

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

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



1. State your full name.  
Jeffrey Craig Keal
2. State your date and location of birth. December 12, 1959, Kansas City, MO
3. State your present occupation, place of work, and job title. Jackson County Prosecuting Attorney Office.
4. Provide the following information concerning your eligibility for the office of Circuit Judge:
  - (a) Are you at least thirty years of age? Yes
  - (b) Are you licensed to practice law in Missouri? Yes
  - (c) Have you been a citizen of the United States for at least ten years? Yes
  - (d) Have you been a resident of Jackson County for at least one year? Yes
5. State whether you are able, with or without a reasonable accommodation, to perform the essential functions of a Circuit Judge, including the ability to preside over trials, conduct legal research and analysis, attend court anywhere in the State of Missouri, communicate clearly and effectively both orally and in writing, and expeditiously decide issues coming before the court. Yes, I can.
6. State the year of your admission to the Missouri Bar and whether your license is and always has been in good standing. If not, please explain. 1986. I have always been in good standing.
7. List any other states, courts, or agencies in which you have been licensed as an attorney, and state whether your license is and always has been in good standing. N/A

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

(a) Name and location of institution. University of Missouri Kansas City, 5100 Rockhill Road, Kansas City, MO.

(b) Dates attended and degrees received. 1978-1982 B.A. Business Administration 1982.

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

Dean's List.

Accounting Club.

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

(a) Name and location of law school

University of Missouri Kansas City, 5100 Rockhill Road, Kansas City, MO

(b) Dates attended and degrees received

1983-1986 J.D.

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

Member Delta Theta Phi

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

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

Jim Keal Insurance Agency, 11308 E. 23<sup>rd</sup> St., Independence, MO. Clerk 1975-1984. Resigned to spend more time as a law clerk.

Sears, Roebuck & Co. 15<sup>th</sup> & Cleveland, Kansas City, MO. Credit Department – Night Collections 1980-1981. The night collection program was terminated and the entire department was released.

McDowell, Rice & Smith, 7<sup>th</sup> & Minnesota, Kansas City, KS. Law Clerk 1984-1986. Resigned to enter practice of law.

Sole Practitioner, 11306 E. 23<sup>rd</sup> Street, Independence, MO 1986-1988. I took employment with the Crews, Smart, Whitehead & Waits firm.

Crews, Smart, Whitehead & Waits 401 W. 89<sup>th</sup> St., Kansas City, MO. 1988-1991. Resigned to take employment with the Jackson County Prosecuting Attorney's Office.

Jackson County Prosecuting Attorney's Office, 308 W. Kansas, Independence, MO 1991-Present.

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

I have been working in the Jackson County Courthouse at Independence in the Prosecutor's Warrant Desk for over two decades. It is the clearinghouse for all property crimes. The process may start with a search warrant application, which I decide whether or not to allow, much like a Judge may later. I worked with police officers, in the early morning hours, to prepare the initial search warrant in a case that eventually placed Richard D. Davis on death row. I ultimately decide which cases are charged as crimes. The quality of my work can be judged by the fact that I (and the attorneys I am responsible for) do not charge people with crimes they did not commit. My department charges hundreds of cases each year.

Additionally, I oversee our successful criminal traffic unit. This year I implemented the Youthful Traffic Offenders Program (YTOP) as a form of education for youthful offenders. The program is designed to deter speeding, drunken driving and texting while driving by young drivers. Previously, we instituted a Diversion Program as attached, which provides responsible first time offenders an opportunity to maintain a clean driving record for non-injury, insured, accidents (as they would in Kansas) while ensuring that their victims are covered for any losses. The traffic cases are on a high volume docket. We routinely have over 600 cases on a docket. Over the years, while representing the State of Missouri in these dockets, I have tried hundreds of criminal cases.

MADD has not had any issues with us like they have with many other courts. I maintain a close working relationship with their representative, Bud Balke. I believe this is because I have been open and honest with Mr. Balke regarding our drunk driving cases. Several years ago, Mr. Balke indicated that he would like for me to institute ignition interlock as a condition of probation on repeat DWI offenders. I believed that was a reasonable and good request. I instituted that policy change. Several years later,

the laws were changed and now all repeat offenders in Missouri must have ignition interlock devices on any car they drive.

The case load, like the population in "Eastern Jack" has exploded. For two decades, I have worked in the all too real world of seeking justice for the citizens, injured parties, taxpayers, and those accused who may or may not also be one of the former. I do not use my position or power to harm anyone and have always done my utmost to be fair. It is this quality that I am most proud of and have made a point of passing on to the many attorneys that I have trained.

13. Provide a representative list of at least ten cases in which you served as the primary attorney at trial or an administrative hearing. The list should include the style of each case, court or administrative agency, identification of your client, and the nature and date of disposition. Please see attached.
14. If you have appellate experience, provide a representative list of cases in which you served as the primary attorney on appeal. The list should include the style of each case, appellate court or administrative agency, identification of your client, and the nature and date of disposition. N/A
15. If you are serving or have served in a judicial capacity, describe the nature and extent of your judicial responsibilities, the types of dockets handled, and any special expertise developed. N/A
16. If you are serving or have served in a judicial capacity, provide a representative list of at least ten cases over which you have presided to completion. The list should include the style of each case and the nature and date of disposition. N/A
17. If you do not have significant experience in litigation or in a judicial capacity, describe any other legal experience or accomplishments in the legal profession that may qualify you to serve in the office of Circuit Judge.
18. List all bar associations and law-related organizations of which you are or have been a member, with any offices held and dates of membership.

Missouri Bar Association – Criminal Law Committee.

Kansas City Metropolitan Bar Association - Criminal Law Committee.

Missouri Municipal and Associate Circuit Prosecutor's Association- Social Chairman.

Eastern Jackson County Bar Association.

Missouri Association of Trial Lawyers.

Delta Theta Phi.

19. List any published articles or books you have authored and any significant programs or events for which you served as a primary speaker. N/A
20. Do you now or have you ever held any elective or appointive public office or position? If so, please explain.

Jackson County Democratic Committee 1990-1992 – Treasurer.

21. Provide the branches and dates of any military service or other public service not otherwise covered in this application. If discharged from the military, state whether the discharge was other than honorable. N/A
22. Describe your community and volunteer service activities, including any organizations (outside the legal profession) with which you are affiliated and any offices held.

Chapel Hill Presbyterian Church – Member 1994 to present. Elder 2003-2005.

Calvary Presbyterian Church – Member 1965-1993. Elder 1989-1993.

Blue Springs Girls Softball Association – Director 1999-2002, Coach 1996-2005.

Blue Springs Athletic Association - Boys and girls basketball coach 1996-2005.

Independence Youth Athletic Association – Basketball coach 1988-1992.

Blue Springs Little League Baseball Association - Coach 2000-2005.

PTA 1995- present.

Blue Springs South Booster Club 2005-2012.

Blue Springs South Softball – Field Committee and Spring Camp Committee  
2008-2009.

Truman Days Committee- Treasurer 1990-1992.

Firefighters Local 42- Steward.

Kansas City Curling Club.

YMCA

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

Jackson County Prosecutor's Office Warrant Officer of the year 1993.

United States Secret Service Certificate of Appreciation 2005.

24. Are you delinquent in the payment of any federal, state, county or city taxes? If so, please explain. No.
25. Have you ever been convicted of a misdemeanor or felony or received a suspended imposition of sentence in any federal, state, or military court? If so, please explain and provide the style of the case (including case number), the court, the date of the conviction, and the sentence or fine imposed. No.
26. Have you ever been held in contempt of court? If so, please explain. No.
27. Have you ever been sued by a client or been a party to any litigation, other than as a guardian ad litem, plaintiff ad litem, or defendant ad litem? If so, please explain and provide the style of each case, the court, your role as plaintiff or defendant, and the nature and date of disposition. No.
28. Have you ever been disciplined or cited for breach of ethics or professional conduct by a court or by any bar association or committee thereof? If so, please explain. No.
29. If you are or were a member of the judiciary of the State of Missouri, please state:
- (a) Whether an order of reprimand, removal, retirement, suspension or other disciplinary action has ever been entered against you by the Supreme Court of Missouri for breach of the Code of Judicial Conduct or the Canons of Judicial Conduct? If so, explain the details of such breach and the date, nature, and duration of the discipline imposed.
  - (b) Whether a reprimand or admonishment has ever been entered against you by the Commission on Retirement, Removal and Discipline for any of the causes specified in Rule 12.07 of the Supreme Court Rules Governing the Judiciary. If so, explain the details of such cause and the date and nature of the discipline imposed.

(c) Whether, to your knowledge, you are the subject of a complaint that is currently under investigation by the Commission on Retirement, Removal and Discipline. If so, explain that nature of such complaint and the status of the investigation.

31. Provide any additional information that you consider relevant to your qualifications for the office of Circuit Judge.

This year I was able to establish an "Education Court" in Eastern Jackson County. The Fort Osage School District is the first school in the program. The goal is to eventually include in the program all areas of Jackson County that are not served by a municipal truancy court. At my request, Judge Twyla Rigby agreed to preside over Education Court. Parents or adults responsible for children that have multiple unexcused absences will be charged criminally. The goal is to increase attendance and not to increase convictions. There is a clear connection between the lack of education and crime and this program is an attempt to stop crime at a grassroots level.

I train law enforcement regarding applicable statutes, evidentiary rules, and case law on a regular basis. Dealing with numerous smaller police departments as well as the Missouri State Highway Patrol, the Missouri Conservation Department, Independence, Lee's Summit, Blue Springs and Kansas City Departments, state, e.g.: Department of Revenue and federal agencies, e.g. FBI, Homeland Security.

This year I spoke before at PTA and homeowners association meetings as well as the Grain Valley Citizens Police Academy. These appearances gave me the opportunity to let the citizens of Jackson County know about the efforts of their Prosecuting Attorney's Office. Last year, I spoke on behalf of the Missouri Plan and explained the justice system in a personal way.

I supervise the bad check unit. Under my supervision, we have collected \$55,000 in bad checks in the first six months this year. In addition, I supervise the state tax collections in Jackson County. I am involved in filing hundreds of garnishments and satisfactions each year. We have collected almost \$950,000 in the first five months this year.

I also train young prosecutors within the office. I take this responsibility very seriously, It is important that a young prosecutor not only be zealous in the prosecution of a case but also zealous in upholding the ethics of our profession.

As a full-time prosecutor at the warrant desk, I must make many of the same calls that a Judge in this position makes regarding the law. I identify and apply legal issues and determine if there is an appropriate charge. I handle bond issues, albeit requesting them.

I have the type of experience a judge should have. As an attorney in private practice, I handled domestic and civil cases. I did extensive work in juvenile court working with adoption agencies as well as representing juveniles. I currently handle civil cases for the

Prosecutor's office. I have handled complicated white collar crime cases and tried Department of Revenue cases. I decide whether to allow law enforcement to seek a subpoena or search warrant in certain cases, much like a judge will ultimately decide.

I am accustomed to the power and responsibility granted to me by the State of Missouri regarding whether to charge someone with a crime. It is an awesome power that must be used at times and must always be used appropriately. As a twenty-two year prosecutor, it has been my ethical duty to both seek justice and fairness.

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

J. Martin Kerr  
400 W. Kansas  
Independence, MO  
64050  
(816) 461-1380

Andrew Florio  
Reverend Chapel Hill Presbyterian Church  
3108 Westbound 40 Highway  
Blue Springs, MO 64015  
(816) 229-3367

Richard "Jake" Jacoby, Esq.  
201 N. Spring St.  
Independence, MO 64050  
(816) 836-9911

Caroline Gnefkow, Esq.  
400 W. Kansas  
Independence, MO 64050  
(816) 836-0427

Robert H. Martin  
311 W. Kansas  
Independence, MO 64050  
(816) 836-8000

Question #13

State of Missouri v. David R. Wunder, 1016-CR02242-01

Trial dates: October 18, 2010 through October 20, 2010

Opposing counsel: Garrett Solomon

Court: Division 14, John Torrence

Jury Trial

First Chair

Defendant received an eight (8) year sentence for the class B Felony of Burglary in the First Degree and a five (5) year sentence for the class C Felony of Stealing. The sentences were ordered to be served concurrently.

Defendant had previously been convicted of Murder, Burglary First Degree and Armed Criminal Action in Cass County CR4911FX. One of his other Felony convictions was a Robbery Second Degree in Jackson County. My goal was to keep this defendant locked up and away from society for as long as possible. I proved him up as a prior/persistent offender and took the case to trial.

State of Missouri v. Tiffany McCord, 0816-CR02804-01

Trial dates: October 19, 2009 through October 20, 2009

Opposing counsel: Pro Se

Court: Division 14, John Torrence

Bench Trial

First Chair

Defendant received three (3) year sentences each on three counts of the class C Felony of Stealing, three (3) year sentences on two counts of the class C Felony of Forgery and six (6) months on the Misdemeanor of Failure of Motor Vehicle Dealer to Have a License.

This paperwork intensive case was a white collar crime involving a car dealer that was taking advantage of low income victims. The defendant took deposits from the victims and let them keep the cars for a

few days, pending financing. The defendant would then change the terms of the financing, the victims could not pay under the new terms and the defendant would repossess the cars and keep the large deposits. I approved a search warrant application for the business and after going through file drawers of paperwork, it was determined that the defendant was selling warranty contracts and gap insurance on cars when she was not an authorized agent.

State of Missouri v. Travis Stephens, 0516-CR04828

Trial dates: March 22, 2007 through March 23, 2007

Opposing counsel: Larry Schaffer,

Court: Division 2, Michael Manners

Jury Trial

Second Chair

Defendant received an acquittal of a Felony Stealing count of stealing over \$25,000 and a Felony count of Fraudulent Use of a Credit Device.

This white collar crime involved an employee who was charged with the theft of thousands of dollars. Defendant set up multiple bank accounts and we had to follow the money through computer transfers.

Monday afternoons, I represent the State at an arraignment docket. There are between 20 and 50 cases on the docket each week. Arraignment is the formal reading of criminal charges to the defendant. I gather cases from the other attorneys in our office and make sure copies of the Information or Indictment are prepared for the defense attorney. I also read and become familiar with each case because during an arraignment docket I argue bond motions and represent the State during guilty pleas on these cases. Bond hearings are important because of the balance between the right of the accused to be free and right of society to be protected from criminal acts of the defendant if he or she is out on a bond. I look at each case and determine whether to ask for electronic home monitoring, alcohol monitoring, bond supervision or other special conditions to insure the defendant will attend all hearings and not commit new crimes. I look at the nature and severity of the crime as well as the criminal record of each defendant.

Wednesday mornings I supervise attorneys representing the State at a preliminary hearing docket. There are between 20 and 50 cases on the docket each week. Every defendant has a right to a preliminary hearing before he or she can be held for a trial. In the alternative, the State can take the case before the Grand Jury to seek an indictment. I supervise the preliminary hearing docket. I also handle this docket when one of my attorneys is not in the office or preparing for a trial. For years, I tried multiple cases each week on the preliminary hearing docket. Several years ago our office implemented

a policy to take most of these cases before the Grand Jury so the frequency of actual hearings has dropped. I also argue bond motions and represent the State during guilty pleas on this docket. Even if I do not handle the docket, I make sure a just plea offer is made on each case. Sometimes I adjust the initial recommendation of the filing attorney before an offer is made to the defendant.

I supervise attorneys in our office that represent the State in the "refusal docket." We have had dockets with as many as 150 cases this year. We have closed 450 cases this year alone. If a police officer has probable cause to believe someone is driving while intoxicated they may ask the driver to submit a breath sample or ask for a blood draw. If the driver refuses, their license is suspended for one year. The driver may then file a civil case to challenge the suspension. Typically, the defense is that the officer did not have sufficient probable cause to believe the driver was intoxicated. These cases make up the "refusal docket." Many of the cases on a typical "refusal docket" are continued. However, a large portion of these cases result in civil trials. Currently, I supervise this docket. I also step in and handle this docket multiple times during the year.

Each Thursday morning and afternoon I am involved in four traffic dockets. The dockets are 9:00, 10:30, 1:00 and 2:30. Please note that the 10:30 and 2:30 dockets are cases set for trial. We handle approximately 100 tickets each trial docket and over 350 tickets on each of the other two dockets. Unlike civil administrative hearings, the burden of proof and evidentiary standards are the same as any other criminal case. I supervise this docket and I handle this docket when the part-time traffic prosecutor is not available. I am also involved with this docket on a weekly basis. The volume of this docket demands that two attorneys are available to make plea offers for these cases. Each year, multiple people are charged with careless and imprudent driving for incidents that lead to the death of an innocent motorist or pedestrian. Many times, the police agency does not give our office notice that one of these tickets involved a fatality. When I discover a ticket case involves a fatality, I immediately contact the relatives of the victim to talk to them about the case and see if they need the services of a victim advocate.

On two Wednesday afternoons each month, I represent the State on the bad check docket in Division 32. In addition to collection efforts, I also am involved in preliminary hearings and arraignments during this docket.