

Courthouse Connection

Newsletter of the U.S. Courts, Western Missouri

Volume 3, Issue 2

June 2011

Featured Article

Annual Attorney Education Events



Dean Erwin Chemerinsky at the Bartlett Lectures



Judges Venters, Federman and
Chief Bankruptcy Judge Dow at the Koger Symposium

Eleventh Annual D. Brook Bartlett Lectures

This year's attendees enjoyed Supreme Court case analysis not only from Erwin Chemerinsky, dean of the University of California, Irvine School of Law, but also from Ken Starr, president of Baylor University and former federal judge and solicitor general. Hosted annually by the Western District in honor of the late D. Brook Bartlett, the event was held at the Midland Theater, which accommodated more than 500 attorneys drawn by the speakers and the traditional barbecue lunch.

Full Story Page 2

Inside This Edition...

Annual Attorney Education Events

- 11th Annual D. Brook Bartlett Lectures
- 4th Annual Frank W. Koger Symposium

Jefferson City Courthouse Opens in August

U.S. Marshal Retires

2011-2012 Inn of Court Program

Criminal Law Update: Pretrial Orientation Offered

Federal Law Clerk Society Update

FCAS Summer Social

District Court Highlights

- Online CM/ECF Training Available
- Electronic Filing Transitions to PDF/A
- CM/ECF Tips to "File" By

Bankruptcy Court Highlights

- Roser Excellence in Bankruptcy Award
- General Order Amending Local Rule 1017-1
- Case Filing Totals
- CM/ECF Upgrade Coming Soon
- Date Changes for Jefferson City July Docket
- 31st Annual Midwestern Bankruptcy Institute & Consumer Forum

At the Circuit Level

- 8th Circuit Sits in KC
- Senior Judge Gibson Retires

Court News and Notes

- New Divisional Manager in Jefferson City
- Attorney Admissions Clerk Change
- Announcing Judges' Pages
- Jefferson City Hosts Naturalization Ceremony
- 38th Annual Bench-Bar Review
- Take Your Child to Work Day

Save the Date

July 28—Pretrial Orientation

August—Inn of Court 2011-2012 Program Year Registration

August 1—Roser Bankruptcy Award Nominations Due

August 22—New Jefferson City Courthouse Opens

September 1—Inn of Court Program Begins

September 8—Jeff City Bar Reception at New Courthouse

October 5—Bench & Bar Dialogue

October 21—2nd Annual CJA Seminar at Jefferson City Courthouse

November 14-18—8th Circuit Sits in Kansas City

Archives

[March 2011](#)

[December 2010](#)

[September 2010](#)

[June 2010](#)

[March 2010](#)

[December 2009](#)

[September 2009](#)

[June 2009](#)

[March 2009](#)

[All archived volumes](#)

Annual Attorney Education Events

Eleventh Annual D. Brook Bartlett Lectures

This year's Bartlett Lecture attendees enjoyed Supreme Court case analysis not only from Erwin Chemerinsky, dean of the University of California, Irvine School of Law, but also from Ken Starr, president of Baylor University and former federal judge and solicitor general. Hosted annually by the Western District in honor of the late D. Brook Bartlett, the event was held at the Midland Theater, which accommodated more than 500 attorneys drawn by the speakers and the traditional barbecue lunch.

Dean Chemerinsky began with some continuing trends and historic firsts. He reiterated that the Supreme Court's caseload each term continues to hover in the low 70s, compared to an average of 200 cases being decided each term throughout most of the 20th century. He noted that Justice Anthony Kennedy remains in the majority on the highest percentage of 5-4 decisions. And due to the ages of the justices, President Barack Obama will be unlikely to change the ideological makeup of the court in this or a potential second term. Chemerinsky also highlighted three historic milestones—for the first time, the Supreme Court included three women, no Protestants and four justices hailing from academia.

Ken Starr echoed the concerns about the diminishing Supreme Court docket, and he observed a trend by the court to allow conflicts among the circuits to percolate or fester much longer. He also emphasized the Supreme Court's "remarkable willingness to defer to administrative agencies" in recent cases.



U.S. Chief District Judge Fernando J. Gaitan
and Judge Kenneth Starr



Richard Fink, Sherri Wattenbarger and Dean Chemerinsky

The speakers reviewed freedom of speech cases, including *Snyder v. Phelps*, involving the Westboro Baptist Church in Topeka. The church stipulated to commission of the tort of intentional infliction of emotional distress in relation to their behavior and the parent of a service member attending his child's funeral. However, Chemerinsky reminded the audience of the abundant case law prohibiting the government from punishing speech simply because it is deeply offensive. The Supreme Court was ultimately unwilling to carve out a small, categorical exception to First Amendment doctrine despite the heart-wrenching facts. While Chemerinsky remains unconvinced that the Roberts court is pro-free speech, Starr argued that the current court has a robust regard for First Amendment protections, with student and government employee speech as the exceptions.

Both speakers identified the recent class-action cases *AT&T Mobility v. Concepcion* and *Wal-Mart Stores, Inc. v. Duke* as two of the most important decisions of the term, agreeing that those decisions raised the bar for "commonality" and substantially restricted class-action cases. Chemerinsky drew the biggest laugh of the morning when explaining the AT&T case, which involved a typical consumer cellphone contract containing an arbitration clause. The Supreme Court ultimately found a class ban embedded in the arbitration clause to be enforceable. Chemerinsky then described his own encounter with such contracts of adhesion when purchasing a new Dell computer. The new computer required him to "click" his agreement to a standard contract that contained an arbitration clause. Unwilling to click it, he sent Dell a letter declining to agree to their arbitration clause and declaring that by opening his letter, they were agreeing that he could sue them.

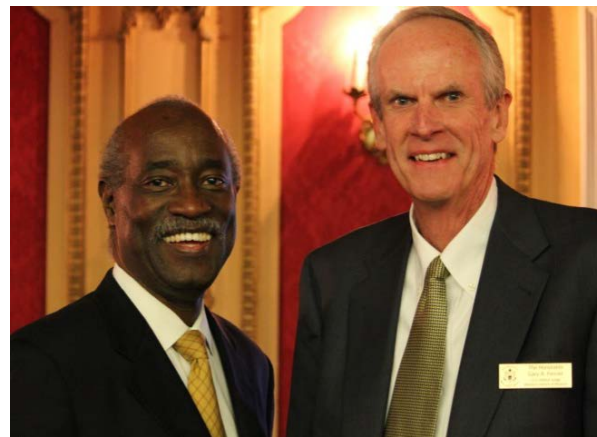
Overall, the presenters offered real-time insight on Supreme Court decisions and trends as well as proof that differences can be debated



collegially and with humor. Their Supreme Court case summaries may be found at http://www.mow.uscourts.gov/outreach/dbb/dbb_s_ct_sum.pdf.

Following the Supreme Court review, Burnele V. Powell, professor at University of South Carolina School of Law and former dean at UMKC Law, spoke about the ethics of "Protecting Lawyer Confidences in the Internet Age." Professor Powell described the ease of inadvertently disclosing metadata when sharing electronic documents. He traced the evolution of ethical obligations from the release of unintended hard copies to the current dilemma of releasing electronic documents that can be probed for hidden data.

The court was delighted to present these three distinguished speakers and wishes to thank the members of the bar for their continued support of programming that honors the memory of Judge Bartlett.



Professor Burnele Powell and
U.S. District Judge Gary A. Fenner

Fourth Annual Frank W. Koger Bankruptcy Symposium



Judges Venters, Federman and
Chief Bankruptcy Judge Dow

Each year, the Western District of Missouri bankruptcy judges search for speakers to both educate and entertain at the Koger Symposium, and this year's presenters definitely fit the bill. Professor Laurie L. Levenson of Loyola Law School and Bankruptcy Judge Eugene R. Wedoff of the Northern District of Illinois spoke to a capacity crowd at the fourth annual symposium on May 13.

Professor Levenson described "The 10 Trickiest Ethical Issues of Our Time," and she presented ethics dilemmas ranging from whether you should "friend" a judge on Facebook to your obligation if a law partner has a substance-abuse problem. Hailing from Los Angeles, the professor provided good advice for lawyers on giving expert commentary to the press. Because of a lack of ethics code direction in this area, Levenson suggested that lawyers consider the following before commentating: (1) Are you competent and knowledgeable to speak

about the particular case? (2) Do you have any conflicts of interest, such as your own ongoing disagreements with the judge on the case? And (3) Why are you doing this? Are your motives for sharing your expertise pure? Levenson cautioned potential commentators against making predictions or using the opportunity as their own personal soapbox.

Levenson also addressed advertising issues where lawyers must distinguish between responding to a potential client that has reached out to them versus an improper solicitation. She reminded the audience of how tweeting, texting and emailing must be evaluated under the same ethics rules we use when sending out hard copy materials. For Missouri lawyers, she advised strict compliance with Rules of Professional Conduct 4-7.2 and 4-7.3. As the ethics rules are slow to catch up with the Internet and social networking, one of Levenson's overriding themes was for lawyers to exercise good judgment even if an action is not expressly prohibited—just because we can do something doesn't make it the best choice, she offered.

Following the ethics discussion, Judge Gene Wedoff spoke on means testing in the aftermath of the Supreme Court rulings in *Lanning* and *Ransom*. Judge Wedoff gave a comprehensive review of the means test as a presumption of abuse under Chapter 7, including exemptions, calculating current monthly income (CMI) and deductions. He highlighted the problem of non-filing spouse income under the definition of CMI, and the statutory language that allows a deduction for health insurance even if the debtor is uninsured and incurs no actual expense. In exploring the "many mysteries of BAPCPA," Judge Wedoff also discussed the disconnect between the IRS standards and actual living expenses.



John Trader and Kathy Sullivan attend the symposium.

As chair of the Advisory Committee on Bankruptcy Rules, Judge Wedoff provided attendees with drafts of the new means test forms proposed by his committee in light of the *Lanning* decision. Final versions of the forms would not be expected to go into effect until December 2012, but practitioners in the Western District can now preview the recommendations.

To conclude the symposium, the guest speakers joined Judges Dow, Federman and Venters as well as Assistant U.S. Trustee Dan Casamatta and attorney Dana Estes of the Chapter 13 Trustee's Office for a panel discussion. Casamatta shared what his office looks for to ensure that CMI and taxes are stated correctly, and Estes reminded practitioners that her office still needs tax returns to be filed timely. The judges reviewed the 8th Circuit's "totality of the circumstances" test for hardship discharges on student loans and discussed persuasive fact patterns. Practitioners quizzed the panelists on other topics until the smell of the barbecue in the adjacent room signaled that it was time for lunch.

For those unable to attend, symposium video casts as well as an informal transcript of the Q&A session can be found on the court's website or via the following link: http://www.mow.uscourts.gov/outreach/koger/2011_program_materials.html.

Jefferson City Courthouse Opens in August

After a frustratingly wet fall and spring, site work and landscaping are in full swing at the new Jefferson City courthouse. Accolade elms surround a big burr oak and the circle walk in front of the building, and the visitor's parking lot off of State Street is currently being installed. Inside, the woodwork in the courtrooms is almost complete, and the installation of the courtroom technology wiring is under way.

With 117,000 square feet of space, the new courthouse is scheduled to be completed on July 17, 2011. Furniture will begin arriving the same week, and the Clerk's Office will embark on preparation for the move. Please be patient during the week of August 15 as the transition to the new building commences. If you need to reach Clerk's Office staff, please continue to call the main line at (573) 636-4015, and if you need to physically travel to the Clerk's Office, please use the 131 West High Street address. The new courthouse address is 80 Lafayette Street, Jefferson City, Mo. 65101.



The new courthouse will be open for business beginning August 22, 2011, and that very day, U.S. District Judge Nanette Laughrey will begin the first trial to be held in the new building.

A bar reception will be held in the new building on September 8, 2011. Detailed information regarding this event will be mailed out to attorneys in August. If you wish to schedule a tour of the new building, please wait until mid-September. A dedication ceremony, sponsored by the U.S. General Services Administration, will be held later in the year. We look forward to sharing the new building with our customers.

U.S. Marshal Retires

It's not often a retirement celebration is held honoring a law enforcement official who has protected every president from Ford to Bush. This was, in fact, the case in May, when U.S. Marshal C. Mauri Sheer was recognized for his service.

In 1987, during his Secret Service career, Sheer transferred from Washington, D.C., to the Kansas City area to serve as the assistant special agent in charge of the four-state, five-office regional division.

After being appointed as the U.S. Marshal for the Western District of Missouri by President George W. Bush in August 2001, Sheer was confirmed by the Senate on May 3, 2002. He left the Secret Service and started his new role as the U.S. Marshal on May 6, 2002.



C. Mauri Sheer and his wife attend his retirement celebration.

With his collective 28 years in federal law enforcement prior to his U.S. Marshal appointment, the move from one federal law enforcement agency to another made for an easy transition.

Sheer shared his vision for the U.S. Marshals Service: "Even though we're under the Department of Justice, the U.S. Marshal is to serve all entities of the court equally to make sure that the justice process goes as smoothly as possible. That includes carrying out the orders of the courts, bringing the defendants into the courts, and ensuring it's done orderly and safely. And serving the defense bar by vetting out any problems they have with the defendants in a custodial situation."



Judge Fenner presents a gift to the marshal.

In the Western District of Missouri, an average of 600 defendants are in custody and awaiting trial, hearing or sentencing—defendants being held prior to acquittal or prior to being sent to the Bureau of Prisons.

Sheer is looking forward to developing a consulting business in corporate protection, offering services to help prevent threats and workplace violence, providing high-profile brand protection, and teaching security to neutralize these situations before they happen.

On behalf of the court en banc, Judge Gary A. Fenner presented a gift to the marshal thanking him for his years of service to the Western District of Missouri.

2011-2012 Inn of Court Program

The U.S. District Court for the Western District of Missouri has long partnered with the Kansas City Metropolitan Bar Association in its efforts to develop the trial skills of young attorneys through the Ross T. Roberts Inn of Court Program. The Ross T. Roberts Inn of Court Program exposes young attorneys to CLE luncheons geared toward the practical skills needed to become a successful litigator, and it offers opportunities for one-on-one instruction and critique from state and federal judges as well as experienced attorneys in the legal community. There are three components to the Ross T. Roberts Inn of Court Program: (1) a CLE luncheon series; (2) preparatory sessions led by Chief U.S. Magistrate Judge Robert E. Larsen, in which young attorneys enrolled in the program are instructed on a specific aspect of trial; and (3) performance sessions, where young attorneys practice the aspect of trial on which they have been instructed. During the performance sessions, the young attorneys receive feedback on their respective performances from judges and experienced litigators. They are also provided the opportunity to assess their own delivery based on a video recording of their performance. Individuals interested in participating in the 2011-2012 Ross T. Roberts Inn of Court Program should contact the Kansas City Metropolitan Bar Association at (816) 474-4322.

Criminal Law Update: Pretrial Orientation Offered

"Alone we can do so little; together we can do so much." -- Helen Keller

Date: July 28, 2011, 3 – 5 p.m.
Location: Charles Evans Whittaker Courthouse, 4th floor

Collaboration does make a difference, and a dedicated team is doing just that with the Pretrial Orientation Program. This program is a joint effort led by probation officers in the Districts of Western Missouri and Kansas, and the Bureau of Prisons. The goal of the program is to provide information to help defendants and their family members reduce the fear, stress and anxiety associated with the criminal justice process and BOP. Defendants typically have a lot of questions about the pretrial process and issues related to a prison sentence. By bringing them together for one presentation and providing written material, it helps the Probation and Pretrial Services Office be more efficient and allows for the sharing of more information from a variety of sources.

The program is only for those defendants who have been convicted and are either pending sentencing or voluntary surrender. It is our hope that the presentation and written material will ultimately allow defendants to receive the maximum benefit from their incarceration, and will lead to their successful reintegration into the community following their sentences.

The first session was held in April 2010, and subsequent classes are being held quarterly, with the site alternating between federal courthouses in Kansas City, Mo., and Kansas City, Kan. Individuals from other divisional courthouses in both districts are able to participate through video-conferencing technology. The program addresses a variety of topics that includes: the sentencing process, self-surrender, the Bureau of Prisons and family issues. The agenda includes presentations by a U.S. Probation and Pretrial Services Officer, staff members from the BOP, and an ex-offender talking about his/her experience in BOP custody and on supervised release.

A Pretrial Orientation Program handbook is given to each participant and is available on the District of Kansas Probation website and also on the court's public Internet site. In addition to the handbook, depending on what state the defendant lives in, participants are also provided Kansas Social and Rehabilitation Services or Missouri Department of Family Services information that may assist defendants and family members with personal and family issues while they are incarcerated.

Feedback and reviews have been extremely positive. Defendants and their family members have benefited in tangible ways through their participation. Agencies and team members are thankful for the opportunity to collaborate on this worthwhile program. Together, we are doing so much.

For more information about the program, contact Sr. USPO Melissa Goldsmith at (913) 735-2422 or ADCUSPO Trey Burton at (785) 338-5611.

Federal Law Clerk Society Update

The Federal Law Clerk Society held its spring luncheon on June 3. Approximately 75 members plus several of our distinguished judges gathered to dine on delicious Oklahoma Joe's barbecue and hear our featured speaker, Dan Crabtree. Dan is a partner at Stinson Morrison Hecker, who also serves as general counsel for the Kansas City Royals. He entertained and educated us with his reflections on baseball, strikes and the Mitchell Commission, which investigated the use of performance-enhancing drugs. The FLCS committee will announce its fall event in the coming weeks. Watch for details.

FCAS Summer Social Held

Along with the court, the Federal Courts Advocates Section of the Kansas City Metropolitan Bar Association hosted the Federal Practitioners Summer Social the evening before the D. Brook Bartlett Lectures. The event was at the headquarters of the KCMBA and provided the attendees an opportunity to visit with their fellow practitioners as well as judges from the Western District of Missouri. The food was delicious and the weather was perfect.



District Court Highlights

Online CM/ECF Training Available

It's after hours and you need help filing a document. What do you do? We recognize that users need assistance beyond the regular hours of the Clerk's Office, so to better serve all users, online CM/ECF training will be available on Monday, July 18, 2011 at http://www.mow.uscourts.gov/district/using_cmecf/ecf_training_videos.html.



The online modules are designed for attorneys and staff interested in learning how to use the CM/ECF system. Using simulated CM/ECF screens and actions, the modules demonstrate tasks such as filing documents, adding a new filer to a case and maintaining your account, to name a few. The modules can be viewed individually as a quick reference on how to do a specific task, or a user could view all of the modules, which would cover the same topics demonstrated during the in-person training given at the courthouse.

In-person training is still offered once a month in Kansas City. If you would like to sign up for a session, please contact the court at (816) 512-5000. If you have suggestions for additional training modules, please contact Shelly McDowell at (816) 512-5063.

Electronic Filing Transitions to PDF/A



Since its inception, CM/ECF has required that electronic documents be filed in portable document format (PDF). Now, a move to the new more-controlled PDF/A standard is necessary to enhance CM/ECF security and to improve the archiving and preservation of case-related documents.

PDF format serves as an excellent replacement for paper and offers reliable renderings of court documents for all CM/ECF users despite their many different computer configurations. CM/ECF systems now contain nearly 500 million PDF files. However, over time, new features that raise security concerns have been added to PDF. A few examples are: the ability for a filer to monitor if and when the document is read (CM/ECF had to block that feature), and the ability for a filer to incorporate active software programs in the document. Those security concerns, and concerns about ensuring that our electronic documents could be archived and retrieved for decades (even centuries) to come, led the judiciary to join with other government agencies, corporations and technologists around the world to develop a new international electronic document standard that addresses those concerns. That new standard, adopted by the International Organization for Standardization in 2005, is PDF/A.

The implementation of the PDF/A standard has been delayed until major software vendors provided for the creation of this format in conjunction with standard word processing packages. Ninety software vendors now do so.

While CM/ECF currently accepts PDF/A documents, in the near future, the court will require all documents to be filed in PDF/A. We strongly encourage you to begin preparations for the transition to PDF/A.

Additional information regarding PDF/A format can be found in the [December 2010 edition](#) of the Courthouse Connection newsletter.

CM/ECF Tips to “File” By:

1. Documents that require leave of court should not be filed until leave of court is granted. (For example, a motion to exceed page limitation must be filed and ruled by the court before the actual document is filed.)
2. Make sure you use the appropriate “sealed” event when docketing a document that is to be sealed. Please remember: Filing parties are to serve all counsel, as the document will not be viewable.
3. Do not attach proposed orders to documents. All proposed orders are to be emailed to the judge’s courtroom deputy.
4. If you file a document in error, please call the court before refiling. The Clerk’s Office must account for any errors.
5. Remember to view a document before clicking the final submit button.
6. It is the attorney’s responsibility to redact any information that should not be seen by the public (i.e., dates of birth, home addresses, names of minor children).
7. Make sure you know which judges want a paper courtesy copy and which do not. You can find this information on our website at www.mow.uscourts.gov/district/whowantpaper.pdf.
8. Transcripts are now made available electronically. Make sure you are aware of the deadlines for items in the transcript that need redacted.
9. Courtroom technology is available for use in the courtroom. Please call the judge’s courtroom deputy 36 hours in advance of your hearing to receive information on using the equipment.
10. The CM/ECF Help Line is available to answer any questions: 1-800-466-9302.

Bankruptcy Highlights

Roser Excellence in Bankruptcy Award

The Missouri Bar's Commercial Law Committee, to honor the memory of Michael R. Roser, has established an annual award to be presented at the annual meeting of the Missouri Bar. The Michael R. Roser Excellence in Bankruptcy Award will be presented to an individual who manifests the highest standard of excellence in bankruptcy practice, who has contributed distinctively to the development and appreciation of bankruptcy law, and/or who has made an outstanding contribution in the field of bankruptcy administration or practice.

A special subcommittee has been formed to accept nominations. If you desire to nominate an individual, send information no later than **August 1, 2011**:

by e-mail to:

kathy_surratt-states@moeb.uscourts.gov

or by mail to:

Michael R. Roser Excellence in Bankruptcy Award
c/o Honorable Kathy A. Surratt-States
111 S. Tenth Street
7th Floor North
St. Louis, MO 63102

In your nomination of a candidate, please address specifically his/her activities in the areas of bankruptcy practice, other law practice, bar activities, as well as any other factors or characteristics that you believe the committee should consider in selecting the recipient of the award.

General Order Amending Local Rule 1017-1

The Western District of Missouri Bankruptcy Court adopted a General Order amending Local Rule 1017-1 related to reinstatement and reopening of dismissed cases. The order was entered on June 8, 2011 and is effective for ALL Motions to Vacate an Order of Dismissal and to Reinstate or Reopen a Case filed on or after July 1, 2011. The amendment requires that the debtor(s) seeking reinstatement or reopening after dismissal must waive their right to object on the grounds of timeliness to complaints, motions and proofs of claim filed pursuant to Fed. R. Bankr. P. 4004(a), 4004(c), 1017(e) and 3002(c) if the filing deadline expired on or after the date the case was dismissed or if less than 30 days remains until such deadline. In addition, two new local forms that incorporate this waiver language have been created and are posted for use.

The General Order amending the Local Rule can be found at:

http://www.mow.uscourts.gov/bankruptcy/rules/2011_lr_1017.pdf (all inclusive)

http://www.mow.uscourts.gov/bankruptcy/rules/2011_lr_1017_redline.pdf (redline format)

The two new local forms that are to be used when filing a **Motion to Vacate Dismissal and Reinstate Case** or a **Motion to Vacate Dismissal and Reopen Case** can be found at: <http://www.mow.uscourts.gov/forms.html#bankruptcy>

If you have any questions, please contact Roberta Kostrow at roberta_kostrow@mow.uscourts.gov or via phone at (816) 512-1818.

Case Filing Totals

March 2011: 1558
April 2011: 1242
May 2011: 1201

CM/ECF Upgrade Coming Soon

The Bankruptcy CM/ECF system is scheduled for an upgrade this summer.
Watch for updates at

http://www.mow.uscourts.gov/bankruptcy/cm/v41_features.html.

Date Changes for Jefferson City July Docket

The Hearing date for July 2011 for the Jefferson City division has been moved to Tuesday, July 19.



UMKC and the American Bankruptcy Institute once again team up for a day-long program featuring 12 bankruptcy judges from the region joining top national and regional speakers on current developments. A mix of panels and debates makes for lively treatment of the latest issues. The luncheon program features Prof. William Black of the UMKC School of Law and Economics speaking on the fallout from the mortgage foreclosure scandal. The program format permits you to customize your experience by attending a business-oriented or consumer-oriented track. The Muehlebach Tower at 1213 Wyandotte is the regal setting for this year's program, offering unparalleled comfort, convenience and atmosphere.

Consumer attorneys will enjoy discounted registration rates when registering for the Midwest Consumer Forum—a conference within a conference—with coursework dedicated to today's consumer practice.

31st Annual Midwest Bankruptcy Institute & Midwest Consumer Forum

[View the Agenda](#) | [Register](#)

Kansas City Marriott Downtown, Muehlebach Tower

For more information, contact the UMKC CLE Office at (816) 235-1648.

At the Circuit Level

8th Circuit Sits in KC

The 8th U.S. Circuit Court of Appeals held oral arguments in Kansas City from May 10-13. Panels included Chief Judge Riley (Nebraska), Circuit Judges Smith (Arkansas), Melloy (Iowa) and Benton (Missouri), as well as District Judge Gritzner (Iowa) and Senior District Judge Strom (Nebraska). Arguments were heard on approximately 20 cases, covering a wide variety of civil and criminal issues. One was the headline-grabbing case, tried before Judge Laughrey, involving the sex trafficking of a minor; another involved a civil rights claim against Kona Grill and the Plaza, tried before Chief Judge Gaitan; a RICO case tried before Judge Kays; and the Interstate Bakeries Corp. bankruptcy and a settlement involving insurance policies, tried before Judge Sachs. Eighth Circuit panels will return to Kansas City for arguments November 14-18, 2011; February 13-17, 2012; and March 12-16, 2012.



Judges Lavenski R. Smith, William J. Riley and Lyle E. Strom

Senior Judge Gibson Retires



A ceremony and reception celebrating the retirement of 8th U.S. Circuit Senior Judge John R. Gibson were held on May 10, 2011, on the 10th floor of the Whittaker Courthouse. Chief Judge William J. Riley presided over the ceremony, which featured a resolution presented by Judge Michael M. Melloy, as well as tributes, stories and memories from Judge Duane Benton and retired District Judge Stephen N. Limbaugh Sr., a longtime friend and former classmate at the University of Missouri School of Law. Chief Judge Riley introduced the many judges in attendance as well as Judge Gibson's family: daughter Jeanne Gibson Sullivan; her husband, Bill; their sons Connor and Luke; son Robert; stepdaughter Holly Mills; her husband Will and son Sam; and stepdaughter Catherine Larrison. Many of Judge Gibson's former law clerks, friends and other courthouse staff helped to celebrate the occasion.

Judge Gibson served in the U.S. Army before attending MU. He practiced law in Kansas City for 30 years and served on a variety of associations, commissions and organizations. Judge Gibson was nominated in 1981 as a U.S. District Court judge for the Western District of Missouri. He was elevated to the 8th U.S. Circuit Court of Appeals just six months later, where he served until his retirement this past January. His many interests include photography, bicycling and travel. His wisdom, wit and energy will be missed as he relocates to the Boston area to be closer to his daughter and grandsons.



Judges Duane Benton, Michael J. Melloy, John R. Gibson, Chief Judge William J. Riley, Judges Morris S. Arnold and Judge Lavenski R. Smith



Judge Gibson and his family.

Court News & Notes

New Divisional Manager in Jefferson City



Laura Bax, Jefferson City divisional manager

Laura Bax was promoted to the position of divisional manager in Jefferson City on April 25, 2011. Laura began working for the court as a deputy clerk in May 1995. Laura earned a Bachelor of Arts degree in English and political science (1995) and a Master of Public Administration degree (2002), both from the University of Missouri, Columbia. Laura completed the 2.5-year Federal Court Leadership Program in 2008. More recently she completed the Vanguard Leadership Program through the public school system in Jefferson City. Laura is very involved in the Parent Teacher Organization (PTO) as a member of the citywide PTO and also at each of her sons' schools. Laura has been married to her husband, Jason, for 17 years. The couple has two sons, Casey (13) and Cole (11). She is originally from the Poplar Bluff area, where she frequently visits her parents. Her outside interests include photography and scrapbooking. She also has a cabin on the Osage River and enjoys floating on the river with her family. Congratulations to Laura on her promotion!

Attorney Admissions Clerk Change



With the recent promotion of Laura Bax to divisional manager, Jeri Russel has assumed additional duties as the attorney admission's clerk for the Western District of Missouri. Jeri began working for the court in June 1988, splitting her time between being a pro se secretary to Magistrate William Knox and a deputy clerk in the Clerk's Office. A few years later, she moved full time to the Central Division Clerk's Office. Jeri has one son, Kody (19), and she is eagerly awaiting an "empty nest." She is originally from St. Martins, Mo., and has lived in the Jefferson City area her entire life. Feel free to contact Jeri if you have any WDMO bar issues at jeri_russel@mow.uscourts.gov or at (573) 556-7563. Congratulations to Jeri on her new duties!

Jeri Russel, attorney admissions clerk

Announcing Judges' Pages

One of the new features offered by the court's updated website is the addition of judges' pages. Judges biographies and requirements are provided for all District, Magistrate and Bankruptcy Court judges. Additional details include:

- Contact information for judges' staff
- Opinions
- Scheduling & trial orders
- Jury instructions
- Audio-visual equipment

These changes are made consistent with attorney feedback solicited by the court to make improvements to navigation and content on our website. The updated site also includes improved search capability and one-click navigation to frequently accessed items. Visit the new judges' pages at <http://www.mow.uscourts.gov/judges.html>.

UNITED STATES COURTS
WESTERN DISTRICT OF MISSOURI

Bankruptcy | District | Probation & Pretrial | Education | Jurors | Naturalization | Locations



U.S. District Judge Nanette K. Laughrey

Contact Information | Opinions | Scheduling & Trial Orders | Jury Instructions | Audio-Visual Equipment

Biography

Born 1946 in Cheyenne, WY

Federal Judicial Service:
Judge, U. S. District Court, Western District of Missouri
Nominated by William J. Clinton on October 20, 1995, to a seat vacated by Joseph E. Stevens, Jr.; Confirmed by the Senate on July 24, 1996, and received commission on August 1, 1996.

Judge, U. S. District Court, Eastern District of Missouri
Nominated by William J. Clinton on October 20, 1995, to a seat vacated by Joseph E. Stevens, Jr.; Confirmed by the Senate on July 24, 1996, and received commission on August 1, 1996.

Education:
University of California, Los Angeles, B.A., 1967
University of Missouri-Columbia School of Law, J.D., 1975

Professional Career:
Assistant state attorney general, Missouri, 1975-1979
Municipal judge, City of Columbia, Missouri, 1979-1983
Private practice, Columbia, Missouri, 1980-1983
Faculty, University of Missouri-Columbia Law School, 1983-1996



District Judge
Nanette K. Laughrey

Jefferson City Hosts Naturalization Ceremony

Forty-one individuals from 22 different countries finalized the requirements for American citizenship as they were administered the Oath of Allegiance in Jefferson City on May 6, 2011. Magistrate William Knox presided over the patriotic ceremony, which included the presentation of the flag by Boy Scout Troop No. 11 from Jefferson City. The scouts also led the new citizens in the Pledge of Allegiance. This was followed by

Forty-one individuals from 22 different countries were naturalized.



"The Star-Spangled Banner" and a special rendition of "God Bless America," which was performed by the Show-Me Showboaters Chorus. Carrie James, from the Jefferson City divisional office, administered the oath. The Eldon, Mo., Howard County and Columbian Chapters of the Daughters of the American Revolution assisted with the program and reception, and provided small American flags and other patriotic items to each individual. A reception for the new citizens and their families was sponsored by the Boone County Bar Association following the ceremony.

Presentation of the U.S. Flag by Boy Scout Troop No. 11.



38th Annual Bench-Bar Review

"Real Lawyers. Real Stories. Amazing Results."



The Kansas City Metropolitan Bar Association (KCMBA) hosted the 38th Annual Bench-Bar & Boardroom Conference (BBBC), May 19 - 21, 2011, at The Lodge of Four Seasons at the Lake of the Ozarks.

The 2011 BBBC included a plenary session covering "Resolving Injustice: Real Stories of Legal Heroism." Moderator Judy Heeter (vice chair, Board of Directors, MIP) spoke of stories of crime and punishment that fill our TVs, theaters and bookshelves. The presentation featured stories of wrongful conviction, focusing on what happened, why it happened and who it happened to. Conference attendees were allowed a rare look into real stories of crime and punishment ripped from the headlines. Exonerees, their counsel and members of the Midwestern Innocence Project (MIP) staff spoke about their arrests, trials, convictions, incarceration and exoneration, and shared their fascinating and moving stories of

lawyers heroically fighting to protect the rights of the innocent and wrongfully convicted.

A video, featuring KCMBA officers, highlighted the good work and amazing results of its members, while providing a humorous take on newsroom drama.

There were also separate conference tracks for litigators, young lawyers, corporate and business practitioners, and family law practitioners.

Judy Heeter, vice chair, Board of Directors, MIP



Take Your Child to Work Day



Judge Whipple presided over the Gold E. Locks trial during this year's Take Your Child to Work Day. Court employees like "Papa Bear" Bill Terry demonstrated their acting skills.

About Courthouse Connection

Court Executive

Ann Thompson

Managing Editor

Lori Carr—District Operations, Western Division

Communications/Project Manager

Tammie Holmes—Administration

Editor

Greg Melvin—District Operations, Western Division

Web and Print Design

Caretta King—Administration

Contributors

Kim Elrod—KCMBA Services Coordinator

Liza Healey—8th Circuit Court of Appeals

WDMO Staff Contributors

Laura Bax—District Operations, Central Division

Stephanie Brown—Finance

Beth Graham—Bankruptcy

Diana Diaz—Administration

Teresa Harrison—Finance

Robin Jones—District Operations, Western Division

Kelly McIlvain—Article III Chambers Representative

Dorothy Myers—Magistrate Chambers Representative

Michele Nelson—Human Resources

Kelsee Pierce—Jury Administration

Kathy Popejoy—Human Resources

Deborah Showalter-Johnson—8th Circuit Library

Debbie Starks—Early Assessment Program

Bill Terry—District Court Operations Manager

Katie Wirt—Court Reporter

*Courthouse Connection is published by the
U.S. Courts, Western District of Missouri • Kansas City, Missouri • 816-512-5000*