

# *2019 Annual Report*



## *Thirteenth Judicial Circuit Boone and Callaway Counties*

### *Court Administration*

*Prepared March, 2020*

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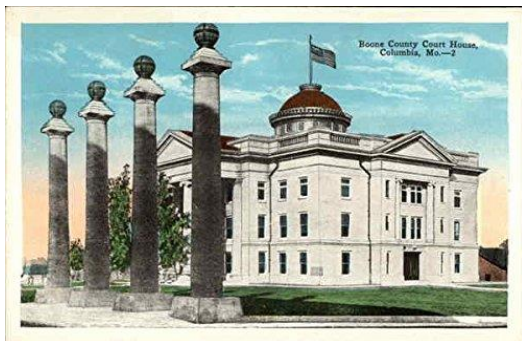
## History of 13<sup>th</sup> Circuit

### *Boone County Courthouse*



Columbia became the county seat of Boone County in 1821. The first courthouse was constructed seven years later. That courthouse was the first of three to be built in Columbia.

The second courthouse was built in 1847, the four thirty foot columns that stand alone near the courthouse on Walnut and 8<sup>th</sup> Street are all that remain of the second courthouse. Those columns align perfectly with those located in the Francis Quadrangle at the University of Missouri.

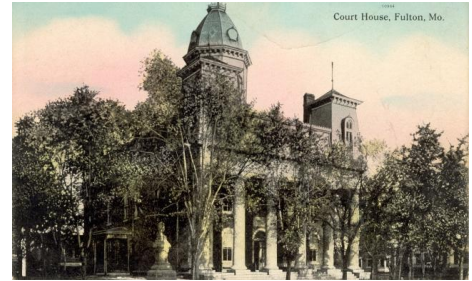


The third courthouse, which is part of the current building, was built in 1909. The front of the building has remained unchanged however the north side of the building has had several phases of updates. On May 2, 1992, a \$7 million addition and renovation was completed including construction of a courthouse annex connected to the original courthouse via a glass walkway. In 2008, the courthouse was again expanded and renovated adding two additional floors and a state of the art technology courtroom, which was equipped with multiple tv screens,

computer monitors and a high definition media camera.

## *Callaway County Courthouse*

Fulton became the county seat of Callaway County in 1825. At that time, the county erected a log building to serve as the county courthouse. The county also established the public square and all four courthouses built in Fulton, including the current one, have been located in the square.



In 1828, a second courthouse was completed. This time the courthouse was made out of brick and cost \$1,300. The third courthouse was built in 1856 for \$20,000.

The fourth and final courthouse was dedicated on May 18<sup>th</sup>, 1940. It is the same courthouse that is used today. On the exterior of the courthouse, there are eight medallions carved into the building representing eight important events in Callaway's history. In 1996, a major \$2 million renovation began and paved the way for continued judicial practice into the 21<sup>st</sup> century. The Callaway County courthouse is a multi-use facility housing most of the other county offices. Other updates have occurred in Callaway County including a new hearing room that was added to the first floor in January 2011.



The 13<sup>th</sup> Judicial Circuit is proud of the advances our courts have made in the 20<sup>th</sup> and 21<sup>st</sup> centuries and we thank the citizens of Boone and Callaway counties for helping to make those changes possible. In 2019, the citizens of Callaway County passed a proposition for a tax to fund the construction of a new courthouse. It is anticipated that construction could start as early as 2021.

The Boone and Callaway county courthouses are very busy places. In 2019, more than 28,000 cases were filed in the circuit. With a population of 178,271 in Boone County and 45,032 in Callaway County, that means a little more than 12 percent of the people in the two counties accessed the courts in 2019. This does not include all the citizens who had a legal matter resolved in one of the nine municipal courts in the two counties.

## Court en Banc

The judicial branch of the government of the State of Missouri is a separate and independent branch of state government. Missouri's judicial system was established by the people of Missouri through Article V of the Constitution of the State of Missouri. Missouri is divided into 46 separate judicial circuits. The 13th Circuit covers Boone and Callaway counties.

The 13<sup>th</sup> Judicial Circuit is made up of 10 elected judges and 2 commissioners. These judges and commissioners have a variety of legal backgrounds that add to the collective depth of experience and insights offered in our court system. The qualifications for a judge are governed by [article V, section 21 of the Missouri Constitution](#).

Each judge and commissioner sits in a division. Judges and commissioners are often referred to by their division. Divisions I, II, III and IV are presided over by circuit judges. Divisions V, IX, X and XI are presided over by Boone County associate circuit judges; Divisions VI and VII are presided over by Callaway County associate circuit judges. Division VIII is the family court commissioner. Division XII is the treatment court commissioner.

The four circuit judges are elected by constituents of both Boone and Callaway counties and serve six year terms. These judges serve over the court of "General Jurisdiction," meaning they can preside over all manner of cases such as felony criminal, complex civil, malpractice, wrongful death to small claims cases.

There are six associate circuit judges. The number of associate circuit judges is based on the population of the county and any additions given by the legislature, and are elected by the constituents of each county. Associate circuit judges serve four year terms. Boone County has four associate circuit judges and Callaway County has two associate circuit judges. Associate judges hear cases in family law, juvenile, probate, associate criminal, misdemeanor, and felony cases up to preliminary hearing.

The family court commissioner and treatment court commissioner are appointed by the Court en Banc, and serve four year terms. The family court commissioner presides over family court matters (domestic relations and juvenile cases), and the treatment court commissioner presides over the circuits six treatment courts. Treatment courts are treatment-based alternatives to serving commitment time in prison, detention centers, jails and standard probation models. The criminal justice system works with treatment providers, law enforcement, and other community agencies to provide offenders with the tools to enter into recovery, stay in recovery, and lead a productive, crime-free life.

There is a presiding judge who is elected by the judges of the 13th Circuit. The role of presiding judge is the chief administrative officer over all other divisions. Among other things, the presiding judge is responsible for:

- presiding over Court en Banc meetings,
- supervising and appointing committees as needed,
- establishing procedures,
- docket schedules and making docket assignments among divisions,
- appointing personnel as provided by law to aid in conducting the business of the court, and
- oversight of the nine municipal courts within the 13<sup>th</sup> circuit.



## Division 1 - Judge J. Hasbrouck Jacobs



Judge Jacobs was appointed to the 13<sup>th</sup> Circuit in October 2017 and was elected in 2018. He presides over general civil and criminal dockets, as well as probate mental health and family court matters. Judge Jacobs is a graduate of Florida A&M College of Law, with an undergraduate degree in history from the University of Florida.

## Division 2 - Judge Jeff Harris

Judge Harris was appointed to the 13th Circuit in April 2016 and has been elected since 2017. He presides over civil, criminal and family court matters. Prior to taking the bench, Judge Harris served as Policy Director for former Missouri Governor Jay Nixon. Judge Harris was a member of the Missouri House of Representatives from 2003 to 2009, serving as House Minority Leader and House Minority Whip. Judge Harris is also a former Missouri Assistant Attorney General and was a trial attorney with the multinational law firm Bryan Cave LLP and the law firm of Atwill & Montgomery. Judge Harris is a graduate of the Cornell Law School, where he was a member of the Board of Editors of the *Cornell Law Review*. He received his B.A. from Vanderbilt University, *magna cum laude*.



After graduating from Cornell, Judge Harris clerked for the Hon. William H. Barbour, Jr., Chief Judge of the U.S. District Court for the Southern District of Mississippi. Judge Harris is also a graduate of the Harvard University Kennedy School of Government Senior Executive program. Judge Harris has sat with the Missouri Court of Appeals, Western District, by special designation.

Judge Harris was a member of the 2004 Democratic National Convention Rules Committee, and among other honors, he has received the University of Missouri Presidential Citation Award; the Champion of Justice Award; the Defender of Patient Safety Award; the Betty Saunders Elected Officeholder Award; the AFSCME Champion of Service Award; the SSM Cardinal Glennon Champion of Children Award; the Hickman High School Outstanding Alumnus Award, and he was inducted into the Columbia Public Schools Foundation Outstanding Alumni Hall of Leaders. Judge Harris is a member of Missouri United Methodist Church and the Elwood Thomas Inn of Court.

### **Division 3 - Judge Kevin Crane - Presiding Judge**

Judge Crane was elected to the 13<sup>th</sup> Circuit in 2006. He presides over general civil and criminal dockets, as well as small claim dockets. Judge Crane is a native Boone Countian. Judge Crane graduated from the University of Missouri, Columbia, School of Law in 1987. Judge Crane has served as Presiding Judge of the 13<sup>th</sup> Circuit since January 31, 2017.



### **Division 4 - Judge Jodie Capshaw Asel**

Judge Asel was first appointed to the court in 1991, and has been elected since 1992. She presides over general civil and criminal dockets. Judge Asel is a graduate of the University of Missouri - Columbia, School of Law, with an undergraduate degree from the University of Missouri - Columbia. Judge Asel was Presiding Judge of the 13<sup>th</sup> Circuit in 2013 - 2014.



### **Division 5 - Judge Kimberly Shaw**



Judge Shaw was elected to the court in 2014. She handles cases in Boone County for traffic dockets, municipal court dockets for Ashland, Hallsville, and Sturgeon, general civil and criminal dockets, domestic violence docket, order of protection docket, and the child support court. Judge Shaw is a graduate of the University of Missouri – Columbia, School of Law, with an undergraduate degree in business administration from Columbia College.

### **Division 6 - Judge Carol England**

Judge England was elected to the court in 2007. She handles general civil and criminal dockets as well as small claims and probate matters. She serves on the bench primarily in Callaway County. Judge England graduated from the University of Missouri School of Law and worked as an Assistant Prosecuting Attorney in Callaway County prior to being elected Judge.





### **Division 7 - Judge Sue Crane**



Judge Crane was elected to the court in 2015. She handles small claims, family court matters including juvenile and orders of protection as well as the domestic violence docket in Callaway County. She serves on the bench primarily in Callaway County. Judge Crane graduated from the University of Missouri with a B.S. in Animal Science and the University of Missouri, Columbia - School of Law.

### **Division 8 - Commissioner Sara Miller**

Commissioner Miller, Family Court Commissioner, was appointed commissioner in 1994. Division VIII hears family court cases, including juvenile court and domestic relations matters. She is a graduate of the University of Missouri - Columbia School of Law, with an undergraduate degree in Economics from the University of Missouri Columbia. Prior to appointment as commissioner she was in private practice with Tofle, Oxenhandler & Miller.



### **Division 9 – Judge Tracy Gonzalez**



Judge Gonzalez was elected to the court in 2019. Judge Gonzalez serves on the bench in Boone County. She handles landlord/tenant matters, general civil and criminal dockets, and juvenile court cases. Judge Gonzalez is a graduate of the Saint Louis University, School of Law, with an undergraduate degree from the University of Wisconsin.

### **Division 10 - Judge Leslie Schneider**

Judge Schneider was elected to the court in 2006. She handles all family law matters including juvenile, dissolution of marriage, and adult abuse dockets. Judge Schneider serves as the administrative judge of the Family Court. She serves on the bench primarily in Boone County. Judge Schneider is a graduate of the University of Missouri - Columbia School of Law, with an undergraduate degree from the University of Missouri - Columbia.



### **Division 11 – Judge Stephanie Morrell**

Judge Morrell was elected to the court in 2019. Judge Morrell handles probate matters, general criminal dockets in Boone County, as well as the Centralia Municipal Court docket. Judge Morrell is a graduate of the University of Kansas School of Law and received her undergraduate degree in Psychology from the University of Kansas.

### **Division 12 - Commissioner Casey L. Clevenger**

Commissioner Clevenger, Treatment Court Commissioner, was appointed in November 2014. She hears treatment court dockets in Boone and Callaway counties including Drug Court, DWI Court, Mental Health Court, Veterans Court, Co-Occurring, and Family Treatment Court. She serves on the Board of Directors for the Missouri Association of Treatment Court Professionals and the Medical Research Foundation for Truman VA Hospital.



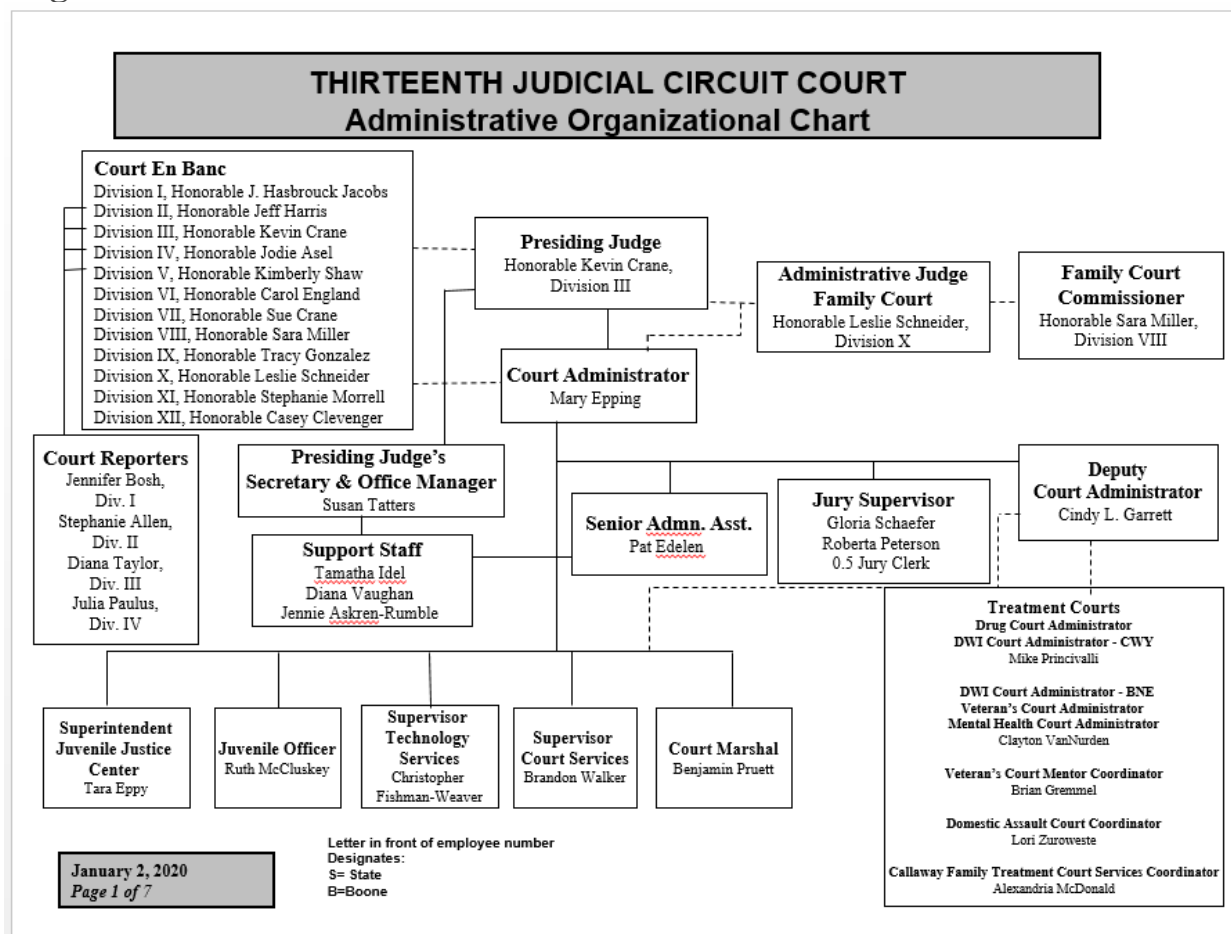
## **Court Administrator**

The Court Administrator manages the daily operations of the circuit court, under the direction of the Presiding Judge and the Court en Banc. Mary Epping has served as Court Administrator since January 2015. The Court Administration staff provides administrative support for court programs, and is responsible for the following activities:

- preparation of the annual court budget,
- purchasing and accounts payable,
- administration of the court's personnel system,
- responding to requests for information from the media and the public,
- serving as the court's ADA coordinator and responding to complaints of discrimination
- assisting in the establishment of new court programs and evaluating the effectiveness and cost of court programs, and
- preparing reports for the information of the Court en Banc, as requested.

In addition, the normal duties of the court administrator include advising the court on best practices and legal updates; tracking pending legislation; working on special projects; acting as a liaison between the court and county leadership, municipal and state organizations; and providing supervision of the following departments under the authority of the court administrator: Adult Court Services, Technology Services, Court Marshals, Jury Services, Treatment Courts, Juvenile Office, Robert L. Perry Juvenile Justice Center, and Domestic Assault Court Coordinator. Between county, state and grant funded staff there are 100 employees under the Court Administrator's appointing authority. Approximately half are county funded.

## Organizational Chart





The court is funded primarily by the state and the county. In 2019, the yearly budget for all services provided was almost \$15 million dollars. The court employs 167 people in full and part time positions.

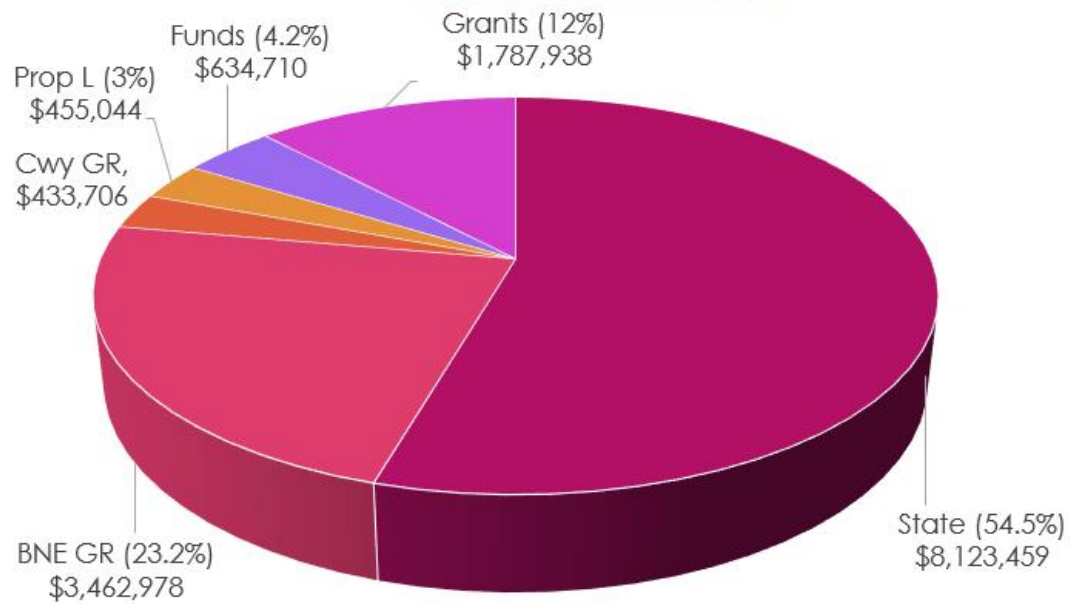
Pursuant to section 50.540, RSMo, on or before September first of each year, each court of the county receiving its revenues in whole or in part from the county shall prepare and submit to the budget officer estimates of its requirements for expenditures and its estimated revenues for the next budget year compared with the corresponding figures for the last completed fiscal year and estimated figures for the current fiscal year. Pursuant to section 50.641, RSMo, the circuit court estimates are to be included in the county's budget by the budget officers and the county commissions, without change, shall include expenditures to support the operations of the circuit court for the business of the circuit judges, associate circuit judges and the staffs serving such judges, including the operations of all juvenile officers and other juvenile court personnel within the circuit that are funded, in whole or in part, by the county. Section 50.642, RSMo, states the presiding judge, or the presiding judge's designee, shall, not later than fifteen days prior to filing the budget estimates with the county budget officer as required by section [50.640, RSMo](#), meet with the county commission and budget officer of each county or their respective designees, and confer and discuss with them the circuit court's estimates of its requirements for expenditures and its estimates of its revenues for the next budget year. After the presiding judge and county commissions or their representatives have met, conferred and discussed the estimates, the estimates of the circuit court shall be transmitted to the budget officer of each county in the same manner as provided by section [50.640 RSMo](#).

Therefore, the court administrator and staff present the budget to the counties auditor, then Court en Banc, then county commission, by August 15 each year.

The 13<sup>th</sup> Circuit's budget consists of state funded staff, Boone and Callaway counties general revenue funds, Boone County Prop L Fund, court managed fund accounts in both Boone and Callaway counties, and grants.

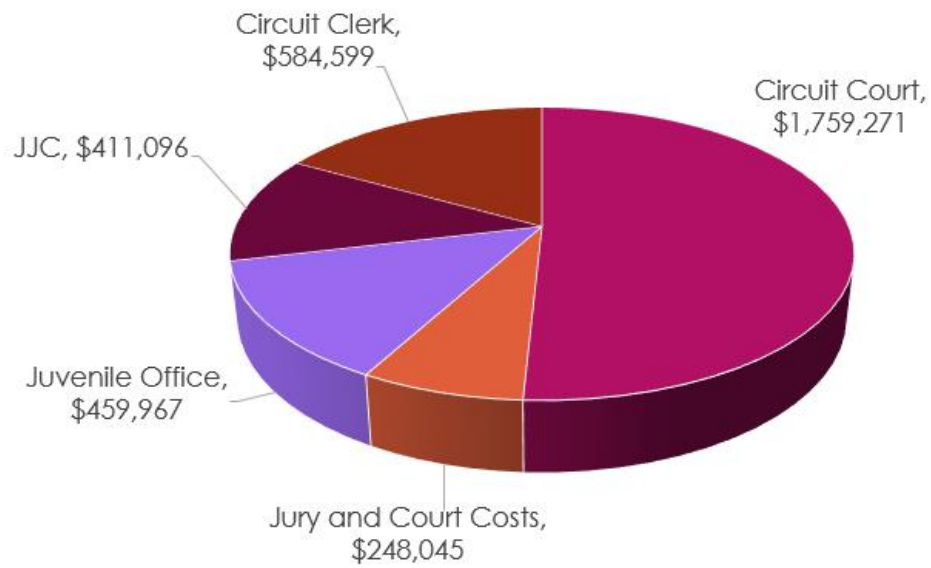
The below tables provide detailed information as to the approved 2019 budget by funding resources. As is noted, the State of Missouri is the largest funding source for the circuit, which is for approximately 70% of the personnel costs within the circuit.

# Total Funding Resources ≈\$14,897,835

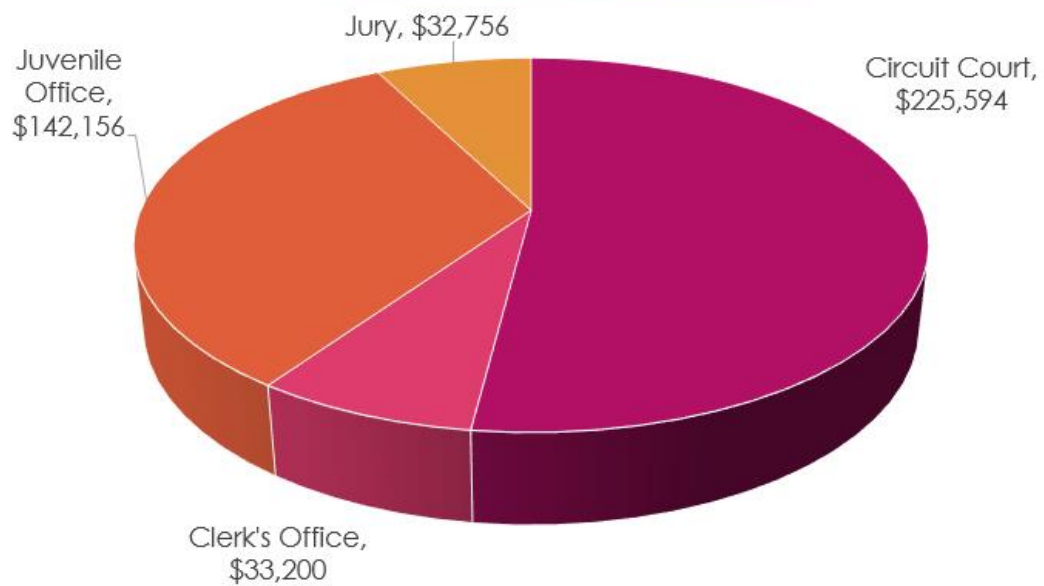




## Boone County General Revenue \$3,462,978

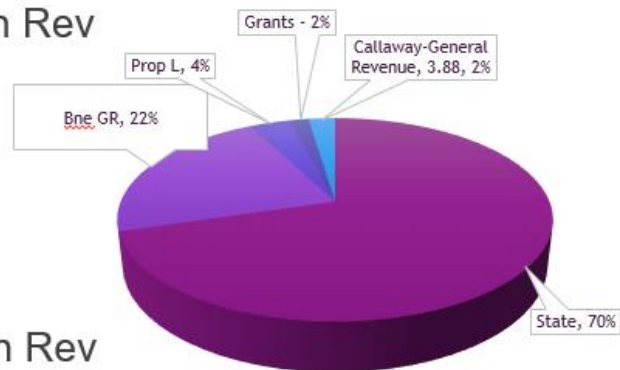


## Callaway General Revenue \$433,706



## Approximately 167 FTEs Funding Source

- ▶ 118.5 (70%) - State of Missouri
- ▶ 36.58 (22%) - Boone Gen Rev
- ▶ 6 (4%) - Prop L
- ▶ 2.8 (2%) - Grants
  - ▶ 2020 – 3.8
- ▶ 3.88 (2%) - Callaway Gen Rev





For Boone and Callaway each year approximately \$828,000 is received in grant funding.

Below is a list of the grants received in 2019:

[Missouri Department of Social Services Juvenile Court Division Program](#) for \$89,444. Funding for this grant has consistently been received since 1995. This funding provides funding for two deputy juvenile officers in Boone County. The goal of this program is to support juvenile courts to serve youth on a local level such that the youth may be afforded the necessary services through their local courts in order that they can remain in the community rather than being exposed to a larger segment of the juvenile justice system.

[Children's Services Mental Health Tax](#) for \$208,078. Funding was first received in 2018. The 13<sup>th</sup> Circuit Court contracts with Family Facets to provide these services. This program provides home visitation and parenting skills training for families with children placed out of the home. The goal is to reduce the amount of time children are placed out of the home by increasing parental readiness for reunification.

[Domestic Relations Resolution Fund](#) for \$13,000. Funding for this grant has consistently been received since 2009. This grant provides funding for a supervised visitation and exchange program for families where domestic violence has been involved in their case. The 13<sup>th</sup> Circuit Court contracts with Great Circle to provide the supervision of visitation between a child and a parent.

[Fostering Court Improvement grant](#) for \$1,000. Funding covers the cost to supply meals on a quarterly basis for those who attend the fostering court improvement meetings. The goals of these meetings are to focus on outcomes including permanency, timeliness, and child safety measures.

[Juvenile Justice Program Assistance](#) for \$9,346. Funding covers juvenile alternative to detention programming for delinquent youth who can be diverted from secure detention by the use of the objective screening tool, Missouri's Juvenile Detention Assessment (JDTA), into a non-secure, pre-adjudication placement or program. The 13<sup>th</sup> Circuit provides home detention, evening reporting center, and crisis intervention services as alternatives to detention. The funding has been received since 2012.

[STOP Violence Against Women \(VAWA\) for \\$212,243.97](#). Funding covers an integrated Domestic Violence program consisting of specialized domestic violence dockets; the utilization of Batterer's Intervention programming (BIP) that offers classes for both men and women as part of a graduated range of sanctions for offenders; and a Domestic Assault Court Coordinator, a court employee dedicated to the domestic violence dockets, who tracks and reports on participants in BIP programs as well as all domestic cases, acts as a liaison to domestic violence docket stakeholders, and assists with the processing of domestic violence cases. This grant requires a local match which is received from offenders paying a portion of the BIP funds. The funding has been received since 2008.

[Drug Court Coordinator Commission](#) was created in 2001, when the Missouri General Assembly passed House Bill 471 creating the program. In accordance with state statute 478.009, the Drug Courts Coordinating Commission (DCCC) allocates funding from the Missouri Drug Court Resource Fund. These funds are to be used to support treatment, testing and case management activities as approved by the commission for approved programs. Courts are encouraged to utilize the funds in conjunction with other federal, state and local resources to support drug court efforts in local jurisdictions.

Drug Court for \$307,720

Veteran's Court for \$5,000

DWI Court for \$46,000

Callaway Family Treatment Court for \$2,280

Medicated Assisted Treatment for \$40,000

[BJA Equity and Inclusion Grant](#) was applied for through OSCA and the 13<sup>th</sup> Circuit's Drug Court was one of the pilot sites awarded \$25,000 for the first year of a five year grant. The grant covers treatment (including Medication Assisted Treatment), testing, and wrap around services such as housing and electronic monitoring. This grant funding is specific to African American participants with non-violent offenses due to the overall lack of equal access to treatment, the lack of culturally relevant treatment, and low graduation rates within the target population.

[SAMHSA Grant to Expand Family Treatment Court in Callaway County for \\$421,391.13](#) is a five year grant that began on May 31, 2019. The grant covers the salary and benefits for a Service Coordinator; funds for state and national training for team members; funds for treatment services including out-patient and in-patient substance abuse treatment, drug testing, supervised visitation, peer support, and parenting classes; transportation; and technical assistance.



The funds listed below are administered by the court administrator and are based on statutes noted. The revenue is generated by court participants and must be spent according to statute.

### Family Services and Justice Fund

This is a statutory fund pursuant to section 488.2300, RSMo, that is for the purpose of aiding with the operation of the family court and provides services to those litigants. The funds shall be used for the benefit of litigants and recipients of services in the family court, with priority given to services such as guardians ad litem, mediation, counseling, home studies, psychological evaluation and other forms of alternative dispute-resolution services. Revenue is derived from collecting a surcharge of \$30 in all proceedings falling within the jurisdiction of the family court. This fund has generated in Boone County between \$35,000 and \$42,000 annually over the past five years and in Callaway County between \$10,000 and \$21,000 annually. In 2016 the court started using this fund to pay for representation of juveniles in status offense cases since the public defender would not represent someone without the possibility of detention; this was extended to also pay for attorneys for juveniles facing detention as the public defender stopped representing juveniles all together due to a Supreme Court case that resulted in that office only entering on a certain number of cases and creating a waitlist.

#### Boone County

<i>Year</i>	<i>Funds Collected</i>
2015	\$42,107
2016	\$41,252
2017	\$35,268
2018	\$38,418
2019	\$36,247

#### Callaway County

<i>Year</i>	<i>Funds Collected</i>
2015	\$23,521
2016	\$13,102
2017	\$12,093
2018	\$12,012
2019	\$10,333



### Administration of Justice Fund

This is a statutory fund pursuant to section 488.5025, RSMo, that is expended under the direction and order of the Court en Banc and utilized by the court to improve, maintain, enhance the ability to collect and manage moneys assessed or received by the courts, to improve case processing, enhance court security, preservation of the record, or to improve the administration of justice. Revenue is derived from the assessment of a fee of \$25 on each person who pays a court-ordered judgement, penalty, fine, sanction, or court costs on a time-payment basis, including restitution and juvenile monetary assessments. A time-payment is assessed on fees not paid in full within 30 days of the date the court imposed the judgement, penalty fine, sanction, or court costs. Ten dollars of each fee collected is payable to the clerk of the court of the county from which the fee was collected. Eight dollars is deposited in the statewide court automation fund pursuant to section 476.055, RSMo, and \$7 is paid to the director of revenue, deposited in the general revenue fund.

#### Boone County

<i>Year</i>	<i>Funds Collected</i>
2015	\$13,303
2016	\$12,645
2017	\$10,601
2018	\$12,707
2019	\$ 9,105

#### Callaway County

<i>Year</i>	<i>Funds Collected</i>
2015	\$3,891
2016	\$3,669
2017	\$4,622
2018	\$5,155
2019	\$4,328

### Law Library

This is a statutory fund pursuant to section 488.429, RSMo. Funds are collected pursuant to 488.426 in the amount of \$15 for civil cases in the circuit court. The fund is to be expended under the direction of and order of the judges and can be used to for maintenance and upkeep of the law library, for courtroom renovation and technology enhancement, for debt service on county bonds for such renovation or enhancement projects, and can be applied and expended for the family services and justice fund.

#### Boone County

<i>Year</i>	<i>Funds Collected</i>
2015	\$25,738
2016	\$25,908
2017	\$26,244
2018	\$28,659
2019	\$27,529

#### Callaway County

<i>Year</i>	<i>Funds Collected</i>
2015	\$8,107
2016	\$8,394
2017	\$7,952
2018	\$8,277
2019	\$8,124

## Treatment Court Funds

There are several treatment court funds established to account for fees received from defendants who participate in the treatment programs. Co-Occurring Court funds are included in the Drug Court Fund totals. The Veteran's Court fund was established in 2013 as a sub fund to the larger Drug Court Fund to account for contributions made by Veterans United Foundation and fees received from defendants who participate in the Veterans Treatment Court program. These programs are court-supervised, comprehensive treatment programs for non-violent offenders with a minimal history of prior criminal convictions. The participants' fees are used for program costs. Prior to March, 2015 the monthly fee was \$50.00, at which time it was increased to \$75.00. In 2017, the fee was increased to \$100 monthly and an indigency policy for participants took effect September 1, 2017. The increase in fees help cover the cost of the program. DWI Court fees are \$150 per participant.

The Boone County Mental Health Court is paid for out of Prop-L funds, a law enforcement sales tax in Boone County. Since the court is funded by the tax, participants do not pay a monthly fee. Revenue received in the Mental Health Fund is for drug testing when participants plan to travel outside the county. The fees received for drug testing are used to reimburse the fund for the costs of those tests.

### Boone County

	<i>2015</i>	<i>2016</i>	<i>2017</i>	<i>2018</i>	<i>2019</i>
Drug Court	\$42,847	\$49,667	\$52,459	\$57,638	\$61,889
DWI Court	\$26,496	\$51,195	\$40,601	\$37,891	\$50,038
Veteran's Court	\$7,660	\$6,685	\$7,644	\$10,668	\$10,286
Mental Health Court			\$310	\$246	\$317

### Callaway County

	<i>2015</i>	<i>2016</i>	<i>2017</i>	<i>2018</i>	<i>2019</i>
Drug Court	\$8,860	\$6,060	\$4,540	\$5,005	\$6,880
DWI Court	\$6,850	\$11,625	\$14,505	\$8,085	\$8,050
Family Treatment Court					\$290

## Programs

### *Focus on Kids*

Pursuant to section 452.600, RSMo, parents who are dissolving their marriage are required to attend an educational parenting program. Local court rules further state in a petition for dissolution of marriage or motion to modify, or in cases involving paternity or contested custody, where there is at least one child under the age of 17, both parties to the dissolution, motion, paternity or custody case shall attend Focus on Kids. The purpose of the Focus on Kids program is to help parents learn how to nurture and support their children through the divorce/separation process, and to help parents develop ways to effectively work together as co-parents. The program is offered multiple times a month in Boone County and monthly in Callaway County. Participants are required to pay a \$60 fee for the program, unless the court waives the fee. The parties can also request to complete an on-line version of the program for a \$70 fee. The 13<sup>th</sup> Circuit contracts with the University of Missouri to provide the Focus on Kids program. In 2019, 503 people enrolled and attend the program, while 55 completed the program on-line.



Focus on Kids	2015	2016	2017	2018	2019
Boone County In-Class Participants	494	522	444	389	380
Callaway County In-Class Participants	155	147	130	113	109
Out of Circuit Participants	34	27	23	20	14
On-Line Participants	81	84	92	42	55

### *Child Support Court*

On August 29, 2019, Judge Kimberly Shaw started a Child Support Court in Boone County. This docket is in collaboration with the Prosecuting Attorney's office, Powerhouse Community Development Corporation, and United Community Builders. The goal of this court is to get non-custodial parents to start paying child support and working on arrearages (back owed child support), as well as working on their relationship with their children.



Participants in the court participate in the Fathers Committed to Families program, which is also available for mothers. Participants have a goal 90 days from enrollment to get a full or part-time job. Other services such as substance abuse groups/support, recovery support, parent education, anger management, case management, child support

guidance/assistance, employment assistance and job readiness skills, life skills and financial management are provided.

The prosecuting attorney's office decides whether a case is filed in this court, verses a criminal case being filed.

In 2019, 9 participants were referred to the Child Support Court, two of the defendants declined to participate in the program. As of December 31, 2019, there were 7 participants actively in the program. All of the defendants referred have been males.

### *Domestic Violence Docket*

The 13<sup>th</sup> Circuit secured grant funding in 2008 for a Domestic Violence Docket. Prior to that time a specialized domestic violence docket was being held, however funding to pay for Batterer's Intervention programming (BIP) was secured through Family Counseling Center. Upon the 13<sup>th</sup> Circuit securing funding, the court also sought and received a grant to pay for a Domestic Assault Court Coordinator. This employee is dedicated to the domestic violence dockets, tracks and reports on participants in evidence-based BIP programs as well as all domestic cases, acts as a liaison to domestic violence docket stakeholders, and assists with the processing of domestic violence cases.



The first table below indicates the number of new participants ordered into the program annually. The second table provides information as to outcomes for those who were ordered to complete a BIP.

	2015	2016	2017	2018	2019
# of participants entering a BIP	81	73	58	74	53

	Number of offenders				
	2015	2016	2017	2018	2019
Completed BIP Program	66	66	56	45	38
Terminated from BIP Program	42	55	45	25	38

## Court Statistics

The Office of State Courts Administration prepares reports by circuit with an overview of cases, filed, disposed and pending in the Circuit Court associate and circuit divisions by case type categories. Below is a five year history of the data for the 13<sup>th</sup> Circuit.

### Total Filings and Dispositions

	<i>Boone Filings</i>	<i>Boone Dispositions</i>	<i>Callaway Filings</i>	<i>Callaway Dispositions</i>
<b>2019</b>	20,681	18,720	7,398	7,111
<b>2018</b>	19,382	19,001	6,690	6,970
<b>2017</b>	19,512	19,106	7,458	7,105
<b>2016</b>	19,888	19,818	7,371	7,122
<b>2015</b>	19,393	19,282	6,891	6,756

It should be noted, in October 2017, in Boone County the Public Defender began a waitlist for clients eligible for Public Defender representation. Those clients not in custody of the Boone County jail were placed on the waitlist until an attorney's caseload allowed for them to represent additional clients. As of the end of 2019 there were more than 1,000 clients on the Public Defender waitlist in Boone County. In Callaway County the Public Defender began placing defendants on a waitlist in February 2019. As of the end of 2019 there were approximately 150 defendants on the Callaway County waitlist.



**Criminal Filings** are broken down by classification of case type.

Felonies are serious crimes that are typically punishable by more than one year in prison. Missouri law categorizes felonies into five classes: Class A felonies through Class E felonies. Class A felonies are the most serious felony crimes in Missouri.

In the chart below, felony filings are cases where information or indictment alleging commission of a felony offense are filed. This includes felony cases which were reduced to misdemeanors. Associate felony cases are identified as a felony complaint. If probable cause is found, the defendant is bound over for arraignment and trial. This includes felony complaints which were reduced to misdemeanors and disposed in the associate divisions.

The following felony, misdemeanor and traffic tables are based on fiscal year data, which is July 1 through June 30 (FY2019 = July 1, 2018 through June 30, 2019)

### Felony Filings and Dispositions

	<i>Boone Filings</i>	<i>Boone Dispositions</i>	<i>Callaway Filings</i>	<i>Callaway Dispositions</i>
<b>FY2019</b>	2,987	2,806	1,109	1,032
<b>FY2018</b>	3,171	2,910	1,127	1,099
<b>FY2017</b>	3,138	3,135	1,020	966
<b>FY2016</b>	3,094	2,896	879	879
<b>FY2015</b>	2,590	2,509	1,013	989

The misdemeanor cases are complaints or information alleging commission of a misdemeanor offense. This includes cases originally filed in either the circuit or associate division of the circuit court. Associate circuit judges in the 13<sup>th</sup> Circuit started hear jury trials for misdemeanor cases as of 2018. Non-traffic infractions and conservation/watercraft offenses are included in the misdemeanor count.

### Misdemeanor Filings and Dispositions

	<i>Boone Filings</i>	<i>Boone Dispositions</i>	<i>Callaway Filings</i>	<i>Callaway Dispositions</i>
<b>FY2019</b>	3,118	2,477	1,468	1,383
<b>FY2018</b>	2,641	2,298	1,399	1,394
<b>FY2017</b>	2,456	2,502	1,309	1,305
<b>FY2016</b>	2,860	3,106	1,333	1,236
<b>FY2015</b>	2,844	2,904	1,288	1,242

Traffic cases are violations of state traffic laws. This does not include the more serious traffic violations, such as driving while intoxicated, leaving the scene of an accident or driving while license is suspended or revoked as these cases are reflected in the numbers of misdemeanors, felonies, and felony preliminary cases.

### State Traffic Filings and Dispositions

	<i>Boone Filings</i>	<i>Boone Dispositions</i>	<i>Callaway Filings</i>	<i>Callaway Dispositions</i>
<b>FY2019</b>	2,524	2,327	1,466	1,383
<b>FY2018</b>	2,278	2,236	1,655	1,713
<b>FY2017</b>	2,323	2,296	1,874	1,783
<b>FY2016</b>	2,679	2,424	1,580	1,494
<b>FY2015</b>	2,266	2,234	1,424	1,410



Ordinance cases are municipal violations. The 13<sup>th</sup> Circuit has five municipalities in Boone County and four municipalities in Callaway County. In Boone County, Columbia Municipality is a stand-alone court where all municipal cases are heard by a municipal judge appointed by the City of Columbia. Centralia municipal cases are heard by an associate circuit judge, who travels to Centralia one time a month to hear the cases. A clerk in Centralia collects fees, however the Boone County Circuit Clerks process all cases within the Justice Information System (JIS). Ashland, Hallsville and Sturgeon municipal cases are heard by an associate circuit judge at the Boone County Courthouse and Boone County clerks process all the filed cases. In Callaway County, Holts Summit Municipality is a stand-alone court where all municipal cases are heard by a municipal judge appointed by the City of Holts Summit. Fulton municipal cases are heard by an associate circuit judge, however they have their own clerk who processes the cases. On January 1, 2020 all work of the Fulton Municipal Court was transferred to the Callaway County Circuit Clerk's Office. Auxvasse and New Bloomfield municipal cases are heard by an associate circuit judge at the Callaway County Courthouse and the Callaway County Clerks processes all the cases. Most of the courts used to be heard by municipal judges in the municipality, but after changes to statutes and Supreme Court Rules in 2017, the majority folded into the circuit court based on statutory authority for the municipality to choose to have an associate circuit judge hear the cases.

### **Municipal Court Filings and Dispositions**

#### **Boone County**

	<b>Ashland</b>	<b>Centralia</b>	<b>Columbia*</b>	<b>Hallsville</b>	<b>Sturgeon</b>
<b>Cases Filed</b>	290	306	11,460	306	137
<b>Cases Disposed</b>	299	294	9,477	307	134
<i>Court/Bench Trial (guilty)</i>	2	1	11	0	0
<i>Court/Bench Trial (not guilty)</i>	0	0	4	0	1
<i>Plea of Guilty</i>	107	167	3,616	141	55
<i>Violations Bureau</i>	143	81	4,429	139	65
<i>Dismissed by Court</i>	0	0	131	0	0
<i>Nolle Prosequi</i>	46	45	1,285	27	13
<i>Certified by Jury Trial</i>	1	0	1	0	0

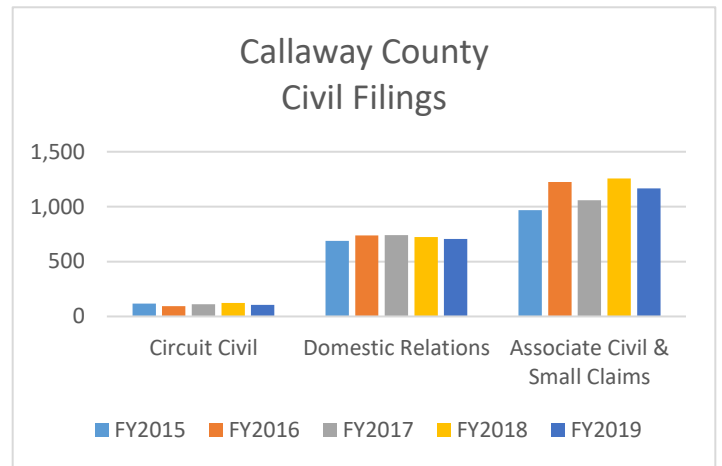
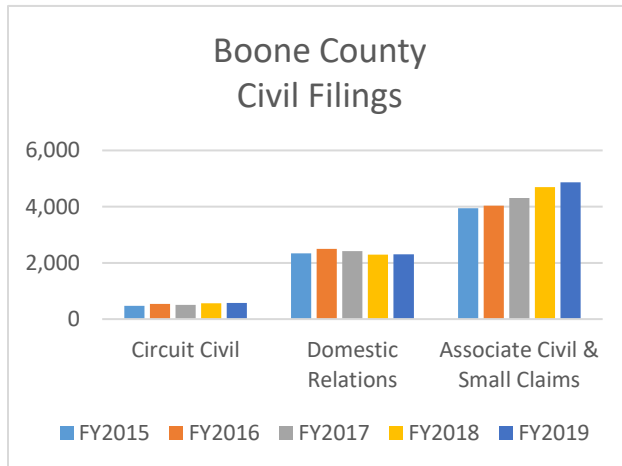
*\*In July, 2019 parking tickets in Columbia began being filed as court cases.*

## Callaway County

	Auxvasse	Fulton	Holts Summit	New Bloomfield
<b>Cases Filed</b>	80	978	394	14
<b>Cases Disposed</b>	76	1,014	494	12
<i>Court/Bench Trial (guilty)</i>	1	13	3	1
<i>Court/Bench Trial (not guilty)</i>	0	0	0	0
<i>Plea of Guilty</i>	11	415	271	5
<i>Violations Bureau</i>	61	458	111	2
<i>Dismissed by Court</i>	0	0	77	0
<i>Nolle Prosequi</i>	2	128	32	4
<i>Certified by Jury Trial</i>	1	0	0	0

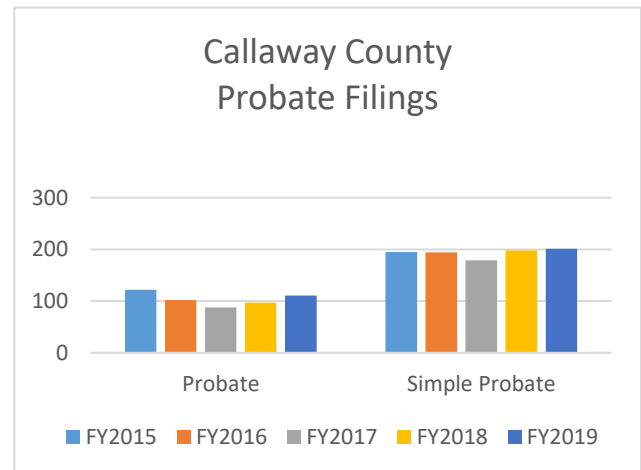
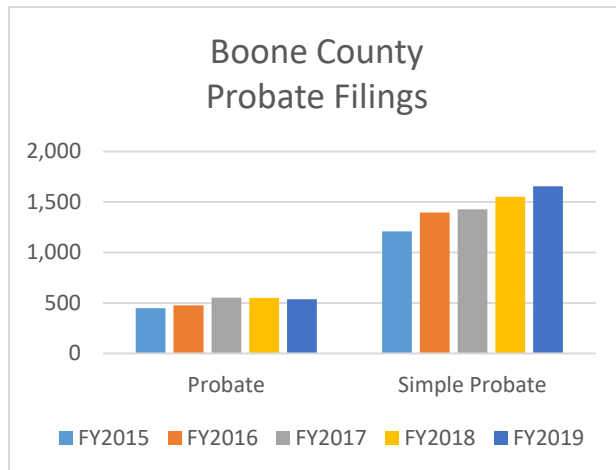
## Civil and Probate Filings

Circuit civil cases are heard by multiple divisions, including Divisions I, II, III, and IV. Domestic relations cases are heard in divisions I, VII, VIII, and X. Associate Civil cases are heard by divisions V, VI, and IX. Small Claims cases are heard in Division III and VII.



Probate cases include decedents' estates; minors' guardianships and conservatorships; incapacitated/disabled persons' guardianships and conservatorships; mental health petitions; and cases involving the institutionalization of persons alleged to be sexually violent predators. Simple probate cases are abbreviated matters.

For the 13<sup>th</sup> Circuit Probate cases are heard in Divisions I, X, XI, VI, and VII.



## Time Standards

Supreme Court Operating Rules 17.20 through 17.27 outline the time standards for specific case types. In general 90% and 95% of the cases in each case type covered by the standards shall be disposed in the noted time frame. The standard is set at less than 100% because it is recognized that litigation with complex substantive and procedural issues or litigation involving extraordinary circumstances may require additional time.

In order to successfully meet the two standards, each court shall set an initial local goal for case processing.

	<b>Standard 90% Disposed in</b>	<b>Standard 95% Disposed in</b>
Circuit Civil	24 months	30 months
Domestic Relations	10 months	14 months
Associate Civil	6 months	12 months
Circuit Felony	10 months	14 months
Associate Criminal	6 months	8 months

For specific information as to the cases that fall within each category please see the descriptions below.

**Circuit Civil:** Tort, contract, administrative review, real estate, and extraordinary remedy cases filed in the circuit divisions, associate civil and small claims trials de novo, other miscellaneous actions filed in the circuit divisions, and such other actions defined as circuit civil cases by the State Judicial Records Committee.

**Domestic Relations:** Dissolution of marriage, legal separation, annulment, separate maintenance, URESA, UIFSA, adult abuse, motions to modify, motions for contempt in domestic relations cases, contested actions involving administrative support orders of the state department of social services, child protection orders, paternity, change of name, writs of habeas corpus in child custody cases, registration of foreign domestic relation judgments and such other actions defined as domestic relations cases by the State Judicial Records Committee.

**Associate Civil:** Tort, contract, administrative review, landlord-tenant and small claims cases filed in the associate circuit divisions and such other actions defined as associate civil or small claims cases by the State Judicial Records Committee.

**Circuit Felony:** Felony indictments and informations.

**Associate Criminal:** Felony cases prior to the filing of the indictment or information, misdemeanor cases, serious traffic and serious watercraft cases, municipal trials de novo, and misdemeanor certifications.

In order to fully understand how the time frames is determined for disposition of cases, OSCA has provided the following descriptions.

**Circuit and Associate Civil and Domestic Relations:** From date of filing to date of judgment, dismissal, change of venue or other disposition.

**Associate Criminal/Felony Complaints:** From date of filing to date the case was bound over or dismissed, an indictment was filed, the defendant pleaded guilty to a reduced charge, or other disposition.

**Circuit Felony Information or Indictment:** From date of filing to date of jury verdict, finding by the court, dismissal, Nolle Prosequi, change of venue or other disposition.

*Periods during which a warrant was outstanding have been excluded when calculating the age of criminal cases.*

The below chart shows a five year history comparing the 13<sup>th</sup> Circuit's case percentage in meeting time standards to the statewide average.

**13th Circuit Disposition Rate Compared to Statewide Average  
FY14-FY18**

FY14	CIRCUIT CIVIL		DOMESTIC RELATIONS		CIRCUIT FELONY		ASSOCIATE CIVIL		ASSOCIATE CRIMINAL	
	90%	95%	90%	95%	90%	95%	90%	95%	90%	95%
13th	85	91	88	93	79	89	85	98	82	92
State	89	93	88	93	80	89	87	98	80	88

FY15	CIRCUIT CIVIL		DOMESTIC RELATIONS		CIRCUIT FELONY		ASSOCIATE CIVIL		ASSOCIATE CRIMINAL	
	90%	95%	90%	95%	90%	95%	90%	95%	90%	95%
13th	80	88	91	96	89	96	83	96	72	85
State	85	90	86	92	81	90	86	97	82	89

FY16	CIRCUIT CIVIL		DOMESTIC RELATIONS		CIRCUIT FELONY		ASSOCIATE CIVIL		ASSOCIATE CRIMINAL	
	90%	95%	90%	95%	90%	95%	90%	95%	90%	95%
13th	84	90	89	94	86	94	85	97	77	89
State	86	91	86	92	82	90	87	98	83	90

FY17	CIRCUIT CIVIL		DOMESTIC RELATIONS		CIRCUIT FELONY		ASSOCIATE CIVIL		ASSOCIATE CRIMINAL	
	90%	95%	90%	95%	90%	95%	90%	95%	90%	95%
13th	85	90	89	94	83	92	86	98	83	91
State	89	93	87	93	81	90	86	98	81	89

FY18	CIRCUIT CIVIL		DOMESTIC RELATIONS		CIRCUIT FELONY		ASSOCIATE CIVIL		ASSOCIATE CRIMINAL	
	90%	95%	90%	95%	90%	95%	90%	95%	90%	95%
13th	85	91	88	93	79	89	85	98	82	92
State	89	93	88	93	80	89	87	98	80	88



## Achievements in 2019



- ❖ *Electronic Docket Boards were installed in the ground floor lobby that displayed where court was being held for each division and the names of all people scheduled for court.*
- ❖ *Court Rule 33 went into effect on July 1, 2019, which mandated those in custody be heard within 48 hours, and reviewed again within 7 days.*
- ❖ *In January 2019, the Boone County Public Defender agreed to begin representing all indigent clients in custody verses just those in custody at the Boone County jail, therefore removing more defendants from the waitlist.*
- ❖ *In August 2019, a Child Support Court was created and the first docket was held.*
- ❖ *Court Administration, in collaboration with Technology Services and the Circuit Clerk's office began an internal training program for court staff on the use of internal technology systems.*
- ❖ *Departments under the authority of the Court Administrator developed working procedure manuals which include all responsibilities by the individual department managers.*
- ❖ *The Prosecuting Attorney ("PA") portal is an application developed and supported by OSCA that facilitates the electronic filing of tickets with the court from prosecuting attorneys. The PA portal was implemented in Boone County in April 2019, and in Callaway County in, January 2020.*

- ❖ *In November 2019, in Boone County, a pilot program began for Limited Scope representation for defendants in Division V on the Public Defender Waitlist.*
- ❖ *On November 5, 2019, Callaway County residents passed two propositions, Proposition 1 will provide funding to increase the number of deputies on patrol, investigators, corrections officers, assistant prosecutors and support staff while raising the pay for Callaway County law enforcement to a rate competitive with surrounding counties. Proposition 2 allows funding to construct a new Callaway County justice center and expand the Callaway County Law Enforcement Center*
- ❖ *Uniform fine schedule were adopted by Supreme Court for State Traffic offenses, Municipal Fines, Water Patrol Fine and Conservation Fines that went into effect on January 1, 2020.*
- ❖ *On October 1, 2019 Callaway County Family Treatment Court was awarded \$2.2 million SAMHSA grant over a 5 year period to expand Family Treatment Court.*
- ❖ *In October 2019, the 13<sup>th</sup> Circuit agreed to be pilot site for Video Interpreting through OSCA.*
- ❖ *In October 2019, a Co-Occurring Court in Boone Count was created for participants with co-occurring substance use and mental health disorders.*
- ❖ *In April 2019, the first cases were paid through Plead and Pay. Plead and Pay is a feature of Case.net that allows defendants to plead guilty and pay fines and costs in full online. A case must meet specific criteria for it to be eligible for the Plead and Pay process.*