



The Circuit Times

Newsletter of Twentieth Judicial Circuit

Volume Three

Fall 2008

COVER:

Judges Starnes and Pellecchia Retire p.1

INSIDE:

A Message From The Court Administrator p.2

Circuit Welcomes New Judges p.2

Investitures p.2

Pretrial Challenge p.3

JA's Receive Service Awards p.3

Hendry County Diversion p.3

E-First and Warrant Alert Calendar System p.4

Foreclosures p.5

Lee County Day Work Program p.5

Glades Technology Forum p.6

Lee Judge Receives Award p.6

Felony DCM Yields Positive Results At 6 Month Mark p.6

Chuck Rice Takes To The Field p.6

HR FYI p.8

HIPAA Training p.8

The 20th Circuit Honors Two Judges Who Have Served It Well

Staff and community bid fond farewells to Judges Pellecchia and Starnes

On August 29, 2008 two bastions of the judiciary of the 20th Circuit closed the doors behind them as they left their respective courthouses for the last time.

Judge Donald E. Pellecchia and Judge Hugh E. Starnes have presided over courtrooms in the 20th Judicial Circuit for a combined 42 years; Judge Starnes serving his 30 years on the Lee Circuit bench, and Judge Pellecchia serving his



Chief Judge G. Keith Cary presenting service award to Judge Hugh E. Starnes.

12 years on the Charlotte Circuit bench. Both were honored by service award receptions at which colleagues, friends, and staff could reminisce, share stories and say good-bye.

August 15th Judge Starnes was presented with a service award by Chief Judge Cary for his many years of dedicated service to the citizens of the Twentieth Judicial Circuit. Also, he was presented with a Tribute by Lee County Commissioner Frank Mann, and, a Proclamation by State Representative Nick Thompson. Prior to the presentation of awards, long-time colleague and friend, Attorney Shelly Finman, spoke about the many lives Judge Starnes has touched and how his work has benefited children, the courts, and the community.

A week later on August 22nd Judge Pellecchia was presented with a service award for his dedication to serving the citizens of the Twentieth Judicial Circuit. His award was presented by Judge Margaret Steinbeck. He received a Proclamation from County Commissioner Tom D'Aprile and a Proclamation from the city as well.



Judge Donald E. Pellecchia speaking at his farewell luncheon

Judge Starnes and Judge Pellecchia are two of four judges who have retired within the last few years, marking a period of change. Judge James R. Thompson retired on 11/28/06 and Judge William McIver retired on 1/31/08.

"There is a changing of the guard slowly underway within the courtrooms of our Circuit and with that change comes sadness, but also excitement as new judges take the bench and in so-doing alter the texture of the bench in some small, but significant way."

Chief Judge Cary

As the gavel of one judge is replaced by that of another, it is Chief Judge Cary's plan to recognize the contributions and efforts put forth by those retiring from the bench.

A rare sighting: Five Chief Judges all together for a photo. *Left to right:* Thomas S. Reese, Hugh D. Hayes,



Hugh E. Starnes, G. Keith Cary, and William L. Blackwell.

A Message from the Court Administrator

Rick Callanan

In many courthouses around the state there has been legitimate concern about budget cutbacks to the courts and the potential for even deeper cuts in the coming budget year. During a time when the economic situation has been dire the courts have seen an increase in workload and greater demands on the system. It could be argued that this is an untenable situation. However, we in the Twentieth have continued to “plan for the worst, and hope for the best” and so far it is a strategy that has served us well.



“Hoping for the best” has been demonstrated in Chief Justice Peggy Quince. After only two months on the job as the CEO of the Florida State Court System, the Chief Justice deserves our deepest thanks for the leadership she has brought to bear on the deepening budget crisis facing the judiciary. Since walking into a very tough fiscal situation, she and the TCBC (Trial Court Budget Committee) leadership stepped in decisively to avert an additional four percent reduction in the budget. In all likelihood, we would have lost in excess of \$500,000 in staff positions which would have seriously reduced the Magistrate, Pro-se Assistance, Staff Attorney and Family Case Management program staff. The result would have been most costly to citizens and families in the circuit.

We all have a responsibility now to follow the Chief Justice’s example and step up wherever we can to advocate for creative and collaborative solutions to maintain adequate funding for the judicial branch. We have been resourceful and innovative in addressing budgetary challenges and must all continue to do so.

The Twentieth Welcomes New Judges

The retirements of Judges Starnes and Pellecchia left two circuit judge vacancies within the Twentieth that needed to be filled. Judge Ramiro Mañalich and Judge Alane C. Laboda were commissioned on August 6th and September 2nd respectively. Judge Mañalich is assigned to the circuit bench covering a split docket in Lee and Charlotte Counties and Judge Laboda is assigned to the Hendry County circuit bench.

Prior to his appointment to the circuit bench, Judge Mañalich was a county court judge in Collier County. He was appointed to the county bench in August 2003 presiding over misdemeanor criminal and civil matters. Before taking the bench, Judge Mañalich was a Sr. County Attorney for Collier County.

Judge Laboda practiced in the private sector for twelve years in the areas of tort defense, insurance defense, and criminal defense. Prior to entering private practice, she was an Assistant State Attorney for five years.

Also new to the bench are Judge James Shenko and Judge Archie Hayward. Judge Shenko filled the vacancy left by the retirement of Circuit Judge William McIver. Judge Shenko took the bench July 1st. In the private sector he practiced personal injury and defense work.

Judge Hayward began his career on the county bench on September 22nd. Judge Hayward filled the county court vacancy created when Judge John Dommerich was appointed to the circuit bench. Prior to his appointment Judge Hayward worked for the Office of the Public Defender for five years, practiced privately and since 2000 worked for Florida Rural Legal Services as an attorney and senior project leader.

Charlotte and Lee Counties Celebrate Investitures

On August 8th, County Court Judge Paul Alessandrini was formally invested in a moving ceremony before more than 100 guests in the restored central courtroom of the Charlotte County Historic Courthouse. It was a most appropriate location for the ceremony, as Judge Alessandrini served many years in the old courthouse as head of the Charlotte County State Attorney’s Office before entering private practice. He was sworn in by the Honorable Jack Schoonover.

On September 26th, Circuit Court Judge James Shenko was invested in the Old Lee County Courthouse. Guest speakers included his brother, William (Billy) Shenko and a long time friend, the Honorable Thomas Barkdull, III, Circuit Judge for the 15th Circuit. Lt. Governor Jeff Kottkamp administered the Oath of Office. The ceremony was attended by members of the bench, family, friends, and members of the Lee County bar.

Below: County Judge Paul Alessandrini (left) and Circuit Judge James Shenko (right) taking their Oaths of Office.



Judicial Assistants Receive Service Awards

Susan Gray received a service award in appreciation for her thirty years of outstanding service to the Florida State Court System. Judicial Assistant to Judge Hugh Starnes for 24 of the 30 years, she was presented her award at the reception for Judge Starnes on August 15th. Like Judge Starnes, Susan too was a fixture in the Lee County Courthouse. August 15th was her last day with the courts.

On August 22nd Lisa Ickes received a service award in appreciation for 18 years of dedication and service to the Florida State Court System. Lisa was Judge Pellecchia's Judicial Assistant and was presented her award at his reception. August 31st was her last day with the court system.



Chief Judge Cary presents Judicial Assistant Susan Gray with her award (above).

Judge Pellecchia with his Judicial Assistant Lisa Ickes (below).



Pretrial Services Challenges It's Own

By: Angelina Foster

The Pretrial Services Staff was "challenged" in July 2008 to get creative and find ways of "doing more with less": To find new ways to work around financial restrictions, while remaining productive and positive, and, maintaining departmental standards. This "challenge" proved not only successful, but also, empowered the staff to participate in fine tuning the business processes that they do every day.

Each unit in the Pretrial Services Department was given the task of coming up with new ideas, as well as, demonstrating and detailing how these ideas could be put into practice. "Challenge" boards were placed in the Clerical, Intake and Investigation, Case Management, and Diversion Units so that staff could write out their suggestions whenever an idea hit them. As often happens, one proposal sparked a number of related ideas and fueled the fire of creativity. At the end of the "challenge" week all boards were collected. The results speak for themselves: several suggestions were implemented immediately.

Employees' ideas ranged from reducing the number of copies made for specific forms and keeping track of supply usage, to considering alternative products in order to save money and adjusting current procedures to save time. There has been instant success with proposals that already have been applied in the various units: Significant reduction in the amount of copy work, significant reduction in the amount of paper printed for various work processes, streamlined procedures to enhance productivity and time management, and, an enhanced office supply ordering process.



The ability of the staff to "think outside the box" and invest personally in their workplace has proven invaluable. Additional suggestions will be put into practice (ideas of recycling and reducing waste are high on the list) and it is anticipated that the results will continue to be exceptional.

The Pretrial Services Staff have cleared the hurdle of financial obstacles while maintaining core business functions and standards. When asked to press themselves to create ways of improving the processes they use every day they stepped up to the plate and the results were amazing.

Diversion Program Implemented In Hendry County

The Hendry County Probation Office is supervising a Misdemeanor Diversion Program that was established through the cooperative efforts of Court Administration and the State Attorney's Office (SAO). The Diversion Program commenced on September 15, 2008. Like other diversion programs defendants will receive a shorter supervision period than probation might offer and must complete specific conditions; however, unlike other programs, the defendants must show proof that the flat fee has been paid before entering the program.

The SAO estimates that 15-20 defendants will be referred to diversion each month. Through the refining of processes and implementation of technology the Probation Department is able to supervise this program without any additional staffing or funding required.

E First Appearance and Digital Signature

Florida Supreme Court Okays New Technology

On April 21, 2008 the E-First Appearance system was launched as a pilot project in Lee County under the direction of Chief Judge G. Keith Cary while it awaited approval from the Florida Supreme Court. The E-First Appearance system enables the Judge, State Attorney, and Public Defender to have online access to cases scheduled for first appearance. They can review the probable cause narrative, defendant summary report (including criminal history, residence history, etc.) and can see any underlying charges on Violation of Probation (VOP) and Failure to Appear (FTA) warrants before or during court.

With E-First Appearance a flexible E-order (electronic order) is generated instead of hand-writing a hard copy order. Everything is done in real time: the clerk records the judge's decision electronically and then presents the order for the Judge to sign it digitally. The order is then immediately transmitted to the jail electronically which enables the jail personnel to begin the release of appropriate Defendants.

This innovation has expedited the release process; reducing the time needed to as little as one hour, from what once could take as long as 8 hours. E-First has reduced the time required for preparation and processing of cases, as well as, reducing the amount of paper copies that were required in the past.

This new system was born from the collaborative efforts of various criminal justice agencies that comprise the Criminal Systems Improvement Committee. The committee, which was formed in 2007, is chaired by Judge Radford Sturgis. It consists of representatives from the Office of the State Attorney, Public Defender, Court Administration (Pretrial, Probation and Court Technology), the Clerk of Court and Lee County Jail and Lee County Sheriff's Office. The purpose of the committee was to identify business workflow processes within the system that required extensive time, effort, or duplication. The First Appearance Hearing was determined to have the largest impact on the combined business processes of the various agencies. The committee set a goal to improve the efficiency of the First Appearance Hearing by introducing E-First, digital signature and electronic court order in an effort to expedite the processing of cases and reduce costs for labor and temporary housing of defendants awaiting release. The E-First Appearance system was developed in-house as a CJIS initiative.

With the help of the National Center for State Courts, E-First was a way of building a cooperative business system that enables the various agencies to share data and make integrated processes more efficient and

money-saving. The E-First Appearance initiative will provide the catalyst for building additional cooperative systems as a cost reduction strategy.

The Florida Court Technology Committee, under the auspices of the Florida Supreme Court, approved the E First Appearance application on September 9, 2008.

Lee County Warrant Alert System Slotted To Go Live In November

Court Administration and Law Enforcement work together on active warrants system.

In early September the Twentieth Judicial Circuit Office of the Court Administrator signed a contract with Metatomix, a criminal justice software developer, to develop and implement a program that will actively alert court programs, court operations/law enforcement and the State Attorney's Office when defendants with active warrants appear in court.

This new program which is a pilot project for the State of Florida is scheduled to begin testing in October and to "go live" in November. At the onset it will be available to thirteen judges and will cover all criminal arraignments.

This new system, Active Warrant Alert Calendaring System (AWACS) will actively link the current Justice Inquiry System (JIS), Clerk's court

calendars and law enforcement agencies charged with executing warrants, with national and state databases. This linkage will allow calendars (dockets) to be filtered through up to 14 databases the night before a court session is to commence. Any defendant that has an active warrant, injunction, license suspension etc. will be flagged so that court operations staff/bailiffs will have up-to-date information on the defendant's status, and, execute warrants if needed. Historically, records checks of this nature had to be conducted on a case-by-case basis, making extensive background checks for each and every court event cost prohibitive.

While AWACS will fill a gap in the criminal justice system, it is an expensive proposition. However, in an effort to acquire this technology more quickly, the Administrative Office of the Courts and the Lee County Sheriff's Office have provided the initial funding. The Office of the Court Administrator will seek additional funding to expand the program circuit-wide.

Recently, following a demonstration of the program, the Collier County Sheriff's Office has decided to implement this system as well.

"The first rule of any technology used in a business is that automation applied to an efficient operation will magnify the efficiency"
~ Bill Gates

Foreclosures: How The Courts Are Responding



*Judge John S. Carlin
Administrative Judge*

Foreclosures are at an all time high. Courts have undergone budget cuts. Dockets are overwhelmed. As such, the Twentieth Judicial Circuit has been getting creative with how to address the massive number of foreclosures.

The first step taken was to set aside a Friday each week for a Senior Judge (a retired judge who returns to the bench on an as needed basis) to preside over foreclosures. While this has been very helpful and as many as 500 cases are heard a day, the foreclosures continue.

The next step was to introduce mediation into the process. Mediation cannot be used in uncontested foreclosures (of which there are many), but it has proven to be quite successful in contested cases. Foreclosures are mediated when a case has been noticed for trial or when one of the parties requests it. The cases that are not investor related, but where the resident is in place hold the most potential for settlement through mediation. Of course the lender must be motivated to work with the homeowner. Recently, a mediation was conducted regarding several mortgage foreclosures and the mediator resolved seventeen of them. These are cases that would have gone to trial and been tied up in the legal system for some time had they not been mediated.

A third step was adding additional court days to hear the foreclosure cases which was not an easy task given that judges can have a variety of dockets and most every day is accounted for, either in trial or hearing motions. However, two judges, Judge John S. Carlin, Administrative Circuit Judge, and Judge Michael T. McHugh, Lee County Circuit Judge, have volunteered to make time on their dockets to handle foreclosures. To that end, these judges have scheduled two full days each in December for foreclosures. It is anticipated that this will have a significant impact on the disposing of foreclosure cases.

Foreclosures will continue to be an issue for the courts for the foreseeable future. As such, leadership in the



*Judge Michael T.
McHugh*

judiciary and Court Administration will continue to research and implement procedures to help mitigate the demands these cases have placed on the court system.

Lee County Day Work Program

Celebrates one year anniversary.

By: Scott Wilsker

The Lee County Sheriff's Work Day Program marked its one year anniversary on September 10th. The Work Day Program is a sentencing alternative available to county judges whereby defendants are sentenced to work in various county government organizations or agencies in lieu of incarceration in the Lee County Jail. It is a partnership between the Lee County Sheriff's Office, Lee County Department of Transportation (DOT) and the Administrative Office of the Courts.

Program participants are comprised of male and female offenders serving weekend jail time sentences, Lee County Drug Court participants serving a court sanction without incarceration or Lee County Probationers complying with a condition of probation. To the extent the defendant's offense may be subject to a statutory minimum mandatory sentence of incarceration this alternative sentence is not imposed. However, it may be imposed as a condition of the probation that may follow a minimum mandatory sentence.

The Day Work Program can accommodate thirty-three participants on any given day. Staff screen possible offenders for appropriateness and try to match the offender's skills with the type of work to be performed. Participants must work a minimum of two days per week. They must report to the Department of Transportation prior to 8am for transport to a job site either by the DOT or the Lee County Sheriff's Office. Program participants are not permitted to operate heavy machinery or facilitate work that requires a skilled tradesman (plumber, electrician etc.). They function primarily performing manual labor: assisting Lee County DOT with roadside clean-up, clean-up of public parks, graffiti removal from government buildings and so forth.

The participants in this program (634 defendants) completed 56,465 hours of work on county projects. This saved Lee County over \$380,000 in wages it otherwise would have had to pay to complete the work. Additionally, the county saved \$50/day for housing per defendant sentenced to the Day Work Program. In total the county saved \$526,000.

Other benefits to this program include safeguarding the jail from the introduction of contraband and a reduction in the number of offenders serving weekend jail time that the jail would need to spend time processing.

The program has an 84% success rate. County Judges have embraced the Day Work Program and are pleased to have another viable sentencing option available to them.

Glades County Hosts First Technology Forum



Joe Friess, CJIS
Director

Representatives of the State Attorney's Office, Public Defender's Office, Court Administration, Glades County Sheriff's Office, Clerk of Courts, and CJIS consortium met on September 19, 2008 at the county's first ever Technology Forum. The forum was orchestrated by Joe Friess, CJIS (Criminal Justice Information System) Director, to bring the various agencies

together to discuss work flow processes and technologies that each group uses to identify areas where it might be beneficial to implement new, shared technology in order to reduce duplication and streamline processes.

The meeting generated a lot of discussion and illustrated how agencies can be working within a silo, but not be aware of it; even individuals within the same agencies had different methods of collecting data or inputting data into the same system. Also, the group identified areas that could benefit from streamlining processes via new technology that in many instances can be generated with the CJIS staff's assistance and without requiring additional resources.

Judge Seals Honored with the Gladstone Award

Judge James H. Seals received the William E. Gladstone Award at the Dependency Summit held in Orlando, August 27-29. The Gladstone Award is presented to a judge or magistrate who has made a lifelong commitment to safe-guarding the welfare and dignity of children. On August 18, 2008, Rose Patterson with the Office of the State Court Administrator notified Judge Seals that he had been nominated to be this year's recipient of the award. He was one of several individuals nominated for his "exemplary work" and "dedication to the children and families of Florida."



Judge James H. Seals

Upon being selected by his peers, Judge Seals commented: "Receiving an award named after a great Floridian and one of America's premier dependency court judges is very special to me. I'm honored to be selected by the previous recipients of this award, which to me is the Academy Award for dependency court judges."

Felony DCM Shows Astounding Results Through Teamwork

First six months show upturn in dispositions.

"Looking back, felony case dockets in 2007 were collapsing under their own weight" according to Scott Wilsker, Lee County Criminal Division Director. At that time, the average number of docket soundings per case was 22.4 and the average number of trial settings per case was 9.1. The backlog of unresolved cases was growing and something needed to be done.

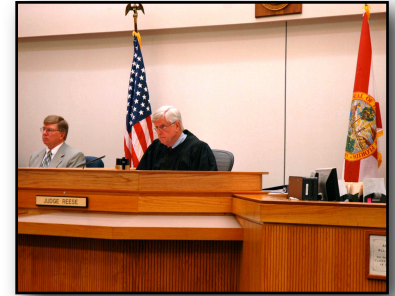
In January 2008 the Criminal Division of the Administrative Office of the Courts in conjunction with representatives of the State Attorney's Office, Public Defender's Office, Private Bar, Clerk of Courts, and Felony Division Judges, implemented a Differentiated Case Management (DCM)

system in an effort to provide early court intervention and judicial management of cases to more efficiently move them through the system. The primary purpose of case management conference event is to discuss where the case is at an early stage in the process and what activities need to be carried out to ensure a timely disposition based on the nature of the charge. The first six months of this new system, as set forth in Administrative Order 3.25, clearly demonstrates that case management works.

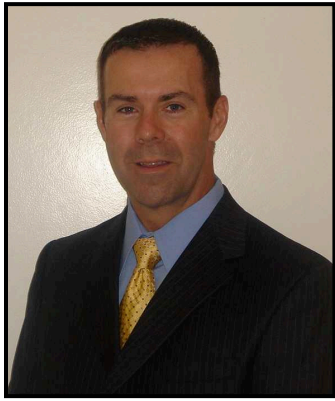
For the period of January -June 2008 there was a 26% growth rate in felony case dispositions. In those six months the average number of case filings per month was 742 while the average number of dispositions per month was 834.

Comparing the data in FY08 to FY07, there is a 10% increase in felony case filings and a 62% increase in case dispositions from one year to the other.

Although there is a structured framework by which to manage these cases, inevitably there are delays. The goal of DCM is to expedite cases that are worthy of early disposition in order to dedicate more time to those cases that are more complex in nature; however, even cases that would require less time may warrant more than one case management conference due to changes in legal representation or witness difficulties when setting depositions. Additionally, there are a small number of cases continued at a felony case management



Judge Thomas Reese was key to DCM's success. Jim Sullivan (It) Pretrial DCM supervisor.



Criminal Division Director Takes To The Field

Left: Chuck Rice as seen at his "day" job as Collier County Criminal Division Director.

Chuck Rice spends most of his time running the Collier County Probation Department, but when he isn't seeing that probationers follow the terms of probation, he is making sure football players are following the rules of the game.

In his spare time, Chuck officiates Division I football games. He is one of 42 referees employed by the Big East Conference on a full time basis. In twelve years he has progressed from refereeing Naples Pop Warner games to Division I- not an easy task. It took hard work, but even hard work doesn't guarantee rising to this level of play. It takes time and perseverance, and, it doesn't hurt to have the help of others. According to Chuck, "There's a lot who try and don't make it, and it's not because they're not a good official...I know I've had a lot of people help me throughout the years".

One such person was Bob Gollhofer who mentored him. Gollhofer, a former president of the Collier County Sports Officials Association has been a keen supporter and advocate of Chuck. Mr. Gollhofer has said that Chuck has twelve years experience officiating but it seems more like twenty-five. Maybe that's what comes from deciding what you want to do and working to achieve it. Chuck said he threw himself into learning the rule book inside and out, he worked to keep himself in good physical shape, and has travelled for hours on end in order to officiate even a brief scrimmage, just to get his name and face out there.

September 1, 2007 marked South Florida's season opener and Chuck's first Division I assignment. Followed the next week by Middle Tennessee State at Louisville, his first ESPN televised game. Chuck said "I was extremely excited when I got the assignment, but then it turned to fear".

True to form, he threw himself into preparing for the game. Any calm he had garnered dissipated however, when he entered a stadium of over 40,000 people and at the thought of famous broadcasters and coaches being there...watching him. But, once the game started it was all about the game and the same stretch of field

"Success is dependent upon effort"
~Sophocles

he'd covered for years. "If you don't look behind you, it's the same field".

This season his first few assignments took him to Connecticut, New York and Indiana. He was very excited about the Notre Dame v. Michigan game. Later he commented that "the atmosphere personified college football with all the history of the two schools. It was the highlight of my career to this point."

Regardless of the venue, his approach to every game is the same: treat every game like it is the most important game of your life because the stakes are high. There is a lot of money and prestige involved with the game and "people's jobs depend on the outcome". The pressure can be immense. And not just because of what it means to other people, but what it means for him personally. According to Chuck, "we're graded on every call and there are thousands waiting to take my spot. If you're not prepared, you can't be successful."

After many years of hard work and dedication he has achieved his goal to officiate in Division I, but, his success hasn't gone to his head: "You're never bigger than the game. I am humbled to be involved and know I couldn't have done it without the help of others."

Look for Chuck on the television and cheer for him as he works hard doing what he loves and showcasing the talent that Southwest Florida has to offer.

From Pop Warner to Division I- a dream realized.



Official Chuck Rice on field at a Pitt's inter-squad game, April 2008.

The Human Resource FYI

Open Enrollment

In Collier, County funded staff will have a Benefits Open Enrollment period from 11/1/08-11/30/08. A schedule of the various meetings and locations has not been published yet, but will go out to employees in October.

Charlotte County has tentatively set its Open Enrollment for early November. Employees will be notified of the exact dates when they have been confirmed.

Lee County will have Benefits Open Enrollment from 11/3/08-11/17/08. Specific information will be emailed to county employees.

UNUM long term disability will hold an open enrollment period for Judges and State employees from November 1-30, 2008. If you have questions about long term disability, please call toll free 877-652-0221 or visit the website: www.lifesolutions.com/courts.htm

Circuit Times Newsletter

Chief Judge
G. Keith Cary

Trial Court Administrator
Richard Callanan

Deputy Court Administrator
Lisa Kiesel

Editor
Sheila Mann

Court Photographer
Carrie Chalker-Smith

Contributors

Angelina Foster
PTS Supervisor, Lee

Sharon Suhar
Director Human Resources

Sherry Munroe
PTS Supervisor, Charlotte

Scott Wilsker
Criminal Division Director

HIPAA Training Provided in Charlotte County

Expert Explains how HIPAA applies in the court setting.

By: Sherry Munroe

The Administrative Office of the Courts, Charlotte County, held a HIPAA training session on June 16, 2008. John Petrila, J.D., LL.M Professor, Department of Mental Health Law & Policy (MHL) at the University of South Florida and Director of the Florida Mental Health Institute Criminal Justice, Mental Health, and Substance Abuse Technical Assistance Center led the session.

The HIPAA session gave those involved in the Courts the opportunity to learn and to discuss the requirements and restrictions of HIPAA and how the act applies to each department and agency with regard to the dissemination of information in the court setting.

In attendance were County Judge Paul Alessandrini, and representatives from the Office of the State Attorney, Office of the Public Defender, Charlotte County Sheriff's Office, Prison Health Services, Charlotte County Clerk of Court, Charlotte County Mental Health Court, Charlotte County Drug Court, and Charlotte Behavioral HealthCare.

cont. from pg. 6 DCM

conference event due to the pure nature of the charge. This is expected when a case is assigned to a complex track. "It would not be prudent for the court to advance a complex case to the next court event if there are a substantial number of case management issues that still need to be resolved, i.e., pretrial motions, representation by counsel issues or the setting of depositions by counsel" Wilsker said.

The last court event before trial is the Pretrial Conference. At this event, plea negotiations take place that the Court may or may not accept. January 1 through June 30, 2008 there were a total of 266 pleas taken at pretrial conferences. If no plea is accepted, the parties discuss any issues that may affect the trial duration: pretrial motions, need for interpreters, witnesses etc.

Finally, at the trial cycles of Differentiated Case Management for this time period 1,327 cases were disposed which accounted for 53% of all case dispositions in the DCM process. There were 68 trials during this six months. This figure is expected to increase to surpass the 112 trials completed in 2007.

Since the inception of the DCM system dispositions have outnumbered filings. Moreover, cases are being disposed in a timely and efficient manner and the case backlog has been reduced significantly. While the system is relatively new, "the observable effect is timely, fair and effective resolution of criminal cases while ensuring the efficient use of court resources" Wilsker said.