

COURT EN BANC MINUTES
Tuesday, November 22, 2016, 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, Leslie Schneider, and Commissioner Sara Miller.

Others Present: Boone County Circuit Clerk Christy Blakemore, Callaway County Circuit Clerk Judy Groner, 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 and introduced guests.

3. Approval of the October 25, 2016 Minutes

Judge Kevin Crane moved to accept the October 25, 2016, minutes. Second: Judge Kimberly Shaw. The motion passed unanimously.

4. CPD Presentation

Judge Christine Carpenter said she was approached by staff at the Columbia Police Department about their interest in an enhanced program to select 30 high risk individuals in the community who they would invite to participate in the program and provide them with support/intervention such as getting a GED and a job. She was informed similar programs in other cities have been successful, however it was recommended to include the judiciary in the program facilitation. Judge Carpenter will follow-up with CPD to see if they want to present more about the program at the next Court en Banc meeting.

5. Temporary Transfer of Cases to Alternative Sentencing Court

Judge Kevin Crane requested this topic be passed to the December Court en Banc meeting. He said Commissioner Casey Clevenger is continuing to research how other jurisdictions handle the transfer of cases. Boone County Circuit Clerk Christy Blakemore said she a judge and commissioner can both be listed on the case in JIS.

6. Bonds under New Criminal Code

Judge Kevin Crane referenced pages 6 through 9 of the Court en Banc's packet. He said the prosecutor would like to see some of the bonds set higher and the defense counsel would like to see the bonds set lower. He said there has been a request to consider one bond for multiple offenses. He will continue to take feedback and noted there will need to be a vote on the new bond schedule at the December Court en Banc meeting. Judge Crane said once a final decision has been made regarding the bond schedule, the information will need to disseminate to all law enforcement agencies and the jails to avoid any confusion. Judge Sue Crane said jail overcrowding is not an issue in Callaway as they are currently at 50% capacity. Full capacity at the Callaway County jail is 106. Judge Sue Crane said Callaway Jail staff have an agreement to meet with the prosecutor if population becomes an issue.

7. Municipal Audit Form based on Supreme Court Orders

Court Administrator Mary Epping said a previous Assistant to the Court Administrator, Joy Rushing, developed an audit form that we have been using when completing annual audits with each of the municipalities. Mary stated Cindy Garrett has been revising the audit form based on new statutes and rules as they apply to municipalities. Mary provided a copy of the revised form to the Court en Banc for their review and asked for any suggested feedback after they have had an opportunity to review. Judge Christine Carpenter said with the new rule, Presiding Judges have many items they are required to manage with each of the municipalities.

8. Callaway Microphones for Jury

Court Administrator Mary Epping said in preparing for associate circuit judges hearing jury trials, she is proposing to have two microphones added to the courtroom as everything will need to be recorded since there will not be a court reporter. There was discussion about the type of microphones to purchase. Mary requested this item be placed on the December Court en Banc agenda for final approval of the microphones to be ordered.

It was noted the clerks need to know the process for setting trials in the associate division. All associate circuit judges agreed they would manage their own settings to trial dockets. Judge Carol England and Judge Sue Crane will have pre-trial hearings on Monday at 3:00 p.m. in order to schedule their hearings around trials with circuit judges. All associate judges agreed they would be setting several hearings on one docket.

9. Local Court Rule 68.14 on Judgements

Judge Leslie Schneider and Commissioner Sara Miller asked for this topic to be passed to the December Court en Banc meeting.

10. Criminal Code Updates

Court Administrator Mary Epping referenced pages 9 through 13 of the Court en Banc packet, which she indicated are criminal code updates that Judge Deborah Daniels put together. The new charge forms will be available in January.

11. Boone & Callaway Docket Schedule Changes

Court Administrator Mary Epping provided copies of the proposed dockets for Boone and Callaway counties which are effective January 1, 2017. She noted there are some significant changes at the associate circuit level, including: a specific docket marked for associate circuit judges who requested a day for jury trials; and changes to treatment court schedules. Mary noted the dockets are approved through an administrative order. Judge Christine Carpenter thanked Mary for taking on such a big project.

12. Truancy Court

Judge Sue Crane said she and Judge Carol England were approached by school administrators about a need for a Truancy Court in Callaway County. She said a meeting was held with administrators from all four districts, in which it was noted the situation is dire and the need is overwhelming. Judge Crane said there was also a session at the Judicial College that she attended regarding truancy courts. She was recently made aware of a criminal statutes which enforces truancy, in which a parent can be charged with a class C misdemeanor. There was discussion among the Court en Banc regarding truancy courts. It was noted the difference with truancy court from juvenile drug court, is that truancy court takes place at school, with the judge going to the students, building upon the position and encouraging the youth. Judge Leslie Schneider said she would like to do more research on the issue.

13. Other

Court Services Supervisor Brandon Walker reminded all of the process for reports sent from Adult Court Services to the judges. He noted the process is that court services officers send reports through email to the judges and upon a return email from the judge, they forward the response to the clerk so a docket entry is made and the report is added to JIS. Court services officers then take action based on the response in the email.

Brandon also requested that if home detention is being considered, to please order Adult Court Services staff to complete a home detention report first versus placing someone on home detention based upon only information provided in court. It was requested that this topic also be added to the jail overcrowding meeting. Brandon said when they complete bond investigation, home detention is explored, along with all other options.

It was also requested the topic of releasing defendants to Reality House be added to the jail overcrowding meeting.

14. Comments from the Public

None.

15. Next Meeting Date

The next meeting is scheduled for December 13, 2016, at 5:00 p.m. to convene in the Callaway County Courthouse, Jury Assembly Room. 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: 12/9/16