

JUSTICE COMMITTEE MEETING
October 26, 2017 @ 3:00 P.M.

MEMBERS PRESENT

Jay Dunn
Bill Oliver
Dave Drobisch
Greg Mattingley

MEMBERS ABSENT

Grant Noland
Debra Kraft
Jerry Potts

COUNTY PERSONNEL PRESENT

Jay Scott, State's Attorney
Mike Baggett, State's Attorney's Office
Dave Ellison, Public Defender
Lt. Jon Butts, Sheriff's Dept
Pat Berter, Probation
Jerry Lord, DPBC
Judge Forbes
Carol Reed, Auditor
Lisa Wallace, Auditor's Office
Circuit Clerk's Office
Jeannie Durham, County Board Office

Chairman Jay Dunn called the meeting to order at 3:00 p.m.

APPROVAL OF MINUTES OF PRIOR MEETING

Mr. Mattingley made a motion to approve the minutes from the September 28, 2017 meeting, seconded by Mr. Oliver, and the motion carried 4-0.

CLAIMS

Mr. Drobisch made a motion to approve the claims, seconded by Mr. Oliver and the motion carried 4-0.

REPORTS

Circuit Clerk –

An Expungement Event is being planned to be held in May similar to one attended by Macon County Circuit Clerk staff in Champaign this past Saturday. The Bar Association is working with the Circuit Clerk's Office on this. Prior to the expungement, Champaign County had a pay your outstanding fines and get the collection fee waived event where they collected \$117,000 in one week. The plan is to have this prior to the expungement event here too.

Circuit Court –

Judge Forbes distributed a 2018 judicial trial calendar and explained that this year there were 16 jury weeks with 8 different settings. Each setting consisted of 2 weeks. Altogether, there were 16 weeks. For next year, there will be one week each month. There will be 12 weeks of jury settings. There will be a number of judges (6) available each week. Six judges times 12 weeks equals an actual 72 weeks that are available. This will help keep juror costs down. Jurors will not be brought in as often. There should not be as much inconvenience to the citizens because they will not be brought into court for jury duty. It does put a little pressure on the State's Attorney and the lawyers to make sure they are ready for trial the week of. They will not have that 2 week window to try to fit their trial into that they have now. Sometimes, they come in not quite ready the first week and continue it over to the second week. They won't be able to do that. It would have to be

continued over to the next month. Speedy Trial Demands will have to be watched out for. This should allow for just as many cases to be tried at less expense and less inconvenience to the citizens of Macon County.

Mr. Oliver expressed concern about shortchanging clients. Judge Forbes explained that they will still have the Speedy Trial Right. Anyone in custody has the right to a speedy trial and if they are not in custody, they have the right to file a Demand for Speedy Trial. As far as the Civil Lawsuit Calendar, it is not affected at all. There will still be the same amount of jury weeks and availability. One week each month, there will be at least one judge available to hear civil trials. Nothing will be delayed. Mr. Oliver said he was talking about attorneys not having time to be ready, but are still going to go home. Then what have we got? Judge Forbes said the lawyer would actually have more time to get it together because he will not be in trial two weeks. He will be in trial less, so will have more prep time. The Defendant still has the right to demand a speedy trial. If he demands a trial, the judge, SA, Prosecutor and courts have to be ready to go within a specified time limit. It just does not matter what the calendar is, he is entitled to a trial within a specific timeline. It won't hurt them at all or infringe on their rights at all. It just makes the State Attorney be a little more diligent in making sure they are ready to go within that time frame.

Chairman Dunn asked if the defense is not ready, could they ask for a delay. Judge Forbes confirmed saying that they could delay, but the defendant might want a speedy trial, but if their attorney says they are just not ready, then the attorney can ask for a continuance even though the defendant might want a speedy trial. That is an extremely rare occurrence.

Coroner – no report

Court Services / Probation –

Macon County Board Resolution Approving Donation from the Howard G. Buffett Foundation to Fund the Macon County Drug Court Probation officers for FY18

Mr. Berter explained that the current caseload size right now is about 75 individuals and they would like to get that up to about 90 or 100. This will help that out for FY18.

Mr. Mattingley made a motion to approve forwarding the resolution to the Finance Committee with recommendation for approval, seconded by Mr. Drobisch. The motion carried 4-0.

Mr. Berter went on to report that next Tuesday, the contract negotiations for the Probation Department begin.

EMA – no report

Public Building Commission –No report

Public Defender –

Mr. Ellison reported that they are currently at 100% strength. A new person came on board at the beginning of the month. Everything is running smoothly.

Sheriff's Department –

Lt. Butts reported that they have had a couple of consultants visiting the office, mostly the jail, and they've had some good feedback. He said they should be getting a written report and the Sheriff would be supplying that to the board. The population of the jail today is at 330 which includes the federal inmates.

The IDPH (Illinois Department of Public Health) Director and the Lt. Governor are going to be in Decatur next Wednesday, November 1st to have a meeting regarding the Opioid epidemic and the issues Illinois and many other states are facing. It will be from 2 to 4 p.m. in the Macon County Board Room. Dianna Heyer from the Health Department is facilitating it and arranging speakers. Lt. Butts encouraged everyone to attend. The meeting should be really good. The state is actually taking notice of this and is trying to see what they can do to help. Local jurisdictions cannot arrest away this problem. People have to get together with school districts, social services, government, probation and law enforcement. This should be a lot of good information.

State's Attorney's Office-

State's Attorney Jay Scott informed the committee that their office is down one attorney, so they are in the interviewing process.

Mr. Scott said he has been looking into the Equifax data breach. The FTC recommends people go to the Equifax website to see if you are on the list whose information was breached. You can sign up for a year of free credit tracking through Equifax. Everyone in that category is at risk of identity theft. He encouraged everyone to watch their credit card, bank accounts, etc...

Mr. Scott said that they are in process of working with the Attorney General on the Child Support Division. The contract will terminate on November 30th. It should be a smooth transition as they take over all of those cases. They have been in touch with our people. Mr. Baggett added that they have had meetings and met with Judge Forbes who is hearing the child support matters and the Attorney General's office to facilitate as smooth a transition as possible. The court has it fairly well established how the cases will be transferred over. The Attorney General is aware of what they are going to be taking on from the State's Attorney's office. They have come in and performed an audit of both the open files as well as the inventory of office equipment that was purchased with state funds. Notification was received earlier this week from Healthcare and Family Services that they are only claiming and want the return of 3 pieces of equipment; two computers and a printer. It looks like it is going to be as smooth as possible. The Attorney General is confident of its ability to come in and hit the ground running and adequately represent the interest of the people who need the help of the department.

Chairman Dunn asked if space would be provided for them. Judge Forbes said that they would be providing some space. It has been worked out to where they will be able to meet with their clients in Courtroom 5C. They will have a wifi connection available. Most of the cases will be dealt with through conferencing. They will meet with the clients between 9 and 11 and then go into court around 11 for contested matters and hearings. A room is being made available to them on every Thursday and most Wednesday mornings. If for some reason, Courtroom 5C is not available, there is a conference room behind Courtroom 2B that they can use.

Judge Fobes went on to say that the transition should happen in November and he wanted to note that the State's Attorney's office has been great during the transition period. They've really worked hard. They are still working their cases and are still working to get as much resolved as they can. Judge Forbes said he has met with the Healthcare and Human Services and the Attorney General and everybody seems to be on board. Everybody is cooperative and a smooth transition is expected.

CITIZEN REMARKS – PUBLIC COMMENT – none

OLD BUSINESS - None

NEW BUSINESS - None

NEXT MEETING November 16, 2017

ADJOURNMENT

Mr. Oliver made a motion to adjourn, seconded by Mr. Mattingley, the motion carried 4-0 and the meeting was adjourned at 3:20 p.m.

Minutes submitted by Jeannie Durham, Macon County Board Office