



# Boone County Bar Association NEWSLETTER

www.bocomobar.org

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## Changes take effect Aug. 28

Several statutory changes of interest to local lawyers will take effect Aug. 28 as part of Senate Bill 1211, including the removal from §494.425 RSMo. of the automatic disqualification of lawyers from sitting on trial and grand juries.

An amendment to §512.180.1 RSMo. will allow trial *de novo* in only three types of cases tried to an associate circuit judge: small claims, rent-and-possession, and unlawful detainer. All other non-jury cases tried before an associate circuit judge, regardless of the dollar amount involved, will be "on the record" and appealable only to the Court of Appeals.

New §452.310.10 RSMo. will waive the requirement of a parenting plan for a child over 18 unless the parents agree on a plan or the court orders one.

Most execution and bankruptcy exemptions will be increased substantially by amendments to Chapter 513 RSMo.

## Immigration law CLE program set Aug. 11

"What All Lawyers Should Know about Immigration Law" will be the topic of a one-hour CLE-credit program at the next BCBA meeting at 11:30 a.m. on Wednesday, Aug. 11, at Boone Tavern, 811 E. Walnut St., Columbia.

**RSVP:** To reserve your place for this meeting, contact BCBA Secretary **Steve Pratte** at 442-0116 or [scpratte@yahoo.com](mailto:scpratte@yahoo.com) by 5 p.m. Tuesday, Aug. 10.

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.

The program will be presented by local immigration lawyer **Steve Blower**, whose offices are at 3610 Buttonwood Dr., Suite 200, Columbia.

He will discuss fundamental aspects of immigration law which are should be known by any lawyer involved in cases relating to non-citizens, including criminal defense, family law and estate planning lawyers and those who represent businesses that hire non-citizens.

The program will cover the essential terminology of immigration law, practice pointers for lawyers involved in various types of non-immigration representation of non-citizens, and an overview of some current immigration issues in mid-Missouri.

Steve received a B.A. from Fordham University in 1988, an M.A. from MU in 2000, and a law degree from the MU Law School in 2003. He opened his immigration practice in October 2003 and is a member of the Missouri-Kansas Chapter, American Immigration Lawyers Association.

## From the BCBA President

After 31 years in law practice and ten years on the Columbia Board of Education, I see an analogy between local schools and individual bar members.

As national education concerns filter down to the local level, the public may believe schools are not educating children very well. However, when I talk to individual parents who

have children in a particular school, they are very supportive of the quality of the school and believe it is an exception to the general problems.

I have noticed the same phenomenon with lawyers. Despite the many jokes and disparaging remarks about lawyers, individual clients typically believe their lawyers are honest and serve

their interests well.

While we cannot individually change the reputation of the entire bar, we can do our very best to treat our clients with honesty, promptness and integrity. Each of us can positively affect the reputation of lawyers in our community. Our motto should be, "Our reputation depends on me." — Elton Fay

## Comments sought on changes to lawyer advertising rules

A Missouri Bar committee is now seeking comment on proposed changes to lawyer advertising rules. Among proposed amendments to Missouri Supreme Court Rule 4-7 are:

- Prohibition of advertising results obtained on behalf of clients, such as amounts of damage awards or a lawyer's record in obtaining favorable verdicts.
- Prohibition of advertising an area of practice in which a lawyer has neither experience nor competency.
- Prohibition of advertising an area of practice in which a lawyer routinely refers such cases to other lawyers.
- Prohibition of telephone directory advertisements except in sections designated for "attorneys" or "lawyers."
- Prohibition of telephone directory advertisements larger than 1/4 page (or 1/2 page in directories smaller than 8½" x 11").
- A new required disclosure statement to be included in an advertisement unless the ad is limited to name, address, phone number, areas of practice, dates and places of admission to state and federal bars, school information, and office and phone hours. (The disclosure would read: "The determination of the need for legal services and the choice of a lawyer are important decisions and should not

be based solely on advertisements. This disclosure is required by rule of the Supreme Court of Missouri.")

- Extensive new rules for direct in-person and written solicitation of persons known to need legal services in a particular matter of the kind provided by the lawyer, including new required disclosures to be included in written solicitations and a requirement to send copies of written solicitations to the Office of Chief Disciplinary Counsel.

The full text of the committee report containing the recommended changes is on the Missouri Bar web site. Links to the report in Word and PDF formats appear in the version of this article posted on the BCBA web site at [www.bocomobar.org/news.htm](http://www.bocomobar.org/news.htm).

Comments on the proposals are due by Aug. 31 and should be addressed by mail to Special Committee on Lawyer Advertising, The Missouri Bar, P.O. Box 119, Jefferson City, MO 65102-0119, or by email to [advertising@mobar.org](mailto:advertising@mobar.org).

After Aug. 31 the committee will review comments, consider revisions to the proposed new rules, and submit recommendations to the Missouri Bar Board of Governors. Any rule changes endorsed by the Board of Governors would be submitted to the Missouri Supreme Court for its consideration.

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 . . .

**Hamp Ford of Ford, Parshall & Baker** received the Ben Ely Award from the Missouri Organization of Defense Lawyers (MODL). **Susan Ford Robertson** of the same firm was elected as President of MODL.

**C.J. Dykhouse of Cline & Dykhouse, LLC**, has been selected to receive one of three David J. Dixon Appellate Advocacy Awards to be given this year by the Missouri Bar Foundation. The award, to be presented Oct. 1 at the Missouri Bar Annual Meeting in St. Louis, recognizes outstanding appellate advocacy by young lawyers.

**Kimberly Shaw** has become a partner in **Cline & Dykhouse, LLC**, 806 Locust St., Columbia 65201, phone 234-1375, fax 874-3640. Her former partner, **Valerie Leftwich**, is rejoining the public defender system as a trial lawyer in the Columbia office.

**Keith Brunstrom**, 209 S. Henry Clay Blvd., Ashland 65010, has published a web site at [www.sobocolaw.net](http://www.sobocolaw.net).

Four lawyers recently joined the BCBA. They are:

• **Joy Rushing**, Assistant to the Court Administrator, Boone County Courthouse, phone 886-4059, fax 886-4070. She graduated from the UMKC Law School in 1980. Her past jobs include private practice, Assistant Jackson County Counselor, staff attorney for Legal Aid of Western Missouri, Assistant Independence City Coun-

selor, Warrensburg Assistant City Administrator, and Harrisonville City Clerk. She received a master's degree in public administration from Harvard in 1997.

• **Michael Blum**, 609 E. Broadway, Columbia 65201, phone 442-8552, fax 442-8669.

• **Craig Heaton**, First National Bank & Trust Co., Columbia, phone 499-7337, fax 443-8342.

• **Hal Pennington**, First National Bank & Trust Co., Columbia, phone 499-7360, fax 443-8342.

**Bob Smith** has a 1,400-square-foot office available for rent in the Outdoors Building, 200 S. Old 63, Columbia 65201 for \$900/month. The office has a waiting area, three private offices, and a supply room. Utilities and parking are included. Call Bob at 874-3272 for information.

Suite 300 in the Guitar Building has an office-share space available, including secretaries, office supplies, library, postage, fax, wireless DSL, and utilities. For information call **Stan Clay** at 442-1646.

About 40 members attended the July 14 BCBA meeting to hear a CLE-credit program on "Collaborative Family Law." The speakers were Kansas City area lawyers Peter Schloss and Hugh O'Donnell and MU Law School Prof. **John Landes**.

## Young lawyers plan Aug. 17 meeting

The newly formed BCBA Young Lawyers Committee, chaired by **Gretchen Rogers**, will have its first lunch meeting at noon Aug. 17 at Flat Branch Pub & Brewing, 115 S. Fifth St., Columbia. All lawyers who have been members of the BCBA for fewer than 10 years are invited.

The meeting will be an opportunity for young lawyers to network and plan for hosting a tailgate party and fundraiser this year. Lawyers interested in attending or having questions may contact Gretchen at 443-3134 or [grogers@owwlaw.com](mailto:grogers@owwlaw.com), or **Brad Lear** at 875-1991 or [lear@learandwerths.com](mailto:lear@learandwerths.com).

## Treasurer's Report by Rachael Kennedy

Account balance as of 7/2/04.....	\$5,752.98
<b>Receipts 7/2/04 - 7/28/04</b>	
Dues.....	+110.00
Interest.....	+0.69
<b>Disbursements 7/2/04 - 7/28/04</b>	
Accent Press ( <i>Newsletter</i> printing).....	-68.87
Midwest Mailing Service ( <i>Newsletter</i> mailing).....	-77.73
Boone Tavern (guest speakers).....	-27.00
Account balance as of 7/28/04.....	\$5,690.07