



Boone County Bar Association NEWSLETTER

www.bocomobar.org

January 30, 2006

Volume 21, Number 2

From BCBA President Pat Eng

I recently attended a couple of days' activities at the Winter Missouri Bar Meeting in Florida—something I have rarely done in the past. I was reminded of how much we lawyers can gain by simply rubbing elbows with one another.

There are new things to learn, new contacts to make, old contacts to solidify, and opportunities to promote yourself, your law firm, or whatever your function in the legal community might be.

The purpose of sharing this is to urge all our members who are not currently taking advantage of our monthly luncheon meetings to begin doing so. I would ask everyone to mark their calendars and plan to attend our monthly meetings as often as their busy schedules will permit. There is often CLE credit to be had, and the food's not bad either.

I think one of the great attributes of our local bar is the willingness to offer advice and help each other out in times of need. There is hardly a single type of case that one of us or another hasn't encountered. I think that's probably the greatest value connected to membership in the BCBA, and a great advantage to the career of every member.

CLE credit for domestic violence program Feb. 8

CLE credit will be awarded for a program on "Ethical Considerations and Domestic Violence" at the next BCBA meeting on Wednesday, Feb. 8 at Boone Tavern, 811 E. Walnut St.

RSVP: To reserve your spot for this meeting, contact BCBA Secretary **Helen Wade** at 442-1600 or hwade@hesnlaw.com

by 5 p.m. Tuesday, Feb. 7.

As usual when CLE programs are presented, lunch service will begin at 11:30 a.m. The lunch price will be \$9, payable to Boone Tavern.

The program has been approved for 1 hour of CLE credit, including 0.6 hour of ethics credit.

Presenters will be Boone

County Prosecuting Attorney **Kevin Crane** and assistant prosecutors **Nicole Volkert** and **Merilee Crockett**. Nicole and Merilee are in charge of the DOVE (Domestic Violence Enforcement) Unit.

Information will be presented on criminal prosecution of domestic violence and violations of civil orders of protection.

Courthouse expansion tax proposal on April 4 ballot

The Boone County Courthouse expansion project is moving forward with a tax proposal, and bar members are urged to provide their input on the project to members of the Bar Expansion Committee, which will meet in early February.

Committee members are **Bruce Beckett**, **Wally Bley**,

C.J. Dykhouse, **Pat Eng**, **Elton Fay**, **Marsha Fischer**, **Dave Knight**, **Susan Ford Robertson**, and **Loramel Shurtleff**.

The Boone County Commission voted in January to place a capital improvements sales tax proposal on the April 4 ballot. The 1/5 cent sales tax would fund courthouse expansion and

other county capital projects and expire after four years.

A similar tax initiative was undertaken in 1986 for the renovation of the courthouse and relocation of the jail. At that time the courthouse annex was designed to accommodate additional floors. The current plan calls for adding two floors to the courthouse annex.

Retired Circuit Judge **Frank Conley** and **Joe Moseley** will co-chair a committee supporting the initiative. Committee members will be available to speak at meetings. To arrange a speaker, contact the Court Administrator's office at 886-4060.

CLE credit for free bankruptcy symposium

Nationally recognized legal scholars will visit the MU Law School Feb. 24-25 to discuss the most sweeping bankruptcy law changes passed by Congress in more than 25 years.

Topics to be discussed will range from the role of race in bankruptcy reform, to using social science research to test the assumptions underlying bankruptcy reform, to the impact of means testing on the bankruptcy system.

For more information, see www.law.missouri.edu/symposium or contact Prof. Michelle Arnpol Cecil at 882-7765 or cecilm@missouri.edu. Missouri CLE credit is available for the free symposium.

2006 BCBA dues of \$40 per lawyer now due

2005 BCBA dues of \$40 per member are now due. Use the coupon below to send dues payments or claim a first-time exemption.

Dues are waived for sitting and retired judges and for members who have been licensed at least 50 years or who are at least 75 years old.

2006 Boone County Bar Association Dues Payment/Waiver Form

(Make checks payable to "Boone County Bar Association, Inc.")

To: **Josh Oxenhandler, Treasurer**
Boone County Bar Association
P.O. Box 1404
Columbia, MO 65205-1404

___ Enclosed is payment of \$ _____ for 2006 BCBA dues for the following attorneys

(at \$40 per attorney)

___ Person named below claims dues waiver for: ___ Judge ___ Seniority

Name(s) and address (note contact information changes, if any) _____

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The *Boone County Bar Association Newsletter* is published monthly, more or less, by the Boone County Bar Association, Inc. Send items for publication to the Editor, **Steve Scott**, 201 Westwood Ave., Columbia, MO 65203-2871, phone 442-7268, fax 443-1676, email sscott@scottlawfirm.com. Annual dues are \$40 and may be sent to the Treasurer, **Josh Oxenhandler**, 224 N. 8th St., P.O. Box 1404, Columbia, MO 65205, phone 449-2929. BCBA officers for 2005-06 are: President, **Pat Eng**, 903 E. Ash St., 874-4190; Vice President, **Bruce Beckett**, 111 S. 9th St., Suite 200, P.O. Box 918, 443-3141; Secretary, **Helen Wade**, 401 Locust St., Suite 401, 442-1660; and Treasurer, **Josh Oxenhandler**, address above. Executive Committee members are the officers and **Jodie Asel**, **C.J. Dykhouse** and **Ed Orr**. The BCBA web site is at www.bocomobar.org.

Around the bar

The next meeting of the BCBA Young Lawyers Committee will be held at lunchtime Feb. 21 at Teller's, 820 E. Broadway. For more information, contact **Gretchen Rogers** at 443-3134 or groggers@owwlaw.com.

Jan. 1 rule changes affect civil practice

BCBA members are reminded of some new Missouri Rules of Civil Procedure effective Jan. 1, 2006 which will affect day-to-day practice.

Rule 43.01(c) now requires that pleading signature blocks include mailing address, phone and fax numbers and **email address**. The rule also allows service to an email address of any attorney or party who has filed a consent in the case in substantially the form of new Civil Procedure Form 17.

Rules 57.01, 58.01 and 59.01 now require that interrogatories, document requests and requests for admissions be served on the responding party in an **electronic format** readable by Word or WordPerfect on diskette, on CD or by email, in addition to the continuing requirement that paper copies be served on all non-defaulting parties. The certificate of service must state the format of the electronic copy and the medium used to transmit it to the responding party.

Matthew Volkert has become a shareholder in the renamed firm of **Van Matre, Harrison and Volkert, P.C.**, 1103 E. Broadway, Suite 101, Columbia 65201, phone 874-7777, fax 875-0017. A Columbia native, he has been with the firm since returning from Chicago in 2002. His practice focuses on real estate, contracts, and general corporate and business law.

Recently joining the BCBA was **Richard L. Holtmeyer**, Holtmeyer & Associates, LLC, 2000 E. Broadway, PMB 303, Columbia 65201, phone 424-9151, fax 866-292-0724.

The Second Annual Tim Heinsz Memorial 5K Run/Walk sponsored by the MU Law School Student Bar Association will be held on Saturday, April 22 beginning at 9 a.m. in front of the Law School. The \$20 entry fee includes a t-shirt and refreshments at the post-race gathering. Proceeds will benefit the Timothy J. Heinsz Memorial Scholarship Fund. Former Dean Heinsz died unexpectedly on July 2, 2004. To register go to www.law.missouri.edu/sba/th5k.

About 50 BCBA members attended the regular meeting on Jan. 11 to hear a presentation on public records research by a LexisNexis representative. Also at the meeting there was a brief discussion of the 13th Circuit's new cell phone rule, an issue which will be further discussed by the Executive Committee on Feb. 3.

Help needed for mock trial programs

Some volunteers are still needed as judges and evaluators for the second round of the regional high school mock trial competition on Feb. 25. Contact **Todd Werts** at werts@learandwerts.com.

On behalf of the BCBA Partners in Education Committee, Todd thanked those who volunteered for the first round of the competition on Jan. 21.

Volunteers also are needed as judges for a college undergraduate mock trial competition hosted by Columbia College and MU at the Law School on Feb. 17-18. CLE credit is available for serving as a judge. To volunteer or obtain information, contact **Jared Vessell** at 442-3000 or jpvc@lawam.com. Information also is available at www.collegemocktrial.org.

Treasurer's Report by Josh Oxenhandler	
Account balance as of 10/26/05	\$7,140.91
Receipts 12/17/05 - 1/27/06	
Dues	+4,920.00
Interest	+0.78
Holiday Party receipts.....	+30.00
BCBA lunch receipts (1/11/06)	+396.00
Disbursements 12/17/05 - 1/27/06	
Accent Press (Newsletter printing)	-80.44
Midwest Mailing Service (Newsletter mailing)	-102.29
Holiday Party	-4,269.09
Account balance as of 1/27/06	\$8,035.87