

# Courthouse Connection

Volume 1, Issue 10, December 2009

Newsletter of the District Court for Western Missouri

## Featured Article



Judges (from left) Andrey Kireyev, Aleksandr Berestovoy, Irina Chernova, Yuriy Grigorenko and Lidya Torokhova stand before a mural in their hometown of Belgorod, Russia.

## Russian Judges Visit as Part of Open World Program

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The judges, from the city of Belgorod in western Russia, near the border with Ukraine, visited the Kansas City area for a week under the auspices of the Open World program conducted by the U.S. Library of Congress. The program is designed to build mutual understanding between the United States and Russia and their leaders, and to enable Russian judges to learn about the American justice system.

Bankruptcy Judge Jerry W. Venters was the host judge and coordinator for the trip. The Russian judges and an English-speaking facilitator were home-hosted by members of the Kansas City Plaza and Leawood Rotary Clubs. The District Court was the official host court.

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## Save the Date

- January 21 – Federal Practice Committee Meeting
- February 25 - Whitworth Investiture
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- March 31 - Attorney Annual Dues Deadline
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Judge Grigorenko

One of the highlights for the Russian judges was observing a murder trial in Judge Gary Fenner's court. The judges were able to observe a part of the jury selection process – jury trials are not generally held in most cases in Russia – and they returned the next day to watch the testimony of a key government witness. They noted that, in Russia, the lawyers are not allowed such wide-ranging cross examination.

While visiting the courthouse, Chief Deputy Marshal Tony Gasaway demonstrated the use of various physical restraints for prisoners, ranging from the old standby (handcuffs) to modern devices (taser guns). The Russian judges also got a tour of the Marshal's holding cells. Another highlight of the week was a three-hour tour of the federal penitentiary at Leavenworth, led by Warden Claude Chester and his executive staff. After the tour, some of the judges questioned whether the visit had been staged, as prisoners seemed to move freely about the prison complex from housing to classes to jobs.



Judge Torokhova

The judges were treated to more than one good Kansas City steak and several tastings of Kansas City's renowned barbecue. They visited the World War I Museum at Liberty Memorial, saw the artifacts from the Steamboat Arabia, toured the Harley-Davidson motorcycle plant, met with state court judges in Johnson County, and talked about the Russian legal system with students in an open forum at Avila University.

"This is just one small way we can build understanding and goodwill between Russia and the United States," Judge Venters said. "Hopefully, it moves us a step closer to peace in the world."

## New Deadlines & Time Calculation Rules Now In Effect

Recently, the Committee on Rules of Practice and Procedure of the Judicial Conference of the United States completed a major project to simplify the calculation of time periods for all federal rules. As a result and after Congressional approval, amended Appellate Rule 26, Bankruptcy Rule 9006, Civil Rule 6 and Criminal Rule 45 became effective December 1, 2009.

The U.S. District Court for the Western District of Missouri amended its Local Rules to conform to the new national standards. The changes simplify the method of deadline calculation, making it easier to remember and review. Most deadlines are now computed using 7-day multiples, i.e. 7, 14 and 21 days. All days are now counted, *including weekend days and holidays*.

Although the 7, 14 and 21 day deadlines are new, some things remain the same. As an example, due dates that fall on a holiday or a weekend day still move to the next business day, and the Federal Rules still allow 3 days for mailing. Deadlines of 30 days or longer do not follow the 7-day multiple formula.

While the Western District of Missouri's CM/ECF filing system has been updated to calculate the new deadlines, please remember that the deadlines set by CM/ECF are guidelines only. Attorneys are still responsible for computing the appropriate deadline and meeting deadlines in a timely fashion.

The national rules can be found at [www.uscourts.gov/rules](http://www.uscourts.gov/rules), and the amended Western District Local Rules may be reviewed at [http://www.mow.uscourts.gov/district/rules/dc\\_rules.pdf](http://www.mow.uscourts.gov/district/rules/dc_rules.pdf). If you have a question about the new rules and time computations, please feel free to contact an Operations Manager: in Kansas City contact Bill Terry at 816-512-5055; in Springfield contact Shannon Brogan at 417-865-3869 or in Jefferson City contact Glenda Richardson at 573-636-4015.

### Hot Off the Presses



#### U.S. Attorney Sworn In

Beth Phillips was sworn in by Chief Judge Fernando J. Gaitan, Jr. on December 31, 2009 as the United States Attorney for the Western District of Missouri following her appointment by President Obama and unanimous confirmation by the U.S. Senate.

As U.S. Attorney, Phillips is the top-ranking federal law enforcement official in the Western District of Missouri, which includes Kansas City, St. Joseph, Columbia, Jefferson City, and Springfield. She oversees a staff of 132 employees, including 66 attorneys and 66 non-attorney support personnel. The office is responsible for prosecuting federal crimes in the district, including crimes related to terrorism, public corruption, child exploitation, firearms, and narcotics. The office also defends the United States in civil cases and collects debts owed to the United States.

Phillips is the 32nd presidentially-appointed U.S. Attorney in the Western District of Missouri, and the first woman to be appointed to the office. "I am extremely honored to serve in this capacity," Phillips said. "The U.S. Attorney's Office in the Western District of Missouri has been in the forefront nationwide in prosecuting human trafficking, child exploitation, mortgage fraud and firearms crimes. I look forward to working with the professional attorneys and staff, as well as with our partner law enforcement agencies throughout the state."

Phillips is a native Missourian and fourth-generation graduate of the Milan, Missouri, school district. After earning a bachelor of arts degree and a master's degree from the University of Chicago, Phillips earned her juris doctor from the University of Missouri in 1996. She is married to Brent Powell, a native of Springfield. They reside in Kansas City, Mo.

## Central Division Bar Reception - Knox Takes on New Role

On November 5th, the Court hosted the Central Division bar reception at the Old Hawthorne Club in Columbia.

In addition to the good fellowship of federal practitioners from mid-Missouri, the reception offered a perfect opportunity to honor retiring U.S. Magistrate Judge William A. Knox. The Missouri Bar, the Boone County Bar, the Cole County Bar, the U.S. Attorney's Office and the Federal Public Defender's Office all presented Judge Knox with mementos in recognition of his service and their unilateral respect. Judge Knox also had a chance to thank his judicial assistant, Kay Bode, his law clerks, LuAnn Griffith and Heather Richenberger, and all those in the Clerk's office for their support during his time on the bench.

*"...I have had a wonderful career, made many friends and am proud to have been a part of the United States District Court for the Western District of Missouri."*

*-Judge Knox*

The Court would like to thank Pat Eng for his assistance in reserving such an outstanding facility and Attorney Admissions Clerk, Laura Bax, for organizing and hosting the reception.

After his official retirement on January 14, 2010, Judge Knox will continue to serve the Court on "recall" status and will be available to assist new Magistrate Judge Matt Whitworth and to preside in recusal situations. So, although Judge Knox will be no stranger to the courthouse, we asked him to share a few remarks as he transitions to a new role.

One of Judge Knox's favorite duties included presiding over naturalization ceremonies. Not many people know that Judge Knox was able to give the naturalization oath to Mother Teresa - not the Mother Teresa from Calcutta, but the Mother Teresa who works and lives in the convent in Jefferson City. During his tenure, Judge Knox also processed over 5000 prisoner civil rights cases involving everything from complaints about the number of compartments in food trays (some of the food runs together, prompting requests for five versus three compartment trays) to complaints about the rights of inmates who are HIV positive. He reviewed complaints about inmates being denied the right to practice their religion, the educational opportunities for female inmates and general overcrowding. Whether the issues were substantive matters affecting many or unique to a particular individual, there was never a dull moment as Judge Knox responded to the high volume of filings impartially and efficiently.



Judge Knox and Keith Birkes

When asked about serving as a U.S. Magistrate, Judge Knox wanted to share this message: "I think the Court (the judges and all the support staff in chambers and the clerk's office) does a difficult job and does it very well, never forgetting that we serve the public. I have had a wonderful career, made many friends and am proud to have been a part of the United States District Court for the Western District of Missouri.

I hope litigants (and maybe a few inmates) believe I was fair and impartial in what I did every day, but I suspect my most significant contribution to the law has been my work on the Eighth Circuit Model Jury Instructions. They are widely used in the Eighth Circuit and in other Circuits, and I am glad I could make what contributions I did. These past 24 years have been an educational, humbling, and rewarding experience, and I look forward to continuing to serve the court for many more years but on a more limited basis."

## First 2010 Event - Federal Court Advocates Section

The Federal Court Advocates Section is pleased to announce its first event of the 2010 year for its members. On February 25, 2010, the Federal Court Advocates Section will host a social hour from 4:30 - 5:30 p.m. at the Whittaker Courthouse in Kansas City, Missouri. This promises to be a great opportunity to get acquainted or reacquainted with fellow federal court practitioners, as well as with district and appellate judges who are our invited guests. If you are a member of the Section, please join us. If you are not yet a member, please contact Bob Thomas at (816) 474-4322 or [bthomas@kcmba.org](mailto:bthomas@kcmba.org) for membership details.

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### Judge Tacha Speaks On Feminist Jurisprudence

On October 21, 2009, the Court joined the Kansas Women Attorneys Association and the Kansas City Association of Women Lawyers in presenting "A History of Feminist Jurisprudence: Then and Now." The speaker was the Honorable Deanell Tacha of the United States Tenth Circuit Court of Appeals.

Judge Tacha began by describing the 1964 Civil Rights Act and how the word "gender" was inserted as a protected category in an effort to defeat the bill. When the bill was signed into law, the prohibition against discrimination on the basis of gender was treated much as an afterthought, and it took litigation over many years -- of which few cases ever appeared in the headlines of our country's newspapers -- before equal protections were truly extended to women. The Judge moved on to discuss a variety of other legislative and case law changes impacting women's rights, and she peppered her speech with anecdotes about challenges for women lawyers.



Judge Tacha related many personal experiences as a law student, a young associate and a judge which shaped her understanding of the need for these protections and her pride in the promotion of women in the work force and especially within the legal profession.

The Western District was proud to present Judge Tacha's program as part of its educational outreach efforts, and special thanks go out to Kathy Bussing of Husch Blackwell Sanders and Sherri Wattenbarger of the U.S. Trustee's Office for their leadership in organizing the event.



## District Court Highlights

### Early Assessment Program & Use of Adjusters

Kent Snapp, Administrator of the District's Early Assessment Program, reminds attorneys that independent adjusters are *not* to be used as representatives of a party or an insurance company in early assessment meetings. Please call Kent at 816-512-5080, if you have any questions.

Also, the current List of Potential Neutrals and information about becoming a neutral can be found on the Court's website at [www.mow.uscourts.gov](http://www.mow.uscourts.gov) under Early Assessment Program. If you are on the List of Potential Neutrals, please be sure your information is current. Contact Debbie Starks with changes at 816-512-5080 or [debbie\\_starks@mow.uscourts.gov](mailto:debbie_starks@mow.uscourts.gov).

And finally, the Early Assessment Program staff welcomes questions about its procedures and practices so participants may use the program to the fullest extent. Readers are welcome to submit questions to [debbie\\_starks@mow.uscourts.gov](mailto:debbie_starks@mow.uscourts.gov). Note that information regarding the Early Assessment Program pertains only to Western Division (Kansas City) and St. Joseph Division cases.

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### On-line Case Opening Tips

Last quarter the Court launched Online Case Opening for attorneys, and the experiment was a great success. Over 217 cases have been opened by attorneys since the enhancement was implemented on October 13, 2009, and the Court welcomes any feedback from the bar about the new feature.

For those who have not yet tried Online Case Opening, click [here](#) for a tutorial.

Please remember that it is important not to abort the case opening process once begun. Doing so often results in double charges to your credit card. The process also depends on the Court having current contact information for the attorney filing the case. If you have not had recent cases with WDMO, please confirm or update your information through the Utilities/Maintain Your Account area in District CM/ECF.

Another tip for success is remembering to search for your party before adding a new name to our database. When it is necessary to add a new party, please capitalize only the leading letter as opposed to the entire word.

Please contact the Court at 816-512-5000 with any suggestions to improve the new feature or if you encounter problems.

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### Audio/Visual Equipment in the Courtroom

Do you have a trial or evidentiary hearing in the near future? If so, do you plan on using your laptop or other audio/visual equipment? The Western District of Missouri wants your presentation to proceed smoothly and without delay or surprise. To that end, our IT staff is ready at your convenience to demonstrate use of the Evidence Presentation Carts or to work with to make sure your materials display properly.



To arrange for an appointment, simply contact the Courtroom Deputy monitoring your case. A member of the Court's IT staff will work with you and show you how to use the components needed for your presentation, and you may test how your video clips or how your documents display on screens in the courtroom. Even if you do not have an upcoming trial, you are welcome to make an appointment for a refresher course in the equipment available in the courtrooms.

Jurors and judges are consistent in their appreciation for lawyers who are prepared to use AV equipment without technical

difficulties. The Clerk's Office urges WDMO attorneys to visit in advance to ensure successful interaction between their equipment or documents and courtroom equipment.

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## Attorney Admissions Ceremonies

Does a new attorney in your firm need to get sworn in to the District? Ceremonies are held at the Kansas City, Missouri courthouse on a monthly basis. In order to attend a swearing-in ceremony, admission paperwork and the associated fee must be submitted to Laura Bax, Attorney Admissions, the month prior to the ceremony you wish to attend. A sponsor, who is an active member of the WDMO, is required to attend the ceremony with the petitioner. Admission paperwork may be obtained at the WDMO website located at <http://www.mow.uscourts.gov/admissions.html> . Please remember to submit a CM/ECF application as well.

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## Criminal Law Update

### Gaitan Testifies Before Sentencing Commission

On October 21, 2009, Chief Judge Fernando J. Gaitan, Jr. testified before the U.S. Sentencing Commission at a regional hearing in Denver, Colorado. The purpose of the public hearing was for the Commission to solicit information from invited witnesses regarding federal sentencing policy and to assess the satisfaction of the stakeholders.

At the hearing, Chief Judge Gaitan was asked, "what, if any, recommendations the Commission might make to Congress about the statutory changes regarding federal sentencing." He offered "statutory minimums prevent the Court from exercising its objective of fair sentencing. They do not allow for an objective consideration of the offense or the offender." As it stands now, Congress requires judges to conform to statutory minimums that "do not allow the court to exercise its discretion within the realm of either 18 U.S.C. § 3553 or the advisory guidelines." Chief Judge Gaitan hopes the Commission will impress upon Congress the need to eliminate the mandatory minimums and allow judges to sentence defendants on a case by case basis. "The mandatory, now advisory, guidelines allow judges to be judges in the truest sense of the word, not just fill-in-the blank judges." To read the entire transcript of Judge Gaitan's testimony, [click here](#).

The U.S. Sentencing Commission was created by the Sentencing Reform Act provisions of the Comprehensive Crime Control Act of 1984 and celebrates its 25th year in existence. It is a commission that Congress created and controls. To learn more, visit their website at [www.uscc.gov](http://www.uscc.gov).

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## Accessing Presentence Investigation Reports in CM/ECF

In January 2009, the U.S. Probation and Pretrial Services Office began electronically filing presentence investigation reports and subsequent addendums in criminal cases. These documents are sealed documents and are not available to the public. When presentence reports and/or addendums are filed in CM/ECF, an electronic notification is now sent to the attorneys of record (the Assistant U.S. Attorney and the attorney for the defendant who is the subject of the report) with a link to the document. This is the same type of link used in all electronic notices from CM/ECF with one important exception. Because these documents are sealed, the attorney receiving the notice must log in to CM/ECF to view the documents.

When the attorney clicks on the link to the document, a login screen will appear. The attorney must enter his or her CM/ECF login and not the PACER login. Entering the CM/ECF login will authenticate to the system that the attorney has permission to view the presentence investigation report and/or addendum. Once the attorney is able to view these documents, it is recommended that he or she either print or save a copy of the document. If this is not done, future review through CM/ECF will require the additional PACER login and the fee for viewing documents.

Contact Malia Brown, U.S. Probation and Pretrial Services Office, at 816-512-1301 or [malia\\_brown@mow.uscourts.gov](mailto:malia_brown@mow.uscourts.gov) if problems are encountered while trying to view one of these documents.

## Congress Raises CJA Attorney Rates

On December 16, 2009, Congress passed and President Obama signed the appropriations bill for the Judiciary's 2010 funding. Included in that legislation were funds to raise the non-capital hourly CJA panel attorney compensation rate from \$110 to \$125, and the maximum hourly capital rate from \$175 to \$178 (for federal capital prosecutions and capital post-conviction proceedings). The new rates apply to work performed on or after January 1, 2010. [Click here for more details.](#)

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## CJA TIPS---*Vouchers and Worksheets*

Hate filling out timesheets? Most attorneys do, but for CJA attorneys, using the proper paperwork is critical when reporting time. Most cases will require the use of CJA 20 worksheets. CJA 30 worksheets should **only** be used when reporting time expended for death penalty cases. Timely processing and payment of attorney vouchers depends on use of the correct forms, and CJA Administrator Teresa Harrison urges CJA counsel to train staff members in this area and to contact her with any questions or concerns before submittal.

She notes that the category headings on the CJA worksheets correspond with the category headings on the CJA vouchers. When her office is contacted about how the worksheet categories and vouchers categories do not match, callers are often using incorrect worksheets. Put simply, if you are completing a CJA 20 voucher, use CJA 20 worksheets. If you are completing a CJA 30 voucher, use CJA 30 worksheets.

Blank worksheets can be found in the CJA handbook on the Court's website by clicking [here](#).

For CJA questions or if you would like to receive fillable Excel format worksheets, contact Teresa at (816) 512-5066 or [teresa\\_harrison@mow.uscourts.gov](mailto:teresa_harrison@mow.uscourts.gov)

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## The Second Chance Fund

By virtue of the *Second Chance Act* which was passed by Congress on April 9, 2008, the U.S. Probation and Pretrial Services Office for WDMO has funding for new resources to provide services to more of its clients under supervision. The purpose of the Act was to reduce recidivism, rebuild ties between offenders and their families, protect the public and to assist offenders in establishing self-sustaining lives. Funding from the Act is now producing programs to achieve these goals.

"The Second Chance Fund allows us to now spend money for emergency and transitional services for all offenders under our supervision," said Chi King, Senior Probation Officer and Second Chance Fund Coordinator. King states that in the past, this type of monetary assistance was only available to offenders with mental health and/or drug dependency issues.

Many offenders have no way to get to their programs or to their places of employment. With this new fund, the Probation and Pretrial Office can now provide such things as bus passes, emergency housing, vocational services, educational services and cognitive behavior treatment. While funding is always limited, King notes that guidelines and procedures are being developed to make the most of the funding that is available. The Second Chance Act and monies allocated under it will enable the local Probation and Pretrial Office to provide more tools for success to a larger number of clients. For more information about the Second Chance Fund, contact Chi King at [chi\\_king@mow.uscourts.gov](mailto:chi_king@mow.uscourts.gov).

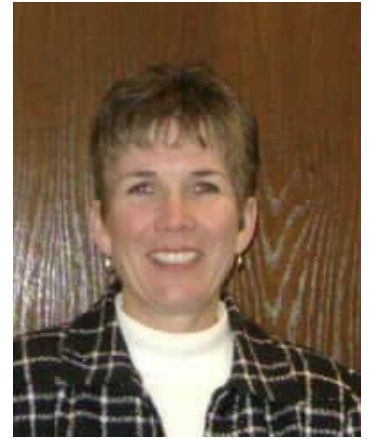
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## Kathy Prater Promoted

The Western District of Missouri congratulates Kathy Prater on her recent promotion to Assistant Deputy Chief Probation Officer in the U.S. Probation and Pretrial Office.

Kathy began her federal career in 1991 as an officer in U.S. Pretrial Services for the Western District of Missouri in Springfield. In 2001, she was promoted to Officer in Charge of Pretrial Services in Springfield. In 2002, she also began supervising Pretrial Services in the Central Division in Jefferson City. The offices of U.S. Probation and U.S. Pretrial Services consolidated in January 2009, and Kathy began supervising the entire Central Division office in May 2009.



She was appointed to her current position of Assistant Deputy Chief U.S. Probation Officer in August 2009. With her promotion, she now oversees Pretrial Services in all three divisions of the Western District of Missouri as well as continuing her prior duties. Prior to her federal employment, Kathy was a state probation and parole officer in Springfield for six years and a juvenile officer for five years in Columbia, Missouri. She received her undergraduate degree from Central Missouri State University (now University of Central Missouri) in 1980.

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## Bankruptcy Court Highlights

### Bankruptcy Litigation Pro Bono Program Enters the New Year

The Pro Bono Program for Bankruptcy Litigation officially kicked off on Monday, October 19, 2009. This new program provides volunteer attorneys to pro se debtors or debtors with limited means who become involved in an adversary case. The program is only available in the Kansas City division of the Western District of Missouri to eligible debtors. Attorneys who are aware of debtors who may be eligible for this type of representation should feel free to refer them to the Pro Bono Program. "Notices have been sent out to potential applicants, but no referrals have been made via the project yet," reports Latricia Scott Adams, Director of the Volunteer Attorney Project. Organizers hope that increased awareness of the program will ultimately lead to connecting eligible debtors with volunteer attorneys who want to try cases.

If any attorneys would like to volunteer, please contact Latricia Scott Adams at 816-421-8020 or [lscott@lawmo.org](mailto:lscott@lawmo.org). For other details on the program, visit the Court's website through the link Pro Bono Program.

Remember also, pro bono forms are available at: <http://www.mow.uscourts.gov/forms.html#bankruptcy>

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## Rule/Form Changes REMINDER

Among the many form changes that went into effect on December 1, 2009, the most notable is the requirement for a Cover Sheet for all Reaffirmation Agreements (Form B27). The form can be found on the bankruptcy forms page as a fillable .pdf document at: [Cover Sheet](#)

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## Bankruptcy CM/ECF Tips

Having trouble finding the correct event to choose when filing a document? Use the "Search" option on the blue menu bar in CM/ECF. Once you choose "Search" you will see a box where you can enter key word(s) for the document you are filing. If you are unsure of which event to choose, please contact the Clerk's office at 816-512-1800.

Also, please remember to review the document you are filing to ensure it is the document you intend to upload and file.

## Open Doors of Justice

### *He Started Texting and Didn't Slow Down*

*Counsel for Plaintiff: What happened then?*

*Young: Well, Riley was cruising along when his cell phone rang. He looked at it and must have seen a text message because he said something like, "Taylor is driving me crazy." He then started texting and didn't slow down or anything, and it was raining and at night, which was definitely not cool. It made me edgy. He later tossed the phone into my lap or dropped it right before the car crashed.*

*Counsel for Plaintiff: Tell us what you remember about the accident.*

*Young: It's kind of a fuzzy blur, but I remember we skidded, then slammed into a light pole in the Parkway median. The paramedics had to pry me out of the car.*



No, this isn't a portion of a transcript from the courtroom, but the fact pattern is topical. And it was played out this November in the courtrooms of the Western District in conjunction with the annual Open Doors of Justice program, a nationwide educational outreach activity.



The courthouses in Kansas City and Springfield host area high school students who wish to learn more about the federal court. What better way for them to learn about what goes on in a courtroom than to jump right in and participate in a mock trial.

U.S. District Judge Richard Dorr in Springfield and U.S. Magistrate Judge Robert Larsen in Kansas City lead their groups into action. Students were selected to fulfill roles of those who serve justice: a federal judge, a federal prosecutor, a federal public defender, a court clerk, etc.... In addition, the students also played the roles of plaintiff, defendant, witnesses and jurors.

"The students love coming to the courthouse. They learn so much and enjoy the interaction with the employees who work there," commented Shanna Hicks, teacher, Olathe East High School.

The event in the Springfield office also included unique participants, such as Cindy the bomb-sniffing canine from the Fire Marshall's office, Greg Enyart of the Secret Service, Donald Higerson from ATF and Kelly Palmer of the U.S. Marshal's Office.

Students and court staff alike enjoyed the opportunity to share during the event and to remind each other about the risks of texting and driving.



## Clerk's Corner

The Western District has had much to celebrate this past fall. In October, Judge Scott O. Wright celebrated thirty years on the federal bench. Not to be outdone by his colleague, Judge Howard F.



Sachs also celebrated his thirtieth year on the bench, and both Judges joined friends and family at the Rockhill Country Club to commemorate the occasion. Three generations of the Sachs family were on hand for the festivities, and Judge Wright received a reminder that he'd been a Missouri Tiger even longer than he'd been a federal judge. In November, the Court marked another milestone as Bankruptcy Judge Arthur Federman hit his twenty year anniversary. Surrounded by his family and court colleagues, Judge Federman reminisced and enjoyed good food and story telling about his time on the bankruptcy bench.



Judge Andrew Jackson Higgins, formerly of the Missouri Supreme Court and Judge Howard F. Sachs

In his book tracing the history of the District, Professor Larry Larsen noted that "individuals may come in contact with the federal court system only once in a lifetime, and their complete perception of the

federal judiciary will therefore likely be based on a single contact with a single district judge." To know that on any given day, a citizen may have this most critical contact with Judge Wright, Judge Sachs or Judge Federman is to know that the perception of the federal judiciary is in good hands.

Yes, the Western District has much to celebrate with the long and ongoing service of these judges as well as the outstanding AUSAs, federal public defenders and private practitioners that appear before the Court. May the holiday season remind us all to appreciate and preserve the professionalism and courteous practice exemplified in this District and less pervasive in other courts across the country.



Ann Thompson  
Court Executive & Clerk of the Court  
Western District of Missouri  
Direct: 816-512-5015  
ann\_thompson@mow.uscourts.gov



L to R -- Former Courtroom Deputy, Carolyn Morrison; Former Law Clerk, The Honorable Joel F. May, 16th Circuit Court, Jackson County, Missouri; Judge Scott O. Wright.



Judge Arthur B. Federman and Judicial Assistant Joan Brown

# Operation Breakthrough

## *The Agency*

Operation Breakthrough is a unique nonprofit agency that provides an array of vital social services to inner-city children and their parents in Kansas City, Missouri. In the early 1970's, two nuns, Sister Berta Sailer and Sister Corita Bussanmas, who operated St. Vincent's Grade School, chose to help a distraught mother, who, at the time, was on the brink of losing custody of her children. Sisters Sailer and Bussanmas assisted this mother by taking her children into their home.



As a result of the compassion, vision, and tireless efforts of Sisters Berta and Corita, and due also to substantial community support, Operation Breakthrough has expanded into a 64,000-square-foot child development center that serves more than 600 children daily. Operation Breakthrough is a United Way agency, and most of the families it serves live below the federal poverty line. Some of these families are homeless, and are in various transitional living situations. Some of the services provided by Operation Breakthrough are early childhood education, family assistance, medical and dental care and adult counseling for parents.

## *Western District of Missouri's Involvement*

Over the past decade, Western District of Missouri court employees have developed a special relationship with Operation Breakthrough. Our court family has established an annual tradition of contributing Christmas gifts to needy families connected with Operation Breakthrough through Adopt-a-Family. For the past six years, our court family has also collected school supplies for children served by Operation Breakthrough.

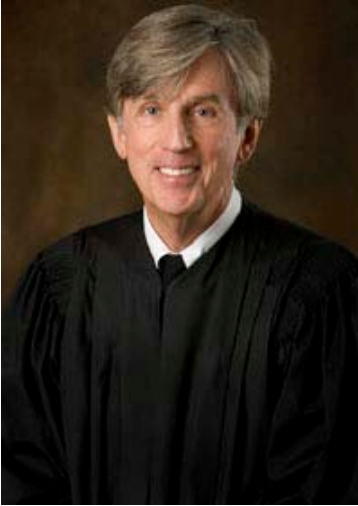
In the past year, the Probation and Pretrial Office has further expanded the court family's relationship with Operation Breakthrough by referring a high volume of offenders there to complete their assigned community service work hours. Offenders who are assigned to the agency for community service work normally complete general maintenance and cleaning duties. Such community service work serves two important purposes. First, it saves the agency the cost of having to pay staff or recruit other volunteers. Second, but of equal importance, when offenders perform community service work at a children-focused agency, it provides offenders an opportunity to give back to the community in a meaningful way, which benefits their reintegration into society.

During the past year, offenders assigned to Operation Breakthrough have performed several hundreds of hours of community service. Periodically, offenders and probation officers work together on special projects at Operation Breakthrough. Recently, Senior Probation Officer/Community Service Specialist Sebastian Bonner partnered with offenders and assisted in the painting of classrooms at Operation Breakthrough. During the summer of 2009, Senior Probation Officers Chi King and Bonner assisted Operation Breakthrough in a special food distribution project targeted for inner-city children and their families.

According to Debbie Skaggs, Volunteer Coordinator for Operation Breakthrough, having offenders perform community service at her facility has been of tremendous benefit. She emphasized, "Operation Breakthrough is required by licensing and certification requirements to provide a clean, safe environment for children. With a building our size, keeping everything clean is quite the challenge. Without the offender program I am forced to recruit volunteers to help in this area."

As we experience another holiday season and celebrate, among other things, the spirit of giving, it is a great time to reflect on how our court family has embodied that spirit with a special organization in the community, both during the holiday season, and throughout the year.

## Larsen Becomes Chief Magistrate Judge in 2010



On January 1, 2010, United States Magistrate Judge Robert Larsen will become the Chief United States Magistrate Judge for the Western District of Missouri as Judge Jim England's term in that role expires. Judge Larsen first took the bench in 1991 and was previously an Assistant United States Attorney. Among other things, the duties of the Chief Magistrate Judge include scheduling criminal cases that are set on the criminal trial docket. Judge Larsen looks forward to the challenge of the Chief Magistrate Judge position. If you have any questions for the "new Chief," you may contact Carol Marullo in Judge Larsen's chambers at 816-512-5760 or [carol\\_marullo@mow.uscourts.gov](mailto:carol_marullo@mow.uscourts.gov).

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### "MOJO" Supports Juror Education State-wide

The Missouri Jury Organization recently celebrated its first anniversary. Through several events in 2009, the Missouri Jury Organization or "MOJO" fulfilled its mission to support juror education and enhanced juror management practices.

One such event occurred in April when MOJO helped to promote Jury Appreciation Week throughout the state of Missouri. The Missouri Bar provided posters and brochures to all court jury offices – federal and state – and the fledgling organization worked to coordinate distribution of materials and ideas about how to honor jury service. In addition, the Missouri Jury Organization received a proclamation from Missouri Governor Jay Nixon recognizing Jury Appreciation Week.

The Missouri Jury Organization is open to all interested in the jury process (state or federal) as well as: court personnel, attorneys and paralegals. If you are interested in joining please contact, Kelsee Pierce, Jury Administrator, 816-512-5012 or [kelsee\\_pierce@mow.uscourts.gov](mailto:kelsee_pierce@mow.uscourts.gov).

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### Law Clerk Society Update

The Western District of Missouri Federal Law Clerk Society met on Wednesday, November 18, 2009. Judges Beam, Melloy, and Gruender of the United States Court of Appeals for the Eighth Circuit spoke to the group and answered questions. This meeting was well attended by current and former law clerks from the Eighth Circuit and the District Court.

Members should watch for an e-mail in January announcing meeting dates and plans for 2010. If you are a former law clerk and you are not currently receiving e-mails from the Federal Law Clerk Society, please contact Christine Blegen at (816) 512-5710 or [christine\\_blegen@mow.uscourts.gov](mailto:christine_blegen@mow.uscourts.gov).

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## Historical Society Update

The fall meeting of the Historical Society for Western District of Missouri was held at the new National Archives facility, 400 West Pershing Road, on September 18. Lori Cox-Paul, Education Specialist for the Archives, gave a presentation which introduced the members to the incredible resources available at the Archives, including the original files of famous court cases. The members toured the exhibit galleries, currently featuring the history of the Kansas Nebraska Act of 1854 and archival photos and documents connected with big events in local history. Original court files were on display in the research room, including: U.S. v. Pendergast (tax fraud conviction), U.S v. Hall and Heady (Greenlease kidnapping) and Weeks v. U.S. (origin of the federal exclusionary rule).

The Society plans to announce its winter meeting details in the near future, and new members are always welcome. For details, contact Elaine Koch at [EDKoch@BryanCave.com](mailto:EDKoch@BryanCave.com).

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