

**Criminal Justice Commission**  
**Court System Task Force**  
**Minutes**

**Tuesday, April 14, 2009 – 12:00 Noon**  
**McEaddy 12<sup>th</sup> Floor Conference Room**  
**301 N. Olive Avenue**  
**West Palm Beach, FL 33401**

**Task Force Members present:**

Jack Goldberger, Chairman  
Journey Beard, CJC Crime Prevention Specialist  
Judge Sandra Bosso-Pardo, County Criminal Court  
Judge Lucy Chernow Brown, Circuit Criminal Court  
Cherry Grant, Public Defender's Office  
Judge Nancy Perez, County Criminal Court (via videoconference from Gun Club)  
Yasmin Rivera, Florida Department of Corrections  
Michelle Spangenberg, Court Administration  
Terri Skiles, State Attorney's Office

**Task Force Members absent:**

Barbara Dawicke, Court Administration  
Feirmon Johnson, Department of Juvenile Justice  
Capt. Frank De Mario, Palm Beach County Sheriff's Office  
Gena Rowlands, Palm Beach County Sheriff's Office  
Louis Tomeo, Clerk and Comptroller's Office  
Chief Clay Walker, Manalapan Police Department

**Others present:**

Cristy Altaro, Court Administration  
Fay Callum, Community Justice Service Center  
Krista Garber, Court Administration  
Shelby King, Palm Beach County Sheriff's Office  
Bea Lovelace, Clerk and Comptroller's Office  
Tivi Parks, Clerk & Comptroller's Office  
Skip Reasoner, PBSO  
Johanna Rivera, Public Defender's Office  
John Rivera, Public Defender's Office  
Nicole Saunders, Justice Services  
Cassandra Strachan, PBSO - Community Justice Service Center

**Staff present:**

Damir Kukec, Research and Planning Manager  
Mike Rodriguez, Executive Director  
Becky Walker, Justice Program Manager

**1. Welcome**

Chair Jack Goldberger called the meeting to order at 12:04 p.m., and welcomed members and guests.

**2. Roll Call & Introduction of Guests**

Attendees introduced themselves in lieu of roll call.

### 3. **Approval and/or Additions to the Draft Agenda**

The draft meeting Agenda was approved without amendments.

### 4. **Approval Draft Minutes**

The draft minutes for the March 10<sup>th</sup>, 2009, were approved.

### 5. **Chairman's Comments**

Chair Goldberger commented on *The Court Technology E-Learning Training – OAC Guide* as a tool that attorneys can use for using the courtroom computers. He will distribute it to the PBC criminal defense lawyers association.

### 6. **New Business**

Michelle Spangenberg, Court Administration, described the proposed Administration Order, *Mental Health Specialty Division*, to expedite the appointment of a psychological expert in Motion for Incompetency cases. Additionally, it is desired that the Mental Health Case Manager receives a copy of the "Incompetent to Proceed Checklist" and will follow the case through the system. This Case Manager would maintain a roster of the doctors who are participating in the program, will ensure the reports are filed in a timely manner, and monitor the reports for compliance of statutory criteria. It will address incompetency cases, not insanity issues. A discussion ensued concerning possible objections to the AO and attorney-client privileged issues. Chair Goldberger asked Michelle Spangenberg to report back next month regarding any progress.

### 7. **Old Business – No Old Business**

### 8. **Updates**

- a. **No Contact Orders** – Chair Goldberger thanked the PBSO Central Records staff for their work on eliminating the backlog of Rescission Orders of No Contact.
- b. **Rescission of No Contact Orders** – Michelle Spangenberg, Court Administration, and Journey Beard, CJC, and reported that a meeting of interested parties had determined the Court Event Form was not a viable legal document to overrule a prior No Contact Order (NCO). The identified problem occurred when NCO's were initially issued in a case, but the State Attorney's Office may have subsequently no-filed or nolle prossed the case. If this was done orally in court, there was not a written Rescission Order being filed, and PBSO Central Records was not being correctly updated. A special thanks was given to Terri Skiles and Elizabeth Parker – SAO, Cherry Grant and John Rivera – PD, Judge Bosso-Pardo – County Criminal, Judge Lucy Chernow Brown – Circuit Criminal, and Louis Tomeo – Clerk and Comptroller's Office, and others who have helped to educate about the necessity of obtaining a written Rescission Order. Chair Goldberger asked that PBSO be notified that a NCO issued as a condition of a bond may be eliminated from the records without the necessity of a separate Order. The backlog of NCO cases requiring a written Rescission Order will continue to be addressed.
- c. **Violation of Probation (VOP) Felony Hearings** – Judge Lucy Chernow Brown, Circuit Criminal Court, reported that a pilot program for in-custody preliminary VOP hearings at Gun Club was working well. Transportation expenses were being saved and jail time for defendants was being minimized since the pilot program was providing faster hearings. Thus far, there have been 56 felony VOP hearings -- 21 cases were resolved and 35 were re-set. Due to its success, the program may be expanded to include County Court VOP hearings at Gun Club. An April 30<sup>th</sup> meeting has been scheduled to discuss the expansion. Judge Brown will continue to provide program updates to the Task Force.

- d. **Suspended License Assistance Program** – Sara Blumberg, Traffic Court Administrator, reported that she has asked the traffic hearing officers to track the number of first-time Driving Under Suspension (DUS) offenders during the past two weeks. Thus far, there have been 36 eligible cases. A meeting will be scheduled with the Clerk's Office and others to discuss this diversionary program.
- e. **Drug Court** - Nicole Saunders, Justice Services Director, reported the CJC Executive Committee recently approved drug court treatment dollars totaling \$164,000. A meeting is being held on April 14<sup>th</sup> to explore new grant opportunities for the expansion of treatment capacities for adult drug court.
- f. **BANNER** – Bea Lovelace, Clerk and Comptroller's Office, commented that negotiations are continuing with the case management systems vendor. A vendor demonstration was held on March 24<sup>th</sup>.
- g. **Juvenile Drug Court** - Cristy Altaro, Court Administration, reported there are seven (7) youth currently in the system, and four are receiving residential treatment. On April 24<sup>th</sup>, the Unified Family Court Unified Family Court will be holding a training event, "Increased Violence in Stressful Times". The advisory board has been meeting to discuss funding sources.
- h. **Community Justice Service Center** - Becky Walker, CJC, reported that future funding for the Tamarind Avenue Community Justice Service Center was being sought from the City of West Palm Beach.

## 9. Member and Guest Comments

The next meeting of the Court will be held on Tuesday, May 12<sup>th</sup>, 2009.

## 10. Adjournment

Given that there were no other agenda items; the meeting was adjourned at 1:00 p.m.