



Boone County Bar Association NEWSLETTER

www.bocomobar.org

May 5, 2008

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CLE on 'Electronic and Digital Evidence' at May 14 meeting

"Electronic and Digital Evidence" will be the topic of a one-hour CLE-credit program at the next regular BCBA meeting at lunchtime on Wednesday, May 14.

Meal service will begin at 11:30 a.m. May 14 in the County Room on the lower level of Boone Tavern, 811 E. Walnut St. The lunch price will be \$9, payable to the restaurant. A brief business meeting will precede the program.

RSVP: To reserve your spot for this meeting, contact BCBA Secretary Joy Ahern at 445-8990 or jahern@harrismccausland.com by 5 p.m. Tuesday, May 13.

The program will be pre-

sented by BCBA member **Craig Chval**. Topics will include:

- * How the potential existence of computer evidence should affect a lawyer's assessment and investigation of a case.

- * Electronic data discovery including the obligations of a lawyer and client to preserve and produce electronic data.

- * Search and seizure issues under the Fifth Amendment and statutory provisions related to obtaining records from internet service providers.

Craig is a veteran trial lawyer with extensive experience in matters involving digitally stored information.

He spent the final 4½ years of his 20-year prosecutorial career as Chief of the High Tech Unit in the Missouri Attorney General's Office. There, he litigated matters involving computer evidence and advised prosecutors and law enforcement agencies on a wide range of investigatory and search and seizure issues relating to digital evidence.

He also played a central role in the Attorney General's efforts to update the office's data retention and litigation hold policies to reflect the advent of electronic data and evidence.

Earlier in his career Craig

was the first chief of the gang crime prosecution unit in DuPage County, IL, where he tried more than 40 jury and 200 non-jury cases.

Craig has written and presented extensively on digital evidence and related matters, including presentations to the Missouri Judicial College, the Missouri Bar Government Practice Institute and the Missouri Office of Prosecution Services.

He was an original member of the National Steering Committee for the Federal Bureau of Investigation's Regional Computer Forensic Laboratory program.

Busy times for education partners

Recent months have been busy for the BCBA Partners-in-Education Committee with sponsorship of high school mock trial competition and planning for high school scholarships.

The Hickman High School mock trial team took second place in the Missouri competition, resulting in an invitation to represent the state at the American Mock Trial invitational in Charlotte, NC May 18-20. The BCBA will pay the bulk of expenses for the trip. **Brad Lear** coaches the team.

Hickman team members are Ashok Cutkosky, Lucy Fang, Jessy Hwang, Joe Langworthy, Helen Lin, Jordan Occena, Katie Van Doren, Adithi Vellore and Hannah Wigger.

Students learned to conduct an entire jury trial, from opening statements to closing arguments.

The Hickman team conducted six trials during the competition, alternately playing the role of plaintiff and defense counsel in a mock defamation case involving a retired judge accused by a newspaper of accepting a bribe while in office.

Later this month members of the bar committee will present BCBA scholarships at local high schools. **Brian Sleeth** will present the Hickman scholarship, and **Todd Werts** will present at Rock Bridge and Sturgeon high schools.

The bar's participation in the Columbia Public Schools Partners-in-Education program recently was highlighted in an article in a special supplement on the program in the *Columbia Daily Tribune*. The article can be viewed at <http://archive.columbiatribune.com/2008/pie/20080430pie002.asp>.

John Patton 1952-2008

Long-time Boone County government counsel **John Patton** died March 31 from injuries suffered in a traffic accident March 29 near his home.

He had worked at an assistant prosecuting attorney and chief counsel for Boone County for almost 30 years.

He was born in 1952 and graduated from the MU Law School in 1981. His main assignment as an assistant prosecuting attorney was advising county government, and he became the full-time county counselor in 1995.

Inn of Court accepting applications

The Elwood L. Thomas Inn of Court is again accepting applications for Associate and Barrister positions. Applications are due June 1. Members of the Boone and Callaway county bars are invited to apply.

A link to the application form

in PDF format can be found in the on-line version of this story at www.bocomobar.org/news.htm.

Background on the organization can be found under the "Local Inn of Court" heading on the same web page.

Recent updates to BCBA web site

Recent updates to the BCBA web site include:

- * A complete current set of local rules in Word and PDF formats.
- * A new Consent to Ruling form on the Appendix forms page.
- * New docket schedules effective June 1.
- * Posting of Court en Banc minutes on a sub-page of the News page.
- * An update of Circuit Clerk's office phone numbers including information about the clerk's new automated phone-answering system.

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The Boone County Bar Association Newsletter is published monthly 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, **Christina McCartney**, 2101 Corona Rd., Suite 201, Columbia, MO 65203. 2007-08 BCBA officers are: President, **Jeff Parshall**, 3210 Bluff Creek Dr., 65201, 449-2613; Vice President, **Mallory Mayse**, 28 N. 8th St., Suite 411, 65201, 875-1988; Secretary, **Joy Ahern**, 2101 Corona Rd., Suite 203, 65203, 445-8990; and Treasurer, **Christina McCartney**, address above. Executive Committee members are the officers and **Bruce Beckett**, **Randall Johnston** and **Tom Schneider**. The BCBA web site is at www.bocomobar.org.

Around the bar

Twenty-eight former BCBA members have been purged from the rolls for non-payment of dues, leaving 311 dues-paying members so far this year.

The BCBA Executive Committee approved a \$200 contribution to Mid Missouri Legal Services in honor of former Executive Director **Ed Berg**, who retired recently.

The BCBA Young Lawyers Committee will meet at 5 p.m. Tuesday, May 20 for a happy hour at Shiloh Bar & Grill, 402 E. Broadway. For more information, contact **Sander Sowers** at 256-8989 or sander@dansimonlaw.com.

Pamela Lambert recently closed her Columbia office and is now practicing solely from her other office at 109 W. Caldwell St., Paris, MO 65275, phone 660-327-6777, fax 660-672-3333.

Robert Murray's Murray Law Firm recently received the 2008 Best of Columbia Award in the attorneys category from the U.S. Local Business Association based on votes from USLBA members who are asked to identify companies they believe have achieved exceptional marketing success and overall customer satisfaction in various business categories.

Recent new BCBA members, in alphabetical order, are:

* **Bryan C. Bacon**, an associate at Van Matre, Harrison, Volkert & Hollis, P.C., 1103 E. Broadway, Suite 101, P.O. Box 1017, Columbia 65205, phone 874-7777, fax 875-0017.

* **Zach Cartwright**, senior litigation counsel, Missouri Highways & Transportation Commission, 1511 Missouri Blvd., P.O. Box 718, Jefferson City 65102, phone 573-751-2289, fax 573-751-3945. He graduated from the MU Law School in 1976 and was in private practice in Platte City and California, MO until 1988 before joining MoDOT. He lives in Columbia with his wife Cathy. He presented a program on sovereign immunity issues at the April 9 BCBA meeting, which was attended by about 60 members.

* **Ken Derendinger**, 301 N. Ninth St., Suite A, Columbia 65201, phone 777-6990, fax 777-6991.

* **Erica W. Hudson**, an associate at Harris McCausland, P.C.,

2101 Corona Rd., Suite 203, Columbia 65203, phone 445-8990, fax 445-8988. She graduated from Thomas Jefferson School of Law in San Diego in May 2006 and focuses on insurance defense.

* **Corey Jackson**, an associate at Atwill & Montgomery, 28 N. Eighth St., Suite 200, Columbia 65201, phone 442-3000, fax 449-1094.

* **Christine Kiefer**, an associate at Atwill & Montgomery, 28 N. Eighth St., Suite 200, Columbia 65201, phone 442-3000, fax 449-1094.

* **Susan K. Lutton**, who was appointed last fall as Executive Director of Mid Missouri Legal Services, 205 E. Forest Ave., Columbia 65203, phone 442-0116, fax 875-0173. She received her law degree from Northern Illinois University and formerly was litigation director for Legal Services for the Elderly in Augusta, Maine.

* **Philip G. Peters, Jr.**, professor of law, 231 Hulston Hall, Columbia 65211.

* **Janet Wheeler**, Missouri Public Service Commission, P.O. Box 360, Jefferson City, MO 65102.

Treasurer's Report by Christina McCartney	
Account balance as of 3/28/08.....	\$15,172.51
Receipts 3/28/08 - 5/2/08	
Dues.....	+2,150.00
Interest.....	+1.73
Bar lunch reimbursements.....	+18.00
Disbursements 3/28/08 - 5/2/08	
Accent Press (newsletter).....	-90.49
Midwest Mailing (newsletter).....	-123.21
Mid Missouri Legal Services contribution.....	-200.00
Boone Tavern (unpaid lunches).....	-45.00
Columbia Country Club (Bench-Bar Dinner).....	-4,374.37
Executive Committee meeting.....	-45.00
Flowers for John Patton memorial service.....	-92.76
Account balance as of 5/2/08.....	\$12,371.41