

The K.A.C.M. Docket

Volume 70

April, 2013

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THE PRESIDENT'S CORNER

By Shelli Adams



Well, spring was in the air...And then winter was in the air... and then... well.. anyway... hopefully spring is truly upon us.

I thoroughly enjoyed the spring conference in Salina. The new clerk orientation on Thursday went well (even though I was forced to wear pirate gear for the day and say aaarrgghhhh often!) But seriously, it is always so exciting to have new clerks at the conference, eager to ask questions and learn more about their positions.

Friday was also a motivational, inspiring day.

Doctor Donna Beegle was a joy to listen to and I hope opened our eyes about how to treat people and relate to them although we may have differences that are difficult to understand. Denise Kilwein and her staff presented yet another tremendous agenda.

All of the presenters did a terrific job and gave us relevant information to take back to our courts. I hope everyone continues to encourage their cities to allow clerks to attend the conferences. KACM conferences are often the only training or education clerks across the state receive so it is important we keep our cities informed of how imperative attendance can be.

Vice President, Amy Spitler, is in the process of planning our fall conference which will be held in Hutchinson, September 26 and 27. I can't wait for that next opportunity for further education and networking. Keep looking for further information concerning that conference as it becomes available.

One of the reasons I continue to enjoy our conferences so much is that it is an opportunity to connect with people you may not really know
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(PRESIDENT, continued)

or have other time to get to know. I had so much fun talking to new clerks (and old clerks) and just spending time together. I have had some great relationships grow from this organization over the 20 years that I have been in this field. I am looking forward to more hospitality time with everyone in September for sure.

I pray everyone has a safe (and eventful) spring and summer. As I always tell clerks, if you have questions about KACM or being a clerk in general, please feel free to call or email me anytime. One of the duties of being a board member is being available to other clerks and I do not mind taking time to do so. All of the board members can be great resources as situations arise that you may need assistance with.

See everyone in September!

Shellina Adams
President, KACM

California DMV Cancels IT Modernization Project Contract

Here in Kansas, our state's DMV modernization has had its share of road bumps. But California's modernization project was *cancelled!* One editorialist noted "You'd think California, the home of Silicon Valley, could find some contractors capable of installing big computer systems." The following is a February 14th GovTech article:

"An IT upgrade in progress for seven years at the California Department of Motor Vehicles (DMV) -- dubbed the IT Modernization project -- was canceled Jan. 31.

REJECTED

The \$208 million, two-system project was created to upgrade legacy hardware systems for the DMV's driver's license system and vehicle registration system. While upgrades to the driver's license system are "nearly finished," according to Christine

Lally, assistant secretary for communications and legislation at the California Technology Agency, "minimal work" has been done to upgrade the vehicle registration system.

Electronic Data Systems, now owned by Hewlett-Packard (HP), was contracted to assist in the project for about \$76 million, approximately \$50 million of which was paid out before the agency canceled the contract on Jan. 31.

"We appreciate the work of Hewlett-Packard in helping us complete important upgrades to the state's driver license system," said Acting DMV Director Jean Shiomoto via email. "Minimal work has begun on the vehicle registration portion, so this is a natural breaking point for the project. We will now work with the Technology Agency to develop a new plan for finishing the last remaining part of this project."

The scheduled deadline for the vehicle registration system upgrade was May 2013, and the vendor contract was scheduled to end in November 2013. Technology Agency officials determined that the vehicle registration system upgrade would not be finished by these deadlines.

This cancellation, Lally said, allows for the Technology Agency and DMV to "take a fresh look at planning the vehicle registration system upgrades."

Since HP took over the DMV's IT Modernization project, it says it has worked with the state "to help millions of Californians experience the benefits of a modernized system," the company said. "HP values its relationship with the state of California and is committed to the success of our clients' IT modernization."

At this point, the California Technology Agency and DMV will re-evaluate how best to proceed.

Techwire.net's Bill Maile contributed to this story. You may use or reference this story with attribution and a link to

<http://www.govtech.com/e-government/DMV-IT-Modernization-Project.html>

Membership Committee

Nioma Cook, chair (Andover) ncook@andoverks.com
 Hilary Pappan (Winfield) hpappan@winfieldks.org
 Sandi Reitcheck (Hoxie) hoxietreas@ruraltel.net

Membership Committee would like everyone to welcome our new members.

Jamie Deviney	Attica	asstcityclerk@sutv.com
Bradford Smith	Baldwin	bsmith@baldwincity.org
Brooke Jones	Bennington	citybenn@yahoo.com
Ashley Sims	Edwardsville	asims@edwardsvilleks.org
Christy Pyatt	Greensburg	clerk@greensburgks.org
Crystal Spellman	Holcomb	holcombbpdrecords@yahoo.com
Denise Niedermann	Kingman	niedermann@cityofkingman.com
Tracy Brannin	Oswego	tbrannin@oswegoks.com
Debbie Smith	Ottawa	dsmith@ottawaks.gov
Lesa Davis	Overland Park	lesa.davis@opkansas.org
Cindi Cornwell	Overland Park	cindi.cornwell@opkansas.org
Tammy Mitchell	Overland Park	tammy.mitchell@opkansas.org
Leah Ottensmeier	Peabody	courtclerk@peabodyks.com
Marlene Dugan	Phillipsburg	pburgqp@ruraltel.net
Mandi Montanye	Pittsburg	Amanda.montanye@police.pittks.org
Cherly Coffman	Pleasanton	deputycityclerk@ckt.net
Terri Lynn McKim	Sabetha	sabethaparksrec@rainbowtel.net
Brenda Hardin	Salina	brenda.hardin@salina.org
Amber Bishop	Springhill	bishop@springhillks.com
Denise Vaughn	Topeka	dvaughn@topeka.org
William Muret	Udall	



If I have missed any new clerks, please let me know.

DUES CHANGE: Nioma has been doing a great job with membership, a job with additional challenges right now as the membership year is shifting. In order to help make at process simple and clear, she has this guide:

Just a reminder for the upcoming membership year (January 1, 2014 to December 31, 2014) that your membership will be \$50.00 and due by March 1, 2014. If your dues are not paid by March 1st, there will be a penalty of \$20.00.

I will mail out KACM Membership renewals by December 1st, to all members and non-members.

If you have any questions regarding membership renewals please e-mail or call 316-733-4510.

Section 2. Dues. Annual dues for membership classifications will be established by the Board of Directors. Any member who fails to pay dues by March 1st of the current year shall not be entitled to vote and shall be dropped from the membership roster until dues are paid. Late fees as established by the Board of Directors will be assessed after March 1st. The Board of Directors shall fix dues for each subsequent year, which begins the first day of January of each calendar year. New members paying any time during the calendar year up until September 30th of the calendar year shall be considered to have their dues paid for that calendar year. Dues paid October 1st and thereafter shall be considered to have paid their dues for the next calendar year. All dues shall be payable as specified by the Board of Directors. Annual dues shall be in the same amount for all members of the same membership class. The annual dues may vary for each membership

Updated Manual

The latest update of our Court Clerk's Manual is available online! See www.kscourts.org



And don't forget that this is a full-text, searchable document. If you want to find out what the manual has to say about anything – open this online version and click find (or [CTRL] + “F”, as a quick keyboard shortcut).

Why Are They Called Kites?

Do you get those letters from inmates, “please Judge, let me out!!”? Why are these called “kites”??

The Oxford English Dictionary defines the term as a surreptitious communication between prisoners, first used in 1864. In those days, prisoners in ‘penitentiaries’ were supposed to be penitent (not allowed to speak). They passed messages written on small pieces of paper to each other. The paper available to them was Kite (brand) cigarette rolling papers. Kite tobacco and papers continue to be available on the internet.



<http://jailmedicine.com/kite-where-did-that-come-from/>

Editor's note: I *think* this is valid, but I'm not staking my reputation on it!



Spotlight on Legal Terminology

In Limine \in-'lē-mi-,nə\

From Latin for "at the threshold," referring to a motion before a trial begins. A motion to suppress illegally-obtained evidence is such a motion.

<http://legal-dictionary.thefreedictionary.com/Motions+in+Limine>

Motion to suppress

A motion to exclude evidence where the proposed basis for exclusion arises from the [rules of evidence](#) is more commonly termed a [motion in limine](#).

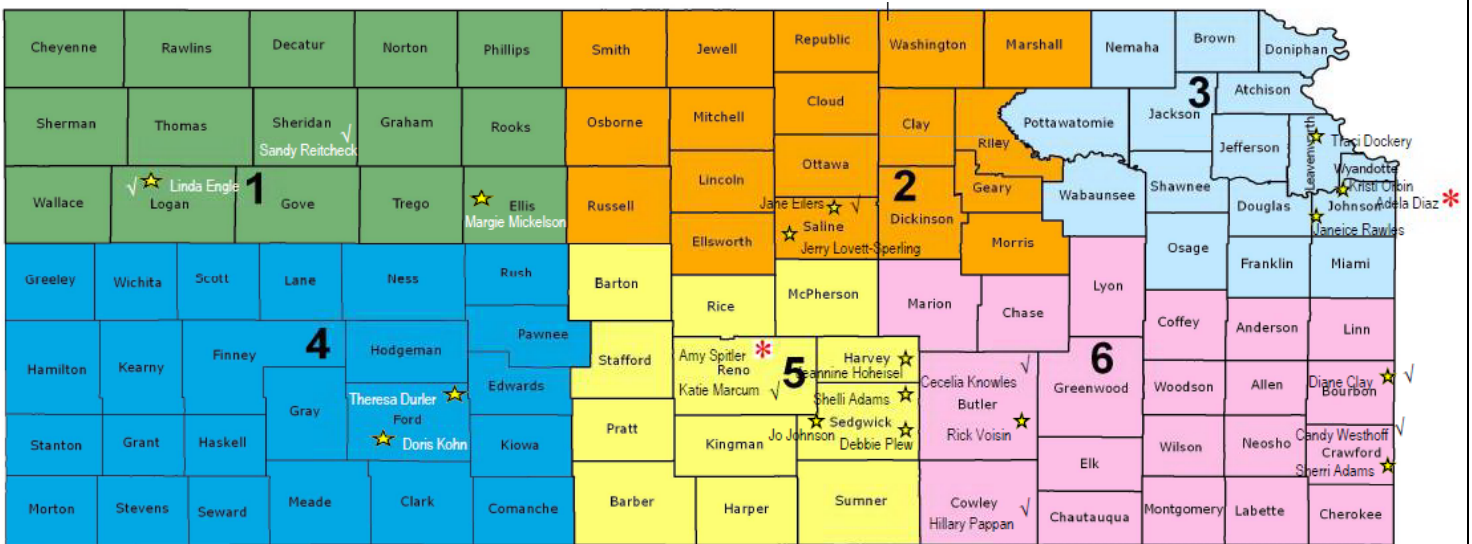
http://en.wikipedia.org/wiki/Motion_to_suppress

Subliminal Messages: Remember the controversy about old rock songs that were reported to hold subliminal messages? Zeppelin's Stairway to Heaven played backwards was said to contain the subliminal message “Oh here's to my sweet Satan...”. Just as in limine means “at the threshold,” subliminal means “below the threshold.” Subliminal messages are below the threshold of conscious awareness.

KACM Ambassadors

Region 1	Linda Engel Margie Mickelson	Oakley Ellis	oakleyap@st-tel.net ellisclerk2@eaglecom.net
Region 2	Jerry Lovett-Sperling Jane Eilers	Lindsborg Salina	jls@lindsborgcity.org jane.eilers@salina.org
Region 3	Janeice Rawles Traci Dockery	Edgerton Basehor	edgertonks court@yahoo.com tdockery1@kc.rr.com
Region 4	Theresa Durler Doris Kohn	Dodge City Dodge City	theresad@dodgecity.org dorisk@dodgecity.org
Region 5	Jo Johnson Debbie Plew	Clearwater Mulvane	johbj@clearwaterks.org dplew@mulvaneks.com
Region 6	Sherri Adams Diane Clay	Pittsburg Fort Scott	sherri.adams@police.pittks.org dclay@fscity.org

- ★ Ambassadors
- * Officers
- √ Trustees



Fall Conference – Hutchinson!



Plans are being launched for the fall conference, in Hutchinson this year.

Amy Spittler has landed a package deal with the Kansas Cosmosphere – we'll have full evening passes to the museum and tickets to the omnimax, along with dinner! Mark your calendar for September 26 & 27, 2013!



Legislative Committee Update

Gail Garrett, Chair



Our state legislature has been busy this term, but fortunately after 2 years of monkeying around with things that affect our courts (like the DUI-related laws), they've busied themselves with other areas of the law. This is not to say that we have completely dropped off their radar, as there are a few bills that we need to be aware of, and no doubt more to come.

Reporting to KBI: HB 2041 (effective upon publication in the Kansas Register, which was 04-11-13) deals with reporting information to the KBI Central Repository. Up to now, municipal judges have been required to ensure that convictions of city ordinances equivalent to Class A & B misdemeanors get reported to the KBI. Now, we are tasked with reporting convictions on all ordinance violations that are equivalent to any statutory criminal offense. Furthermore, the deadline for reporting DUI's electronically to the KBI has been extended from July 1, 2013 to July 1, 2014.

Appeal Must be AFTER Sentencing: Sub for HB 2017 (effective 07-01-13) clarifies that appeals of municipal court judgments can only be made to district court after sentencing has been imposed. I guess there has been a problem with appeals being filed post-judgment but pre-sentencing, so the legislature has now specifically directed that defendants can only file appeals within a 14-day time frame following sentencing.

Inmates Pay Petition to See Judge: HB 2169 (effective 07-01-13) pertains to state inmates who have other charges pending in district or municipal courts. Inmates have had the ability to petition the court for final disposition on those outstanding charges, but this new bill now allows them to petition on outstanding probation revocation

motions as well. (Thankfully, it cautions the inmates that, should they escape from custody while their petition is pending, it will render their petition void. Somehow, I don't see this as being a huge issue, but I suppose anything is possible...)

Electronic Proof of Insurance Okay: SB 85 (effective 07-01-13) provides that proof of motor vehicle liability insurance can be shown via an electronic version of the insurance card displayed on a cell phone or other similar device (just like the piggie does in the GEICO commercial). The law then specifically states that an officer is not permitted to view anything else on that cell phone or device other than the insurance card (thereby hopefully avoiding a roadside game of cell phone "keep-away" between officers and drivers?).



KDOR Permitted to Outsource: SB 164 (effective 07-01-13) allows KDOR to contract out for services relating to issuing vehicle titles, driver's licenses, ID cards and collection of personal property taxes. At first blush, this looks like it's giving the DMV the ability to outsource about 90% of its main reasons for existing. Upon further review, I believe this bill was just designed to give statutory authority to something that KDOR has already been doing for quite some time (e.g., allowing property taxes to be collected by county treasurers, etc.).

(Continued... page 7)

Arguing with Your Wife Never Pays - Husband Jared Rick and wife Ashley walked out of the Wal-Mart in Salem, Ill., in February with about \$2,400 in shoplifted merchandise, apparently home free, but in the parking lot got into a loud domestic argument that drew the attention of security officers, who saw the merchandise and matched the Ricks with surveillance video.

[source: newsoftheweird.com]

(...Legislative Update, continued from page 6)

“Veteran” Printed on DL: SB 136 (effective 07-01-13) gives veterans the ability to have “VETERAN” printed on the face of their driver’s license or state ID card. The motivation behind doing so is allegedly to help veterans’ affairs personnel in identifying potential recipients of veterans benefits and programming. There may very well be other possible motivations, but I will leave those to your deliberation.



Note: the actual final display of “VETERAN” is unknown to the newsletter.

Switchblades: HB 2033 (effective 07-01-13) prohibits municipalities from regulating knives, and prohibits the passage of any ordinance that would impose more restrictions on knife manufacturing than it would on manufacturing any other product. Further, it changes the laws regarding criminal use of a weapon and criminal carrying of a weapon to exclude switchblades (those were previously specifically prohibited). So everyone, dust off your switchblades because sometime after July 1 we’re planning a flash mob re-enactment of a big fight scene from West Side Story!



As always, I will continue to monitor the activities in Topeka for anything that relates to municipal courts; stay tuned for further developments in the July newsletter.

Gail Garrett
Legislative Chair

Promotions Committee

Amy Spitler did a great job heading up the promotions committee, but has now been moved into the vice-presidency.



We are looking for a few good men/women to work on this committee. This is a fun way to be involved in KACM.

Please email Shelli Adams or Amy Spitler to learn more – maybe this is your destiny!

DUI Provider List

K.S.A 8-1008 states that “The secretary of social and rehabilitation services shall provide each judicial district with an electronic list of providers, and [...] shall also make all such lists publicly available on the official website of the department of social and rehabilitation services.”

This list can be found on the Kansas Department for Aging and disability Services.


Look for the checkmark beside DUI Evaluation under “Modalities” for evaluators that have been approved.

<u>Modalities:</u>	
Inpatient:	Assessment/Referral: ✓
Acute Detox:	Opioid Mtce Therapy:
Social Detox:	DUI Evaluation: ✓

The webpage can be tricky to find. Here is a link directly to it:

<http://csp.kdads.ks.gov/agency/as/Pages/Resources.aspx>

State Resources

 [Kansas Treatment Programs Resource Directory](#)

 [Kansas DUI Evaluation Programs Resource Directory](#)

Kansas Association of Court Management Board of Directors Meeting
March 21, 2013

CALL TO ORDER AND ROLL CALL

The KACM Board of Directors Meeting was held on Thursday, March 21, 2013 at 5:00 p.m. at the Ramada Hotel, Salina, Kansas. The Meeting was called to order by President Shellina Adams.

Voting members present: Shellina Adams, Derby; Amy Spitler, Hutchinson; Kristi Orbin, Olathe; Diane Clay, Fort Scott; Linda Engel, Oakley; Cecelia Knowles, Augusta; Katie Marcum, South Hutchinson; Candy Westhoff, Girard. Others present: Sandi Reitcheck, Hoxie; Kim Perry, Mclouth; Gail Garrett, Lansing; Nioma Cook, Andover; Greg Nickel, Newton; Kellie Barker, Bel Aire. Absent: Adela Diaz, Prairie Village; Rick Voisin, Towanda; Jane Eilers, Salina; Hillary Pappan, Winfield.

There were no additions to the proposed agenda.

MINUTES

A Motion was made to accept the minutes from the KACM Board of Director's meeting, January 25, 2013. The motion was seconded. Motion carried.

TREASURER'S REPORT

Kristi reported that the KACM checking account has a balance of \$15,055.59.

CORRESPONDENCE

Amy reported that Marcy Ralston will be retiring on March 29, 2013. Amy Spitler made a motion that KACM get Marcy a \$100.00 Visa gift card and send flowers to her retirement party. Candy Westhoff seconded the motion. Motion carried.

COMMITTEE REPORTS:

AMBASSADOR: No report.

COURTESY: No report.

EDUCATION: Amy reported that the Fall conference will be held in Hutchinson on September 26th and 27th, 2013.

HISTORIAN: Candy is looking into getting a flash drive so she can make an updated picture booklet.

HOSPITALITY: Shellina reported that Janet Reimer is no longer with KACM, but Hillary volunteered to be in charge of the Hospitality Room for the conference. Hillary Pappan and Stephanie Taylor, Erie, have agreed to help with hospitality in the future.

LEGISLATIVE: No report.

MANUAL: No report.

MEMBERSHIP: Nioma reported that there are 234 members with 30 of them being new members. She had one call complaining about the change in membership dues.

NEWSLETTER: Greg reported he will soon be asking for news items for the April Newsletter. April 1st will be the deadline.

PAST PRESIDENT: No report.

PROMOTIONS: No report.

SCHOLARSHIP: No report.

OLD BUSINESS: Nothing

NEW BUSINESS: There was discussion on membership dues. There are 59 members that have not renewed their membership. Candy Westhoff made a motion that Nioma will mail out a notice for KACM membership dues in December and if the dues are not paid by March 1st, there will be a \$25.00 late fee added. They will also be deleted from list serve if dues are not paid by March 1st. Linda Engel seconded the motion. Motion carried.

ADJOURNMENT: There being no further business to discuss, Linda Engel made a motion to adjourn. Amy Spitler seconded the motion. Motion carried. Meeting adjourned.

Respectfully submitted,

Sandi Reitcheck – Secretary pro tem

K.A.C.M. Blackboard

Carol Scott (Burden) passed away on March 20th. Her funeral was in Winfield with burial in Burden. She had been the court clerk there for 16 years and retired in November of 2012. She had bravely fought 2 types of cancer and both had went into remission the end of February 2013. However she had gotten an infection after completing her final round of chemo. Her body being weak and no way to fight the infection, passed away from the infection.

For those of us who knew her, she was a gentle, strong women who was greatly missed after retiring from her job and KACM.



If you want more information on her, see her obituary on the Miles Funeral Home's website:

http://www.meaningfulfunerals.net/fh/obituaries/obituary.cfm?o_id=2030923&fh_id=12736

Bettina Jamerson (Prairie Village/Mission Hills) has a right to be very proud this spring. Her daughter, Sedona Jamerson, is graduating high school next month from Lincoln College Preparatory Academy. She has been admitted to Duke University for this fall! Go Blue Devils!

David Webb (Park City) has provided an update after suffering pneumonia and a heart attack in February. David, we are glad you are doing better!

"I have just started back to work (although still wearing an external defibrillator). Doctors say I am recovering nicely.

I would like to sincerely thank all at KACM for the flowers, cards, best wishes and prayers that made a very trying time much easier."

Jeanette Ward (Hiawatha) is retiring on Friday, April 26 and leaves with this note:

I have been a court clerk since 1999, and KACM was invaluable. I went to my first conference just a few weeks after I started, and it was a life saver for me.

Barb Mauslein is taking my place, and she was able to attend the new court clerk training in Salina. Great timing!!

My husband and I have a couple of trips planned—with our family to Washington DC in May, and with our granddaughter to Europe in June. She is traveling with the Kansas Ambassadors of Music and we get to go with her!!

Thank you everyone for your friendship and assistance through the years.

Linda Elder, (La Cygne) is retiring April 30. She has been a court clerk since 1992! WOW! Thanks for being a great part of KACM!

Wishing you the best in your new adventure of retirement.

Looking for Personal News. The only way we know what is happening is if you let us know! If you, or a clerk from your city has news to share with the rest of us – we want to know. The can be **news of retirement, new babies, marriage, medical concerns...** Anything. Send an email to Greg Nickel: gnickel@newtonkansas.com

Our Goals

Find out more about KACM on our website at www.ksmunicipalcourts.com, which includes a listing of our goals as follows:

- Continuing education for Court Managers, Clerks, Administrators, and Assistants
- Interaction between members with problem-solving ideas
- Organization input into Legislation that will affect Municipal Courts
- An organized voice to State agencies
- Consistency within the Municipal Courts
- Promoting public trust and confidence

KACM Board of Directors: Officers & Trustees



Left to right: Candy Westhoff (trustee), Sandi Reitcheck (Alt Trustee), Cecelia Knowles (trustee), Adela Diaz (Secretary), Linda Engel (Trustee), Kristi Orbin (Treasurer), Diane Clay (Trustee), Amy Spitler (Vice President), Katie Marcum (Trustee), Shellina Adams (President), Rick Voisin (Sgt at Arms)

Committee List:

Ambassador.....	Diane Clay (Ft. Scott)
Courtesy.....	Kim Perry (McLouth)
Education.....	Amy Spitler (Hutchinson)
Historian.....	Candy Westhoff (Girard)
Hospitality.....	
Legislative.....	Gail Garrett (Lansing)
Manual Liaison.....	Jane Eilers (Salina)
Membership.....	Nioma Cook (Andover)
Newsletter.....	Greg Nickel (Newton)
Past Presidents.....	Jerri Lovett-Speling (Lindsborg)
Promotion.....	Asa Gallowoy (Sedgwick)
Scholarship.....	Kellie Barker (Bel Aire)

KANSAS ASSOCIATION FOR COURT MANAGEMENT

Newsletter Editor Greg Nickel
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Visit our website at:

www.ksmunicipalcourts.com

Upcoming Dates:



Fall Conference
Hutchinson, Ramada Inn
September 26-27, 2013