

**COURT EN BANC MINUTES  
Tuesday, September 27, 2016, at 5:00 p.m.  
Boone County Courthouse  
Law Library, Second Floor**

**Judges Present:** Judges Jeff Harris, Kevin Crane, Jodie Asel, Kimberly Shaw, Carol England, Sue Crane, Michael Bradley, Leslie Schneider, Deborah Daniels, and Commissioners Sara Miller and Casey Clevenger.

**Others Present:** Boone County Circuit Clerk Christy Blakemore, Callaway County Circuit Clerk Judy Groner, Court Services Supervisor Brandon Walker, Boone County Counselor CJ Dykhouse, Executive Director of FACE, Erin Reynolds, 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 Kevin Crane.

**2. Introduction of All Guests**

Judge Kevin Crane welcomed and introduced guests, Erin Reynolds, Executive Director of FACE and CJ Dykhouse, Boone County Counselor.

**3. Approval of the August 23, 2016 Minutes**

Judge Jodie Asel said on page 7, under Other, it should say "Judge Kevin Crane and Judge Deborah Daniels will be working on a draft of a proposed change to the bond schedule for the next meeting" instead of "Judge Kevin Crane and Judge Jodie Asel". Judge Deborah Daniels moved to accept the August 23, 2016, minutes with said amendment. Second: Judge Kimberly Shaw. The motion passed unanimously.

**4. FACE**

Erin Reynolds, Executive Director of FACE, provided information about the Family Access Center of Excellence of Boone County. She noted FACE provides a single point of entry for families who are in need of support. FACE is funded by the Boone County Mental Health Tax. The youth must reside in Boone County, be between the ages of 0-19, and have an identified social, emotional or behavioral concern. Using a strengths-based family systems approach, FACE clinical case managers work with families to identify areas of need and assist them with identifying local resources that can assist them. Once a family becomes a client of FACE, they must have a release of information in order to speak to the Court, Juvenile Officer, or other agencies. Referrals can be made through their website at [Faceofboonecounty.org](http://Faceofboonecounty.org), by calling them at 771-FACE or by walk in's at 105 E. Ash, Suite 100. Their hours are Monday through Friday 10 a.m. to 7 p.m.,

however a clinical case manager is on-call over the weekend. They anticipate being a 7 day operation as they grow.

**5. Bond Forfeiture**

Boone County Counselor CJ Dykhous provided a handout on recommended best practices on surety bond forfeitures. CJ recommends to declare the forfeiture and enter an Order of Forfeiture at the time of the actual default, or breach of the bond. Following the Order of Forfeiture, he recommends the clerk be directed to notify the surety of the Order of Forfeiture and the hearing date and time to determine whether the court should issue judgment on the bond. He stated the hearing can be continued as the court deems appropriate until such time as the court decides to conduct the hearing and enter a judgment. He stated there is a procedural preference for the continuances to occur after the entry of the Order of Forfeiture. Circuit Clerk Christy Blakemore stated she would look at another option for a docket type to include judgment.

**6. Bond Schedule with Updated Criminal Codes**

Judge Kevin Crane reported that he and Judge Deborah Daniels have been working on a proposed schedule with the updated criminal code and will bring it back to Court en Banc for a vote prior to January 1, 2017. Judge Daniels provided a handout with the new classification of the punishment for crimes effective January 1, 2017. Judge Carol England was also made a member of this committee.

**7. Conservatorship and Minor Settlements**

Judge Jodie Asel said this topic was discussed last month and it was recommended a rule be drafted and placed on this agenda. Judge Asel distributed a proposed rule. She noted the process is currently being done in Callaway County as recommended in the proposal. Judge Asel said upon reviewing current local court rules, she and Judge Deborah Daniels felt it was most appropriate to place the Rule under 4.3, Probate Cases. Judge Kimberly Shaw moved to approve Rule 4.3 as drafted. Second: Judge Michael Bradley. The motion passed unanimously. Court Administrator Mary Epping reminded all that the rule will become effective after 60 days. There was discussion about the need to also amend Rule 6.1.2 so a judge can transfer the case to the Probate Court without having to be forwarded to the Presiding Judge for reassignment. It was recommended Rule 6.1.2 be placed on the October Court en Banc agenda for possible amendment with an emergency clause.

**8. Trial Setting Docket Changes**

Court Administrator Mary Epping stated that effective September 19, 2016, the decision was made to use JIS to randomly assign criminal cases bound over to circuit judges versus the cases being placed on the trial setting docket for assignment. The trial setting docket will still be utilized to set future dates after the assignment of a judge by JIS. When a case is bound over from the associate court, the associate judge should make an



order stating arraignment set for Monday and the clerk will get the case set with the appropriate circuit judge after JIS makes the assignment. Therefore, all circuit judges will now hear their own cases for arraignment on their Monday law day docket. There was discussion about whether this process should be followed in Callaway County. It was agreed there would be further discussion regarding whether there is a need to change the current process in Callaway County.

**9. Administrative Order 03-16, Filing Fees and Costs**

Court Administrator Mary Epping referenced pages 8-18 of the Court en Banc's packet regarding proposed changes for the Administrative Order listing court fees. The change is due to a decrease in fingerprint fees from \$33.50 to \$30.75. Judge Kimberly Shaw moved to approve said changes. Second: Judge Deborah Daniels. The motion passed unanimously.

**10. Alcohol/Drug Related Traffic Report**

Deputy Court Administrator Cindy Garrett presented the Municipal Court report for January through July, 2016, on intoxication-related offenses as set out on page 19 of the Court's packet. The report was reviewed and no action was taken.

**11. Exceptions for Accepting Paper in Court**

This item was be passed to the October agenda.

**12. Update on Security**

Court Administrator Mary Epping said the security meeting in Callaway County was cancelled last week, however the Callaway County Commission is making arrangements to move the X-ray machine to the courthouse on Thursday morning. Mary said Chris Wilson is planning to present a proposal to the commission on who should pass through the security screening, once in place.

Mary stated the X-ray machine recently purchased from the US Department of Justice for Boone County was believed to be an updated version from our currently machine. However, upon receipt of the machine it was learned it is the same model we currently have. We plan to keep the machine as a backup, as we have to keep it for 18 months per agreement of the purchase. The machine will be moved to the basement for storage. The monitor of the machine purchased for Boone County will be used in Callaway County.

Judge Carol England said the active shooter training provided in Callaway County to all staff was excellent.

**13. Other**

Court Administrator Mary Epping said Judge Christine Carpenter learned at the recent Judicial Conference there are some suggested security trainings for judges, one being on what to do should someone rush the bench. Court Marshal Les Werner will be arranging a training for judges to discuss additional security measures in October.

Mary stated the Supreme Court recently enacted an order regarding Supervision of Courts Hearing Ordinance Violations and Minimum Operating Standards for Missouri Courts: Municipal Division and they approved an order for Determining Indigent Status in Municipal Division Cases. Mary stated she and Deputy Court Administrator Cindy Garrett will be making revisions to the municipal audit form to ensure all the new requirements are covered. This revised audit form will be brought to Court en Banc for approval. Judge Deborah Daniels recommended we compare the municipal indigency form to the indigency form used by Adult Court Services to see if we should consolidate the forms.

**14. Comments from the Public**

None

**15. Next Meeting Date**

The next meeting is scheduled for October 25, 2016, at 5:00 p.m. to convene in the Boone County Courthouse, Law Library. Adjourned at 6:00 p.m.

Prepared by: Cindy Garrett  
Cindy Garrett  
Deputy Court Administrator

Submitted by: Mary Epping  
Mary Epping  
Court Administrator

Distributed on: 9/21/16