madison, Wisconsin, Public Policy Press, 1979.

Felony Sentencing in Wisconsin. (with Sandra Shane-DuBow and Kim Burns Haralson), Madison, Wisconsin: Public Policy Press, 1979.

Publications (cont.)

"Official Crime Rates and Social Control: A Test of Erikson's Hypothesis," Unpublished M.A. thesis, University of Florida, Gainesville, 1977.

Academic Awards

Teaching and Research Assistantship, University of Florida, 1977.  
Research Assistantship, University of Florida, 1976.

References

Available Upon Request.

PETER S. GILCHRIST, III  
District Attorney - 26th Judicial District  
(City of Charlotte and Mecklenburg County)

**RESIDENCE ADDRESS:**

Route 4, Box 623  
Huntersville, North Carolina 28078  
Telephone: 704/875-2690

**BUSINESS ADDRESS:**

District Attorney's Office  
Suite 103  
Mecklenburg County Office Building  
Charlotte, North Carolina 28202  
Telephone: 704/374-2642

**Elected District Attorney for 26th Judicial District**

1st Term 1975 - 1978  
2nd Term 1979 - 1982

**PRIOR EMPLOYMENT:**

Assistant Solicitor 26th Judicial District  
June 1970 - December 1974  
Financial Officer of a Land Development Company  
October 1969 - May 1970  
Legislative Liaison for Charlotte Chamber of Commerce  
1969 Session of General Assembly  
January 1969 - June 1969  
Solicitor - Mecklenburg County Domestic Relations Court  
July 1968 - December 1968  
Tax Senior, Arthur Andersen & Co.  
September 1965 - July 1968

**EDUCATED:**

Charlotte Public Schools; Woodberry Forest School, 1958;  
University of North Carolina at Chapel Hill, A.B. English, 1962;  
Duke University School of Law, L.L.B., 1965;  
Special Student in Accounting with Courses at The University  
of North Carolina, Duke University, Queens College, and The  
University of South Carolina, C.P.A., 1969.

**Personal:**

Single  
Born July 12, 1939, Charlotte, North Carolina  
Hobbies: Sailing, Tennis, Backpacking, Scuba, Reading

**OTHER ACTIVITIES:**

National District Attorney's Association - Vice President  
North Carolina District Attorney's Association - Immediate Past President  
Governor's Crime Commission  
North Carolina Criminal Code Commission  
National College of District Attorney's - Lecturer  
Charlotte Council on Alcoholism - Director  
Myers Park Presbyterian Church  
Open House Board of Trustees - Trustee  
Carolina Wrestling Officials Association - Past President

REV. 8/79

APPENDIX B

NAME (LAST, FIRST, INITIAL)

SOCIAL SECURITY NUMBER

JOB CLASS

DEPARTMENT

STRENGTHS:

WEAKNESSES:

GENERAL EVALUATION: IN MY OPINION, THIS INDIVIDUAL IS:

1. PERFORMING IN AN OUTSTANDING MANNER. (EXPLAIN ON REVERSE.)
2. PERFORMING IN EXCESS OF THE REQUIREMENTS OF THE POSITION.
3. PERFORMING ADEQUATELY.
4. NOT PERFORMING SATISFACTORILY. SHOULD BE RETAINED IN THIS POSITION ONLY IF SIGNIFICANT IMPROVEMENT IN NEXT \_\_\_\_\_ MONTHS.
5. UNACCEPTABLE. SHOULD NOT BE CONTINUED IN THIS POSITION. (EXPLAIN ON REVERSE.)

FUTURE PERFORMANCE OBJECTIVES:

SIGNATURE OF EMPLOYEE

DATE

SIGNATURE OF EVALUATOR

TITLE

DATE

APPENDIX C

**CLERICAL PERSONNEL EVALUATION**

NAME (LAST, FIRST, INITIAL)

SOCIAL SECURITY NUMBER

JOB CLASS

SALARY

DEPARTMENT

RATING PERIOD

	Does not apply	Outstanding	Exceeds requiremts	Meets requiremts	Improvement needed	Unacceptable
1 Attendance and punctuality						
2 Compliance with rules						
3 Personal Neatness						
4 Ability to work with others						
5 Self Expression						
6 Operation and care of equipment						
7 Accuracy and neatness						
8 Quantity of work						
9 Completion on schedule						
10 Willingness to accept extra duty						
11 Performance under pressure						
12 Adaptability						
13 Performance with little superv.						
14 Professional attitude						
<b>EMPLOYEES WHO SUPERVISE</b>						
Training and leading staff						
Planning and assigning work						
Fairness and impartiality						

COMMENT:

APPENDIX D

GENERAL EVALUATION: IN MY OPINION, THIS INDIVIDUAL IS:

1. Performing in an outstanding manner.
2. Performing in excess of the requirements of the position.
3. Performing adequately.
4. Not performing satisfactorily. Should be retained only if significant improvement in the next \_\_\_\_\_ months.
5. Unacceptable. Should not be continued in this position.

SIGNATURE OF EMPLOYEE

SIGNATURE OF EVALUATOR

DATE

ASSISTANT:

DEFENDANT: \_\_\_\_\_

P. NUMBER: \_\_\_\_\_

PROSECUTOR'S IMPRESSION SHEET

WARRANT IMPRESSIONS:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

ANY PENDING CASES OR APPEAL BOND ON DEFENDANT?      YES      NO  
     

WAS COMPLAINANT PERSONALLY INTERVIEWED BY WARRANT APA?           

WITNESSES NECESSARY FOR EXAMINATION:      TESTIMONY  
1. \_\_\_\_\_  
2. \_\_\_\_\_  
3. \_\_\_\_\_  
4. \_\_\_\_\_

WITNESS LIST CHECKED TO SEE IF PROPER WITNESSES LISTED?      YES      NO  
     

EXAMINATION:

ASSISTANT:      DATE:      JUDGE:

IMPRESSIONS:

PROSPECTIVE DEFENSES:      YES      NO  
DID TESTIMONY REVEAL ADDITIONAL WITNESSES TO BE ENDORSED?              
IF YES, WERE THEY ADDED TO THE INFORMATION PRIOR TO FILING?              
SHOULD COMPLAINANT BE CONTACTED FOR PRE-TRIAL?              
IF YES, TELEPHONE NUMBER \_\_\_\_\_

PRE-TRIAL:

ASSISTANT:      DATE:  
IMPRESSIONS:

TRIAL PRACTICE  
ASSISTANT

JUDGE:  
DATE HEARD:

MOTIONS - TYPE

DISPOSITION:

HAS WITNESS LIST BEEN CHECKED FOR ACCURACY?      YES      NO  
     

APPENDIX E

### MODEL CASE FILE JACKET

Minimum guidelines and standards for the design of a case file folder have recently been developed by the National Center for Prosecution Management. The folder may be utilized by prosecutors or modified for adaptation to a given jurisdiction's procedures. The secondary purpose of this model is to stimulate the thinking of the prosecutor in this area and to present him with standards and guidelines that formulate a base for designing his own case file jacket that will be responsive to his local procedural and information needs.

A report entitled "Minimum Standards for the Design and Use of a Prosecutor's Case Jacket" has been developed as an attachment to the Case File Jacket by the Center for the effective utilization of the Model, and is available upon request.

**MODEL CASE JACKET**  
Front Cover

DEFENDANT'S NAME: \_\_\_\_\_ CASE NO. \_\_\_\_\_ TITLE AND ADDRESS OF OFFICE \_\_\_\_\_  
LAST FIRST MIDDLE \_\_\_\_\_ P.O.D. \_\_\_\_\_ D.O.B. \_\_\_\_\_  
MO. DAY - YR.

**CHARGES**

---



---



---



---

AUTHORIZING ASSISTANT:  
 DEFENDANT AND/OR RELATED CASES

---



---



---

DEFENSE COUNSEL  
(NAME, ADDRESS, PHONE)

---



---

POLICE OFFICER  
(NAME, DEPT/UNIT, BADGE NO.) REPORTING (R) COMPLAINING (C)

---



---

COMPLAINING WITNESS  
(NAME, ADDRESS, HOME PHONE, BUSINESS PHONE)

---



---

DATE OF ARREST: \_\_\_\_\_

DATE CHARGED: \_\_\_\_\_

**SPEEDY TRIAL DATES**

DEMAND  NO DEMAND

DATE \_\_\_\_\_ DATE \_\_\_\_\_

**RELEASE DECISION**

JAIL

PERSONAL RECOGNIZANCE

CASH BOND

THIRD PARTY CUSTODY

PSYCHIATRIC OBSERVATION

NAME OF SURETY \_\_\_\_\_

**REQUISITE NOTICE TO DEFENDANT**

ITEM	CHECK IF TO BE USED	DATE NOTICED
CONFESSION	_____	_____
IDENTIFICATION	_____	_____
DISCOVERY	_____	_____
OTHER	_____	_____

**PD AVAILABILITY**

PRELIM \_\_\_\_\_

MOTIONS \_\_\_\_\_

PRETRIAL \_\_\_\_\_

TRIAL \_\_\_\_\_

**MODEL CASE JACKET**  
 National Center for Prosecution Management  
 1900 L St., N.W., Suite 701, Washington, D.C. 20036  
 August, 1973

*Work Performed under LEAA Grant No. 72-Df-99-0038*

OPTIONAL FOR SELF FILING

CASE NO.

MIDDLE

FIRST

DEFENDANT'S NAME

LAST

Reverse Side Front Cover

MODEL CASE JACKET INSERT

National Center for Prosecution Management  
1900 K Street, N.W., Suite 701, Washington, D.C. 20036  
August, 1973

MODEL WITNESS LIST

NAME :	D.O.B.:	I.D. NO.:	DATE APPEARED
RES. ADDRESS :	PHONE:		
BUS. ADDRESS:	OCCUPATION:	PHONE:	
ALTERNATE CONTACT:	SUBPOENAS		
WILL TESTIFY TO:	ACTION	DATE ISSUED	RETURN DATE
TESTIMONY			
DESCRIPTION OF WITNESS:	TAKEN: <input type="checkbox"/>		
	TRANSCRIBED: <input type="checkbox"/>		

NAME :	D.O.B.:	I.D. NO.:	DATE APPEARED
RES. ADDRESS :	PHONE:		
BUS. ADDRESS:	OCCUPATION:	PHONE:	
ALTERNATE CONTACT:	SUBPOENAS		
WILL TESTIFY TO:	ACTION	DATE ISSUED	RETURN DATE
TESTIMONY			
DESCRIPTION OF WITNESS:	TAKEN: <input type="checkbox"/>		
	TRANSCRIBED: <input type="checkbox"/>		

NAME :	D.O.B.:	I.D. NO.:	DATE APPEARED
RES. ADDRESS :	PHONE:		
BUS. ADDRESS:	OCCUPATION:	PHONE:	
ALTERNATE CONTACT:	SUBPOENAS		
WILL TESTIFY TO:	ACTION	DATE ISSUED	RETURN DATE
TESTIMONY			
DESCRIPTION OF WITNESS:	TAKEN: <input type="checkbox"/>		
	TRANSCRIBED: <input type="checkbox"/>		

Work performed under LEAA Grant No. 72-DF-99-0018

NEEDED	IN FILE	EVIDENTIARY MATTER
<input type="checkbox"/>	<input type="checkbox"/>	Autopsy
<input type="checkbox"/>	<input type="checkbox"/>	Ballistics
<input type="checkbox"/>	<input type="checkbox"/>	Chain of Evidence List
<input type="checkbox"/>	<input type="checkbox"/>	Chemical Report
<input type="checkbox"/>	<input type="checkbox"/>	Confession
<input type="checkbox"/>	<input type="checkbox"/>	Contraband
<input type="checkbox"/>	<input type="checkbox"/>	Damages Listed
<input type="checkbox"/>	<input type="checkbox"/>	Evidence
<input type="checkbox"/>	<input type="checkbox"/>	Indictment
<input type="checkbox"/>	<input type="checkbox"/>	Investigative Reports
<input type="checkbox"/>	<input type="checkbox"/>	Motions
<input type="checkbox"/>	<input type="checkbox"/>	Newspaper Articles
<input type="checkbox"/>	<input type="checkbox"/>	Office Memorandum
<input type="checkbox"/>	<input type="checkbox"/>	Photographs
<input type="checkbox"/>	<input type="checkbox"/>	Police Reports
<input type="checkbox"/>	<input type="checkbox"/>	Rap Sheet
<input type="checkbox"/>	<input type="checkbox"/>	Research Material
<input type="checkbox"/>	<input type="checkbox"/>	Restitution Made
<input type="checkbox"/>	<input type="checkbox"/>	Trial Memorandum
<input type="checkbox"/>	<input type="checkbox"/>	Weapons
<input type="checkbox"/>	<input type="checkbox"/>	Witness List
<input type="checkbox"/>	<input type="checkbox"/>	Witness Statements



**BACK COVER**

<b>CASE NO.</b>	<b>ACTION DATE</b>	<b>NEXT COURT DATE</b>	<b>ACTION AND REASONS</b>	<b>DEFENDANT</b>	<b>JUDGE</b>	<b>ASSISTANT</b>	<b>COURT REPORTER</b>	<b>INSTRUCTIONS or NOTES</b>	
<b>DEFENDANT'S NAME</b>	<b>FINAL DISPOSITION AND REASON</b>			<b>APPELLATE ACTION TAKEN</b>					
	<b>CHARGE OR DEF. NAME</b>	<b>DISPOSITION</b>	<b>SENTENCE OR FINE IMPOSED</b>	<b>DATE FILED</b>	<b>TYPE OF APPEAL</b>	<b>COURT</b>	<b>Date of Determination</b>		<b>Determination</b>

STATE of MICHIGAN  
COUNTY of WAYNE

*PROSECUTOR ATTORNEY*

DEF. NAME:

WARRANT APA:

Def #1

CHARGES:

WARRANT DATE:

PERSONNEL

PROCEEDING DATES

ACTIONS

Examination APA

EXAMINATION SET FOR  
[ ]

- Adjourned
- Adjourned for Forensic
- Copies

Examination Judge

EXAMINATION ADJOURNED TO  
[ ]

- Waived, Bound Over
- Held, Bound Over
- Dismissed - No Testimony
- Dismissed After Testimony
- Guilty Plea

Pre-trial APA

EXAMINATION COMPLETED ON  
[ ]

- Diversion
- PLEA - NRP - AUTHORIZED  
[ ]

Pre-trial Judge

PRE-TRIAL CONFERENCE ON  
[ ]

PLEA TAKEN ON  
[ ]

GUILTY PLEA TO  
[ ]

Motion Judge

MOTION/HEARING ON  
[ ]

- Granted and All Charges Dismissed

Certifying APA

COURT CERTIFIED FOR TRIAL ON  
[ ]

Trial APA

TRIAL SCHEDULED FOR  
[ ]

- Jury Trial Held
- Waiver Trial Held

Trial Judge

TRIAL ADJOURNED TO  
1 [ ]

- Dismissed During Trial
- Plea to Original Charge
- Guilty As Charged
- Guilty Of:

TRIAL ADJOURNED TO  
2 [ ]

VERDICT ON  
[ ]

- Not Guilty
- Hung Jury/Mistrial

SENTENCING SCHEDULED FOR  
[ ]

SENTENCE:  
[ ]

STATE of MICHIGAN  
COUNTY of WAYNE

*PROSECUTOR ATTORNEY*

DEF. NAME:

WARRANT APA:

Def #

CHARGES:

WARRANT DATE:

PERSONNEL

PROCEEDING DATES

ACTIONS

Examination APA

EXAMINATION SET FOR  
[ ]

- Adjourned
- Adjourned for Forensic
- Copies

Examination Judge

EXAMINATION ADJOURNED TO  
[ ]

- Waived, Bound Over
- Held, Bound Over
- Dismissed - No Testimony
- Dismissed After Testimony
- Guilty Plea

Pre-trial APA

EXAMINATION COMPLETED ON  
[ ]

- Diversion
- PLEA - NRP - AUTHORIZED  
[ ]

Pre-trial Judge

PRE-TRIAL CONFERENCE ON  
[ ]

PLEA TAKEN ON  
[ ]

GUILTY PLEA TO  
[ ]

Motion Judge

MOTION/HEARING ON  
[ ]

- Granted and All Charges Dismissed

Certifying APA

COURT CERTIFIED FOR TRIAL ON  
[ ]

Trial APA

TRIAL SCHEDULED FOR  
[ ]

- Jury Trial Held
- Waiver Trial Held

Trial Judge

TRIAL ADJOURNED TO  
1 [ ]

- Dismissed During Trial
- Plea to Original Charge
- Guilty As Charged
- Guilty Of:

TRIAL ADJOURNED TO  
2 [ ]

VERDICT ON  
[ ]

- Not Guilty
- Hung Jury/Mistrial

SENTENCING SCHEDULED FOR  
[ ]

SENTENCE:  
[ ]















**END**