

COURT EN BANC MINUTES
Tuesday, July 27, 2021, at 5:00 p.m.
Webex Video Conference & In Person
3 West Courtroom – Boone County Courthouse

Judges Present: Judges Brouck Jacobs, Kevin Crane, Josh Devine, Kimberly Shaw, Carol England, Sue Crane, Tracy Gonzalez, Leslie Schneider, Stephanie Morrell, and Commissioner Sara Miller

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, Technology Services Supervisor Chris Fishman-Weaver, Court Marshal Cody Oseth, Court Reporter Diana Taylor, 13th Circuit District Defender Kevin O'Brien, incoming Deputy Court Administrator Derek Hux, Court Administrator Mary Epping and Deputy Court Administrator Cindy Garrett

1. Call to Order/Welcome

The meeting was called to order by Judge Brouck Jacobs at 5:00 p.m.

2. Introduction of Guests

Judge Brouck Jacobs welcomed guest.

3. Approval of June 22, 2021 Minutes

Judge Stephanie Morrell moved to accept the June 22, 2021, minutes. Second: Judge Kimberly Shaw. 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 Stephanie Morrell moved to approve the destruction of the records listed. Second: Judge Kimberly Shaw. The motion passed unanimously.

Deputy Court Administrator Cindy Garrett reported boxes of juror files were located in the county warehouse. Jury Supervisory Rachel Allen, Linda Dolliver, and Cindy reviewed the boxes and were able to determine the boxes involved files related to jury selection however they were not broken down or sorted by specific case. The county prepared the list of boxes on pages 7 and 8 of the Court en Banc packet and an order was prepared on page 6. The files are all from 2004 through 2010. The relevant statutes are on pages 9 and 10 for review. Judge Leslie Schneider moved to approve the destruction of the records listed. Second: Judge Tracy Gonzalez. The motion passed unanimously.

5. OSCA Computer Updates

Technology Services Supervisor Chris Fishman-Weaver reviewed the announcement received by OSCA regarding your computer rebooting at inconvenient times. He said a week prior to the update, individuals can force the update and then when on the bench there will not be an interruption.

6. 13th Circuit Budget

Court Administrator Mary Epping, Circuit Clerks Christy Blakemore and Megan Morse, and Deputy Court Administrator Cindy Garret presented the budget which was provided as a handout. Judge Kimberly Shaw moved to accept the budget. Second: Judge Kevin Crane. The motion passed unanimously.

7. Other

Boone County Circuit Clerk Christy Blakemore said there has been confusion with her staff on entries for defendants to appear in person. She said there are times where individuals have failed to appear and the judge requests they appear in person, then there are times when they are requested to be in person versus by video, and lastly there are times when the judge wants them transported from the jail to be in person. She said sometimes the request is made in the middle of the docket entry. Christy said there have been cases where clerks have missed the entry and the clerk failed to notify the jail. It was suggested for in custody cases, the docket entry state "Boone County Jail to transport defendant to court for in person appearance."

Christy said Show Me Courts has been upgraded where the clerk has to use a drop-down box to select "yes" or "no" as to ineffective counsel. She said there are times where there has not been a mention of the ineffective counsel language in the entry pursuant Supreme Court Rule 24.035, Christy asked if there is not language within the entry should they inquire of the judge or assume the answer is no. It was agreed the clerk can ask the circuit judge if they are unsure. All the circuit judges said the language is part of their macro so it may be a probation revocation, where the entry is not required again.

Christy requested that when surety appears, the judge enter the company being represented as some agents work for multiple companies or have switched companies.

Judge Brouck Jacobs said this is Mary Epping's last Court en Banc and the court will miss her leadership. A farewell celebration is planned for Friday, July 30, 2021 and will be a drop in and say farewell due to the current COVID conditions. Judge Jacobs said he has the utmost respect of Mary's abilities. He said she has an iron fist and velvet glove, in that she can pivot from personnel issues to addressing budget requests, handling all seamlessly. He said we have been so lucky to have her in public service and wished her well. Mary thanked all for their help and support. She said her job was made significantly easier with having great people to work with. She said everyone has been great, been willing to listen and hear her perspective and recommendations. Mary said

she has been fortunate to work with great supervisors that care and with great circuit clerks who want to work with us and not against us. Mary said she feels very fortunate to have worked for this circuit.

8. Comments from the Public

No comments from the public.

9. Next Meeting Date

The next meeting is scheduled for August 24, 2021. Judge Kimberly Shaw moved to adjourn. Second: Judge Stephanie Morrell. The motion passed unanimously. The meeting adjourned at 6:09 p.m.

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

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