

BELLEFONTAINE NEIGHBORS MUNICIPAL DIVISION

120 PLAN FOR MUNICIPAL COURT COMPLIANCE

Honorable Judge Bruce Hilton:

I am the presiding judge for the City of Bellefontaine Neighbors Municipal Court. My court was recently given a report that was prepared by the Supreme Court Municipal Monitor for the 21st Judicial Circuit. The report detailed multiple noncompliance observations.

The following report is my 60-day follow-up report. An additional report will follow at 120 days.

Danelle C. Duffy
Municipal Judge, Bellefontaine Neighbors

Minimum Operating Standard #1:

Municipal divisions and their judges shall ensure that when individuals must be held in jail in the interests of justice, this is done strictly in accordance with the principles of due process of law.

Corrective Action Taken:

Administrative Order 2026-01 was drafted and signed by Judge Danelle C. Duffy. A copy of which will be filed with the court by the court administrator. Additionally, a copy will be forwarded to the Chief of Police for Bellefontaine Neighbors.

See attached Administrative Order 2026-01.

COMPLETED

Bellefontaine Neighbors Ordinance Section 18.34 pertaining to additional charges for failure to appear on a charged offense.

Corrective Action Taken:

1. Administrative Order 2026-02 was drafted and signed by Judge Danelle C. Duffy. A copy of which will be filed with the court by the court administrator.
2. The Board for Bellefontaine Neighbors approved a new version of Section 18.34 that complies with MOS.

COMPLETED

Minimum Operating Standard # 4.

Municipal Divisions and their judges shall neither assess nor collect unauthorized fines, costs or surcharges.

Corrective Action Taken:

1. A current Statewide Uniform Fine Schedule (updated September 2025) was posted at the payment window where fines and cost are paid on January 14, 2026.
2. A current Statewide Uniform Fine Schedule (updated September 2025) has been posted on the Municipal Court Website.

COMPLETED

Bellefontaine Neighbors Ordinance Section 18.19 – Jailing of Defendants currently states that:

If, in the opinion of the municipal judge, the city has no suitable and safe place of confinement, the municipal judge may commit the defendant to the county jail or other suitable and safe place, and it shall be the duty of the sheriff or officer in charge, if space for the prisoner is available in the county jail or such other jail upon receipt of a warrant of commitment from the judge to receive and safely keep such prisoner until discharged by due process of law. The municipality shall pay the board of such prisoner at the same rate as may not or hereafter be allowed to such sheriff for the keeping of such prisoner in his custody. ***The same shall be taxed as cost to be paid by the defendant in addition to all other court costs as are provided in this ordinance.***

Corrective action to be taken:

1. Administrative Order 2026-05 was drafted and signed by Judge Danelle C. Duffy. A copy of which will be filed with the court by the court administrator.
2. The Board for Bellefontaine Neighbors approved a new version of Section 18.19 that complies with MOS

COMPLETED

Minimum Operating Standard # 4:

The Municipal Division has taken reasonable steps to ensure that, where applicable, the schedule of fines and costs is provided to an accused at the same time as a violation notice. Rule 37.33(b).

Currently, Bellefontaine Neighbors tickets do not provide the accused with the schedule of fines and costs at the same time as a violation notice.

Corrective Action Taken:

The website address was added to the back of traffic violations. There, defendants have access to the schedule of fines.

COMPLETED

Minimum Operating Standard # 6:

Municipal divisions shall be operated in a manner reasonably convenient to the public and in facilities sufficient to the purpose.

The municipal division allows payments online and makes available free, online access to information about pending cases, outstanding warrants, and scheduled municipal division dockets.

Corrective Action to be taken:

The court has already begun updating its website. The updated website will contain the following:

- Judge's name
- Court Administrator's name(s)
- Information regarding online payments
- Link to Case.net
- Scheduled docket information (calendar)
- TVB location and hours of operation
- Current fine schedule
- Notice of Rights

The website will be updated by May 19, 2026, or sooner.

COMPLETED

Minimum Operating Standard # 7:

Municipal divisions shall be operated in a manner that upholds the constitutional principles of separation of powers and the integrity of the judiciary as a separate and independent branch of government.

The court clerk's office is housed within the city's clerk's office.

Corrective Action to be taken:

The presiding judge has pre-approved the following proposal.

The court clerk and the city receptionist continue to enter the clerk/receptionist area through the main door. The court clerk then enters the court clerk's office which will have a secured door which is opened a by security card. Otherwise, the door remains locked at all times. Only court personnel will have access by card to the court clerk's office.

A second window will be cut into the west wall of the clerk's office. The court clerk will assist customers through window #2. This separates the court office from the city's office

The city needs to obtain estimates for the work, and the Board needs to approve.

PARTIALLY COMPLETED

Minimum Operating Standard # 9:

Municipal division judges shall advise litigants of their rights.

Corrective action taken:

A large board has been placed in the court room that lists Defendant's rights.

The presiding judge has amended her opening statement to offer to verbally explain Defendant's rights if an individual needs assistance understanding the written information.

Defendant's Notice of Rights has been added to the court website.

COMPLETED

Minimum Operating Standard #10:

Municipal divisions shall be well-managed and accountable to the law, with appropriate oversight of municipal division operations provided by the circuit court presiding judge of the judicial circuit.

There are municipal division records stored in a storage shed on the city's property. Open records are not separated from Closed records. The Records are not stored in locked file cabinets. The storage shed is also believed to contain city records. The court clerk recently reported that the city clerk will provide her with a key to the shed.

Corrective action to be taken:

The municipal judge will accompany the court administrator and the Certified Court Manager Consultant to the storage shed. The parties will utilize COR 8.04.6 to determine which records can be destroyed. If there are open files that are older than 10 years, the presiding judge will enact an Administrative Order instructing that those cases be closed and destroyed.

Any documents requiring storage will be stored pursuant to COR 4.22 and COR 4.24. Documents requiring 50 year or permanent retention will be placed in locked file cabinets. If it is determined that the shed is not dry, safe place, the files will be moved to an area that fits that description. Court records will be stored separately from city records.

The presiding judge will meet with the court administrator and consultant court administrator to discuss the timeline for completing this task.

This change will take place by or before May 19, 2026.

Several members of the court's staff recently resigned. The city is in the process of hiring new staff. Corrective action will resume when new staff is hired.

The court administrator is unaware if the court is current on its record destruction

Corrective action to be taken:

In addition to the court administrator, the city has retained the services of a Certified Court Manager Consultant to assist in bringing the court into compliance. The court administrator and the consultant will index records to determine if the records have reached its record retention period. The presiding judge will then sign an Administrative Order instructing the destruction of all records necessary to bring the court into compliance.

The presiding judge will meet with the court administrator and consultant court administrator to discuss the timeline for completing this task.

This change will take place by or before May 19, 2026.

Record destruction is current.

COMPLETED

The municipal division has a functional clerk's office that handles bookkeeping and money handling obligations of the municipal division in a prudent and organized manner and in compliance with the current recommendations of the Office of State Courts Administrator and the Missouri state auditor.

It was reported that previous clerks were instructed to place payments received by the division into "the vault" located in the city clerk's office.

Corrective action to be taken:

The presiding judge recommends that a safe be placed in the court clerk's office inaccessible to the public and accessible to authorized personnel only. Payments will be locked in the safe until they are deposited into the court's bank account.

An 8-cubic foot waterproof, fire proof safe can be purchased for approximately \$490.00.

The court administrator and the consultant court administrator will work with OSCA to locate missing funds and reconcile the court's bank accounts.

This change will take place by or before May 19, 2026.

City needs to purchase a safe.

It was observed that the court clerk's office had several boxes of case file awaiting proper filing. Furthermore, there is a storage shed on the property that contains additional files awaiting proper filing.

Corrective action to be taken:

It is the presiding judge's understanding that the part-time court administrator recently became full-time. Additionally, the Certified Court Manager Consultant has been allotted 15 hours per week to work for the court.

The presiding judge will meet with the Certified Court Manager Consultant to ensure that she utilizes the entire 15 hours per week to assist the court administrator with getting filing completed. If additional time is needed, the court will ask that the consultant be granted additional time for this particular project.

This change will take place by or before May 19, 2026.

Several members of the court's staff recently resigned. The city is in the process of hiring new staff. Corrective action will resume when new staff is hired.

The division has not adopted and provided to OSCA, and the highway patrol a written policy for reporting intoxication-related traffic offenses to the central repository.

Corrective action to be taken:

The presiding judge will draft a written policy for reporting intoxication-related traffic offenses, and a copy will be provided to OSCA and the highway patrol.

This change will take place by or before May 19, 2026.

The Judge is currently drafting the policy.

It is unknown whether the division has provided to the circuit court the January 2025 - June 2025 semiannual disposition report of intoxication-related traffic offenses.

Corrective action taken:

A copy of the January 2025 – June 2025 intoxication-related traffic offenses report was sent to the court monitor on January 15, 2026 . A copy is also attached to this report.

COMPLETED

There are 1773 cases on the Cognos Past Events without Outcomes Report; 76 pages of cases identified on the Cognos Report, Pending Cases with No Scheduled Events Report; 4 cases identified on the Cognos Cases Disposed without a Sentence Report; and 13 cases identified on the Cognos Electronic Traffic Report Problem Log.

Corrective Action to be taken:

The presiding judge will meet with the court administrator and the Certified Court Manager Consultant to discuss corrective action. Specifically, the court will review all reports to ensure that all events are closed properly and outcomes are reported properly and put procedures into place to ensure that all events are closed properly and outcomes reported properly and timely in the future.

This change will take place by or before May 19, 2026.

Several members of the court's staff recently resigned. The city is in the process of hiring new staff. Corrective action will resume when new staff is hired.

The division clerk is not presenting plea agreements from Plead and Pay to the municipal judge for approval.

Corrective action taken:

The presiding judge drafted Administrative Order 2026-03 regarding Plead and Pay approval. (See attached)

Additionally, the presiding judge will insure that going forward, all in court pleas are done in accordance with Supreme Court Rule 37.58.

COMPLETED

Bank reconciliations are not current. Bank reconciliations are in draft form from November 2023 to March 2024 in the Show Me Courts case processing system.

Corrective actions being taken:

OSCA is currently working with the division to reconcile its bank accounts. When the accounts are reconciled by OSCA, reconciliation and balancing of accounts will take place on a monthly basis to verify all receipts and disbursements are documented properly.

With OSCA's assistance, this matter should be resolved by May 19, 2026.

Pending with OSCA

The division does not generate an accounts receivable listing.

Corrective action to be taken:

The presiding judge will meet with the court administrator and the Certified Court Manager Consultant to discuss corrective action. Specifically, court personnel will be instructed to follow the recommendation outlined in the Municipal Clerk Manual, Section 4.5 Recommended Accounting Procedures for Municipal Divisions, Uncollected Costs and Fines and COR 4.57.

This will take place by or before May 19, 2026.

Several members of the court's staff recently resigned. The city is in the process of hiring new staff. Corrective action will resume when new staff is hired.

The Municipal division obtains signed payment plans from all defendants and ensures payment plans are established in the case management system in accordance with court operating rules where applicable.

Corrective action taken:

The presiding judge has adopted the payment plan outlined on the court's backer sheet. This payment plan is in accordance with COR 21.09 Payment Plans and COR 21.07 Participation in Court Debt Collection Program.

COMPLETED

There are nine outstanding checks from March 2025 – May 2025 that have not cleared.

Corrective action to be taken:

The presiding judge will meet with the court administrator and the Certified Court Manager Consultant to discuss corrective action. Specifically, court personnel will determine whether said checks have been received by the proper parties or whether stop payments and reissuance are needed.

This change will take place by or before May 19, 2026.

Several members of the court's staff recently resigned. The city is in the process of hiring new staff. Corrective action will resume when new staff is hired.

The division is not currently providing a non-monetary receipt to Defendants for community service.

Corrective action taken:

The presiding judge enacted Administrative Order 2026-04 to ensure that a non-monetary receipt is given to defendants for community service. (See attached)

COMPLETED

There are six pages of cases identified on the Cognos Fee Adjustment Report.

Corrective action to be taken:

The presiding judge will meet with the court administrator and the Certified Court Manager Consultant to discuss corrective action. Specifically, the court will utilize the Text Box (to provide detailed additional information supporting the reason for the adjustment) when making adjustments and/or corrections to court costs/fines for purposes of an auditing tool and to assist the municipal judge in her periodic review of this report for financial oversight.

This will take place by or before May 19, 2026

Several members of the court's staff recently resigned. The city is in the process of hiring new staff. Corrective action will resume when new staff is hired.

The Municipal Judge failed to upload the January 1, 2025 – June 30, 2025, semi-annual DWI Intoxication Report with the MOS Certification.

Corrective action taken:

A copy of the January 1, 2025 – June 30, 2025, semi-annual DWI Intoxication Report was emailed to the court monitor on January 15, 2026. (See attached)

All future DWI Intoxication Reports will be uploaded with the judge's MOS Certification.

COMPLETED