

**Gwinnett County Solicitor's Office
Response to Engage Gwinnett**

The Gwinnett County Solicitor's Office is responsible for the prosecution of all State **misdemeanor crimes** in the **State Court** of Gwinnett County and all **County ordinance violations** (including traffic citations) in the **Recorder's Court** of Gwinnett County.

Recorder's Court:

County ordinance violations consist of any ordinance enacted by the Board of Commissioners made punishable by less than 6 months in jail. In Recorder's Court, the Solicitor's Office prosecuted approximately **150,000 citations** in 2008. This includes most traffic violations, for example; driving under the influence, speeding and other moving traffic violations, license, and tag violations. Other County ordinances include zoning, building, property maintenance, solid waste, health, and fire code violations.

There are **3 Trial Divisions** of Recorder's Court. We have 3 Assistant Solicitors in Recorder's Court (one assigned to each courtroom), 4 support staff (3 Legal Associates II and 1 Legal Supervisor), and 1 Supervising Attorney (Recorder's Court Solicitor).

In each of the three courtrooms, there are Arraignments scheduled in the mornings and Plea/Bench Trials scheduled in the afternoons, Monday through Thursday. There is an average of **1,700 cases per week** scheduled for arraignment, approximately 150 per courtroom each day. There is an average of 36 bench trials and 46 pleas per week. In addition, there is 1 jail calendar each day Monday through Friday consisting of an average of 20 cases per day where in the defendant is in custody, these include probation revocations and persons recently arrested that are unable to make bond for various reasons.

Citations received in Recorder's Court for prosecution:

2005	2006	2007	2008	2009 (projected)
93,000	125,000	138,000	150,000	122,000

State Court:

Misdemeanor crimes consist of any crime punishable by a maximum of one year in jail or less. In State Court, the Solicitor's Office prosecuted more than **10,400 cases in 2009**. Misdemeanors include crimes against persons, for example; domestic violence, battery, simple battery, simple assault, and stalking. Misdemeanors may also include property crimes, for example; criminal trespass, criminal damage to property (less than \$500), theft by taking (less than \$500) and theft by shoplifting (less than \$300). Traffic violations bound over from Recorder's or Municipal Courts for jury trials may also be prosecuted in State Court, including, but not limited to; driving under the influence, reckless driving, fleeing and attempting to elude, hit and run, and any other moving, tag, or license violations.

The Solicitor's Office receives an average of over **200 cases each week** from 10 different law enforcement agencies in the county including the municipal police, county police, and Sheriff's

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Department. We have an **Intake Unit** responsible for opening files, gathering reports, documents, and other evidence, reviewing cases, and drafting/filing accusations or other dispositions. The intake unit consists of 1 Supervising Attorney and 1 Senior Attorney, 1 Chief Investigator, 3 Investigators, 1 VAP Investigator, 2 Victim/Witness Coordinators (VAP), 1 Legal Supervisor, 2 Legal Associates II, and 1 VAP Legal Associate II.

There are **6 Trial Divisions** of State Court. There is 1 Supervising Attorney (Chief Assistant Solicitor), 3 Legal Supervisors, and 3 Victim/Witness Coordinators (VAP). In addition, assigned to each courtroom are 2 Assistant Solicitors and 1 Legal Associate II. In each of the 6 courtrooms, there are 2 to 4 arraignment calendars each month with an average of 60 cases per calendar. There is 1 Jury Trial Calendar lasting 1 to 2 weeks with an average of 120 cases per calendar. Probation revocations, pleas, and miscellaneous motions are set weekly.

In addition to the 6 Trial Divisions, there is a **Jail Unit** to operate a State Court Courtroom at the jail daily Monday through Friday hearing custody cases, shoplifting citations, bond revocations and modifications. Custody cases are expedited to reduce the expense of housing misdemeanor inmates at the jail. These cases are accused and scheduled for court in less than one week. Also, the Jail staff handles weekly calendars of shoplifting citations and probation revocations. In 2008, 1/3 of our total cases (approximately 3,200 cases) were opened at the jail and 2/3 (approximately 2,000) of those cases were disposed at the jail. Jail staffing consists of 1 Legal Supervisor, 1 Legal Associate II, and 1 part-time Attorney (paid hourly 29 hours per week, without benefits).

The Solicitor's Office operates a State certified **Crime Victim Assistance Program (VAP)**. Our VAP goals are to expedite Victim Crimes to successful prosecution and provide the highest quality services to crime victims, ensuring that they are informed of their rights under the Crime Victim's Bill of Rights, assisting victims with obtaining Temporary Protective Orders and safety planning, advising victims of resources available for other assistance, and assisting with victim compensation for injuries and expenses caused as the result of a crime. In 2009, our VAP program provided direct services to 3,231 crime victims. Our VAP program also operates several community education programs, including **Hands Are Not For Hitting**, an interactive puppet show presented in partnership with the Gwinnett Retired Educators Association to teach young children non-violent conflict resolution. The program has become part of the Gwinnett County Public Schools Anti-Bullying curriculum and was performed in 66 shows at 41 schools for more than 12,000 elementary school students in 2009. We employ 1 part-time program coordinator and provide printing and equipment for the program. <http://www.gcrea.com/handsarenotforhitting/>

Cases received in State Court for prosecution:

2005	2006	2007	2008	2009 (projected)
8,300	8,700	8,900	10,000	10,500

Administration - Staffing, Budget, and Court Revenues:

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To manage all operations of the Solicitor's Office, we have administrative and management staff including the Solicitor-General, 1 Office Manager, 1 Receptionist, and an IT Specialist.

	2007	2008	2009
Staffing – approved/actual:	62/58	64/57	64/49
Budget – approved/actual	4.1m/3.8m	4.2m/3.7m	4.9m/4.2m
Revenue – State Ct/Rec Ct	1.8m/7.8m	1.9m/7.5m	2m/6m

In anticipation of a **9% Budget Cut for 2010**, we have left several approved positions unfilled, which include the following **critical staff**:

(RC D1)Attorney II	99,840 (authorized total w/ benefits)
(RC D2)Attorney II	99,840 (authorized total w/ benefits)
(SC D1/3)Legal Associate II	54,739 (authorized total w/ benefits)
(SC D2/6)Legal Associate II	54,739 (authorized total w/ benefits)
(Reception)Legal Associate II	54,739 (authorized total w/ benefits)
Total cost savings:	363,897

Coverage for unfilled critical staff positions listed above is accomplished by re-assigning staff from intake and administration to cover courtrooms/trial divisions; for example:

Recorder's Court Solicitor and Chief Assistant Solicitor are re-assigned to cover RC D1 Attorney.

1 Intake Supervising Attorney is re-assigned to cover Recorder's Court D2 Attorney.

1 Legal Supervisor is re-assigned to cover State Court D1 Legal Assistant.

Intake Legal Supervisor and Intake Legal Assistants cover reception on a rotation schedule.

Employees retiring by end of 09, if positions are filled with entry level employees as follows:

Title/Grade	Sal + Benefits	Replacement	Sal + Benefits	Savings
Criminal Investigator B25(3)	86,167	Investigator B24(3)	58,183	-28,004
Criminal Investigator B25(3)	89,650	Investigator B24(3)	58,163	-31,487
Legal Supervisor B32(1)	70,932	Legal Assoc I B21(1)	40,248	-31,387

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Supervising Atty 106	135,540	Attorney 100	65,298	-70,242
Chief Asst Sol 303	149,183	Attorney 100	65,298	-83,885
Total Projected Annual Savings for 2010:				216,298

Solicitors Office Staffing Per Capita Comparisons:

<u>Population</u>	<u>Attorneys</u>	<u>Total Staff</u>	<u>Per Capita</u>
Gwinnett 789,499	21	64(Authorized) 49(Actual)	1 per 12,355 1 per 16,112
Dekalb 739,956	25	74	*1 per 9,999
Cobb 698,158	28	70	1 per 9,973
Fulton 1,014,932	30	100	*1 per 10,149
Clayton 273,718	10	36	1 per 7,603
Richmond 199,486	12	29	1 per 6,878

* Dekalb & Fulton Solicitors are not responsible for prosecutions in Recorder's/Traffic Court.

"Dangerous gaps or critical service issues":

Currently, the Solicitor's Office has 64 authorized positions, with only 49 filled. By far, we have the smallest staff per capita in the metro Georgia counties at 1 per 16,112, the next closest being Fulton at 1 per 10,149. From 2005 to 2008, the Solicitor's Office experienced an increased caseload of 20% in State Court and 60% in Recorder's Court while reducing staff by over 15%. In particular, the intake and administrative staff has been reassigned to cover courtrooms, making them unavailable for intake and administrative duties. **Continued growth in workload combined with staff reductions will have a disparate impact on overall efficiency and quality of work product.** This impact is being minimized temporarily and to a limited extent. But if it is prolonged, a back log will develop, courts will slow or stop, and mistakes will occur with increased frequency and relative consequences.