BILL NO. 21-39   ORDINANCE NO. 4.575

AN ORDINANCE APPROVING THE SHOW ME COURTS AGREEMENT WITH THE OFFICE OF STATE COURTS ADMINISTRATOR AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE AGREEMENT.

WHEREAS, the Municipal Court Division for the City is implementing Missouri's statewide case management automation system known as Show Me Courts pursuant to the provisions of state statutes and Missouri Supreme Court Operating Rules; and

WHEREAS, in order to implement Show Me Courts, the City is required to enter into an implementation agreement with the Office of State Courts Administrator; and

WHEREAS, the City is authorized to enter into cooperative agreements with other governmental entities pursuant to Sections 70.210 to 70.320 RSMo; and

WHEREAS, Section 70.230 RSMo provides that the City may enter into such cooperative agreements by ordinance duly enacted.
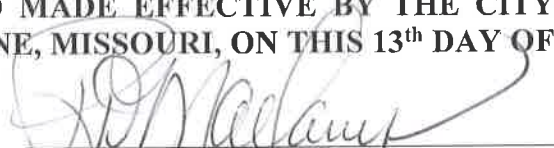
NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GLADSTONE, MISSOURI, AS FOLLOWS:

Section 1. That the Show Me Courts Agreement between the City of Gladstone, Missouri, and the Office of State Courts Administrator, attached hereto as Exhibit A and incorporated herein by reference, is hereby approved and the City Manager is authorized to execute said Agreement on behalf of the City of Gladstone, Missouri.

Section 2. That all ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

Section 3. That this ordinance shall be in full force and effect from and after the date of its passage and approval.

INTRODUCED, PASSED, SIGNED, AND MADE EFFECTIVE BY THE CITY COUNCIL OF THE CITY OF GLADSTONE, MISSOURI, ON THIS 13th DAY OF DECEMBER 2021.

_____
R.D. Mallams, Mayor

ATTEST:

_____
Becky Jarrett, Deputy City Clerk

First Reading: December 13, 2021   Second Reading: December 13, 2021

Exhibit A

Show Me Courts Agreement

[see attached]

SHOW ME COURTS
AGREEMENT

This document constitutes an Agreement between City of Gladstone (the City) and the Office of State Courts Administrator (OSCA), collectively referred to herein as the "Parties", for the implementation of the Show-Me Courts (SMC) court automation software. The agreement shall govern the long term use of the court automation software.

Background: Show-Me Courts is being developed for use as the case management system for the courts in Missouri and when all the current functionality is available in SMC, will replace the Justice Information System (JIS). Updates and new functionality to SMC will be deployed on a regular basis to the courts.

The Office of State Courts Administrator, in coordination with the Missouri Court Automation Committee, agrees to provide:

1. A suite of applications that meet the statutory and Supreme Court rules requirements.

2. Support.

3. Court Staff Training.

4. Communications with court.

5. Back-up of data.

The Municipality agrees to:

1. Establish and maintain in effect a local ordinance to assess and collect the Court Automation Fee as required by Section 476.056, RSMo.

2. Provide and install necessary equipment for the implementation of SMC that meets Missouri Court Automation Infrastructure Standards. The Missouri Court Automation Infrastructure Standards may be found on the Court Information Center at http://www.courts.mo.gov/page.jsp?id=61273.

We, the undersigned, have read and accept this agreement as required by Section 476.056 RSMo.

_____   _____12/15/2021_____
City, by its Authorized Officer   Date

_____   _____
Earl Kraus   Date
Deputy State Courts Administrator

Request for Council Action

RES ☐ # City Clerk Only   BILL ☒ # 21-39   ORD # 4.575

Date: 12/3/2021   Department: Finance

Meeting Date Requested: 12/13/2021

Public Hearing: Yes ☐   Date: Click here to enter a date.

Subject: Show Me Court Implementation

Background: The State of Missouri has mandated all municipal courts to use the Show Me Courts software. For the past several months, staff has been working to fulfill all requirements needed to use the software. The following Ordinance and agreement will allow the City to begin using the state mandated software.

Budget Discussion: Funds are budgeted in the amount of $ from the   Fund. Ongoing costs are estimated to be $ annually. Previous years' funding was $

Public/Board/Staff Input: Memo, contract, ordinance and implementation guide to follow
Provide Original Contracts, Leases, Agreements, etc. to: City Clerk and Vendor

Department Director/Administrator   City Attorney   City Manager

Department of Finance
Memorandum

DATE: December 3, 2021

TO: Scott Wingerson – City Manager

FROM: Dominic Accurso – Director of Finance

RE: Show Me Courts Implementation

Over the past few years, Missouri legislators have made several changes to the way Municipal Courts operate and report. The first major change came from Senate Bill 5 in 2015. The bill created minimum operating standards, limited fines, prohibited jail time for minor traffic violations and failure to pay. The Bill also decreased the amount of allowable general operating revenue from traffic fines from 30% to 20% in municipalities outside of St. Louis County and required additional financial disclosures. Senate Bill 572 was signed into law in 2016. The City of Gladstone has always maintained compliance meeting all requirements from these Bills.

An additional change that has been mandated by the state legislature is migrating court software to Show Me Courts by January 1, 2022. Municipal Courts have implemented the new software over the past couple of years. There seems to be advantages and disadvantages to the software. The software creates a "clean slate" approach with the goal of automating the process as much as possible. The main advantage is that all Municipal Courts will be operating with a uniform platform.

The concerns with the software have to do with internal control and financial oversite. To use the software, the City is required to open a new checking account for Show Me Courts activity. All fines, court costs, and bonds will be deposited into the Show Me Courts account. Monthly disbursements will be made from the Show Me Courts account to pay court liabilities and credit revenue to the City. In the past, reconciliation of the Municipal Bond bank account has been performed by the Finance Department. New procedures do not allow personnel outside of the Municipal Court to have access to the software or bank account. City judicial staff will have view only access to the new bank account. There will also be a period of time where the City will be operating with both software systems and bank accounts. This could be challenging. Staff has been and will continue to work with Commerce and other Municipalities that have implemented the Show Me Court software to create and use best practices.

Funding for the software, support, and training will come from an increase in court costs of $7.00 per citation (with the exception of seat belt citations). Court costs will change from $26.50 per citation to $33.50. Staff anticipates writing approximately 4,000 citation per year. Total cost for using the software are estimated to be $28,000 per year.

Recent legislation will continue to change the way our Municipal Court operates. The City plans to successfully implement the Show Me Court software as of January 1, 2022 and continue to be a model court in the state of Missouri. Although this may be a far from perfect system, staff will work continuously to implement the mandated software, maintain compliance, and mitigate any risk that may occur with the software transition. If you have any questions. Please contact me at your convenience.

Exhibit A

Show Me Courts Agreement

[see attached]

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2. Support.
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We, the undersigned, have read and accept this agreement as required by Section 476.056 RSMo.

_____   _____
City, by its Authorized Officer   Date

_____   _____
Earl Kraus   Date
Deputy State Courts Administrator

Show-Me Courts Municipal Implementation Manual

Missouri Court Automation Committee
PO Box 104480
Jefferson City, MO 65110
(888) 541-4894

Dear Municipal Division Judges and Court Clerks:

It is our pleasure and privilege to welcome you to Show-Me Courts (SMC) – Missouri's statewide case management automation system. This implementation manual will serve as your guide to implement Show-Me Courts Municipal Ordinance Case Processing.

Show-Me Courts is the name of the record and case management system developed by the Office of State Courts Administrator (OSCA), at the direction of the Missouri Court Automation Committee (MCA) and Change Control Subcommittee (CCSC), to meet the 21st Century technology needs for Missouri courts.

The following references direct the implementation of SMC as the statewide case management system:

- Missouri Constitution Article V, § 4 – Grants the Supreme Court of Missouri supervisory authority over all courts in Missouri
- Section 479.020.5, RSMo – Provides that municipal divisions are a division of the circuit court
- Missouri Constitution Article V, § 15 – Gives the Presiding Judge administrative authority over all divisions of the circuit court
- Section 479.070, RSMo – Makes municipal division records circuit court records
- Supreme Court Operating Rule (COR) 4.01 – Requires use of SMC to maintain court records, when it becomes available for implementation in a division of the circuit court
- Section 476.055.3, RSMo – Establishes Missouri Court Automation Committee
- COR 1.01 – Gives MCA decision-making authority for all aspects of statewide court automation
- COR 27.01(a) – Mandates implementation of Electronic Filing System (eFiling) in all courts
- Supreme Court Rule 103.05(a) – Requires use of eFiling by any attorney, including municipal prosecuting attorneys, when filing a document with the court
- Section 476.055, RSMo – Gives MCA authority to enforce strict security for the statewide court automation system, which includes SMC
- MCA Security Guidelines Section 400.01 – Requires use of judicial email for judicial business (NOTE: This is iNotes for municipal divisions)
- Section 476.056, RSMo – Authorizes a municipal division to utilize SMC if its municipality enacts an ordinance adopting the court automation fee ($7.00) and enters into an implementation agreement with the State Courts Administrator

For additional information, contact Pat Brooks, OSCA Information Technology Services Division Director, by calling (573) 526-8885 or emailing OSCA.Help.Desk@courts.mo.gov. Thank you for your participation.

Sincerely,

Honorable Gary Lynch
Missouri Court Automation Committee Chairperson
Judge, Missouri Court of Appeals, Southern District

Honorable Andrea Vandeloecht
Change Control Subcommittee Chairperson
Associate Circuit Judge, Chariton County

Committee Members

Gary W. Lynch, Chairperson	Joel P. Fahnestock, Vice Chairperson	W. Stephen Nixon	Christy Blakemore
Diane C. Howard	Bill White	David Evans	Darrell L. Moore
James D. Beck	Sandra Hemphill	Andrea Vandeloecht	C. Sherece Eivins
Linda M. Meyer	Michael Barrett	Jack A. L. Goodman	Paul C. Wilson
Bruce DeGroot	Joe Don McGaugh	Michael J. Cordonnier	Joan Gilmer
Scott Sifton	Kenneth R. Garrett, II	Steve Siegler	Stacey Jo Lett

Implementation Overview

On the following pages, you'll find ordinance templates for the court automation fee, computer hardware and software requirements, and a **Show-Me Courts Implementation Worksheet** with space to include your municipal division name, go live date, and completion date for each implementation task.

The "go live" date refers to the date on which Show-Me Courts will be implemented at each municipal division. This date is determined by each municipal division.

Implementation requires the following be done by the Municipal Judge, Municipal Court Clerk and Municipal Prosecuting Attorney. These are listed in the worksheet.

Municipal Judge

- Read and sign the OSCA Project Office statement of expectations and understanding.
- Assign or confirm that the circuit court presiding judge has assigned a security point of contact for the municipal division.

Municipal Prosecuting Attorney:

- Request an originating agency identifier (ORI) if not already assigned for Prosecuting Attorney (PA) Portal or system equivalent to send electronic data and documents.

Note: Under the mandate and authority of Court Operating Rule 27.01, for all court locations where PA Portal, a part of the electronic filing system, becomes available on a specific implementation date set by the Missouri Court Automation Committee's Implementation Planning Task Team (IPTT), all cases filed by uniform citation on and after such implementation date shall be initiated exclusively through an approved and authorized interface to the electronic filing system. All subsequent filings in cases initiated in this manner shall be made through the electronic filing system as provided by court rules.

Municipal Court Clerk

- Provide OSCA with the city's municipal division cost ordinances and all court cost ordinances.
- Open a new municipal division bank account to be used only for Show-Me Courts receipts and disbursements.
- Submit Tax Offset & Debt Collection MOU packet if a non-JIS court.
- Complete the Authorization for Signature Image Access Form.
- Validate that the recommended computer equipment, software and internet connectivity is installed.
- Establish an iNotes judicial email account to receive Show-Me Courts updates and information. (iNotes is required per security guidelines.)

Computer Equipment, Software and Internet

The implementation of Show-Me Courts may require additional computer equipment, software and Internet connectivity (bandwidth capacity). Internet bandwidth capacity is based on the number of concurrent users accessing the same line for internet connection, not just court staff. Below is a guide to assist in determining needs based on the level of automation desired at your municipal division(s).

Minimum Requirements

- General Computer Equipment
    - (1) Desktop computer per user, including the judge's bench
    - (1) Desktop computer monitor per user, including the judge's bench (two monitors per user is recommended, but not required)
    - (1) Printer (quantity of printers dependent on desired location(s) of printing)
    - (1) Scanner

- General Computer Software
    - Windows 10
    - Microsoft Office 2013 (or later)
    - Google Chrome
    - Internet Explorer
    - Virtual desktop (VMware Horizon Client provided by OSCA)

- Internet Connectivity (total number of users accessing the same internet connection)
    - 4 or less users: 3 MB download
    - 5 - 10 users: 6 MB download
    - 11 to 20 users: 10 MB download
    - 21+ users: Contact the OSCA network manager at (888) 541-4894

It's recommended that municipal court judges validate that the following software and equipment for the bench has been obtained and is working properly: Show-Me Courts (desktop icon), virtual desktop (desktop icon,) a personal computer with dual monitors and Internet access. Note: Computer equipment and software may require periodic updates to support current technologies.

$7.00 Court Automation Ordinance Templates

Once you've decided to use Show-Me Courts in your municipal division, a city ordinance will need to be passed implementing a $7.00 surcharge or fee to go to the Statewide Court Automation Fund. It is recommended to start this process as soon as possible as it can take a few months to pass an ordinance. To assist in the development of the ordinance we have included three sample ordinance templates below.

Sample 1:

In addition to the other costs authorized in this Section, there shall be assessed a state court automation surcharge of seven dollars ($7.00) in all cases in which court costs are taxed. Said surcharge shall be collected by the Municipal Court and transmitted monthly to the Missouri Director of Revenue to the credit of the Missouri Statewide Automation Fund, as provided in Section 488.012.3(5), RSMo. and Section 488.027.2, RSMo. [Ord. No. 2849 §1, 7-1-2013]

Sample 2:

In addition to any cost which may be assessed by the municipal division pursuant to Statute, ordinance or Court rule, in every proceeding filed in the municipal division for violation of an ordinance, a surcharge of seven dollars ($7.00) shall be assessed. Such surcharge shall also be assessed in cases in which pleas of guilty are processed in the Violations Bureau. No such surcharge shall be collected when the proceeding or defendant has been dismissed by the Court, when costs are waived or when costs are paid to the City. Such surcharge shall be collected by the Municipal Court and transmitted monthly to the Missouri Director of Revenue to the credit of the Missouri Statewide Court Automation Fund as provided in Section 488.012.3(5) and Section 488.027.2, RSMo.

Sample 3:

Section 120.080. Court Costs – Amount – Disposition Of.

In all cases before the Traffic Violations Bureau and the Municipal Court where the defendant pleads guilty or is convicted, there shall be collected from such defendant, in addition to the fine or other punishment imposed, the sum of twelve dollars ($12.00) as Court costs. In addition to such Court costs, a fee of two dollars ($2.00) shall be assessed and collected and set aside in a separate fund by the City Treasurer to be used solely for the training of Police Officers. A fee of one dollar ($1.00) shall be assessed and collected and set aside to be sued statewide for training Law Enforcement Officers to be deposited into the Peace Officer Standards and Training Commission Fund. A fee of seven dollars fifty cents ($7.50) shall be assessed and ninety-five percent (95%) of this fee shall be deposited in the Crime Victims' Compensation Fund and five percent (5%) of this fee shall be deposited in the General Fund. A fee of seven dollars ($7.00) shall be assessed, collected and set aside for the Statewide Court Automation Fund, with all such amounts collected transmitted monthly to the Missouri Director of Revenue to the credit of the Missouri Statewide Court Automation Fund.

SHOW-ME COURTS IMPLEMENTATION WORKSHEET

MUNICIPAL DIVISION NAME: _____

GO LIVE DATE: _____

Implementation Component	Completion Date (To be filled in by the municipal division)
60-50 Days Before Go Live Date	
Municipal Judge: Read and sign the statement of expectations and agreement issued by the OSCA Project Office and return it to the project manager assigned to your municipal division.	
Municipal Judge: Have the circuit court presiding judge assign a security point of contact (POC) unless already assigned. A security POC can be responsible for multiple municipal divisions, if desired. The security POC is accountable for informing OSCA Information Technology Security about new users and terminations, and requesting security level accesses to Show-Me Courts. To designate a security POC, have the circuit court presiding judge email OSCA.Help.Desk@courts.mo.gov and provide the following information about the appointed security POC: • First name, middle initial (if known), and last name • Job title • Phone number • Municipal division(s) for which the individual will be the authorized security POC Note: In the event that a security POC needs to be reassigned to a different individual, OSCA Information Technology Security should be notified by the circuit court presiding judge via email to OSCA.Help.Desk@courts.mo.gov. Security guidelines are posted online: https://www.courts.mo.gov/file.jsp?id=70755.	
Municipal Court Clerk: Establish an iNotes (IBM Notes) judicial email account.	

Municipal Prosecuting Attorney: Request an originating agency identifier (ORI) from Missouri State Highway Patrol (MSHP) (573-751-3313), **if one has not already been assigned.** The ORI is required for PA Portal use and for prosecutors using a system equivalent to PA Portal to send electronic data and documents. Send the ORI to the project manager assigned to your municipal division. To request an ORI, send a formal request on office letterhead indicating the purpose of the ORI, to Major David Flannigan at MSHP via U.S. Mail. The PA should also provide an ordinance/document giving proof of the city hiring the PA to prosecute their cases. This process takes approximately three weeks. Missouri State Highway Patrol Technology Services Bureau 1510 East Elm Street Post Office Box 568 Jefferson City, MO 65102-0568 For access to PA Portal, submit the request for the portal and the ORI to OSCA.Help.Desk@courts.mo.gov. The PA Portal is for initiating the case with the court. For all subsequent filings on the case, the prosecutor must utilize the eFiling tool through the Missouri Judicial website at https://www.courts.mo.gov. PA Portal and eFiling training videos and information are provided on the Missouri Judicial website at https://www.courts.mo.gov/page.jsp?id=46542.	
Municipal Court Clerk: Provide a copy of all court cost ordinances (including law enforcement training, domestic violence shelter surcharge, inmate security surcharge and court automation) and the order for judicial education/court appointed counsel funds to the project manager assigned to your municipal division.	
Municipal Court Clerk: Open a **new** municipal division bank account to be used **only** for Show-Me Courts receipts and disbursements.* Title bank account, "XXX (city name) Municipal Division," and include authorized persons/signatures (2 minimum), municipal clerk(s).* When there is a change in personnel, new signature cards are required. Request online banking access view only. *Note: When there is one clerk, the municipal judge may designate non-court personnel, such as the finance director or treasurer, to be a second signature on checks over $500, as long as their duties do not have a conflict or apparent conflict of interest with SCR 37.04A, MOS #7.	

Email to the project manager assigned to your municipal division, a voided check from the bank, include the bank account number, bank routing number, bank name/address and starting check number. Order SMC compatible check stock from Safeguard, Craig Roth, (913) 649-4800. To order elsewhere, ask OSCA to mail a sample piece of the check stock.	
50-40 Days Before Go Live Date	
Municipal Court Clerk: Determine computer equipment, software and Internet connectivity needs.	
Municipal Court Judge & Clerk: Complete the suggested training courses. All Show-Me Courts trainings can be taken online at: https://www.courts.mo.gov/page.jsp?id=111913, where recommended courses are listed by role in the municipal division. Users are not limited to the recommendation list. Additional e-Learning courses may be provided as they become available.	
Municipal Court Clerk: Begin scanning pending cases that fall on future municipal division dates (optional).	
40-30 Days Before Go Live Date	
Municipal Court Clerk: Submit Tax Offset and Debt Collection MOU packet. The Tax Offset and Debt Collection packet can be obtained by contacting OSCA Contracts. Once the forms are complete, return forms to OSCA.Help.Desk@courts.mo.gov, including the agreement signed by the appointing authority and presiding judge. **This is a requirement for non-JIS courts only.**	
Municipal Court Clerk: Complete the Authorization for Signature Image Access form available at https://www.courts.mo.gov/file.jsp?id=59161, and obtain a stamp for eFiled documents if eFiling has been implemented in the municipal divisions. Return the form to the project manager assigned to your municipal division.	
Municipal Court Clerk: Validate that the recommended computer equipment, software and Internet connectivity is installed.	
Municipal Court Clerk: Complete the Show-Me Courts security group new user spreadsheet and return to the project manager assigned to your municipal division.	
Municipal Court Clerk: Attend appropriate instructor-led/hands-on SMC training as scheduled by your project manager.	

Resources

Show-Me Courts was designed to be intuitive and user-friendly. The main resources to help users get acquainted with the system are In-Application Help Pages and e-Learning courses.

In-Application Help Pages
- Once in Show-Me Courts, assistance can be obtained by clicking on the question mark icon (?) anywhere in the application.
- Additional In-Application Help content is added on a continual basis. Check back frequently.

E-Learning Courses
- All Show-Me Courts trainings can be taken at your leisure online by visiting the following webpage: https://www.courts.mo.gov/page.jsp?id=111913, where recommended courses are listed by role in the municipal division. Note: Users are not limited to the recommendation list.
- Additional e-Learning courses may be provided as they become available.

Note: Courses are updated frequently to reflect changes that occur in Show-Me Courts. However, the production environment may look different than what is presented in the courses due to time needed to update course content. For example, the "Municipal and Traffic" tab has been renamed "Criminal."

Municipal Clerk Handbook and Municipal Division Clerk Manual (Note: Network log in required)

Municipal Clerk Handbook
https://www.courts.mo.gov/hosted/judedintra/CourtResources/Municipal%20Division%20Handbook/index.htm

Municipal Division Clerk Manual for Municipal Divisions with JIS
http://oseln0001/courts/clerkhandbooksp2.nsf/MuniClerkManCrtswithJIS?OpenView

Office of State Courts Administrator Contacts

- ✓ **Information Technology Services Division Director**
  Pat Brooks | (573) 526-8885 | Pat.Brooks@courts.mo.gov

- ✓ **Court Business Services Division Director**
  Rick Morrisey | (573) 526-8825 | Richard.Morrisey@courts.mo.gov

- ✓ **Grants and Projects Manager**
  Clayton Knipp | (573) 526-8336 | Clayton.Knipp@courts.mo.gov

- ✓ **Show-Me Courts Project Manager**
  Bill Chapman | (573) 526-8895 | Bill.Chapman@courts.mo.gov

- ✓ **Show-Me Courts Municipal Division Implementation Project Manager**
  Sherri Paschal | (573) 690-5320 | Sherri.Paschal@courts.mo.gov

- ✓ **Help Desk**
  (888) 541-4894 | Email: OSCA.Help.Desk@courts.mo.gov
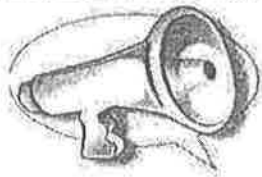
We Want to Hear from You! Your input is extremely important to us. To share your comments, questions, concerns, and recommendations about this manual, email OSCA.Communications.Support@courts.mo.gov. We appreciate you taking a moment to help us enhance our service to you.