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City of Toronto
Service Efficiency Study Program:
Court Services Division

Statement of Work for External Management Consultants
Roster Assignment # 9144-11-7001-Cat2MC20-12

June 26 2012

1. Background

- a) The City Manager has established a Roster for the provision of consulting services for a range of Assignments (REOI # 9144-11-7001).
- b) This Statement of Work (SOW) is provided in accordance with the requirements of the REOI, and the Assignment will be conducted within the terms and conditions stated in the REOI, especially Appendix B, and its Addenda. For purposes of clarity, some REOI terms and conditions may be repeated in this SOW.
- c) The City Manager wishes to engage an external Management Consultant to assist with Toronto's Service Efficiency Study of the Court Services Division.
- d) As set out in the City Manager's report to Council dated January 6, 2012 (refer to D. in Section 7) the City continues to face difficult decisions in 2012 and future years to meet its budget challenges. To support City Council's 2013 budget deliberations, the City Manager will undertake Service Efficiency Studies of several City divisions, agencies, and cross-cutting functions.
- e) Invited Consultants are required to submit a proposal and work plan tailored to the Service Efficiency Study or Studies as described in this SOW. The submission will include, at a minimum:
 - o Proposed work program with work plan and deliverables;
 - o Time schedule;
 - o Any other information required in response to this SOW; and
 - o Total costs/fees: Please delineate the cost to conduct each of Parts A to E in Section 5, "Study Focus", of this SOW.
- f) Proposals submitted by invited Consultants will be assessed in terms of completeness of the work program, understanding of the assignment, appropriateness of methodologies, appropriateness of the Consultant team, acceptable time frame and schedule for the work, and acceptable cost.

- g) An interview may be held at the sole discretion of the City to refine service scope, prioritize issues, or review the respective responsibilities between the City staff team and the Consultant and proposed team members.
- h) An agreed upon work plan including timelines and deliverables and cost/fees will be approved by the City prior to the commencement of the assignment, through a letter of agreement.

2. Project Purpose

The City has begun a program of Service Efficiency Studies. Several areas have been identified for review during 2012 including the Court Services Division. The purpose of the Service Efficiency Studies is to identify and supply actionable recommendations that will provide the maximum of service efficiency savings in the shortest period of time. To that end, the project review should consider a broad range of strategies and apply the most effective methodologies to achieve the stated purpose, for example:

- Business process and work methods streamlining;
- Organizational restructuring;
- Outsourcing;
- Automation;
- Shared services;
- Service innovation; and
- Service adjustments.

The methodologies above shall be applied to ensure that the business model used by the Court Services Division complies with legislation currently in force that governs operations, minimizes expenditures, and maximizes revenue sources such that program related costs are recovered. The results of the Service Efficiency Studies will be reported to the City Manager and will be implemented through the annual budget process whenever possible.

3. Services Required – Overall Role & Deliverables for External Consultant

a) Background Data & Information:

The Court Services Division in consultation with the City Manager's Office will provide general background data and information, including:

- (i) Suggested areas of study focus to be reviewed and assessed by the Consultant (provided in Section 5, Study Focus);
- (ii) Information on services, service levels and standards, activities and types;

- (iii) Financial and budget data;
- (iv) Organization charts;
- (v) Workforce data including staffing information;
- (vi) Recent organizational and service reviews, policy directions, reports and Council decisions;
- (vii) Business process data;
- (viii) All other available information related to particular services and activities.

b) Consultant Deliverables:

Working with City staff, the external Management Consultant's role and deliverables will include:

(i) *Confirm Focus Areas and Methodology*

Using the baseline information, initial focus areas suggested by the City and additional data, identify the areas of focus and the most appropriate methodologies with the greatest potential for cost savings and improved service delivery.

(ii) *Assess Service Efficiency*

Within the areas to be focussed on:

- Identify and assess the costs and cost drivers of current practice;
- Review and assess services, activities and methods;
- Compare against service providers in other Ontario jurisdictions that must comply with Ontario legislation using comparable and relevant best practices;
- Analyze and compare service benchmarks and measures; and
- Assess against other relevant information.

(iii) *Identify and Recommend Opportunities for Improved Efficiency and Cost Savings within the existing legislative framework:*

- Identify and recommend changes to work methods, processes, responsibilities, and other factors that will result in the most cost savings and the greatest improvement in service delivery;
- Identify opportunities for introducing more cost-effective and efficient program delivery applications that would result in the same benefits;
- Provide cost savings estimates and implementation details and steps that will address the changes you have identified and recommended;

- Provide advice and recommendations about which changes can be made quickly, e.g., savings in 2012, or 2013, and which will take longer to implement;
- Identify and provide advice on the costs required to make changes including any short term financial investments; and
- Provide advice about any risks and implications for service delivery, policy development, finances, cross divisional or enterprise wide human resource impacts, and other effects of alternatives and changes.

(iv) *Provide reports and documentation*

Provide documentation, reports and presentations for the City Manager as required for each of the deliverables and provide other advice as identified throughout the review process.

(v) *Work with divisional and agency staff as required.*

(vi) *Attend, support and provide documentation for status and/or planning meetings with the City Manager, the designated Project Manager, the Division Head, the City staff team, the City Steering Committee established for Service Review activities, and/or other officials as may be required.*

4. Project Reporting Process and Time Line

- a) The Service Efficiency Studies will be conducted on an accelerated timeline;
- b) The City wishes to engage the external Management Consultant by no later than July 26, 2012 with completion of the final report by no later than September 28, 2012; and
- c) Wherever possible the results of the Service Efficiency Studies will be reported out through the City's 2013 Budget Process.

5. Service Efficiency Study – Specific Areas of Review for the Court Services Division

(i) Overview of Court Services:

The Court Services Division provides court administration services for the City of Toronto with an approved establishment of 284 positions, consisting of employees providing courtroom and counter services at 1530 Markham Road, 2700 Eglinton Avenue West, Old City Hall, 137 Edward Street, 70 Centre Avenue and administrative services at 481 University Avenue.

The Court Services Division also provides administrative support to the Toronto Municipal Licensing Tribunal which is an independent, quasi-judicial body comprised of 7 citizen members appointed by City Council to adjudicate on matters related to the Licensing By-Law, through hearing evidence and submissions and making independent decisions with regard to these matters under Chapter 545 of the Municipal Code.

There are 3 major service areas in the Court Services Division, namely:

- (1) Court Support Operations;
- (2) Planning and Liaison Unit; and
- (3) Court Services (manages and schedules trials, hearings and other appointments; and assigns staff to perform court clerk functions and type court transcripts).

The services delivered include:

- Dispute Resolution for individuals charged with breaching laws under the Provincial Offences Act or, the Toronto Municipal Licensing Tribunal through:
 - Hearings – Trial Court (about 400,000 trials and 300,000 other hearings per annum);
 - Interventions – Intake Court or Appeals Court (about 50,000 per annum);
 - A forum of unbiased review of circumstances and resolution for both the accused persons and those laying charges;
 - Various channels: In-person Court location Counters; Phone; Mail/Letter; or Online; and
 - Involves: Defendants, Prosecutors; Paralegals (representing persons charged with an offence); Witnesses; Enforcement Officers; Judicial Officers; and, Interpreters.
- Default Fine Collection Management:
 - Payments Processing (receipt and collection of about \$19 million [including \$3 million Victim Fine Surcharge(VFS)] per annum);
 - Overdue court imposed fines or fees (for individuals);
 - Various channels available: Mail; In-person at court office location counters; or Online;
 - May pursue using collection officers/agencies and City Legal staff; and
 - Involves: Persons fined; and the City as beneficiary of fine revenue to offset certain program costs.

- Court Case Management:
 - Charges (i.e. court cases) are Managed (i.e. matches, linkages, or referrals);
 - About 750,000 charges/cases per annum;
 - Provides a forum of unbiased review of circumstances and resolution for both the accused persons and those laying charges;
 - For Provincial Offences (both parking and non-parking offences);
 - Court Operations unit ensures that filing of new charges and subsequent processing occur within established timelines; that hearings are conducted in a manner that reflects the seriousness of a charge; and that resources are maximized (e.g. courtroom space, availability of judicial personnel, police officers, interpreters, and prosecutors); and
 - Involves: Defendants, Prosecutors; Paralegals (representing persons charged with an offence); Witnesses; Enforcement Officers; Judicial Officers; and, Interpreters.

The Court Services Division has, through a signed Memorandum of Agreement with the Ontario Ministry of Attorney (based on provisions contained in 'Part X' of the Provincial Offences Act of Ontario), an obligation to perform its duties within the parameters of that Agreement.

(ii) Cost-Recovery and Cost-Drivers:

The revenue that Court Services collects from fines funds the cost of court administration services as well as prosecutions (\$5.87 million) provided by the City Prosecutions unit. The cost also includes paying for the attendance of Toronto police officers to appear at court off-duty (\$5.64 million). External costs, including payments to the Province for provincial prosecutors, judicial time, monitoring and the court case management system use costs (\$5.78 million) and internal costs to rent space, both City owned and leased (\$5.11 million) together with expenditures for services, court security, supplies, equipment, etc are offset from fine revenues.

To support the court related components that address parking ticket disputes and the costs of supporting the Toronto Licensing Tribunal the Division recovers its costs from the Revenue Services and Municipal Licensing Services Divisions.

The operating budget for 2012 includes \$52.26 million in expenditures offset by interdivisional recoveries of \$5.15 million and fine revenues of \$59.14 million and other revenues of \$1.94 million including provincial upload of court security costs in the amount of \$315.88 thousand. The estimated net position for 2012 is \$13.97 million.

Delivery of the court services program involves several uncontrollable cost factors respecting the legal right of individuals to access a range of legislated services including, for example:

- the right to a court trial;
- the right to having a qualified interpreter provided; and
- the right to challenge the evidence of the officer who issued the ticket/or charged an individual.

These costs are borne by the Court Services Division.

Study Focus

The following five services and functions have been suggested as potential areas of study for the Court Services Division. The consultant will confirm these areas of study (pursuant to Section 3(b)(i) of this SOW), conduct a detailed review and analysis as set out below, and recommend opportunities for improving efficiencies and achieving cost-savings.

Part A – Reducing Offence Dispute Volume Requiring Courtroom Trials

Once a conviction and fine has been imposed by the Court, it is the responsibility of the Court Services Division to collect the fine. Many services require, by law, the attendance in person of either the person charged or their legal representative. There is, however, some opportunity to reduce the volume and or effort related to in-person enquiries and services provided to individuals.

The Division has recently introduced a new legislative service allowing greater flexibility, to persons who have been charged, to first meet with a prosecutor before electing to proceed to a trial. This service, referred to as the Early Resolution Program (ERP), effective March 31, 2012, will allow individuals to request a meeting with a prosecutor by mail. A major objective of the new program is to reduce the volume of disputes that require the time and expense of arranging and conducting a courtroom trial.

Both the Court Services and City Prosecutions Divisions are implementing the ERP program without additional resources. To support the new program, the consultant will assist the Division to find essential efficiencies by assessing the current range of program activities including matters such as:

- Case workflows;
- Coordination of stakeholders;
- Workloads of prosecution and administrative resources;
- Records and information management; and
- Identifying regulatory aspects that may hinder efficiency goals.

Part B – Enforcement of Overdue Fines

Respecting fine collection services, the consultant will review the Collections Units of each of the Court Services and Revenue Services Divisions to determine their respective approaches to collecting unpaid fines including:

- Exploring whether there are alternative approaches available to operate more efficiently without reducing revenue;
- Examining whether consolidating some, or all, of the collections functions across the two divisions is likely to improve revenue generation results;
- Examining whether introducing new technology would improve results; and
- Identifying whether collection agencies are able to provide better results, and if so, what changes are needed for this to occur.

The consultant will be able to draw upon existing research and analysis from the Court Services Division concerning current fine collection activities.

Part C - Improving Public Access to Court Services

Within the existing legislative framework, the consultant will review whether changes to available service channels including telephone, on-line, in person and mail are possible and will identify opportunities where changes would result in efficiencies. For example, are there queue management techniques available that would reduce waiting times and increase staff productivity?

The consultant will also examine the potential for introducing self-serve delivery channels that might include kiosks or self-serve information terminals at public offices. And, the consultant will explore whether efficiencies are possible by merging the divisional telephone service with the 311 contact centre and will identify associated cost-savings. If that is feasible, the consultant will provide a recommended implementation strategy including key steps and timelines, business process changes required, and the cost of any new equipment/technology associated with achieving operating efficiencies and reduced operating costs.

Furthermore, the consultant will consider in consultation with the City Manager's Office and the Deputy City Manager of Cluster "A", any relevant findings of a Service Efficiency Study on City-wide divisional Counter Services that will be underway concurrent with this Court Services SES. Specifically, consideration should be given to whether there are counter service efficiency opportunities for the Court Services Division through existing counters, alternative channels, co-location, staff cross-training, outsourcing, or other initiatives.

Part D – Court Interpretation Services

As part of providing court administration services, the Division is required to locate qualified interpreters and schedule these individuals to attend at a hearing. Recent legislative changes permit these services to be provided remotely, in certain circumstances, including by telephone or video-conference. The consultant will identify and propose an implementation strategy including key steps and timelines, business process changes required, and the cost of any new equipment/technology associated with achieving operating efficiencies and reduced operating costs for this program requirement.

Part E – Reducing Parking Ticket Disputes Requiring Courtroom Trials

Across the City there are about 2.8 million parking tickets issued annually. Of these, approximately 10% of recipients choose to exercise the option to ask for a court-based trial. In the Fall of 2011, the Province received a report completed by the Law Commission of Ontario recommending a non-court based model for parking infractions be introduced across Ontario making better use of limited court resources. This new model is referred to as an Administrative Penalty System (APS). Since it is unlikely that APS will occur before 2015, the consultant will explore options available in 2012 and 2013 that could, based on practices in place in other Ontario cities, provide the City with an opportunity to reduce its reliance on the court system; improve service to this client group; and, continue to ensure compliance with parking by-laws. Consultation with the Revenue Services and Prosecutions Services divisions will also be required to explore such options.

Related City of Toronto Studies

The City has or will be undertaking cross-corporate or cross-divisional studies and reviews (for example, a Core Service Review encompassing all City divisions and service Agencies; a cross-corporate Facilities & Real Estate study; a cross-corporate Fleet study; a cross-corporate Shared Service Review; and a cross-divisional Counter Services Study) that may intersect with this Service Efficiency Study. The consultant should be aware of the areas of shared interest and communicate through the Project Manager wherever there is a potential for overlap.

6. Project Management

The external Management Consultant will report to the City Manager through the Strategic and Corporate Policy Division. The City Manager's designate and key project contact is:

CMO Project Lead:

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7. Attachments and Information

Respondents are reminded to refer to the Terms and Conditions of the original REOI, especially Appendix B as amended by Addendum 3. Additional information to assist with Responses to this Statement of Work is:

- A. Court Services Division Organizational Chart, January 12, 2012 – [Attachment A](#)
- B. Court Services Division Program map – [Attachment B](#)
- C. Budget Information – Refer to link:
http://www.toronto.ca/budget2012/pdf/op12_an_court.pdf
- D. Report from the City Manager on the Update on the Core Service Review and Service Efficiency Studies (January 6, 2012) – <http://www.toronto.ca/legdocs/mmis/2012/ex/bgrd/backgroundfile-44209.pdf>

Appendix A to Item BU21.1 - Status of Council Decision on the Core Service Review (January 6, 2012) – <http://www.toronto.ca/legdocs/mmis/2012/ex/bgrd/backgroundfile-44210.pdf>

Appendix B to Item BU21.1 - Status of the Service Efficiency Study Program (January 6, 2012) – <http://www.toronto.ca/legdocs/mmis/2012/ex/bgrd/backgroundfile-44211.pdf>
- E. Profiles of City Programs, Agencies and Corporations (as contained in Council Briefing Book, Volume 2) – Refer to [PDF document attached to the e-mail](#) inviting your firm to respond to this SOW.