



Boone County Bar Association NEWSLETTER

www.bocomobar.org

January 5, 2004

Volume 19, Number 1

CLE credit for Jan. 14 program on malpractice

One hour of CLE credit will be granted for attendance at the January 14 BCBA meeting at which MU Law Prof. Phil Peters will speak on "Getting Behind the Rhetoric of the Malpractice Debate."

Lunch service will begin at 11:30 a.m. at Boone Tavern, 811 E. Walnut St., Columbia. After a short business meeting, the program will begin by 12:10 p.m. The lunch price will be \$9, payable to Boone Tavern.

RSVP: To reserve your place for this meeting, contact BCBA Secretary **Steve Pratte** at 442-0116 or scpratte@yahoo.com.

Prof. Peters will test the claims of both defenders and critics of the malpractice litigation system against the available empirical evidence in an effort to assess the strengths and weaknesses of the system and to determine what information is still needed to make a more definitive assessment.

Among questions Prof. Peters will discuss are: How do jury evaluations of doctor competence compare to the conclusions reached by judges and other doctors? How many malpractice claims are resolved without the payment of a single dollar? Are too many

"frivolous" cases filed? Are settlements based on the merits of cases or on the reputation of attorneys and expert witnesses and the witness potential of the parties? Has the Missouri affidavit statute reduced the number of zero dollar dispositions? How has the profile of malpractice claims changed in recent years, and do the changes have anything to do with higher malpractice insurance premiums?

UPCOMING EVENTS

February 11: Missouri Bar President William Corrigan, Jr. will be the featured speaker at a regular meeting at Boone Tavern.

March: The annual Bench-Bar Dinner will be hosted by the Callaway County Bar Association.

2004 court holidays announced

Thirteenth Circuit Presiding Judge Gene Hamilton has announced the 2004 court holiday schedule. When a holiday falls on a Monday, the displaced Law Day is rescheduled on Tuesday. The holidays are:

Monday, January 19: Martin Luther King, Jr. Day.

Thursday, February 12: Lincoln's Birthday.

Monday, February 16: Presidents Day.

Friday, May 7: Truman's Birthday (observed).

Monday, May 31: Memorial Day.

Monday, July 5: Independence Day (observed).

Monday, September 6: Labor Day.

Monday, October 11: Columbus Day.

Thursday, November 11: Veterans Day.

Thursday, November 25: Thanksgiving Day.

Friday, December 24: Christmas (observed).

Friday, December 31: New Year's Day (observed).

2004 BCBA dues are now payable

BCBA dues for 2004 are now due and should be sent to Treasurer **Rachael Kennedy** at 1203 W. Broadway, Columbia, MO 65203-2125.

Dues are \$40 per member per year. Those who have not paid by April 30 are subject to being stricken from the rolls.

Dues are waived for sitting

and retired judges and for members who have been licensed in Missouri for at least 50 years or who have reached the age of 75.

Please use the coupon below to make your dues payment or claim a first-time exemption, and please note if your contact information, including phone number and email, has changed.

Committee seeks bar comments

The BCBA Practice, Procedure and Judiciary Committee met December 22 and decided to request feedback from bar members on two issues.

One issue is whether there should be a standard, HIPAA-compliant medical authorization form endorsed by the court for use in conjunction with court-approved interrogatories.

The other issue is whether changes are needed to existing

court-approved pattern interrogatories and whether there should be additional approved interrogatories for types of cases not now covered.

Bar members are asked to submit their comments and proposed authorization forms to the committee chair, **Marjorie Lewis**, at P.O. Box 1304, Columbia 65205, or by phone to 442-3181, or by email to mlewis@bwsplaw.com.

2004 Boone County Bar Association Dues Payment/Waiver Form

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

To: **Rachael Kennedy, Treasurer**
Boone County Bar Association
1203 West Broadway
Columbia, MO 65203-2125

___ Enclosed is payment of \$ _____ for 2004 BCBA dues for the following attorneys

(at \$40 per attorney)

___ Person named below claims dues waiver for: ___ Judge ___ Seniority

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

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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, Rachael Kennedy, 1203 W. Broadway, Columbia, MO 65203-2125, phone 256-7205. BCBA officers for 2003-04 are: President, Elton Fay, 11 N. 5th St., 449-2969; Vice President, Judge Jodie Asel, Boone County Courthouse, 886-4050; Secretary, Steve Pratte, 205 E. Forest Ave., 442-0116; and Treasurer, Rachael Kennedy, address above. Executive Committee members are the officers and Betty Wilson, Leslie Clay and Tom Davis. The BCBA web site is at www.bocomobar.org.

Around the Bar . . .

Dan Dunham, Craig Heaton, Josh Oxenhandler and Sarah Read have volunteered to coach mock trial teams at West Junior High School. Additional coaches are urgently needed by the Partners in Education Committee for other schools' teams. Volunteers are asked to contact **Liz Magee** at 256-2600 or emageelaw@aol.com.

Mariam Decker and Bob Buckley have left **Ford, Parrshall & Baker, LLC** and joined the newly renamed firm of **Oliver Walker Wilson, LLC** as partners effective January 1. **Bruce Farmer**, formerly an associate, also has become a partner in the firm located at 401 Locust St., Suite 406, P.O.

Box 977, Columbia 65205, phone 443-3134, fax 442-6323.

Tom Baker has moved his office from the downtown area to 3610 Buttonwood Dr., Suite 200, Columbia 65201. His new fax number is 886-8901. His phone number, 874-6736, is unchanged.

Also moving from the Columbia downtown area is **Tonnie Martin**, whose new office is at 6051 County Road 323, Fulton 65251. Her old Columbia phone, 256-4100, remains active and will be forwarded to her new toll-free number, 866-442-4886. Her Fulton phone and fax numbers are 592-7966 and 592-8648, respectively.

Christina McCartney has

become an associate with the **Law Office of Daniel S. Simon, P.C.**, 3610 Buttonwood Dr., Suite 200, Columbia 65201, phone 886-8989, fax 886-8981. She is a May 2003 graduate of the MU Law School and previously was a case worker for the Division of Family Services.

Scott Kimsey, who was announced last month as a new associate at **Jones, Schneider & Bartlett**, has joined the BCBA. His practice areas are patent, trademark and copyright.

As announced last month, **Mark Gutchen**, formerly of Mid-Missouri Legal Services, rejoined the BCBA after a brief lapse in membership. He is now Deputy Director-Litigation, Division of Legal Services, Missouri Department of Social Services, P.O. Box 1527, Jefferson City, telephone 573-751-3229, fax 573-526-1484.

The MU Law School is seeking applicants for its LL.M. Program in Dispute Resolution. Students may enroll full-time or part-time. Part-time students typically can attend classes one day per week. For information, contact program coordinator Karen Neylon at 882-2020.

Several updates have been posted to the BCBA web site at www.bocomobar.org. Information on the Columbia Municipal Court has been added to the court pages. The docket schedules have been updated to reflect changes effective January 1. Also, the phone listings for the courthouse have been updated.

President's Notes

Our sincere thanks to **Ron Bartlett** and his wife Lyria for once again hosting the annual BCBA Holiday Party at Missouri Manor on December 11.

Thanks also to our Vice President, Judge **Jodie Asel**, who coordinated the event, which was enjoyed by about 80 bar members and spouses/wives.

As we begin 2004, I wish all our members the best for continued health and success as we endeavor to provide our community with the very best legal service possible.

- Elton Fay

Treasurer's Report by Rachael Kennedy

Account balance as of 11/26/03	\$3,445.43
Receipts 11/26/03 - 12/31/03	
Interest.....	+0.32
Holiday Party	+1,135.00
Dues	+1,460.00
Disbursements 11/26/03 - 12/31/03	
Accent Press (Newsletter printing).....	-67.62
Midwest Mailing (Newsletter mailing)	-73.27
SS Web Services (web site hosting).....	-360.00
Newsletter Editor/Webmaster (Oct-Dec)	-375.00
Boy Scouts (Explorer Post registration).....	-20.00
Account balance as of 12/31/03	\$5,144.86