

## **COURT LIAISON PROGRAMS**

The Court Liaison Program is a cooperative effort of the local police department, the District Attorney General's office and the General Sessions Court Judge to reduce police overtime costs. Citizens who are witnesses and prosecutors also benefit from the program.

As the Attorney General or assistant prepares a plea offer for each defendant in General Sessions Court, a single police officer represents the police department officers, providing case information and input from the arresting officer. During the initial court appearance of the defendant, the officer and witnesses do not come to court. If the defendant pleads to the charges everyone, police officers and citizens, are saved an exasperating day in court. If the defendant does not plead guilty a hearing date is set and the officer and all witnesses are summonsed to court.

### **History**

Since the Garcia vs. San Antonio Transit Authority case in 1985, cities have been liable for overtime for police officers. At the same time court dockets in General Sessions Court in most jurisdictions have become more crowded. Coupled with legal procedural changes that have slowed the entire judicial process, the Garcia decision has created a fiscal hardship for most cities. The more productive a police officer is, the more court overtime the city has to pay. Cities that compensate for court overtime with compensatory time are seeing the police officers work less on the streets and more in court. The more time spent in court means less time on the street. That also causes other officers to work more overtime.

Citizens forced to come to court as witnesses or prosecutors find themselves sitting in court for hours, only to have the case continued or the defendant plead guilty. It is no wonder that citizens become apathetic and less than cooperative with police investigations.

### **Elements of the Program**

A Court Liaison Program requires the cooperation of the District Attorney General's office, The General Sessions Court Judge, and the local police department. None of the entities are likely to change their current way of doing business simply to help one of the other entities. For the program to be successful, all of the entities must have something to gain by participating in the program.

The District Attorney General and the General Sessions Court judge are elected officials and are assailed by the public over the pace and confusion of court proceedings. A Court Liaison Program can overcome many of the problems perceived by citizens. Citizens will usually not have to be in court unless there is going to be a

hearing. If a plea is not worked out in the defendant's first court appearance all parties would understand that there would be a hearing on the next court appearance. There would be no excuse for not having all witnesses and attorneys present. The District Attorney's office would only have to deal with one representative of the police department during the plea phase. This alone would improve the efficiency of the plea process.

The Judicial system in this country is in place to serve the public. Unfortunately the average citizen's exposure to the system is very frustrating. A program that can eliminate some of that frustration should be well received by the District Attorney General and the General Sessions Court Judge.

An effective Court Liaison Program can help police departments drastically reduce the amount of time their police officers spend in court. Less time spent in court means less overtime paid and more time the police officers can spend on the street. By using one police officer to represent the police officers in court police, departments can track dispositions of cases more effectively.

### **Athens Police Department**

The Athens Police Department began a Court Liaison Program at the beginning of October 1994. The planning actually began six months prior to implementation. The District Attorney General's Office and the General Sessions Court Judge had to be convinced that the program would benefit each of those entities, or, at the least, have no negative impact on them.

After the program started officers would complete a short Liaison Form with each arrest report. The form required the following information:

1. Defendant's name and date of birth
2. All charges against the defendant
3. Any extenuating circumstances (both for or against the defendant)
4. Recommendation for Plea offer
5. Listing of contents of the officer's case file (including requested reports not yet received, such as lab reports, certified driver's history reports, etc.)
6. Witness list

To avoid problems with the "thirty day rule," most General Sessions Court cases were scheduled for the defendant's first appearance within three weeks of the arrest date. This allowed ample time for the plea bargaining process while still allowing a full week to prepare for a hearing if the plea process failed. Special arrangements were made by the judge to deal with Driving on a Suspended License, Public Intoxication and other cases that could be pled at the arraignment or take several weeks to complete.

Prior to, or on the day of the defendant's first court date, the Liaison officer meets

with the Assistant District Attorney General. The ADAG formulates a plea offer for each defendant, and the offer is written on the Liaison Form. The offer is conveyed to the defendant or his attorney. Often the offer would be conveyed by the Liaison Officer, saving more time. Again, the arresting officer and citizen witnesses did not have to be in court for this process.

In an effort to reduce the number of misdemeanor cases clogging the Grand Jury and Criminal Court, the District Attorney General's office made a commitment to increase any plea offer in Criminal Court that was not accepted in General Session's Court. This commitment was conveyed to defendants at the same time as the plea offer. At no time did the District Attorney General's office or the police department leave the impression that the defendant could not waive his case to the Grand Jury.

## **Results**

The Athens Police Department program started on October 1, 1994, the beginning of the fourth calendar year quarter. The overtime hours spent in General Sessions Court during that quarter was 55% less than the number of overtime hours in the preceding quarter. Instead of overtime pay, Athens officers must take their court overtime off. A 55% reduction in General Session Court overtime allowed those officers to be on the street serving the citizens of Athens, instead of sitting in court, waiting for their cases to be heard. As the program matured, the General Sessions Court overtime reduction reached **85%**.

The Liaison Officer maintains records of each General Sessions Court case, which vastly improves the department's ability to track each case through the system, including dispositions. Prior to the Liaison Program each officer was responsible for reporting the dispositions for his cases. Often, dispositions were never reported.

Both the ADAG's and the General Sessions Court Judge seem happy with the process, especially the elimination of frustrating waiting on the part of voting citizens. A side benefit has been a reduction in the number of misdemeanor cases being waived to the Grand Jury, and, ultimately, to Criminal Court.

**COURT LIAISON FACT SHEET**

DEFENDANT'S NAME: \_\_\_\_\_ DATE OF BIRTH: \_\_\_\_\_

CHARGES: 1) \_\_\_\_\_ OFFICER: \_\_\_\_\_

2) \_\_\_\_\_ WITNESSES \_\_\_\_\_

3) \_\_\_\_\_ \_\_\_\_\_

4) \_\_\_\_\_ \_\_\_\_\_

REPORTS: RECEIVED PENDING RECEIVED PENDING

DRIVER'S HISTORY: \_\_\_\_\_ CERTIFIED COURT \_\_\_\_\_

LAB REPORTS (DRUGS) \_\_\_\_\_ RECORDS \_\_\_\_\_

(BLOOD ALCOHOL) \_\_\_\_\_ OTHER \_\_\_\_\_

RECOMMENDATIONS & COMMENTS (USE BACK IF NEEDED) \_\_\_\_\_

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\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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(FOR LIAISON OFFICER'S USE)

OFFER: PLEA:  
1) \_\_\_\_\_ 1) \_\_\_\_\_

2) \_\_\_\_\_ 2) \_\_\_\_\_

3) \_\_\_\_\_ 3) \_\_\_\_\_

4) \_\_\_\_\_ 4) \_\_\_\_\_

ADAG \_\_\_\_\_ LIAISON OFFICER

PLEA DATE \_\_\_\_\_ HEARING ( Y N ) DATE