

PHILADELPHIA TRAFFIC COURT

2011 ANNUAL REPORT

It was a year of unprecedented change; it was a year of transition. For the first time in the history of the Philadelphia Traffic Court, three different Administrative Judges were appointed separately by the Pennsylvania Supreme Court throughout the year to oversee the operations of the Traffic Court. By year end, it was the Honorable Gary S. Glazer, from the Philadelphia Court of Common Pleas, who assumed the role of Administrative Judge of the Traffic Court.

Despite the judicial transitions, the Court successfully operated four trial courts, one Motion Court, one Impoundment Court, and an evening Court, five days per week. Traffic Court is open Monday through Friday, between the hours of 8:30 a.m. and 8:00 p.m. Our judicial complement was reduced from seven to six at the beginning of the year as a result of the retirement of former Administrative Judge Bernice DeAngelis; by the beginning of June, 2011, Judge Earlene Green had tendered her resignation, resulting in yet another judicial vacancy. However, with the cooperation of our Judiciary and the AOPC's assignment of senior judges/magisterial district judges, the Traffic Court remained operational and accessible to the public.

Notwithstanding its obstacles, the Traffic Court disposed of 202,788 citations in calendar year 2011. As delineated in prior reports, the Date Certain Program, which completely streamlined the Court's scheduling procedures, provides that "The citation issued to a defendant pursuant to Pa.R.Crim.P.405 shall contain the date, time and location of the summary trial. As authorized by Pa.R.Crim.P.451 (A), service shall be made by the issuing law enforcement

officer who shall hand a copy of the citation containing the Notice to appear to the defendant.” As a result, the number of motor vehicle *citations that were heard and adjudicated* at the Traffic Court in 2011 *exceeded the number of citations actually issued* by law enforcement officers in the same period because, at the time of trial, all open citations are heard, i.e., those recently issued and any previously issued citations to which the defendant failed to respond. The following chart provides an overview of the case statistics for calendar years 2010 and 2011.

CITATIONS DISPOSED:

	<u>2010</u>	<u>2011</u>
TRIAL: GUILTY	112,720	131,523
TRIAL: NOT GUILTY	47,514	30,488
GUILTY PLEA	33,371	30,235
DISMISSAL	6,988	6,953
PROS. WITHDRAWN	2,954	3,589
TOTAL DISPOSED:	203,547	202,788
ENDING INVENTORY:	365,701	317,094

Other types of hearings conducted at the Traffic Court amounted to the following:

Installment Payment Plan Hearings	57,743
Impoundment Hearings	16,242
Warrant Hearings	4,341

The aforementioned numbers reflect the number of defendants who entered into payment plan agreements with the Court after a financial determination hearing was conducted; the number of defendants who appeared before the Impoundment Court judge in an effort to effectuate a release of their vehicle which had been impounded by the Police; and the number of defendants who were predominantly processed through Motion Court to respond to more egregious violations of Title 75 of the Pennsylvania Motor Vehicle Code. All of

these enforcement tools assisted in our efforts to provide safer streets for the general public.

The following report summarizes the Traffic Court's endeavors, initiatives, and successes for calendar year 2011.

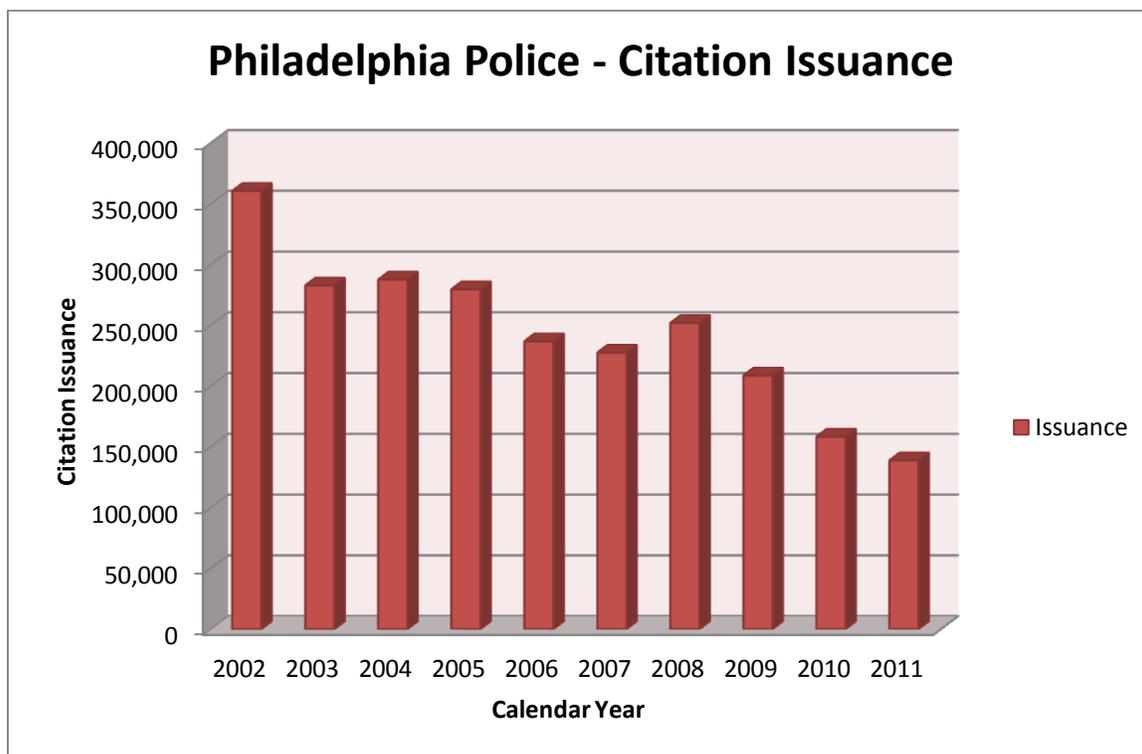
PERSONNEL:

- With limited staff of 127 individuals, the Traffic Court is proud to report that it collected approximately \$28 million dollars in 2011. The Court was allocated \$5 million for budgetary operations in 2011, yet it disbursed more than five times that figure to the State, the City, the FJD, and various other agencies.
- With limited staff of 127 individuals, the Traffic Court is open five days per week, from 8:30 a.m. until 8:00 p.m.
- Expecting full compliance by all Court staff of the Personnel Rules and Regulations of the FJD, the Court witnessed a 50% reduction in the number of employees who were disciplined (oral, written and suspensions) for tardiness issues.

TECHNOLOGY:

With the realization that ticket issuance by the various law enforcement agencies has dramatically and consistently decreased over the last several years, the Court continued to focus its attention in 2011 towards use of the electronic citation.

Philadelphia Police - Citation Issuance



Year	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011
Issuance	360,769	282,940	287,822	279,795	237,006	227,689	252,083	208,864	158,449	138,978

The electronic citation will revolutionize Traffic Court's case flow management. It will be the first step towards the goal of an automated Traffic Court. An automated Court will dramatically simplify operations and ensure that the Court can adequately and efficiently process future case loads and all associated responsibilities, despite any unforeseen economic crisis.

Accordingly, significant developments have been realized in our quest to launch the electronic citation. We have reached the second phase of the e-citation program, which is to have the Philadelphia Police issue e-citations citywide which will also serve to streamline operations for the Philadelphia Municipal Court, as it will result in the electronic completion of Forms 48 and 48A. (These are documents completed by the police at the time of an arrest.)

In this regard, representatives of the Traffic Court have personally met with Police Commissioner Ramsey in order to develop a plan of action to implement the eCitation citywide. Obstacles were met at every turn which necessitated additional meetings. The Philadelphia Department of Technology (“DOT”) was unwilling to allow the TraCS program to communicate with the necessary servers. As a result of meetings that were held at the Court, it was determined that DOT’s unwillingness was due to an audit where findings were made regarding the security of DOT’s network. To secure the network, DOT estimated that it would cost \$250,000 to install the necessary hardware and software. The Court, however, was able to purchase the servers for \$37,108, a significantly lower amount than the originally quoted price. Having purchased the servers and anticipating the final testing phase, the Traffic Court is poised to implement this program. We remain hopeful that the district-wide electronic citation will become a reality in 2012.

While much of the Court’s time and attention in 2011 was necessarily devoted towards finalization of the electronic citation, the Court continued to promote other **technological advances** and, in that regard, accomplished the following:

- In June, 2011, the Court purchased new computers (large screen monitors and towers) for virtually all employees, which replaced antiquated equipment that had limited memory capacity. Employees can now process their daily work with maximum efficiency.
- In June, 2011, a six-month extension of the Contract with ACS was effectuated. The Court has enjoyed an amicable and professional relationship with its ticket-processing vendor, ACS, for years. The five year ACS contract expired in June, 2011. During the latter part of 2011, the Court worked vigorously on the terms of a new five-year contract and is in the process of negotiations with ACS for several key components that will enhance the systems capabilities of tracking warrants and sentencing

orders. It will also afford the Court the opportunity to pursue public safety issues on a different level.

- In November, 2011, after months of testing, the Court was able to offer defendants who establish installment payment plans via their credit cards the opportunity to have their monthly payments automatically deducted from their credit card account. This was a significant accomplishment. By obviating the need to physically mail one's payment or access the WEB and make a payment on line, Defendants are far more likely to remain current with their account. This translates into reduced paperwork at the courthouse, less volume of defendants requiring personal service, and maximum efficiency. In the near future, the Court endeavors to expand this program to include the ability to automatically debit the monthly payment directly from one's bank account.

REVENUE AND COLLECTIONS:

In addition to Technology, the Court witnessed significant progress in the area of **Revenue and Collections**. In this regard, we accomplished the following:

- The Philadelphia Traffic Court continues to serve as a major source of funding for the First Judicial District of Pennsylvania ("FJD"). In the last fiscal year, the Traffic Court generated approximately \$3 million to the FJD from fees collected from citations. In addition, the Court disbursed \$11.1 million to the Commonwealth of Pennsylvania; \$8.1 million to the City of Philadelphia; and \$7 million to outside agencies. As previously stated, the Traffic Court disbursed more than five (5) times its annual budget of \$5 million per fiscal year to various agencies. We remain financially solvent and self sufficient.

- As of March, 2011, the Court began to impose a \$.35 postage fee on defendants who were convicted in their absence and failed to establishment a payment plan. There are eight court notices that are eligible for said postage fee. This action was necessary to recoup some of the postage costs that are derived from our Class 200 monies. This endeavor will have a positive impact on our budget.
- Throughout 2011, the Court has assigned personnel to the task of addressing a series of refund checks that were not cashed between the years of 2006 through 2009. After extensive investigation, the Court has successfully escheated approximately \$1,000,000 to the City of Philadelphia.
- In the Court's constant effort to enhance its collections process, the Court introduced the Capital Recovery Systems ("CRS") to ACS, its vendor. CRS is a full-service receivables management and debit collection agency that is equipped with the latest state-of-the art technology and equipment required to successfully locate, contact and collect from defendants whose accounts are in arrears with the Court. Part of CRS' services includes the tracking of the delinquent defendant's credit history. If the defendant files for any type of credit (i.e., mortgage or credit card) CRS is alerted by the credit reporting agency of the defendant's updated information. CRS does not collect its fee from the defendant until the total default amount is paid to the Court. As of October 1, 2011, ACS submitted 5,000 entities to CRS to ascertain the effectiveness of this collection agency. In the beginning of 2012, the Court will determine through statistical analysis if the relationship with CRS warrants continuation.
- Traffic Court continued to fund the salary and fringe benefits of ten (10) Pretrial Unit employees, at a cost of \$500,000. These employees serve

warrants on behalf of the Traffic Court and Domestic Relations Division. In addition, the Court appointed an employee to act as the liaison between the Court and the Pretrial Unit in order to track and execute the warrants more efficiently.

RULE COMPLIANCY:

Filed Citations

- A police officer can issue a citation at the time of a stop or file it at a later time. Filed summons are mailed to the address of record for the person who was cited by the police officer. In compliance with the Pennsylvania Rules of Criminal Procedure, the Traffic Court developed and finalized systematic changes in eTIMS regarding the processing of filed citations. These changes ensure due process for defendants of filed citations, thereby obviating the need to appeal to the higher court when defendants are unaware of their scheduled trial dates.

Loitering Policy:

- The Court continued to enforce Administrative Order No. 2009-04 which prohibits loitering in the Courthouse. This Directive was needed to prevent people and attorneys from congregating in the hallways and lobby of the Courthouse, thereby ensuring greater access for individuals who are conducting official business. One specific employee has been designated to enforce this Policy and, through his intervention, the Court's hallways have been cleared of loiterers.

Public Access Policy:

- Continual discussions occurred between Traffic Court Administration and representatives from the First Judicial District of Pennsylvania in order to establish principles and redefine guidelines regarding public access to Court records. The Traffic Court is obliged to protect the sensitive information in court records. Throughout 2011, the Traffic Court worked with the Public Access Committee for the First Judicial District of Pennsylvania to address its concerns pertaining to the proposed Public Access Policy. After reviewing numerous drafts of said policy, the Court is awaiting the formal adoption of the new Policy.

Controllers' Audit:

- The Auditor General's Office conducted an audit of Traffic Court's operations for Fiscal Years 2007-2010. There were two findings: (1) Inadequate internal controls over funds held in escrow; and (2) Receipts were not always deposited on the same day as collected. Both of these findings were listed in previous audits; both have been answered by the Court.
- The City Controller's Office conducted an audit of the Traffic Court. Their only finding was that the Court did not provide them with the number of citations that are uncollectible.

The Court remains committed to the mission of promoting public safety and access to justice. In this regard, we are evaluating the feasibility of developing an out-reach program for high-school and college-bound students who are interested in attaining their driver license. The Court seeks to educate our future drivers on the ramifications of driving vehicles without proper licensure.

The Traffic Court looks toward the new year with enthusiasm as other ventures are explored that will continue to propel this Court towards excellence!