



Boone County Bar Association NEWSLETTER

www.bocomobar.org

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Holiday Party to Benefit Food Bank December 11; RSVP's Due December 4

Food banks nationwide are continuing to struggle to feed hungry people in this difficult economy, so the BCBA Holiday Party has been designed to help our local Food Bank for a third time 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 4**, to ensure there will be sufficient food. Please RSVP to BCBA Secretary **Marjorie Lewis** at 442-3181 or mlewis@bwsplaw.com. The party will be held from 6:00 to 8:00 p.m. on **Wednesday, December 11** 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. 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". More information on the Food Bank can be found at <http://sharefoodbringhope.org/give-food/>. The food drive 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.

Here is a list of items specifically needed by the Food Bank:

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

Last year, a total of 120 bar members, spouses and guests attended the Holiday Party, and brought with them a total of approximately 140 pounds of food and \$460.00 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!

2014 Boone County Bar Association Dues Payment/Waiver Form

(Make checks payable to "Boone County Bar Association, Inc.")

To: Clark Jones, Treasurer
Boone County Bar Association
11 N. 7th St.
Columbia, MO 65201-4423

Enclosed is payment of \$_____ for 2014 BCBA dues for the following attorneys
(at \$50 per attorney, or \$25 per attorney for "public service" attorneys)
 Person named below claims first-time dues waiver for: Judge Seniority

Name(s) and address (note contact information changes, if any)

E-Filing is Coming – Will You Be Ready?

By Steve Scott, Past President

In a little over two months from now, on Monday, February 3, 2014, e-filing will become mandatory in Boone County for almost everything lawyers now file with the court on paper.

Lawyers will be required to e-file new filings and additions to pending cases in circuit civil, associate civil, small claims, domestic relations and probate cases. For juvenile cases, additions to pending cases will have to be e-filed, and the initial filing will need to be e-filed if filed by an attorney. Criminal cases will continue to be paper-filed initially, but subsequent pleadings will have to be e-filed. Only non-lawyer self-represented parties will be allowed to make paper filings in these cases.

I am serving on the court's Boone County E-Filing Committee which is planning for the transition, as well as an OSCA e-filing committee which seeks feedback from lawyers and judges statewide, so I have some perspective on the main things lawyers need to be doing now to get ready.

You'll find general information on e-filing at: <http://www.courts.mo.gov/page.jsp?id=46542>

If you have not already done so, you should go ahead and obtain your log-in credentials (a username and password) for e-filing. These credentials also are necessary to log-in to Case.Net so you can view documents associated with cases. You can obtain your credentials at:

<https://www.courts.mo.gov/registration/mobarValidation.do?backUrl=ecf>

When you register, you will need to provide an email address to which notices regarding your cases will be sent. You may want to consider setting up a special email address for notices so you can keep them separate from your regular email. You should be aware that when e-filing starts, all notices will be sent by email.

Our court will provide weekly training sessions in January for lawyers and their staff members to learn how to e-file. The first session will be held in the afternoon on Jan. 9, and subsequent sessions will be announced later. In the meantime, you and your staff can become familiar with the process by reviewing the training materials available at:

<http://www.courts.mo.gov/page.jsp?id=48921>

You will need to acquire one or more high-speed document scanners to scan pleadings and other documents to PDF format so they can be e-filed. Scanners made by Fujitsu and Canon have earned high marks from lawyers already doing e-filing.

You will also need capable PDF software to manage the documents you plan to e-file. Most scanners come with Adobe Acrobat Standard, which should meet all your needs. Even more capable is the more expensive Acrobat Professional. There are also a number of lower-cost alternatives, but test them first to make sure they will suffice. Most of these programs also allow you to create a PDF file directly from your word processor so you don't have to scan the document.

Also, be thinking now about how you will pay filing fees and how that will interface with your accounting system. There will be three options for paying filing fees when you e-file a new case:

- You can set up a debit account with the court to which you can deposit money. Filing fees will be deducted from the debit account. There no fees associated with using a debit account. You will find a form to set up the account at <http://www.courts.mo.gov/file.jsp?id=55741>.
- You can pay filing fees by "eCheck," which will result in an ACH transfer of funds from the checking account you specify to the court. Your bank account number and bank routing number can be saved in your online e-filing account so you won't have to re-enter those each time you file. Each eCheck transaction will cost 60¢.
- You can charge filing fees to a credit card (Mastercard, Visa, Discover or American Express). Your credit card information can be stored in your e-filing account so you don't have to re-enter it for each filing. Using a credit card will incur a fee of 3% of the transaction amount, with a minimum charge of \$1.

If you have questions or concerns about e-filing, let me know so I can bring them to the attention of the Boone County E-Filing Committee.

Time to Pay 2014 Dues

Lawyers and firms wishing to expense 2014 BCBA dues in 2013 may begin sending \$50/lawyer dues to Treasurer **Clark Jones** at 11 N. 7th St., Columbia, MO 65201-4423. 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, 2014. Dues are waived for sitting and retired judges, and members who have reached 75 years of age, or have been licensed for 50 years.

Please provide your Payment/Waiver form with payment or exemption. This is especially important if your contact information has changed, or if a firm is adding a new member. The form can be clipped from Page 1 of this *Newsletter* or downloaded from the BCBA website.

Message From Christy Blakemore RE: E Filing In Boone County

Everyone in the Boone County judiciary has been working very hard on our fast approaching deadlines regarding the upcoming implementation of eFiling. The first deadline is January 1, 2014, when the court will go electronic. This means all new filings will be scanned therefore no files will be made and all pending cases will be scanned. We will not be sending files to the courtroom. The second deadline is February 3, 2014. This is when the switch will be flipped and attorneys will be required to file electronically.

As you are probably aware, we are holding some "practice" e bench dockets. This will allow time for the judges and court staff to see e bench in the works in a live setting and working out some issues before we go live.

We have noticed that you will want to look at the docket and find your case(s) and get the number it has been assigned. It seems that the court will go by that number more than the actual case number. We will have several copies in the courtrooms for your reference.

Presiding Judge **Jodie Asel** has signed the administrative order regarding eFiling. The court has also drafted a local court rule regarding e filing. The court agreed on the first two paragraphs at the last court en banc, however, they are leaving the third paragraph open for discussion. Both are attached for your reference.

There will be some training sessions available during the month of January here locally. Please watch for more information on this from **Steve Scott**.

We have been advised that the first week using Missouri eFiling System can be a trying time for everyone. OSCA will provide support to help ease our transition to the new system and reduce the potential for technical problems. During this time, it will be helpful to have your case number available when you call to inquire about a case. This will reduce our need to search in the system and allow us to access your information more quickly.

Despite the temporary complications that accompany this implementation, we believe it will have long term benefits for you and your clients. It will make it possible for you to access current case information, submit filings and view documents after normal business hours and from any location with Internet access. For those who practice in several locations, you may find some divisions of a court with which you work using electronic filing while other divisions are not. This will change over time as more courts implement the Missouri eFiling System.

We appreciate your patience as we embark on this new endeavor. We will do our best to continue to provide you with quality service and timely justice throughout the transition. If you have any questions or concerns, please don't hesitate to contact Christy Blakemore, Lana Brooks, Kathy Lloyd or **Steve Scott**.

Additional Clarification of E-Filing Rule

Except for documents filed by pro se litigants, documents originally filed in the Municipal Division and documents prepared within a courtroom during trials and hearings, all filings in all types of cases shall comply with Missouri Supreme Court Rule 103.09 and Court Operating Rule 27 as further delineated as the Missouri Electronic Filing System found on the "Your Missouri Courts" homepage (<http://www.courts.mo.gov/page.jsp?id=23>) and as described at <http://www.courts.mo.gov/page.jsp?id=46542>. Any attempted filing that does not meet the requirements of the System or any other rules promulgated by this Court shall be summarily rejected and shall be deemed as not filed.

With regard to documents filed by pro se litigants, documents originally filed in the Municipal Division and documents prepared within a courtroom during trials and hearings, the Clerk shall be responsible for determining the procedures for the proper filing of and preservation of the same.

Notwithstanding the foregoing, in Boone County, in the event a person shall be taken into custody and shall post a bond for his release on an "on view" bond, the bond shall be delivered to the Clerk and the Clerk shall hold the bond in a separate paper file and receive any entries of appearance filed by counsel and upon the filing of the charges, if any, an E-File shall be opened and the same shall reflect the entry of counsel.

Mid-Missouri Legal Services Thanks BCBA for its Support

Mid-Missouri Legal Services extends its sincere thanks to the BCBA Young Lawyers' Committee for designating MMLS as the recipient of the 2013 "Chippin' in for Charity" Golf tournament proceeds. Tournament funds will be used to support the MMLS Veterans' Law Project which conducts a weekly clinic at the Truman V.A. Hospital in Columbia. The Clinic was launched this year with the proceeds of the 2012 Golf Tournament, and MMLS already has nearly doubled the number of veterans it served last year. The Clinic, the first of its kind in Missouri, has been given space at the V.A. Hospital and was honored by the Missouri Bar in September.

MMLS thanks the YLC for recognizing the tremendous need for legal services that our veterans have as they return home. Without the YLC's support, the Clinic could not have been initiated. Many thanks to all of the attorneys and friends who supported our veterans by participating in the Tournament again this year! Special thanks to **Sander Sowers** for his tremendous efforts in making the Tournament such a great success!

13th Circuit Accepting Applications 2014 Court Approved Mediators

The 13th Judicial Circuit is now accepting applications for their 2014 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. Local Court Rule 68.12(C) requires mediators to obtain an additional 6 hours of mediation-related training every two years, using The Missouri Bar's reporting period.

Applicants must submit an application form and certificate of completion of hours taken. Please submit your completed application by December 31, 2013, 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 by calling Mary at 886-4059 or e-mailing her at mary.epping@courts.mo.gov. A link to the application form also can be found on the Other News page of the BCBA website.

Attorneys and Law Students Needed January 17-18 for Mock Trial Tournament

Columbia College and the University of Missouri Columbia are hosting an Undergraduate Mock Trial Invitational Tournament competition at the University of Missouri Columbia on Friday January 17 and Saturday January 18, 2014. The tournament hosts need attorneys and law students to serve as judges for this four-round 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 17 - 1:30 p.m. – 4:30 p.m.

Round 2 – Friday, January 17 - 7:00 p.m. – 10:00 p.m.

Round 3 – Saturday, January 18 - 9:00a.m. – 12:00 p.m.

Round 4 – Saturday, January 18 - 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/>. Thank you in advance for your assistance with this competition!

Volunteer Opportunities Provided Through BCBA PIE and ADR Committees

Attorneys are needed to assist in the three Mock Trial Programs that take place here in Boone County. These programs, from whence come our future lawyers, cannot exist without volunteer lawyers to be evaluators and judges. Contact **Norm Lampton** at norm@normlamptonlaw.com or **Sarah Read** at sjr@readadr.com for more information or to announce your availability.

The three programs are:

- 1) Missouri High School Mock Trial Competition- high school students actually try a civil or criminal case under mock conditions. The competition will take place on a Friday and Saturday at the Law School- February 21-22.
- 2) Missouri College Mock Trial Competition- college students try a civil or criminal case under Mock conditions. Dates tba.
- 3) Law School Board of Advocates. Law students advocating in cases of all types. CLE credit and food provided! Current dates as follows: Negotiation (October 1-3); Client Counseling (October 28-30); Mediation (January 25-26); 1L Moot Court (April 14-16, 21).

BCBA Upcoming CLE Programs Announced

Mark Your Calendars! BCBA Vice President **Jennifer Bukowsky** has lined up the following programs so far for the upcoming fiscal year: January 8, 2014- Attorney General Chris Koster; February 12, 2014- State Auditor Tom Schweich; June 11, 2014- Missouri Supreme Court Chief Justice Mary Russell. Additional programs will be announced as they are lined up. Please mark your calendars now so we can have a great turnout for these special speakers.

Around the bar . . .

UPCOMING EVENTS

Wednesday, December 4, 6 p.m.: The Women Lawyers' Association of Mid-Missouri invites current and prospective WLAMM members to their Holiday Party at Elena Vega's home, 2815 North Oakland Gravel Road, Columbia. Elena's house is known as the Guitar Mansion and is a Late Victorian Italianate home built in 1859. Her home was added to the National Register of Historic Places in 1993. Members may pay their \$25 dues and we will be collecting donations for a Boone County and Cole County charity. Suggested donation is \$25 to be split between the two charities. Questions? Contact **Tamara Kopp** at tamara.kopp@insurance.mo.gov.

Wednesday, December 18, 11:45 a.m.: The Young Lawyer's Committee will meet for its annual holiday lunch gathering at Coley's, 15 S. 6th Street. Those attending are asked to bring a gag/white elephant gift for the always entertaining gift exchange. Please RSVP by December 17 at 1:00 p.m. to **Sander Sowers** at 875-1991, or sowers@learwerts.com.

Friday, February 28, 2014, 11:30 a.m.: SAVE THE DATE- Mizzou Law School will hold its Small Firm and Public Interest Expo, at Reynolds Alumni Center. Set up and lunch will be from 11:30- 12:00; Networking will take place from 12:00 Noon to 2:00 p.m., and a complimentary Ethics CLE will be provided from 2:30 – 4:30 p.m. For more information, Public Interest Organizations should contact Linda Lorenz at lorenzl@missouri.edu or 882-0940, and Law Firms should contact **Kate Busch** at buschk@missouri.edu or 882-6444. A link to the Registration form can be found on the Other News section of the BCBA website.

NEW MEMBERS

Katie D. Whitman, Landmark Bank, 801 E. Broadway, PO Box 1867, Columbia, MO 65205-1867, 573-499-7360. Katie attended the University of Missouri-Columbia School of Law and graduated in 2006. Since 2006, she has practiced with the Missouri Secretary of State, Securities Division, where she was Chief Registration Counsel; she was an associate with a boutique securities plaintiff's firm in Kansas City; and briefly practiced as an AAG for the Attorney General in Consumer Protection. She is currently a Relationship Manager and Trust Officer for Landmark Bank in their Wealth Management Department where she administers trusts and advises customers on estate, retirement, and financial planning. Katie teaches a course in State Securities Regulation as an Adjunct Professor at MU. Prior to her legal career, Katie worked in financial services as a broker-dealer registered representative, concentrating in operations and compliance. She was recently married and has two sons at Rock Bridge High School, although she is a Kewpie at heart.

More information is available for new member **Scott Snipkie**. Scott graduated from Mizzou Law School in May 2012 and was admitted to the Missouri Bar in September 2012. Prior to law school, Scott obtained his undergraduate degree in Journalism from Pennsylvania State University, where he graduated with highest distinction and with honors in 2008. He received a Master's Degree in Journalism from Mizzou in 2013. He also served 6 years in the United States Navy where he worked in the Engineering Department on the submarine USS Dallas until he was honorably discharged in 2004. Scott's main areas of practice include Medical and Legal Malpractice as well as Bad Faith Insurance Litigation and Personal Injury.

TRANSITIONS

Larry E. Tate is retiring after 43 years of practice. His office in Boonville will close effective December 20, 2013.

Greg Jones, formerly of Jones & Watkins, LLC, has taken a position as Trust Officer at The Trust Company. Greg's new contact information is 302 Campusview Drive, Suite 207, Columbia, MO 65201, phone (573) 876-7000, GregJ@TheTrustCo.com.

Cynthia Barchet announces that the Barchet Law Office, L.L.C. will move effective December 2, 2013. Their new location will be 1203 W. Broadway, Columbia, MO 65203. The phone number will remain 441-9000, e-mail Cynthia@barchetlaw.com and Nathan@barchetlaw.com, and website www.BarchetLaw.com. The fax will be 875-5873.

OTHER NEWS

Barchet Law Office is moving and will have premier office space for rent beginning December 1, 2013. Located at 302 Campusview Dr. Suite 201, in a very nice, fully leased professional building. Up to 3 private offices, fantastic reception area, kitchen, storage and access to multiple conference rooms. The space can be rented fully furnished, if desired. Call 573-441-9000 or email legal@barchetlaw.com for more information.

The Boone County Associate Court's current list of conflicts to the regular docket schedule has been updated effective November 15, and can be found on the website at <http://www.bocomobar.org/docket.htm>.

New toner has been installed in the printer in the attorney suite in the courthouse.

About 88 members and guests attended the November 13 meeting and CLE program "State of the Court" presented by 13th Circuit Presiding Judge **Jodie Asel**.

TREASURER'S REPORT BY CLARK JONES

Account balance of as September 30, 2013		\$5,905.32
Receipts 10/1/13 to 10/31/13		
10/13	Bar Dues Received	\$1,312.50
10/17	Bar Dues Received	\$45.00
Total Receipts		\$1,357.50
Expenses 10/1/13 to 10/31/13		
10/16	Bleu Restaurant	\$80.00
10/16	Thad Taylor , 3 rd Quarter Stipend for <i>Newsletter</i> Editor/Web Administrator services	\$750.00
10/16	HyVee [Picnic Expense]	\$725.14
10/16	Buckingham Smokehouse	\$250.00
10/16	University of Missouri Meat Sales	\$881.11
Total Expenses		\$2,686.25
Account Balance as of October 31, 2013		\$4,576.57

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 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, **Clark Jones**, 11 N. Seventh St., Columbia, MO 65201-4423, phone 449-2451. 2012-13 BCBA officers are: President, **Russ Still**, 515 Cherry St., Ste. 300, P.O. Box 933, Columbia, MO 65205-0933, phone 874-2402; Vice President, **Jennifer Bukowsky**, 810 E. Walnut, Columbia, MO 65201-4863; Secretary, **Marjorie Lewis**, 601 E. Broadway, Ste. 203, P.O. Box 1304, Columbia, MO 65205-1304, phone 442-3181; and Treasurer, **Clark Jones**, address above. Executive Committee members are the officers and **Steve Scott**, **Josh Oxenhandler** and **Wally Bley**. The BCBA web site is at www.bocomobar.org.