

JOPLIN CITY COUNCIL INFORMAL MEETING
MONDAY, MARCH 1, 2021
5th FLOOR COUNCIL CHAMBERS
602 S. MAIN ST.
5:15 P.M.

In compliance with social distancing,
the number of guests in the Council Chambers is limited to 45.

AGENDA

1. COURT OVERVIEW/SOFTWARE TRANSITION

Documents:

[COURT OPERATIONS PRESENTATION.PDF](#)

2. OTHER BUSINESS

Notice posted at 12:00 p.m. on this 25th day of February 2021 (RSMo 610.020)



JOPLIN
MUNICIPAL
COURT

COURT OPERATIONS

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GOVERNING AUTHORITY

- * SUPREME COURT RULE 37
- * SC COURT OPERATING RULES 1 - 29
- * STATE STATUTES, CHAPTERS 476 - 488
- * 29TH CIRCUIT COURT RULES
- * CITY CODE, SECTION 42

THE COURTS' PURPOSE

- The Joplin Municipal Court is a divisional court within the 29th Judicial Circuit (Jasper County). The Court is one of limited jurisdiction which adjudicates misdemeanor traffic and ordinance violations that are alleged to have occurred within the city limits of Joplin. The main mission of the Court is to promptly and fairly adjudicate all cases filed with the Court and enforce all judgments rendered.
- The Municipal Court continues to be one of the busiest courts in the Southwest region of the state.
- The Joplin Municipal Court is not a court of record.

COURT PERSONNEL & DOCKET SCHEDULE

- The Court staff consists of one full time Judge, one provisional judge, seven full time court clerks, one part time court clerk, and one full time court administrator.
- Weekly court dockets are held Monday through Thursday, which include in person and video arraignments (persons in custody).
- A monthly docket for change of Judge cases, has taken place since October 2017.
- COVID protocol for social distancing and over all capacity in the court room exists via administrative orders from the Supreme Court of Missouri and the Presiding Judge of the 29th Circuit.

COURT PROCESS

- Initial appearance – enter a plea
- If one pleads guilty – case adjudicated by Judge
- If one pleads not guilty – case is set for trial
- Once the trial is completed the case is adjudicated
- Adjudication: Judge may order - fines & costs, court ordered community service, or incarceration.

COURT PROGRAMS

COMPLIANCE OFFICE

- DIP (Driver Improvement Program)
- Stop-Lifting (online – 3rd Millennium Inc.)
- SATOP (Substance Abuse Traffic Offender Program)
- SA-101 (Substance Abuse Non-traffic Offender Program)
- ATV (Alternatives To Violence)
- Under the Influence (online - 3rd Millennium Inc.)
- MADD (Mothers Against Drunk Driving)
- Community Service (Approved list of non-profit sites)

COURT REFORM

SENATE BILL 5 (SB-5), 2015

- Conditions for Minor Traffic Violations (Section 479.353)
- Limiting the fines imposed when combined with court costs to three hundred dollars.
- Prohibiting sentencing to confinement for the underlying violation (except for certain classes of violation) or failure to pay a fine (except when a violation of terms of probation)
- Requiring criminal case court costs to be assessed unless the defendant is indigent, or the case is dismissed
- Defendants are not detained solely for the purpose of coercing payment of fines and costs (479.360);
- Defendants may be detained if found in “contempt” and/or in violation of terms of probation
- The Court allows indigent defendants to present evidence of their financial condition and takes such evidence into account when determining fines and costs
- Income tax refund offset to pay fines (479.356)
- Mack’s Creek Law (Section 479.359) - annual general operating revenue from traffic fines, bond forfeitures, and court costs, to be reduced from 30% to 20% maximum of the total city operating revenue, effective January 1, 2016

COURT REFORM

SENATE BILL 572 (SB-572), 2016

- Municipal Judges prohibited from serving on more than five municipal courts (479.020)
- MUNICIPAL COURTS - 479.350, 479.353, 479.359, 479.360, 479.368
- The definition of minor traffic violation is modified to include traffic ordinance violations for which no points are assessed to a driver's driving record and amended charges for any minor traffic violation
- The maximum allowable fine for minor traffic violations has been lowered from three hundred dollars to two hundred twenty-five dollars
- No court costs shall be charged to defendants found to be indigent.
- Generally, bond should only be required when the defendant is a threat to the community or has a history of non-appearance and/or failure to comply with the Court's orders. Generally, defendants should not be required to post bond for a minor traffic violation. If bond is required for minor traffic violations, bond will be set at \$225.

SHOW-ME COURTS

TRANSITION & IMPLEMENTATION

- MOU between the City and OSCA (Office of State Courts Administrator)
- Establish ordinance for the collection of \$7 Court Automation Fee (collect from SMC & legacy system)
- City loses \$7 from fine amount, as SB5/SB572 limits total fines and costs for minor traffic ordinances

SHOW-ME COURTS

TRANSITION & IMPLEMENTATION

- Impact on Court, Police, Prosecutor, Finance, and I.T.
- Workgroup of above departments formed in 2019 to work through all aspects of the implementation process
 - > SMC program being exclusive to Court personnel
 - > Isolates the Court and Finance from traditional check & balance processes
 - > Prosecutors' office has to access Case Net for info on SMC, as well as having to create their own forms
 - > Citations must flow from the PD directly to the PA, who uses a PA Portal (OSCA) to electronically send citations to the Court for acceptance into SMC
 - > I.T. must make it all work seamlessly



SHOW-ME COURTS

IMPLEMENTATION

- Court staff to utilize various resources during implementation and use of SMC
 - > SMC training Manual
 - > OSCA Help Desk
 - > Several regional subject matter experts – OSCA
 - > Other court clerks within the 29th Circuit

SHOW-ME COURTS

UNFUNDED MANDATE

- Software Transition has resulted in unbudgeted expenditures by the City
- Additional Computers and Scanners, Cash Drawers, Checks, and supplies \$5,000-
- Omnigo Software for E-Ticket Citation Solution-\$50,310
- Overtime in Prosecutor's Office for manual entry of tickets during Omnigo conversion timeframe

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SHOW-ME COURTS

- Questions???