



**Date:** July 13, 2011

**To:** Thomas Bonfield, City Manager  
**Through:** Keith Chadwell, Deputy City Manager  
**From:** Delilah Donaldson, Interim Director-Human Relations  
**Subject:** Contract for Domestic Violence Judge

### **Executive Summary**

Staff recommends that Council authorize the City Manager to execute a contract between the City of Durham and the Administrative Office of the Courts under which the Administrative Office of the Courts will expend City funds to continue to support salary and benefits for a judge to hear domestic violence cases. Funds were budgeted for this purpose in the amount of \$84,476 in the Human Relations Department FY 2012 general fund budget.

### **Recommendation**

Staff recommends that Council authorize the City Manager to execute a contract between the City of Durham, the Durham Chief District Court Judge and the Administrative Office of the Courts under which the Administrative Office of the Courts will expend City funds to continue to support salary and benefits for a district court judge to hear domestic violence cases in the community.

The total funding for the above contract is \$84,476.

Staff recommends that Council authorize the City Manager to modify the contract before execution, provided that modifications do not increase the dollar amount and the modifications are consistent with the general intent of the existing version of the contract.

### **Background**

Prior to 2002, the Durham District Attorney's Office received an appropriation from the Governor's Crime Commission for a specially trained team that included a judge designated to hear only domestic violence cases. In FY 2002, the City began funding a judge to hear domestic violence cases in the community and a victim legal assistant because the Governor's Crime Commission discontinued funding these positions. This specially trained team has proven to be an important component in the community effort to reduce incidents of domestic violence and to improve victim safety and offender accountability by enabling the expedient prosecution of these cases and related offenses.

## Issues/Analysis

The term of the emergency contract is from July 1, 2011 through June 30, 2012. The emergency judge contract amount is \$84,476. The emergency judge will preside over court as designated by the Chief District Judge including hearing domestic violence cases and presiding in Community Life Court ("CLC"), a district criminal court with a docket dedicated to prosecutions of local ordinance violations.

The activities supported under this contract will enable the speedy disposition of cases involving domestic violence and related offenses which threaten public safety. In addition, the Chief District Court Judge shall provide a report to the City each month on the Domestic Violence Court sessions as outlined in Appendix B of the contract.

## Alternatives

The alternative would be to deny this motion, which would result in these cases being handled in the normal courts. The loss of this domestic violence judge would mean these cases would be added to the dockets of other judges and the disposition of the cases would be delayed significantly.

## Financial Impact

The City shall pay up to \$84,476 to fund this contract. Funds were budgeted for this purpose in the Human Relations Department's FY 2012 general fund budget. The City shall pay to the Administrative Office of the Courts, an amount up to, but not to exceed \$84,476 for reimbursements of expenditures based on the budget below.

(1) Part time District Court Judge at \$400/day	\$76,800
4 days per week for 48 weeks	
Social Security 7.65%	\$5,876
In-State Mileage (3600 miles x \$.050/mile)	\$1,800
Total Budget	\$84,764

## SDBE Summary

This requirement is not applicable because the City will not be making any purchases under this contract. The funding will continue to support salary and benefits for a judge to hear domestic violence cases in the community and for equipment, training and travel expenses for this position.