

JUSTICE COMMITTEE MEETING
October 27, 2016 @ 3:00 P.M.

MEMBERS PRESENT

Kevin Greenfield, Chairman
Jon Baxter, Vice Chairman
Jay Dunn
Dave Drobisch
Matt Brown
Bill Oliver

COUNTY PERSONNEL PRESENT

Mike Baggett, State's Attorney's Office
Lt. Jon Butts, Sheriff's Dept
Rodney Forbes, Public Defender
Lois Durbin, Circuit Clerk
Judge Webber, Courts
Jerry Lord, DPBC
Carol Reed, Auditor
Jim Taylor, Probation

MEMBERS ABSENT

Grant Noland
Greg Mattingley

Jeannie Durham, County Board Office

The meeting was called to order by Chairman Kevin Greenfield at the Macon County Office Building.

APPROVAL OF MINUTES OF PRIOR MEETING

Mr. Brown made a motion to approve the minutes from the September 22, 2016 meeting, seconded by Mr. Oliver and the motion carried 6-0.

CLAIMS

Mr. Dunn made a motion to approve the report of the claims as submitted, seconded by Mr. Drobisch and the motion carried 6-0.

REPORTS

Circuit Clerk –

Macon County Board Resolution Adding to Increase Expense Line in the Circuit Clerk E-Citation Fund for Fiscal Year 2016

Ms. Durbin explained that the e-citation bill was received and needs to be paid. It was not expected until after the fiscal year end, so the money for it was budgeted in FY17. This resolution is to move the money from next year's budget back to this year so the bill can be paid. It is \$5,400.

Mr. Dunn made a motion to approve forwarding the resolution on to the Finance Committee with the correction in the wording of the title and with recommendation for approval, seconded by Mr. Drobisch, and the motion carried 6-0.

Ms. Durbin reported that she had just received a phone call from a sergeant from the City who informed her that they are allowing one officer to go live with the e-citations this afternoon along with the Mt. Zion Department. However, their IT person went home this afternoon, so as soon as they get that on board, e-citations will be live there. It has been a long road, but they finally made it.

The e-filing for civil cases go live date is set for next Wednesday, 11/2. There is an attorney that wants to be the first and has already said he has 12 cases lined up to file at 12:01 on the 2nd.

Circuit Court –

Judge Webber reported that they currently have the open application process to appoint a new Associate Judge to take Judge Tom Little's seat when he assumes Judge Tim Steadman's Circuit seat, who will be retiring the first Monday in December. Application closes on the 10th of November. They will have the list soon after that. They will then move on to interviews. There will be a bar poll conducted. Judge Webber is hopeful that at the next Justice Committee meeting he will have a word as to how many applicants there are, where they are from, what the interview process will be, etc... Chairman Greenfield asked the Judge when he hoped to have the appointment made. Judge Webber said soon after the first of the year. Whoever is selected will have to have time to wind up his / her practice. The Administrative Office which administers the appointment process will not permit the Circuit Judges to vote; won't send out ballots until after the election results are certified because it has to characterize a seize provisional until the State Board of Elections certifies that Judge Little has been elected to Judge Steadman's seat. That usually happens about the Friday before the Monday that the new officeholders take office. After that it is 14 days to count the ballots. Once that is done, it will be mid-December at the earliest before there is an official announcement as to who the new judge is and that person has to have some time to close out his/her practice. Hopefully, early next year.

Coroner –No Report

Court Services / Probation –

Mr. Taylor announced that the office has lost a staff member to Kane County. She is moving back to her home. Mr. Berter will be coming to Finance on Monday to request to hire a grant position that is funded through the Mental Health Board.

EMA – No report

Public Building Commission – No report

Public Defender –

Mr. Forbes presented his monthly report. For September, 272 cases were opened and 288 were closed. The office has been alternating each month where they open slightly more than they close and vice-versa and they have been hovering right around these numbers.

The jail population today is at 230, so they have been doing a good job of keeping it down. That includes about 30 federal inmates.

Drug Court had 54 in drug side and 18 in DUI side. There was a supplemental grant and in order to attain that grant, they tried to get the numbers up to 60 in drug court side and 20 in DUI. That grant is coming to an end, so there are no restrictions nor finances to keep moving at that level. He said they are starting to see that back up a little. Applicants are still being accepted, but there is starting to be a waiting list. Those persons may be moved quicker through the program with a

little less tolerance to persons who are not complying with the terms of the program. So, that is at capacity and they will be looking at reducing the numbers in the future, but the program will still be up and running and available to as many people as possible.

There is a new probation program that is starting up again. The ARI Probation program existed before. It is funded through Adult Redeploy which is state money. That money had dried up for a period of time, but is now being reallocated. They are going to try to put some of the drug offenders that would have been eligible for Drug Court into that special Probation program as one way to compensate for the decreased numbers in the Drug Court.

Mental Health Court had 21 participants.
Shelter Care Hearings were at 26 with the services of 68 attorneys.
4 Detention Hearings.

Steve Perbix will be coming in as a new hire starting next week. He ran the ARI Probation Program when it was up and running before the money was lost. Now that they are able to get the program started again, he will be again running it. He is also going to be working as an Assistant Public Defender. He will probably be working in Juvenile Delinquency and some abuse / neglect proceedings.

Mr. Oliver asked what the Shelter Care Hearings are. Mr. Forbes explained that this is when the Department of Children & Family Services thinks that a child is in need of protective services and may need to be removed from the home. This would be an emergency situation. They will petition the court and the court will have an emergency hearing or a shelter care hearing to determine whether or not it is an immediate necessity that the child be removed from the home and whether or not the department has made other efforts to prevent the child from being removed from the home. He said they don't get much information about those cases just because of the nature of them. The Public Defender's Office will go into court and represent the mother who is accused of abusing or neglecting a child. If there is a father, they will also be represented. The child or children will also be represented. So, on a Shelter Care Hearing, it is common that there may be 2 or 3 or 4 attorneys from the office representing individual parties. It is a low burden of proof at that stage of the proceedings. The Public Defender's Office is not officially appointed at that time. After the shelter care hearing, if the mother or father wants to hire their own attorney, they have that opportunity. If they cannot afford to hire an attorney, a Public Defender is appointed to represent them throughout the proceedings. Mr. Oliver asked if the Public Defenders represent all sides. Mr. Forbes said that in abuse and neglect cases, the Public Defender's Office represents most parties; the mother, possible multiple fathers, and the Guardian Ad Litem, Brian Finney represents the children. There are at least 2 attorneys on each case, if not 3, 4 or 5. When an abuse and neglect call happens, half the office may go upstairs and wait for their case to be called. They are all very professional. They all represent different sides. They all come back down to the office and are able to maintain civility and do a good job of representing clients and still be able to work in the same office. The State's Attorney is in charge of prosecuting the petitions.

Sheriff – No report

***State's Attorney's Office-
Macon County Board Resolution Amending the State's Attorney's FY2016 Budget for the Adult
Redeploy Grant Fund***

Mr. Baggett explained that this is in regard to what Mr. Forbes was speaking about. With Mr. Perbix coming on with the Public Defender's Office as an employee of the county, there are auditing requirements that say he cannot be paid out of the same contractual line that we have for the ARI Grant. A line needs to be created within the ARI grant fund as a salary position for personnel expenses. This will move \$1,600 for November from contractual to personnel expenses.

Mr. Dunn made a motion to approve forwarding the resolution on to the Finance Committee with recommendation for approval, seconded by Mr. Drobisch and the motion carried 6-0.

Mr. Baggett reported that there is a contract regarding the inmate jail phone systems contract with Securis Technology. They are the current vendor and have been providing phone services for inmates since 2013. We are at the end of the 3 year contract. It has been rebid and they have submitted a bid. There has been some back and forth on the terms and it is now finalized, but was not done until yesterday which was too late to be placed on today's agenda. The hope is that it will be ok to take it to Finance on Monday and then before the full board in November. The terms call for an \$80,000 signing bonus and a guaranteed \$1.5 million commission structure over the course of a 5 year contract being paid \$75,000 quarterly or \$300,000 per year. This is a significant cash flow increase over the prior contract and the desire is to move forward on it as quickly as possible so it can be received. Chair Greenfield said he could see no problem with taking it straight to Finance. Lt. Butts commented that when they started receiving the RFP's and information, it was more than he wanted to handle alone, so he asked Carol Reed, Amy Stockwell, Linda Little and Mike Baggett to assist and he wanted to thank all of them now. Mr. Oliver asked where the monies that are received go. Ms. Reed said they go to the general fund.

CITIZEN REMARKS – PUBLIC COMMENT –None

OLD BUSINESS - None

NEW BUSINESS – None

CLOSED SESSION – None

NEXT MEETING – Tuesday, November 22, 2016

ADJOURNMENT

Motion to adjourn made by Mr. Oliver, seconded by Mr. Drobisch and Chair Greenfield adjourned the meeting at 3:20 p.m.

Minutes submitted by Jeannie Durham, Macon County Board Office