



# MACA REPORTER

A Publication of the Missouri Association For Court Administration

VOLUME 49

SUMMER 2001

## 2001-2002 MACA OFFICERS

### PRESIDENT

Shara Meyer - Columbia

### VICE PRESIDENT-ELECT

Andrea Holland, Sullivan

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Jan Gustin, Liberty

### TREASURER

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## PRESIDENT'S MESSAGE

Where to begin. I know you are thinking "that woman is never a loss for words" but putting pen to paper and writing an article is a different story!

I'd like to first say how pleased I was with this year's conference. I think Jan Gustin and her crew did a fantastic job. With the exception of one minor incident (and I'm sure most of you know what that was!), everything went quite smoothly. Plans are already under way for the 2002 Conference, headed jointly by Julie Johnson, Pierce City and Larry Myers, Joplin. If you would like to serve on the Education Committee, please be sure to either contact Julie or me and we will see you get added to the list.

I'm very excited to be working with so many new board members! They all bring new, fresh ideas to the Board and to the organization. It's nice to have new faces and new ideas so that we continue to grow and don't become stagnant.

In this edition of the Reporter, there is a listing of all board members with their addresses and phone numbers. If at any time you have a question or comment, please feel free to contact any officer or director. We are always glad to hear from you. There is also a listing of committees and the chairs assigned to those committees. If you are interested in serving on any committee, contact the committee chair or me. We need all the volunteers we can get!

Our next Board meeting is October 19 & 20, 2001. Any topics of interest you want brought to the Board's attention, contact your regional director.

Hope all of you have a safe and fun summer.

Shara

## CALENDAR OF EVENTS

### 2001

- September 28:** OSCA Regional Training, Cape Girardeau  
**October 5:** OSCA Regional Training, Springfield  
**October 12:** OSCA Regional Training, Columbia  
**October 17-19:** Court Clerk College sponsored by OSCA, Jefferson City  
**October 19:** OSCA Regional Training, Kansas City  
**October 19-20:** MACA Executive Board meeting, Tan-Tar-A  
**November 2:** OSCA Regional Training, St. Louis

### 2002

- March 2:** NACM Midyear (Gulf Coast Area)  
**July 19-26:** NACM Annual Conference, Portland, Oregon

### 2003

- March:** NACM Midyear (Canadian Border Area)  
**March:** NACM Annual Conference, Washington, D.C.

Submit articles to:

Nancy Kinsey

Deputy Clerk

600 E. Broadway

Columbia, MO 65201

fax: 573-874-7533

# NACM NEWS

by Larry Myers  
Joplin Municipal Court

Nineteen Missourians attended the Sixteenth Annual Conference of the National Association for Court Management July 15-20, 2001 in New Orleans. I was pleased that nineteen of us could be in attendance. Many think it was the best professional development conference that NACM has conducted. We also got some suggestions for speakers who would be great for MACA's May Conference.

During this conference, my two years as Rural Court Director came to an end. It has been a rewarding and interesting two years. I believe that NACM is doing some great things and is being invited to be at the table when policy for the Courts is being discussed and established. You would not believe the people around the table at NACM's Board meetings. I am amazed at the amount of collaboration and coalition building that NACM does.

As a result of my belief in what NACM is doing, I submitted my name for the Office of Secretary/Treasurer. I made it through the interview process on Sunday and was placed on the ballot at the business meeting on Monday and was elected to that position on Thursday, July 19. I look forward to serving the NACM (and MACA) membership in this position.

At the Board meeting we finalized the location for the midyear and annual conference for the next two years. Please mark your calendar as follows:

**March 3-6, 2002 Midyear Conference at the Williamsburg Lodge in historic Williamsburg, Virginia**

**July 21-26, 2002 Annual Conference at the Portland Hilton in Portland, Oregon**

**2003 Midyear Conference tentatively set in Reno, Nevada - date yet to be set**

**July 13-18, 2003 Annual Conference at the Omni Shoreham Hotel in Washington, D.C.**

**2004 Midyear Conference tentatively set in Savannah, Georgia - date yet to be set**

NACM hosts a Leadership Conference for the new presidents of Court Association throughout the United States. This is by invitation only and is held the Saturday before the Annual Conference. Since Lisa Westfall attended in San Antonio in 1998, MACA has not had a person, although invited, to attend this Leadership Conference. I am encouraging the current Board of Directors to pass a resolution that the President attend the next leadership conference and if unable to attend the full meeting that

the President-Elect attend. If neither the President nor President-Elect can attend, then the invitation should be passed down, in order, to the rest of the Officers and then on to the Directors. Our attendance at this Leadership Conference, in my opinion, is extremely important.

I would also encourage everyone to join and renew your NACM membership in order to be a part of this great organization and to be aware of what is happening on a national level and to receive the publications - *Court Communique* and *Court Manager*. Visit the NACM web site at [www.nacmnet.org](http://www.nacmnet.org). We are working on a link with the MACA and the NACM web sites.

## WE NEED YOUR HELP

The 2002 Education Committee wants to hear from you with any comments and suggestions for topics at next years conference. Please mail your comments to the Education Committee Co-Chair:

Julie Johnson  
Pierce City Municipal Court  
112 E. Commercial  
Pierce City, MO 65273

Please respond as soon as possible, because plans are already underway for next year.

## MISSOURI REVISED STATUTES

*Chapter 137*  
*Assessment and Levy of Property Taxes*  
*Section 137.298*  
*August 28, 2000*

*Cities may pass ordinance to include charges for outstanding parking tickets on personal property tax bill--personal property tax receipt, issued when.*

137.298. Other provisions of the law to the contrary notwithstanding, any city may by ordinance include as a charge on bills issued for personal property taxes any outstanding parking violations issued on any vehicle for which personal property tax is to be paid and, if required by ordinance, such charge shall be collected with and in the same payment as personal property taxes are collected by the collector of revenue of such city. No personal property tax bill shall be considered paid unless all charges for parking violations are also paid in full and the collector of revenue shall not issue a paid personal property receipt until all such charges are paid.

(L. 1999 S.B. 19 § 7)

## OFFICER/DIRECTORS ROSTER 2001/2002

### PRESIDENT

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### VICE-PRESIDENT ELECT

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### SECRETARY

*Jan Gustin*  
Liberty Municipal Court  
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### TREASURER

*Pam Jackson*  
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### IMMEDIATE PAST PRESIDENT

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### REGION 1

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### REGION 5

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### REGION 6

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### MEMBERSHIP DIRECTOR

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## Q & A WITH THE DOR

- Q. When a court does a FACT, why doesn't it show up on the person's driving record as to what court has ordered the instate suspension?
- A. Give them DOR's phone number so they can call to find out. Gena will check to see if this could be added.
- Q. If a FACT suspension notices is mailed out by DOR and returned in the mail does the suspension get canceled?
- A. Yes.
- Q. Does DOR notify the court they cancel?
- A. No.
- Q. Can Ft. Leonard Wood send their tickets in?
- A. Federal land can now be point assessible for traffic violations.
- Q. Can you send in a FACT on a No Operators License?
- A. Yes, they can build a record.
- Q. How are speeding tickets of 5 miles or less handled by the DOR?
- A. The violation will not show on the record and no points are assessed.
- Q. After courts set aside a conviction does the DOR forward the new information to outside states?
- A. No, only on upon request.  
The court can request on the form to have the other state set aside conviction. Be sure to highlight the special request.
- Q. Some records of conviction are coming back because there is no ticket number on it. Why? What are we to do?
- A. On alcohol offenses they will try to match the numbers. If your ticket has no number, send it back to DOR with a notation that there is no number.
- Q. Are points assessed for Excessive Vehicle Noise violations?
- A. No points are assessed unless the violation reads 'Squealing Tires'.
- Q. Are FACT forms available in Spanish?
- A. No.
- Q. Are points assessed on any restraint violations?
- A. Child Restraint and Seat Belt tickets do not have points assessed, but a child riding on a parent's lap does have points assessed.
- Q. Do bond forfeiture convictions on out-of-state licenses go on to that state?
- A. Yes.

- Q. Do you have to hire an attorney to obtain a hardship license? Do you have to go through a judge?
- A. No and No.

## OSCA Q & A

- Q. When is the Banner system expected to come to municipal level?
- A. By 2004 all state courts are to be online. Municipal courts won't be looked at until after that time.
- Q. Will it ever become mandatory for municipal courts to use Banner?
- A. Maybe, but it may be more work for small courts. The state would have to finance the system if they require it.
- Q. Is the Judicial Educational Fund only collected at municipal level?
- A. Yes.
- Q. Does there have to be an ordinance for the Judicial Education Fund to be collected?
- A. No.
- Q. What is the maximum amount allowed in the account?
- A. \$1500.00 per fiscal year for each court personnel. This amount does not have to be spent yearly.
- Q. Does the bond account need to be maintained by the city or by the court?
- A. There is no statute governing who should maintain bond accounts. OSCA recommends the court keep the bond account.
- Q. Does the Judicial Education fund pay for the Prosecuting Attorney's educational costs?
- A. No.
- Q. Can you exceed \$1500.00 per person a year?
- A. Yes, if you spend the money during the year. You just cannot have more than \$1500.00 per person at the end of the fiscal year.
- Q. Who decides to spend the fund?
- A. The judge. The city has no control.
- Q. If a check reads that a check must be cashed within 60 days, is it no longer valid after that period of time?
- A. Your bank will probably run it through anyway.
- Q. How long do you hold unclaimed monies?
- A. Unclaimed bonds may be held one year from the date they become unclaimed before you turn them over to the state.
- Q. What if the defendant is in DOC and you are holding the bond?
- A. You may leave it pending until the judge orders it refunded.

*continued on page 5*

*continued from page 4*

- Q. Is there a minimum amount required on unclaimed funds?  
 A. If under \$50.00 you don't have to identify who it goes to, just send it in with no information as to who it belongs to.
- Q. Is there a statute on interest-bearing bonds?  
 A. Not for municipal courts. It is recommended to put money in interest bearing accounts and turn money over to the city.
- Q. When do the funds have to be paid out to the state agencies?  
 A. At least monthly.
- Q. What do you do with old bonds if you can't find files to match with the bonds?  
 A. Have the judge look at the file and order it refunded, then send a letter to the surety to have them contact the court by a certain date. If it becomes unclaimed, send it to the state.

## COMMITTEE ASSIGNMENTS 2001-2002

ANNUAL CONFERENCE:	Andrea Holland Jan Gustin
NOMINATIONS:	Jammy Brandes
BY-LAWS/P&P:	Julie Hohe
MEMBERSHIP:	Vaunda Logan
EDUCATION:	Julie Johnson Larry Myers
LEGISLATION:	Cindy Stranghoener
PUBLICATIONS:	Nancy Kinsey
HISTORIAN:	Debbie Freise
SOCIAL:	Emily Buckmaster
AWARDS/SCHOLARSHIPS:	Glenda Atkinson
FINANCIAL:	Pam Jackson Shara Meyer
TECHNOLOGY/WEBSITE:	Paula Robinson
VENDORS:	Aline Hollinger
NEW CLERKS/PROF. DEV.:	Jammy Brandes Andrea Holland Directors of Regions 2, 4, 6, 8
VISION COMMITTEE:	Larry Myers, Chair Members: Shara Meyers, Rick Thompson, Lisa Westfall

## COPIES OF BY-LAWS

To receive a copy of the most recent by-laws, please contact Julie Hohe at:

Riverview Municipal Court  
 9699 Lilac Drive  
 Riverview, MO 63137

## CONFERENCE NOTES

*by Paula Robinson, Court Administrator*

*Lake Winnebago Municipal Court*

*Region II Director - MACA, Vice-President WACA-MACA*

Once again the conference was a huge success with more and more members participating each year. A special thank you goes to Jan Gustin, Liberty Municipal Court, who worked tirelessly all year planning a professional and fun conference. As Region II Director, and President of WACA-MACA, Jan's plate was full with all the conference responsibilities and she had all of us on the WACA Board hopping too! We sincerely hope everyone enjoyed himself or herself and learned something from the experience. Not every session may have been your "cup of tea," but Jan and the rest of us tried to incorporate all of the speakers to blend with the "Court Odyssey" theme. We heard some comments that "they just didn't learn anything" from the Comedy City performers. While that may be true, I learned how to laugh at our profession and how funny every day court situations can be. And I wonder if the two that were hypnotized are running up and down the aisles yelling "Beep, beep..." and "The British are coming"!!! ha My favorite was Lola - I hope I look and act like her when I'm 71 (huh... no way!!).

Next time you see Jan, please thank her for doing such a good job for our entire MACA group. Although she resigned as Region II Director of MACA, she was appointed as Secretary and is still on the board. Jan appointed me to fill the vacancy as Region II Director. She will be a hard act to follow because she always kept the board and our members informed and involved. I hope I am up to the task. Jan is also the past-president of WACA-MACA and her guidance and knowledge will continue to help our court group in Region II grow. WACA-MACA's new president is Bert Talken, Raymore Municipal Court, who is already doing a tremendous job.

Finally, I want to personally thank all of the MACA Board members for their work in organizing this year's conference. Everyone did a great job!



As of March 17, 2001, membership dues are no longer transferable from a past clerk to a new clerk.

REMINDER: Certification applications are due October 1. The next review will be March 1, 2002. Send application and fee to the address on the form.

**MISSOURI ASSOCIATION FOR  
COURT ADMINISTRATION**  
C/O Columbia Municipal Court  
600 E. Broadway  
Columbia, MO 65201

## **NOTICE**

The following forms in the Automated section of the Form Book have a tendency to misbehave:

- MU 35 listed at the top of page 2 of the Table of Contents
- MU 95 in Chapter 7
- MU 75 and 76 in Chapter 19 (last page of Table of Contents)

The best way to solve the problem is to set up a standard form for your own city from the Manual section of the Form Book. Then, if you still want to have the form as a data entry field document, such that you can utilize the "tab to tab" feature in jumping from one space to the next, you can delete the underlines and add data entry fields by using that special menu bar that "unlocks" the forms. Simply utilize the tab button on the left end of the menu bar to insert a data entry field wherever wanted, then re-lock and Save the form.

If you have problems using this or have questions you may contact Larry Butcher at (816) 628-4887.

## **CONFERENCE RESERVATIONS**

As of July, 1, 2001, you can now make reservations at Tan-Tar-A for the 2002 Conference, May 20-24, 2002.