

SIXTEENTH CIRCUIT JUDICIAL COMMISSION  
APPLICATION FOR CIRCUIT JUDGE JACKSON COUNTY,  
MISSOURI

*PLEASE NOTE: RESPONSES TO THESE QUESTIONS WILL BE MADE PUBLIC IF THE APPLICANT IS SELECTED AS ONE OF THE NOMINEES FOR THE VACANCY.*

1. State your full name.

KENNETH ROBERT GARRETT III



2. State your date and location of birth. November 1, 1976,  
Menorah Hospital, Kansas City, Missouri.

3. State your present occupation, place of work, and job title. Associate Circuit Judge,  
Division 26, Jackson County, Missouri.

4. Provide the following information concerning your eligibility for the office of Circuit  
Judge:

(a) Are you at least thirty years of age? Yes.

(b) Are you licensed to practice law in Missouri? Yes.

(c) Have you been a citizen of the United States for at least ten years? Yes.

(d) Have you been a resident of Jackson County for at least one year? Yes.

5. State whether you are able, with or without a reasonable accommodation, to perform the essential functions of a Circuit Judge, including the ability to preside over trials, conduct legal research and analysis, attend court anywhere in the State of Missouri, communicate clearly and effectively both orally and in writing, and expeditiously decide issues coming before the court. I am able to perform all essential functions of a Circuit Court Judge.

6. State the year of your admission to the Missouri Bar and whether your license is and always has been in good standing. If not, please explain.

**I was admitted to the Missouri Bar in 2003 and my license is and always has been in good standing.**

7. List any other states, courts, or agencies in which you have been licensed as an attorney, and state whether your license is and always has been in good standing.

**Kansas**

**United States District Court, District Court of Kansas  
United States District Court, Western District of Missouri**

**My licenses are inactive and have always been in good standing.**

8. Provide the following information for all colleges or universities, other than law schools, you have attended:

(a) Name and location of institution

**Penn Valley Community College  
3201 Southwest Traffic way  
Kansas City, Missouri 64111**

(b) Dates attended and degrees received

**August, 1995 – May 1997  
Awarded Associate of Arts Degree - May 1997**

(c) Significant activities, achievements, honors, and awards

**Received the Chancellor's Transfer Scholarship**

(d) Name and location of institution

**University of Missouri-Kansas City  
5100 Rockhill Road  
Kansas City, Missouri 64110**

(e) Dates attended and degrees received

**August, 1997 – May 1999  
Awarded Bachelor of Arts Degree, Political Science – May 1999**

(f) Significant activities, achievements, honors, and awards

**Inducted into *Pi Sigma Alpha*, National Political Science Honor Society**

(g) Name and location of institution

**University of Missouri-Kansas City  
Bloch School of Business and Public Administration  
5100 Rockhill Road  
Kansas City, Missouri 64110**

(h) Dates attended and degrees received

**August, 1999 - July, 2000  
Awarded Masters in Public Administration with an emphasis in  
Human Resource Management - July, 2000**

(i) Significant activities, achievements, honors, and awards

**Inducted into *Pi Alpha Alpha*, National Honor Society for Public  
Affairs and Administration**

9. Provide the following information for all law schools you have attended:

(a) Name and location of law school

**University of Missouri-Kansas City School of Law  
5100 Rockhill Road  
Kansas City, Missouri 64110**

(b) Dates attended and degrees received

**August, 2000 – December 2002  
Awarded Juris Doctorate Degree, December 2002**

(c) Significant activities, achievements, honors, and awards

**Black Law Students Association - Member  
Dean's List Winter 2001 and 2002; Fall 2002  
Editorial Associate for the Urban Lawyer Journal  
Phi Delta Phi – President.**

10. State whether you have ever been suspended or expelled as a student from any school or educational institution. If so, please explain. **No.**

11. List, in chronological order, all non-legal and legal employment you have held post-high school. Include the name and location of each employer, job title, dates of employment, and reason for termination of employment.

April 1994 – September 1999

**Hen House Market, 8430 Wornall, Kansas City, Missouri 64114; 4050  
W. 83<sup>rd</sup> Street, Prairie Village, Kansas 66208**

I worked as a courtesy clerk, cashier, deli food handler and stocked the

dairy department. In 1996, I transferred to the Prairie Village, Kansas Hen House and worked in the produce department.  
Reason for termination – Resigned to work for the “Kelvin Simmons for State Treasurer” campaign.

May, 1999

**City of Kansas City, Missouri, City Hall, 22nd floor, 414 E. 12th St., Kansas City, Missouri 64106**

Administrative Assistant to Councilmember Kelvin Simmons, Answering and returning phone calls of constituents, attended meetings with constituents and scheduled councilmember Simmons' activities.

Reason for termination – This was a temporary position.

July, 1999

**Phillips West, 2200 E. 18<sup>th</sup> Street #A, Kansas City, Missouri 64127**

Marketing Assistant

Reason for termination – This was a temporary position.

September 1999 - May 5, 2000

**Kelvin Simmons for State Treasurer Campaign, 2010 East 61<sup>st</sup> Street Kansas City, Missouri 64130**

Administrative Assistant,

Contacted potential donors for contributions and prepared campaign documents.

Reason for termination – Kelvin Simmons was appointed to the Missouri Public Service Commission by Governor Mel Carnahan.

May 2000 – June 2000

**United States Department of Census, 1211 North 8<sup>th</sup> Street, Kansas City, Kansas 66101**

I was an Enumerator for the U.S. Census. I collected censuses throughout the Northeast area of Kansas City, Missouri.

Reason for termination – This was a temporary position.

2001-2002 Academic Year

**University of Missouri at Kansas City – School of Law, 5100 Rockhill Road Kansas City, Missouri 64110**

Teaching Assistant,

Assisted professors in the academic enrichment program by conducting workshops in order to help bridge the gap between college and law school for first year law students.

Reason for termination – I graduated from law school.

June 2001 – May 2002

**Osco Drug, 7003 E. Bannister, Kansas City, Missouri 64134**

I was a cashier and stocked the shelves.

Reason for termination – I resigned to take an internship at the Jackson County Prosecutor's Office.

2001-2002 Academic Year

**University of Missouri at Kansas City – School of Law, 5100 Rockhill Road Kansas City, Missouri 64110**

Research Assistant,

Assisted professor with a research project that involved International business.

Reason for termination – The research project was completed.

May 2002 – May 2003

**Jackson County Prosecutor's Office, 415 E. 12<sup>th</sup> Street, 10<sup>th</sup> Floor Kansas City, Missouri 64106**

Intern,

Appeared on behalf of the State of Missouri and entered guilty pleas, handled probation violation hearings, preliminary hearings and second chaired trials.

Reason for termination – The year internship program was completed.

June 2, 2003 – April 15, 2004

**Missouri Attorney General's Office, P.O. Box 899, Jefferson City, Missouri 65102**

Assistant Attorney General,

Appeared on behalf of the Ethics Commission, Missouri National Guard, Missouri Veterans Commission and other agencies. I retrieved money for the State of Missouri due to overpayments and breach of contract actions. I also filed suits in an attempt to recover money from the probated estates of people who are deceased and who were recipients of aid or assistance from the Missouri Department of Social Services, Missouri Department of Mental Health and Senior Services or the Department of Mental Health.

Reason for termination – I resigned to return to Kansas City and work at the Jackson County Prosecutor's Office.

April 19, 2004 – September 8, 2010

**Jackson County Prosecutor's Office, 415 E. 12<sup>th</sup> Street, 10<sup>th</sup> Floor Kansas City, Missouri 64106**

Assistant Prosecuting Attorney,

Appeared on behalf of the State of Missouri and prosecuted criminal cases of all classes and carried a trial case load of 60-70 cases. I first or second chaired 20 trials of all classes;

*Community Prosecutor* – I worked closely with community groups and law enforcement in a proactive partnership to improve community safety and enhance the quality of the relationship between the Prosecutor's Office and the community;

*Gang Prosecutor* – I was selected as one of two prosecutors assigned to work closely with the KCPD Gang Unit to target dangerous individuals in the community;

*Police Shootings* – I was selected to respond to crime scenes involving all police shootings and present the cases to the Grand Jury;

Additional duties included guilty pleas, probation violation hearings, suppression hearings, and appeals for post-conviction relief;

Additionally, I was invited by the Kansas City Police Department to lecture in criminal justice at the Police Academy bi-annually.

Reason for termination – I was appointed Associate Circuit Judge for Jackson County.

July 9, 2007 - October 9, 2010

**Hen House Market, 4050 W. 83<sup>rd</sup> Street, Prairie Village, Kansas 66208**

I was hired to work the produce department and then promoted to Manager, where I supervised the store and handled any and all customer, teammate or store issues.

Reason for termination – I was appointed Associate Circuit Judge for Jackson County.

February 9, 2010 – Present

**Baker University, 7301 College Boulevard, Overland Park, Kansas 66210**

I teach a variety of courses at Baker such as Strategic Business Planning and Policy, American History, Negotiations, Political Science and Business law.

September 9, 2010- Present

**Associate Circuit Judge, 415 E. 12<sup>th</sup> Street, 7<sup>th</sup> Floor, Division 26, Kansas City, Missouri 64106**

Division 26 is a division of general jurisdiction that has been assigned to civil, criminal, family court and municipal Trial De Novo matters.

12. Describe the nature and extent of your experience as a practicing attorney in the trial and appellate courts, and explain how such experience demonstrates the quality of your legal work.

As an Assistant Attorney General, I filed civil cases on behalf of dozens of State agencies in more than half of the 115 counties in the State of

Missouri. The goal was to recoup money owed to these agencies. In addition, I appeared in 40 of the counties in the State of Missouri and managed one of the largest caseloads in the Financial Services Division. In these counties I have had bench trials, argued summary judgment motions and appeared for regular docket calls. Additionally, I briefed and argued a case in the Western District Court of Appeals.

As an Assistant Prosecuting Attorney I managed several dockets, including the preliminary hearing docket and the refusal docket. I tried twenty criminal cases including prosecutions for murder and possession of a controlled substance. My trial experience includes both jury and judge tried cases. In addition, I have worked with various community groups and law enforcement agencies to create proactive ways to deter crime. I was appointed to be the gang prosecutor and was selected as an assistant prosecutor assigned to handling police shootings. This involved responding to the scene of the police shooting as well as presenting these cases to the Grand Jury.

13. Provide a representative list of at least ten cases in which you served as the primary attorney at trial or an administrative hearing. The list should include the style of each case, court or administrative agency, identification of your client, and the nature and date of disposition.

In all cases I represented the State of Missouri and all cases were tried in Jackson County Circuit Court

State of Missouri vs. Kenneth E. Hopkins

Honorable Kelly J. Moorhouse

Case No. 16CR02006441-01

Date: July 27, 2004

Bench Trial

Description: Defendant was charged with Trafficking in the Second Degree and was convicted.

State of Missouri vs. Jerry A. Frost

Honorable Sandra C. Midkiff

Case No. 16CR04000818-01

Date: October 4, 2005

Bench Trial

Description: Defendant was charged with Trafficking in the Second Degree and was acquitted.

State of Missouri vs. Gregory Burnside

Honorable Gene R. Martin

Case No. 04CR201488-01

Date: April 2, 2007

Bench Trial

Description: Defendant was retried on Murder in the Second Degree and Armed Criminal Action and was acquitted.

State of Missouri vs. Charlton J. Bradford

Honorable William F. Mauer

Case No. 0516-CR06666-01

Date: March 8, 2007

Jury Trial

Description: Defendant was charged with Tampering in the First Degree and the defendant was convicted.

State of Missouri vs. Adrian Fountain

Honorable Kathleen A. Forsyth

Case No. 0716-CR01043

Date: January 22, 2008

Jury Trial

Description: Defendant was charged with Possession of a Controlled Substance and the defendant was convicted.

State of Missouri vs. Reginald L. Martin

Honorable Kelly J. Moorhouse

Case No. 0616-CR03657-01

Date: February 11, 2008

Jury Trial

Description: Defendant was charged with Tampering in the First Degree and the defendant was convicted.

State of Missouri vs. Derrel G. Jones

Honorable Jack R. Grate

Case No. 0716-CR05254-01

Date: January 12, 2009

Jury Trial

Description: Defendant was charged with two counts of Assault in the First Degree and two counts of Armed Criminal Action and was acquitted.

State of Missouri vs. DeAngelo D. Jones  
Honorable Robert M. Schieber  
Case No. 0916-CR02760-01  
Date: December 14, 2009  
Jury Trial

Description: Defendant was charged with Assault in the First Degree and the jury hung. The defendant later pled guilty to the Felony of Assault in the Second Degree.

State of Missouri vs. Juawon D. Pearl  
Honorable C. William Kramer  
Case No. 0716-CR00947-01  
Date: January 19, 2010  
Jury Trial

Description: Defendant was charged with Burglary in the Second Degree and Theft. The defendant was acquitted.

State of Missouri vs. Carlos Rosa  
Honorable Joel F. May  
Case No. 0916-CR00808-01  
Date: August 2, 2010  
Jury Trial

Description: Defendant was charged with Assault on a Law Enforcement Officer in the First Degree and Armed Criminal Action. The defendant was convicted of Assault on a Law Enforcement Officer in the Second Degree and Armed Criminal Action.

14. If you have appellate experience, provide a representative list of cases in which you served as the primary attorney on appeal. The list should include the style of each case, appellate court or administrative agency, identification of your client, and the nature and date of disposition.

**Matthew R. Hlavacek vs. Department of Revenue, 129 S.W.3d 374 (Mo. App. W.D. 2003).**

Missouri Court of Appeals for the Western District

On behalf of the Respondent, Department of Revenue, I briefed and argued the case to the Missouri Court of Appeals for the Western District. The Court of Appeals reversed and remanded the case back to the trial court. The decision was filed on November 12, 2003.

As an Associate Circuit Judge I have been appointed a Special Judge to the Missouri Court of Appeals for the Western District. I participated in oral arguments and discussions following argument to decide several cases.

15. If you are serving or have served in a judicial capacity, describe the nature and extent of your judicial responsibilities, the types of dockets handled, and any special expertise developed.

Associate Circuit Judge, Division 26 of Jackson County Circuit Court:

Division 26 is a division of general jurisdiction that has been assigned to civil, criminal, family court and municipal Trial De Novo matters.

### **Civil Cases**

#### **Adult Abuse Docket**

I preside over the adult abuse docket. I review ex parte orders of protection. Additionally, after an ex parte order of protection has been signed, the cases are then set for a hearing in the division no later than fifteen days after the filing of the verified petition. At the hearing, the Respondent either consents to the full order of protection or requests a hearing.

#### **Contested Domestic Relations**

I also preside over contested domestic actions.

In a contested dissolution action or legal separation where the parties cannot agree to resolve some or all the issues, the Court will adjudicate the contested issues. After the trial, the Court will divide marital and separate property; assets and debts, may issue orders for maintenance, attorneys fees, and (if applicable), orders for child support, custody and visitation of the minor child(ren) of the marriage.

In a contested paternity action where the parties cannot agree to resolve some or all the issues, the Court will adjudicate the contested issues. The Court decides the legal relationship between the child and each parent, custody and visitation of the minor child(ren) and sets the amount of child support. The court may also order a new birth certificate with a possible change of name for the child.

I have also presided over family access motions and civil contempt actions.

#### **Landlord-Tenant and Unlawful Detainer Actions**

I also preside over landlord-tenant and unlawful detainer cases. Rent and possession cases are filed by *pro se* landlords and by attorneys. Attorneys also bring the unlawful detainer actions. The majority of these cases are resolved either as a consent or default judgment. Individuals who have a dispute with the plaintiff that is not resolved have a bench trial set the following week.

## **Missouri Department of Revenue – Trials De Novo and Petitions for Review**

These civil actions are filed on behalf of motorists whose driving privileges have been revoked/suspended by administrative order of the Director of the Missouri Department of Revenue. If the parties cannot reach an agreement to settle the case, a trial will be conducted De Novo or a hearing will be held on Petitions for Review to determine whether or not the administrative action should be affirmed.

### **Personal Injury, Breach of Contract, Property Damage and Suits on Account**

I also preside over a variety of civil cases ranging from breach of contract, personal injury, property damage and suits on accounts. Many of these cases are resolved by a default or a consent judgment. If the case is contested, a case management conference will be scheduled to address any pretrial discovery issue that may arise. After the case management hearing many of the cases settle but those that do not are then tried to the court.

### **Small Claims**

I also preside over the small claims docket. Small Claims Court is designed to settle disputes of \$5,000.00 (five thousand dollars) or less in an informal manner.

### **Tax Dockets**

I also presided over the delinquent tax docket. Here, the State of Missouri, at the relation of the Director of Collection for Jackson County, files suits against business owners who are delinquent in assessed and levied business personal property taxes.

Additionally, I have volunteered to handle confirming land tax sales. When there is a failure to pay real estate taxes on parcels of land, the Jackson County Collector sues to foreclose the tax liens against the parcels. When the owner of the land does not answer, the Circuit Court may enter a default judgment for the Jackson County Collector after finding that the owner was properly notified. The Circuit Court then orders the Jackson County Court Administrator to sell the parcels. The owner has an opportunity to appeal the foreclosure judgment or redeem their parcels. If there is no appeal or redemption by the owner the parcels are sold by auction at the courthouse. The Circuit Court enters judgments confirming the purchase prices but must review the price to ensure that adequate consideration was paid for the parcels and notice was given to the previous owners.

## Criminal

### Special Assignment – Associate Criminal A – Kansas City

I presided over Criminal A from January 1, 2011 to December 31, 2011. The overall purpose of the Associate Criminal A Division is to process all individuals in the criminal justice system in Jackson County. As the Associate Criminal A Division, one of the duties there is to conduct initial arraignments for individuals who have been recently charged with a crime. At the initial arraignment stage the defendant is advised of the charges, a not guilty plea is entered on their behalf, bond is set, and a future court date is set. If the defendant is not in custody, depending on the amount of bond that was posted, they will be screened for Public Defender services. If the defendant is in custody they will also be screened for Public Defender services.

Preliminary hearings are also conducted in Criminal A. Each docket is set up to address a specific type of criminal violation and each day of the week is devoted to a different type of criminal violation. After each docket guilty pleas would be heard and if defense counsel requests a preliminary hearing those cases would be scheduled for a Preliminary hearing that would be heard in Criminal A. Alternatively, the Prosecuting Attorney's Office could send the case to the Grand Jury.

Additionally, the judge sitting in Associate Criminal A reviews cases submitted by the Jackson County Prosecutor's Office and determines whether probable cause exists to authorize the issuance of a warrant for an arrest. I received several case files each day that were designated as anytime warrants for those individuals who are not in custody. On a daily basis, detectives from a variety of units in the Kansas City Police Department presented Applications for Search Warrants. Each application was reviewed to determine the propriety of the issuance of the search warrant. I also conducted extradition hearings where local law enforcement officers brought individuals into court who were taken into custody on out of state felony warrants. If the defendant did not waive their right to extradition proceedings, a hearing would be scheduled to determine whether extradition was appropriate. Additionally, in Associate Criminal A, a population control docket was scheduled each day to review the bond of individuals recently taken into custody.

When I was assigned to Associate Criminal A, the presiding Judge, Judge Charles Atwell, tasked me with improving the efficiency of that assignment. With the help and input of my staff we were able to accomplish this goal. Our division did away with handwritten judgments and had all judgments prepared by the court JIS system. Additionally, we were able to streamline the productivity of the dockets resulting in the elimination of two docket calls. This allowed the Jackson County Prosecutor's Office and the Missouri Public Defender's Office to free up essential personnel for other assignments. Additionally, we added the child

support docket, originally assigned to the circuit division, to Criminal A. This change allowed the circuit division to add an additional domestic caseload during that time period.

### **Probation Cases**

Each division is assigned to supervise felony and misdemeanor probations. I currently have an inventory of approximately 200 felony and misdemeanor probations. Probation violation hearings are scheduled to address allegations that the probationer is in violation of the terms and conditions of their probation. In some cases the probationer is continued on probation with or without added special conditions. In other cases the probationer may have their probation term extended or be revoked from probation.

### **Municipal Court Trial De Novo**

I preside over a docket of cases that have been appealed from the Municipal Court. Guilty pleas, continuances and jury trial requests are taken up during the first call of the docket. The remaining cases are then tried to the court.

I have also been appointed to serve as a special judge for the City of Kansas City, Missouri.

In addition to the responsibilities outlined above, I currently serve on the Employee Retention and Recognition Committee and the Technology Committee. I was also assigned to the committee to interview candidates and select three nominees for the Family Court Commissioner vacancy after Judge Patrick Campbell was appointed as a circuit judge.

Moreover, I attended and completed the two week General Jurisdiction Course at the National Judicial College in Reno, Nevada on May 10, 2012.

16. If you are serving or have served in a judicial capacity, provide a representative list of at least ten cases over which you have presided to completion. The list should include the style of each case and the nature and date of disposition.

**Lindsey Scott vs. Robert L. Ferguson**

**Case No. 0916-CV23485; Bench Trial on October 4, 2010**

Plaintiff sued for property damage of her vehicle. Judgment entered in favor of the Plaintiff in the amount of \$5,841.31.

**Ellis Real Estate Services, LLC vs. Stacy Schneider**

**Case No. 0916-CV34703; Bench Trial on October 19, 2010**

Plaintiff sued for Breach of Contract and Property Damage. The Defendant filed a counterclaim against Plaintiff for wrongfully withholding her security deposit. Judgment entered in favor of the Plaintiff in the amount of \$1,385.00 and for the Defendant on her counterclaim in the amount of \$600.00.

**Fleet Trailer Leasing, Inc., vs. Investment Management Transportation, Inc.  
D/B/A/ Kellie Transport**

**Case No. 1016-CV18882; Bench Trial on November 2, 2010**

Plaintiff sued for Breach of Contract. Judgment was entered in favor of the Plaintiff in the amount of \$9,015.43, plus interest and for attorney's fees.

**Jacobs Marsh LLC assignee of Unifund CCR Partners assignee of Chase  
Manhattan Bank USA NA vs. Dianne M. Mannarelli**

**Case No. 0916-CV22456; Bench Trial on December 16, 2010**

Plaintiff filed a suit on account against Defendant. Judgment for Defendant.

**Capital One Bank v. Gwendolyn Henderson**

**Case No. 1116-CV01677; Bench Trial on April 18, 2012**

Plaintiff sued for Breach of Contract. Judgment entered in favor of the Plaintiff in the amount of \$1,296.92.

**Capital One Bank v. Eric Miller**

**Case No. 1116-CV22354; Bench Trial on May 15, 2012;**

Plaintiff sued for Breach of Contract. Judgment entered in favor of the Plaintiff in the amount of \$947.91.

**In the Matter A.A.J.**

**Case No. 0816-FC08158-01; Bench Trial on August 10, 2012**

This trial involved a modification of child custody and child support.

**Todd A. Patterson v. Director of Revenue**

**Case No. 1116-CV31254; Bench Trial on October 4, 2012;**

Petition for Trial De Novo Pursuant to Section 302.535 RSMo.; all issues arising out of the arrest of Petitioner and the suspension of Petitioner's operating privilege. Judgment entered for the Respondent (Director of Revenue) and the suspension of Petitioner's driving privilege was sustained.

**Plaza Manor Inc. v. James Anderson**

**Case No. 1216-CV05735; Bench Trial on October 10, 2012;**

Plaintiff filed suit to recover fees charged for skilled nursing care. Judgment entered in favor of the Plaintiff in the amount of \$5,451.00.

**In the Matter of V.E.M.**

**Case No. 1216-FC00297; Bench Trial on November 9, 2012**

This paternity action trial involved issues of paternity, child custody and child support.

**Chidlow v. Chidlow**

**Case No. 1216-FC07322; Bench Trial on March 20, 2013**

This dissolution trial involved issues of child custody and division of property and debts.

**Lindsay J. Runnels v. Director of Revenue**

**Case No. 1216-CV34242; Bench Trial on April 18, 2013**

Petitioner filed a Petition for Review pursuant to Section 577.041 RSMo. (Refusal to submit to chemical test); Judgment entered for Petitioner and the Petitioner's license was reinstated.

**In the Matter of A.A.G.M.;**

**Morales vs. Gonzalez**

**Case No. 1316-FC00730; Case No. 1216-FC00482**

**Bench Trial on May 30, 2013**

This two day paternity/dissolution trial involved issues of child custody, child support and division of property.

**Scroggins v. Scroggins**

**Case No. 1016-FC03812; Bench Trial on June 25, 2013**

This trial involved whether a legal separation should be modified to a dissolution. The sole issue was whether the marriage was irretrievably broken.

**Harper v. Harper**

**Case No. 1216-FC06299; Bench Trial on July 2, 2013**

This legal separation trial involved issues of child custody, maintenance, child support, attorney's fees and division of property.

17. If you do not have significant experience in litigation or in a judicial capacity, describe any other legal experience or accomplishments in the legal profession that may qualify you to serve in the office of Circuit Judge. **N/A**
18. List all bar associations and law-related organizations of which you are or have been a member, with any offices held and dates of membership.

American Bar Association  
Jackson County Bar Association  
Kansas City Metropolitan Bar Association  
Kansas Bar Association  
Missouri Association of Associate and Probate Judges  
Missouri Bar Association  
Phi Delta Phi

19. List any published articles or books you have authored and any significant programs or events for which you served as a primary speaker.

Family Law Conference; panel speaker for "Creative Debt Management"

Guardian ad Litem training CLE; panel speaker for "Views from the Bench"

Kansas City Metropolitan Bar Association CLE "Adult Abuse"

Synergy Services CLE; panel speaker for "Adult and Child Protective Order Panel"

UMKC Film and the Law CLE; speaker for "Courtroom Ethics"

20. Do you now or have you ever held any elective or appointive public office or position? If so, please explain. **Yes.**

Appointed Associate Circuit Judge for Jackson County and retained by the voters of Jackson County in 2012.

21. Provide the branches and dates of any military service or other public service not otherwise covered in this application. If discharged from the military, state whether the discharge was other than honorable. **N/A**

22. Describe your community and volunteer service activities, including any organizations (outside the legal profession) with which you are affiliated and any offices held.

Big Brothers and Sisters – I participate in fundraising efforts on behalf of Big Brothers and Sisters

Children's Emergency Fund – Board Member

Debate Kansas City – Board of Directors

Lawyers Encouraging Academic Performance L.E.A.P. – Board of Directors

NAACP – Life Member

Sugar Tree Estates – Treasurer. I collect home association dues from homeowners and keep records of such.

Success Court at Northeast High School - I volunteer to serve as judge for the Kansas City Public School District's Success Court program, where students are called up individually and I will listen to reports from teachers regarding the student's behavior, attendance, grades and other issues that may impede the student's success and will then set goals for each student.

UMKC Inns of Court – Inn Master

Additionally, I have volunteered to speak at schools and various organizations on numerous occasions on topics such as education, community and crime.

23. List any significant honors or awards you have received that otherwise have not been covered in this application.

I am a member of the Boy Scouts of America and I received my Eagle Scout on September 27, 1992

2012 Urban Summit Young Professionals Award

24. Are you delinquent in the payment of any federal, state, county or city taxes? If so, please explain. **No.**
25. Have you ever been convicted of a misdemeanor or felony or received a suspended imposition of sentence in any federal, state, or military court? If so, please explain and provide the style of the case (including case number), the court, the date of the conviction, and the sentence or fine imposed. **No.**
26. Have you ever been held in contempt of court? If so, please explain. **No.**
27. Have you ever been sued by a client or been a party to any litigation, other than as a guardian ad litem, plaintiff ad litem, or defendant ad litem? If so, please explain and provide the style of each case, the court, your role as plaintiff or defendant, and the nature and date of disposition.

I have been named a party due to being issued various traffic citations over the years that are detailed below.

**State of Missouri v. Kenneth R. Garrett, 16T029905239,  
Jackson County Circuit Court**

I received a traffic citation for speeding issued by the Missouri Highway Patrol, which was amended to non-compliance of safety equipment for a vehicle. I paid a fine. Case was disposed of in May 13, 1999.

The above information was obtained through a Case.net search.

I have received other traffic citations over the years from the City of Kansas City and the State of Kansas. I paid a fine. I do not recall any of the case numbers or disposition dates.

28. Have you ever been disciplined or cited for breach of ethics or professional conduct by a court or by any bar association or committee thereof? If so, please explain. **No.**

29. If you are or were a member of the judiciary of the State of Missouri, please state:
- (a) Whether an order of reprimand, removal, retirement, suspension or other disciplinary action has ever been entered against you by the Supreme Court of Missouri for breach of the Code of Judicial Conduct or the Canons of Judicial Conduct? If so, explain the details of such breach and the date, nature, and duration of the discipline imposed. **No.**
  - (b) Whether a reprimand or admonishment has ever been entered against you by the Commission on Retirement, Removal and Discipline for any of the causes specified in Rule 12.07 of the Supreme Court Rules Governing the Judiciary. If so, explain the details of such cause and the date and nature of the discipline imposed. **No.**
  - (c) Whether, to your knowledge, you are the subject of a complaint that is currently under investigation by the Commission on Retirement, Removal and Discipline. If so, explain that nature of such complaint and the status of the investigation. **No.**
30. Provide any additional information that you consider relevant to your qualifications for the office of Circuit Judge.

I believe that my educational background, my range of experience as a practicing attorney in the field of probate and civil law in the Missouri Attorney General's Office and the criminal experience from the Jackson County Prosecutor's Office coupled with my experience as an Associate Circuit Judge for Jackson County, where I preside over civil, criminal and uncontested and contested family law cases, are a significant asset that I can bring to the Circuit Court.

31. List the names and contact information (title, mailing address, telephone, and email address) of the **five** persons whom you have requested to provide letters of reference regarding your character and judicial qualifications. Do not list as a reference any judge who currently sits in the Sixteenth Judicial Circuit.

Dr. Luis Cordoba  
Executive Director for Student Interventions  
Kansas City Public Schools  
1211 McGee Street  
Kansas City, Missouri 64106  
816.418.7322  
[lcordoba@kcpublicschools.org](mailto:lcordoba@kcpublicschools.org)

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**CERTIFICATION OF ACCURACY AND  
AUTHORIZATION FOR RELEASE OF INFORMATION**

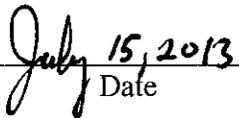
By my signature to this form, I certify that all statements made in my application for the office of Circuit Judge and attachments thereto are truthful and correct. I further certify that if I am nominated by the Sixteenth Circuit Judicial Commission and appointed to the office of Circuit Judge, I will accept the appointment and perform the duties of that office as provided by law.

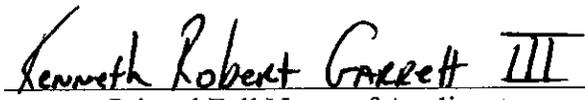
By my signature to this form, I authorize: (1) the Commission, through its Chairperson, to obtain relevant information, including but not limited to documents, records, and files, with respect to my medical, law enforcement, or disciplinary records; and (2) the Commission and its members to obtain additional relevant information regarding my qualifications, as well as the accuracy of my responses to the questions on this application. It is my understanding that the information obtained pursuant to this authorization shall be made available only to the members of the Sixteenth Circuit Judicial Commission and their staff as necessary to perform their duties.

Notwithstanding the above, in accordance with Supreme Court Rule 10.28 (e), if I am one of the three nominees listed on the certificate of nomination sent to the Governor, I authorize the Commission to send a complete copy of this application to the Governor and publicly release a copy of the application with personal and confidential information redacted as identified on the cover page of this application.

This certification and authorization shall remain in full force and effect until revoked by me in writing.

  
\_\_\_\_\_  
Signature of Applicant

  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Printed Full Name of Applicant

## JUDGE KENNETH R. GARRETT, III

### BACKGROUND

Judge Garrett is an Associate Circuit Judge for the 16<sup>th</sup> Judicial Circuit. Prior to his appointment, he served as an Assistant Attorney General and Assistant Prosecuting Attorney. Judge Garrett received his undergraduate degree, a Bachelor of Arts in Political Science, at the University of Missouri, Kansas City. He also received his law degree from the University of Missouri, Kansas City.

Judge Garrett is a member of the Missouri Bar Association, the American Bar Association, the Jackson County Bar Association and the Kansas City Metropolitan Bar Association. He is the Treasurer of the Sugar Tree Estates Homes Association, and is active in Debate Kansas City as a board member.

### DISCUSSION

Attorneys who responded to survey questions rated Judge Garrett on a scale of 1 to 5, with 1 representing "not at all", and 5 representing "completely".

Judge Garrett received his highest scores for: Treats people equally regardless of race, gender, ethnicity, economic status, or any other factor (4.59); and Allows parties latitude to present their arguments (4.57); and Demonstrates appropriate demeanor on the bench (4.57). His lower scores were for: Effectively uses pretrial procedure to narrow and define the issues (4.30); and Understands rules of procedure and evidence (4.31). Judge Garrett's lower scores are well above the average for retention.

The committee reviewed a peer survey completed by a number of Judge Garrett's fellow judges. Again, the survey rated Judge Garrett in several categories, on a scale of 1 to 5. He received the highest scores for: Treats people equally regardless of race, gender, ethnicity, economic status, or any other factor (4.86); and Is not affected by partisan considerations (4.71); and Demonstrates appropriate demeanor on the bench (4.71). Judge Garrett's lower score was for: Rulings on dispositive motions state reasons and consistently apply the substantive law (4.29); and Maintains and requires proper decorum in the courtroom (4.29).

The committee has reviewed written opinions submitted by Judge Garrett. The committee finds these opinions to be well reasoned and clearly written.

### RECOMMENDATION

The 16<sup>th</sup> Circuit Judicial Performance Evaluation Committee recommends that Judge Garrett BE  
RETAINED.