



# MACA REPORTER

A Publication of the Missouri Association For Court Administration

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WINTER 2004

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## A Word From the President

HAPPY NEW YEAR from the MACA Board! We hope that each member had a very enjoyable and happy holiday season. Each time when it comes time for me to write this section of the MACA Reporter, I always wonder what I can say.... This time the word for the article is RESOLUTION. Did any of you make a New Year's Resolution? If so, how many of you have already let that resolution go by the wayside?

As your MACA President, I am very happy to tell you that the Board members and I have made a New Year's Resolution and it involves each of you! We are very resolved to making the 2004 Annual Conference, Community and the Courts: Bridging the Gap, a huge success. But before we turn to the May Conference, we have the 2004 Professional Development Seminar scheduled for March 26 in Columbia. We hope you will make arrangements to attend! The committee, which consists of Pam DeVault, Professional Development Director and the odd numbered Regional Directors (Pat Siekerman, Kathy Rogers, Janet Stemm, Jammy Brandes and Patti Cooper) have a great line up scheduled for all those attending. I don't want to let the cat out of the bag, but there is something there for everyone...New Clerk or Advanced Clerk...Court Clerk or Court Administrator...someone who works only in the Courts or the multi-tasked Court employee. Watch for the registration material in your mail, coming very soon. After the Conference, we are working on a New Legislation type of one day seminar that will be held at five different locations around the state. It is our resolution to provide as much education as we can, so everyone can attain their certification or maintain their certification.

I would like to also give each MACA member something to think about. Please tell your regional director and / or any other board members how much you, as a member of MACA appreciate their willingness to serve this great organization. Each of these very special people give up four weekends a year to help get the Conference together and take care of the business of this Association. They leave their homes and take to the road for board meetings and training sessions, sometimes they have to take a day of vacation to be away from the office so they can be there for the membership. We are all guilty of letting someone know if they did something we didn't like, but slow to say thank you for a job well done.

In conclusion, I would like to wish each of MACA member a Happy and Prosperous New Year. I look forward to seeing you in Columbia in March and if not there, then at the Lake in May!

Until next time,  
Andrea

## THE CLERK IS RIGHT!

"Do you want to test your court knowledge? Do you want to improve your understanding of the procedures and rules of how a court operates? Do you want help determining where you go to find information about the operating procedures and rules of a court? If so, be sure to attend THE CLERK IS RIGHT! All of us know there is a myriad of questions each day at court that we must answer. How we answer, these question depends on our depth of knowledge about our profession. You can use this session to improve your knowledge and prepare yourself to answer those questions asked by people that use our courts. To assist you in preparing for this session, all questions will come from the Missouri Municipal Clerk Manual and the Supreme Court Rules that cover Municipal courts. I look forward to seeing all of you win the prizes at this fun filled session."

## DWI TRACKING SYSTEM

Short staffing and out-dated computer systems make it difficult to use resources to document the activities of DWI (Driving While Intoxicated) offenders, yet there is a critical need to improve traffic records and the delivery of information to police officers on the road who need to determine quickly if a driver is legally licensed to drive or has past alcohol-related offenses. Improved record keeping and delivery systems also provide Prosecutors and Judges with complete offender records prior to sentencing, including the offender's history of compliance with previous sanctions and treatment. Often, repeat offenders are prosecuted as first offenders simply because Prosecutors do not have time and / or resources to search for records on prior offenses.

In addition, access to reliable and current records is the cornerstone of any attempt to identify recidivist criminal behavior, regardless of the nature of the offense. However, because impaired driving offenders are usually processed through several different agencies, a comprehensive DWI data tracking system with shared information and data management is essential for recognizing repeat DWI offenders.

New technologies and new uses of old technologies offer opportunities for process improvement for delivery of better products to the public. Law Enforcement Agencies, Courts, and Prosecutors can particularly benefit from new technologies because they process large volumes of information in repetitive ways. Moreover, they are inter-linked with other actors who process information and communicate using new technologies with which they must be accessible.

The Missouri Highway Patrol and the Rose International Consulting firm have gone through a process of examining available technologies in-depth, and considering whether and how to employ them in a world of limited resources. This plan has been widely circulated among the potential users of a new comprehensive DWI tracking system to attain agreement to its architecture, design, functional busi-

ness process, and final work process.

The centralized DWI Tracking System is currently in the development stage, which is referred to as "prototyping" the system. Demonstration of this prototype at different intervals during development is essential to the development team by allowing each user group to add valuable insight and input into the final product. The user groups are Missouri Highway Patrol, Missouri Law Enforcement Agencies, Missouri Prosecution Services, and the Missouri Court System. The planned date of DWI Tracking System's installation and deployment is July 2004.

Seminar style training for each of the user groups has been scheduled for mid-May through June 2004 at each of the Troop locations. Register to attend a Missouri Court Systems Training seminar that is convenient for you via the web at [dwitraining.confidus.com](http://dwitraining.confidus.com). The goal of the DWI Tracking System training effort will be to ensure end-users are able to use the DWI Tracking applications to support their workflow. Also, that each User will be able to use the DWI Tracking System in a manner that will ensure timely collection and accurate use of DWI offender information to enable MSHP as a whole to manage resources, analyze, report, and improve the DWI date collection processes.

## DOOR PRIZES

Hope everyone is having a lot of luck in collecting door prizes for the 2004 MACA Conference. Remember, the more prizes the better chance for you to win. Thanks for your help. Any questions contact Region II Director, Bert Talken at (816) 331-1712 or e-mail: [atalken@raymore.com](mailto:atalken@raymore.com)

## VOLUNTEERS

Still looking for a few good men and women to help our during the social events at the 2004 Conference. Please contact Bert Talken, Region II Director at (816) 331-1712 or e-mail: [atalken@raymore.com](mailto:atalken@raymore.com)

## MEMBERSHIP ON THE WEB

I wanted to let you know the process of your membership applications. Applications are first mailed to the MACA Treasurer and then forwarded to the Membership Director. The applications are processed and entered into the MACA TRAK software. The Board has decided to update the *website* with the membership applications during the months of February, April, June and November. Please allow time for your changes to appear on the website. If you have a phone number, address or e-mail change please continue to send those to me at [jgustin@ci.liberty.mo.us](mailto:jgustin@ci.liberty.mo.us) and I will continue to make your changes. Please note the changes will not immediately change on the web.

Thank you,  
Janet Gustin  
Membership Director

## DECLARATION OF CANDIDACY

This is an election year for even-numbered Regional Directors. Elections are open to all Active members of the Missouri Association for Court Administration, Inc. An Active member must have their 2004 annual dues paid on or before March 15, 2004, in order to be eligible to vote. No other membership class may run for or hold a position on the Board of Directors.

**THIS DECLARATION MUST BE RECEIVED BY MARCH 15, 2004  
BY THE NOMINATIONS COMMITTEE CHAIRPERSON.**

Please send this Declaration of Candidacy to:

Shara Meyer  
Columbia Municipal Court  
600 E. Broadway  
Columbia, MO 65201

\_\_\_\_\_ Director, Region II

\_\_\_\_\_ Director, Region IV

\_\_\_\_\_ Director, Region VI

\_\_\_\_\_ Director, Region VIII

I hereby declare my candidacy for the above position of Director on the Board of Directors of MACA. I am an active member of MACA and will uphold the integrity of the office of which I am seeking. I am committed to improve the growth of MACA and will be attending the Annual Court Conference in May of 2004 at Tan-Tar-A, Osage Beach, MO.

\_\_\_\_\_  
Name (signature)

\_\_\_\_\_  
Date

\_\_\_\_\_  
Court

\_\_\_\_\_  
Years in Position

\_\_\_\_\_  
City, Zip Code

\_\_\_\_\_  
Area Code, Phone Number

(continued on reverse)



**SUPREME COURT RULE 37**

UPDATE-EFFECTIVE JULY 1, 2004

The new Uniform Citation was approved by the Supreme Court on September 10, 2002, and went into effect on January 1, 2003, for state violations. The Supreme Court has since approved revisions to Supreme Court Rule 37 governing municipal traffic and other ordinance violations. Supreme Court Rule 37 has been amended to mirror the changes that were previously made to Rules 21, 22, and 23, requiring violations to be supported by a probable cause statement and to be written using the new Uniform Citation. The order was entered on December 2, 2003, and the rule change is **effective July 1, 2004**, at which time, all state and municipal violations are required to be written using the new Uniform Citation.

Persons responsible for ordering traffic tickets for their jurisdictions should keep the upcoming change to the ticket in mind when ordering a new supply of tickets.

If you have any questions or concerns, or need a list of vendors prepared to print the Uniform Citation, please contact Carrie Wolken, Office of State Courts Administrator, at (573) 751-4377 or by e-mail at [carrie\\_wolken@osca.state.mo.us](mailto:carrie_wolken@osca.state.mo.us).

**COURT OPERATING RULE 8**

UPDATE-EFFECTIVE JANUARY 1, 2004

There have been several questions regarding the change to Court Operating Rule 8. The rule changes have been approved by the Supreme Court and are **effective January 1, 2004**. A copy of the rule will be mailed to each court with the Municipal Clerk Manual revisions in January.

Below are some of the issues that were discussed:

Are document imaging and microfilm / microfiche the same? Can we use document imaging to store records permanently?

No. Document imaging and microfilm are not the same. Document imaged files are considered electronic records. There has not been any research to determine the longevity of document imaged files. Microfilm / microfiche and paper are the only means of permanent record keeping. Files scanned by document imaging will need to be reproduced on paper or microfilm / microfiche. Court Operating Rule 8.01 (d) and (e).

Can we transfer or destroy paper records immediately after they have been microfilmed/microfiched?

No. Paper records that have been reproduced on microfilm / microfiche must be maintained for at least 5 years after the case is disposed. After 5 years and the records have been reproduced on microfilm / microfiche, the paper records can be transferred or destroyed. Court Operating Rule 8.01 (f).

electronic records have to be reproduced on paper or microfilm / microfiche if the electronic records are never destroyed?

If the records have a retention schedule of 5 years or less they may be maintained in electronic format until the retention schedule is met. If you do not wish to keep these records in electronic format until the retention schedule is met, they must be reproduced on paper or microfilm / microfiche until the schedule is met. Court Operating Rule 8.01 (d).

If the records have a retention schedule of more than 5 years, the records must be reproduced on paper or microfilm / microfiche within 5 years after the case is disposed. The records may be kept in electronic format for a maximum of 5 years. Court Operating Rule 8.01 (e).

5 years or less	Destroyed from electronic format after retention period is met or reproduced on paper or microfilm / microfiche
More than 5 years	Reproduced on paper or microfilm / microfiche within 5 years of case disposition.

Do we have to keep all speeding tickets for 12 years?

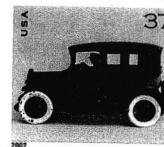
No. The following is a breakdown of the new retention schedule. Examples of cases are in (parenthesis). Court Operating Rule 8.04 (f).

**DESTRUCTION SCHEDULE**

Records	Destruction Schedule Without Microfilming
(1) More Serious Traffic Offenses, e.g., DWI, BAC, Driving While Revoked, Driving While Suspended, Leaving Scene of Accident, Fleeing or Attempting to Elude Officer	
SIS or Conviction	12 years after case disposed
Dismissal / Acquittal	3 years after case disposed
(2) Other Traffic Cases (Speeding, Following to close, etc.)	3 years after case disposed
(3) Animal Control and Housing Violation Cases	3 years after case disposed
(4) Other Ordinance Cases (Parking, assault, etc.)	
SIS or Conviction	12 years after case disposed
Dismissal / Acquittal	3 years after case disposed

If you do not receive a copy of the new rule with the manual revisions or have any question or concerns, please contact Carrie Wolken, Office of State Courts Administrator, at (573) 751-4377 or by e-mail at: [carrie\\_wolken@osca.state.mo.us](mailto:carrie_wolken@osca.state.mo.us).

MISSOURI ASSOCIATION FOR  
COURT ADMINISTRATION  
C/O Cameron Municipal Court  
205 North Main  
Cameron, MO 64429



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Raymore Municipal Court (2)  
100 Municipal Circle  
Raymore, MO 64083

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### Trivia: Award of Merit

Who received the Award of Merit in 1992, 1993, 1994, and 2002? Send response to  
jkstemm@gbronline.com or: Janet Stemm

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