

## Minutes of the Justice Committee

The Justice Committee of the McLean County Board met on Tuesday, August 5, 2008 at 4:30 p.m. in Room 400 of the Government Center, 115 E. Washington Street, Bloomington, Illinois.

Members Present: Chairman Renner; Members Butler, Nuckolls, Rackauskas, and Harding

Members Absent: Member Cavallini

Other County Board

Board Members Present: Member Moss

Staff Present: Mr. John Zeunik, County Administrator; Mr. Bill Wasson, Director, Administrative Services; and Ms. Judith LaCasse, Assistant to the County Administrator

Department Heads/

Elected Officials

Present: Ms. Joan Naour, Director, Correctional Health Services; Mr. Bill Yoder, State's Attorney; Ms. Lori McCormick, Director, Court Services; Ms. Cathy Waltz, Superintendent, Juvenile Detention Center; Ms. Judy Renner, Director, Children's Advocacy Center; Sheriff Mike Emery; Chief Judge Elizabeth Robb - Eleventh Circuit Court; Mr. Will Scanlon, Trial Court Administrator - Eleventh Circuit Court

Others Present: Ms. Jodi Ellsworth, Project Coordinator, Domestic Violence Grant, State's Attorneys Office; Ms. Teresa Kelly, Children's Home and Aid Society; Rev. Tom Shea, Alternatives to Jail Committee

Chairman Renner called the meeting to order at 4:30 p.m.

Chairman Renner presented the July 1, 2008 Committee minutes to the Committee for approval.

Motion by Butler/Rackauskas to approve the Minutes of the July 1, 2008 Committee Meeting.  
Motion carried.

Ms. Joan Naour, Director, Correctional Health Services, presented a request for approval of the renewal of an Agreement with Eric Abreu, DDS, for the provision of Dental Clinician Services at the McLean County Adult Detention Facility. She indicated that Dr. Abreu has provided dental clinician services for the McLean County Adult Detention Facility since September of 2007. Ms. Naour stated that Dr. Abreu has provided on-site dental evaluation and treatment for approximately four hours each week.

Ms. Naour recommended that the agreement for dental clinician services be renewed for a two year time period, and that the compensation for the 2008-2010 contract years be paid at an hourly rate of \$150.00 portal to portal, in addition to a monthly retainer of \$106.00. She advised that these figures represent an increase of 6%. Ms. Naour indicated that, previously, this rate had not been negotiated since 2004.

Motion by Harding/Butler to approve the Renewal of an Agreement with Eric Abreu, DDS, for the provision of Dental Clinician Services at the McLean County Adult Detention Facility.

Motion carried with Ms. Rackauskas abstaining.

Chairman Renner asked if there were any questions or comments. Hearing none, he thanked Ms. Naour.

Chairman Renner presented the six-month report for the Jury Commission as submitted by Ms. Cindy Brand, Coordinator, Jury Commission. There were no questions on the report.

Chairman Renner presented the Monthly Caseload Report for June 2008 as submitted by Ms. Amy Davis, Public Defender.

Mr. Bill Yoder, State's Attorney, presented a request for approval of a Domestic Violence Multi-Disciplinary Team Grant Extension of \$76,386.00 from the Illinois Criminal Justice Information. He explained that this is an extension of the grant that the County has been involved with for the past four years. Mr. Yoder noted that this is the fifth year extension to continue the Domestic Violence Investigative Unit. He added that this program may continue into a sixth year.

Mr. Yoder reminded the Committee that this grant is a Multi-Disciplinary Team Grant involving several entities, including Court Services, Bloomington Police Department, McLean County Sheriff's Department and Mid-Central Community

Action. He stated that the amount of funding for each agency has been reduced by different levels. Mr. Yoder advised that the funding to the State's Attorneys Office was cut by 16-20%. In order to make the funding work, the Project Coordinator position in the State's Attorneys Office was transferred to Court Services. Mr. Yoder stated that this grant has been very successful.

Mr. Butler asked what will be done when the grant is no longer available. Mr. Yoder replied that different possibilities are being considered to sustain the program. He is hopeful that the Illinois Criminal Justice Information Authority will continue its funding. Mr. Yoder pointed out that the continuing increase in caseloads may make it necessary to come to the Board to ask for funding for additional positions, particularly if the grant funds are no longer available. Mr. Yoder added that his requests for positions have not kept pace with the ever increasing case loads.

Mr. Butler asked if most Counties receive this grant. Mr. Yoder replied that four Illinois Counties were funded, three at similar amounts and one at a lesser amount.

Motion by Rackauskas/Harding to Recommend Approval of a Domestic Violence Multi-Disciplinary Team Grant Extension for the State's Attorneys Office in the amount of \$76,386.00 from the Illinois Criminal Justice Information Authority for Fiscal Year 2008-2009.

Motion carried.

Mr. Yoder reviewed his Monthly Caseload Report and Asset Forfeiture Fund Report. He indicated that there were a record number of felonies in the month of July. Mr. Yoder stated that this is, in part, due to the activity by younger offenders and DUI laws being upgraded. He reported that there were 177 felonies in the month of July. Mr. Yoder predicted that August will be similar.

Chairman Renner asked if there were any questions or comments. Hearing none, he thanked Mr. Yoder.

Ms. Lori McCormick, Director, Court Services, presented a request for approval of a Domestic Violence Multi-Disciplinary Team Grant Extension of \$50,923.00 from the Illinois Criminal Justice Information Authority for Fiscal Year 2008-2009. She explained that this is part of the same grant received by the Sheriff's Department and the State's Attorneys Office.

Ms. McCormick advised that, in an effort to provide funding for all of the necessary staff, the Project Coordinator position from the State's Attorneys Office was moved to the Court Services budget to utilize their grant funds and to allow Court Services' staff to attend Domestic Violence related training in the upcoming grant year.

Motion by Harding/Rackauskas to Recommend Approval of a Domestic Violence Multi-Disciplinary Team Grant Extension for the Court Services Department in the amount of \$50,923.00 from the Illinois Criminal Justice Information Authority for Fiscal Year 2008-2009.

Motion carried.

Ms. McCormick and Ms. Cathy Waltz, Superintendent of the Juvenile Detention Center, presented the Court Services Department Monthly Report. Ms. McCormick noted that the report is status-quo from last month.

Ms. McCormick reminded the Committee that the Juvenile Detention Center's American Correctional Association Audit will be conducted in two weeks. She added that the JDC will be audited this week by the Department of Juvenile Justice.

Ms. Harding asked what is the population at the Juvenile Detention Facility. Ms. McCormick replied that there are currently 16 juveniles.

Ms. Rackauskas asked when is the National Conference and would Ms. McCormick be attending. Ms. McCormick replied that the Conference is slated for October, but she does not anticipate attending the meeting. Chairman Renner asked that Ms. McCormick bring information regarding the conference to the next meeting.

Chairman Renner asked if there were any additional questions or comments. Hearing none, he thanked Ms. McCormick and Ms. Waltz.

Ms. Judy Renner, Director, Children's Advocacy Center, presented her Monthly Statistical Report for the Children's Advocacy Center and the CASA Report. She indicated that there was nothing to add to the report. Ms. Renner advised that they are on target with CAC interviews. She noted that new CASA volunteers have been sworn in.

.

Chairman Renner asked if there were any questions. Hearing none, he thanked Ms. Renner.

Chairman Renner presented the June 2008 Statistical Reports and the Second Quarter Statistical Reports as submitted by Ms. Sandy Parker, Circuit Clerk.

Sheriff Mike Emery presented a request for approval of a Renewal of Intergovernmental Agreement between the City of Bloomington, the County of McLean and the Town of Normal regulating the use by the County of McLean and the Town of Normal of the Police Shooting Range Facility of the City of Bloomington. He indicated that the Sheriff's Department utilizes the Bloomington Police Range for practice and annual qualification. The current agreement expired June 30, 2008. Sheriff Emery stated that the new three year agreement is requested in order to continue participation in firearms practice and qualification. Sheriff Emery noted that there will be a 3% increase in cost in 2009 and 2010. The increase is attributable to the capital improvements of the range facility scheduled by the City of Bloomington. Sheriff Emery reviewed the expected improvement as follows:

- Firing Range to be cleaned and concrete laid in the area;
- A 24 X 24 slab of concrete will be prepared for a "shoot house" to give officers' training in tactical entry into residences.

Sheriff Emery reported that there is a clause in the Agreement to discontinue the Agreement at any time that the County would like to pull out should a better opportunity arise or should the capital improvements not be made.

Ms. Rackauskas asked if the Town of Normal is also experiencing a 3% increase. Sheriff Emery replied that the 3% increase includes the Town of Normal.

Ms. Rackauskas expressed concern that the Agreement does not include the specific capital improvements the City of Bloomington is making at the Shooting Range. After some discussion by members of the Committee, it was determined that the Agreement should be amended to include the specific capital improvements.

Motion by Nuckolls/Rackauskas to Recommend Approval of the renewal of an Intergovernmental Agreement between the City of Bloomington, the County of McLean and the Town of Normal regulating the use by the County of McLean and the Town of Normal of the Police Shooting Range Facility of the City of Bloomington contingent upon the Agreement including specific language describing the proposed Capital Improvements to be made by the City of Bloomington.

Motion carried.

Chairman Renner advised that the Committee can review the proposed amendment at a Stand-up meeting prior to the Board meeting.

Sheriff Emery presented a request for approval of the renewal of the Identix Maintenance Agreement for the Livescan Digital Fingerprinting Scanner. He explained that the Livescan Digital Fingerprinting Scanner is utilized to transfer inmate fingerprints to the Bureau of Identification for the State of Illinois. Sheriff Emery explained that all custodies brought into the jail are electronically fingerprinted. The fingerprints are then transmitted to the Illinois Department of Corrections. Sheriff Emery noted that this agreement is for the maintenance and repair to the equipment.

Motion by Nuckolls/Butler to Recommend Approval of the Renewal of the Indentix Maintenance Agreement for the Livescan Digital Fingerprinting Scanner.

Motion carried.

Sheriff Emery presented a request for approval of an Intergovernmental Agreement between McLean County Sheriff's Office and the Olympia School District #16 for a School Resource Officer. He advised that the Olympia School District has asked the McLean County Sheriff's Office for assistance in supplying a School Resource Officer for the School District. This position is proposed to begin in the 2008-2009 school year.

Sheriff Emery stated that an officer would be provided for this position from existing staff through reassignment of duties. He added that this position may be contingent upon the possible approval of a Deputy position beginning next year. Sheriff Emery noted that, during his upcoming budget meeting, he will be requesting a new Deputy position in the Fiscal Year 2009 budget.

Sheriff Emery pointed out that Olympia has agreed to fund 75% of the cost of the School Resource Officer and McLean County will provide 25%. He explained that Olympia will pay for the Officer during the nine months of the school year and the County will pay for the three months when school is not in session. Sheriff Emery advised that the three months when there is no school, the Deputy will be assigned to the Olympia patrol area to continue contact with those students. Ms. Rackauskas indicated that she believes this is a worthwhile program and the continued contact during the summer months is also beneficial.

Ms. Rackauskas asked how many students attend the Olympia School. Sheriff Emery replied that there are 1,200 students. He noted that Olympia is situated halfway between the Village of McLean and Stanford. Sheriff Emery added that Olympia pulls students from several different towns.

Ms. Harding asked if Olympia will be the only school with a resource officer in the school. Sheriff Emery replied that McLean County is the only agency with a D.A.R.E. Officer. He noted that the City of Bloomington and the Town of Normal both have School Resource Officers.

Motion by Harding/Rackauskas to Recommend  
Approval of an Intergovernmental Agreement between  
the McLean County Sheriff's Office and the Olympia  
School District #16 for a School Resource Officer.  
Motion carried.

Sheriff Emery reviewed the jail population, noting that the jail "norm" is currently 295 inmates. He stated that 40-60 inmates are being housed in other Counties and 25-30 are work-release and weekender inmates.

Ms. Rackauskas asked if McLean County was experiencing a large number of thefts of items in automobiles. Sheriff Emery replied that the County has not had too many of these types of thefts. He reported one instance of such a theft recently where the perpetrator was recognized by the victim and Deputies were able to make an arrest. Sheriff Emery stated that he pointed out this incident to bring attention to the fact that, through Information Technologies, the EJIS system was placed in the squad cars. He indicated that this allows the Deputies access to all of the information that is available through the office.

Mr. Butler asked where is the breaking point for housing inmates out of County. Sheriff Emery replied that it is anticipated that, with the renovation of the jail space in the Sheriff's Office, there will be some relief in the jail population.

Sheriff Emery advised that Kankakee County is used for out of County housing. He indicated that Kankakee County charges \$60.00 per day, which includes transporting the inmates from McLean County to Kankakee and back again when they have Court appearances. Sheriff Emery noted that the Sheriff of Moultrie County suggested that they may be able to offer a better price for housing inmates than Kankakee.

Sheriff Emery pointed out that the female population in the Jail continues to increase, which necessitated housing more inmates out of County.

Sheriff Emery reported that a test on the performance of the StarCom 21 Radio System was conducted on July 7, 2008 at State Farm. This test was precipitated by the gun scare at State Farm headquarters on July 3<sup>rd</sup>.

Chairman Renner provided a review of the history of the purchase of the StarCom 21 Radio System, noting the following:

- The County formerly had the E. F. Johnson System which did not work well.
- The County Board Chairman appointed a Select Committee to work on the problem.
- Negotiations were held with Motorola to buy the StarCom Digital System.
- State of Illinois had signed a contract with Motorola to use the StarCom system.
- McLean County, in conjunction with St. Clair County, applied for an Interoperable Communications Equipment Grant from the federal Government. This grant paid for much of the radio equipment needed for the StarCom 21 System.
- In 2005, McLean County went live on the StarCom 21 System, as did many of the rural police agencies and the Town of Normal.
- Bloomington decided not to go with StarCom 21.

Chairman Renner advised that, as a communication system, the digital system is the wave of the future. He expressed surprise that the City of Bloomington decided to remain with an analog system.

Sheriff Emery stated that on July 8<sup>th</sup> a test was conducted at State Farm to check the effectiveness of the StarCom System. He noted that some of the radio communication issues during the gun scare were operational and not related to communications.



Sheriff Emery reported that the test at State Farm was very successful. He indicated that everything was "loud and clear." Sheriff Emery advised that they checked 24 different locations in State Farm and had 20 "loud and clear" radio exchanges. Of the 4 locations where there were problems, two trouble spots were resolved by moving the squad cars. Sheriff Emery stated that the two locations that continued to have communication issues were in the sub-basement mechanical area.

Sheriff Emery announced that this is a 92% performance on the radios, which he believes is very successful.

Sheriff Emery reported that, during the Lexington gas explosion last fall, Deputy Jeff Thompson called Motorola and Motorola immediately assigned a technician to monitor the County's network on their computer system to make sure there was not a failure. He referred to this to highlight one of the services provided by Motorola.

Chairman Renner advised that the federal guidelines are going to require most or all systems to be digital by 2013. Sheriff Emery confirmed that there is a Federal mandate from the FCC that by 2013 the 400 analog system, under which Bloomington currently operates, will be turned over for private business commercial use.

Chairman Renner expressed concern with the possibility that there may be more than 100 people at a site on the same system. Sheriff Emery replied that everyone may be on the same digital StarCom 21 system, but the different groups can scan many frequencies. One team can be on one frequency and another team on another frequency.

Sheriff Emery stated that if Bloomington were to switch to a digital system other than StarCom 21, a patch between two digital systems is better than a patch between an analog and a digital system.

Ms. Rackauskas asked if Bloomington tested their communication system following the State Farm incident. Sheriff Emery replied that he believes Bloomington will test their communication system at State Farm. Ms. Rackauskas asked if they will be given the same locations where the County tested their system. Sheriff Emery replied that Bloomington will be given those same locations for their test.

Chairman Renner asked Mr. Zeunik if it is true that over 1,000 users can use the same system. Mr. Zeunik replied that we are not maxed out on our capabilities. He indicated that the system is being used by all Illinois State Police Districts, McHenry County and St. Clair County. Mr. Zeunik added that a number of other agencies are considering the StarCom 21 System.

Mr. Butler asked if anyone had heard of an electromagnetic pulse that would be an outcome of a potential nuclear bomb being detonated high in the atmosphere. He indicated that the pulse would disable communications. Mr. Butler recommended that Motorola begin thinking about ways to protect the equipment from this type of occurrence.

Chairman Renner summarized that the Committee would like the Sheriff to find answers to the following questions:

- Do cell phones work in the problem areas at State Farm?
- Is Motorola looking at potential methods to avoid damage caused by electromagnetic pulse?
- What are the results of Bloomington's communication test?

Chairman Renner asked if there were any additional questions. Hearing none, he thanked Sheriff Emery.

Chairman Renner presented the Coroner's Monthly Report for July 2008 as submitted by Ms. Beth Kimmerling, Coroner. He asked if there were any questions. There were none.

Mr. Will Scanlon, Trial Court Administrator – Eleventh Circuit Court introduced Chief Judge Beth Robb who is available to answer any questions, as well as Ms. Theresa Kelly, Children's Home and Aid Society. Mr. Scanlon presented the request for approval of an Ordinance of the McLean County Board increasing the Filing Fee in all Civil Cases to fund the Neutral Site Custody Exchange Program of the Family Visitation Center.

Chairman Renner clarified that the Justice Committee has considered this request for the past four months. He noted that additional information was requested from Committee members, which then raised additional questions by members of the County Board. Chairman Renner advised that Mr. Zeunik has provided a clear and succinct explanation of the history and needs of the Family Visitation Center – Neutral Site Custody Exchange Fee.

Chairman Renner referred to the editorial by *The Pantagraph*. He felt that *The Pantagraph* failed to understand that in American local government, everything we have at our disposal is unfair. Chairman Renner noted that even if the cost of the Center is included as a General Revenue expense, the funds will come out of Property Taxes. Chairman Renner stated that McLean County does not have the option to explore a variety of different funding mechanisms.

Ms. Rackauskas recommended that the Center be operated for fewer hours. She indicated that she supports the program, but believes there are ways to reduce the cost. Judge Robb pointed out that the budget, prepared by Mr. Zeunik is \$79,285.00, which is at \$8.00 per filing fee per case. She noted that the amount collected with the \$8.00 Filing Fee would just cover the proposed budget of \$79,285.00. Judge Robb added that this budget provides for the Center to only be open 30 hours per week. Previously, the Center had been open 84 hours per week.

Ms. Rackauskas asked if there are other funding sources to support the Center. Ms. Kelly replied that the Center has been funded through a federal grant, which may no longer be available. Therefore, the Center can expect no funding other than the funds from the \$8.00 Filing Fee.

Mr. Zeunik referred to the past concern and confusion regarding the Center's hours of operation. He noted that the Center has been able to operate with extended hours only because the federal grant funds received over the last six years have been significant. This has allowed the Center to offer a program that operates seven days a week, 12 hours a day, with a large staff and funds for capital equipment. Mr. Zeunik indicated that, early on, the Committee looked at the Center's operating budget as it was when they received the grant money. He noted that it is likely that the Center will not receive any additional federal grant funds. If the \$8.00 filing fee is approved, the Center will be able to remain open. However, the number of hours the Center is open will decrease significantly as will many of the other programs the Center offers.

Mr. Zeunik reported that the total operating budget – 30 hour per week – is \$79,285.00. If there is no additional funding, the proposed \$8.00 increase in the civil case filing would generate \$80,760.00 in revenue (10.095 multiplied by \$8.00). Mr. Zeunik indicated that an increase of \$8.00 in the civil case filing fee will likely fund the operating budget for a 30 hour per week neutral site custody exchange program. He advised that, over time, the personnel and benefit expenses and contractual operating expenses are likely to increase. Therefore, the Children's Foundation will need to continue soliciting additional donations and other grant funding to support this program since an increase in the number of civil

case filings are the only factor that will generate an increase in revenues attributable to the \$8.00 civil case filing fee.

Mr. Zeunik stated that to continue operations of the Neutral Site Custody Exchange program, the FVC is requesting County Board approval of an additional filing fee on all civil cases. The Neutral Site Custody Exchange Funding Act 55/LCS 82/1 was passed by the General Assembly and signed into law in 2000. Mr. Zeunik noted that this law provides that a County Board may vote to authorize the addition of a civil filing fee of not less than \$1.00, nor more than \$8.00, to be paid at the time of filing. He informed the Committee that the standard civil case filing fee is currently \$223.00, while the small claims filing fee is currently \$73.00. An \$8.00 increase in the civil case filing fee represents a 3.58% increase in the civil case filing fee for a standard civil filing, and an 11% increase in the filing fee for a small claims case.

Mr. Zeunik stated that it is important to understand that the County has very little say on Court fees. The base civil case filing fee that is established in statute was last changed in October 2003. At that time, this Board increased the base level of Court Fees in accordance with provisions enacted by the General Assembly. Prior to that, the last time Court fees were increased was 1977. Mr. Zeunik noted that, if you look at all of the fees that have been added on to the base fee that drove the fee up to \$223.00, it is not the County that is increasing the fees – it is the General Assembly. The General Assembly has enacted far more fees for all kinds of special services and special groups. Mr. Zeunik pointed out that the County Board has approved two increases in the civil case filing fee, as follows:

- In August, 2006, the Board approved a \$10.00 fee to be assessed on all civil cases to support the Law Library;
- In June, 2006, the Board approved an increase of \$5.00 in the Civil Case filing fee to support the Children's Waiting Room in the Law and Justice Center.

Mr. Zeunik advised that the changes made for Drug Court and the Children's Advocacy Center are not fees that are added on at the time of filing, rather they are fees ordered by the Court at the time of disposition in certain criminal cases.

Mr. Zeunik stated that the \$8.00 filing fee will fund 30 hours per week. Mr. Zeunik added that it will impose some restrictions on the Court because the Court will now have to arrange visitations to fit within a 30 hour period as determined by the Children's Foundation.

Ms. Rackauskas ask how long is a supervised visitation. Ms. Kelly replied that the supervised visits are one to three hours, but are generally less than two hours. She noted that there is one facilitator per family, because the families referred to them by the Court have displayed extreme dysfunction. Ms. Kelly added that the Visitation Center is the only service available for the Family Courts.

In reply to several questions, Ms. Kelly offered the following information regarding the Family Visitation Center:

- There are two rooms available for supervised visits;
- Intake appointments are scheduled with both parents and are usually one and half hours;
- A schedule is determined to accommodate both parents and children.

Ms. Kelly advised that the children are mandated to come to the Visitation Center by a Court order. However, if children do not wish to visit the non-custodial parent, they are not forced to do so. A facilitator will talk to the child about why they don't want to see the other parent or offer them other suggestions such as just going in to say "hello" or drawing that parent a picture. Ms. Kelly indicated that usually they are able to reinitiate the contact between the child and the parent.

Ms. Kelly reported that the ultimate goal is to work the families through the program. The parents would move from supervised visitation to supervised exchanges to not needing the services at all. Ms. Kelly indicated that only about 10% of the cases are extreme domestic violence cases. Most are considered "high conflict" cases.

Ms. Kelly noted that most parents want to be good parents. She indicated that it is possible to promote parenting without violence. Ms. Kelly pointed out that, when the Center received the federal grant funding, they were able to offer several programs, including "Kids Turn" which is a divorce education program for parents and children.

Mr. Zeunik advised that it is important is to realize that there has been, in past meetings, an over-simplification of what is involved with the Center. He emphasized that the Center is not just a place for one parent to drop a child off and the other parent pick to the child up. Ms. Kelly concurred, noting that the staff at the Center does much more than facilitate exchanges. She reported that, over time, even high conflict cases can be resolved so that the supervised visits and exchanges don't need to take place anymore.

Ms. Harding asked if there is a limit in the amount of time one family can take advantage of these services. Ms. Kelly replied that they like to see the families work through the process, but they recognize that some families will be served indefinitely due to domestic violence issues.

Ms. Harding asked when does the grant run out. Ms. Kelly replied that the grant runs out September 30<sup>th</sup>. She noted that the grant request was sent in last January and they have not had a response. Mr. Nuckolls asked if it is unusual to hear about the grant at the last minute. Ms. Kelly responded that they usually get some verification by summer, but sometimes the grant approval is not verified until the last minute.

Chairman Renner asked if this \$8.00 filing fee is only the third filing fee the County has requested. Mr. Zeunik indicated that he is correct. Mr. Scanlon added that there are two additional fees levied on civil cases, namely the Court Automation Fee and the Court Document Storage Fee. He explained that these are fees that serve to offset costs within the Circuit Clerk's Office and certain aspects of the Circuit Court. The Court Automation Fee pays for computers, printers, etc. The Document Storage Fee helps offset the costs to the Circuit Clerk's Office to move paper records into an electronic format. Mr. Zeunik pointed out that the Court Automation Fee has been in existence since 1984 and the Court Document Storage Fee has been in existence since 1990. He indicated he was referring to new fees only. Mr. Scanlon stated that the majority of the fees listed in the Administrative Office of the Illinois Courts "book of fees" that Mr. Caisley referred to at the last Board meeting were mandated by the State and not by the County.

Chairman Renner asked if all of the judges approved the \$8.00 filing fee. Judge Robb replied that the vote was unanimous. She added that the judges believe the program is necessary and effective.

Chairman Renner recommended that Judge Robb and Ms. Kelly attend the County Board Meeting to answer any questions. He further urged Judge Robb to address the Board at that time.

Mr. Butler asked if the Children's Foundation charges the families a fee for using the Visitation Center. Ms. Kelly replied that a \$25.00 intake fee is charged if the Court determines that there is a specific batterer. If there is no determination, the fee is waived. Ms. Kelly added that the visiting parent is charged \$5.00 per visit or exchange. However, a parent can apply for a waiver of that fee if they cannot afford it. Ms. Kelly added that if this Ordinance goes into effect, the State Statute prohibits charging a fee. Mr. Zeunik indicated that the statute says:

“The County Board in a County in which a Neutral Site Custody Exchange Fund has been established shall make rules. The first rule that shall be made is that all work performed (in this case the Children’s Foundation) its staff and any volunteers shall be performed without collecting a fee or charge from the parties involved in a custody exchange.”

Ms. Harding asked if this grant ends in September, is there a reserve of money to operate the Center. Ms. Kelly replied that there is not a reserve and the Center will be forced to close on September 30, 2008, if the \$8.00 filing fee is not approved.

Ms. Rackauskas asked what will happen if the \$8.00 fee is approved and then the grant comes through. Ms. Kelly replied that she believes that the \$8.00 filing fee would be rescinded should the grant become available. Mr. Zeunik cautioned that if the Center receives the grant, it would be at 50% of the previous funding. Under the grant cycle, the Center’s eligibility in the next two years to receive any federal funding would be at 50% of the prior year, if at all. Ms. Kelly noted that they have requested a five-year grant.

Ms. Rackauskas requested that, when addressing the Board, emphasis be placed on the fact that the Center is not just a drop off point, but rather it offers counseling and is an advocate for the Court. Ms. Rackauskas recommended that the Center develop an audio/visual presentation to help educate the public.

Chairman Renner advised that the most important information to share with the Board is as follows:

- Clarify the support of the judges;
- Clarify that the fees listed in the book were primarily mandated by the State, with the County adding only 3 filing fees;
- Clarify the nature of the Center.

Mr. Nuckolls asked how many hours will the Center be open if the \$8.00 filing fee is approved and how many hours was it open in the past. Mr. Zeunik replied that the Center will be open 30 hours should the filing fee be approved, which would generate approximately \$80,000.00. The Center was previously open 84 hours at a cost of approximately \$196,000.00. Ms. Kelly noted that if the Center receives the grant, they will be able to increase the hours of service.

Justice Committee  
August 5, 2008  
Page Sixteen

Motion by Rackauskas/Nuckolls to Recommend Approval of an Ordinance of the McLean County Board Increasing the Filing Fee in all Civil Cases to fund the Neutral Site Custody Exchange Program of the Family Visitation Center.  
Motion carried.

Mr. Scanlon expressed his appreciation of the work done by Mr. Zeunik and the Administrator's Office in preparing the summary of the Family Visitation Center. He noted that the document is one of the better summaries that could have been written on the program.

Chairman Renner asked if there were any additional questions or comments. Hearing none, he thanked Judge Robb, Mr. Scanlon and Ms. Kelly.

Chairman Renner presented the July 31, 2008 Justice Committee bills for review and approval as transmitted by the County Auditor. The Justice Committee bills include a Pending Total of \$1,272.24 and a Prepaid Total of \$2,329,204.73 for a Fund Total of \$2,330,476.97.



Justice Committee  
August 5, 2008  
Page Seventeen

Motion by Butler/Harding to Recommend Approval of the Justice Committee Bills as of July 31, 2008, as transmitted by the County Auditor.  
Motion carried.

Chairman Renner asked if there was any other business or communication for the Justice Committee. Hearing none, the meeting was adjourned at 6:15 p.m.

Respectfully submitted,

Judith A. LaCasse  
Recording Secretary