



Boone County Bar Association NEWSLETTER

www.bocomobar.org

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CLE Credit Available for August 8 BCBA Presentation

Columbia Police Chief Ken Burton will present the program at the next regular meeting lunchtime at Bleu on August 8, sponsored by the BCBA Criminal Law Committee. The program has been approved for 1.2 hours of CLE credit.

Lunch will begin at 11:30 a.m. on the lower level of Bleu, 811 E. Walnut. The presentation will begin about noon. A brief business meeting will precede the program. Lunch will be \$10, with checks made out to Bleu.

RSVP: To reserve your spot for this meeting, contact BCBA Secretary **Gretchen Yancey** at 514-4061 or Gretchen@TheYanceyLawFirm.com by **5:00 p.m. Tuesday, August 7**. RSVP's are necessary so Bleu can prepare sufficient food and seating.

Executive Committee Moves to Endorse Missouri Non-Partisan Court Plan

On July 10, the BCBA Executive Committee met with incoming Missouri Bar President Pat Starke and **Skip Walther** to discuss the political attacks against the Missouri Non-Partisan Court Plan, and again on July 27 to discuss the course of action.

The Missouri Plan was enacted in 1940 to address inherent difficulties creating a fair and impartial judicial system when the appellate and Supreme Court judges had to raise money and run for election every twelve (12) years. The Plan created an Appellate Judicial Commission of seven (7) persons to select a panel of three (3) applicants from which the Governor had to appoint one to fill a vacancy. The Plan allows the Office of Governor to appoint only 3 of the commissioners [on staggered 6-year terms], with the Missouri Bar appointing 3 and the Supreme Court Chief Justice filling the 7th. Further, due to the staggered terms, no individual Governor can appoint more than 2 commissioners in any single 4-year term.

There is a measure on the November 6 ballot attacking the Missouri Plan by granting the Governor authority to appoint four commissioners in the first term, and taking away the voting rights of the judicial seat. This would remove the balance of influence of the Missouri Bar by making any elected Governor's appointees the majority of the Commission within two years of that Governor's election. Therefore, there is less chance of a vacancy being filled based on merit and more chance that political favors to a governor will influence the appointment.

On July 27, the BCBA Executive Committee voted to combine efforts with the Missouri Bar and the other county bar associations throughout the state to defeat the amendment on November 6. BCBA President **Marvin Tofle** will briefly address the members on August 8 regarding the resolution to appoint a committee to coordinate BCBA members to help with local speaking arrangements, publicity and fundraising.

If you are unable to attend the August 8 meeting and are interested in serving on the committee or assisting in the effort, please contact Marvin at 228-9768 or marvin@tofilelaw.com.

Annual Bar Picnic and Election Scheduled for October 5

The annual Jim Butcher Memorial Picnic and Election of Officers has been scheduled for the evening of Friday, October 5, 2012, at Twin Lakes Park. The picnic will substitute for the regular meeting in October. The Picnic Committee consists of **Mark Langworthy**, Chair, **Lori Green**, **Christina Devine**, and **Sander Sowers**.

A social hour will begin about 5 p.m., followed by dinner at about 6 p.m. The usual menu is roasted beef ribeye, brats, hot dogs, side dishes, and beverages including beer, wine and soft drinks.

President **Marvin Tofle** has appointed the nominating committee, consisting of **Amy Markel**, Chair, **Larry Dessem**, and **Karen Hajcek**. The nominating committee has nominated the following slate of proposed officers to be voted on at the 2012-13 at the picnic: President- **Steve Scott**, Vice-President- **Russ Still**, Secretary- **Casey Berndt**, Treasurer- **Michael Foster**, At-Large Committee- **Amy Salladay**, **Erika Fadel**, and **Marvin Tofle**.

Deadline for Reporting CLE Attendance This Tuesday, July 31

For the convenience of BCBA members completing their CLE reports due July 31, for the year ending June 30, CLE-credit programs presented by the BCBA from July 2011 through June 2012 are listed below. The same list appears at the BCBA website at <http://www.bocomobar.org/cle.htm>.

"Why Voir Dire Is So Tough" - presented by 13th Circuit Presiding Judge **Gary Oxenhandler** - July 13, 2011 - 1.2 hours.

"Time Management - Time Flies When You Are Having Fun But It's No Fun When the Time Has Flown" - presented by BCBA member **Sarah J. Read** - August 10, 2011 - 1.2 hours (including 1.2 hours ethics credit).

"State of Court" - presented by 13th Circuit Presiding Judge **Gary Oxenhandler** - October 12, 2011 - 1.2 hours.

"Dealing With Pro Se Litigants" - presented by Mid-Missouri Legal Services Executive Director **Susan Lutton**, 13th Circuit Associate Judge **Leslie Schneider**, and **Amy Salladay** - November 9, 2011 - 1.2 hours (including 1.2 hours ethics credit).

"2012 General Assembly Preview and Legislative Process" - presented by Senator **Kurt U. Schaefer** - January 11, 2012 - 1.2 hours.

"Collection Actions - Debt Buyers, Debt Sellers, and Their Attorneys" - presented by **Dave Angle** and **Matt Wilson** - February 8, 2012 - 1.2 hours.

"Civil Contempt in Family Court" - presented by Presiding Family Court Judge **Leslie Schneider** and Family Court Commissioner **Sara Miller** - March 14, 2012 - 1.2 hours.

"Missouri Ethics and Professionalism Update" - presented by Missouri Ethics Counsel Sara Rittman - May 9, 2012 - 1.2 hours (including 1.2 hours ethics credit).

"Navigating the Labyrinth of the Circuit Clerk's Office - How to Get Things Done" - presented by Boone County Circuit Clerk Christy Blakemore - June 13, 2012 - 1.2 hours

Training Sessions Planned for Attorneys Prepare for E-Filing

As previously announced in the newsletter, the Callaway County Circuit Court will convert to electronic filing of new cases this fall. A task force comprised of judges, clerks, OSCA representatives, IT staff, and attorneys have been meeting regularly to plan for the transition. A training session for attorneys who practice in Callaway County (and their staff) will be scheduled this fall in Callaway County and also in Boone County.

The Callaway County attorneys have expressed interest in having an evening training so that they can attend with staff and not interfere with the regular work day. Any Boone County attorney wanting to express a preference regarding the Boone County training should contact the Boone County Bar representative on the task force, **Gretchen Yancey**, by email: Gretchen@TheYanceyLawFirm.com, by August 17.

Follow-Up Answer to Question re: The Missouri Bar's Lawyer Referral Service

Sebrina Barrett, Deputy Executive Director of The Missouri Bar, wishes to follow up on the question raised at the July 11 BCBA meeting and CLE regarding whether the lawyer referral service could take a share of any fees received from a referral.

Rule 4-7.2(c)(3) specifically authorizes payment of those fees to a qualified service registered under Rule 4-9.1. The Missouri Bar's service is registered under that Rule. We charge the client a \$25 fee for the referral; note this fee is sometimes waived, particularly in hardship cases. In addition, 10% of any fee of \$200 or above received by a lawyer is paid to the Bar to offset administrative costs. We have a support staff person who, on a full-time basis, administers the service. She works under the direction of **Kent Hopper**, our CLE publications director.

It is free to sign up for the lawyer referral service. This area of the Missouri Bar's website receives a significant amount of traffic from members of the public who are seeking a lawyer.

Partners in Education Committee to Sponsor Workshops on August 14

The PIE committee is sponsoring three 50 minute in-service workshops at a continuing education conference being hosted by the CPS secondary English and Social Studies departments on August 14 from **noon to 3 p.m.** They are on ABA Res 108 and the rule of law, the Right Question Project's Question Formulation Technique, and Teaching Critical Thinking Skills Using NonFiction Texts. BCBA members who would like to attend these sessions or otherwise help should contact PIE Chair **Sarah J. Read** at 447-1789 or sjr@readadr.com.

YLC sets 'Chippin in for Charity' Golf Event for Monday, October 8

The Young Lawyers Committee has scheduled its sixth annual 'Chipping in for Charity' golf tournament on Monday, October, 8, 2012 (Columbus Day - a court holiday). This year's tournament will be held at a new venue, The Club at Old Hawthorne, 6221 E. Hwy. WW. Net proceeds from the tournament will be donated to Mid-Missouri Legal Services Corporation.

The tournament will be a four-person scramble format, open to both lawyers and non-lawyers. There will be a shotgun start at noon, with lunch and check-in beginning at 10:45 a.m. The entry fee is \$125/person and \$500/team, which includes green fees, range privileges, cart, lunch, beverages (beer, soda, water), etc. Prizes will be awarded to winning teams and for various on-course games and contests. There will also be hole-in-one prizes.

The registration deadline for the tournament is Monday, September 24. The registration form will be made available on the BCBA web site. Checks should be made payable to the "Boone County Bar Association" and mailed with the entry form to **Sander Sowers**, Lear Werts LLP, 2003 W. Broadway, Ste. 107 Columbia, MO 65203.

To make the tournament a success and raise as much money as possible, the YLC is seeking various sponsorships and prize donations for the tournament. Please contact **Sander Sowers** at 875-1991 or sowers@learwerts.com to donate and arrange sponsorships. Last year's golf tournament raised more than \$11,000 for charity.

Around the bar . . .

UPCOMING EVENTS

Tuesday, August 21, 11:45 a.m.: Young Lawyers Committee meeting at Broadway Brewery, 816 E. Broadway. The upcoming charity golf tournament will be among topics discussed. For more information contact **Sander Sowers** at 875-1991 or sowers@learwerts.com.

Thursday, August 23, 4:30 p.m.: MU School of Law will be hosting a picnic for our new 1L students at the Pavilion at Cosmo-Bethel Park, and invites the Boone County Bar Association Members to attend. There will be food and games (volleyball, football toss, etc.). There is no charge for this event, but so we have an idea of how much food to order, please RSVP to Lauren Massey at MasseyLB@missouri.edu no later than **Friday, August 10**.

Thursday, September 6, 11:45 a.m.: The criminal law committee will meet at Room 38. Joshua Hawley- the new MU constitutional law professor (who is a former SCOTUS clerk for Justice Roberts). Professor Hawley will be discussing what criminal lawyers should know about recent developments in criminal law. The program will qualify for 1.2 hours of CLE. For further information contact Criminal Law Committee Chair **Jennifer Bukowsky** at 443-2288.

Wednesday, September 12, 11:30 a.m.: Judge **Gary Oxenhandler** will present the annual "State of the Court" address at the regular BCBA Meeting.

NEW MEMBER

Ernest S. Ueligger, The Copeland Law Firm, 900 E. Broadway, Columbia, 65201, phone 573-874-3100, fax 573-874-3200, email copelandlawfirm@tclf.net, website www.copelandlawfirm.com.

TRANSITIONS

Effective August 3, **Samantha Reeves** is leaving Harper, Evans, Wade & Netemeyer to pursue a non-legal career. Samantha intends to keep her BCBA membership active and provides her mailing address as 1112 W. Broadway, Columbia, 65203.

OTHER NEWS

Cline & Braddock, Attorneys have office space available at a very reasonable rate. Includes secretary, telephone, fax, copy and Internet with ample free parking. For more information, contact **Chris Braddock** at 573-443-6244 or chris@cline-braddock.com.

Stan Clay continues to offer office-sharing space at a reduced price available in the Guitar Building, 28 N. 8th Street, Suite 517, Columbia, 65201. This is a prime location, right across from the courthouse. It includes a secretary/paralegal, receptionist, office supplies, postage, fax, DSL high speed internet, conference room, WestlawNext, and a new phone system. For more information, call Stan at 442-1646.

The 13th Circuit's updated dockets effective August 6 have been posted on the BCBA website at <http://www.bocomobar.org/docket.htm>. The dockets that have been modified are Boone County Divisions VIII and XI, and Callaway County Divisions VII and VIII.

The Court's en banc minutes for April, May, and June 2012, have been posted on the website at http://www.bocomobar.org/ceb_minutes.htm.

OTHER NEWS [cont.]

About 53 members and guests attended the regular BCBA meeting on July 11 to hear Missouri Bar Deputy Executive Director **Sebrina Barrett** and Missouri Bar President Lynn Whaley Vogle present "Service First: Practice Management, Professionalism and Networking Resources for Missouri Lawyers."

Treasurer's Report by Julia Grus

Account balance as of 6/29/12	\$8,295.36
Receipts 6/29/12 to 7/27/12	
Bar Dues	\$137.50
Interest	0.09
Total Receipts	\$137.59
Expenses 6/29/12 to 7/27/12	
Thad Taylor, (Editor/Webmaster services)	\$750.00
Scholarship recipient	500.00
Executive Committee Lunch (reimbursement to Steve Scott)	94.52
Check Order	30.00
Total Expenses	\$1,374.52
Account Balance as of 7/27/12	\$7,058.43

The Boone County Bar Association Newsletter is published monthly by the Boone County Bar Association, Inc. Send items for publication to the Editor/Webmaster, **Thad Taylor**, 1121 Business 70 East, Ste. B, Columbia, 65201, phone 445-4755, fax 877-864-5576, email thad@midwestelderlaw.com. Annual dues are \$50 and may be sent to the Treasurer, **Julia Grus**, 401 Locust St. Suite 406, Columbia, 65205, phone 443-3134. 2011-12 BCBA officers are: President, **Marvin Tofle**, 1805 Cliff Dr., 65201, phone 228-9768; Vice President, **Steve Scott**, 201 Westwood Ave., 65203-2871, phone 442-7268; Secretary, **Gretchen Yancey**, P.O. Box 584, 65205-0584, phone 541-4061; and Treasurer, **Julia Grus**, address above. Executive Committee members are the officers and **Thomas Schneider, Glen Ehrhardt, and Scott Wilson**. The BCBA web site is at <http://www.bocomobar.org/>.