

## MINUTES OF THE WDMO FEDERAL PRACTICE COMMITTEE

July 19, 2012 – 12:00 pm

Whittaker Courthouse, Kansas City, MO

Present in person were: Judge Brian Wimes, Ann Thompson, Jeff Ray, Joe Whistler, Lisa Nouri, Lynette Siegel, Willie Epps, Travis Poindexter, Doug Harpool, and Andy Hirth. Present via teleconference were Rodney Nicholas, Mike Oliver, and Larry Miller.

The meeting began at 12:00. Ms. Thompson shared that Chair Julia Kitsmiller had a medical emergency and would be unable to attend the meeting. Ms. Nouri chaired the meeting in her absence. Mr. Hirth agreed to take the minutes for the meeting.

### **Reception for Judge England**

The Committee discussed hosting a reception for Judge England who retires on November 30. Julia has been in touch with his chambers to discuss. Consensus was to host a reception/roast in October and to invite the entire bar. Rod suggested more people could attend on a Friday afternoon than during the week. October 12th was suggested and seconded as a tentative date subject to the Judge's schedule. There was a discussion whether to hold a FPC meeting in conjunction with the reception.

### **Judge Wimes**

New District Judge Brian C. Wimes attended the luncheon meeting and introduced himself to the committee. He noted that his judicial assistant is Denise Halasey, his law clerks are Matt Sparks and Maggie Boyd, his court room deputy is Joella Baldwin, and his court reporter is Cynthia Johnson.

Judge Wimes indicated that he would have standing orders and rules of court on the WDMO website and that he would do his best to honor the scheduling orders of cases he has inherited from other judges.

Mr. Epps asked Judge Wimes about his view of voir dire in federal court. The Judge said he would probably do most of it himself than in state court, but that he might give attorneys more latitude to ask their own questions than is typical. As for discovery disputes, Judge Wimes finds the standard one-page summary of positions and phone conference helpful per the WDMO Local Rules.

Judge Wimes indicated he likes hearing oral argument and having attorneys appear in court. He appreciates it when attorneys let him know what issues they want to discuss or focus on beforehand and that they need not recite the facts in most cases before beginning oral argument.

Judge Wimes further mentioned that he is technically serving in both the Eastern and Western Districts but he does not anticipate ever hearing cases in the Eastern District. He is taking a caseload in Springfield and may or may not have cases in the future in Jefferson City.

Mr. Gaddy asked Judge Wimes about the sentencing guidelines and his anticipated sentencing practices. Discussion ensued about sentencing in general and the recommendations from the Probation Office.

**Criminal Law CLE update:**

The Committee discussed ongoing preparations for a second criminal law CLE. November 8 was discussed as the target date. Although Judge Fenner has a conflict on 11/8, Judges Kays and Gaitan are available.

The Committee reviewed a tentative schedule as follows: Lunch could be held from 12:00-12:30, and the Judges could speak 12:-1:30, 1:30-2:30, 2:30-3:30. Ms. Thompson asked the committee to prepare marketing materials for the event. Mr. Gaddy proposed that we ask those who register for the CLE to submit questions for the judges. Ms. Nouri will prepare a draft of the schedule.

**Possible Ethics CLE**

Discussion ensued about hosting an ethics CLE sometime in January, but the issue was tabled until Ms. Kitsmiller's return.

**Criminal Defense Bar and Probation Office meeting**

Ms. Thompson confirmed that the meeting in Springfield with Judges Dorr and Gaitan and members of the Probation and Pretrial Services Office along with representatives from the criminal bar had occurred as scheduled. There was a desire by the parties to conduct such meetings more often and on an annual basis.

**Community Outreach**

Mr. Miller has been working on dates for presentations to the Rotary and Lions' Clubs. There was a discussion of presenting to specialty bars, perhaps inviting the Black, Asian, and Hispanic bar organizations to attend a session. Ms. Thompson indicated she would take the idea to Judge Gaitan and check to see if there would be interest with those groups.

**Approval of Minutes**

The minutes of the FPC meeting on March 29, 2012 were circulated for review and were approved as written.

**New Business:**

Ms. Thompson reminded FPC members to register for the 8<sup>th</sup> Circuit Judicial Conference and to attend the Friday breakfast.

The meeting was adjourned at 1:10 p.m.