CITY AUDITOR'S OFFICE

# Case Management Controls

**March 6, 2013** **AUDIT REPORT NO. 1306**

**CITY COUNCIL**
Mayor W.J. “Jim” Lane
Vice Mayor Suzanne Klapp
Virginia Korte
Robert Littlefield
Linda Milhaven
Guy Phillips
Dennis Robbins

March 6, 2013

Honorable Mayor and Members of the City Council:

Enclosed is the audit report, *Case Management Controls,* which was included on the Council-approved FY 2012/13 Audit Plan. This audit was conducted to review the efficiency and effectiveness of the City Prosecutor's case management system, including the transfer of cases from the Police Department through the City Court.

The audit found that Scottsdale's Prosecution Department is efficiently managing its workload. However, its case management system controls can be strengthened and further efficiencies may be gained by improving data quality for performance monitoring.

If you need additional information or have any questions, please contact me at (480) 312-7867.

Sincerely,

Sharron Walker

Sharron Walker, CPA, CFE
City Auditor

**Audit Team:**

Lai Cluff — Senior Auditor
Brad Hubert — Internal Auditor
Tara Lennon, PhD — Audit Consultant

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## EXECUTIVE SUMMARY

This audit of the City Prosecutor's *Case Management Controls* was included on the Council-approved FY 2012/13 Audit Plan. The audit objective was to review the efficiency and effectiveness of the City Prosecutor's case management system, including the transfer of cases from the Police Department and the City Court.

Since FY 2008/09, the Prosecution Department's staffing levels and overall caseload have decreased 13% to 15%, but the more time-consuming DUI cases have increased by 16% over the same period. DUI cases account for about 95% of Scottsdale's jury trials each year.

The City Prosecutor efficiently manages her department's workload through a combination of effective strategies. For example, standardized procedures and cross-trained employees ensure that cases progress consistently during staffing changes. Also, trial prosecutors can manage several cases, in part because legal assistants present pleas prepared by prosecutors at arraignments and specialized prosecutors process motions for all cases. Further, the City Prosecutor's coordination with the other criminal justice departments has resulted in significant detention cost savings. In particular, the In-Jail Court process for weekdays has annualized savings of more than $222,000.

The Prosecution Department can strengthen controls over its electronic case management system and improve the data for monitoring and analyzing performance. To improve the system controls, the Prosecution Department should deactivate unnecessary user accounts, establish additional validation procedures to identify errors, and improve documentation of system changes. These and other improvements can strengthen the reliability of the system and its usefulness in monitoring performance. Additional information could assist the department in analyzing and addressing performance issues, such as the recent decline in resolving DUI cases within 180 days. The Prosecution Department should consider collecting additional data related to case management processes and work with the City Court to obtain existing data to help identify further efficiencies across the departments.

## BACKGROUND

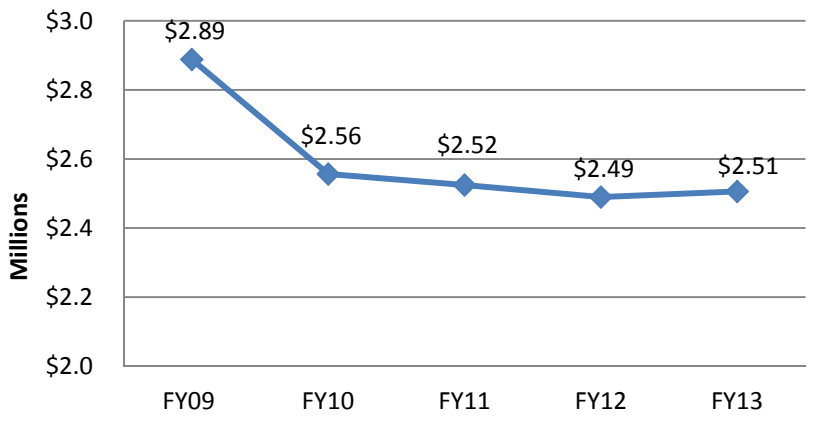
The Prosecution Department of the City Attorney's Office prosecutes misdemeanor offenses in the City of Scottsdale, including driving under the influence (DUI), domestic violence, juvenile status offenses, minor traffic and other misdemeanor offenses. In addition to police and victim cases, this department supports Code Enforcement and Zoning.

The department, which represents the City in all court proceedings required to prosecute offenders, spends approximately $2.5 million in a fiscal year. As shown in Figure 1, the Prosecution Department's budget has decreased about $0.4 million, or 13%, since FY 2008/09.

Scottsdale City Court is a "limited jurisdiction" court, which handles parking, traffic, and misdemeanor cases, but not felonies or civil lawsuits. As a municipal court within the Arizona State Court System, it is subject to the authority of the Arizona Supreme Court.

Source: Scottsdale City Court website

Figure 1. Prosecution Department's Budget (in millions)
FY 2008/09 – FY2012/13




**Source:** Auditor analysis of SmartStream reports and Budget Books.

With more than 90% going towards personnel services, these budget cuts primarily impacted staffing. As summarized in the following Table 1, the department had 30 full-time equivalent employees (FTEs) in FY 2008/2009, but one prosecutor and three support positions were eliminated in FY 2009/10.

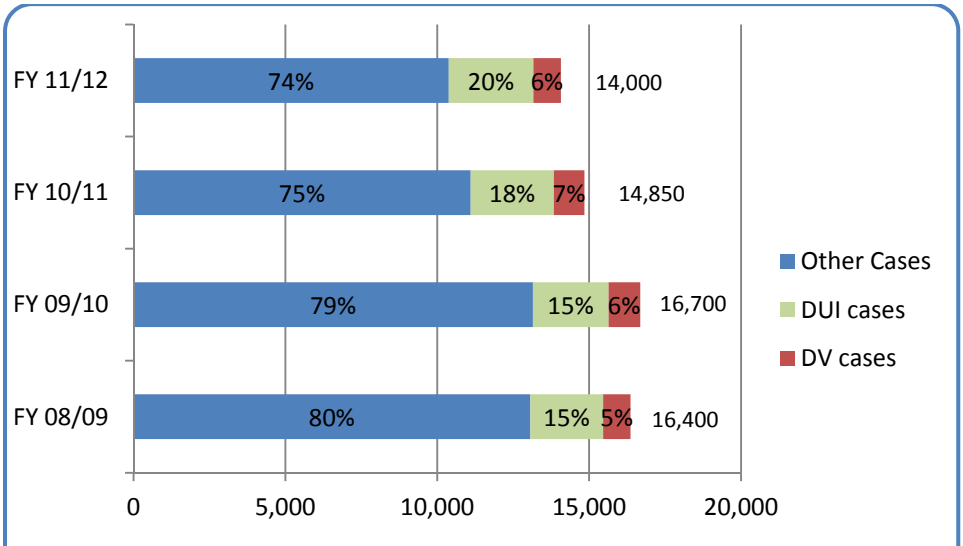
**Table 1. Prosecution Department Staffing**

| | FY 2008/09 Actual FTE | FY 2012/13 Approved FTE |
|---|---|---|
| City Prosecutor | 1.0 | 1.0 |
| Prosecutors | 12.0 | 11.0 |
| **Total Prosecutors** | **13.0** | **12.0** |
| | | |
| Legal Assistants | 6.0 | 6.0 |
| Legal Secretary | 2.0 | 1.0 |
| Prosecution Specialists | 6.0 | 6.0 |
| Systems Integrator | 1.0 | 1.0 |
| Support Specialist | 1.0 | 0.0 |
| Office Coordinator Manager | 1.0 | 0.0 |
| **Total Support Positions** | **17.0** | **14.0** |
| **Total FTE** | **30.0** | **26.0** |

**SOURCE:** FY 2008/09 and FY 2012/13 Adopted Budget.

Since FY 2008/09, the Prosecution Department's overall caseload has similarly decreased, as shown in Figure 2. However, DUI cases in particular have increased by 16% over the same period.

**Figure 2. Prosecution Caseload – FY 2008/09 to FY 2011/12**

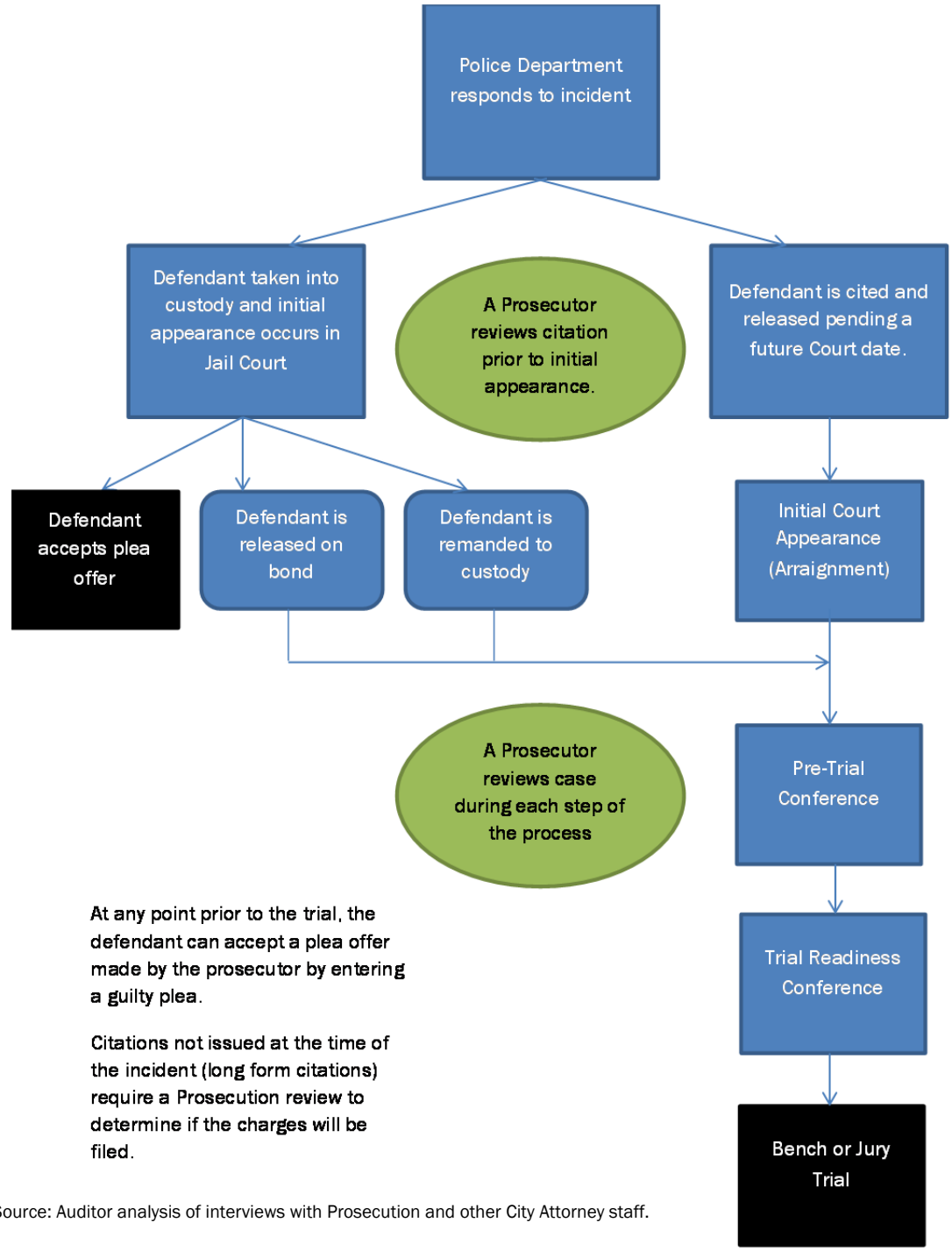



**Source:** Prosecution Department's electronic records as of December 2012.

DUI cases require more time and actions, such as responding to motions, to resolve. From the initial arraignment, about 75% of DUI cases proceed to pre-trial conferences, compared

to around 67% of domestic violence cases and 40% of all other criminal cases.[1] Further, DUI cases accounted for about 95% of the 60 to 80 jury trials per year. Following are the typical steps from citation to resolution.

## Figure 3. Court Process Flowchart




At any point prior to the trial, the defendant can accept a plea offer made by the prosecutor by entering a guilty plea.

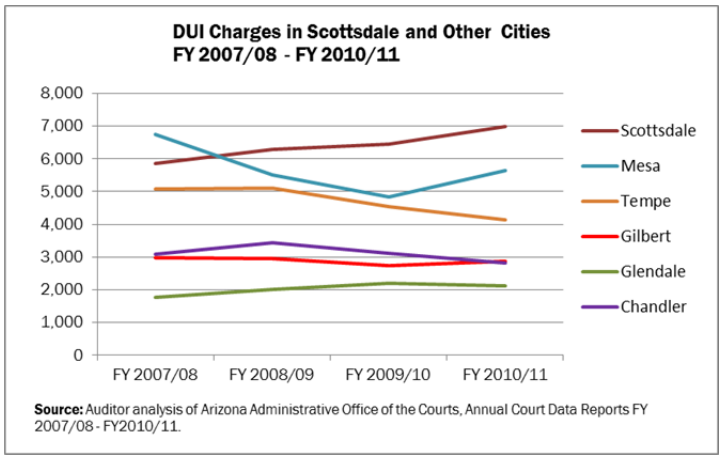
Citations not issued at the time of the incident (long form citations) require a Prosecution review to determine if the charges will be filed.

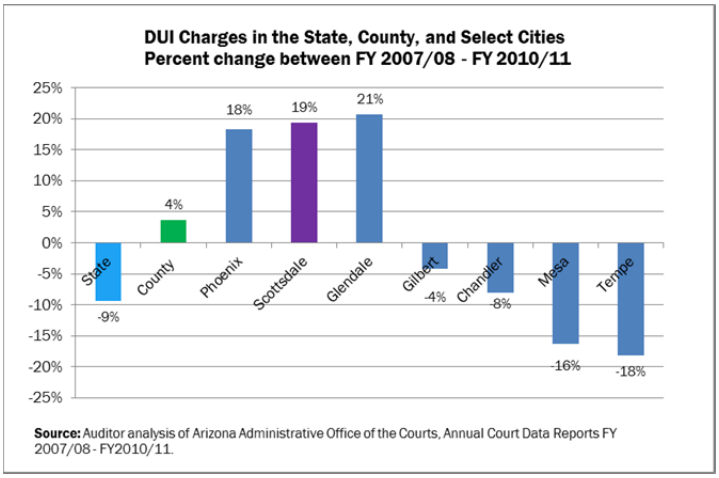
Source: Auditor analysis of interviews with Prosecution and other City Attorney staff.

[1] Percentages are based on auditor analysis of hearing result logs entered by the Prosecution Department.

Compared to other Valley cities (excluding the much-larger Phoenix), Scottsdale's DUI caseload is larger and has increased consistently year-to-year, as shown in the top chart of Figure 4. Further, as shown in the bottom chart of Figure 4, while DUI charges have declined statewide, Maricopa County overall, and Scottsdale, Phoenix, and Glendale, in particular, have experienced increasing numbers of charges.[2] During FY 2010/11, Scottsdale averaged about 6.5 jury trials per full-time prosecutor, the highest of the Valley cities, followed closely by Phoenix. Relative to other Valley cities, Scottsdale and Phoenix each held nearly 3 times more jury trials per prosecutor than Mesa, Gilbert, Tempe, Chandler, and Glendale averaged.

Figure 4. Comparisons of DUI Charges FY 2007/08 to FY 2010/11




The City Prosecutor manages her department's workload by having standardized case handling procedures and cross-training employees. If one staff member is unavailable, another can move the case forward without undue delay. Additionally, two prosecutors specialize in handling motions and appeals to perform these functions more efficiently than a trial prosecutor who is managing several cases at once. As well, a legal assistant attends Arraignment hearings, freeing up prosecutors' time. At Arraignment, the defendant is brought before the court to hear the charges and enter a plea of guilty or not guilty. A prosecutor reviews each case prior to the Arraignment date to determine if the case is eligible for a plea agreement. At the Arraignment, the legal assistant presents the plea agreement terms stipulated by the prosecutor, but cannot negotiate any changes. The City Prosecutor believes that having a prosecutor present for arraignments would likely resolve few additional cases. During FY 2011/12, about 3,200 out of nearly 11,000 cases were resolved at the Arraignment hearing, or 29%.[3] Additionally, in October of 2012 the Prosecution Department implemented a system to provide discovery documents electronically to the defense. This will decrease the time spent by legal assistants gathering and mailing documents and result in timelier discovery responses.

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[2] The state Court system requires city courts to report numbers of charges rather than cases. For Scottsdale, each DUI case typically encompasses 2 to 3 charges, averaging 2.5 per case.

[3] More than 2,000 of the remaining cases, or another 18%, could not be resolved because the defendant failed to appear at the court hearing. This statistic is similar to the 17 - 19% countywide rate for limited jurisdiction courts.

The department's electronic case management system, called the Prosecutor's Information Network (PIN), is updated nightly with citation data that the City Court system has received from the Police Department. The City Prosecutor's office then prioritizes its case files and workload according to the Court's hearing schedule.

**Criminal Justice Team**

The City Prosecutor participates in a cross-departmental Criminal Justice Team (CJT), along with management from Police, City Court, and Victim Services. Because of these departments' interdependence to meet common goals, the team meets monthly to discuss changes and improvements being made within each department and how these changes will impact other Justice departments. The team also discusses budgeting strategies.

The City Prosecutor's coordination with the other criminal justice departments has resulted in significant detention cost savings. As described in our separate report on detention costs, the recently initiated In-Jail Court program's first phase may save the City more than $222,000 on an annualized basis.[4] For this program, the City Prosecutor, City Court, and Police Department cooperate to hold in-jail court hearings that allow a defendant to be arraigned and enter a plea. This process allows the City to avoid sending some defendants to the Maricopa County Sheriff's Office detention facilities. Previously, detainees only received a bond hearing and were either released for a future court date or were detained in a County detention facility.

Besides reducing the City's detention costs, the change also lowers the Police Department's staff time and vehicle costs associated with transporting detainees to the County facility. As well, the City Prosecutor noted that the In-Jail Court allows domestic violence cases to be addressed within 48 hours.

While the first phase provided weekday in-custody hearings, starting in September 2012, the second phase expanded the program to weekends. The impact of the more recent change has not yet been estimated.

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[4] Audit No. 1307, *Detention Costs and Controls*. The Police Department's Detention budget pays for detainees to be held in the County detention facilities. The City Court assesses their detention costs against convicted defendants.

## OBJECTIVES, SCOPE, AND METHODOLOGY

An audit of Case Management Controls was included on the FY 2012/13 City Council-approved Audit Plan. The audit reviewed the operational efficiency of the Prosecution Department's case management system, including the transfer of cases from the Police Department through the City Court.

To gain an understanding of efficiency measures used in the prosecution profession and the legal compliance requirements that may impact case management, we reviewed:

- Related audit work by other auditors and studies of case management by other cities.
- The Rules of Criminal Procedure established by the Arizona Supreme Court.
- Legislative and administrative code changes summarized by the Arizona Supreme Court.
- City Court statistics and informational publications, including National Center for State Courts CourTools© performance measures, "*10 Years of Transformation, a Retrospective – 2001 to 2011",* and *"From Traffic Tickets to Landmark Court Decisions, The Importance of Courts in Our Society – A Report from Scottsdale City Court"*.

To help assess risks and identify case management controls, we interviewed staff from the Prosecution Department, including the City Prosecutor, Prosecution Specialists, Prosecution Technology Coordinator, and Lead Systems Integrator. From these interviews, we also gained an understanding of the department's work flow and identified internal performance goals and policies.

To verify the accuracy and reliability of the electronic case management data:

- We judgmentally selected and reviewed a sample of case files for:
  - Compliance with key requirements identified in statute and the Rules of Criminal Procedure, including Rule 8 - the right to a speedy trial.[5]
  - Adherence to case management guidelines and performance measures implemented by the City Prosecutor.
  - Consistency with the City Prosecutor's office guidelines, including changes to DUI mandatory sentencing and fee requirements based on legislative changes.
  - Accuracy of electronic data compared to the Prosecution case file (paper) records.

[5] The state Supreme Court has defined this as case resolution within 180 days of the filing date.

- We compared a sample of case data in Prosecution's electronic case management system to the City Court's separate data system for completeness.

- We also reviewed user access to the system and interviewed department technology staff regarding system controls.

To evaluate the effectiveness and efficiency of the case management system, we:

- Observed key processes, including the arraignment specialist's and prosecution specialists' procedures for receiving and verifying case files from the Police Department and the Court, updating case file information, and routing case files for Court hearings.

- Evaluated City Prosecutor's staffing and caseload ratios in relation to other Valley cities using information provided by Phoenix, Mesa, Gilbert, and Tempe, as well as, statewide statistics from the Arizona Administrative Office of the Courts. Additional staffing information was obtained from the cities' budget books.

Based on these audit procedures, we found that Scottsdale's Prosecution Department is efficiently managing its workload, but can strengthen its case management system controls and better ensure data quality to more efficiently monitor and analyze performance.

We conducted this audit in accordance with generally accepted government auditing standards as required by Article III, Scottsdale Revised Code, §2-117 et seq. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives. Audit work took place from December 2012 through February 2013.

## FINDINGS AND ANALYSIS

### 1. Electronic case management system controls can be improved.

Citation data in the Prosecution Department's case management system automatically downloads from the City Court system, and Prosecution staff enters additional activity as each case progresses. Controls that protect the reliability and integrity of system data can be improved.

A. Unnecessary user logins should be promptly deactivated in the system.

1) Several unused login credentials were still active in the case management system at the time of the audit. These user logins included employees who had changed their names and had new logins and two employees who had left the department. While network authentication is required to access to the case management system, it is a good practice to have multiple layers of defense. So, rather than relying on network administrators to promptly remove network access, promptly deactivating unnecessary users at the system level would provide additional assurance to minimize the risk of improper access to information.

2) The system had three active user accounts that were established for testing or training purposes. As a matter of best practice, testing and training activities should be conducted in a separate test system that duplicates the "live" production system. Therefore, these accounts should be removed or inactivated.

B. Data validation procedures are needed to ensure reliability and accuracy of records.

1) The case management system included 9 duplicate citation records that appeared to be caused by data entry errors. In records that are manually entered by Prosecution and City Court staff, discrepancies in key fields would cause the Prosecution and City Court systems' records to not match up properly. When duplicate records exist in the Prosecution system, staff may enter case activity into either record while the City Court's system will only match to one record and update its case status. As a result, one or both records may be incomplete. Duplicate case records are often identified by Prosecution staff when a case is initially reviewed, but the department does not have ongoing data validation processes to routinely identify mismatched records. When two systems interface, having an exception report that identifies mismatched records helps to identify and correct such errors.

2) As previously mentioned test records have been used in the "live" production system rather than only using a separate duplicate environment for testing purposes. Best practices in system change management controls include making system changes and testing them in an identical but separate "test" system. In limited instances when this is not feasible, the test data should be identified in a manner so that it can be isolated and deleted after testing is completed. Further, detailed documentation is needed of the test transactions put into the system, the test results, and removal of the test transactions as

well as the staff responsible for the test.

While the Prosecution department still relies on printed copies of citations, motions, and other documents as the primary record, the case management system's usefulness is limited to its reliability for accuracy and consistency.

C. Documentation, testing, and timing of system changes can be improved. Recently, the Prosecution Department technology staff implemented a change management log to document changes made to the electronic case management system. Previously the technology staff was not maintaining a history of changes made to the system. However, as the next step in establishing its change management controls, documentation should be required to show that the user requesting the change has confirmed that it correctly addressed the requestor's needs. Additionally, the Department should ensure that changes resulting from state or local legislation are developed and tested before their effective dates. One city ordinance change that auditors reviewed had not been implemented in the system until 12 days after its effective date. At the time of this particular delay, initial hearings were typically 30 days after the citation was issued, therefore, none of the related cases were impacted. Currently, even short delays could affect the outcomes of In-Jail Court hearings where case resolution may be within 24 hours.

The electronic case management system will gain importance as progress is made toward a more paperless approach. Application controls over data validation, testing and system changes help to ensure its reliability.

**Recommendations:**
The City Prosecutor should ensure appropriate controls are being used to enhance reliability of the case management system. Specifically:

A. Deactivate unnecessary user credentials from the case management system promptly.
B. Establish data validation procedures to detect mismatched records and ensure reliability of case updates.
C. Better document system changes by testing the change and requiring all parties to sign off that the change has been completed and works as intended. Further, ensure the system change is completed before the relevant effective date.

## 2. Further efficiencies may be gained by improving data quality for performance monitoring and expanding the existing data exchange.

Improvements to data quality within the Case Management system could make performance monitoring more efficient. A key performance statistic is the number of days to case resolution. For DUI cases, this statistic has declined during the past three years. As shown in Table 2, in FY 2008/09, 88% of DUI cases were resolved in 180 days or less, but the FY 2012/13 statistic as of December 2012 was 74%.

**Table 2. Percentage of DUI Cases Resolved in Less Than 180 Days**

| Fiscal Year | Percent in < 180 days |
|---|---|
| FY 2008/09 | 88% |
| FY 2009/10 | 89% |
| FY 2010/11 | 88% |
| FY 2011/12 | 85% |
| FY 2012/13 (as of December 2012) | 74% |

**Source:** City Court statistics from FY 2010/11 to FY 2012/13 CourTools, and its information system queries for FY 2008/09 and FY 2009/10.

The City Prosecutor indicated the contributing causes include the stricter DUI penalties resulting in more jury trials, more defense-requested delays, and one less trial date available each week. However, the case management system does not facilitate analyzing the causes to determine which can be addressed through efficiency initiatives. For example, hearing results are recorded in the case log by support staff, but the entry is not required, and data completeness appears to be an issue. Out of 20 case files reviewed by auditors, 3 did not have entries for the final results. Also, the system's pre-set options for hearing results included some that were very broad descriptions, which limits the information that could be gathered from the entries. Additionally, some defendant motions are recorded in the Prosecution case management system, but not all. Aggregated information, such as case results and delays, could assist in process and performance analysis. But because of reliance on paper files as the authoritative documentation, the case management system is not monitored closely for accuracy and completeness.

Our workload analysis of Court data in conjunction with Prosecution data confirmed that stricter DUI penalties have increased Scottsdale's number of jury trials since 2008.

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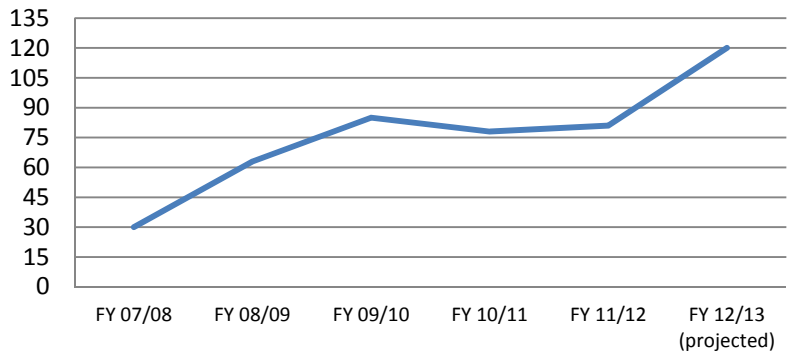
Figure 5. Number of Jury Trials




Source: City Court publication - *10 Years of Transformation , a Retrospective - 2001 to 2011* and auditor analysis of data provided by City Court for FY 2011/12 and FY 2012/13.

However, the data also indicated that while about 3% of DUIs go to jury trial, nearly 30% of active DUI cases have been open more than 180 days. With the case management system's current data, it is not easy to distinguish how much of the delay is related to the loss of the one court room in January 2010 or defense-caused delays.

The City Court's information system maintains additional data that does not transfer to Prosecution's case management system, some of which may be helpful to the Prosecution department's performance analysis. For example, the Court system identifies In-Jail Court cases with a specific code, but the Prosecution department is manually tracking jail court results. Further efficiencies may be gained by evaluating additional opportunities to expand the information exchange and minimize duplication of effort.

**Recommendation:**
The Prosecution Department should work with the City Court to determine whether there are additional opportunities to obtain existing data to avoid duplication of effort and improve data availability for performance monitoring and improvement.

## MANAGEMENT ACTION PLAN

### 1. Electronic case management system controls can be improved.

**Recommendations:**
The City Prosecutor should ensure appropriate controls are being used to enhance reliability of the case management system. Specifically:

A. Deactivate unnecessary user credentials from the case management system promptly.
B. Establish data validation procedures to detect mismatched records and ensure reliability of case updates.
C. Better document system changes by testing the change and requiring all parties to sign off that the change has been completed and works as intended. Further, ensure the system change is completed before the relevant effective date.

MANAGEMENT RESPONSE: Agree, with changes to recommendation

PROPOSED RESOLUTION:

1A: The City Attorney's Office, Prosecution Department, will continue to deactivate user credentials from the case management system at the time of departure of an employee. All training and testing accounts will remain deactivated and only activated when necessary. The account will then be immediately deactivated once training or testing is complete. This procedure has been added to the division's internal technology procedure manual.

1B: An exception report has been created to capture mismatched and duplicate records resulting from the data transfer with the Court system. The report is sent to technology staff on a weekly basis and any mismatched records will be immediately identified and corrected.

1C: After publishing a system change, technology staff will email the reporting party and request a final test and approval of the change. The responsive email is then saved to the document management system for future reference and noted in the change log database.

When legislative or statute changes occur, all process changes become effective immediately. In some instances, it is decided that a system change will further enhance the procedural change. In such a case, management notifies the technology staff and a work order for the I.T. programmers is created detailing the requested changes. The programmers will begin the work based on available resources. Testing of the change occurs and, when approved by Prosecution technology staff, the changes are then published to the production system. Depending on the complexity of the request, this change process may take hours, days, or weeks. However, many of the system changes are to enhance the processes and are not mandatory changes. Effective dates may or may not apply.

RESPONSIBLE PARTY: Holly Beard, Lead Systems Integrator

COMPLETED BY: 2/28/2013

2. **Further efficiencies may be gained by improving data quality for performance monitoring and expanding the existing data exchange.**

   **Recommendation:**
   The Prosecution Department should work with the City Court to determine whether there are additional opportunities to obtain existing data to avoid duplication of effort and improve data availability for performance monitoring and improvement.

MANAGEMENT RESPONSE: Agree

PROPOSED RESOLUTION: The Prosecution Department will continue to work with the Court to enhance the transfer and sharing of data to improve the available data for performance monitoring.

RESPONSIBLE PARTY: Caron Close, City Prosecutor, and Holly Beard, Lead Systems Integrator

COMPLETED BY: 2/28/2013

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