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COURT SERVICES STAFFING AND WORKLOAD UPDATE

The Finance and Administration Committee recommends the adoption of the recommendations contained in the following report, October 11, 2005, from the Commissioner of Corporate Services:

1. RECOMMENDATIONS

It is recommended that:

1. The Courts Services Branch be permitted to convert six of the eleven casual positions to permanent status as approved in the 2005 Budget.

2. The conversion of five positions to permanent status be withheld pending the completion of the consultants review co-ordinated by the Town of Markham and report to Council.

3. A report be made to Council concerning governance, process efficiencies, and revenue sharing options once final recommendations are made by the external consultants.

2. PURPOSE

The purpose of this report is to provide updates on:

a. The current staffing situation in Court Services.

b. The workload and revenue collection activities of Court Services in the first half of 2005.

c. Seek approval to change the type of hiring of Courts Services staff.

3. BACKGROUND

At its meeting on March 31, 2005, Regional Council approved the budget for Court Services, but directed that only six of the proposed eleven positions be filled with temporary staff. With the planned Review of Court Services (scheduled for completion in December 2005), Council felt that the staffing and workload of Court Services should be reviewed again in June 2005.

On June 2, 2005, Finance and Administration Committee received a workload update. At that time it was expected that an interim report on the Review of Court Services would likely be available in September or October 2005. Council directed that a further workload update be provided in this time frame.

The interim report that was expected from the Consultants was received on October 7, 2005 and it addresses areas concerning the operational aspects but does not recommend actions to address areas for improvement. According to their report this is to be included in their final report expected at the end of the year.

4. ANALYSIS AND OPTIONS

The goal of Court Services is to provide efficient services to the public, enforcement agencies, and local municipalities.

4.1 Staffing 2005

At Council's direction, Court Services management were responsible for selecting how best to deploy the six temporary staff approved. The following chart illustrates the staffing decision:

FTEs Requested	***Authorized Casual Positions Hired***	***Authorized Casual Positions Not Hired***
6 Court Admin Clerks	2 Court Admin Clerks	
1 Supervisor Collections		1 Supervisor Collections
1 Supervisor Prosecution	1 Supervisor Prosecution	
2 Supervisors - Court Admin	2 Supervisors – Court Admin	
1 Admin Clerk Secretary		

Three positions were filled in April, two positions were filled in May, and the recruitment process for the remaining position has continued into September without success. There appears to be a lack of qualified candidates interested in a temporary position and it may not be possible to fill this position by the end of the year. The full impact of hiring the five individuals has not yet been felt as they are undergoing an intensive orientation and specialized training in the working practices and unique technology of Court Services.

4.2 Workload and Revenue – First Half of 2005

4.2.1 Charges

The chart shows the number of new charges filed in 2005:

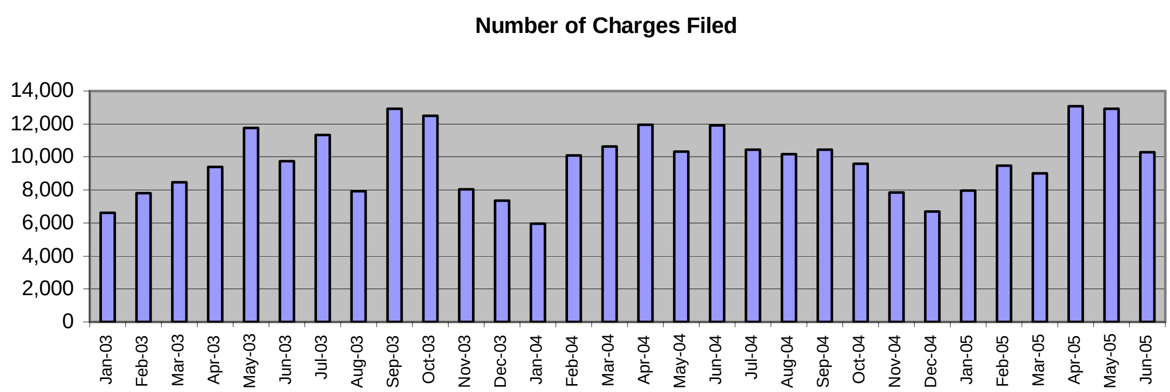
Quarter	***Q1***	***Q2***	***Q3***	***Q4***
# Charges	26,427	36,280	Pending	TBA

In the first quarter of 2005, there was a reduction of 1% in the number of charges received as compared with the same period in 2004.

In the second quarter of 2005, activity levels increased representing a 6.05% increase compared with the same period in 2004.

The official quarterly statement for the third quarter will not become available until mid-October, but we see that activity levels for July and August confirm an increasing trend. Overall, a 2.96% increase in charges filed over the same two month period has occurred over last year as of September 15.

As noted in a previous report to Committee and Council, enforcement agencies (OPP and York Regional Police) tend to experience peaks and troughs in their activity levels from month to month and it is difficult to accurately forecast the number of charges per quarter. Enforcement agencies can and do alter their enforcement programs without notice to the Region. The chart below shows a sample of the seasonal fluctuations in charges filed. This makes prediction of workload difficult.



Based on a review of charges filed to date it is estimated that the program will see in the range of 125,000 charges filed in 2005 or an increase of 7.6% over 2004. This is however, approximately 15,000 less than predicted in the fall of 2004, but is still subject to confirmation based on any enforcement initiatives in the final quarter of 2005.

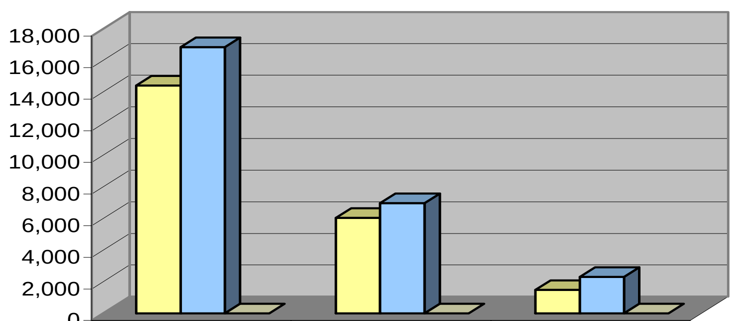
In 2004 the caseload was 11,600 charges per Clerk. With the two additional Clerks hired, the caseload has dropped to 10,400 charges per Clerk. The MAG guideline is 5,000-7000, which is 3,000-5000 more than the MAG standards. It is also noted that revenue has increased and is documented under section 4.2.3.

4.2.2 Trial and Prosecution Activity

A second aspect of workload for staff is the amount of trial and prosecution activity. These workload indicators also show a significant increase over the same period last year.

Year to date:

- Trial Requests increased by 16.8%
- First Attendance Hearing (FAH) Requests; up by 15.4%
- Requests for Disclosure; 2,317 Requests for Disclosure were processed which is an increase of 56.1% over the same period last year. It is now becoming extremely difficult to process these requests within the mandatory timeframes, but due to the potential for charges to be dismissed and costs ordered against the Region, Court Services is using casual staff to meet the legal requirements.



	Trial Request	FAH Request	Disclosure Request
Q1+Q2 2004	14,411	6,045	1,484
Q1+Q2 2005	16,832	6,973	2,317
Percentage Increase	16.8%	15.4%	56.1%

The six temporary positions proposed for conversion to permanent staff do not allow adequate staff to manage this volume properly. It is hoped that the report will assist in identifying efficiencies that will ease this burden.

4.2.3 Revenue

The Court Services Business Plan for 2005 projected $7.9 M in fine revenue (an increase of 12.8% over the previous year). This was based on the assumption that the workload would reach 140,000, but in fact, the workload is expected to only reach 125,000 charges by year end. Yet we anticipate meeting the original revenue projection of $7.9 M due to the addition of the temporary staff and realignment of resources early in 2005 from one activity at the expense of another, which allowed staff to administer records and files to facilitate supportable licence suspensions. This in turn tends to promote fast fine payments by those convicted. This will result in approximately $1 M revenue collection.

In the first half of 2005 fine revenues increased by $629,705 or 18.92% compared with the same period last year. This was primarily due to the increase in the number of charges filed and processed, as well as an increased focus on drivers licence suspension activity.

The revenue from collection activities during the first half of the year was $435 K and indications for the third quarter reflect approximately $215 K through the external collection agency. If current activity trends continue, collection activity may reach $850 K for the year. If a permanent Collections Supervisor could be recruited, revenues could increase further.

5. FINANCIAL IMPLICATIONS

Revenue distribution is proposed to remain constant for 2006 until the final consultant's report on the Courts review is complete and the revenue sharing model is resolved. There is no additional tax levy impact as the costs for these positions were included in the approved 2005 budget.

6. LOCAL MUNICIPAL IMPACT

The additional staffing has allowed the Region to serve its Local Municipal partners in a more efficient and timely manner by processing additional charges and collecting outstanding fines.

7. CONCLUSION

The approval of six temporary positions along with management's realignment of staff has enabled Court Services ability to marginally improve caseload and increase shared of revenue.

It would appear appropriate to revisit the request for the eleven FTEs for 2005 as follows:

Positions	***Convert from Casual to FTE***	***Defer approvals until final report on Court Review***
Court Admin Clerk	2	4
POA Supervisor	2	
Prosecution Supervisor	1	
Collections Supervisor	1	
Admin Clerk Secretary		1
Total	**6**	**5**

It should be noted that funding has been approved by Council for all eleven positions and there would be no additional funds required.

Court Services management will continue to do everything possible to manage workload within current approved resources until a final decision has been taken on resourcing. The approval to convert the six casuals to FTEs will stabilize the branch and allow the ability to hire a qualified collections person. The current request does not bring the ‘per clerk’ workload into alignment with Provincially recommended ratios. We would remain the highest in the Province.

We would recommend that the final five of the eleven positions for 2005 be deferred until the final report from the external consultants is received.