



May 2010

# THE ECHO

## A MESSAGE FROM YOUR PRESIDENT DONNA POIRIER

Happy spring, I must say it's been on my mind since attending the conference at The Oregon Garden! Those who attended were treated to a beautiful facility, spring flowers in bloom and an outstanding educational agenda. Kudos to the board for a job well done!

We are busy planning the fall conference, which will be in Bend at Mount Bachelor Village October 17, 18, and 19, 2010. Please mark your calendar; you won't want to miss it. It looks like our spring conferences for the next three years will be held in Newport, at the Best Western Agate Beach Inn, which is undergoing some upgrades. There will be information posted on the OACA website [www.oaca.org](http://www.oaca.org) please look for details soon!

Welcome to our newest board member, Teresa Baxter, of Damascus Municipal Court, she was recently installed as your new Membership Vice President. We are thrilled to have you on board and know you will do a great job! And once again, a huge thank you to Karen McCulley, for acting as membership vice president in the interim. We are looking to recruit some new people in the fall and I would love to talk to you about running for office. If you're even slightly curious about what we do, feel free to attend any of our open board meetings, the dates and location are posted on the calendar located on our website. Contact any board member and we can give you particulars about the exact location or answer specific questions you may have.

It's final! We have secured the Oregon Department of Transportation (ODOT) Traffic Safety Grant! This is exciting news, as this will help offset many of the costs of providing conferences to members. It will also provide scholarships to members, which will assist us in reaching out to members in meeting their educational needs during these tough economic times. Many of you have had your training budgets either eliminated completely, or significantly reduced. If you fall into one of these categories, please plan on availing yourself of this opportunity!

Speaking of scholarships, I would like to clarify the vendor scholarship program. While by name, it might appear to be for vendor use only, it is a pool of money that vendors pay OACA to appear at the fall conference and share their products with us. That pool of money is designated as scholarship money for OACA members. Our vendors also sponsor breaks, thumb drives, and support OACA in many ways. We love our vendors! You can apply for full or partial scholarships to assist you in attending court related training. This is above and beyond what the ODOT grant will have available.

I hope you all have a fun, safe summer! It is my pleasure to lead this awesome organization and have appreciated the opportunity to serve as your president for the second time!

Donna Poirier

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### **EDITOR'S NOTE**

The ECHO is committed to accuracy in all of its content. If you see something that requires a correction or a clarification, please contact Molly Barrett at: [barrettm@keizer.org](mailto:barrettm@keizer.org)



## SECRETARY'S CORNER

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### VENDOR SCHOLARSHIPS

The OACA Board was pleased to award Vendor Hardship Scholarships to OACA members in April to attend the spring conference, however there are still vendor scholarship funds available to you as a dues-paying member to attend the Fall conference but first you have to apply.

The Vendor Hardship Scholarship is available to assist OACA members with conference expenses. The application period is open prior to each conference and applications are available on the OACA website, or by contacting the association Secretary.

Applicant must be an active dues-paying member and application must include a statement about financial need. Please refer to <http://www.oaca.org> to get more information.

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### MEMBERSHIP

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Hello my name is Teresa Baxter. I am the OACA Membership Vice President. If you have any questions regarding your OACA membership you can contact me at 503-658-4800 or [tbaxter@ci.damascus.or.us](mailto:tbaxter@ci.damascus.or.us). Please find included with your ECHO Newsletter, a Membership Registration form for your 2010 membership. If you haven't done so already, please fill the form out and follow the instructions by sending your membership fee of \$50.00 with the form to Jan Henry our OACA Treasurer. Thank you!

Also please be aware that we have a user group through yahoo that allows you to send a question or concern to fellow peers. If you would like to join please go to [OregonOACAsubscribe@yahoogleroups.com](mailto:OregonOACAsubscribe@yahoogleroups.com).

#### [Become a New Member Guide!!](#)

OACA is looking for members who would like to volunteer their time to show OACA's new members the ropes during and in between conference time. I remember 3 years ago when I was new, not having a clue as to what I was doing, how to start networking, and where I needed to go; especially that there was delicious food during break times. *(I could have had a much needed cookie after the 3-4 hour Legislative Update meeting!)* [If you would like to become a New Member Guide](#), please email me, Teresa Baxter, at

[tbaxter@ci.damascus.or.us](mailto:tbaxter@ci.damascus.or.us). I will contact you for additional information, such as court background, etc, and will start a rotation list. Once I have all of your information, I will pair up the new members with a requested guide. A guide will only be assigned to a new member who requests one. Please do not be discouraged if you show interest and were not assigned a new member. It will really depend on how many new members will request a guide and how many responses I receive from members who are interested in being a guide.

I look forward to your email.

#### **MEMBERSHIP DRIVE**

OACA always welcomes new members and encourages our members to recruit new members from their colleagues and acquaintances. As an incentive for recruiting new members, the Association continues to offer some valuable rewards! Refer 3 new members in a year and your City will earn a free annual membership! Refer 5 new members and your City will earn a conference registration!

Just make sure the new member you refer writes your name on their application as the person who referred them. When you refer new members, everyone wins!



**OREGON ASSOCIATION FOR COURT ADMINISTRATION  
2010 MEMBERSHIP APPLICATION**

The Oregon Association for Court Administration is a professional organization developed to provide educational opportunities for those individuals interested in the ongoing improvement of the administration of the courts in the State of Oregon. By your signature below, you signify your understanding that your membership in OACA is subject to the By Laws of the Association.

Name (Please Print)	Court or Agency
Title	E-mail Address
Mailing Address	Phone
City                      State      Zip	Fax

First-Time Member                       Renewal  
 Active \$50.00                       Associate \$50.00       Student \$20.00

Signature	Date
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Referred by: \_\_\_\_\_

Annual dues are per calendar year (January 1 through December 31st) and must accompany this application. Membership in OACA is transferable if dues are paid with public funds and person terminates position and a written request is submitted.

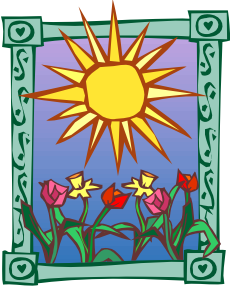
Make check payable to OACA, and forward the application and dues to:

OACA TREASURER JAN HENRY  
P O BOX 283  
LEBANON, OR 97355

An organization of court administration personnel, court clerks, court administrators and others striving to better court administration.



## SPRING CONFERENCE HIGHLIGHTS



Hope this note finds you all well! Thank you to everyone who attended the Spring Conference! The feedback was very good overall and everyone loved the location. I hope everyone enjoyed themselves and learned lots. The garden goodie gift exchange was a success so we will be doing that again in the fall. Theme to be announced in the next edition of the Echo.

Now we are moving on to start the planning for the fall conference at Mount Bachelor Resort. Save the dates of October 17, 18 and 19, 2010! More information about fall conference to come.

Please take a minute and submit some recipes for the cookbook. You can email them to me at [wattsc@ci.mcminnville.or.us](mailto:wattsc@ci.mcminnville.or.us). I would appreciate it very much. I have only gotten a few and I know you all have some good eats to share so please do!

The board just approved the contracts for the next three spring conferences to be held at the Best Western Agate Beach Inn in Newport. The dates will be posted on the website shortly.

I am currently scouting locations for future fall conferences. If you have any suggestions for locations that you think would be a good fit feel free to let me know and I will certainly check it out!

Take some time this summer to savor the weather and enjoy yourselves. Get out there and have some fun! See you in the fall? I hope so!

Christine Watts, Conference VP

**OREGON ASSOCIATION FOR COURT ADMINISTRATION**  
**PROFESSIONAL COURT LEADER CERTIFICATION**  
**WAS PRESENTED TO**  
**Laurie Boyce**  
**FOR SUCCESSFUL COMPLETION OF**  
**OACA CERTIFICATION PROGRAM**  
**CONSISTING OF 300 CREDIT HOURS—3RD LEVEL PROFESSIONAL COURT LEADER**  
**APRIL 2010**  
**Congratulations Laurie Boyce!**



## *Spring Conference Session Reviews*

### **Municipal Court Rap Session – Traffic Only**

Facilitator: Molly Barrett

Many topics were covered in this rap session. Case flow was discussed, some Courts are seeing a rise in “Not Guilty” pleas, while others are down. There seems to be confusion for defendants on what “work purposes” means regarding cell phone tickets, the statute seems unclear. The additional \$45.00 surcharge was discussed and are defendants paying it? There was discussion about where the funds were being placed such as the general funds. The economy was discussed in how it is affecting payments, are customers keeping current? Actions were shared on what courts were doing to keep people in compliance, such as waiving fees for early payments or one time reminders. Suspensions were discussed, how they are being processed. Also judgments of failure to comply vs. failure to appear and time limits for people to reappear on guilty by default for failure to appear. Some Courts voiced that they are issuing warrants for offenders that have fines due over \$500.00.



The group also discussed ordinance violation and collection actions and putting liens on properties. How people handle re-suspensions? The handling of Failure to Carry Proof of Insurance cites, whether clerks are calling to verify insurance coverage, and what courts are charging and administrative fee. The group also discussed “fix it tickets”, defensive driving classes, the purging of old citations, collections and MIP's.

Review submitted by: Rita Allen, Safe2Drive

### **Municipal Court Rap Session—Traffic & Misdemeanor**

Facilitator: Kay Renfro

The “Post Your Issue” board as you entered the Rap Session room literally kicked off the two hour power packed session with issues Courts across the State are facing. **Courts are struggling with defendants faced with mental health challenges:** Eugene is trying to work with their local county mental health department. Beaverton, if charges are filed under state statute, are holding a hearing, and if the defendant is deemed “not fit”, are sending defendant to the state hospital until fit to proceed. Suggestions were also made to look at the County assessment statute as a possible basis for mental health funding. **Strategies to manage trial docketing:** “call hearings” on Monday with jury trials set on Thursday; certificates of readiness filed by attorneys prior to 10 days; attorney and/or defendant status calls; trial cancellation charges ranging from \$100 to \$500 depending on type of trial. **DUI and MIP evaluation process:** some courts sending defendants to agency or requiring defendants to call for appointments; some providers are sending representatives to court to meet, and set appointment for evaluations before defendant leaves the courts (findings suggest higher FTA rates for companies that do not set up appointments).

**Mip non-compliances:** City attorney can file contempt charges although cost value of filing contempt and subsequent CAA costs were debated; suspension orders are sent to DMV. **DUI** defendants failing to comply with sentence conditions before probation close are responsible to obtain evaluation and treatment on their own to reinstate the right to drive. **Questions on sending funds to state:** refer to the coupon which should be sent with the check to the state. **Looking for Misdemeanor forms:** Go online the State Court Administrator, Judges Bench Book, OJD website for forms; modify for your use or contact your local courts to borrow and conform forms for your use. Check & make sure that your forms are in compliance with any legislative changes.



*Spring Conference Session Reviews Continued:*

**Municipal Court Rap Session—Traffic & Misdemeanor** *continued:*

**MIP Tobacco** – yes, courts can suspend drivers’ license privilege. Check statute to determine if suspension is for possession or for purchase under false info.

**Grants and fund sources:** (great idea for OACA website). Check with your police departments – good source. **MIP Tobacco** – yes, courts can suspend drivers’ license privilege. Check statute to determine if suspension is for possession or for purchase under false info.

Go online and seek court improvement grants. **Payment agreement fees:** courts are charging fees: \$10, \$15 up to \$150; some based on length of agreement: \$25 for 6 months, \$50 for one year. **25% collection fee questions** are surfacing – check with legal advisors as to when the 25% collection fee should be imposed. **Amnesty Programs:** Eugene 25% discount ran three months. Springfield’s 1 year, interest waived, tier of discounts depending on age. McMinnville: 3 months, in house, equal pay credit program (every 3 months, gives a \$1 for \$1 credit if paid on time with 20% discount if payments made every month. Wilsonville 1 day. **NEW PROGRAMS:** Beaverton’s Compliance Court (“hand holding”) – by invitation only, meets with Judge every 30, 60, 90 days – successful, positive effect for defendant in terms of self esteem.


Review submitted by: Kathy E. Cunningham, Springfield Municipal Court

**“CHOICES FOR CHANGE”**

**Educational programs developed for the Northwest to help defendants “Make Better Choices”**

- ◆ **Choices 1** – Defensive Driving
- ◆ **Choices 1** – Available **Online** at [www.courtsi.com](http://www.courtsi.com)
- ◆ **Choices 2** – Ending Aggressive Driving
- ◆ **Alcohol Drug Information School (ADIS)**
- ◆ **Consumer Awareness** – Shoplifting / Bad Check writing
- ◆ **Anger Management Skills** - 8 & 16 hour programs

CSI’s newly developed courses are based on the belief that the student will choose productive behaviors if provided with choices and that those informed alternatives will motivate



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 Email: [Register@Courtsi.com](mailto:Register@Courtsi.com)

Would you like to share your knowledge, your experience, get involved in OACA and be a mentor for new clerks?



Become a OACA New Member Guide!  
 Contact Membership VP, Teresa Baxter  
 @ [tbaxter@ci.damascus.or.us](mailto:tbaxter@ci.damascus.or.us)



## **Plenary Session: Recapturing Your Magic**

Recapturing Your Magic – Motivational Session  
By Jeff Johnson - Hawes Financial Group and Char Mauch  
Hosted by Kay Renfro

This motivational session was geared toward helping us realize the magic we all have within us, and talked about how that magic influences the world all around us. This was a powerful, hands on seminar with lots of participation, and funny video clips to keep us entertained.

Jeff Johnson talked to us about 7 principles of recapturing your magic. We also took an enlightening Personality Style Test, and talked about the results, and how different personality types communicate with each other.

Mr. Johnson concluded the session by reminding us that “Daily responsibilities and interactions with others can zap valuable personal power (magic) leaving us tired and ready to run away.” He reminded us how the key aspects and principles of staying focused, communication, and effective listening, can help us recapture the magic within ourselves, and those all around us.

Review submitted by: Holly Brown, Salem Municipal Court

## **Plenary Session: Communication Power Training**

Stepping your way to more effective communications ... that was the message in speaker Jeff Johnson’s second presentation of the day. Building on insight to personality types learned in the earlier session, Jeff focused on providing a pathway to better communication to achieve our goals. We reviewed the consequences of both effective and ineffective communication and learned to identify difficult interactions. We then explored a three step approach which provided us with guiding principles to construct a message that is easily understood and listening skills that equally validate the expressions of the others.

Armed with a “pause button” to make us stop and think, we learned to “Step Back, Step Up, Step Out”. In “Stepping Back” we gain perspective and consider perception. “Stepping Up” requires us to understand, to be understood and provide validation to what’s being said. And finally “Step Out” to say what you mean and mean what you say.

All in all, a really purposeful session taught in a fun and fast paced method with lots of interactive activities and entertaining film clips. It was a great way to learn and capped a great first day of an awesome conference. Thank you Char and Jeff.

Review submitted by: Stella Clyne, Tillamook County Justice Court





### **(MSU) Essential Components**

Speaker: Tom Langhorne

Host: Donna Poirier

This Michigan State University session presentation by Thomas Langhorne provided a “Fly Over” of the five essential components of courts: purposes, roles and vision, case preparation and initiation, adjudication and enforcement, court infrastructure and program management and evaluation. This session tied values of integrity, honesty, accountability and transparency to the noble mission of Courts. While the “Fly Over” recapped all the purposes of courts, Tom Langhorne’s presentation focused on the importance of truly understanding what the objective of our practices are and why evaluation of our program outcomes are essential for courts effectively and efficiently conduct “business”. For Courts to become a part of and remain an integral part of the community it serves, the Courts should continually conduct environmental scans – to see emergent public issues facing communities, anticipating future trends and position themselves to take a proactive actions to help maintain the “rule of law”. Courts need to nurture both internal “court executive teams” and community partnerships to find innovative methods to help communities address diminishing resources and finances. Specialized, problem-solving courts, therapeutic and community courts are becoming the trend to address dwindling jail resources and other “traditional” methods used by courts to change offender behavior. Coupled with evidence-based sentencing recommendations, Judges have avenues open that help to utilize proven methods - the “best practices” - that bring the highest results.

Thomas Langhorne’s presentation brought, in a single day, all the essential components of courts together in a concise fashion. This presentation brought insight to how the “noble and lofty” ideals of “dispensing justice” translated to concrete purposes, goals and objectives of courts. It challenged each court to find innovative ways to become a court of and a partner with the community to solve today’s challenges. An excellent presentation that inspired commitment to this endeavor.

Review submitted by: Kathy E. Cunningham, Springfield Municipal Court

### **A-Z Basics—Traffic Violations**

Speakers: Amy Anderson and Molly Barrett

Host: Kathy Nida

# A-Z Basics

Amy Anderson and Molly Barrett led this informative session for new clerks. An informative flow chart took us from the start (the Officer’s citation) through the adjudication (Judge’s findings) and on to what to do at different stopping points. Keeping in mind that each Court has the distinct flavor of the presiding Judge, so there may be variations. We learned the steps to take when they request a bench trial, what happens if when a decision is appealed etc. A lively discussion followed with attendees asking questions that pertained to them. We would have been able to fill more time than the time we were allotted. Maybe we can use this as a first step in a series of classes.

Review submitted by: Kathy Nida, Brownsville Municipal Court



## DMV Panel

Speakers: Sandra Walker and Kelly Kercheski

Host: Lisa Tamlyn

Three representatives from the Department of Motor Vehicles were on hand to answer all important questions about rules and procedures. Sandy Walker, manager of the suspension unit, went over the Desk Reference manual. This manual was designed to help the courts with answers to specific questions. We were reminded that if we fax in a suspension request to not also mail in a hard copy as it could potentially appear twice on their record.



Typically once a suspension request hits DMV via a fax, it takes 24 hours turn around time. Reinstatements generally require 48 hours to process. You may call the court telephone line to verbally confirm a reinstatement, however, in that case you do need to follow it up with a hard copy. In the event you fax in a reinstatement, you will not need to follow up with a hard copy.

DMV has also asked us not to use the term "Re-Suspend". Their wording is just "Suspension" as it does not matter that we are renewing a current judgment.

Discussion was held about the random sample letters sent to licensed drivers. DMV sends out thousands of these random sample letters quarterly and the program has been successful in determining drivers who are not insured.

Kelly Kercheski, manager of driver records fielded many questions about procedures. She reminded us that we need to continue to get abstracts in as soon as possible. They are under Federal mandate to post convictions within specific guidelines. In the event we had a driver with an out of state CDL, we need to send those records in a separate envelope provided by DMV. DMV would like to be notified when we discover drivers who have a license in a different state than their vehicles are registered. DMV considers the state where they file their taxes in as their "Domicile State". Oregon has a new Limited Stay license for foreign drivers in our state. The license is good for one year.

Cathy Wilkes who works in the driver records unit reminded us to get the abstracts back to DMV ASAP when they are returned to us for additional information. All three ladies urged us to contact them with any questions that we may have and provided us with business cards with their direct lines.

Review submitted by: Lisa Tamlyn,  
Happy Valley Municipal Court



## E-CITES

Speaker: Steve Vitolo

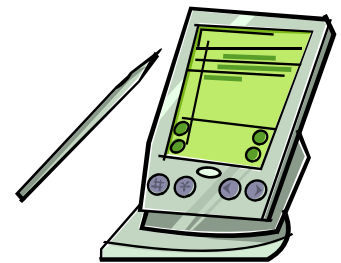
Host: Molly Barrett



Steve gave us a brief overview of what e-cites are, what they can do, and how they all came about. Several cities and counties in Oregon are up and running with the E-cites. The Oregon State Police are also in the process of equipping their Officers across the state. Instead of issuing carbon copy Oregon Uniform Traffic Citations, Officers are equipped with hand held devices or are able to complete citation by devices installed in their vehicles and then citation are printed out on site and issued to the defendants.

The E-cites are then printed by the Officers and submitted to the respective Courts or Courts have access to input the new citation information into their Court software and print off citations. There was discussion regarding how each separate Court receives and processes the citations. When the Court receives the citation, it is on an 8 1/2 x 11 sheet of paper, with the citation information on the left and disposition area on the right to be completed by the Court staff or Judge.

As we are all aware DMV is not prepared/equipped to accept electronic filing of Court dispositions. So the Courts make copies of the citations and send them off to DMV just the same as processing the carbon copies. Like Steve said, E-Cites are the way of the future! Hopefully when everyone has the E-Cites up and running DMV we will be ready when DMV has the ability to accept electronic filing of court dispositions and stream lines the whole process.



Review submitted by: Molly Barrett, City of Keizer Municipal Court.

## VERBAL JUDO

Speaker: Sgt. Neil Hennelly

Host: Lisa Tamlyn

Sgt. Neil Hennelly from the West Linn Police Dept. spoke to us about Verbal Judo. Verbal Judo is a trademarked 8 hour tactical communication course that he scaled down for our session. We are reminded that Communication **IS NOT** a contact sport. Communication is set by your tone. This includes the attitude you display, your delivery is 93% of your effectiveness. If conversation when initiated is friendly and helpful you generally will get good results. If you are dealing with an enraged person remember reasoning will not be possible. You need to remain calm, use a monotonous voice and not be defensive. Be empathetic with them and don't argue or try to convince but always have a back-up plan. Let them have the **last word** and remember, you have the **last action**. Insults, ego and micromanagement will always destroy communication, allow them the opportunity to vent but remain professional. Watch your body language, sit or stand squarely in front of the person you are dealing with, maintain eye contact and appear relaxed. Neil has been in Law Enforcement for over 25 years and expressed to us that during his career he has had less than 5 citizen complaints.

Review submitted by: Lisa Tamlyn, Happy Valley Municipal Court



## **CCH DISPOSITIONS**

Speakers: Cathy Cea, Laurie Riesterer, and Mia McLure

Host: Toni Hale

This session was presented by the Oregon State Police Identification Services Section. They are responsible for maintaining complete and accurate criminal history information that is accessed by criminal justice agencies and others that are authorized by statute or Governor's Order. Criminal histories are fingerprint based. They stressed the importance of linking court dispositions to the fingerprint control number (FPN) which is assigned when the defendant is booked and fingerprinted. This 13 digit control number links the disposition to the arrest and must be obtained from the jail or arresting agency. They explained that since the county jails have an automated process for sending arrest information electronically to their unit; most of their time is spent processing the 5800 court dispositions they receive each month. These court dispositions are either mailed to the unit or transferred electronically.

The thumb drive given out at the conference contains the Oregon State Police Disposition Form Instruction Guide and copies of the disposition forms. This guide gives step by step instructions for completing disposition forms. It also contains instructions for reporting or updating diversion, deferred sentences and probation violations. The contact information for the OSP ID unit is also listed in the guide. Also contained on the thumb drive is the list of statutes that require dispositions. The OSP ID unit stressed that it is never too late to send in dispositions. Every arrest needs a disposition and records can be updated at any time.

Review submitted by: Sue Hudson Rau, Forest Grove Municipal Court.

## **HARDCORE DRUNK DRIVING WORKSHOP**

Speaker: Tom Langhorne

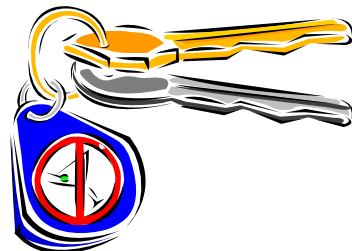
Host: Sue Ryan

Tom Langhorne presented information on the National Hardcore Drunk Driver Project. This project started as an innovative approach to a very serious issue. The definition of a hardcore drunk driver is: they drive with a BAC level of .15 or above; they are repeat offenders; and they are resistant to changing their behavior despite previous sanctions, treatment, or education efforts. Many statistics were given in regard to offender characteristics

Usually we talk about thinking "outside the box" but in this case, a new approach as an effective sanction is to keep hardcore drunk drivers "inside the sentencing box", which consists of various effective sanctions and creative sentencing options, with the only way out being changed behavior.

Tom gave a lot of resource information for follow-up. He is a dynamic speaker, very knowledgeable about the topic at hand.

Review submitted by: Donna Poirier, Beaverton Municipal Court



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