

I. Pre-Engagement Questions

- Multiple Choice through Zoom Polling
- Click Your Selection on the Screen
- Your Individual Answer Will Not Display
- Only Total Responses Displayed After Each Question

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II. What is Municipal Court?

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Question

True or False:

The Kansas City Municipal Court is a Department of the City of Kansas City?

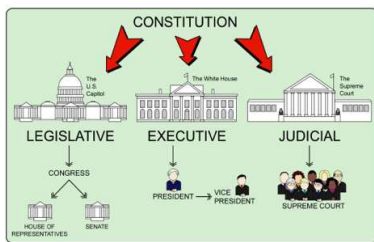
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Answer

- FALSE

The Municipal Court is a Division of the 16th Judicial Circuit Court

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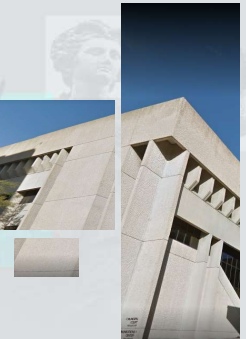


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Three Branches of City Government: Council-Manager Form



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OVERVIEW

We are the largest municipal court in Missouri.
Our most common cases handle violations related to:

- Traffic**
Speeding, Driving Under the Influence, Parking Tickets
- General Ordinance**
Trespass, Assault, Domestic Violence Assault, Disorderly Conduct
- Building Codes and Nuisance**
Insufficient Property Maintenance, Weeds, Trash
- Animal Health and Public Safety**
Animal License, Animal Abuse, Neglect, Animal attacks

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Question

Approximately how many cases are filed in the Kansas City Municipal Division each year?

- A. 10,000
- B. 50,000
- C. 100,000
- D. 200,000

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Answer






- D

Typically there are between 190,000-240,00 new cases filed each year.

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KCMO Municipal Court by the numbers


204,286 Cases filed in FY2019-20

Traffic		105,948
Parking		66,890
General Ordinance Violations		17,194
Housing		10,980
Animal		3,274

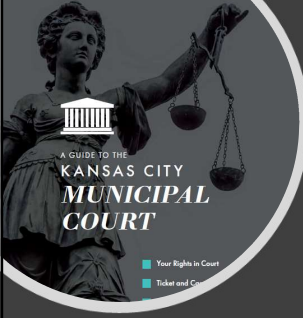
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Judges

- Judge Corey A. Carter, Presiding Judge
- Judge Ardie A. Bland, Judge Pro Tem
- Judge Katherine S. Emke
- Judge Anne J. LaBella
- Judge Courtney A. Waschal
- Judge Keith R. Ludwig
- Judge Martina L. Peterson
- Judge Michael C. Heffernon
- Judge Todd D. Wilcher, Part-time



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Your Rights in Municipal Court

- Rights are posted on website
- Available in brochure at the court
- Covered in court by the judge

A GUIDE TO THE
KANSAS CITY
MUNICIPAL
COURT

Your Rights in Court
Ticket and Court

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Question

Multiple Choice

In Municipal Court the standard of proof for the prosecutor to prove your guilt is:

- A. A preponderance of the evidence (more likely than not that the facts against you are as alleged)
- B. Clear and convincing evidence (highly probable or probably certain that what is alleged against you occurred)
- C. Beyond a reasonable doubt just like it was a felony case

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Answer

- C

On all cases filed in the Kansas City Municipal Court, you are innocent until proven guilty beyond a reasonable doubt.

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Your Rights in Municipal Court

Right to trial

- You have the same due process rights as those charged with a misdemeanor or felony.
- You are innocent until proven guilty beyond a reasonable doubt.
- You have the right to testify or remain silent.
- You have the right to subpoena and cross-examine witnesses.
- If you are found not guilty, the case ends.
- If you are found guilty, you can accept the decision or appeal the case to the circuit court for a trial de novo.
- You MUST engage with the Court to resolve of your case.

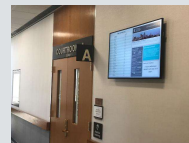
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Your Rights in Municipal Court

Right to know when the court is open and attend court and access court records



- **Hours:** 8 a.m. to 5 p.m. Monday through Friday excluding holidays
- **Court docket times:** 9, 10 and 11 a.m. and 1:30, 2:30 and 3:30 p.m.
- **All dockets are open to the public of all ages.**



- Currently holding virtual hearings.
- All links to attend are posted online.
- Additional links to view over YouTube also posted online.

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Your Rights in Municipal Court

Right to release pending hearing

You have a right to be released on your promise to appear unless the judge finds:

- Your promise alone is not enough to ensure your appearance
- OR
- Your release poses a danger to the community



If the judge decides either, then you may have to post bond.

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Your Rights in Municipal Court

Right to an attorney

- You can hire an attorney, but it's not required
- You may represent yourself
- You may hire an attorney at any time

Right to have judge decide if you can afford an attorney or pay fines

- You can ask judge to decide if you qualify for a court-appointed attorney.
- You can ask the judge to decide if you are able to pay court fines or be granted an alternative sentence.



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Your Rights in Municipal Court



Right to a court-appointed attorney

- If you demonstrate you can't afford an attorney
- Court will provide a FREE attorney to you

Right to request a different judge

- Within 10 days of initial plea you can request a new judge for demonstrate cause why the judge should be changed.

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INDIGENT DEFENSE

For more than 20 years the City has had a contract with **Legal Aid of Western Missouri** to represent low-income people charged with jailable offenses in Municipal Court.

- In FY2019-20, Legal Aid represented over 5,769 Municipal Court defendants in 18,574 cases
- **\$1.2 million** is budgeted for this service in FY2020-2021
- A **staff of 13** is allocated to Legal Aid's Municipal Court representation

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Question

True or False

I can be sentenced to jail for speeding?

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Answer

False

The Missouri Supreme Court have made several violations that are heard in municipal courts non-jailable including speeding.

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EXAMPLES OF OFFENSES THAT CAN LEAD TO JAIL SENTENCES:

- ⊕ Domestic Violence
- ⊕ Assault
- ⊕ Driving While Intoxicated
- ⊕ Trespassing
- ⊕ Stealing
- ⊕ Property Damage
- ⊕ Driving While Suspended

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PROBLEM-SOLVING COURTS **DEFINED**

- Community-Based
- Voluntary
- Therapeutic in approach
- Address underlying social and mental problems
- Focus on treatment and rehabilitation rather than punishment
- Non-adversarial judicial process
- Improve public safety and public health outcomes
- Also referred to as the *Specialty Courts*



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Municipal Court since COVID-19

- Continued to conduct court business throughout the pandemic by moving operations to online or by email
- The Court began holding Virtual Hearings with Zoom technology
- Implemented partial online payments and the ability to enter into a payment contract without having to come to court.

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Municipal Court since COVID-19

- Where do we go from here?
 - Placed glass and plexiglass barriers and social distancing stickers throughout the courthouse
 - Look at keeping some virtual hearings while mixing in in-person hearings when necessary
 - Addressing the digital divide by installing a virtual window at the courthouse



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III. Small Group Discussion

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Small Group Discussion

- You will be automatically Assigned to a Breakout Room
- Moderators and Note-Takers
- Three Questions – Open Discussion
- Reconvene and Report Answers to Larger Group

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Small Group Ground Rules

1. Each person's input is important. Take turns without interrupting.
2. Focus on the discussion. Be sure to answer the question.
3. Keep it short so others have time to share.
4. Remember, someone else might have a very different story than you.
5. We are here to share, not convince others. We can agree to disagree.
6. Be respectful of one another and the process.

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IV. Reconvene & Report

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V. Post-Engagement Questions

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What would you like to see as a follow-up to this engagement?

(Type your answer in the chat box)

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Thank you

Visit us online at kcmo.gov/court
Email us at court@kcmo.org
Call us at (816) 513-2700
Pick up or download a Municipal Court Know Your Rights brochure
Like us on Facebook at facebook.com/KCMOMuniCourt
Municipal Court Address is 511 E. 11th Street, KCMO 64106

Megan Pfannenstiel, Court Administrator
816-513-6747, megan.pfannenstiel@kcmo.org

Josh Bateman, Deputy Court Administrator
816-513-6769, james.bateman@kcmo.org

Benita Jones, Public Information Officer
816-513-6711, benita.jones@kcmo.org

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