



Boone County Bar Association NEWSLETTER

www.bocomobar.org

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'Collaborative Family Law' is CLE topic July 14

The "collaborative law" approach to resolution of family law cases will be the subject of a CLE-credit program at the next regular BCBA meeting at 11:30 a.m. Wednesday, July 14, at Boone Tavern, 811 E. Walnut St., Columbia.

RSVP: To reserve your spot for this meeting, contact BCBA Secretary **Steve Pratte** at 442-0116 or scpratte@yahoo.com by 5 p.m. Tuesday, July 13.

As usual when CLE programs are presented, meal service will begin at 11:30 a.m. The lunch price will be \$9, payable to Boone Tavern. The program will start by 12:10 p.m. after a brief business meeting.

Collaborative family law is a

growing trend around the country. There are already Collaborative Family Law Associations in the larger Missouri cities, and the approach was the subject of a program at the 2003 Missouri Bar Family Law Conference.

According to the Missouri Collaborative Law Association web site, "The Collaborative Family Law Association was created to help parties reach a settlement on all issues without a court battle—a settlement that is fair and equitable to both parties. Collaborative Family Law Association attorneys have been specially trained in the collaborative law process. The parties and their collaborative lawyers work together using non-

adversarial techniques and cooperative strategies to negotiate a fair settlement without resorting to costly litigation."

The process is described as much like mediation, with a win/win approach rather than the win/lose attitude often taken during negotiation in contested cases.

Members of the Collaborative Law Association require that the attorneys on both sides agree with their clients and each other at the outset that they will both withdraw and have their clients obtain new attorneys if no agreement is reached and the case is contested in court.

Mary Carnahan is arranging for one or more attorneys in-

involved in collaborative law practice in the Kansas City area to speak. She plans to arrange a separate meeting with BCBA Family Law Committee members to discuss starting a collaborative law group in Columbia.

Another participant in the July 14 program will be **John Landes** of the MU Law School Dispute Resolution Center, who likes the collaborative law approach but questions the need for the attorneys to withdraw if their clients do not reach agreement.

More information on collaborative law can be found at www.collaborativefamilylaw-mo.org.

Timothy J. Heinsz – 1947-2004

Former MU Law School Dean and BCBA member **Timothy J. Heinsz**, 56, died of heart failure while jogging on the MKT Trail Friday morning, July 2, 2004.

Services were scheduled at 1 p.m. Tuesday, July 6, at Our Lady of Lourdes, 903 Bernadette Dr.

Tim came to MU as an associate law professor in 1979, became a full professor in 1981, and served as dean from 1988 to 2001. He was instrumental in starting the Dispute Resolution Center and served as its director after retiring as dean.

Tim touched the lives of many BCBA members, both as a teacher and dean for younger members and as an active participant in and supporter of BCBA activities.

Memorials are suggested to the Law School Foundation or the White House Retreat, 3601 Lindell Blvd., St. Louis, MO 63108.

Asel nominated as BCBA President

Associate Circuit Judge **Jodie Capshaw Asel**, currently BCBA Vice President, has been nominated as 2004-05 President.

The Nominating Committee also nominated **Pat Eng** for Vice President, **Linda Harris** for Secretary and **Amy Markel** for Treasurer.

Nominated as the three at-large members of the Executive

Committee were **Brian Hajicek**, **Mark Pfeiffer** and **Leslie Schneider**

The nominations will be voted on at the annual Jim Butcher Memorial Picnic and Annual Meeting on Sept. 17.

Rusty Antel chaired the Nominating Committee this year. Other members were **Mary Carnahan** and **Janice Harder**

Virus/worm still plagues bar

Although it seems to have slowed down recently, there still appears to be an email virus/worm circulating among BCBA members, likely as the result of a member's computer becoming infected.

The virus/worm appears to be W32.Beagle.X@mm. This is a mass-mailing worm which does several things including: (1) It collects all email addresses it can find on the infected computer; (2) it sends those email addresses to spammers for their use in sending out spam; (3) it sends more copies of itself to all the email addresses it finds on the infected computer (it may do this multiple times for each address and continue doing so until it is removed from the infected computer or until its built-in stop-date is reached); and (4) it attempts (often successfully) to deactivate antivirus programs and software firewall programs.

A key point to understand is

that the Beagle worm "spoofs" the sender's address when it sends out more copies of itself in an effort to infect additional computers. This means that the name of the supposed "sender" on an email message containing the worm is not the name of the user of the computer from which the worm was actually sent—so it will do no good to complain to the person whose name appears as the sender.

To protect yourself, you should: (1) Be running an up-to-date antivirus program. (2) be cautious about opening email attachments, even from regular or recognized correspondents (a good practice is to call the sender and make sure the attachment is legitimate); and (3) run a complete scan on your hard disk with your antivirus program (the scan should tell you if the Beagle worm has infected your computer, and your anti-virus program may be able to remove the infection).

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 . . .

Darwin Hindman and **Jean Goldstein** have moved their firm, **Hindman & Goldstein, LLC**, to 1203 W. Broadway, Columbia 65203. Their phone remains 443-1602, but their fax is now 875-5873.

Dewey Crepeau has moved his office to 1705 N. Stadium Blvd., Columbia 65202. His phone and fax numbers remain 445-9435 and 446-1731, respectively.

Chad Caraker has moved **Caraker Law Firm, P.C.** to 2001 Corona Rd., Suite 305, Columbia 65203. His phone and fax numbers are 875-2212 and 875-2213, respectively.

The fax number for **Steve Wyse** of **Wyse Law Firm, P.C.**, 609 E. Broadway, Columbia 65201 has changed to 442-8669. His phone remains 449-7755. Also, he has a new web site on-line at www.wyselaw.com.

All attorneys at **Eng & Woods**, 903 E. Ash St., Columbia 65201, now have separate email addresses. The addresses, along with all other known email addresses for BCBA members, are on-line at www.bocomobar.org/members.htm.

District Defender Kathryn Benson and two assistant defenders, **George Batek** and Greg Young, are leaving the Boone County Public Defender's Office to form a private practice firm. Kevin O'Brien, an assistant in the office, will become District Defender.

If any BCBA members are looking for an old rolltop desk, a client of **Dave Knight's** is selling one. Dave says the desk measures 52" x 32" and is in good condition (the rolling top works). Call Dave at 256-7205 for information.

Dave Evans still has office space available at 717 Cherry St., Columbia for a single attorney to share a secretary. Included are supplies, postage, fax, copier, and Internet connection. Call Dave at 449-8430 for information.

Members working on their CLE-compliance forms due July 31 are reminded that all CLE-credit programs presented by the BCBA are listed on-line at www.bocomobar.org/CLE.htm.

The courthouse phone list at www.bocomobar.org/phones.htm was recently updated.

About 70 BCBA members attended the June 9 meeting to hear a CLE-credit presentation on "Appellate Practice" by Missouri Supreme Court Judge Duane Benton, who since then has been confirmed by the U.S. Senate for a seat on the Eighth Circuit U.S. Court of Appeals.

Recipients of the BCBA's annual \$1,000 college scholarships for graduates of Hickman and Rock Bridge High Schools were Jonathan Webber and Ryan Adrian, respectively. A \$500 scholarship which rotates among other Boone County high schools was awarded to Centralia High graduate Bridget Daum. Jonathan will attend Northwestern University and plans to major in economics or political science. Ryan plans to attend MU. Bridget will attend SMSU and plans a social work major.

Treasurer's Report by Rachael Kennedy	
Account balance as of 5/28/04	\$6,285.05
Receipts 5/28/04 - 7/2/04	
Dues	+90.00
Interest	+0.69
Disbursements 5/28/04 - 7/2/04	
Accent Press (<i>Newsletter</i> printing)	-68.67
Midwest Mailing Service (<i>Newsletter</i> mailing)	-88.09
Boone Tavern (Executive Committee)	-46.00
Boone Tavern (unpaid lunches)	-45.00
Editor/Webmaster (April-June)	-375.00
Account balance as of 7/2/04	\$5,752.98