

COURT EN BANC MINUTES
Tuesday, October 17, 2017, at 5:00 p.m.
Boone County Courthouse
Law Library, Second Floor

Judges Present: Judges Kevin Crane, Jodie Asel, Kimberly Shaw, Sue Crane, Michael Bradley, Leslie Schneider, Deborah Daniels, Commissioners Sara Miller and Casey Clevenger, and Incumbent Circuit Division I Judge J. Hasbrouck Jacobs.

Others Present: Boone County Circuit Clerk Christy Blakemore, Callaway County Circuit Clerk Judy Groner, Court Services Supervisor Brandon Walker, Public Defenders David Wallis and Sarah Aplin, Columbia City Prosecutor Manuel Tatayon, Court Reporter Jenni Leibach, ABC17 Reporter Deborah Kendricks, 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 had guests introduce themselves.

3. Approval of the August 29, 2017 Minutes

Judge Jodie Asel moved to accept the August 29, 2017, minutes. Second: Judge Kimberly Shaw. The motion passed unanimously.

4. Destruction of Records

Deputy Court Administrator Cindy Garrett reported the Columbia Municipal Court has asked to destroy by shredding the documents on pages 6 and 7 of the Court en Banc's packet. 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 Jodie Asel moved to approve the destruction of the records listed. Second: Judge Michael Bradley. The motion passed unanimously.

5. Public Defender

Judge Kevin Crane said the public defender is taking cases where the defendant is in custody and is assigning panel attorneys to those cases. A wait list is being maintained by the public defender and shared with the court weekly for those defendants not in custody without legal representation. Public Defender David Wallis said once they have attorneys that feel they can assume more cases, they will begin taking the in-custody

cases versus assigning those to panel attorneys and will then begin taking cases from the wait list within the next week or two. Judge Crane said there was a case that went to the Supreme Court on a writ to prohibit a circuit court from ordering the public defender to take cases, but the Supreme Court has denied the writ. Commissioner Sara Miller asked what the status was regarding juveniles in detention being represented by the public defender. Wallis said it was the decision of their director to appoint panel attorneys to in-custody adults, to address jail overcrowding issues, however juveniles are not being appointed panel attorneys and will be put on the wait list. Wallis said if the court appoints panel attorneys to represent juveniles, they will be working on a pro bono per diem and not paid through the public defender. Judge Crane requested that Wallis ask the director to reconsider taking in-custody juveniles, to be appointed a panel attorney through the public defender's office. Judge Crane also said Director Barrett, pursuant to statute, certified Boone County, so that the court could request of OSCA to not be held to the time standards. However OSCA said the time standards would not be put on hold for Boone County, and therefore those cases on the wait list will continue to be held to time standards.

6. New Judge and Transition Plan

Judge Kevin Crane provided an update regarding dockets being assigned to Judge J. Hasbrouck Jacobs. Monday, October 23, 2017, Judge Jacobs will observe Judge Jodie Asel's Law Day docket in Callaway County. He will also be introduced to attorneys and court staff on that date. Another date will be scheduled for him to meet the Callaway County elected officials. October 30, 2017, is a fifth Monday and Division I will have a Law Day in Callaway County. Judge Jacobs is able to immediately assume criminal and civil cases in Callaway County that were previously assigned to Division I. In Boone County, Judge Jacobs will be hearing family court cases that are currently assigned to Division VII; some juvenile matters; and all civil cases currently assigned to Division I, except PCR cases, wherein the criminal cases were initiated during his time as a prosecutor. It was determined he could be assigned DOR cases, however he will have to ensure there are no conflicts. A regular criminal docket in Boone County will not be assigned to Judge Jacobs until after March 1, 2018. For new civil cases, Judge Jacobs will be assigned 40% of these cases, with each of the other circuit judges receiving 20% of the newly assigned cases. Judge Crane said Friday, 4 p.m. will be Division I's swearing in.

7. 13th Circuit Website Updates, Municipal Courts

Court Administrator Mary Epping said with all the changes to municipality's requirements and many of the municipalities being heard by associate circuit judges, we have included a section on our website page that includes specific information for each municipality.

8. Court Reporters eFiling, Agency ID

Boone County Circuit Clerk Christy Blakemore said when agency ID's were developed, there was discussion about an agency ID for court reporters, however we never created one. However, since Ann Sprague left our circuit as a court reporter, she has been filing

her documents electronically as she has an agency ID in the court she is currently working. Christy spoke with our court reporters to see if they would be willing to file their transcripts electronically through an agency ID and they were all in agreement. Christy said there needs to be an administrative order for them to have an agency ID. The administrative order will include who the agency ID is certified by.

9. Reappointment of Board of Jail Visitors

Court Administrator Mary Epping said the Court en Banc reviews the board during October, as reappointments occur in December. Susan Tatters sent an email to all current Boone and Callaway County board of jail visitor's committee members. At this time, Callaway County board members Thomas Riley and Cathy Woodson have terms that expire. By statute there has to be three males and three females and there can be no more than three of any party. We have always had a male Democrat and female Republican. Judge Sue Crane agreed to solicit replacements. In Boone County Verna LaBoy is a Republican whose term expires. Judge Sue Crane also agreed to contact a potential replacement for Boone County. This topic will be on the next agenda for a vote.

10. Other

Commissioner Casey Clevenger said the drug court funding was cut by \$89,000 earlier this year. Approximately two weeks ago that we received a grant in the amount of \$89,000 for medication assisted treatment. Therefore, we are back to where we need financially and the cap has been removed for drug court. Court Administrator Mary Epping said we will make the Bar aware through the newsletter.

Court Administrator Mary Epping said the court was approved for a \$200,000 grant for Boone County through the Children's Mental Health tax. She said through Fostering Court Improvement, one of the areas of focus was children, ages 0-2, who were removed from the parental home, to receive extra support. This grant will allow professionals to work with the parent during visitations. The court is working with Family Facets as the contractor for this grant. Mary was congratulated on an excellent job of applying for and receiving this grant.

Deputy Court Administrator Cindy Garrett provided an updated on the renovations to 2East and 2West courtrooms. It is anticipated the renovations will be occurring during the weeks of November 14 and November 27, 2017. They will be working from 8-5, Tuesday through Friday.

11. Comments from the Public

Callaway County Circuit Clerk Judy Groner said the upstairs courtroom in Callaway County had the back two sections of the ceiling repaired. Judy also wanted to say our circuit is the best group to work with. She said when she attends the Circuit Clerk conferences, there are often numerous stories told by circuit clerks of how their clerks do

not have a good working relationship with their judges. She therefore wanted to thank everyone for the great working relationships we have in this circuit. Boone County Circuit Clerk Christy Blakemore voiced the same sentiments. Court Reporter Jenni Leibach also said all the individuals within the 13th Circuit are so easy to work with in her role as a court reporter.

12. Meeting Date

The next meeting is scheduled for December 12, 2017, at 5:30 p.m. to convene in the Callaway County Courthouse, Second Floor. Judge Jodie Asel moved to adjourn.

Second: Judge Kimberly Shaw. The motion passed unanimously. Adjourned at 5:33 p.m.

Prepared by: Cindy Garrett
Cindy Garrett
Deputy Court Administrator

Submitted by: _____
Mary Epping
Court Administrator

Distributed on: _____