



Boone County Bar Association NEWSLETTER

www.bocomobar.org

May 1, 2007

Volume 22, Number 5

Major rule changes adopted

At its meeting on April 17, the 13th Circuit Court En Banc adopted numerous changes to the local rules. The changes will become effective as adopted 60 days after adoption unless amended after comments are received from the bar.

The complete text of the changed rules, including redlining so the changes are easy to see, is available online at www.bocomobar.org/news.htm.

Among the changes are the following:

* Rules 5.1 and 67.13 were amended to clarify payment of fees, costs, fines, restitution and bonds by credit and debit cards in addition to forms of payment previously authorized.

* Rule 51.4 now provides that in misdemeanor criminal cases, the demand for a jury trial pursuant to §543.200 RSMo must be filed in writing more than 7 days before the scheduled bench trial date and that failure to timely file such a demand shall

constitute a waiver under the statute.

* New Rule 62.1 outlines procedures for applications for limited driving privileges.

* Rule 63 has been amended to clarify what types of cases heard by associate circuit judges are "on the record" and subject to direct appeal and what cases are still subject to trial *de novo*. The changes were necessary to comply with statutory changes.

* Rule 67.1.2 was modified to clarify that an officer may accept a driver's license as security for court appearances on traffic violations *unless a summons is issued*, subject to exceptions in §544.045 RSMo.

* Extensive changes and additions were made to Rule 69 governing municipal courts.

Comments on the rule changes should be submitted to the court before its next meeting scheduled June 12.

In other recent court action, docket schedules were changed effective May 7. The new schedules are posted on the BCBA web site at www.bocomobar.org/schedule.htm.

Mediation training scheduled May 8

The deadline to register for the 13th Circuit's annual mediation training has been extended to noon May 3.

Scheduled from 8:30 a.m. to 3:30 p.m. May 8 at Boone Electric Co-op, the session will satisfy the training expectations set out in Local Rule 68.12. The \$35 cost includes lunch.

The program qualifies for 6 hours of CLE credit.

Priority will be given to mediators and family law attorneys. Others will be accepted on a space-available basis.

The training schedule and registration form are available on the BCBA web site as part of the online version of this story.

Mid-Mo Legal Services seeks new Executive Director

Mid-Missouri Legal Services, a non-profit corporation which provides civil legal assistance to low-income persons, is seeking an Executive Director and general counsel.

The Executive Director implements program mission and policies and handles day-to-day management, personnel and fiscal matters, resource and staff development, and supervision of legal work.

Applicants must be licensed to practice law in Missouri or be able and willing to become licensed in Missouri. Applicants

Ethics CLE credit for May 9 program on professional responsibility rules

Missouri Ethics Counsel Sara Rittman will discuss recent changes to Missouri Supreme Court Rule 4, the Rules of Professional Responsibility, at the next BCBA meeting at lunchtime on Wednesday, May 9 at Boone Tavern.

The program will qualify for one hour of CLE credit, including one hour of ethics credit. Sara will have a handout available at the meeting.

RSVP: To reserve your spot for this meeting, contact BCBA Secretary **Amy Salladay** at 256-7205 or amy@knightslaw.net by 5 p.m. Tuesday, May 8.

As usual when CLE-credit programs are presented, lunch service will begin at 11:30 a.m. in the large basement meeting room at Boone Tavern, 811 E. Walnut St., Columbia. The price for lunch will be \$9, payable to the restaurant.

Information on the rule changes is available at www.mo-legal-ethics.org, including the text of the rules and a summary of the changes.

Upcoming programs

Mark your calendar now for these upcoming BCBA meetings:

* **June 13:** **Steve Scott** will demonstrate Fastcase, the free online legal research tool to be provided to Missouri Bar members beginning June 1. Steve was a member of the Missouri Bar task force that evaluated vendors seeking to provide the service.

* **July 11:** The speakers will be three new local judges, Circuit Judge **Kevin Crane** and Associate Circuit Judges **Leslie Schneider** and **Deborah Daniels**.

* **August 8:** A summary of legislation passed by the General Assembly during the 2007 session will be presented by Catherine Barrie, the Missouri Bar's lobbyist.

* **September** (date to be announced): The annual picnic and election of officers will be held.

also must have management and financial expertise, strong legal background, and background in strategic planning and fundraising, and must be sensitive to the needs of the low-income community and be able to work with a variety of people and groups.

Salary depends on experience. Fringe benefits are available.

Replies are due by May 5. Applicants should send a cover letter, resume, three references and a writing sample to: **Truman E. Allen**, 29 E. Ash St., Columbia, MO 65203.

Treasurer's Report by Melissa Faurot

Account balance as of 4/5/07	\$10,715.89
Receipts 4/5/06 - 4/27/07	
Dues	+320.00
Disbursements 4/5/07 - 4/27/07	
Accent Press (Newsletter printing)	-87.09
Midwest Mailing Service (Newsletter mailing)	-111.77
Account balance as of 4/27/07	\$10,837.03

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. Annual dues are \$40 and may be sent to the Treasurer, **Melissa Faurot**, 28 N. 8th St., Suite 517, Columbia, MO 65201, phone 442-1646. 2006-07 BCBA officers are: President, **Bruce Beckett**, 111 S. 9th St., Suite 200, P.O. Box 918, 443-3141; Vice President, **Jeff Parshall**, 609 E. Walnut St., P.O. Box 1097, 449-2613; Secretary, **Amy Salladay**, 1203 W. Broadway, 256-7205; and Treasurer, **Melissa Faurot**, address above. Executive Committee members are the officers and **Pat Eng**, **Marsha Fischer** and **Marjorie Lewis**. The BCBA web site is at www.bocomobar.org.

Around the bar

About 80 members of the Boone and Callaway county bar associations attended the annual Bench-Bar Dinner on April 24 at Sir Winston's Restaurant & Pub in Fulton. It was an excellent turnout for a rainy evening. Thanks to Callaway County Prosecutor Bob Sterner, President of the Callaway bar, and his helpers for a great job of hosting this year. The event will be held in Columbia the next two years.

Immediate past BCBA President **Pat Eng** received the Robert Duncan Award for Appellate Excellence from the Missouri Association of Criminal Defense Lawyers at the group's spring meeting on April 20.

Bar members are invited to attend a "Feast for the Arts" fundraiser at the Missouri Theatre, 203 S. Ninth St., Columbia, at 6:30 p.m. Saturday, May 5. Tickets cost \$25/person. Proceeds will go toward renovation of the theatre. The event will focus on sponsorship of replacement seats. Donors' names will be permanently affixed to the seats they sponsor. **Tim Harlan's** son Brook Harlan and Carri Risner will be the chefs for the occasion.

Bar members are reminded of the opportunity to fulfill CLE requirements inexpensively and have a great time at the Lake by attending the Missouri Bar's Solo and Small Firm Conference June 7-9 at Tan-Tar-A. Details are available at www.sasfconference.org.

The BCBA Young Lawyers' Committee will hold its next happy hour at Forge & Vine, 119 S. Seventh St., Columbia, at 5 p.m. Tuesday, May 15. For information contact **Gretchen Rogers** at 443-3134 or groggers@owwlaw.com.

Rachael F. Kennedy has closed her office to be an at-home mom. She will maintain her address, telephone and fax numbers, and email address, but her practice will be very limited.

Recent new BCBA members include:

* **Nathan J. Forck**, an associate at the Yungwirth Law Firm, 311 N. 10th St., Columbia 65201, phone 449-4400, fax 449-6237. He is a December 2005 graduate of the MU Law School and a lifelong

resident of central Missouri. He graduated from Jefferson City High School in 1993 and served in the U.S. Army and National Guard, including tours in Bosnia in 1997 and Iraq in 2003 (in the middle of law school). His practice focuses on elder law, including estate planning and Medicaid disputes.

* **Jeffery M. Guillory**, a litigation attorney for 6½ years at Shelter Insurance Companies, 1817 W. Broadway, Columbia 65218, phone 214-4687, fax 446-7315. He graduated from law school at the University of Arkansas, Fayetteville, and then practiced in Joplin for 9½ years before joining Shelter.

* **Christopher W. Hinckley**, General Counsel for the Missouri Gaming Commission, P.O. Box 1847, Jefferson City 65102, phone 573-526-4082, fax 573-526-1999. He lives in Columbia. Before accepting his present job, he was an assistant prosecutor in St. Louis City for seven years after graduating from St. Louis University Law School in 1999.

* **Lara Underwood**, an associate at Walker Crow Halcomb, LLC, 1731 E. Elm St., Jefferson City 65101, phone 573-635-9200, fax 573-635-6584. She received a B.A. in political science from Columbia College in 2001 and a law degree from MU in 2004. Her practice focuses on family law, collections and criminal defense.

* **Brian Waller**, a claims litigation manager at Shelter Insurance Companies, 1817 W. Broadway, Columbia 65218, phone 214-4872, fax 446-7315. He graduated from the MU Law School in 1996 and was in private practice in Joplin 1996-99 before joining Shelter.

Bill Rotts has a 517-square-foot suite including a reception area and three offices available for rent on the terrace level of the 10th and Walnut Building. Rent includes utilities. Call 443-3463 for information.

Stan Clay has office-sharing space available for one or two lawyers at 28 N. 8th St., Suite 517. Included are reception, secretary, DSL, Westlaw, fax, utilities, office supplies, postage and conference room. Call 442-1646 for information.