

# UNITED STATES COURTS FOR THE WESTERN DISTRICT OF MISSOURI



## Investiture Ceremony for Magistrate Judge Lajuana M. Counts

"You can achieve anything if only you believe" was the essence of every remark and musical selection made during the investiture ceremony of Magistrate Judge Lajuana M. Counts on October 19, 2018, in ceremonial courtroom 8C at the Charles Evans Whittaker Courthouse. Each speaker shared that Judge Counts lives her life treating others the way she would want to be treated and honoring those who paved the way for others to accomplish their dreams.

The courtroom was overflowing with family, friends, and colleagues who had provided Judge Counts with sage advice and support throughout her life and career. Each speaker, including attorneys John Kurtz, Jane Pansing Brown and Dana Tippin Cutler, as well as her brother, Dr. Edwin T. Batchelor, shared in their own unique ways their relationship with Judge Counts.

Judge Counts was sworn in by "her judge", mentor and role model, U.S. District Judge Fernando J. Gaitan, Jr., who she clerked for at the Missouri Court of Appeals. While surrounded by her mother, son, daughters, and granddaughters, Judge Counts was enrobed by her husband, Stanley Counts, Jr. Judge Counts said, "I am so grateful to be here today for this occasion

and with all of you. This journey would not have happened without the intervening presence of many of you. This – today – is what it looks like when you hold on to your dreams and goals."

"My promise to each of you is that I will be true to what I have tried to live my entire life, that is to treat everyone, every lawyer, every civil litigant, and every person charged with a crime that appears before me as a judge, with great respect, kindness, and fairness..."

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*Pictured Above: Magistrate Judge Lajuana M. Counts with Sha' Mya and Zamauria Jones (Left) and Granddaughters Nyla and Noelle (Right).*

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### Newsletter Contributors:

District Judge Stephen Bough,  
Magistrate Judge Lajuana Counts,  
Magistrate Judge Willie J. Epps, Jr.,  
Laura Bax, Diana Diaz, Robin Jones,  
Carrie James, Tania Lock, Mindy  
Smith, Erica Clinton, Jill Morris,  
KCMB, ABA, and Johnathon Bish



# Investiture Ceremony for Magistrate Judge Lajuana M. Counts (Contd.)

And that I will be an example to whoever needs a little encouragement that they can achieve anything when they believe."

"In preparing for this day, I found myself reflecting on the path I've taken to be here and the number of firsts that I have achieved. I am keenly aware of the historical significance that today holds and what my place in history means, and the responsibility that comes along with it."

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*Speakers Pictured From Top Down: John Kurtz, Jane Pansing Brown, Dana Tippin Cutler, and Dr. Edwin T. Batchelor; Below: The Hon. Fernando J. Gaitan, Jr.. From Bottom Left to Right: Judge Counts Enrobed by Husband Stanley Counts, Jr. and Mother Warlene Reed, after being Sworn in by Judge Gaitan.*





*You're Invited to Attend a Reception for*

**The Honorable Howard F. Sachs**  
**40TH ANNIVERSARY ON THE BENCH**

**Friday, October 4, 2019**

**2:00pm – 4:00pm**

*Program at 2:30pm*

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*Charles Evans Whittaker Courthouse*

*2nd Floor*

*400 E. 9th Street, Kansas City, MO 64106*

**[CLICK HERE TO RSVP](#)**



United States District Court for the Western District of Missouri  
Served the Sixteenth Judicial Circuit Court of Missouri from 1981 to 1984

to name a few

These cases brought some of the best lawyers in Kansas City and beyond into my courtroom. Some of them thought they might challenge my learned inexperience. However, they quickly realized that what I lacked in experience I made up with thorough preparation for each case, not only in understanding the facts of each case, but also researching the laws of each case. I came to this position with a philosophy that I would treat each case as though I was a litigant. In a trial judge, I looked forward to the challenges of courtroom.

As a trial judge, I looked forward to the dynamics of courtroom exchanges between the lawyers, the jury and the court. I especially liked the opportunity to interact with our citizens during voir dire and post-verdict discussions. It is important for them to appreciate the service they provide to their civil and criminal justice system and that their sacrifice is necessary and appreciated. Other than paying taxes and voting, service provides every eligible citizen direct participation in our democratic government. As a new trial judge, I could

...colleagues. They were generous  
in their time and shared their experiences  
about the simplest or most  
substantive or procedural matters  
with their undivided attention. I was also  
a great core chambers staff. One of  
them, William Shaver, continued to serve  
at the Missouri Court of Appeals

Western District to my current position as United States District Judge, nearly 39 years later. Last, but not least, is the collegiality among the bench and the bar. KCMBA in particular was an instrumental partner in my journey to become the best lawyer and later judge I could be. I spent many days attending, and later as participating judge in seminars on substantive and procedural matters over the years. It set the gold standard for my CLE experiences.



Carlton with his wife Sybil and his daughter

I have a letter shortly after his appointment

Hon. Brian C. Wimes  
for the Western District  
of Missouri

**Hon. Brian C. Wimes**  
United States District Court for the Western District of Missouri  
Served the Sixteenth Judicial Circuit Court of Missouri from 2007 to 2012

Influenced by my childhood, I entered law school over twenty-five years ago to champion the causes of those who had no voice or those who had a voice but weren't being heard. For me that meant a career in public service—in what capacity that was to take shape was unknown. I finally settled on a path that I believed would accomplish my goals. I would be involved on housing, my writing, and advocacy skills (mock trial and moot court), and then law school would lead me into politics. Upon graduation, would look to work for the president or a high-ranking state DC working for the governor.

After graduating from law school, I spent a short time in Washington, D.C., where I knew that if I were to work for the Justice Department, it would be in my hometown. (Politics are local.) I returned to Kansas City and worked for the Jackson County Prosecutor's Office, then under the leadership of Claire McCaskill. My six years there were some of the best years of my professional career. First, I had fantastic co-workers, many of whom are now leaders in the legal profession and in the community. It is from them that I learned how to win, up and try a case. From them I learned how to be an attorney and practice law the right way.

way. I observed the role of the  
and commitment to the rule of  
assistant prosecutor. I worked with community  
groups. This contact made me feel as though  
I had my finger on the pulse of the community.  
I was convinced that, with the eventual goal of

...I had made the right decision in  
...office

a political risk. I was working at the prosecution's side as an associate. As I progressed, I knew my niche there had run its course, so I started looking for opportunities in the political arena. Unfortunately, at the time (though fortunately in hindsight) to explore my options—One of those options was an opening on the 16th Circuit Court bench—for Drug Court Commissioners, I applied, and in the third round, the circuit judges selected me as the third judge for the Drug Court Commission for Jackson County in 2001. The circuit judges selected me, in fact, so I call it drug court intervention. Call it fate, or call it happenstance—from the first moment I walked on the bench, I have had friends who had the good sense to recommend me to the Drug Court Commissioners. I had the good sense to be appointed to defend and mentor the Circuit Court judges. Five years later, with the honorable respect and sponsorship of my first boss, the United States Attorney, James McCallister (now United States Senator), I was appointed to a federal bench by President Barack Obama as a federal judge presiding over the Western and Eastern Districts of Missouri.

I could not have asked for a better position to serve the public. As judges we are charged with knowledge that our rulings protect the rights and liberties guaranteed by the Constitution. We are obligated to ensure fairness and equal justice for all citizens. I am truly humbled and grateful to serve in this capacity.

Lastly, I can't express how fortunate I have been to be recognized with these other legal icons. I have portrait hanging—judges Taft, Brandeis, and Hand. I have been mentored by these great legal icons. ■

Handbook  
legal career ■

(Jan) How Wines hosting Take Your Daughter  
or: World Plan. ■ KT Courtyard

April 23, 2012  
**U.S. Senate Confirms Wimes  
as Federal Judge**

No Sign Lunch with Member Code

The U.S. Sentinels in London welcomed Jack Country-Circuit Judge Brian C. Wilson and his new federal judge.

"I don't want anyone saying, 'Look how he's treating judges this year,'" Kirby said. "We're looking at what we've done in terms of what we will achieve in the next year."

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## Feature

## Feature

### the KC Co

AUGUST

AUGUST

## Wimes and Gaitan Featured in the August Edition of the KC Counselor!





Check Out the Article by  
Magistrate Judge Willie J. Epps, Jr.  
in the  
ABA Judges' Journal:

**“How Judges can Adapt to Changing Media”**

[READ IT HERE!](#)



*“How many federal judges does it take to screw in a lightbulb? There are two answers. One answer is . . . just one. He holds up the lightbulb and the whole world revolves around him. But the second answer is more spot on. . . Change? Change? Who said anything about change?”<sup>1</sup>*

Visit the Court's New [Twitter Page](#) and Follow us **@WDMO\_DCBK**



Following 72  
Followers 1

[Follow](#)

**US District & Bankruptcy  
Court WDMO  
@WDMO\_DCBK**

Official source for news and information  
regarding the United States District and  
Bankruptcy Court for the Western District  
of Missouri.

📍 Kansas City, MO  
🌐 [mow.uscourts.gov](http://mow.uscourts.gov)  
📅 Joined August 2019





# The Mediator's Mind

## -What We Bring to the Process-

The Court's Mediation and Assessment Program (MAP), under the direction of Jill Morris, was honored to host Dr. Sukhsimranjit Singh for MAP's annual advanced mediation training on June 27, 2019.

Dr. Singh is managing director of the Straus Institute for Dispute Resolution and Assistant Professor of Law and Practice at Pepperdine University. He earned his LLM in Dispute Resolution from the University of Missouri-Columbia and clerked for the Chief Justice of India, Justice R.C. Lahoti.

Western District of Missouri judges and panel mediators engaged in interactive exercises and were enriched by Dr. Singh's lessons from his life experiences in India and ADR work in dozens and dozens of countries across four continents. Throughout the four-hour training, Dr. Singh focused on the mind of the mediator and how mediators can best identify, understand and work with cognitive and cross-cultural differences in resolving disputes.

Specifically, mediators learned the importance of empathy, flexibility, patience and the power of presence in the mediation process. Dr. Singh highlighted multifaceted elements of body language, dimensions of speech, monochronic and polychronic cultures, individualist and collectivist cultures and negotiation styles. Every mediation holds cross-cultural elements even if only in terms of contradiction of expectations and values. In examining how culture shapes time, bargaining style, communication, views, values and expectations, Dr. Singh also presented practice tips for each stage of mediation.

Dr. Singh's TEDx talks entitled **Negotiating for Love and Made in India** may be found [online](#).





# 12th Annual Koger Symposium & 19th Annual Bartlett Lectures Photo Highlights

## SAVE THE DATES

**Koger Symposium**  
June 5, 2020

**Bartlett Lectures**  
TBD—July, 2020







## Proposed Amendments Published for Public Comment

*When an advisory committee recommends an amendment to its rules or forms, it must obtain the approval of the Judicial Conference Committee on Rules of Practice and Procedure to publish the proposed amendment for public comment. During the comment period, the public is encouraged to submit written comments and may also request to testify at public hearings on the proposed amendment.*

On June 25, 2019, the Judicial Conference Committee on Rules of Practice and Procedure approved publication of proposed amendments to the following:

- Appellate Rules 3, 6, 42, and Forms 1 and 2;
- Bankruptcy Rules 2005, 3007, 7007.1, and 9036; and
- Civil Rule 7.1.

**The comment period is open from August 19, 2019 to February 19, 2020**

[Read the text of the proposed amendments and supporting materials.](#)

[Visit USCourts.GOV for More Details!](#)



# Bankruptcy Court News



**Comment Period for  
Local Rules  
Closes September 20, 2019**

[CLICK HERE TO ACCESS THE SURVEY](#)

**Electronic Self-Representation (eSR)  
for Chapter 7 Petitioners  
is now LIVE!**

[CLICK HERE FOR MORE INFO](#)

## Fall 2019—Bankruptcy Eat & Greets

Wednesday, October 16, 2019	U.S. Courthouse in Springfield	(Southern Division)
Monday, November 4, 2019	Whittaker Courthouse in Kansas City	(Western Division)
Thursday, November 7, 2019	Buchanan County Courthouse in St. Joseph	(St. Joseph Division)
Thursday, November 14, 2019	Bond Court House in Jefferson City	(Central Division)
Thursday, November 21	Cherry's Art Emporium in Carthage	(Southwestern Division)

**Please make reservations via [this link](#).**



# Naturalization Ceremony in Central Division



Magistrate Judge Willie J. Epps, Jr., presided over the naturalization ceremony on April 22, 2019, at the Missouri National Guard. Eighty individuals from forty-three different countries finalized the requirements for American citizenship as they were administered the Oath of Allegiance by Deputy Clerk, Tania Lock.

Representatives from the American Legion Auxiliary Unit 5 presented the flag and led the new citizens in the "Pledge of Allegiance". SSG Dustin Felan of the Missouri National Guard, vocalized a special rendition of "God Bless America" as well as the "National Anthem." Carrie Tergin, Mayor of Jefferson City, welcomed the new citizens as she reminisced about her own ancestors' journey to America.

The Rock Island Chapter of the Daughters of the American Revolution assisted with the program and provided small American flags to each new citizen as the ceremony came to a close. In addition, the American Legion Auxiliary Unit 5 handed out special pens and poppies.

Judge Epps jokingly challenged the new citizens to register to vote in exchange for a photo opportunity with him; forty-one registered to vote with the Cole County Clerk's Office!



# 8th Circuit Traveling Exhibit

## “Empire in the Grasslands”

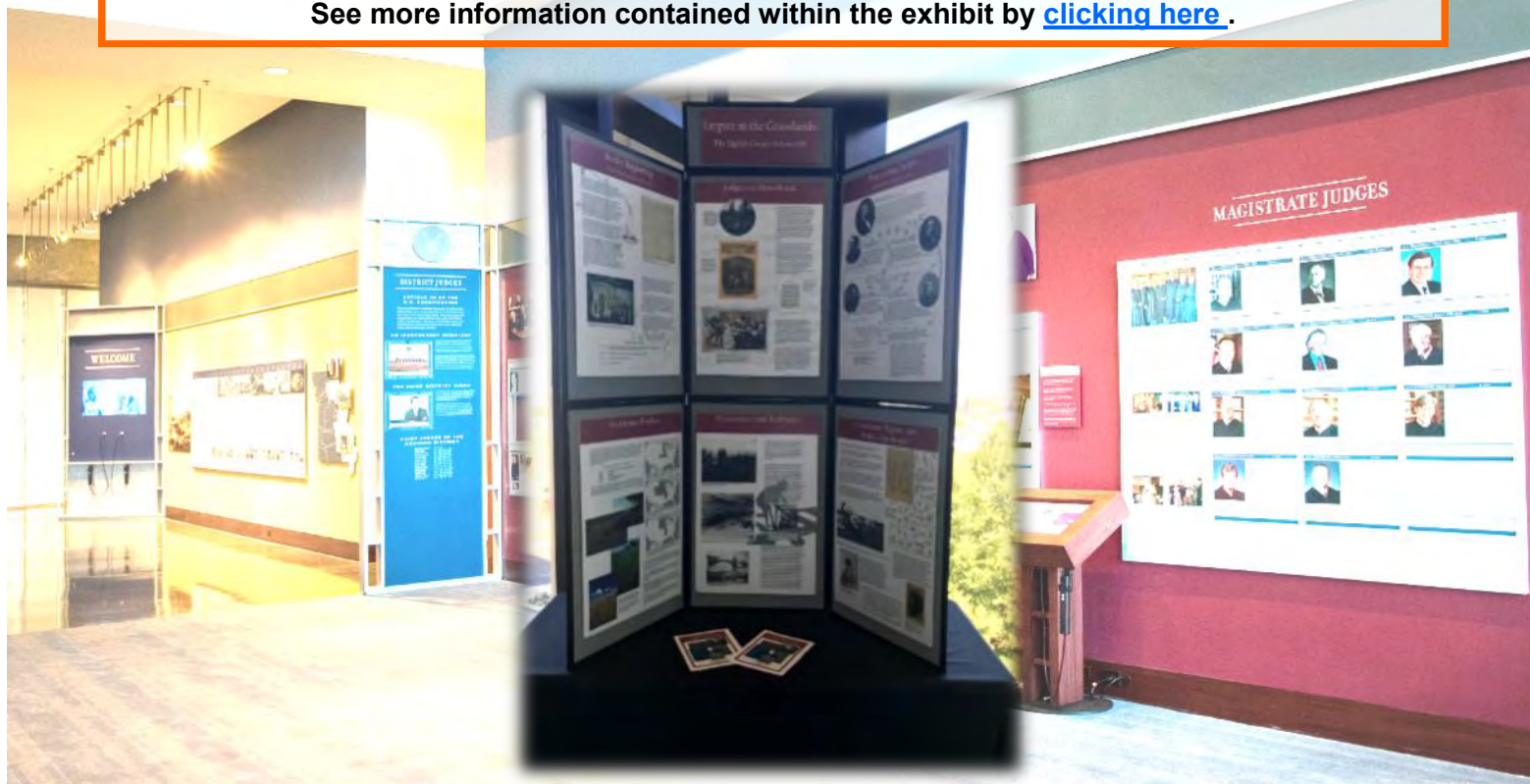
**Did you know that judges once traveled the 8th Circuit on horseback? Or that the patent case for the invention of barbed wire, crucial to the settlement of the West, was heard in this circuit?**

Visitors to the Bell Room Historical Gallery at the Whittaker Courthouse can learn how the 8th Circuit played an important role in the development of our nation by resolving disputes that ultimately expedited westward expansion.

This new display is temporarily on loan from the 8th Circuit Library for the rest of the summer so that the public can learn more about the fascinating history of the Judiciary. The display features six panels:

- **In the Beginning: The Federal Judiciary Before 1891**
- **Judges on Horseback**
- **Pioneering Judges: Riders of the Eighth Circuit**
- **An Empire Evolves**
- **Waterways and Railways**
- **Inventions, Rights, and Native Americans**

See more information contained within the exhibit by [clicking here](#).



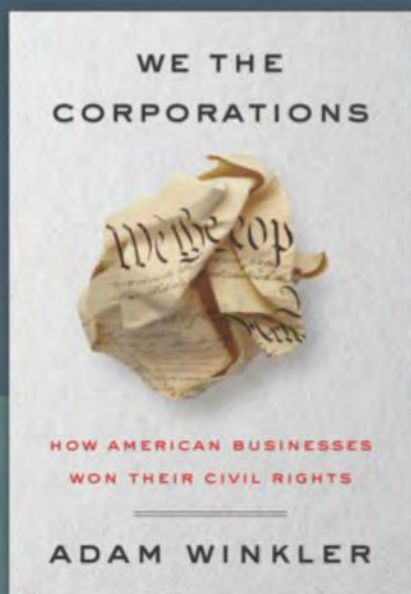


THE WESTERN DISTRICT OF MISSOURI HISTORICAL SOCIETY  
HOWARD SACHS CHAPTER PRESENTS



# ADAM WINKLER

UCLA law professor Adam Winkler will discuss his book *We the Corporations: How American Businesses Won Their Civil Rights*, which traces the historical origins of *Citizens United* and *Hobby Lobby* and explains how those decisions extending free speech and religious liberty to corporations were the capstone of a centuries-long struggle for corporate personhood.



**September 13, 2019**

**12:00 – 1:30 PM Lunch + Presentation**

1.0 HOUR MO CLE

**Charles Evans Whittaker Courthouse**

400 E 9th St. Kansas City, MO 64106

MO CLE Pending—No Simulcast to Divisionals

\$10 Lunch Donation Requested

Finalist for the 2018 National Book Award,  
the 2018 National Book Critics Circle Award,  
and the ABA's Silver Gavel Award.

[CLICK HERE TO RSVP](#)