

**CITY COUNCIL AGENDA ITEM**  
CITY OF SHORELINE, WASHINGTON

**AGENDA TITLE:** Municipal Court Options  
**DEPARTMENT:** City Manager's Office  
**PRESENTED BY:** Eric C. Swansen, Senior Management Analyst *ES*

**PROBLEM/ISSUE STATEMENT:**

King County Executive Ron Sims unilaterally terminated our existing contract for court services effective January 1<sup>st</sup>, 2005. The City needs to determine the best way to provide this mandated service beyond 2004.

**ALTERNATIVES ANALYZED:**

The City has numerous options for providing this service. Including:

- Forming a Municipal Department under District Court, at the discretion of the Metropolitan King County Council, as a product of negotiation with the King County Executive.
- Forming a new Shoreline Municipal Court
  - Operating a court using in-house staff for Shoreline offenders
  - Sharing municipal court services (in part or in whole with other service providers)

The current delivery method, a contract with the County to provide service, is not an option due to the unilateral termination of the agreement.

**FINANCIAL IMPACT:**

While each option has its own financial impact, there is not enough information at this time to provide a detailed enough cost estimate for making a decision at this time.

**RECOMMENDATION**

No action is required. Staff is seeking consensus support for the guiding principles (attachment A) for court services to base our decision on whether to form a municipal department, create a municipal court or form a new municipal court and share court services with neighboring cities.

Approved By: City Manager *[Signature]* City Attorney *N/A*

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## **INTRODUCTION**

The City was notified that the interlocal agreement for court services is being terminated by King County effective January 1<sup>st</sup>, 2005. The City is mandated by state law to provide for the timely adjudication of misdemeanor cases brought by the City prosecutor. These cases include traffic citations, juvenile traffic infractions and misdemeanor offenses, gross misdemeanors and domestic violence protection orders. The County will continue to provide for felony, juvenile, family, civil, and small claims cases through District or Superior Court. District Court will continue to provide cases filed by state agencies, small claims, domestic violence protection orders, anti-harassment orders, and name changes. Because probation is part of our Court Contract, it is likely that we will need to provide a probation service as well.

## **BACKGROUND**

The current Interlocal Agreement for Court Services was negotiated on behalf of the 17 cities contracting with King County District Court for court services. This agreement was put into place in 1999.

The King County Executive notified the City last year that the County was unilaterally terminating the interlocal agreement for court services and seeking renegotiations of the contract. Upon closer review of the state laws governing court contracts with cities, the Executive chose not to negotiate for services, as it could force the County into arbitration of terms for the services. As a result, the City is left with no status quo option for this service.

The City currently occupies one courtroom for 2.5 days a week at Shoreline District Court. District Court hears City of Kenmore cases, University of Washington cases, small claims and other cases where District Court has jurisdiction the remaining portions of the week. The facility is staffed with between 1.5 and 2 judges depending upon caseloads. The City of Shoreline caseload is roughly 66% of all cases at that facility. Kenmore is about 17% of the cases.

In 2001, the City's caseload at Shoreline District Court included:

<b>Type of Offense</b>	<b>Number of Cases</b>	<b>Percent of Total</b>
Traffic Infractions	4,552	62%
Infractions (non-traffic)	130	1.8%
Driving Under the Influence (DUI) & Physical Control	172	2.3%
Traffic Misdemeanors	701	9.5%
Misdemeanors (non traffic)	692	9.4%
Parking Infractions	1097	14.9%
<b>Total Cases</b>	<b>7,344</b>	<b>99.90%</b>

Shoreline has been working with the 16 other cities affected by this termination to develop viable alternatives to our current contract. We have found that we have two options that are available to us explicitly by state law. These include forming our own municipal court and establishing a municipal department within King County District Court.

We also have good reason to believe we have a number of additional options that build on the formation of a municipal court that involve contracting with another municipality for court services (or a subset of services used by a municipal court). This could take many shapes, including a centralized administration and records keeping office, using a common probation and/or collections service, sharing facilities and services by using video technology.

### **Policy Issues**

There are many issues related to the termination of the court services contract. Obviously cost is one component, including the provision of facilities, staffing, and services. Another component is where services are provided, and how convenient that location is to Shoreline residents. We also know from experience that having a court that is willing to customize services to meet our community needs helps to reduce police, jail, prosecution and defense cost. Other components include the process for electing or appointing a judge, complexity or difficulty to enact the option and time to complete.

Staff suggests the following major areas of concern as places to focus any future decisions on court services:

#### ***Policy Issue: Cost***

Cost is an important component of all decisions the City makes, and given recent limitations on property taxes and the elimination of state shared revenue sources, the City must reduce expenditures to maintain mandated services. While we would like to think that courts and the services they provide, that is to say equal justice, is exempt from any future revenue and expenditure imbalances, the reality is quite different.

We know that King County's financial future remains bleak. Increasingly expensive labor costs, a lack of willingness to reduce staffing to keep pace with annexations, incorporations and reduced responsibilities has placed the County in an unsustainable financial position without major spending cuts. It is this financial uncertainty that has placed us in the position we face with courts. The County is seeking to limit the services it provides due to different priorities. We would be fooling ourselves to think that court services are not dependent on costs.

The City's financial picture, largely due to careful and prudent planning and policies, is somewhat better than King County. However, we do face the very real possibility that the City may be need to make difficult decisions about the services it provides in the future.

In this fiscal environment, it should be noted that in 2002 the City received approximately \$116,416 in court fines and fees under our current contract. This roughly represents 17% of fines and fees collected at the court. King County receives 51% and the state receives 32%. These are rough approximations, as there are some exceptions to this broad representation. Exceptions include the City is able to keep 100% of all parking violations, the City must reimburse the court for certain language interpreter fees, the City does receive limited state funds (funded by the state portion of all fees and fines) for certain programs, most notably related to law enforcement.

It is also important to note that the City's revenues from court fines and fees do not come close to covering the costs associated with the prosecution, defense, indigency screening, jail and law enforcement costs we provide. The common misperception that the City makes money off writing traffic tickets is completely unfounded. In the 2002 budget, the City's general fund subsidized jail, prosecution and public defense to the sum of nearly \$1.2 million dollars. This subsidy does not include the estimated 2002 budget for police services of \$6.9 million dollars.

### ***Policy Issue: Location***

The location of court is very important to how this service is provided. In 2002, King County District Court reorganized into fewer court districts in an effort to reduce operating costs. This reorganization allowed District Court to close Renton District and Federal Way District Court, the presence of municipal courts have long since reduced the caseloads at these courts. The consolidation placed Shoreline into the North District, which covers municipal cases from Issaquah, Bellevue, Redmond, Woodinville, Kenmore, Mercer Island, Sammamish, North Bend and Skykomish.

Rumors have circulated about the possible closure of the Shoreline District Court facility as a cost cutting measure. This would have an obvious impact to our community, as Shoreline cases would be heard in either Bellevue or Redmond, creating an inconvenience to our community. Recent discussions with court staff suggest that the 2003 budget, as proposed to the Executive, will not include a closure of Shoreline. Nevertheless, the possibility exists and should not be taken lightly.

### ***Policy Issue: Ability to Customize Services to Meet Community Needs***

Under the concepts of three separate branches of government and state court rules, the judiciary is to remain independent from the executive and legislative branches of government as it pertains to standards of judicial conduct. There are many in the legal community to perceive this to mean that the judicial branch is completely independent of the executive and legislative branches, providing broad and unfettered authority when it comes to personnel, standards of service, and even fiscal accountability. This broad interpretation of judicial independence is being debated in Olympia under the court rule making process. If this broad interpretation holds true, the court may evolve to a more isolated institution, resulting in less willingness to meet community needs as the City may see them.

While clearly the City, outside of the work of the City prosecutor, does not and will not influence the decisions made by judges, there are areas of concern where too much

independence can create confusion, unfair treatment and stifle innovation and initiative. It would be difficult to have a different set of personnel rules, human resource staffing or salaries for court employees than we do for the City's staff. It would also be impossible to provide effective services in our community if the court was not limited in staffing levels, revenues and expenditures like all other services we provide. An arguably more conventional view would provide judicial independence with regard to judicial decision making pertaining to a case, but administrative operations would remain, like other City services, a coordinated function of the City.

The City has been fairly neutral on the issues related to the operation of courts in the past. We have worked to assist the court in improving appearance rates, developing better communication between police, courts, prosecution and defense and utilizing more cost effective jail facilities. In general, such efforts are undertaken for mutual benefit, not solely for the City's benefit. Conversely, the courts have been very resistant to developing performance measures, claiming that it is difficult to measure justice using performance measures.

In some parts of the country cities have become more involved in judicial operations. Innovations include: seeking evening hours for services to make it easier for people to appear in court, developing a traffic court that uses a less expensive magistrate to hear traffic cases (speeding, failure to yield, etc.) instead of a judge to preside over hearings, integrating probation more closely with police services to improve violation reporting and increase compliance, expanding the use of video hearings and other technological solutions, implementing internet pleadings and payments, and being more proactive with the use of alternatives to incarceration.

Communities in other parts of the United State, Canada, United Kingdom and Australia are using restorative justice principles to hold offenders accountable by faster adjudication and sentencing that often includes community service that require restoration to the community commensurate with the crime in addition to fines or jail time. Examples of community-focused restorative sentences may include: removing graffiti for convicted graffiti artists, conducting spot checks on vehicle speeds in neighborhoods for people who are habitual speed violators, talking to students or DUI victims when convicted of DUI offenses, and providing safe and open opportunities for victims to confront offenders about the impacts and effects of crimes. In general, these efforts are seen by the public, courts and governments as being beneficial to improving community policing, reducing recidivism and empowering communities to solve problems instead of perpetuate them.

While it would be inappropriate to have a discussion about judicial innovation at this time, it is important to understand that some of the options considered below may provide better opportunities in the future to develop new approaches than other options.

### **Policy Issue: Legal Risk**

Each option has a degree of legal certainty to it for both the formation and the operation of the Court.

#### ***Formation Risk***

This is the relative legal risk associated with forming or establishing a court under a variety of options. Those options outlined by state law are explicitly permissible by law. A number of options are less certain, as they are not explicitly allowed by state law, or are inconsistency dealt with in state law. While not wanting to offer great details on how to challenge the establishment of the court for obvious reasons, staff interprets the state law section pertaining to interlocal agreements as having broad applicability to all types of services, from police and jails to courts. There is also considerable precedent for the using contracted services as part of the total array of services that comprise a court, much as District Court does now with collections.

Staff feels fairly confident that all options are allowable by law, but there is no certainty about this as they are issues decided either by the state legislature (proactively) or by the courts (reactively). Cities have met with limited success in getting the legislature to proactively respond to these challenges in the last legislative session, and are preparing for next year by increasing awareness of local legislators on these issues.

It is important to note that any legal decision subsequent to the formation of a court using these options will not affect any cases (other than the appealed case that challenges legal validity). Simply stated, we could operate for many years without challenge and any decision will not require previous case to be heard or reactively tried, adjusted or heard.

#### *Operation Risk*

There is also considerable risk in operating a court. The most notable risks being the importance to meeting speedy trial requirements and developing an effective filing and records management program. Based on a review of recently formed courts, the operation risk is most critical at the formation of a court and lessens considerably with experience.

The City may also face operation risk from operating a probation department. Recent court decisions have awarded large sums of money to crime victims who are impacted by the actions of someone who commits a crime while on probation. The reasoning being that if someone is on probation, their actions should be monitored by the probation agency. However unreasonable this standard is, especially when probationers often live in other cities or counties, it should be noted that this only applies to administrative decisions to place people in probation. A simple way around this is to have the decision to place someone in probation as a judicial decision, coming from a judge who has judicial immunity to his or her decisions. Another avenue would be to use a private contractor to operate a probation office. This service could be run at no cost to the City, using probation fees collected at the time of service, much like the City of Federal Way does currently.

#### **Guiding principles for court services**

Staff has drafted these policy issues into guiding principles, prioritized them and drafted statements that are largely consistent with the ongoing programs and policies of the City for other services we provide or contract for. This is attached as Attachment A for Council review, discussion and consensus support.

### **Options for Services**

The City has a number of options available to provide this service:

- Forming a Municipal Department under District Court, at the discretion of the Metropolitan King County Council, as a product of negotiation with the King County Executive.
- Forming a new Shoreline Municipal Court
  - Operating a court using in-house staff for Shoreline offenders
  - Sharing municipal court services (in part or in whole with other service providers)

### **Option for Service: Forming a Municipal Department of District Court**

While the status quo option of continuing to contract with King County for District Court Services is not an option, we do have the option of forming a Municipal Department under District Court. State law allows a City to contract with District Court for a judge and venue (courtroom) for hearing cases. Under the classic definition of this model, the clerical and probation functions would be staffed with City employees providing services. However, there is some reason to believe that King County would expect us to contract for more than the classic model, basically mimicking our existing services.

### **Costs**

An important difference is that under a municipal department, the County is able to charge what ever they feel is appropriate for the service based on whatever cost allocation models they choose to employ. Under our current contract, the County is limited to marginal cost recovery under state law. Marginal cost recovery is loosely defined as all the cost directly associated with providing the service to the public, but not allowing many indirect costs. Direct costs would typically be the prorated share of a judge and benefits, courtroom security, clerical staff, information systems personnel, budget and human resources staff, etc. What would not be allowed would be services and costs that are already incurred, regardless of our contract. Examples include debt service on the building (as long as the building has enough capacity), County Council Salaries and Staff, perhaps the prorated share of the presiding judge unless the person hears cases in Shoreline, the King County Ombudsman's Office, the King County Television program, etc.

Perhaps the best example of direct costs are outlined in greater detail under the Interlocal Agreement with King County for Police Services, which was used as the basis for the recently concluded contract for jail services. In a municipal department, the County would not have to meet the more restrictive direct cost model, potentially allowing the County to charge more than they currently do. In reality, such costs would be negotiated between the affected cities and King County, and each city would compare the costs of other options for services to select the best option.

Efforts to negotiate a Municipal Department option with King County have been very slow to materialize. County staff is being especially careful to ensure that such



discussions are not a negotiation of the existing contract, which may create a scenario where cities could seek an arbitrated solution based on marginal cost recovery under state law. Nevertheless, cities are willing and eager to develop this option in greater detail once the costs are better understood and shared

One odd component is that a municipal department could be negotiated and some cities might opt out and use another option, passing on presumably higher fixed costs to fewer contract cities. While it would be ideal to expect court staffing to automatically adjust based on caseloads, state law sets the actual number of judgeships. Staffing levels are largely based on the number of judges, not the number of cases as one might expect. As a result, it is unlikely the County will be able to make dramatic adjustments in staffing depending upon the number of cities who opt into this option. Without a critical mass, it may be cost prohibitive to provide this service.

A letter has been sent from cities to the Executive to inquire on his willingness to provide a municipal department. State law prescribes a process where the County Council, not the Executive, forms the municipal department. However, the terms and conditions for the service are set by contract, which the Executive, not the County Council, has the responsibility to negotiate.

Should the Executive decide to not provide this service, the City does have a number of options to ensure that services are provided for a reasonable period of time before developing other options. Staff will share these options with Council during this presentation, should the Executive decide not to provide this service.

### **Location**

Under a municipal department, the location of a court would most likely be located at the existing Shoreline District Court facility on Meridian Ave. N. It is important to note that while this facility is among the newest in the system, rumors have circulated about its possible closure for budget reasons. This would have significant customer service implications with Shoreline residents, as the nearest substitute courthouse in our district would be in downtown Redmond or south of downtown Bellevue. There is the possibility that the location could be established during negotiations, with an option to terminate if the Shoreline facility is slated for closure in the future.

### **Ability to Customize Programs to Meet Community Needs**

While Shoreline has been somewhat successful in the past at working with the court to develop programs aimed at meeting the needs in the community we define, such cooperation is largely discretionary and dictated by the availability of increasingly limited resources.

### **Legal Risk**

While state law does allow for a municipal department, there are a number of challenges that could arise in the manner that we are likely to see it operate. Staff does not want to outline a prescription for anybody to challenge this formation, but feels this probability is low.

Any legal risk for the operation of the court would fall upon the service provider.

## **Option for Service: Forming A Municipal Court**

State law does allow the City to create a municipal court. In this model, the City would be required to operate the court, provide a judge, maintain jury pools, operate probation services and collect debts. Most cities in the county have elected to operate their own municipal court, including Seattle, Lake Forest Park, Federal Way, Bothell, Kirkland, Renton, SeaTac and Tukwila.

### **Costs**

The City can approach the cost of this option by either duplicating the existing service, establishing a court for 2 ½ days each week or establishing a significant change in how services are provided to reduce costs to the lowest possible level while still maintaining judicial timeliness and equal treatment.

The duplicative approach would require a part-time judge, working approximately 22 hours a week, which could be appointed by the City. Additional clerical/cashiering staff would be need to manage case files, collect fines and fees, enter data into the statewide computer. The state would provide a basic level of computer support and equipment to allow cases to be managed in the statewide system. The City would provide payroll, human resource, financial oversight and custodial services. Court security would likely be provided by a private contractor, as would custodial services. Probation, while not a mandated service, could be provided either using new in-house staff or via a private contract. Probation services could also be expanded to include specialized services (such as drug and alcohol testing) and alternatives to secure detention. A more detailed analysis of these costs will be developed at a later time when staff will have more certain costs and impacts identified.

The significant change approach would look to using technology, which is capital intensive up front, but requires less money to operate as a way to reduce costs. This could include: self-service cashiers (similar to the technology many parking garages use where customers pay before exiting, accepting cash and charge cards), internet services (scheduling hearings, paying fines and fees, obtaining records, providing mitigation hearings to explain circumstances to violations) and creating a traffic calendar that allows traffic cases to be heard by a less expensive magistrate than a judge. Using video technology to hold hearings, perhaps even allowing video hearings from contracted jail space in Yakima instead of the more expensive King County Jail. Many of these technologies are untested in court applications and may require significant customization to allow compatibility with the state wide information system.

Under both scenarios, it is unlikely that the court will provide revenues sufficient to support expenditures. A thumbnail analysis of courts in the area suggest the only comparably sized court that is breaking even is Kirkland, which has a much higher level of parking fines than other cities. Since the City is able to keep 100% of all parking fines and fees, they provide a significant level of revenue to the courts operation. It is unlikely that Shoreline could provide the duplicative approach and break even with revenues and expenditures, although more analysis is needed to definitively quantify

this. It is an unknown if the technology approach would be any better able to control costs to break even with this service.

## **Location**

A Shoreline Municipal Court would be located here in Shoreline. It could occupy either owned or leased space, as long as there are suitable facilities to allow jurors to meet and deliberate in private and overall courtroom security could be maintained. The current space needs analysis for City Hall does not envision a municipal court as part of the design. Professional advice from Tom Beckwith, who advised staff on space planning, suggests that having a courtroom is dramatically different than any facilities we are programming into City Hall. It was suggested that a courtroom could be added on at a later date, but would not be very conducive to sharing with other city spaces such as a meeting room or Council Chambers.

If King County does vacate the existing court facility, it is possible we could acquire it using a long-term financing instrument for our use. Staff has expressed interest in sharing space with the County at the existing facility as well, most likely as part of a lease. As a basis for acquisition, the staff suggests we view this facility just like all the other facilities the County has transferred to the City in the past, at no capital cost and a possible one-time contribution for deferred maintenance and capital costs.

## **Ability to Customize Programs to Meet Community Needs**

A municipal court provides the highest level of independence from the financial resource constraints posed by other agencies, and would essentially be autonomous from them. This presumably would provide great latitude for customizing program to meet community needs. Since the sole customer under this scenario would be our residents, there would be a tremendous incentive to customize programs without the fear of getting complaints from other cities that the service is not offered to them. It is also important to note that any new initiatives and innovations would need to be self sustaining, that is, savings would need to fund the improvements, as it is unlikely that the City could sustain any future general fund subsidy to the court.

## **Legal Risk**

There is virtually no legal risk in forming a municipal court. However, it should be noted that operating a legal court is a considerably undertaking. Staffing a court with experienced staff will be critical to the success or failure of such an endeavor. It should be noted that the number of qualified and experienced staff in this region is estimated to be somewhat limited at this time, and would likely worsen if more courts are formed.

## **Option for Service: Sharing Municipal Court (either in part or in whole) with other cities**

State law is ambiguous on the legality of these options, as it does not explicitly state court services can be contracted with another city, but it does allow broad authority to contract with other agencies through interlocal agreements. In fact, a number of cities do currently contract with other cities for court services and have done so for quite some

time with considerable success and mutual benefit. It is important to note that options resulting in a contract with other cities for services may be challenged in superior court, and faces some uncertainty. Preferably, we could continue efforts with the legislature to make necessary clarifications proactively.

### **Cost**

This option would be the best suited to provide comparatively low operating costs, as there is a tremendous economy of scale that can be achieved with higher caseloads. Sharing facilities, expertise, bookkeeping, records management and other skills and services allows the City to minimize any costly duplication of effort and equipment.

Alternately, we could find it advantageous to contract for certain centralized services, such as records management, collections, probation, security, jury management, etc., while providing essential services (hearings, trials, cashiering, etc.) using in-house staff.

We may also find it easier to contract with another city currently providing the service, such as Lake Forest Park, Bothell, Seattle, Lynnwood or Edmonds. Staff has not had any discussions with these cities as we thought it would be important to gauge Council opinion before doing so.

### **Location**

This option could be provided here in Shoreline, or in nearby communities, presumably closer to Shoreline than Redmond or Bellevue. If the County decides to vacate the Shoreline District Court Courthouse, the City might find this facility suitable for service Shoreline and possibly other cities.

### **Ability to Customize Programs to Meet Community Needs**

A municipal court provides the high level of independence from the financial resource constraints posed by other agencies, and would essentially be provided at a level we define for our offenders. This presumably would provide great latitude for customizing program to meet community needs. It is also important to note that any new initiatives and innovations would need to be self sustaining, that is, savings would need to fund the improvements, as it is unlikely that the City could sustain any future general fund subsidy to the court

### **Legal Risk**

There is a degree of legal risk associated with both the formation and operation of this option. State law does not explicitly allow this option, although there are a number of cities that have successfully operated in various similar scenarios for many years with no legal challenges to the formation. The operation risk is somewhat greater than the municipal option, as we are more interdependent upon others for service.

## Comparison of Options

	<b>Current Agreement</b>	<b>Municipal Department</b>	<b>Municipal Court</b>	<b>Shared Municipal Court</b>
<b>Cost</b>	City generally receives 17% of gross revenues (before state share is deducted)	Likely to be less expensive, if available, due to economies of scale. More likely to cost more than current agreement.	Likely to be more expensive, but more analysis is needed to determine the actual cost.	Likely to be more expensive, but more analysis is needed to determine the actual cost.
<b>Location</b>	Shoreline, although this could be changed. A provision in the current contract ensures the level of service would be maintained, making closure subject to legal action.	Subject to negotiation, but most likely locally operated in Shoreline.	Shoreline	Shoreline, unless a decision is made is made with another city to share a facility.
<b>Ability to customize programs</b>	Some ability but based on willingness of service provider.	Some ability but based on willingness of service provider. Perhaps greater ability than current as the City would work exclusively with one judge.	Wide ability to customize hours, services, technology. Easier to schedule officers to cases, reducing police overtime costs.	Wide ability to customize hours, services, technology. Easier to schedule officers to cases, reducing police overtime costs.
<b>Judge position</b>	Elected as one of many judge positions in District Court District (The District covers Bellevue, Kirkland, Redmond, Woodinville, Skykomish, Mercer Island).	City chooses judge from pool of elected judges eligible to service in the District.	Appointed by City Manager and confirmed by the City Council. Selection could be based on qualifications, experience, expertise and values.	Appointed by City Manager and confirmed by the City Council. Selection could be based on qualifications, experience, expertise and values.
<b>Availability of Option</b>	Not available	Undetermined	Available	Available
<b>Legal Risk</b>	None	Low	Low	Low-Moderate

## Next Steps

Staff will return at a later date to identify costs and begin to explore options for contracting partnerships with other cities for court services.

## RECOMMENDATION

No action is required. Staff is seeking consensus support for the guiding principles (attachment A) for court services to base our decision on whether to form a municipal

department, create a municipal court or form a new municipal court and share court services with neighboring cities.

## **Attachment A: Guiding Principles for Court Services**

## **Guiding Principles for Court Services**

The City will provide court services as required by law using the following principles in priority order:

### **Cost**

The City will strive to make court service revenues equal court service expenditures, and not require a subsidy from the general fund to support operations. This zero subsidy goal will encourage judicial independence from the cyclical variations of the local economy, city revenues and competing priorities.

### **Location**

Services must be provided locally, either in Shoreline or within a reasonable driving distance and time from Shoreline. Services provided by video in Shoreline, as allowed by state law, will equally substitute for a local service location.

### **Ability to Customize Programs to Meet Community Needs**

The City actively pursues innovation as a way to increase service levels at a similar cost, or provide similar service levels at a lower cost. The ability to customize programs is a critical part of pursuing innovation, and will be a significant factor in how court services are provided.

### **Legal Risk**

The City is pursuing all options for court service that are practical, consistent with state law, the state constitution and the federal constitution. Where inconsistencies or lack of specificity occur with regards to state law, the City is willing to make a calculated risk to provide services when the service levels (in terms of cost, location or ability to customize services) would benefit at a greater proportion than the risk we incur.

### **Shared Risk**

The City will seek opportunities to joint operations or contracting with other agencies to minimize duplication of effort, cost, maximize customer service and improve coordination among courts.