



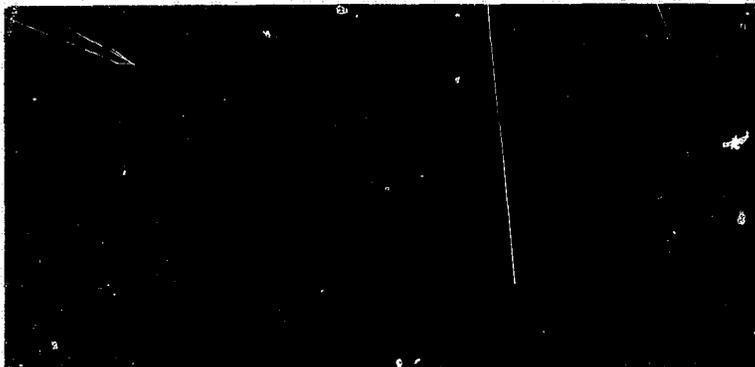
THE AMERICAN UNIVERSITY

CRIMINAL COURTS TECHNICAL ASSISTANCE PROJECT
Institute for Advanced Studies in Justice
The American University Law School
Washington, D.C.

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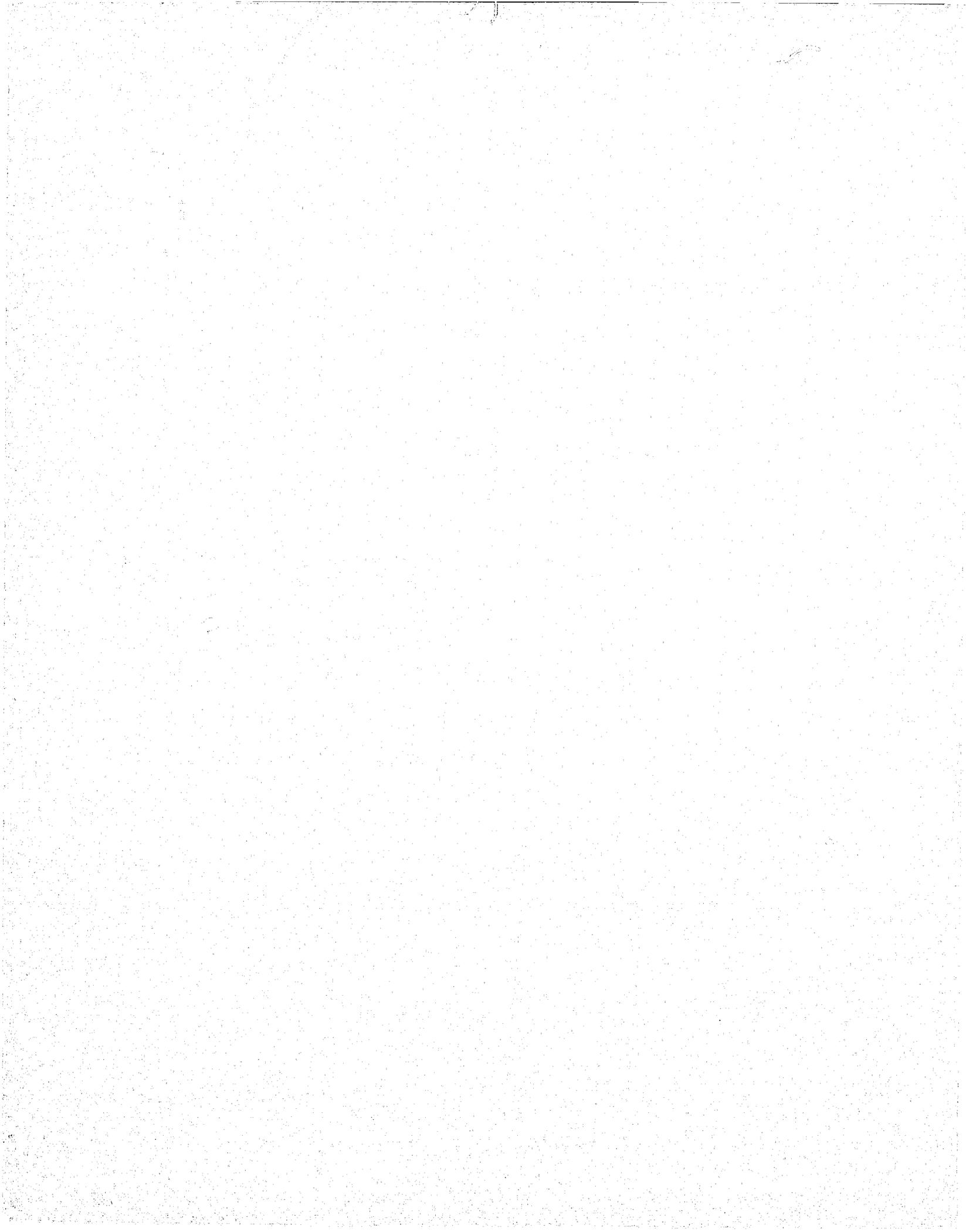
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NATIONAL ADVISORY COMMITTEE TASK FORCE ON DISORDERS AND TERRORISM

WAR ON CRIME IN THE DISTRICT OF COLUMBIA 1955-1975

ASSESSMENT OF THE CRITICAL ISSUES IN ADULT PROBATION SERVICES

THE IMPACT OF DECRIMINALIZATION ON THE INTAKE PROCESS FOR PUBLIC INEBRIATES



ANALYSIS AND RECOMMENDATIONS RELATING
TO RECORDS MANAGEMENT IN THE OGDEN,
UTAH CITY COURT

NCJRS

FEB 13 1978

ACQUISITIONS

December 1977

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I. INTRODUCTION

The Court Administrator and the Presiding Judge of the Ogden, Utah City Court requested technical assistance in May of 1977 from LEAA's Criminal Courts Technical Assistance Project at The American University to examine a wide range of problems in their court which they and others involved in the administration of justice in the city had identified. These include: accounting systems, facility and space management, calendaring, caseflow management, court public information, general court management, court reporting methods, defense services, education and training for court personnel, information systems, juror usage, juvenile court personnel management, pretrial release, and records management.

Given the wide range of perceived problem areas outlined in the request, a decision was made to conduct an initial problem definition study to examine the Ogden Court's problems and to develop an approach designed to assure the most effective use of technical assistance resources. The consultant selected to provide this assistance was Mr. Ernest Short, President of E.H. Short and Associates, of Sacramento, California, who has had extensive experience in trial court management analysis and the application of modern technology to court administration.

Mr. Short was on site in Ogden on July 7-8, 1977. During this period, he worked closely with the local coordinator and court administrator, Julia A. Newman, and met with Presiding Judge E.F. Ziegler, court clerical personnel, and staff of the data processing unit of the Ogden City Department of Finance. He also reviewed the operations of the Court Clerk's office.

Subsequent to his site visit, Mr. Short prepared a problem definition report (attached at Appendix I) describing in detail the operations of the Ogden

City Court and containing recommendations relating to the provision of further technical assistance. Specifically, he recommended that further assistance focus on the related areas of records and case flow management. Within the records management area, he advocated efforts be concentrated on an assessment of presently existing and proposed court forms and the actual management of the records system. In the case flow area, the recommended emphasis was to be on developing standardized procedures among the court's division and in examining the proper supervisory authority over case processing.

A second site visit was conducted from October 17-20, 1977. Joining Mr. Short on this visit was Mr. H. J. Koenig, a private management consultant who was formerly associated with the Records Management Division of the federal government's National Archives, Mr. Koenig brought to this assignment extensive experience in court's record management.

During the October site work, the consultants worked with Ms. Newman and Judge Ziegler and met with other court, county, and state court system representatives. Based on project resource limitations, and in an effort to fully address the most pressing problems of the Ogden City Court, it was decided that this formal technical assistance report would focus on the records management problems facing the Court.

Messrs. Short and Koenig's analysis and recommendations are contained in the following report.

II. ANALYSIS AND RECOMMENDATIONS

A. GENERAL COMMENTS

The Ogden City Court has a number of problems relating to the processing of its case records. Consequently, the major portions of this report on records management concerns the clerical processing and the recording of court cases from filing to closing. When these clerical and recording processes are closely examined it is clear that the causes of what and how things are done in the Ogden City Court can be attributed, to some extent, to "time honored" or traditional ways of handling court business. Further affecting these clerical processes is a growing workload, changes in jurisdiction, and a high turn over in personnel.

Although this report identifies and comments on several aspects of the clerical tasks of the clerk's office, the consultants in no way mean to imply that the clerk of the court, the court administrator or their staffs, lack diligence or interest in these matters.

In the report that follows, the consultants have attempted to present the situations, observations, and recommendations as objectively as possible. The excellent proposals made by the presiding judge are considered in every instance and where differences in techniques are indicated, it is done not in criticism of the work of the presiding judge, but instead to present a second point of view for consideration by the court.

B. RECORDS DISPOSITION

The clerk of the court is to be commended on the interest and actions taken on the disposition of inactive court records.

In marked contrast to many courts, large and uncontrolled accumulations of closed cases were not found in either office or storage space.

With few exceptions (i.e. the upper vault area), inactive closed cases have been processed for microfilming, and as a result records storage does not pose a problem.

General Court Order number 0 -77 - 1 (see Appendix A) relating to records retention is an excellent example of initiative taken by the clerk of the court to establish court approved records retention periods for court files.

C. FORMS MANAGEMENT

As is the case in many courts, the forms in use in the Ogden City Court was designed with the words of the law in mind. Much of the language is expressed in legalistic terms that tend to puzzle and confuse the public.

The presiding judge has proposed revisions, consolidation and modernization of many of the forms used in civil and criminal cases. This report recommends additional in-house study of these and other forms used in the court. The principles of forms analysis and forms design have been published by independent forms technicians. Excellent publications on forms analysis and design written by technicians of the National Archives can be purchased from the Government Printing Office, Washington, D. C.

D. PROPOSED CHANGES DEVELOPED BY THE PRESIDING JUDGE

The presiding judge of the Ogden City Court has over a period of time devoted many hours to developing three case processing packages which present in detail several proposals for new or revised forms and processing procedures for small claims, civil cases and criminal cases. The presiding judge presented his proposals and furnished copies of his work to the consultants during their on-site work.

The scope of the work on clerical procedures and forms improvement by the presiding judge is commendable. It reflects an insight and knowledge of paperwork flow, administrative controls and forms design not normally expected from members of the bench.

The judge was gracious enough to ask the consultants to review his work, offer a critique and recommend changes where thought necessary.

In the time allocated to this study, only the more obvious aspects of the existing and proposed case handling systems could be observed. Time did not permit a form-by-form analysis nor detailed flow charting of the two systems for comparative or before-and-after considerations. The consultants did, however, discuss the proposals of the presiding judge with the Director of Finance, the County Attorney and the deputy State Court Administrator.

The following recommendations are, therefore, made by using a completely objective approach which recognizes both the valid and the questionable benefits of the existing systems and the suggested revisions to the Small Claims, Civil and Criminal case processing procedures made by the presiding judge.

E. SYSTEM CONSTRAINTS

There are six important constraints that must be dealt with before major changes in the procedures of the clerk's office should be considered for adoption.

1. The changes in jurisdictions which are to occur on July 1978 (Circuit Court Act of 1977). These jurisdictional changes will affect the record keeping requirements of the city court. The added jurisdiction over increased

dollar amounts in civil cases and small claims, and the additional responsibilities in criminal cases will open the court records to increased scrutiny and review by the bar and the general public. Indexing, file retrieval and back-up records will increase in their importance.

2. The interests of the State Court Administrators Office. If some degree of uniformity in court records and case flow management is to occur in the future, it follows that the State Court Administrator must be appraised of proposals for change. Beneficial changes in forms and procedures should be shared by all courts statewide. Also, weaknesses in proposals for change can be detected and corrected by reviews at this level.

3. The interests of the City Court Administrators Office. Changes in the procedures for processing cases through the clerks office should be one of the more important responsibilities of this office. Because of the City Court Administrator's familiarity with national developments in court administration and the open lines of communication with the State Court Administrators office and the clerk of the court, as well as other courts, this office must be closely attuned to all proposals for change.

4. The interests of the Clerk of the Court. Unfortunately, the interests of the Clerks office are often overlooked. The adverse effect that sudden or unexpected changes in case processing procedures have on clerical processes in the Clerks office, cannot be over-emphasized. It is this office, and this office alone, that is expected to absorb and adjust to these changes. Increases in workload and costs sometimes resulting from changes in clerical procedures can have a serious effect on the efficiency of the Clerks office.

5. The interests of those doing business with the Court. Proposals for change in the administrative processes of the clerks office should include considerations of the effect of change on all elements of the justice system. Prosecution, defense, probation, corrections, arresting agencies and the general public may all be affected to varying degrees. Accounting and audit considerations, internal and external, must be considered.

6. Automation of certain manual case processing steps. Discussions with the staff of the Division of Finance revealed that programs are being developed for the automation of data on parking violations, and a January, 1978 start-up date is anticipated. Eventual automation of other tasks performed by the clerk's office are also under active consideration.

F. SMALL CLAIMS

1. Present Situation - During the period July 1, 1975 through June 30, 1976 the Ogden City Court processed 933 Small Claims cases, which is by any measure not a large caseload. It is anticipated, however, that the changes in jurisdiction will increase the caseload by approximately 40 percent.

A review of the paperwork flow and case controls used for Small Claims demonstrated a need for attention and some changes that will reduce clerical time and provide better case control.

The filing of a small claim is a relatively simple and straight-line process for both the parties and the clerk's office. Because small claims are handled on a face-to-face basis, the public relations aspects of these transactions must be considered.

2. Recommendations

- Revise application form (see Appendices B to D)
- Revise affidavit and order form (see Appendices B to D)
- Adopt a revised case numbering system as follows:

<u>Year Designation</u>	<u>Case Number</u>	<u>Identifier</u>
77	001	SC

Assign new numbers starting with number 001 and for each succeeding year, thus, 78 - 001 - SC, is the first case filed in 1978.

- Install a card (3 x 5) index system. Prepare a two-part set using color identifiers, i.e., white for defendant, pink for plaintiff. Prepare both copies in one typing. File alphabetically one by name of defendant and one by name of plaintiff.

NOTE: At present, a large bound book index contains the handwritten names of defendants arranged in alphabetical order.

- Adopt a simplified Register of Actions (see Appendices B to D)

The Register of Actions or progress docket is the most important case control document in the clerks office. It must be maintained separately from the legal case file if it is to serve a useful purpose. Under existing records disposition schedules the Small Claims files are destroyed after 12 years (See Appendix A). The Register of Actions should be retained as a long term or permanent record of the court.

NOTE: Presently the Register of Actions are kept in large bound books. These books should eventually be replaced by a less costly and more efficient Register of Actions

sheet (see Appendix D), that can be filed loose in an upright position in either a standard file drawer or in a ledger tray.

- Continue to maintain a separate Judgement book or Record of Judgement. The judgement book as now maintained provides records of judgements which are easily accessible as a countertop reference book for the general public, credit investigators, and other interested parties.

An alternative consideration to the handwritten book entries is to file a quick copy of each judgement in inexpensive binders for countertop reference purposes.

In any event, depriving the public of this easily accessible reference to civil judgements could create a public relations problems. If the information is not available at the counter then the inquiries must be serviced on an individual basis by personnel of the clerks office.

- Establish a Remittance Control system. Replace the present "cash box" and hand receipt method for collecting and processing filing and other court fees. (See Cash Handling System, page 28 of this report).

3. Comparison to Presiding Judge's Recommendations. The above recommendations differ in some respects from those proposed by the presiding judge. The following observations on those proposals are, therefore, offered for consideration:

Proposed by the Presiding Judge

Consultants Observations

1. case number assignments and flat filing of papers

agree

2. open shelf filing

volume of cases filed does not justify purchase of shelf file units

3. cash receipt

does not meet local accounting requirements (see Remittance Control System, page 28.)

4. index cards

agree - except data on index cards should be limited to names and case number

5. five-part affidavit, order, register of actions and judgement docket

agree - except:
a) plaintiffs applications should be separate form (see Exhibit II)
b) delete register of actions and judgement forms from set

6. pre-gummed labels prepared on word processing equipment

accessibility of work processing equipment, time to prepare, actual need and cost should be considered before adoption

Proposed by the Presiding Judge

Consultants Observations

7. record of bail, fines and fees collected

a) does not meet local accounting requirements
b) could not be conveniently used for statistical and information gathering purposes

8. overlay for dismissals, executions, abstracts and satisfactions

see suggested revision of affidavit/order form - see Exhibit III

9. colored file folder

agree - cost considerations may be worth more study - colored folders are more expensive - alternatives are to use distinctively colored labels or a pre-gummed colored strip that is affixed to the folders

G. CIVIL CASES

1. Present Situation

During the period July 1, 1975 through June 30, 1976, 1,869 civil cases were processed by the Ogden City Court.

Under existing procedures the clerical steps taken to enter and process a civil case are, with few exceptions, sound. The recommended changes to be found in this report agree in principle or are similar to those proposed by the presiding judge.

2. Recommendations

• Assign case numbers at the time of case filing. To ensure uniformity in how case numbers are assigned, the numbering system should be similar to the one proposed for Small Claims files:

<u>Year Designation</u>	<u>Case Number</u>	<u>Identifier</u>
77	001	CI

• Flat file all case papers in individual folders using a distinctive color for either the folder itself or the folder label.

• Establish a 3 x 5 card index using a two-part form, one copy for defendant (white) and one copy for plaintiff (color to match folder or label). The case number should be entered on the index forms when typed and then arranged in two alphabetical files, one by defendant and one by plaintiff. No other data should be entered on the index cards. The card index will in time replace the large book indexes now in use.

• Establish a remittance control system to replace the present "cash box" and hand receipt method used to collect and process filing and other court fees. (see remittance control system section).

• Simplify the register of actions (case progress docket). As recommended for Small Claims (see Appendix D), the register of actions should be maintained as a separate record of court actions and retained well beyond the retention period established for the Civil Case files (i.e. ten years). The large bound books containing the register of actions should be replaced by single ledger style cards as recommended for Small Claims (See Appendix D).

• The Judgement docket or Judgement book should continue to be maintained in such a way as to permit ready access to the record by the general public and others.

3. Comparison to Presiding Judge's Recommendations. Following are the consultants' comments on the proposals on Civil Case processing as presented by the presiding judge:

Proposed by the Presiding Judge

Consultants Observations

1. prenumbered civil fee receipts

does not meet local accounting needs

2. number cases using year and case identifiers

agree

3. combine register of actions, minutes and Judgement docket

see recommendations five (5) and six (6) above

4. prepare labels on word processing equipment

as with Small Claims, the availability of the equipment is a consideration - also the need for six (6) labels is questioned

5. open shelf filing

volume of cases filed does not justify purchase of new equipment

6. attach labels as in four (4) above to index cards

a two-part index card can be prepared in one typing for both plaintiff and defendant

Proposed by the Presiding Judge

Consultants Observations

7. precarbon motion for default judgement and furnish to bar

agree with precarboned set (is it court policy to furnish forms to attorneys?)

8. notice or readiness for trial, motion and nature of setting - six (6) part set

(is it policy of court to furnish forms to bar?)

9. application for bench warrant, three (3) part form

same as seven (7) and eight (8) above

10. record of bail, fines and fees collected and allocated

does not meet local accounting requirements

11. pretrial conference minutes form

agree

12. supplemental proceedings minutes form

agree

13. jury trial minutes form

agree

14. application for execution, abstract of judgement and overlay

agree - if clerk has free access to copy equipment - equipment breakdown is also a factor to consider - also see recommendation two (2) above

H. CRIMINAL CASES

1. Present Situation

During the period July 1, 1975 through June 30, 1976, criminal cases processed through the Ogden City Court were as follows:

Criminal Cases

State	1364 *
City	2577 **

TOTAL	3941
-------	------

- * Felony preliminary hearing and state misdemeanors
** Violations of City Ordinances

The presiding judge has made several proposals for improving the criminal case processing procedures. During the on-site work the consultants met with the county attorney and his staff to discuss those portions of the proposals made by the presiding judge that would affect the initiation and processing of criminal cases by the prosecution.

The consultants concluded that although there is general agreement on some of the proposals made by the presiding judge, some areas of controversy still remain.

2. Numbering System

Criminal cases are not assigned a case number until the case is closed. At closing of the case four types of case numbers are now used:

<u>Type of Cases</u>	<u>Number Assigned</u>
1. state minor traffic	five-digit, (S) prefix
2. state felony and mandatory appearance misdemeanor	five-digit, no prefix

Types of Cases

Number Assigned

- | | |
|------------------------------|-----------------------|
| 3. city traffic misdemeanor | six-digit, no prefix |
| 4. city mandatory appearance | six-digit, (A) prefix |

The four case numbers series are in continuous numerical sequence dating back several years.

The criminal records system recommended by the presiding judge proposed three numbering systems as follows:

Type of Case

Identifier

- | | |
|----------------------|----|
| 1. Felony Case | F |
| 2. State Misdemeanor | SM |
| 3. Ogden City Case | OM |

It is not clear which of the above three categories would include city mandatory appearances, presumably they would be filed under Ogden City Cases.

a. Recommendations

The present numbering system falls short of serving the needs of the court. Assigning case numbers at the time of case disposition leave cases in an unidentified status during processing, which is a vital period in terms of locating the case, interfiling papers and processing and refiling the case itself. Unless the case number is assigned when the complaint is first filed, the cases are not properly controlled and can become lost or difficult to locate.

Many courts divide their criminal case files into two categories: felonies and misdemeanors. A locator designation or identifier is sometimes added if thought useful for reference or retrieval purposes. Thus, all

misdemeanors - state, city and county - are filed under the number series for misdemeanors. Conversely, all felony cases - city, county and state - are filed under the number series used for felony cases.

For example:

<u>Type of Case</u>	<u>Year</u>	<u>Number</u>	<u>Identifier Added</u>
Felony	78	001	FS - state FO - city
Misdemeanor	78	001	MS - state MO - city

Because the case number is the control number and is cross indexed by the name of defendant in the card index file proposed in this report, there is actually a need for only two case numbering systems, one for felony cases and one for misdemeanors. In other words, a name search in the index provides the case number and the case number provides the identity of the case and where it is filed. By reducing the number of separate filing systems to a minimum, the number of misfiles and lost files will also be lessened, and less clerical time will be required for files set-up, maintenance, research, interfiling and disposition.

3. Filing System

The papers of criminal cases are presently folded in three parts, stapled and filed upright, or on end, in standard file drawers, with three cases across the drawer. No valid reasons have been offered in support of this method of filing over conventional flat filing in standard file folders. The system used does not save filing space; it is time consuming because of the folding and unfolding steps; stapling increases the depth

of the papers; interfiling is more difficult; and files constantly shift out of place in the file drawer causing misfiles and extra clerical work.

a. Recommendation

Change from the folded style of filing criminal case papers to flat filing in standard file folders.

4. Indexing

Presently, criminal cases are indexed in large books. The index entries are typed to show name, case number and offense. The books serve as an index for closed cases only and has no value as a file locator for open cases.

a. Recommendations

Establish two 3 x 5 card indexes, one for felonies and one for misdemeanors. The cards should be color-coded for ease of identification and should show the name of defendant and the case number assigned only. The index card is prepared at the time the complain is filed and filed alphabetically by name of defendant.

5. Register of Actions (Criminal Case Progress Docket)

At the present time a register of actions is not maintained for criminal cases. Without this record the only record of court actions is the case file itself.

a. Recommendation

Establish a register of actions (criminal case progress docket, (see Appendix D) on which short form entries of court actions can be maintained. It is further recommended that the register be maintained on individual sheets filed upright in file drawers for ease of making entries, retrieval and summarizing a given case.

6. Comparison to Presiding Judge's Recommendations

The following observations are made on the criminal case processing package proposed by the presiding judge:

Proposed by the Presiding Judge

Consultants Observations

1. Prosecutors records - warrants, complaints, information, summons

there appears to be some remaining areas of controversy on this package; recommend further review and concurrence at state court administrator level

2. Register of actions

recommend a separate document; see recommendation under cases above

3. Case number assignment

see recommendations under criminal case numbering system above

4. Pre-typed labels

see comments on Civil and Small Claims proposals

5. Indexes

see recommendations under criminal case indexing above

6. Minutes

agree; except it should not be combined with register of actions - a simplified minute sheet is recommended

7. Record of bail, fines and fees collected and allocated

does not meet local accounting requirements

I. TRAFFIC CITATIONS

1. Present Situation - During early interviews with the court administrator and the clerk of the court, it was learned that in their view the most pressing problems in the Ogden City Court exist in the intake, processing and disposition of traffic offenses.

City Court filings for the period July 1, 1975 to June 30, 1976 show that a total of 92,918 traffic cases were filed under the following categories:

<u>Traffic Cases</u>			
<u>Moving</u>	<u>Non-Moving</u>	<u>Parking</u>	<u>TOTAL</u>
17,497	3,752	64,925	92,918

All cases are being processed manually, although plans are underway for the automated processing of parking tickets early in 1978.

During the examination of the clerical steps used for the intake and disposition of traffic cases it became clear that much could be done to improve the existing case processing procedures.

2. Intake - Three types of traffic complaints or citations are processed - City, County and State. When received by the clerks office a number of clerical actions occur:

Awaiting Appearance of Offender

- the three types of citations are alphabetized by the name of the offender
- the citation number, date and name of offender are typed on a form which is stapled to the citation (except city violations where the same information is typed on the reverse side of the form).

- citations are filed (intermingled) in alphabetical order

On Appearance of Offender

- The citation is removed from the alphabetical file and matched with the offenders copy
- If bail is forfeited a hand receipt is prepared in three copies showing name, date, citation number and account
- The amount received is rung on the cash register which verifies and prints the dollar amount, the citation number, and the receipt number on the check if paid by check and on the citation.
- The citation number, receipt number, name and amount are typed on a bail collection register-later the same data is typed on a distribution register.
- The citations are batched and the citation number, name, offense, bail and page number of bail collections ledger are typed on a calender/docket form. At this point a case number is assigned.
- The amount of forfeiture is typed on the reverse side of the citation form or on a separate form and the citation, with occupying papers is filed by case number.
- If the charge is for a moving violation a separate form (DLD-19) is typed at disposition and sent to the State Drivers License Division in Salt Lake City. In some instances the disposition is typed on the reverse side of a second copy of the citation.

Offender Does Not Appear

- The clerk makes a daily search through all current cases (with seven days appearance time) for those citations on which the seven day period has expired, pulls them from the file and mails a bench warrant letter informing the offender that failure to appear within five (5) days will result in a bench warrant for his arrest
- The citation with the bench warrant letter noted on the attached form is placed in a suspense file until a five day warning period has expired; when expired a bench warrant is prepared and served on the offender. The citation with an entry showing that a bench warrant was served is then filed alphabetically and becomes an outstanding bench warrant (there are at this time approximately 3,000 outstanding bench warrants some dating back to 1972) of concern here is the fact that violations on which bench warrants are outstanding do not get reported to the Division of Drivers Licenses.

3. Observations - These complex clerical processing steps are attributed to some of the basic faults in the overall system, all having a direct bearing on what and how many court records are created. Significant faults include:

- The citations, which start the case through the court, lack uniformity in content, size and number of copies received.
- The remittance control system used (cash register) has limited coding, posting and reporting capabilities. Three-part receipts are hand prepared for each collection.

- Court case numbers are assigned at time of intake thus making it difficult to locate open cases and unduly complicate the filing system.

- The indexing system serves no real purpose because it is not created until the case is closed.

- Case disposition reporting to the State Drivers License Division requires the manual preparation of separate forms for each case which places an additional clerical burden on the clerks office.

- The offender's name, offense, citation and receipt number are typed as many as eight separate times.

- Backlogs are increasing due to the growing number of citations, complicated clerical steps, and public apathy in responding to citations, warning letters and bench warrants.

- The growing number of traffic cases (more than 21,000 in 75-76 period) justifies early consideration of an automated processing system.

4. Recommendations - The following recommendations are made in two parts:

a. Immediate

- Assign court case number to citations at intake. The case number should include a fiscal or calendar year designation, and a consecutive number (i.e. starting with number one (1) for each succeeding year). The number should be imprinted by a number machine in the upper right margin or side margin on the face side of the citation.

- Replace the hand receipts with a pre-numbered three-part NCR (no carbon required) SET. This set to be imprinted by inserting it in the printing slot of the cash register. During the on-site work it was demonstrated that carbon copies can be made in this manner (see Appendix F).

- File all pending citations in a temporary pending file arranged in alphabetical order by date of citation, (i.e., all citations issued on October 1 will be filed in alphabetical order under the number (1), those issued on October 2 filed under number (2) and on through number (31) representing all days of a given month).

Thus, those offenders issued citations on October 1 are due for appearance on or before October 8. Accordingly, all citations still filed under (1) are past due after October 8 and are removed from the file for further action by the court. Some traffic courts arrange the pending citation file on a ten day wait period basis to allow for weekends and provide a reasonable grace period for the offender. Under the above system of filing open citations, it will no longer be necessary to rifle through the entire file of open citations each day in search of overdue appearances.

- Establish a card index arranged alphabetically by offender name. Include on the card number assigned and date of citation. It is not necessary to show the offense, citation number or amount of bail on the index cards. This information is readily obtained by referring to the case itself. If preferred, an index book can be used, the alphabetical arrangement of an index on 3 x 5 cards is, however, less costly and easier to search.

- Adopt a revised docket or record of court actions on mandatory court appearance cases and for those offenders requesting a court appearance, (see Appendix 6). This record will remain with the citation after court action and be filed with the other legal papers in case number sequence.

- File citations for fish and game, animal shelter and other misdemeanors separate from traffic citations.

- Review and simplify system of mailing warning letters and issuing bench warrants for failure to answer to traffic citations.

b. Future

It is recognized that action on all or portions of the following recommendations may be beyond the control or the authority of the City Court. The recommendations are made, nevertheless, to bring the improvement possibilities to the attention of the State Courts Administrator and others who are in a position to consider and act on the recommendations.

- Establish a remittance control system. See page 28 of this report.

- Develop with appropriate agencies a uniform statewide traffic citation to be used by all arresting agencies. The citation should be designed so as to provide two (2) copies for court use (one (1) copy to be retained by the court and one (1) copy (disposition copy) for mailing to the Division of Drivers Licenses at the time of case disposition).

- Develop an automated data processing system for records control of traffic and parking violations. The automated system now proposed for parking violations should be expanded to include traffic citations.

- Develop better lines of communication between the court and the Division of Finance. More frequent discussions of present and long range plans for automation of functions of the clerk's office are imperative.

J. PARKING VIOLATIONS

1. Present Situation - During the period July 1, 1975 through June 30, 1976, 64,925 parking violations were recorded. Presently, three employees of the clerks office devote full time to the manual processing of these violations. Their major tasks are to account for cash payments for meter and other overtime parking violations, record and file the citations, and follow-up on unpaid or overdue citations.

Several unusual situations exist:

- A majority of the citations for parking violations are dismissed in court. During August 1977 - 99 of 133 citations (75 percent) issued were dismissed for failure to appear.

- The clerks office receives more than \$81,000 annually in payments for parking violations. These remittances (80 percent in cash), are processed manually. After counting and listing, the receipts (cash and checks) are stored first in a cigar box on the clerks desk and later transferred to a cash box in the clerks desk drawer.

- Approximately 4,000 citations (dating back to August 1977) are backlogged awaiting the processing and mailing of warning letters or summonses.

- Outstanding summonses numbering well over 3,000 are ignored by the offender and no further follow-up action is initiated by the court. A sizeable number of summonses are not served because of failure to locate offender, or because of out of state vehicle registrations.

• During 1976 and to date during 1977, 6,834 summonses were issued for failure to appear on a parking violation. The costs of the existing system should be carefully studied. For example:

	Cost Est.
Mailing warning letter (including postage)	.70
Preparing and mailing summons	.55
Serving summons	<u>2.25</u>
TOTAL	\$3.50

The outstanding summonses represent no cash return to the city and the costs of follow-up on outstanding citations will in many instances, exceed the cash return to the court. While Courts do not operate as profit-making enterprises, the costs of doing business should be recognized in terms of efficiency and results.

Records of the Division of Finance show that of 3,808 summons issued in 1976, only \$1,000 was recovered by the court.

The automated processing of parking violations has been well developed by the Division of Finance. The expected start-up date is currently set at mid-January. The proposed system does not include traffic citations, although plans for expanding the system may be under consideration.

2. RECOMMENDATIONS

Because considerable effort has gone into developing an automated system for processing parking violations, the following recommendations should be considered as temporary in nature:

• The automated system proposed should be delayed until more study and review of its design (input and output) are undertaken by the court administrator and the court clerk.

• Establish more secure remittance control procedures.
(see remittance control system page 28 of this report).

- Rewrite the parking violation warning letter. The letter should be written with fewer words, and be less bureaucratic in style. (See Appendix H for example of a simple, straightforward warning letter).
- Review the practice of issuing summonses for overdue violations.
- Attempt to isolate repeat offenders and concentrate on prosecution of those cases.
- Purge files of outstanding citations and summonses.

K. REMITTANCE CONTROL SYSTEM

1. Present Situation

a. Cash Control

Presently more than \$532,000, (80 percent of which is in cash) is remitted to the court annually for fees, fines and forfeitures. A cash register is used to record and balance cash and checks received for traffic violations and misdemeanors. The remaining remittances, \$13,331 Civil Case filings, and \$81,078 parking violations as received are kept in three small cash boxes, two located in drawers at the main counter and one in a drawer at the parking violations desk. The cash boxes are stored overnight in the clerks vault and are balanced each morning against copies of hand receipts issued the previous day. When out of balance, the long and arduous task of checking each hand receipt for error or isolating the error by other means can require many hours of the clerks' time. Some cash remittances were observed on desk tops easily accessible to all employees of the clerks office. The present system lacks adequate remittance controls and has a minimum of security to safeguard against the risks of theft or misuse of funds.

b. Hand Receipts

Three-part pre-numbered hand receipts are used to acknowledge receipt of all funds remitted to the court. The receipts are in book form and must be handwritten for each transaction. Copy distribution is as follows:

<u>COPY</u>	<u>TO</u>
1	Customer
2	Case File
3	Audit/Accounting Copy

Hand receipts are adequate for small cash handling needs. The dollar volume of remittances to the court are, however, well beyond the definition of small cash handling.

The preparation of hand receipts becomes even more time consuming when the amounts collected are distributed into more than one category on the receipt form. The clerical time expended in preparing receipts is a significant factor for consideration, as is the increasing margin for error as the hand receipts become more numerous and complex.

c. Record Keeping

The system used lacks adequately built-in control or reporting capabilities and the record keeping requirements have grown to such a degree that the full time efforts of at least one employee is devoted exclusively to preparing ledgers and distribution registers for traffic violation alone. The repetitive typing of names, dates, offenses, citation numbers, case numbers and dollar amounts is time consuming, error prone and questionable.

2. RECOMMENDATIONS

Install an Electronic Terminal for remittance control, (see Appendix I).

There are a number of remittance control systems available on today's market. They are used in many state and city courts and are commonly found in department stores, grocery stores, motels, hospitals and other firms where cash handling controls, information storage and data processing capabilities are a requirement.

These systems have several capabilities, the most important of which are:

- a. remittance control
- b. information storage
- c. distribution of remittances by category
- d. validates forms and checks
- e. issues receipt
- f. lists cash and checks separately
- g. captures data for computer processing
- h. produces audit journals and reports
- i. built-in error and void controls

NOTE: THE NCR-250 REMITTANCE CONTROL EQUIPMENT IS USED AS AN EXAMPLE OF ONE KIND OF EQUIPMENT AVAILABLE ON TODAY'S MARKET. THIS PARTICULAR PIECE OF EQUIPMENT WAS CHOSEN AS AN EXAMPLE ONLY FOR PURPOSES OF SIMPLIFYING THIS REPORT. THE REPORT NEITHER ENDORSES NOR RECOMMENDS THE USE OF SELECTION OF NCR EQUIPMENT OVER ANY OTHER EQUIPMENT. THE CHOICE OF EQUIPMENT IS LEFT TO THE OFFICIALS RESPONSIBLE FOR PROCURING THE MOST EFFICIENT AND COMPATIBLE EQUIPMENT FOR LONG RANGE USAGE.

• Construct an enclosed cashiers cage in the clerks office. A cashiers cage manned by one cashier with provisions for a relief cashier should be considered along with the installation of remittance control equipment.

• Route all remittances through the cashier. All business transactions up to the point of remitting a payment to the court should be handled at the counter as at present. The customer should then be directed to the cashier to make his payment.

APPENDIX A

CITY COURT OF OGDEN, UTAH

GENERAL COURT ORDER

NO. 0 77 1

RE: RECORDS RETENTION

The above entitled Court hereby makes and enters the following GENERAL COURT ORDER:

Unless otherwise directed, court records shall be destroyed by the Clerk of the Ogden City Court subsequent to respective retention for the prescribed period as set forth in the following schedule:

Bail Bonds - Traffic	3 years
Civil Court Cases	10 years
Civil Court Judgments	10 years
Criminal cases	20 years
Dog Ordinance Violation files	3 years
Jury Receipts	10 years
Log Sheets for Evidence Rooms	3 years
Parking Violations	3 years
Small Claims Court Cases	12 years
Traffic Court Calendars	3 years
Traffic Court Files	3 years
Traffic Docket Files	3 years
Traffic Tickets	3 years
Traffic, unserved warrants & summonses	3 years

DATED this 9th day of August, 1977.

E. F. Ziegler
E. F. ZIEGLER, Presiding Judge

David R. Roth
DAVID R. ROTH, Judge

Stanton M. Taylor
STANTON M. TAYLOR, Judge

EXHIBIT I

APPENDIX B

SMALL CLAIMS COURT

Before completing this form
see reverse side for instructions
Date _____

Plaintiff's Name (person filing claim)

Telephone Number

Plaintiff's Address

City - State - Zip Code

CLAIM FOR

- Return of cleaning or damage deposit \$ _____
- Unpaid Rent \$ _____
- Returned Check(s) \$ _____
- Loan/Promisory Note \$ _____
- Goods Sold \$ _____
- Services Rendered \$ _____
- Automobile Damage \$ _____
- Property Damage \$ _____
- Other (describe) _____ \$ _____

Amount of Claim \$ _____

Date of Indebtedness

Defendant's Name (person owing money)

Telephone Number

Address

Cit - State - Zip Code

FOR COURT USE

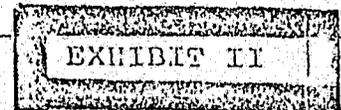
Filing Fee \$ _____
 Service Fee \$ _____
 Mileage \$ _____

Court Date _____
 Time _____
 Clerk of Court _____

TOTAL \$ _____

by _____ Deputy

See Reverse side for instructions



APPENDIX C

Plaintiff: _____
Plaintiff's address and telephone: _____
Attorney: _____
VS.
Defendant: _____
Defendant's address and telephone: _____
Attorney: _____

Case Number _____
**AFFIDAVIT/ORDER
AND JUDGMENT**

A F F I D A V I T

STATE OF UTAH)
COUNTY OF WEBER) ss

The undersigned Affiant being first duly sworn, deposes and says; that the Defendant is indebted to the Plaintiff in the sum of _____, which indebtedness was incurred on or during _____ for: Return of Cleaning or Damage Deposit; Rent; _____; Loan; Goods Sold; Services Rendered; Motor Vehicle _____; Damage; Other- (describe) _____

The Affiant has demanded _____ Defendant has refused to pay the same and no _____ Defendant resides in Weber at the above address _____

Subscribed at _____, 19____
_____ Deputy

THE STATE OF UTAH
You are hereby
North Courthouse
Courtroom, 6th Floor
on the _____ day of _____
books, papers and
claim.

You are further notified that if you do not appear, Judgment may be given against you for the amount of said claim as it is stated in the Affidavit.

Instructions for serving Order: _____

Dated: _____ Clerk of the above Court by _____ Deputy

In place of separate forms for DISMISSALS, EXECUTIONS, and SATISFACTIONS. This form proposes including these actions on the bottom of the Affidavit/Order form. As shown if an EXECUTION is ordered the DISMISSAL and SATISFACTION sections are lined out.

D I S M I S S A L

To the Clerk of the above Court: The undersigned moves for an Order dismissing the above case, with prejudice, the same having been paid in full. Dated this _____ day of _____, 19____ Plaintiff _____

O R D E R

The above Motion is granted, it is ordered that the case be and is hereby dismissed with prejudice.

Dated: _____ Clerk of the Court by _____ Deputy

E X E C U T I O N

STATE OF UTAH, To the Sheriff of Weber County:

You are commanded to collect the above Judgment and costs together with the costs of this Execution; that you levy or sell enough of the unexempt personal property, or if enough personal property cannot be found, then of the unexempt real property of the above.

Defendant to satisfy the same, with all legal costs accruing hereon; this shall be your sufficient warrant for so doing and with sixty (60) days make due return of this Execution with your doings in the premises hereon endorsed. WHEREOF FAIL NOT.

Given under my hand and seal of the above Court this date: Oct 16, 1977
Clerk of the above Court by _____ Deputy [Signature]

S A T I S F A C T I O N O F J U D G M E N T

To the Clerk of the above Court: The undersigned moves for an Order Satisfying the Judgment in the above case, the Judgment having been paid in full. Dated this _____ day of _____, 19____ Plaintiff _____

O R D E R

The above Motion is granted, it is ordered that the Judgment be and is hereby satisfied.

Dated: _____ Clerk of the Court by _____ Deputy _____

APPENDIX D

CLERK'S CIVIL DOCKET

OGDEN
CIRCUIT COURT

CASE
NUMBER

VS.

Attorneys

SUIT FOR:

DATE
MONTH DAY

PAPER
NO.

ENTRIES:

19

FEES \$

SPECIFICATIONS
Size approximately 8½ x 11"
24 lb. Card Stock
File upright in File Drawer
or Ledger Tray

EXHIBIT IV

APPENDIX E

CLERK'S DOCKET

CRIMINAL CASES

OGDEN
CIRCUIT COURT

CASE
NUMBER _____

STATE OF UTAH,
COUNTY OF WEBER vs.

COMPLAINT - INFORMATION FOR

ENTRIES

DATE FILED
MONTH DAY PAPER
NO.

SPECIFICATIONS
Size approximately 8½ x 11"
24 lb. Card Stock
File upright in File Drawer
or Ledger Tray

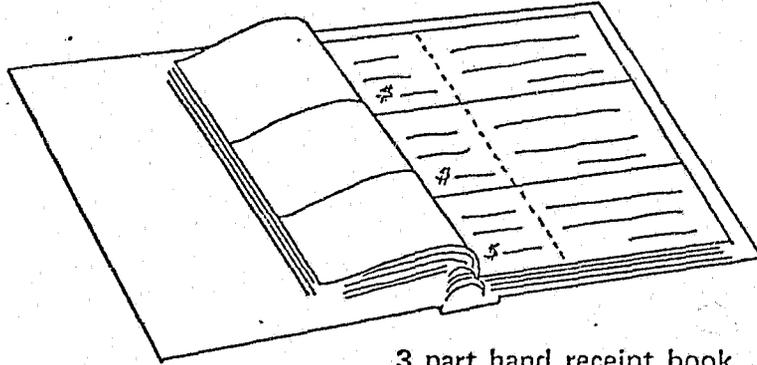
EXHIBIT V

APPENDIX F

OGDEN CIRCUIT COURT

Traffic Citations

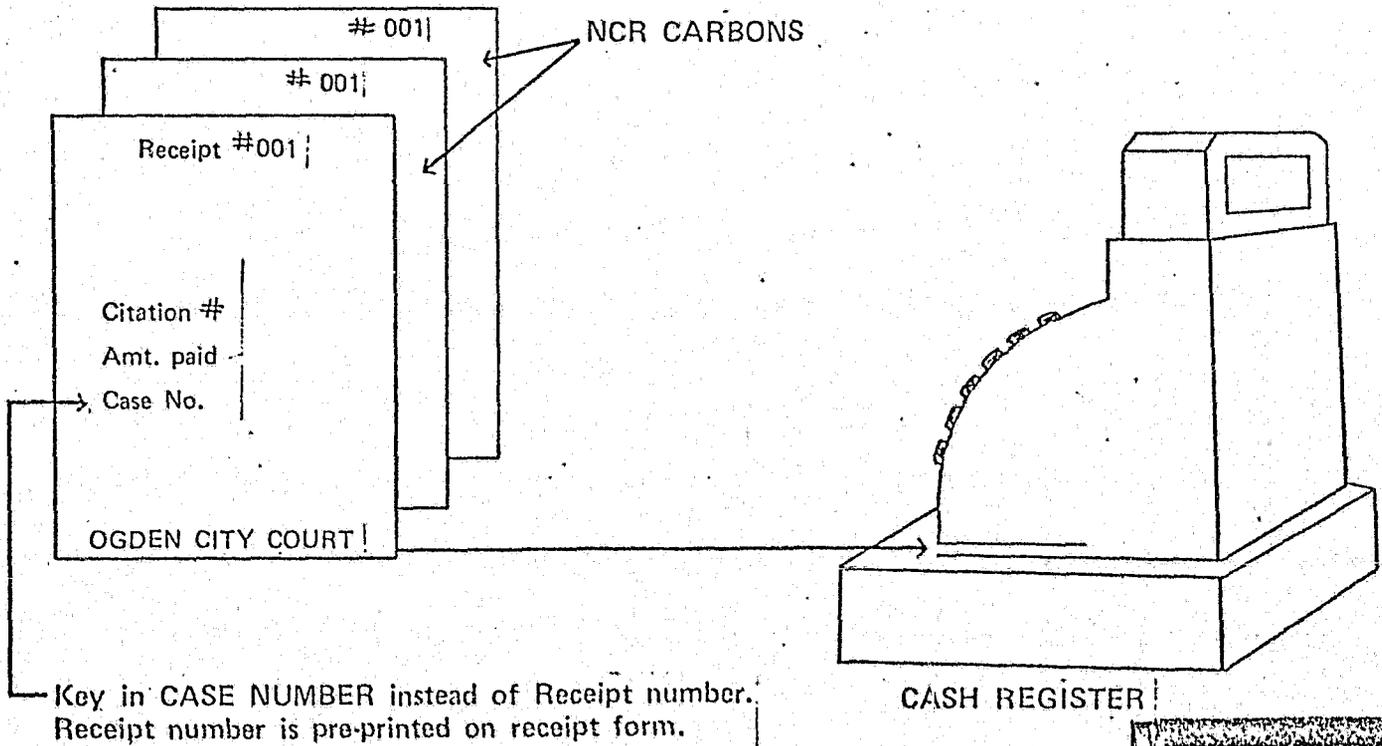
Present Cash Receipt System



3 part hand receipt book

Proposed Cash Receipt System

Pending Installation of Remittance Control System



APPENDIX G

OGDEN CIRCUIT COURT

CASE NUMBER _____

DATE _____

JUDGE: ZIEGLER _____

JUDGE: ROTH _____

JUDGE: TAYLOR _____

DEFENDANT _____

CHARGE _____

OWN ATTORNEY _____

PUBLIC DEFENDER _____ WAIVED _____

PLEA: Guilty _____ Not Guilty _____ Nolo _____

INF. HEARING _____ NON JURY _____

JURY _____ ORDER OF NO IMP _____

FINE

AMOUNT _____ SENTENCE SUSP. _____

COURT COSTS _____

FINDINGS

GUILTY _____ NOT GUILTY _____ DISMISSED _____

CONTINUED TO _____

PROBATION _____ ADJWITHHELD _____

TRAFFIC SCHOOL _____ DWI SCHOOL _____

DL REST _____ TEMP PERMIT _____

EXHIBIT VII

APPENDIX H

CITY OF OGDEN - UTAH

HEART OF THE GOLDEN SPIKE EMPIRE

Clerk of City Court

Division of Warrant & Summons

MAYOR

A. Stephen Dirks

ASST. MAYOR

Robert H. DeBoer

You were issued parking tickets on a vehicle registered in your name. The tag number, dates and ticket numbers are listed below:

THE TOTAL FINE IS:

If the amount listed above is not paid within five days of the date of this letter, legal action will be taken. Please send your check or a money order to this office with the green copy of the parking ticket,

Sincerely,

Donna Adam, Clerk

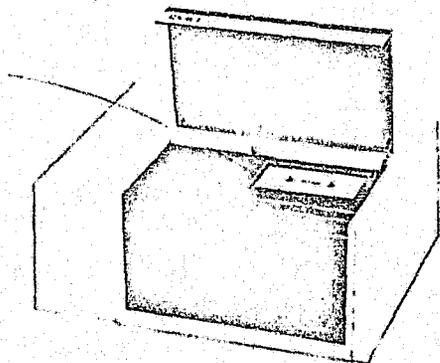
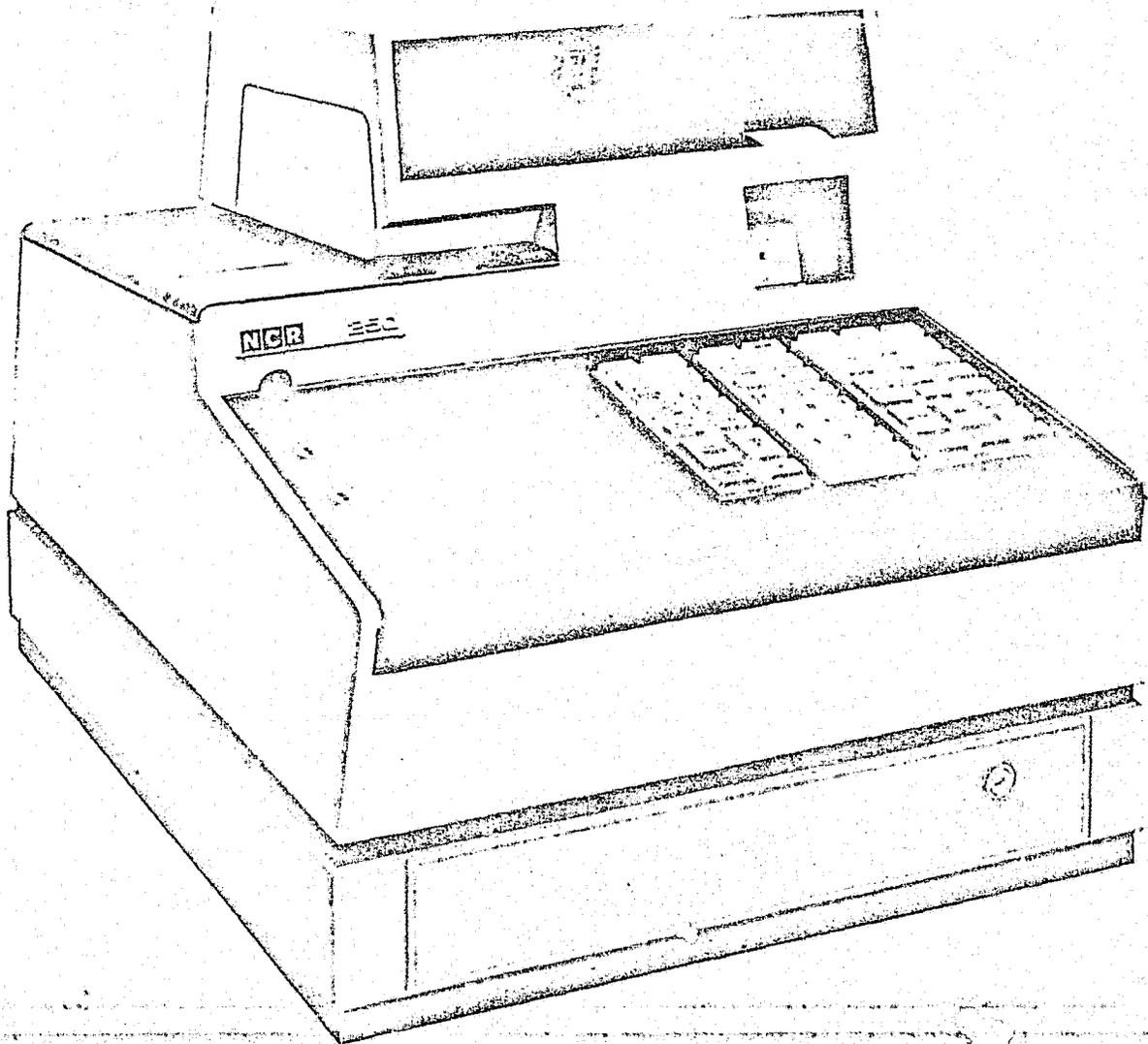
By Lee M. Gomez
Deputy Clerk

EXHIBIT VIII

APPENDIX I

NCR 250
Electronic Terminal
for Remittance Control

NCR



either Freestanding
or with
Electronic Data Capture

EXHIBIT IX
THREE BROCHURES

NCR 250

The NCR 250, a freestanding electronic terminal, establishes control for all types of remittances. This system automatically establishes positive accounting for all revenues received, simplifies the recording of all remittances, and satisfies information requirements.

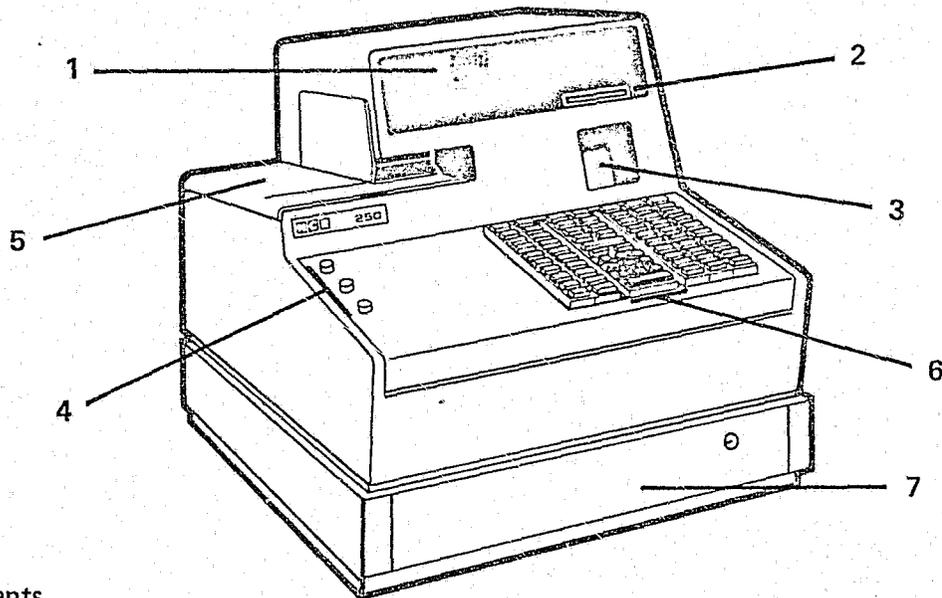
Features of the NCR 250 establish control at the source of entry and provide a printed audit trail to simplify balancing and auditing procedures. The operator

merely enters the amount and account classification and the NCR 250 stores the information within designated categories, validates the form, issues a customer receipt, and prints the entire transaction on a chronological audit journal.

This system allows for the recording of multiple-item remittances, totaling the transaction, validating each receipt, and displaying the total remittance. Provision exists for listing cash and checks or a

combination of both; the terminal also computes change and endorses checks.

Optionally, the NCR 250 can capture data on magnetic tape cassette to satisfy more demanding information requirements. But no matter which approach is taken, printed totals or data capture on cassette, the NCR 250 offers point-of-service control and satisfies information requirements.



System Components

1. Two electronic displays indicate system status and transaction information. The numeric display shows publicly to everyone in sight of the terminal the exact amounts recorded. The status display indicates the results and system status of entries.

2. A conventional terminal-printed receipt may be used to provide each customer with a take-home record of the entire transaction. The receipt may be personalized to identify each remittance station.

3. Basic information about every transaction prints on an audit journal. This journal provides a comprehensive audit

trail for tracing or reconstructing a transaction. The journal serves as a permanent record for information and audit purposes.

4. Three special locks control operating, reading and resetting, and programming functions. Through the issuance of keys, management retains security over all recorded data and machine functions.

5. Three separate printers furnish original print on three documents: the itemized receipt, the audit journal, and any form inserted in the validation printer. The validation printer allows for register certification of forms used with recorded transactions, endorsement of

checks, and the printing of programmed information reports.

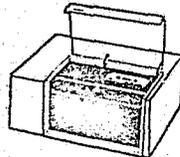
6. A familiar 10-key pad surrounded by transaction keys makes it easy on the operator. Scientific keyboard design promotes accuracy and simplifies the training of new operators.

7. A positive-lock cash drawer allows the cash drawer to be either locked or unlocked. The terminal may be constructed to prevent operation when the cash drawer is open. This adds security to the system by causing operators to form the habit of closing the drawer after each transaction.

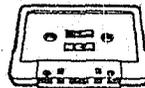
NCR 250 with Data Capture



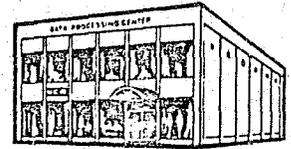
NCR 250



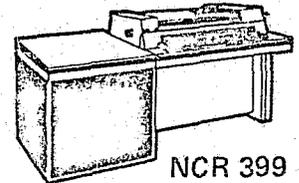
NCR 761



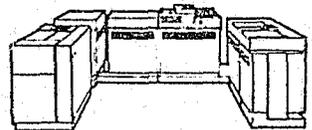
Cassette



Data Center



NCR 399



NCR Century

Captures Data

Data capture by the NCR 250 is simply a by-product of transactions being recorded. An NCR 761 Magnetic Tape Cassette Recorder records data as item amounts and classifications are indexed

Controls Input

Basic features, sequencing, and programming of the NCR 250 assure accuracy in the recording of transactions, and special features of the NCR 761 assure accuracy in the recording of data.

Through the use of an NCR 785 Color

Satisfies Information Requirements

Local requirements establish the level of information needed for effective remit-

Advantages

Electronic processing of data saves many hours of manual work. It also simplifies recordkeeping and makes auditing easier.

Cassettes are easy to handle, occupy very little storage space, and are economi-

cal to mail. When compared to other data capture media, magnetic tape offers additional advantages: it can be used, and re-used; it reduces computer input time thus lowering processing costs; and it offers better control because there is less chance

on the control terminal. The Cassette Recorder reads and writes on a magnetic tape cassette.

The NCR 250 speeds customer service, yet it captures all point-of-service data necessary for printing required reports. In

addition to satisfying the most demanding data-capture requirements through use of the Cassette Recorder, the NCR 250 collects a variety of totals for immediate usage.

The team of NCR 250 and NCR 761 accurately collects required data to promote efficiency and control at the remittance station. And the addition of an NCR 785 Wand Reader further improves customer service by speeding up the recording of remittances.

processing facility, data center, or through an NCR 399, updates master files and prints timely management reports.

Automation at the cash receipts station increases customer throughput, reduces errors, and improves employee morale; it all adds up to increased profits or a savings of the taxpayers' money.

Processing the cassettes at a central

of its being lost or misplaced.

Automation at the cash receipts station increases customer throughput, reduces errors, and improves employee morale; it all adds up to increased profits or a savings of the taxpayers' money.

of its being lost or misplaced.

System Options

Automatic Change Dispensing

Automatic Change Dispensing allows the system to dispense any coin change due as a transaction is finalized. This feature eliminates calculating and counting coin

change, thus reducing time required to process a remittance. It also eliminates a common source of loss, inaccuracies in making change.

Wand Reading

Wand reading allows the cashier to input data without keyboard indexing. Simply pass the Wand Reader across a color-bar

code and the encoded data automatically enters the system. This method assures accuracy and improves customer service.

Additional Cash Drawer

Separate cash drawers enhance security and control by providing individual responsibility. Individual responsibility

promotes efficiency, removes unjust suspicion, raises employee morale, and increases accuracy.

Magnetic Tape Cassette

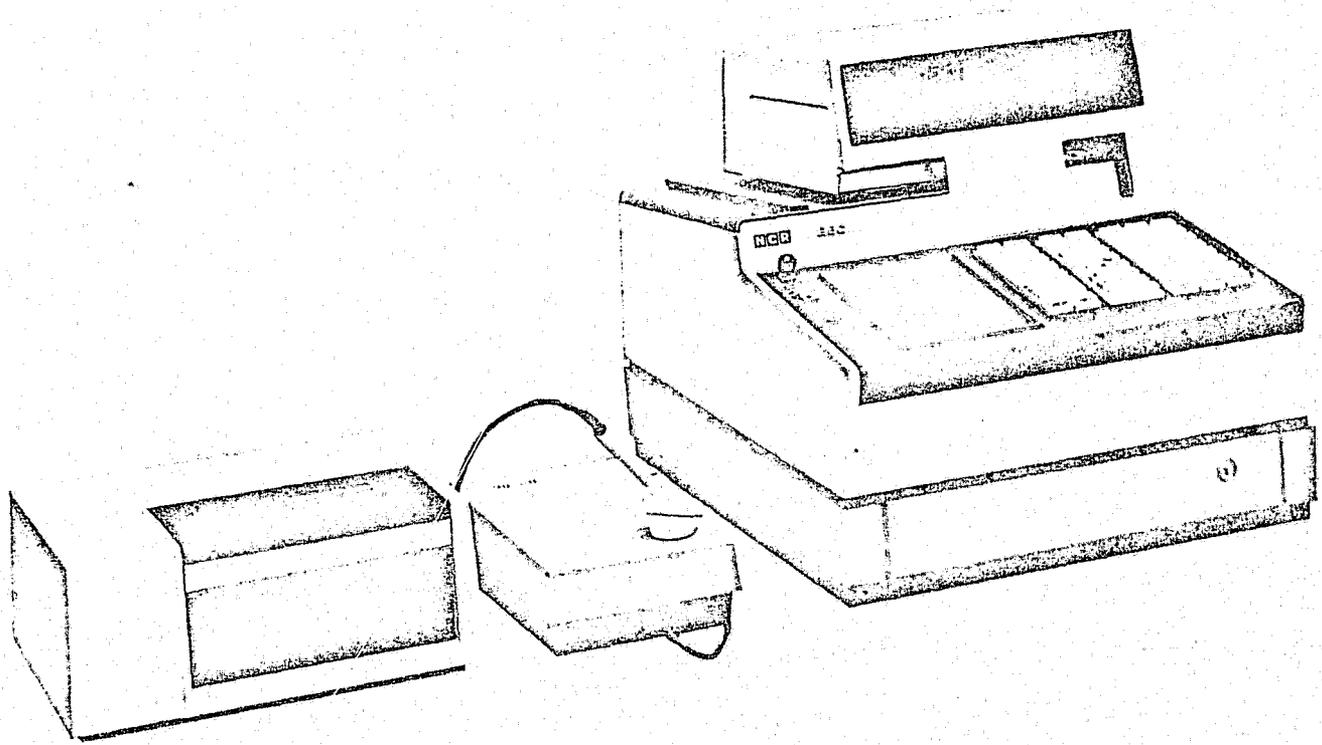
The NCR 250 Electronic Terminal may be cable-connected to an NCR 761 Magnetic Tape Cassette Recorder. During business hours, these cassettes capture

data such as account number and amount. Cassettes are subsequently processed to make available various printed reports.

Advantages

- Allows serving more customers in less time
- Reduces opportunities for internal losses
- Permits better management control
- Assures correct posting
- Makes auditing easy
- Safeguards customer goodwill
- Provides easy-to-follow audit trail
- Simplifies training
- Has easy-to-follow sequence of operation
- Reduces operator decisions
- Maintains accountability

**THE
NCR 250
ELECTRONIC
CASH
REGISTER
7100 SERIES**



All paths lead to...

The NCR 250-7100 ECR

The NCR 250-7100 Series of freestanding Electronic Cash Registers (ECR) utilize proven electronic technology. Design of this series fulfills the operational and control needs for all types of retail business.

Regardless of the line of business, NCR 250-7100 ECR's are adaptable to checkout or clerk-serve environments. Data recording is accomplished by either keyboard entry or by optically reading with the hand-held tag reader. Sales information is stored in the internal, non-volatile core memory or optional magnetic tape cassette. Features of this electronic register system eliminate errors and reduce point-of-entry recording time. These features, backed by the worldwide facilities of NCR and over 90 years of serving the world of business, enable you to enter this electronic age of recordkeeping with complete confidence.

Data collected at the point of entry gives complete, instant information pertaining to cash and credit sales. This information promotes better buying decisions, more scientific stock analyses, and more effective sales promotions. This brochure highlights the following features:

- Flexible keyboard
- Non-volatile core memory
- Department totals
- Transaction totals
- Salesperson totals
- Multiple item price extension
- Split-package price calculation
- Discount calculation
- Automatic tax calculation
- Tendered control
- Price tag reading
- Data capture on magnetic tape cassette
- Charge posting
- Account number
- Previous balance
- Payments on account
- Three-station printing
- Electronic display
- Automatic change computation
- Automatic coin dispensing
- Additional cash drawer
- General ledger control
- Control locks
- Polling feature
- Error correction
- Register consolidation
- NCR support facilities

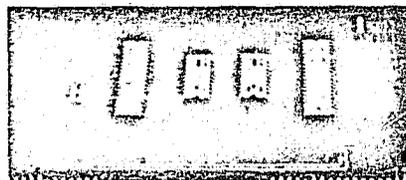
Tax Date	Error Correct	Discount	Mdse Refund	Sub Total	No Sale	Register
Account #	Void	Vendor Coupon	Store Coupon			Data #
Misc. Tendered	Non Taxable	Clear		5	11	16
Bank Card I	Taxable	Quan.	For	4	10	15
Bank Card II	SKU #	7	8	3	9	14
	Class #	4	5	2	8	13
Cash Tendered		1	2		3	7
Checks Tendered	Repeat	0		1	6	Total

FLEXIBLE KEYBOARD

Department and function keys surround the amount keyboard to reduce unnecessary hand movements and enhance touch checking. The compact keyboard and light key touch increase point-of-entry efficiency and reduce operator fatigue.

NON-VOLATILE CORE MEMORY

Magnetic core memory is employed in the totals, activity counters, and display panel of the NCR 250. This electronic information storage device eliminates many limitations of mechanical registers. Since the memory is non-volatile, vital information is retained in event of an unexpected power surge or failure. Secondary power sources are not required to protect irreplaceable information; all data is immediately available upon restoration of power.



Logic is controlled with a non-programmable memory; a separate programmable memory meets requirements now and in the future.

DEPARTMENT TOTALS

Major department totals and multiple distribution totals are available in various combinations. This flexibility satisfies departmental data capturing requirements for different lines of business; printed reports summarize departmental totals for timely management decisions.

TRANSACTION TOTALS

Transaction totals accumulate automatically during the recording of a sale. They provide management control over each type of transaction as required in the specific business environment.

SALESPERSONS TOTALS

Separate accumulators provide individual sales totals for up to thirty-two individuals. These printed totals serve as tools to determine the ability, accuracy, and honesty of individuals. They can also help to pinpoint those who need help and those who should be recognized for efficiency.

MULTIPLE ITEM PRICE EXTENSION

Either the Quantity key or tag reader provides a fast, simple way to record multiple items of like price within the same department. For example, the total price of 14

identical items at \$.34 each is automatically and accurately calculated at electronic speeds, instantly illuminated on the display, and printed on the customer's receipt.

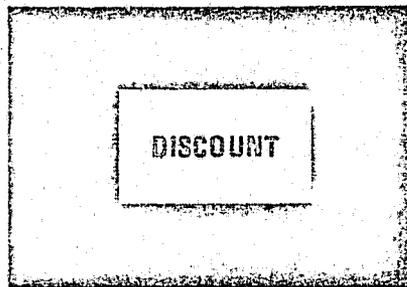
Two or three identically priced items may also be recorded with the Repeat key. After recording the first item, the Repeat key is depressed for each identical item. Both methods perform the same function. Either method may be efficiently used to record sales of identically priced items.

SPLIT-PACKAGE PRICE CALCULATION

The NCR 250 provides an automatically computed price for purchase of either more or less items than contained in a packaged price quantity. Two optional methods of pricing are available: round up of the unit price; or round up of the package price. NCR 250 systems with either method enable retailers to capitalize on many selling and volume-building advantages through greater use of multiple-unit pricing. Electronic calculations eliminate delays and confusion inherent with the use of price charts and mental calculations.

DISCOUNT CALCULATION

A Discount key simplifies the handling of a transaction when items are sold for less than the established price. Programmability enables discounts to be handled in one of several ways: dollar-and-cent discount amounts entered through the numeric keyboard; a one- or two-digit discount percentage as a numeric keyboard entry; or a one- or two-digit discount percentage stored in memory. Discount calculation is automatic with depression of the Discount key. The Discount key establishes control and accumulates a total for accounting purposes. Regular and/or line items discount capabilities are available on the same model.



AUTOMATIC TAX CALCULATION

Logic capability of the NCR 250 permits tax-rate programming for automatic tax computation to satisfy the requirements of many geographic locations. A net tax total is maintained within the system at all times; refunded or voided items automatically subtract any tax liability from the tax total. Taxes on add-on items are automatically added to the tax total.

Two tax tables may be internally stored in core memory, and easily recalled and applied to the appropriate transaction. Electronic tax computation prevents human errors, guarantees correct tax calculation, and eliminates operator reference to a tax chart.

GORDON'S PACE HARDWARE 205 N. MAIN CENTER CITY, U.S.A.			
A 12345	1234 21	5.00	MI
A 1234	4567 22 2/	.68	MI
A 1234	567 44 7/	2.73	MI
S		.84-	DS
		.38	TX
0129	10/02/7-	7.95	TL
0129	10/02/7-	10.00	CATD
		2.05	CACG
001 0129	10/02/7-	1234	

CASH RECEIPT

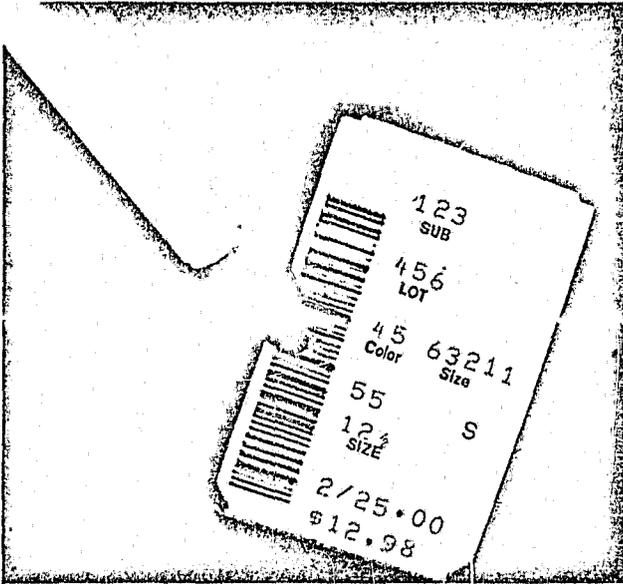
TENDERED CONTROL

Eight tendered keys are provided to accommodate various methods of payment.

When the amount tendered is for the exact amount of the sale, the transaction is completed by merely depressing the appropriate tendered key. Amount key depression is unnecessary.

Tendered control keys provide the highest degree of speed and accuracy. They perform electronic calculations automatically and remove the possibilities for human error at the most crucial time of a transaction.

PRICETAG READING

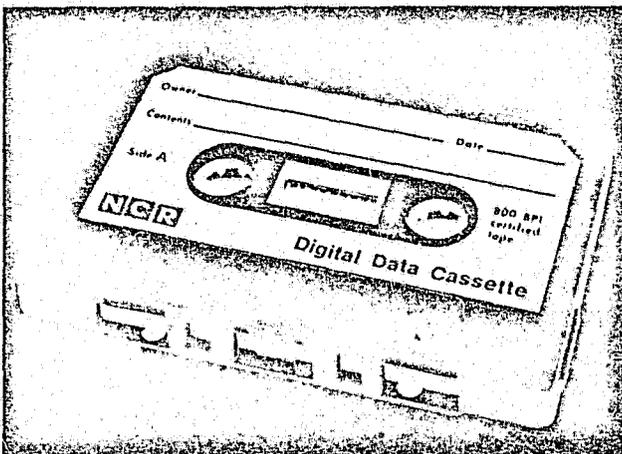


The NCR tag reader provides a dependable way of automatically reading and capturing coded information from merchandise tags, labels, and credit cards. This proven method continues to stand the test of time with the most accurate coding technique available.

Weaknesses normally associated with human-reading of merchandise price tags are eliminated. One swift stroke of the hand-held tag reader either captures data correctly or it directs the operator to reread the data.

Depth of field reading ability of the NCR tag reader permits accurate reading of tags sealed within cellophane or plastic-wrapped packages. Faster, more accurate recording improves customer service. More data is captured at the point of entry with less mental and physical effort on the part of the operator.

DATA CAPTURE ON MAGNETIC TAPE CASSETTE



The versatile NCR 250 has the ability, through programming, to record point-of-entry transactions on a magnetic tape cassette. Easy to handle, the self-contained, reusable magnetic tape cassette saves valuable storage space.

Programmable Stock Keeping Unit (SKU) #, Class #, and Data # keys allow the capture of merchandise information for better inventory control. Price Change and Cost keys can be added to provide cost and retail information for an in-depth picture of inventory turnover and gross profit margin.

Processing of the tape may be accomplished by an in-house computer system or through the facilities of an NCR Data Processing Center. Informational reports and records can be produced, tailored to the needs of the business environment.

CHARGE POSTING

NAME		TERMS	NO	DUE DATE
ADDRESS		CITY		
SIGNATURE		DEBIT OR CREDIT		
1	1			.00 PB
2	2	0003	9/19/77	261.25CHTL
3	3	0003	9/19/77	261.25 TL
4	4			261.25 PB
5	5			20.00 -PY
6	6	0004	9/19/77	241.25 TL
7	7			241.25 PB
8	8	0005	9/19/77	78.38CHTL
9	9	0005	9/19/77	319.63 TL
10				
11				
12				
13				

POSTING PLAN NO. 1

NAME		TERMS	NO	DUE DATE
ADDRESS		CITY		
SIGNATURE		DEBIT OR CREDIT		
14				
15	1	0009	9/19/77	261.25CHTL
16	2	0009	9/19/77	261.25 TL
17	3			20.00 -PY
18	4	0010	9/19/77	241.25 TL
19	5	0011	9/19/77	78.38CHTL
20	6	0011	9/19/77	319.63 TL
21	7			

POSTING PLAN NO. 2

A superior charge posting method is designed into the NCR 250. Slow, cumbersome, error-prone posting of charge accounts with outdated methods is eliminated. Charge transactions are recorded just as easily as cash transactions.

Customer and store records are always identical. The purchase is recorded, the account previous balance entered, and the new balance extended . . . all done in seconds in the presence of the customer.

NCR 250 machine-printed figures are always clear, distinct, and uniform. Dates print automatically. Records are neat, businesslike, and easy to read. They command respect, build goodwill, and inspire customer confidence in the accuracy of the system.

ACCOUNT NUMBER

The Account Number key furnishes a convenient way to identify charge transactions. Digits of an assigned account number are indexed on the numeric keyboard; the compulsory Account Number key enforces account identification.

Check Digit Verification

To assure accuracy, check digit verification makes the NCR 250 inoperable when an incorrect account number is indexed. Control is established by the last digit (check digit) in the number.

Two check digit formulas may be resident in the program at the same time for immediate verification of the customer account number and the SKU/class/department code.

PREVIOUS BALANCE

The Previous Balance key is used to record and add the present account balance to the current purchases. Mistakes in mental addition are prevented. The credit customer knows his new balance every time a purchase is made. Customer statements and the store record are current, and in agreement. Statements are ready for mailing at the end of the month.

PAYMENTS ON ACCOUNT

With the NCR 250, hand posting is eliminated and handwritten slips are no longer necessary. Payments on account are posted to the customer's account in his presence; he knows the payments are fully credited.

NCR SYSTEMEDIA DIVISION
52506

CUSTOMER ACCOUNT NUMBER		CHG. TAKE	CHG. SEND
CUSTOMER NAME			
ADDRESS			
CITY	STATE	ZIP	SOLD BY

250 retail system

WITH THE PROGRAMMABLE SALES CHECK

STORE NO.	TRANS. NUMBER	DATE	SLSPN'S NUMBER
S001	0128	10/02/7-	12345
MDSE. NO.	DEPT CL	QTY	AMOUNT
SA 12345	1234 12		5.00 MI
SA 1234	4567 15 2/		.68 MI
SA 1234	567 17 7/		2.73 MI
S			.84 DS
S			.38 TX

ACCOUNT NUMBER	AMOUNT
AUTHORIZATION S 100007	AC#
OK'D BY S 0128 10/02/7-	7.95CHTL
S 0128 10/02/7-	7.95 TL
S 0128 10/02/7-	12345

THE DEPARTMENTS IN WHICH YOUR PURCHASES ARE MADE ARE IDENTIFIED ON THE REVERSE SIDE

PRINT NAME

ADDRESS

CITY STATE ZIP

INSTRUCTIONS

SALES CHECK

001 0129 10/02/7-	1234	2.05CAGG
0129 10/02/7-		10.00CATD
0129 10/02/7-		7.95 TL
		.38 TX
S		.84- DS
A 1234 1234 44 7/		2.73 MI
A 1234 4567 22 2/		.68 MI
A 1234 567 21		5.00 MI
S001 0128 10/02/7-		12345
S 0128 10/02/7-		7.95CHTL
S 100007		AC#
S		.38 TX
S		.84- DS
SA 1234 567 17 7/		2.73 MI
SA 1234 4567 15 2/		.68 MI
SA 12345 1234 12		5.00 MI
S001 0128 10/02/7-		12345

TRANSACTION JOURNAL

GORDON'S PACE HARDWARE
205 N. MAIN
CENTER CITY, U.S.A.

Mdse. Class	SKU	Taxable Sale			
			SA 12345 1234 12	5.00 MI	Mdse.
			SA 1234 4567 15 2/	.68 MI	
			SA 1234 567 17 7/	2.73 MI	
			S	.84- DS	Discount
			S	.38 TX	
			S 100007	AC#	
Slip Print			S 0128 10/02/7-	7.95CHTL	
Transaction Number			S001 0128 10/02/7-	12345	Sales Person

CHARGE RECEIPT

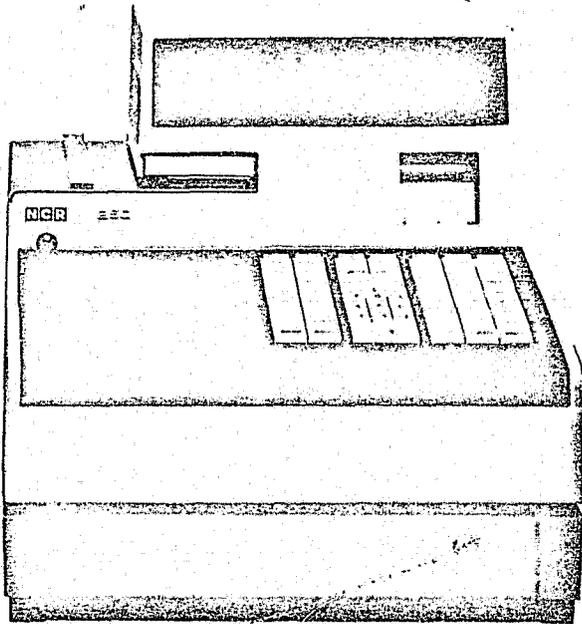
THREE-STATION PRINTING

Original print from up to three proven printing stations provides receipts, sales journals, and validated forms with consistent legibility. Forms printing is programmable for compulsory insertion of media such as checks, coupons, refunds, and void slips. The forms printer serves as a consecutive-feed printer for charge posting.

Receipt and sales journal records are printed on inexpensive paper rolls. Easily replaced impregnated ink rolls eliminate the need for an ink ribbon. Hundreds of thousands of lines of clear, sharp print are obtained from each ink roll.

ELECTRONIC DISPLAY

Numeric and transaction registrations appear on the display at the top of the NCR 250. Only after the entire price is indexed and a department key depressed is the display lighted. This is a vital security factor. Electronic registers that display each numeric digit as it is being entered prove dangerous by permitting entire transactions to be simulated . . . without amounts entering into the system. With the NCR 250, the display serves as the customer's visual audit and serves as a strong moral influence on employees.

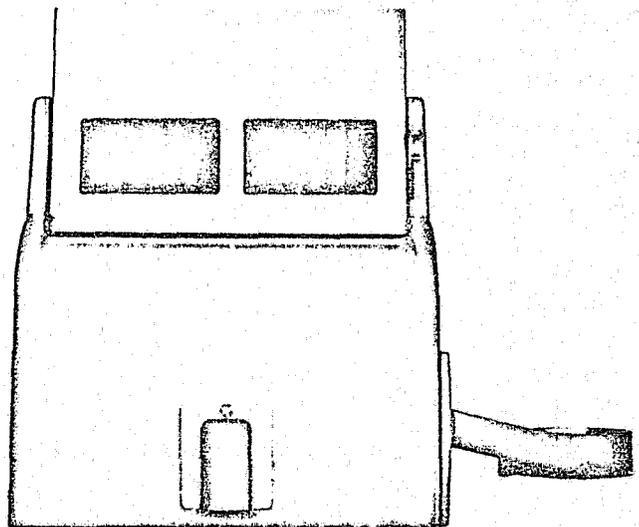


AUTOMATIC CHANGE COMPUTATION

NCR. Automatic Change Computation eliminates one of the most frequent causes for losses and disputes at the point of entry . . . inaccuracies in making change. Only after the built-in program is properly satisfied does the NCR 250 compute, display, and print the change due on the sales journal and receipt.

Built-in intelligence compels an amount equal to or greater than the sale to be recorded through a specific tendered key to complete a transaction. Any amount recorded less than the sale amount immediately causes the balance remaining to appear on the display; the NCR 250 halts the transaction and requires another amount tendered entry to finalize the sale.

Each customer serves as an auditor. All employees become equally proficient in making change. With this protective feature, bottlenecks caused by arguments over mental change computation are eliminated.

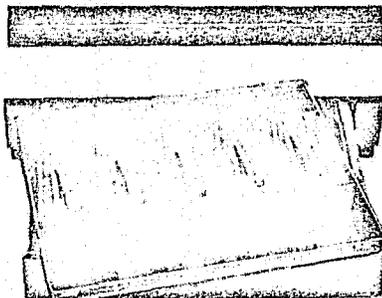


AUTOMATIC COIN DISPENSING

As an option, an NCR Automatic Coin Dispenser may be attached to the NCR 250 to automatically dispense the exact amount of coin change due. The minimum number of coins required are dispensed.

This feature saves time counting and handling coins, speeds service at peak periods, and simplifies cashier training.

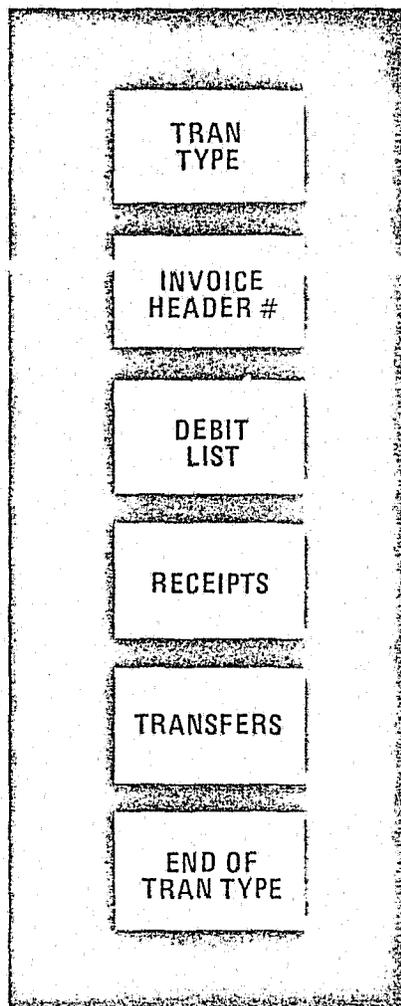
ADDITIONAL CASH DRAWER



An optional second cash drawer enables management to hold more individuals responsible for money and records. Split shift and relief schedules are simplified.

A personal cash drawer stimulates people to become more efficient. Individual responsibility relieves unjust suspicion, raises employee morale, and promotes greater accuracy.

GENERAL LEDGER CONTROL

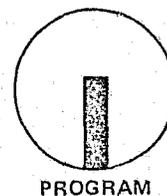
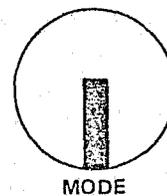
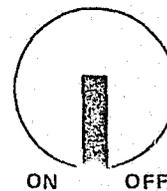


In the General Ledger mode, the NCR 250 permits coded entries to be entered for inventory and accounting control.

CONTROL LOCKS

Three separate locks labeled On/Off, Mode, and Program control operating functions of the ECR. The On/Off lock serves as the main power switch. The special Mode lock controls access to the special functions such as read, reset, register consolidation, general ledger posting, re-entry, pick-up and loan, and changing the date. It also provides access to the recording or nonrecording mode. The Program lock controls

access to the programmable area of the register memory.

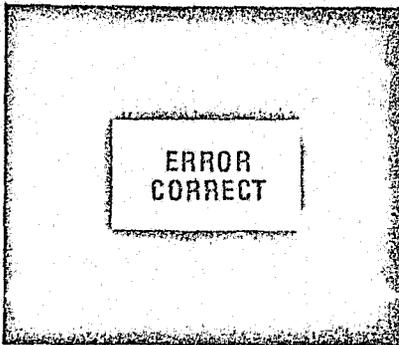


POLLING FEATURE

A polling feature that permits data to be transmitted via public telephone networks may be added to the NCR 250 point-of-entry terminal. When this feature is added to the total system, dial-up communications are established with the central computer center or remote data processing center.

The stored point-of-entry control totals retained in core memory and the sales information collected on magnetic tape cassettes are transmitted upon request by the polling unit. This polling capability requests either all of the information or selected data from the terminal and cassette. Polling may either be initiated manually from the terminal location or initiated automatically by central.

ERROR CORRECTION

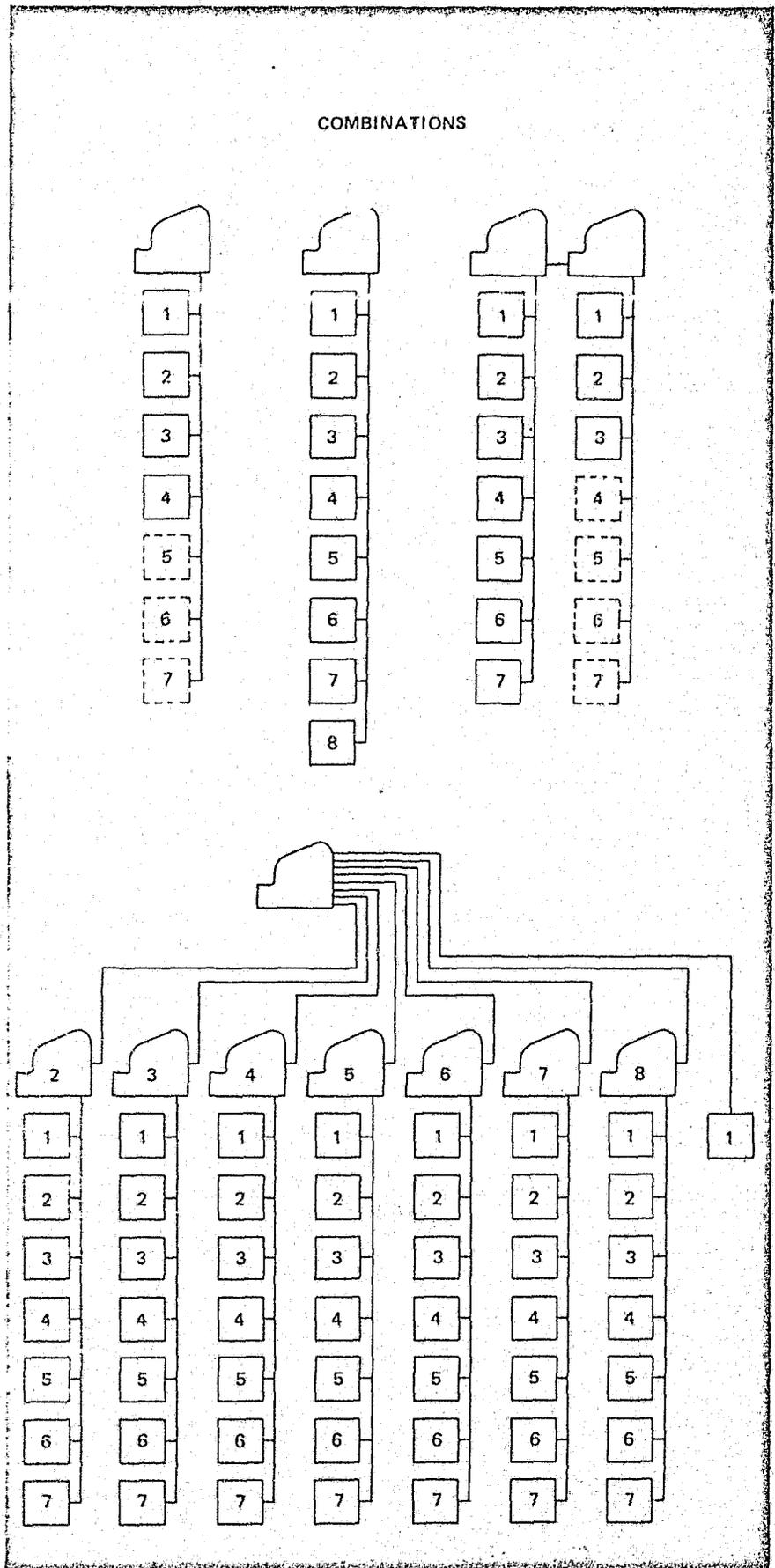


While built-in controls prevent most errors from occurring, a few errors will still happen. Error correction is simplified through use of the ERROR CORRECT key. Many stores resort to as many as ten steps to remedy an operator error. Now, with the NCR 250, any entry error is instantly removed from a transaction by merely depressing the ERROR CORRECT key. Simplified error correction speeds customer service and reduces back-office bookkeeping.

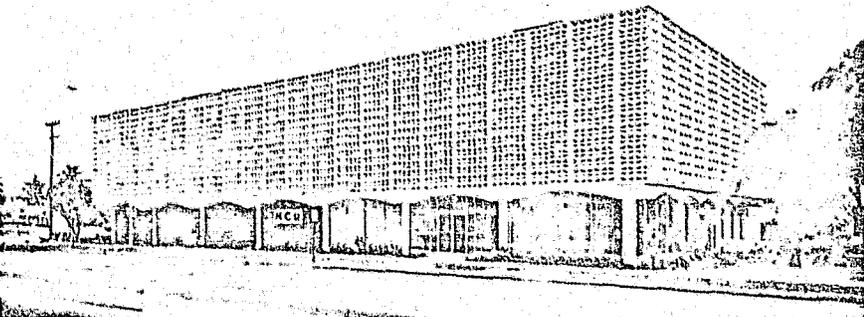
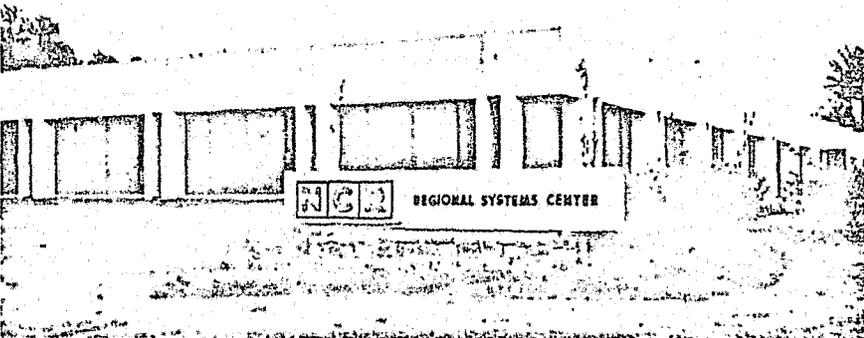
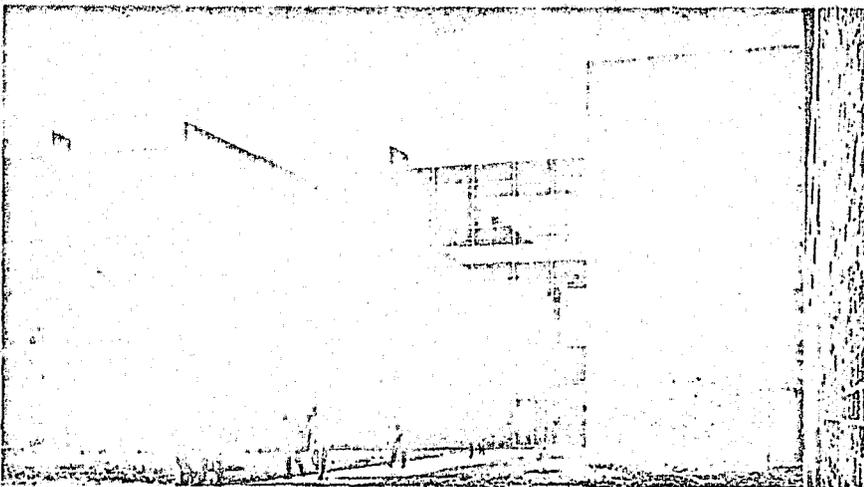
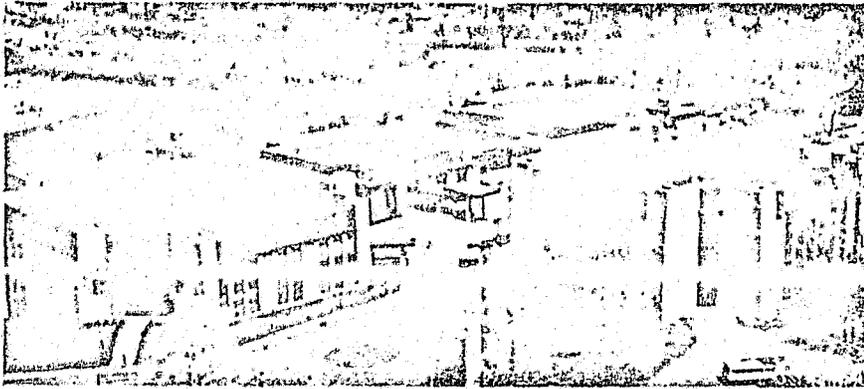
REGISTER CONSOLIDATION

A designated NCR 250 has the ability on command to receive information stored within other NCR 250 terminals. Register Consolidation enables up to seven satellite registers in a basic system to transmit their operating data to a master register. When the basic system is expanded into multiple level systems, one master terminal consolidates operating totals and data for all basic systems.

Data is electronically gathered and printed to provide management with current, exact information. Electronic register consolidation eliminates transportation of figures, assures legibility, condenses reports, and furnishes management with a tool to make sound, immediate business decisions.



NCR Support Facilities



EDUCATION CENTER

Magnificent and modern in every detail, the new Education Center expresses the solidarity and permanence NCR has placed on education. The center has been designed and equipped to utilize the most modern educational techniques available in training NCR sales representatives, systems analysts, and customer support specialists. At this modern facility, NCR personnel are constantly being trained in the advanced systems concepts and equipment capabilities. This continuous educational process ensures NCR customers that their systems will reflect the current techniques in program design and equipment utilization.

TECHNICAL EDUCATION CENTER

The Technical Education Center is a modern, advancing school for the training of new field engineers and improving the skills and knowledge of experienced field engineers. The educational courses cover the full range of NCR business equipment and computer systems. Our continuing purpose and goal is to maintain the best technical staff and service in the industry.

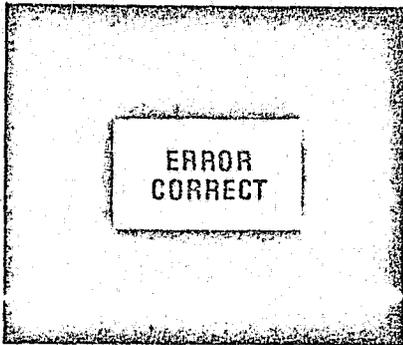
REGIONAL SYSTEMS CENTERS

A network of Regional Systems Centers are staffed with NCR systems specialists, ready to assist the local branch personnel in solving customer problems. In addition, these centers are regional educational facilities for NCR personnel and can provide assistance for the prompt installation of NCR data processing systems.

DISTRICT OFFICES/ DATA CENTERS

NCR offices are strategically located in more than 120 countries, ready to serve you. The offices maintain a thoroughly trained staff of sales representatives, systems analysts, customer support specialists, and field engineers to provide an ongoing support base for all NCR systems.

ERROR CORRECTION

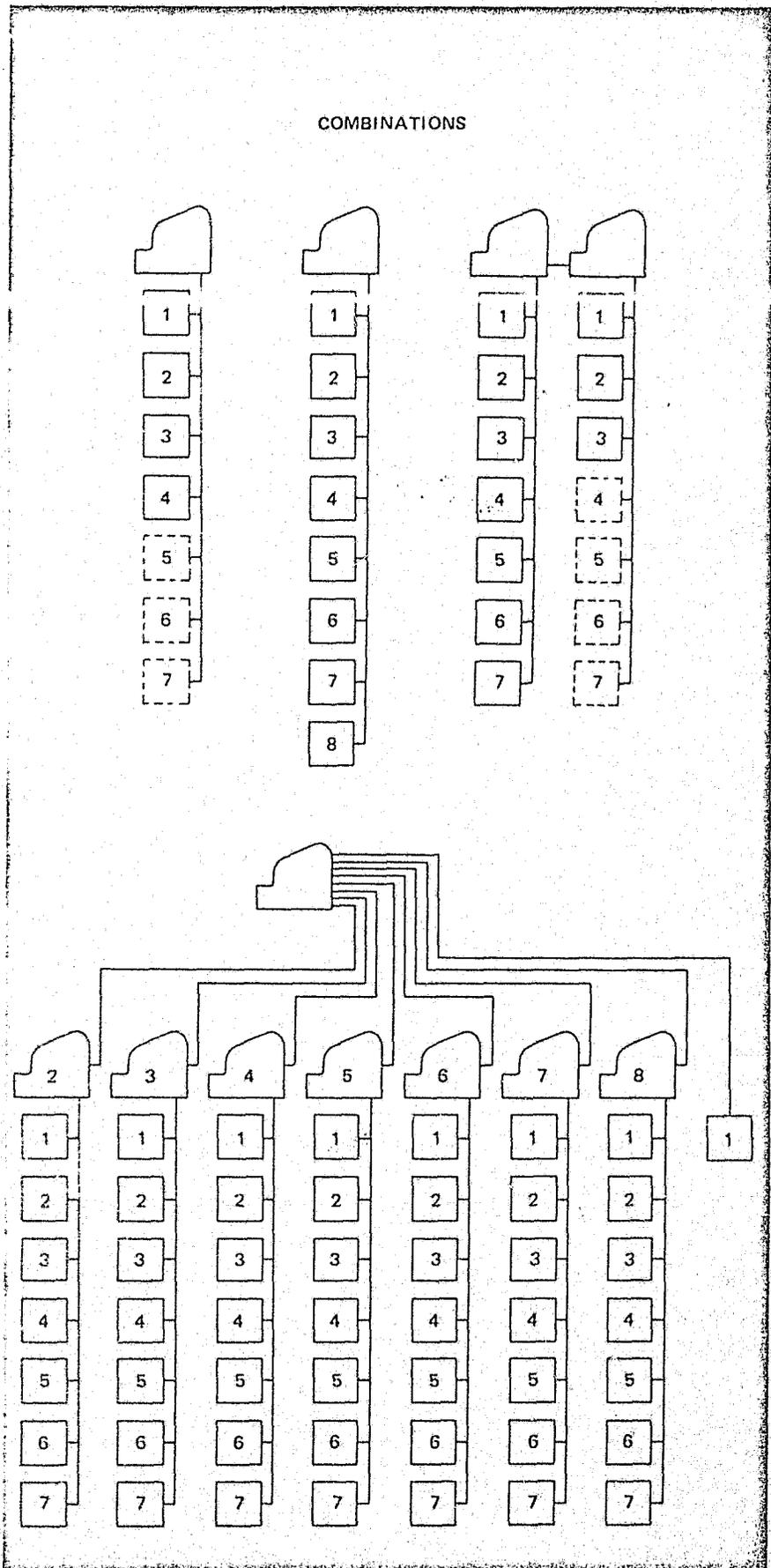


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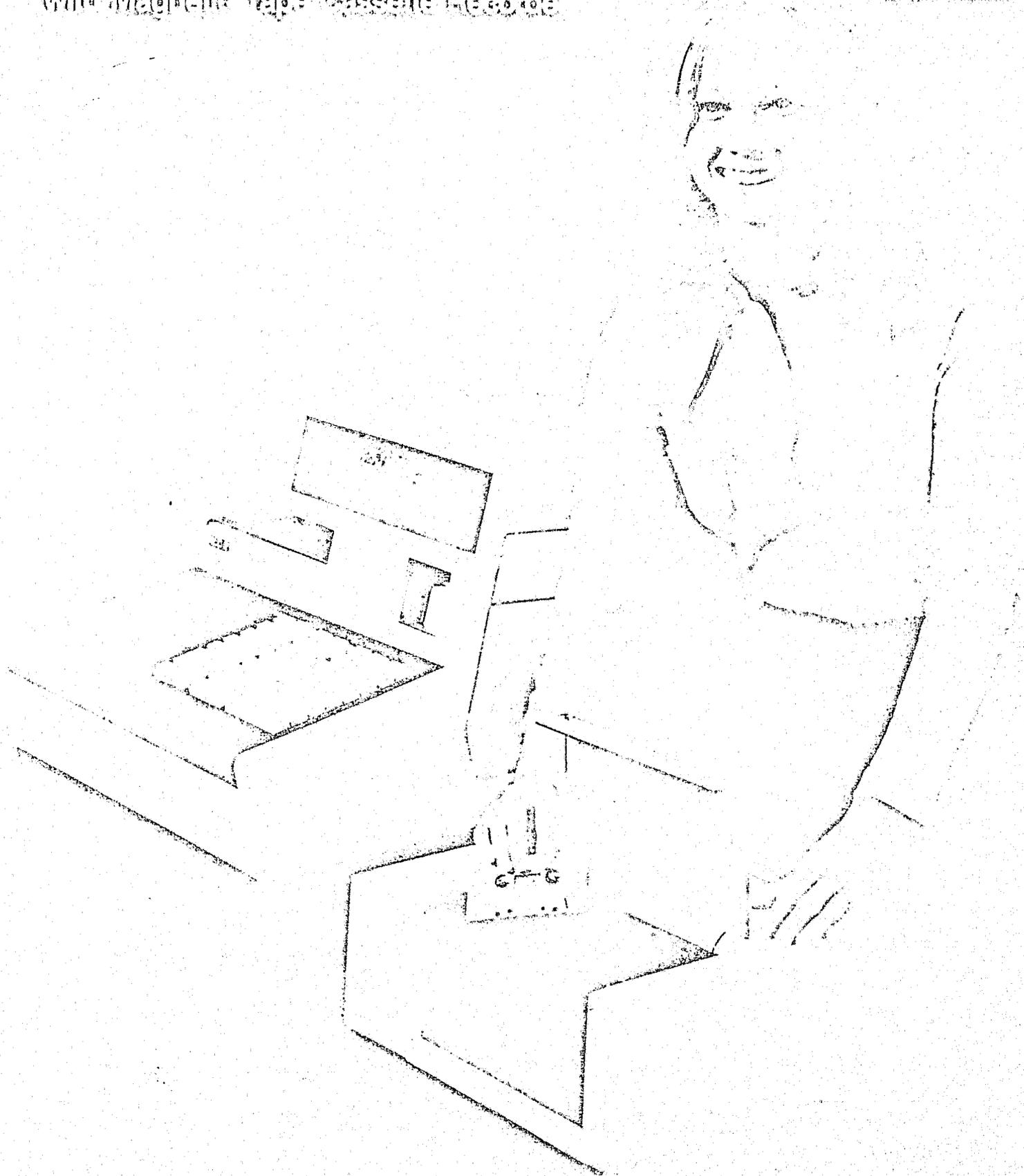
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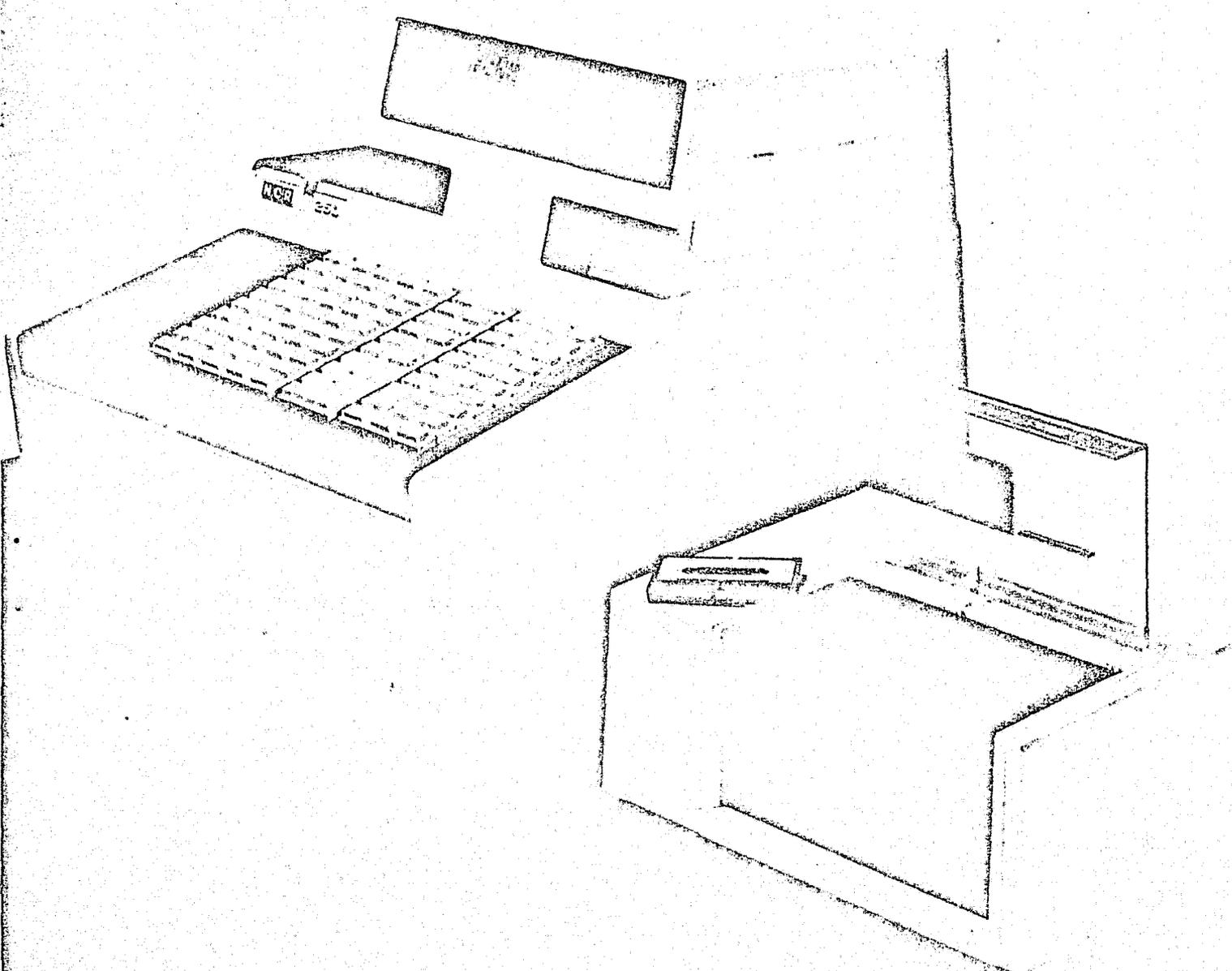
011111

NCR 250 Electronic Cash Register
with Magnetic Tape Cassette Recorder

NCR



NCR offers retailers a new approach to record-making . . . an electronic cash register cable-connected to a magnetic tape cassette recorder. This electronic team provides point-of-service control, solves data capture problems, and satisfies information requirements.



Point-of-Service System Features

Point-of-Service System Features

The NCR 250 retains basic control features which compel entries to be made into the system. An itemized receipt, a sales journal, a validation printer, and a visual display promote accuracy and security at the point of service. Every transaction is handled with the speed of electronics and sequencing assures accuracy in recording transactions.

The NCR 250 provides positive control over all media and transactions handled at the point of service; it enforces correct data recording; and it provides for balancing and auditing of all money and records.

The NCR 250 electronic register is a self-contained unit; it operates totally independent of external controllers or processors. This freestanding capability assures continuous performance of your point-of-service system.

Individual programming provides the flexibility to adapt each NCR 250 to specific departmental requirements at each terminal location. Standalone capability reduces personnel costs and equipment investment, and simplifies training and procedures.

Data Capture

Successful implementation of a total information system in a retail environment requires the collection of data at the point of service. However, the point-of-service system must capture desired information accurately and not interfere with customer service.

Data capture by the NCR 250 is simply a by-product of recording transactions. An NCR 761 Magnetic Tape Cassette Recorder records data as items are indexed on the NCR 250. The Cassette Recorder reads and writes on a magnetic tape cassette.

The NCR 250 speeds customer service, yet it captures all point-of-service data necessary for a total information system. In addition to satisfying the most demanding data-capture requirements, through use of the Cassette Recorder, the NCR 250 collects a variety of totals for immediate usage.

Data Control

Basic features, sequencing, and programming of the NCR 250 assure accuracy in the recording of transactions, and special features of the NCR 761 assure accuracy in the recording of data.

Through the use of an NCR tag reader, data can be captured without keyboard indexing. The salesperson simply moves the hand-held, pen-sized reader across the product identification code on the price tags. Automatically, the NCR 250 accumulates pre-programmed information and the NCR 761 records the required data for your reporting system.

With the team of NCR 250 and NCR 761, you can be confident that all required data is collected and that it is accurate. And with the addition of an NCR tag reader, you can further improve customer service by speeding up the recording of transactions.

Polling Capabilities

A polling feature that permits data to be transmitted via public telephone networks may be added to the NCR 250 point-of-service register. When this feature is added to the total system, dialup communications are established with the central computer center or remote data processing center.

The stored point-of-service control totals retained in core memory and the sales information collected on magnetic tape cassettes are transmitted upon request by the polling unit. This polling feature requests either all of the information or selected data from the terminal and cassette. Polling may either be initiated manually from the register location or initiated automatically by central.

Information Processing

Retail reporting systems offered through NCR Data Centers are available through use of NCR 761 magnetic tape cassettes. Or, you can process the tapes through your computer system, using an NCR 734 tape converter.

NCR PROFITABLE STORE			SALES ANALYSIS				STORE NO. 1 (CN123456)				9/30/7-				PAGE 18			
CLASS SKU/STY	DESC CL SZ S	S	CURRENT				MONTH TO DATE				YEAR TO DATE				DIFF TY/LY	TY/LY		
			NET UNIT SALES	NET TOT	%SLS /SLS	%RET /SLS	NET UNITS	NET SALES	%SLS TOT	%RET SLS	% DIFF UNIT DOLLAR	NET UNITS	NET SALES	%SLS TOT			%RET /SLS	
1643	MERCHANDISE A		2	42	3.7	.3	6	125	3.6	.9	-5.1	-6.0	80	1080	5.1	1.0	.7	.6
1645	MERCHANDISE B		2	15	1.3	.0	2	15	.4	.0	-2.5	-3.0	16	118	.6	.0	-2.9	-4.7
1759	MERCHANDISE C		6	123	10.9	3.5	14	282	8.0	2.7	6.9	8.0	111	2313	10.9	2.5	1.5	2.3
1761	MERCHANDISE D		11	78	6.9	.0	32	224	6.4	.0	1.2	2.0	220	1540	7.3	.0	6.8	5.3
1773	MERCHANDISE E		17	181	16.1	1.2	96	1031	29.3	1.6	4.7	5.2	598	6362	30.0	1.7	5.8	6.4
1775	MERCHANDISE F		12	96	8.5	.0	45	360	10.2	.0	1.4	1.0	333	2664	12.5	.0	3.0	2.1
1784	MERCHANDISE G		10	90	24.1	.0	27	243	16.4	.0			123	1107	15.4	.0		
916120	BL / 34 / 2		4	48	12.9	.0	23	276	18.6	.0			213	2556	35.7	.0		
916126	A B C CO.		2	20	5.4	.0	14	140	9.5	.0			124	1240	17.3	.0		
916127	X Y Z CO.		1	5	1.3	.0	2	46	3.1	.0			5	114	1.6	.0		
916128	PROMOTION		14	210	56.3	.9	41	615	41.5	.8			92	1380	19.3	.6		
916129	BAD GOODS		0	0	.0	.0	3	161	10.9	.0			15	762	10.6	.0		

NCR PROFITABLE STORE			SALESPERSON PRODUCTIVITY								STORE NO. 1 (CN123456)				9/30/7-				PAGE 1	
DEPT.	CLERK	DEP	GROSS		NET		CURRENT		CALC COMM.	COST FACTOR	%COST /SLS	GROSS		YEAR TO DATE		AVG SALE	CALC COMM	COST FACTOR	%COST /SLS	
			SALES	RETURN	SALE	ITEMS	SALE	SALE				SALES	RETURN	SALES	ITEMS					
DIV. 5	123456	12	453	10	443	4	111	20				15402	310	15092	136	111	755			
		13	252	11	241	22	11	12				8568	341	8227	1088	8	411			
		15	352	0	352	59	6	11				11968	217	11751	2006	6	353			
		20	905	0	905	181	5	27				30770	155	30615	6154	5	918			
		40	553	4	549	18	31	11				18802	240	18562	612	30	371			
	1.0 FXD ALLEN J R		2515	25	2490	284	9	106		150	9.7	121448	1263	120185	9996	12	5212	5850	10.9	
	234567	12	547	0	547	5	109	26				18598	220	18378	173	106	873			

NCR PROFITABLE STORE			RETAIL INVENTORY MANAGEMENT REPORT ALL STORES										STORE NO. 1 (CN123456)				9/30/7-				PAGE 1	
CL. NO.	DESCRIPTION	ST NO	UNITS SOLD	NET SALES	GROSS MARGIN AT	ADDITIONS AT COST	ADDITIONS AT RETAIL	MARK- DOWNS	END/COST END/RETL	ON HAND ST/SL	% OF MKDN	% INV TURN	% OF SALES	% OF MARG	% OF INT MU	MU CUM MU						
																	29250	9.6				
1436	MERCHANDISE A 1		10	791		419	0	0	5	2223	59	.6	28.4	20.6	52.9	.0						
			90	6300		3232	1249	1580	230	4732	6.0	3.7	1.9	19.7	51.3	53.0						
1436	MERCHANDISE A 2		9	713		401	316	680	0	2081	52	.0	29.3	22.8	56.2	53.5						
			80	5714		2918	901	1304	201	4137	5.8	3.5	2.1	19.4	51.1	52.9						
CLASS 1436	ALL STORES		19	1504		820	316	680	5	4304	3	.3	28.8	21.6	54.5	53.5						
			170	12014		6150	2150	2884	431	8869	5.9	3.6	2.0	19.6	51.2	52.9						
			"	"		"	"	"	"	"	"	"	"	"	"							
			"	"		"	"	"	"	"	"	"	"	"	"							
DEPT. 11	ST 1	TOTAL	48	3831		1817	429	850	30	9053	208	.7	72.5	43.2	47.4	49.5						
			447	31906		13792	9879	17577	734	16654	4.3	2.3	1.7	71.5	43.2	47.8						
DEPT. 11	ST 2	TOTAL	39	3121		1503	545	1080	0	7190	176	.0	62.6	50.9	48.1	49.5						
			376	29408		12042	7085	12659	481	14109	4.5	1.6	1.9	72.2	41.0	47.4						
DEPT. 11	ALL STORES		87	6952		3320	974	2780	30	16243	384	.4	67.6	46.4	45.6	49.5						
			823	61314		25834	16964	30236	1215	30763	4.4	2.0	1.8	71.8	42.1	47.5						

Information Processing

Early information capturing techniques expanded traditional inventory control to a technique of Merchandise Management. Then, due to expanded volumes, dispersal of outlets, mass merchandising, and competitive pressures, retailers could no longer survive with just Merchandise Management; they required a total information

system offering control in the areas of personnel, finances, and customers. And much of the data needed for control in these areas is available at the point of service.

Computer reports are not ends within themselves; they are not capable of making strategic decisions. Modern retailing is a never-ending decision-making responsi-

bility; and timely, accurate reports are essential for profit-making decisions. Through the use of the NCR 250 and its data capturing ability, management is able to implement a Total Information System which produces up-to-date reports with which to scientifically plan and control the business to improve profitability.

NCR 250 Electronic Cash Register

- Electronic Data Capture**
- Point-of-Service Control**

The NCR 250 serves to automate many of the functions normally completed at the point of service. The 250 automatically makes price-quantity extensions, computes tax, sorts taxables from non-taxables, handles all types of discounts, computes change, prints activity count, calculates price for split-package purchases, endorses checks, provides for printing the customer's previous balance on layaway or in-store accounts receivable records, and much more.

Magnetic tape cassettes capture data as a byproduct of transactions being recorded on the NCR 250. Cassettes are easy to handle, occupy very little storage space, and are economical to mail.

When compared to other data capture media (punched cards, punched tape, optical tapes) magnetic tape offers additional advantages. Magnetic tape can be used, and reused; it reduces computer input time, thus lowering processing costs; and it offers better control because there is less chance of its being lost or misplaced.

Automation at the point of service increases customer throughput, reduces errors, and improves employee morale; it all adds up to better profits.

APPENDIX J

Problem Definition Report

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August 1977

31. ANALYSIS OF EXISTING SITUATION

Presently, the Ogden City Court's case processing is divided into the following types of cases: small claims, civil, city traffic, state traffic, state felony, preliminary hearings, and city misdemeanors.

A. Small Claims

The records flow for small claims cases is as follows. The plaintiff comes to the clerk's office and fills out Form 1A. From the information on Form 1A, the Clerk types three copies of Form 1B, Affidavit. The original of Form 1B is retained at the Clerk's office and the other two copies are sent to the Sheriff's Department. The Sheriff's Department delivers one copy of the Affidavit and a copy of Document 1C (Instructions to Defendants) to the defendant. The Sheriff then returns his copy of the Affidavit (Document 1B) to the Clerk's office together with a signed copy of Document 1D (Affidavit and Order Left at Residence). The Clerk's copy of the Affidavit and Order (1B) is filed in an envelope (a copy of the file envelope is attached at [1E]). These envelopes are serially numbered.

When the Sheriff returns his copy of the Affidavit and Order together with Affidavit of Service, the Clerk enters the envelope number (case number) on her desk calendar, thus setting the court date for the action. This date is normally the Monday following five days from the date of complaint. If the Sheriff has not returned service to the Clerk by the Friday before that Monday, the Clerk will call the plaintiff and instruct that the case has been reset for the next Monday. The Sheriff automatically changes the court date on his two copies of the Affidavit (Form 1B).

Item 1F are copies of receipts for fees collected from the plaintiff at the time the complaint is filed. Prior to the small claims court session on Monday, the Clerk will pull the case numbers from her

desk calendar and prepare the small claims calendar. Five copies of the small claims calendar (1G) are prepared with the following distribution: one posted outside the courtroom, one left in the Clerk's office, one given to the judge, one kept by the in-court clerk, and one given to the Court Administrator.

The court process begins with a roll call of the calendar. The in-court clerk notes on the calendar whether or not the litigants are present. At this time, the case can be dismissed, defaulted or contested. If the result is default or dismissal, it is so indicated on the calendar (1G). If the litigants indicate the case is contested, trial is indicated on the calendar and the case is sent to another judge, if one is available, for trial. If another judge is not available, the cases where trial is indicated remain at the same courtroom until roll call is completed and trial can begin. During trial, minutes of the proceedings are written on the case envelope (1E). If the case is defaulted, the Clerk so indicates by stamping the case envelope (see example of the stamp at [1E]) after court.

The Clerk's office maintains a small claims register of actions. Sheets in this book are prenumbered and keyed to the numbers on the case envelopes. A copy of one of the small claims register of actions sheets is at 1H. This is a reduced copy with the actual size of the sheet being 10 1/2" x 16". An entry is made in the small claims register of actions for each activity associated with the case. The information associated with court appearances is taken from the in-court notes made by the Clerk on the case envelope. The small claims register of actions book is used primarily by the Clerk's office to provide information to the public, primarily the credit bureau.

After a judgment has been entered in a small claims case, instructions are provided to the plaintiff and the defendant explaining their alternatives. Copies of these instructions are at 1I and 1J.

If a plaintiff wishes to dismiss the complaint prior to judgment, he must fill out a Request for Dismissal (Form 1K). Usually the plaintiff provides the Clerk with the case number, the Clerk types information onto 1K and sends it to the judge.

Once the judgment is satisfied, voluntarily or otherwise, the plaintiff must fill out a Satisfaction of Judgment (1L). Again, the plaintiff usually provides the case number to the Clerk and the Clerk types the Satisfaction of Judgment form.

If the judgment is not satisfied voluntarily, the plaintiff will seek an Order for Execution of Judgment (1M). The plaintiff provides the Clerk with the necessary information and the Clerk prepares three copies of 1M. The Clerk retains the original and sends two copies to the Sheriff for service. The Sheriff follows the same service process used in the original complaint.

The plaintiff may also file a lien against defendant's property (1N) with District Court Property Records.

When plaintiff cannot obtain satisfaction of judgment, the plaintiff may move for Supplemental Proceedings which allows the defendant to be recalled to court. This form is labeled 1O and it must be filled out by the plaintiff. When the judge executes the order for Supplemental Proceedings, the original is kept at the Clerk's office and the plaintiff must personally take two copies to the Sheriff's office which follows the same service process as with the original complaint. Supplemental Proceedings (Law and Motion) are heard the first and third Wednesday of each month.

If the defendant does not appear, a bench warrant is automatically issued in the amount of \$50. The defendant may then be arrested and required to post bail with the County Jail, or the defendant may become aware of the bench warrant and voluntarily appear at the Clerk's office to pay bail. In either case, Receipt for Bail is prepared (1P). The original is given to the defendant, one copy remains in the receipt book, and one copy is attached to the case envelope.

B. Civil Cases

The Ogden City Court exercises jurisdiction in civil cases where money damages do not exceed \$2,500. The civil action is initiated by a complaint being filed with the Clerk's office. The attorney may bring in a typed complaint or a summons or both. An example of a civil complaint is at 2A, although each attorney uses his own complaint format. The summons may be either a 10-day summons (2B) or a 20-day summons (2C). Attorneys handle their own complaint and summons service process, but file an Affidavit of Service with the summons. The attorneys have their own Return of Service forms. When the complaint is filed, the Clerk enters the matter into the Index of Civil Actions by plaintiff and defendant's last names. A copy of the sheet of the plaintiff's Index to Civil Actions is at 2F.

At this time the case is also entered into the register of civil actions. The pages in the register of civil action are prenumbered and are keyed to numbers on the case file folder which become the case number. A copy of a page from the register of actions is at 2G, and a copy of the outside of a civil case file folder is at 2I. Every event which occurs in a case is entered in the register of actions.

If an answer is not filed, the plaintiff's attorney enters a Motion to Default on the City Court's Form 2D or 2E, depending upon whether or not attorneys' fees are involved, or the attorney may use his own form. Default and default judgment are entered using Form 2D or 2E. If no attorneys' fees are involved, Form 2D is used which the Clerk may sign. If attorneys' fees are involved, Form 2E which must be signed by the judge is used. The Default Judgment is entered into the Register of Actions and into the Judgment Docket (2H).

The defendant may file an answer by mail or at the Clerk's office. When the answer is filed, the Clerk enters it into the case file and notes the answer in the register of actions (2G). The plaintiff must then file a Notice of Readiness for Trial (2K), at which time the case

is set for pretrial. Pretrials are held on the last Wednesday of every month. The Clerk enters the case number onto her desk calendar for the next pretrial date and sends a notice of setting to each attorney (2L). If attorneys are not available for that date, they will inform the Clerk, and the pretrial will be reset to the next pretrial date. The Clerk prepares the pretrial court calendar (2M) from her desk calendar with the same distribution as the small claims calendar.

The Court Clerk takes minutes of the pretrial proceeding on the Pretrial Conference Minutes Sheet (2N) and later types the minutes on plain paper and files them in the case file.

At the pretrial it is determined whether trial is required (either jury or court) and approximately how long the trial will take. The date of trial is set and noted in the pretrial minutes. The Clerk notes the date for trial and enters the case number onto her desk calendar. Civil trials are set every afternoon, with following exceptions: every Monday (small claims), every first and third Wednesday (law and motion), and every last Wednesday (pretrial). When the trial date is set, the Clerk sends a Notice of Trial Date to the attorney. The form used for Notice of Trial Date is the same as the Notice of Pretrial Date, except that the word "Trial" is typed in place of "Pretrial".

Most cases are settled before trial, with only one or two cases actually being set for trial. Hence, a court calendar is not prepared; the case files are simply pulled and sent to the judge one day before the trial date.

The Court Clerk maintains a minute record of the trial on a Trial Minute Sheet (20) and later types the minutes onto plain paper.

There are four possible outcomes of the trial: dismissal, plaintiff judgment, defendant judgment, matter taken under advisement. The attorney normally prepares the judgment for the judge's signature and then files it

with the Clerk. The Clerk prepares an Abstract of Judgment (2J) for all types of judgments, which the attorney must file with District Court Property Records. Two copies of the Abstract of Judgment are prepared, one of which is retained at the Clerk's office. All judgments are entered into the Judgment Book and the Civil Register of Action. When the judgment has been satisfied, the attorney, using his own form, forwards a Satisfaction of Judgment to the Clerk.

C. Traffic Cases

The Ogden City Court has jurisdiction over both City and State traffic violations. The traffic citations (Example 3A) are placed in a lock box each night. The Clerk picks up the citations each morning, enters the date, citation number and name of the case on a form (3B) which is attached to the ticket and files the ticket alphabetically with all other citations.

The defendant is required to appear at the traffic desk in the Clerk's office within seven days from the date of citation. At that appearance, he may pay the ticket at the counter, state an intent to plead not guilty or state an intent to enter a plea of guilt with an explanation. If the ticket is paid at the counter, the Clerk prepares a bail receipt and rings the amount on the register. If the defendant expresses a desire to enter a plea of not guilty, the Clerk locates the issuing officers' date available for court and assigns a hearing date. The defendant is asked to sign a promise to appear for trial. A Front Sheet (3C) is filled out and attached to the ticket. Minutes of the hearing are taken on this Front Sheet.

If the defendant expresses a desire to appear and enter a plea of guilty with an explanation, a promise to appear for plea is prepared and signed by the defendant. When the Clerk assigns a hearing date, the case name is entered in a desk calendar on that date. Subsequently, the matters are transferred from the desk calendar to the Criminal Docket (3E). After the hearing is completed, the Bailiff fills out a Disposition Report (3D)

which the defendant is required to return to the Clerk's office.

The Clerk's office maintains both a Fine Book and a Bail Book. All fines, bail over the Clerk's counter and jail bail are rung into the Clerk's register. Each day the Clerk prepares a Daily Bail Sheet (3F) which is balanced and forwarded to the Department of Finance.

If a defendant does not appear within seven days, a bench warrant letter (3G) is automatically issued, which informs the defendant that if he fails to appear within five days a bench warrant (3H) will be issued for his arrest.

If a stay is granted and the fine is not paid by the required date, a Commitment Order (3I) will be issued. Both city and state bail are recorded on the same form.

After a case is settled, it is given a case number and filed.

State traffic cases are not put on a calendar. City traffic is heard in Division 2 and state traffic in Division 3. A Front Sheet is placed on the state traffic citations, and the tickets are bundled together and sent to Division 3. After the case is resolved, the ticket is returned to the Clerk's office, given a case number, and reported on a Disposition of State Cases Form (3J).

If the violation was a moving violation, a "green slip" (3K) is typed and forwarded to the Drivers' License Division.

D. State Felony Cases

The Ogden City Court exercises jurisdiction over state felony arraignments and preliminary hearings (all felony cases are state cases). There are normally three ways in which felony cases are initiated:

1. Arrest without a warrant. The Clerk receives a list of these each morning.
2. A summons (4B) is issued by the County Attorney's office.
3. After a complaint (4D) has been filed, and an Affidavit for Arrest Warrant (4E) has been issued, the defendant is arrested with a warrant (4C).

The Clerk types a "Front Sheet" (4F) for each case and prepares the court calendar (4A). The Front Sheet also acts as the minute sheet for arraignment proceedings.

The result of the preliminary hearing can be either dismissal, defendant bound over or a negotiated plea. If the case is dismissed, it is given an index number and filed in the Clerk's office. If the case is bound over, the procedures specified on Item 4G are followed which essentially amount to transferring the case file to the Clerk of the District Court and obtaining a receipt for the file (4H), after a City Court case number has been assigned. If a plea is negotiated to a misdemeanor, then the City Court retains jurisdiction. The court can either impose sentence or defer the case to probation for a pre-sentence report. A case number is assigned after the sentence is imposed in this instance.

After the preliminary hearing, cases are entered into the State Criminal Index (felonies are indexed with state misdemeanors).

If the defendant fails to appear, a bench warrant is issued and the case is filed in the bench warrant drawer with no apparent cross-indexing.

For all disposed state cases, an entry is made onto the Disposition of State Cases form as is done for state traffic cases (see state traffic).

For cases involving a delayed payment of fine, a stay card (tickler card) is prepared. The matter is also recorded in the "Stay Book". Both city and state cases are filed in the "Stay Book".

E. City Misdemeanor Cases

Most city misdemeanor cases result from a defendant having been arrested and a subsequent complaint (5A) being drawn by the City Attorney. When the defendant is arrested, his case is automatically set for arraignment the next morning and entered onto the criminal calendar (see criminal calendar referred to in traffic cases).

If the misdemeanor is initiated by a letter complaint, the matter is handled in the same manner as traffic cases.

F. Problem Areas

The records keeping procedures, forms and management in all of the court's divisions are in need of further study to determine the extent of the problems involved therein and solutions to them. The records management processes presently vary from division to division, and this lack of uniformity makes efficient management difficult. Attendant to this, the forms presently in use are in need of review and probable revision to assure both standardization and accuracy, and to generate useful statistics for management purposes.

The records management problems have adversely affected other areas of court operations. For instance, the practice of storing records in several different filing systems has created inefficiencies in space utilization and impedes the flow of cases through the court.

Court personnel job and training requirements is another area in which problems are evident. At present, there is minimal formal training of court employees, and little cross-training with the Clerk's office. These problems are especially important given the fact that the complexity of court operations is bound to rise, along with the workload when the court becomes a circuit court.

Facility and space management problems will also be aggravated when the court makes its transition. The three-judge court now has two permanent courtrooms and one temporary courtroom, which is used as City Council Chambers at other times. When the Circuit Court Act becomes effective, two additional judgeships will be added, one to sit in Roy, Utah and the other in Ogden. The problem of where to house this additional judge within the limited space Ogden court facility needs to be addressed. Court reporting techniques is another facet of court operations which will be substantially affected by the circuit court transition. Presently the Ogden City Court is not a court of record. Under the provisions of the Circuit Court Act it will be. Alternative methods of court reporting will need to be studied to determine which would be most appropriate for the court.

III. RECOMMENDATIONS FOR SUBSEQUENT TECHNICAL ASSISTANCE

Further technical assistance to Ogden City Court should be concentrated in the related areas of records and caseflow management, and include the personnel issues involved therein. This technical assistance should be based upon an analysis of the impact on these areas of the court's prospective transition to a circuit court, as well as upon an assessment of difficulties in these areas within the present scope of court operations. The areas of accounting, calendaring and statistical information systems -- identified as problem areas in the original technical assistance request from Ogden City Court -- should be encompassed within a broad technical assistance effort directed at caseflow and records management.

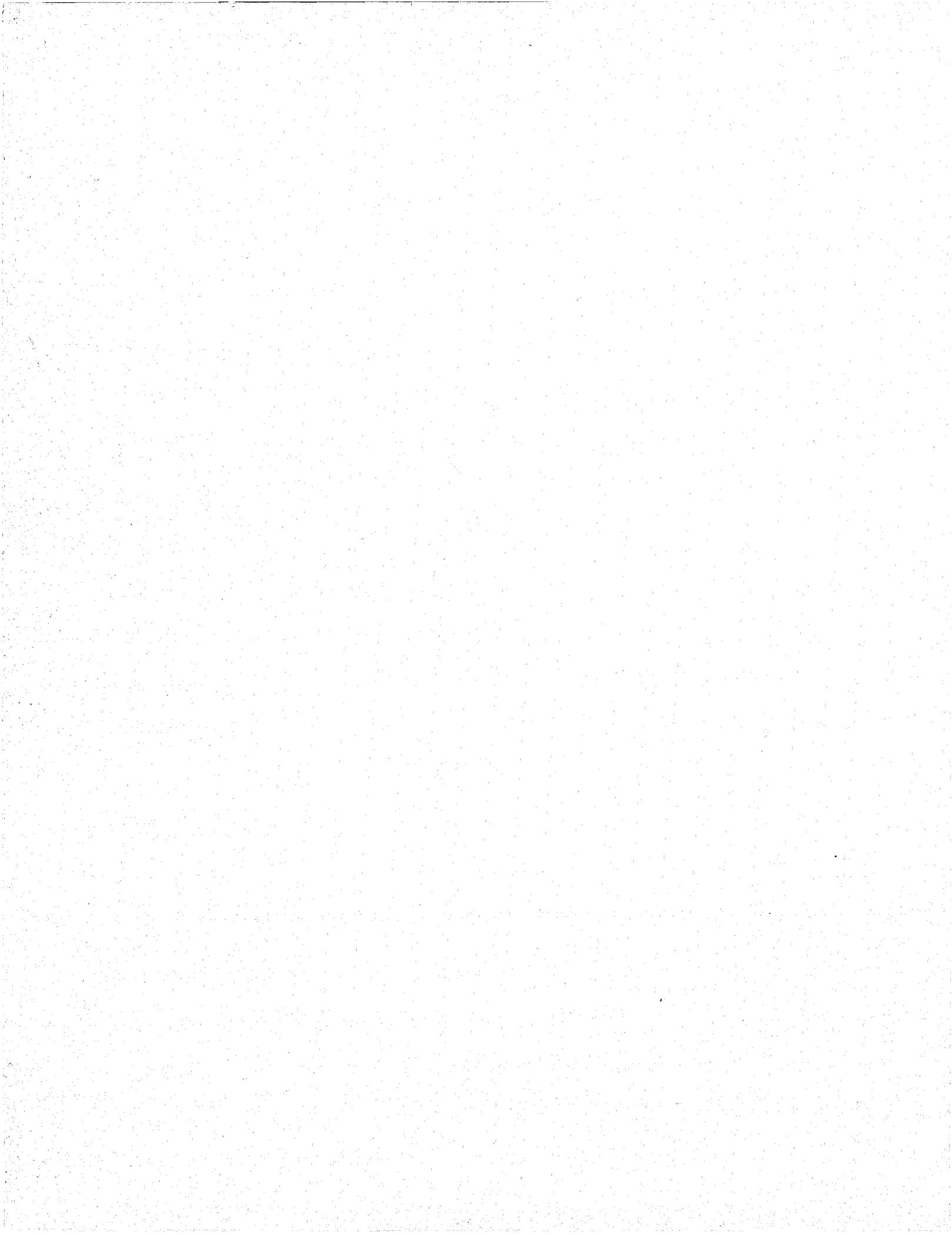
In the area of records management, the focus of further assistance should concentrate on two aspects. First, the management of the records flow system should be studied. Presently each division operates fairly autonomously with little inter-division coordination. The logistics of implementing a centralized records system in terms of both standardized procedures and centrally coordinated staff supervision should be addressed. Secondly, the existing forms in use in the court should be studied. Here the emphasis should be on identifying and eliminating duplicative forms (for example, the ten and twenty day summons form), providing guidance in the design of more effective and standardized forms, consolidation of forms, and on determining the proper means of effecting coordinated supervision over forms management in all divisions of the court.

As regards to the caseflow management inadequacies, the primary emphasis should be on developing standardized procedures among the court divisions and providing centralized supervision over the process. Attention should also be given to the impact that the jurisdictional change involved in the Circuit Court transition will have on the case load of the court. An analysis should be made of the expected increase in workload attendant to this and its effect on

present caseflow methods. These findings can be then integrated into recommendations relating to new courtwide caseflow procedures.

In the area of personnel, the focus should be on defining the basic job requirements of existing positions and predicting the personnel needs of the court when it becomes a circuit court. A further area which should be emphasized concerns the initial and cross-training of clerical employees. As mentioned before, only minimal attention has been given to these areas. Another aspect which can be addressed concerns developing position qualifications and responsibilities for the new position of Court Clerk which will be created when the Circuit Court Act becomes effective.

It is recommended that this technical assistance be provided by a consulting team composed of two or three individuals with respective expertise in forms review and design, records and filing systems management, caseflow analysis and clerk's office operations and personnel management. A maximum of fifteen person days of consulting time should be adequate to address the broad problems involved in the records and caseflow management of the court, and conceivably, related problems, such as personnel requirements, can be addressed to a more limited extent.



END