

**LAW AND JUSTICE COMMITTEE
MINUTES
June 13, 2005**

The Law and Justice Committee of the DeKalb County Board met on Monday, June 13, 2005 @ 6:30p.m. in the DeKalb County Administration Building's Conference Room East. Chairman Sue Leifheit called the meeting to order. Members present were Rich Osborne, Pat LaVigne, Anita Turner and Pat Vary. Members absent were Eric Johnson and Roger Steimel. Others present were Kenneth Johnson, Maureen Josh, Jill Olson, Judge Kurt Klein and Margi Gilmour.

APPROVAL OF THE MINUTES

Ms. Vary amended the minutes to include that "there was lively discussion about the court services report and the effect of some of the programs on recidivism." She would like this placed just before the paragraph 3 on page 4.

Moved by Ms. LaVigne, seconded by Ms. Turner, and it was carried unanimously to approve the amended minutes from the May 2005 meeting.

APPROVAL OF THE AGENDA

Moved by Ms. Turner, seconded by Ms. LaVigne, and it was carried unanimously to approve the agenda.

CHILD'S WAITING ROOM PRESENTATION

Ms. Janie Torma represented the Court Watch Program. The Court Watch Program discovered that with children in the courtroom, they become tired and bored, but more than that, they are hearing things that they really shouldn't be hearing, in divorce court, domestic violence court, etc. Frequently the mothers of these children cannot find daycare and therefore, they bring their children to court. Because of this, they felt that there should be some place where the children could go to while their parents are in court.

They know that Kane County has a program going on right now. They did visit them and researched the issue and found that there are children's waiting rooms in almost every state in the country.

Their group asked the Sheriff to take a two-week role in finding out if there are children in our courthouse and how often are they present. Ms. Torma continued by stating that it comes out that there is an average of 6 to 10 children a day in the courthouse. Ms. Josh, DeKalb County Circuit Clerk, and Judge Kurt Klein have been working with them in trying to find a location for the waiting room.

Ms. Torma said that when she spoke to Lt. Klein about the children's waiting room, Lt. Klein said that they would be putting two cameras in the room because of blind spots. They would also ask the Sheriff to perform background checks on the people that will be working for them. They will have to have wristbands for the families too. The two wristbands for each family will be numbered consecutively, with one going on the child and one on the parent. This wristband had better be on the parent when they come back to pick up their children or they do not get the child back since it is a security issue said Ms. Torma. The parent also gets a beeper in case the child is upset

or crying, etc. There is a small contract written with the parent, and if the parent does not show up to pickup the child then they will call DCFS.

In Kane County they do not give anything to the child or change them, feed them, nothing but a drink of water. They read to them and play with them, but that is about all. There is a reason for all of this. It would be their luck or ours if we gave a child a cracker and they were allergic to it. This will be a safe place for the children.

In the State of Illinois there is a state law that says that there can be a waiting room fee that can be collected on all initial civil cases filed, and it would go through the Circuit Clerk's Office to the Treasurer and then to the organization that would be doing the children's waiting room. It was projected by the Circuit Clerk's Office that \$12,000 would be collected in the first year through this fee. It would be a \$5.00 fee that would be collected as a filing fee on initial civil cases. She further stated that her office could start collecting the fee now, with County Board approval, to build up a fund so that they would be ready when it is time to start.

Judge Klein said that the courthouse has virtually no space, but there is a need for a child's waiting room. These are a group of responsible people who want to do this, and he will find the space for this room. It would be foolish of him to say no.

Ms. Vary asked Ms. Torma how she was going to get one and a half people to employ for \$12,000? Ms. Torma said that it's called beg and borrow a lot. She will find every organization that will pay for something, like operating fees, utilities, etc. At this time the person hired will not be a full-time position at the beginning. She said that she would need to have two people working there at all times.

Chairman Leifheit said that her concern is that it gets out on the street that we have a childcare place and people who could find someone to watch their kids bring them instead of taking the effort to find someone. She does not want it to get abused or overused, that is her concern. Ms. Torma said that they have to have a case in the courthouse. On the other side of this issue, she continued, these people are in enough trauma, with divorce, child support issues, child custody issues, it's hard to get someone to watch the children.

Chairman Leifheit asked Ms. Torma if anyone has talked to the Public Building Commission about this issue? The County doesn't own the buildings; they do, said Ms. Leifheit. Ms. Torma said she does not know who they are.

Chairman Leifheit said that she felt that they needed to be contacted about this issue. Ms. Josh, Circuit Clerk, said that she spoke to Mr. Bockman, Mr. Hanson, Sheriff Scott and Judge Klein, and this is the first time that she has ever heard of this. No one told her to even consider doing this.

Judge Klein said that the PBC owns the building and is responsible for any major improvements to the building and the upkeep of the building. The Presiding Judge controls the use of the building on the inside. They've never had a disagreement with the Public Building Commission, and he doesn't feel that this will be a problem. Judge Klein, said that he would contact the Chairman of the Public Building Commission about this issue.

Chairman Leifheit said that at budget time, many of the projects, fee increases, etc., are all done at that time. We can do this at any time, she further said. Judge Klein said that this is a resolution authorizing the collection of a user fee that is all, so far.

Chairman Leifheit asked who would be liable if a child was hurt while they were in the care of the child's waiting room? Who pays for the insurance? Ms. Torma said that they would pay for it. Judge Klein said that the County might have liability, but that the County would be indemnified through this group's insurance policy, by naming the County as an additional insured.

Ms. LaVigne asked, isn't there some rule about having children near pedophiles? Judge Klein said yes, that it has caused them to reconsider one of the possible locations in the courthouse. Remember there are children in the courthouse everyday, much of the time, he said. They are trying to put them in a place where they can be controlled better, entertained better, and not hear the things being said between their mother and father.

Chairman Leifheit asked if the full-time staff member will be an employee of the County? No, said Ms. Torma, her group would employ them.

Chairman Leifheit asked Ms. Torma when did she think that she would get her incorporation? Ms. Torma said she felt in two to three weeks.

Chairman Leifheit said that she feels that everything needs to be in its place. We are just hearing this for the first time tonight and that she would like everyone that needs to hear about it, hear it, like the Public Building Commission.

Ms. Vary asked Judge Klein if he sees this as a major hurdle that we have to put this off? Judge Klein said that he would not presume to advise this committee how to act.

Ms. Vary said that evidently Chairman Leifheit and Ms. LaVigne are privy to information about the Public Building Commission's feathers being ruffled. Ms. LaVigne said that she knows nothing about that, her only question is if the Public Building Commission (PBC) had been contacted? The only reason she knows that because of a situation in the past when someone wanted to film a movie at the courthouse and the PBC needed to be contacted.

Ms. Vary said that on other committees that she has sat on they didn't have a first hearing, they passed the issue and then forwarded the resolution to the full board for approval.

Chairman Leifheit said that she didn't think that it was a very bad thing, but that she feels that it's jumping a little too quickly on this issue. This is the first presentation to this committee on this issue. She just started getting phone calls this afternoon about concerns. Ms. Vary asked how did they hear about it? Chairman Leifheit said from the published agenda on the website.

Ms. Josh said that Ms. Torma's committee has been working with the Circuit Clerk's Office and the Judge's Office for months now. They have tried to cover every single base on this issue. They went to everyone they were told to contact about the item. No one suggested that they should have gone to the Public Building Commission. She is sorry that it happened, but she doesn't want Ms. Torma to think what's up.

Ms. Turner suggested that we could pass this item at the board meeting and collect this money and then have the money ready to go when they find a location.

Ms. Josh said that they could wait until August. Ms. Vary said that she was just concerned about the children.

Judge Klein said that he thought it was very wise to contact the Public Building Commission and talk to them about this issue. He will contact them to set up a meeting.

JUDICIAL UPDATE

Judge Klein, the Presiding Judge of DeKalb County, gave a brief update on the court system in DeKalb County. He said that Kendall County is the fastest growing county in the United States. They estimate that their population is currently at 95,000 people (it used to be at 50,000 people not too long ago) and they project that within one year they will be at 100,000 people. That will put DeKalb County as the third man on the totem pole. They have obtained another judge by the Chief Judge. We have been given a judge for one-day a week and that's the best that he can do for now, said Judge Klein.

With regards to the Drug Court, we are going to do that, said Judge Klein. On July 12, 2005, Judge Stuckart, himself and the State's Attorney, will be traveling to DuPage County to meet with Judge Anne Hutchison who runs the Drug Court in DuPage County and see how they do it. They have drug court only one day a week and they will observe it. His hope is that by the end of this year DeKalb County would have implemented a Drug Court in our County.

CASA UPDATE

Ms. Jill Olson, Executive Director, of the CASA Program in DeKalb County distributed a handout to the committee showing whom they are serving. Her office has been able to add 7 new advocates, which raises their number to 55 advocates already serving the community. She is proud of the volunteers' retention length of time. They have experienced very little turnover.

Her office is conservative with their budget. They rely on 1/3 of the budget coming from grant monies, 1/3 of the budget comes from donations and 1/3 of the budget is collected by fundraising efforts. They are very grateful to the County Board for their contribution. This contribution allows them to expand their staff time, as well as hire a paid intern from N.I.U. They are able to offer a decent hourly pay rate for their law intern and they hope to expand their hours in the future.

Some of the other highlights that she wants to share with the committee is that she does not see the numbers changing too much. Things are changing in DCFS in their guidelines and her office is seeing a little less in caseload. This is because of the numbers being reported to DCFS are slightly lower in 2004 than the year before. Overall, though, their caseload is consistent and that there will be an ongoing need for their services.

On August 20, 2005 they will be holding a fundraising event in collaboration with the Family Service Agency.

PUBLIC DEFENDER'S REPORT

Mr. Ken Johnson, DeKalb County Public Defender, briefly reviewed his monthly report. He said that he is losing his Juvenile Attorney because of a purely financial decision. He was the most experienced Juvenile Attorney that he has had the opportunity to work with. Mr. Johnson is receiving numerous applications for the

position. He has been interviewing for the position for the last two weeks and that he has many local people applying.

He also has one attorney on maternity leave and it will be a rough summer. An ex-employee will be helping out two days a week until the other attorney returns from maternity leave.

Other than that everything else is as usual and consistent.

COURT SERVICES MONTHLY REPORT

Ms. Margi Gilmour, Director of the Court Services Department, briefly reviewed her monthly report. She says that her numbers remain consistent with 300 felony cases and her officers are busy. They had their first adult swap in May and it went well.

In her juvenile report, there were 9 detentions, of which 7 were for the 1st time, 1 for the 2nd time and 1 for the 3rd time. There are two kids at Arrowhead and they are doing well. No release dates on these two yet, however.

Ms. Gilmour said that they had their first day of Summer Camp today. This is their third year for the camp. They are doing things a little differently this year, whereby, the Sycamore Park District and a local church are co-sponsoring the site. There are 15 kids in camp. Her office was able to secure some grant monies for paying for a full-time camp director and a full-time aid. Also with this grant they will be able to provide a regular formalized educational component that will be training counselors through the Ben Gordon Center, to work with kids with anger management, conflict resolution, etc. A typical day will consist of a couple of hours doing CRS hours, recreational time, formalized counseling time, and then Fridays will be field trip days. They currently have four (4) full-time counselors and two (2) aides from N.I.U. They have also received a lot of support from the community, Ms. Gilmour said.

SHERIFF'S JAIL REPORT

Chairman Leifheit said that the daily population for the last month was 82. They have already spent \$41,850.00 and they only budgeted \$22,000.00 for the cost of renting jail space from other counties. She has spoken with the local newspapers to see if these reports could appear in their newspapers.

Ms. Vary asked Chairman Leifheit, where do we get the money to pay for this? Chairman Leifheit said from the General Fund.

Chairman Leifheit continued to say that another issue that this committee will need to discuss at budget time is how do we pay for the Juvenile Detention Center.

ADJOURNMENT

Moved by Ms. Vary, seconded by Mr. Osborne, and it was carried unanimously to adjourn the meeting.

Respectfully submitted,

Chairman Sue Leifheit

Mary C. Supple, Secretary
G:Law and Justice Committee Minutes 061305.doc