

**COURT EN BANC MINUTES  
Tuesday, August 29, 2017, at 5:00 p.m.  
Callaway County Courthouse  
Jury Assembly Room, 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, and Commissioner Casey Clevenger.

**Others Present:** Boone County Circuit Clerk Christy Blakemore, Callaway County Chief Deputy Clerk Megan Morse, Court Services Supervisor Brandon Walker, Callaway County Prosecutor Chris Wilson, Attorney Manual Tatayon, 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.

**3. Approval of the July 25, 2017 Minutes**

Judge Leslie Schneider moved to accept the July 25, 2017, minutes. Second: Judge Kimberly Shaw. The motion passed unanimously.

**4. Destruction of Records**

Deputy Court Administrator Cindy Garrett reported the Boone County Circuit Clerk's office has asked to destroy by shredding the documents on pages 5 and 6 of the Court en Banc's packet. Judge Jodie Asel moved to approve the destruction of the records listed. Second: Judge Sue Crane. The motion passed unanimously.

**5. Child Support Diversion**

Judge Kimberly Shaw said she and Judge Jeff Harris met with Lorenzo Lawson and Reverend Stevenson from Pettis County from the Focus on Fatherhood program. They are interested in applying for grants for Boone County to have a Child Support Diversion program. Currently they have a program in Sedalia and individuals from Sedalia are assisting in getting this program started in Boone County. Judge Shaw is asking for the Court en Banc's approval to submit a letter of interest that Boone County would like to further pursue this program. Judge Leslie Schneider wants to make sure that working with these agencies would not deter the courts ability to apply for other grant opportunities, such as OSCA funding grants. It was agreed we should do further study as

to any possible restrictions with grant funding. This topic will be on the agenda next month for further discussion. Judge Harris will distribute copies of the materials provided by Lorenzo Lawson regarding the program. Judge Harris moved that Judge Shaw be allowed to send a letter of interest to the Focus on Fatherhood program. Second: Judge Michael Bradley. The motion passed unanimously.

*Skipped to Item #7*

**6. 96 Hour On-Call Forms**

Court Administrator Mary Epping said on pages 7-10 of the Court en Banc packet, Judge Deborah Daniels is recommending that we amend the forms on all 96 hour on-call that it automatically say MUPC, so it does not need to be filled in. It was agreed the forms will be updated.

*Moved to Item # 15*

**7. Batterer's Intervention Program**

Deputy Court Administrator Cindy Garrett said since January 2009, the 13<sup>th</sup> Circuit has had a contract with Family Counseling Center to provide programming for a Batterers' Intervention program, MEND. Funding has been provided through a STOP VAWA grant. The court has always contracted exclusively with Family Counseling Center as they were the only agency in the community that provided the programming when grant funds were initially secured.

The court was approached by Tasca Tolson from TMT Consulting, who requested to be a contractor for the grant funding as TMT Counseling also provides Batterers' Intervention programming for both male and female clients within our community. Family Counseling Center and TMT Counseling have both been credentialed as certified Missouri Batterer Intervention program providers through the Department of Probation and Parole.

Boone County approved a contract with TMT Consulting on July 25, 2017, for \$40,000 and DPS approved a sub-award to TMT Counseling on August 4, 2017. It should be noted the \$40,000 contracted amount for TMT is what will be surplus funds from the Family Counseling Center contract based upon current referral numbers. A meeting was held on August 8, 2017, with both FCC and TMT to review updated forms and to ensure both agencies would be following the same protocol. Effective August 21, 2017, defendants are now ordered to attend BIP programming (FCC calls their program MEND and TMT Consulting calls their program EMBRACE and EMBRACE U for women) and are given a choice to complete the programming with FCC or TMT Consulting.

**8. Policy & Procedures – Leave for Bone Marrow or Organ Donation**

Court Administrator Mary Epping said the Court en Banc approves changes to the 13<sup>th</sup> Circuit Policy and Procedures. OSCA updated their policies based on federal mandate that you allow paid leave for bone marrow or organ donation, so we copied their policy into ours, which would apply to all of our staff. Mary asked the Court en Banc to



approve the policy changes as noted on pages 11 and 12 of the Court en Banc packet. Judge Leslie Schneider moved that our policy and procedures include the leave for bone marrow or organ donation. Second: Judge Kimberly Shaw. The motion passed unanimously.

**9. Sexual Harassment Advisory Committee**

Deputy Court Administrator Cindy Garrett requested the Court en Banc approve the Sexual Harassment Advisory Committee as noted on page 13 of the Court en Banc's packet. Pam Dampier and Toni Kardon agreed to serve another two year term. Judge Christine Carpenter moved to amend the name to the "Sexual Harassment Prevention Policy Advisory Committee." Second: Judge Sue Crane. The motion passed unanimously. Judge Sue Crane moved to approve the advisory committee as noted on page 13 of the Court en Banc packet. Second: Judge Christine Carpenter. The motion passed unanimously.

**10. GAL Implementation Plan**

Deputy Court Administrator Cindy Garrett said the GAL Implementation Plan on pages 14 and 15 of the Court en Banc's packet is to be reviewed annually. No revisions were made to the document this year. Judge Kimberly Shaw moved to accept the GAL Implementation Plan. Second: Judge Bradley. The motion passed unanimously.

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

Deputy Court Administrator Cindy Garrett presented the Municipal Court report for January through July, 2017, on intoxication-related offenses as set out on page 16 of the court's packet. The report was reviewed and no action was taken.

**12. Restitution "To Be Determined"**

Boone County Circuit Clerk Christy Blakemore reminded members of the Court en Banc that when an order for "restitution to be determined" is made, the restitution request from the Prosecuting Attorney is received and sent to the judge. At this point the clerks are requesting an order be made stating "restitution fixed at (noting the specific amount)."

**13. Judgment and Sentence Form, Probation**

Boone County Circuit Clerk Christy Blakemore reviewed the judgement and sentence form on page 17 and 18 of the Court en Banc packet. She asked if the judge checks "Adult Court Services until all special conditions are met" on page 17, then should item #25 on page 18 also be marked? Christy said she thought #25 was added to eliminate the probation sheet, however #25 is often not being checked. It was agreed #25 should be checked if Adult Court Services probation is being ordered. It was requested that the clerk bring it to judge's attention if #25 is not checked and Adult Court Services supervision was marked on the first page of the judgement sheet.

#### **14. Other**

Judge Kevin Crane said if a judge believes he/she may not be able to cover a docket, to please advise the evening prior so a back-up plan can be arranged to cover the docket prior to the day of the docket.

Judge Kevin Crane advised Judge Christine Carpenter's last Callaway docket is today, August 29, 2017, and her last Boone docket is August 31, 2017. Division I has a law day docket scheduled for September 18, 2017. Judge Crane was advised by the Governor's office today that they anticipate an appointment by next week. However that does not mean the individual may be able to start immediately. Therefore, Judge Crane will cover the Division I, September 18, 2017, law day in Callaway County. He will hear his Boone County criminal law day at 9:00 a.m., cancel his Boone County 1:30 p.m. civil docket and 2:30 p.m. carry-over docket and he will hear law day in Callaway County starting at 1:30 p.m. The Callaway Clerk can proceed with moving cases to 1:30 p.m. on September 18, 2017. Prosecuting Attorney Chris Wilson said he will send an announcement to the local bar regarding these changes. Judge Kevin Crane will continue to cover the remaining DOC video dockets assigned to Division I through end of 2017, until an appointment is made and the judge is available to assume the dockets.

Judge Kevin Crane said it has been his honor to be a co-worker to Judge Carpenter and a good friend with Christine. He said it is bitter sweet that she is stepping down, with some trepidation, but he knows she will enjoy this new chapter in her life. He also advised Judge Carpenter has agreed to fill the gap as Senior Judge until an appointment is made. He further advised Judge Carpenter can cover associate dockets in the absence of the associate judge, when she is available.

*Returned to Item #6*

#### **15. Comments from the Public**

*Judge Deborah Daniels arrived*

Boone County Circuit Clerk Christy Blakemore said her staff have been working on assignment of Division I cases and they are almost finalized. She noted they have a separate list of those cases where the parties have requested that Senior Judge Carpenter remain assigned. Callaway County Chief Deputy Clerk Megan Morse said Callaway County will also work to reassign all Division I in-custody cases where the parties have not stipulated for Judge Carpenter to remain on the case, distributing among the other circuit judges.

Commissioner Casey Clevenger also wanted to thank Judge Carpenter for her work and she is extremely grateful to her as she is the reason she has a seat at this table. She wants Judge Carpenter to know that the Alternative Sentencing Courts are in good hands.

Judge Carpenter said it really has made it a lot easier over the past year, in making this decision, knowing that the Treatment Courts are in good hands.

Callaway County Prosecuting Attorney Chris Wilson asked if Judge Kevin Crane is also willing to preside over Division I trials the week of September 18, 2017. Judge Crane said he will work with his schedule to cover as many cases as possible.

**16. Meeting Date**

The next meeting is scheduled for September 19, 2017, at 5:00 p.m. to convene in the Boone County Courthouse, Law Library. Judge Christine Carpenter moved to adjourn. Second: Judge Kimberly Shaw. The motion passed unanimously. Adjourned at 5:33 p.m. The Court en Banc had a photo taken.

Prepared by: Cindy Garrett  
Cindy Garrett  
Deputy Court Administrator

Submitted by: Mary Epping  
Mary Epping  
Court Administrator

Distributed on: 10/13/17