
BRIEFING NOTE: Request for additional staff in Court Services 2004 budget

Issue/Background:

The 2004 new/enhanced budget submission for Court Services includes approval for 35 new front line service delivery positions to be fully offset by increased revenues.

Upon completion of the Provincial Offences Act (POA) transfer in early 2002 the City inherited from the Province 17 full-time trial courts, the equivalent of three full-time courts during the evening hours, Monday through Thursday and four intake courtrooms. As of October 2003, Court Services is supporting 21 full-time trial courts, the same number of night courts (although these were scheduled to close by June 2003) and six intake courtrooms.

A facilities report prepared for the City prior to program transfer indicated that to manage the historical volume of charges processed in Toronto, 26 trial courtrooms should be available. Also at the time of transfer, the City expressed to the Province its concerns regarding the backlog of cases and the inadequate number of Justices of the Peace assigned to POA matters.

Since transfer, the Province has appointed additional Justices of the Peace to preside in our courts and the City is in the final stages of constructing nine additional courtrooms to meet the demand for trial time. With the planned closure of the three courtrooms at the existing North courthouse in April 2004, Court Services will have 23 full-time trial courtrooms (an increase of six), the equivalent of three full time "night courts" and seven intake courtrooms. The Judiciary has advised that they are prepared to provide Justices of the Peace to support the additional program capacity.

Court services staff, including courtroom clerks, monitors who work inside the courtrooms and typists who produce court transcripts of proceedings when requested either by the judiciary, prosecution or defendants are an essential part of running POA courts. Of the total staff request, 15 positions are required to support the additional operating courtroom capacity and five to support the administrative work associated with scheduling and updating trials. NB: The Legal division, as part of their submission, is requesting an additional five prosecutors and one clerical assistant to support the additional work to be performed with the opening of new courts. These positions are funded within the Court Services budget.

At the time of the program transfer, the City was given the opportunity to collect fines that remained outstanding. The Division has recently concluded an RFP process and will begin using the services of collection agencies to complement the work of our internal collections staff to locate individuals in an effort to have these fines paid. There are approximately 700,000 fines for a value of approximately \$175 million dollars. Given the age of these accounts, and based on the experience of other municipalities, the Division is estimating this initiative will generate net revenue of \$2.1 million dollars to be received in 2004.

The use of collection agencies will result in additional support being required by courts administration to respond to telephone and counter enquiries from individuals who owe fines and who may want some information respecting the nature of the fine (many go back several years) and who may want to apply to the Court for relief either by way of obtaining an extension of time to pay the fine or to appeal the conviction.

The staff request associated with the expected increase in demand for service equals 15 positions including five staff to answer phone enquiries (in addition to the six staff currently assigned) and 10 staff to bolster the existing counter based services by providing information services to the public while in our waiting lines in an effort to reduce current waiting times.

As an indication of current volumes, our call management system is only able to answer less than 20% of our incoming calls, resulting in a high number of complaints, including calls to other City areas. The public at our counters routinely experience wait times of 30 minutes to conduct fairly routine transactions. On occasion, the wait time is higher. There have been situations where the police have had to respond to public disturbances in our waiting rooms.

Key Points:

1. The cost of the requested staff will be fully offset by increased revenues from the collections project.
2. Future year costs are expected to be absorbed by higher revenues as a result of having an ability to process more trials in a timely fashion and through the aggressive collection of fines.
3. Flexibility in staffing through use of a combination of full and part-time positions will be maintained in order to ensure that resources are effectively deployed and to allow the Division, where continuing efforts to find and implement efficiencies can be achieved, to reduce staff costs.
4. Staff assigned to support the night court program will remain temporary given that the continuation of this program is subject to ongoing review and approval of the Judiciary.
5. Toronto is among other municipalities operating POA courts that proposed ideas to the Province that could streamline operations/ reduce costs and are anxious for the Province to begin discussions with stakeholders to achieve some of these results.

Date:

February 16, 2004