



# Boone County Bar Association NEWSLETTER

www.bocomobar.org

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## CLE credit for June 9 appellate practice program

A CLE-credit program on appellate practice will be presented by Missouri Supreme Court Judge Duane Benton at the next regular BCBA meeting at 11:30 a.m. on Wednesday, June 9 at Boone Tavern, 811 E. Walnut St., Columbia.

**RSVP:** To reserve your spot for this meeting, contact BCBA Secretary Steve Pratte at 442-0116 or [scpratte@yahoo.com](mailto:scpratte@yahoo.com) by 5 p.m. Tuesday, June 8.

As usual when CLE programs are presented, meal service will begin at 11:30 a.m. The lunch price will be \$9, payable to Boone

Tavern. The program will start by 12:10 p.m. after a brief business meeting.

A native Missourian, Judge Benton earned his law degree from Yale Law School, where he was elected managing editor of the *Yale Law Journal*. A Vietnam veteran, he holds a masters degree in business administration, served as chief of staff to a Missouri congressman, worked in private law practice, and served as state Revenue Director. He was appointed to the Missouri Supreme Court in 1991. He is the only certified public accountant on a state supreme court.

## Juvenile Justice Center renamed in honor of Perry

About 250 relatives, co-workers and friends, including a number of BCBA members, attended a retirement reception and ceremony for Bob Perry at the Courthouse Square on Thursday evening, May 27.

Bob officially retired May 31 after more than 30 years of service to the Thirteenth Circuit as Juvenile Officer and Court Administrator.

## Lloyd appointed to succeed Perry

Presiding Judge **Gene Hamilton** announced that Kathy Lloyd has been appointed the new Court Administrator for the Thirteenth Judicial Circuit, effective June 2.

Kathy has been the Assistant to the Court Administrator since April 2002. She previously worked for the circuit from 1986 to 1997, holding the positions of Deputy Juvenile Officer, Superintendent of the Juvenile Justice Center, and Juvenile Officer.

Joy Rushing has been appointed as Assistant to the Court Administrator and began work May 24. She has a law degree from UMKC and a master's degree in public administration from Harvard University. She has prior administrative experience, primarily in city government in the Kansas City area.

Among the many recognitions Bob received was the renaming of what will now be known as the "Robert L. Perry Juvenile Justice Center." A plaque for the building bearing the new name was unveiled at the ceremony.

Bob was lauded by Presiding Judge **Gene Hamilton** for his pivotal roles in establishing the juvenile justice center and remodeling and expanding the Boone County Courthouse.

Other speakers included retired Circuit Judge **Frank Conley**, Circuit Judge **Ellen Roper**, Missouri Supreme Court Judge Duane Benton, Missouri Court of Appeals Judge Clifford Ahrens, and Eleventh Circuit Family Court Administrator Ray Grush.

The ceremony concluded just as threatening weather moved

in, and the service of refreshments was moved into the Boone County Government Center.

The event was funded by contributions from the BCBA, sitting and retired judges, and several local law firms. Contributing firms were Ford, Parshall & Baker LLC; Grimes & Fay LLC; Harper, Evans, Schneider & Netemeyer; Oliver Walker Wilson LLC; Rogers, Ehrhardt & McGuire LLC; Scott Law Firm P.C.; and Walther, Antel, Stamper & Fischer P.C.

## Rogers to chair young lawyers

**Gretchen Rogers** has been appointed by President **Elton Fay** as the first chair of an ad hoc Young Lawyers Committee.

Gretchen had proposed the establishment of a Young Lawyers Section, but after determining that this would require a bylaws amendment, the Executive Committee authorized for-

## Picnic set Sept. 17

The annual BCBA picnic and election of officers has been scheduled Friday evening, Sept. 17, at Cosmo-Bethel Park, the same location as last year.

President **Elton Fay** has appointed **Rusty Antel** to chair this year's Nominating Committee. Other committee members appointed were **Mary Carnahan** and **Janice Harder**.

mation of the ad hoc committee as a beginning step.

Gretchen made the proposal after it was discussed at regular lunch meetings she and other young lawyers have been holding. For more information, call Gretchen, an associate at **Oliver Walker Wilson LLC**, at 443-3134.

## 65 attend May meeting to hear cross-exam tips

About 65 BCBA members attended the May 12 meeting to hear MU Associate Law Prof. **Steve Easton** discuss guidelines for cross-examination of expert and other "obstreperous" witnesses.

Steve said cross-exam questions should be written out completely to achieve clarity and avoid using words that give "wobble room" to the witness. Steve's other recommendations included:

Each question should be designed to elicit only one fact and be written to obtain a "yes" answer so the witness and jury expect yes answers and the jury comes to believe the questions contain the truth.

Never ask questions that give the witness a chance to explain. Such questions include words such as who, what, when, where, why and how.

If the witness answers "no" to a carefully designed question when the answer should be "yes," have the source of the question written down so the witness can be promptly impeached. Prior statements by the witness are best for this purpose – from prior testimony, depositions, statements or interviews.

The best way to "set a trap" for a witness is to quote the witness' prior statement in a question without revealing that's what you're doing.

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The Boone County Bar Association Newsletter is published monthly, more or less, by the Boone County Bar Association, Inc. 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). Annual dues are \$40 and may be sent to the Treasurer, **Rachael Kennedy**, 1203 W. Broadway, Columbia, MO 65203-2125, phone 256-7205. BCBA officers for 2003-04 are: President, **Elton Fay**, 11 N. 5th St., 449-2969; Vice President, Judge **Jodie Asel**, Boone County Courthouse, 886-4050; Secretary, **Steve Pratte**, 205 E. Forest Ave., 442-0116; and Treasurer, **Rachael Kennedy**, address above. Executive Committee members are the officers and **Betty Wilson**, **Leslie Clay** and **Tom Davis**. The BCBA web site is at [www.bocomobar.org](http://www.bocomobar.org).

## Around the bar . . .

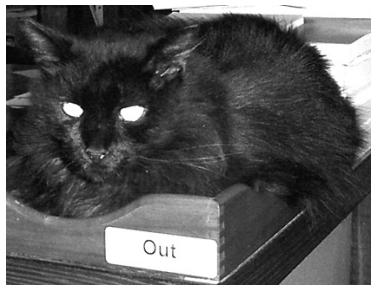
**Daniel S. Simon** and his associate **Christina McCartney** have moved the **Law Office of Daniel S. Simon, P.C.** to 2001 Corona Rd., Suite 303, Columbia 65203. Their phone number remains 886-8989, but their fax number is now 256-5044.

The local office of Kansas City law firm **Harris, McCausland & Schmitt, P.C.** has moved to 2001 Corona Rd., Suite 305, Columbia 65203. The new phone and fax numbers are 445-8990 and 445-8988, respectively. Previous BCBA members in the office are **Lorna Horton** and **Barry A. Gilbert**. **William C. Ellis** also recently joined the office and became a BCBA member in May.

Also recently joining the BCBA was **Kristen H. Dickinson**, an associate at Carson & Coil, P.C., 515 E. High St., P.O. Box 28, Jefferson City 65201, phone 573-636-2177, fax 573-636-7119. She is a Columbia native, graduating from Hickman High School in 1992. She received a bachelor's degree from Truman State University in 1996. She then attended MU, receiving a master's degree in public administration in 1999 and a law degree in 2003.

**Dave Evans** still has office space available at 717 Cherry St., Columbia for a single attorney to share a secretary. Included are supplies, postage, fax, copier, and Internet connection. Call Dave at 449-8430.

Treasurer's Report by Rachael Kennedy	
Account balance as of 4/30/04 .....	\$8,518.12
<b>Receipts 4/30/04 - 5/28/04</b>	
Dues .....	+580.00
Interest .....	+0.69
<b>Disbursements 4/30/04 - 5/28/04</b>	
Accent Press (Newsletter printing) .....	-70.58
Midwest Mailing Service (Newsletter mailing) .....	-80.18
Boone Tavern (Executive Committee) .....	-77.00
City of Columbia (picnic shelter reservation) .....	-38.00
Columbia Public Schools (PIE dinner) .....	-48.00
College scholarships .....	-2,500.00
Account balance as of 5/28/04 .....	\$6,285.05



## Local 'purralegal' featured by ABA

The Scott Law Firm office cat, Grendel, recently gained national attention when he was featured in the first "There's Something Funny in My Office" article published in the American Bar Association's weekly on-line newsletter, the *ABA Journal Report*. The article said: "Steve Scott, of Columbia, Mo., has been running a solo practice from his home for the last five years. He writes: 'The solo practice can get a little lonely at times. Thus, I welcome the presence of the household pets, two cats and two dogs. Here you see Grendel, my 14-year-old male of barn-cat heritage, who likes to park sometimes in the Out Box on the corner of my desk. I call him the "Purralegal."'

"P.S. The other cat, a younger female, prefers the In Box. It's a bit difficult to get things done when they both decide to occupy their respective boxes at the same time."

The picture above accompanied the article, which is still available for viewing on-line at [www.abanet.org/journal/report/m26photo.html](http://www.abanet.org/journal/report/m26photo.html).

## Court en Banc notes

Items of interest to bar members from the May 24 Court en Banc meeting include:

- \* Judges will begin appointing MARCH mediators from the bench to speed up the process.

- \* On a trial basis the court will begin turning over unpaid fines and costs to a state-approved collection agency. This will add 20% to the amount due, in addition to the \$25 delinquency charge already assessed. The BCBA Criminal Law Committee has been asked to comment on the procedure.

- \* A new case-numbering system will be implemented next year which will include a code for the county where the case was filed in addition to the existing case type code.

- \* The security systems at the Boone and Callaway courthouses will be reviewed by the Federal Marshal's Office.