



MEMORANDUM

Date: February 13, 2018

To: The Honorable Chairman and Members
Pima County Board of Supervisors

From: C.H. Huckelberry
County Administrator

A handwritten signature in black ink, appearing to be "C.H. Huckelberry", is written over the typed name and title.

Re: **Potential Consolidation of Tucson City Court with the Pima County Consolidated Justice Court**

As you will recall, many years ago, Pima County and the City of Tucson considered co-location of Tucson City Court and the Pima County Consolidated Justice Court. For a variety of reasons this co-location did not occur. However, the concept of a co-located and even a consolidated court has continued to be discussed among the various parties.

Recent discussions have also occurred regarding City Court considering occupation of the Public Service Center. This discussion has been expanded to consider full consolidation of the courts. If successful, this action would likely transfer City Court to the County along with both prosecution and defense services. Such has fiscal consequences for the County; however, operating a regional lower court system brings both expenses and revenues.

A more important discussion regarding this potential consolidation relates to justice outcomes and service to the public. As in all consolidation discussions, there are positive and negative issues to consider.

The Judicial Branch, through the Presiding Judge of the Superior Court Kyle Bryson will be a key participant in these discussions. Attached, please see my February 6, 2018 communication to the Presiding Judge regarding this matter.

Any consolidation will require not only consent of the Courts, but also approval of the Tucson Mayor and Council and Pima County Board of Supervisors. Hence, additional studies and analyses will be required before there is any definitive decisions regarding consolidation.

CHH/anc

Attachment

c: The Honorable Kyle Bryson, Presiding Judge, Pima County Superior Court
John Voorhees, Assistant County Administrator



MEMORANDUM

Date: February 6, 2018

To: The Honorable Kyle Bryson
Presiding Judge, Superior Court

From: C.H. Huckelberry
County Administrator 

Re: **Consolidation of Tucson City Court with the Pima County Consolidated Justice Court**

As we previously discussed, co-location or consolidation of the lower court system would prove to be beneficial for a variety of reasons. The preliminary discussions indicate the proposal has merit. The City Manager recently discussed consolidation of the courts with the Mayor and Council in a retreat.

My preference has always been a consolidation of the lower court system, rather than simply co-locating the two courts in the same building. I believe the result would be the most beneficial of the two options to the citizens of Tucson and Pima County, aggregate costs would be reduced and justice outcomes would be more consistent and better.

Attached is an email from the City Manager outlining his expectation of follow up discussions related to this matter. Obviously, both governing bodies, the Mayor and Council and Board of Supervisors would have to consent to such a consolidation. Hence, more detailed planning and specific proposals are necessary to advance consolidation.

It was assumed the Judicial Branch will supervise such a system even though it will be largely funded by the County.

I have asked Assistant County Administrator John Voorhees to directly assist me in this endeavor. This is will also require direct input from the County Attorney, Public Defense Services, Justice and City Court, their respective Court Administrators, judges and magistrates.

This is not the first time City and County services would be consolidated. We have a very successful library system merger to refer to when considering this consolidation. I do not expect the City transitional funding assistance, similar to the Library District transition, since both Justice Court and City Court generate fees and fines to offset a portion of their costs.

Below is general discussion of the basic parameters associated with consolidation. It is not an exhaustive list, but will need to be built upon after consultation with all parties.

The Honorable Kyle Bryson

Re: **Consolidation of Tucson City Court with the Pima County Consolidated Justice Court**

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Personnel

A guiding principle in the Library merger was there would be no adverse impact on any County or City library employee. This same principle should be applied to any court consolidation. Every individual will retain his or her salary and pay, seniority, accrued vacation and sick time, benefits and retirement benefits. Special consideration will be given to magistrates to honor their terms of office and appropriate commitment to continue their employment, if desired, in a consolidated system as justice pro-tem or other actions to continue their service as judicial officers.

The same would be true for court management. If a consolidation is successful, appropriate personnel right sizing can be accomplished through attrition.

Facilities

The Public Service Center was constructed for City/County Joint Courts. It can still be used for that purpose. The 6th Floor has been designed for seven additional courtrooms. Some wall construction materials have been pre-purchased and stockpiled. Construction documents would need to be prepared for bidding and appropriate bids to construct additional courts would follow immediately. It is likely the seven additional courtrooms could be available for a consolidated court within 12-18 months.

As we also know from co-location discussions with City and County Court staff, it is possible to move City Court into the Public Service building by occupying the 6th Floor, the balance of the 7th Floor and Lower Level floor through relocation of the Treasurer. Discussions have already occurred regarding these facility moves and can be accomplished relatively quickly.

Given a consolidated court rather than a co-located court, necessary facility costs for these new construction and/or expansion would be borne by the County.

Based on my discussions with the City Manager, the existing City Court would then be repurposed for economic development related to professional office space and/or technical incubator space now desired by several parties.

Court Information Systems

The Justice Court, as you know, operates on an Agave information/computer system and Tucson City Court operates on the State Court system. If the State's system could accommodate the County's Agave system capabilities, it should be utilized. Using a State common information system for Courts has distinct long-term advantages associated primarily with remaining current in automation technology.

The Honorable Kyle Bryson

Re: **Consolidation of Tucson City Court with the Pima County Consolidated Justice Court**

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Merging Court automation technologies may be one of the more difficult tasks related to consolidation.

Consultation with County Attorney and Public Defense Services

In a true consolidation, City Prosecutors would become Deputy County Attorneys and City Public Defenders would become County Public Defenders. Given the projected workloads and staffing, appropriate consultation would need to be made with the County Attorney and the Director of Public Defense Services. However, the same principles of personnel transfer would apply to these individuals as well as Court employees.

Approval by Governing Bodies

Consolidating court prosecution and defense services and merging City functions with the County would be a major governmental organization change that would require the full approval of the Mayor and Council, the Board of Supervisors and Arizona Office of the Courts. As more detailed plans emerge regarding consolidation of the Courts, they should be routinely shared with the appropriate approval bodies to effectuate communication and cooperation on a complicated endeavor.

Finally, both the City Manager and I believe a consolidated Court is the best option to pursue as it holds the most promise for improved public access to the Courts, lower aggregate costs and potentially more consistent and better justice outcomes.

CHH/anc

Attachment

c: Michael Ortega, City Manager, City of Tucson
John Voorhees, Assistant County Administrator

From: [Michael Ortega](#)
To: [Chuck Huckelberry](#)
Cc: [Elias Albert](#); [Chad Kasmar](#); [Chris Magnus](#); [Christopher Hale](#); [Joyce Garland](#); [Lane Mandle](#); [Mary Trejo](#); [Mike Rankin](#); [Tony Riojas](#)
Subject: Court Consolidation...
Date: Wednesday, January 31, 2018 8:43:13 AM

This message and sender come from outside Pima County. If you did not expect this message, proceed with caution. Verify the sender's identity before performing any action, such as clicking on a link or opening an attachment.

As I mentioned to you Monday, during the M&C retreat Friday, I outlined court consolidation as one area where we could see efficiencies. Although the M&C did not give me direction to pursue consolidation, I told them I would explore it in more detail and report back to them in a follow up retreat scheduled for 30 days from now.

I realize consolidation is a tall order, but ultimately I remain convinced it is the right thing to pursue as I believe it can reduce costs while improving the overall convenience for the general public. I know City and County Courts staff have been meeting to discuss co-location and have developed some thoughts around that effort, but I would suggest we move the discussion to true consolidation. The starting point should be the development of an outline of what this could mean and the general steps needed to accomplish it. Tony R. and Chris M. will continue to represent the City in these discussions.

As I mentioned, the M&C will be holding a follow up retreat in about 30 days and I would like to give them more info on what this would entail so hopefully working together we can develop the outline for their consideration by that time. Thanks for your help. I appreciate it...



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Court Administrator

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Cassandra R. Urias
Deputy Court Administrator

Nan S. Lane
Executive Assistant to the
Administrative Office

Memorandum

TO: Hon. Kyle A. Bryson, Presiding Judge
Ron Overholt, Court Administrator

FROM: Cassandra R. Urias, Committee Chairperson for *CRU*
Justice Court-City Court Coordination Committee

DATE: January 8, 2018

RE: Co-location of Pima County Consolidated Justice Court and Tucson City Court

On behalf of the Justice Court-City Court Coordination Committee, I am providing the following summary of our committee's work.

Background:

The Justice Court – City Court Coordination Committee was formed in the spring of 2017 to determine the best approach for relocating the Tucson City Court to the Pima County Public Service Center, where the Pima County Consolidated Justice Court (PCCJC) resides. The committee consisted of 6 members: Judge Lee and myself, Tucson City Court Presiding Judge Tony Riojas, Tucson City Court Administrator Chris Hale, PCCJC Presiding Judge Adam Watters, and PCCJC Interim Court Administrator Micci Tilton. (PCCJC members changed mid-way. Judge Vince Roberts replaced Judge Watters, and Lisa Royal replaced Micci Tilton). The committee's task was to determine whether both courts should be consolidated or co-located, and then outline the necessary steps to facilitate implementation.

The Committee met over the lunch hour on several occasions between May and October 2017. The committee quickly determined that consolidating both courts into one court was not a viable option for a variety of reasons, such as, having to amend statutes and court rules, reclassifying employees, and converting data into one case management system. The committee determined that co-location was the best and less complicated option, and that the possibility existed for several common functions to be consolidated after City Court moved into the building.

Space Fit Analysis Per Chris Hale:

The initial question for the committee was whether or not the Tucson City Court would fit into the available space in the Pima County Public Service Center. Tucson City Court (TCC) was asked to work with PCCJC and Pima County Facilities to see if there was enough existing space to fit Tucson City Court within the Pima County Public Service Center.

A review of the original City County Court Complex (C4) plans was conducted as a starting point. Space needs were reviewed and revised downward from the original 85,973 square feet to +/- 50,000 square feet. The reduction in required space is based on:

- Reduction of employees from 158.8 to 118.
- Reduction in the number of courtrooms needed from 15 to 9.
- Workload reduced from 275,000 charges to 125,000 charges filed per year.
- Reduction in the number of customer service windows needed from 40 to 19 and a corresponding reduction in waiting area space.
- Digitizing TCC case records eliminating the need for storage space.

TCC will occupy about 50,000 sq. ft. of the Pima County Public Service Center building. TCC requires 9 courtrooms: 2 currently existing on the 5th floor and 7 on the 6th floor. The courtrooms and judicial staff offices on the 6th floor will need to be built. There is room on the 7th floor for Judicial Chambers, Court Executive Administration and Judicial Services Division, but the judicial chambers and offices will need to be built as well. The total square footage for these areas is 37,273 sq. ft.

Additionally, the majority of TCC non-courtroom operations will locate in the remaining 11,911 sq. ft., which is available on the Lower Level. The following units will be located on the Lower Level:

- Public Services Division: 33 Full Time Equivalent (FTEs). The Public Services Division will operate 19 customer service windows providing customer service for approximately 41% of people coming to TCC.
- Court Services Division: 16 FTEs. Court Services Division maintains court records, processes public records requests, processes appeals, processes motions and documents submitted to the court and manages various work queues in the AJACS case management system. **This estimate is based on digitizing court records and eliminating the need to maintain/store hard copy case files.**
- Finance Unit: 4 FTEs. Processes and accounts for approximately \$23.5 million annual collections.
- Information Technology Unit: 6 FTEs. Maintains approximately 220 networked devices and various automation programs to support court operations.

It is our understanding that the cost for co-location is estimated to be \$8.9 million: \$7.4 million for construction and \$1.5 million to relocate the County Treasurer. However, the \$7.4 million move-in cost could be reduced as TCC may bring existing furniture that matches PCCJC furniture and may include modular furniture.

Relocation Timeline

The timeline for completion is estimated from 18 to 30 months depending on construction and whether TCC operations are split. In other words, it is possible to split TCC operations whereby TCC could operate out of two locations: courtroom operations could move first to the County building, while non-courtroom operations would remain in the current city building until completion of the lower level renovation. If court operations moved first, it is estimated that courtrooms, Judicial Chambers, Court Administration, and Judicial Services Division staff could be moved in 18 months or less. The timing is dependent on construction as this space has not been built out. Non-courtroom functions located in the lower level of the Pima County Public Service Center would take between 18 to 30 months since the County Treasurer would need to be relocated, and lower level area would need to be renovated for TCC use.

Shared Functions:

There are two distinct areas that apply to both courts and therefore should be shared in terms of function and costs:

1. Court Security Screening and Roving Security

The volume of persons entering the building will require a third screening entry point as well as another x-ray machine, and it will be necessary to hire 3-4 additional contract security officers and one-armed officer. Both courts will need to comply with security standards set by the Arizona Supreme Court. (The Tucson City Court currently has contractor provided security screening (4 FTEs), two roving security officers, and a TPD officer on overtime pay, who provides security and arrest authority).

The total annual security cost estimate for the County Public Service Center and Tucson City Court once both courts co-locate is \$1,023,991. This figure is calculated based on each court's current security needs. The current annual security cost for the County Public Service Center is \$755,991, plus an estimated \$268,000 for the Tucson City Court. Also, there will be a one-time cost for the purchase of an x-ray machine estimated at \$36,550.

A governance plan or memorandum of understanding will need to be created to address security issues. For example, screening policies are handled differently in each court. Currently, Justice Court screens everyone entering the building whereas the City Court allows its employees to bypass security. Also, security services should be reevaluated every six months to ensure adequate staffing levels.

2. Building Operations and Maintenance

The TCC would share in the Operations and Maintenance costs. The O&M cost for the Public Service Center is currently \$7 per square foot and includes all utility costs. Accordingly, the TCC's portion is estimated to be \$344,290 per year based on 49,184 square feet of occupancy.

Functions that could be Potentially Shared or Consolidated:

The following are functions common to both courts, which opens the possibility of sharing or consolidating processes for efficiency sake.

1. Jail Transports

Currently, TCC prisoner transports from Pima County Adult Detention Center are provided by the Tucson Police Department at an annual cost of \$593,590. PCCJC prisoners are transported by the Pima County Sheriff's Office (PCSO). Jail transports could become the responsibility of the PCSO and economies of scale could be achieved with one agency performing transports.

2. Orders of Protection and Contested Hearings.

Order of Protection Hearings and Contested Hearings are types of cases that can be consolidated or shared. A business process would need to be agreed upon by both courts. Since each court has its own case management system, either one court would need to assume all OOPs and associated contested hearings so that case numbers could be entered into one case management system, or in the alternative, each court could share the responsibility, and best if on an alternating schedule. For example, City Court would hear orders of protection one week, and Justice Court would hear orders of protection the next week.

3. Interpreting Services

The interpreter function is one that could be easily shared or consolidated. This would be a cost saving measure for both courts.

4. Commission on Judicial Education and Training (COJET)

Judicial Branch employees must attend 16 hours of Commission on Judicial Education and Training (COJET) each year. TCC is already in a partnership with PCCJC and Pima County Superior Court for attending COJET classes. Co-location would enhance this partnership.

5. Walk-in Warrant Court

Both TCC and PCCJC operate a Walk-in Warrant Court. There is a potential to share this function in that one judge could preside over Walk-in Warrant Court sessions for both courts. However, City Court Judges would need to be appointed as pro tems to preside over Justice Court cases. Also, staff from both courts would need to operate their own case management systems and ensure information and documents were produced, recorded, and entered appropriately.

6. Alternative to Jail or Field Alternative to Jail Program

This program has the potential to be used county wide and if co-location occurs. Cost for operating the program could be shared based on the percentage of each jurisdiction's utilization of the program.

7. Specialty Courts

Each court handles special calendars, such as domestic violence and mental health. The issues in these cases are common to both courts, and there is a high probability that each court is handling some cases with the same parties. Accordingly, it would be worthwhile to review sharing or consolidating these calendars to provide better service to the parties and service providers. Additionally, there are certain calendars or programs, specific to one court, that could be extended to the other court for the sake of public service. An example is TCC's Veterans Court. In considering sharing or consolidating the case related functions, jurisdictional issues would need to be vetted and appropriate policies and procedures created.

Miscellaneous Issues

While there is sufficient square footage for the co-location of two courts, it will be a tight fit with no additional space for future growth. Consequently, any legislative or programming change that impacts the volume of either court's caseload would quickly create a significant space issue.

Also, the original design of the building placed the JP chambers on the north side of the building. However, during the building redesign, the chambers moved to the south side. If the 7th floor is built to accommodate TCC, issues may arise with the JPs requesting to be relocated to the north side of the building since it is considered prime space.

Culture differences exist in all courts. It is likely that issues will arise due to differences and therefore a memorandum of understanding should be created to address such issues, if they arise.

Conclusion

The committee's conclusion is that consolidation of both courts is not appropriate at this time. However, co-location is viable, provided the County and the City can agree to financial terms. Co-location of the Pima County Consolidated Justice Court and the Tucson City Court would create the largest court in the state due to the high volume of persons accessing each court, estimated at 60,000 persons per month. Without question, placing both courts in one building would benefit the public. It would lessen people's confusion about which location to report to, thereby improving access to the court.

We thank you for the opportunity to review the issues surrounding co-location and improving our justice system. If you have any questions, please do not hesitate to contact me or members of the committee.