

COURT EN BANC MINUTES
Tuesday, September 29, 2020, at 5:00 p.m.
Zoom Video Conference

Judges Present: Judges Kevin Crane, Brouck Jacobs, Jeff Harris, Joshua Devine, Kimberly Shaw, Carol England, Sue Crane, Tracy Gonzalez, Leslie Schneider, Stephanie Morrell, Commissioners Sara Miller and Casey Clevenger.

Others Present: Boone County Circuit Clerk Christy Blakemore and Unit Manager Sherry Seiling, Adult Court Services Supervisor Brandon Walker, 13th District Defender Sarah Aplin and Assistant District Defender Jeremy Pilkington, Court Reporters Jenni Bosh and Stephanie Allen, Court Administrator Mary Epping and Deputy Court Administrator Cindy Garrett

1. Call to Order/Welcome

The meeting was called to order by Judge Kevin Crane at 5:00 p.m.

2. Introduction of Guests

Judge Kevin Crane welcomed guests.

3. Approval of August 25, 2020 Minutes

Judge Kimberly Shaw moved to accept the August 25, 2020 minutes. Second: Judge Stephanie Morrell. The motion passed unanimously.

4. Jury Trials and Questionnaires

Judge Kevin Crane said he is advocating for the court not to use an additional questionnaire for jury trials until having further discussions with him as there are internal issues to be considered.

5. Decorum Order

Judge Kevin Crane said Administrative order 26-20 lists Video Conferencing protocols. Court Administrator Mary Epping said a copy of the order is sent with all Zoom invites and the protocol is on the court's website.

6. Ceremonial Video Screen

Judge Kevin Crane said the projector in the ceremonial courtroom is currently broken. It was agreed the projector would not be repaired due to the cost involved. Judge Brouck Jacobs said he feels there needs to be a solution for the long term. However, he believes we need to wait to ensure whatever replacement equipment is purchased will be compatible with WebEx.

Judge Crane said for trials, the jury is able to observe evidence on the screen behind the witness stand. Judge Crane said exhibits can be offered and admitted by using the Elmo, which reduces counsel from approaching the witness. He said the judge can allow only the witness to see the evidence until it is admitted and then the evidence can be shared on the jurors' screen. Judge Crane inquired about receipt of additional plexi-glass for jurors. Court Administrator Mary Epping said the additional pieces have not arrived. It was agreed the plexi-glass should not be used until it is available for all jurors.

7. Board of Jail Visitors

Judge Kevin Crane said the Boone County Board of Jail Visitors needs a replacement member of a male Republican as John Waldschlager has resigned. Judge Crane asked Judge Jacobs and Judge Devine to find a replacement. Mr. Braddock's term as chair expires at end of this calendar year. There is also a need for a male Democrat in Callaway County as Mr. Atkins has resigned. This topic will be on next month's agenda to approve new members.

8. Sexual Harassment Prevention Advisory Committee

Deputy Court Administrator Cindy Garrett requested the Court en Banc approve the Sexual Harassment Prevention Advisory Committee as noted on page 8 of the Court en Banc's packet. LaDonya Hill is a new member to the committee. Alisha Ollar and Kirsten Lange agreed to serve another two-year term. Judge Leslie Schneider moved to approve the advisory committee as noted on page 8 of the Court en Banc's packet. Second: Judge Kimberly Shaw. The motion passed unanimously.

9. Other

Boone County Circuit Clerk Christy Blakemore said they are working on old debt from an Administrative Order from 2019. Christy is reviewing cases with outstanding warrants, so judges may see some old files for them to review and consider making an entry addressing the warrant. Christy said due to caseloads being switched around with retiring judges, if a judge receives a file and feels it should go to a different judge, to please let her know and she will get it rerouted.

Christy also said she has several staff out of the office in quarantine, several out due to day care issues regarding COVID, some out due to surgery, and in the next two weeks will have several out on annual leave. She said they are prioritizing items in an effort to stay caught up.

Christy thanked the judges for using the on-call search warrant email group, she said it seems to be working well.

Judge Kevin Crane said Boone Prosecuting Attorney Investigator Ruby Marsden is being honored at 4:00 p.m. on Thursday in the Courthouse Square. There was not a general

invitation due to the ordinance regarding large gatherings. Judge Crane said Ruby was the first female law enforcement officer in Boone County.

Judge Kimberly Shaw said she has received motions requesting inmates be transported. Judge Kevin Crane said the agreement continues to be if the judge decides a person needs to be transported, the jail will accommodate the transport. However, the preference continues to be for inmates to be by video. Judges were reminded the jail needs 48 hours' notice. Commissioner Casey Clevenger said if attorneys are having inmates transported so they can communicate with them, she has been using the break out rooms on Zoom, which allows parties to communicate privately.

Judge Shaw said the Public Defender qualification form needs more information as to indigency in order for the judges to know if the defendant is indigent but not eligible for services due to the offense, or if they are not eligible due to indigency. Public Defender Sarah Aplin said a new denial template was sent to Judge Tracy Gonzales for review. Judge Gonzales said she received the updated form at 5:16 p.m. today and she will forward the updated form to the other associate judges for their review and they will provide feedback to Ms. Aplin.

10. Comments from the Public

None.

11. Next Meeting Date

The next meeting is scheduled for October 20, 2020 at 5:00 p.m. in the Ceremonial Courtroom of Boone County. Judge Stephanie Morrell moved to adjourn. Second: Judge Carol England. The motion passed unanimously. The meeting adjourned at 5:26 p.m.

Prepared by: Cindy Garrett
Cindy Garrett
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Submitted by: Mary Epping
Mary Epping
Court Administrator

Distributed on: 10/19/2020