

**CITY COUNCIL
ATLANTA, GEORGIA**

22-R-4794

A RESOLUTION BY COUNCILMEMBERS DUSTIN HILLIS, ANDREA BOONE, MATT WESTMORELAND, HOWARD SHOOK, ALEX WAN, MICHAEL JULIAN BOND, JASON DOZIER, JASON WINSTON, AMIR FAROKHI, BYRON D. AMOS, MARY NORWOOD, LILIANA BAKHTIARI AND ANTONIO LEWIS TO REQUEST AND AUTHORIZE THE CITY AUDITOR AND AUDIT COMMITTEE TO CONDUCT A PERFORMANCE AND FINANCIAL AUDIT OF THE MUNICIPAL COURT OF ATLANTA, FROM 2018 TO PRESENT TO INCLUDE BUT NOT BE LIMITED TO BUDGET, STAFFING, CASE LOAD AND BENCH TIME PER JUDGE, NUMBER OF ADMINISTRATIVE DAYS, NUMBER AND TYPES OF CASES, AMOUNT OF FINES AND FORFEITURES PER EACH CASE CATEGORY PER YEAR, NUMBER OF FAILURES TO APPEAR (FTAS), NUMBER OF FAILURE TO APPEAR WARRANTS SIGNED AND INPUT INTO THE GEORGIA CRIME INFORMATION CENTER (GCIC), NUMBER AND TYPE OF CASES BOUND OVER TO STATE COURTS, AN ESTIMATE OF ASSOCIATED REVENUE LOSSES FROM UNRESOLVED FAILURES TO APPEAR AND STATE COURT BIND OVERS, UTILIZATION OF PRE-TRIAL INTERVENTION FOR EACH CASE TYPE, AND ANY OTHER SUBJECTS THE CITY AUDITOR FINDS APPROPRIATE AND NECESSARY TO ASSESS THE PERFORMANCE AND FINANCIAL STATUS OF THE MUNICIPAL COURT OF ATLANTA; AND FOR OTHER PURPOSES.

WHEREAS, the City of Atlanta has an interest in maintaining the public health, safety and welfare of the citizens of the City of Atlanta and its visitors; and

WHEREAS, members of the City Council have fielded a number of complaints about the Municipal Court from citizens, attorneys, city employees, and other elected officials; and

WHEREAS, a 2011 audit of the Municipal Court, requested by the City Council in 2010, was met with pushback from the Court and resulted in relatively little change within the past decade, including not adopting a recommendation of reducing the number of Municipal Court judges from 9 to 4; and

WHEREAS, this could assess the same issues found in the 2011 audit that have been left unresolved, while additionally looking at specific issues the Council has been approached about in regard to number of failures to appear (FTAs), an egregiously small number of FTAs being input into the Georgia Crime Information Center (GCIC) - which actually alerts law enforcement officers to outstanding warrants, seemingly excessive case bind overs to state courts - even for relatively minor traffic citations, and number of administrative days per year court is not held; and

WHEREAS, the City Auditor and Audit Committee is charged with the responsibility to conduct performance and financial audits of all departments, offices, boards, activities, and agencies of the City of Atlanta in order to determine whether such departments, offices, boards, activities, and agencies are acquiring, managing, protecting, performing, and using its allocated resources in an economic, efficient, and effective manner; and

WHEREAS, a performance and financial audit of the Municipal Court will assist the City Council, the Mayor, and the Court in identifying and addressing issues of concern; and

WHEREAS, a work flow analysis would assist in determining the case load of each judge is reflective of bench time per day or week, given, in general, lower courts should have higher bench times when compared to higher courts like Superior, Appeals, or Supreme Courts; and

WHEREAS,; the audit would be valuable in the City Council's consideration of a possible City Charter review in 2023 and/or 2024.

NOW, THEREFORE, THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA HEREBY RESOLVES, as follows:

The City Auditor and Audit Committee is hereby requested to conduct a performance and financial audit of the Municipal Court of Atlanta from 2018 to present, which shall include but not be limited to budget, staffing, case load and bench time per judge, number and types of cases, amount of fines and forfeitures per each case category per year, failures to appear and estimated revenue losses from those left unresolved, failure to appear warrants signed and input into the Georgia Crime Information Center (GCIC), number and case types bound over to state courts and estimated revenue losses associated, utilization of pre-trial intervention programs for each case type, and any other subjects the City Auditor finds appropriate and necessary to assess the performance and financial status of the Municipal Court of Atlanta.

BE IT FINALLY RESOLVED, it is further requested that the audit be started expeditiously, so it may be finalized and presented to the City Council no later than September 30, 2023.

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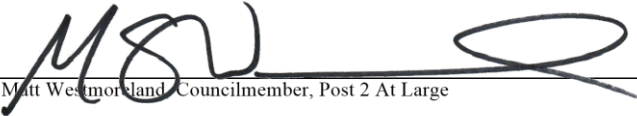
SPONSOR SIGNATURES



Duane Ellis, Councilmember, District 9



Andrea L. Boone, Councilmember, District 10



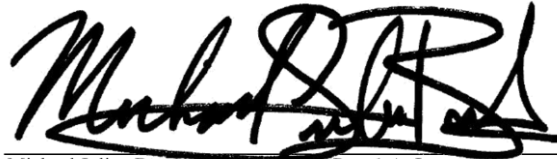
Matt Westmorland, Councilmember, Post 2 At Large



Howard Shook, Councilmember, District 7



Alex Wan, Councilmember, District 6



Michael Julian Bond, Councilmember, Post 1 At Large



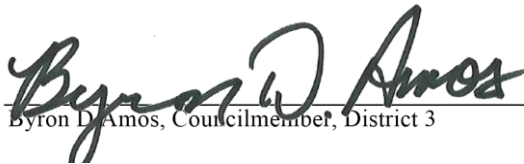
Jason H. Winston, Councilmember, District 1



Jason Gozier, Councilmember, District 4



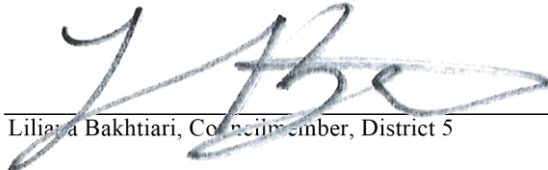
Amir R. Firokhi, Councilmember, District 2



Byron D. Amos, Councilmember, District 3



Mary Norwood, Councilmember, District 8



Liliya Bakhtiari, Councilmember, District 5



Antonio Lewis, Councilmember, District 12

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Workflow List:

Atlanta City Council	Completed	12/05/2022 1:00 PM
Public Safety & Legal Administration Committee	Pending	12/12/2022 1:00 PM

HISTORY:

12/05/22	Atlanta City Council	REFERRED WITHOUT OBJECTION
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RESULT:	REFERRED WITHOUT OBJECTION	Next: 12/12/2022 1:00 PM
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Certified by Presiding Officer	Certified by Clerk
<p>Mayor's Action</p> <p><i>See Authentication Page Attachment</i></p>	