



Boone County Bar Association NEWSLETTER

www.bocomobar.org

December 3, 2001

Volume 16, Number 11

Holiday Party scheduled Dec. 12, RSVP due Dec. 11

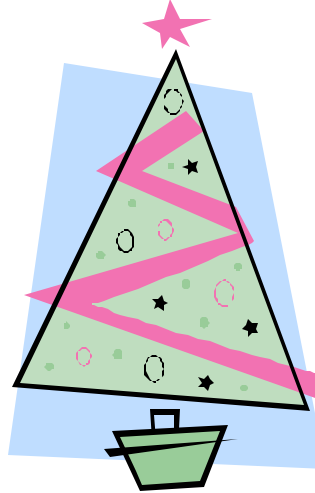
All BCBA members and their spouses or dates are invited to the annual Holiday Party on Wednesday, Dec. 12 from 6 to 9 p.m. at the Missouri Manor, 1121 Ashland Rd., Columbia.

Reservations must be made by noon on Tuesday, Dec. 11 by contacting BCBA Secretary **Phebe LaMar** at 443-3141 or lamar@smithlewis.com.

There will be a \$15 charge for each person attending, payable at the door, to pay for food and drinks.

As has been the case for the past two years, the event will be a mixer-type affair with ample food and libations available. Catering will be done by Jack's Restaurant, and musical entertainment will be provided by Tom Andes.

Immediate past BCBA President **Ron Bartlett** and his wife Lyria will be our hosts. They renovated the Missouri Manor in 1999 as a party and reception venue and hosted the Holiday Party in 1999 and 2000.



Party at-a-glance

Date: Wednesday, Dec. 12 from 6 to 9 p.m.

Place: Missouri Manor, 1121 Ashland Rd., Columbia.

RSVP: By noon Dec. 11 to Phebe LaMar, 443-3141 or lamar@smithlewis.com.

Cost: \$15 per person, payable at the door.

Appellate judges, clerk speak at Nov. 14 BCBA meeting

Some 80 BCBA members turned out for the Nov. 14 meeting to hear members of the Missouri Court of Appeals, Western District, who were in town to hear oral arguments at the Boone County Courthouse.

Appellate Judges Patricia Breckenridge, Lisa White Hardwick and Thomas H. Newton and Clerk Terence G. Lord spoke.

The three judges agreed that oral argument can be very important in deciding cases.

Breckenridge noted that when a case is set for oral argument, the judges read the briefs before argument and discuss the cases after argument before voting and then assigning the opinion-drafting. On the other hand, when oral argument is waived, a case goes directly to a judge for opinion-drafting without all judges on the panel having reviewed the briefs and discussing the case.

Lord said that the clerk's office screens cases to decide which ones will be allowed full argument (15 minutes per side plus 5 minutes for rebuttal) and which will be set for limited argument (10 minutes per side plus 2 minutes for rebuttal).

Breckenridge and Lord both said that if a lawyer disagrees with a limited argument designation, a motion for full argument should be filed.

The clerk's office also screens cases for finality of judgments, including whether all parties and issues have been disposed of, Lord said. If

the clerk's office sends a notice that the judgment is not final and the appealing lawyer disagrees, Breckenridge recommended that a response be filed by the lawyer to avoid dismissal of the appeal.

Whether a brief complies with content requirements, including adequate points relied on and a statement of the standard of review for each point, is also the subject of screening by the clerk's office, Lord said.

If a brief is stricken for content problems and an amended brief is subsequently filed, the clerk's office does not further screen the amended brief, Lord added. However, some of the judges will carefully review an amended brief for strict compliance with the rules, so an appeal can still be dismissed, Breckenridge pointed out.

There has been sufficient publicity about new brief format requirements, Lord said, that very few appeals have been rejected for failure to comply.

Sign up now for composite

Many BCBA members already have signed up to have their pictures taken for an updated bar composite photograph, the first since 1995, and others are encouraged to make appointments immediately.

Photo sessions will be held in the Counsel Chambers at the Boone County Courthouse on Friday, Dec. 7, and on Wednesday, Dec. 19.

Call Roger Berg's Creative Photo at 875-1841 to schedule your sitting appointment. If you cannot go to the courthouse on Dec. 7 or 19, sittings can also be done at Roger's studio. Walk-ins will be accepted, but appointments are recommended to avoid lengthy waits.

The sitting fee is \$19.99, but the fee will be waived for lawyers who order prints or family portraits. Digital photography will be used, so you will be able to review shots and select your favorite immediately after your sitting.

If you are satisfied with your photo in the 1995 composite, the same photo can be used in the new composite, but you will need to let Roger know that you want to do so.

It is anticipated the new composite will be ready in the early part of 2002. A large copy will be hung in the Counsel Chambers at the Courthouse. Lawyers also will be able to purchase copies. A price has not yet been set.

Around the bar . . .

Several law firms will be moving soon. **Smith Lewis, LLP** plans a move to the second floor of the former Strollway Centre at 9th and Locust streets when renovation is completed. **Bill Rotts** bought the Tenth & Walnut Building, and his firm of **Rotts & Gibbs, LLP** will move there when remodeling is done. **Bill** and **Charlotte Atkinson** also plan to move from the space at 16 N. 8th St. they have been sharing with **Rotts & Gibbs** and **John Patton**.

Dave Evans has office space available for rent at 717 Cherry St. Available now is more than 1,000 square feet of

unfurnished space including three offices and storage and reception areas. As of Jan. 1, a 174-square-foot office with furnishings and services will be open. For information, call Dave at 449-8430.

Boone County Probate Clerk **Bev Steelman** has announced some personnel changes. **Paula Weston**, who has handled decedent and mental health cases, is leaving Dec. 7 and will be succeeded by **Lori Jones**, who is returning to the office on Dec. 10. On Dec. 3, **Debbie Lee** started work as guardianship and conservatorship clerk, a position that had been vacant for a while.

Lincoln University is seeking lawyers to teach business law and contracts courses in the late afternoon and evening during the Spring Semester, which starts Jan. 14. For information, contact Wayne Linhardt at 573-681-6084 or linhardt@lincolnu.edu.

We can be proud that when the Missouri Bar recently held a series of meetings around the state with local bar associations, we had the largest turnout. BCBA members filled the banquet room at the MU Alumni Center on Nov. 1 to hear a presentation by Bar President Theresa Levings and bar staff members.

Mark calendar for future meetings

The Holiday Party takes the place of a regular BCBA meeting in December.

Regular meetings will resume in January with an ethics program on Jan. 9 for which **Jeff Parshall** is making plans.

The Feb. 13 meeting will be either a program on criminal law or a talk by the new Chief Disciplinary Counsel.

On Mar. 13 a legal technology program is planned.

Regular meetings are held at lunchtime on the second Wednesday of most months at Boone Tavern, 811 E. Walnut St. The lunch price is now \$9.

Start paying dues

Lawyers and firms wishing to shift a 2002 expense into 2001 may start sending their 2002 dues of \$25 per lawyer to Treasurer **Ed Orr**, P.O. Box 7186, Columbia, MO 65205-7186.

Dues are waived for sitting and retired judges of Boone and Callaway counties and for members who have been licensed in Missouri for at least 50 years or who have reached the age of 75.

Newsletter will again be mailed to all BCBA members

Starting with this issue, the *Newsletter* will once again be sent by postal mail to all BCBA members, but a mailing service with a bulk mail permit will be used to hold down costs.

Members who have provided email addresses will continue to receive advance notice of the *Newsletter*. The notice will refer to the BCBA web site,

where all members may view current news and download a PDF version of the *Newsletter*.

These decisions were made by the Executive Committee on Nov. 7 in an effort to maintain the best possible communications with members.

In general, the *Newsletter* will be scheduled to provide at least one week's notice of upcoming meetings. Regular

meetings are held on the second Wednesday each month. Exceptions are April (Bench-Bar Dinner), August (picnic), and December (Holiday Party).

News items should be sent to the Editor, **Steve Scott**, 201 Westwood Ave., Columbia, MO 65203-2871, phone 442-7268, fax 443-1676, email sscott@scottlawfirm.com.

The *Boone County Bar Association Newsletter* is published monthly, more or less, by the Boone County Bar Association, Inc. Annual dues are \$25 and may be sent to the Treasurer, **Ed Orr**, P.O. Box 7186, Columbia, MO 65205-7186, phone 443-2828. Send items for publication to the Editor, **Steve Scott**, 201 Westwood Ave., Columbia, MO 65203-2871, phone 442-7268, fax 443-1676, email sscott@scottlawfirm.com. 2001-02 officers of the Association are: President, **Dan Atwill**, 609 E. Broadway, 442-3000; Vice President, **Jim Powell**, 601 E. Broadway #203, P.O. Box 1304, 442-3181; Secretary, **Phebe LaMar**, 901 E. Broadway #100, 443-3141; and Treasurer, **Ed Orr**, address above. Executive Committee members are the officers and **Ron Bartlett**, **Betty Wilson** and **Liz Magee**. The Association's web site is at www.bocomobar.org.

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