



## APPELLATE JUDICIAL COMMISSION

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JEFFERSON CITY, MISSOURI  
65102

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Henry T. Herschel  
General Counsel  
Office of the Governor  
State Capitol Building, Room 216  
Jefferson City, MO 65101

Via facsimile

31 July 2007

Dear Mr. Herschel,

In a letter dated July 31, 2007, you outlined some concerns about whether all portions of the applications were transmitted to you. In particular, you indicated that you believed that the following materials were accidentally omitted from the materials the Appellate Judicial Commission forwarded to you on the three nominees to fill the Supreme Court vacancy: (1) a response of one candidate to question 13(b); (2) a statement of judicial philosophy; and (3) signed waiver forms to perform background checks on the three nominees. Chief Justice Stith referred the letter to me, as Commission Secretary, for response.

As with every previous nomination, the Commission transmitted each completed application to the Governor's office. It did so in a separate file folder, stapled where appropriate, which included the answers to all application questions, as well as the required reference letters and writing samples. These folders were in turn placed in a closed red rope file. When delivered to you the materials included the applicant's response to question 13(b) that was apparently later misplaced, as well as all other answers. The Commission is glad that you were able to obtain a replacement copy of this two page listing from the applicant.

The application did not require applicants to append a statement of judicial philosophy and none was provided; therefore, it could not have been included with the application. Two of the three nominees did send transmittal letters with their application which the Commission did not consider to be part of their applications. The Commission can only conclude that you must be referring to a transmittal letter, as one is longer than the others and contains the applicant's description of qualifications for the position. The Commission will hand deliver to the Governor's office a copy of the transmittal letters submitted by the nominees later today.


Finally, the Commission obtains signed waivers from all applicants, not just for the nominees. As with past vacancies, the waivers state that they are provided "with the understanding and provided such information is available only to the members of the Appellate Judicial Commission presently serving or hereinafter named to such office." The waivers themselves are therefore of no value to the Governor and, by the waiver's own terms, the Commission is not authorized to provide responsive information it received to anyone that is not a member of the Commission. As with previous vacancies filled by Governor Blunt and by prior governors, the Governor's office obtains its own waiver and conducts its own detailed background check of judicial nominees in the case of every vacancy. The Commission is confident that the Governor's files contain the necessary forms to obtain his own authorization and privacy waiver, but, in case it should

prove useful to you, I include a blank copy of the form used by the Commission, in the event you would like to adapt it for the Governor's use.

We note that the Governor's office has again issued a press release as a companion to its letter without first affording the Commission an opportunity to respond. While the selection of a judge to fill the vacancy on the Supreme Court is certainly a matter of public concern, it is unclear to the Commission that the fact you have sent correspondence, which the Commission interprets as a good faith effort to iron out perceived wrinkles in the exchange of information between the Governor and the Commission regarding the three nominees, itself merits immediate release to the media.

The Commission has every confidence that the Governor will undertake a thorough and exhaustive review process before selecting the person the Governor believes will best serve the people of Missouri on the Supreme Court. The Commission wishes the Governor well with his process.

Sincerely,

A handwritten signature in dark ink, appearing to read "Richard E. McLeod". The signature is fluid and cursive, with the first name "Richard" being the most prominent.

Richard E. McLeod, Esq.

Secretary, Appellate Judicial Commission

***AUTHORIZATION FOR RELEASE OF INFORMATION***

I, \_\_\_\_\_, born on \_\_\_\_\_ at \_\_\_\_\_ and currently residing at \_\_\_\_\_, hereby waive any and all objections and rights I have with reference to the privacy of any and all police, medical, disciplinary, or scholastic records I may have, and I authorize the Commission by its chair to make whatever inquiries and receive whatever information it shall desire with respect thereto, with the understanding and provided such information is available only to the members of the Appellate Judicial Commission presently serving or hereinafter named to such office.

I further authorize and request every person, firm, corporation, government agency, law enforcement agency, court, associate or institution having control of any documents, records or other information pertaining to me personally, to furnish to the Missouri State Highway Patrol, the Chief Disciplinary Counsel, the Commission on Retirement, Removal and Discipline, and the Appellate Judicial Commission, any such information, including all medical records, credit reports or documents, records and files regarding charges or complaints filed against me, including any complaints erased by law, whether formal or informal, pending or closed, or any other pertinent data.

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

Date: \_\_\_\_\_

Applicant Signature: \_\_\_\_\_

Social Security Number: \_\_\_\_\_



## Missouri Court of Appeals

WESTERN DISTRICT

1300 OAK STREET

KANSAS CITY, MO. 64106-2970

IN CHAMBERS

RONALD R. HOLLIGER, JUDGE

AREA CODE 816 889-3608

July 9, 2007

Hon. Laura D. Stith, Chief Justice  
Supreme Court of Missouri  
P.O. Box 150  
Jefferson City, Missouri 65102

Dear Chief Justice:

Enclosed are the original and seven copies of my application for the current vacancy on the Supreme Court of Missouri. I look forward to meeting with you and the other Commission members. If you need anything further, please let me know.

Sincerely,

A handwritten signature in cursive script, reading "Ronald R. Holliger", is positioned above the printed name.

Ronald R. Holliger



## Missouri Court of Appeals

WESTERN DISTRICT

1300 OAK STREET

KANSAS CITY, MO. 64106-2970

IN CHAMBERS

PATRICIA BRECKENRIDGE, JUDGE

AREA CODE 816 889-3614

July 6, 2007

The Honorable Laura Denvir Stith  
Chair, Appellate Judicial Commission  
207 West High Street  
Jefferson City, Missouri 65202

Re: Application for Supreme Court

Dear Chief Justice Stith:

Enclosed please find the original of my application for the current vacancy on the Missouri Supreme Court, plus seven copies of the signed application, seven 4x6 photographs, and one copy of three writing samples. I have also e-mailed my application and writing samples to your office.

My twenty-five years of judicial experience in nearly every area of Missouri law makes me uniquely qualified to be a Missouri Supreme Court judge. As a judge of the Court of Appeals, Western District, I have authored 898 opinions and memoranda with order opinions, including two as a special judge for the Supreme Court. My experience in civil and criminal trials gives me a practical perspective when considering the records of appellate cases. I am passionate about the law, the judicial system, and the persons whose lives are impacted by the system. I work hard to maintain the integrity of the law for the citizens of Missouri.


Additionally, I am a person of character and integrity, who is well grounded and has common sense. I respect persons with diverse backgrounds and experiences and am able to work with virtually everyone. In leadership roles on the court and in community organizations, I am known as a creative problem-

Chief Justice Stith  
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solver who can motivate others to reach a consensus and work together. These personal traits and experiences make me an effective, conscientious judge with a reputation for deciding cases on the law in a fair and impartial manner.

Your thoughtful consideration of my qualifications for the Missouri Supreme Court would be appreciated.

Sincerely,

A handwritten signature in cursive script, reading "Patricia Breckenridge". The signature is fluid and elegant, with a large initial "P" and a long, sweeping underline.

Patricia Breckenridge

Enclosures