



Boone County Bar Association NEWSLETTER

www.bocomobar.org

July 1, 2003

Volume 18, Number 7

Picnic, other events planned

In hopes of avoiding the late-August heat that has often bedeviled the BCBA's annual picnic and election of officers, the event has been scheduled this year on the evening of **Sept. 12**. More details will be announced in early September.

The new picnic schedule means that a regular meeting will be conducted at lunchtime on **Aug. 13**. The speaker will be Congressman Kenny Hulshof.

Also, don't forget that the Missouri Bar's Annual Meeting will be held in Columbia for the first time **Oct. 1-3**. The Missouri Bar recently mailed registration materials to lawyers, and the BCBA encourages full participation by local lawyers.

It is anticipated that the "State of the Court" program traditionally presented in September will be the program at a regular meeting in **Oct. 8**.

Nominating Committee appointed

Lorri Shurtleff has been appointed chair of the BCBA Nominating Committee, which will present a slate of proposed 2003-2004 officers at the annual picnic and election on Sept. 12. President **Betty Wilson** also announced that the other members of the Nominating Committee are **Ron Smull, Marsha Fischer** and **C. J. Dykhouse**.

Officers to be nominated are president, vice president, secretary, treasurer, and two at-large Executive Committee members. The immediate past president automatically becomes an Executive Committee member. The proposed slate of officers will be published in early September.

Bar members may make suggestions for officer candidates to the Nominating Committee members. Under BCBA bylaws, nominations also may be made from the floor at the picnic with the consent of the nominees.

CLE credit given for July 9 'Ethics Counsel' program

One hour of CLE credit, including one hour of ethics credit, will be granted for attendance at the next BCBA meeting on Wednesday, July 9, at Boone Tavern, 811 E. Walnut St.

The topic will be Missouri's new Legal Ethics Counsel. The speaker will be Sara Rittman, who has been the Legal Ethics Counsel since Jan. 1 this year.

As usual when a CLE-credit program is presented, lunch service will begin at 11:30 a.m. The program will begin at 12:10 p.m. after a brief business meeting. The lunch price will be \$9, payable to Boone Tavern.

RSVP: To reserve your place for this meeting, contact BCBA Secretary **Scott Wilson** at 443-4500 or scott@hineslawfirm.com no later than 5 p.m. on Tuesday, July 8.

The office of the Legal Ethics Counsel issues informal advisory opinions on ethical issues submitted by lawyers, a func-

tion formerly performed by the Office of the Chief Disciplinary Counsel.

The program will cover the changes to Rule 5 that led to the creation of the Legal Ethics Counsel, including some of the history of the change; how to request an informal advisory opinion; the status of informal and formal advisory opinions and how to find them; and common issues submitted by lawyers.

As Legal Ethics Counsel, Sara Rittman provides oral and written informal advisory opinions to lawyers and serves as counsel to the Supreme Court Advisory Committee.

She received her B.S.Ed. from MU in 1978 and a J.D. from UMKC in 1981. In 1981 she began work as an assistant attorney general, and in 1985 she became unit chief of the AG's Professional Licensing Unit. In 1993 she became a staff counsel in the Office of the Chief Disciplinary Counsel.

Collection crackdown starts with new policies, list of offenders

The 13th Circuit's crackdown on collection of costs, fines and restitution in criminal cases is gearing up with the adoption of new policies effective July 1 and the internet posting of a list of offenders who can avoid a "warrant roundup" if they pay during a July 7-25 amnesty.

The list of offenders with outstanding warrants for failure to pay or failure to appear for failure to pay is now posted on the Boone County Sheriff's web site at www.showmeboone.com/sheriff/warrants.htm. The list will be revised as people on the list pay what they owe and

their warrants are recalled.

After the amnesty period, the Sheriff's Department and municipal police in Boone County will engage in a concentrated effort to make arrests on all outstanding warrants for those who have not paid.

Under the new policies, most criminal defendants will be expected to pay costs, fines, restitution and criminal victim compensation judgments immediately after sentencing.

Those who ask for an extension of time to pay will be referred to Court Services for a review of their situation. If a

time-payment plan is recommended by Court Services, it must be approved by the sentencing judge. Indigent defendants can be given community service in lieu of payment.

For offenders allowed to pay over time, the new policies specify targets of 50% payment within 48 hours, 80% within 30 days, and 100% within 60 days.

If the governor signs House Bill 600, there will be an additional \$25 surcharge due from defendants whose payment plan extends beyond 30 days. The bill also provides for interception of income tax refunds to

pay costs, fines and other court-ordered amounts.

The court will continue its policy of not accepting personal checks. Payments must be made by cash, money order or cashier's check. The county is looking into obtaining a automatic teller machine for the courthouse to facilitate cash payments.

Three documents relating to the new program are posted on the BCBA web site news page: A summary of the new policies, a flow-chart of the collection process, and a list of standard fines and costs.

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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. 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.

Where'd Dave Strauss go?

For those who have wondered, "What ever happened to David Strauss, that wild-and-crazy public defender who once wore a coat, tie and bermuda shorts to court?" we have an answer straight from Dave, who is still a dues-paying BCBA member.

In 1985 Dave saw an ad in a legal publication for a Chief Public Defender in the Marshall Islands, which was a U.S. Trust Territory at the time. After a minimal amount of soul-searching, he applied for and got the job.

He spent four years as Public Defender in the new, small, very corrupt nation. While defending a woman accused of embezzling \$2,000 from the

Ministry of Public Works, he brought out that her boss had embezzled more than \$100,000 and had never been prosecuted. Dave says this explains why his PD contract was not renewed.

By then, however, Dave had met his wife and had several client leads and decided to go into private practice in the Marshall Islands, gaining wide experience as one of only four private attorneys in the country.

Dave and his wife have three daughters. Most of their travels are to New Zealand, Hawaii and Bali, but they occasionally get back to the States where two of their daughters attend college.

Dave can be contacted by email at dstrauss@ntamar.com

Around the Bar . . .

Susan Ford Robertson of **Ford, Parshall & Baker** recently was elected vice president of the Missouri Organization of Defense Lawyers. Another member of the firm, **Mariam Decker**, recently was accepted into membership by the invitation-only American Board of Trial Advocates.

Recently joining the BCBA was **Garrett Taylor**, a new associate at **Van Matre & Harrison, PC**, 1103 E. Broadway, Ste. 101, P.O. Box 1017, Columbia, phone 874-7777, fax 875-0017. Garrett received his J.D. from MU in 2002 and previously worked for a law firm in Springfield. He will concentrate on commercial litigation and transactional law.

Matthew C. Wilson is a new associate at **Walther, Antel, Stamper & Fischer, P.C.**, 700 Cherry St., P.O. Box 7686, Columbia, phone 442-2454, fax 874-3332. He received his law degree from MU and previously worked for a law firm in St. Louis. He concentrates in trial practice.

About 60 members turned out for the June 11 meeting to hear a talk by State Auditor Claire McCas kill.

Several docket changes announced

Changes to the Boone County docket schedule previously mentioned in the May Newsletter have now been officially promulgated by the court and are posted on the BCBA web site.

Effective July 1, preliminary hearing dockets in all associate divisions are scheduled at 2:30 instead of 2 p.m. Also, in Division 10, civil trial dockets after civil return dockets on Tuesdays and Wednesdays are now scheduled at 2:30 instead of 2 p.m. A Mental Health Court docket is set in Division 9 on Tuesdays at 2 p.m.

Effective Aug. 1, Division 9 will no longer hold settlement conferences in Boone County on the 2nd, 4th or 5th Tuesdays. Also, Division 10 will begin hearing settlement conferences in Boone County on the 2nd & 4th Fridays at 1:30 p.m. Division 10 will no longer have a traffic docket on the 2nd Friday at 1:30 p.m. or a small claims docket on the 4th Friday at 1:30 p.m.

Treasurer's Report by Bob Buckley

Account balance as of 5/30/03.....	\$7,731.86
Receipts 5/30/03 - 6/27/03	
Dues.....	+200.00
Interest.....	+0.68
Bench-Bar Dinner.....	+39.00
Disbursements 5/30/03 - 6/27/03	
Accent Press (Newsletter printing).....	-64.05
Midwest Mailing (Newsletter mailing).....	-75.33
Bench-Bar Dinner.....	-3,250.00
Rock Bridge High School scholarship.....	-1,000.00
Douglass High School scholarship.....	-500.00
Account balance as of 6/27/03.....	\$3,082.16