

Save the Date

February 5, 2015

FCAS Winter Social
Manny's Restaurant
5:00pm

March 25, 2015

FCAS Bench Bar Dialogue
Kansas City, 2nd Floor Conf. Rooms
12:00pm

April 14, 2015

FPC CLE and Reception in Springfield
The Tower Club
3:00pm

May 21, 2015

Bankruptcy Bar Spring Social
5:30pm
Location TBD

May 22, 2015

2015 Koger Symposium
Kansas City, Jury Assembly Room
9:00am

June 25, 2015

Summer Social
KCMBA Headquarters
5:00pm

June 26, 2015

2015 Bartlett Lectures
Kansas City, Jury Assembly Room
Morning and Afternoon Sessions

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Courthouse Connection

*Newsletter for the United States Courts
for the Western District of Missouri*

Volume 6, Issue 1

February 2015

Judge Bough Sworn In



Judge Wright swears in his former law clerk Stephen Bough with wife Andrea Bough.

Stephen R. Bough became the newest district judge for the Western District of Missouri on December 29, 2014, after confirmation by the U.S. Senate. The approval of Judge Bough's nomination represented the last vote of the 113th Congress. Only the 35th person to be appointed as a district judge in the Court's history, Judge Bough fills the position created when Judge Fernando J. Gaitan Jr. took senior status.

Bough grew up in Republic, Missouri, and attended Southwest Missouri State University, where he met his wife Andrea. He attended law school at the University of Missouri – Kansas City and served as editor-in-chief of the Law Review.

Bough shared his thoughts on starting his new lifetime appointment: "I am

humbled to be able to serve as a district judge in the same court where I was a law clerk. To make it even better, I was sworn in by Judge Wright. I am looking forward to renewing old friendships and making new ones."

Judge Bough's chambers are on the 7th floor of the Whittaker Courthouse, and contact information is available on the Court's website. During his first month on the job, Judge Bough attended national training for new federal judges and began organizing his chambers, along with law clerks Joselyn Verschelden and Amber Sholes, and judicial assistant Gloria Amos. Beginning in February, Judge Bough will be taking cases in Springfield and Jefferson City as well as Kansas City.

Judge Bough's formal investiture ceremony will be held on April 1, 2015, at the UMKC School of Law.

Bartlett Lectures Preview

As is tradition, the Western District will hold the Bartlett Lectures on the last Friday in June – the 26th of June to be exact. As is also tradition, Dean Erwin Chemerinsky will review Supreme Court rulings from the prior term. This year, however, he will be joined by fellow Harvard alum Miguel A. Estrada, who has argued 22 cases before the high court. In tag team fashion, Dean Chemerinsky and Mr. Estrada will summarize and provide insight on the recent holdings and what they mean for the future.

Chemerinsky continues as dean and distinguished professor of law at the University of California, Irvine School of Law. Estrada is currently a partner in the Washington, D.C., office of Gibson, Dunn & Crutcher, handling a broad range of matters before the Supreme Court.

Mindful of the annual CLE deadline, the Court has also invited Dan Small, a partner at Holland & Knight's Boston office, to speak on the ethics of witness preparation, for depositions in particular. Mr. Small's practice includes government and internal investigations, white-collar criminal law and complex civil litigation.

On the Thursday evening before the Bartlett Lectures, the Court and the Federal Court Advocates will co-host the annual Summer Social at KCMBA headquarters.



*Erwin
Chemerinsky*



*Miguel
Estrada*



*Dan
Small*

Save the Date

D. Brook Bartlett Lectures

Friday, June 26, 2015

Whittaker Courthouse, Jury Assembly Room

Frank W. Koger Bankruptcy Symposium

Friday, May 22, 2015

Whittaker Courthouse, Jury Assembly Room

New Attorney Orientation

The Federal Practice Committee partnered with the Court in November to host a New Attorney Orientation for lawyers new to federal practice. The program was designed specifically for lawyers with three or fewer years of experience, and it focused on navigating federal court procedures and identifying court resources to contact for assistance.

Led by Alex Francis, courtroom deputy to Chief Judge Greg Kays, experienced court employees shared advice with the audience and answered questions about judicial expectations, and courtroom and motion practice protocols. Lisa Nouri moderated a panel of seasoned federal trial lawyers, including Julia Kitsmiller, Christine Blegen, Charley German, Tom Bender and Jeff Simon. These veteran litigators offered suggestions and practice tips. Based on survey responses from attendees, the Q&A with career law clerks Steve Wolfe, Patricia Rosa and J.L. Lehr was a program highlight.

Over lunch, Judges Phillips, Smith and Maughmer described their views on how to be successful in federal court. Afterward, participants could either take CM/ECF training or a tour of the courthouse.



Court Room Deputy Alex Francis provides valuable courtroom insight.

With more than 80 attorneys attending, the FPC has identified a definite programming need, and it plans to offer more orientation sessions in the future and in divisional locations. Special thanks to Event Chair Jeff Simon, KC Operations Manager Tracy Diefenbach and Alex Francis for organizing the program.

WDMO Annual Dues Reduced!

This past year, the Court en Banc voted to change Local Rule 83.5, reducing the annual fee for attorneys practicing in the Western District from \$20 to \$10. The reduction is effective Jan. 1, 2015, and other locally controlled fees were also decreased as indicated below.

Due by March 31, 2015	New Fees Effective Jan. 1, 2015
Annual Dues for Admitted Attorneys	\$10
Fee for Admission Pro Hac Vice	\$50
Fee for Reinstatement of Previously Admitted Attorney	\$50
Attorney Admission and Reciprocity	\$183

When preparing to pay your annual dues, please log on to Western Missouri's CM/ECF system to ensure you can access the site. If you have problems logging on or have forgotten your login and password, you may [email the court](#) or call 573-636-4015.

Fenner Chairs National Committee



Judge Gary A. Fenner

In October, Chief Justice John G. Roberts Jr. named five new Judicial Conference committee chairs, including the Western District of Missouri's Judge Gary A. Fenner as chair of the Committee on Financial Disclosure.

The Committee on Financial Disclosure is responsible for implementing the financial disclosure requirements for judges and judicial employees under the Ethics in Government Act.

The committee monitors the release of financial disclosure reports to ensure compliance with the statute. Judge Fenner has served on the committee since 2008.

Blegen to Chair FPC



Christine Blegen with husband Dan Blegen

The Federal Practice Committee welcomes its new chair, Christine Blegen. Blegen earned her law degree from the University of Missouri-Columbia School of Law in 1995. After clerking for Judge Scott O. Wright for 10 years, she opened her own criminal defense firm in Lee's Summit.

As chair, Blegen hopes to provide even more opportunities for attorneys and judges to learn from and become more familiar with each other: "I am excited to take on a leadership role with the committee. One of my primary goals in 2015 is to increase awareness of the FPC and our ability to liaise between the bar and the judges of the Western District."

The committee meets monthly, and Blegen seeks to continue both substantive and social dialogue between the judges and lawyers in each of the district's divisions.

2015 Committee Members

Christine Blegen (Chair)
Travis Poindexter
Lisa Nouri
J. Andrew Hirth
Joe B. Whisler
Dave Ketchmark
Julia Kitsmiller
Jeff Simon
Erica Mynarich
Tina G. Fowler
Heidi Doerhoff Vollet
Stacie Bilyeu
Andy DeMarea

Lawyers are welcome to contact any FPC member with concerns or comments about practice or procedure in the Western District.

Save the Date

The Federal Practice Committee Presents:
A CLE Program and Reception for Springfield Area Bar Members
April 14, 2015 — 3:00pm
The Tower Club — Starlight Room

An ethics hour and Q&A with Judges Harpool, Bough and Rush (details to follow)

New Federal Court Advocates Section (FCAS) President



FCAS President Scott Wissel

This past December, FCAS President Scott Gyllenborg passed the torch to his successor, Scott Wissel. Mr. Wissel is no stranger to federal court, having clerked for the Honorable Thomas Van Bebber in the District of Kansas before moving on to private civil practice with Lewis, Rice and Fingersh. In his new role, Wissel will continue to help the section promote professionalism, enhance the interaction between the bench and bar, and provide outreach programs to increase community awareness of the federal court system. He said:

"I am honored to be a part of the Federal Court Advocates Section and to serve on its 2015 board. This year, we plan to provide excellent social events and CLE opportunities to the entire membership, and we look forward to working closely with the federal courts to improve our offerings to members who practice on both sides of the state line. I would also like to thank Scott for his leadership and hard work as the 2014 president."

One of the original goals of FCAS was to keep membership cost low to encourage participation by all federal practitioners. Although the organization is part of KCMBA, you do not need to be a KCMBA member to join FCAS. The fee to join is \$15 for KCMBA members and \$25 for non-members.

[Click here](#) to learn more about Federal Court Advocates.

FCAS 2015 Winter Social

Thursday, February 5

5:00pm

Manny's Restaurant
207 Southwest Blvd., Second Floor
Kansas City, MO 64108



District Court News & Notes

- ⇒ Roseann A. Ketchmark was nominated by President Barack Obama on November 24, 2014, to serve as a U.S. district judge for the Western District of Missouri. She was then re-nominated on January 7, 2015, with the start of the new Congress. Ms. Ketchmark is currently an assistant United States attorney in the fraud and corruption unit for the Western District.
- ⇒ The 8th U.S. Circuit Court of Appeals will be hearing oral arguments in Kansas City at the Whittaker Courthouse from February 10-13. Circuit Judges James B. Loken, Lavenski R. Smith, Steven M. Colloton and Chief Judge William J. Riley will preside throughout the week.
- ⇒ A Merit Selection Panel has been appointed by the Court en banc to consider the reappointment of U.S. Magistrate Judge Robert E. Larsen. If you practice before Judge Larsen and have not yet shared your feedback, please contact Panel Chair Charley German or send an [email](#) by February 20, 2015.
- ⇒ Judge Brian C. Wimes continues to serve as the point judge for processing Amendment 782 sentencing reduction requests. These requests relate to U.S Sentencing Commission changes to the Drug Quantity Table, which reduced base offense levels by two. Steve Moss of the Federal Public Defender's Office and Lajuana Counts of the U.S. Attorney's Office are leading the efforts on behalf of their organizations and coordinating with the Court's Probation Office to address all requests in a timely manner.
- ⇒ On April 10, UMKC Law School will host the "Show Me Challenge" at the Whittaker Courthouse, where 16 teams of law students will compete in a voir dire competition. The following day, the law school will also hold its Ellison Moot Court Competition at the federal courthouse.
- ⇒ For more than 30 years, Judy Carter has served the Western District - first as a law clerk to Judge Fernando J. Gaitan Jr. and then as a staff attorney handling prisoner pro se cases. Judy will be retiring at the end of April, and her expertise, dedication and leadership will be missed. The Court will host an open house reception in Judy's honor on April 28 at 1:30 p.m. in the Pro Se Office, and all are welcome to attend.
- ⇒ Visitors to the Whittaker Courthouse last fall may have noticed the construction work being done at the front door. Fifteen years of weather and wear and tear had caused chipping of the concrete and rust stains on the entryway steps. Due to the mild fall, contractors were able to completely replace the steps before winter arrived.
- ⇒ Like the rest of Kansas City, the Western District of Missouri had baseball fever last October and shared a friendly rivalry with federal court employees in San Francisco. Despite losing the Series (and Nori Aoki) to the Giants, the Royals still rule!

Let's Go Royals!



Bankruptcy Court “Eat & Greet” Programs

Every year, the bankruptcy judges host informal lunchtime seminars discussing current bankruptcy issues and procedures at the Western District courthouses. These luncheons help attorneys to stay abreast of bankruptcy law and rule changes, and provide a forum for sharing concerns directly with the judges. The seminars also provide CLE hours and a chance to catch up with colleagues.

Topics discussed at the sessions last fall included: local rule changes, procedural changes and updates, Chapter 13 plan length issues, and the electronic proof of claim program. Each luncheon concludes with a question and answer period and an opportunity to interact with the judges outside the courtroom.

Dates for the 2015 “Eat & Greet” programs will be announced soon. [Click here](#) for a copy of the seminar materials from last year.



Chief Bankruptcy Judge Arthur B. Federman at the Springfield “Eat & Greet” in September

Koger Symposium Preview

This year’s symposium for bankruptcy lawyers will be held on May 22, 2015, and will feature Paula J. Frederick, general counsel for the State Bar of Georgia, and Professor Robert M. Lawless, associate dean at the University of Illinois School of Law.

Ms. Frederick will be speaking on the ethical implications of social media. She was the first African American president of the Atlanta Bar and now heads the 10-lawyer office responsible for interpreting the ethics rules and prosecuting lawyer discipline cases for the Georgia bar.

Professor Lawless is the associate dean for research, Max L. Rowe Professor of Law, and co-director of the Illinois Program on Law, Behavior and Social Science. After clerking for Judge Harlington Wood Jr. of the 7th U.S. Circuit Court of Appeals, Lawless practiced with the firm of Zuckert, Scutt & Rasenberger. Specializing in bankruptcy, consumer credit and business law, Professor Lawless has published numerous articles that use empirical methodology to better understand the legal system and how it affects society.

Once again, the Court will partner with KCBBA to host a cocktail reception on the eve of the Symposium, May 21, 2015. Be watching for further details on both events.

*Paula
Frederick*



*Robert
Lawless*



Bankruptcy Court News & Notes

- ⇒ The National Bankruptcy Conference (NBC) announced on November 18, 2014, that U.S. Bankruptcy Judge Dennis Dow was one of three esteemed bankruptcy professionals elected to membership as conferees. The NBC has been a resource to Congress on every significant piece of bankruptcy legislation since the 1930s.
- ⇒ Effective January 1, 2015, Dan Casamatta will be the acting United States trustee for region 13 in addition to being the assistant United States trustee for Western Missouri.
- ⇒ [Click here](#) for the updated 2015 Bankruptcy Court docket dates.
- ⇒ Pursuant to Local Rule 3084-1, the “Chapter 13 Rate” for cases in which the initial plan is filed on or after January 1, 2015 is 4.52 percent. [Click here](#) for additional information.
- ⇒ Fed. R. Bankr. P. 7004(e) has been amended to reduce the period of time during which service of the summons and complaint must be made from 14 days to 7 days after issuance of the summons. Because Fed. R. Bankr. P. 7012 provides that the defendant’s time to answer is calculated from the date the summons is issued, a lengthy delay between issuance and service of the summons may unduly shorten the defendant’s time to respond. This amendment seeks to ensure prompt service.
- ⇒ The three following changes to the Bankruptcy Court Miscellaneous Fee Schedule became effective December 1, 2014:
 - A \$50 increase (from \$157 to \$207) to the fee assessed when a direct bankruptcy appeal is accepted by a court of appeals. This fee, in addition to the \$298 filing and docketing appeal fee, brings the grand total to \$505.
 - A \$25 fee to file a request to make redactions to previously filed records in a bankruptcy case (see Fed. R. Bankr. P. 9037). The fee is intended to be charged for each affected case, but courts may waive the fee by judicial determination under appropriate circumstances.
 - The Judicial Conference also endorsed a new exception to the reopening fee for a closed bankruptcy case to clarify that the reopening fee does not apply if redaction is the only purpose for reopening the case.
 - [Click here](#) for the entire Bankruptcy Court Fee Schedule.