



PROVINCIAL OFFENCES ACT

UPDATE ON THE COURT SERVICES REVIEW

Committee of the Whole Presentation
March 29th, 2005

AGENDA

- Background on Provincial Offences Act (POA)
- 2005 Court Services Review
- March 3rd Region of York Report on Review of Court Services & Request for Additional Staffing

Background on Provincial Offences Act (POA)

- In 1999, York Region and the 9 Area Municipalities partnered to assume the responsibility of Court Administration of Provincial Offences Act (POA) cases from the Province
- An Inter-municipal Agreement was developed and a Joint Board of Management was established
- York Region agreed to administer Court Services on behalf of all parties

Inter-municipal Agreement Revenue Sharing

REVENUE SHARING AGREEMENT

REGION OF YORK

- Gross Revenues – York Regional Police, Highway Traffic Act
- Responsible for all Court Administration Program Costs

AREA MUNICIPALITIES

- Gross Revenues – mainly OPP (allocated based on 28.5% of regional levy)
(2005 Budget \$825,000)
- 100% of Gross By-law Revenues
(2005 Budget \$60,000)

Inter-municipal Agreement Revenue Sharing

REVENUE SHARING “FREEZE” (2004+)

- The Region has requested to re-open the inter-municipal Agreement for financial reasons
- There are other issues to consider (including cost effectiveness of administration, regional service levels to municipalities) prior to re-opening the agreement
- Since 2004, Area CAO's have agreed to have revenues for all 9 municipalities to be “frozen” based on 2003 actual revenues (or \$825K for the Town of Markham – 1.09% tax rate impact)

2005 Court Services Review

- CAO's from the 10 area municipalities agreed to conduct an independent review of the Court Services Program
- Current Status:
 - Draft Terms of Reference circulated to area CAO's
 - Request For Proposal (RFP) to be issued

2005 Court Services Review

Purpose & Objectives

PURPOSE:

- To achieve a better functioning Court Services program (in terms of efficiencies, economies and effectiveness), and inter-municipal relationship and agreement respecting Court Services

OBJECTIVES

- To review and assess the extent to which existing Court Services are operating efficiently within the resources currently allocated
- To make recommendations on ways for improving efficiency, effectiveness, the financial model, and governance

2005 Court Services Review Issues

- Current issues with the POA Revenue and Administration include:
 - workload issues for Regional Court staff
 - processing time
 - costs associated with the second Court House in Richmond Hill
 - communication between the Court Services Branch and Area Municipalities
 - outstanding collections, adequacy of fines
 - escalating Court Services costs and a current “freeze” on revenues to Area Municipalities
 - cost effectiveness of administration
 - compliance with Inter-municipal agreement
 - Regional service levels to Municipalities

2005 Court Services Review

Key Deliverables

The Court Services Review will address the following:

1. EXISTING COURT SERVICES

- Efficiency measures and areas for improvement
- Backlogs, caseloads, outstanding collections
- Governance
- Financial arrangements

2. EXTERNAL BENCHMARKING

- Key Performance Indicators (KPI's) & Benchmarking

3. FUTURE COURT SERVICES

- Service level enhancements desired by Area Municipalities and the Region
- A 5-year plan dealing with growth within the system
- Alternate Court Services delivery models

Court Services Review Projected Timing

TIMING

- Review expected to be completed by the end of 2005 (6 months from the award of the contract)
- The successful consultant will meet regularly with the Joint Steering Committee (comprised of area CAO's) & will provide the Committee with an Interim Report mid-way through the project

March 3rd Region of York Report on Review of Court Services & Request for Additional Staffing

- The Region's March 3rd, 2005 report to the Finance and Administration Committee states that Court Services program is becoming an increasing burden on residents as the costs (incl. payments to the municipalities) exceed Court Services revenues for the Region.
- The Regional Finance and Administration Committee approved the following:
 - Approval be given for the immediate recruitment of six temporary staff and the Commissioner of Corporate Services report back to the Committee in June, 2005 on the case load, revenues and potential need for further staff to be hired on a phased-in basis.
 - The assessment of the efficiency and effectiveness of the Court Services Program be undertaken by an independent third party in consultation with the Ministry of the Attorney General, cost shared 50:50 between the Region and the Area Municipalities at the maximum Regional Cost of \$25,000.
 - Staff report further to Regional Council pending the outcome of the independent third party review and that report to include a recommended new Inter-municipal Agreement that would remove the tax burden of the Court Services Program from the Regional tax levy.
 - The Regional Clerk forward a copy of this report to the Area Municipalities for information.

Summary

Region of York's March 3rd Report Recommends:

	2004	2005	2006	2007 →
Revenues	Frozen	Frozen	Frozen	"NET" of program costs

- Freeze Revenue Distribution to Area Municipalities based on 2003 levels (2005-2006)
- Open inter-municipal agreement and change future (2007+) revenue distributions to "net of program costs"
- Pay for \$25K of the Court Service Review

Town of Markham's Recommendation:

	2004	2005	2006	2007 →
Revenues	Frozen	Frozen	TBD pending Review	

- Freeze 2005 Revenue Distribution to Area Municipalities based on 2003 levels
- Conduct a Court Services Review in 2005 focusing on Court Services Operations, Governance, Benchmarking, Service Quality, Long Range Projections, and Financial Arrangements
- **Discuss changes to inter-municipal agreement following the review**
- **Region to pay 50% of Review (Min. Total Cost = \$125K)**

March 3rd Region of York Report

Town of Markham Recommended Resolution Amendments

- Approval be given for the immediate recruitment of six temporary staff and the Commissioner of Corporate Services report back to the Committee in June, 2005 on the case load, revenues and potential need for further staff to be hired on a phased-in basis.
- ~~The assessment of the efficiency and effectiveness of the~~ **A Review of** the Court Services Program be undertaken by an independent third party in consultation with the Ministry of the Attorney General, cost shared 50:50 between the Region and the Area Municipalities at the ~~maximum~~ **estimated** Regional Cost of ~~\$25,000~~ **\$62,500**.
- Staff report further to Regional Council pending the outcome of the independent third party review and that report to include a recommended new Inter-municipal Agreement ~~that would remove the tax burden of the Court Services Program from the Regional tax levy.~~
- The Regional Clerk forward a copy of this report to the Area Municipalities for information.