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## Municipal Division Statistics

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Of the approximately 450 municipal court divisions in Missouri, more than 90 percent report statistics to the Supreme Court of Missouri's office of state courts administrator (OSCA)<sup>1</sup>. For each of the last two fiscal years, more than 1 million new cases were filed in Missouri municipal divisions, 80 percent of which resulted in a guilty outcome. Due to a combination of factors – including increased filings and low clearance rates – the pending case load in Missouri's municipal divisions has increased by more than 40 percent during the past five fiscal years, including an even larger percentage increase in backlogged alcohol- and drug-related traffic cases. Over the last two fiscal years, overall municipal division collections – and, accordingly, disbursements – have decreased, including those for crime victims compensation and domestic violence shelter funds.

### Background

#### Court Operating Rule #4

In 2003, the Supreme Court of Missouri amended Court Operating Rule (COR) 4, pertaining to a uniform record keeping system, to require Missouri's municipal divisions to submit monthly statistics reports to OSCA beginning July 1, 2004.<sup>2</sup> In addition, COR 4 requires each municipal division to submit monthly reports to its municipal government, the Missouri Department of Revenue and the Missouri State Highway Patrol.

From fiscal 2005 through fiscal 2009, the number of reporting municipal divisions increased by 24 percent. Since fiscal 2005, municipal division statistics have been published in OSCA's annual *Missouri Judicial Report Supplement* (MJRS), available in the statistics section of the Your Missouri Courts Web site, [www.courts.mo.gov](http://www.courts.mo.gov).

#### Municipal Divisions in Missouri

Pursuant to section 479.060 RSMo, municipal divisions can operate within one of three basic structures:

- Municipally funded court division, judge(s) and clerk(s);
- Municipally funded court division and clerk(s) and a state-funded associate circuit judge; or
- Municipal cases filed in the state-funded associate division of the circuit court.

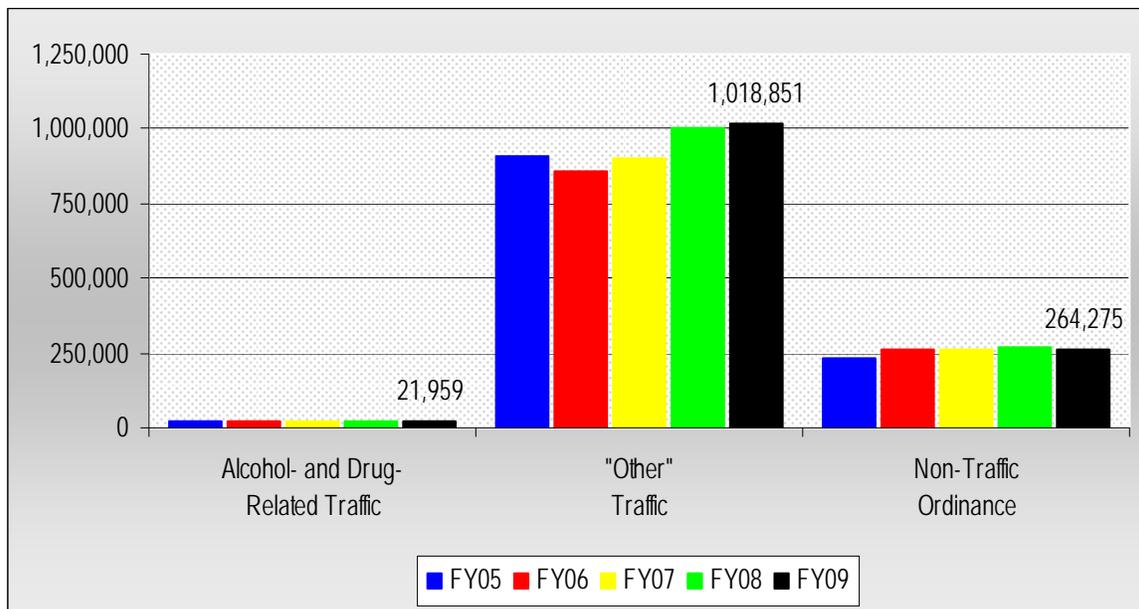
During fiscal 2009, there were almost 420 municipal divisions in Missouri reporting monthly statistics. An additional 40 active municipal divisions do not report monthly statistics. Approximately 150 municipalities do not maintain a court division, instead filing their cases in the associate division of the circuit court.<sup>3</sup>

## Case Filings

Excluding parking violations, municipal filings are reported in one of three categories: alcohol- and drug-related traffic, "other" traffic, and non-traffic ordinance.<sup>4,5</sup> [Figure 1] In fiscal 2009, almost 80 percent of the filings in municipal divisions were for "other" traffic violations, while less than 2 percent were for the potentially more serious alcohol- and drug-related traffic violations. Non-traffic ordinance violations accounted for 20 percent of filings.

From fiscal 2005 through fiscal 2009, the number of reported filings in municipal divisions increased by more than 145,000, or 12 percentage points. This includes a 13-percent increase in "other" traffic and non-traffic ordinance filings, but only an 8-percent increase in alcohol- and drug-related traffic filings. However, in the last two fiscal years, overall filings increased by only 1 percent, while alcohol- and drug-related traffic and non-traffic ordinance filings actually decreased, by 0.2 percent and 2 percent, respectively.<sup>6</sup>

**Figure 1. Fiscal 2005 through Fiscal 2009: Reported Filings in Municipal Divisions, by Case Category<sup>7,8</sup>**



## Case Dispositions

In fiscal 2009, 80 percent of reported municipal dispositions resulted in a guilty outcome (i.e., guilty plea, payment of fines or costs, or decision by a judge). [Table 1] Slightly fewer than 20 percent of dispositions were dismissals, either by the court or by the municipal prosecutor. Alcohol- and drug-related traffic cases had the highest percentage of guilty outcomes (84 percent), followed by “other” traffic (81 percent) and then non-traffic ordinance (73 percent). Conversely, non-traffic ordinance cases had the highest percentage of dismissal (26 percent), in part due to the higher proportion of cases dismissed by the prosecutor.

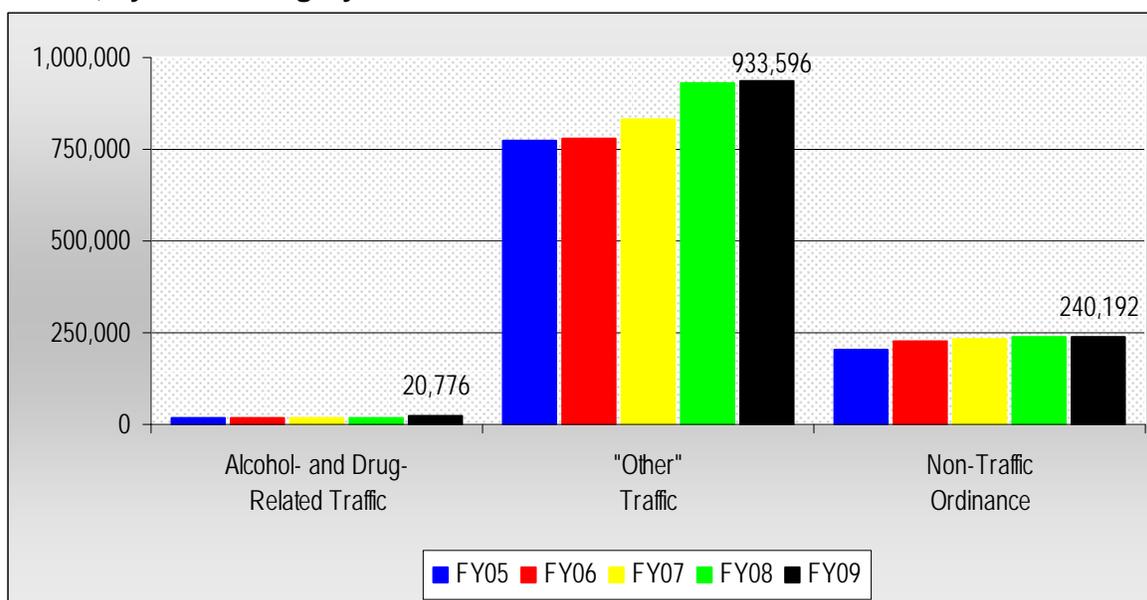
**Table 1. Fiscal 2009: Reported Dispositions in Municipal Divisions, by Case Category**

Disposition Type	Alcohol- & Drug-Related Traffic	Other Traffic	Non-Traffic Ordinance	Total Dispositions
Guilty Plea	76%	46%	54%	<b>48%</b>
Violations Bureau Citation	6%	31%	14%	<b>27%</b>
Trial by Judge - Guilty	3%	4%	5%	<b>5%</b>
Trial by Judge - Not Guilty	1%	1%	1%	<b>1%</b>
Dismissed by Court	6%	11%	11%	<b>11%</b>
Dismissed by Prosecution	7%	7%	15%	<b>8%</b>
Other Disposition	1%	0%	1%	<b>0%</b>

*Other Dispositions include – but are not limited to – municipal jury trial (Springfield only), certification to Circuit Court, death of defendant, etc.*

From fiscal 2005 through fiscal 2009, the number of reported dispositions in municipal divisions increased by almost 200,000, or 19 percent. [Figure 2] However, in the last two fiscal years, overall dispositions increased by less than 1 percent.

**Figure 2. Fiscal Year 2005 through Fiscal 2009: Reported Dispositions in Municipal Divisions, by Case Category**

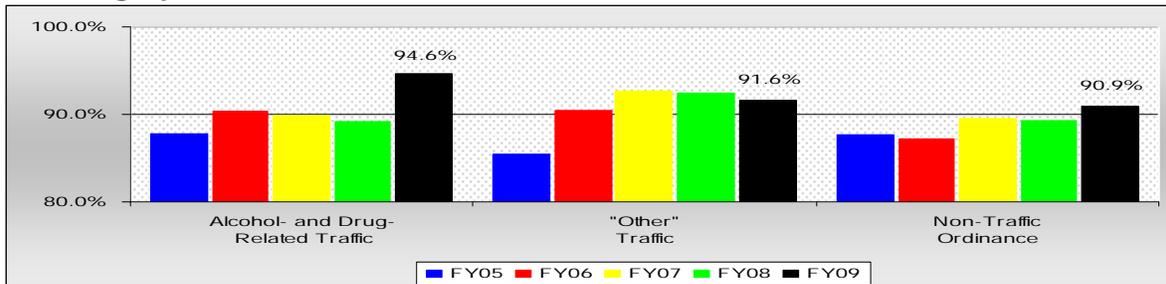


*Case counts reflect most recent data and so may differ from those published in the MJRS. Data do not include violations processed by the Fine Collection Center.*

## Clearance Rates

From fiscal 2005 through fiscal 2009, the overall clearance rate in municipal divisions increased by 6 percent.<sup>9</sup> [Figure 3] The largest increase was in alcohol- and drug-related traffic cases (8 percent), followed by “other” traffic (7 percent) and then non-traffic ordinance (4 percent). With clearance rates of less than 100 percent, cases are accumulating in the municipal divisions’ backlog.

**Figure 3. Fiscal 2005 through Fiscal 2009: Clearance Rates in Municipal Divisions, by Case Category.**

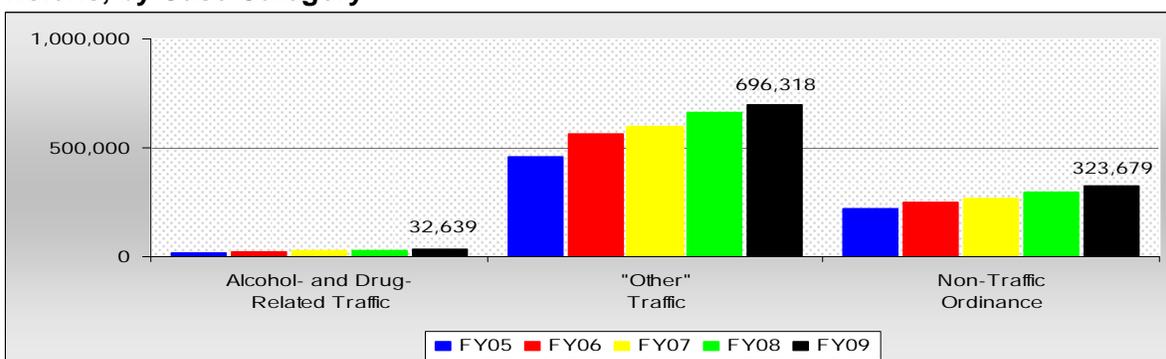


## Pending Caseload

At the end of fiscal 2009, there were more than 1 million pending cases in Missouri’s municipal divisions. [Figure 4] Almost two-thirds of these were “other” traffic cases, while slightly fewer than one-third were non-traffic ordinance cases and about 3 percent alcohol- and drug-related traffic cases.

From fiscal 2005 through 2009, the reported number of pending cases in the municipal divisions increased by more than 350,000 (or 43 percentage points), due at least in part to clearance rates of less than 100 percent. Proportionally, the largest increase was in alcohol- and drug-related traffic cases (64 percent), followed by “other” traffic (44 percent) and non-traffic ordinance (40 percent). Recently, alcohol- and drug-related traffic cases – in which attorneys, contested motions and trials are more common – have taken longer to resolve.

**Figure 4. Fiscal 2005 through Fiscal 2009: Reported Pending Caseload in Municipal Divisions, by Case Category**

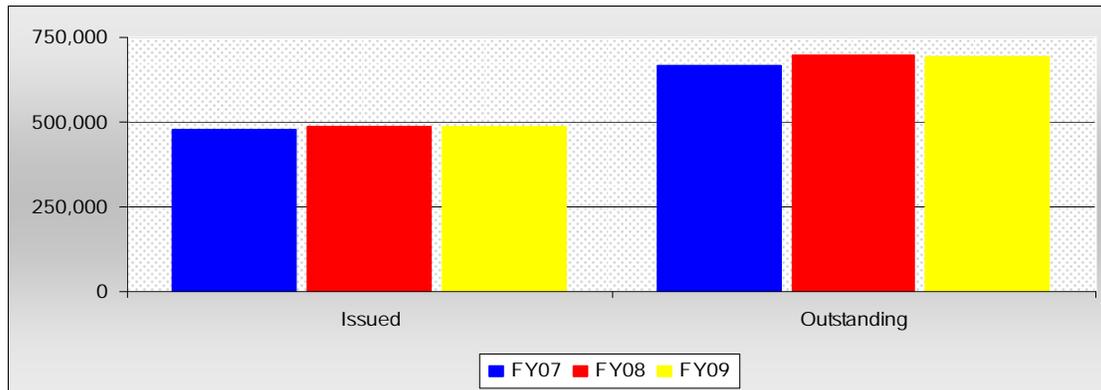


*Case counts reflect most recent data and so may differ from those published in the MJRS.*

## Warrants

From fiscal 2007 through fiscal 2009, the reported number of issued warrants increased by 2 percent, while the number of outstanding warrants increased by double this, or 4 percent. [Figure 5] For every warrant issued during fiscal 2009, there were 1.4 warrants outstanding at the end of the fiscal year.

**Figure 5. Fiscal 2007 through Fiscal 2009: Reported Issued and Outstanding Warrants in Municipal Divisions**



## Collections

Municipal division collections are disbursed to the municipality, the Missouri Department of Revenue and the Missouri Department of Public Safety. In fiscal 2009, the three largest discrete collection categories were fines (71 percent of the total), clerk/court fees (9 percent) and the crime victims compensation fund (5 percent). [Table 2] In the last two fiscal years, overall collections decreased by almost 2 percentage points.<sup>10</sup> Collections decreased for fines, clerk/court fees, crime victims compensation, and the domestic violence shelter surcharge. However, collection increased for the remaining, generally smaller funds.

**Table 2. Fiscal 2008 through Fiscal 2009: Reported Net Collections in Municipal Divisions, by Fund Type.**

Fund	FY08	FY09	Value Change	Percent Change
Fines	\$85,836,240	\$83,898,331	-\$1,937,910	-2.3%
Clerk / Court Fee	\$12,112,075	\$10,962,300	-\$1,149,776	-9.5%
Peace Officer Standards & Training Fund Surcharge	\$939,628	\$961,808	\$22,180	2.4%
Crime Victims Compensation Fund Surcharge	\$6,258,843	\$5,900,241	-\$358,602	-5.7%
Law Enforcement Training Fund Surcharge	\$1,525,021	\$1,564,624	\$39,603	2.6%
Domestic Violence Shelter Surcharge	\$1,120,468	\$1,105,906	-\$14,563	-1.3%
Inmate Security Fund Surcharge	\$428,480	\$496,834	\$68,354	16.0%
Restitution	\$547,503	\$578,320	\$30,816	5.6%
Other (i.e., fees/costs for service, jail, etc.)	\$6,899,081	\$7,605,549	\$706,468	10.2%
Revenue received for Parking Tickets	\$1,582,034	\$1,600,655	\$18,622	1.2%
Bond Forfeitures (not used for fees/costs)	\$2,959,248	\$3,503,161	\$543,913	18.4%
Judicial Education Fund	\$118,830	\$123,517	\$4,686	3.9%
<b>Total</b>	<b>\$120,327,452</b>	<b>\$118,301,244</b>	<b>-\$2,026,208</b>	<b>-1.7%</b>

## Endnotes

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<sup>1</sup> Kansas City is the only major municipality not reporting statistics to OSCA.

<sup>2</sup> Supreme Court Operating Rule 4 -- Uniform Record Keeping System. (Approved for publication Aug. 21, 1995; amended Dec. 23, 2003, effective Jan. 1, 2004.)

<sup>3</sup> Municipal cases filed in the circuit court are referred to as ordinance cases and are reported as part of the circuit court's caseload. These cases are NOT included in this analysis.

<sup>4</sup> Municipal Clerk Manual, 9th Revision (Effective 2007), Court Services Division, Office of State Courts Administrator. Jefferson City, Mo.

<sup>5</sup> In fiscal 2009, municipal divisions reported 116,010 parking tickets.

<sup>6</sup> The impact of the 24-percent increase in municipal division reporting (see Page 1) on court statistics is problematic because: 1) much of this increase is among smaller municipalities with correspondingly smaller case loads; and 2) this analysis uses data that have been updated since they originally were reported.

<sup>7</sup> Case counts reflect most recent data and so may differ from those published in the MJRS.

<sup>8</sup> Data do not include violations processed by the Fine Collection Center.

<sup>9</sup> The clearance rate is defined as the number of disposed cases as a proportion of the number of newly filed cases during a specified time period, or as: Clearance Rate = (Dispositions ÷ Filings) \* 100.

*CourTools: Trial Court Performance Measures. 2005. National Center for State Courts. Williamsburg, Va.*

<sup>10</sup> From Fiscal 2008 through Fiscal 2009, the number of guilty outcomes increased by 1.2 percent, suggesting the apparent decrease in collections was not due to a decrease in the number of guilty outcomes.