

COURT EN BANC MINUTES
Tuesday, January 10, 2017, at 5:00 p.m.
Boone County Courthouse
Law Library, Second Floor

Judges Present: Judges Christine Carpenter, Jeff Harris, Kevin Crane, Jodie Asel, Kimberly Shaw, Carol England, Sue Crane, Michael Bradley, Leslie Schneider, Deborah Daniels, Commissioners Sara Miller and Casey Clevenger, Columbia Municipal Court Judge Cavanaugh Noce, and New Bloomfield Municipal Court Judge David Barrett.

Others Present: Boone County Circuit Clerk Christy Blakemore, Court Services Supervisor Brandon Walker, Columbia Police Department Lieutenant Jason Jones and Assistant Chief Jeremiah Hunter, Columbia Tribune Reporter Alan Burdziak, 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 and introduced guests.

3. Approval of the December 13, 2016 Minutes

Judge Leslie Schneider moved to accept the December 13, 2016, minutes. Second: Judge Jodie Asel. The motion passed unanimously.

4. CPD Presentation

Lieutenant Jason Jones of the Columbia Police Department provided a PowerPoint presentation on Focused Deterrence. He noted Columbia Police Department officials have visited the focused deterrence programs in Kansas City and High Point, North Carolina. Their goal is to bring this program to Columbia and they felt getting input from the Court en Banc was important to the success of the program.

Judge Sue Crane arrived at 5:05 p.m., Judge England arrived at 5:08 p.m., and Judge Daniels arrived at 5:10 p.m.

5. Destruction of Records – Boone County Circuit Courts

Deputy Court Administrator Cindy Garrett reported the Boone County Circuit Clerk's office has asked to destroy by shredding the documents on page 8 of the Court en Banc's

packet. Judge Michael Bradley moved to approve the destruction of the records listed. Second: Judge Kimberly Shaw. The motion passed unanimously.

6. Election of Presiding Judge

Judge Christine Carpenter provided the voting slips to the Court en Banc. Pursuant to local court rule, it is a secret vote. She asked Judges Carol England and Kimberly Shaw to step out in the hall and count the votes. Judges England and Shaw left to count the votes and returned shortly thereafter to announce Judge Kevin Crane won the election. Judge Kevin Crane will be presiding judge effective January 31, 2017.

Item # 7 was taken up while Judges England and Shaw were counting votes.

7. One Bond on Highest Charge

Judge Kevin Crane noted there was discussion this morning at the Jail Overcrowding meeting on this topic and it was agreed we would begin a process of one bond for detainees arrested for DWI, only being required to post bond on the DWI charge and not on the associated traffic offenses. However, if the detainee is arrested for DWI and misdemeanor resisting arrest, they would be required to bond on DWI and resisting arrest. After jail overcrowding, the subcommittee met and developed additional suggested language that if the arrest is not for a domestic or special victim offense and the charge is on the bond schedule, bond shall only be required on the felony/felonies for which the detainee has been arrested. Judge Crane requested this item be placed on the agenda for February for a vote to the proposed language. He agreed to speak with Prosecuting Attorney Dan Knight and Chris Wilson regarding the proposed language.

Returned to Item #6, to announce the results of the vote.

8. Local Court Rule 68.14 on Judgements

Court Administrator Mary Epping provided a handout of Local Court Rule 68.14. Judge Leslie Schneider said this handout recommends changes to Local Court Rule 68.14, removing language that no longer applies and including statutory changes. She said the changes are noted in bold. Judge Deborah Daniels moved to approve Local Court Rule 68.14 as amended in the handout provided. Second: Judge Kevin Crane. The motion passed unanimously. Mary noted this Local Court Rule change will be effective in 60 days.

9. Municipal Courts

a. Local Court Rule 69.01

Court Administrator Mary Epping said on September 19, 2016, the Supreme Court issued an order that had a model local court rule for determining indigency for municipal courts. Rule 69.01 on pages 9 and 10 of the Court en Banc packet is

an exact copy of that model rule, including the suggested change they made on December 14, 2016. Judge Schneider moved to approve Local Court Rule 69.01 for Determination of Indigent Status. Second: Judge Daniels. The motion passed unanimously.

b. Local Court Rule 69.8

Court Administrator Mary Epping said page 11 of the Court en Banc's agenda is Local Court Rule 69.8. Mary is recommending adding subsection 2 of section C which requires municipalities to file the minimum standards form with the presiding judges. This is based on a Supreme Court order dated September 20, 2016. Judge Schneider moved to accept the amendment to Local Court Rule 69.8, however the word "Operating" should be removed in paragraph 2 after Supreme Court and before Rule 37.04. Second: Judge Sue Crane. The motion passed unanimously.

c. Supreme Court Protocols in Supervising Municipal Division Judges

Judge Christine Carpenter said pages 12 and 13 are new protocols approved by the Supreme Court on December 29, 2016, that directs the presiding judges to be extremely hands on with Municipal Courts. She noted the Municipal Courts are part of our circuit and if they are not following the operating guidelines from the Supreme Court it is the presiding judge's duty to not only interfere, reprimand, and provide assistance but to report to it to the Supreme Court. It was recommended that if municipalities have contact with judges requesting procedural issues, these questions be directed to Court Administrator Mary Epping.

10. Callaway Board of Jail Visitors

Judge Carol England reported Rosemary Augustine has agreed to be on the Callaway Board of Jail Visitors. Judge Deborah Daniels moved to approve Rosemary Augustine as a member of the board. Second: Judge Kevin Crane. The motion passed unanimously. Judge Daniels moved to approve the entire Callaway Board of Jail Visitors. Second: Judge Kimberly Shaw. The motion passed unanimously.

11. Probation and Parole

Court Administrator Mary Epping said Boone County probation and parole is requesting their staff have some table space in each courtroom available to complete work on their laptop. The Court en Banc had no objection in providing them table space, however requested the Court Marshals be conferred with to ensure their placement would not interfere with security.

12. 2017 Major Work Objectives

Court Administrator Mary Epping provided a list of her 2017 major work objectives which include:

- Institutional Knowledge Book
- Presiding Judge Book
 - Create a municipal court packet for Presiding Judge and muni courts
 - Visit municipal courts
- Implement Juvenile Standards – assist and learn
- Continue reviewing/possibly implementing electronic screens and check-ins
- Evaluate space use of the courthouse
- Management system
 - Training and prepping of next generation of managers.
- Updated Jury Video
- Extending out the 2East and 2West courtrooms in Boone (budgeted out of Administration of Justice Fund for 2017)
- Become a better manager of goals based on the data and reports we receive

13. Procedure Booklet for Boone County On-Call Judges

A copy of the revised on-call judge's booklet was distributed. Judge Christine Carpenter noted the significant changes to the on-call booklet are on page 4 in reference to search warrants. Changes to the 2017 booklet were approved and the booklet will be distributed.

14. Judges Portraits

Judge Christine Carpenter said when Judge Oxenhandler announced he was resigning his senior judge status and going back into practice his photo was taken down, similar to Judge Sterner as when he left the bench his photo was not displayed as he went back to practicing law. It was noted this process has been the practice of our circuit, however there is no policy/rule recorded. There was discussion that this is a public confidence issue in the judicial system if photos are displayed of previous judges who are still practicing law. It was recommended we consider an administrative order. A proposed administrative order will be put on the February Court en Banc agenda.

15. Legislation

Court Administrator Mary Epping said this Friday from 8:30-10:00 a.m. is the Boone County legislative meeting between office holders, legislators and our lobbyist. Mary plans to attend and said they are often interested in hearing what bills we are watching. Mary reviewed a list of some of the bills and said she would send an e-mail with the complete list of bills she is following. She asked that individuals let her know if there are specific bills she should bring to their attention. Judges Kevin Crane, Christine Carpenter, Deborah Daniels and Leslie Schneider also plan to attend the legislative

meeting. Mary will continue to report to the Court en Banc updates on bills filed and actions being taken.

16. Other

Judge Deborah Daniels referenced page 14 of the Court en Banc packet stating statute 557.031.1, RSMo, is another tool for the court to use for people in the Boone County jail who are faced with a felony, that are not moving quickly through the 552 process. She stated you can order them into department of mental health through 557.031.1.

Court Administrator Mary Epping said Commissioner Casey Clevenger and Boone Criminal Clerk Supervisor Missy Marlett were both accepted into the Missouri Court Management Institute for 2017.

Judge Carpenter thanked everyone for their support over the last two years while she served as presiding judge. She said you do not know everything it entails to be presiding judge until you have the opportunity to do it. She said our circuit does great things and she has always felt support of the Court en Banc. She is happy to pass the torch to Judge Kevin Crane.


17. Comments from the Public

None.


18. Next Meeting Date

The next meeting is scheduled for February 28, 2017, at 5:00 p.m. to convene in the Boone County Courthouse, Law Library. Meeting was adjourned at 6:30 p.m.

Prepared by:


Cindy Garrett
Deputy Court Administrator

Submitted by:


Mary Epping
Court Administrator

Distributed on:

2/24/17