



## Judicial Panel to Present CLE on March 10

In lieu of the BCBA's regular monthly meeting, a virtual CLE will be hosted on Wednesday, March 10 at 12:00 p.m. The CLE will be a judicial panel, which will include **Judges Tracy Gonzalez, Kimberly Shaw, Leslie Schneider, and Stephanie Morrell**. Among the topics will be the new Missouri statute on preliminary hearings that went into effect on March 1, 2021. CLE credit is pending approval.

Anyone with questions that they would like to submit in advance may email them to BCBA Vice President **Glen Erhardt** at [gehrhardt@rogersehrhardt.com](mailto:gehrhardt@rogersehrhardt.com).

The Zoom meeting can be accessed at the following link:  
<https://us02web.zoom.us/j/7774858821?pwd=eDdXTW5wZURLem1ocGhiYytrYW9zQT09>

Meeting ID: 777 485 8821  
Passcode: CCPC2020



## Update from Presiding Judge Jacobs

As we are approaching the one-year anniversary of COVID-19 seriously impacting the 13th Circuit, I wanted to take this opportunity to update everyone on our collective successes. Since last March, the Circuit and its attorneys have worked together to stay on top of, and ahead of, the issues caused by COVID-19. In addition to ensuring compliance with local, state and Supreme Court requirements, we also made efforts to ensure cases were still moving. Here are some statistics based on those efforts:

1. The 13<sup>th</sup> Circuit has held jury trials in both Boone and Callaway counties. Boone County was specifically named by the Supreme Court Chief Justice in his State of the Judiciary as one of at least 11 counties that held a jury trial. Upon entering the courthouses, jurors were given temperature checks and asked COVID questions, were required to wear masks or shields during voir dire and the trial and were required to maintain social distance. The Court has not been contacted regarding transmission of COVID as a result of a jury trial. Boone has had 6 jury trials; Callaway has had one; both counties have held grand juries.

2. At the national level, there is news of a backlog of cases due to COVID. The 13<sup>th</sup> Circuit's case disposition rate improved from calendar 2019 to calendar 2020. Specifically, the Circuit's disposition rate in 2019 was 92.2%, in 2020, it was 98.9%. When isolating disposition rates for criminal cases in the 13<sup>th</sup> Circuit, in 2019 the disposition rate was 83.54%, in 2020 it was 101.55%. Comparing numbers, the Court disposed of 7,614 cases in 2019, and 7,980 cases in 2020. We are particularly proud of this statistic. By not being backlogged, judges are able to promptly schedule trials and hearings.
3. The Court has operated pursuant to the Supreme Court Operational Directives and has been able to continue hearing cases at least by video since the pandemic started. Some staff have already been vaccinated, as they fell under 1B, Tiers 1 and 2, and we are coordinating with local and statewide vaccination efforts for everyone else who falls under Tier 3.
4. The 13<sup>th</sup> Circuit was able to obtain more than 8,000 masks through CARES funding for the public and staff, and juveniles at the detention center. The Circuit was also able to obtain video technology to allow dockets to be both in person and via video.

### **Transition to Webex**

Since enabling video court, the Circuit has been sending invitations to attorneys and parties with links to Zoom. Effective April 1, 2021, the Supreme Court is no longer allowing courts to utilize Zoom. Therefore, most divisions of the 13<sup>th</sup> Circuit will be utilizing Webex. In lieu of sending invitations to attorneys and parties, those individuals may attend court by video or phone by utilizing the links to the Webex division's rooms available on the Court's website.

### **Future of Video**

As we continue to utilize video, the 13<sup>th</sup> Circuit has developed a technology committee to assist with recommending policies and procedures regarding remote hearings. It is anticipated that as long as COVID is a factor, video will be utilized for court. This committee, which will be chaired by **Judge Harris**, will participate in discussions about what court might look like post-COVID, with an eye toward allowing remote proceedings in many circumstances.

On a personal note, I want to thank all the attorneys and court staff in this Circuit for their work and flexibility this past year. Faced with circumstances beyond our control, we have shown we can still triumph through the strength of our unity and concern for one another.

### **Sheriff Carey CLE Approved for 1 Hour of Credit**

Last month's CLE presentation by Sheriff Carey had 55 participants and was approved for 1.0 hours of CLE credit by the Missouri Bar.

## Important Updates from the Court

### **Webex**

As mentioned by **Judge Jacobs** above, following a Supreme Court mandate, the 13<sup>th</sup> Circuit must use Webex, and only Webex, by April 1, 2021. Most divisions began using Webex exclusively by March 1. The Court will discontinue sending out links by division. Instead, attorneys and parties may go to the Court's website and join by selecting the appropriate division's account. Also, please note that a virtual background has, at times, made Webex not work as efficiently.

The Webex addresses will likely be posted on the docket page, which can be found at:

<https://www.courts.mo.gov/hosted/circuit13/dockets/dockets.htm>

### **Boone and Callaway County Courthouses Transition to Operating Directive Phase 2**

As of Monday, February 22 at 8 a.m., the Boone and Callaway County Courthouses moved to Supreme Court Operating Directive Phase 2. Pursuant to the Supreme Court requirements, face masks or coverings will continue to be required in all public court areas and during all court proceedings, unless good cause is shown to limit the requirement in particular proceedings. The Court has face shields available for witnesses and parties if needed. There are masks available for anyone who needs them.

The Court will continue utilizing available technology to limit in-person courtroom appearances to the extent practicable. The Circuit has been in Phase 1 since October 25, 2020.

### **New Local Court Rule**

At the February 23<sup>rd</sup> Court en Banc meeting, the Court discussed motions to continue sometimes being filed as late as the night before a court proceeding is scheduled to occur. When the Court has scheduled an interpreter, or interpreters, to appear in person for a case and the case is continued last minute, the Court must still pay for the full cost of the interpreter(s). Based on section 476.806, RSMo, and reviewing other courts' policies, the 13<sup>th</sup> Circuit adopted a new local rule that will become effective April 26, 2021. Please note the rule only applies to civil cases and gives the Court discretion whether to tax the cost to a party or parties. Below is the new rule:

#### *56.2 INTERPRETER FEE*

In a civil case where at least one interpreter is scheduled by the Court to appear, the Court may tax the cost of an interpreter (or interpreters) to a party if a party or his or her attorney files a motion to continue less than 48 hours prior to the Court proceeding.



## Judge Harris Authors Article

Judge Jeff Harris authored an article entitled "Observations on the 2020 COVID-19 Pandemic from a Circuit Judge in Central Missouri, U.S.A." in the recently published book *Legal Responses to COVID-19 Around the World*. The book includes articles by jurists and lawyers from fifty countries who describe their experiences during the initial phases of the pandemic and the effects of the pandemic on legal systems worldwide.

## Judge Asel Thanks BCBA

Judge Jodie Asel shared her appreciation for the retirement gift from the BCBA with President Gretchen Yancey, who wanted to pass on the thoughtful note to our membership:

GC

Dear Gretchen,  
Many thanks to you and the Boone County Bar for the stunning arrangement from Kent's Floral Gallery. When the delivery person handed it to me I nearly dropped it on the floor as it was far heavier than I anticipated. As I endeavored to determine why it was so "heavy" I discovered that the container was the beautiful engraved crystal bowl! I will forever be grateful for the opportunity to serve in the Judiciary for nearly 29 years. This very special (and unexpected!) gift will be an enduring reminder of the fine attorneys and myriad of experiences encountered in the courtroom over those three decades. I admire the way in which the bar and the courts adapted to the changes and challenges of 2020. All the best to you and your fellow members of the Boone County Bar as we delve into 2021. The inscription engraved into this exquisite crystal bowl certainly provided a unique and uplifting start to the new year for me. I appreciate it more than words can convey.

Jodie Asel

## Reminder to Pay 2021 Dues

BCBA annual membership dues for 2021 and now due. Please send \$50/lawyer dues to:

**Daniel Beckett**, Treasurer  
Boone County Bar Association  
705 E. Walnut  
Columbia, MO 65201

Make checks payable to "Boone County Bar Association." Members will be removed from the rolls if they have not paid dues by April 1, 2021. Dues are waived for members who have reached 75 years of age or for members who have been licensed for 50 years. Please provide the 2021 Boone County Bar Association Dues Payment/Waiver Form with your payment or exemption. This is especially important if you would like your areas of practice listed with your name in the Membership Directory. On the form, each attorney may list up to two areas of practice. The form can be found at <http://boonecountybar.org/dues/> or by [clicking here](#).

## Office of Legal Ethics Counsel Seeking Staff Counsel

The Office of Legal Ethics Counsel is seeking a full-time staff counsel to provide informal advisory opinions interpreting Supreme Court Rules 4, 5, and 6 in response to telephone and written ethics questions from attorneys pursuant to Rule 5.30(c), as well as other duties assigned. The Office of Legal Ethics Counsel is an Equal Opportunity Employer. This position requires one to be a Missouri lawyer in good standing with at least three years of experience. Additionally, the applicant must have excellent communication, writing, research skills, as well as sound judgement. A legal ethics background is preferred, but not required. To apply, submit a cover letter, resume, writing sample, salary requirements, and three professional references to:

Office of Legal Ethics Counsel  
3335 American Avenue  
Jefferson City, MO 65109  
573-635-8806 (Fax)

Applications received by March 15<sup>th</sup> may be given preference, but applications may be considered until the position is filled. The Office of Legal Ethics Counsel is an Equal Opportunity Employer.

## Office of Chief Disciplinary Counsel Seeking Staff Counsel

In order to protect the public, the Supreme Court of Missouri authorizes the Office of Chief Disciplinary Counsel to investigate and litigate complaints of attorney misconduct. To assist us in our mission, the OCDC is looking for a full-time attorney with three years' experience and proven writing, litigation and investigative skills. The position is located in Jefferson City. Limited in-state travel. Competitive salary and benefits. Send resume with salary history, three professional references and writing sample by March 5, 2021, to:

OCDC  
3327 American Avenue  
Jefferson City, MO 65109

The OCDC is an Equal Opportunity Employer.

## Around the bar . . . New Members

**Caleb Jones** practices at Jones and Associates LLC. His contact information is as follows: 2100 E. Broadway, Suite 203, Columbia, MO 65201, [calebmjones@gmail.com](mailto:calebmjones@gmail.com), 573-864-2225, 573-777-6777 (fax).

**John M. Roodhouse** practices at the Roodhouse Law Firm. His contact information is as follows: 108 E. Green Meadows, Suite 8, Columbia, MO 65203, [John@RoodhouseLawFirm.com](mailto:John@RoodhouseLawFirm.com), 573-449-4044, 573-443-4001 (fax). He practices criminal defense, family law, and civil defense.

**Robert Lynn Temple** has joined Jones & Ueligger LLC. His contact information is as follows: 2412 Forum Blvd., Suite 101, Columbia, MO 65203, [rob@jonesandueliggerlaw.com](mailto:rob@jonesandueliggerlaw.com), 573-874-1122, 573-340-1465 (fax). He practices in a variety of areas, including family law, estate planning, real estate law, tax law, probate, and trust law.



John Roodhouse



Robert Temple

## February 2021 Treasurer's Report

<b>Submitted by:</b>	Daniel G. Beckett	
<b>For Period Ending:</b>	2/28/2021	
<b>Account Balance as of 1/31/21</b>		
		<b>\$16,971.94</b>
<b>Receipts 1/31/21 to 2/28/21</b>		
Interest		\$0.79
Dues		\$3,750.00
Total Receipts		\$0.00
<b>Expenses 1/31/21 to 2/28/21</b>		
Total Expenses		\$0.00
<b>Ending Balance as of 2/28/21</b>		
		<b>\$20,722.73</b>

The Boone County Bar Association Newsletter is published monthly by the Boone County Bar Association, Inc. Send items for publication to the Web Administrator/Newsletter Editor, Lear Werts LLP, 103 Ripley Street, Columbia, MO 65201, telephone 573-875-1991, fax 573-279-0024, email [bcbanews@learwerts.com](mailto:bcbanews@learwerts.com). Annual dues are \$50 and may be sent to the Treasurer, **Dan Beckett**, BCBA, 705 E. Walnut, Columbia, MO 65201. 2021 BCBA officers are: President, **Gretchen Yancey**, Carson & Coil, P.C., 401 Locust St., Ste. 302, Columbia, MO 65201, phone 573-607-2200; Vice President, **Glen Ehrhardt**, Rogers | Ehrhardt, 302 Campusview Dr., Ste. 204, Columbia, MO 65201, phone 573-442-0131; Secretary, **Kirsten Dunham**, Mid-Missouri Legal Services, 117 N. Garth, Columbia, MO 65203, phone 573-442-0116; Treasurer, **Dan Beckett**, address above. Executive Committee members are the officers and **Randall Johnston**, **Curt Branson**, and **Jessica Caldera**. The BCBA website is at [www.bocomobar.org](http://www.bocomobar.org).