

Mayor and Council Communication

DATE: 11/12/19

M&C FILE NUMBER: M&C 19-0294

LOG NAME: 12MC COMPLAINT TRANSFER TO LAW

SUBJECT

Adopt Appropriation Ordinance Related to the Transfer of Two Positions from the Municipal Court Department to the City Attorney's Office to Reflect the Reassignment of Responsibilities for Creation of Certain Municipal Court Complaints (ALL COUNCIL DISTRICTS)

RECOMMENDATION:

It is recommended that the City Council adopt the attached supplemental appropriation ordinance increasing appropriations in the City Attorney Office's portion of the General Fund in the amount of \$106,990.83 and reducing the Municipal Court Department's appropriations by the same amount to reflect the transfer of two clerk positions in connection with the reassignment of responsibilities for the creation of certain Complaints in Municipal Court, with such ordinance to be effective October 1, 2019.

DISCUSSION:

The purpose of this Mayor and Council Communication (M&C) is to revise the Fiscal Year (FY) 2020 budget to shift funding from the Municipal Court Department to the City Attorney's Office in connection with reassignment of responsibility for generating certain charging instruments (complaints) in Municipal Court.

Historically, staff in the Clerk's Office of the Municipal Court Department has been responsible for generating the charging instruments, known as complaints, that initiate the prosecution process in Municipal Court.

Recently staff in the Fort Worth Municipal Court Department expressed concerns with this approach when it comes to complaints associated with citations that do not contain all necessary information as the approach is inconsistent with the neutral role of the court. It was proposed that the responsibility for processing complaints related to incomplete citations be shifted to the City Attorney's Office, which is otherwise responsible for the prosecution of citations. The City Attorney's Office agreed to assume responsibility for handling this process with the understanding and agreement among staff that budget for two clerk positions would be reduced from the Municipal Court Department and added to the City Attorney's Office.

The FY2020 budget did not reflect the shift of the funds from the Municipal Court Department to the City Attorney's Office as a pilot project was being conducted to evaluate the impact of shifting the duties. Therefore the Budget still includes the funding for the two complaint clerk positions within the budget of the Municipal Court Department.

Approval of this M&C and adoption of the attached ordinance will revise the FY2020 budget to shift funding for two clerk positions from the Municipal Court to the City Attorney's Office. These changes are financially neutral and do not represent any increase or decrease to the overall General Fund budget.

A Form 1295 is not required because: This M&C does not request approval of a contract with a business entity.

FISCAL INFORMATION / CERTIFICATION:

The Director of Finance certifies that following approval of this M&C and adoption of the attached ordinance funds will be available in the City Attorney's Office portion of the General Fund, as appropriated, and approval of the recommendation will have no material effect on City funds due to a corresponding decrease in the Municipal Court portion of the General Fund, as appropriated.

Submitted for City Manager's Office by: ALL ACMS 6222

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