

COURT EN BANC MINUTES
Tuesday, October 20, 2020, at 5:00 p.m.
Zoom Video Conference

Judges Present: Judges Kevin Crane, Brouck Jacobs, Jeff Harris, 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, Callaway County Circuit Clerk Megan Morse, Adult Court Services Supervisor Brandon Walker, Assistant District Defender Jeremy Pilkington, Court Marshal Ben Pruett, 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 September 29, 2020 Minutes

Judge Sue Crane moved to accept the September 29, 2020 minutes. Second: Judge Leslie Schneider. The motion passed unanimously.

4. Orders of Destruction

Deputy Court Administrator Cindy Garrett reported the Boone County Circuit Clerk's office has asked to destroy by shredding the documents on pages 4 and 5 of the Court en Banc's packet. Judge Kimberly Shaw moved to approve the destruction of the records listed. Second: Judge Carol England. The motion passed unanimously.

5. Private Counsel for Defendants Not Eligible for Public Defender

Court Administrator Mary Epping said on pages 6 - 8 of the Court en Banc's packet is a version of a contract created for attorneys representing individuals the public defender will not represent as incarceration is not probable. Mary said she ran reports for Divisions 5, 9, and 11 and there were approximately 1,300 cases in Boone County that fall into this category. Mary said they will go through that list and see how many of the defendants applied for a public defender and were deemed ineligible, in an effort to determine appropriate cases for the contract. Mary said the proposed rate is \$250 per case as they anticipate a case requiring 2.5 hours of work. Contracts would be paid using the Administration of Justice fund. Mary said she is not sure how many cases would need an attorney; however, there is about \$4,000 in the fund for the remainder of this

year, which would only cover 16 cases. Mary said this contract is based on the same language used in the juvenile status offense contract and the public defender panel attorney rates were considered. The Court en Banc did not have an objection to using the Administration of Justice funds for this purpose.

6. Board of Jail Visitors

Judge Brouck Jacobs said he has approached an individual who has agreed to be on the committee. It was agreed to vote on a complete plan at the November Court en Banc meeting. Judge Jeff Harris said he can find a male Democrat if needed.

7. Other

Boone County Circuit Clerk Christy Blakemore said we have been relying on Language Line for interpreters; however, if an in-person interpreter is needed she requests the judges make a docket entry distinguishing the need for an in-person interpreter. Court Administrator Mary Epping said there are also companies we can schedule with for an interpreter ahead of time to appear by video or by phone, especially for less common languages. She said we need direction from the judge on which interpreter option is needed based on the length of the hearing.

Christy said on the October 16 traffic docket there were 13 cases added that were filed by the prosecutor with the clerk at 11:15 a.m. She said the newest ticket was from September 16 and the oldest date was August 14. She is looking to schedule a meeting with prosecutor to discuss as adding on cases last minute are time intensive and can be problematic.

Christy advised if judges are seeing unusual special characters on Case.net in some of their past entries, it is a known issue with Show Me Courts, and it has to do with macros being used. She said OSCA is aware and programmers are working to fix the issue.

Christy is on a couple of committees where there has been discussion regarding the time payment fee for municipal courts. Pursuant to Supreme Court Operating Rule 21.13, the circuit court "shall" assess a \$25-time payment fee on all cases not paid in full within 30 days of disposition which would include the municipal cases heard by associate judges. She said in the past her office has not assessed this fee on municipal cases. It was agreed the fee should be assessed starting November 1, 2020. Callaway County Circuit Clerk Megan Morse said they have been assessing this fee on municipal cases in Callaway County.

Judge Kevin Crane said Judge Sue Crane suggested in Callaway County an order be made that when Division VI is sworn off a civil or criminal case, it will automatically go to Division VII and vice versa. Judge Kevin Crane said he will be issuing an order for this to occur so the cases do not all have to come to the presiding judge for reassignment. It was noted juvenile, family court and probate cases are exceptions as they will continue to go to the presiding judge or Division X for reassignment.

8. Comments from the Public

None.

9. Next Meeting Date

The next meeting is scheduled for November 17, 2020 at 5:00 p.m. in the Ceremonial Courtroom of Boone County. Judge Stephanie Morrell moved to adjourn. Second: Judge Kimberly Shaw. The motion passed unanimously. The meeting adjourned at 5:16 p.m.

Prepared by: Cindy Garrett
Cindy Garrett
Deputy Court Administrator

Submitted by: Mary Epping
Mary Epping
Court Administrator

Distributed on: 11/13/20