

# COMMISSION ON RACIAL AND ETHNIC FAIRNESS

---

---



---

---

December 2018  
Report to the Supreme Court of Missouri  
For The Period 2017-2018

**Supreme Court of Missouri**  
**Commission on Racial and Ethnic Fairness (CREF)**

**December 2018 Report to the Supreme Court of Missouri for the Period 2017-2018**

**INDEX**

Opening Letter from the Commission Tri-Chairs .....	3
Profile of Tri-Chairs .....	4
Profile of Executive Director .....	5
Commission Goals and Subcommittee Charges .....	6
List of Commissioners .....	8
Commission Structure.....	10
Status of November 2017 Recommendations.....	11
Summarized CREF Prioritized Action Plan.....	16
2017-2018 Subcommittee Activity Summaries .....	17
Municipal Updates in Missouri.....	24
Statewide Relevant Actions and Events Concerning Racial and Ethnic Fairness in the Courts.....	26
Commissioners’ Accomplishments, Awards and Activities .....	29
Appendix	
Midwest Region Civil Justice Reform Summit Agenda.....	32
Disproportionate Minority Contact (DMC) Summit Agenda .....	33
Diversity Awareness Partnership (DAP) 11th Annual Meeting Agenda.....	34
Dred Scott Symposium Agenda .....	35

SUPREME COURT OF MISSOURI  
COMMISSION ON RACIAL AND ETHNIC FAIRNESS  
POST OFFICE BOX 104480  
JEFFERSON CITY, MISSOURI 65110

December 15, 2018

We are pleased to present the 2018 Report of the Supreme Court of Missouri's Commission on Racial and Ethnic Fairness for the period 2017-2018. When the Supreme Court of Missouri established the Commission in October 2015, then Chief Justice Patricia Breckenridge emphasized the formative purpose:

*We all need to do everything we can to ensure that every individual in every case in our system of justice is treated with respect and has his or her case adjudicated fairly and impartially according to the law. Until that is true in 100 percent of our courts, we cannot rest. Even a perception of justice denied anywhere should concern us all, no matter who or where we are.*

To fulfill this purpose, the Commission was tasked "to examine and review current practices and recommend measures to ensure fairness, impartiality, equal access and full participation for racial and ethnic minorities in the judicial process and in the practice of law." Mindful of our mission and charge, the Commission has worked diligently gathering and analyzing data and information from many sources, holding meetings as a full Commission and in subcommittees. During the past two years, we have issued three sets of recommendations, an interim report and a full report in November 2017.

At the close of 2017, we examined our structure and made recommendations to realign it more closely with the work. This included the creation of a Data and a Public Engagement Subcommittee. In order to manage the Commission's efforts and move our initiatives forward, the search for an Executive Director for the Commission commenced. In April of 2018, Kimberley Taylor-Riley assumed the role. Ms. Taylor-Riley attended the National Consortium on Racial and Ethnic Fairness in the Courts conference on behalf of the Commission in June. Upon return, she reported that Missouri was an official member of the National Consortium and Ms. Taylor-Riley is representing the Commission on the Consortium's Advisory Committee. These are developments that ensure our Commission has a seat at the table when national initiatives are undertaken.

This 2018 report details the Commission's accomplishments this year, including actions taken by the Supreme Court and other entities that have impacted racial and ethnic fairness in our judicial and legal systems. The report also sets out the Commission's priorities for the coming year and challenges we face in the wake of this important work.

As the Chairs of the Commission, we are encouraged by the progress made so far, particularly in regard to municipal courts, but we recognize that there is still much to be done. The Commission will continue to examine these issues in our judicial and legal systems and to propose viable solutions that will effect real change consistent with the goal of achieving racial and ethnic fairness in our courts. The Commission is grateful for the opportunity to serve the judiciary, the profession and the public.

Respectfully submitted,

Michael Middleton  
Lisa White Hardwick  
William Bay

## Tri-Chairs



Mr. Michael Middleton

Professor Middleton, Deputy Chancellor Emeritus and Professor Emeritus of Law, joined the law faculty at the University of Missouri in 1985 after an illustrious career with the federal government in Washington. He was a trial attorney in the Civil Rights Division of the Department of Justice and in 1977 was appointed Assistant Deputy Director of the Office for Civil Rights at the Department of Health Education and Welfare. In addition, Professor Middleton was an integral part of the EEOC on the federal level, serving as director of the Office of Systemic Programs and Associate General Counsel, Trial Division and finally, Director of the St. Louis district office prior to assuming his role at the University. Professor Middleton retired after serving as Interim President of the University of Missouri System and as Interim President of Lincoln University.



The Honorable Lisa White Hardwick

Ms. Lisa White Hardwick is a judge on the Missouri Court of Appeals, for the Western District. After graduating from Harvard Law School, she joined the firm of Shook, Hardy & Bacon in 1985 and was a partner from 1992 to 2000. She also was elected to the Jackson County Legislature, serving as an at-large representative from 1993 to 2000. She was appointed to the 16th Judicial Circuit as a trial judge in January 2000 and to the Court of Appeals in May 2001. Judge Hardwick served as Chief Judge of the Western District from 2010-2012.



Mr. William Bay

Mr. William Bay, partner at Thompson Coburn, has been recognized as a top litigator by The Best Lawyers in America. He is the chair of the American Bar Association (ABA) House of Delegates and past chair of the ABA Section of Litigation, the largest section in the ABA, and has been a member of the ABA Board of Governors and chaired its Finance Committee. Bay is also a member of the American Law Institute, the leading independent organization in the United States that works to improve the law.

## Executive Director



Ms. Kimberley Taylor-Riley

Ms. Kimberley Taylor-Riley graduated from the University of Nebraska at Omaha with a degree in social work and a minor in criminal justice. Ms. Taylor-Riley is certified as a law enforcement officer in the state of Nebraska and holds certifications in basic and family mediation. Since graduation from Creighton Law School in 1994, Ms. Taylor-Riley has engaged in a myriad of civil and criminal practice areas with a concentration in family and juvenile law. In 2005, she closed her private practice and took a position with the Nebraska Attorney General's Office. Ms. Taylor-Riley worked in the civil division handling inmate litigation before moving to the Violence Against Women Act Prosecutor position wherein she prosecuted domestic and sexual violence across the state. She also served as the resource prosecutor for Nebraska during that time as well as coordinating a training team to address best practices/protocols for successful intervention in domestic and sexual violence cases. Ms. Taylor-Riley was the Director of Equity and Diversity for the city of Lincoln, Nebraska, for six years involving supervision of the Lincoln Commission on Human Rights staff, performing internal discrimination/harassment investigations, serving as the ADA co-coordinator, assisting with federal civil rights contract compliance issues and working with a team designated by the mayor to create a more inclusive workforce. Recently, Ms. Taylor-Riley assumed the role of Diversity and Inclusion Manager for the Office of State Courts Administrator (OSCA) in Missouri.



## COMMISSION GOALS AND SUBCOMMITTEE CHARGES

In October of 2015, the Supreme Court established the Commission and set out the goals it was to achieve. The Commission's goal is to examine and review current practices and recommend measures to ensure fairness, impartiality, equal access and full participation for racial and ethnic minorities in the judicial process and in the practice of law. Consistent with these goals, the Commission shall:

Identify any barriers to access and fairness in the judicial system and legal profession;

Review the applicable constitutional provisions; statutes; ethical, procedural and court operating rules that may impact these issues; and such other materials as the commission believes would be helpful to its study and the development of its recommendations;

Seek public input and engagement through written suggestions, public hearings or such other avenues as the commission believes helpful, as well as collaborate and participate in the "Minority Community Engagement" project with the National Center for State Courts and National Consortium on Racial and Ethnic Fairness in the Courts;

Conduct, with the consent of the Court, surveys and study additional research regarding racial and ethnic equity in the justice system and in the legal profession.

The Commission shall focus its work in six areas — the judicial system, generally; the civil justice system; the criminal justice system; the juvenile justice system; the municipal justice system; and the practice of law — and will have subcommittees in these areas and such other subcommittees as needed to facilitate its work. Its focus may include but is not limited to the following:

The existence and impact of any racial and ethnic bias and/or disparities within the judicial system and the practice of law;

Changes to court rules, regulations, laws and/or practices to improve meaningful access to or participation in the judicial system and the practice of law by racial and ethnic minorities;

Measures to ensure that all persons within the judicial system and practice of law refrain from manifesting bias or prejudice, by words or conduct, based on race or ethnicity;

Measures to address any implicit or other bias within the judicial system and legal profession;

The availability of effective legal representation for racial and ethnic minorities within the judicial system;

Measures to enhance racial and ethnic diversity in the selection, retention and promotion of judicial officers, court staff and professionals in the legal community; and

Measures to enhance understanding of the practices, procedures and proper role of the state's courts.

The Commission may act to implement its recommendations as authorized by the Court.

Since the Commission on Racial and Ethnic Fairness began, the Commission has formed two new subcommittees to assist the original six subcommittees in their endeavors. These new subcommittees and their charges are outlined below:

The Data Subcommittee is charged with:

- Reviewing and assessing other CREF subcommittees' requests for information and data, including assessments of feasibility.
- Identifying proposed changes to case management or other data collection methods used by the judiciary.

The Public Engagement Subcommittee is charged with:

- Responding to public inquiries.
- Supporting CREF subcommittee public sessions.
- Serving as a conduit for the exchange of information.
- Communicating the mission, priorities and work of the CREF.

## LIST OF COMMISSIONERS

The Commission on Racial and Ethnic Fairness selected Commissioners from across Missouri who represented various parts of the judicial system. Attorneys, judges, law enforcement, court personnel and representatives from academia have a voice in the process of creating systematic changes within the courts to ensure racial and ethnic fairness for all Missourians. The following members currently comprise the Commission.



Pictured are Commission members present at the CREF meeting held September 7, 2018.

### **Executive Committee**

The Honorable George W. Draper, III, Liaison (Jefferson City)  
Supreme Court of Missouri

Ms. Dana Tippin Cutler, Liaison (Kansas City)  
Tippin Law Firm

Professor Michael A. Middleton, Co-Chair (Columbia)  
Deputy Chancellor Emeritus - University of Missouri School of Law

The Honorable Lisa White Hardwick, Co-Chair (Kansas City)  
Missouri Court of Appeals, Western District

Mr. William R. Bay, Co-Chair (St. Louis)  
Thompson Coburn

Ms. Kimberley Taylor-Riley, Executive Director (Jefferson City)  
Office of State Courts Administrator

### **Civil Justice System Subcommittee**

The Honorable Nicole Colbert-Bochway, Co-Chair (St. Louis)  
Judge, 22nd Judicial Circuit

Mr. Ronald Nguyen, Co-Chair (Kansas City)  
The Law Office of Ronald Nguyen

Mr. Salim Elias Awad (Clayton)  
Coulter Lambson

Mr. Allan Seidel (Trenton)  
Seidel Havens and Dennis

Professor Mikah Thompson (Kansas City)  
University of Missouri - Kansas City School of Law

Professor David Achtenberg (Kansas City)  
University of Missouri - Kansas City School of Law

The Honorable Angela Turner Quigless (St. Louis)  
Missouri Court of Appeals, Eastern District

### **Criminal Justice System Subcommittee**

The Honorable Jalilah Otto, Co-Chair (Kansas City)  
Judge, 16th Judicial Circuit

The Honorable Gary Oxenhandler (Ret.), Co-Chair (Columbia), Oxenhandler Law

Mr. James R. Hobbs (Kansas City)  
Wyrsh Hobbs & Mirakian

The Honorable Annette Llewellyn (St. Louis)  
Judge, 22nd Judicial Circuit

Director Sandra K. Karsten (Jefferson City)  
Missouri Department of Public Safety

Professor Susan McGraugh (St. Louis)  
St. Louis University School of Law

Ms. Jenelle M. Beavers (Columbia)  
University of Missouri System

Mr. Dion Sankar (Kansas City)  
Jackson County Courthouse



### **Judicial System Subcommittee**

The Honorable Kenneth R. Garrett III, Co-Chair  
(Independence)

Judge, 16th Judicial Circuit

The Honorable Louis Angles, Co-Chair (Liberty)  
Judge, 7th Judicial Circuit

Mr. Gonzalo Fernandez (St. Louis)  
Devereaux, Stokes, Noland, Fernandez & Leonard

The Honorable Nancy Rahmeyer (Springfield)  
Missouri Court of Appeals, Southern District

Mr. Leonard Searcy (Kansas City)  
Shook, Hardy & Bacon

Ms. Dorothy White-Coleman (St. Louis)  
White Coleman & Associates

The Honorable Charles Curless (Lamar)  
Senior Associate Circuit Judge, 28th Judicial Circuit

Professor Chuck Henson (Columbia)  
University of Missouri - Columbia School of Law

### **Juvenile Justice System Subcommittee**

The Honorable Sandra Hemphill, Co-Chair (Clayton)  
Judge, 21st Judicial Circuit

Ms. Luz Maria Henriquez, Co-Chair (St. Louis)  
Legal Services of Eastern Missouri

The Honorable Marco Roldan (Kansas City)  
Judge, 16th Judicial Circuit

Ms. Susan E. Block (St. Louis)  
Paule, Camazine & Blumenthal

Mr. Rick Gaines (Clayton)  
Family Court of St. Louis County

Mr. Ivan Nugent (Kansas City)  
Krigel & Krigel

Professor Douglas E. Abrams (Columbia)  
University of Missouri - Columbia School of Law

Professor Mary Kay O'Malley (Kansas City)  
University of Missouri - Kansas City School of Law

Mr. Jacob Zimmerman (Cape Girardeau)  
Zimmerman Law

### **Municipal Justice System Subcommittee**

The Honorable Todd Thornhill, Co-Chair (Springfield)  
Municipal Judge, 31st Judicial Circuit

Professor Karen Tokarz, Co-Chair (St. Louis)  
Washington University School of Law

Mr. Keith Cheung (St. Louis)  
Curtis, Heinz, Garrett & O'Keefe

Ms. Randee Stemmons (Mount Vernon)  
Stemmons Law Firm

The Honorable Judy P. Draper (Clayton)  
Judge, 21st Judicial Circuit

### **Practice of Law Subcommittee**

Mr. Gerard Carmody, Co-Chair (St. Louis)  
Carmody MacDonald

Mr. Patrick Chavez, Co-Chair (St. Louis)  
Edward Jones

Ms. Jenifer Placzek, Co-Chair (Springfield)  
Placzek, Winget & Placzek

The Honorable Lajuana Counts (Kansas City)  
U.S. Magistrate Judge, Western District of Missouri

Ms. Crista Hogan (Springfield)  
Springfield Metropolitan Bar Association

Mr. Michael A. Williams (Kansas City)  
Williams Dirks Dameron

Mr. Richard Bien (Kansas City)  
Lathrop & Gage

Ms. Mischa Buford Epps (Columbia)  
Attorney at Law

Professor Kimberly Norwood (St. Louis)  
Washington University School of Law

Professor Geetha Rao Sant (St. Louis)  
Washington University School of Law

### **Data Subcommittee**

Professor Mikah Thompson, Chair (Kansas City)  
University of Missouri - Kansas City School of Law

Ms. Lynn Vogel (Clayton)  
Vogel Law Office

The Honorable Kenneth R. Garrett III (Independence)  
Judge, 16th Judicial Circuit

The Honorable Sandra Hemphill (Clayton)  
Judge, 21st Judicial Circuit

Anne Dannerbeck Janku, Ph.D. (Columbia)  
University of Missouri School of Social Work

Professor Susan McGraugh (St. Louis)  
St. Louis University School of Law

### **Public Engagement Subcommittee**

Ms. Christa Hogan, Chair (Springfield)  
Springfield Metropolitan Bar Association

The Honorable Marco Roldan (Kansas City)  
Judge, 16th Judicial Circuit

Mr. Booker T. Shaw (St. Louis)  
Thompson Coburn

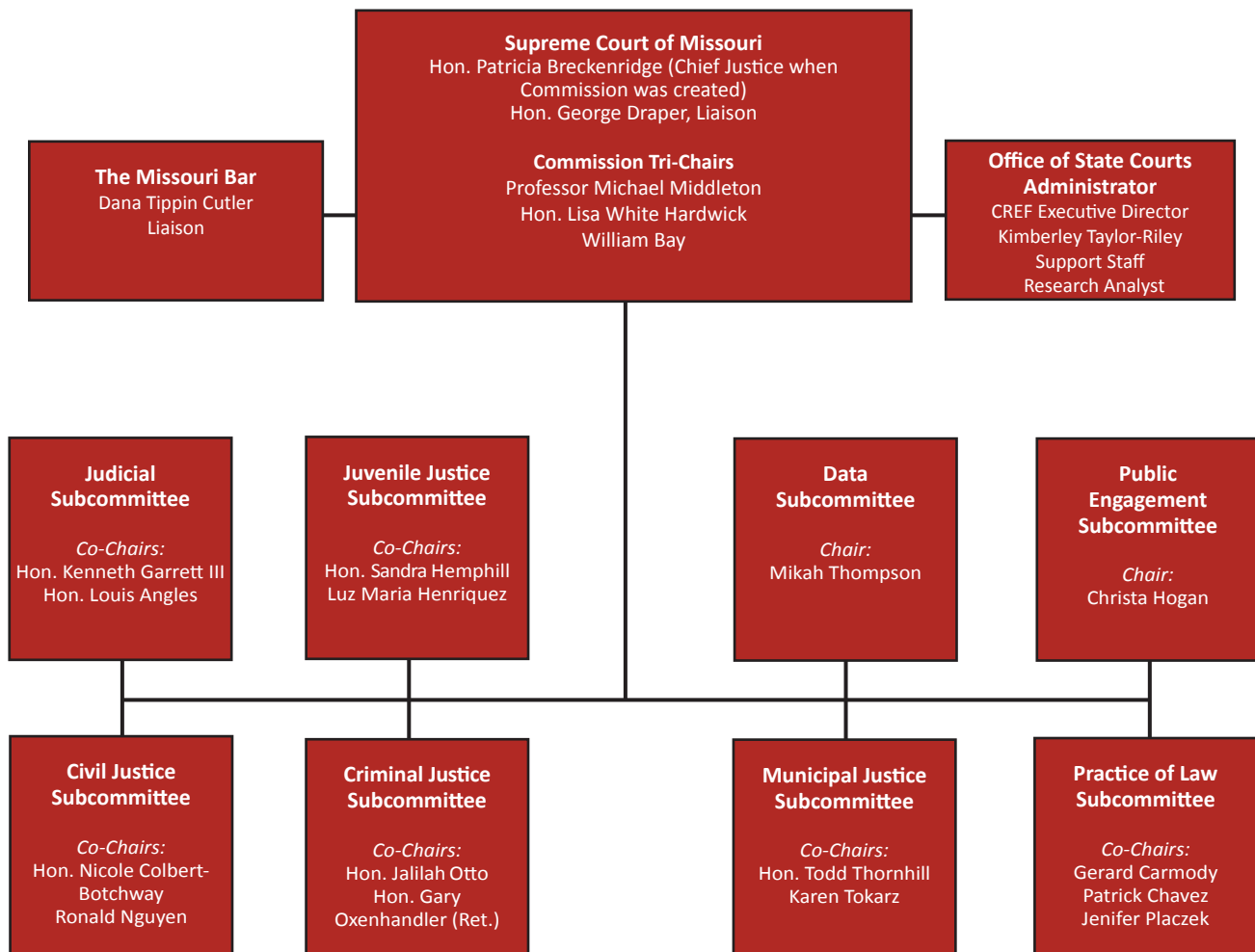
Ms. Christine Bertelson (Clayton)  
Director of Strategic Communications, 21st Judicial Circuit

# COMMISSION ON RACIAL AND ETHNIC FAIRNESS STRUCTURE



*Supreme Court of Missouri judges (left to right):  
Judge Patricia Breckenridge, Judge Mary R. Russell, Judge  
George W. Draper III, Chief Justice Zel M. Fischer, Judge Paul  
C. Wilson, Judge W. Brent Powell, Judge Laura Denvir Stith*

The structure of CREF has changed since our last annual report with the addition of an Executive Director and new support staff housed at the Office of State Courts Administrator, a new Missouri Bar Liaison, several new subcommittee co-chairs, and two additional subcommittees, Data and Public Engagement, to support our original six subcommittees' endeavors.



## STATUS OF NOVEMBER 2017 RECOMMENDATIONS

### Accomplishments

1. Recommend mandatory training in cultural competency, diversity, inclusion and implicit bias for all court personnel and judges on an annual basis. Implicit bias training was recently held for municipal and appellate judges. Such training is also planned for circuit judges at the summer and fall judicial colleges. This recommendation includes extension of training in these areas to all court personnel including juvenile officers, clerks, bailiffs and employees of all circuit courts.
  - Training was offered beginning in spring of 2017. Training included judges, Supreme Court staff, Board of Law Examiners, employees of OSCA, court reporters and other court personnel equaling more than 700 employees. The recently adopted Juvenile Officers' Performance Standards include a requirement for similar training, which is anticipated to begin in 2019.
2. Recommend that a voluntary checkbox be added to the Attorney Enrollment Form that provides race and ethnicity information, similar to what was done with gender last year. We believe that data will allow us to assess the number of attorneys and judges in Missouri by race and ethnicity, and allow future focus on efforts to address any issues presented by the data. The proposal is to use the same categories that the American Bar Association utilizes.
  - This recommendation has been adopted by the Supreme Court. The Court is gathering this information. To date, the data shows that we have 35,000 attorneys in Missouri. Through voluntary compliance, 78.8 percent of attorneys in good standing reported gender and 36.9 percent of attorneys in good standing reported ethnicity. This data will be reviewed annually.
3. Recommend that Missouri's judiciary participate in a survey to be conducted by the National Center for State Courts regarding the racial and ethnic demographics of judges and court staff.
  - The survey was completed through the use of grant funds in May 2017 and the data has been reviewed. The initial NCSC survey completed the judiciary portion of the data set. OSCA has begun the process of gathering the necessary information to complete the data set (to include all court staff). The survey has been sent to the intended respondents and we are in the process of reviewing the responses.
4. Recommend that Missouri host the 2017 National Consortium on Racial and Ethnic Fairness in Courts Conference in St. Louis. A separate committee of legal and community leaders will need to be created to organize the conference.
  - The Consortium conference was held in St. Louis, Missouri, in May of 2017. The sessions were well attended and well received.
5. Support the 35 recommendations of the Supreme Court Municipal Division Work Group issued March 1, 2016, and the work of the Committee on Practice and Procedure in Municipal Division cases, which is charged with implementation. These recommendations fall into nine categories as follows: (a) 2 recommendations in the area of conflict of interest; (b) 7 recommendations in the area of warrants, incarceration and bonds; (c) 1 recommendation in the area of enforceability of judgments; (d) 3 recommendations in the area of elimination of perverse financial incentives; (e) 1 recommendation in the area of adequate supervision of municipal divisions in St. Louis County; (f) 4 recommendations in the area of elimination of unauthorized and unnecessary costs and fees; (g) 9 recommendations in the area of open and

orderly proceedings and records; (h) 3 recommendations in the area of establishing separation of powers in judicial selection; and (i) 5 recommendations in the area of improvement of rules and procedures re trial de novo.

➤ A portion of the recommendations were adopted by the Court.

6. The Commission also supports two additional recent actions of the Supreme Court of Missouri: new changes to Rule 37.04 adopted by the Court on September 20, 2016, regarding “Supervision of Courts Hearing Ordinance Violations” and the proposed Model Local Rule 69.01 entitled “Determining Indigent Status in Municipal Division Cases.”

➤ The recommendation was adopted by the Court.

7. Recommend the following items: (a) the collection of ethnic and racial data in municipal divisions; (b) the developments of standards for the municipal divisions; (c) that presiding circuit judges regularly meet with and monitor the municipal divisions in their circuits to ensure compliance with state law and court rules; (d) the development and distribution of bench cards to all municipal judges outlining relevant state law and court rules; and (e) the development and distribution of appropriate information to notify defendants in municipal divisions of their rights and the alternative services available to them.

➤ Recommendations b, c and d above were adopted in whole by the Court. Additionally a representative of CREF was appointed to the Supreme Court Civil Rules Committee to provide input and report back to the CREF.

8. Supreme Court Operating Rule 28 should mandate training for court personnel to ensure proper and consistent assessment of juveniles for entry into the court system.

➤ Referred to the Juvenile Justice System Subcommittee for specific edits to the rule. Further the Juvenile Officers’ Performance Standards that were recently adopted include a requirement for juvenile officers to have training on the assessment tools.

### **Status of Other Recommendations**

1. Recommend that training in cultural competency, diversity, inclusion and implicit bias for all attorneys be part of the mandatory CLE requirement. This recommendation will increase the ethics requirement to three hours every year or 20 percent of the annual CLE requirement. It will require at least one hour be in the area of cultural competency, diversity, inclusion and implicit bias. We suggest that as a practical matter, it would be preferable to have such programs be two hours in length. The proposal for the two rule changes (18.05(b) and 15.05(f) (2)) and one amended regulation (15.01(7)(c)) with redlines showing the changes are part of the recommendation.

➤ This proposal has been submitted to the Court and is currently under consideration.

2. Recommend support of Missouri’s participation in a pilot project to implement the Public Safety Assessment (PSA) tool developed by the Arnold Foundation and recommended by the National Center for State Courts. This assessment can assist the court in making evidence-based decisions about which defendants should be detained prior to trial and which can be safely released on grounds other than their ability to pay for bond. The PSA is currently being utilized in three states and helps accurately distinguish among the low, moderate and high risk defendants, and identify those who are at an elevated risk for violence or risk of fleeing the jurisdiction. Policy manuals on best practices will be established. If the results are positive, expansion of the program to all Missouri courts should be considered.

- On January 14, 2019, the National Institute of Corrections will present to the task force on the Laura and John Arnold PSA and the Ohio Risk Assessment System, *Pretrial Risk Assessment Tool*. The task force will render a recommendation as to which system would best meet Missouri's needs. Thus far, 29 jurisdictions and three states have implemented the PSA. St. Louis County was previously assessed by the McArthur Foundation, but not approved for the pilot project.
3. Recommend support of Missouri's submission to the U.S. Department of Justice for a \$500,000 grant to make court automation improvements in Missouri. The goals of this project include increased opportunities for out-of-court resolution of minor traffic and ordinance violations, automated indigent assessment, and out-of-court dispositions that include community service or payment plans. It will also provide for text or other automated reminders of court dates and payment due dates.
    - BJA fiscal year 2016 Price of Justice: Rethinking the Consequences of Justice Fines and Fees Grant Period - 10/1/16-9/30/19  
Award Number - 2017-ZB-BX-0006  
Contractors will be hired to develop an automated system for the resolution of municipal ordinances and minor traffic violations in the judiciary's case management system, known as Show-Me Courts. Contractors will integrate the case types that can be disposed without a court appearance and create a menu of alternatives that can be incorporated into a web-based system that can be used by municipal courts. At this point, it is in the design phase. OSCA is working with the advisory committee, reviewing concepts and obtaining input about system structure. One pilot location has been identified and, upon acceptance, representatives from this location will be incorporated into the advisory committee.
  4. Recommend an examination of Missouri jury instructions, consistent with the Supreme Court of Missouri's recent adoption of changes to MAI 310.02 concerning eyewitness testimony. These newly adopted guidelines provide deeper clarification of the conditions expected for eyewitness testimony, including environmental conditions, eyesight of the witness, race/ethnicity of involved parties, presence of intoxication or altered state, etc. These guidelines apply to trial and to photographic and live lineups. They align closely with those in use by the U.S. Court of Appeals for the Eighth Circuit.
    - Referred to the Judicial Subcommittee for follow up on adoption of a rule pertaining to eyewitness testimony in civil matters.
  5. Consistent with ABA rules, expand professional misconduct to include representation of clients in the practice of law. Lawyers should not engage in harassment of anyone they come in contact with in practice. The rules relating to bias, prejudice and harassment for lawyers and judges be amended and updated. Specific language changes to rules 4-8.4, 2-2.3 and 4-1.16 with additional comments have been drafted.
    - The specific rule changes and edits to Rule 2-2.3 Bias Prejudice and Harassment were approved by the Court and became effective January 1, 2016. A similar change was made in the Missouri Judicial Code of Conduct as it relates to bias categories. The changes and edits to Rules 4-8.4 and 4-1.16 are under consideration by the Court. Research will be conducted by the Practice of Law Subcommittee to ascertain how other jurisdictions have implemented similar rules.



6. OSCA set-up procedures to collect racial and ethnic data at all stages of the criminal justice process: plea, arrest, diversion, etc. The collection of this data will allow for the examination of any patterns of disparity in the different steps of case processing similar to the studies that have been conducted on juvenile system case processing using these data points.
  - OSCA does not have independent access to the self-reported demographic information contained in Department of Revenue records. As a result, OSCA has only the data provided by arresting officers that is commonly the result of the officers' visual inspection of the defendant. OSCA continues to explore options for the gathering of this information in a more reliable fashion.
7. Review the collateral consequences of convictions in Missouri and support court rules and legislation that endeavor to ameliorate the impact of collateral consequences that do not serve legitimate public safety or regulatory functions.
  - The Criminal Justice System Subcommittee has gathered information concerning collateral consequences related to criminal convictions. In the coming year, this committee will be exploring options for addressing some of the identified issues.
8. Recommend that all attorneys, court personnel, and judges be provided access to webinars that focus on cultural competency, diversity, inclusion and implicit bias training topics that can be accessed consistently in addition to live-training options. The purpose is to make training accessible and affordable.
  - The State Courts Administrator has adopted the Juvenile Officer Performance Standards, which include training in the following categories: the Juvenile Detention Assessment, the Risk and Needs Assessment/Classification Matrix, Cultural Competency and Implicit Bias (see JOPS at Section 1.4 Training and Staff Development). Adopted in 2017. Additionally, OSCA has created Title VI training that is available on JEWELS and all OSCA personnel are required to complete the training by December 31, 2018.
9. Recommend development of plans to implement recommendations within *Call To Action: Achieving Civil Justice for All - Recommendations to the Conference of Chief Justices by the Civil Justice Improvements Committee*. The recommendations call for resourcing and managing court cases consistent with case complexity to facilitate timely and efficient processing of cases. The recommendations also call for improving convenience to litigants and increasing the transparency of measurement data.
  - Midwest Region Civil Justice Reform Summit was held in Kansas City, Missouri, on October 3-5, 2018. The focus of the summit was to provide direction and best practices for moving reform initiatives forward. See attached agenda at appendix page 32.
10. Support the work of the National Center for State Courts' Task Force on Fines, Fees, and Bail Practices and its work groups addressing (1) Access to Justice and Fairness; (2) Transparency, Governance, and Structural Reforms; and (3) Accountability, Judicial Performance and Qualifications, and Oversight. When available, the reports of the task force and any model forms and best practices should be provided to appropriate Court committees, including this Commission, for evaluation as to applicability in Missouri.
  - The Task Force on Criminal Justice has forwarded proposed pretrial release and bond reform rules to the Criminal Rules Committee. (The task force is awaiting feedback from the Criminal Rules Committee.)

11. Provide training to judges on the new expungement practices in Section 610.140 that go into effect January 1, 2018.
  - The new expungement criteria has come into effect and training in this regard is under consideration.
12. Support changes to the relationship of the appointing authority and the juvenile officer authorized by the Supreme Court in Court Operating Rule 14.01, which seeks to ensure the juvenile/family court judge shall not exercise authority in a manner that interferes with the independent decision-making necessary for the juvenile officer to carry out the statutorily mandated and separated roles and responsibilities of the juvenile officer.
  - The Court made some changes to Court Operating Rule 14 to ensure that judges hearing a juvenile matter would not also serve as the appointing authority for the assigned juvenile officers.

## **SUMMARIZED CREF PRIORITIZED ACTION PLAN 2018-2019**

### **A. Category: Rule Changes and Proposals**

This category encompasses proposed procedural, process and rule changes that will increase the accessibility and utility of the justice system in Missouri. For example:

#### **Civil Justice Subcommittee Recommendation:**

- Develop a Missouri Ombudsman program similar to those found in other states to assist individuals in accessing, understanding and navigating the judicial system.

### **B. Category: Criminal Justice System Process**

This category encompasses proposed procedural, court rule and statutory changes that will increase the equity, access and responsiveness of the criminal justice system in Missouri. For example:

#### **Criminal Justice System Subcommittee Recommendations:**

- Review the collateral consequences of convictions in Missouri and support court rules and legislation that endeavor to ameliorate the impact of collateral consequences that do not serve legitimate public safety or regulatory functions.
- Explore the new Section 610.140 expungement practices and applicability.
- Model legislation to establish a diversion court.

#### **Juvenile Justice System Subcommittee Recommendation:**

- Incorporate proposed Miranda Warnings, which can be easily understood by juveniles.

### **C. Category: Data and Information Collection**

This category encompasses gathering of data to support future rule changes and recommendations to the Court. For example:

#### **Civil Justice System Subcommittee Recommendations:**

- Devote special attention to high-volume civil dockets that are typically composed of cases involving consumer debt, landlord-tenant and other contract claims.
- Limit the collection of time-barred (“zombie”) debt and possible redirection of the garnishment system at-large.

#### **Judicial System Subcommittee Recommendation:**

- Establish best practices for the selection of jury pools to ensure compliance with due process, taking into account the varied demographics of the individual circuits.

#### **Municipal Justice System Subcommittee Recommendations:**

- Review use of arrest warrants to collect civil debts and assess racial and ethnic impact.
- Review underlying basis for drivers’ license suspensions for relevance to public safety, and assess the racial and ethnic impact of suspensions.

### **Practice of Law Subcommittee Recommendation:**

- Continue growth and development of young attorneys including pipeline programs.

#### **D. Category: Contact with the Public**

The Public Engagement Subcommittee is a new subcommittee that began after the 2017 Annual Report. Contact with the public is an important part of CREF's efforts. Public Engagement's focus in the coming year will include:

- Continuing listening session forums.
- Community outreach.
- Community leader engagement.

#### **E. Category: Data Management**

The Data Subcommittee is also a new subcommittee that began after the 2017 Annual Report. Data management is an important and integral function for the full CREF. Data's focus in the coming year will include:

- Reviewing subcommittee data requests.
- Coordinating with OSCA's new analyst.
- Implementing the protocols for standardization of data requests.
- Communicating with subcommittees regarding what data should be collected by the courts and how.
- Retaining data gathered from listening forums and round tables.

## **2017-2018 SUBCOMMITTEE ACTIVITY SUMMARIES**

The following sections are separated by subcommittee and reflect the activities undertaken by each group in this reporting period. Each subcommittee's efforts are outlined by the identified goals and considerations along with a year-end status that is included at the conclusion of each section.

### **Civil Justice System Subcommittee**

The Civil Justice System subcommittee created three main goals for this term:

- How to overcome the language barriers in court documents  
Determine critical court documents that need to be translated (for example: court summons), and which languages are most prevalent.
- Community outreach/survey to determine future goals  
Secure meeting format from other subcommittees and perform at least one outreach event this year.
- Changes in the court system to prevent implicit bias (such as biases found in jury instructions)  
Determine potential biases jurors may face in the court system, such as those found in jury instructions and possible ways to overcome these biases. Draft a proposed intervention for the courts to implement.

Year-end status:

**Language Barriers:** The subcommittee has determined the documents that should be translated and are now determining the particulars, i.e. prevalent languages, source of funds, costs etc.

**Community Outreach/Survey:** The subcommittee held a Civil Justice Forum (outreach event) in St. Louis in June of 2018 and a second in Kansas City on November 17, 2018. A follow up forum is to be held in Ferguson in spring of 2019.

**Implicit Bias:** The subcommittee is reviewing social science and legal research that describes the ways in which racial and ethnic bias might impact jurors, as well as some proposals for reform including juror education and jury instructions.

### **Criminal Justice System Subcommittee**

The Criminal Justice System subcommittee has spent the year focusing on collateral consequences of criminal convictions beginning with the American Bar Association's National Inventory of Collateral Consequences. The Inventory lists state by state, any regulation or law that mandates or suggests a disqualification of some nature as a result of a conviction, usually but not always a felony. The subcommittee decided to study the ABA's Inventory with the following goals:

- Identify a select group (maybe just a handful) of rules and/or laws that contain collateral consequences that carry the harshest impact on post-conviction defendants in the areas of employment, housing, participation in government assistance programs and continuing education, and
- Would be most palatable to legislative change, and
- Do not significantly jeopardize public safety.

Year-end status:

Missouri's share of the Inventory is massive — almost 1,000 rules and laws.

The subcommittee began their assessment in this manner to gain a grasp on how such collateral consequences can have an adverse effect on an individual's life.

### **Judicial System Subcommittee**

The Judicial System subcommittee has spent the year focusing on three areas of interest:

- The current state of the law with respect to how jury pools are selected in Missouri.
- Whether separating the office of the juvenile officer from the circuit court is feasible in order to ensure that the juvenile officer is independent of the appointing court, and
- Researching the use of diversion courts in other jurisdictions that might inform the creation of such a court in Missouri.

Year-end status:

**Jury Pools:** The subcommittee discovered that the master jury list is the result of the random selection of names from a minimum of two government records including, but not limited to, personal property tax list, voter's registration list and driver's license records. The director of revenue provides the list of Social Security numbers of all licensed drivers and the election authority includes the Social Security numbers of all registered voters to the board of jury commissioners of each county and of each city not within a county for the compilation of the master jury list pursuant to section 494.410. Mo. Rev. Stat. § 494.442(1), (2) (2016). The master jury list is maintained by the Board of Jury Commissioners in each county.

**Juvenile Officers:** The subcommittee's investigation revealed that, in single county jurisdictions, the juvenile officers are funded by the county with a small reimbursement from the state. In multi-county jurisdictions, the juvenile officers are funded by the state. Each county funds the operations of the juvenile offices (detention facilities, programs, etc.). Because the source of funds differs based



upon the type of jurisdiction and the services provided, the subcommittee was unable to arrive at a workable resolution to address the concern.

**Diversion Court:** These jurisdictions were researched: Alabama, Florida, Georgia, Illinois, Indiana and Massachusetts. Each has a form of diversion program. The programs range from the Department of Corrections overseeing the program to courts or local prosecutors having the authority to divert a defendant. Ultimately, the subcommittee recommended that the general assembly enact a statute that creates a diversion court and, after enactment, that lawyers and the public be educated on the new law. Further, the subcommittee sought to have judicial input into determining which defendants will get the benefit of the diversion program. Finally, the subcommittee drafted a statute for consideration by the legislature.

### **Municipal Justice System Subcommittee**

- Explore avenues to expedite uniform technology and automation standards in municipal divisions.
- Provide notice of rights and consequences to undocumented individuals in municipal divisions.
- Review underlying bases for drivers' license suspensions for relevance to public safety, and assess the racial and ethnic impact of suspensions.

Year-end status:

**Technology:** The Implementation Planning Task Team (IPTT) of the Missouri Court Automation Committee (MCA) formed a municipal division work group - chaired by Judge Roger Prokes - to assist with implementation of Show-Me Courts in Missouri's municipal divisions. A co-chair of this subcommittee is a member of that work group. The group has met in person at least four times since late 2017, with the last meeting on January 31, 2018. On that date, the work group's 11-page plan was submitted to the IPTT. The submitted plan addresses various issues involved in proceeding with implementation of Show-Me Courts in all of Missouri's municipal divisions. While some pilot municipal divisions have already implemented portions of Show-Me Courts, the municipal division work group's plan identifies a goal of full implementation within five years.

**Notice of Rights:** The Supreme Court of Missouri adopted revisions to Rule 37.04, "Appendix C. Notice of Rights for Defendants Appearing in Municipal Divisions," effective July 1, 2018, including a subsection on non-U.S. citizens. This subsection provides, "If you do not have the proper documentation to be in the United States, you should know that a guilty plea or conviction may result in your deportation, denial of admission to the United States, or you may be denied naturalization under United States law. You may wish to speak with an attorney, especially before entering a guilty plea to any charges." The Court has mandated that all municipal divisions utilize a "Notice of Rights" - including the subsection on non-U.S. citizens - in a form the same as, or substantially similar to, Rule 37.04 Appendix "C," per Standard #9 of the Missouri Supreme Court Minimum Operating Standards for Municipal Divisions and Municipal Division Judges. This "Notice of Rights" must be displayed prominently wherever the municipal clerk transacts business with the public and in the facility where municipal division proceedings are held. This "Notice of Rights" also must be made available as a handout for those appearing before the municipal division and displayed on each public information website operated by the municipal division or on behalf of the municipal division.

**License Suspensions:** The subcommittee has struggled to find access to the racial and ethnic data. The subcommittee is especially concerned about potential racial and ethnic disparities in drivers' license suspensions, in light of the recent report from the Missouri Attorney General's Office

showing that Missouri law enforcement stopped black drivers at a rate 85 percent higher than white drivers last year. This is a significant fact given the potential implications for drivers' license suspensions and revocations for the black population of Missouri. This is the largest disparity in the 18 years since these numbers were first documented. The numbers show that white drivers were less likely to be stopped, searched, or arrested; however, those whites who were stopped and searched were more likely to be found with contraband than black or Hispanic drivers. The subcommittee's efforts in this regard are ongoing.

### **Juvenile Justice System Subcommittee**

The Juvenile Justice System subcommittee has spent the year focusing on one primary area of interest, the overwhelming need for juveniles to have legal representation in delinquency cases in the juvenile justice system. With this in mind, the subcommittee has recommended the creation of a pilot project in Missouri where legal counsel will be mandated in all juvenile matters from the juvenile's first point of contact with the juvenile justice system up to and including post-adjudication. The attorneys practicing in the respective circuit would be appointed from the alphabetical list of attorneys registered with the Supreme Court of Missouri. In determining what circuits to approach, the committee considered data from the entire state regarding the following criteria:

- In 2016, African American youth were over-represented relative to white youth at the point a petition was filed (using Relative Rate Indices).
- The primary source of legal representation for juveniles with delinquency cases was from the public defender as opposed to county funds.
- The circuit was a Juvenile Detention Alternatives Initiative site.
- The jurisdiction had a significant number of delinquency petitions filed in 2017.

Year-end status:

The subcommittee has identified three counties that meet their criteria, has created an implementation plan, and has researched authority for mandatory pro bono appointments by the local courts. A proposal has been drafted and the subcommittee is in the process of gathering additional information for submission to the Court for consideration.

### **Practice of Law Subcommittee**

The Practice of Law subcommittee has embarked on a series of roundtable sessions in St. Louis, Kansas City and Springfield. The objective of these roundtables is to identify diversity issues confronting practitioners in these regions. The subcommittee recently conducted its first roundtable in Springfield on August 10, 2018. Many topics were discussed, including challenges firms and organizations have encountered with respect to the recruitment of racially or ethnically diverse lawyers.

Year-end status:

Participants expressed interest in promoting diversity within the profession. Participants indicated that CLE training in diversity would be a better approach than a model policy. Several participants also indicated a desire to focus more on attracting diverse candidates to the Springfield area versus a pledge or policy concerning diversity. The subcommittee is in the process of planning similar roundtables to be conducted in St. Louis and Kansas City. At the conclusion of these roundtables, the subcommittee will recommend action items.

### **Data Subcommittee**

The Data subcommittee is new to CREF. The subcommittee's first task was to standardize the information/data request process for the other subcommittees. Following the first meeting in January 2018, the Data subcommittee drafted a memo listing the items that should be included in all information requests. The memo also detailed the factors the subcommittee would consider when reviewing them. The memo was provided to the Executive Committee for approval in March 2018.

Year-end status:

The procedures outlined in the memo were approved by the Executive Committee and the subcommittee was authorized to proceed with review and approval of data requests from the other CREF subcommittees.

### **Public Engagement Subcommittee**

The Public Engagement subcommittee was formed in 2018. The subcommittee met in January in a break out from the full Commission at their meeting in Jefferson City. At the first subcommittee meeting, the following priorities were established:

- Recommend improvements to the CREF web page.
- Establish a social media presence/policy.
- Develop and disseminate best practices for conducting public forums.
- Interview community leaders to gain insight about perceptions/perspectives of CREF in our courts.

Year-end status:

**Website:** CREF web page improvements were provided and implementation is underway.

**Social Media:** The social media presence/policy is still in the developmental stages. The subcommittee will make recommendations for comprehensive media/social media strategy to promote public understanding of the work and priorities of the CREF.

**Best Practices:** The subcommittee has gathered the best practices for public outreach forums and is preparing the information for dissemination to the full CREF.

**Community Contact:** The subcommittee will serve as a conduit of communication with community groups, stakeholders, media and the public. On an annual basis, the subcommittee will determine the best venue to share information and seek input on community perceptions and needs regarding racial and ethnic fairness in our courts.

The Civil Justice System subcommittee held Civil Justice Forums (outreach events) in St. Louis on June 9, 2018, and Kansas City on November 17, 2018.



David Achtenberg and Judge Turner Quigless



Judge Colbert-Botchway and Attendee



Judge Colbert-Botchway



Attendees at the St. Louis Civil Listening Session



S. Denise Ballard, Kimberley Taylor-Riley  
and Gabriel Gore





Kimberley Taylor-Riley, Ronald Nguyen, Judge Colbert-Botchway, David Achtenberg and Mikah Thompson



Rod Chapel, Kansas City  
Listening Session Moderator



Rod Chapel, Kimberley Taylor-Riley, Ronald Nguyen, Judge  
Colbert-Botchway, David Achtenberg and Mikah Thompson



Executive Director  
Kimberley Taylor-Riley  
providing history of CREF



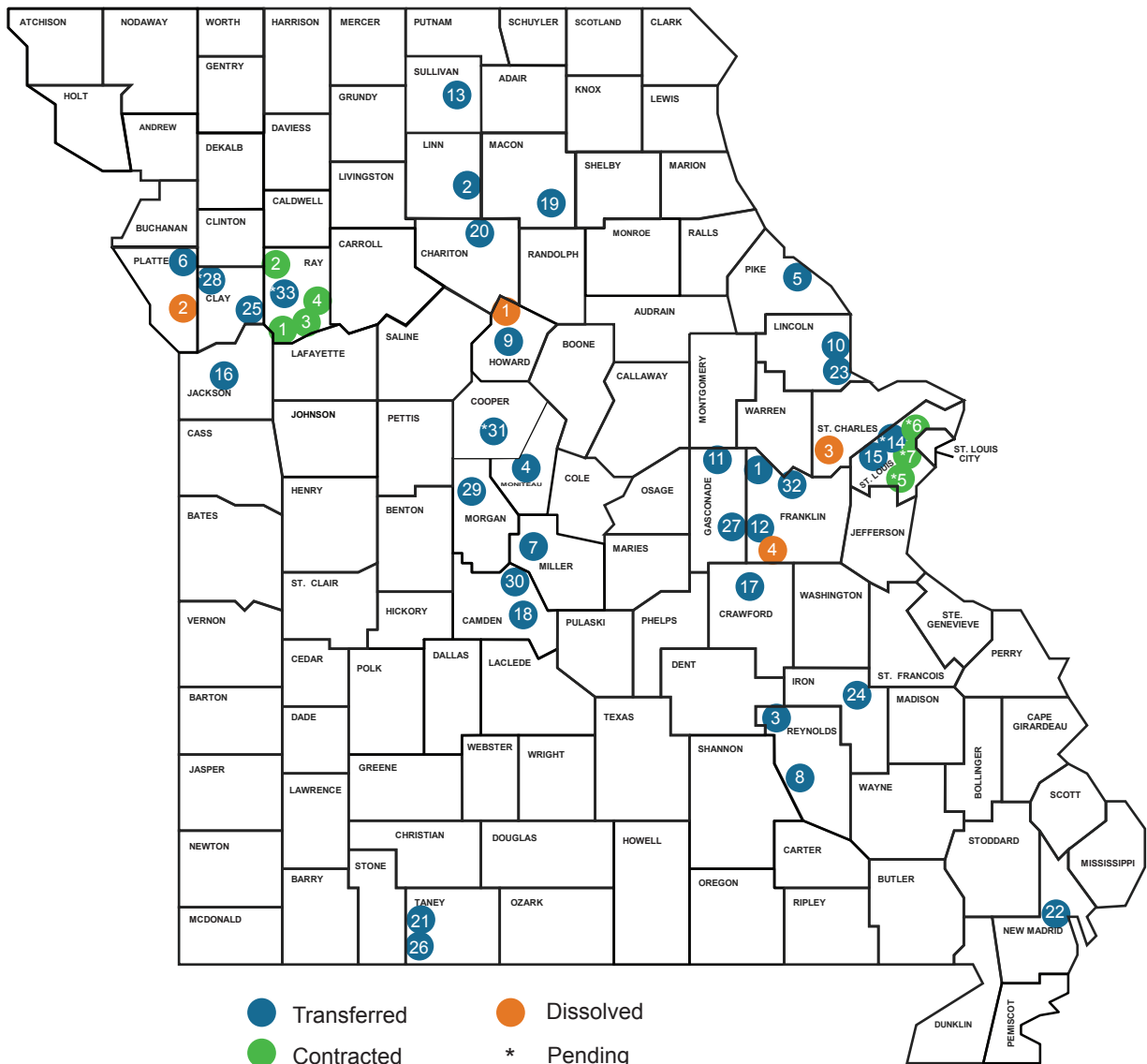
Co-Chair Ronald Nguyen giving the introduction



# MUNICIPAL UPDATES IN MISSOURI

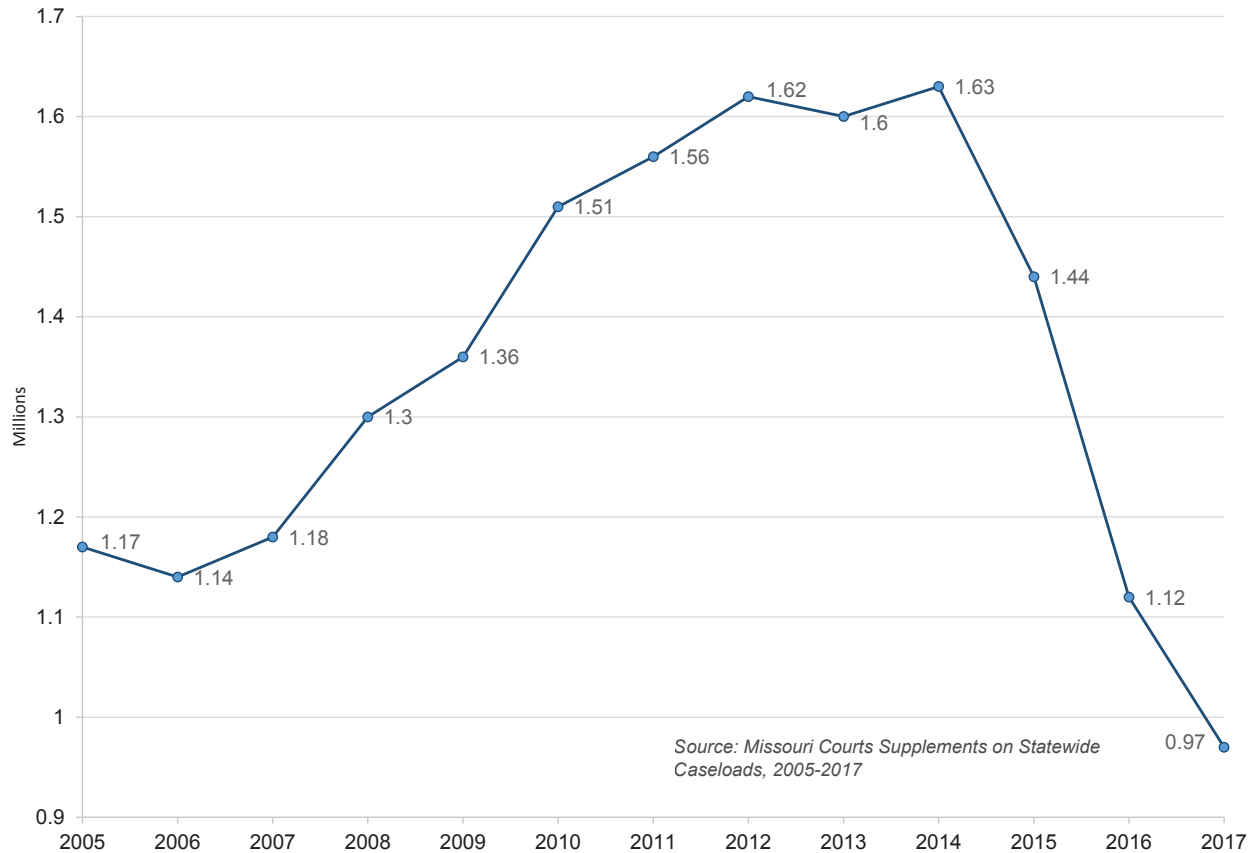
Twenty-nine municipal divisions were transferred to associate circuit courts and four municipal divisions contracted with another municipal division, improving efficiency, standardization of procedures, and accessibility and availability of court hours. Four more municipalities have passed an ordinance to transfer but have not officially transferred yet. Three more municipalities have passed an ordinance to contract but have not officially contracted yet.

Four municipal divisions were dissolved, eliminating inefficiencies and improving efficacy of court processes.

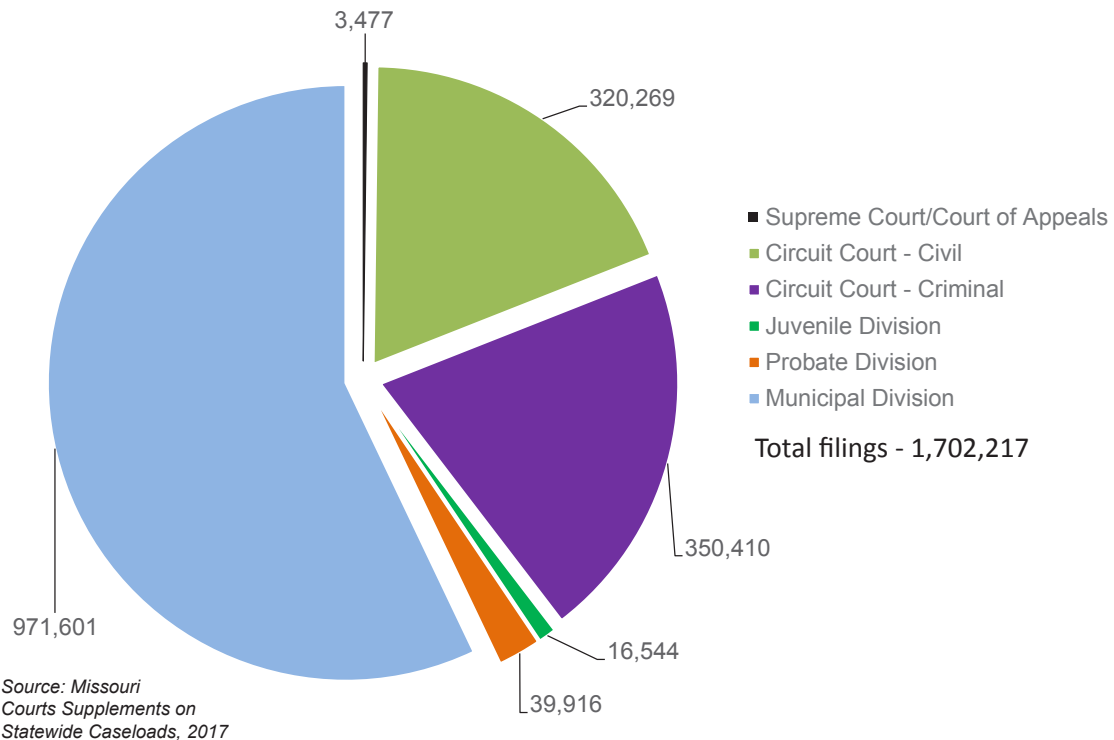


- |                |                    |                               |                  |
|----------------|--------------------|-------------------------------|------------------|
| 1. Berger      | 12. Gerald         | 23. Old Monroe                | 1. Camden        |
| 2. Bucklin     | 13. Green City     | 24. Pilot Knob                | 2. Crystal Lake  |
| 3. Bunker      | 14. *Hillsdale     | 25. Prathersville             | 3. Fleming       |
| 4. Clarksburg  | 15. Kinloch        | 26. Rockaway Beach            | 4. Hardin        |
| 5. Clarksville | 16. Lake Tapawingo | 27. Rosebud                   | 5. *Oakland      |
| 6. Edgerton    | 17. Leasburg       | 28. *Smithville               | 6. *Velda City   |
| 7. Eldon       | 18. Linn Creek     | 29. Stover                    | 7. *Warson Woods |
| 8. Ellington   | 19. Macon          | 30. Village of Four Seasons   |                  |
| 9. Fayette     | 20. Marceline      | 31. *Village of Windsor Place | 1. Armstrong     |
| 10. Foley      | 21. Merriam Woods  | 32. Washington                | 2. Ferrelview    |
| 11. Gasconade  | 22. New Madrid     | 33. *Wood Heights             | 3. New Melle     |
|                |                    |                               | 4. West Sullivan |

### Number of municipal court filings in Missouri (2005-2017)



### Number of total statewide court filings, 2017



# **STATEWIDE RELEVANT ACTIONS AND EVENTS CONCERNING RACIAL AND ETHNIC FAIRNESS IN THE COURTS**

## **Orders from the Supreme Court of Missouri**

Court Operating Rule 37.65 - July 2018 - Effective January 1, 2019

Requires that the courts consider indigency whenever a defendant is unable to pay.

Court Operating Rule 4.29 (Order #1646 and #1646a) - June 2018 - Effective July 1, 2018

Minimum Operating Standards: Revised reporting schedule. Process of reporting compliance has been automated.

Court Operating Rule 37.04 (Order #1639 and #1639a) - May 2017 - Effective July 1, 2018

Notice of Rights for Defendants Appearing in Municipal Divisions addressing Constitutional Rights, non-U.S. Citizen potential consequences and ADA accommodations.

## **Bills Passed in the Missouri Legislature**

On January 1, 2018, SB 588, 603 and 942 went into effect by expanding the opportunities for criminal litigants to seek petitions for expungement of their criminal records for a certain set of convictions.

The Missouri Legislature passed Senate Bill 43 (SB 43) into law on June 30, 2017, and the effective date of the Act was August 28, 2017. Senate Bill 43 raised the burden of proof required of Plaintiffs to sue for employment discrimination based upon protected class status.

The Missouri General Assembly voted to increase the age for automatically trying youth as adults from 17 to 18, this legislation paves the way for criminal cases against youth who are under the age of 18 to begin in the juvenile court system. Effective in 2021.

## **Statewide Training**

The State Courts Administrator has adopted the Juvenile Officer Performance Standards (2017), which include training in the following categories: the Juvenile Detention Assessment, the Risk and Needs Assessment/Classification Matrix, and Cultural Competency and Implicit Bias (see JOPS (2017) at Section 1.4 Training and Staff Development.)

## **Statewide Standards Update**

The Juvenile Officer Performance Standards Work Group, Family Court Committee and State Courts Administrator approved a compliance and external complaint process to require juvenile officers to do a self-assessment. Regular community assessments and technical reviews of compliance will be facilitated on an ongoing basis.

## **Statewide Recommendations**

The Task Force on Criminal Justice has forwarded proposed pretrial release and bond reform rules to the Criminal Rules Committee. (The task force is awaiting feedback from the Criminal Rules Committee.)

## Missouri Conferences

### Midwest Region Civil Justice Reform Summit:

The Midwest Region Civil Justice Reform Summit was held October 3-5, 2018, in Kansas City, Missouri. Members of Missouri Commission on Civil Justice Reform attended and the focus of the summit was to provide direction and best practices for moving reform initiatives forward. See attached conference agenda at appendix page 32.

### Disproportionate Minority Contact Summit:

Rita Cameron Wedding, Ph.D., was the keynote speaker for the July 2018 DMC Summit sponsored by the Missouri Juvenile Justice Association. Dr. Wedding is a professor of Women's Studies and Ethnic Studies at Sacramento State University (California). In Missouri, she presented her full day curriculum, *Implicit Bias: Impact on Decision-Making*, which has been used to train judges, public defenders, practitioners in child welfare, juvenile justice, law enforcement and education in jurisdictions throughout the country since 2005. As faculty for the National Council of Juvenile and Family Court Judges (NCJFCJ), she has trained judges at court improvement initiatives in more than 40 states. See attached conference agenda at appendix page 33.

### Diversity Awareness Partnership 11th Annual Meeting and Fundraiser:

The Diversity Awareness Partnership brought together diversity and inclusion community partners in St. Louis on November 14, 2018. The Keynote speaker was Dr. Benjamin Ola. Akande who encouraged all present to think of inclusion more broadly and to prepare for the results. All proceeds raised from the event support the Diversity Awareness Partnership's efforts including diversity and inclusion training, youth programs, and awareness campaigns. See attached meeting agenda at appendix page 34.

### Dred Scott Symposium on Reconciliation and Ethnic Fairness:

Descendants of Thomas Jefferson, Jefferson Davis and the principal figures in the infamous Dred Scott decision came together for a Symposium on Reconciliation and Ethnic Fairness in the Courts on July 16 at Logan University in Chesterfield, Missouri. The program was a presentation of the nonprofit and nonpartisan National Judicial College. Participants heard from descendants of Dred Scott, Supreme Court Chief Justice Roger B. Taney, President Jefferson and Confederate President Davis discussing how the height of history has affected their families. The panel also discussed the meaning of the Supreme Court decision in *Scott v. Sanford*, which affirmed slavery, the life of Dred Scott and Dred Scott's impact on the nation. Faculty from The National Judicial College explored the role of the courts in a culturally responsive democracy, the judge's role in safeguarding fairness within the judicial process, and the tools a judge can use to ensure that all people are treated equally in the American justice system. See attached symposium agenda at appendix page 35.



## Dred Scott Symposium on Reconciliation and Ethnic Fairness

Chesterfield, Missouri

July 16, 2018



Judge Benes Aldana (President of NJC), Bertram Davis Hayes (descendant of President Jefferson Davis), Lynne Jackson (descendant of Dred Scott), Judge Judy Draper (creator/moderator of the symposium), Kate Taney Billingsley (descendant of Judge Roger Taney, author of the Dred Scott decision), Judge Stan Wallach (moderator) and Emily Pitts (moderator)



Judge Gloria Rena, Judge Judy Draper, Olympic Gold Medalist Jackie Joyner-Kersee and Judge Sandra Hemphill



Judge George Draper III



Aimee Alonzo, Jackie Joyner-Kersee and Kimberley Taylor-Riley



Art by Braveheart's Paintings gifted to the Dred Scott panelists



Missouri Judges and the Dred Scott panel

Photos courtesy of Judge Judy Draper



## COMMISSIONERS' ACCOMPLISHMENTS, AWARDS AND ACTIVITIES

Our Commissioners give of their time and talents to make the CREF a successful agent for change. In addition to their full-time employment, they publish, volunteer and excel in their varied fields of expertise. In this portion of the report, we recognize their efforts outside of CREF to enhance their communities.



Professor Douglas E. Abrams

*University of Missouri*

*Columbia School of Law*

### Recent Publications:

*Children and the Law: Doctrine, Policy, And Practice* (West Academic Publishing casebook), 6th ed. 2017 [co-author]

*Children and the Law in a Nutshell* (West Academic Publishing), 6th ed. 2018 [co-author]

*Judges and their Editors*, 74 Journal of the Missouri Bar 194 (2018)

*Fear Itself': What Legal Writers Can Learn from FDR's Iconic Moment*, 74 Journal of the Missouri Bar 148 (May-June 2018)

*Legal Writing: Sense and Nonsense*, 74 Journal of the Missouri Bar 94 (March-April 2018)

*Tips about Written Advocacy from the North Dakota Supreme Court*, 74 Journal of the Missouri Bar 28 (Jan-Feb 2018)

*The Cuban Missile Crisis, Historian Barbara W. Tuchman, and the "Art of Writing"*, 73 Journal of the Missouri Bar 268 (Sept-Oct 2017)



Patrick Chavez

*Edward Jones*

Missouri Lawyer's Weekly Inaugural Diversity Award (August, 2018)



The Honorable Lajuana M. Counts

*United States Magistrate Judge*

*Western District of Missouri*

Transitioned from the U.S. Attorney's Office to the Federal Bench in September of 2018.

Lucile H. Bluford Special Achievement Award from the NAACP (service to the Kansas City community)

Judge Lewis W. Clymer Award from the Jackson County Bar Association (recognizing individuals for their service to the Kansas City community and their promotion of integrity of the legal profession)



Anne M. Dannerbeck Janku, Ph.D.

*University of Missouri  
School of Social Work*

Since retiring from OSCA in July 2018, Anne Dannerbeck Janku, Ph.D., has joined the faculty of the MU School of Social Work as a Research Associate Professor. She is also a consultant for the National Drug Court Institute and in this latter capacity has conducted six workshops around the country on Addressing Equity and Inclusion in Drug Courts through Enhanced Access Strategies.



The Honorable Judy P. Draper

*Judge, 21st Judicial Circuit*

Women of Achievement Award 2018 for Multicultural Awareness (May, 2018)

Missouri Lawyer's Weekly Inaugural Diversity Award (August, 2018)

Dred Scott Heritage Award (March, 2018)

Edward Jones Outstanding Leadership in the Community and support for Inclusion in Diversity Week (November, 2018)

Started the Judges Diversity & Inclusion Committee for 21st Judicial Circuit (2017)

Presented Symposium on Reconciliation and Ethnic Fairness in the Courts (July, 2018)



The Honorable Annette Llewellyn

*Judge, 22nd Judicial Circuit*

Transitioned from the Office of the Missouri State Public Defender to the Bench in the 22nd Judicial Circuit in January 2018.



Jenifer Placzek

*Placzek Winget & Placzek, LLC*

Super Lawyer (2018)

7th District Commissioner for the Missouri Commission on Human Rights (2011-2018)

2018 Missouri Lawyers Award for the second largest settlement of 2017



Dana Tippin Cutler  
*Tippin Law Firm*

Woman of the Year - *Missouri Lawyers Weekly* Woman's Justice Awards (2018)

Cutler's syndicated television show with her husband, Keith Cutler, titled 'Couples Court with the Cutlers' is nominated for a Daytime Emmy for Outstanding Legal Courtroom Program.



The Honorable Angela Turner Quigless  
*Missouri Court of Appeals, Eastern District*

St. Louis University (SLU) Black Law Students Association 2018 Lifetime Service Award



Dorothy L. White-Coleman  
*White Coleman & Associates, LLC*

Missouri Lawyers Weekly ICON Award (2018)

Mound City Bar Association Legal Legends Award (2017)

Super Lawyer (2015-2018)

Advisory Committee of the Supreme Court of Missouri, (Chair, 2016-Present)

## 2018 CCJ/COSCA Midwest Region

### Civil Justice Reform Summit Agenda

OCTOBER 3-5, 2018 | KANSAS CITY, MISSOURI

#### Wednesday October 3, 2018

- |                   |  |
|-------------------|--|
| 4:00 PM – 6:30 PM | <b>Registration</b> – <i>Ballroom Prefunction</i>  |
| 6:00 PM – 7:30 PM | <b>Welcome and Reception</b> – <i>Pavilion I</i>   |
|                   | Missouri Hosts: Hon. Zel. M. Fischer, Chief Justice, Supreme Court of Missouri<br>Ms. Kathy Lloyd, Director, Office of State Court Administrator |
| 6:45 to 7:15 pm   | <b>Keynote Address: Report and Recommendations of the CCJ Civil Justice Improvements Committee</b>   |
|                   | Speaker: Hon. Nathan Hecht, Chief Justice of the Supreme Court of Texas  |
|                   | <b>Dinner on your own</b>  |

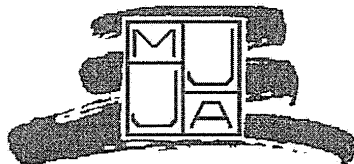
#### Thursday October 4, 2018

- |                     |   |
|---------------------|---|
| 7:30 AM – 6:00 PM   | <b>Registration</b> – <i>Ballroom Prefunction</i>   |
| 7:30 AM – 8:30 AM   | <b>Breakfast</b> – <i>Salon 3</i>   |
| 8:30 AM – 8:45 AM   | <b>Welcome/Opening Remarks</b> – <i>Salon 3</i>   |
|                     | Hon. Patricia Breckenridge, Judge, Supreme Court of Missouri  |
| 8:45 AM – 9:00 AM   | <b>Introduction to CJI Implementation Roadmap</b> – <i>Salon 3</i>  |
|                     | Brittany Kauffman (IAALS) provides a brief overview of the CJI Implementation Roadmap, highlighting the importance of assessing your states' unique civil caseload and issues, engaging stakeholders, and developing tailored recommendations to meet your individual state's legal, cultural, technological and administrative challenges. |
| 9:00 AM – 10:00 AM  | <b>STATE TEAM EXERCISE: ASSESSING THE NEED FOR CIVIL JUSTICE REFORM</b> – <i>please refer to your state team breakout room sheet</i>  |
|                     | State teams meet individually to consider the implications of findings from their DIY Landscape Assessment and CJI Roadmap Assessment Questionnaire assignments.  |
| 10:00 AM – 10:15 AM | <b>BREAK</b>  |
| 10:15 AM – 10:45 AM | <b>Assessing the Need for Civil Justice Reform (con't)</b> – <i>Salon 3</i>   |
|                     | Paula Hannaford-Agor will moderate state team reports on the identification and prioritization of issues and challenges in their respective jurisdictions.  |

# DMC SUMMIT

JULY 18, 2018

7 - 8 A.M.	BREAKFAST FOR OVERNIGHT GUESTS	UNIVERSITY ROOM
8 A.M.	REGISTRATION OPENS	
8:15 A.M.	WELCOME	SHOW-ME ROOM
8:30 - 10 A.M.	IMPLICIT BIAS: IMPACT ON DECISION MAKING DR. RITA CAMRON WEDDING	SHOW-ME ROOM
10 - 10:15 A.M.	REFRESHMENT BREAK	SHOW-ME ROOM HALLWAY
10:15 - 12 P.M.	IMPLICIT BIAS: IMPACT ON DECISION MAKING	CONTINUED
12 - 1 P.M.	LUNCH	UNIVERSITY ROOM
1 - 3 P.M.	IMPLICIT BIAS: IMPACT ON DECISION MAKING	CONTINUED
3 - 3:15 P.M.	BREAK	ON YOUR OWN
3:15 - 4 P.M.	UPDATE FROM DMC STATE STEERING COMMITTEE MARCIA HAZELHORST AND CONNIE BERHORST	SHOW-ME ROOM
4 P.M.	ADJOURN	



*Promoting Justice for Children, Youth and Families*



Diversity Awareness Partnership Annual Meeting  
November 14, 2018

## Agenda

### WELCOME

CHRISTINE BUCK | EMCEE  
Former Anchor and Reporter  
KPLR Channel 11

### ENTERTAINMENT

TROY STATEN AND DANIELLE TENE' KAIN | BOYS & GIRLS CLUBS OF  
GREATER ST. LOUIS FERGUSON MIDDLE SCHOOL CLUB

### KEYNOTE INTRODUCTION

ROBYN HEIDGER | DAP BOARD TREASURER  
Enterprise Bank & Trust - SVP, Strategic Alliances & Inclusion

### KEYNOTE PRESENTATION

*Building a House for Diversity*  
BENJAMIN OLA. AKANDE, PH.D.  
SENIOR ADVISER TO THE CHANCELLOR  
DIRECTOR AFRICA INITIATIVE  
Washington University Saint Louis

### DINNER

SILENT AUCTION - CLOSING AT 7:30 PM

### ENTERTAINMENT

CIRCUS HARMONY

### DAP YOUNG ARTIST SPOTLIGHT

ASIA JOHNSON-BRIMMAGE | DAP'S DIVERSE-CITY ART COMPETITION  
WINNER (9th -12th GRADE)

### REMARKS

EMILY PITTS | DAP BOARD PRESIDENT  
Edward Jones - Principal, Inclusion & Diversity

### WHAT IS DAP CONNECT?

STEVEN HILL | DAP BOARD MEMBER  
FastSigns - Owner

### CLOSING

EMILY PITTS | DAP BOARD PRESIDENT  
Edward Jones - Principal, Inclusion & Diversity

dapinclusive.org 5

# Sons and Daughters of Reconciliation

## July 16, 2018



**Shannon Lanier**  
Descendant of  
US President  
Thomas Jefferson

**John LeBourgeois**  
Descendant of  
Peter Blow

**Lynne M. Jackson**  
Descendant of  
Dred Scott

**Kate Taney Billingsley**  
Descendant of  
Justice  
Roger B. Taney

**Bertram Hayes-Davis**  
Descendant of  
Confederate President  
Jefferson Davis

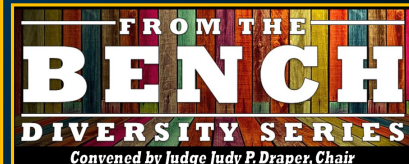
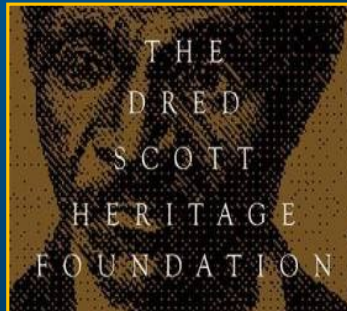
**Logan University** 9:00 am — 4:30 pm

1851 Schoettler Road  
Chesterfield, MO 63017

Reception to Follow

### Symposium on Reconciliation and Ethnic Fairness in the Courts

*Every nation must bear the weight of its own history. The United States continues to grapple with the promise of freedom, enshrined in the nation's founding documents, and the stain and shame of slavery. During this symposium, we will hear how, from the descendants of Dred Scott, Peter Blow (one of Mr. Scott's previous owners), Chief Justice Roger B. Taney, President Thomas Jefferson, and Confederate President Jefferson Davis, the weight of history affects five American families. The panel of descendants will discuss the meaning of the Supreme Court decision in Scott v. Sanford, the life of Dred Scott, and Dred Scott's impact on the nation. Faculty members from The National Judicial College will explore the role of the courts in a culturally responsive democracy. The faculty will explore the judge's role in safeguarding fairness within the judicial process, and the tools a judge can use to ensure that all people are treated equally in the American justice system.*



In collaboration with the Judges Diversity and Inclusion Committee — 21st Judicial Circuit