

**COURT EN BANC MINUTES
Tuesday, February 3, 2015, at 5:00 p.m.
Boone County Courthouse
Law Library**

Judges Present: Judges Christine Carpenter, Jodie Asel, Kevin Crane, Gary Oxenhandler, Leslie Schneider, Carol England, Michael Bradley, Sue Crane, Kimberly Shaw, and Deborah Daniels.

Others Present: Boone County Circuit Clerk Christy Blakemore, Adult Court Services Supervisor Brandon Walker, and Court Administrator Mary Epping.

1. Call to Order/Welcome

The meeting was called to order at 5:00 p.m. by Judge Christine Carpenter.

2. Introduction of All Guests

Judge Christine Carpenter welcomed guests.

The Court en Banc went to item #5 at this point.

3. Approval of the January 6, 2015, Minutes

Judge Gary Oxenhandler moved to accept the January 6, 2015, minutes. Second: Judge Kevin Crane. The motion passed unanimously.

4. Destruction of Records – Boone County Circuit Clerk

Court Administrator Mary Epping said the Boone County Circuit Clerk's office asked to destroy by shredding the documents on pages 3-6 of the Court en Banc's packet. Judge Gary Oxenhandler moved to approve the destruction of the records listed. Second: Judge Leslie Schneider. The motion passed unanimously.

The Court en Banc went to item #7 at this point.

5. Legislation

Court Administrator Mary Epping explained pages 7-10 of the Court en Banc's packet is a list she compiled of court-related legislation filed before Jan. 27. Mary said page 7 were bills of particular note. There was a discussion about HB 355 which allows attorneys to file in person (avoid eFiling). Mary said that based on the wording of the bill, it has been discussed that a court could develop a local court rule to get around it. There was a discussion about HB 576 allowing potential jurors age 70 and over to request being excluded from the jury pool, HJR 17 to repeal the authorization for convening grand juries, HJR 21 to amend the constitution to recognize marriage between same-sex couples, and SB 80 regarding county prosecuting attorneys. Mary asked the Court en Banc to let her know if there were other specific bills they wanted her to follow. The last bill discussed was HB 300 and SB 213 that changed the definition of "adult" to a person 18 years of age and older.

6. 3West Microphones

Court Administrator Mary Epping said the 3West courtroom has continued to have issues with the microphones not working well. She explained there were some funds budgeted to fix or replace the

microphones, but based on the issues we are experiencing it appears a larger upgrade may be necessary. There was a discussion that there did not need to be wireless microphones and that wired mics seemed to work better. It was requested a microphone be put on a podium, similar to that in the Ceremonial Courtroom. Mary said she did not have an exact budget yet, but if the upgrade costs more than what was budgeted the options are to ask the county for more money, or to use the Law Library Funds. She explained the Law Library Fund, by statute, may be used for courtroom technology and that the state auditor had recently inquired into the future use of that fund. The Court en Banc agreed the Law Library Fund would be a good resource if additional funding was needed.

Judges Kimberly Shaw and Jodie Asel joined the meeting at 5:20 p.m.

Mary said another issue has been the video conferencing equipment in the ground floor courtroom. This may be another upgrade in which the Law Library Fund may be utilized.

At this point the Court en Banc returned to item #3.

7. Missouri Revised Statutes

Court Administrator Mary Epping said the 2014 revised statutes are now available for purchase. Page 11 is the list used in 2013 to purchase revised statutes. Mary asked whether any updates needed to be made on page 11. She said each set of revised statutes cost \$100. There was a discussion to buy a set of statutes and revised statutes for the Callaway County hearing room.

8. Missouri Attorney Handbook

Court Administrator Mary Epping said she received an email from "Missouri Attorney's/Secretary's Handbook and eBook." The email is on pages 12 and 13 of the Court en Banc's packet. She said the company is requesting updated contact information for all of the judges and some staff. There was a discussion about the information listed and updates were provided.

9. Veterans Court Grant

Court Administrator Mary Epping advised she is looking into two grant options for the Veterans Court Grant: SAMHSA or BJA. It is likely the BJA grant will be pursued as SAMHSA tends to have more restrictions and strenuous reporting requirements.

10. On-Call Procedure Booklet

Court Administrator Mary Epping passed around the Boone County On-Call procedure booklet. She asked the judges to review their phone numbers, and to make sure the phone numbers were listed in their preferred order (ex: home phone, then cell). There was a discussion whether the judges' faxes number should be included in the booklet. It was decided the individual fax numbers should not be provided in the booklet, to avoid confusion.

Judges Carol England and Sue Crane joined the meeting at 5:30 p.m.

There is one main fax number used by law enforcement, and that fax number is forwarded each week to the on-call judge's fax number. It was requested that the pager number be added to the on-call book. Mary said additional changes will need to be made to address the electronic on-call procedures.

There was a discussion about whether the counties should be combined for on-call purposes. No change was made.

11. Sheriff Fees Paid by the State, County or Municipality

Boone County Circuit Clerk Christy Blakemore asked for the Court en Banc's input on sheriff fees. She said when a case is filed by a state, city or county entity they do not pay a filing fee. At the end of the case, the judge may tax costs to the defendant. Christy said in this scenario, if a garnishment is later filed the clerk's office adds the garnishment and sheriff's fees to the garnishee (person being garnished). Christy said OSCA sent her an email, on page 14 of the court's packet, recommending the clerk not assess the sheriff's fee. Christy disagreed and talked to the Boone County counselor who also disagreed with OSCA. There was a discussion about the language in OSCA's email. Court Administrator Mary Epping said she and Christy asked OSCA for clarification and OSCA said it was their "recommendation." The Court en Banc did not object to the clerk continuing to tax the fee to the garnishee.

12. Bench Bar Meeting

Judge Christine Carpenter said the Boone County Bar proposed the Bench/Bar meeting would be Tuesday, April 14. She asked the judges to let her know if that date did not work. Judge Sue Crane noted she is the Callaway County Bar President and can disseminate information to the Callaway Bar when needed.

13. Other

Judge Christine Carpenter will be signing an administrative order to make Judge Kevin Crane the acting presiding judge when she is not available.

14. Comments from the Public

Boone County Circuit Clerk Christy Blakemore said she can pass any legislative issue on to MACA.

15. Next Meeting Date

The next meeting will be Tuesday, March 10, 2015, at 5:00 p.m. to convene in the Boone County Courthouse. It was discussed that three meetings a year are held in Callaway, and one was always in December.

Prepared and
Submitted by:


Mary Epping
Court Administrator

Distributed on:

3/13/15