

RESOLUTION NO. _____

WHEREAS, the City of Austin operates the Municipal Court of the City of Austin (the “Court”), whose mission is *to impartially administer justice in a fair and efficient manner so that trust and accountability are exemplified to the public we serve*; and,

WHEREAS, the Court system includes the Judiciary, Municipal Court Operations & Support Services, and the Downtown Austin Community Court; and,

WHEREAS, the appointed Judges of the Court also provide magistration services at the Travis County Central Booking Facility pursuant to an interlocal agreement between the City and Travis County; and,

WHEREAS, the Court processes over 300,000 cases per year, indicating that many members of the Austin community will interact with the Court while living in or visiting Austin; and

WHEREAS, the City values an equitable judicial system that treats all community members and visitors with dignity, respect, fairness and accountability; and,

WHEREAS, the Austin City Council approved Resolution No. 20160811-037 to establish guidelines and expectations around indigent defendants who appear before the Court, and Ordinance No. 20171109-019 to define indigency and establish standards for certain fines and alternative sentences; and

WHEREAS, the Austin City Charter states that the Council is responsible for the appointment of those who serve as Austin Municipal Judges; and,

WHEREAS, the Council is in the process of establishing a set of strategic outcomes by which the City should operate, including several that may be measured through the success of a well-functioning Court, including:

- Government that Works for All: Believing that city government works effectively and collaboratively for all of us—that it is equitable, ethical, and innovative.
- Safety: Being safe in our home, at work, and in our community.
- Economic Opportunity and Affordability: Having economic opportunities and resources that enable us to thrive in our community.
- Health & Environment: Enjoying a sustainable environment and a healthy life, physically and mentally; and

WHEREAS, establishing clearer guidelines and metrics for Court operations would facilitate greater accountability and the responsible evaluation of municipal court employees, Judges and potential judicial appointees Judges, and

WHEREAS, establishing goals for the Court will give the Clerk and Presiding Judge guidance for designing the appropriate metrics to evaluate whether the Court is operating in alignment with its Mission and City policy, subject to the Judge's independent authority to decide cases as otherwise provided by state or federal law. **NOW, THEREFORE,**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

The Council directs the Municipal Court Clerk and the Presiding Judge of the Court to provide annual reports to the Council Judicial Committee on the metrics and progress on Council's established goals, including for use during the biannual evaluation of judges and the appointment of judges.

BE IT FURTHER RESOLVED:

That the ongoing objective of the City of Austin is to operate the Municipal Court of the City of Austin to achieve these goals:

- Provide prompt, effective, efficient and impartial administration of justice and processing of all cases filed with the Court.
- Provide accurate, readily accessible information through multiple channels to the public and to all individuals participating in Municipal Court cases about (1) the Court's procedures, (2) the rights and duties of defendants in cases before the Court, and (3) alternative sentencing options that allow individuals to resolve their cases when they cannot afford fines or costs.
- Minimize jail commitments for non-payment of fines whenever effective alternatives are available.
- Make alternative sentencing options available whenever appropriate under the law and ensure sentencing is consistent with all federal and state laws restricting jail commitments.

- Minimize the issuance of warrants whenever alternatives are available and through imposition of alternative sentences.
- Minimize unintended adverse consequences of Class C fines and fees on low-income individuals and families.
- Follow the requirements of state law for: performing timely magistrations at the Travis County Central Booking Facility; setting the amount of bail, including consideration of an individual's economic status, to prevent bail from being used as an instrument of oppression; and considering use of personal bonds to minimize the time between an individual's arrest and their opportunity to be released from detention.
- Treat all people with respect and dignity and to create culture of sensitivity to the diversity of income levels and circumstances of individuals residing in Austin.

BE IT FURTHER RESOLVED:

The Council directs the Municipal Court Clerk and the Presiding Judge of the Court to provide a report to the Council Judicial Committee at the January 27, 2018 meeting on the metrics staff will use to measure progress on the goals.

BE IT FURTHER RESOLVED:

The Council directs the Municipal Court Clerk and the Presiding Judge to make the metrics and progress available to the public via the City's online data portal.

ADOPTED: _____, 2014

ATTEST: _____

Jannette S. Goodall
City Clerk

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