

TERMS OF REFERENCE
HALTON COURT SERVICES – SERVICE REVIEW 2022

PROJECT DESCRIPTION

The intent of this project is to conduct an comprehensive service review, inclusive of a best practice review and efficiency assessment, for the operations of Halton Court Services (HCS) on behalf of the Joint Management Board representing the service partners, The Regional Municipality of Halton, The Corporation of The Town of Oakville, The Corporation of The Town of Milton, The Corporation of The Town of Halton Hills and The Corporation of The City of Burlington (service provider).

BACKGROUND

The delivery of provincial offences court services was downloaded from the Province to municipalities in 2001. A shared service delivery model was initially implemented on behalf of the 5 municipalities in the Halton provincial offences court catchment area. As the province required an “as is” transfer arrangement, court services were provided from 3 separate court locations in Burlington, Milton and Oakville. The service was governed by a Joint Management Board comprised of the CAOs of the 4 service partners and one stakeholder – the City of Burlington, the Town of Oakville, the Town of Halton Hills, the Town of Milton and the Region of Halton, respectively. Assisting in the financial oversight of the service is undertaken by the Area Treasurers comprised of the Directors of Finance from the same municipalities. A local side agreement was executed by all 5 municipalities documenting the shared service delivery model and the governance structure.

Since the download of service in Halton on February 19, 2001, the service delivery model has evolved with Burlington as the sole service provider on behalf of the partnership. In February 2019, the service delivery was consolidated, and is now provided by Burlington out of one central location at 4085 Palladium Way in Burlington.

During the finalization/approval of the 2021 Budget and Business Plan, and in part driven by the impacts that Covid-19 has had on court operations and resulting court fine revenues, the Joint Management Board provided the following direction at its meeting held on November 13, 2020 which was approved and supported by the participating municipal councils as part of the approval of the 2021 HCS Business Plan:

Review of Operation and Finances

Given that the Municipal Partnership has been responsible for the delivery of Halton POA court services for 20 years, the JMB supports the recommendation of the ATs to undertake a review of HCS through an external party. The review will include, but is not limited to:

- (i) *development of operations and recommendations related to service delivery, long-term financial sustainability and governance, and*

- (ii) *funding for the review to a maximum of \$100,000 be provided from the Stabilization Reserve Fund, and*
- (iii) *a draft Terms of Reference for the review be prepared for consideration and approval by the JMB inclusive of project management structure and timing.*

In further consultation with the City Manager for the City of Burlington, it was confirmed that the Terms of Reference for the review be drafted and included as part of the 2022 HCS Business Plan and Budget process. The review would be undertaken by end of Q2 2022 in time for preparation of the 2023 Business Plan and Budget.

KEY STAKEHOLDERS

- Members of the Joint Management Board representing the Region of Halton, the City of Burlington, the Town of Oakville, the Town of Milton and the Town of Halton Hills
- The Area Treasurers Group of the 5 municipalities
- Senior Regional Justice of the Peace and Local Administrative Justice of the Peace
- Manager of Court Administration
- Prosecutors staff (HCS, municipal prosecutors, provincial prosecutors)
- Halton Regional Police Service (Court Service Bureau)
- Ontario Provincial Police (Court Service Bureau)

GOALS & OBJECTIVES

The goal of this third-party review is to provide a comprehensive service review of the operational and financial performance of the court service from 2009–2019, and where possible provide recommendations for cost effective, alternative service delivery improvements that:

- Meets provincial standards in terms of providing service to the public, judiciary, and other stakeholders of the court services as required by the Province (Ministry of the Attorney General), the Memorandum of Understanding between the Partners and the Province, the provision of French language services;
- Maintains the integrity of the provincial offences judicial system;
- Maximizes the use of shared resources (human and technology) through consolidation/integration, where possible;
- Aligns with industry standards and benchmarks; and,
- Offers suggestions for future growth and service efficiencies, innovation and modernization.

Performance for 2020 and 2021 have specifically been excluded due to the impacts that COVID-19 has had on operations (e.g. court closures, suspension of enforcement activity).

These objectives align with Focus Area #5 of the City of Burlington 2018-2022 Strategic Plan 'From Vision to Focus' - Delivering Customer Centric Services with a Focus on Efficiency and Technology Transformation including:

- Service Excellence - ensuring efficient, effective and economical service delivery
- Customer First Approach – Enhancing and emphasizing a customer first approach in all city service areas
- Digital Transformation – Invest in customer centric digital technologies.

PROJECT TASKS & DELIVERABLES (PARTS A to D):

A. Consultation and Verification of Identified Issues – consult with relevant departments and stakeholders to confirm issues already identified and/or identify issues that have not been noted. This includes business process mapping/review and development (where required), documentation of current technology and opportunities to digital transformation.

Deliverables:

1. Meetings with Key Stakeholders (maximum 15 hours, potentially spread over multiple days)
2. Provide a summary of issues as determined through consultation and data provided
3. Develop Business Process Mapping, including customer service, for current and preferred state based on stakeholder consultation
4. Analyze 10-year financial performance and recommend potential actions to provide opportunities for greater efficiency.

Data/work to be provided by City of Burlington – Annual business plans and budgets for the 10 years under review, annual filings to the Ministry of the Attorney General, provincial offences court statistics provided by the province.

B. Best Practice Review of leading and similar sized provincial offences court operations in Ontario – includes staffing levels/job duty alignment, court operation performance, backlogs and time to trial, availability of judicial resourcing.

Deliverables:

1. Comparison and summary of staffing resources by court location and workload comparatives including, hours of operation, staffing levels/job duty alignment, court performance (time to trial, etc.), technological advancements by stakeholder enforcement agencies, including enforcement trends by population of at **least 5** other

provincial court operations in Ontario (including Durham, Hamilton, Mississauga, Niagara and York).

2. Financial Benchmarking based on past performance.
3. Scan of other court jurisdictions on the purpose, practices and policies regarding the use of a revenue stabilization reserve fund.
4. Summary of 'best practices' to include: Description and definition of efficiencies gained with estimates of time and cost savings, outline of business process and related procedures and technology improvements.
5. Recommendations for service delivery improvement/opportunities for future development.

Data/work to be provided by City of Burlington – provincial offences court statistics provided by the province.

- C. Efficiency Assessment and Development of Service Model Recommendations for Improvement** - focus on streamlining operations, improving overall customer experience, and opportunities for maximization of revenue generation and operational efficiency improvements (e.g.: opportunities for use of facility space). Should include approximate cost of final recommended solution and implementation plan.

Deliverables:

1. Recommended service improvements and rationale including staffing, technology and equipment requirements and costs.
2. Develop a implementation plan (phased if required based on final cost) inclusive of key activities, key performance measures, timelines and budget estimates (revenues and costs). Implementation Plan to encompass short (1-2 year) and long term (3-5 years) recommended actions.
3. Other recommended improvements (e.g. policy requirements).
4. Consideration of provincial initiatives currently in progress that could impact future court operations. Addressing specifically the introduction of Automated Speed Enforcement initiatives, Provincial download of Part III offence prosecutions.
5. Anticipated COVID related long term implications (ex. Virtual court operations, remote work opportunities, number of charges filed) on court operations and revenue impacts.

Data/work to be provided by City of Burlington – information on legislation currently under consideration by the Province.

- D. Draft and Final Report and Presentation to the Joint Management Board and the Area Treasurers Group**

Deliverables:

1. Final report to be included as appendix to covering staff report.
2. Presentation discussing findings, implementation plan considerations and recommendations and answering of any questions regarding same.

PROJECT TIMING & PAYMENT SCHEDULE

- Project Must Commence by **TBD**.
 - Final Report & Recommendations due to Staff by **TBD**.
 - Final Report & Presentation to Joint Management Board and Area Treasurers **TBD**.
 - **Project must be completed by end of TBD in time for recommendations to be considered as part of the TBD Business Plan and Budget.**
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- Progress Payment 1 - 15% of total upon signing of contract and finalization of agreed project schedule
 - Progress Payment 2 – additional 25% after completion of Section A to the satisfaction of the City of Burlington
 - Progress Payment 3 – additional 25% after completion of Section B to the satisfaction of the City of Burlington
 - Progress Payment 4 – additional 25% after completion of Section C to the satisfaction of the City of Burlington
 - Progress Payment 4 – Final 10% paid after completion of Section D including presentation to Joint Management Board and Area Treasurers.