

The K.A.C.M. Docket

Volume 85

January, 2017

KACM Board of Directors

President

Greg Nickel
New ton

Vice President

Katie Marcum
South Hutchinson

Secretary

Sara Javier
Maize

Treasurer

Deana Scott
Prairie Village

Sergeant of Arms

Linda Engel
Fort Scott City

KACM Board of Trustees

Candy Westhoff, Girard
Ellen Harper, Bronson
Diane Clay, Fort Scott
Traci Dockery, Basehor
Amy Spittler, Hutchinson

Past President

Amy Spittler, Hutchinson

Alternate Trustees

Dawn Jesberg, Spring Hill
Jessica Chilcote, Haysville

INSIDE THIS ISSUE

<i>President's Corner</i>	1
<i>Conference Announcement</i> ..	1
<i>Membership Report</i>	2
<i>Legislative Report</i>	2
<i>2016 News Review</i>	3
<i>Ambassador</i>	4
<i>KACM Blackboard</i>	5
<i>Minutes</i>	6

THE PRESIDENT'S CORNER

By Greg Nickel



HAPPY NEW YEAR!! I hope 2017 is a great year for you at work and at home. My office is hoping to solve various computer related headaches, but my staff have been real troupers through it all! Of course it helps to have an entertaining job with, for example, attorneys who "defend" their clients by saying, "your Honor, my client just tends to act drunk sometimes; that is just his normal demeanor." At home, my youngest child is finishing high school and soon both will be away at college, leaving my wife alone to deal

(continued on page 2)

2017 Conference – October 5-6, 2017

Our fall conference is starting to take shape. It will be at the Boot Hill Casino & Resort Conference Center and Katie is busy exploring some great speaker options to talk about active shooters and related topics. Thursday evening will take you by trolley to a comedy dinner theater. The last dinner theater we did was in 2010 – a melodrama in old-town Wichita, which was a blast!

Hotel Info: The adjoining hotel (The Hampton Inn) has limited rooms and is \$119/night – if you want that option you should get your reservations early. The second hotel is only \$91/night and will have plenty of rooms. Here is their contact information:

- Hampton Inn (\$119/night) 4002 W. Comanche St (620) 225-0000.
- Towne Place Suites (\$91/night) 2800 W. Wyatt Earp Blvd (620) 371-7171.



(The President's Corner, continued)

with all my flaws! 😊 I think 2017 will be the year in which the old Chinese proverb comes to life: "may you live interesting times."

As I look to 2017, I am particularly looking forward to the fall conference in Dodge City. Be sure to mark your calendars for the first week in October (NOT the usual September date).

The spring conference, hosted jointly with OJA, is coming sooner (April 7th) and registration materials are on their way – electronically this time. Denise Kilwein always does a great job planning worthwhile conferences. The education committee is meeting in Topeka in late February to prepare for the new clerk orientation on April 6th. If you are new, plan to attend!

I look forward to seeing you all later,

Greg

Membership Committee

Traci Dockery, Chair

Membership renewals have been mailed for the new year. Please note that when you renew your membership that all pages need to be returned with the payment. This ensures that both Deana and I have what we need to keep you updated in KACM. Also, all renewals need to be mailed to Deana Scott; she has a new address and which is on the second page of the renewal form.

You may have to remind your accounts payable department to make the change in their system or have them give you the check and mail it directly. Deana's address is:

Deana Scott
7700 Mission Road
Prairie Village, KS 66208



KACM Facebook Page



Candy had done a great job posting to our Facebook page. It is a private group so to join, you will have to send her a request to become a "friend" on Facebook and then she can add you. She says that "you can 'unfriend' me after I add you and you'll still be a member of the KACM facebook page."

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)



Legislative Committee Update

Gail Garrett, Chair

The new Kansas legislative session starts on January 9, so at the time of this report there's not much to write about. There are a couple of pre-filed bills that I'll be keeping an eye on, and of course anything that pops up during the course of the session that has an immediate impact on our courts will be sent out on the KACM mailing list. Stay tuned to see what fun things those wacky folks in Topeka have in store for us this year!



Gail Garrett

2016 Muncipal Courts In the News

Marijuana Fine Reduction?

Kansas City News 41 reports on a proposal before their city council that would reduce the fine for marijuana to \$25. Any jail time would be off the table.

It is not clear whether this would be payable out of court and this only applies to our neighboring municipal court in Kansas City, Missouri.



www.kshb.com/news/state/missouri/group-wants-to-dramatically-lesser-penalties-for-marijuana-possession-in-kcmo

Ticket Fixing

The Lawrence Journal-World listed their top 10 stories for 2016, which included a “ticket fixing” scandal from 2012-2016 in the Lawrence Police Department. As many as 200 tickets were voided or dismissed without going through the proper processes.

Lesson to Court Staff: Document Dismissals

Although local policy required officer signature for voided tickets and a prosecutor’s signature for dismissals, many of these were processed without signatures. Poor documentation caught the newspaper’s attention and undermined the public appearance of propriety.



There was also concern about favoritism. The news published criticism about the system for dismissing tickets without any valid reason for the wife of a state trooper and for a dispatcher.

www2.ljworld.com/news/2016/apr/17/traffic-tickets-review/

Clean Slate Day

The Topeka Municipal Court offered a “Clean Slate Day” this past October, when which defendants could have their warrants pulled and a court date set. The day also focused on expedited expungememnts. Topeka’s program followed the lead of other cities, such as Wichita who received recognition earlier in 2016 for its program that helped people clear warrants and reinstate their driver’s license. Topeka took the idea even further, offering free legal council. They also partnered with employers and other services.

A key goal of the program was to change public perception that courts are just trying to make money; “no, we don’t do that here,” said their judge. “We don’t churn fees here. People get a fair shake here.”

<http://cjonline.com/news-local/2016-09-06/topeka-municipal-court-offers-clean-slate-day-residents-warrants-fines#>

www.wibw.com/content/news/Patrons-line-up-for-a-clean-slate-out-Topeka-Municipal-Court--397113371.html

Public Nudity Laws

The state law regarding Nudity/Lewd and Lascivious Behavior includes an “intent to arouse,” making nudity very difficult to prosecute. In theory, a person could walk down main street without violating any ordinance unless the prosecutor can prove this intent.



Several cities, including Garden City, Hutchinson, and Wichita have passed laws to plug this gap in state law.

Editor’s note: Yes, I was a bit worried about finding an appropriate picture for this article.

www.gctelegram.com/news/local/public-nudity-in-garden-city-officially-banned/article_3ff45a72-07c8-5101-80c3-f2d6899c768a.html

KACM Ambassadors

Traci Dockery, Chair

Region Ambassadors:

1. Linda Engel, Oakley, oakleyap@st-tel.net
2. DeAnne Hoch, Ellsworth, ewspd1@ellsworthks.net
3. Audra Harper, Paola, aharper@cityofpaola.com
4. Kelsey Holguin, Lewis, lewisclerk@gbta.net
5. Jo Johnson, Clearwater, johbj@clearwaterks.org
6. Candy Westoff, Girard, candykansas@yahoo.com

- Margie Mickelson, Ellis, ellisclerk2@eaglecom.net
 Abby Hamilton, Manhattan, Hamilton@cityofmnhk.com
 Vonnie Fisher, Fairway, vfisher@fairwaypd.org
 Erica Ortega, Holcomb, courtclerk@wbsnet.org
 Debbie Plew, Mulvane, dplew@mulvaneks.org
 Diane Clay, Fort Scott, dclay@fscity.org



Spotlight on Legal Terminology



MENS REA

\menz 'rēə\

Latin for “guilty mind.” It is the intention or knowledge of wrongdoing that constitutes part of a crime, as opposed to the action or conduct of the accused.

This is a fundamental principal taught in law school and a key element in many crimes. For example, it is the difference between an accidental death and murder. In municipal court, we deal primarily with “strict liability” offenses. Speeding, for example, does not rely on proving that a person meant to speed.

K.A.C.M. Blackboard

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. This can be **news of retirement, new babies, marriage, medical concerns...** Anything.

Ellen Harper (Bronson) made the local paper for her work in the court. Below is an excerpt from the paper honoring Ellen:



Bronson City Clerk Ellen Harper smiles as she displays the cake celebrating her 30 years as city clerk of Bronson. After the City Council meeting Monday evening, citizens and city council members, present and former mayors, came to a celebration marking Harper's 30 years as the Bronson city clerk. "I wish our citizens knew how fortunate we are to have someone like Ellen. She is such a valuable employee," Mayor Alan Stewart said.

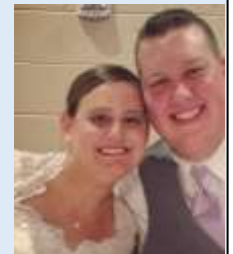
Please also keep Ellen in your thoughts and prayers as she lost her 23 year old grandson suddenly due to a heart condition. The service was January 20th. We will be sending flowers as a small expression of our support.

Cindy Rushton (Pittsburg) passed away on November 10th. She was the Municipal Court Administrator and KACM member for six years and was recently elected as a Trustee. She was a fun, nice person and we were excited to get to know her better in her new role within KACM. Prior to working in the court, she was the advertising department manager for the Pittsburg Morning Sun and the Wichita Eagle newspapers. She was also a Harley Davidson enthusiast, along with her fiancé Jason Denney. Our thoughts and prayers go out to her family and friends as they deal with such a great loss. She was 47 years old.



Jewell Weibert (McPherson) and her husband are happy to announce the birth of their baby girl, Decklyn Grace. She was born Oct 7th and was 6 lbs 7oz and 19 inches. Kim Everley sent flowers and Jewell sent this note of thanks:

"Oh my word, these flowers are beautiful! Pink & Sparkly. Thank you so much!"



**Kansas Association of Court Management
Board of Directors Meeting**

January 20, 2017 – 12:00 p.m.

Old Chicago Restaurant, 7626 E. Kellogg Dr. Wichita, KS 67207

CALL TO ORDER AND ROLL CALL:

The K.A.C.M. Board of Directors Meeting was held on Friday, January 20, 2017, at Old Chicago Restaurant in Wichita, KS.

The meeting was called to order at 12:11p.m. by President Greg Nickel, Newton.

Roll Call: Voting members present: Greg Nickel, Newton; Katie Marcum, South Hutchinson; Sara Javier, Maize; Deana Scott, Prairie Village; Linda Engel, Oakley; Amy Spitler, Hutchinson; Candy Westhoff, Girard; Diane Clay, Fort Scott; Traci Dockery, Basehor; Dawn Jesberg, Spring Hill; Jessica Chilcote, Haysville. Absent: Ellen Harper, Bronson.

Additions to the Agenda: Welcome Packet for new members and posting Archived Minutes on the KACM website.

Minutes: Approval of Minutes from the Annual Business Meeting from September 29, 2016, and Board of Directors Meeting from September 30, 2016. Sara sent out copies of minutes for review. Greg and Diane made corrections. Linda Engel, Oakley made the motion to approve the minutes from September 29, 2016, and September 30, 2016. Diane Clay, Fort Scott seconded the motion. All voted unanimously.

Treasurer's Report: Deana Scott stated that as of January 19, 2017 the general fund has \$15,574.71 and the Scholarship Fund has 4,251.91 making the total balance of \$19,826.62. The expected expense for January 2017 is \$800 and expected deposits are \$1,150 from memberships. Total expected balance is \$20,176.62. Deana also stated that she has received about half of the membership dues. Candy Westhoff, Girard made a motion to approve the Treasurer's Report as presented. Amy Spitler, Hutchinson seconded the motion. All voted unanimously.

Correspondence: A card was shared from Shelia Williams.

Committee Reports

Ambassador/Membership Traci Dockery (Basehor): Traci stated that she received the first two batches of renewal registrations from Deana. She and Deana got together and recreated the membership form, simplifying the form-processing for everyone.

Traci also asked for a letter from the President for an informational packet that explains what the benefits are by being a member of KACM that will go out to potential members. This packet will be electronic.

Courtesy – Kim Everley (McLouth): Kim was not present but submitted a list of flowers sent (flowers to Sheila Williams and Jewell Weibert)

There was a discussion about whether to send a cash memorial or flowers. If she sends a cash memorial how much would the amount be? The decision was made that if a cash memorial is sent that it will be around the same amount the flowers would cost. A card would be sent with either a cash memorial or flowers.

Education – Katie Marcum (South Hutchinson): Katie stated that the Fall Conference is October 5th and 6th in Dodge City at the United Way Wireless Conference Center. She gave an overview of the conference and wanted to know if anybody had any suggestions for speakers and subjects for small breakout session. She also gave an overview on the Thursday night event. She is also working on the agenda.

Historian – Candy Westhoff (Girard): Candy said that she is still working on corrections online other than that there was nothing new to report.

Hospitality – Bettina Jamerson (Shawnee): Bettina was not present and had nothing to report.

Legislative – Gail Garrett (Lansing): Gail was not present but reported through email that the legislature is getting into things that may affect us later this year but she is hopeful that these items will get lost in committee. It is still too early to panic.

Manual – OJA Education Committee Member: OJA Education Committee Member stated that they are working on rewording some of the manual to make it easier to read. Hopefully the new version will be completed by the Spring Conference.

Newsletter – Greg Nickel (Newton): Greg said that the Newsletter is ready to go out he is just waiting on minutes.

Past President – Amy Spitler (Hutchinson): Amy said she had nothing to report.

Promotion/Sales – Erica Ortega (Holcomb) & Amy Spitler (Hutchinson): Erica was not present. Amy had nothing to report.

Scholarship – Sara Javier (Maize): Sara reported that they are planning to approach new clerks at the spring conference and move the application process up. 2 rooms are being held at the Hampton Inn & Suites for our future scholarship people.

Old Business

New Business:

Spring Conference. (Hospitality, other?): The Spring Conference is April 7, 2017.

Next board meeting date: The next Board Meeting will be held on Thursday, April 6th at 5PM.

Bylaws. Do we need to consider updating a few sections?: Greg raised the question on having the KACM minutes archived on the KACM website. The Board thought it was a good idea and Deana Scott, Prairie Village, asked if the minutes would be searchable. At this time Greg and Sara are in hopes that the minutes will be searchable. Greg also suggested reviewing our bylaws, specifically these sections:

Article I Section 1: Principal Office: Greg stated that the bylaws state that the transaction of business of the Corporation is hereby located in Wichita, Sedgwick County, Kansas. Greg will look more into this.

Article II Section 10: Spring Meeting: The bylaws state that the Association meetings shall be held in the Spring and in the Fall of each year.

Article III Section 4: Vacancies filled with Alternate Trustee: Greg asked why we are only allowed to use the Alternate Trustees and not regular Trustees.

Article III Section 8: Meeting notice: Greg asked if we should update this section to include email.

Deana Scott, Prairie Village, made the motion to select a committee to review bylaws. Amy Spitler, Hutchinson, seconded the motion. All voted unanimously.

The members on the Bylaw Review Committee are Candy Westhoff, Girard, Jessica Chilcote, Haysville, Dawn Jesberg, Spring Hill, Amy Spitler, Hutchinson, Greg Nickel, Newton.

Welcome Packets for people who join the KACM Board: Sara suggested having welcome packets for people who have volunteered for the KACM Board.

Adjournment:

Candy Westhoff, Girard made a motion to adjourn the board meeting. Deana Scott, Prairie Village, seconded. All voted unanimously.

Meeting adjourned at 1:04 p.m.

The next Board Meeting will be held at 5:p.m. on Thursday, April 6th, 2017 in Topeka, Kansas.

Respectfully Submitted,


Sara A. Javier, K.A.C.M. Secretary
Maize

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: Katie Marcum (Vice President), Dawn Jesberg (Trustee), Linda Engel (Sergeant at Arms), Amy Spitler (Past President), Greg Nickel (President), Deana Scott (Treasurer), Diane Clay (Trustee), Candy Westhoff (Trustee), Sara Javier (Secretary), Ellen Harper (Trustee), Jess Chilcote (Trustee), Traci Dockery (Trustee)

Committee List:

Ambassador.....	Traci Dockery (Basehor)
Courtesy.....	Kim Everley (McLouth)
Education.....	Katie Marcum (South Hutchinson)
Historian.....	Candy Westhoff (Girard)
Hospitality.....	Bettina Jamerson (Shawnee)
Legislative.....	Gail Garrett (Lansing)
Membership.....	Traci Dockery (Basehor)
Newsletter.....	Greg Nickel (Newton)
Past Presidents.....	Amy Spitler (Hutchinson)
Promotion.....	TBD
Scholarship.....	Sara Javier (Maize)

KANSAS ASSOCIATION FOR COURT MANAGEMENT

New sletter Editor Greg Nickel
704 E 4th
New ton, KS 67114

Visit our website at:

www.ksmunicipalcourts.com

Upcoming Dates :



Spring Conference

Topeka
April 7, 2017

Summer Board Meeting

Dodge City
July 14, 2017

Fall Conference

Dodge City
October 5-6, 2017