



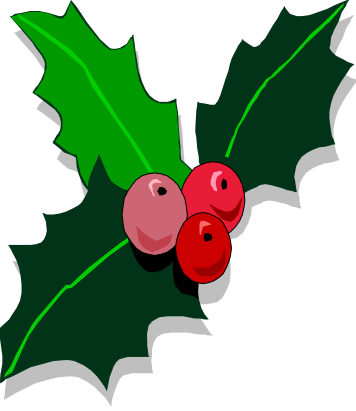
# Boone County Bar Association NEWSLETTER

www.bocomobar.org

November 25, 2002

Volume 17, Number 12

## Holiday Party set December 2, reservations due this week



BCBA members and spouses or dates are invited to attend the annual BCBA Holiday Party on Monday, December 2 from 5:30 to 7 p.m. at the MU Reynolds Alumni Center.

The format will be a cocktail reception with food. The \$15 per person charge covers the food as well as wine, beer and soda, but mixed drinks must be purchased separately.

Also, those interested will

have an opportunity to purchase \$14 tickets to attend the MU-Sacramento State basketball game after the party.

**Party RSVP:** For the party itself, please notify BCBA Secretary **Scott Wilson** at 443-4500 or [scott@hineslawfirm.com](mailto:scott@hineslawfirm.com) by 5 p.m. Friday, November 29 if you plan to attend. Your payment of \$15 per person can be made at the door. Make checks payable to "Boone

County Bar Association."

**Game RSVP:** BCBA Vice President **Elton Fay** is handling the purchase of basketball tickets. If you want to attend the game, you must notify Elton at 449-2969 or [elton@gfglaw.com](mailto:elton@gfglaw.com) by noon Monday, December 2. You can pay for the tickets and pick them up at the party. As with the party, checks for the basketball tickets should be payable to the BCBA.

## PP&J panel submits 5 proposals

Five recommendations made by the BCBA Practice, Procedure and Judiciary Committee have been endorsed by the Executive Committee for submission to the 13<sup>th</sup> Judicial Circuit Court at its December 3 en banc meeting. The recommendations are:

- That criminal and civil Law Day Dockets in Divisions I, II and III be conducted at separate times.
- That regular motion dockets be scheduled for all Associate Circuit Judges and the Family Court Commissioner.
- That the court's informal policy of not issuing executions for possession in landlord-tenant cases until the 10-day period to apply for trial *de novo* expires be changed to allow

execution immediately after judgment.

- That consideration be given to conducting a round-table discussion involving judges and bar members as the program at next Spring's Bench-Bar Dinner.

- That BCBA members be encouraged to attend the court's en banc meetings.

The full text of the committee's recommendations and background discussion appears on the BCBA web site at [www.bocomobar.org/news.htm](http://www.bocomobar.org/news.htm).

Committee members are **Steve Scott**, chair, and **Mark Abbott**, **Marjorie Lewis**, **Gwen Froeschner**, **Betty Parrigin**, **Mark Langworthy**, **Ron Sweet**, **Greg Copeland** and **Milt Harper**.

## Dues-paying season has begun

Lawyers and firms wanting to shift a 2003 expense into 2002 may begin sending 2003 dues payments to Treasurer **Bob Buckley**, P.O. Box 1097, Columbia, MO 65205-1097.

The Executive Committee has endorsed a dues increase from \$25 to \$40 per year per member, which will require members' approval of a bylaw amendment to be submitted early next year. The Executive Committee urges lawyers to begin voluntarily paying \$40, although \$25 will be accepted if paid before the bylaws are amended.

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

## Women's party to be held December 9

Women lawyers of the BCBA will gather for their seventh annual holiday party on Monday, December 9 from 5:30 to 7 p.m. at **Mary Carnahan's** home, 2304 Topaz Dr. The annual event is co-sponsored by Mary and BCBA President **Betty Wilson**.

As in past years, the women lawyers will be collecting gifts for young girls (to be distributed through the Voluntary Action Center), as well as for participants in Boone County Drug Court.

Suggested gift items include soaps, creams, lotions, powders, nail polish, hair products, hair dryers and curling irons. Cash gifts also are appropriate.

Mary said the gathering is a "perfect opportunity to help others as well as talk with old friends and meet new members of the bar."

Questions about the event can be addressed to Mary at 442-3181 or Betty at 443-3134.

## Wilson: Attend en banc meetings

By **Betty Wilson**  
BCBA President

When Judge Hamilton addressed the members of the Boone County Bar Association in September, he encouraged us to communicate with the court on matters of mutual concern. I have found from personal experience that Judge Hamilton's door is, in fact, "open" to us.

One way to accomplish our mutual goals is through attendance by bar members at the court's monthly en banc meetings, usually on the first Monday evening each month at 5:00 p.m. (although the December meeting has been changed to

Tuesday, December 3 because of the BCBA Holiday Party on December 2).

The bar and judiciary are integral parts of the legal system. Communication, cooperation and balance between the "parts" is essential to the orderly administration of justice.

Our BCBA committees are discussing many issues that may result in proposals to the court for changes to better serve litigants and the general public.

I plan to attend or make sure another BCBA member attends all court en banc meetings, and I urge others to attend as issues of mutual interest arise.

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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, **Bob Buckley**, P.O. Box 1097, Columbia, MO 65205-1097, phone 449-2613. 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](mailto:sscott@scottlawfirm.com). 2002-03 officers of the Association are: President, **Betty Wilson**, P.O. Box 977, 443-3134; Vice President, **Elton Fay**, 11 N. 5th St., 449-2969; Secretary, **Scott Wilson**, 901 E. Ash St., 443-4500; and Treasurer, **Bob Buckley**, address above. Executive Committee members are the officers and **Dan Atwill, Mariam Decker** and **Colly Durley**. The Association's web site is at [www.bocomobar.org](http://www.bocomobar.org).

<b>Treasurer's Report by Bob Buckley</b>	
<b>Account balance as of 10/30/02</b> .....	\$1,710.73
<b>Receipts 10/30/02 - 11/21/02</b>	
Dues .....	+75.00
Interest .....	+0.36
<b>Disbursements 10/30/02 - 11/21/02</b>	
Boone Tavern (executive committee) .....	-37.12
Boone Tavern (regular meeting guest lunches).....	-42.00
Accent Press (Newsletter printing).....	-63.84
Midwest Mailing (Newsletter mailing) .....	-71.81
<b>Account balance as of 11/21/02</b> .....	<u>\$1,571.32</u>

## Settlement conferences on agenda

The BCBA Family Law Committee will meet at noon on Friday, Dec. 6 at the Courthouse to discuss possible changes in the local rule on mandatory settlement conferences.

Committee Co-Chair **Mary Carnahan** has invited all lawyers who have concerns about the rule to attend the meeting.

Among possible rule changes to be discussed are setting settlement conferences only upon request, and excusing parties from attending or routinely allowing participation by parties.

The committee also plans to discuss Local Rules 68.2(D) and 68.5(D), which specify that any party not submitting PIE Statements, a Parenting Plan and a Form 14 will have pleadings stricken or the case dismissed. Questions are whether the court loses jurisdiction when such orders are entered and whether reissuance of summons may thus be necessary.

Other family law issues the committee intends to address this year include: Supervised visitation facility, conflicting dockets, GAL fees for adoptions, posting GAL fees in dissolution cases, local court rules regarding GAL disqualification

and automatic appointment of GALs, and mediation.

Other committee members are **Janet Bezler**, co-chair, and **Anna Lingo, Daniel S. Simon, Steve Pratt, Gary Stamper, Amy Markel, Doug Pugh, Noel Magee, Cindy Barchet, Brian Sleeth, Linda Harris, Marilyn Gaeth** and **Mitch Moore**.

## Around the bar . . .

**Tonnie M. Martin** is a new BCBA member with a solo practice at 224 N. 8<sup>th</sup> St., Columbia, phone 256-4100, fax 256-4101. She graduated from MU Law School in May and focuses on family law, bankruptcy and minor criminal and traffic cases.

Another new member is **Richard Hicks**, who recently became a Boone County Assistant Prosecutor. He grew up in the Kansas City area and graduated from the Thomas M. Cooley Law School in Michigan in May 1995. After working 2½ years as a public defender in the Moberly area, he spent four years as a special prosecutor with the Missouri Attorney General.

## Criminal law panel ponders changes

Possible changes in local criminal case procedures have been discussed by the BCBA Criminal Law Committee, chaired by **Tom Davis**, at three meetings during October and November, but no final recommendations have been made yet for submission to the court.

One suggestion is that private attorneys' cases be heard first on arraignment dockets to avoid lengthy waits.

Also suggested were several changes in scheduling of Associate Circuit dates, including:

- Initially only setting counsel status dates and not trial dates, so clients only have one court date at a time.
- Setting trial dates from the bench.
- Creating public defender

dockets separate from private counsel dockets, either by time or days of the week.

Another topic is Municipal Court procedural changes.

Other committee members are **Kay Evans, Gerald Mueller, Dan Viets, Rusty Antel, Josh Oxenhandler, Greg Young, Dave Eblen, Stan Clay, Dave Evans, Bob Aulgur** and **Milt Harper**.

### Send email addresses

Email is an increasingly important method for communicating with BCBA members. We have email addresses for 208 of the 321 people on our mailing list. If you have not already provided your email address, send it to **Steve Scott** at [sscott@scottlawfirm.com](mailto:sscott@scottlawfirm.com).