

## Save the Date

**September**

**2, 9, 16, 23, and 30**

CJA eVoucher Training  
Kansas City, 2nd Floor Training Room

**September 17, 2015**

FCAS Bench Bar Dialogue and Reception  
District of Kansas

**October 2, 2015**

Federal Public Defender's CLE  
Harrah's Casino

**October 7, 2015**

FCAS Bench Bar Dialogue  
Kansas City, 2nd Floor Training Room  
12:00pm

**February 25, 2016**

U.S. Sentencing Commission Training  
Kansas City, Jury Assembly Room



# Courthouse Connection

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

**Volume 6, Issue 2**

**September 2015**

## **Bough Investiture Ceremony**



*U.S. District Judge Howard Sachs swears in new U.S. District Judge Stephen Bough with wife Andrea Bough.*

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UMKC School of Law hosted the investiture of their alumni U.S. District Judge Stephen R. Bough on April 1, 2015. The E.E. Thompson Courtroom was filled to the brim with the Judge's family, friends and colleagues as they joined the court in formally welcoming Judge Bough to the bench.

Stories and remarks from Reverend Carla Aday, the Honorable Emanuel Cleaver, II, The Honorable Sylvester "Sly" James, Jr., UMKC School of Law Professor Nancy Levit, Kent Emison and Stephen Cosentino were enjoyed by all as they shared stories about Judge Bough's journey to the bench.

After presentation to the court by U.S. Senator Claire McCaskill, Senior U.S. District Judge Howard Sachs administered the oath, and Judge Bough was then "enrobed" by his wife



*[Continued on Page 2](#)*



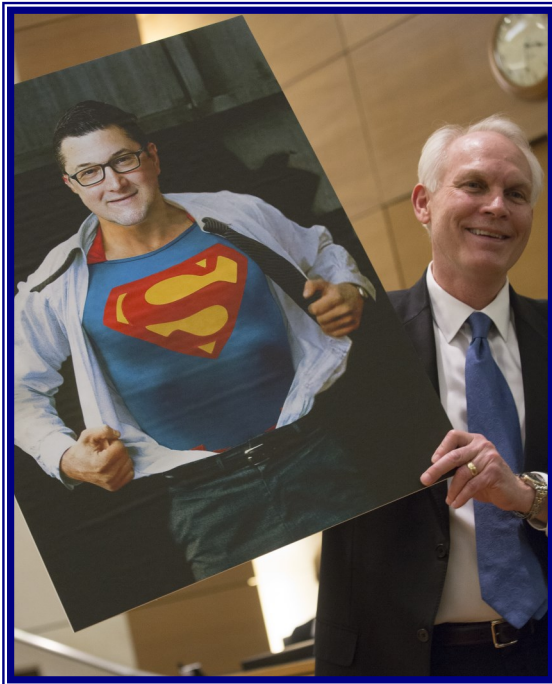
## Bough Investiture Ceremony (Contd.)

Andrea and two children Ashley and Grant.

Judge Bough shared his thoughts on the ceremony and sharing the experience with friends and family: "The investiture was enormously special for many reasons - friends, family and a wonderful party - but the best part was that I got to share the event with Judge Scott O. Wright, and we got to celebrate the day together."



*From left: Rev. Carla Aday, The Hon. Sylvester "Sly" James, Professor Nancy Levit, The Hon. Emanuel Clever, II, The Hon. Stephen R. Bough, The Hon. Claire McCaskill, Mr. Kent Emison and Mr. Stephen Cosentino*



*Mr. Emison showing how "super" Bough can be!*



*Judge Bough and Family*

*"...the best part was that I got to share the event with Judge Scott O. Wright, and we got to celebrate the day **together.**"*



*Bough with Senior U.S. District Judge Scott O. Wright.*

## Celebrating the 15th Annual Bartlett Lectures

What's the significance of the end of June for active attorneys in Missouri and Kansas? Some of you may reply, "It's the last day to get CLE credit for the reporting year." You would be correct. However, a majority of you most likely said, "It's time for the annual D. Brook Bartlett Lectures: Chemerinsky, BBQ and CLE!"

The court celebrated the 15<sup>th</sup> year of this annual event in style on Friday, June 26. Attendees enjoyed a fabulous BBQ lunch and heard extraordinary speakers live in Kansas City and via simulcast to our Jefferson City and Springfield courthouses. Everyone also received a Bartlett-customized pen/stylus combo to satisfy the wide range of methods attorneys communicate today.

As always, the live event was at capacity but, despite the tight accommodations, it was worth it. The morning participants heard the first reports of the Supreme Court's decisions from Dean Erwin Chemerinsky and Miguel Estrada before the ink had dried. They even



*Attorneys in Jefferson City and Springfield enjoyed the program via video (top) and Daniel Small presented the ever popular ethics credit (left).*



*Mr. Estrada (left) and Dean Chemerinsky (right) research the Supreme Court's decisions up to the second and then discuss them during the lectures.*

changed their presentation time so they would have the opportunity to speak about the absolute latest decisions: they were feverously working up to the minute they went on stage!

In addition to the ever popular Supreme Court in Review segment of the Bartlett Lectures, this year the court presented Daniel Small who presented the ethics of witness preparation. He received rave reviews from attendees stating that his presentation was a "nice compliment to the rest of the program."

The court enjoys providing the bar with this annual high caliber educational program and looks forward to the next 15 years!



## FPC CLE in Springfield

The Federal Practice Committee (FPC) of the Western District hosted its annual CLE in Springfield this spring at the Tower Club. The program provided Springfield attorneys with an opportunity to meet the district's newest judge, Stephen Bough, as well as learn more about his and the other Judges' views and procedures.

Participants also enjoyed educational and engaging dialogues about ethics hot topics and their shared personal experiences. Discussion topics included issues involving witnesses who lie under oath, communication and sharing documents with clients, fee confusion in representation agreements and ethics responsibilities when supervising support staff.

After the program, a reception followed for the participants and the judges to socialize for much needed one on one time, developing camaraderie amongst the bench and bar.



*Participants enjoy round table discussions on various ethics topics.*

### ***Here is what the participants had to say:***

*"I'm new to federal practice and hearing how the Judges handled different issues was extremely helpful."*

*"I found it very useful and the opportunity to get ethics credit added real value to the program."*

*"The interaction with other attorneys and getting to know how they deal with these issues in their practices was most useful."*



*Q&A with the Judges. From left: District Judge Stephen Bough, District Judge Doug Harpool, Magistrate Judge David Rush, Magistrate Judge James England and Magistrate Judge John Maughmer*

## **Trial Certificate Training from MOAG**

The Missouri Attorney General's Office (MOAG) recently held Trial Certificate Training at the U.S. District Court in Jefferson City. In addition to the Assistant Attorney General who participated in the training, more than 80 community members also volunteered as jurors.

Participants had an opportunity to view a jury room, District and Magistrate courtrooms, and see real attorneys and a judge work through jury selection. The mock jury panel included students from Helias Catholic High School, Lincoln University and Columbia College, along with local actors from the Jefferson City community that were used as

"plants." The "plants" were inserted in the process to guarantee certain results when the attorneys researched potential jurors' histories as required by Missouri Supreme Court Rule 69.025.

The experience was valuable for the attorneys as well as the mock jurors by providing a special opportunity to complete advanced research on potential jurors, ask questions relating to jurors' qualifications for particular trials, and participate in the jury selection process.

## Naturalization Experience for Lincoln University Students



*The University Women's Vocal Ensemble performs the National Anthem*

Lincoln University Education students were given a sense of appreciation for the citizenship process by assisting the court on May 7, 2015, during the Central Division naturalization ceremony in Jefferson City. The event was an opportunity to collaborate with the University in order to offer students of L.U.'s Education and Cultural Diversity class a hands-on experience with the court as a community service learning project.

The students, taught by Professor Avila Hendricks, not only attended the ceremony, but also participated by serving as ambassadors to the new citizens and their families. Some of the students provided patriotic and multi-cultural books and activities for the young children who were accompanying the visitors.

Lincoln's R.O.T.C. Color Guard posted the colors during the ceremony and the University Women's Vocal Ensemble performed the National Anthem after the thirty-seven immigrants recited the pledge of allegiance to the American flag for their first time as new citizens. The Ensemble also shared a taste of American heritage with the guests by performing a beautiful folk song.

The Education and Cultural Diversity class previously spent a considerable amount of time learning about immigration and its historic and current impact on American schooling. In order to maximize the learning experience for the students, the class was invited to visit the court house a week before the ceremony for a tour of the building and a presentation given by U.S. Magistrate Judge Matt Whitworth about the federal court's role during the Naturalization process. They were also shown a short film and given a mock citizenship test. Special guest Maria Gier, who serves as a Spanish interpreter for the court, spoke to the students about her experience during the citizenship process.

The students expressed the presentation and tour helped to prepare them for their role on the ceremony day and it gave them a bigger sense of involvement and appreciation for the process that marks the end of a long citizenship process. The naturalization topic-specific education tour will now be offered to schools and organizations as a new community outreach opportunity in the Central Division.



*New United States Citizens take their Oath of Allegiance.*



## 8th Annual Koger Symposium

Bankruptcy practitioners were treated once again to an outstanding selection of nationally recognized speakers at this year's Koger Bankruptcy Symposium on May 16, 2015. Featured speakers included Paula Frederick, who serves as general counsel for the State Bar of Georgia, and University of Illinois Law Professor Robert M. Lawless. Ms. Frederick began the day with an interesting ethics discussion on the ever-expanding role of technology – particularly social media – in the practice of law and provided an analysis showing how many of the rules of professional conduct adapt rather easily to this new environment.

Professor Lawless followed with a thought provoking presentation of his research regarding racial disparity in consumer bankruptcy chapter choice. Specifically, he presented his findings that African Americans in bankruptcy used Chapter 13 at rates that were approximately twice as great as the rates at which other races chose Chapter 13. His presentation also explored the role attorneys play in this disparity.

Finally, the program included a panel of experts moderated by Bankruptcy Court operations manager Rob Lawson and comprised of Western District of Missouri U.S. Bankruptcy Judges Arthur Federman, Dennis Dow

and Cynthia Norton, along with Acting United States Trustee Dan Casamatta and standing Chapter 13 Trustee Rick Fink.

Attendees enjoyed not only this annual program but the Spring Social at Affaire in the Crossroads as well, cohosted by the Kansas City Bankruptcy Bar Association (KCBBA).



*Paula Frederick  
and  
Robert Lawless*



## Fall 2015 Bankruptcy Court Eat & Greet

### Bankruptcy Court Eat & Greet Fall 2015

<b>October 1, 2015</b>	Saint Joseph (Saint Joseph Division) <a href="#">Click for Details</a>
<b>October 5, 2015</b>	Kansas City (Western Division) <a href="#">Click for Details</a>
<b>October 8, 2015</b>	Springfield (Southern Division) <a href="#">Click for Details</a>
<b>October 15, 2015</b>	Carthage (Southwestern Division) <a href="#">Click for Details</a>
<b>October 22, 2015</b>	Jefferson City (Central Division) <a href="#">Click for Details</a>

The Bankruptcy judges are pleased to announce their fall 2015 Eat & Greet seminar schedule for all five Western District of Missouri divisions.

In addition to a free lunch and 1.2 hours of Missouri and Kansas CLE credit, attendees at the spring 2015 seminars were provided with case law and local rule updates, a Clerk's office tips and tricks discussion, and an update from the Chapter 13 Trustee's office.

Please [click here](#) for additional information. Also if you missed the spring seminars, please [click here for a copy of the materials](#).

# Bankruptcy Court News & Notes

- ⇒ **Court Hearing Continuance Procedures:** Per the [2013 General Order amending Local Rule 9060-1C](#), if a hearing continuance is desired, a motion must be filed no later than two (business) days prior to the scheduled hearing, except for cause arising within that two day period.
- ⇒ **Certificates of Service—Local Rule 2002-1:** When determining whether a certain pleading requires notice to “all creditors and parties in interest” please refer to [Local Rule 2002-1](#). Please further note that if notice to “all creditors and parties in interest” is required, a certificate of service merely certifying notice to “all affected creditors” is inadequate, and will be rejected by the Court.
- ⇒ **Local Rules—Revised Exhibit Filing Rules:** The Bankruptcy Court’s revised local rules regarding exhibit filing took effect **June 11, 2015**. As of that date, properly marked and redacted exhibits – which include trial and contested matter exhibits, proof of claim supporting documents, and motion practice exhibits and attachments – shall be filed in their entirety via CM/ECF. Except when pro se litigants are involved, attorneys will no longer exchange paper copies of exhibits or provide those to the Court. [Please click here to review the new rules.](#)
- ⇒ **[Wellness International Network, LTD v. Sharif](#): Article III Permits Bankruptcy Judges to Adjudicate *Stern* Claims with the Parties’ Knowing and Voluntary Consent:** On May 26, 2015, the United States Supreme Court ruled that bankruptcy judges have the power to make final judgments in certain disputes – so called [Stern](#) disputes, which are those that are statutorily, but not constitutionally core – if the parties consent to the arrangement. Through its ruling, the Court reversed a Seventh Circuit finding that the bankruptcy court did not have the constitutional authority to decide whether certain property belonged to the bankruptcy estate because the dispute also involved state law issues.
- ⇒ **[2014 General Order creating Local Rule 7001-1](#):** Rules of pleading regarding the bankruptcy court’s authority to enter final judgment, which mandates any pleading alleging a *Stern* or *non-core proceeding* shall state whether the party consents to entry of final orders or judgment by the bankruptcy court. This rule was based on the United States Supreme Court’s ruling in [Executive Benefits Insurance Agency v. Arkison, Chapter 7 Trustee of Estate of Bellingham Insurance Agency, Inc.](#)
- ⇒ **Amended 2015 Docket Dates.** [Click here.](#)
- ⇒ **Digital Audio Recordings:** Effective September 1, 2015 digital audio files of select court proceedings will be available to the public through the Public Access to Court Electronic Records (PACER) system for a fee of \$2.40 per audio file. **Digital audio files shall not be considered an official transcript.** If an [official transcript](#) is desired, please order it through CM/ECF using either the “**Adversary Events → Other → Request for Transcript**” event or the “**Bankruptcy Events → Other → Request for Transcript**” event. You may also call the Clerk’s office at **816-512-1800** for assistance ordering an official transcript.
- ⇒ Please [click here](#) for additional information, including information on accessing an audio file from a personal computer or mobile device.

## New Audio Visual Equipment Request Form

The WDMO IT Department is pleased to announce a new automated Audio Visual Equipment Request form. Once a court proceeding is scheduled, you can now get approval, training, delivery and setup of your required A/V equipment by filling out a short, simple online form on the courts website under the Courtroom Technology tab:

The screenshot shows the website for the United States Courts, Western District of Missouri. The navigation bar includes links for Home, Phone Directory, Local Rules, News, Judges, Forms, Payments, and Links. The main content area is titled 'Courtroom Technology & Equipment' and contains information about the availability of technology in courtrooms. A red box highlights the link 'Click here to request audio-visual equipment for court'.

Complete the short form with your contact information, trial Judge, hearing date, time and what equipment you need. You can also request that one of the court's A/V technicians contact you directly to schedule a walk through or training on the equipment or just to answer your questions.

**Request for Equipment**

Name:

Email address:

Telephone number:

Hearing or Trial Judge: Judge

Date and Time of Hearing:

☐ Document Camera

☐ Hearing Assist Headsets

☐ Projector and Screen

☐ Telephone Conferencing Equipment

☐ Video Conferencing Equipment

☐ Wireless/Handheld Microphone

☐ Please contact me to schedule a walk through or training overview of the equipment.

**Note:** If you will be playing a video please bring a laptop that it is known to work on to ensure there are no issues.

Additional Comments/Inquiries:

Security Code:

Once the submitted form is processed for approval, you will be contacted at the number you provide. Advance notice is recommended so a representative from the court's IT department can get back to you as quickly as possible.

The IT Department in WDMO is always looking for new ways to improve the quality, timeliness and ease of use of our services; so stay tuned for new developments!

*Access the AV  
Request form by  
clicking  
[here!](#)*



## CJA eVoucher Training

The Judges of the U.S. District Court for Western Missouri are pleased to announce the district-wide arrival of eVoucher--electronic billing for CJA (Criminal Justice Act) attorneys. On July 1, eVoucher began for attorneys in the Central Division and on August 1 for the Southern Division (Springfield) and Southwest Division (Joplin). Starting September 1, eVoucher will be unveiled for attorneys in the Western Division (Kansas City & St Joseph).

The CJA eVoucher System is a web-based solution for submission, monitoring, and management of CJA functions, mirroring the procedures currently used within the district. With eVoucher, you can expect the following features:

- Submitting vouchers and authorizations online by attorneys and experts;
- Reviewing billings online by attorneys and judges, discontinuing paper vouchers;
- Line-item auditing of vouchers by judges and court staff;

- Reviewing and approving vouchers electronically by judges;
- Attaching PDF documentation to vouchers and authorizations;
- Sending Automatic email notifications to attorneys on approval or rejection of vouchers;
- Sending electronic transfers to the Circuit for excess approval;
- And built-in reporting for budgeting and analysis.

### REGISTRATION:

Please send an email response to [evoucher@mow.uscourts.gov](mailto:evoucher@mow.uscourts.gov).

Your email should state your selected training date and time and the name(s) of those attending. An email confirmation will be sent to you.

Seating is on a first come first served basis, so please submit your request as soon as possible.

For further questions, please contact **Teresa Harrison at (816) 512-5066**.

**Also send an email to let us know if you have already received eVoucher training from Kansas.**

### Training Dates

Wednesday, September 2, 2015

Wednesday, September 9, 2015

Wednesday, September 16, 2015

Wednesday, September 23, 2015

Wednesday, September 30, 2015

**Whittaker Courthouse**

**2nd Floor Training Room #2450**

### Training Times for All Dates

**10:00am-10:45am, 1:00pm-1:45pm,**

**3:00pm-3:45pm**



## Eric W. Brust-8th Circuit Librarian

Chief Judge William J. Riley is pleased to announce the appointment of Eric W. Brust to the position of Circuit Librarian for the United States Courts in the Eighth Circuit. Eric Brust took the oath of office in the U.S. Courthouse in Saint Louis in March 2015.

Brust graduated from the University of Missouri at Kansas City School of Law in 2005, after earning a B.A. from the University of Kansas. Before attending law school, Brust worked in a variety of public libraries. After law school, Brust earned a Masters in Library Science from Emporia State University. Since 2005, Brust has worked as the Executive Director of the Jackson County Law Library in Kansas City, Missouri.

Circuit Librarians are appointed by the Chief Circuit Judge. The Circuit Librarian position is an executive position that is responsible for the administration of the library program and related services for the federal judges of the United States Courts in the Eighth Circuit.



**Courthouse  
Connection  
Newsletter**



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