

Missouri Judicial Report

Fiscal Year 1998

For the Period Covering July 1, 1997 through June 30, 1998



Supreme Court of Missouri

P. O. Box 150

Jefferson City, Mo. 65102

CHAMBERS OF

DUANE BENTON, CHIEF JUSTICE

It is my pleasure to present the Missouri Judicial Report for the year ending June 30, 1998. The report reflects not only the year's challenges, such as increasing caseloads and changes in the nature of cases and courts, but also that the courts are rising to meet those challenges. Improving service, access, and justice for all make Missouri courts a model for the nation.

A handwritten signature in cursive script that reads "Duane Benton".



Chief Justice Duane Benton

Statewide Court Automation

Statewide Case Management — The Key

At its foundation, the court automation project relies on the statewide case management system. In addition to more efficiently processing cases, the system serves as the core of integrated applications — for public access, jury management, information exchange, and all that the vision holds. The unique concepts of statewide case

management and integration make Missouri's automation project a model for the nation.

The statewide case management application, *Banner Courts*, has been installed and undergone rigorous testing during the past year. The three pilot sites, Montgomery County, the Court of Appeals-Eastern District and the 16th Judicial Circuit (Jackson County) worked with the Office of

State Courts Administrator (OSCA) staff to fit test the application and evaluate necessary local modifications.

Pilot Testing the Case Management Software. In September 1997, the project converted Montgomery County criminal and traffic case information from the Associate Case Management System (ACMS) system

Continued on page 2

Statewide Court Automation *(continued from page 1)*

to the *Banner* case management system. By January 1998, *Banner* was operating in the circuit and associate circuit divisions of the Montgomery County court.

In November 1998, the project anticipates converting Court of Appeals — Eastern District case information from the appellate Case Record Keeping System (CRKS) to the *Banner* case management system. The *Banner* system holds significantly more case information than the CRKS system. CRKS required periodic archiving of case information because the system had reached maximum capacity.

The third pilot court, Jackson County, is poised to implement the system. By June 1998, several automated conversion tests, network tests, and court process benchmark tests had been completed.

Before *Banner* pilot activities can conclude, contractually required software enhancements must be delivered in each of the three courts. As of June 30, 1998, the project had successfully tested half of the modifications.

Delivering the Case Management Software. During May 1998, project staff visited eleven courts selected to implement *Banner* after the pilots. In addition, the project conducted a *Banner* implementation readiness survey of circuits. The forty designated courts will implement *Banner* in 1999 and twenty courts will implement *Banner* in 2000. The remaining courts are scheduled to receive the software in 2001.

Building the Foundation

Lotus Notes. *Lotus Notes* will allow the courts to communicate with one another. It also provides the capability for judges and staff to keep up-to-date while away from their home courts. *Notes* allows users to perform tasks regardless of their location, for example, during judicial transfers. The project continued a rapid expansion of

Notes to Missouri's widely distributed court staff. By June 30, 1998 over 1,795 Missouri court staff — over half the total potential users — used *Notes* regularly. In September 1997, the Office of State Courts Administrator introduced the Missouri Court Information Center (MCIC) to provide courts with quick and easy access to grant announcements, judiciary's calendars of events including committee meetings and training courses, Supreme Court committee rosters, and licensed bail bonds agent listings.

Juvenile Officer Lotus Notes Communication Project. In January 1998 a project began to connect all the juvenile officers in Missouri's 45 judicial circuits with *Notes*. Following an aggressive plan, this project will introduce statewide automation to Missouri's juvenile courts and officers.

Infrastructure Alignment. With assistance from the court automation project, local courts installed the hardware and software necessary to use court automation applications. In August 1997, grant funding began to assist 38 small courts to purchase and install required infrastructure. As of June 30, 1998, sixteen courts had completely aligned with court automation infrastructure.

Cooperative Network Agreement. In May 1998, OSCA, the Highway Patrol, and the Department of Social Services negotiated a cooperative network agreement. The agreement provides for sharing costs for a single communications line to a county, thus saving counties money. Court staff's ability to have a single desktop that can access multiple agencies' applications is a significant benefit from this agreement.

Implementing the Court Automation Vision

The Missouri Judiciary web site, www.osca.state.mo.us, continued to provide unprecedented access to court information. The site improved user

friendliness and made the information simpler to manage. Enhancements include:

- Supreme Court case summaries (for cases scheduled to be argued);
- Full and summary decision text,
- Decision date schedules;
- Missouri bar examination results;
- Court Automation legislative reports and related information;
- News articles; and
- Judicial vacancies and application materials.

Juvenile and Family Court Task Team

Newly formed in June 1997, a team began to design a comprehensive information system for juvenile and family courts. The team's immediate objectives were to define and confirm the functional requirements for the juvenile information system. The task team visited and reviewed fourteen existing juvenile and family court automated systems to gain a better understanding of the differences and similarities in juvenile case processing statewide. They drafted the initial requirements from these visits. In June 1998 the task team unanimously approved *Banner* as the software application for the juvenile and family court information system, avoiding a lengthy proposal and development process. This decision ensures consistency and integration with the *Banner* case management system.

Evaluating Court Automation Progress

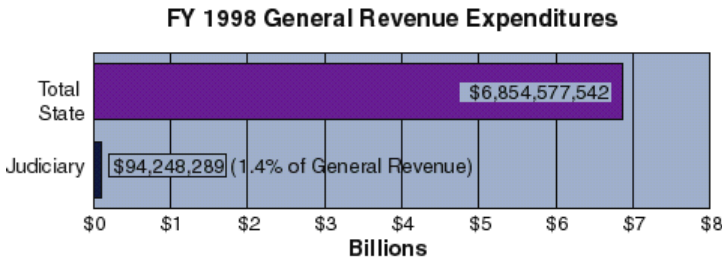
In March 1998, the National Center for State Courts (NCSC) audited the court automation project. The NCSC reported that the project was being managed effectively. The court automation project also received the Systems and Computer Technology Inc. (SCT) 1998 Quality in Government Award. The award is presented annually for displaying outstanding quality practices associated with an automation project.



Regarding Money

Funding Of The Judiciary

The State of Missouri disbursed approximately \$94.2 million from general revenue funds in FY 1998 to operate the judiciary. Personnel costs constitute 95 percent of the judicial budget.



In addition to the budget for the judiciary, the Office of Administration reimburses counties for a portion of the juvenile court salaries and residential services, totalling \$6.5 million.

Approximately half of the fiscal responsibility for circuit courts remains with local governments. According to the Judicial Finance Commission Report, calendar year 1997 local government expenses for circuit and associate divisions were \$32.8 million, for supplies, operating expenses, personnel services, and equipment. The Report also lists local expenditures of \$57.7 million for personnel and operating expenses of juvenile court services, an increase of \$4.2 million over last calendar year.

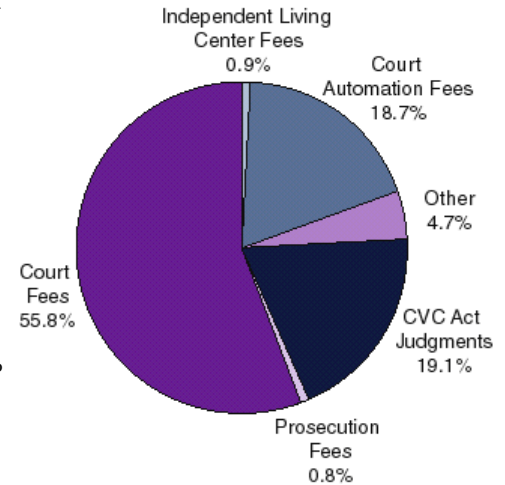
Collections By The Judiciary

The judiciary remitted over \$23.5 million to the Missouri Department of Revenue in FY 1998. This includes court fees (\$13.1 million), Crime Victims Compensation Act judgments (\$4.5 million), the court automation fee (\$4.4 million), prosecution fees (\$191,000), and Independent Living Center fees \$215,370).

Approximately 62,584 Crime Victims Compensation Act judgments were assessed in FY 1998.

The costs remitted to the Department of Revenue are approximately 9% of the total fees, fines, costs, and judgments processed by the courts. In 1997, the courts reported receipting \$254.2 million, not including child support collections.

The courts processed approximately 2.5 million child support payments in FY 1998 and collected in excess of \$406.9 million. The number of payments is up 5 percent (about 112,000 payments) compared to last year.



Certified Public Accountants

During Fiscal Year 1998, the Certified Public Accountants (CPAs) spent a total of 261 days in the courts performing 154 general accounting assistance visits. These visits included 70 circuit, associate, and probate circuit court offices and 24 municipal courts. In addition, the new Missouri Automated Child Support System (MACSS) was installed in about half of the circuit courts statewide. Because of MACSS, the CPAs performed an additional 27 visits to 23 counties to help courts with the MACSS bank reconciliations. Time spent at OSCA is used to perform financial reconciliations for the courts or to determine the reasons for differences in the accounting records. Performing this work at OSCA allows the courts to continue processing their daily work on their local systems without interruption.

Also, the time spent at OSCA has been used to test and develop forms on the new MACSS and *Banner* systems and to update the financial accounting section of the Missouri Court Clerk Handbook.



MACSS

As of June 30, 1998, 58 circuit clerks' offices were converted to the Missouri Automated Child Support System (MACSS). In an effort to meet the federal requirement of statewide implementation by October 1, 1998, an aggressive rollout schedule was developed utilizing additional resources committed to the project by the Governor's office. The MACSS system, developed to meet the requirements of the Federal Welfare Reform Act, is shared by the Division of Child Support Enforcement (DCSE), circuit clerks, and prosecuting attorneys.

Following the conversion of the first pilot site (Boone County) in September 1997, a number of modifications were made to the MACSS system. A Change Control Board consisting of DCSE, circuit clerks, prosecuting attorney staff, and Division of Data Processing staff was created to review all MACSS system enhancement requests to determine the most feasible and cost effective system modifications. A number of financial accounting enhancements were approved and slated for immediate attention.

FY 2000 will see other changes in MACSS resulting from the recent federal welfare reform legislation -- the Personal Responsibility and Work Opportunity Reconciliation Act of 1996. For the courts, the most significant requirement is the centralization of the collection of child support.

NOTE: As of the publication of this report, MACSS is functioning in every county in Missouri.

Time Standards

Fiscal Year 1998 was the first full fiscal year that revisions to Administrative Rule 17, "Case Processing Time Standards" were implemented. Although the revisions were not implemented until January 1, 1997, they were applied to FY 1997 totals. Thus a direct comparison can be made between FY 1997 and FY 1998.

Improvement was made in four of the six civil "age of case at disposition" time standards categories between FY 1997 and FY 1998. Statewide, all four time standards goals in the domestic relations and circuit civil categories increased by one percentage point. The criminal time standards remained unchanged from FY 1997 to FY 1998. As can be seen in the accompanying table, 37 of the 45 circuits were able to achieve 1 or more of the time standards during fiscal year 1998, 1 more circuit than last fiscal year. The circuit felony and associate civil time standards categories had the most circuits achieving 1 or more of the goals, 21 and 31 circuits respectively.

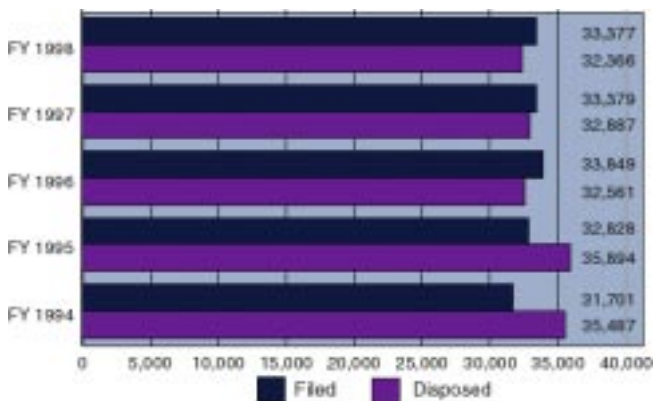
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Case Processing Time Standards Age of Case At Disposition FY 1998			
Time Standard Category	Standard for Age of Case at Disposition in the State	Actual Performance Statewide	Circuits Meeting Standard in FY 1998
Circuit Civil			
In 18 months	90%	79%	14, 19
In 24 months	98%	87%	14
Domestic Relations			
In 8 months	90%	83%	1, 2, 13, 14, 19
In 12 months	98%	90%	
Circuit Felony			
In 8 months	90%	85%	4, 5, 8, 9, 10, 13, 14, 15, 18, 19, 21, 23, 27, 28, 29, 30, 32, 35, 36, 37, 39
In 12 months	98%	93%	4, 5, 8, 10, 13, 14, 15, 19, 28, 32, 36
Associate Civil			
In 6 months	90%	84%	1, 2, 3, 4, 6, 9, 10, 11, 12, 13, 14, 17, 23, 25, 27, 28, 30, 31, 34, 35, 39, 41, 42, 43, 44, 45
In 12 months	98%	95%	1, 2, 4, 6, 8, 9, 11, 13, 14, 17, 21, 23, 27, 31, 32, 34, 35, 36, 37, 39, 41, 42
Associate Criminal			
In 4 months	90%	79%	2, 5, 9, 10, 32, 33, 34, 41
In 6 months	98%	89%	2, 10, 32

Civil Caseload Statistics

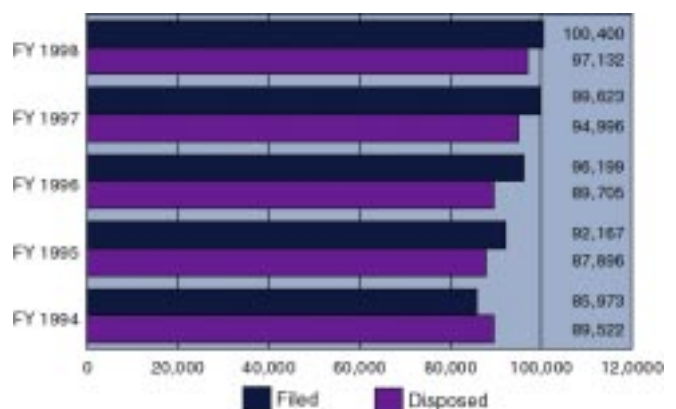
General Civil

- General civil case filings remained constant from FY 1997 to FY 1998 while case dispositions decreased by 1.6%.
- Roughly one half (55%) of general civil dispositions in FY 1998 were dismissed.
- One if five general civil cases went to trial in FY 1998.



Domestic Relations

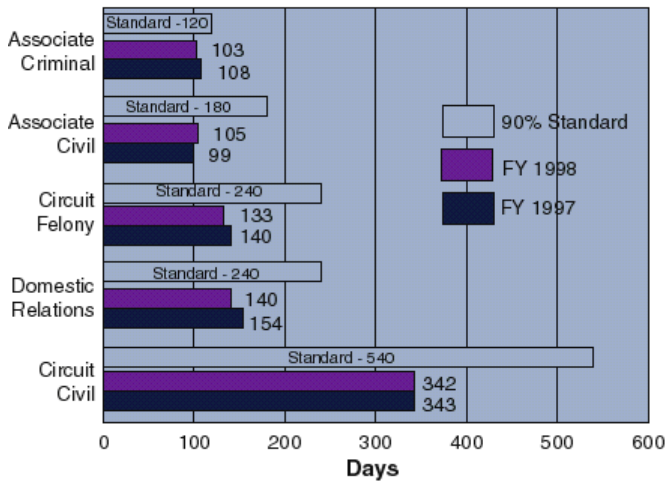
- For the second year in a row, domestic relations set a new record for both case filings and dispositions.
- Filings increased by 777 cases (.8%) from FY 1997, while dispositions increased 2,136 cases (2.3%) from the record number reached during FY 1997.
- One in five domestic relations cases went to trial in FY 1998.



Time Standards *(continued from page 4)*

As presented in the chart below, the average age of case at disposition decreased from FY 1997 to FY 1998 in every category except for the associate civil category, which still beat the time standard. The categories with the most improvement were the circuit felony and domestic relations categories which decreased by 7 and 14 days respectively. In every category, the average age of case at disposition in FY 1998 was less than the 90% standard.

**Average Age of Cases at Disposition in Days
FY97 and FY98 Compared to the 90% Standard**



Court Consolidation

Appointing authorities in three more counties; Cedar, Dade, and Callaway; agreed during Fiscal Year 1998 to a consolidation of the courts' clerical functions. With the agreements submitted by Cedar and Dade Counties, the 28th Judicial Circuit will become the first multi-county circuit to achieve consolidation in every county. (Barton and Vernon Counties in the 28th Circuit consolidated in May 1996 and January 1997, respectively.)

In anticipation of full consolidation, the 28th Circuit was authorized to hire a court administrator. The administrator position, one of three made available by the Circuit Court Budget Committee as an incentive for each county within a circuit to consolidate, was filled in June. The two remaining positions have not been allocated.

Strict education and experience qualifications attach to the court administrator position, which is intended to coordinate with and assist the presiding judge, court en banc, and appointing authorities in the management of the court.

Offices in three counties; Harrison, Sullivan, and Laclede; completed the reorganization necessary to begin functioning as consolidated courts this year. As of June 30, 1998, deputy circuit clerks and division staff in 11 counties had merged under a single appointing authority within the county.

Additional information, including details of the incentives available for consolidating courts, is available from the State Courts Administrator's Office.

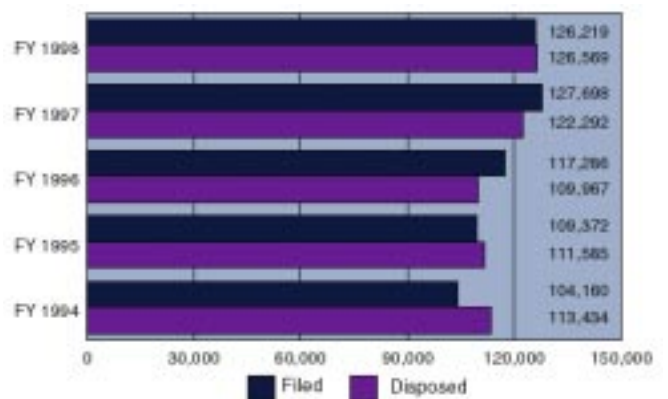
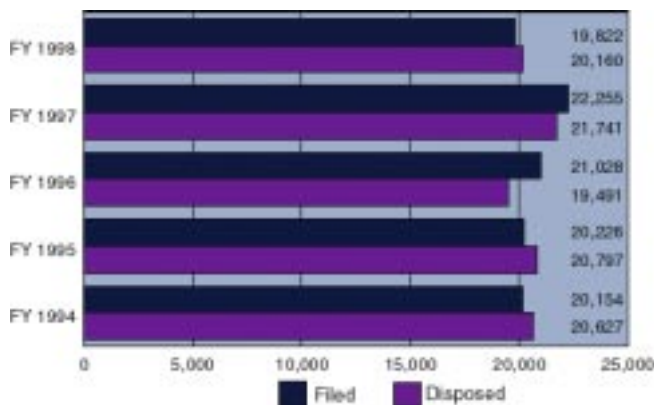
Civil Caseload Statistics

Small Claims

- Small Claims filings decreased by 2,433 cases (10.9%) from FY 1997 and dispositions also decreased by 1,581 cases (7.3%).
- Small Claims filings are at the lowest level since FY 1985.
- Fiscal Year 1998 Small Claims filings and dispositions were 875 and 403 cases below the average from FY 1994 - FY 1998 respectively.

Chapter 517

- Case filings decreased by 1.2%, while dispositions increased by 3.5% from FY 1997 to FY 1998.
- For the first time since FY 1995, case dispositions have exceeded filings.
- Approximately half of the Chapter 517 cases disposed in FY 1998 were uncontested.



Criminal History Improvement

Statewide disposition reporting to Missouri Criminal Records Repository (MCRR) continues to progress. Last year, court dispositions reported with Offense Cycle Numbers (OCN) increased by 8%. Law enforcement agencies' disposition reporting increased 11%, and reporting by prosecutors/circuit attorneys increased by 3%.

As part of the team's training for judicial personnel, four articles were published in the quarterly Missouri Court Personnel Newsletter. A website including Frequently Asked Questions was created and can be found on the Office of State Courts Administrator's webpage, www.osca.state.mo.us. The staff also distributed criminal history reporting instructions and guidelines to justice agencies and during visits and training sessions.

Research was completed in six counties (Barton, Grundy, Harrison, Mercer, Putnam, and St. Charles) and initiated in three counties (Greene, St. Francois, and St. Clair), involving a detailed review of files at each county's court, prosecuting attorney's office, and law enforcement agencies. Analysis of 16,310 arrest records and 31,956 court cases in the completed counties resulted in OCNs being added to over 12,759 court case counts. The "in progress" county research encompasses 21,330 arrests and 62,457 court cases. Combining FY 98 figures with previous years', the team reviewed 80,870 arrest records and 172,289 court records, associating an OCN with 39,426 case counts.

Governor Carnahan's signing of an executive order in December 1997 to identify teachers with felony convictions of crimes against persons, sexual assault, drug trafficking or crimes against children adds emphasis to the importance of this project.

Record of Conviction Cleanup Project

In October 1997, the Office of State Courts Administrator received a Division of Highway Safety grant to review court records and report convictions for alcohol/drug-related traffic offenses. The priority for the project is to ensure felony convictions are reported to the Missouri State Highway Patrol and the Department of Revenue. The progress of the clean-up was such that the project was expanded to include misdemeanor alcohol/drug related traffic offenses. The project staff completed the review and clean-up in circuit courts of 91 counties and associate courts in 17 counties by June 30, 1998. By the end of the one-year grant, the staff will have completed the review in the circuit courts of every county and St. Louis City and the associate courts in the 56 counties that do not use the Associate Case Management System and St. Louis City.

Although the majority of the courts were already properly reporting this important data; the project staff has reviewed 4,788 cases and reported 1,897 records of convictions through June 30.

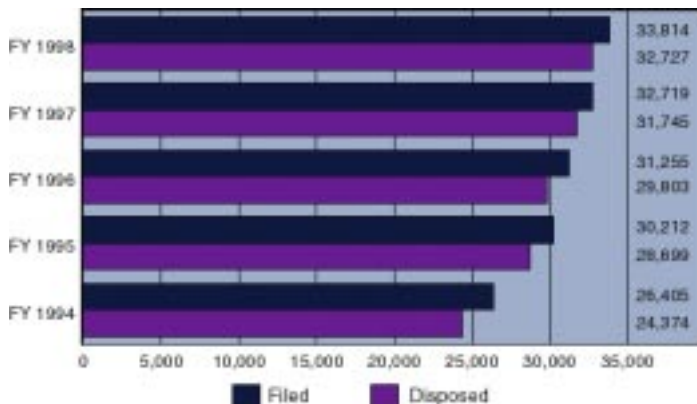
While on-site, the project staff works with the court staff to identify proper reporting procedures. A better understanding of their essential role in removing dangerous drivers from Missouri's roadways has resulted in great cooperation in developing local procedures to ensure the convictions are forwarded to the Department of Revenue.



Criminal Caseload Statistics

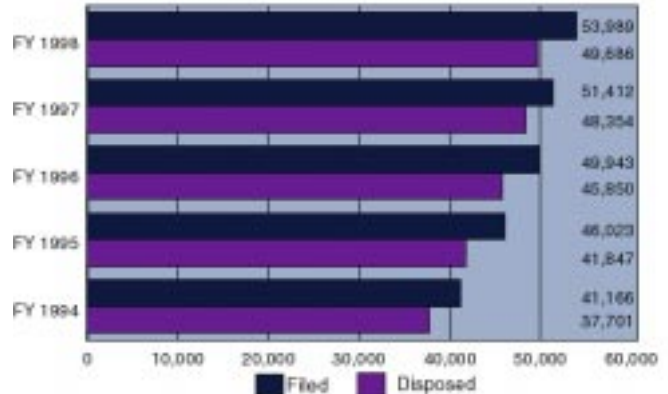
Felony

- Felony filings and dispositions surpassed the previous record number filed and disposed in FY 1997 with increases of 3.4% and 3.1% respectively.
- The disposition to filing ratio of .97 in FY 1997 and FY 1998 is the largest since FY 1993.
- Approximately 82% of felony cases were disposed by a guilty plea in FY 1998.



Felony Preliminary

- Felony preliminary case filings increased for the fifth consecutive year, bypassing the record number filed last year by 5%. Dispositions increased for the fourth consecutive year, and also increased over the record number disposed last year by 2.8%.
- Approximately 52% of felony preliminary cases were bound over to the circuit level in FY 1998.
- For the first time since FY 1995, the disposition to filing ratio decreased in FY 98 from .94 in FY 1997 to .92 in FY 1998.



Juvenile and Family Court Programs

Drug Courts

During Fiscal Year 1998 (FY98), the Office of State Courts Administrator (OSCA) provided technical assistance and informational materials on drug courts to local jurisdictions. Four drug courts began operations during the year including Buchanan, Boone, and Christian Counties, and the Jackson County Family Court, which brought the number of statewide operational drug courts to eight. Another eight jurisdictions began the planning process with the intent to implement their drug court during FY99.

OSCA developed the Missouri Resource Manual for the Development and Implementation of Drug Courts through grant funding from the U. S. Department of Justice. The manual was distributed to judges, prosecutors, public defenders, juvenile officers, probation and parole district supervisors, and Division of Alcohol and Drug Abuse regional offices.

In response to the efforts of courts and their communities to develop drug courts, the Supreme Court established the Judicial Conference Task Force on Drug Courts. The first

assignment of the task force was to develop enabling legislation for the operation of drug courts. The proposed drug court legislation was passed and signed by the Governor in FY98.

Teen Courts

Four jurisdictions implemented new teen court programs during FY98. The jurisdictions include Phelps County, the 29th Judicial Circuit (Jasper County), the 38th Judicial Circuit (Christian and Taney Counties), and the 39th Judicial Circuit (Barry, Lawrence, and Stone Counties). Teen courts are alternatives to the regular juvenile court process and include youth volunteers who act as defense, prosecution, jurors and, in some cases, judge.

OSCA developed a Missouri teen court guide to assist jurisdictions with the development and implementation of teen courts.

Visitation and Custody Mediation Program

This was the fourth year for this program which provides funds to juvenile and family courts for various

projects related to visitation and custody mediation that is predominantly directed toward Title IV-D eligible cases.

This money was appropriated by the legislature to the Division of Child Support Enforcement (DCSE) so that, in conjunction with family courts, mediation services could be made available to help parents resolve problems relating to custody and visitation that, when left unresolved, often lead to difficulty in establishing or paying child support. OSCA has developed an agreement with DCSE to administer the funds for the judiciary in connection with this program.

Courts used the funds to provide a variety of mediation services, including professional mediation, mediation training, and parent education programs.

The eight courts awarded funds for FY98 were the 6th, 7th, 11th, 22nd, 28th, 31st, 32nd, and 37th. Although six of the eight projects were first-year projects and one circuit withdrew from the program, at least 731 hours of

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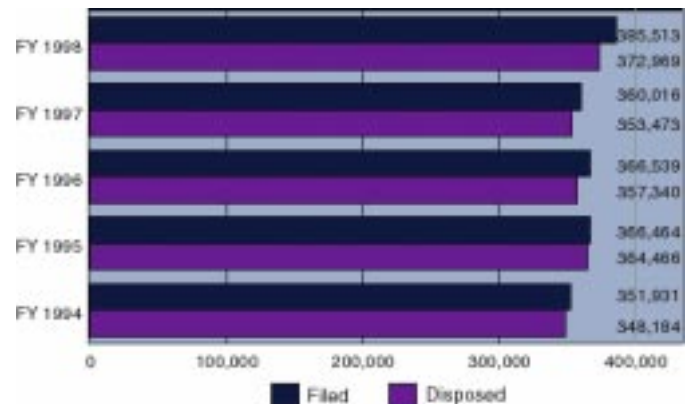
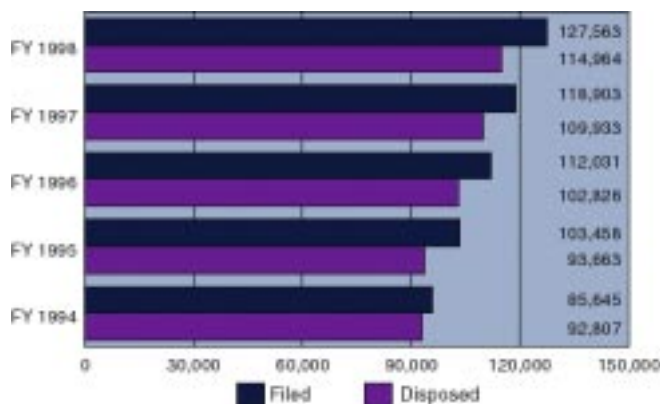
Criminal Caseload Statistics

Misdemeanor/Municipal Certification

- Misdemeanor/municipal certification case filings, as well as dispositions, increased by approximately 7.3% and 4.6% respectively.
- Compared to FY 1994, misdemeanor/municipal certification case filings increased by approximately 33.4% while dispositions increased by approximately 23.9%.
- Approximately one-third of misdemeanor/municipal certification cases were dismissed in FY 1998.

State Traffic

- Traffic case filings as well as dispositions increased from FY 1997. Case filings increased by approximately 7.1% from FY 1997 while dispositions increased by 5.5%.
- The average number of traffic case filings during the past five years was 366,092, while dispositions averaged 359,286.
- FY 1998 dispositions are at the highest level since FY 1992.



Juvenile and Family Court Programs

(Continued from page 7)

mediation were provided to more than 650 parents. Fifty percent of those served were IV-D clients. Evaluations were completed in the 7th and 16th judicial circuits. An evaluation of the 7th circuit's project concluded that mediation brings about a significant decrease in the demands made upon court services to resolve differences among separated marital partners, even if no settlement agreement is reached; and, overall, most parents were satisfied with the mediation process. In the 16th Circuit, "mediation appeared to have an impact on the amount of time that non-custodial parents spend with their children. This increase was even more dramatic for parents who were ordered by the court to participate in mediation."

Juvenile Crime Bill Discussion Groups

The Juvenile and Adult Court Programs division held four regional discussion groups in the fall with the juvenile officers from all 45 circuits. The purpose of these discussions was

to receive comments and recommendations from the juvenile court personnel on how OSCA could best fulfill the mandates of HB 174, the Juvenile Crime Bill, and to provide an update on various projects underway within the division.

Sixty-six juvenile court staff, including one associate circuit judge, attended the sessions. Juvenile officers expressed a desire to professionalize court staff, improve program development, improve statewide communication, and have one centralized administrative agency to contact for information, guidance, and support.

Participants overwhelmingly expressed a need for this centralized administrative support to come from OSCA through fulfillment of the mandates specified in HB 174. The five key areas identified for support were:

- Standardization in processing juvenile court referrals; communication with other courts via an electronic mail system (*Lotus Notes*);
- Juvenile court automation for

communication, case management, data collection, and record keeping;

- Basic and on-going training for juvenile court professionals; and
- Additional court resources, to improve their individual juvenile court systems.

Juvenile Offender Classification

Development of the Juvenile Offender Classification instruments has proceeded through several phases. The validation study is near completion and a report is expected by the end of September 1998. The Risk Assessment Committee has been working on a classification matrix. The juvenile offenders risk assessment score will consider the severity of the offense and liability to the community and classify the juvenile based on a classification matrix grid, thereby linking the juvenile to recommended services and sanctions that are most appropriate for treatment.

Court Improvement Project

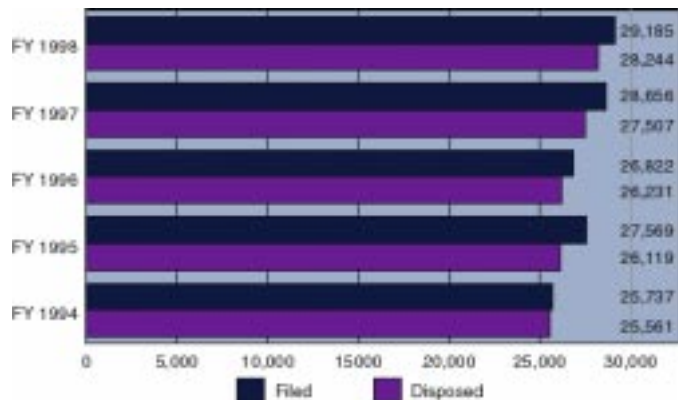
The Juvenile Court Improvement Project (JCIP) is divided into three phases: assessment, recommendations

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Juvenile and Probate Caseload Statistics

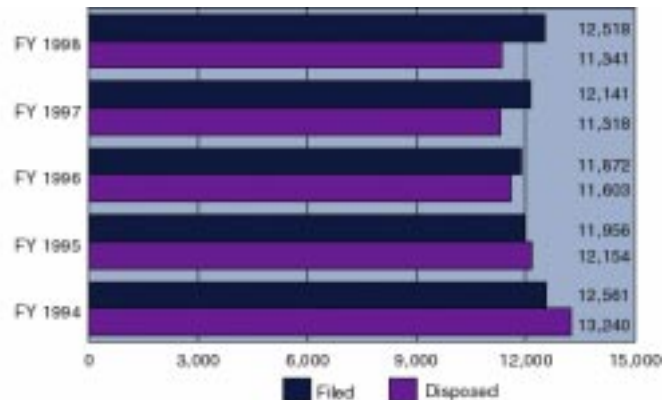
Juvenile

- Juvenile case filings as well as dispositions increased during FY 1998. Case filings increased by 1.8% from FY 1997, and surpassed the record high previously set in FY 1997. Case dispositions increased by 2.7% from FY 1997 and also set a record high for the third year in a row.
- The disposition to filing ratio for Juvenile cases in FY 1998 was .97 (97 out of every 100 cases filed were disposed).
- Four of five juvenile cases in FY 1998 were disposed of by court hearing.



Probate

- The probate figures include decedents' estates, incapacitated/disabled estates, minors' estates, and mental health petitions
- Probate case filings remained at their highest level since FY 1994. They showed an increase of 3.1% from FY 1997.
- Case dispositions remained consistent with FY 1997 numbers, showing a .2% increase.



Juvenile and Family Court Programs *(continued from page 8)*

for improvement; and plan for improvement. The assessment has been completed and on July 1, 1997, the 2nd and 23rd Circuits began a two-year pilot project to implement core requirements and other court reforms designed to improve the judicial process for child abuse and neglect cases. Grant funds were provided to each court to assist them with implementation of the pilot project.

The core requirements are aimed at securing safe, stable and permanent homes for children within twelve months of entering care. The pilot courts must: hold protective custody hearings within 72 hours on all cases; appoint a guardian ad litem in the temporary custody order; hold adjudicatory and dispositional hearings within a specified timeframe; hold frequent judicial review hearings; set the next hearing date and provide all parties with a copy of any orders at the end of each hearing; and make a permanency decision for each child within 12 months of entering care.

An independent research organization has begun a two-year evaluation of both courts to assess the effectiveness of their reform efforts in achieving permanency for a greater number of children in a shorter period of time. The JCIP Steering Committee will include the findings of the evaluation in developing and submitting to the Supreme Court their final recommendations for statewide improvement.

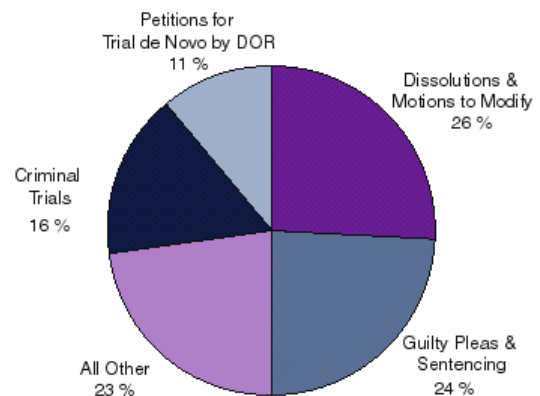


Central Transcribing Service

Turnaround time for transcripts on appeal prepared by OSCA's Central Transcribing Service improved by 41% in FY98, with an average preparation time of just 38 days from receipt of the request. In FY97, the average turnaround time for appeal transcripts was 64 days. Increased staffing, combined with a 9% reduction in the total number of pages requested in FY98, enabled the Central Transcribing Service to reduce the backlog of pages to be transcribed by 38%, to 10,560 pages.

Central Transcribing received 710 transcript requests in FY98, totaling 93,619 estimated pages. Six hundred seventy-nine transcripts were prepared, totaling 97,093 pages. Of those 679 transcripts, 65% were civil cases; 30% criminal; and 5% juvenile.

Type of Transcripts Prepared in FY 1998



Court of Appeals and Supreme Court Statistics



SUPREME COURT FY 1998		
Case Type	Filed	Disposed
Appeals	70	91
Writs	214	233
Applications for Transfer	453	436
Supervisory Matters	61	37
Total	798	797

COURT OF APPEALS, FY 1998							
	Appeals		Writs		Motions		Opinions Issued
	Filed	Disposed	Filed	Disposed	Filed	Disposed	
Western District	1,212	1,366	214	207	4,581	4,578	877
Eastern District	1,564	1,795	218	210	7,203	7,046	1,242
Southern District	576	650	58	53	1,762	1,738	480
Total	3,352	3,811	490	470	13,546	13,362	2,599

Judge Transfers

Through a plan approved by the Judge Transfer Committee in September 1997, judges from 24 circuits were asked to reserve an average of one to two weeks each during Calendar Year 1998 to assist in those circuits where the workload per judge is particularly heavy.

Objective criteria, including estimates of both judicial workload and judicial resources available within the circuit, were used to identify those jurisdictions needing assistance and those that could contribute weeks without seriously impairing the judges' ability to meet local demands.

A total of 150 weeks were reserved for transfer into Circuits 16 (Jackson County); 21 (St. Louis County); 23 (Jefferson County); 26 (Camden, Laclede, Miller and Morgan Counties); 38 (Taney County); and 39 (Barry and Stone Counties). It is noted that Circuits 26, 38, and 39 are located in rapidly growing recreational areas of the state, home to Lake of the Ozarks, Branson, and Table Rock Lake.

It is through the efforts of the Judge Transfer Committee and the dedicated judges who accept transfers, despite the hardships of being away from their local offices and their families, that the Judiciary can make efficient use of its resources.

Education and Training

Work on a comprehensive and integrated curriculum for almost 4,000 state court personnel continued. A major emphasis this year was the development and delivery of an array of skills-based training seminars to facilitate court automation. In addition, a new juvenile courts education program was implemented. The following paragraphs highlight major accomplishments.

Judge Education

Twelve judges attended the annual Judicial Orientation Conference, which emphasizes courtroom skills and professional conduct. Three hundred thirty-two judges attended the annual Judicial College, offered in August and October. Mini-seminars, based on national programs, including judicial writing, and courts and the media, continue to be incorporated into the College, thereby making national programs more readily available to Missouri judges. Finally, part one of a four-part leadership program designed specifically for Missouri's presiding judges was attended by 38 judges. The program will continue in FY99.

Municipal Judge Education

Five regional one-day educational seminars were held in Fall 1997; a total of 146 municipal judges attended. The Municipal Bench Book was revised and expanded to two volumes; it is scheduled to be published in early 1999.

Clerk Education

The Clerk Academy was on the move this year. In addition to the annual legislative update, attended by 642 clerks, three new programs were offered; over 850 clerks participated. Education staff met with seven focus groups representing 38 counties to prioritize the next ten courses for development. Research and design of several new courses was also begun. Work continued on a comprehensive skills-based curriculum.

Automation Training

Just-in-time computer software training was attended by judges and clerks from 47 Missouri counties. Training was provided on the following: Basic Computer Skills, Windows 95, Lotus Notes, Word, Excel, Templates, and PowerPoint. Computer training was also offered as a part of New Clerk Orientation, the Judicial Orientation Conference, and the two Judicial Colleges. Superuser training was provided on the case management software (*Banner Courts*) to staff in the three pilot courts: Montgomery County, Jackson County, and the Court of Appeals, Eastern District. Agreements have been entered into with St. Charles County and Clay County facilities for regional training sites. Staff also developed an array of customized training manuals for use by court personnel.

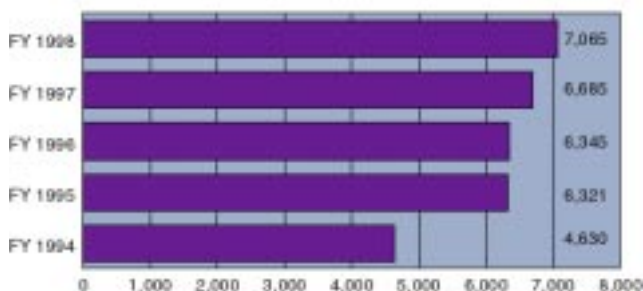
(Continued on page 11)

Judicial Transfers

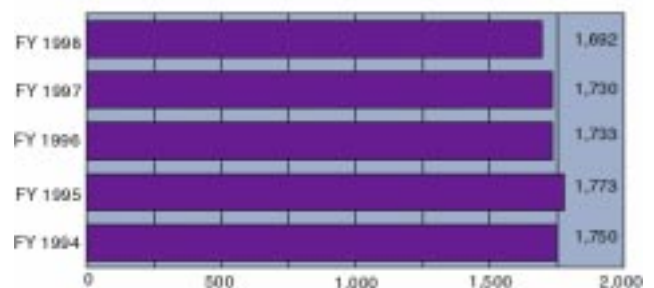
- For the fifth year in a row, the number of judicial transfers for periods of time has increased. From FY 1997 to FY 1998, the number of days increased by 5.7%.

- The number of days increased from FY 1997 to FY 1998, despite that the total number of transfers for specific cases decreased by 2%. The total number of transfers for specific cases has remained relatively stable since Fiscal Year 1994.

Transfers for Periods of Time
Number of Days



Transfers for Specific Cases
Number of Cases



Education and Training

(Continued from page 10)

Juvenile Courts Education

During the first year of this program, a professional staff person was hired and a twelve-member Juvenile Courts Education Committee, comprised of juvenile court personnel, was established. The Committee identified a core set of skills and knowledge for juvenile court staff, identified a set of orientation classes for new juvenile officers to attend during the first two years of employment, began the process of developing six courses that will be used to teach some of the identified core skills and competencies, selected teaching teams to teach those courses, and drafted training standards for the program. A grant from the State Justice Institute was used to fund a statewide symposium on Comprehensive Strategies for Serious and Violent Juvenile Offenders. An editorial board was established and given the task of developing a Juvenile Officer Handbook to be published in Fall 1998.

Nearly 100 people attended the Graduated Sanctions seminar held in April 1998. Orientation, introduction to juvenile offender classification, and comprehensive strategies were presented. The program focused on

serious, chronic, and violent juvenile offenders.

DWI Training

In April and May, OSCA coordinated six regional seminars entitled "DWI-Revisited." The programs, funded by the Division of Highway Safety, were presented to nearly 500 judges, court clerks, prosecutors, and public defenders. Sessions included Department of Revenue issues, the role of the judge, drug recognition, hot topics on driving under the influence cases, and a mock parole hearing.

Family Courts Education

In December, OSCA coordinated the "ABCs of Family Court" symposium for teams of family court personnel. Thirty-nine persons attended the two-day seminar that allowed family court teams to work together to assess, reorganize, and develop a strategy for improving their family court system.

A one-day advanced training session, entitled Mediation: Beyond the Basics-Life in the Trenches was held on June 19, 1998 in Jefferson City. Approximately 63 court-approved mediators attended the training, which included a keynote and plenary session, as well as concurrent workshops on six selected topics related to parenting mediation.

Miscellaneous

The Coordinating Commission for Judicial Branch Education, a Supreme Court-appointed governing board, was established for the purpose of providing oversight for all judicial branch education activities. A series of faculty development seminars, taught by a consultant from the National Judicial College, was made available to personnel teaching in the Judicial Branch Program. Software for an automated lending library was purchased and the development of a lending library was begun. Registration and training tracking software was purchased and implemented. An educational insert was established for inclusion in the Missouri Court Personnel Newsletter. The insert provides all Missouri court personnel with timely information about judicial branch education activities. The feasibility of automating the Bench Book for Trial Judges, as well as other court handbooks, was researched, and automation of the bench book should commence in early 1999. Extensive research was also undertaken to determine the feasibility of incorporating distance learning methods to cost effectively deliver education opportunities to Missouri courts.



Missouri Supreme Court En Banc, *Left to Right*: Ronnie L. White, Edward D. Robertson, Jr., William Ray Price, Jr., Chief Justice Duane Benton, Stephen N. Limbaugh, Jr., Ann K. Covington, John C. Holstein

BENCHMARKS
The Court Welcomes...

Former Judge

Replaced By

Appellate Court

E.D. Gerald M. Smith	James R. Dowd
E.D. James R. Reinhard	Richard B. Teitelman
W.D. Robert W. Berrey	Albert A. Riederer

Circuit Court

(circuit)

2 Bruce Normile (circuit)	Russell E. Steele
10 Ronald R. Mckenzie (circuit)	Robert M. Clayton II
11 Donald E. Dalton (circuit)	Grace M. Nichols
13 Patrick Homer (associate)	Joe D. Holt
16 Alan B. Slayton (associate)	Twila Kay Rigby
17 Jack E. Gant (circuit)	W. Stephen Nixon
20 Randolph Puchta (associate)	John B. Berkemeyer
21 Kenneth M. Weinstock (circuit)	David Lee Vincent III
21 Daniel J. O'Toole (circuit)	George W. Draper III
22 Henry E. Autrey (associate)	Edward W. Sweeney
22 Dennis M. Schaumann (associate)	John F. Garvey
22 Daniel T. Tillman (circuit)	Henry E. Autrey
22 Jack L. Koehr (circuit)	Patricia L. Cohen
22 James J. Gallagher (circuit)	Joan L. Moriarty
22 James R. Dowd (circuit)	Dennis M. Schaumann
23 John Anderson (circuit)	M. Edward Williams
23 M. Edward Williams (associate)	Mark T. Stoll
25 Jim Elliott (associate)	John A. Clayton
33 David A. Dolan (associate)	W. H. Winchester
33 Anthony J. Heckemeyer (circuit)	David A. Dolan
35 Perry J. Rhew (associate)	H. Mark Preyer



The Missouri Judicial Report is prepared by:

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Caseload statistics for the Supreme Court, Court of Appeals and Circuit Court, including information by county and judicial circuit, are published separately in "The Missouri Judicial Report Supplement", which is available upon request from the Office of State Courts Administrator (OSCA). Also available from OSCA is the "Summary of Selected Bills Truly Agreed to and Finally Passed by the 89th General Assembly", Second Regular Session.



MISSOURI JUDICIAL DEPARTMENT
ORGANIZATION SUMMARY

Supreme Court

7 Judges, 12-Year terms

Chief Justice elected by judges of the Supreme Court for 2-year terms

Non-Partisan Court Plan

JURISDICTION:

- Validity of U.S. treaty or statute, Missouri statute or constitution, revenue laws, title to state office, cases where there is a death sentence. (*Exclusive jurisdiction*)
- Cases transferred from Court of Appeals

Court of Appeals

12-Year terms

Western District -- 11 Judges

Eastern District -- 14 Judges

Southern District - 7 Judges

Non-Partisan Court Plan

JURISDICTION:

- All appeals not within Supreme Court's exclusive jurisdiction
- Remedial writs

Circuit Court

45 circuits with courts in each county

135 Circuit Judges, 6-year terms

175 Associate Circuit Judges, 4-year terms

331 Municipal Judges, terms designated by municipality

15 Family Court Commissioners

1 Family Court Referee, 1 Family Court Hearing Officer, 1 Drug Commissioner

3 Probate and 3 Deputy Probate Commissioners

Non-Partisan Court Plan - St. Louis City; St. Louis County;

Jackson, Platte, & Clay Counties

Partisan elections - rest of state

Circuit Court Divisions and Their Jurisdiction

Circuit Division

- Civil Actions over \$25,000
- Domestic Relations
- Felonies & Misdemeanors
- Trials de Novo

Associate Division

- Civil Actions under \$25,000
- Small Claims
- Felonies prior to filing of the information
- Misdemeanors
- Traffic & Municipal Ordinance
- Handles Circuit Division cases on assignment

Probate Division

- Guardianships
- Conservatorships
- Decedents' estates
- Mental Health proceedings

Municipal Division

- Municipal traffic violations and ordinance violations

Juvenile Division

- Violations of law and status offenses
- Certifications for prosecution as an adult
- Child Abuse/Neglect
- Termination of Parental Rights
- Adoptions

Family Court Division

- Domestic Relations
- Adoptions
- Juvenile
- Child Support
- Paternity
- Adult Abuse/Child Protection
- Change of Name
- Marriage License Waiting Period Waivers