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**TO:** City Council  
**FROM:** Sam Anselm, City Manager  
**DATE:** February 18, 2016  
**RE:** Weekly Update

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Good afternoon, everyone. Please see below for this week's update.

### **Key Meetings**

- On Tuesday, Director Bolander and I met with a developer to discuss an independent living, assisted living, and memory care facility for the benefit of our senior citizens in the Joplin area. This is not the same project that we approved at the intersection of 26<sup>th</sup> and McClelland Blvd using CDBG-DR funds; instead, it would be a market rate development in a different part of the city. Their research confirms our housing study data that shows enough demand for both projects to be successful. Pursuant to council's approval on Tuesday, we have submitted a letter of support to the developer for their application to the state department of health.
- On Wednesday, Director Bolander and I met again with a different developer to discuss two possible retail projects in the city. At this point the developer wishes to keep things confidential, but as information comes forward that I can share, I will pass it along. Or if action is required by the council, we will get you involved at the appropriate time.
- On Thursday I visited with Major Douglas Stearns with the Salvation Army to learn about a couple of projects they have planned for their property, and to educate them on our process for getting approval for those projects.
- On Thursday afternoon, I attended a meeting of the Solid Waste Commission to hear details from Republic Services about the recycling component of the new solid waste contract, which will hopefully come to you for approval on March 7<sup>th</sup>.

### **Miscellaneous**

- Attached to this week's update is the annual report from the Joplin Municipal Court. If you have any questions about the information contained therein, please let me know, but I would like to commend Court Administrator Lamonte Ratcliff and his staff for their efforts over the past year. Particularly, they have been diligent in their response to address the issues contained in the municipal court audit report that was released by the state.
- We recently opened bids for the demolition of the naval reserve building on Schifferdecker, next to the parks maintenance office. \$170,000 was budgeted for the project including slab removal, but parks staff have approached me with an idea of retaining the slab in order to build a storage facility for their equipment needs. We are researching the cost of that project, but until I can provide more information, you can

expect a contract for the asbestos remediation and removal of the building at a future meeting. The low bidder on just removing the asbestos and the buildings submitted a price of \$140,000. I have asked our parks director to provide an update on where we stand with respect to other department projects funded through the parks & storm water sales tax. That information will be provided to you in a future update.

- I was notified this afternoon that due to nice weather this week, the contractor has poured the foundation to the new library building, and that the walls for the building will be constructed in mid-March, nearly a month ahead of schedule, due to delays in other projects.
- Invitations for Bid will be going out early next week for the other component of our solid waste program, which allows residents to drop off bulky items at a transfer station.

If you have any questions about any of these items, please let me know. Otherwise, I hope you have a great weekend.

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*MUNICIPAL DIVISION, JOPLIN, MISSOURI*

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*IN THE CIRCUIT COURT OF JASPER COUNTY, MISSOURI*

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## **INTRODUCTION**

It is with pride that we submit the Fiscal Year 2015 report on Municipal Court operations. This year has produced new challenges and opportunities to the Court, its staff, and for these departments with which the Court interacts.

## **CHANGES WITHIN THE MUNICIPAL COURT AND COURT OFFICE**

### **Senate Bill 5**

With the advent of Senate Bill 5 (SB5) in August of 2015, Missouri's Municipal courts are required to operate differently in order to comply with the new legislation; the Joplin Municipal Court was no different. The new legislation limited the penalty for Minor Traffic Violations and to require the reporting of annual general operating revenue – to include various types of payment to the municipal court, otherwise known as Mack's Creek Law. The Courts annual collections cannot exceed 20% of the City's annual general operating revenue. If so, the excess shall be turned in to the director of the Department of Revenue for disbursement to schools within the county. During Fiscal Year 2015, Court Collections were 5% of total City revenue, well below the laws limits.

The Court has implemented modifications to comply with Senate Bill 5.

### **Court Audit**

As a result of the City's required state audit, the Municipal Court participated in an audit by the state auditor's office. The audit began in February of 2015, extending into late July. The audit was released in December. The auditors reviewed Court files and procedures and submitted findings concerning the following areas.

1. Accounting Controls and Procedures
2. Liabilities
3. User Access
4. Case Disposition and Warrant
5. Municipal Division Controls and Procedures

The Court has already implemented many of the recommendations and is continuing to implement improved policies as recommended. The Court will be participating in a follow up audit this year.

### **Mental Health Court**

As a result of a grant awarded to the JPD Jail, the Municipal Court has created a Mental Health Court as a way to assist chronic offenders who have an undiagnosed or untreated mental illness.

Mental Health Court (MHC) began in February of 2015. Court proceedings are held twice each month on Wednesdays.

Individual can enter Joplin's MHC program in two ways:

1. An initial evaluation by the jails' nurse and follow up by the Ozark center, where the decision is then made whether the individual meets the MHC criteria and referral for such to the city prosecutor's office.
2. Ozark Center's review of daily "In Custody" lists from the jail. If a current or past client is on the list, a counselor will reassess the individual to determine the need for MHC.
  - a. Any individual on the "In Custody" list that is already in the Ozark Center's database as a current mental health client, will be recommended for MHC.

All recommendations for MHC are forwarded to the prosecutor's office for their approval to prosecute within the confines of the MHC program. 23 offenders have participated in this program during the fiscal year.

### COURT SCHEDULE

The Municipal Court continues to maintain its status as one of the busiest departments within the city. Court staff handles a variety of court dockets throughout the week, excluding Friday's. The only time court would be held on a Friday would be for a special docket such as an Amnesty Day docket. There will be an Amnesty day held during the 2016 Fiscal Year, tentatively scheduled for April 29<sup>th</sup>.

Normal dockets are as follows (Scheduled times are often overran because of consistently large dockets).

Monday, Tuesday and Thursday:

- Initial arraignment at 8:00 a.m.
- In Custody inmates seen by the judge
- Glades trial and "Drop Dead" docket once each month at 1:30 p.m.
- Persons with warrants allowed to see the judge, if court is still in session

Tuesday:

- Initial Arraignment at 8:00 a.m.
- Code Enforcement Docket at 10:00 a.m.
- Attorney Docket at 10:00 a.m.
- Appear with Counsel Docket and Pro Se Trials 1:30 p.m.

Wednesday:

- Show Cause and Public Defender Docket at 8:00 a.m.
- Bond forfeiture proceeding occur during this morning docket
- "Stop Lifting" and Alternative to Violence Programs (set up at the back of the court room)
- Attorney Steve Hays Docket at 9:00 a.m. first Wednesday of each month

Thursday:

- Initial Arraignment at 8:00 a.m.
- Attorney Docket at 10:00 a.m.
- Attorney Docket at 1:30 p.m.
- Attorney Trial Docket at 3:00 p.m.

- **Note: Every 5<sup>th</sup> Thursday – no afternoon docket**

Current court staff consists of eight Full time court clerks, one part time court clerk, one court administrator, and two part time Judges. During the 2015 FY, court employees handled a total of 18,753 newly filed citations. This is an average of 1,563 citations per month. Of the 9,899 cases complete, 4,893 were paid through the TVB and 5,005 went before a judge. Other completed cases totaled 12,238. The grand total of completed cases during FY 2015 was 22,137.

In addition, the municipal judges rotate weekend and evening calls, reviewing the conditions of confinement and surety bonds for individuals arrested when Court is not in session.

### Case Flow

The following chart depicts various comparative totals for the Court over the past five years. The number of violations processed by the court in 2014 (28,899) increased by 1,064 over 2013 totals. The number of **completed** cases went from a negative 1,351 from 2012 to 2013 to a positive 139 from 2013 to 2014. Completed cases are those that moved from a reoccurring status within the court or court offices to adjudication and ultimately being stored for three, twelve, or fifty years in one of the two storage areas for the municipal court. There is an onsite storage room in the court office. The other storage area is located at the 500 block of South Kentucky.

<b>CITATIONS/ VIOLATIONS BY FY</b>	<b>2015</b>	<b>2014</b>	<b>2013</b>	<b>2012</b>	<b>2011</b>
Citations/Violations By Filed Date	18,753	28,899	27,835	27,004	29,555
Citations/Violations Paid Up Front	4,893	8,823	8,693	8,961	9,548
Citations/Violations Before Judges	5,005	5,458	5,449	6,532	5,234
<b>Total Citations/ Violations Completed</b>	9,899	14,281	14,142	15,493	14,782
Total Other Completed *	12,238	13,814	13,183	15,575	11,364
Grand Total Completed	22,137	28,095	27,325	31,068	26,146
Net Difference Filed/Complete	-3,384	804	510	-4,064	3,409
Total Warrants Issued *	11,405	11,585	11,858	13,190	10,707
Warrants Cleared *	12,118	10,295	11,846	14,402	9,244
Change in Total *					
Warrants end of Year	-713	1,290	12	-1,212	1,463
Total Fines/Fees Paid	2,061,777.38	2,291,125.20	2,195,747.53	2,643,407.36	2,145,304.95

**Notes concerning chart above**

**\*Total Other Completed (12,238)** are cases that have been completed by other means such as: closed by administrative orders; declined prosecution; nolle pros; closed by SIS; dismissed/transferred; closed after suspension; referred to county, etc.

**\*Warrants issue (11,405)** are the number of warrants physically entered/issued during 2015 FY.

**\*Warrants cleared (12,118)** are the number of warrants cleared during 2015 FY. The number includes all types of outstanding warrants, as well as those extending outside of 2015. The number also includes those that have been cleared by administrative orders for:

- Unservable Warrants older than One year
- Bench Warrants older than Three years
- Commitment Warrants older than Three years
- Failure to Appear Warrants older than Five years

**\*Change in Total Warrants at end of Year (-713)** is the summation of the two previously explained categories, as the INCODE system report produces a simple plus/minus summary. Basically, there were more warrants cleared than issued during the 2015 Fiscal Year.

**Note: A stand-alone report shows that the total number of Outstanding Warrants is 8,649. The current amount due for the total number of outstanding warrants is \$3,113,908.73.**

**The following chart is the breakdown of the total number of citations written by city authorized departments during the last three years.**

November Through October	FY 2015	FY 2014	FY 2013
Police (traff, non-traff, misd)	18,217	28,301	25,372
Animal Control	275	283	419
Code Enforcement	33	106	88
Parking Authority	225	208	124
Other (Fire, Health Dept, Signs)	3	1	26
Totals	18,753	28,899	26,029

**The next chart is a three year comparison of cases that were not handled in the municipal court.**

Designated Status	FY 2015	FY 2014	FY 2013
Declined Prosecution	524	313	156
Nolle	3,750	4,470	3,598
Referred To County	354	512	404
Voids	997	1,207	1,400

**The next set of charts depicts year end information surrounding attorney cases.**

**Chart #1**

Attorney’s with the highest number of open cases, as of January 31, 2016.

<b>Attorney</b>	<b>Overall Total</b>	<b>Total Beyond 90 days</b>	<b>Percentage beyond 90 days</b>
Glades	316	201	63.6%
Selsor	164	119	72.5%
McPherson	157	94	59.8%
Roberts	102	64	62.7%
Stilley	99	47	47.5%
Edwards (Sr.)	14	14	100%
<b>Totals</b>	<b>852</b>	<b>539</b>	<b>63.2%</b>

**Chart #2**

Number of open cases by year.

<b>2013</b>	<b>2014</b>	<b>2015</b>	<b>Total Open Cases</b>
1,020	2,008	788	<b>3,816</b>

The Joplin Municipal Court currently has at least 73 attorneys with open cases.

The Court saw an overall decrease of 74 in open attorney cases from 3,890 in 2014 to 3,816 open cases as of January 31<sup>st</sup>, 2016. Last year’s report noted an increase of 1,155 from 2012 to 2013. Attorney cases are beginning to show a decrease, which has not been the case for a number for years.

The biggest decrease in case loads is with attorney Brian Glades. His total year end open cases has gone from 666 in 2014 to 316 in 2015 – for a total decrease of 52.5%. This can be attributed to the monthly docket, Glades’ trials of “Drop Dead” dockets, which are “last chance” dockets.

Leaders among all attorneys with open cases continue to be Brian Glades, Cary Selsor, Judd McPherson, Michael Roberts, Jared Stilley, and Deryl Edwards Sr. However, the order in which they appeared on last year’s report has changed – with Glades still leading all others with open cases.

The Court will continue to stress the concept of “Drop Dead” court dates for attorneys. This has been an effective strategy employed by the Court, with cooperation from others in the court room work group (prosecuting attorneys, defense attorneys, as well as the public defender), to move cases to conclusion with appropriate time limits.

**Goals and Recommendations are to continue with the following:**

1. Dispose of attorney cases older than 90 days.
2. Once the case has gone to “drop dead” status only allow up to 3 months to continue said case – with consistency among all attorney’s.
3. Attorney’s with largest percentage of caseloads over 90 day, should be admonished to get their cases to a manageable number within the 90 day rule.
4. Within the confines of the law, finding ways decrease the multiple cycles of offender visits before a Judge for the same violation, once it has been adjudicated.

**PROGRAMS**

**Online payments** are depicted in the chart below. The monthly chart below shows that there were 683 online payments made. During this twelve month increment, the month of December saw the most payments made with 78.

To date the total number cases that have been paid online is 2,269. Since its inception, May of 2013, the online payments program has averaged approximately 68 payments per month.

