

IN THE COUNTY LEGISLATURE OF JACKSON COUNTY, MISSOURI

AN ORDINANCE appropriating \$51,973.00 from the fund balance of the 2011 General Fund for use by the Circuit Court to cover the cost to sequester the jury in the case of State of Missouri vs. Bernard Jackson, Case No. 1016-CR02141-01.

ORDINANCE #4314, June 6, 2011

INTRODUCED BY James D. Tindall, County Legislator

WHEREAS, by order of the Circuit Court, the members of the jury in the case of State of Missouri vs. Bernard Jackson, Case No. 1016-CR02141-01, shall be subject to sequestration for the duration of the trial; and,

WHEREAS, the jury sequestration is scheduled to begin mid-July 2011 and is expected to continue for approximately two weeks, at a cost to the County of \$51,973.00; and,

WHEREAS, an appropriation is necessary to cover the cost of the jury sequestration; and,

WHEREAS, the County Executive recommends said appropriation; now therefore,

BE IT ORDAINED by the County Legislature of Jackson County, Missouri, that the following appropriation be and hereby is made:

<u>DEPARTMENT/DIVISION</u>	<u>CHARACTER/DESCRIPTION</u>	<u>FROM</u>	<u>TO</u>
General Fund			
Circuit Court			
001-2810	Undesignated Fund Balance	\$51,973	
001-3001	56820 - Petit Jury		\$35,096
001-3001	55010 - Regular Salaries		\$ 2,400
001-3001	55030 - Overtime		\$10,815
001-3001	55040 - FICA		\$ 1,011
001-3001	55050 - Pension		\$ 1,189
001-3001	56110 - Postage		\$ 1,250
001-3001	56120 - Local Mileage		\$ 212

Effective Date: This ordinance shall be effective immediately upon its signature by the County Executive.

APPROVED AS TO FORM:

Jan P. Hahn
Chief Deputy County Counselor

W. Stephen Nelson
County Counselor

I hereby certify that the attached Ordinance, Ordinance #4314 introduced on June 6, 2011, was duly passed on June 6, 2011 by the Jackson County Legislature. The votes thereon were as follows:

Yeas 8

Nays 0

Abstaining 0

Absent 1

This Ordinance is hereby transmitted to the County Executive for his signature.

6.6.11
Date

Mary Jo Spino
Mary Jo Spino, Clerk of Legislature

I hereby approve the attached Ordinance #4314.

6/6/2011
Date

Michael D. Sanders
Michael D. Sanders, County Executive

Funds sufficient for this appropriation are available from the source indicated below.

ACCOUNT NUMBER: 001 2810
ACCOUNT TITLE: General Fund
Undesignated Fund Balance
NOT TO EXCEED: \$51,973.00

June 1, 2011
Date

Director of Finance and Purchasing
Director of Finance and Purchasing

REQUEST FOR LEGISLATIVE ACTION

Completed by County Counselor's Office:

~~Res~~ Ord No.: **4314**

Sponsor(s): **James D. Tindall**

Date: **June 6, 2011**

SUBJECT	<p>Action Requested <input type="checkbox"/> Resolution <input checked="" type="checkbox"/> Ordinance</p> <p>Project/Title: <u>Appropriate funds to sequester jury in 1016-CR02141-01, State of Missouri v Bernard Jackson</u></p>																														
<p>BUDGET INFORMATION <i>To be completed By Requesting Department and Finance</i></p>	<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width:60%;">Amount authorized by this legislation this fiscal year:</td> <td style="text-align: right;">\$51,972.68</td> </tr> <tr> <td>Amount previously authorized this fiscal year:</td> <td style="text-align: right;">\$0.00</td> </tr> <tr> <td>Total amount authorized after this legislative action:</td> <td style="text-align: right;">\$51,972.68</td> </tr> <tr> <td>Amount budgeted for this item * (including transfers):</td> <td style="text-align: right;">\$0.00</td> </tr> <tr> <td colspan="2">Source of funding (name of fund) and account code number.</td> </tr> <tr> <td>FROM:</td> <td>FROM ACCT:</td> </tr> <tr> <td style="padding-left: 20px;">2810 – Undesignated Fund Balance</td> <td style="text-align: right;">\$51,972.08</td> </tr> <tr> <td>TO:</td> <td>TO ACCT:</td> </tr> <tr> <td style="padding-left: 20px;">001-3001-55010-11 - Salaries</td> <td style="text-align: right;">\$2,400.00</td> </tr> <tr> <td style="padding-left: 20px;">001-3001-55030-11 - Overtime</td> <td style="text-align: right;">\$10,814.76</td> </tr> <tr> <td style="padding-left: 20px;">001-3001-55040-11 - FICA</td> <td style="text-align: right;">\$1,010.93</td> </tr> <tr> <td style="padding-left: 20px;">001-3001-55050-11 - Pension</td> <td style="text-align: right;">\$1,189.33</td> </tr> <tr> <td style="padding-left: 20px;">001-3001-56110-11 - Postage</td> <td style="text-align: right;">\$1,250.00</td> </tr> <tr> <td style="padding-left: 20px;">001-3001-56120-11 - Mileage</td> <td style="text-align: right;">\$212.16</td> </tr> <tr> <td style="padding-left: 20px;">001-3001-56820-11 - Juror pay</td> <td style="text-align: right;">\$35,095.50</td> </tr> </table> <p>* If account includes additional funds for other expenses, total budgeted in the account is: \$</p> <p>OTHER FINANCIAL INFORMATION:</p> <p><input type="checkbox"/> No budget impact (no fiscal note required) <input type="checkbox"/> Term and Supply Contract (funds approved in the annual budget); estimated value and use of contract: Department: _____ Estimated Use: \$ _____</p> <p>Prior Year Budget (if applicable): \$0.00 Prior Year Actual Amount Spent (if applicable): \$0.00</p>	Amount authorized by this legislation this fiscal year:	\$51,972.68	Amount previously authorized this fiscal year:	\$0.00	Total amount authorized after this legislative action:	\$51,972.68	Amount budgeted for this item * (including transfers):	\$0.00	Source of funding (name of fund) and account code number.		FROM:	FROM ACCT:	2810 – Undesignated Fund Balance	\$51,972.08	TO:	TO ACCT:	001-3001-55010-11 - Salaries	\$2,400.00	001-3001-55030-11 - Overtime	\$10,814.76	001-3001-55040-11 - FICA	\$1,010.93	001-3001-55050-11 - Pension	\$1,189.33	001-3001-56110-11 - Postage	\$1,250.00	001-3001-56120-11 - Mileage	\$212.16	001-3001-56820-11 - Juror pay	\$35,095.50
Amount authorized by this legislation this fiscal year:	\$51,972.68																														
Amount previously authorized this fiscal year:	\$0.00																														
Total amount authorized after this legislative action:	\$51,972.68																														
Amount budgeted for this item * (including transfers):	\$0.00																														
Source of funding (name of fund) and account code number.																															
FROM:	FROM ACCT:																														
2810 – Undesignated Fund Balance	\$51,972.08																														
TO:	TO ACCT:																														
001-3001-55010-11 - Salaries	\$2,400.00																														
001-3001-55030-11 - Overtime	\$10,814.76																														
001-3001-55040-11 - FICA	\$1,010.93																														
001-3001-55050-11 - Pension	\$1,189.33																														
001-3001-56110-11 - Postage	\$1,250.00																														
001-3001-56120-11 - Mileage	\$212.16																														
001-3001-56820-11 - Juror pay	\$35,095.50																														
PRIOR LEGISLATION	<p>Prior ordinances and (date): None</p> <p>Prior resolutions and (date): None</p>																														
CONTACT INFORMATION	<p>RLA drafted by (name, title, & phone): Joel Kesler, Court Fiscal Officer, 881-3643</p>																														
REQUEST SUMMARY	<p>Request for appropriation of funds in court ordered sequestration of jury in 1016-CR02141-01, State of Missouri v Bernard Jackson. The sequestration is expected to begin in mid-July and to continue for up to 13 calendar days.</p>																														

CLEARANCE	<input type="checkbox"/> Tax Clearance Completed (Purchasing & Department) <input type="checkbox"/> Business License Verified (Purchasing & Department) <input type="checkbox"/> Chapter 6 Compliance - Affirmative Action/Prevailing Wage (County Auditor's Office)	
ATTACHMENTS	Estimate of Costs – 1016-CR02141-01, State of Missouri v Bernard Jackson	
REVIEW	Department Director: <i>[Signature]</i>	Date: 5/31/2011
	Finance (Budget Approval): If applicable <i>Robert S Ball</i>	Date: 5/31/11
	Division Manager: <i>[Signature]</i>	Date: 5/31/11
	County Counselor's Office:	Date:

Fiscal Information (to be verified by Budget Office in Finance Department)

- This expenditure was included in the annual budget.
- Funds for this were encumbered from the _____ Fund in _____.
- There is a balance otherwise unencumbered to the credit of the appropriation to which the expenditure is chargeable and there is a cash balance otherwise unencumbered in the treasury to the credit of the fund from which payment is to be made each sufficient to provide for the obligation herein authorized.
- Funds sufficient for this expenditure will be/were appropriated by Ordinance # _____
- Funds sufficient for this appropriation are available from the source indicated below.

Account Number:	Account Title:	Amount Not to Exceed:
2810	Undesignated Fund Bal.	\$ 51,973

- This award is made on a need basis and does not obligate Jackson County to pay any specific amount. The availability of funds for specific purchases will, of necessity, be determined as each using agency places its order.
- This legislative action does not impact the County financially and does not require Finance/Budget approval.

Jackson County Circuit Court
Estimate of Costs - Atwell Sequestered Jury
Summer 2011

<u>Juror Pool</u>	<u>#</u>	<u>unit</u>	<u>factor</u>	<u>unit</u>	<u>Rate</u>	<u>Budget</u> <u>line item</u>
initial pool	240	jurors	2	days	\$ 7.75 \$ 3,720.00	
voir dire	50	jurors	2	days	\$ 7.75 775.00	
voir dire	78	jurors	1	days	\$ 7.75 <u>604.50</u>	
						\$ 5,099.50 56820
 <u>Seated Jurors</u>						
salary	16	jurors	11	days	\$ 6.00 \$ 1,056.00	
salary - first & la:	16	jurors	2	days	\$ 7.75 \$ 248.00	
lodging	16	jurors	12	nights	\$ 59.00 11,328.00	
lunch	16	jurors	12	days	\$ 12.00 2,304.00	
dinner	16	jurors	13	days	\$ 21.00 4,368.00	
entertainment	16	jurors	1	weekend	\$ 30.00 <u>480.00</u>	
						19,784.00 56820
 <u>Court Costs</u>						
vans	2	vans	14	days	\$ 110.00 \$ 3,080.00	56820
gas	2	vans	400	miles	\$ 0.400 320.00	56820
incidentals	1	each	2	weeks	\$ 500.00 1,000.00	56820
laundry	1	each	2	weeks	\$ 600.00 1,200.00	56820
class E licensing	1	license	1	each	\$ 35.00 35.00	56820
postage	1	each	1	each	\$1,250.00 1,250.00	56110
stipend	1	law clerk	12	days	\$ 200.00 2,400.00	55010
stipend FICA	1	law clerk	12	days	\$ 15.30 183.60	55040
stipend pension	1	law clerk	12	days	\$ 18.00 216.00	55050
overtime - weekd	1	jury room clerk	220	hours	\$ 27.31 6,008.20	55030

Jackson County Circuit Court
Estimate of Costs - Atwell Sequestered Jury
Summer 2011

overtime - weekd	1	ldl jury room cler	80	hours	\$ 27.31	2,184.80	55030
overtime - weeke	1	jury room clerks	96	hours	\$ 27.31	2,621.76	55030
overtime FICA	1	jury room clerk	396	hours	\$ 2.09	827.33	55040
overtime pension	1	jury room clerk	396	hours	\$ 2.46	973.33	55050
additional emplo	32	miles	13	days	\$ 0.51	212.16	56120
lodging	2	suites	12	nights	\$ 89.00	2,136.00	56820
lodging - additior	1	room	4	nights	\$ 59.00	236.00	56820
lunch	9	jury room clerks	12	days	\$ 12.00	1,296.00	56820
dinner	3	jury room clerks	13	days	\$ 21.00	819.00	56820
entertainment	3	jury room clerks	1	weekend	\$ 30.00	<u>90.00</u>	56820

27,089.18

\$ 51,972.68

<u>Summary</u>	
Salaries	001-3001-55010-11 \$ 2,400.00
Overtime	001-3001-55030-11 10,814.76
FICA	001-3001-55040-11 1,010.93
Pension	001-3001-55050-11 1,189.33
Postage	001-3001-56110-11 1,250.00
Mileage	001-3001-56120-11 212.16
Petit Jury	001-3001-56820-11 <u>35,095.50</u>
	<u>\$ 51,972.68</u>

IN THE CIRCUIT COURT OF JACKSON COUNTY, MISSOURI
AT KANSAS CITY

STATE OF MISSOURI

PLAINTIFF(S),
VS.

CASE NO. 1016-CR02141
DIVISION 10

BERNARD JACKSON,
DEFENDANT(S).

ORDER

NOW on this 31st day of May, 2011, the Court, on its own motion, ORDERS that the jury trial for the above cause, scheduled to begin on July 11, 2011, shall be subject to sequestration of the members of the jury, for the duration of the trial.

IT IS SO ORDERED.

MAY 31, 2011
DATE


JUDGE CHARLES E. ATWELL

Copies have been duly mailed/faxed to:

TED ROBERT HUNT, 415 E 12TH STREET, KANSAS CITY, MO 64106

CARIE M ALLEN, MO STATE PUBLIC DEFENDER, 324 EAST 11TH 20TH FLOOR,
KANSAS CITY, MO 64106