

MUNICIPAL COURT

INTRODUCTION

The Municipal Court of the City of Morgantown is the judicial branch of the City of Morgantown. It is authorized and provided for by West Virginia law and was created by ordinance promulgated by the Morgantown City Council. It serves the public independently of the legislative and executive branches of City government. The Morgantown Municipal Court Judge is an attorney licensed to practice law in the State of West Virginia and is appointed by City Council. The Judge is neutral and detached, thus affording people that come before the Court a fair and impartial hearing on the merits of their case. All persons are accorded access to the Court.

PROGRAMS / SERVICES

Municipal Court processes traffic and parking citations, criminal citations, misdemeanor arrests, and building, housing, and fire code violations committed within the City of Morgantown.

The Municipal Court office is open to the public from 8 a.m. to 5 p.m. weekdays. The Court schedule is as follows:

Beginning at:

First Monday of each month	3:00 P.M.
Each Tuesday	8:00 A.M.
Each Thursday	2:00 P.M.
Second Thursday of each month	5:00 P.M.
Jury Trials	Scheduled as Needed
Plea Day: Second Wednesday of each month	8:30 A.M.

Every citation issued by the Morgantown Police Department is assigned a court date at the time it is issued. In some cases, the citation may be paid prior to the court date. In all cases, the citation may be contested before the Court. Dates are assigned to Police Officers according to their work schedule. Every person arrested during the previous month is required to appear on Plea Day. On Plea Day, persons who plead not guilty are scheduled hearings. Those pleading guilty are sentenced that day.

The Judge or Municipal Court Clerk conducts all arraignments of individuals arrested during normal weekday hours. The Court also provides two part-time, on-call Deputy Municipal Court Clerks (DMCC) that perform this duty

nights and weekends, so that the arraignment service is provided around the clock, seven days a week.

RESOURCES

The Court offices are located on the first floor of the City of Morgantown's Public Safety Building at 300 Spruce Street, Morgantown WV 26505.

Court personnel consist of a part-time Municipal Court Judge, a contracted substitute judge, full-time court clerk/supervisor, full-time payment clerk, full-time data entry clerk, and two part-time deputy municipal court clerks. The Assistant City Attorney serves as City Prosecutor and works closely with the Court staff.

The current computer system and software was originally installed in May 1998, but was upgraded in 2002. Hardware consists of an IBM X Series 232 Server, four workstations, and various printers.

The Court utilizes Justice Systems, Inc.'s "FullCourt" software and contracts with Justice Systems, Inc. for its annual maintenance and support. This system permits Court staff to perform all case management functions from initial entry, scheduling, and case status updating, to collections, disbursements of monies, and case dispositions.

The networking of the computer systems of Municipal Court and the Parking Authority continues to be a boost to productivity in Court, allowing both Departments access to addresses on outstanding parking citations, and it allows Parking Authority enforcement staff to collect Municipal Court's outstanding citations on booted vehicles after regular office hours. In addition, the Dispatch Center of the Police Department accesses these systems so that Police Officers readily have the information to tow excessive violators.

REVIEW OF THE PAST YEAR

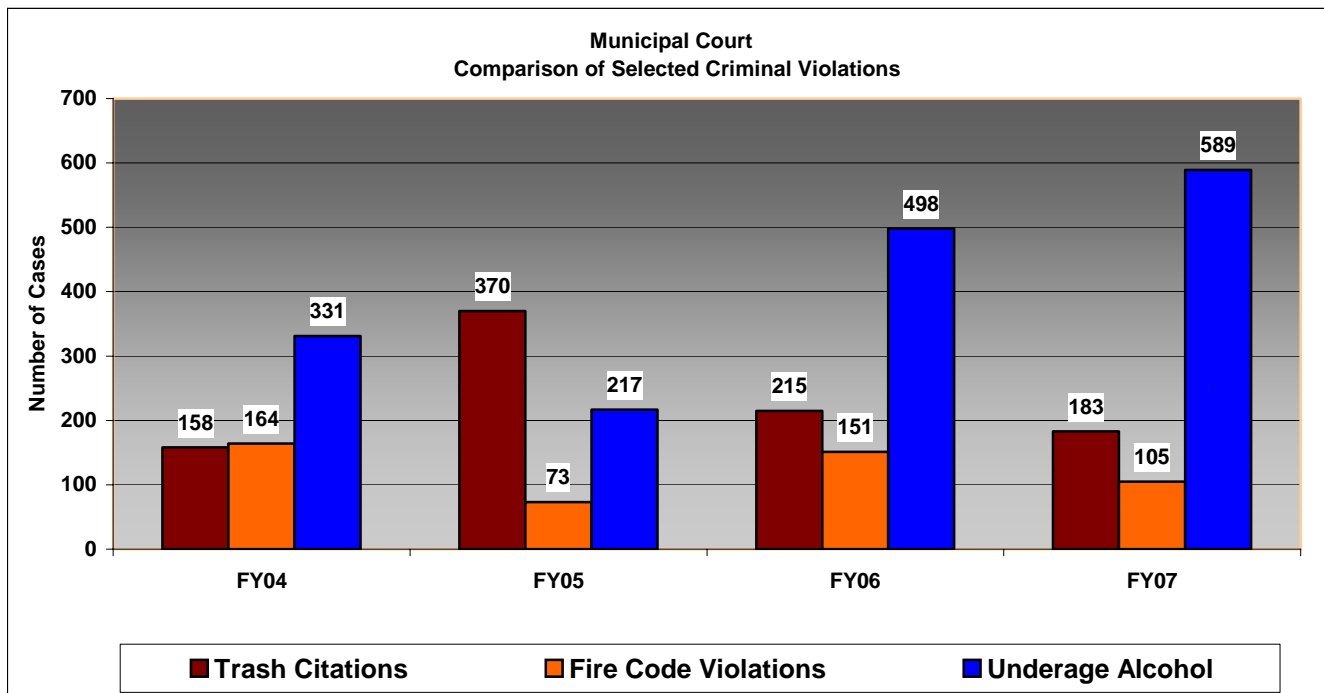
The Municipal Court has had a busy year. Underage drinking and other alcohol related offense continue to be a challenge. Municipal Court has processed 589 citations this fiscal year for underage possession/consumption of alcohol, along with 328 open container citations.

As part of this enforcement effort, Court staff has continued to work with the Morgantown Area Youth Service Project to administer alcohol education classes to the underage offenders. Violators who are convicted of underage possession / consumption of alcohol are required to complete a six-hour alcohol education class and perform at least six hours of community service.

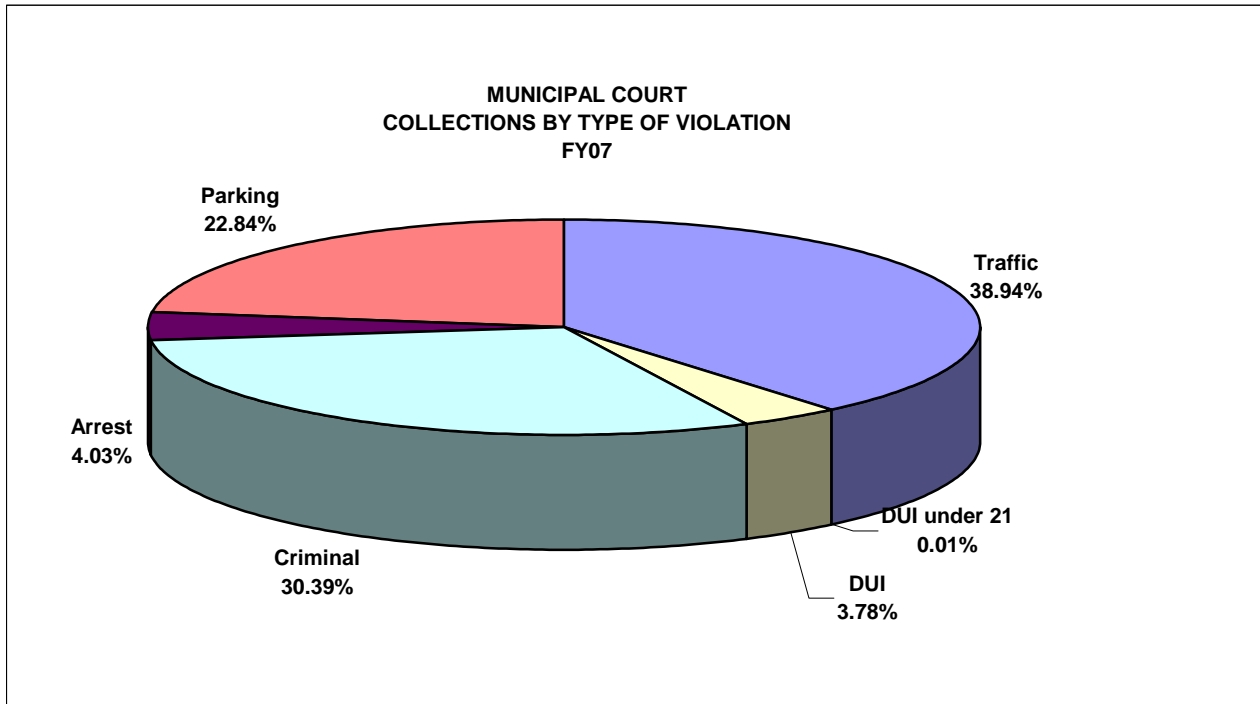
Second and subsequent violators will be required to complete a six-week program, which includes group and individual counseling.

Litter control continues to be a concern. Officer Troy Ball of the Morgantown Police Department has issued 183 citations this year for various ordinance violations. The majority of citations are for failure to maintain a litter free premise and failure to have trash stored in proper containers. First offenders must pay a fine of up to \$ 500. Second offenders are sentenced to do community service in addition to paying a larger fine.

In addition to the citations and arrests processed for the Morgantown Police Department, the staff of Municipal Court also processed 105 tickets for fire code violations issued by the Morgantown Fire Department. The following chart depicts the number of citations issued for trash, fire, and underage drinking violations:



Total receipts for FY06 amounted to \$939,042 which includes court costs of \$180,407 paid to the State of West Virginia, \$20,722 paid to Monongalia County Teen Court, collection agency fees, and amounts being held as bonds, pending disposition. The following chart depicts the breakdown of receipts by type of violation:



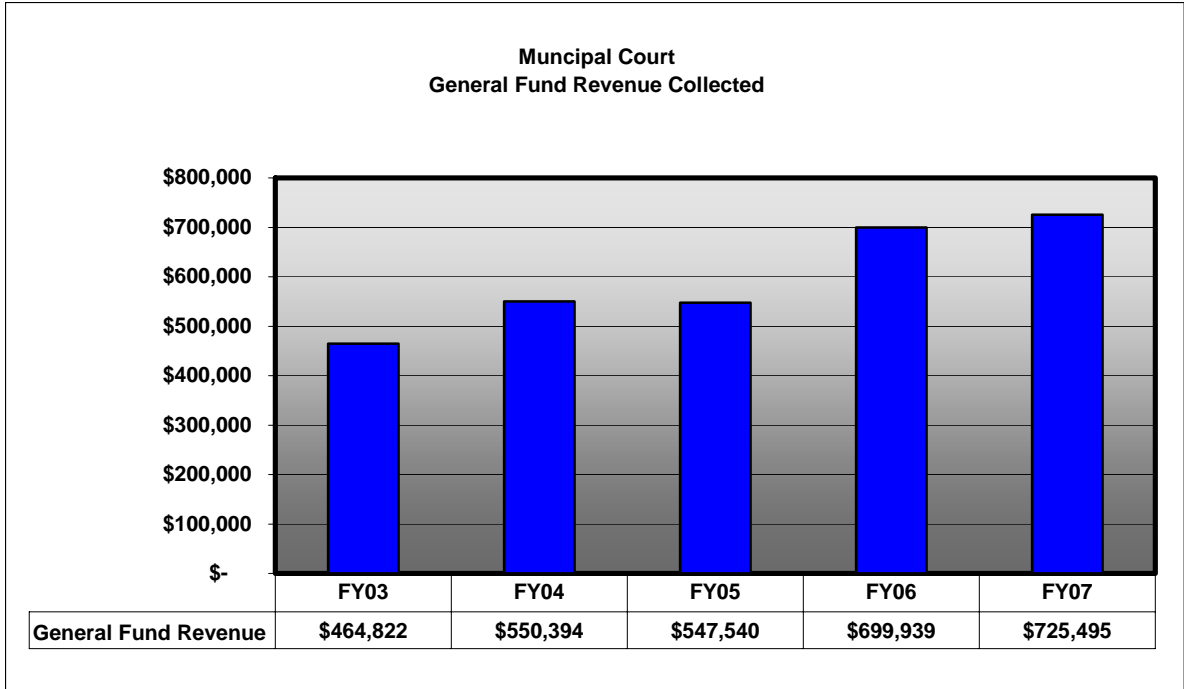
The “Criminal” category includes criminal citations such as underage drinking, trash violations, and housing code violations. The “Arrest” category includes all offenses other than DUI for which the individual is physically brought in, fingerprinted, and processed. This can include charges such as disorderly conduct, battery, destruction of property, and public intoxication.

The number and types of cases that have been processed by Municipal Court for fiscal years ended June 30, 2005, through 2007, are as follows:

	2005	2006	2007
Traffic	4,815	5,967	5,033
DUI	155	160	109
DUI Under 21	8	2	5
Criminal	1,154	1,993	1,903
Arrests	337	320	351
Parking	16,706	15,132	13,123
Total	23,175	23,574	20,524

It should be noted that, while the number of parking citations has decreased by 3,583 since 2005, revenue from parking citations has actually increased \$41,048. This can be attributed to the increased fines for parking violations that were implemented in FY06, which have achieved the desired result of increasing compliance with parking regulations.

Court collections, after remitting the various required fees to the State, are paid to the City’s General Fund. As illustrated by the following chart, collections for the City’s General Fund have increased 56% since FY03:



FORECAST FOR THE COMING YEAR

In the coming year, Municipal Court’s current computer system must be upgraded, as Justice Systems will no longer be supporting the version that Court is currently running. In addition, problems have been encountered with the storage capacity of the current system. Consequently, Court staff will be evaluating the proposed upgrade of the “FullCourt” system proposed by Justice Systems, but will also be evaluating other systems as well. Ideally, staff would like to find a system that would integrate with the Police Department’s system, so that tickets would not have to be entered twice, as is now necessary. Additionally, staff is evaluating the possibility of acquiring video arraignment technology so that individuals incarcerated in the Regional Jail in Doddridge County on Municipal offenses can be arraigned within the mandated time frame without having to provide transportation back to Morgantown.

Municipal Court staff will continue to find ways to provide a more efficient court docket. The Court has implemented some changes in procedures and scheduling with positive results, and staff will continue to work with the Police

Department, Judge, and Prosecuting Attorney to enhance the operation of Court.

The staff of Municipal Court will continue to improve its collection efforts to maintain the positive results seen over the past several years. The Court will continue to assist in the efforts to eliminate or reduce underage drinking, and the Judge will continue to work with the Police Department to control the problem of trash disposal and the continuing violations of the litter free premises ordinance. It is also expected that Court staff will experience an increase in the amount of housing code violations being processed through Court in the coming year, and staff is ready to assist the Code Enforcement Department in its efforts to enforce compliance with the City's housing codes.

The Municipal Court will continue to provide the citizens of the City of Morgantown with the best service possible. The staff of the Municipal Court strives to insure that an individual's experience with the Court is as pleasant as possible, even under unpleasant circumstances.