

The K.A.C.M. Docket

Volume 74

April, 2014

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THE PRESIDENT'S CORNER

By Amy Spitler

Hello to all!



Thank you to the Office of Judicial Administration for a wonderful conference in Junction City. I had a "groovy" time at the new clerk's orientation training and networking with the new clerks. It was nice to hear from the DMV and see the new faces from their office.

Plans for the fall conference in Lawrence are in full swing and the education committee is working hard to provide a great event!

I hope everyone is enjoying the beautiful signs of spring, flowers are blooming and it is wonderful to spend some time out in the sun! I hope everyone has a blessed Easter season!

Amy Spitler
President, KACM

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Help Wanted - Treasurer

Stephen Powell is now working both over the Shawnee Municipal Court AND also serving as City Clerk. This is very exciting for him, but means that he needs to free up some time and will relinquish his duties as KACM Treasurer.

If you have any interest or a suggestion of someone who would be great in this position, please contact Amy Spitler.

DMV News



Here is a list of the DMV questions posed at the conference, with the DMV's **answers in purple**.

- 1) Do all DUI's (even 1st time) have to drive with an interlock device? **Effective July 1, 2011- All alcohol violations for drivers of all ages (even first occurrence) require the installation of an ignition interlock device.**
- 2) If someone has had 10 DUI's, can they still get a restricted license? **This depends on the current status of their license. If the driver is permanently revoked they still would have the option to apply for a restricted license. The driver would need to submit a DC-1014 which can be found on our website at www.ksrevenue.org**
- 3) Who do we call if we are having trouble with the online certified records? **You can call Jessica Ross at 785-296-2051 or by email Jessica.Ross@kdor.ks.gov. Eventually you will be able to get assistance with the certified portal by calling our court line. When that time comes we will let you know.**
- 4) Are we supposed to be charging the \$81 reinstatement fee for out of state DL suspensions for Failure to Appear? **No you do not charge the 81.00 for out of state drivers.**
- 5) When you have a DUI from out of state, do you mail the license to KS or the other state? **Please send the driver's license to our office and we will mail it to the home state.**
- 6) Is there an easy way to determine what constitutes a minor from a major offense? **We will send out a list to you via email.**

(DMV continued, page 4)

How To Read DMV Report?

Did you know the DMV has an online reference sheet describing how to read the Motor Vehicle Report?



<http://www.ksrevenue.org/pdf/readingdmvreport.pdf>

Facebook

Candy Westhoff (Girard) has made a facebook page for KACM! This was reported in the past two newsletters but we want to make sure you have a chance to join if you haven't already. It is a private group so no one but members should be able to see our messages or photos.



To join, you will need to add Candy Carrell Westhoff as a friend or you can send her an email (candykansas@yahoo.com).

Thank you, Candy!!

Dream Policies...





Court Software Listing

How does my software do this or that thing? If you have questions about your software, other courts that use the same software can be a great resource. Here is a list that has been collected through conference registrations. Please let us know if you notice any missing or inaccurately reported.

Access Data: Mission

ASA00: Manhattan

CIC: Fredonia

CIC/Kellpro: Halstead

CLC Mun Court Sytm: Yates Center

Data Tech-Summit: Andover, Arkansas City, Baldwin, Bel Aire, Benton, Cheney, Chetopa, Douglass, Eastborough, Frontenac, Galena, Garden Plain, Goddard, Goodland, Grandview Plaza, Great Bend, Haysville, Hiawatha, Holcomb, Holton, Jetmore, McPherson, Mulvane, North Newton, Ogden, Oxford, Phillipsburg, Pratt, Rose Hill, Seneca, Springhill, St. George, Sterling, Towanda, Wamego, Wathena

DMV: Ellinwood

DMVState of Kansas: Blue Rapids

Excell Spreadsheet: Bennington

Full Court: Overland Park, Park City, Salina, Topeka

Governmental Suites: Goessell, St. Marys, Udall, Weir, Burden, Cawker City

In House Software: Lenexa

Incode/Tyler: Arkansas City, Atchison, Baxter Springs, Chanute, El Dorado, Emporia, Gardner, Hays, Hesston, Hutchinson, Independence, Lansing, Lindsborg, Newton, Ottawa, Parsons, Russell, Valley Center

Infinitec: Herington

Jayhawk: Americus, Bronson, Buhler, Cedar Vale, Chapman, Erie, Fort Scott, Iola, Kinsley, La Cygne, Linn Valley, Lyndon, Marysville, Meriden, Oswego, Pleasanton, Sedgwick, So. Hutchinson, Wellsville

Jems: Olathe

Mini Court: Girard

ML: Atwood

NDF: Fowler

PCSS: Shawnee

Sequoyah: Nortonville

Sleuth: Liberal, Pittsburg, Wellington, Winfield

Sunguard: Dodge City

Thomas Reuters: Altamont, Atwood, Belle Plaine, Bentley, Burlington, Cherryvale, Cimarron, Claflin, Clearwater, Coffeyville, Colony, Columbus, Colwich, Concordia, Council Grove, Delphos, Derby, Desoto, Ellis, Garnett, Harper, Hill City, Hoxie, Hugoton, Lakin, Marion, McLouth, Meade, Moundridge, Neodesha, Ness City, Oakley, Oskaloosa

Thoroughbred: Andale, Mound City

Training @ Your Place: Basehor, Edna, Edwardsville, Ellsworth, Fairway, Lake Quivera, Maize, Merriam, Perry, Prairie Village, Westwood

Note that the KBI has sent information regarding the upcoming electronic disposition reporting requirements to these vendors listed below:

- Summit Court Management
- REJIS
- Tyler Technologies
- Thomson Reuters
- Training at Your Place, LLC
- Jayhawk Software
- JSI

DMV, Continued from page 2

7) When a police officer swipes a KS DL into an E-ticketing system, it populates the DC # with dashes. That then imports into the court system. When the court sends the abstract electronically, it errors because of the dashes in the DL#. Can you be consistent one way or the other? **This would be a question for your specific vendor. The vendor can put an edit in place to remove the dashes before the abstract is sent electronically to our office. Our program only recognizes 9 characters. The two dashes would cut off the last two numbers of the DL number.**

8) I called the DMV court number. From the beginning I was told by a recording that I was #1 in line. It continued to give me that message for the entire 46 minutes I was on hold. **Courts calls have priority over public calls. For example if there are 20 calls in the queue for our main number and a court call comes thru via court line that call goes to the front of the line to be answered next.**

9) What is the best way to contact the state DMV? **You can contact our court line at 785-368-8902. The best time would be early morning after 8:00AM or after 4:00PM. You can contact Jessi, Michele or Lacey via email. Our new hires should help with this problem as well.**

10) If a person has an out-of-state DL and they are cited for no insurance and provide proof, do you send the DC 66 off to the state? Does the state verify it or throw it away? **How should we (the court) handle it? You only need to send DC-66's over if they are a Kansas Resident/Kansas Vehicle or Out of state resident/Kansas vehicle.**

11) Can we report suspensions/reinstatements electronically for MO drivers? **Yes, you can send electronically to our office and we manually forward via paper to that state. In the OOS field you can put the State abbreviation. If you need assistance, please email me.**

12) Who is to collect/receive the reinstatement fee I suspended for "failure to attend."

8-2110(c) outlines who is to collect the fee and who receives it after it's collected:

K.S.A. 8-2110(c) "Except as provided in subsection (d), when the district or municipal court notifies the division of vehicles of a failure to comply with a traffic citation pursuant to subsection (b), the court shall assess a reinstatement fee of \$59 [plus the \$22 judicial surcharge = \$81 total] for each charge on which the person failed to make satisfaction regardless of the disposition of the charge for which such citation was originally issued and regardless of any application for restricted driving privileges. Such reinstatement fee shall be in addition to any fine, restricted driving privilege application fee, district or municipal court costs and other penalties. The court shall remit all reinstatement fees to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury and shall credit 42.37% of such moneys to the division of vehicles operating fund, 31.78% to the community alcoholism and intoxication programs fund created by K.S.A. 41-1126, and amendments thereto, 10.59% to the juvenile detention facilities fund created by K.S.A. 79-4803, and amendments thereto, and 15.26% to the judicial branch no judicial salary adjustment fund created by K.S.A. 2013 Supp. 20-1a15, and amendments thereto."

13) How do we correct mistakes on amendments? Do you prefer an email or paper abstract with the attached journal entry? **Please fax all corrections to 785-296-6851.**

DC 66 Forms – Do we send in if they have purchased insurance after receiving the citation and come to court and plead guilty? **Yes, they need to be sent to our office.**

Web Page Update

There are some new Driver Control links on our KACM webpage for easy reference.

The Driver Control website has a host of information and we have simply highlighted some of the most commonly needed information with direct links.

These links can answer questions like: Can I suspend for ____? What is the conviction code for ____? What are the speeding buffer zones?



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Ambassador List & Map
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By-Laws
Committees
Conference Agenda
Conference Registration
Contact Us
Driver Control
Employment

Driver Control Links

www.ksrevenue.org/courts Driver Control Online

[Driving Records Codes \(DC-9\)](#)

[Speeding Buffers Information Sheet](#)

[Compiled Doc](#) (suspendable offense list and Conviction Codes)

www.ksrevenue.org DL Status Check

Fruita, CO: Light-Heartedly Embrace the Stereotype?

Jeanine (Hesston) has a friend in Fruita, Colorado who took this photo outside their police station. Perhaps some inspiration for your court's décor?



Welcome To Fruita!

Ambassador Help Wanted:

We have openings for help the ambassador committee by representing Region 2 & 3 (see map, page 10). This is a good opportunity to become more involved and connected with KACM

Congratulations, Get Well Cards, Sympathy Cards...

KACM likes to congratulate people experiencing exciting life news. We also like to send cards to people when they find themselves in the hospital or in need of support.

Please email Kim Everley (McLouth) with any news for yourself or a co-worker. If we don't know about it, we can't do anything!

clerk@cityofmclouth.org



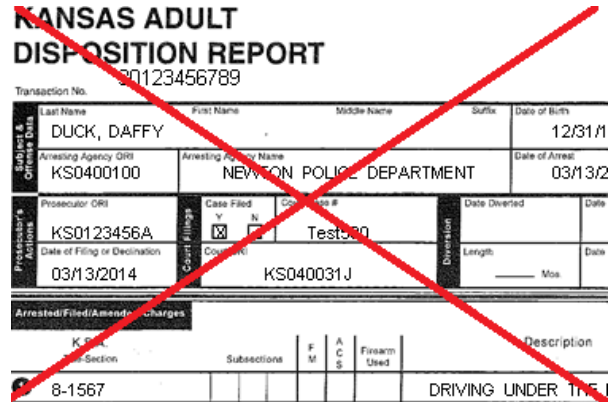
Spotlight on Legal Terminology

Summary Judgment: A decision made on the basis of statements and evidence presented for the record without a trial. It is used when there is no dispute presented for the record without a trial. It is used when there is no dispute as to the facts of the case, and one party is entitled to judgment as a matter of the law. (source: Court Clerk’s Manual Glossary)

KBI News: Paper KADR’s – the end is near!!

RAPID (Report and Police Impaired Drivers) is moving forward according to plan! Once this project is completed, we can abandon the paper KADR forms! Disposition information will be transmitted electronically.

You can review the software vendor list on page 3 to confirm sure that your software company is aware of the new requirement.



In the News: Traffic & Free Speech

A trucker in Grants Pass, Oregon noticed a sheriff car behind him and decided to flash oncoming drivers as a “courtesy” to warn them. The deputy issued a \$260 ticket for improperly using his headlights.

The trucker, Chris Hill, was outraged and contested his ticket, arguing that the ticket was payback from officers upset that he was warning drivers of their presence. He argued that his actions constituted free speech.



The judge agreed, finding nothing in the law that prohibited Hill from using his lights to warn drivers of speed traps or other police activity. The Judge ruled that

"It was communicative conduct, and the Oregon Constitution broadly protects such expressive conduct. [...] "The safety purpose of the statute appears to be both to ensure the visibility of other vehicles at night or in conditions of limited visibility, and also to avoid distraction to oncoming or overtaken drivers by the inappropriate use of high beam lights. It is within common experience that drivers will often flash their headlights to indicate an intention to pass another driver, or to signal a driver who has just passed that he or she has enough room to change back into the travel lane of an overtaken vehicle. Headlight flashing therefore can be viewed as the equivalent of an 'optical horn.'"

Does this also mean it is fair game to flash your headlights to communicate your frustration at slow drivers? Or to alert drivers who forgot to turn on their lights? "In my 10 years on the bench," Judge said, "I've never had a case quite like this. Having a free-speech case show up in traffic court is very unusual."

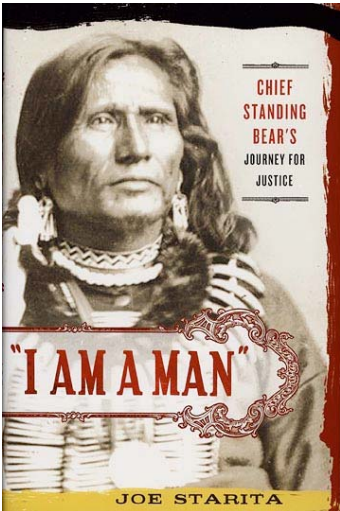
2014 MUNICIPAL COURT CLERKS CONFERENCE In Pictures



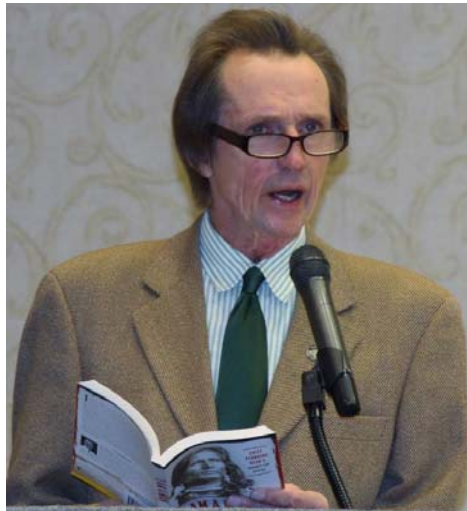
Presidential Address:
Amy Spitler



Judge Robin Lewis (Gardner) & Judge Ken Lamoreaux (Waterville)
talking about Self Represented Litigants



Joe Starita talked about his book, "I Am A Man".
Professor Starita masterfully portrayed Chief Standing Bear's story in this compelling narrative of injustices finally righted.



Dr. Ryan Darrow applied his expertise in psychology to help us understand people in court.



DMV representatives **Michele Chavez, Jessi Ross, & Lacey Simmons** field questions.

2014 MUNICIPAL COURT CLERKS CONFERENCE
(continued)



New Members!!! What a great crew of new faces!



A look at over our attendees re-assembling after break.



New Clerk's Orientation: 1970's theme!

Jo Johnson, Traci Dockery, Greg Nickel, Bettina Jamerson, & Amy Spitler.

**PHOTO DIRECTORY
UPDATE!!**

You may have noticed Candy Westhoff taking individual pictures at the conference. She is preparing to update the photo directory!

We have a lot of new faces and faces getting better with age! Keep your eye out for this in the future.

Membership Committee

Traci Dockery, chair (Bashor) tdockery1@kc.rr.com
 Nancy Lanza (Basehor) nlanza@basehorpolice.org



I have updated the membership roster and forwarded it to be posted on the KACM website. If you have submitted your renewal and you're not on the list or notice any errors please email me and I will make the corrections.

We had a great turn out at the new clerks conference in Junction City, to include some that are not yet members but may soon join KACM.

Please welcome the new KACM clerks.

Erin Eggleston	(Wellsville)	Jim Kroger	(Overbrook)
Marlene Dugan	(Phillipsberg)	Kelsey Holguin	(Lewis)
Lieu Ann Elsey	(Salina)	Tracy Brannin	(Oswego)
Brian Dillow	(Humboldt)	Lesley Shook	(Arkansas)
Debra Cougill	(Pleasanton)	Amanda Holloway	(Edwardsville)
Dan Wentling	(Hoyt)	Andrea Avila	(Emporia)
Karen Weston	(Edgerton)	Breyana Walker	(Mulvane)
Melissa Shelton	(Shawnee)	Kate Mendicki	(Pittsburg)
Janet Young	(Grandview)	Kristin Long	(Pittsburg)
Kristi Sheaffer	(Ottawa)	Becky Story	(Prairie Village)
Ramona Slocum	(Olathe)	Vicki Zentner	(Westmoreland)
April Beshears	(Nickerson)	Kerri West	(Burlington)
Erica Ortega	(Holcomb)		

Thank you
 Traci Dockery
 Basehor Municipal Court
 913-724-3397 (phone)



Legislative Committee Update

Gail Garrett, Chair

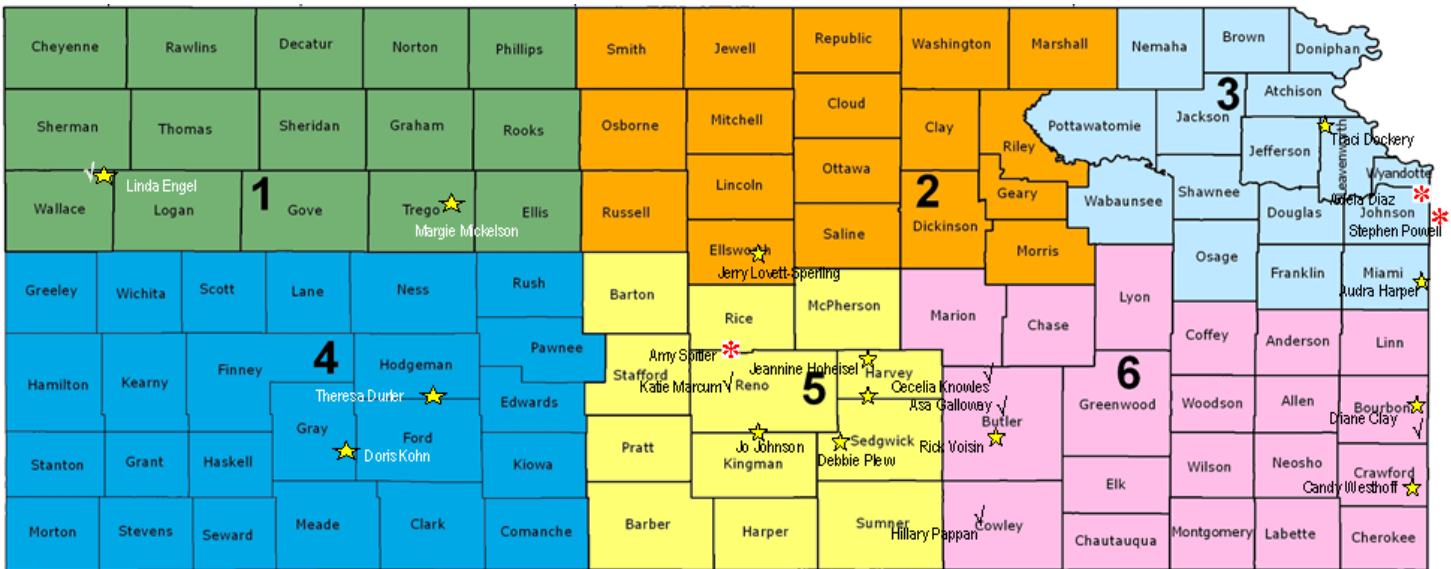
As of April 11, Governor Brownback has signed a total of 40 bills during this legislative session. Of these 40, there are exactly – zero – that have any sort of significant impact on municipal courts. Most of the legislature's time has been spent on either KPERs or school funding, so for a second straight year we are managing to fly below their radar (which is the least they can do after all the DUI & Intox refusal stuff they piled on us a couple of years ago). The only thing I've come across to date is HB 2501, which deals with reporting certain violations to the KBI Central Repository. I think we are all aware that there are supposed to be procedures in place by July 1 for DUI's and other alcohol-related convictions to be reported to KBI electronically. HB 2501 adds "buying sexual relations" to the list of offenses that are to be electronically reported by July 1.

There are a few other bills that might end up affecting us if they ever get past committee hearings, but at this point it's not looking like that will happen during this session. If there are changes or new items to report, I will get them out ASAP via the KACM e-mail list.

KACM Ambassadors

Region 1	Linda Engel Margie Mickelson	Oakley Ellis	oakleyap@st-tel.net ellisclerk2@eaglecom.net
Region 2	Jerry Lovett-Sperling <i>Vacant</i>	Lindsborg ...	jls@lindsborgcity.org ...
Region 3	Audra Harper Traci Dockery	Paola Basehor	Aharper@cityofpaola.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	Candy Westhoff Diane Clay	Girard Fort Scott	candykansas@yahoo.com dclay@fscity.org

- ★ Ambassadors
- * Officers
- √ Trustees



Ambassador Committee:

We currently have an opening in Region 2 for an Ambassador. There is an Ambassador map which shows the counties for the two open regions. Please let me know if you are interested in becoming an Ambassador for our organization. I would like to thank all the Ambassadors for all our regions!

The map has been updated with all the new officers and trustees along with their emails. Please feel free to contact any of us with questions or concerns!

K.A.C.M. Blackboard

Happy Retirement, **Don Ratzloff (Buhler)**! March 31st was his last day on the job and he sent this note:

“Thanks to all of you wonderful City Clerks and Municipal Court Clerks who contribute to the list serves. I’ve enjoyed my 7 years here with the City. I have come into contact with some really great people both here and at conferences. I wish you all well in your own communities. I plan to take some time to just relax, pursue my copper flame painting hobby, do a little travel, get some home projects done and then find some part time work to keep busy (when I think about it, I may need to get a job to slow down).”

Candy Westhoff, Girard, is a Great Aunt. Lyra is the first girl to be born to her brother’s family. She is special and such a cute one! Can’t you see the resemblance between her niece and her? Congratulations to everyone.



Upcoming Retirements:

Sandy Reitcheck from Hoxie is retiring May 31. She has been a court clerk for 12 years. She says “I’m looking forward to sitting on the patio in my pj’s, drinking coffee and watching the sunrise.” Now that sounds wonderful!

Sharon Lock from Scott City is retiring June 2. Sharon has been a court clerk for 6 years there. She had emailed, “I will miss everyone I have met at the conferences but I am really looking forward to being home a little more. Maybe now I will get to see my grandkids a little more. I have 15 grandchildren with one on the way and 3 great grandchildren. I think she will have lots of wonderful days!

Norma Ciskowski has been a court clerk at Udall for 17 years! She said “I am looking forward to being able to do all the things I have wanted to do for years. This includes spending time with the grand kids. I will miss work and all the people, but I have to leave sometime and this will work out the best for me as my husband is retiring and I can’t let him have all the fun!” How great for both of them

KACM will miss them and their years of knowledge that they brought to everyone. Thanks! With Don Ratzloff’s retirement that is 42 years of experience.

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



Left to right: Greg Nickel (Vice President), Adela Diaz (Secretary), Stephen Powell (Treasurer), Amy Spitler (President), Rick Voisin (Sgt at Arms),

Committee List:

- Ambassador..... Diane Clay (Ft. Scott)
- Courtesy..... Kim Everly (McLouth)
- Education..... Amy Spitler (Hutchinson)
- Historian..... Candy Westhoff (Girard)
- Hospitality..... Hilary Papan (Winfield)
- Legislative..... Gail Garrett (Lansing)
- Membership..... Traci Dockery (Bashor)
- Newsletter..... Greg Nickel (Newton)
- Past Presidents..... Bettina Jamerson (Prairie Village)
- Promotion..... Stephanie Taylor (Erie)
- Scholarship..... Kellie Barker (Bel Aire)

KANSAS ASSOCIATION FOR COURT MANAGEMENT

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Visit our website at:

www.ksmunicipalcourts.com

Upcoming Dates:



Fall Conference
Lawrence
September 25-16, 2014.