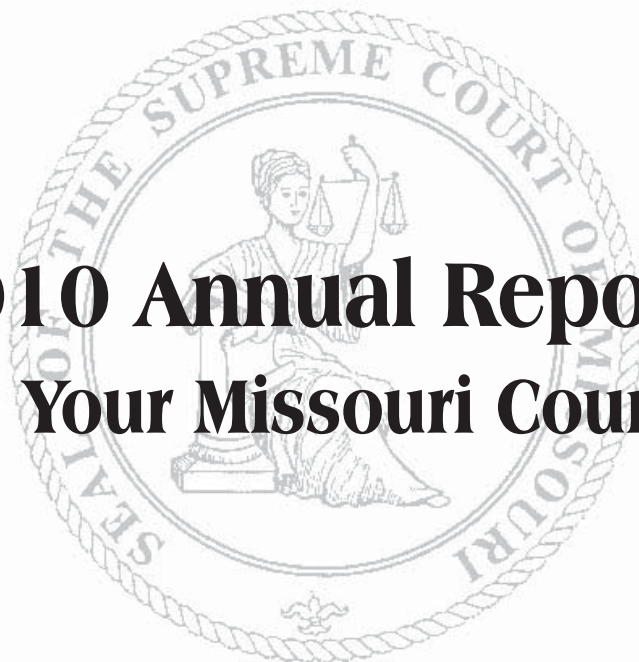




Supreme Court of Missouri judges (front row, from left): Judge Richard B. Teitelman, Chief Justice William Ray Price Jr., Judge Mary R. Russell, (back row, from left) Judge Zel M. Fischer, Judge Laura Denvir Stith, Judge Patricia Breckenridge, Judge Michael A. Wolff.

2010 Annual Report

Your Missouri Courts



Welcome to the 2010 annual report of the Missouri Judiciary. We hope you find this report – as well as the wealth of information included in the 2010 annual report statistical supplement – useful in helping you understand the work our Missouri courts perform.

We in the judiciary take seriously our role in administering justice and managing the state's resources in the most effective way possible. We continue to take a proactive approach in finding the most efficient use of our resources through such efforts as treatment court dockets, videoconferencing, case processing time standards and other process changes designed to save time for those who interact with our court system – and money for the state and its citizens.

For the second year in a row, the judiciary collaborated with both Governor Jay Nixon and the Missouri General Assembly to withhold funds

from the courts' budget to assist with the state's fiscal difficulties. In fiscal 2010, the judiciary agreed to return \$3.5 million from its appropriations to the state and actually returned \$3.7 million, exceeding the agreed-upon target by \$200,000. For fiscal 2011, we have agreed to, and have in place, a plan to withhold \$5 million from the judiciary's appropriated budget. The governor, the legislature, and the officers and employees of the judicial branch all have contributed ideas to the plan, which withholds expenditures from all levels of the judiciary, including the Supreme Court, the three appellate districts, all 45 trial court circuits of our state and the state courts administrator's office.

While we have tried to ensure the restrictions imposed by our withhold plans have the least possible effect on justice, we know many of its implementations – especially the hiring restrictions and freezes for our court clerical and juvenile office staff – will have a negative effect on the

services we can provide our citizens. Nevertheless, we remain committed to working with all involved to minimize these impacts and explore other ways we can continue to streamline our efforts in judicial administration.

As you read this report, we welcome your input, thoughts and ideas about how we may work with each of you toward further improvements, and we remain dedicated to our constitutional duty to provide justice to all. Despite the challenges we face, our commitment to this solemn duty never will wane.

Sincerely,

William R. Price Jr.
Chief Justice

Gregory J. Linhares
State Courts Administrator

The Missouri Judiciary's website is www.courts.mo.gov.

This report and the fiscal 2010 annual statistical report are both available online at www.courts.mo.gov/page.jsp?id=296.

Saving Money

Conducting video hearings. To reduce costs and increase safety for court staff and the public, the state courts administrator's office worked with the department of corrections to develop policies and procedures for conducting video hearings with offenders in department custody. The initial cost of equipment is offset by the reduction in transportation costs and personnel expenses. Currently, 24 counties use this technology for hearings involving offenders in department custody: Audrain, Camden, Chariton, Clinton, Cole, Cooper, Crawford, Dade, Boone, DeKalb, Franklin, Gasconade, Greene, Henry, Howell, Lawrence, Livingston, Macon, Morgan, Pulaski, St. Louis, Taney, Texas and Wayne.

Reducing committee expenses. The Circuit Court Budget Committee released a memorandum June 29, 2010, recommending that all court committees use teleconferencing to conduct meetings in an effort to reduce costs. Holding meetings electronically can result in drastic reductions in mileage, meal and lodging expenses. For a large committee, the result can be a savings of more than \$1,000. Remote meetings also result in better use of time. Judges and clerks are able to remain at their offices instead of driving to and from meetings. The state courts administrator's office works with committee chairs to organize and to conduct meetings via videoconference or conference call.

Expanding drug and treatment court dockets. Treatment court dockets are a proven cost-effective alternative to incarceration and traditional probation in addressing the increased rates in sentencing and new prison admissions for drug and alcohol offenders. These programs add substance abuse treatment and intensive judicial supervision to traditional probation. Treatment court participants learn discipline and sobriety skills and are returned to their families and communities as productive, tax-paying citizens. Successful participants are far less likely to reoffend than those incarcerated or sentenced to probation without treatment. The cost of treatment court dockets per participant, per year is approximately one-third the cost of incarcerating an offender in prison for one year. More than 3,000 people currently participate in treatment court dockets, almost 10,000 Missourians are graduates of such dockets, and more than 480 babies have been born drug-free to participants in the programs.

Restructuring court staff. Many courts have experienced greater flexibility and efficiencies by assigning court staff to a single appointing authority. By cross-training clerks, the appointing authority or manager can make assignments to meet the daily needs of the court. In 2009, the Supreme Court of Missouri ordered all remaining courts to adopt this structure, thereby helping reduce the significant stress on the courts from the continued budget crisis and mandatory vacancies.

Reducing juvenile detention time. As one of the most effective and influential juvenile justice reform efforts in the United States, the Juvenile Detention Alternative Initiative (JDAI) repeatedly has demonstrated that jurisdictions safely can reduce costly secure detention. Youth often are detained unnecessarily or inappropriately in juvenile detention at great expense. Detaining at-risk youth for long periods of time may cause negative consequences on their social development. Missouri's initiative has decreased reliance on secure detention in urban jurisdictions by 50 percent without negatively impacting public safety or court appearances. Detention admissions, average daily population and average length of stay in detention for all youth has decreased. We are encouraging JDAI strategies within all jurisdictions.

The cost of treatment court dockets per participant, per year is approximately one-third the cost of incarcerating an offender in prison for one year.

Reducing state payments for transcripts. The Supreme Court of Missouri repealed subdivision (b) of Rule 24.03 that required preparation of a transcript for guilty plea proceedings involving A and B felonies. Adopted in lieu thereof, subdivision (b) now states a transcript no longer is required when a defendant enters a plea of guilty to a felony unless a motion is filed under Rule 24.035. The revision became effective Jan. 1, 2011; savings are expected later in 2011.

Increasing collection of outstanding debt in Missouri courts. An ad hoc committee to review the current practices of cost collections was established. The 10-member committee, representing 10 circuits, considered best practices of other state judiciaries, current practices of Missouri courts and the effectiveness of two existing programs – income-tax offset and a private debt-collection contract. The committee submitted recommendations to the Supreme Court of Missouri that include best practices for cost collections.

Saving Time

Timely and efficient management and case processing. The O'Toole Award is given to circuits for achieving at least five of the 10 case processing time standards and for not being more than 5 percent from achieving the remaining standards. The Permanency Award is given to circuits for successfully holding timely hearings in child abuse and neglect cases, in which children removed from their homes are to be reunited with their families or placed in a permanent home.

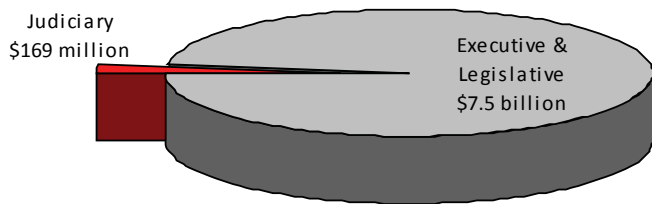
Circuits that received the O'Toole Award: 1 (Clark, Schuyler and Scotland counties); 3 (Grundy, Harrison, Mercer and Putnam counties); 4 (Atchison, Gentry, Holt, Nodaway and Worth counties); 5 (Andrew and Buchanan counties); 8 (Carroll and Ray counties); 9 (Chariton, Linn and Sullivan counties); 10 (Audrain, Marion, Monroe and Ralls counties); 14 (Howard and Randolph counties); 15 (Lafayette and Saline counties); 18 (Cooper and Pettis counties); 19 (Cole County); 32 (Bollinger, Cape Girardeau and Perry counties); 36 (Butler and Ripley counties); and 41 (Macon and Shelby counties).

Circuits that received the Permanency Award: 1 (Clark, Schuyler and Scotland counties); 2 (Adair, Knox and Lewis counties); 4 (Atchison, Gentry, Holt, Nodaway and Worth counties); 5 (Andrew and Buchanan counties); 6 (Platte County); 10 (Audrain, Marion, Monroe and Ralls counties); 13 (Boone and Callaway counties); 18 (Cooper and Pettis counties); 22 (city of St. Louis); 25 (Maries, Phelps, Pulaski and Texas counties); 26 (Camden, Laclede, Miller, Moniteau and Morgan counties); 30 (Benton, Dallas, Hickory and Polk counties); 31 (Greene County); 32 (Bollinger, Cape Girardeau and Perry counties); 38 (Christian and Taney counties); 39 (Barry, Lawrence and Stone counties); and 45 (Lincoln and Pike counties).

Seeking Support through Grant Awards

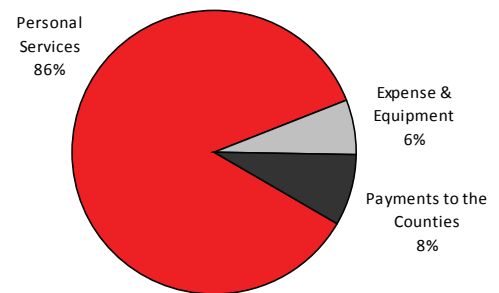
- **Annie E. Casey Foundation:** Allows for the continued development and implementation of strategies to achieve the objectives set by the Juvenile Detention Alternative Initiative (JDAI).
- **Bureau of Justice Assistance (BJA) – Missouri Evidence-Based Best Practices:** To develop and administer training curriculum based on recent methamphetamine, state and national studies for evidence-based best practices for adult drug court dockets.
- **Department of Revenue/Commercial Drivers License – Municipal Expansion:** Funds compliance with commercial drivers license requirements.
- **State Justice Institute – Professional Development Presentation Skills:** To provide presentation skills training to judges, clerks and juvenile officers to increase training resources and decrease dependencies on external training/speakers.
- **BJA – Missouri Treatment Court Offender Assessment Project:** To develop a statewide evidence-based classification-assessment system for enhanced identification of adult drug-court participant risks and treatment needs to match the appropriate level of supervision and services required as well as to reduce recidivism.
- **Highway Safety – Driving While Intoxicated (DWI) Court Pilot/Expansion:** To reduce recidivism of DWI offenders and promote public safety.
- **Public Safety – Title II Statewide JDAI Project Management:** To sustain existing JDAI programs and promote continued statewide expansion.
- **Public Safety – Title II Juvenile Justice Improvement System:** To collaborate with the disproportionate minority contact (DMC) coordinator with the department of public safety and the Missouri Juvenile Justice Association to collect and report DMC data as required by the U.S. Department of Justice.
- **Missouri State Highway Patrol – National Criminal History Improvement Program:** To create and maintain an accessible and appropriately secured information system about individuals and events for criminal justice agencies that support the effective administration of the criminal justice system.
- **Highway Safety – 408:** Enables the agency members of the Missouri Statewide Traffic Records Coordinating Committee to build consensus for the future direction of Missouri traffic record systems, identify necessary system improvements and prioritize improvements for the next five years.
- **Byrne – Treatment Court Expansion and Enhancement Project:** Expands the treatment court capacity by 145 new participants, thereby helping to ensure the retention and creation of service-related positions.
- **BJA – Second Chance Act, Boone County Re-Entry Court:** To implement the OnTrack reintegration program in Boone County by allowing individual treatment intervention for a minimum of 100 offenders returning from 120-day prison-based treatment.
- **Department of Health and Human Services (DHHS) – State Court Improvement Training Program:** Provides multidisciplinary training to address needs related to family court dockets.
- **DHHS – State Court Improvement Data Sharing:** Supports reporting functions related to child abuse and neglect quarterly reporting as well as quality assurance and improvement of court performance for child abuse and neglect cases.
- **DHHS/Family Preservation – Basic:** Funds the oversight of the court improvement initiative as it relates to family preservation.

General Revenue (GR) Funding Judiciary Compared with Other Branches



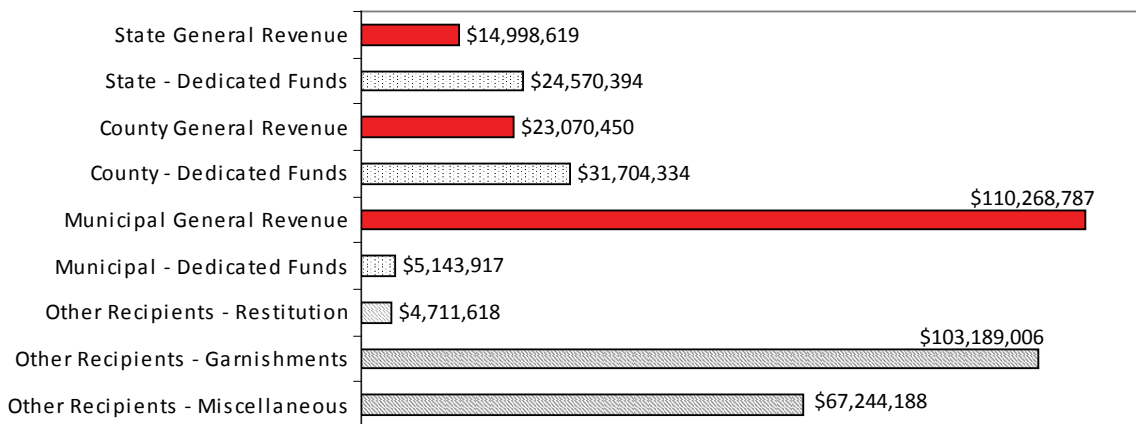
- For fiscal 2010, the judiciary (Supreme Court, three appellate court districts and 45 circuit courts serving 115 counties) received approximately 2 percent of statewide general revenue appropriations.

Judiciary GR Distribution



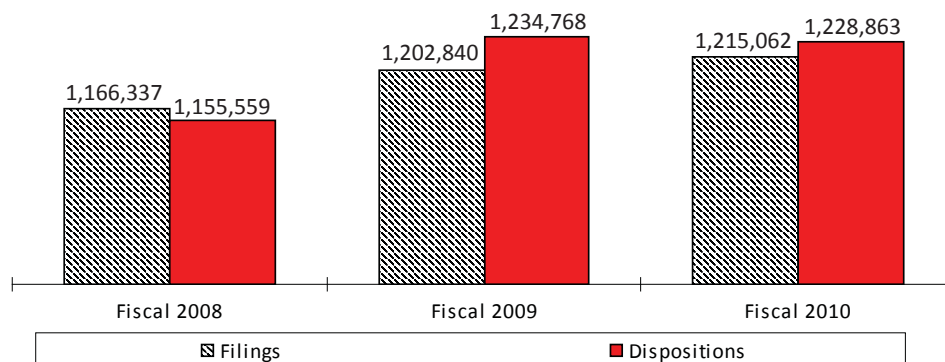
- The vast majority of the courts' costs are for personnel. Most day-to-day operating expenses are paid for by the counties.

\$380 Million in Disbursements of Court Costs, Fines and Other Fees from the Circuit Courts



- In fiscal 2010, Missouri's circuit courts disbursed more than \$380 million. Approximately two-fifths of this amount – almost \$150 million – went into the discretionary spending accounts of state, county or municipal governments. The remaining funds were divided among restitution, garnishments and dedicated funds such as crime victims' compensation, domestic violence, independent living, spinal cord and head injury, law enforcement training, and others.

Filings in the Circuit Courts



- Over the past three fiscal years, activity in the circuit courts (i.e. formal cases, administrative filings, diversions to the Fine Collection Center, etc.) increased by more than 4 percent, representing almost 50,000 filings.
- During this time, the overall case clearance rate increased by 2 percent, indicating the circuit courts are keeping up with the incoming filings.
- For the past two fiscal years, Missouri's circuit courts have disposed of more cases than have been filed despite current hiring freezes.