

**AN ORDINANCE OF THE CITY OF WILDWOOD, MISSOURI, AUTHORIZING AN AGREEMENT WITH THE MISSOURI OFFICE OF STATE COURTS ADMINISTRATOR (OSCA) FOR IMPLEMENTATION OF THE SHOW-ME COURTS (SMC) AUTOMATION SOFTWARE AND IMPOSING A COURT AUTOMATION SURCHARGE OF SEVEN DOLLARS ON MUNICIPAL CASES IN ORDER TO ASSIST IN PAYMENT THEREOF AND AMENDING THE MUNICIPAL CODE RELATING THERETO.**

**WHEREAS**, in July 2017 the Missouri Automation Committee (MAC) set a policy objective to implement a statewide court automation system as mandated under 476.055 RSMo for all divisions of the circuit courts in order to streamline case management; and

**WHEREAS**, in August 2018 the Missouri Automation Committee (MAC) adopted an implementation plan designating Show-Me-Courts as the new statewide court automation system in which all municipal divisions across Missouri must subscribe to; and

**WHEREAS**, pursuant to an administrative order issued by the Presiding Judge over the 21st Judicial Circuit, Show-Me Courts will serve as the mandatory case management platform for all municipal divisions in St. Louis County; and

**WHEREAS**, all municipal divisions under the 21st Circuit are required to integrate Show-Me-Courts pursuant to an implementation schedule established by the Presiding Judge; and

**WHEREAS**, in order to fund a statewide conversion to the Show-Me-Courts automation system, the Missouri Office of State Courts Administrator has required that all divisions impose a surcharge of Seven Dollars and No Cents (\$7.00) on all cases in which courts costs are taxed and whereas said surcharge shall be transmitted monthly to the Missouri Director of Revenue to the credit of the Missouri Statewide Automation Fund.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WILDWOOD, MISSOURI, AS FOLLOWS:**

**Section One.** That the form, terms, and provisions of the Show Me Courts Statement of Expectations and Agreement by and between the City of Wildwood, Missouri, and the Office of the State Courts Administrator, attached hereto, marked as **Exhibit A**, and incorporated by reference herein (the “Agreement”), be and they hereby are approved and the Mayor is hereby authorized, empowered and directed to further negotiate, execute, acknowledge, deliver and administer on behalf of the City such Agreement in substantially the form attached hereto.

**Section Two.** That Section 135.300 of the Code of Ordinances of the City of Wildwood be and is hereby amended by adding a new subsection 13 thereto, to read as follows:

Section 135.300 Court Costs.

...

13. *Court Automation Fund.* In addition to the other costs authorized in this Section, there shall be assessed a statewide court automation fund fee in the

amount of seven dollars (\$7.00) in all cases in which court costs are taxed. Said fee 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.

**Section Three.** Effective Date. This Ordinance shall be in full force and effect from and after the date of its final passage and approval.

**Section Four.** Savings. Nothing contained herein shall in any manner be deemed or construed to alter, modify, supersede, supplant or otherwise nullify any other Ordinance of the City or the requirements thereof whether or not relating to or in any manner connected with the subject matter hereof, unless expressly set forth herein.

**Section Five.** Severability. If any term, condition, or provision of this Ordinance shall, to any extent, be held to be invalid or unenforceable, the remainder hereof shall be valid in all other respects and continue to be effective and each and every remaining provision hereof shall be valid and shall be enforced to the fullest extent permitted by law, it being the intent of the City Council that it would have enacted this Ordinance without the invalid or unenforceable provisions. In the event of a subsequent change in applicable law so that the provision which had been held invalid is no longer invalid, said provision shall thereupon return to full force and effect without further action by the City and shall thereafter be binding.

This Bill was passed and approved this \_\_\_\_ day of \_\_\_\_\_, 2019, by the Council of the City of Wildwood, Missouri, after having been read by title or in full two times prior to passage.

\_\_\_\_\_  
Presiding Officer

\_\_\_\_\_  
James R. Bowlin, Mayor

ATTEST:

ATTEST:

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
City Clerk

## EXHIBIT A

### SHOW-ME COURTS STATEMENT OF EXPECTATIONS AND AGREEMENT

This document constitutes an Agreement between the City of Wildwood Municipal Division of the Circuit Court (the "Municipal Division"), the City of Wildwood, Missouri (the "Municipality"), and the Office of State Courts Administrator (OSCA) for the implementation of the Show-Me Courts (SMC) court automation software pursuant to §476.056 RSMo. This 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 the 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.
  - a. The applications include:
    - i. alphabetic indexes;
    - ii. judgment indexes'
    - iii. docket sheets;
    - iv. court calendars;
    - v. public access (Case.net); and
    - vi. automatic case number assignment and the ability to use the citation number as the case number.
  - b. The applications will meet all statistical and financial reporting requirements.
  - c. The applications will meet all other reporting requirements.
2. A suite of applications that includes, but is not limited to, the following electronic transfers of data or interfaces:
  - a. tax offset program;
  - b. debt collection;
  - c. electronic traffic reporting;
  - d. criminal history reporting;
  - e. Missouri victim automated notification services;
  - f. electronic filing;
  - g. electronic case import;
  - h. prosecuting attorney portal; and
  - i. track this case
3. Support
  - a. Help Desk support will, at a minimum, be available 7:30 a.m. to 5:00 p.m. Monday through Friday. The Help Desk can be contacted by toll-free telephone or e-mail.
  - b. Defect corrections and updates to court automation software will be deployed as soon as they are prioritized, programmed and tested for workability. Deployment notices may be found on the Court Information Center at <https://www.courts.mo.gov/page.jsp?id=66062>
  - c. New codes and functionality required by statutory or Supreme Court Rule changes will be deployed for use by the municipal division.

4. Court Staff Training
  - a. Training materials and the Municipal Clerk Handbook will be provided electronically.
  - b. Training will be provided by video, webinar, remote assistance, or in person at a location designated by OSCA.
  - c. SMC help instructions will be available from within SMC.
5. Communications with Court
  - a. OSCA will communicate with the court primarily through e-mail and the Court Information Center. During implementation, conference calls may be scheduled.
  - b. OSCA will provide electronic mail (iNotes) accounts for municipal division staff and judges for e-mail communication.
6. Back-up of Data
  - a. SMC data is backed-up on a regular basis. The back-up schedule may be found on the Court Information Center at <http://www.courts.mo.gov/page.jsp?id=61273>
7. System Maintenance
  - a. In order to perform routine or emergency maintenance, SMC may not be available. The maintenance schedule may be found on the Court Information Center at <http://www.courts.mo.gov/page.jsp?id=61273>

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. Operate its municipal division in accordance with all applicable laws and Supreme Court Rules and standards. Those include, but are not limited to, Rule 37, the Minimum Operating Standards for Missouri Courts, Municipal Divisions, the Code of Conduct for Municipal Division Personnel and Court Operating Rules 2, 4, and 8.
3. 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>.

The Municipal Division Agrees to:

1. Operate its municipal division in accordance with all applicable laws and Supreme Court Rules and standards. Those include, but are not limited to, Rule 37, the Minimum Operating Standards for Missouri Courts, Municipal Divisions, the Code of Conduct for Municipal Division Personnel and Court Operating Rules 2, 4, and 8.
2. Assess and collect the Court Automation Fee and disburse the Court Automation Fee monthly to the Missouri Court Automation Fund.
3. Automate all case processing activities within SMC when that functionality becomes available and eliminate duplicate manual record keeping. Implementation of case processing activities within SMC that are functionally available shall be determined by mutual agreement of the municipal division and OSCA.
4. Process all records of conviction on cases sentenced prior to SMC implementation.
5. Enable access to public case information per Court Operating Rule 2 on Case.net within a mutually agreed upon date between OSCA and the municipal division.

6. Mandate and allow all municipal division personnel to engage in all applicable required training necessary to efficiently and effectively utilize, understand, and operate all SMC functionality.
  - a. Complete the web-based training courses prior to attending training classes.
  - b. Attend scheduled classroom training courses in Jefferson City, if any.
  - c. Pay travel expenses for staff to attend training through its Judicial Education Fund Section 479.260 RSMo or local training budget.
7. Use the OSCA provided e-mail account as the primary communication tool for judicial business.
8. The court and each SMC user will adhere to the Automated System Security Guidelines established by the Missouri Court Automation committee. The security guidelines may be found on the Court Information Center at <http://www.courts.mo.gov/page.isp?id=61273>
9. Communicate with local organizations and agencies including, but not limited to, local Missouri Bar members, law enforcement, prosecuting attorneys, and public defenders regarding the change to SMC and using state approved charge codes on their citations.

We, the undersigned, have read and accept the commitments required for SMC implementation.

\_\_\_\_\_  
James Bowlin, Mayor

\_\_\_\_\_  
Date

\_\_\_\_\_  
State Courts Administrator

\_\_\_\_\_  
Date

\_\_\_\_\_  
Municipal Division Judge

\_\_\_\_\_  
Date