

Save the Date

October 19, 2016

FCAS Bench Bar Dialogue
Whittaker Courthouse
2nd Floor Training Room
12:00pm–1:30pm

May 11, 2017

Bankruptcy Bar Spring Social
KCMBA Headquarters
5:00pm–7:00pm

May 12, 2017

Annual Koger Symposium
Whittaker Courthouse
Simulcast to Springfield and Jefferson City
9:00am–12:00pm

June 22, 2017

Federal Practitioners Summer Social
KCMBA
5:00pm–7:00pm

June 23, 2017

Annual D. Brook Bartlett Lectures
Whittaker Courthouse
Simulcast to Springfield and Jefferson City



Courthouse Connection

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

Volume 7, Issue 2

September 2016

The Hon. Scott O. Wright Memorial



Inside this Edition

COVER STORY

[Judge Wright Memorial](#) 2-3

DISTRICT NEWS

[Bartlett Lectures](#) 4

BANKRUPTCY NEWS

[Koger Symposium](#) 5

[Eat & Greet Underway](#) 6

[No-Look Fee Increase](#) 6

OTHER NEWS

[Historic Naturalizations](#) 7

[MO Bar Outreach in Jeff City](#) 8

[Announcements and Updates](#) 9-10

Surrounded by family, friends, law clerks and court staff, the Court paid tribute to a man who brought a smile to everyone he met. On August 12, 2016, the Western District celebrated the life of Senior U.S. District Court Judge Scott O. Wright.

After a gracious welcome by Chief U.S. District Court Judge Greg Kays, Senior U.S. District Court Judge Ortrie Smith compared the unmistakable voice of Judge Wright to “a 1930’s dust bowl sandstorm” rolling down the hallway. Judge Smith reminded us that Judge Wright was a “genuine American hero for his service as a Marine dive bomber in the Pacific during World War II.” He also shared how the Judge learned his colorful vocabulary from ranch hands in Haigler, Nebraska.

[Continued on Page 2](#)

The Hon. Scott O. Wright Memorial (Cont'd)

"No one I know can laugh like Scott Wright."

Step-son, Skip Walther, spoke on behalf of the family and told of Scott and Shirley dating. "My mom and sister and I moved to Kirksville in 1965 after the death of my father, and a few years after that Scott began dating my mom and would pile up speeding tickets on 63 to get up there. I couldn't figure out why he drove so fast. What was the hurry?" Skip also commented on one of Judge Wright's most memorable traits: his laugh. "No one I know can laugh like Scott Wright. It was infectious and loud and wonderful. My kids, my sister's kids and their children loved that laugh and would do anything to hear it."

Senior U.S. District Court Judge Howard Sachs, who is often referred to as Scott's judicial twin since they were



The Judges of the Western District enjoyed all of the heartwarming and humorous stories about Judge Wright.

nominated and confirmed the same day, discussed their first day of work on October 5, 1979. Judge Wright had just handled his first discovery dispute and quipped, "this isn't so hard. Just do what's fair." Judge Sachs told the story of how Scott Wright, as the Boone County Prosecutor, backed Tom Eagleton for Attorney General over a local candidate. Eagleton became Senator and Wright became a federal judge, with Judge Sachs noting that, "I observed that Scott and his work were most pleasing to Tom." Judge Sachs also observed that "Scott holds the record for being a fun judge, as he does for being a passionate judge."

Co-author of *Never in Doubt*, Judge Wright's memoir, law clerk and great friend Larry Schumaker also spoke. Larry discussed Judge Wright's proclivity to violate the Third Commandment, noting that, "when God and the devil got together to decide Judge Wright's eternal fate, there was no debate, because God wanted the judge as much as anyone ever. And the devil didn't even try to put up a fight, because the last thing he wanted was Judge Wright down there literally raising hell." Larry also listed the many places that Scott Wright experienced heaven on earth, including the ranch in Nebraska, as a dive bomber pilot in the Marine Air Corps, MU Law School, Boone County Prosecutor and with the love of his life, Shirley Wright.

U.S. District Court Judge Stephen Bough spoke as one of Judge Wright's former clerks and thanked his last chambers staff – Brent Dwerlkotte, Kelly McIlvain and Susan Sandridge. He then described how all of Judge



*Judge Bough (center) reminisced about his days clerking for the Judge. (Above)
Judge Sachs (center) reflected on his first day of work with Judge Wright. (Below)*



[*Continued on Page 3*](#)

The Hon. Scott O. Wright Memorial (Cont'd)

“At the root of Judge Wright’s humor was courage.”

Wright’s clerks felt fortunate to have been able to clerk for him and noted that some of Judge Wright’s actions were like parables, encouraging folks in discovery disputes to follow the Golden Rule or taking opposing counsel out for lunch.

U.S. Senator Claire McCaskill began her remarks by repeating a classic Judge Wright joke: “What is a federal judge? It’s a lawyer that knows a U.S. Senator.” Senator McCaskill continued, “He’d throw back his head and cackle. We can’t call it a laugh. It was a cackle.” Judge Wright and Shirley were friends with Senator McCaskill’s parents when they all lived in Columbia, Missouri. After graduation at MU Law School, a young Claire McCaskill came to visit Judge Wright and received the following advice: “Claire, don’t fall in love with the sound of your voice. Talk less than the other lawyer.” Senator McCaskill concluded her comments by perfectly summing up Scott O. Wright. “At the root of Judge Wright’s humor was courage. He saw those craggy outlines and sharp thorns of injustice. He faced head on the cruelties that the less fortunate face in this country, and he was not afraid to help.”

In closing, Judge Smith paraphrased Shakespeare: “Good-night, sweet Scott. May flights of angels sing thee to thy rest, as well. There will not be another like you.”

Honored guests enjoyed a Judge Wright inspired reception (below).



Senator McCaskill (above) shared classic Judge Wright humor.

Judge Smith (below) remarked on Judge Wright’s courage and conviction of justice.



View the full memorial celebration on the Court’s website:
[CLICK HERE](#)

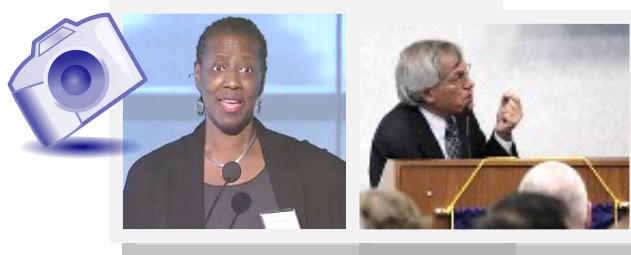
2016 Bartlett Lecture Snapshots

“Continue to bring Dean Chemerinsky back” is the message we receive loud and clear after each D. Brook Bartlett Lectures and this year’s lectures were no exception. The founding Dean of The University of California’s School of Law in Irvine, once again shared up to date Supreme Court findings. Being an election year, he noted *Evenwel v. Abbott* where the Supreme Court upheld the “one-person, one-vote” principle under the Equal Protection Clause which allows States to use total population, and does not require them to use voter population when apportioning state legislative districts.

Joining Chemerinsky this year was Professor Cynthia Jones from American University in Washington, DC. She was equally as fascinating and captivated the audience as they participated in a “hearsay activity” which challenged participants to determine which statements were hearsay and which ones were not, based upon the Federal Rules of Evidence regarding hearsay and its admissibility in court proceedings.

Finally, the much anticipated Judges’ Panel saw a welcome return to the program as the Western District Judges engaged the audience with their perspectives from the bench.

Save the date for next year’s lectures which will be a week earlier than usual on **Friday, June 23, 2017!**



16th Annual D. Brook Bartlett Lectures

8:30 am - 9:00 am
Registration

9:00 am - 9:50 am
Objection!: Hearsay and Hearsay Exceptions

Cynthia E. Jones, Professor
American University
Washington College of Law
Washington, DC

Break

10:00 am - 10:50 am
The Supreme Court in Review

Erwin Chemerinsky, Founding Dean
School of Law
University of California - Irvine

Break

11:00 am - 11:50 am
A Conversation with the Judges

From left: Professor Jones and Dean Chemerinsky educated and engaged lecture participants.

From right: Chief U.S. District Court Judge Greg Kays and U.S. District Court Judge Brian Wimes share their viewpoints from the bench with Western District attorneys.



The Judges’ Panel produced some lively discussions (above).

Participants at the Jefferson City Court House enjoyed their Barbeque lunch on the scenic patio (right).



To view presentation materials
[click here!](#)

2016 Koger Symposium Snapshots

A packed Jury Assembly Room in Kansas City was attentive as The Honorable Peter Bowie, U.S. Bankruptcy Judge and former Chief of the Southern District of California, stressed the need and importance for diligent investigating into both the facts and the law in Bankruptcy Cases. Jon Rao with the National Consumer Law Center in Washington, DC shared various scenarios debtors face pre and post-bankruptcy.

The morning wrapped up with a personal touch: Western District Bankruptcy Judges and other Bankruptcy Professionals including the U.S. Trustee's Office, fielded questions and concerns about various practices, procedures and rule changes. This conversation with the experts was much appreciated by attendees.

Western District bankruptcy practitioners also tuned in at "watch parties" hosted by the Jefferson City Court House and Springfield Courthouse. The crowds are growing every year! Be sure to save the date now for what will be another fascinating symposium on **Friday, May 12, 2017**.



A packed Jury Room for a very eventful day! (above).

John Rao discussed Consumer Law scenarios (left).

Koger guests enjoyed a productive Q & A which included WDMO U.S. Bankruptcy Judges and U.S. Trustees (below).



9th Annual Frank W. Koger Bankruptcy Symposium



8:30 am – 9:00 am
Registration

9:00 am – 9:50 am
Duty to Investigate

Peter Bowie
U.S. Bankruptcy Judge, former Chief
Southern District of California

10:00 am – 10:50 am
**It's What You Didn't Say: Preclusion and Estoppel
Doctrines in and Out of Bankruptcy**

John Rao
National Consumer Law Center
Washington, DC

11:00 am – 11:50 am
A Conversation With The Experts
Chief U.S. Bankruptcy Judge, Cynthia Norton
U.S. Bankruptcy Judge, Dennis R. Dow
U.S. Bankruptcy Judge, Arthur B. Federman
Acting U.S. Trustee, Dan Casamatta
Chapter 13 Trustee, Rick Fink
Ashley Osborn – Moderator

To view presentation materials
[click here!](#)

NOTICE: No-Look Fee Increase

Along with the fee increase to LR 2016-1, the no-look fee for a below median family income case is increasing from \$3,000 to \$3,600, and the no-look fee for an above median family income case is increasing from \$3,500 to \$4,100.

Effective December 1, 2016

Fall 2016 Eat & Greet Programs Under Way

Bankruptcy Court Eat & Greet Fall 2016

October 6, 2016	St. Joseph (St. Joseph Division)	Click for Details
November 17, 2016	Jefferson City (Central Division)	Click for Details
November 17, 2016	Springfield (Southern Division)	Click for Details

The Bankruptcy Eat & Greet programs have been a success in Kansas City and Carthage this fall.

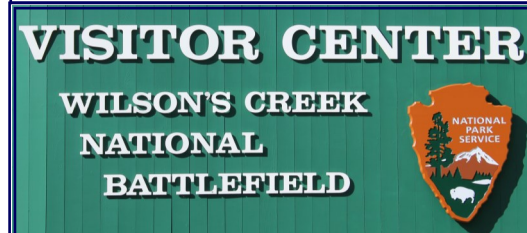
In addition to a free lunch and Missouri and Kansas CLE credit, attendees receive case law and local rule updates, Clerk's Office tips and tricks and an update from the Chapter 13 Trustee's Office.

Please [click here](#) to RSVP for the remaining fall sessions. Also, if you missed the Kansas City or Carthage programs, please [click here for a copy of the materials](#).

Historic Naturalizations in WDMO

The U.S. Citizenship and Immigration Services Department (USCIS) celebrated the nation's 240th birthday by hosting special naturalization ceremonies across the country. They were part of a series of thirteen ceremonies held across the nation to commemorate the 19th Century pioneers, many of them immigrants, who settled in the American West. The Historic Truman Courthouse on Independence Square held one of the ceremonies as a way of highlighting the departure point for wagons setting out onto the Oregon, California and Santa Fe trails.

Nineteen applicants from nineteen different countries gathered at the courthouse Thursday afternoon, August 11 and sat before The Honorable U.S. District Court Judge Stephen Bough inside the famous Brady Courtroom. He urged the new citizens to exercise their right to vote, and be active and participate in their community. "Liberty is a blessing and a blessing that must be constantly nurtured." Judge Bough continued, "A true American lives those



Judge Harpool (above) swears in new U.S. citizens at the Wilson's Creek National Battlefield (left).



New citizens received their certificates from Judge Bough (above).

The new citizens were sworn in by Court Executive Paige Wymore-Wynn (below).



ideals and carries out their duties and obligations of citizenship."

Another historic ceremony in the Western District was held later in the month on August 25 as the U.S. National Park Service celebrated its 100th anniversary by hosting a naturalization ceremony on the lawn of the Wilson's Creek National Battlefield's Visitor's Center.

Ted Hillmer, superintendent of the park, explained that the battlefield was the perfect site for the ceremony because many who fought that day were immigrants. Over fifty percent of the Union forces were foreign-born, and between ten and twenty percent of the Confederate forces were foreign-born.

The Honorable Doug Harpool, U.S. District Court Judge in Springfield who presided over the ceremony, welcomed the new citizens and also encouraged the crowd to vote and begin exercising their rights as Americans.

Missouri Bar Outreach : Virtual Classroom

This summer WDMO Educational Outreach partnered with the Missouri Bar's Advisory Committee on Citizenship Education to host an event at the Bond Court House in Jefferson City. The program was for students who attend Mizzou's Online High School comprised of high school aged students from Missouri and Brazil.

All were welcomed by Millie Aulbur and Melissa Manda from the Missouri Bar, followed by an introduction from U.S. Magistrate Judge Matt J. Whitworth. Students were then divided into groups, led by Ms. Aulbur, Ms. Manda and several law clerks from the Western District including Steven Platt from Chief U.S. District Court Judge Greg Kays' Chambers, Alana Barragan-Scott and Elizabeth Hatting from Senior U.S. District Court Judge Nanette K. Laughrey's Chambers, Elizabeth Russell from U.S. District Court Judge Roseann Ketchmark's Chambers, Anne Hershewe from U.S. Magistrate Judge David P. Rush's Chambers, and Cameron Beaver from Judge Whitworth's Chambers.

The group leaders spoke with the students about the general responsibilities of the judicial branch and led a discussion about the U.S. Supreme Court Case, *J.D.B. v. North Carolina* where the Court was asked to decide if the age of a juvenile being questioned by law

enforcement should be taken into consideration when deciding if the juvenile is in custody and therefore entitled to a Miranda warning.

After discussing the Miranda rights and their applicability to juveniles, the groups switched gears to discuss civil cases. Group leaders assigned various roles to students and the groups acted out several civil trials based on fictional scenarios that closely resembled Missouri state court cases. The remaining students represented the jury and voted on who they thought should win the case.



U.S. Magistrate Judge Matt J. Whitworth welcomed the students to the Court House.

These civil case scenarios were entertaining for the students, which prompted excellent questions about the process. Many of the students from Brazil asked questions about the criminal and civil processes in the U.S. and would often compare the judicial process of their own country. Overall, the program was a great success and an enjoyable time for the students as well as the volunteers.

Students participated in mock trial scenarios.



Anne Hershewe (top) and Alana Barragan-Scott (bottom) led the students in discussion about the judicial system.



WDMO Announcements and Updates

Paige Wymore-Wynn was appointed as Court Executive for the U.S. Courts for the Western District of Missouri on May 30, 2016. Paige was previously the District's Chief Deputy of Administration which is now held by Randall Henderson. Laura Bax, former Operations Manager in Jefferson City, was appointed as Chief Deputy of Operations.



The Criminal ESI Principles are posted for consideration on the court's website. The comment period will close on October 26, 2016.

[Click here to review the documents.](#)



The comment period for the Appellate, Bankruptcy, Civil and Criminal Rules closes on February 15, 2017.

[Click here for more information.](#)



WDMO attorney annual dues of \$10 are to be paid by March 31, 2017. Please login to ECF to ensure access and prompt dues payment. Those with problems logging in or questions regarding admissions can contact Jeri Russel at 573-636-4015.

WDMO Announcements and Updates

Save the Date

April 4, 2017

Civil Trial Innovations Conference
Whittaker Courthouse
Kansas City—Jury Assembly
9:00am—4:00pm



A Young General
and the Fall
of Richmond

★★

The Life and Career of
Godfrey Weitzel

HISTORY
BOOK CLUB®

G. William Quatman

**The Historical Society
for the
Western District of Missouri
Presents:**

Author, G. William Quatman

Friday, Dec. 2, 2016
12:00 pm – 1:30 pm

Whittaker Courthouse; 4th Floor
Lunch Provided - \$10 Donation Requested



Mr. Quatman, general counsel for Burns & McDonnell, will be discussing his book about the 29-year old Union general who captured the Confederate capital of Richmond in April 1865, and his remarkable rise in the Army from his days at West Point through the war's end. General Weitzel was witness to Abraham Lincoln's late attempt to negotiate a peace with the Rebels, and then got caught up on a political morass that nearly ended his career.

[CLICK HERE TO RSVP](#)

**Courthouse
Connection
Newsletter**



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