

**COURT EN BANC MINUTES**  
**Tuesday, August 11, 2015, at 5:00 p.m.**  
**Boone County Courthouse**  
**Law Library**

**FILE COPY**

**Judges Present:** Judges Christine Carpenter, Jodie Asel, Kevin Crane, Gary Oxenhandler, Deborah Daniels, Leslie Schneider, Carol England, Commissioner Sara Miller.

**Others Present:** Boone County Circuit Clerk Christy Blakemore, Callaway County Circuit Clerk Judy Groner, Boone County Circuit Clerk Unit Manager Lana Brooks, Adult Court Services Supervisor Brandon Walker, Court Administrator Mary Epping, and Deputy Court Administrator Cindy Garrett.

**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.

**3. Approval of the July 7, 2015, Minutes**

Judge Kevin Crane moved to accept the July 7, 2015, minutes. Second: Judge Leslie Schneider. The motion passed unanimously.

**4. Destruction of Records – Boone County Circuit Clerk**

Deputy Court Administrator Cindy Garrett reported the Boone County Circuit Clerk's office has asked to destroy by shredding the documents on page 3 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.

**5. Administrative Order 08-15**

Court Administrator Mary Epping reported the order on page 4 of the Court en Banc's packet is the update to our designation of appointed authorities for the 13<sup>th</sup> Circuit. Updates were made the title of the Deputy Court Administrator. Mary also pointed out that #3 says the Juvenile Officer and Superintendent of the Juvenile Justice Center shall be appointed by the Court Administrator with the advice and consent of the Administrative Judge of the Family Court, which is by statutory authority.

**6. Juvenile Records and Adult Court Services Reports**

Court Administrator Mary Epping reported it has come to her attention there has been a shift in process as to how Court Services receives juvenile records on bond investigations for 17 and 18 year olds. Adult Court Services used to have direct access to juvenile records, however their security level changed within JIS, no longer allowing them access. This information was then obtained by going through legal counsel within the juvenile office, however over time this became a clerical function and more information began being released. The statute was reviewed, which is

included on pages 5 through 7 of the Court en Banc's packet, in regards to what should be released for bond investigations while also protecting juvenile records. Within the statute only specific offenses are to be released and any additional information would need to be opened by the Family Court Judge. Therefore, it is Mary's interpretation only the specific offenses should be released and if the trial judge wants additional information, Adult Court Services staff would need to make a request to the Family Court Judge for additional information. This is different than what has been occurring. There was discussion that section 211.321.1 RSMo applies only to probation officers and SAR investigations and not to Adult Court Services staff. However all agreed that bond investigations would now only include information specific to the offenses listed within 211.321.1 RSMo.

**7. Requests to Release Individuals from the Jail**

Judge Christine Carpenter reported this item would be passed to our September agenda.

**8. Written Waiver of Preliminary Hearing**

Judge Christine Carpenter reported this item would be passed to our September agenda.

**9. Boone County Audit**

Boone County Circuit Clerk Christy Blakemore reported she was a little surprised with the "Fair" rating as it was anticipated we would receive a "Good" rating. Christy reported she spoke with Dennis, the lead auditor, who reported the definition of "Fair" includes having several findings being noted within the audit. Christy noted we had several findings; however implementation plans had been put in place to address all the findings outside of one. Judge Kevin Crane felt the perception of the "Fair" grade was perceived negatively by the media. Judge Christine Carpenter noted that during the pre-audit meeting the ratings were discussed and the auditors noted nobody gets "Excellent." It was therefore her perception that you could be great and only get a "good" rating. Some of the findings are based on things we have no control over, such as JIS. The other thing noted were high balances of some of our funds including the Drug Court Fund. All agreed that should our Drug Court grant funding be cut, this account could be depleted in one year. Judge Carpenter believes we are practicing good financial responsibility. It was agreed we would not take any further action in explaining the outcome of the audit as it is believed we have complied with addressing the findings.

*Commissioner Sara Miller joined the meeting at 5:20 p.m.*

**10. CCBC Request**

Court Administrator Mary Epping reported a letter was sent to the Circuit Court Budget Committee asking about funding for the Drug Court Commissioner as it was in the senate appropriations worksheet. The letter also requested a status update on the Callaway County Court Marshal position as it was specifically appropriated in the fiscal bill but the bills with the statutory change that would have allowed for it were vetoed by the governor. Both of the bills will go back to the legislature and require a 2/3 vote for passage. Mary reported it is her understanding the governor vetoed the bills due to a \$10.00 fee being assessed in specific counties to assist with upkeep on courthouses and jails. Lastly, the letter requested one FTE for direct care staff at the juvenile detention center. Mary reported we are on the list for an FTE but are not on the top of the



list. CCBC is meeting on August 14, 2015, therefore it is anticipated a response might be received by next week.

**11. Juvenile Justice Center Day Treatment**

Court Administrator Mary Epping provided an update regarding a pilot day treatment program at the Juvenile Justice Center. Juvenile Court administrators have been working with officials from Columbia Public School to develop a pilot a program where youth can be placed at the detention center during the day for the purpose of attending school. Population numbers have been decreasing within the Juvenile Justice Center and this would be an alternative to using the facility to benefit youth without the county incurring any additional costs. The program would be a short term educational program with increased supervision and educational programming in a structured environment. The program would allow for up to five youth from Columbia Public Schools, as they are providing the teachers, course work, meals and transportation. It is anticipated the program would be expanded in the future.

**12. GAL Implementation Plan**

Deputy Court Administrator Cindy Garrett reported the GAL Implementation plan is to be reviewed annually. Pages 10 and 11 of the Court en Banc packet includes a copy of the revised plan. The only change noted was under 3a as the Local Court Rules are 22 and 68.7.

**13. Department of Justice Report, St. Louis County Family Court**

Court Administrator Mary Epping reported on July 31, 2015, the Department of Justice released a 58 page report on their investigation of the St. Louis County Family Court. The investigation was started on November 18, 2013, to determine if there was a pattern of practice of conduct that violates the constitutional or federal statutory rights of children in the administration of juvenile justice. A lot of the practices are statutory and statewide. Our juvenile court administrators will be reviewing our practices within the statutory structure of the juvenile court and family law. OSCA is also developing a team to review the findings. There may also be recommended legislative changes in the future.

**14. 2016 Budget**

Court Administrator Mary Epping, Circuit Clerks Christy Blakemore and Judy Groner, and Deputy Court Administrator Cindy Garret presented the budget which is attached. Judge Kevin Crane moved to accept the budget. Second: Judge Gary Oxenhandler. The motion passed unanimously.

**15. Other**

None.

**16. Comments from the Public**

None.

**17. Next Meeting Date**

The next meeting is scheduled for September 23, 2015, at 5:00 p.m. to convene in the Boone County Courthouse, Law Library.

Meeting adjourned at 6:55 p.m.

Prepared by: Cindy Garrett  
Cindy Garrett  
Deputy Court Administrator

Submitted by: Mary Epping Distributed on: 9/21/15  
Mary Epping  
Court Administrator