

PHILADELPHIA TRAFFIC COURT

2012 ANNUAL REPORT

The following report summarizes the endeavors, initiatives, and accomplishments of the Philadelphia Traffic Court during calendar year 2012.

Traffic Court is open five days per week, Monday through Friday, from 8:30 a.m. until 8:00 p.m. Seven courtrooms are in session daily (encompassing trial courtrooms, impoundment court, motion court, and night court). Seven Judges are constitutionally assigned to the Traffic Court, although circumstances throughout the year witnessed the retirement or suspension of some of those Judges. By year's end, only three elected Philadelphia Traffic Court Judges remained on the Bench. However, with the cooperation of the Administrative Office of the Pennsylvania Courts, senior magisterial district judges were assigned to fill the judicial vacancies, and there was no interruption in service to the public.

The non-judicial infrastructure of the Traffic Court remains solid. A core group of one hundred fifteen individuals is employed by the First Judicial District of Pennsylvania and assigned to the Philadelphia Traffic Court. Two shifts continued to serve the Court throughout 2012; the majority of staff worked from 8:30 a.m. until 4:30 p.m., while twenty employees were assigned to evening operations through 8:00 p.m., thereby affording the general public with the opportunity to respond to their citations, request continuances of their trial dates, establish payment plans, or retrieve their impounded vehicles beyond the ordinary work day.

During calendar year 2012, over 163,000 motor vehicle citations were issued in the City of Philadelphia by various Police Agencies, including City Police;

Pennsylvania State Police; Pennsylvania State Police Truck Enforcement; Highway Patrol; Accident Investigation Division; Airport Police; Housing Authority Police; SEPTA Police; Pennsylvania Fuel Tax; University of Pennsylvania; Drexel University; Temple University; Delaware River Port Authority; and AMTRAK Police. The Court was encouraged by this modest increase in ticket issuance over calendar year 2011, as evidenced on the attached graph reflecting citation issuance by all police agencies for calendar years 1999 through 2012, as it marked the first time since 2008 that ticket issuance did not decrease over the previous fiscal year. Incredibly, while the operating budget of the Traffic Court over the last eight fiscal years amounted to over \$40,000,000, the Court disbursed over \$221,000,000 during that same time period.

This slight increase in ticket issuance may be attributed to the Traffic Court's continual focus on the need for the electronic citation which, as delineated in previous reports over the last several years, will transform Traffic Court's case flow management. It will be a pivotal step towards the goal of a fully automated Traffic Court.

In this regard, on October 15, 2012, the Court implemented the *full pilot program for the issuance of electronic citations in the Seventh Police District*, which necessitated the purchase of printers and bar-code readers. In addition, the Court (1) incurred the installation cost for the TraCS software; (2) equipped sixteen (16) police vehicles with the TraCS software; and (3) purchased servers for the Philadelphia Police Department in order to transmit the eCitation data from the Police Administration Building to Xerox servers in Tarrytown, New York. (Xerox is the Traffic Court's contractual ticket-processing vendor.) Sole funding for this initiative has been provided by the Traffic Court at an approximate cost of \$78,000. The Court's insistence on supporting this pilot program yielded

significant results, and eCitation data can now be uploaded into the eTIMS system and made available for the end-user on the next business day following issuance. Full implementation of the Pilot Program in the Seventh District is the decade-long denouement of the diligence and collaborative effort of the Administration of the Traffic Court and the Philadelphia Police Department. It is the Court’s intent to expand the program in 2013 to two additional Police Districts, and the Philadelphia Police Department has concurred with this recommendation. In fact, the Commanding Officers of the Seventh District have reported that the majority of police officers in their District recognize the intrinsic value of the electronic citation, as it reduces the amount of time required for a car stop, thereby allowing the officer to focus more attention on other crime issues.

It is important to note that, while over 163,000 motor vehicle citations were issued in the City of Philadelphia throughout 2012, the Traffic Court *actually adjudicated 205,098 citations*. The Court has taken a proactive approach in processing aged citations. The following charts provide an overview of case statistics for calendar years 2011 and 2012, including the number of installment payment plan hearings, impoundment hearings, and warrant hearings.

CITATIONS DISPOSED:

	<u>2011</u>	<u>2012</u>
TRIAL: GUILTY	131,523	132,790
TRIAL: NOT GUILTY	30,488	26,822
GUILTY PLEA	30,235	32,169
DISMISSAL	6,953	7,221
PROS. WITHDRAWN	3,589	6,096

TOTAL DISPOSED:	202,788	205,098
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Other types of hearings conducted at the Traffic Court amounted to the following:

Installment Payment Plan Hearings	60,098
Impoundment Hearings	16,306
Warrant Hearings	3,570

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 or the Parking Authority; and the number of defendants who were brought down from the prisons, arrested and transported by district police, or had hearings through the closed-circuit TV process. All of these enforcement tools assisted in our mission to provide safer streets for the general public.

To foster a greater understanding of the need for safer streets, particularly among young drivers, the Court has instituted an out-reach program which involves raising community awareness about the need for vehicle safety, both in automobiles and on bicycles. In this regard, the Court appointed a spokesperson to represent the Traffic Court at various schools throughout the City of Philadelphia. Working in conjunction with the Philadelphia Children's Foundation and the Advancing Civics Education (ACE) Program of the Philadelphia Bar Association, this individual serves as the Court's Public Relations Manager for Education; via a PowerPoint presentation created by the Court, he has delivered the message of public safety to teenage students, as well as young, homeless women who are trying to regain their driving privileges while they are temporarily sheltered at the

Salvation Army. The presentations were well received. By year's end, the Court had modified its presentation to include dialogue on distracted and aggressive driving. The Court will continue to broadcast its public service message of safe and responsible driving throughout the coming years.

Simultaneously, the Court embarked on a noteworthy mentoring project involving ex-offenders who are attempting to regain their driving privileges as they re-emerge into society. The project was initiated by United States Magistrate Judge Timothy Rice, working in conjunction with Temple University law students. A major issue facing individuals upon their release from prison is the suspension or revocation of their driver license for delinquent motor vehicle fines. The Traffic Court partnered with Magistrate Judge Rice's team to effectuate change in the lives of those offenders by providing direction and insight into the license dilemmas they face.

Other training conducted at the Traffic Court was directed towards its employees. In an unprecedented attempt to educate the staff, beginning in February, 2012, the Traffic Court held its first series of roundtable discussions relative to ethics in the work place. The classes were conducted by a team of non-Traffic Court representatives who were assigned by the Administrative Judge of the Traffic Court; ten employees were scheduled per session; various scenarios were presented to the employees for discussion. Emphasis was placed on public perception and the importance of reporting behavior that is in direct violation of the Code of Conduct Policy of the First Judicial District of Pennsylvania. The classes were well received and will hopefully serve to ameliorate some of the potential problems encountered by Court personnel in the workplace.

Throughout the year, the Court also directed considerable attention towards advancements in the following areas:

I. TECHNOLOGY:

Black Box System – The Court replaced the antiquated OCTEL telephone system with a state-of-the-art telephone system installed by *Black Box*. Included features of the new phone system are call recording, screen capture, and live call review by management. These features will ensure proper dissemination of information to the defendant. Records reflect that the Court receives approximately 25,000 calls per month in its Call Center.

IVR System – The Court initiated the purchase of an Interactive Voice Response (IVR) system which will allow a defendant to retrieve information pertaining to his or her case file or pay a citation via a telephone call to the Traffic Court. Through interaction with the Court’s database, the following information can be captured electronically and retrieved by the defendant: (1) the amount due on the record; (2) the case status; and (3) the payment due date.

Check Scanner Hardware – The Court purchased check scanners in order to image and deposit each check that is remitted to the Court by defendants who are paying their fines. The deposit is now completed on the same day as the check is received, thereby correcting the untimely deposit finding from the last Auditor General’s Audit.

Electronic Sync with PennDoT on Deceased Defendants - The Court created an electronic file of dormant records that were in default status. By cross referencing that file with the database of the Pennsylvania Department of Transportation, the Court was able to glean definitive information as to the status of the record holder. Those who were tagged as “deceased” were marked

accordingly. This initiative, in conjunction with the Court's use of the Abatement Box, as established by the FJD as a central information center, allowed the Court to reduce its receivables by \$4.1 million.

Public Web Access – The Court upgraded and enhanced its website to provide the public with more comprehensive views of citations issued in the City of Philadelphia. The following information is now available on the Traffic Court's website: issuance date of the citation; disposition of the citation; total amount due; and the name of the adjudicating judge. As a result of our modification, the Traffic Court's website is now paralleled to that of the network of the Unified Judicial System.

Teleprompters in Lobby – The Court installed three lobby monitors for the purpose of displaying public service announcements relative to motor vehicle citations, impounded vehicles, the Rules of Criminal Procedure, and the policies of the First Judicial District of Pennsylvania.

Imaging of Citations – For a number of years, the Traffic Court has imaged the front part of every motor vehicle citation (which reflects the identity of the recipient) that is issued in the City of Philadelphia. In the latter part of 2012, we extended that imaging process to include the reverse side of the citation (which reflects adjudication data). This initiative will be advantageous to the Court, as it will allow a permanent copy of every citation, even after the originals have been disposed of in accordance with the Record Retention Policy.

II. CONTRACTS/LEGAL

Xerox Contract – The previous contract with Xerox (formerly known as ACS) had expired on December 31, 2011. Two extensions were accepted before

the parties finalized a new, seven-year contract in May, 2012, that would adapt to the needs of a more modern Court.

Negotiations yielded significant results for the Court, including the stipulation that Xerox initially replace all of the *hardware and software* in the Court's cashiering stations and, after three and one half years, provide new hardware in the Court's cashiering stations.

Moreover, the Court negotiated system enhancements to include the creation of three new subsystems (Sentencing, Warrant and Attorney Notification) which will allow for tracking of all warrants and defendants who are sentenced to incarceration. To enhance recordkeeping, the subsystem will track all scheduling orders that are issued at the Court. A component of that subsystem will provide an ancillary notification process of all cases on which an attorney has entered an appearance. Notices of trial will be electronically generated, thereby obviating the paper process. Final specifications were approved in November, 2012, and the Court is awaiting implementation of the subsystems.

Bulk Data Request Filled – As part of the adoption of the Public Access Policy by the First Judicial District of Pennsylvania, the District allows outside entities to purchase data from the Traffic Court, consistent with the price structure set by the Policy, pertaining to citation issuance and disposition. Currently, the Traffic Court has three outside entities that receive such data from the Court on a weekly or monthly basis. During 2012, those requests for bulk data were filled.

City Employee Notice - With the realization that over 315 employees of the City of Philadelphia were in arrears to the Traffic Court in excess of \$70,500, the Court created a new notice that was generated to those individuals who were in

default status on the Court's database. These notices were mailed to the address of record in eTIMS and, to date, \$22,513.35 has been received by said defendants.

III. FINANCIAL

Auditor General's Audit – In 2012, the Pennsylvania Auditor General issued its report governing the period of Fiscal Years 2006 through 2010. There were only two findings during that period, i.e., (1) *monies were held in escrow for too long; and (2) deposits were not always timely*. Court staff toiled diligently in 2012 to address, rectify, and eradicate those shortcomings.

For example, at the end of the Audit for Fiscal Year 2010, monies held in collateral amounted to over \$1,300,000; today, monies held in collateral amount to \$900,000 (a 30% decrease). However, approximately 39% of that \$900,000 in collateral cannot be transferred due to the Rules of Criminal Procedure, while 42% of the collateral is for citations pending trial.

In addition, at the end of the Audit for Fiscal Year 2010, overpayments amounted to \$120,000, compared to \$25,000 today (a 70% decrease). The Court was indeed pleased with its progress in addressing and moving towards resolution of these findings.

Third Party Collections - For the first time in its history, the Philadelphia Traffic Court utilized a third-party collection company, Capital Recovery Systems ("CRS"), to collect from defendants whose records were in default status. This action was facilitated through our ticket-processing vendor, Xerox, who is contractually obliged to serve as a financial intermediary. The Court asked Xerox to engage in a pilot program with CRS to assess their rate of success for debt

collections. The Court transmitted 10,000 defaulted accounts to CRS; CRS collected \$384,000 in defaulted monies. This was accomplished at no cost to the Court. At this juncture, the Court is working on an RFP (Request for Proposal) for a debt collection agency.

Traffic Court Disbursements - In 2012, the Court collected a total of \$24.1 million in revenue. In accordance with the disbursement schedule, the State received \$9.9 million, the City received approximately \$7.4 million, Xerox received \$1.8 million, and the Philadelphia Parking Authority received \$1.1 million. In addition, the Court disbursed approximately \$3.9 million to the First Judicial District of Pennsylvania. See attached graph comparing revenue received versus citation issuance. As shown, although the citation issuance rate has steadily declined since 2008, the revenue collected and disbursed by the Traffic Court remains above that trend.

IV. OPERATIONS

Trial Court Performance Measures – CourTools, which was designed by the National Center for State Courts, provides a structured means by which trial courts can gauge their performance. The Traffic Court fulfilled its obligation in this regard and ensured that all cases scheduled with the Court are processed in a timely manner. Through statistical analysis of new cases filed, cases dispositioned, and cases pending, the Traffic Court realized that it has a 129% closure rate. The Court has continued to excel in case-flow management.

Out-Bound Calling Center – With the realization that work restrictions and distance issues may prevent some defendants from returning to the Court to address their delinquencies, the Traffic Court established an Out-Bound Calling

Center. Employees in this Unit will telephonically contact defendants whose accounts are in default status and offer them the opportunity to reinstate their payment agreements under the previous terms.

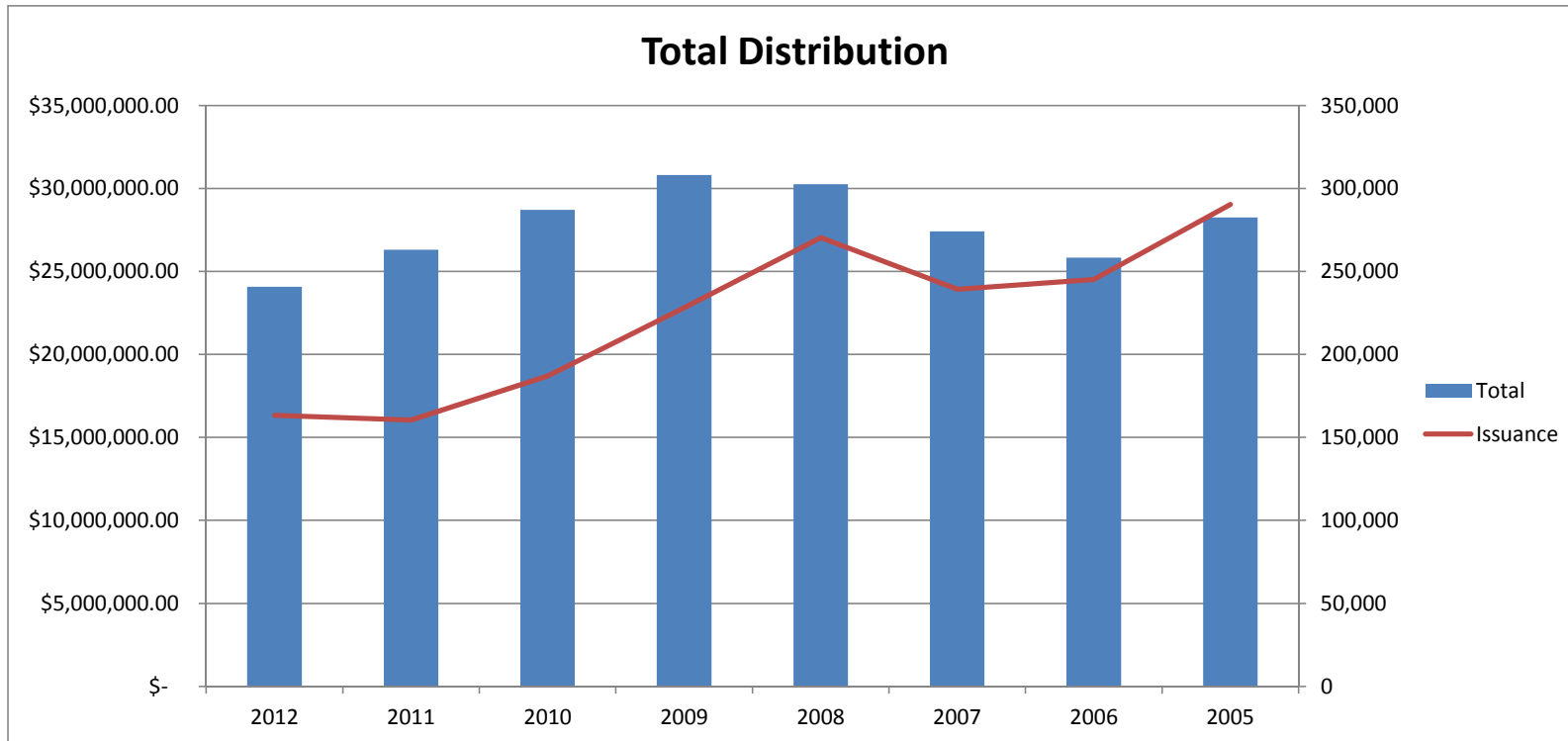
Swearing In Court Officers – A swearing-in ceremony of all Tipstaff Generals, including the Chief and Deputy Chief of Courtroom Operations, was held in the fall of 2012. Although many of the Officers had previously taken the Oath of Office, others had not been sworn in. This was an important step for the Traffic Court to take, as it will ensure accountability of all court officers who now understand the seriousness of their position and will endeavor to uphold the value of their office and discharge their duties with fidelity to the Court.

As evidenced in this report, the Traffic Court continues to be a strong revenue producer for the City of Philadelphia and the Commonwealth of Pennsylvania. Our employees are now focused on the newly created environment that emphasizes education, knowledge, and a commitment to serve the public with fidelity and honor.

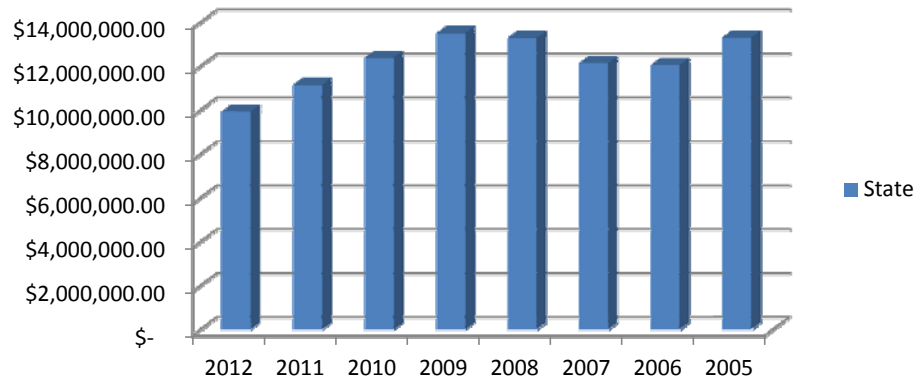
Philadelphia Traffic Court

This sheet displays the breakdown in distribution by Fiscal Year

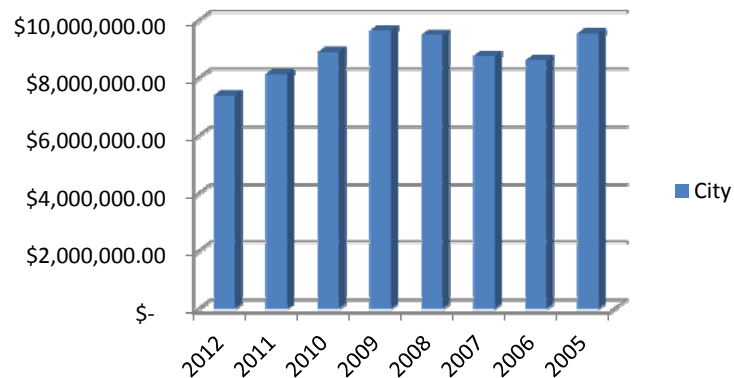
Year	State	City	Xerox Fee	Warrant Fee	PPA	2360 Fee	Total	Issuance
2012	\$ 9,926,046.43	\$ 7,392,848.17	\$ 1,824,722.42	\$ 2,096,982.53	\$ 1,062,323.41	\$ 1,785,722.76	\$ 24,088,645.72	163,328
2011	11,147,068.69	8,134,053.20	2,042,594.21	2,279,687.12	1,169,857.09	1,542,577.46	26,315,837.77	160,556
2010	12,378,430.87	8,893,518.72	2,276,438.77	2,391,113.17	1,323,407.46	1,453,954.39	28,716,863.38	186,998
2009	13,495,066.55	9,638,204.79	2,468,125.90	2,402,613.72	1,446,100.84	1,362,112.77	30,812,224.57	228,119
2008	13,292,208.88	9,494,433.86	2,150,603.65	2,487,406.14	1,404,227.00	1,433,974.94	30,262,854.47	270,355
2007	12,139,699.52	8,763,253.62	2,524,200.77	1,594,887.56	1,202,605.97	1,201,706.52	27,426,353.96	239,270
2006	12,049,242.60	8,604,208.06	1,778,338.92	837,691.70	1,185,108.71	1,382,483.75	25,837,073.74	245,169
2005	13,308,468.18	9,542,651.98	1,939,189.96	894,045.36	1,155,203.94	1,411,605.25	28,251,164.67	290,481
Total	\$ 97,736,231.72	\$ 70,463,172.40	\$ 17,004,214.60	\$ 14,984,427.30	\$ 9,948,834.42	\$ 11,574,137.84	\$ 221,711,018.28	1,784,276



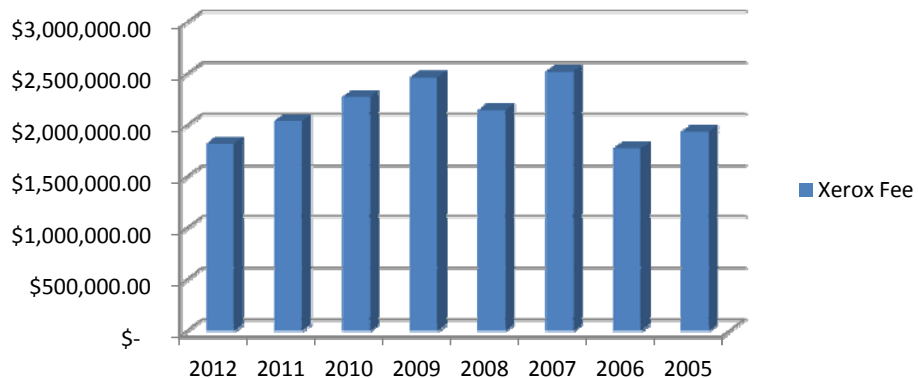
State



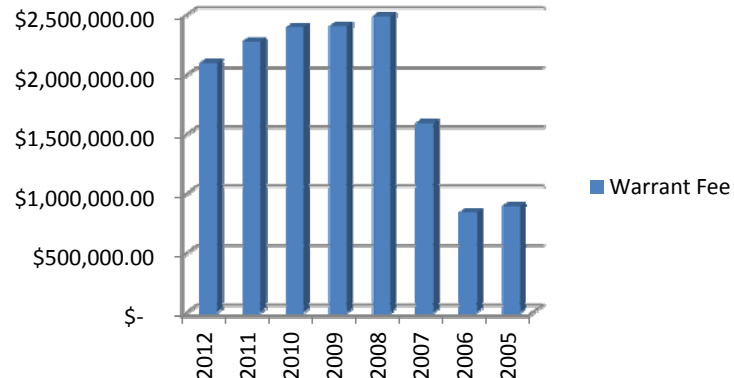
City



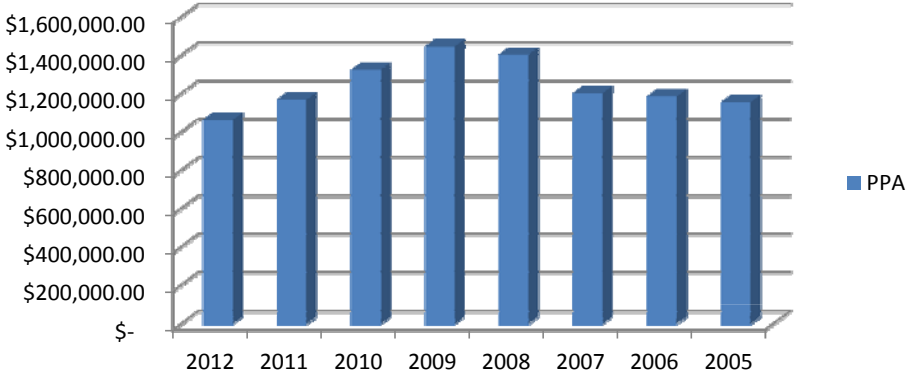
Xerox Fee



Warrant Fee



PPA



2360 Fee

