

COURT EN BANC MINUTES
Tuesday, August 29, 2023 at 5:00 p.m.
Jury Assembly Room
Callaway County Courthouse

Judges & Commissioners Present:

Brouck Jacobs, Jeff Harris, Josh Devine, Kimberly Shaw, Chris Wilson, Sue Crane, Tracy Gonzalez, Sara Miller, Kayla Jackson-Williams, Stephanie Morrell, and Casey Clevenger.

Others Present:

Court Administrator Cindy Garrett, Acting Boone County Circuit Clerk Sherry Terrell, Acting Boone County Circuit Clerk Unit Manager Michelle Cecil, Court Marshal Michael Franks, Boone County Prosecutor Roger Johnson, Callaway County Prosecutor Ben Miller, and Deputy Court Administrator Derek Hux.

1. Call to Order / Welcome

The meeting was called to order by Circuit Judge Jeff Harris at 5:01 PM. Presiding Judge Brouck Jacobs was in a jury trial and joined the meeting after it was called to order.

2. Introduction of All Guests

There were no guests.

3. Approval of minutes from July 25, 2023

Judge Jeff Harris asked if there were additions or corrections to the prior meeting's minutes. Judge Sue Crane made a motion to approve, seconded by Judge Jackson-Williams. The minutes were approved by unanimous vote.

4. Orders of Destruction of Confidential Records

Deputy Court Administrator Derek Hux presented the destruction requests from the Jury Supervisor. Motion to approve made by Judge Stephanie Morrell, seconded by Judge Christopher Wilson. Orders of Destruction approved by unanimous vote. Judge Jeff Harris abstains.

5. Juror Mileage Payment

Court Administrator Cindy Garrett presented an administrative order regarding juror mileage payments. She described how in 2018 the payment for juror mileage was set at a rate of \$0.40 based on the mileage rate paid by Callaway County, and it was changed to pay jurors based on zip code rather

than exact mileage. In 2020, a new administrative order added an additional zip code for Boone County, but for an unknown reason several zip codes for Callaway were removed. The proposed administrative order restores those missing zip codes and increases the juror mileage payment to \$0.60 per mile. Garrett recommended this administrative order have an effective date of January 1, 2024. Motion to approve by Judge Stephanie Morrell, seconded by Judge Sue Crane. Motion approved by unanimous vote.

6. Home Detention Fee

Court Administrator Cindy Garrett presented a proposed administrative order reducing the costs paid by defendants for home detention. Garrett recommended this administrative order have an effective date of January 1, 2024. Discussion was had about excess funds going into general revenue and that in most circuits the pre-trial home detention program is a for-profit private company. Motion to approve by Judge Stephanie Morrell, seconded by Tracy Gonzalez. Motion approved by unanimous vote.

7. Scheduling of Hearings & Trials During Prosecutor Conference

Boone County Prosecutor Roger Johnson raised a concern that many trials were scheduled during the week of the Prosecutor's conference. Discussion was had about emailing notice of the conference and about using the trial availability date email system.

8. Bond Schedule

Boone County Prosecutor Roger Johnson mentioned for discussion that advocacy groups have asked his office to eliminate the bond schedule. Discussion was had that the current administrative order has the bond schedule being an option to the defendant, because traditional bond schedules were found to be per se unconstitutional. Judge Jeff Harris raised the issue about someone out on felony probation should not be given bond. This topic will be taken up for further discussion at a later time.

9. Callaway Law Library

Deputy Court Administrator Derek Hux proposed the books remaining in the Law Library of the old Callaway Courthouse be disposed as there is nowhere in the Callaway Justice Center for them to be shelved. Judge Sue Crane stated that retired Judge Joe Holt had told her that many years ago a vote was taken that all of those books were approved for surplus. Hux asked the Court En Banc to reaffirm that vote. Judge Sue Crane made a motion the books in the Law Library be considered surplus and that the Callaway Bar be invited to take what books they want before the books are disposed of, seconded by

Judge Chris Wilson. Motion approved by unanimous vote.

10. Other

Court Administrator Cindy Garrett wanted to inform the group that Judge Brouck Jacobs has signed an administrative order that the Boone County Courthouse will be closed to the public on Friday, October 27, at 3PM for staff training.

Court Administrator Cindy Garrett gave the update that Callaway Circuit Clerk Megan Morse said her staff had completed 222 expungements and that one clerk is dedicated to working on that project daily.

Commissioner Sara Miller announced that she is retiring effective March 1, 2024. Judge Brouck Jacobs said that the process will begin soon to take applications for a new Family Court Commissioner.

Acting Boone County Circuit Clerk Sherry Terrell informed the group that they are live with the expanded remote access and so far that is going well. As for Boone's expungements, 778 cases have been fully expunged, 793 have been signed and waiting to be processed, 3,384 cases have been found to not be eligible, and 646 still remain to be reviewed on microfilm. She has clerks who are coming in early, staying late, and working on weekends trying to get it finished.

11. Comments from the Public

There were no comments from the public.

12. Next Meeting Date

The next meeting of Court En Banc will be on September 19, 2023, in Boone County.

Judge Chris Wilson moved to adjourn the meeting, seconded by Judge Kayla Jackson-Williams. Motion passed unanimously and Judge Jeff Harris announced the meeting adjourned at 5:54 PM.

Prepared by:



Derek Hux
Deputy Court Administrator

Submitted by:



Cindy Garrett
Court Administrator

Distributed on:

