

PRACTICE TIPS

Performance Management Systems

By: Sherrie Farstveet, Law Office Administrator, Arvada, Colorado

Many cities across the United States and Canada have been involved with developing performance management systems. Although referred to by different names such as "performance metrics" or "performance-based budgeting," these systems build a framework for aligning the City Council's objectives and the day-to-day activities of the organization. Performance management systems link the annual allocation of resources to the achievement of results that are measured in definable service levels. These systems generate data that allows program managers to shift resources in order to achieve results that are expressed in both qualitative and quantitative measures.

In summary, these systems are the foundation for building a data-driven, results-oriented, customer-focused and responsive local government organization.

Performance management systems:

- Link the customer experience and customer service to the level of budgeted resources;
- Provide taxpayers with reports summarizing the results generated by the allocation of public funds;
- Allow elected officials to make a business case based on the impact of their decisions; and
- Provide the best information to hold the city manager and his/her entire organization accountable for their performance.

"Elite" local governments utilize performance management systems to measure, track, and report performance and use this information to achieve the community's highest priorities.

THE ARVADA EXPERIENCE

In 2011, Arvada, Colorado's City Council hired a new City Manager who instituted a performance based budgeting (PBB) system called "FOCUS." In 2013, the City Manager created and filled a position titled Performance Budget Manager. All departments within the City, including the City Attorney's Office, took time to identify issues on the horizon and create performance measures to address these issues. The City also implemented a robust software system to input and monitor performance and budget data.

As an internal service department of the City of Arvada, the City Attorney's Office was tasked with developing a variety of performance measures. It was a challenge to determine which measures would not only reflect the work accomplished but, even more importantly, would demonstrate the impact of that work on our clients. In other words, what performance measures would be meaningful to both our office and to our customers?

This is a challenge facing many departments within a municipality. When attempting to implement such systems it is common to hear the following:

1. "We can't measure that."
2. "We don't have customers."
3. "Our attorneys won't like this."
4. "We are just counting things to make the City Manager happy."

Some examples of the Arvada City Attorney's Office measurements in 2014 through early 2015 included:

- Number of prosecution cases reviewed and processed;
- Number of pretrial conferences conducted;
- Prosecution matters resolved within plea bargain guidelines;
- Number of prosecution related motions prepared, reviewed and filed with the municipal court;
- Percentage of prosecution cases involving juvenile offenders evaluated for alternative sentencing programs;
- Number of claims responses provided;
- Number of lawsuits managed;
- Number of federal, state and administrative filings completed;
- Number of client legal inquiries handled by CAO attorney staff;
- Number of attorney-client communications provided;
- Number of contracts written or reviewed;
- Number of resolutions and ordinances written;
- Number of liens prepared; and
- City Council, board, and commission decisions complying and/or not complying with legal advice.

Once such performance measures are created, the team celebrates and hopes that their work is complete. What really happens is the realization over time that performance measures:

1. May not focus on the customer experience;
2. May not be important to the department;
3. May be counting for the sake of counting;
4. May have targets that are too easy or too difficult to achieve; or
5. May just be invalid or inaccurate measures.

After considerable reflection, the City Attorney's Office modified various of the measurements listed above-or discontinued them entirely-because they did not yield the customer impact information that is a crucial aspect of PBB. Finally, in mid-2015, after crafting and re-crafting performance measurements, the City Attorney's Office began sending client satisfaction surveys so that we could gain feedback directly from our customers.

The survey requests are delivered to clients through a Google Form and the responses submitted anonymously. Clients provide a rating of 1 to 5 (from lowest to highest) on the following topics:

SURVEY TOPIC	CUSTOMERS/CLIENTS
Effectiveness of prosecution	Municipal Judge, relief judges, court staff, police officers
Effectiveness of legal training	Training attendees
Effectiveness of litigation	Customers/Clients
Effectiveness of legal advice and counsel	Leadership team members, managers, staff
Timeliness, accuracy and completeness of legal documents	Leadership team members, managers, staff

The City Attorney's Office goal is to "Strive for 5" on the surveys. We are finally, because of the survey responses, better able to determine the impact of the services we provide to our clients. We utilize this data in quarterly STAT meetings, where we discuss performance measure progress with the City Manager, Deputy City Managers, Performance Budget Manager, Deep Divers, and the Core STAT Team. Enhancements and/or changes to performance measures are reviewed during these meetings.

Will we continue sending out this type of customer survey indefinitely? For now, we appreciate the feedback we receive from our clients and rely on that feedback in making sure we are serving the City of Arvada in the best way possible.

Next steps in the Arvada journey will include:

1. Breaking down silos to create cross-departmental performance measures between the City Attorney's Office, Police Department and Municipal Courts. This is an important step given that none of us works in a vacuum. Having a better understating of the intersection points between our departments will enhance internal and external customer service.
2. Implementing process improvement initiatives. The City has a team of Ninjas trained in Lean principles who will work in collaboration with the City Attorney's Office to streamline and document processes in order to be consistent and reproducible.
3. Annual review of performance measures to ensure validity and relevance.

We will keep you apprised of our progress.

About IMLA's Legal Professional Assistant Section and ListServ:

The IMLA Legal Assistant Section and Listserv is a recently-organized group of professional Legal Assistants. The group was formed to provide an opportunity for all legal professional staff, including legal administrators, office managers, paralegals, legal assistants, and specialists to brainstorm, network, and share experiences and resources. We believe we can work together to identify ways in which law offices can improve the use of legal assistants to increase productivity and reduce costs, in the same manner that the medical profession makes excellent use of para-professionals to be more effective. We hope this IMLA Section can advance the profession both for lawyers and legal assistants.

Please join the Legal Assistant listserv http://lists.imla.org/mailman/listinfo/legalassistant_lists.imla.org

For more information, please contact Sherie Farstveet, Law Office Administrator for the City of Arvada, Colorado via email (sfarstveet@arvada.org) or phone (720) 898-7188 for more information.

Thanks to Kelley Hartman, Performance Budget Manager for the City of Arvada for her assistance on this article. Prior to her work with the City of Arvada, she was the CFO for a division within the State of Colorado, Director of Student Retention at Regis University, Director of Client Development at Sloans Lake Managed Care and an Occupational Therapist. Kelley holds a BS in Occupational Therapy from Texas Tech University MBA and MSA from Regis University. Kelley and her husband are longtime residents of the City of Arvada.



Sherie Farstveet is the Law Office Administrator for the City of Arvada, Colorado. Sherie has worked for Arvada for 15 years. Prior to working for the City Attorney's Office, Sherie worked for ten years with the United States Attorney's Office in Denver, including an 18-month detail to the Oklahoma City Bombing Prosecution Team and for nearly two years with the United States District Court in Colorado as a Judicial Assistant. Sherie is married and has three sons and one grandson. Sherie is the Chairperson for the IMLA Legal Assistant Section.

