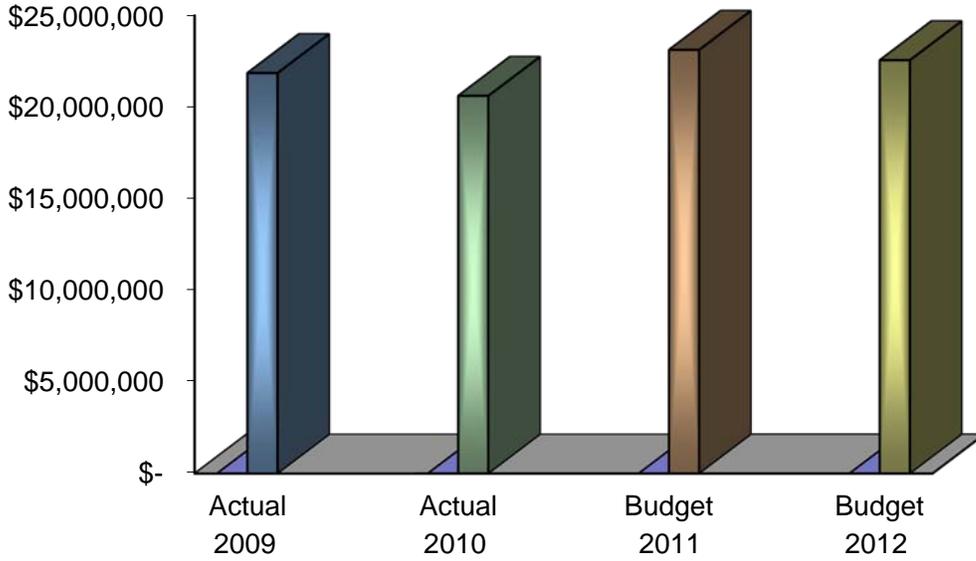


## **Constitutional Offices**

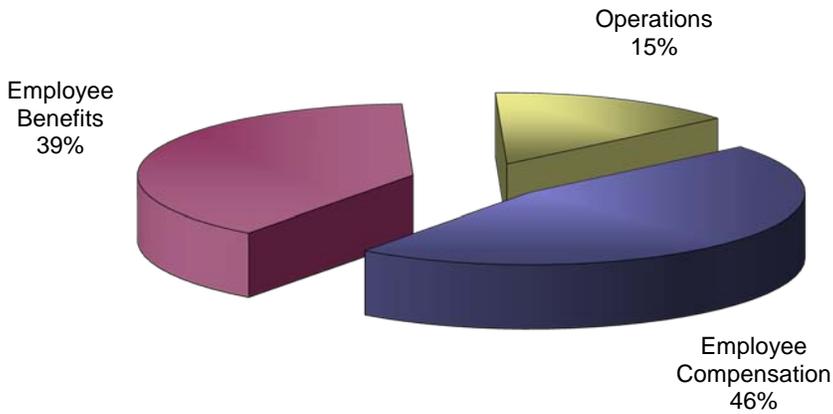
The Constitutional Offices of Hamilton County, Tennessee are established pursuant to the constitution of the State of Tennessee. They are independently elected officials with the exception of the Clerk and Master who is an appointed official of Hamilton County, Tennessee.

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 Expenditures



### FY 2012 Expenditures by Type



## Constitutional Offices Expenditures by Departments

Departments	Actual 2009	Actual 2010	Budget 2011	Budget 2012
Medical Examiner	\$ 941,826	\$ 950,200	\$ 944,717	\$ 948,258
Clerk and Master	728,260	742,268	754,121	754,121
Circuit Court Clerk	1,074,016	1,111,165	1,108,295	1,115,338
County Clerk	1,623,598	1,710,333	1,722,594	1,688,262
Register of Deeds	533,814	471,436	489,804	491,077
Trustee	354,015	359,155	383,964	573,800
Assessor of Property	3,757,907	2,970,693	3,715,036	3,549,243
District Attorney General	838,166	835,328	984,905	984,905
County Election Commission	1,781,087	1,341,712	1,670,063	1,520,613
Criminal Court Clerk	1,193,377	1,212,955	1,676,646	1,382,474
Public Defender	454,540	418,108	500,159	499,583
Board of Equalization	2,750	4,630	5,000	5,000
General Sessions Court	1,199,030	1,224,650	1,234,779	1,269,042
Juries	184,566	118,363	182,340	181,200
Criminal Court Judges	195,282	197,311	200,592	200,590
Chancery Court Judges	5,823	6,759	12,000	12,000
Circuit Court Judge Bolton	67,252	62,219	63,247	64,595
Circuit Court Judge Hollingsworth	56,469	59,904	59,652	59,652
Circuit Court Judge Williams	57,128	56,089	58,030	58,030
Circuit Court Judge Thomas	76,777	69,983	71,498	71,498
Judicial Commission - Magistrate	372,306	345,255	352,756	356,024
Juvenile Court Judge	3,579,737	3,574,704	3,910,076	3,744,796
Juvenile Court Detention Unit	1,912,294	1,901,481	2,097,032	2,114,437
Juvenile Court IV-D Child Support	591,708	582,252	636,630	622,286
Juvenile Court-Volunteer Services	136,083	134,422	138,645	139,331
Juvenile Court-CASA	74,362	75,808	79,168	80,081
Juvenile Court-Youth Alcohol Safety Project	59,937	65,400	67,830	67,527
	<b>\$ 21,852,110</b>	<b>\$ 20,602,583</b>	<b>\$ 23,119,579</b>	<b>\$ 22,553,763</b>
<b>Authorized Positions</b>	<b>483.89</b>	<b>480.39</b>	<b>482.89</b>	<b>472.02</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 the 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, any physician, undertaker, law enforcement officer, or other person having knowledge of the death of any person from violence or trauma of any type, suddenly in apparent health, sudden unexpected death of infants and children, deaths of prisoners or persons in state custody, deaths on the job or related to employment, deaths believed to represent a threat to public health, deaths where neglect or abuse of extended care residents are suspected or confirmed, deaths where the identity of the person is unknown or unclear, death in any suspicious/unusual/unnatural manner, found dead, or where the body is to be cremated, shall immediately notify the county medical examiner or the district attorney general, the local police or county sheriff, who in turn shall notify the county medical examiner. Such notification shall be directed to the county medical examiner in the county in which the death occurred.

When a death is reported as provided in Section 37-8-108, it is the duty of the county medical examiner in the county which the death occurred to immediately make an investigation of the circumstances of the death. The county medical examiner shall record and store the findings, and transmit copies according to the death investigation guidelines developed by the Tennessee Medical Examiner Advisory Council. In any event the county medical examiner is authorized to remove from the body of the deceased, a specimen of blood or other bodily fluids, or bullets or other foreign objects, and retain such for testing and/or evidence if in the county medical examiner's judgment these procedures are justified in order to complete the county medical examiner's investigation or autopsy.

A county medical examiner may perform or order an autopsy on the body of any person in a case involving a homicide; suspected homicide; a suicide; a violent, unnatural or suspicious death; an unexpected apparent natural death in an adult; sudden, unexpected infant and child deaths; deaths believed to represent a threat to public health or safety; and executed prisoners. When the county medical examiner decides to order an autopsy, the county medical examiner shall notify the district attorney general and the chief medical examiner. The chief medical examiner or the district attorney general may order an autopsy in such cases on the body of a person in the absence of the county medical examiner or if the county medical examiner has not ordered an autopsy.

### **PERFORMANCE GOALS**

1. The County Medical Examiner's 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.



## 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

The 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 2009</b>	<b>Actual 2010</b>	<b>Budget 2011</b>	<b>Budget 2012</b>
Employee Benefits	\$ 553,787	\$ 570,336	\$ 562,103	\$ 581,755
Operations	174,473	171,932	192,018	172,366
<b>Total Expenditures</b>	<b>\$ 728,260</b>	<b>\$ 742,268</b>	<b>\$ 754,121</b>	<b>\$ 754,121</b>

<b>Authorized Positions</b>	<b>27</b>	<b>27</b>	<b>27</b>	<b>28</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 aid 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 and receipt, of civil warrants, detainer warrants, executions, garnishments, subpoenas and other related documents as assigned by law, and then prepares these reports for Hamilton 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 serves as Jury Coordinator (effective 01/01/09) 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

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
7. Research new technology that would increase the efficiency and decrease the cost of operation

<b>Expenditures by type</b>	<b>Actual 2009</b>	<b>Actual 2010</b>	<b>Budget 2011</b>	<b>Budget 2012</b>
Employee Benefits	\$ 799,387	\$ 826,760	\$ 820,833	\$ 830,568
Operations	274,629	284,405	287,462	284,770
<b>Total Expenditures</b>	<b>\$ 1,074,016</b>	<b>\$ 1,111,165</b>	<b>\$ 1,108,295</b>	<b>\$ 1,115,338</b>

<b>Authorized Positions</b>	<b>41</b>	<b>41</b>	<b>41</b>	<b>41</b>
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### 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 Vehicle Title and Registration, collection of Beer Tax and issuance of Business, Driver and Marriage Licenses. The office also is required by State Air Pollution law to verify emission compliance prior to issuing vehicle registrations.

### PERFORMANCE GOALS

To provide annual services mandated by the legislature including processing of motor vehicle transactions and the verification of motor vehicle emissions compliance. Also, miscellaneous tax transactions (business, marriage, hunting/fishing licenses, etc.) and serving as secretary to the County Legislative body. These functions represent more than \$22.8 million accounted for by the Clerk's office.

<b>Expenditures by type</b>	<b>Actual 2009</b>	<b>Actual 2010</b>	<b>Budget 2011</b>	<b>Budget 2012</b>
Employee Benefits	\$ 1,297,513	\$ 1,359,461	\$ 1,344,107	\$ 1,310,447
Operations	326,085	350,872	378,487	377,815
<b>Total Expenditures</b>	<b>\$ 1,623,598</b>	<b>\$ 1,710,333</b>	<b>\$ 1,722,594</b>	<b>\$ 1,688,262</b>

<b>Authorized Positions</b>	<b>73.63</b>	<b>72.63</b>	<b>73.63</b>	<b>62.76</b>
<b><u>PERFORMANCE ACCOMPLISHMENTS</u></b>				

	<u>Actual 2009</u>	<u>Actual 2010</u>	<u>Projected 2011</u>	<u>Estimated 2012</u>
<b><u>Motor Vehicle Division</u></b>				
Full Time Equivalent	45.6	40.6	44	44
Workload - # of transactions processed	328,766	326,795	352,000	352,000
Efficiency - # of transactions per FTE	7,205	8,048	7,800	7,800
Effectiveness - Accuracy % for all transactions	96.80%	96.67%	97.00%	97.00%

#### **Miscellaneous Tax Division**

Full Time Equivalent	11.5	9.8	9.6	9.6
Workload - # of transactions processed	35,386	30,926	31,500	31,500
Efficiency - # of transactions per FTE	3,077	3,156	3,281	3,281

#### **County Commission Records**

Full Time Equivalent	1.7	1.6	1.5	1.5
Workload - Research Tasks	287	244	320	320
Workload - Minutes sets produced	70	66	70	70
Workload - Units	357	310	390	390
Efficiency - # of Workload units per FTE	210	193.75	260	260
Effectiveness - Amount of time spent on research	26:35	32:01	30:00	31:00
Effectiveness - Average time per research item	0:56	1:19	0:56	0:58

## **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 \$5 million coming from administration of the Business Tax Act (BTA). The collection and enforcement of the BTA has been assumed by the Tennessee Department of Revenue (DOR). Clerk will continue to search for businesses and issue licenses. After payment certified, DOR collections will be shared with the local government. Clerk issues driver licenses, marriage licenses and receives motor vehicle title and registration applications. The branch office at Bonny Oaks provides easier access and greatly reduces the traffic and parking problems at the downtown Courthouse. Seventy-three percent of all walk-in tag & title and renewal work was processed at the Branch office. Of the 159,243 branch transactions, 91,677 were renewals. This is beneficial to the public, other Courthouse offices and courts. The public has been extremely complimentary of this extension of services provided by the Commission. The Courthouse location processed 50,661 walk-in transactions of which 30,088 were renewals. Internet transactions continue to increase rapidly from 54,105 in 2009 to 57,392 in 2010, a 6% increase. Since internet renewals began in 2001, we have processed more than 369,727.

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 that we implement is beneficial to County Government as a whole. Our long-range goal is to provide the public with more internet access to records not restricted by law.

## 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. 2010-2011 fiscal year excess fees collected were \$910,916.

The Register's Office is open at the following locations and hours:

#### Courthouse

Open 7:30 a.m. until 5:00 p.m. (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 day work week.

#### Satellite Office

8:00 a.m. until 4:00 p.m. Monday - Friday

### PERFORMANCE GOALS

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 and 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. To provide an e-recording process. (Implemented in May 2006.)
12. To run computer software that is written, maintained and owned by Hamilton County Government.

<b>Expenditures by type</b>	<b>Actual 2009</b>	<b>Actual 2010</b>	<b>Budget 2011</b>	<b>Budget 2012</b>
Employee Benefits	\$ 442,670	\$ 403,016	\$ 408,001	\$ 416,277
Operations	91,144	68,420	81,803	74,800
<b>Total Expenditures</b>	<b>\$ 533,814</b>	<b>\$ 471,436</b>	<b>\$ 489,804</b>	<b>\$ 491,077</b>

<b>Authorized Positions</b>	<b>17</b>	<b>17</b>	<b>17</b>	<b>17</b>
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**PERFORMANCE ACCOMPLISHMENTS**

	<b>Actual</b>	<b>Actual</b>	<b>Actual</b>	<b>Estimated</b>
	<b><u>2009</u></b>	<b><u>2010</u></b>	<b><u>2011</u></b>	<b><u>2012</u></b>
Documents Recorded	73,441	67,824	63,309	65,000
Excess Fees	\$ 1,171,706	\$ 1,004,308	\$ 911,000	\$ 1,000,000
Rolls of Film, estimated	52	47	46	50
5 books of 1,000 pages per 1 roll of film				

**PROGRAM COMMENTS**

Remote access to the records offered since August 1998 for data and images from 7/1/1969 to present.

*Register's Office Training & Document Requirement Guide* was 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 prepare 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 was enabled in May of 2006. The Hamilton County Register's Office worked with the County's Information Technology Services department and helped in the creation of software that is used for the recording, information search, imaging, AR and certification of documents. This helped streamline the workflow for the office. This software was created and owned by Hamilton County Government and the new computer system went live on October 1, 2007. No maintenance fees are paid to third party software vendors for software or enhancements.

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



## Assessor of Property – 1007

### FUNCTION

The function of the Hamilton County Assessor of Property is to discover, list, classify and appraise all taxable property in the jurisdiction of Hamilton County, Tennessee for ad valorem (according to value) tax purposes. The Assessor of Property is responsible for keeping current information on the ownership and characteristics of all property; and to prepare and certify the assessment roll annually in accordance with administrative procedures and state law. It is imperative that we strive to perform the duties of the office and to provide the highest level of professional service and technical assistance to the citizens of Hamilton County on all matters relating to property values and assessment.

### PERFORMANCE GOALS

1. Uniformity of standards, methods, and procedures, which will result in equality of assessment.
2. Appraise real and personal property to establish the proper base for applying the appropriate assessment ratio and tax rate.
3. Ensure that all property that should legally be on the county assessment roll is properly listed, classified and valued. To do this property must first be located and identified. This office will attempt to capture all new construction, additions and demolition of existing improvements as well as changes to land use and configuration. To accomplish this, personnel will track building permits, completion notices, property sales, zoning changes, and any other sources for information about property status. Field inspections of Hamilton County on a regular basis will help the Assessor keep records as up to date as possible with regard to property changes. Aerial photographs and accurately maintained maps are essential data.
4. Estimate fair market value for all property in the county. Fair market is defined as how much a property would sell for, in an open market, under normal circumstances. The laws governing the tax appraisal process in Tennessee are based upon the same principles and procedures that are used throughout the appraisal profession. There are three basic approaches to the valuation of real property:
  - a. The MARKET approach involves comparison of a property to other properties with similar characteristics that have recently been sold.
  - b. The COST approach involved estimating the replacement cost of a structure, and adjusting that estimate to account for depreciation.
  - c. The INCOME approach is an analysis of a property's value based on its capacity to generate revenue for the owner.
5. Reappraise Hamilton County on a four year cycle, as required by State law, to maintain appraisals at market value and to ensure equity of appraisals throughout the jurisdiction. Every county in Tennessee is on either a four, five, or six year cycle of reappraisal. Hamilton County's four year cycle consists of three years of comprehensive on-site reviews of every parcel of property in the county, followed by revaluation of all property in the fourth year.
6. Create and maintain an assessment roll detailing all county property, its owner, and its value. This roll, with preliminary, or tentative, assessments, is made available for public inspection in May. Property owners whose property has changed in value are notified by mail of those changes, and are given an opportunity to appeal any values they feel are inconsistent with the fair market value of their property. The County Board of Equalization, after hearing owners' appeals and ordering any changes they feel are warranted, makes the assessment roll final for the year. The Assessor of Property then turns the roll over to local taxing authorities.
7. Assist taxpayers with questions regarding property ownership, assessment, and recent property sales. The Assessor's office handles thousands of requests annually from current or prospective property owners, as well as from the real estate, legal, and banking communities.
8. Ensure timely replacement of current mainframe Computer Assisted Mass Appraisal System (CAMA) with a Windows based CAMA system. This will consist of converting the current data, training our staff and testing the functionality of a new system while maintaining the current system and continuing meet all standards required by the State of Tennessee.

Expenditures by type	Actual 2009	Actual 2010	Budget 2011	Budget 2012
Employee Compensation	\$ 2,231,679	\$ 2,071,356	\$ 2,086,418	\$ 2,120,743
Employee Benefits	946,670	938,343	905,271	942,954
Operations	579,558	(39,006)	723,347	485,546
<b>Total Expenditures</b>	<b>\$ 3,757,907</b>	<b>\$ 2,970,693</b>	<b>\$ 3,715,036</b>	<b>\$ 3,549,243</b>

<b>Authorized Positions</b>	<b>45.63</b>	<b>44.63</b>	<b>44.63</b>	<b>44.63</b>
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## District Attorney General – 1008

### FUNCTION

Prosecute felony and state misdemeanor cases brought before the Sessions and Criminal Courts.  
 Prosecute juvenile delinquency cases brought before the Juvenile Court.  
 Conduct preliminary hearings.  
 Assist the Grand Jury by subpoenaing witnesses, preparing and scheduling dockets, preparing indictments and assisting with investigations.  
 Enhance the judicial system by implementing plans and procedures which will move court cases through the system as rapidly, efficiently, and effectively as possible – helping to alleviate jail overcrowding and reduce costs.  
 Supervise and assist local law enforcement in major felony investigations, as well as other relevant matters.  
 Represent victims of crime in victim compensation hearings.  
 Oversee the Victim Witness Assistance Program.  
 Enjoin public nuisances.  
 Advise the DUI Task Force.  
 Maintain and supervise the Child Protective Investigative Team, including the screening and prosecution of its cases.  
 Uphold 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.  
 Transfer fugitives to this jurisdiction, from any location in the United States, for trial.  
 Locate missing witnesses - transporting them to and from court, as necessary.  
 Advise and educate the public concerning the Criminal Justice System, by striving to involve the community in the judicial system.  
 Properly train assistant district attorneys, as well as support personnel, in order to carry out the functions of this office.  
 Represent the public in parole hearings, as needed.

### PERFORMANCE GOALS

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 over-crowding and costs. Early case review will enhance a more rapid movement of pending cases through the system by allowing immediate settlement or indictment.

<b>Expenditures by type</b>	<b>Actual 2009</b>	<b>Actual 2010</b>	<b>Budget 2011</b>	<b>Budget 2012</b>
Employee Compensation	\$ 563,872	\$ 533,938	\$ 644,997	\$ 657,061
Employee Benefits	201,263	197,324	251,664	244,194
Operations	73,031	104,066	88,244	83,650
<b>Total Expenditures</b>	<b>\$ 838,166</b>	<b>\$ 835,328</b>	<b>\$ 984,905</b>	<b>\$ 984,905</b>

<b>Authorized Positions</b>	<b>37</b>	<b>36</b>	<b>37</b>	<b>37</b>
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### PERFORMANCE OBJECTIVES AND ACCOMPLISHMENTS

**FUNCTION 1:** Prosecute all felony and state misdemeanor cases brought before the Sessions and Criminal Courts, as well as prosecute juvenile delinquency cases brought before the Juvenile Court

Goal: To reduce juvenile delinquency in Hamilton County

Action Items: One full-time prosecutor and one part-time grant prosecutor currently handle the Juvenile Unit located at the Hamilton County Juvenile Court

The average number of days from arrest to first court date of juveniles being held in the unit is one day

**FUNCTION 2:** Assist Hamilton County in reducing the costs associated with the incarceration of local offenders.

Goal: To reduce pretrial waiting times and the amount of time an inmate is held in jail, without jeopardizing the safety of our community.

Action Items: We have created and made available, reports listing cases by age, and have made these reports available to the jail, our judges and staff. A prosecutor has been assigned the duty of identifying and spotlighting older cases in an effort to move them up on the docket for disposition or trial.

Criminal court judges have been provided with case law, which supports the immediate transfer of convicted defendants awaiting a hearing on a motion for a new trial to the Department of Corrections. The courts have now started transferring convicted defendants immediately after their convictions which, we believe, will save the County approximately \$100,000 per year in incarceration costs.

Note: From 12/24/09 – 09/16/10, we reduced the number of inmates held in jail for more than one year by 30% and those held in jail for over 18 months by 56%.

**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.

Results:

	<b>Actual</b> <b><u>2009</u></b>	<b>Actual</b> <b><u>2010</u></b>	<b>Projected</b> <b><u>2011</u></b>	<b>Estimated</b> <b><u>2012</u></b>
Counts	3,534	4,048	3,750	4,000

Note: The backlog of pending cases in the Grand Jury has been decreased from 60 – 90 days to 30 days, on average, for those being held in custody. The pending cases have been decreased to twelve weeks for those on bond.

The numbers for 2009 are down due to the fact that fewer cases are being bound over to the Grand Jury, as more prosecutors have been assigned to Sessions Court and therefore, working out more cases.

**FUNCTIONS 4 AND 5:** To represent crime victims in victim compensation hearings, and to maintain and supervise the Victim Witness Assistance Program.

Results:

	<b>Actual</b> <b><u>2009</u></b>	<b>Actual</b> <b><u>2010</u></b>	<b>Projected</b> <b><u>2011</u></b>	<b>Estimated</b> <b><u>2012</u></b>
Phone contacts	7,521	7,488	7,500	7,500
Office visits	614	610	625	650
Criminal Injury Compensation Fund	810	320	350	400

Note: 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.

**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.

## 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. Nevertheless, the Hamilton County Election Commission is not an arm of the County government.

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 an annual 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. Duties include conducting each election fairly, honestly and accurately; the maintenance of voter registration records and campaign financial disclosures and reports.

<b>Expenditures by type</b>	<b>Actual 2009</b>	<b>Actual 2010</b>	<b>Budget 2011</b>	<b>Budget 2012</b>
Employee Compensation	\$ 1,118,342	\$ 853,296	\$ 1,026,887	\$ 950,021
Employee Benefits	298,334	289,707	327,223	289,792
Operations	364,411	198,709	315,953	280,800
<b>Total Expenditures</b>	<b>\$ 1,781,087</b>	<b>\$ 1,341,712</b>	<b>\$ 1,670,063</b>	<b>\$ 1,520,613</b>

<b>Authorized Positions</b>	<b>25.5</b>	<b>25.5</b>	<b>25.5</b>	<b>25.5</b>
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### PERFORMANCE OBJECTIVES

1. Continue diagnostics and maintenance inspections of voting equipment to ensure accuracy
2. Institute procedures to ensure the office is in full compliance with the Help America Vote Act of 2002, verification of polling place accessibility for the handicapped, and provisional voting procedures for the 2011 – 2012 election cycle
3. Voter verification and confirmation process on a monthly basis

**PERFORMANCE ACCOMPLISHMENTS**

1. Installation of a new voter registration system done through the County ITS Department
2. Conducted high school voter registration drives at 16 public and private high schools; 610 students registered; 256 applications pending 18<sup>th</sup> birthday
3. Modified polling procedures to simplify process for workers and voters
4. We implemented several special phone lines from the precincts to our office so that the officers of election could better access our office on Election Day to get help with problems
5. Working hard to help implement the new Photo ID law
6. We have two staff members that are on the State Paper Ballot Rules Committee
7. We have tested and repaired 40 machines for the upcoming 2011 - 2012 election cycle
8. Working and setting up schools of instruction for the precinct workers for the upcoming presidential election cycle
9. Changed the printing format of our voter registration cards so we are now able to print on standard laser printers and print cards for those who have lost or misplaced their cards on the spot

<u>Division Functions</u>	<u>% of Total Workload</u>
Voter Registration	15%
Voter Maintenance	15%
Voter Education	10%
Conduct Elections	50%
Miscellaneous Functions	10%

<u>Quantitative Measures of Functions</u>	<u>Actual FY 2009</u>	<u>Actual FY 2010</u>	<u>Projected FY 2011</u>	<u>Estimated FY 2012</u>
Number of Registered Voters (Active)	207,014	210,082	213,500	225,000
Number of Presentations	2	2	0	10
Number of Elections Held	2	3	1	3
Number of Schools of Instruction Conducted	2	4+	0	60+
Number of Address Verifications mailed	11	32	0	0
Number of Address Confirmations mailed	2,200	2,654	1,555	2,500

\*State law requires that the County Election Commission 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. Periodic mailers are sent if information provided by the Postal Service indicates a change in the voter's address.

## Criminal Court Clerk – 1010

### FUNCTION

The Hamilton County Criminal Court Clerk is a constitutional officer and is elected every four years. Gwen Tidwell was first elected to this position in 1994, and has served continuously since that time.

The Criminal Court Clerk's office is divided into three major departments: Criminal Court, General Sessions Court, and Delinquent Collections. The Criminal Court Clerk maintains all of the records for the three Criminal Courts and the five courts for the criminal division of General Sessions Court. This record keeping includes the statutory duties of collecting and dispersing court costs and fines, along with providing staff for the courts and performing all clerical functions of the courts. The Criminal Court Clerk's office handles and prepares the records for all criminal offenses brought before the General Sessions Courts and Criminal Courts in Hamilton County from the initial arrest through the appeals process in the Appellate Courts and Supreme Courts. The Delinquent Collection division was begun as an effort to aid in the collection of unpaid court costs and fines. The success of this division allows it to be completely self-supporting and it uses no public funds for salaries, benefits, or general office supplies.

The Criminal Court Clerk's offices are fully automated and utilize various electronic systems. The work load of the Criminal Courts and General Sessions Courts is determined by the various law enforcement agencies through their arrests and citations. Currently, the Criminal Court Clerk's office handles over 60,000 cases each year with a staff of about 65 persons.

We work closely with all local law enforcement agencies such as the Sheriff's Department, the Highway Patrol, The Tennessee Bureau of Investigation, The University of Tennessee at Chattanooga Security, the Airport Police, Chattanooga Housing Authority, Tennessee Wildlife Resource Agency, the City of Chattanooga Police Department, and all other municipal police agencies.

The goals and objectives of the Criminal Court Clerk's office are to serve the general public, attorneys, law enforcement, and our Judges with courtesy and efficiency – always keeping in mind cost effectiveness. This year we amended our new computer aided record keeping system which continues to improve both the availability of statistical data and the speed and accuracy with which the data is entered. We began accepting credit card payments in person and over the phone and we continue to look forward to the ability to accept credit card payments over the internet. We continue to strive for broader access to our public documents, and increased electronic reporting to state and federal agencies.

<b>Expenditures by type</b>	<b>Actual 2009</b>	<b>Actual 2010</b>	<b>Budget 2011</b>	<b>Budget 2012</b>
Employee Benefits	\$ 1,078,278	\$ 1,089,987	\$ 1,143,904	\$ 1,144,919
Operations	115,099	122,968	532,742	237,555
<b>Total Expenditures</b>	<b>\$ 1,193,377</b>	<b>\$ 1,212,955</b>	<b>\$ 1,676,646</b>	<b>\$ 1,382,474</b>

<b>Authorized Positions</b>	<b>65.13</b>	<b>65.13</b>	<b>65.13</b>	<b>64.63</b>
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## Public Defender – 1012

### FUNCTION

Pursuant to T.C.A. Section 8-14-204, the office of the District Public Defender 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 only by court appointment.

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 Collegedale, East Ridge, Soddy-Daisy, Red Bank, Lookout Mountain, Signal Mountain, and Walden). 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.

### PERFORMANCE GOALS

Poverty is not an excuse to provide less than competent representation.

The office of the District Public Defender must efficiently and effectively provide high-quality, zealous, conflict-free representation to those charged with crimes who cannot afford to hire an attorney. To meet this goal, this office wishes to apply the *ABA Ten Principles of a Public Defense Delivery System*, adopted February 2002 which state that:

1. The public defense function, including the selection, funding, and payment of defense counsel, is independent.
2. Where the caseload is sufficiently high, the public defense delivery system consists of both a defender office and the active participation of the private bar.
3. Clients are screened for eligibility, and defense counsel is assigned and notified of appointment, as soon as feasible after clients' arrest, detention, or request of counsel.
4. Defense counsel is provided sufficient time and a confidential space within which to meet with the client.
5. Defense counsel's workload is controlled to permit the rendering of quality representation.
6. Defense counsel's ability, training, and experience match the complexity of the case.
7. The same attorney continuously represents the client until completion of the case.
8. There is parity between defense counsel and the prosecution with respect to resources and defense counsel is included as an equal partner in the justice system.
9. Defense counsel is provided with and required to attend continuing legal education.
10. Defense counsel is supervised and systematically reviewed for quality and efficiency according to nationally and locally adopted standards.

Expenditures by type	Actual 2009	Actual 2010	Budget 2011	Budget 2012
Employee Compensation	\$ 296,268	\$ 265,582	\$ 313,185	\$ 312,878
Employee Benefits	123,304	124,616	149,377	149,684
Operations	34,968	27,910	37,597	37,021
<b>Total Expenditures</b>	<b>\$ 454,540</b>	<b>\$ 418,108</b>	<b>\$ 500,159</b>	<b>\$ 499,583</b>

<b>Authorized Positions</b>	<b>10</b>	<b>10</b>	<b>10</b>	<b>10</b>
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### 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). This office thanks the Commission for such funding. Without this funding the office would not be able to handle the workload in a competent, effective, and efficient manner.

## 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. It consists of five property owners selected from different parts of Hamilton County to serve two year terms. The Board convenes the first day of June each year and remains in session until that year's equalization is complete. The Assessor of Property works closely with the County Board of Equalization. A representative from the Assessor's Office must sit with the County Board of Equalization at all hearing of value protests.

The Board historically has many more appeals during the year of reappraisal

### PERFORMANCE GOALS

1. Carefully examine, compare and equalize Hamilton County assessments and act in a timely manner.
2. Assure that all taxable properties are included on the assessment rolls.
3. Eliminate from the assessment rolls such property as is lawfully exempt from taxation.
4. Hear complaints of taxpayers who feel aggrieved on the account of excessive assessments of their property.
5. Decrease the assessments of such properties as the board determines have been excessively assessed.
6. Increase the assessments of such properties as the board determines are under assessed; provided, that owners of such properties are duly notified and given an opportunity to be heard.
7. Correct such errors arising from clerical mistakes or otherwise that may come or be brought to the attention of the board.
8. Take whatever steps are necessary to assure that assessments of all properties within its jurisdiction conform to laws of the state and the rules and regulations of the State Board of Equalization.

<b>Expenditures by type</b>	<b>Actual 2009</b>	<b>Actual 2010</b>	<b>Budget 2011</b>	<b>Budget 2012</b>
Employee Compensation	\$ 2,750	\$ 4,630	\$ 5,000	\$ 5,000
Total Expenditures	\$ 2,750	\$ 4,630	\$ 5,000	\$ 5,000

## 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 \$25,000; they are responsible for hearing all landlord-tenant litigation; and have unlimited jurisdiction in replevin cases. In 2010, 15,082 cases were filed and 9,535 judgments rendered in Civil Court. 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. In 2010, 36,060 criminal cases were filed and 36,093 cases were heard. 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. In 2010, 3,155 cases were filed. Sessions Court Judges also hear approximately 365 forfeitures per year and sign numerous search warrants.

### PERFORMANCE GOALS

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.

<b>Expenditures by type</b>	<b>Actual 2009</b>	<b>Actual 2010</b>	<b>Budget 2011</b>	<b>Budget 2012</b>
Employee Compensation	\$ 889,680	\$ 922,877	\$ 917,961	\$ 946,660
Employee Benefits	257,266	269,114	265,517	271,081
Operations	52,084	32,659	51,301	51,301
<b>Total Expenditures</b>	<b>\$ 1,199,030</b>	<b>\$ 1,224,650</b>	<b>\$ 1,234,779</b>	<b>\$ 1,269,042</b>
<b>Authorized Positions</b>	<b>8</b>	<b>8</b>	<b>8</b>	<b>8</b>

## 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

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

<b>Expenditures by type</b>	<b>Actual 2009</b>	<b>Actual 2010</b>	<b>Budget 2011</b>	<b>Budget 2012</b>
Jury Fees	\$ 159,151	\$ 95,984	\$ 162,340	\$ 150,000
Operations	25,415	22,379	20,000	31,200
<b>Total Expenditures</b>	<b>\$ 184,566</b>	<b>\$ 118,363</b>	<b>\$ 182,340</b>	<b>\$ 181,200</b>

### 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.



## Circuit Court Judges – 10191 – 10194

### 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

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

#### JUDGE JACQUELINE S. BOLTON - 10191

Expenditures by type	Actual 2009	Actual 2010	Budget 2011	Budget 2012
Employee Compensation	\$ 37,878	\$ 33,508	\$ 37,000	\$ 37,000
Employee Benefits	19,031	17,465	14,303	17,532
Operations	10,343	11,246	11,944	10,063
Total Expenditures	\$ 67,252	\$ 62,219	\$ 63,247	\$ 64,595

#### JUDGE JEFF HOLLINGSWORTH - 10192

Expenditures by type	Actual 2009	Actual 2010	Budget 2011	Budget 2012
Employee Compensation	\$ 37,352	\$ 37,352	\$ 37,352	\$ 37,352
Employee Benefits	13,691	14,016	13,951	13,951
Operations	5,426	8,536	8,349	8,349
Total Expenditures	\$ 56,469	\$ 59,904	\$ 59,652	\$ 59,652

#### JUDGE MARIE WILLIAMS – 10193

Expenditures by type	Actual 2009	Actual 2010	Budget 2011	Budget 2012
Employee Compensation	\$ 36,888	\$ 36,888	\$ 36,888	\$ 36,888
Employee Benefits	12,890	12,920	12,793	12,793
Operations	7,350	6,281	8,349	8,349
Total Expenditures	\$ 57,128	\$ 56,089	\$ 58,030	\$ 58,030

#### JUDGE NEILL THOMAS, III - 10194

Expenditures by type	Actual 2009	Actual 2010	Budget 2011	Budget 2012
Employee Compensation	\$ 38,302	\$ 38,303	\$ 38,303	\$ 38,303
Employee Benefits	23,616	24,442	24,846	24,846
Operations	14,859	7,238	8,349	8,349
Total Expenditures	\$ 76,777	\$ 69,983	\$ 71,498	\$ 71,498

<b>Authorized Positions</b>	<b>4</b>	<b>4</b>	<b>4</b>	<b>4</b>
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### PROGRAM COMMENTS

The judges are elected to eight-year terms, which will expire in the year 2014. 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.







## Juvenile Court CASA – 1066

### FUNCTION

The Court Appointed Special Advocates (CASA) are trained community volunteers appointed by the Judge or Referee to represent the best interests of abused and neglected children in court. The CASA provides the judge with a carefully researched background investigation of the child and their circumstances. Additionally the CASA serves as the child's advocate in dealing with agencies and court personnel, to make sure that the child's unique needs are not overlooked, and that his/her interests remain of paramount concern in the care planning process.

Hamilton County CASA presently utilizes 28 volunteers who have intervened in over 593 cases. This year 55 new children have already been served. Program volunteers contribute an average of 85 hours per month. Hamilton County CASA is a member and partially funded by the Tennessee CASA association. Additional funding is received from the national CASA associations.

<b>Expenditures by type</b>	<b>Actual 2009</b>	<b>Actual 2010</b>	<b>Budget 2011</b>	<b>Budget 2012</b>
Employee Compensation	\$ 46,006	\$ 46,006	\$ 46,306	\$ 47,956
Employee Benefits	23,541	26,323	26,612	26,975
Operations	4,815	3,479	6,250	5,150
<b>Total Expenditures</b>	<b>\$ 74,362</b>	<b>\$ 75,808</b>	<b>\$ 79,168</b>	<b>\$ 80,081</b>

**Authorized Positions** 1 1 1 1

## Juvenile Court Youth & Alcohol – 1067

### FUNCTION

This department facilitates the state mandates of the Youth Highway Safety Program, which addresses issues related to juvenile drinking and drug usage. All individuals convicted in a drug or alcohol offense face mandatory loss of driving privileges and drug and alcohol program attendance.

<b>Expenditures by type</b>	<b>Actual 2009</b>	<b>Actual 2010</b>	<b>Budget 2011</b>	<b>Budget 2012</b>
Employee Compensation	\$ 39,498	\$ 39,548	\$ 39,598	\$ 39,923
Employee Benefits	18,637	24,868	25,132	25,204
Operations	1,802	984	3,100	2,400
<b>Total Expenditures</b>	<b>\$ 59,937</b>	<b>\$ 65,400</b>	<b>\$ 67,830</b>	<b>\$ 67,527</b>

**Authorized Positions** 1 1 1 1