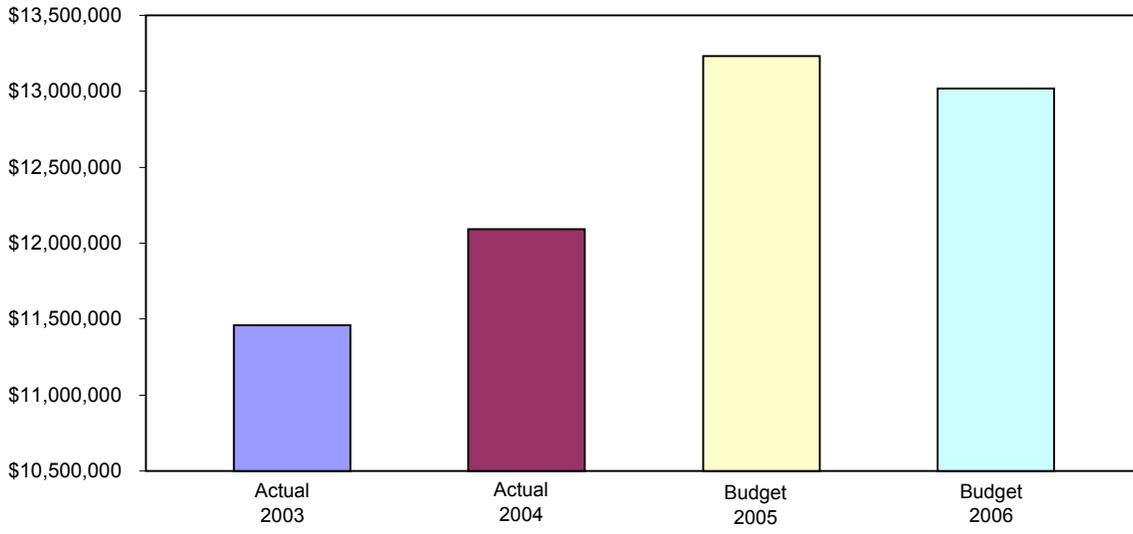


## **Constitutional Offices**

The Constitutional Offices of Hamilton County, Tennessee are established pursuant to the constitution of the State of Tennessee. They are independently elected officials with the exception of the Clerk and Master who is an appointed official of Hamilton County, Tennessee.

The General Fund accounts for the activities of each officer's Fee and Commission account. It is used to account for all revenue and certain expenditures applicable to the general operations of the Constitutional Offices.

Constitutional Offices



## Constitutional Offices Expenditures by Departments

Departments	Actual 2003	Actual 2004	Budget 2005	Budget 2006
Medical Examiner	\$ 705,502	\$ 750,242	\$ 747,350	\$ 784,339
Clerk and Master	507,721	564,828	616,741	669,311
Circuit Court Clerk	859,561	837,262	838,025	958,600
County Clerk	1,128,087	1,193,904	1,263,436	1,389,624
Register of Deeds	377,478	420,447	345,686	509,290
Trustee	252,579	280,733	284,593	339,582
Assessor of Property	2,683,742	2,774,742	3,136,842	2,899,545
District Attorney General	966,698	1,242,488	1,411,785	812,773
County Election Commission	1,306,736	1,128,926	1,534,752	1,433,575
Criminal Court Clerk	798,827	941,149	990,022	1,085,179
Public Defender	256,222	274,468	279,472	296,186
Board of Equalization	630	380	4,000	2,000
General Sessions Court	864,766	899,357	925,461	977,803
Juries	174,422	181,190	200,000	180,000
Criminal Court Judges	150,668	162,995	164,099	173,754
Chancery Court Judges	6,876	6,852	10,500	10,500
Circuit Court Judges	208,623	225,311	218,369	228,990
Judicial Commission - Magistrate	212,378	208,450	260,901	266,699
	<b>\$ 11,461,516</b>	<b>\$ 12,093,724</b>	<b>\$ 13,232,034</b>	<b>\$ 13,017,750</b>
 <b>Authorized Positions</b>	 <b>366.86</b>	 <b>367.68</b>	 <b>373.26</b>	 <b>374.76</b>

## Medical Examiner – 1001

### FUNCTION

The County Medical Examiner is required by the “Post Mortem Examination Act” (Tennessee Code - Annotated, Sections 38-7-101 through 38-7-117) to investigate certain types of deaths occurring in this county and to keep records on investigations and examinations of such deaths. In this way, the medical and legal circumstances of a death can be properly documented and provisions can be made for the completion of a Tennessee Death Certificate. The primary goals of the “Post Mortem Examination Act” are as follows:

1. To detect unsuspected homicides.
2. To protect the health of the community.
3. To clarify workmen compensation claims, insurance claims and civil lawsuits.
4. To provide more accurate vital statistics.

By law, “the death of any person resulting from sudden violence or by casualty or by suicide, or suddenly when in apparent health, or when found dead, or in prison, or in any suspicious, unusual, or unnatural manner, or where the body is to be cremated”, must be reported to the County Medical Examiner. Furthermore, the death of an individual occurring in a suspicious, unusual or unexpected manner while in a hospital, outpatient facility, nursing home, treatment resource clinic, or other health care facility must be reported to the County Medical Examiner. The types of death reported to the office include, but are not limited to the following:

Homicides, Suicides, Drowning, Electrocutions and Lightning, Traffic, Home and Industrial Accidents, Poisonings, Deaths in Prison or Falls, Aircraft Accidents, Falls, Burns and Scalds, Freezing or Exposure, Suddenly when no obvious serious disease is present, Anesthetic Deaths, and any “Delayed Death” following treatment and/or hospitalization for traumatic injuries.

### PERFORMANCE GOALS AND OBJECTIVES

1. The County Medical Examiner Office provides vital information that is needed by the family of the deceased, Public Health Department, law enforcement, and many other agencies.
2. Comprehensive investigations include selected death scene visits, postmortem examinations and/or autopsy with photographic and narrative documentation of various medical evidence, toxicology and serology, x-rays, and consultation in anthropology, odontology, or other specialties as needed.
3. In addition, the County Medical Examiner is responsible for the preparation of various reports and other documentation related to an individual’s death, and subsequent expert medical testimony in judicial proceedings. This office is also actively involved in the training of area law enforcement personnel, medical institutions, and other interest groups.

<b>Expenditures by type</b>	<b>Actual 2003</b>	<b>Actual 2004</b>	<b>Budget 2005</b>	<b>Budget 2006</b>
Employee Compensation	\$ 470,173	\$ 492,250	\$ 511,429	\$ 527,922
Employee Benefits	111,843	125,795	148,890	169,381
Operations	123,486	132,197	87,031	87,036
<b>Total Expenditures</b>	<b>\$ 705,502</b>	<b>\$ 750,242</b>	<b>\$ 747,350</b>	<b>\$ 784,339</b>

<b>Authorized Positions</b>	<b>6</b>	<b>7</b>	<b>7</b>	<b>7</b>
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## **PROGRAM COMMENTS**

The administrative and investigative responsibilities of the County Medical Examiner are established by the "Post Mortem Examination Act" (Tennessee Code Annotated, Sections 38-7-101 through 38-7-117). This office is notified to investigate approximately 40% of the deaths occurring in Hamilton County each year. It is the goal of the Hamilton County Medical Examiner Office to provide vital information that is needed by the family of the deceased, Public Health Department, law enforcement, and other agencies in an effective, timely, and courteous manner. In 2004, the Medical Examiner's Office investigated 1,350 deaths. Some deaths, due to natural causes, in which the circumstances and medical history is known, require about one-half hour to document. Other deaths, due to natural causes or non-natural causes (accident, suicide, or homicide), in which the circumstances need to be further proven require between two hours to two weeks to investigate. The County Medical Examiner must rely on outside laboratory work for processing of collected evidence, which can take from two months to over a year to complete. The paperwork needed to document death investigations varies widely from case to case, and is often delayed due to pending laboratory reports. There are seven full time employees in the office that work together to cover the seven day twenty-four response to death investigation.

## Clerk & Master – 1002

### FUNCTION

The CLERK & MASTER serves in the dual role of CLERK of the Chancery Court and the MASTER in Chancery for the Eleventh Judicial District of Tennessee. As CLERK, the officer exercises all of the duties and powers conferred upon clerks of court generally, which role is almost exclusively clerical, and law or orders of the court strictly define the powers exercised. As MASTER the officer is a judicial officer clothed with many of the powers of a Chancellor. There is no question of Law or Equity, or disputed fact, which the CLERK & MASTER may not have occasion to decide, or respecting which the CLERK & MASTER may not be called upon to report his opinion to the Court.

### PERFORMANCE GOALS AND OBJECTIVES

To goal of this office is to discharge the duties of the office diligently, honestly, impartially, courteously and efficiently.

<b>Expenditures by type</b>	<b>Actual 2003</b>	<b>Actual 2004</b>	<b>Budget 2005</b>	<b>Budget 2006</b>
Employee Benefits	\$ 347,954	\$ 398,349	\$ 426,099	\$ 478,668
Operations	159,767	166,479	190,642	190,643
<b>Total Expenditures</b>	<b>\$ 507,721</b>	<b>\$ 564,828</b>	<b>\$ 616,741</b>	<b>\$ 669,311</b>

<b>Authorized Positions</b>	<b>27</b>	<b>27</b>	<b>27</b>	<b>27</b>
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### PROGRAM COMMENTS

Our goal is to operate the Clerk & Master's office in an efficient manner and to serve the public to the best of our ability. We are confident that we can accomplish the task by working closely with our deputies through special training programs and the reorganization of job duties, to utilize their interests and talents. We believe this budget is minimal for the effective operation and maintenance of the Clerk & Master's office.

## Circuit Court Clerk – 1003

### FUNCTION

The Clerk of the Circuit Court maintains Circuit and Sessions Civil Courts. The Clerk is a state mandated constitutional official. The Clerk's responsibility is to attend the court by providing staff, which performs all the clerical functions for the courts. The Clerk is responsible for the management of all complaints, petitions, summons, orders and other documents relating to lawsuits filed with the court. The Clerk also handles the collection, receipt, and accounting for all litigation taxes, court costs, fines, fees, and restitution as ordered by the court. The Clerk also handles the collection, receipt, and civil warrants, Detainer warrants, executions, garnishments, subpoenas and other related documents as assigned by law, preparation of reports to the County and the State of Tennessee. The Clerk collects and disburses child support payments as ordered by the Circuit Court Judges. The Clerk is also responsible for filing Orders of Protection, Judicial Hospital cases and Emergency Commitments.

The Circuit Court Clerk also serves as a clerk to the Board of Jury Commissioners and maintains current data on all prospective jurors and handles the empanelling of jurors for Circuit, Criminal and Chancery Courts.

The Parenting Coordinator for Hamilton County, who assists the courts and litigants in domestic cases with children, is also under the supervision of the Circuit Court Clerk.

### PERFORMANCE GOALS AND OBJECTIVES

1. Serve the Judges, lawyers and citizens of the County in an efficient, attentive and courteous manner;
2. Provide the most cost-effective service possible to the public and to members of the legal profession;
3. Manage and process court documents with speed and accuracy;
4. Collect litigation taxes, fees, fines and court costs as cases are concluded;
5. Receipt and disburse collections timely;
6. Prepare reports to the State of Tennessee in compliance with established guidelines; and
7. Research new technology that would increase the efficiency and decrease the cost of operation.

<b>Expenditures by type</b>	<b>Actual 2003</b>	<b>Actual 2004</b>	<b>Budget 2005</b>	<b>Budget 2006</b>
Employee Benefits	\$ 509,851	\$ 532,386	\$ 594,030	\$ 664,604
Operations	349,710	304,876	243,995	293,996
<b>Total Expenditures</b>	<b>\$ 859,561</b>	<b>\$ 837,262</b>	<b>\$ 838,025</b>	<b>\$ 958,600</b>
<b>Authorized Positions</b>	<b>39</b>	<b>39</b>	<b>39.5</b>	<b>39.5</b>

### PROGRAM COMMENTS

Sessions Court and Circuit Court are fully automated. Both offices continue to make every effort to serve the public courteously and to explore new and better ways to deliver our services.

## County Clerk – 1004

### FUNCTION

The County Clerk is a constitutional officer and is elected by the voters for a term of four years. Duties of the office range from secretary to the County Commission to conducting a great deal of the state's taxation duties within the County. Included are collections and remittance to County of funds derived from administering Beer Tax, Marriage Licensing, and Business Tax laws. Beginning April 1, 2005, the office will begin enforcement of motor vehicle emission testing.

### PERFORMANCE OBJECTIVES

To provide annual services mandated by the legislature includes processing of motor vehicle transactions and the enforcement of motor vehicle emissions testing. Also, miscellaneous tax transactions (business, marriage, hunting/fishing licenses, etc.) and serving as secretary to the County Legislative body. For fiscal year 2004, these functions represent more than \$32.25 million accounted for by the Clerk's office.

### SERVICE ACCOMPLISHMENTS

	<u>Actual 2003</u>	<u>Actual 2004</u>	<u>Projected 2005</u>	<u>Estimated 2006</u>
<b>Motor Vehicle Division</b>				
Full Time Equivalent	47.8	50.0	50.0	50.0
Workload-# of transactions processed	369,790	393,942	390,500	386,000
Efficiency-# of transactions per FTE	7,736.2	7,878.8	7,810.0	7,720.0
Effectiveness-Accuracy % for all transactions	95.71%	96.15%	96.74%	96.00%
<b>Miscellaneous Tax Division</b>				
Full Time Equivalent	13.4	14.0	14.0	13.5
Workload-# of transactions processed	27,003	29,426	29,500	30,000
Efficiency-# of transactions per FTE	2,015.1	2,101.9	2,107.1	2,222.2
<b>County Commission Records</b>				
Full Time Equivalent	1.9	1.8	1.3	1.3
Workload-Research requests	212.0	222.0	230.0	235.0
Workload-Minutes sets produced	55.0	64.0	65.0	65.0
Workload-Units	267	286	295	300
Efficiency-# of Workload units per FTE	140.53	158.89	226.92	230.77
Effectiveness-Research taking < 1 hour	94.3%	91.4%	91.4%	93.0%

<b>Expenditures by type</b>	<b>Actual 2003</b>	<b>Actual 2004</b>	<b>Budget 2005</b>	<b>Budget 2006</b>
Employee Benefits	\$ 889,917	\$ 955,339	\$ 1,036,186	\$ 1,162,399
Operations	238,170	238,565	227,250	227,225
<b>Total Expenditures</b>	<b>\$ 1,128,087</b>	<b>\$ 1,193,904</b>	<b>\$ 1,263,436</b>	<b>\$ 1,389,624</b>

<b>Authorized Positions</b>	<b>71</b>	<b>71</b>	<b>72</b>	<b>74</b>
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## **PROGRAM COMMENTS**

In providing services, our goal is to serve the public in a courteous and efficient manner. Also diligent enforcement of tax laws under our jurisdiction generates revenue for the general government. Revenue generated for County General government was \$4.07 million coming from administration of the Business Tax Act, issuance of marriage licenses and receiving motor vehicle title and registration applications. The branch office at Bonny Oaks is providing easier access and greatly reduces the traffic and parking problems in the Courthouse area. Sixty-five percent of all walk-in tag & title and renewal work was processed at the Branch office. Of the 165,691 branch transactions, 70,876 were renewals. This is beneficial to the public other Courthouse offices and courts. The public has been extremely complimentary of this extension of services proved by the Commission. The Courthouse location processed 63,384 walk-in transactions of which 37,345 were renewals.

We continue to transfer historic marriage records from microfilm to the data program. The "tickler file" on contract expirations and commission appointments, that the Commission requested we implement, is beneficial to County Government as a whole.

## Register – 1005

### FUNCTION

The principal duty of the County Register's Office is to record deeds and other instruments required or allowed to be filed by law. Writings eligible for registration include deeds, powers of attorney, mortgages, marriage settlements, plats, military discharges, etc. The Register is responsible for collecting and accounting for all fees and taxes due as allowed by law. Excess fees are turned over to the County Trustee twice per year. 2004-2005 fiscal year excess fees collected were \$2,023,169.07.

### PERFORMANCE GOALS AND OBJECTIVES

1. To record, process, and optically scan documents.
2. To provide electronic access to the public and commercial users.
3. To bill departments through the computer accounts receivable application.
4. To microfilm all records using TIFF images and converting them using archive writer software and hardware to rolls of microfilm.
5. To assist the public with information in a genuine and caring manner.
6. To print track copies made by users from computer images. A program was written by our computer programmer/administrator, which calculates copy charges by a company's password and writes the total money due for all companies to the charge book/billing software.
7. To keep the general ledger, etc. with a computer application, and provide auditing capabilities remotely.
8. To work with all governmental departments exchanging information via the computer system to eliminate steps for the public and county governmental departments.
9. To deputize the GIS department's employees (located at the City/County Development Resource Office for permits and plat approval process) so that the public may complete the plat approval and recording process with our recording software at that location.
10. To provide a satellite office for the public's convenience for retrieving information and recording legal documents. The Register's Satellite Office is located by the Trustee's, Assessor's, & County Clerk's Satellite Offices. This satellite office opened in January 2001.
11. Complete the electronic filing process by the end of 2005.

### PERFORMANCE MEASUREMENTS

	<u>Actual 2003</u>	<u>Actual 2004</u>	<u>Projected 2005</u>
Documents Recorded	86,165	89,228	94,740
Excess Fees	2,001,742	2,366,536	2,110,490
Rolls of Film estimated	85	104	82
5 books of 1,000 pages per 1 roll of film			

<b>Expenditures by type</b>	<b>Actual 2003</b>	<b>Actual 2004</b>	<b>Budget 2005</b>	<b>Budget 2006</b>
Employee Compensation	\$ 33,722	\$ 29,564	\$ -	\$ 98,998
Employee Benefits	205,719	245,305	248,132	286,694
Operations	138,037	145,578	97,554	123,598
<b>Total Expenditures</b>	<b>\$ 377,478</b>	<b>\$ 420,447</b>	<b>\$ 345,686</b>	<b>\$ 509,290</b>

<b>Authorized Positions</b>	<b>18</b>	<b>17</b>	<b>18</b>	<b>20</b>
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## **OFFICE HOURS**

### Courthouse

Open 7:00 am until 5:00 pm (employees are scheduled 7:30-5:30) Monday – Friday open 50 hours during the regular workweek. Implemented this schedule on September 1, 1994. Employees work 4 days.

## **ACCOMPLISHMENTS**

Remote access to the records offered since August 1998 for data and images from 7/1/1969 to present. Access available all hours of every day, except in the scheduled backup hours of 11PM – 3AM and for any maintenance requirements. The remote user base continues to grow daily. We presently have 176 remote access accounts and produced \$95,680 in remote fees for 2004.

*Register's Office Training & Document Requirement Guide* written by our office and posted on our webpage at <http://register.hamiltontn.gov>. This guide is used by many Registers throughout the state. Many companies – instate and out – that prepares documents to be recorded in Tennessee, may use this manual. Local law firms and title companies are also using the guide as evidenced by their calls and references to the guide.

The electronic filing process will be enabled by the end of 2005.

Pam Hurst is the Hamilton County Register of Deeds and was took office September 1, 1994. She is currently serving her third term. The county seat is Chattanooga, Tennessee.

## Trustee – 1006

### FUNCTION

The Trustee is the treasurer for the county and serves three primary functions: (1) collect all county property taxes; (2) keep a fair and regular account of all money received; and (3) invest temporary idle funds. The following are major funding sources handled by the Trustee: real property taxes, personal property taxes, state assessed property taxes, hotel-motel taxes, grants, state and federal government funding. The trustee provides services to County General Government and the Board of Education.

### PERFORMANCE GOALS AND OBJECTIVES

1. Increase the level of customer service
2. Improve office efficiency
3. Reduce costs

### METHODS OF ACHIEVING GOALS AND OBJECTIVES:

1. Redesign tax bill.
  - A. Send bill with a copy to be retained for records/receipt (reduce postage).
  - B. Send return envelope with bill (customer convenience with faster processing in the office).
2. Lock box payment processing.
3. Debit/Credit Card payments.
4. Increased promotion of Tax Relief Program.
5. Increased collection activity on delinquent bills.
6. Staff members to attend customer service training seminar(s).
7. Review current banking and investment services. Revise as necessary.

### SERVICE ACCOMPLISHMENTS

1. Negotiated agreements to collect Hotel-Motel taxes for the City of Chattanooga.
2. Opened satellite office at the Bonny Oaks Industrial Park on 10/1/02. Customers may pay current property and personalty taxes in that office. Tax relief specialist on the premises.
3. Tax relief applications are now being processed online.
4. When possible, wire transfers are being used in place of manual checks.
5. Improved communication capabilities between office staff, accounting personnel and banking officials.

<b>Expenditures by type</b>	<b>Actual 2003</b>	<b>Actual 2004</b>	<b>Budget 2005</b>	<b>Budget 2006</b>
Employee Benefits	\$ 166,134	\$ 191,951	\$ 215,120	\$ 242,565
Operations	86,445	88,782	69,473	97,017
<b>Total Expenditures</b>	<b>\$ 252,579</b>	<b>\$ 280,733</b>	<b>\$ 284,593</b>	<b>\$ 339,582</b>

<b>Authorized Positions</b>	<b>12</b>	<b>13</b>	<b>13.5</b>	<b>13.5</b>
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## Assessor of Property – 1007

### FUNCTION

The function of the Assessor of Property is to appraise, or cause to have appraised, each parcel of taxable real estate within the county at its market value or a percentage of market value stipulated by statute. If this function is performed, the result will be a reasonably equitable ad valorem distribution of the aggregate tax burden.

Never in theory and seldom in practice is the Assessor of Property, or his appraisal staff, directly concerned with taxation or the burden of taxation imposed either collectively or individually. The tax levied is the result of the tax rate established by the governing body and applied on an ad valorem basis throughout Hamilton County.

### PERFORMANCE GOALS AND OBJECTIVES

1. The prime objective of the Assessor of Property is a uniformity of standards, methods, and procedures, which will result in equality of assessment.
2. The ad valorem appraisal is a mass appraisal of the market value of all real estate in Hamilton County.
3. The Assessor of Property's function is not to tax, but to appraise the real estate to establish the proper base for applying the appropriate assessment ratio and tax rate.
4. Data required for ad valorem tax appraisal is generally the same as for ordinary appraisals, but is gathered on a mass basis. Aerial photographs and maps are essential data.
5. The method of estimating value for ad valorem tax includes: (a) a neighborhood analysis, (b) valuation of the land by use of comparable sales data, and (c) valuation of the improvements by application of the most suitable approach to value, depending on the type of property. The Cost Approach is the most economical for mass appraisal. The Income Approach and Market Approach are also employed where budget allows and where they are applicable; their use improves the degree in equity of the assessment.
6. Formerly, Assessors of Property relied largely on the Cost Approach to value. Today, with better training and computer equipment, the Assessor of Property can utilize all three approaches to value when applicable, and produce more accurate results.

Expenditures by type	Actual 2003	Actual 2004	Budget 2005	Budget 2006
Employee Compensation	\$ 1,634,894	\$ 1,660,999	\$ 1,911,985	\$ 1,769,259
Employee Benefits	555,943	636,602	692,507	753,968
Operations	492,905	477,141	532,350	376,318
<b>Total Expenditures</b>	<b>\$ 2,683,742</b>	<b>\$ 2,774,742</b>	<b>\$ 3,136,842</b>	<b>\$ 2,899,545</b>

<b>Authorized Positions</b>	<b>44</b>	<b>44</b>	<b>47.63</b>	<b>42.13</b>
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## District Attorney General – 1008

### FUNCTION

1. To prosecute all felony, state misdemeanor, and juvenile delinquency cases brought before the Hamilton County Juvenile Court.
2. To conduct all preliminary hearings in Hamilton County.
3. To organize and assist the Hamilton County Grand Jury by subpoenaing witnesses, preparing and scheduling docket cases, preparing indictments, and aiding investigations.
4. To enhance the judicial system by implementing plans and procedures which will move court cases through the system as rapidly, efficiently, and effectively as possible in order to alleviate jail overcrowding and reduce local government costs.
5. To advise and counsel all law enforcement agencies within Hamilton County.
6. To represent crime victims in victim compensation hearings.
7. To maintain and supervise the Victim Witness Assistance Program.
8. To enjoin public nuisances.
9. To advise the DUI Task Force and prosecute its cases.
10. To maintain and supervise the Child Abuse Task Force, including the screening and prosecution of its cases.
11. To carryout the procedures set forth in T.C.A 40-3-103 by maintaining an Economic Crime Unit for the purpose of processing fraudulent and/or worthless checks.
12. To transfer fugitives to this jurisdiction for trial, from any location in the U.S.
13. To supervise and assist police in major felony investigations.
14. To locate missing witnesses and transport them to and from court, as necessary.
15. To advise and educate the public concerning the Criminal Justice Systems by doing as much as possible to involve the community in the judicial system.
16. To properly train assistant district attorneys, as well as support personnel, in order to carry out the functions of this office.

### PERFORMANCE GOALS AND OBJECTIVES

The goal of the Office of District Attorney General is to vigorously, competently, efficiently and effectively, as well as fairly, prosecute individuals who choose to violate the criminal law in Hamilton County. In order to accomplish this primary objective, the District Attorney General has developed, and will continue to develop, an experienced and competent staff of criminal trial attorneys dedicated to this primary goal. The District Attorney General believes that effective prosecution of criminals, by his office, results in greater physical safety for the people of Hamilton County, both in their homes and on their streets. It is the goal of the District Attorney General that persons contemplating criminal activity in Hamilton County remain fully aware of the fact that his office will pursue and prosecute them to the fullest extent of the law.

The District Attorney's Office continues to contemplate and work toward implementing plans and procedures that will improve the judicial system. The judicial system's current caseload is overwhelming. However, the District Attorney General believes that an early case review system will shorten offender pretrial detention time, thus reducing jail overcrowding and costs. Early case review will enhance a more rapid movement of pending cases through the system by allowing immediate settlement or indictment.

### PROGRAM COMMENTS

The District Attorney General is grateful for the support and assistance of the Hamilton County Commission in its support of local law enforcement and for its belief in the judicial system as a whole. Due to the Commission's foresight and support, the materialization and effectiveness of the DUI Task Force and Child Abuse Task Force are effective and of value to the judicial system and the citizens of Hamilton County.

### PERFORMANCE GOALS AND MEASURES

**FUNCTION 1:** To prosecute all felony, state misdemeanor, and juvenile delinquency cases brought before the Hamilton County Juvenile Court.

**Goal:** To reduce juvenile delinquency in Hamilton County.

**Action Items:** Two prosecutors, an investigator, and a secretary have been added to the Juvenile Unit. In conjunction with Erlanger Hospital and local Law Enforcement (Fire and Police) agencies, a new program "Fire Stoppers" has been created. This program counsels juveniles involved in fire related offenses.

**Results:**

Children served from 10/1/03 – 6/30/04: 4,780.

The Fire Stoppers program is continuing to grow, with five children graduated and eleven scheduled to begin in September 2004.

The number of children committing crimes has reduced from 1787 to 1047 during the third quarter (1/1/04 – 3/31/04).

The number of violent offenses has decreased from 276 to 162 during the third quarter (1/1/04 – 3/31/04).

**Note 1)** 2003/2004 is the first year we have measured results of this program.

**FUNCTION 3:** To organize and assist the Hamilton County Grand Jury by subpoenaing witnesses, preparing and scheduling docket cases, preparing indictments, and aiding in investigations.

**Goal:** To increase the number of charges and presentments bound over to the Grand Jury and decrease the backlog of cases waiting to be heard.

**Action Items:** A custom computer program has automated the Indictment/Presentment creation process. In 2000 we added a second attorney to do legal research exclusively for Indictments/Presentments. In 2002 we hired a new data entry clerk to assist in the creation of Indictment/Presentments.

**Results:**

	<u>Actual</u> <u>2002</u>	<u>Actual</u> <u>2003</u>	<u>2004 (3)</u>
Indictments produced per year	7,605	9,569	3,975
Presentments produced per year	373	480	370

**Note 2)** The backlog of pending cases in the Grand Jury has been decreased from six months to three.

**FUNCTIONS 6 AND 7:** To represent crime victims in victim compensation hearings, and to maintain and supervise the Victim Witness Assistance Program.

**Results:**

	<u>Actual</u> <u>2002</u>	<u>Actual</u> <u>2003</u>	<u>2004 (3)</u>
Phone contacts	6,328	10,435	4,515
Office visits	3,729	4,596	203
Criminal Injury Compensation Fund	89	160	52

**Note 3)** Reflects partial year 07/01/03 to 12/31/03

<b>Expenditures by type</b>	<b>Actual</b> <b>2003</b>	<b>Actual</b> <b>2004</b>	<b>Budget</b> <b>2005</b>	<b>Budget</b> <b>2006</b>
Employee Compensation	\$ 613,705	\$ 536,130	\$ 453,541	\$ 509,559
Employee Benefits	177,164	165,548	146,130	160,379
Operations	175,829	540,810	812,114	142,835
<b>Total Expenditures</b>	<b>\$ 966,698</b>	<b>\$ 1,242,488</b>	<b>\$ 1,411,785</b>	<b>\$ 812,773</b>

<b>Authorized Positions</b>	<b>37.5</b>	<b>37.5</b>	<b>37</b>	<b>39</b>
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If budgeted, grant monies directly related to the District Attorney General's function can be included in these expenditures, when the grant is closed, the expenditure amounts may fluctuate considerably, as reflected above in operations.

## County Election Commission – 1009

### FUNCTION

The Hamilton County Election Commission is an entity expressly created and organized by the laws of the State of Tennessee. However, it is not a part of any political subdivision of the State. Although the Hamilton County Election Commission receives certain designated funding from the State, the primary source of funding for the Hamilton County Election Commission is the Hamilton County government. (Abercrombie v. City of Chattanooga, 203 Tenn. 357, 313 S.W. 3d 256 (1958).

The Hamilton County Election Commission is comprised of five election commissioners. The election commissioners are appointed by the State Election Commission, after consultation with the legislative delegation from Hamilton County. The Hamilton County Election Commission is obligated by State law to fulfill various duties including but not limited to: approving operating budget, certifying voting machines prior to elections, designation of polling places, designation of precinct boundaries, appointment of poll workers, and certifying election results.

The chief administrative officer of the Hamilton County Election Commission is the Administrator of Elections, who is appointed by and who serves at the collective pleasure of the five commissioners. The Administrator is responsible for the daily operations of the Hamilton County Election Commission and the execution of all elections. State law sets forth certain specific duties of the Administrator, including the employment of all office personnel.

	<b>Division Funcions</b>		<b>% of Total Workload</b>
	Voter Registration		10%
	Voter Maintenance		20%
	Voter Education		10%
	Conduct Elections		50%
	Miscellaneous Functions		10%

<b>Quantitative Measures of Functions</b>	<b>FY 2004 (Actual)</b>	<b>FY 2005 (Actual)</b>	<b>FY 2006 (Estimated)</b>
Number of Registered Voters	176,671	181,446	190,000
Number of Presentations	N/A	0	10
Number of Elections Held	3	5	3
Number of Schools of Instruction Conducted	N/A	2	3
Number of Address Verification/Confirmation Notices Mailed*	N/A	8,470	500

\*State law requires that the County Election Commission to implement an address verification program to be conducted at least on a biennial basis, but may do so annually. The first program was implemented in the fall of 2001; in the spring of 2003, the program was modified and completed. No additional address verification program will be implemented until after the November 2004 election. However, periodic mailers are sent of information provided by the Postal Service indicates a change in the voter's address.

Year 2005 includes 17,866 inactive voters. After the November 4, 2004 election there were 18,291 voters purged. The estimated inactive voters for 2006 will be between 3,000 and 5,000.

State law requires that the County Election Commission implement an address verification program to be conducted at least on a biennial basis, but may be done annually. This will be done before the end of 2005.

**DUTIES AND RESPONSIBILITIES**

1. Promotion of voter registration and the electoral process
2. Performance of all legally required duties in an impartial manner
3. Conduct each election fairly, honestly and accurately
4. Compilation, maintenance and dissemination of information to the public, the candidates, the voters, the press and all inquiring parties in regard to all aspects of the electoral process.
5. Maintenance of voter registrations records
6. Campaign Financial Disclosures and Reports

**GOALS AND OBJECTIVES FOR FY 2005-2006**

1. Continuation of training procedures for all office personnel, including attendance at state sponsored election law seminars as well as back up training for office employees
2. Identify and develop early voting locations
3. Modification of candidate information packages to include changes in state election laws along with maps and other voter information
4. Continuation of diagnostics and maintenance inspections of voting equipment to ensure accuracy
5. Recruitment and retention of poll workers
6. Implementation of additional procedures, pursuant to new guidelines for the Secretary of State, to ensure the office is in full compliance with the Help America Vote Act of 2002, including the purchase of DRE voting equipment and verification of polling place accessibility for the handicapped in all voting locations
7. Implementation of address verification program, as required by law and will take place by the last of December, 2005
8. Conduct purge of inactive registered voters, as required by law and was completed by September of 2005
9. The Election Commission will be moving into a new office building in May 2006, our address will be: 700 River Terminal Road, Center South River Port, Chattanooga, TN 37406
10. To have a better image for our office and give better service

**ACCOMPLISHMENTS DURING FY 2004-2005**

1. Developed informational packages for candidates with maps and district information with voter registration numbers
2. Conducted statewide optical scan voting equipment demonstration at request of several county election commissioners
3. Implemented scanning program to permanently record all office documents in electronic data form
4. installed TTY communications service
5. Trained office personnel in conversational Spanish
6. Conducted high school voter registration drives at 24 public and private schools; 510 student registered; 30 applications pending 18<sup>th</sup> birthday, will be completed this month
7. Several staff members attended and participated in educational seminars and were trained on the new touch screen voting machines for HAVA
8. Conducted a general inspection of all polling places in preparation of the state and federal elections for 2006 – Installed 11 new handicapped parking spaces at precincts where they had none.
9. Implemented a new and better website
10. Modified the Election Officials Manual to include changes in state election laws

<b>Expenditures by type</b>	<b>Actual 2003</b>	<b>Actual 2004</b>	<b>Budget 2005</b>	<b>Budget 2006</b>
Employee Compensation	\$ 727,072	\$ 553,390	\$ 865,657	\$ 813,439
Employee Benefits	163,706	161,514	166,153	223,436
Operations	415,958	414,022	502,942	396,700
<b>Total Expenditures</b>	<b>\$ 1,306,736</b>	<b>\$ 1,128,926</b>	<b>\$ 1,534,752</b>	<b>\$ 1,433,575</b>

<b>Authorized Positions</b>	<b>23.18</b>	<b>23</b>	<b>22</b>	<b>22.5</b>
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## Criminal Court Clerk – 1010

### FUNCTION

The Hamilton County Criminal Court Clerk acts as agent for the Criminal Court and the Criminal Division of General Sessions Court. The office is divided into three major departments: the Criminal Court department, the Sessions Court department, and the Delinquent Collections department. The primary function of the Criminal and Sessions departments is to maintain court records and collect and disburse litigation taxes, court costs, judgments, fees, etc. on cases tried in the respective court. The primary function of the Delinquent Collections department is to collect delinquent taxes, costs and fees due to the Criminal Court Clerk.

The expenditures below represent costs incurred by the Criminal Court Clerk that are absorbed by the General Fund. These costs are included in the Criminal Court Clerk Fund budget as a transfer from the General Fund.

Gwen Tidwell is the Criminal Court Clerk. She was first elected to the position in 1994 and has served continuously as the Criminal Court Clerk since that time.

<b>Expenditures by type</b>	<b>Actual 2003</b>	<b>Actual 2004</b>	<b>Budget 2005</b>	<b>Budget 2006</b>
Employee Benefits	\$ 671,598	\$ 811,143	\$ 850,172	\$ 947,330
Operations	127,229	130,006	139,850	137,849
<b>Total Expenditures</b>	<b>\$ 798,827</b>	<b>\$ 941,149</b>	<b>\$ 990,022</b>	<b>\$ 1,085,179</b>
<b>Authorized Positions</b>	<b>64.18</b>	<b>64.18</b>	<b>64.63</b>	<b>65.13</b>

## Public Defender – 1012

### FUNCTION

Pursuant to T.C.A. Section 8-14-204, the District Public Defender's office has the duty of representing indigent persons when appointed by the Court in any criminal prosecution or other proceeding involving a possible derivation of liberty including habeas corpus or other post conviction proceedings, juvenile proceedings, and appellate proceedings. Indigence is determined by the Judges of the various courts and clients are accepted by appointment of the courts only.

### PERFORMANCE GOALS AND OBJECTIVES

The primary function of the office of District Public Defender is to provide effective and competent legal representation of indigent defendants in the various courts of Hamilton County, Tennessee (Criminal Courts Division I, II and III, Hamilton County General Sessions Court, Hamilton County Juvenile Court, and the City Courts of East Ridge, Soddy-Daisy, Red Bank, Signal Mountain, Walden, Lookout and Collegedale). The duties include counseling, advising, and representing clients on pre-trial matters, at trial, and on appeal to the appellate courts of this State. The office also handles detention hearings, adjudicatory hearings, and disposition hearings in Juvenile Court. In order to accomplish these objectives, the attorneys and staff must properly investigate the facts of each case, interview witnesses, prepare documents, prepare court presentations, and provide adequate legal research in support of the foregoing.

### PROGRAM COMMENTS

In 1992, the Tennessee legislature amended Title 16, Chapter 2, Part 5 of Tennessee Code Annotated and added the following section: "From and after July 1, 1992, any increase in the number of authorized assistant district attorney positions or increase in local funding for positions or office expense shall be accompanied by an increase in funding of seventy-five percent (75%) of the increase in positions or funding to the office of the public defender in such district for the purpose of indigent criminal defense." (T.C.A. 16-2-518). In the past year, Hamilton County has increased the number of judicial positions and court rooms in General Sessions Court and Juvenile Court. Historically, the County has subsidized the District Attorney General's Office to the extent of creating specialized practitioners (D.U.I. and child abuse prosecutor). Due to these facts this office is asking for resources to provide for an efficient court system for the citizens (voters) of this County whether they are witnesses, victims, or citizens accused.

<b>Expenditures by type</b>	<b>Actual 2003</b>	<b>Actual 2004</b>	<b>Budget 2005</b>	<b>Budget 2006</b>
Employee Compensation	\$ 151,499	\$ 158,421	\$ 198,856	\$ 199,731
Employee Benefits	40,923	49,054	71,733	80,859
Operations	63,800	66,993	8,883	15,596
<b>Total Expenditures</b>	<b>\$ 256,222</b>	<b>\$ 274,468</b>	<b>\$ 279,472</b>	<b>\$ 296,186</b>

<b>Authorized Positions</b>	<b>7</b>	<b>7</b>	<b>7</b>	<b>7</b>
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## Board of Equalization – 1013

### FUNCTION

The Hamilton County Board of Equalization is the first level of administrative appeal for all complaints regarding the assessment, classification and valuation of property for tax purposes. The duties include examining and equalizing the county assessments assuring all taxable properties are included on the list.

The Assessor of Property should always make sure a staff appraiser is present for each hearing. The Assessor should always have a complete record and as much documentation on each parcel in question to assist the Board.

The Board generally always has many more appeals during the year of reappraisal. Countywide equalization is of utmost concern to the Board.

<b>Expenditures</b>	<b>Actual 2003</b>	<b>Actual 2004</b>	<b>Budget 2005</b>	<b>Budget 2006</b>
Operations	\$ 630	\$ 380	\$ 4,000	\$ 2,000
Total Expenditures	\$ 630	\$ 380	\$ 4,000	\$ 2,000

## General Sessions Court – 1014

### FUNCTION

The five General Sessions Court Judges, on a rotating basis, preside over the Civil and Criminal Divisions of General Sessions Court. They hear civil cases with jurisdiction up to \$15,000; they are responsible for hearing all landlord-tenant litigation; and have unlimited jurisdiction in replevin cases. The General Sessions Court judges hear misdemeanor criminal cases and traffic cases which occur in Hamilton County, Tennessee, and hold preliminary hearings on felony criminal cases in Hamilton County. They also hold mental health hearings from 29 surrounding Tennessee Counties who are admitted on an emergency basis to mental health institutions in Hamilton County, Tennessee.

### PERFORMANCE GOALS AND OBJECTIVES

1. To hear impartially those cases coming before the General Sessions Judges and to render judgments accordingly.
2. To handle increasing caseloads in a timely fashion with as little inconvenience as possible to attorneys, litigants, officers and defendants.
3. To work with the Sheriff, the District Attorney General and Criminal Court Judges to reduce overcrowding in the county jail and county workhouse.

Expenditures by type	Actual 2003	Actual 2004	Budget 2005	Budget 2006
Employee Compensation	\$ 654,186	\$ 671,523	\$ 697,140	\$ 717,567
Employee Benefits	161,490	175,791	181,920	213,836
Operations	49,090	52,043	46,401	46,400
<b>Total Expenditures</b>	<b>\$ 864,766</b>	<b>\$ 899,357</b>	<b>\$ 925,461</b>	<b>\$ 977,803</b>

<b>Authorized Positions</b>	<b>8</b>	<b>8</b>	<b>8</b>	<b>8</b>
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## Juries – 1015

### FUNCTION

The function of the Jury is to try and determine, by a true and unanimous verdict, any question or issue of fact, according to law and the evidence as given them in the court.

### PERFORMANCE GOALS AND OBJECTIVES

The performance objective of the Jury is to render a fair and impartial verdict, according to law and the evidence.

### PROGRAM COMMENTS

The Court impanels 96 jurors to serve for a two-week period. The jurors are paid only for the number of days served. A code-a-phone is used to notify jurors if their service is needed for the following day. Non jury matters are tried during the month of August.

<b>Expenditures by type</b>	<b>Actual 2003</b>	<b>Actual 2004</b>	<b>Budget 2005</b>	<b>Budget 2006</b>
Jury Fees	\$ 167,581	\$ 169,352	\$ 182,000	\$ 162,000
Operations	6,841	11,838	18,000	18,000
<b>Total Expenditures</b>	<b>\$ 174,422</b>	<b>\$ 181,190</b>	<b>\$ 200,000</b>	<b>\$ 180,000</b>

## Criminal Court Judges – 1017

### FUNCTION

To administer justice in the courts as efficiently as possible.

### PERFORMANCE GOALS AND OBJECTIVES

1. To achieve justice as far as humanly possible but also as efficiently as possible, by the best means available including the use of modern equipment and at the least possible expense.
2. To achieve justice in a way to cause the least inconvenience to citizens of the county who must attend court as jurors and witnesses and even parties who may be innocent.

### PROGRAM COMMENTS

Nine (9) employees are included in the "Authorized Positions" section but are funded by the State and are not included in the County. Three (3) bailiffs are the only positions funded by Hamilton County.

<b>Expenditures by type</b>	<b>Actual 2003</b>	<b>Actual 2004</b>	<b>Budget 2005</b>	<b>Budget 2006</b>
Employee Compensation	\$ 95,336	\$ 99,435	\$ 98,301	\$ 101,250
Employee Benefits	36,742	41,714	41,348	46,454
Operations	18,590	21,846	24,450	26,050
<b>Total Expenditures</b>	<b>\$ 150,668</b>	<b>\$ 162,995</b>	<b>\$ 164,099</b>	<b>\$ 173,754</b>

<b>Authorized Positions</b>	<b>3</b>	<b>3</b>	<b>3</b>	<b>3</b>
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## Chancery Court Judges – 1018

### FUNCTION

Provide for the peaceful resolution of civil disputes. The Court handles cases involving domestic relations, worker's compensation, estates, trusts, contracts, review of administrative action of governmental agencies and boards, collection of delinquent taxes, guardianships, and conservatorships, dissolution of partnerships and corporations, enforcement of liens, boundary lines, breach of contract, fraud, election contests, and other matters of a civil nature.

### PERFORMANCE GOALS AND OBJECTIVES

The speedy resolution of matters submitted to the Court, after a full hearing so that both sides of a dispute have an opportunity to present evidence relevant to the dispute, is the primary objective of the Chancery Court.

### PROGRAM COMMENTS

Hamilton County provides space, equipment, utilities, furnishings, and supplies for the Court.

<b>Expenditures by type</b>	<b>Actual 2003</b>	<b>Actual 2004</b>	<b>Budget 2005</b>	<b>Budget 2006</b>
Operations	\$ 6,876	\$ 6,852	\$ 10,500	\$ 10,500
Total Expenditures	\$ 6,876	\$ 6,852	\$ 10,500	\$ 10,500

## Circuit Court Judges – 1019

### FUNCTION

The Hamilton County Circuit Court is a state court of record with civil jurisdiction serving the people of Hamilton County. Both jury and non-jury cases are tried in the Circuit Court, which consists of suits for damages, domestic relations cases, hearings on protective orders, adoptions, worker's compensation cases, etc.

### PERFORMANCE GOALS AND OBJECTIVES

The objective is to keep the docket current to ensure that each person is able to have a timely, fair and impartial trial.

### PROGRAM COMMENTS

The four judges are elected to eight-year terms, which expire in the year 2006. The domestic relations cases which they decide and which involve children are subject to a pilot program which began statewide in the year 1997. That program is designed to reduce the litigious nature of divorces in order to reduce the adverse impact of that atmosphere upon the children. The pilot program in Hamilton County has become the model for the remaining counties in the state.

<b>Expenditures by type</b>	<b>Actual 2003</b>	<b>Actual 2004</b>	<b>Budget 2005</b>	<b>Budget 2006</b>
Employee Compensation	\$ 125,995	\$ 131,413	\$ 129,914	\$ 133,811
Employee Benefits	55,725	60,271	55,065	61,789
Operations	26,903	33,627	33,390	33,390
<b>Total Expenditures</b>	<b>\$ 208,623</b>	<b>\$ 225,311</b>	<b>\$ 218,369</b>	<b>\$ 228,990</b>

<b>Authorized Positions</b>	<b>4</b>	<b>4</b>	<b>4</b>	<b>4</b>
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## Judicial Commission – Magistrate – 1023

### FUNCTION

Under Resolution 119-25, the County Commission appointed three Judicial Commissioners to assist in relieving the over-crowding that presently exists in the Hamilton County Jail. The scope of Judicial Commissioner's duties include: setting bonds or releasing defendants on their own recognizance under the guidelines of TCA Section 40-11-101, et seq; reviewing warrantless arrests, determining probable cause, and issuing arrest warrants in those cases; to issue mittimus following compliance with the procedures prescribed by TCA Section 40-5-103, and appointing attorneys for indigent defendants in accordance with applicable law and guidelines established by the presiding judge of the General Sessions Court.

### PERFORMANCE GOALS AND OBJECTIVES

1. Maintaining a jail population within or below the acceptable levels while ensuring that defendants return to Court timely.
2. Providing a Judicial Commissioner for the Annex at the times that no Sessions Judge is available at the Courts Building.

Expenditures by type	Actual 2003	Actual 2004	Budget 2005	Budget 2006
Employee Compensation	\$ 149,206	\$ 146,395	\$ 175,300	\$ 184,683
Employee Benefits	\$ 44,140	48,145	61,942	58,356
Operations	\$ 19,032	13,910	23,659	23,660
<b>Total Expenditures</b>	<b>\$ 212,378</b>	<b>\$ 208,450</b>	<b>\$ 260,901</b>	<b>\$ 266,699</b>

<b>Authorized Positions</b>	<b>3</b>	<b>3</b>	<b>3</b>	<b>3</b>
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