Add-On
IRCA
Agenda Item No. 1(E)2

MEMORANDUM
BOARD OF COUNTY COMMISSIONERS
COMMISSIONER SALLY A. HEYMAN
DISTRICT 4

TO: **George Burgess**
County Manager

DATE: October 12, 2005

FROM: Sally A. Heyman
Commissioner
District 4

SUBJECT: **Electronic Subpoenas**

Attached please find a final report of a request that I made months ago regarding "electronic/paperless subpoenas". I fully embrace, support and will champion implementation here in Miami Dade County for what is an increase in efficiency and significant cost savings (approximately 1 million dollars annually).

While this conclusive information may be late for our budget process; the attached demonstrates a legitimate investigation for application to Miami Dade County. It also represents getting the support of **all** principals involved.

Additionally, if the purchase is made in the immediate future, we will save approximately three hundred thousand dollars ($300,000), on this proven and studied technology and equipment.

I look forward to your immediate attention to this matter and timely response.

Cc: The Honorable Joe Martinez, Chairperson, Board of County Commissioners
The Honorable Rebeca Sosa, Chairperson, COSHA Committee
Susie Torriente, Assistant County Manager
Jennifer Glazer-Moon, Director, Office of Strategic Business Management
Joseph Farina, Chief Judge, Eleventh Judicial Circuit

Attachments

file

COUNTY COURT
ELEVENTH JUDICIAL CIRCUIT OF FLORIDA

STEVEN LEIFMAN
COUNTY JUDGE

RICHARD E. GERSTEIN JUSTICE BUILDING
1351 N.W. 12TH STREET
MIAMI, FLORIDA 33125

Date: September 8, 2005

To: Honorable Sally A. Heyman
County Commissioner

Cc: Honorable Joseph P. Farina
Chief Judge

From: Judge Steve Leifman
Associate Administrative Judge

Subject: Electronic Subpoenas

Background Information

The current system of issuing and managing subpoenas, including the scheduling process, is a labor intensive, inefficient, and expensive process for the County. The Miami-Dade Police Department (MDPD) Court Services Bureau (CSB) manually processed over 300,000 subpoenas in 2004. The Miami-Dade County Police department served an additional 190,000 subpoenas to other County departments and municipal police departments, with the exception of City of Miami, Miami Beach, Florida Highway Patrol (FHP), and Department of Corrections, which process their own.

In September of 2004, Assistant Chief Steve Steinberg of the Aventura Police Department, on behalf of the Dade County Association of Chiefs of Police (DCACP), approached the Miami-Dade Police Department's (MDPD's) Court Services Bureau (CSB), regarding an electronic subpoena system. After extensive research, it was determined that only one company offered software that could meet MDC's needs. CourtNOTIFY, offered by Orion Systems, provides real-time electronic subpoenas, including management and tracking capabilities. Assistant Chief Steinberg asked the CSB to explore the possibility of making use of this system as an alternative and possible replacement to the Court Standby Program, in which Miami-Dade County (MDC) and the DCACP support annually, at a cost of approximately $300,000.

On Tuesday, April 12, 2005, members of the Administrative Office of the Courts (AOC), MDPD's Systems Development Bureau (SDB), the SAO Information Technology staff, myself and concerned members of CSB and DCACP, traveled to Dallas, Texas to review the CourtNOTIFY program. Departmental representatives met with Orion executives, as well as

members of the Dallas Police Department, who are current users of this system. As a result of this trip, a determination was made that the system was compatible for use by multiple County agencies and could be integrated with existing systems. It is noteworthy to mention that the Dallas implementation of CourtNOTIFY is multi-court, and multi-agency. The Dallas Police Department is comparable in size to MDPD, but their case volume is much less than MDC since most of their traffic cases are not pursued by the courts.

Current Subpoena Process

There are several sources of subpoenas: State Attorney's Office (SAO), Juvenile Court Administrative Office of the Court (AOC) Criminal Operations, Public Defender (PD), private defense attorneys, federal agencies, and other entities outside the County (foreign subpoenas). MDPD Court Liaison counts all incoming subpoenas. If the subpoena is from a private attorney, liaison accepts only for MDPD officers. Liaison checks the officer's schedule in CJIS before accepting subpoenas, since acceptance is considered a service. Subpoenas are manually sorted by destinations or "zones". There are 31 zones. These subpoenas are bundled and sent to CSB for further processing.

CSB process: For each zone, the civilian subpoenas are manually separated from the police officer subpoenas. The police officer subpoenas are further separated by department/station. These subpoenas are then hand delivered to each police department or station. At this point each police department or District station has their own internal process to track subpoenas. MDPD enters information in the Subpoena Tracking System. If an officer has conflicts with date/time of the subpoena, or if there are errors, these are noted and returned with all copies to CSB. If officer accepts, only one copy is returned.

Current Processing Costs

The process described above is at a very high level and such are the costs that are being described. As stated, the subpoena tracking is a highly labor intensive process. Below are estimates of the costs of the current system in a large, medium and small police agency.

Using a very conservative estimate, MDPD projects the labor costs for processing subpoenas costs the department approximately $471,099.20 annually. This includes the CSB personnel, as well as the personnel assigned to process subpoenas at each of the nine MDPD Police Districts and 16 bureaus/elements. Approximately 17,680 staff-hours factored at an average rate of $17.87 per hour, including fringe benefits. This does not include supervisory or follow-up costs.

The City of Miami Police Department has approximately 1,200 sworn personnel and reported processing over 112,000 subpoenas per year. They have assigned three sworn officers and five civilian employees for an estimated cost of $500,000 per year. This amount includes supervisory and follow-up costs.

Aventura Police Department with 80 sworn officers reported a $14,000 cost per year to manage their subpoenas.

The above are costs for labor only. Savings in other areas, such as printing, paper, etc. have not been determined.

Benefits of implementing an electronic subpoena system

- Reduction in staff-hours spent manually processing subpoenas. Court Liaison positions at the Court house could be re-assigned or eliminated.

- Real-time notification of subpoena and trial status to employees and their immediate supervisors – This feature eliminates on-duty employees from responding to court or depositions when not needed, keeping officers on the road, and employees on the job; thereby, eliminating unnecessary overtime payouts. **The Dallas Police Department reported a first year savings of more than one million dollars in overtime costs since their implementation of CourtNOTIFY.**

- Provides employees and supervisors with access to the system via the Internet, to check on the status of trials, and avoid unnecessary overtime expenditures. MDPD officers could check their subpoenas via the computers in their vehicles.

- Provides an integrated system where all partners in the Criminal Justice System (Courts, Police, SAO, and PDO) can communicate with one another for enhanced efficiency.

- Ties into or replaces the Witness Information System (WIS) to update the status of an employee's availability for trial or a court-related matter. Provides for supervisory input in cases of emergency or short–notice leave usage.

- Provides a date and time stamp for court dispositions. Provides greater accountability for the whereabouts of employees.

- Provides for enhanced records management, follow-up, and control.

Cost of implementing an electronic subpoena management system

Orion Systems has reduced the cost of the system to $300,000 and a $30,000 annual maintenance fee which includes upgrades to their software, support, and maintenance of the customizations. This amount represents a 50% reduction off their original quote. This cost is for their "out of the box" solution and does not include hardware and customization costs, yet to be determined. To this figure we must add the cost for hardware, project management, the modifications required to CJIS and Traffic Information System (TIS), as well as each agency's cost of interfacing to their own internal systems if any. After a cursory analysis, ETSD CJIS Group has estimated that it will cost approximately $330,000 to do the interfaces to the CJIS and TIS systems. The total cost for implementing the system could be anywhere from $1 million to $1.2 million. Based on the Dallas Police Department experience, who reported a first

year savings of more than one million dollars in overtime costs alone since their implementation of CourtNOTIFY, we estimate that MDC savings will off-set the cost of system and the first year maintenance.

Recommendation

It is the committee's recommendation that all participating agencies define their requirements to be able to assess if Orion's CourtNOTIFY will meet MDC's requirements and determine the actual costs of implementing such a system. By implementing an electronic subpoena management system, MDC would stand to reduce the amount of staff-hours used by existing personnel to distribute and manual entry subpoenas Countywide; thus, greatly reducing court operating and overtime costs. On September 7, 2005, the Miami-Dade County Association of Chiefs of Police unanimously passed a Resolution supporting the implementation of the e-subpoena system described in this memo. Pending resolution of the funding issues, they are prepared to move forward with this project.