



Boone County Bar Association NEWSLETTER

www.bocomobar.org

December 2012 - Published November 26, 2012

Volume 27, Number 12

Holiday Party to Benefit Food Bank December 12; RSVP's Due December 6

Food banks nationwide are continuing to struggle to feed hungry people in this difficult economy, so the BCBA Holiday Party on December 12 has been designed to help our local Food Bank again this year, at the same time as we enjoy this annual social gathering with other lawyers and judges and their spouses and dates.

We must have RSVPs for the Holiday Party by noon on December 6, to ensure that there will be sufficient food. Please RSVP to BCBA Secretary **Casey Berndt** at 449-2740 or casey@markelandingolaw.com.

The party will be held from 6:00 to 8:00 p.m. on Wednesday, December 12 at the Columbia Country Club, 2210 Country Club Dr. Spouses and dates are invited and welcome.

The format will be a mixer with heavy hors d'oeuvres. There will be a host bar providing soft drinks, beer and wine. Mixed drinks will be available for purchase. There will not be live entertainment this year, with the extra funds going to ensure that there will be more food. A very brief program will take place at 7 p.m.

The Food Bank collection will help us focus on giving to others in the holiday spirit. The Food Bank helps feed about 121,000 people in central and northeast Missouri identified as "food insecure". **Norm Lampton** is in charge of the food drive, which will work like this:

- ! We're asking each person to bring about \$5 worth of non-perishable food items to the party -- packages, bottles, cans. Norm has arranged for The Food Bank to provide and pick up six collection bins. If you bring food, your admission price will be \$20 per person.
- ! If you prefer not to bring food or cannot do so for some reason, your admission price will be \$25, and the bar will donate \$5 to the Food Bank on your behalf.

More information on the Food Bank can be found at <http://sharefoodbringhope.org/give-food/>. Here is a list of items specifically needed by the Food Bank:

- Canned vegetables
- Canned fruit
- Canned meats such as tuna, chicken or beef
- Canned soup
- Boxed meals such as Hamburger Helper
- Pasta or rice
- Hot and cold cereal
- Peanut butter and jelly

Last year, a total of 116 bar members, spouses and guests attended the Holiday Party, and brought with them a total of 262 pounds of food and \$365.00 to donate to the Food Bank. Even with the Food Bank contributions, the cost of this year's Holiday Party is a bargain. The per-person cost in previous years has been as much as \$35.

You can pay at the door. However, if you RSVP but end up not being able to come, we will still need for you to pay since the bar will have to pay the Country Club based on the number who made reservations.

We hope to see an even larger attendance this year so we can have a great turnout and a fantastic collection for the Food Bank!

Revised Assignment of Counsel Protocol Effective November 8

On November 8, Presiding Judge **Gary Oxenhandler** signed Administrative Order 12-12 – Revised Assignment of Counsel Protocol, which became effective immediately to repeal Administrative Order 09-12 and provide an updated guide to the Court, Clerks and Counsel to ensure that indigent defendants facing incarceration are represented by counsel. The Administrative Order and Revised Protocol can be found on the BCBA website at http://www.bocomobar.org/administrative_orders.html.

Start Paying 2013 Dues

Lawyers and firms wishing to expense 2013 BCBA dues in 2012 may begin sending \$50/lawyer dues to Treasurer **Michael Foster** at 6750 New Town Ave., S., P.O. Box 10110, Columbia, MO 65205-1010. Make checks payable to "Boone County Bar Association." Dues become payable January 1, and members will be removed from the rolls if they have not paid dues by April 1, 2012. Dues are waived for sitting and retired judges, and members who have reached 75 years of age, or have been licensed for 50 years.

If contact information has changed, please provide updated information with your dues payment. If a firm is adding a new member, please complete and send an enrollment form for him/her with the dues payment.

13th Judicial Circuit Announcement for Mediators

The 13th Judicial Circuit is now accepting applications for their 2013 list of Court-Approved Family Court Mediators. Supreme Court of Missouri Rule 88.05 requires a mediator in a contested child custody matter to be an attorney or to possess graduate degree in a field that includes the study of psychiatry, psychology, social work, counseling or other behavioral science substantially related to marriage and family interpersonal relationships. This rule also mandates that a mediator has received a minimum of 20 hours of child custody mediation training in a program approved by the court.

Applicants must submit an application form and certificate of completion of hours taken. The 13th Circuit's Local Court Rule 68.12(C) notes that "Annually, mediators who wish to remain on the list shall update the court administrator regarding any continuing education completed during the year. It is expected that mediators will maintain and develop mediation skills by attending a minimum of six hours of mediation related training every two years using The Missouri Bar's reporting period."

Please submit your completed application by December 30, 2012, to **Mary Epping**, Assistant to the Court Administrator, 13th Judicial Circuit, Boone County Courthouse, 705 E. Walnut St., Columbia, MO 65201. Application forms are available on the Boone County Bar's website or by calling Mary at 886-4059 or e-mailing her at mary.epping@courts.mo.gov.

13th Judicial Circuit Announces new Chief Juvenile Officer and Juvenile Justice Center Superintendent

The 13th Judicial Circuit is pleased to announce the appointment of Cindy L. Garrett as Chief Juvenile Officer, and the appointment of Rick Gaines as Superintendent of the Robert L. Perry Juvenile Justice Center. Judge **Leslie Schneider**, Administrative Judge of the Family Court made the appointments which are effective November 22, 2012.

Cindy began employment with the 13th Judicial Circuit Court as a secretary at the Juvenile Justice Center on July 9, 1991, and worked in that position until February 1992. She was rehired as a secretary at the Boone County Juvenile Office on March 15, 1993, and promoted to a Deputy Juvenile Officer in June 1994. Cindy became a supervisor in December 2001 and, in April of this year, was named Chief Deputy Juvenile Officer. Cindy brings a wealth of knowledge and experience to this position and many years of dedicated service to the 13th Circuit.

Rick began his employment with the 13th Circuit in 1986, as a caseworker at the Juvenile Justice Center. Rick served in a variety of roles and has been Chief Juvenile Officer for the circuit since December 2001.

"We are thankful for Rick and Cindy's continued dedicated service to the 13th Judicial Circuit Court, and look forward to their leadership in these new position," Judge Schneider said.

Superintendent Marcia Hazelhorst resigned effective November 21, 2012, after accepting a position as Executive Director of the Missouri Juvenile Justice Association.

Callaway County Circuit Clerk Thanks Attorneys for Cooperation

Submitted on behalf of Callaway County Clerk Judy O. Groner to Callaway and Boone Bar Members:

The purpose of this memo is to thank all of you for your acceptance and support of our eFiling efforts. Change can be difficult and this change to filing electronically has certainly been a challenge for us and I know for you too. But most of you have been receptive and have worked with us through the issues that have arisen.

We have already realized the time savings from not looking for and pulling files. Our Judges are now using eBench and they are using electronic means to make their docket entries. This too has decreased the time to process their orders into JIS which means the information is available in Case.net in a timelier manner.

As of this date we have received 696 filings and we have rejected only 27. We are making every effort to contact you and to accept cases without rejecting them. When documents are received without signatures or if pages are missing, we must reject them and I hope you understand.

I am sure in a few months we will ask what all the excitement was about?? I am patiently waiting for that time.

Again I thank you,

Judy O. Groner

City of Columbia Seeks City Counselor

The City of Columbia is accepting applications for City Counselor, with a starting salary range between \$76,003 and \$161,267.

Graduation from an accredited law school and duly licensed to practice law in the State of Missouri for at least three years immediately prior to appointment and actively engaged in the practice of law for those three years, preferably with five years of experience practicing public sector law; Extensive knowledge of legal research and the investigation, preparation and presentation of cases in court or other formal litigation.

Extensive knowledge of legal office procedures and practices. Extensive knowledge of legal procedures involved in enforcing various codes and ordinances. Considerable knowledge of effective supervisory methods and practices. Ability to communicate complex ideas effectively, both orally and in writing. Ability to conduct legal research and to prepare written opinions and briefs in a proper manner. Ability to prepare and render legal opinions. Ability to handle trial and appellate litigation. Ability to establish and maintain effective working relationships with other employees, court officials, departmental directors and other City officials, other governmental officials, members of boards and commissions, and the general public. Supervision is exercised over attorneys, legal interns, and clerical support staff. Work is performed under the executive direction of the City Manager and the direct supervision of the Deputy City Manager. This is advanced professional and managerial work rendering legal services. Excellent work history and attendance record. Possess and maintain a valid Missouri license to practice law. Official City of Columbia application must be completed at www.gocomojobs.com. Position is open until filled. Preferred application deadline date December 14, 2012.

Volunteer Judges Needed for Regional High School Mock Trial Competition

The Regional High School Mock Trial competition will be held at the Boone County Courthouse from 8:30 a.m. to 12:30 p.m. on Saturday, January 12, and Saturday, February 23, 2013. Attorneys are needed to volunteer to serve as judges and evaluators for the high school students participating in the competition. Attorneys who are available to volunteer on either date should contact **Bill Ellis** at 573-777-3900 or at bill@billellislaw.com.

Volunteer Judges Requested for Mock Trial Tournament January 18-19, 2013

Columbia College and the University of Missouri Columbia will host the Mid-Missouri Mock Trial Invitational Tournament at the University of Missouri-Columbia on Friday January 18 and Saturday January 19, 2013. The tournament hosts need attorneys and law students to serve as judges for this four-round, two-day tournament, which serves as a forum for teams to practice their skills for the regional tournament held in Kansas City in February. Judges will score a printed ballot with established criteria and rule on evidentiary objections governed by an evidence code similar to the Federal Rules of Evidence.

This year's case is a civil wrongful death case involving a death during a scuba diving expedition. Judges are needed for any and all rounds, which are as follows:

Round 1 – Friday, January 18

1:30 p.m. – 4:30 p.m.

Round 3 – Saturday, January 19

9:00a.m. – 12:00 p.m.

Round 2 – Friday, January 18

7:00 p.m. – 10:00 p.m.

Round 4 – Saturday, January 19

1:30 p.m. – 4:30 p.m.

Food and ample non-alcoholic beverages will be provided for judges. Those interested in judging can contact Professor Barry Langford at brlangford@ccis.edu. Information about intercollegiate Mock trial can be obtained at <http://www.collegemocktrial.org/>.

Caring for Kids with CASA Christmas Cards!

There's still time to support Heart of Missouri CASA (Court Appointed Special Advocates for abused and neglected children in the 13th Judicial Circuit) with the purchase of holiday cards from All-State Legal's Caring for Kids program. Individuals or firms in the legal field may choose from an assortment of card designs and price ranges on All State Legal's website, https://www.aslegal.com/card_select3.asp?ID=casa&mmid=9. Heart of Missouri CASA will receive 25% of the purchase price for each referred order. If you make an order purchase, please notify Kelly Hill at 573-442-4670 or email kelly.heartofmissouricasa@gmail.com to ensure Heart of Missouri CASA gets credit for the order referral and receives the proceeds of your order. Thank you for supporting Heart of Missouri CASA!

Around the bar . . .

UPCOMING EVENTS

Wednesday, December 5, 6-8 p.m.: The Women Lawyers' Association of Mid-Missouri (WLAMM) is holding its annual Holiday Party at the home of **Randa Rawlins**, 5408 W. Tayside Circle, Columbia. You are invited to bring a holiday contribution/donation (suggested amount - \$25) which will be divided between the Jefferson City Rape and Abuse Crisis Service, the Columbia Voluntary Action Center, and the Boone County Drug Court Program. We also invite you to bring toiletry items which will be donated to the Drug Court. If you did not pay dues for the 2012-2013 membership year (\$25) at the Bleu Fall Event, or since that date, you may submit dues at the Holiday Party. Please make all checks payable to WLAMM. If submitting a check for multiple members, please indicate such on the memo line. For additional information or directions, please contact **Tamara Kopp** at tamara.kopp@insurance.mo.gov or Amy Hoyt at amy.hoyt@insurance.mo.gov.

Tuesday, December 18, 11:45 p.m.: The Young Lawyer's Committee will meet at for its annual holiday lunch gathering at The Wine Cellar & Bistro, 505 Cherry St. Those attending are asked to bring a gag/white elephant gift for the always entertaining gift exchange. Please RSVP by December 17 at 5 p.m. to **Sander Sowers** at 875-1991, or sowers@learwerts.com.

Friday, February 8, 11:45 a.m.: BCBA's Juvenile Law Committee will meet at Bleu. Issues to be addressed will include more effective ways to guarantee payment for court-ordered GAL service, and docket efficiencies in Divisions 8 and 10.

TRANSITIONS

No attorneys submitted announcements regarding transitions in November.

NEW MEMBERS

Joshua Moore, Simon Law Offices, 2101 Corona Road, Ste. 20e, Columbia 65203, phone 256-8989, fax 256-5044, email josh@dansimonlaw.com.

Clayton Thompson, Rogers, Ehrhardt, Weber & Howard, LLC, 302 Campusview Dr., Ste. 204, Columbia 65201, phone 442-0131, fax 442-9423, email cthompson@rewhlaw.net.

OTHER NEWS

Julia Bonham offers her expertise to assist court-appointed attorneys on criminal assignments, or handle the assignment for them for a reasonable fee. Julia's contact information is Julia Bonham and Associates, LLC, 28 N. 8th St., Ste. 517, Columbia, 65201, phone 449-9001, fax 442-9932, email Julia@julia-law.com.

In response to the 13th Circuit Court's recent policy of conscripting attorneys to represent indigent defendants in criminal cases, **Kevin O'Brien** offers his services to members of the bar and will accept transfer of these appointment cases for a reduced fixed fee depending on the level of the offense. This offer is extended to attorneys residing in the 13th Circuit who are appointed by the court pursuant to Administrative Order 12-12. For further information, contact Kevin at Harper, Evans, Wade & Netemeyer, 401 Locust Street, Ste. 401, Columbia, 65201, phone 442-1660, fax 874-8961, email kobrien@lawmissouri.com.

BCBA Vice President **Russ Still** and Treasurer **Michael Faber** will attend on behalf of BCBA the *Columbia Values Diversity* breakfast on January 17, 2013, at 7 a.m. The BCBA has participated as a sponsor in this event for many years and is pleased to continue the tradition.

The Law Offices of Jones, Schneider & Stevens, LLC, is offering to handle criminal appointments assigned to local attorneys at a discounted, flat-fee rate. Please contact **Clark Jones** or **John Roodhouse** at 449-2451, or email clj@11-7law.com or john.roodhouse@11-7law.com for more information.

About 79 members and guests attended the November lunch and CLE entitled "The Top 10 Mistakes Attorneys Make in Probate" presented by Judge **Deborah Daniels** and Boone County Probate Clerk Debbie Lee. A link to the handout provided at the CLE can be found on the website at http://www.bocomobar.org/cle_materials.htm.

The Boone County Bar Association Newsletter is published monthly by the Boone County Bar Association, Inc. Beginning August 1, 2011, send items for publication to the incoming Editor/Webmaster, **Thad Taylor**, 1121 Bus. 70 E, Ste. 2B, Columbia, MO 65201, phone 445-4755, fax 445-4756, email thad@midwestelderlaw.com. Annual dues are \$50 and may be sent to the Treasurer, **Michael Foster**, 6750 New Town Ave. S., P.O. Box 10110, Columbia, MO 65205-1010, phone 449-3141. 2012-13 BCBA officers are: President, **Steve Scott**, 201 Westwood Ave., 65203-2871, phone 442-7268; Vice President, **Russell Still**, 515 Cherry St., Ste. 300, P.O. Box 933, Columbia, MO 65205-0933, phone 874-2402; Secretary, **Casey Berndt**, 1020 E. Walnut St., Ste. 200, Columbia, MO 65201-4941, phone 449-1660; and Treasurer, **Michael Foster**, address above. Executive Committee members are the officers and **Marvin Tofle**, **Amy Salladay** and **Erika Fadel**. The BCBA web site is at www.bocomobar.org.