

# Public Safety Committee

10/12/2010

304 E. Grand River Ave., Howell, MI

7:30 PM

## AGENDA

1. **CALL MEETING TO ORDER**
2. **APPROVAL OF MINUTES**  
Meeting minutes dated: September 13, 2010
3. **APPROVAL OF AGENDA**
4. **REPORTS**
5. **CALL TO THE PUBLIC**
6. **RESOLUTIONS FOR CONSIDERATION:**

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- 7. **Sheriff**  
RESOLUTION AUTHORIZING CAPITAL PURCHASE OF 16 TASERS FOR SHERIFF ROAD PATROL AND JAIL

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- 8. **Jail**  
RESOLUTION AUTHORIZING THE HIRING OF TWO (2) VACANT CORRECTIONS OFFICER POSITIONS - SHERIFF'S DEPARTMENT JAIL DIVISION

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- 9. **Circuit Court**  
RESOLUTION TO FILL A VACANT JUVENILE COURT ATTORNEY REFEREE POSITION

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- 10. **BUDGET DISCUSSIONS**
- 11. **ADJOURNMENT**

# MEETING MINUTES

LIVINGSTON COUNTY

**SEPTEMBER 13, 2010 – 7:30 P.M.**

ADMINISTRATION BUILDING – BOARD CHAMBERS  
304 E. Grand River Avenue, Howell, MI 48843

## PUBLIC SAFETY

DAVID DOMAS     JACK LA BELLE     JIM MANTEY     RON VAN HOUTEN

OTHERS:    LT. DON JAKRZEWSKI                      DON ARBIC                      CINDY MENDOZA

1. **CALL TO ORDER:** Meeting called to order by: **COMM. DAVE DOMAS** at 7:40 p.m.

2. **APPROVAL OF MINUTES:** **MINUTES OF MEETING DATED AUGUST 9, 2010:**

MOTION TO APPROVE THE MINUTES, AS PRESENTED.

MOVED BY: LA BELLE / SECONDED BY: VAN HOUTEN

ALL IN FAVOR - MOTION PASSED

3. **APPROVAL OF AGENDA:**

MOTION TO APPROVE THE AGENDA, AS PRESENTED.

MOVED BY: MANTEY / SECONDED BY: VAN HOUTEN

ALL IN FAVOR - MOTION PASSED

4. **REPORTS:** COM. DOMAS handed out copy of Flint Journal on story in Flint. Most dangerous cities. Flint cutting back on Public Safety. Just presented as an FYI. DON ARBIC discussed conversation with Metro Park Police Chief on 911 handling dispatch. He is ready to move forward. Com. Domas asked if the complaints for waiting for service responding to 911 increased. Per Don Arbic he has not noticed an increase.

5. **CALL TO THE PUBLIC:** None.

6. **DISCUSSION ITEMS:** SHERIFF - NATIONAL DRUG TAKE BACK INITIATIVE - DISCUSSED AT COMMITTEE OF THE WHOLE.

**7. RESOLUTIONS FOR CONSIDERATION:**

- 8. SHERIFF: RESOLUTION AUTHORIZING THE SHERIFF DEPARTMENT AND THE COUNTY OF LIVINGSTON TO APPLY FOR AND ENTER INTO CONTRACT WITH THE STATE OF MICHIGAN, OFFICE OF HIGHWAY SAFETY PLANNING FOR FISCAL YEAR 2011 SECONDARY ROAD PATROL AND TRAFFIC ACCIDENT PREVENTION PROGRAM GRANT**

**RECOMMEND MOTION TO: FINANCE**  
**MOVED BY: LA BELLE / SECONDED BY: MANTEY**  
**ALL IN FAVOR - MOTION PASSED**

- 9. CENTRAL DISPATCH: RESOLUTION AUTHORIZING APPOINTMENT TO MID-MICHIGAN 9-1-1 CONSORTIUM BOARD AND APPROVAL OF BYLAWS**

**RECOMMEND MOTION TO THE: FINANCE**  
**MOVED BY: VAN HOUTEN / SECONDED BY: MANTEY**  
**ALL IN FAVOR - MOTION PASSED**

**10. ADJOURNMENT:**

**MOTION TO ADJOURN AT 8:20 P.M.**  
**MOVED BY: LA BELLE / SECONDED BY: VAN HOUTEN**  
**ALL IN FAVOR - MOTION PASSED**

Respectfully Submitted

**CINDY MENDOZA**  
RECORDING SECRETARY

RESOLUTION

NO:

LIVINGSTON COUNTY

DATE:

**RESOLUTION AUTHORIZING CAPITAL PURCHASE OF 16 TASERS FOR SHERIFF ROAD PATROL AND JAIL –Sheriff Road Patrol/Jail**

**WHEREAS,** the Sheriff Department currently has 16 model M26 TASER units between the road patrol and corrections that were purchased between 2003 and 2004; and

**WHEREAS,** after 2010 Taser International will no longer produce or support the M26 model TASER; and

**WHEREAS,** MMRMA has awarded the Sheriff Department \$6,400.00 in RAP grant funding to cover approximately 50% of the cost of replacement TASER units; and

**WHEREAS,** Taser International is offering \$75.00 per unit to trade in and trade up to a newer model; and

**WHEREAS,** the Sheriff Department has the funds available to fund the initial purchase; and

**WHEREAS,** Michigan Taser is the sole source vendor of these devices based on design and features;

**THEREFORE BE IT RESOLVED** that the Livingston County Board of Commissioners hereby approves the purchase of 16 model X26 TASER ECD’s in the amount of \$11,969.59

**BE IT FURTHER RESOLVED** that the Livingston County Board of Commissioners hereby authorizes acceptance of RAP grant funding from MMRMA in the amount of up to \$6400.00 to offset the cost of the replacement TASER units.

# # #

MOVED:  
SECONDED:  
CARRIED:



**LIVINGSTON COUNTY, MICHIGAN**  
**DEPARTMENT OF LIVINGSTON COUNTY SHERIFF**

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**150 S. Highlander Way, Howell, MI 48843**  
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## Memorandum

**To: Livingston County Board of Commissioners**  
**From: Lt. Don Jakrzewski**  
**Date: 9/20/10**  
**Re: Taser Purchase – MMRMA RAP Grant**

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Attached for your consideration and approval is a resolution authorizing the purchase of 16 Taser Model X26 Electronic Control Device's (ECD).

The department currently has 16 Taser Model M26 ECD's. Most of these devices were purchased in 2003-2004. Taser International has decided that as of 12-31-10 they will no longer produce or support the M26 model, in favor of the newer, smaller X26 model.

The X26 is smaller, lighter, and easier to carry and has more consistent performance regardless of battery level. The X26 records more information related to the operation of the device than the M26. If any of the M26 devices were to stop functioning we would have to attempt to locate funding at that time to replace it with a new model X26 or go without.

Funds were identified to begin the transition from the M26 to the X26 by purchasing a few of the devices with the plan to attempt to budget for additional purchases in the coming years. In that process, MMRMA advised that funds were available for a RAP grant to offset 50% of the cost. With such grant funding it made sense to replace all the department's taser's at one time.

In addition, Taser International is offering a \$75.00 credit to trade in an M26 on the purchase of a new model. Given this, the purchase amount to replace all 16 taser's is \$11,969.59 with grant funding covering half of that amount. With the approval of Belinda Peters, the RAP grant of \$6500.00 was applied for on July 29.

Subsequently, MMRMA approved the RAP grant at its August 19 committee meeting for a reimbursement amount of up to \$6400.00 based on \$400.00 per unit purchased. A copy of their approval letter is attached along with a copy of the quote from Michigan Taser. The attached resolution authorizes the initial amount of \$11,969.59 to purchase 16 X26 Model Taser ECD's with about 50% or up to \$6400.00 being reimbursed by MMRMA at a later date.

If you have any questions regarding this matter please contact me.  
Don Jakrzewski, Lieutenant

**RESOLUTION**

**NO:**

**LIVINGSTON COUNTY**

**DATE:**

**RESOLUTION AUTHORIZING THE HIRING OF TWO (2) VACANT CORRECTIONS OFFICER POSITIONS – SHERIFF’S DEPARTMENT JAIL DIVISION**

**WHEREAS,** the Livingston County Sheriff’s Department has experienced recent changes within their organization and determine an immediate need to fill positions that have become vacant due to an employee resignation effective 10/01/10 and a retirement effective 10/30/10; and

**WHEREAS,** there are currently two (2) budgeted Corrections Officer positions within our Jail Division; and

**WHEREAS,** in order to ensure the safety and security of our employees, jail inmates and the general public, it is imperative that these positions be filled as soon as possible.

**THEREFORE BE IT RESOLVED** that the Livingston County Board of Commissioners hereby  
authorizes and approves the hiring of two (2) Corrections Officers within the Livingston  
County Sheriff’s Department.

# # #

**MOVED TO AMEND:**

**SECONDED:**

**CARRIED AS AMENDED:**

## REQUEST FOR EXCEPTION TO THE HIRING FREEZE

Request Submitted by: **Sheriff Robert J. Bezotte**

Title of Position to be Filled: **Corrections Officer** Salary: **\$35,046**  
**Two (2)**

Annual Cost of Budgeted Position: **(w/ benefits) \$ 70,000**  
Projected Cost for the next five years: **(w/ benefits) \$395,000**

New Position/Classification (Yes/No): **NO**

If No: Name of Employee Last Occupying this Position(s):

**Jeremy Trent - resigned**

**James Zimmerman - retired**

To Temporarily Replace an Employee who is on approved leave of absence:

Name of Employee on Leave:

Date of Expected Return:

When did the position(s) become vacant?

**Trent – 10/01/10**

**Zimmerman – 10/30/10**

Has sufficient time been given to properly compensate for vacation and/or sick pay-offs to insure personnel expenses do not exceed the authorized budget? **YES**

1. Briefly describe this position and why you believe that it is essential enough to warrant an exception to the overall Livingston County hiring freeze. Provide a copy of the job description.

**Per MDOC recommendation, we should have forty six (46) Corrections Officers assigned to our Jail facility. Since 2005 we have maintained our Jail facility with the authorized number of forty (40) Corrections Officers.**

2. Indicate if this is a mandated program/service by citing the act, rule, resolution, order, etc. that has necessitated this work. Also, if mandated, explain what effect this program/service has on current operations. If not mandated, outline the reason(s) for the department providing this task/work.

**Jail services are mandated**

3. Budgeted department head count for the past five years:

Corrections Officer Positions:

**Jan – 2006**  
**40**

**Jan – 2007**  
**40**

**Jan - 2008**  
**40**

**Jan – 2009**  
**40**

**Jan – 2010**  
**40**

Please explain changes:

**Left positions vacant thru attrition and retirement incentives**

4. Does the vacant position for which an exemption is being requested perform essential function(s) that cannot be performed with the existing staff resources within Livingston County? Identify all special skills, education and/or licensing requirements for the position.

**Since 2005 we have maintained our Jail facility with the authorized count of forty (40) Corrections Officers.**

5. Recognizing that all Elected Officials/Department Heads are expected to provide quality supervision and be creative problem solvers, how could the department reassign work and/or personnel to get all essential work of the department done without additional hiring?

**N/A**

6. Specifically list three reasonable options if your request to replace a position is denied.

**Overtime, closing the older section of our Jail, limiting or eliminating inmate privileges**

7. What are the consequences of deferring the vacant position over the next several months and beyond?

**Employee safety, Inmate safety, increased liability**

8. What budget saving measures has this department implemented? Have additional measures been identified?

**Jail Sgts assigned posts; staff reduction; eliminate minimum staffing; sent several service contracts to bid**

9. What position or other costs would you be willing to drop to enable hiring – if that becomes necessary to obtain approval for hire?

**Since 2005, we have made drastic changes to our organization and significantly cut costs. We believe we are providing the minimum service as expected by our citizens.**

10. Please provide additional information regarding the staff of this department (i.e. organizational charts, workflow chart, staff on leaves from work/job restrictions, employee training downtime, etc.) to determine the workforce available for accomplishing the necessary tasks/services.

**See attached**

11. Is the work required by statute to be performed at the County level or can it be shared with other Counties? With local governments?

**NO, tasks cannot be shared with other counties or local government.**

12. Explain what services can be provided by others, private sector or non-profit?

**NONE**



13. Are there other County employees with the skills and knowledge that can be transferred from another department thereby shifting the vacancy to another department where the position will not be filled?

**YES, as long as they comply with our hiring protocol**

14. Has the use of temporary employees been evaluated to handle the work? Please provide explanation(s).

**No, tasks are cyclical**

15. Has the use of part-time (less than 30 hours) employees been evaluated for feasibility and cost-effectiveness to accomplish the work? Please provide explanation(s).

**N/A**

16. Has current staff been working overtime and, if so, how much is currently being worked or how much is planned to be worked per pay period (on the average)?

**Yes, we are currently averaging \$3,700 per pay period.**

17. Has cross-trained staff been fully utilized to maximize the output of existing staff? Please provide explanation(s).

**Yes, all Corrections Officers are trained in all corrections tasks. In addition, they perform numerous clerical tasks due to the reduction of clerical support staff.**



Livingston County Sheriff Department  
Robert J. Bezotte, Sheriff  
150 S. Highlander Way  
Howell, MI 48843  
(517) 546-2440  
(517) 552-2542 FAX  
[rbezotte@co.livingston.mi.us](mailto:rbezotte@co.livingston.mi.us)

DATE: October 6, 2010  
TO: Livingston County Board of Commissioners  
FROM: Sheriff Robert J. Bezotte  
RE: **RESOLUTION AUTHORIZING THE HIRING OF TWO (2) VACANT  
CORRECTIONS OFFICER POSITIONS**

As a result of recent changes within our organization, there is an immediate need to fill positions that have become vacant due to a retirement and a resignation.

We currently have one (1) budgeted Corrections Officer vacancy within our Jail Division and there will be one (1) budgeted Corrections Officer vacancy effective 10/30/10. These positions are the result of the resignation of Deputy Jeremy Trent and the retirement of Deputy James Zimmerman.

It should be noted that per MDOC recommendation; we should have forty six (46) Corrections Officers assigned to our Jail facility. In order to ensure the safety and security of our employees, jail inmates and the general public, it is imperative that these positions be filled as soon as possible. To remain at our current authorized staffing level of forty (40) Corrections Officers in our Jail Division, we seek authorization to hire two (2) Deputy Corrections Officer positions.

Respectfully submitted,

Robert J. Bezotte  
Sheriff

**RESOLUTION**

**NO:**

**LIVINGSTON COUNTY**

**DATE:**

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**RESOLUTION TO FILL A VACANT JUVENILE COURT ATTORNEY REFEREE POSITION -  
CIRCUIT COURT / JUVENILE DIVISION - PUBLIC SAFETY: 10/12/10 - FINANCE: 10/13/10**

**WHEREAS,** The Circuit Court – Juvenile Division has an authorized position for an Attorney Referee, which conducts juvenile delinquency and child abuse and neglect hearings, as directed by the Chief Circuit Judge; and

**WHEREAS,** The position becomes vacant on October 15, 2010 due to the resignation of current Attorney Referee Joshua Marcum; and

**WHEREAS,** The Circuit Court – Juvenile Division relies on the Attorney Referee to conduct a wide range of hearings involving children and juveniles, including emergency hearings; and,

**WHEREAS,** The Circuit Court has a need to fill this position as quickly as possible so that court dockets do not become backlogged and visiting judge costs do not become overly burdensome; and

**WHEREAS,** this Resolution has been recommended for approval by the Public Safety Committee.

**THEREFORE BE IT RESOLVED** that the Livingston County Board of Commissioners hereby approves this Resolution to fill the vacant Attorney Referee position in the Circuit Court – Juvenile Division as soon as practical.

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**MOVED:**

**SECONDED:**

**CARRIED:**



**LIVINGSTON COUNTY, MICHIGAN**  
**CIRCUIT COURT – JUVENILE DIVISION**

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**204 S. Highlander Way**  
**Phone (517)546-1500 Fax (517) 546-3731**  
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## Memorandum

**To: Livingston County Board of Commissioners**  
**From: William H. Newhouse**  
**Date: 7/30/2010**  
**Re: RESOLUTION APPROVING THE FILLING OF A VACANT**  
**ATTORNEY REFEREE POSITION WITHIN THE CIRCUIT**  
**COURT – JUVENILE DIVISION.**

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The Attorney Referee position in the Juvenile Court is to become vacant on October 15, 2010 due to the resignation of Joshua Marcum.

The position is responsible for conducting juvenile delinquency and child abuse and neglect hearings for the Circuit Court, at the direction of the Chief Circuit Judge. The position also acts as a legal resource to the judges, court staff, and attorneys who practice in the Juvenile Court. The position requires a specialized degree in Law and a unique combination of experience and skills in court processes, legal research, and application of the law.

This position requires a full-time presence due to the complexity of the docket and the need to be available to conduct emergency hearings. Not filling the position would create extensive backlogs for the judges and place children, juveniles, and the community at risk, if hearings do not occur in a timely manner.

If you have any questions regarding this matter please contact me.

## REQUEST FOR EXCEPTION TO THE HIRING FREEZE

Request Submitted by: William H. Newhouse

Title of Position to be Filled: **Attorney Referee –Juvenile Court**

Salary: **\$65,711- \$83,242**

Annual Cost of Budgeted Position: **\$93,156**

Projected Cost for the next five years: **\$475,000**

New Position/Classification (Yes/No): **No.**

If No: Name of Employee Last Occupying this Position: **Joshua Marcum**

When did the position become vacant? **October 15, 2009**

Has sufficient time been given to properly compensate for vacation and/or sick pay-offs to insure personnel expenses do not exceed the authorized budget? **Yes.**

1. Briefly describe this position and why you believe that it is essential enough to warrant an exception to the overall Livingston County hiring freeze. Provide a copy of the job description.

**The Attorney Referee position in Juvenile Court is responsible to hear Delinquency Proceedings, Child Protective Proceedings, Designated Cases, and Minor Personal Protection Actions and to make recommended findings and conclusions based upon the facts and the applicable statutes and court rules. All of the above proceedings are governed by strict statutory and court rule timeframes which mandate prompt court attention. Due to the volume of cases in the Circuit Court - Family Division and the necessity to children, families, and citizens that required court services are delivered according to the law, it is essential to fill the Attorney Referee vacancy.**

2. Indicate if this is a mandated program/service by citing the act, rule, resolution, order, etc. that has necessitated this work. Also, if mandated, explain what effect this program/service has on current operations. If not mandated, outline the reason(s) for the department providing this task/work.

**The Circuit Court - Family Division is mandated to hear proceedings involving juvenile delinquents pursuant to MCL 712A.1 to 712A.32; MCL 722.1 to 722.6; and Child Protective Proceedings pursuant to MCL 722.631**

**The following table illustrates the number of cases heard by the Attorney Referee for 12-month periods from June 2008 to June 2009 and June 2009 to June 2010:**

TYPE OF HEARING	JUNE 2008 – JUNE 2009	JUNE 2009 – JUNE 2010
Pleas	500	573
Arraignments	2	1
Delinquent Reviews	425	383
Child Protection Reviews (includes Post Termination and Permanency Planning)	260	316
Designation Hearings	5	0
Dispositions	301	352
Probation Violations	66	72
Trials	13	5
Termination of Parental Rights	3	13
Preliminary Inquiries	130	137
Motions	16	14
Pre-Trials	125	97
Preliminary Hearings	109	97
Other Hearings	45	24
Adoption Releases	26	14
Adoption Consents	25	44
Total	2,051	2,142

3. Budgeted department head count for the past five years:  
**Jan., 2005: 15.5 Jan., 2006: 15.5 Jan., 2007: 15 Jan., 2008: 15 Jan., 2009: 14**

Please explain changes: **The Adoption Supervisor position was not filled effective 1/01/2009.**

4. Does the vacant position for which an exemption is being requested perform essential function(s) that cannot be performed with the existing staff resources within Livingston County? Identify all special skills, education and/or licensing requirements for the position. **The Attorney Referee must have a Juris Doctorate degree and be a licensed attorney through the State Bar of Michigan. No other staff possesses these qualifications.**
5. Recognizing that all Elected Officials/Department Heads are expected to provide quality supervision and be creative problem solvers, how could the department reassign work and/or personnel to get all essential work of the department done without additional hiring? **It would be impossible as no other staff meet the qualifications needed to be an Attorney Referee.**
6. Specifically list three reasonable options if your request to replace a position is denied. **Realistically, the only option would be to contract with a visiting judge on a full time basis to handle the docket, as the family division dockets of the judges are already too busy to assume the docket of the Attorney Referee. Using a full time visiting judge would be an expensive option, as the costs for visiting judges range on average from \$400 - \$550 per day.**

7. What are the consequences of deferring the vacant position over the next several months and beyond? **The consequences would be devastating to children, families, and the citizens of Livingston County, as cases would languish, children would be placed in dangerous environments, and public safety would be compromised.**
  
8. What budget saving measures has this department implemented? Have additional measures been identified? **The former Circuit/Probate Court Administrator position was reclassified from a Grade Level Q, to a new position of Circuit Court Administrator which is a Grade Level O, thus resulting in personnel cost savings. In addition, the Adoption Supervisor position was not filled effective 1/01/2009. A position in the court's financial unit, located in Central Services, was re-structured to two part-time positions, resulting in cost savings. To date, only one of those positions has been filled resulting in saving additional funds.**
  
9. What position or other costs would you be willing to drop to enable hiring – if that becomes necessary to obtain approval for hire? **With the recent restructuring and staff reductions implemented, it would be detrimental to the children, families, and citizens of Livingston County to further reduce existing staffing levels. The court has made budget cuts of nearly 15% in 2010. Further cuts would have a direct, significant impact on the services provided to children, families, victims, and other users of the court system.**
  
10. Please provide additional information regarding the staff of this department (i.e. organizational charts, workflow chart, staff on leaves from work/job restrictions, employee training downtime, etc.) to determine the workforce available for accomplishing the necessary tasks/services. **This position is unique, requiring a juris doctor degree. No other staff possess such a degree, so there is no workforce available to assume responsibility for performing the required duties.**
  
11. Is the work required by statute to be performed at the County level or can it be shared with other Counties? With local governments? **The work of the Attorney Referee is a required function performed in every circuit court in Michigan. The courts are a separate branch of government, so other county departments cannot assist with the Attorney Referee duties.**

**In Livingston County, the Chief Judge of the 44<sup>th</sup> Circuit Court assigns the work of the Attorney Referee. A judge from another county cannot assign an Attorney Referee to hear Livingston County cases and an Attorney Referee from another court cannot hear cases emanating from Livingston County.**

12. Explain what services can be provided by others, private sector or non-profit? **Not applicable to this position.**
  
13. Are there other County employees with the skills and knowledge that can be transferred from another department thereby shifting the vacancy to another

department where the position will not be filled? **It is possible, if the other county employees have the requisite educational background, meet the specific job qualifications, and have the experience necessary to perform the Attorney Referee required duties.**

14. Has the use of temporary employees been evaluated to handle the work? Please provide explanation(s). **Due to the volume of cases, a visiting judge will be assigned by the State Court Administrative Office (SCAO) on a temporary basis to hear the Attorney Referee docket. This is not a long term solution as this position handles a heavy, complex hearing docket that necessitates a full-time employee. For illustration of the size and complexity of the Attorney Referee docket, please see the statistics in #2 regarding the number of hearings handled by the Attorney Referee for the period of June 2009 to June 2010.**
  
15. Has the use of part-time (less than 30 hours) employees been evaluated for feasibility and cost-effectiveness to accomplish the work? Please provide explanation(s). **It is not feasible to use part time employees to handle the work of the Attorney Referee. The Attorney Referee hears a high volume of cases and, as the only staff of the Juvenile Court with a law degree, acts as a legal resource to other court staff as well as to the Family Court Judges. There are frequent emergency hearings in Juvenile Court, necessitating a full-time presence. Further, for the benefit of families and children, as well as satisfying mandates from the Michigan Supreme Court, it is imperative that there be continuity with the judicial officer hearing these cases. Also, there are Ethics Opinions which prohibit part-time Attorney Referees from practicing law before the Family Court Judges from whom they hear assigned cases.**
  
16. Has current staff been working overtime and, if so, how much is currently being worked or how much is planned to be worked per week (on the average)? **The Attorney Referee is a non-union salaried employee who works the hours necessary to complete the work required. Those responsibilities include working hours beyond the normal work week. As indicated earlier, there are no employees with the education and experience requirements available to perform the duties of the Attorney Referee. Therefore, it is necessary to utilize funds for the services of a visiting judge appointed by SCAO if an Attorney Referee is not hired.**
  
17. Has cross-trained staff been fully utilized to maximize the output of existing staff? Please provide explanation(s). **In other areas, yes, however, as stated earlier no other staff has the education and experience necessary to perform the duties of Juvenile attorney Referee.**