



# MACA REPORTER

A Publication of the Missouri Association for Court Administration

VOLUME 35

FALL, 1997

## 1997-1998 MACA OFFICERS

**PRESIDENT**  
Lisa Westfall, Branson

**VICE PRESIDENT-ELECT**  
Jammy Brandes, Cooper County

**SECRETARY**  
Shara Meyer, Columbia

**TREASURER**  
Andrea Holland, Sullivan

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Nancy Morr, Chesterfield

**PAST PRESIDENTS**  
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Donna Johnson, Overland

**REGION I**  
Pat Siekerman, Fenton

**REGION II**  
Susan Barnes, Clay County

**REGION III**  
Robin Ausmus, Macon

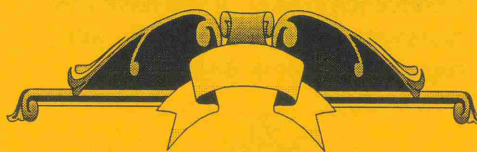
**REGION IV**  
Janet Stemm, Duquesne

**REGION VI**  
Collene Paden, St. Joseph

**REGION VII**  
Pam Jackson, Moberly

**REGION IX**  
Rick Thompson, Springfield

**REGION X**  
Rita Bovinett, Dellwood



## WELCOME NEW MEMBERS

New members who have joined MACA since the previous newsletter (as of October 20, 1997). If your name does not appear in this issue of the Reporter, check the next issue.

### REGION 1:

Merne Earl, Winchester Municipal;  
Mary Ann Twitty, Ferguson Municipal;  
Patricia Wolpert, Des Peres Municipal;  
and Jan Morr, Crystal City Municipal.

### REGION 4:

Yvette M. Smith, Leadington Municipal

### REGION 5:

Shannon Cox, Crane Municipal

### REGION 8:

Donna Alieksaites, Jefferson City Municipal

### REGION 9:

Cynthia Galvan-Graybill, Republic Municipal; and Bobbie Hendrickson, Bolivar Municipal



## 1998 BUDGET

In this issue of the Reporter is the finalized version of the 1998 budget which was approved at the Board Meeting of October 11, 1997. If you have any questions, please contact your regional director or any officer.

## EDITOR'S NOTE

Please send any articles for the MACA Reporter to:

Shara Meyer  
Columbia Municipal Court  
600 East Broadway  
Columbia, MO 65201

or fax: 573-874-7533

## CERTIFICATION ITEMS

Reminder to those clerks who are certified: Please send in your maintenance forms to the University. DEADLINE IS JANUARY 1, 1998.

If you did not get your application for certification in by the October 1st deadline, you still have until March 1, 1998 to send this into the University.

**REMINDER:** You must be a member of MACA for four years to be eligible for certification. If you have questions concerning your membership, please call Andrea Holland at 573-468-4612.

## UNIVERSITY LIAISON CHANGE

On August 20, 1997, MACA was notified that there was a change of liaisons at the University. For certification questions, you are directed to contact Sharon Reed at 573-884-6664 or 882-2860. Aimee will still be around to assist Sharon as needed. We welcome Sharon aboard!

Also, we have been informed that the Institute for Executive Development has had a name change. They are now "Missouri Training Institute". Address all correspondence to:

Missouri Training Institute-UMC  
1100 University Place  
Columbia, MO 65211



*For every action, there is an equal and opposite criticism.*

## **MEMBERSHIP APPLICATION**

Enclosed in this issue of the MACA Reporter is the 1998 Membership Application form. The deadline for dues is January 31, 1998.

Please keep in mind that in order to vote at the Annual Conference, dues **must** be paid no later than May 1, 1998.



## **BY-LAW AMENDMENTS**

All by-law amendments need to be submitted to Nancy Morr. The proposed amendments will be published in future issues of the MACA Reporter.

**ITEM OF INTEREST:** At the October 11th board meeting, the board voted to amend Article II: Purpose on a temporary basis. This was done for the purpose of obtaining tax-exempt status. This was considered an emergency situation and was done strictly as a cost saving measure. In order to receive tax-exempt status, the organization must indicate where our assets would go in the event we were to dissolve. The amendment is as follows:

**ARTICLE II: PURPOSE** (add the following):

6. No part of the net earnings of this corporation shall inure to the benefit of, or be distributable to its members, trustees, officers, or other private persons, except that the corporation shall be authorized and empowered to pay reasonable compensation for services rendered and to make payments and distributions in furtherance of the purposes set forth in the above sections.

7. Upon the dissolution of the corporation, assets shall be distributed to the State of Missouri for public purposes.

The Association was limited to the number of agencies that the money could be turned over to, so the by-laws committee recommended the State of Missouri.

This amendment will appear on the ballot for the full vote of the membership at the Annual Conference in May. If you have any questions, please contact your regional director or any officer.



## **ARTICLE OF INCORPORATION**

As of August 7, 1997, the Missouri Association for Court Administration, Inc. was certified as a Missouri Nonprofit Corporation by the Secretary of State.

The Association owes a debt of gratitude to Nancy Morr for all of her hard work in getting the paper work filed for this. WAY TO GO, NANCY!



## **INTRODUCING REGIONS 3 & 4**

This newsletter we are featuring Regions 3 & 4 and their directors.

### REGION 3 - Robin Ausmus

Region 3 is located in Northeast Missouri and includes a total of 6 Circuits and 16 counties. In 1996, a regional chapter was founded, Northeast Missouri Association (NEMO/MACA).

A quarterly meeting is held with all members being asked to serve (on a rotating basis) as a hostess. Each host is asked to plan the education program for that meeting and to choose the location in which the meeting will be held. By bringing the Association to various locations, it is hoped that new members will be encouraged to join that may otherwise be hindered by travel time.

Our third quarter meeting was hosted by Cheryl Behrmann and held in Moberly. Cheryl gave an education program on Record Retention and Destruction. Region III and Region VII then held a Social Committee meeting, as the 1998 social will be hosted by the two regions.

If you are interested in becoming involved with NEMO/MACA or would like to serve on the Social Committee, please contact either Cheryl Behrmann, Kirksville at 816-627-1237 or me, Robin Ausmus at 816-385-4931.

Please do not hesitate to call if I may provide any assistance to you.

*Region 4 continued on next page.*



## **CONTEST TO RENAME MACA REPORTER**

The majority vote was to leave the name as is. So the gift certificate for a two night stay at Lodge of Four Seasons was given away by random drawing. The lucky winner was Janet Stemm of Duquesne. Janet indicated that it was the "perfect gift" as she and her husband will be celebrating their 25th wedding anniversary soon. Congratulations to Janet!

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## **LIBRARY INFORMATION**

This month we have an updated listing of library items. There have been some new items added. They are all cassettes and are: Fine & Fee Collection; Building Bridges Requires Insight (from the 1997 NACM Annual Conference); and Common Law Courts (also from the '97 Conference).

The Building Bridges speaker was excellent. Hopefully, it translates well on audio cassette. Check it out.

## CHANGE IN MEMBERSHIP DUES

At the October 11th board meeting, the board voted to set dues for retired members at \$35.00, same as regular members. This change was implemented primarily to assist the with tracking all members of MACA whether retired or active. Also, consideration was given as to the voting rights of **paid** members in accordance with by-laws.

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## ANNUAL CONFERENCE NEWS

The Board has voted to change the registration fees for the Annual Conference. All members of MACA will still pay \$125.00 for the week-long seminar. However, non-members of MACA will be charged \$200.

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In a future issue of the MACA Reporter, we will include helpful hints for those attending the conference for the first time, as well as helpful hints for our move to Tan-Tar-A.

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If you have not yet made your reservations, do so today. As of October 1, there were over 150 rooms booked. For reservations, call 1-800-826-8272. If you have special needs, notify the reservations clerk when placing your call.

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The Education Committee has put together an outstanding conference schedule. They have lined up many interesting speakers and topics. More will follow in future issues.

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Isn't it a bit unnerving that doctors call what they do "practice"?

## REGION 4 INTRO

By: Bonnie Smith

Region IV is in the southeastern corner of the state and includes the Bootheel. It is made of 13 counties and 5 Judicial Circuits; 24th, 32nd, 33rd, 34th and 35th. The counties are Washington, St. Francois, Ste. Genevieve, Madison, Perry, Bollinger, Cape Girardeau, Scott, Mississippi, New Madrid, Pemiscot, Dunklin and Stoddard.

Region IV has 20 members in MACA. Our local chapter of MACA is SEMOMACA. We meet twice a year in Miner. We have recently started a SEMOMACA Newsletter, to be sent out quarterly. Glenda Overbey, from the City of Hayti, is President of SEMOMACA.

Desloge, pop. 4,400, is located on Hwy 67 about 60 miles south of St. Louis. We have a big Labor Day picnic with an Old Car Show, Country, 60's & 70's Music, all kinds of craft booths and food concession, horseshoes tournament and karate display.

Park Hills has the Flat River Grand Prix Governor's Cup Motorcycle Race held the first weekend in October. It draws entrants from all over the world. The Grand Prize is \$25,000 and was won this year by a man from California.

St. Genevieve, pop. 4,411, has the Jour de Fete the 2nd full weekend in August. They have over 50 crafters and many kinds of food booths and much music. There is also a Christmas Walk, parade and a free Christmas Concert in December as well as Strolling Carolers and French Folk music.

Perryville, pop. 6933, is proud of St. Mary's of the Barrens Historic District, which was placed on the National Register in 1995. They also have several fairs and festivals including the Mississippi River Valley Scenic Drive in April. This is

a self conducted tour through 10 Perry County communities to see Azaleas, Dogwoods, antiques, quilts, living history demos, crafts, good food and friendly people.

Jackson, pop. 9,256, is the county seat for Cape Girardeau County. Their local Jaycees sponsor a 4th of July Celebration including a car show, mud volleyball, pie and watermelon eating contest and ends with a fireworks display.

Miner, pop. 1,210, and Sikeston, pop. 18,000, are adjoining cities famous for Lambert's Cafe "Home of the Throwned Rolls" and the Jaycee Bootheel Rodeo held for four days the first week of August.

Dexter, pop. 7,559, has the Heritage House and tours of the heritage Museum and the Heritage Caboose.

Malden, pop. 5,125, is down in the Bootheel. They have the Bootheel Youth Museum, with 32,000 visitors since opening in March, 96 and also the Bootheel Education Center.

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Recently reported in the Massachusetts Bar Association Lawyers Journal, actual questions asked by attorneys of witnesses during trials:

"Was it you or your younger brother who was killed in the war?"

Q: "Do you recall the time that you examined the body?"

A: "The autopsy started around 8:30 PM."

Q: "And Mr. Dennington was dead at the time?"

A: "No, he was sitting on the table wondering why I was doing an autopsy."

"How many times have you committed suicide?"

Q: "You were shot in the fracas?"

A: "No, I was shot midway between the fracas and the navel."

## PRESIDENT'S MESSAGE

The Board met at Tan-Tar-A for their October Board meeting. This was a very productive meeting. The Education Committee has an outline of some wonderful speakers and topics. There are many new ideas and changes being made this year for the conference. I feel like if we can confirm the plans as presented to the Board, the membership will be very pleased with the outcome. I know that the Conference Committee, Social Committee, and Vendor Committee are all working with Tan-Tar-A to be able to have the conference come off without any glitches.

We are including reservation cards in this mailing to help you get a jump on room reservations at Tan-Tar-A. I do know that there are approximately 150 rooms already reserved. I would suggest you make your reservations as soon as possible. If you do not know if you will be able to attend, remember you may cancel your room up to 72 hours prior to conference. At least this way you would be guaranteed a room.

I am proud to be able to tell you that our membership is at an all time high of 350 members. The membership Drive Committee has geared up for November, which is membership drive month and also renewal month. You will find a membership/renewal form in this newsletter. Be sure to fill it out and return it before January. Memberships are due by January 31st. Also, if you know of any clerks who are non-members, pick up the phone and encourage them to join. The Membership Drive Committee will be sending out over 260 invitations to non-members to join MACA. Wow! Imagine what our membership would be then.

The other committees all have on-going projects that they reported on. There will be a MACA survey formulated and disbursed in the future. There are some new by-laws being formulated for your review at conference and a new voting procedure is being developed. This is due to by-law changes from the last conference. Only the members of a region will be able to vote for their Director. The New Clerk's Seminar Committee gave their ending report. This was quite a success with over 70 people in attendance. Great Job!!

We have a new Chapter formed. The Resolution was read and accepted by the Board. Our new Chapter was formed by Region V and is called SWACA/MACA. Congratulations to this region for all of their hard work. If you don't have a chapter formed yet, talk with your Regional Director about getting one going. I would like to see the whole state represented by a Chapter. Way to go Region V!!

My last note is a "Get Well" note to Pam Jackson. Pam is from Moberly and is Director for Region VII. She was in CCU for almost a week and missed our Board meeting. It is my understanding that Pam will have to take it easy for several weeks but is expected to be up and back to work after that.

--Lisa Westfall, MACA President

### NEWLY CERTIFIED COURT ADMINISTRATORS

The following individuals achieved certified status, October 11. They will be honored at the May Conference.

Patricia Castillo, Maryville  
Tina Chenoweth, St. Joseph  
Nadine Douthit, Belton  
Laura Ellis, Grandview  
Patricia Hines, City of St. Louis  
Marilyn Schneider, St. George

Linda Simino, Leadington  
Kimberly Traynor, Branson  
Marianne Warren, Maryland Hgts.  
Sharen Wilson, Albany



### THINGS THAT MAKE YOU GO UMMMM???

What's a another word for synonym?

Why isn't there mouse flavored cat food?

Would a fly that loses it wings be called a walk?

Why don't sheep shrink when it rains?

Why do people who know the least know it the loudest?

Should vegetarians eat animal crackers?

If the cops arrest a mime, do they tell him he has the right to remain silent?



# MISSOURI ASSOCIATION FOR COURT ADMINISTRATION

1998 MEMBERSHIP APPLICATION FORM

DATE: \_\_\_\_\_ NEW MEMBER \_\_\_\_\_ RENEWAL \_\_\_\_\_  
NAME \_\_\_\_\_  
TITLE \_\_\_\_\_  
NAME OF COURT \_\_\_\_\_  
MAILING ADDRESS \_\_\_\_\_  
CITY & ZIP \_\_\_\_\_  
YEARS OF SERVICE \_\_\_\_\_ MEMBERSHIP CATEGORY:  
COURT: MUNICIPAL \_\_\_\_\_ REGULAR \_\_\_\_\_ RETIRED \_\_\_\_\_ ASSOCIATE  
ASSOCIATE \_\_\_\_\_  
COUNTY \_\_\_\_\_ REGION # \_\_\_\_\_ { 1 - 10 } (SEE REVERSE)  
PHONE# ( ) \_\_\_\_\_ FAX#( ) \_\_\_\_\_  
SOCIAL SECURITY # \_\_\_\_\_ E-MAIL ADDRESS: \_\_\_\_\_

IF NEWLY APPOINTED TO REPLACE PREVIOUS CLERK, NAME OF CLERK YOU ARE REPLACING:

\_\_\_\_\_

DID PREVIOUS CLERK: \_\_\_\_\_ RETIRE \_\_\_\_\_ TRANSFER TO ANOTHER COURT \_\_\_\_\_ OTHER

DUES OF \$35.00 ARE DUE JANUARY 31st OF EACH YEAR. *DUES ARE \$35.00 FOR ALL MEMBERSHIP CATEGORIES.*

*MAKE CHECK PAYABLE TO MACA*

MAIL TO: ANDREA HOLLAND, MACA TREASURER  
SULLIVAN MUNICIPAL COURT  
210 W. WASHINGTON  
SULLIVAN, MO 63080

*--MACA USE ONLY--*

DATE PAYMENT RECEIVED \_\_\_\_\_ GOVT. CHECK # \_\_\_\_\_ PERSONAL CK. # \_\_\_\_\_

IF YOU ARE ATTENDING THE 1998 MACA ANNUAL CONFERENCE AND DO NOT HAVE A MAGNETIC/PERMANENT NAME TAG AND WOULD LIKE TO PURCHASE ONE, PLEASE FILL OUT THE INFORMATION BELOW AND REMIT \$7.00 MADE PAYABLE TO MACA. PLEASE INDICATE THE INFORMATION YOU WOULD LIKE INCLUDED ON YOUR NAME TAG:

NAME: \_\_\_\_\_

CITY *OR* COURT: \_\_\_\_\_

EXAMPLE: CITY OF SULLIVAN *OR* SULLIVAN MUNICIPAL COURT

ALPHA-LISTING OF COUNTIES  
( ) REGION [ ] CIRCUIT

ADAIR (3) [2]	GRUNDY (6) [3]	PERRY (4) [32]
ANDREW (6) [5]	HARRISON (6) [3]	PETTIS (7) [18]
ATCHISON (6) [4]	HENRY (2) [27]	PHELPS (8) [25]
AUDRAIN (7) [12]	HICKORY (9) [30]	PIKE (3) [45]
BARRY (5) [39]	HOLT (6) [4]	PLATTE (2) [6]
BARTON (5) [28]	HOWARD (7) [14]	POLK (9) [30]
BATES (2) [27]	HOWELL (10) [37]	PULASKI (8) [25]
BENTON (9) [30]	IRON (10) [42]	PUTNAM (6) [3]
BOLLINGER (4) [32]	JACKSON (2) [16]	RALLS (3) [10]
BOONE (7) [13]	JASPER (5) [29]	RANDOLPH (7) [14]
BUCHANAN (6) [5]	JEFFERSON (1) [23]	RAY (6) [8]
BUTLER (10) [36]	JOHNSON (2) [17]	REYNOLDS (10) [42]
CALDWELL (6) [43]	KNOX (3) [2]	RIPLEY (10) [36]
CALLAWAY (7) [13]	LACLEDE (8) [26]	SALINE (7) [15]
CAMDEN (8) [26]	LAFAYETTE (7) [15]	SCHUYLER (3) [1]
CAPE GIRARDEAU (4) [32]	LAWRENCE (5) [39]	SCOTLAND (3) [1]
CARROLL (6) [8]	LEWIS (3) [2]	SCOTT (4) [33]
CARTER (10) [37]	LINCOLN (3) [45]	SHANNON (10) [37]
CASS (2) [17]	LINN (3) [9]	SHELBY (3) [41]
CEDAR (5) [28]	LIVINGSTON (6) [43]	ST. CHARLES (1) [11]
CHARITON (3) [9]	MACON (3) [41]	ST. CLAIR (2) [27]
CHRISTIAN (9) [38]	MADISON (4) [24]	ST. FRANCOIS (4) [24]
CLARK (3) [1]	MARIES (8) [25]	STE. GENEVIEVE (4) [24]
CLAY (2) [7]	MARION (3) [10]	ST. LOUIS CITY (1) [22]
CLINTON (6) [43]	MCDONALD (5) [40]	ST. LOUIS COUNTY (1) [21]
COLE (8) [19]	MERCER (6) [3]	STODDARD (4) [35]
COOPER (7) [18]	MILLER (8) [26]	STONE (5) [39]
CRAWFORD (10) [42]	MISSISSIPPI (4) [33]	SULLIVAN (3) [9]
DADE (5) [28]	MONITEAU (8) [26]	TANEY (9) [38]
DALLAS (9) [30]	MONROE (3) [10]	TEXAS (8) [25]
DAVISS (6) [43]	MONTGOMERY (7) [12]	VERNON (5) [28]
DEKALB (6) [43]	MORGAN (8) [26]	WARREN (7) [12]
DENT (10) [42]	NEW MADRID (4) [34]	WASHINGTON (4) [24]
DOUGLAS (9) [44]	NEWTON (5) [40]	WAYNE (10) [42]
DUNKLIN (4) [35]	NODAWAY (6) [4]	WEBSTER (9) [30]
FRANKLIN (8) [20]	OREGON (10) [37]	WORTH (6) [4]
GASCONADE (8) [20]	OSAGE (8) [20]	WRIGHT (9) [44]
GENTRY (6) [4]	OZARK (9) [44]	
GREENE (9) [31]	PEMISCOTT (4) [34]	

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**MISSOURI ASSOCIATION FOR COURT ADMINISTRATION  
1998 ANNUAL CONFERENCE**

*Mark you calendar for MACA's 1998 Annual Conference and meet us at Tan-Tar-a at Lake of the Ozarks.*

**May 18-22, 1998**

*Many informative, educational programs will be provided as well as social activities to help acquaint Administrators/Clerks throughout the state.*

**Call Tan-Tar-A today for reservations. 1-800-826-8272**



## A LOOK AT RULE 37

Quite frankly, this is filler. But, hopefully, the purpose will be two-fold: filler and informative. Thanks for bearing with me!

**Rule 37.05 Local Circuit Court Rules:** The circuit courts may make rules governing hearing of ordinance violations and the disposition of ordinance and statutory traffic violations in a traffic violations bureau if the rules are not inconsistent with the rules of this Court or the Constitution. Upon the promulgation, copies of such rules shall be filed with the Clerk of this Court. The clerk of each court shall from time to time compile all of the current rules and maintain copies thereof for distribution among members of the bar and litigants.

*In other words, if you don't have a copy of your circuit's local court rules, contact the Circuit Clerk.*

**Rule 37.12 Arrest Without Warrant-20 Hour Limit:** Any person arrested without a warrant and confined in any place for the alleged commission of an ordinance violation shall be discharged from custody within 20 hours of such arrest unless he be held upon a warrant.

**Rule 37.28 Notice of Change of Address:** Any defendant who has been released pending further proceedings and any surety for such defendant shall give written notice to the clerk of the court in which the case is pending of any change of address.

**Rule 37.44 Summons-Service and Return:** A summons may be served (a) by the clerk by mail addressed to defendant or (b) by an officer in the manner provided by Rule 54.13 or Rule 54.14.



**Rule 37.38 Information-Incorrect Name of Defendant:** Any defendant charged in an information under an incorrect name may furnish his correct name and the correct name shall be substituted in the information. His failure to furnish the correct name shall not invalidate the proceedings against him.

**Rule 37.39 Information-Amendment-Delay:** Any information charging an ordinance violation may be amended at any time before a finding of guilty or not guilty if no additional or different ordinance violation is charged and if the defendant's substantial rights are not thereby prejudiced. No such amendment shall cause delay of a trial of the charge unless the judge finds that the defendant requires additional time to prepare his defense by reason of such amendment.



**MISSOURI ASSOCIATION FOR COURT ADMINISTRATION**  
c/o Columbia Municipal Court  
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Columbia, MO 65201



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