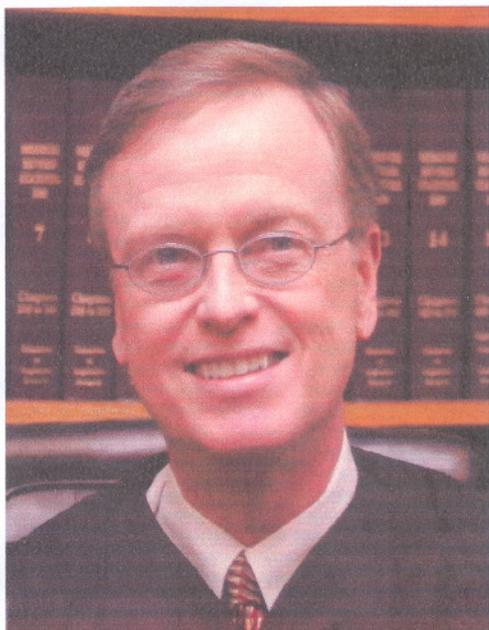


APPLICATION FOR CIRCUIT JUDGE
16TH CIRCUIT JUDICIAL COMMISSION
JACKSON COUNTY, MISSOURI (revised May 2008)

RESPONSE TO THESE QUESTIONS WILL BE MADE PUBLIC IF THE APPLICANT IS SELECTED AS A NOMINEE.

NAME: Michael R. McAdam



1. State your present principal occupation: **I serve as Judge of Division 201 of the Kansas City Municipal Division of the 16th Judicial Circuit Court of Missouri**
2. Are you at least 30 years of age? **Yes**
3. (a) How long have you been a citizen of the United States? **57 years, 4 months**
(b) Have you been a resident of Jackson County for at least one year immediately prior to the date of this application? **Yes**
(c) How long have you been a qualified voter of Missouri? **34 years**
4. Are you licensed to practice law in Missouri? **Yes**

List any other states, courts, or agencies in which you are licensed as an attorney:

The United States District Court for the Western District of Missouri

5. State the date you were admitted to the Bar in Missouri: **September 4, 1976**

(a) Missouri Bar Number **25260**

(b) Are you currently a member in good standing of the Missouri Bar? **Yes**

(In completing items 6 and 7, please account for all time periods between post-high school education and the date of this application.)

6. State the name and address of all law schools, colleges and universities you have attended, together with the dates and degrees received:

University of Missouri-Kansas City School of Law (1973-1976) J.D., 1976
5100 Rockhill Road, Kansas City, Missouri 64110-2499

While at UMKC, I participated in the Moot Court competition and was on the staff of *The Urban Lawyer*, a national quarterly publication of the American Bar Association, writing numerous published digests of cases and statutes. In my third year, I served as Assistant Cases and Statutes Editor and published in *The Urban Lawyer* a comment reviewing victim compensation statutes: *An Analysis of Victim Compensation in America*, 8 Urb. Law. 346 (1976).

Rockhurst University, Kansas City, Missouri (1969-1973) B.A., 1973
1100 Rockhurst Road, Kansas City, Missouri 64110

I graduated with honors with a double major in History and Political Science and a minor in Philosophy. I participated actively in intercollegiate debate, competing in over 250 debates in more than 30 separate tournaments across the nation, winning several awards for team and individual achievement. I also participated in numerous community service projects, including tutoring disadvantaged children in English and Math.

7. State, in chronological order, your entire working career, including non-legal employment, if any. Include the name and address of each firm, corporation, partnership, or governmental body with which you have been associated, and the dates thereof. (Start with earliest date, conclude with present.)

Fireside Inn Restaurant, Kansas City, Missouri (1968-1969- part-time)

(Address Unknown - located in a strip mall on Antioch Road. - This restaurant is no longer in business.) I worked for slightly more than a year while in high school, first as a busboy and then as a 'prep' chef preparing salads, desserts and simple main course dishes.

Otis Elevator Company, Harrison, New Jersey (1970-1972 - summers only)

(Address Unknown - The plant has been demolished.)

For three summers while in college I worked for Otis Elevator on a team that conducted a 'top to bottom' inventory of all parts, equipment and product in the 100 year old factory including every screw, bolt, nut and washer.

All State Credit, Westwood, Kansas (May 1973- May 1975- Part Time)

(Address Unknown-The firm is no longer in business. It was located on Johnson Drive.) I worked evenings, Saturdays and summers during the first two years of law school calling people nationwide who were delinquent on their credit card accounts. My job was to convince the debtor to cut the card and send the pieces back to our office. I didn't collect any money as these accounts were considered uncollectable.

Bittiker and Rocha (May 1975- September 1976)

1125 Grand, Suite 1000 Kansas City, MO 64106

I worked as a law clerk for this general practice firm in Kansas City.

Bittiker, Rocha and McAdam (September 1976- June 1979)

1125 Grand, Suite 1000 Kansas City, MO 64106

Upon passing the bar, I became a partner of this firm. My responsibilities were varied. I handled civil and criminal cases, including real estate transactions, workers compensation, bankruptcy, dissolution of marriage, municipal court defense, wills, corporations and real estate development. I also investigated personal injury cases, took depositions and prepared for trial.

I drafted extensive documentation for registration with the United States Department of Housing and Urban Development, as well as the Kansas Securities Commission, for three recreational real estate developments in Kansas. This work required comprehensive knowledge of the securities laws in Kansas as well as the federal laws relating to interstate land sales. In association with this work, I assisted the county attorney of Linn County, Kansas in the drafting of that county's first codified zoning ordinance. I became an active member of the American Land Development Association (now the American Resort Development Association).

Assistant City Prosecutor-Kansas City, Missouri (1978-1985)

1101 Locust, Kansas City, MO 64106

I was hired by the City Attorney of Kansas City, Missouri to prosecute housing, building and zoning code violations in municipal court. This work involved trial preparation, investigation and in court prosecution of cases submitted by the city's codes inspectors. I was responsible for prosecuting several thousand cases a year. This was a part-time position.

Bittiker and McAdam (June 1979- July 1990)

During this time, I continued my real estate work for the three recreational developments in Kansas. Our firm opened an office in Overland Park to better

serve these clients. We also maintained a Missouri office downtown. I established a title insurance business and became affiliated with Insured Titles, Inc. of Wichita, Kansas. I maintained a Kansas license required to write title insurance in that state until I became a full time judge.

Rockhurst University (1983- 2007)

I served as an Adjunct Professor teaching Real Estate Law in the School of Professional Studies to students preparing for careers as paralegals.

Judge, Division 209, Kansas City Municipal Court (Sept. 1987- July 1990)

Kansas City's Housing Court was established as a separate division in 1987. I was selected the first permanent Housing Court Judge in Kansas City, Missouri. This was a part-time position, handling city ordinance violations involving property maintenance, building codes, zoning codes and nuisances.

Judge, Division 201, Kansas City Municipal Court (July 1990- Present)

I have served in this position in a full-time capacity for over 18 years. I preside over a docket of city ordinance violations including domestic violence, assault, possession of controlled substances, larceny, prostitution and traffic violations, including driving under the influence of alcohol or drugs. Over 35,000 cases are docketed in my division each year.

In 1994 and 1995, I served as Presiding Judge and was responsible for the overall operation of the court working with the Court Administrator. During my tenure as Presiding Judge, I represented the Kansas City Municipal Court on numerous boards and commissions throughout the metropolitan area. The highlight of my term as PJ was the creation of a permanent, full-time judgeship to hear domestic violence cases in municipal court. This judicial position was created in 1995 when the Mayor's Task Force on Domestic Violence, on which I served as Chair, recommended unanimously to the Kansas City Council that such a position be established.

8. If you are presently an associate circuit judge and have served for two years or longer, attach a list of ten significant cases over which you presided to completion. Set forth the style, cause number, date and name and current address of the primary attorneys participating in each case, identifying the party each attorney represented. Indicate whether bench or jury tried and give a one-three sentence description of each case and its outcome. **Not Applicable**

- (a) In addition, you may attach a list of cases you tried as an attorney in the last five years before becoming a judge. Set forth the style, cause number, date and jurisdiction and identify who you represented, whether you were first or second chair and the name and address of opposing counsel. State for each case whether bench or jury tried and give a one-three sentence description of each case and its outcome.

Not Applicable

9. Are you able, with or without a reasonable accommodation, to perform the essential functions of a judge including the ability to preside over trials, perform legal research, attend court anywhere in the state, communicate clearly and effectively both orally and in writing, and expeditiously decide issues coming before the court?

Yes

10. If you have never served as an associate circuit judge or have served for fewer than two years, attach a list of cases you have tried in the last five years. Set forth the style, cause number, date, and court, and identify who you represented, whether you were first or second chair, and the name and address of opposing counsel. Indicate for each case whether bench or jury tried and provide a one to three sentence description of each case and its outcome. If, during any of the last five years, you served as a commissioner or in any other judicial capacity, set forth the dates of same and a description of the duties performed.

Please see answer to Question 7, above.

11. Have you briefed or argued any case in an appellate court? **No**

If yes, attach a list showing the citation for each case and describe the extent of your participation in briefing and arguing the case.

12. If your experience as an attorney is not in litigation, you may list up to five (5) of your most significant accomplishments in your law career.

- Serving as Chairman of the Mayor's Task Force on Domestic Violence, which recommended the creation of the first permanent Domestic Violence Judgeship in Kansas City in 1995
- Serving as Presiding Judge of the Kansas City Municipal Court (1994-1996)
- Serving as President of the American Judges Association (2003-2004)
- Continuing service on the *Working Group on DWI System Improvements*
- Serving as Kansas City's first Housing Court Judge (1987-1990)

13. Set forth any additional information that demonstrates the quality of your legal work as an attorney.

I would point to my 14 year law practice handling every type of case for the clients that our small firm represented. Much of my practice, other than the real

estate work mentioned above, involved the varied legal issues confronting the Hispanic community of Kansas City's West Side. Initially, these clients came to the firm because of my law partner's presence, but after he left the firm in 1979, these clients continued to come to me with their legal matters. I considered this a positive reflection on my skills as a lawyer in the general practice.

14. Have you ever been convicted of a misdemeanor or felony? **No**

If yes, provide details, including the style of the case, cause number, name of the jurisdiction, and date of conviction:

15. Have you ever been sued by a client or been a party to any other litigation, other than as guardian ad litem, plaintiff ad litem or defendant ad litem? **Yes, once.**

If yes, provide details, including the style of the case, cause number, name of the jurisdiction and the approximate year in which such litigation was commenced and in which it was terminated:

Michael D. Supica v. Judge Michael McAdam, Case # 0916-CV00063

This case was filed on January 2, 2009 in the Circuit Court of Jackson County, Missouri - Small Claims Court (an amended petition was filed on January 13, 2009).

This matter is pending in the above court with an initial court date of February 26, 2009. Mr. Supica's petition is handwritten and largely illegible; thus I cannot tell this Commission exactly what he is alleging. If this matter is disposed of before March 19, 2009 (the date this Commission has scheduled interviews for this position) I will supplement this answer.

16. 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? **No**

If yes, provide details:

17. Have you ever been held in contempt of court? **No**

If yes, provide details:

18. 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? **No**

If yes, state the nature of such breach, the date discipline was imposed

If yes, state the nature of such breach, the date discipline was imposed and the exact nature and duration of the discipline imposed:

- (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. **No**

If yes, provide details including date the order was entered, the date of your consent, and a description of the conduct you were ordered to cease and desist:

- (c) Whether, to your knowledge, you have been a subject of a complaint and investigation by the Commission on Retirement, Removal and Discipline, which did not result in any action by the Commission? **No**

If yes, provide details:

19. To your knowledge, have you been investigated by a court or by any bar association or committee thereof for breach of ethics or professional conduct? **No**

If yes, provide details:

20. List all bar associations and other professional societies, of which you are a member, with any offices held and dates:

The Missouri Bar (1976-Present)

Kansas City Metropolitan Bar Association (KCMBA) (1976-Present)

I have served on several Bench-Bar & Boardroom Conference Committees, most recently for the 2005 conference. I have also served on the Municipal Court Committee and twice have given CLE presentations on Municipal Court practice to KCMBA members.

In October 2003, I coordinated the planning of a reception for 200 judges from around the world in Kansas City for a court technology conference. The reception was hosted by KCMBA at the headquarters.

American Bar Association (ABA) (1976-Present)

American Bar Association - Judicial Division (1987- Present)

Association of Trial Lawyers of America (ATLA) (1980-1990)*

Missouri Association of Trial Attorneys (MATA) (1980-1990)*

American Land Development Association (ALDA) (1980-1990)*

Missouri Municipal and Associate Circuit Judges Association (MMACJA)

(1987- Present) I served as treasurer of MMACJA for two years (1993-1995). I was also a member of the Board of Directors for ten years. As a Board member, I co-chaired the Rules Committee which drafted changes to Missouri Supreme Court Rule 37, the operating rule for municipal courts, in the mid-1990's. Some of these changes were ultimately adopted by the Missouri Supreme Court. I have presented several CLE programs at the MMACJA Annual Conference.

American Judges Association (AJA) (1993- Present)

The AJA is the largest independent judges' organization in the United States with over 2,400 judge members. Since 1993 I have devoted a substantial amount of time and energy to the AJA and its activities. I have served on its House of Delegates (1994-1997), Board of Governors (1997-1999 and 2006- 2008) and Executive Committee (1999-2005). I served as chairman of the Long Range Planning Committee (1997-1998), the Nominations Committee (2005). I also founded and currently serve as Chair of the President's Committee on Judicial Independence and Accountability (2005-Present). As Chair of this committee, I also serve as AJA liaison to the *Justice at Stake Campaign*, which is a national consortium of organizations working to promote and preserve the independence and accountability of the judiciary.

I've held every office of the AJA, including President (2003-2004). As President, I developed two significant projects: 1) a day-long *National Forum on Judicial Independence*, which was held in San Francisco in October 2004, and funded by a grant from the Joyce Foundation and with the assistance of the National Center for State Courts and 2) a televised panel discussion about judicial independence and its importance. The program, *Judicial Independence: The Freedom to be Fair* was broadcast on the PBS program, *Inside the Law* and was moderated by former television anchor, Jack Ford. I also participated as a panelist on the broadcast.

The AJA's 2000 Annual Educational Conference was held in Kansas City. The week-long event brought judges from over 40 states and several Canadian provinces to Kansas City. I served as the Local Host Judge for the very successful conference, coordinating social events and educational programs.

Finally, I have presented numerous educational programs at AJA conferences including *The Judges' Role in Impaired Driving Cases*, Montreal, Canada, 2003; *Alternative Sentencing in Impaired Driving Cases*, Anchorage, Alaska, 2005 and *Keeping Courts Accountable and Independent* Newport, Rhode Island, 2007.

American Judges Foundation (AJF) (1996- Present)

I served as President of the AJF, which raises money to support the judicial education programs of the American Judges Association, 1998-1999.

Traffic Injury Research Foundation (TIRF) (2003- Present)

TIRF is a Canadian based foundation conducting important research on traffic safety. I have served as a member of the *Working Group on DWI System Improvements*, since its inception. We meet annually as a group to discuss emerging issues and appropriate responses to the problem of impaired driving. A detailed description of our work and a list of members is on this web page: www.trafficinjuryresearch.com/DWI_systemImprovements/dwi_system.cfm#project

National Court Reporters Foundation (NCRF) (2004- Present)

I currently serve on the Board of Trustees of the NCRF, which is the charitable foundation serving the 25,000 members of the National Court Reporters Association, based in Vienna, Virginia.

*** Dates are approximate to the best of my recollection**

21. Describe your community activities, including any organizations, not listed above, with which you are affiliated:

Member, Board of Directors-Greenway Fields Homes Association, 2007- Present

22. Do you now hold or have you ever held any elective or appointive public office or position? **Yes**

If yes, provide details:

Judge, Division 209, Kansas City Municipal Court (Sept. 1987- July 1990)

(Please see answer to Question 7, above.)

Judge, Division 201, Kansas City Municipal Court (July 1990- Present)

(Please see answer to Question 7, above.)

23. Are you delinquent in the payment of any federal, state, county or city taxes?
Yes () No (X)

If your answer is yes, please state details.

24. Provide the branches and dates of (a) military service, or (b) other public service, not otherwise covered in this application. If discharged from the military, was the discharge other than honorable? If military service continues, so state: **Not Applicable**

25. List any professional articles or books which have been published or any special recognition or award of a professional nature which you have received:

- *An Analysis of Victim Compensation in America*, 8 Urb. Law. 346 (1976)
- In addition to the above mentioned published work in *The Urban Lawyer* while at UMKC, I have had articles published in *Benchmark*, the newsletter of the American Judges Association, most recently on the topic of judicial independence and accountability. In addition, I wrote several columns published in *Court Review*, the AJA's quarterly journal, as President of the AJA in 2003 and 2004.
- In 2007 I published a short article in the *Journal of Court Reporting* promoting the National Court Reporters Foundation's involvement with the Veterans History Project of the Library of Congress and my dad's service in the United States Navy during World War II.
- I received the National Center for State Court's 2005 Distinguished Service Award for my work on the *National Forum on Judicial Independence*, the public television broadcast of *Judicial Independence: The Freedom to be Fair* and for my participation as an expert in the National Center's project, *Judicial Leadership to Reduce the Incidence of Impaired Driving*. This work resulted in the development of a standard curriculum for judicial education implemented nationally with funding from the National Highway Traffic Safety Administration (NHTSA).
- In 2005, I received the American Judges Association's highest honor, the *Judge William H. Burnett Award* for service to the AJA.
- In 2006, I received the Association for Women Lawyers of Greater Kansas City's *Judicial Recognition Award* along with two colleagues – Judge Elena Franco and Judge John B. Williams. It was given for our assistance in the development and operation of the *Step Up for Women* program for women in area domestic abuse shelters.
- In December 2007 I was nominated by the 16th Circuit Judicial Commission for the vacancy in Division 11.

26. No more than five (5) persons may mail a letter of reference with respect to your character and judicial qualifications. See instructions for deadline for submission. **DO NOT INCLUDE AS A REFERENCE ANY ACTIVE SITTING JUDGES FROM THE CIRCUIT FOR WHICH YOU ARE APPLYING.** List the names of the persons from whom each member of the commission will receive letters.

1. **The Honorable Steve A. Leben**
2. **Sandra L. Schermerhorn**

3. Michael J. Svetlic
4. Michael T. White
5. James C. Wirken

27. State any additional information you deem relevant:

My Family

I am very proud of my family. My wife, Sheila is a registered nurse, working as a pediatric RN. We have been married for 35 years and have three children. The oldest, Jennifer, 32, is a member of the Missouri Bar. She recently completed a year as a law clerk for Judge Ron Holliger of the Missouri Court of Appeals Western District. She is currently an associate with the firm of Lathrop and Gage. Sarah, 30, is a registered investment assistant for Waddell & Reed in the Kansas City area and Joseph, 24, is working and taking classes in Chicago, Illinois.

Volunteer Work

Over the past two years I have conducted numerous educational presentations to fellow employees within the judicial system – specifically, administrators, clerks and court reporters, on topics that are critical to our court system, including ethics and judicial independence. Judge Elena Franco and I have given five presentations to court clerks and administrators (four for Kansas City Municipal Court employees and one in Lee's Summit, Missouri for court employees from across Missouri) covering several common ethical situations that court employees might encounter. I've also given three presentations to court reporters in Louisville, Kentucky, Arlington, Virginia and Kansas City on the topic of judicial independence and accountability and what court reporters can do to preserve it.

I serve on the Kansas City Metropolitan Bar Association's Homelessness Project begun by KCMBA Past President Charles German.

I have participated since 1994 in the Heart of America *Stand Down*. This is an annual program that provides medical, dental, employment and legal services to disabled and homeless veterans in a therapeutic rather than adversarial atmosphere. My most recent involvement was in 2006 and 2007.

Finally, as a Judge of our court, I have participated for two years in a new project with the assistance the Association for Women Lawyers (AWL), Operation Breakthrough and local women's shelters called *Step Up for Women*. Modeled on the *Stand Down* concept, this program gathered women from several area shelters to come to our court and have minor cases resolved, warrants lifted and probations reinstated.

By my signature to this application, I authorize: (1) the Commission by its chairperson to obtain relevant information, including but not limited to documents, records and files with respect to my medical, police 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, with the understanding that the information described in (1) and (2) above is available only to the members of the Sixteenth Circuit Judicial Commission. Notwithstanding the above, in accordance with Supreme Court Rule 10, as amended effective February 29, 2008, 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.

I hereby certify that all my statements as made above are correct, and that if I am appointed to the office of Circuit Judge of Jackson County, Missouri, I will accept the appointment, qualify, and promptly enter upon the performance of the duties of that office.

SIGNED:  DATE: 2/17/09