



# Boone County Bar Association NEWSLETTER

www.bocomobar.org

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## BCBA awards 3 scholarships

Three college scholarships authorized by the BCBA Executive Committee are being presented to local high school students as part of the bar's Partners-in-Education (PIE) commitment.

**Brian Sleeth** presented a \$1,000 scholarship to Hickman High School student Aaron Abernathy. **Scott Wilson** will present a \$1,000 scholarship to Rock Bridge High School Lucinda McRoberts. A new \$500 rotating scholarship is being presented by **Dan Dunham** to Douglass High School senior Janel Anders.

In other PIE news, the BCBA was recognized for its 15-year partnership with the Columbia Public Schools Social Studies Department with the presentation of an award at the May 8 PIE Banquet to BCBA President **Betty Wilson**. At the same banquet, the BCBA presented a recognition plaque to Judy Parsons, who is retiring as coordinator of the Social Studies Department and has been the BCBA's contact person for PIE activities for 15 years.

## State Auditor McCaskill to speak June 11

State Auditor Claire McCaskill will be "coming home to Columbia" when she speaks at the next BCBA meeting on Wednesday, June 11.

The meeting will be held at noon June 11 at Boone Tavern, 811 E. Walnut St. The lunch price will be \$9.

**RSVP:** To reserve your place for this meeting, contact BCBA Secretary **Scott Wilson** at 443-4500 or [scott@hineslawfirm.com](mailto:scott@hineslawfirm.com) by 5 p.m. on Tuesday, June 10.

Claire McCaskill was born in Rolla and raised in Lebanon and Columbia. She attended Hickman High School while her father served as state Insurance

Commissioner and her mother became the first woman City Council member.

She received a B.S. in political science in 1975 and a law degree in 1978 from MU. Her career highlights include: 1978-82, assistant prosecutor in Jack-

son County; 1982-88, State Representative; 1988-92, private practice and member of the Jackson County Legislature; 1992-98, first woman Prosecuting Attorney in Jackson County; and 1998-present, State Auditor.

## Mental Health Court launched

"Therapeutic justice" has taken another step forward in Boone County with the recent startup of the Mental Health Court, following on the heels of the Drug Court established several years ago.

About 70 public officials, bar members and interested members of the public gathered in the Ceremonial Courtroom at the Boone County Courthouse on May 12 for an informational session on the new court.

Associate Judge **Christine Carpenter**, who presides over both the Mental Health Court and Drug Court, explained that they are "problem-solving" courts with a goal of rehabilitating offenders and preventing them from "coming through the system over and over."

Participants in the Mental

Health Court are selected by a team including Judge Carpenter and representatives of the court administrator, prosecuting attorney, public defender, probation and parole office, and other agencies. The clients must have either a severe and persistent mental illness or mental illness coinciding with substance abuse.

Participants are directed into treatment programs and can be diverted from prosecution if successful. However, treatment can be coerced and punishment imposed if necessary because "public safety is our first priority," said Judge Carpenter.

The Mental Health Court is funded by a grant from the Department of Justice matched by Proposition L funds approved by Boone County voters.

## Web site updates

The official version of revised Local Rule 68.12 on mediation of child custody and visitation disputes is now posted on the BCBA web site. The associated forms are posted adjacent to the rule in browser-readable, Word and WordPerfect formats.

Also, names and telephone numbers for the Circuit Clerk's office have been updated on the web site.

## Court plans 'contract lawyers' to replace appointment system

On July 1 the 13<sup>th</sup> Judicial Circuit will implement a new system using "contract lawyers" to act as guardians ad litem and indigent parents' attorneys in juvenile and child order-of-protection cases. Contract awards are expected to be made next week.

All lawyers currently on the appointment lists for such cases were provided with information on the new system and given an opportunity to apply for contracts.

Six "Type A" GAL contracts

are planned at \$10,800/year with an expected caseload of 40-50 appointments and active cases per year. Four "Type B" GAL contracts are to be awarded at \$5,400/year with an anticipated caseload of 20-25 appointments and active cases per year.

For indigent parent lawyers, there are expected to be three "Type A" contracts and three "Type B" contracts. The former will pay \$9,000/year and involve about 25-35 annual appointments, and the latter will

pay \$4,500/year and involve 12-18 appointments.

County-paid compensation in child order-of-protection cases will be \$75 per appointment in addition to the base contract fees. In addition, the court may order the parties to pay further compensation.

Annual contract compensation will be paid on a monthly basis. Contracts will be awarded to serve as either a GAL or indigent parent attorney, but not both.

Lawyers now on the appoint-

ment list who do not apply or are not selected for annual contracts and who have appointments in active cases have three options: (1) Continue to provide legal services and receive a prorated flat fee based on the number of cases assigned, the flat annual fee allowed under the new system, and the minimum caseload for Type A contracts. For example, a GAL case would be compensated at \$270/year. (2) File a request with the court to be relieved of appointment. (3) Combine the first two.

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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 \$40 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).

### Treasurer's Report by Bob Buckley

Account balance as of 5/2/03 .....	\$6,382.06
<b>Receipts 5/2/03 - 5/30/03</b>	
Dues .....	+540.00
Interest.....	+0.45
Bench-Bar Dinner .....	+2,460.00
<b>Disbursements 5/2/03 - 5/30/03</b>	
Accent Press (Newsletter printing).....	-66.83
Midwest Mailing (Newsletter mailing).....	-78.74
Bench-Bar Dinner entertainment.....	-300.00
dSport (Partners-in-Education plaque).....	-67.08
David Strauss (refund dues overpayment).....	-25.00
Boone Tavern (Executive Committee meetings).....	-113.00
Hickman High School scholarship .....	<u>-1,000.00</u>
Account balance as of 5/30/03 .....	\$7,731.86

### Around the Bar . . .

The City of Columbia is seeking a Missouri-licensed attorney to serve as public defender in Municipal Court on a contract basis. Applications should be submitted to the Municipal Court Clerk, 600 E. Broadway, by 5 p.m. June 13. Call 874-7232 for more information.

**Susan Ford Robertson** presented a mock oral argument at the Defense Research Institute Appellate Advocacy Seminar on May 2 in Chicago. Presiding were judges from the Wisconsin and Minnesota Supreme Courts and the Sixth Circuit U.S. Court of Appeals. Susan's opponent was David Axelrad of Encino, CA. After argument, the judges found in favor of Susan's client.

Recently joining the BCBA was **Jason D. Simmons**, a new associate of **Helen M. Cripps LLC**, 2412 Forum Blvd., Suite 101, P.O. Box 7068, Columbia, phone 447-3355, fax 447-3399. He attended Washburn University School of Law in Topeka, KS, and received an LLM in Taxation from the UMKC Law School.

Another new BCBA member is **Matthew B. Uhrig**, an Ashland resident who is an associ-

ate at Armstrong Teasdale LLP, 3405 W. Truman Blvd., Suite 210, Jefferson City 65109, phone 573-636-8394, fax 573-636-8457. He was formerly an assistant prosecuting attorney in Jackson County.

Also recently joining the BCBA was **David Tyson Smith**, a new associate at the **Copeland Law Firm**, 900 E. Broadway, Columbia 65201, phone 874-3100, fax 874-3200.

### Volunteers sought for mentor program

**Ron Smull**, chairman of a special BCBA Mentoring Committee, has announced that our bar will attempt to follow the lead of the Missouri Bar in establishing a mentoring program for newly admitted members.

A seven-page handbook has been prepared describing the program. The mentor-mentee relationship will be confidential to the parties and the committee.

BCBA members willing to serve as mentors are asked to call Ron at 442-3136. Those expressing interest will be furnished a copy of the handbook.

### Reflections on 'Law Day 2003'

By Betty Wilson, 2002-03 BCBA President

The USA observed Law Day on May 1. While the occasion passed unnoticed by some, international and domestic issues raised in recent months have placed Law Day's meaning in sharper focus. Times of individual and national crisis often cause us to examine our roots, our faiths, and the tenets of our democracy.

Recently, some have voiced fears that the Patriots Act of 2001 may erode cherished civil liberties which form the keystone of our democracy. Some believe this would be as scary as the tragic consequences of war. Many others understand that a free democracy assumes a ceaseless process of change, contradiction and vigilance, and that this is healthy.

As lawyers, we are committed to the Constitution by our training and by our oaths to the profession. I believe we have a special responsibility to observe Law Day every day and thus contribute to a sense of national responsibility through the steady dedication of a lifetime. The legal framework emanating from our Constitution in all its aspects must be protected and nourished. Its greatness is in its resilience through debate and interpretation.