

**APPLICATION OF CHANTEL L. ALBERHASKY
FOR ASSOCIATE CIRCUIT JUDGE
31st CIRCUIT JUDICIAL COMMISSION
GREENE COUNTY, MISSOURI (as adopted June 8, 2009)**

RESPONSES TO THESE QUESTIONS WILL BE MADE PUBLIC IF THE APPLICANT IS NOMINATED.

NOTE – Please submit one (1) paper copy, with attachments, to each of the five (5) Commission members by mail.

1. Present principal occupation or title:
Shareholder, The Alberhasky Law Firm, P.C.
2. What is your age?
50 years old.
3. (a) How many years have you been a citizen of the United States?
50 years

(b) How long have you been a Greene County resident?
49 years

(c) How many consecutive years immediately preceding your application have you been a qualified voter of Missouri?
32 years
4. State the date you were admitted to The Missouri Bar and whether your license is in good standing. If not, explain in detail.
October 1998. My license is in good standing.
5. List any other states, courts or agencies in which you are licensed as an attorney.
United States District Court - Western District of Missouri
United States Court of Appeals - Eighth Circuit
United States Court of Appeals - Tenth Circuit
United States District Court of Utah - admitted *pro hac vice*

6. (a) State the name and address of all colleges and universities attended, other than law school, together with the dates and degrees received.

**Southwest Missouri State University (NKA Missouri State University)
901 South National
Springfield, MO 65807
Attended 1981; 1983; 1988-1991 (part-time); 1991-1995 (full-time)
Bachelor of Arts, cum laude**

**Graff Area Vo-Tech (NKA Ozarks Technical Community College)
1001 E Chestnut
Springfield, MO 65802
Attended 1984-1985
Surgical Technician Certificate**

(b) List/describe any college or university activities, scholastic achievements and other awards or honors you think are relevant to the commission's decision.

Dean's List: Fall 1991; Spring and Fall 1992; Spring and Fall 1993; and Fall 1994.

Phi Alpha Theta National History Honor Society, President, 1996 – 1997

Extemporaneous Speaking Contest, Second place, Fall 1991

(c) Attach a certified copy of college, university and law school transcripts here, or have the institutions send transcripts direct to the contact person.

See attached.

7. (a) State the name and address of all law schools attended together with the dates and degrees received.

**University of Missouri-Columbia School of Law
125 Jesse Hall
Columbia, MO 65211
Attended 1995-1998
Juris Doctorate**

(b) List/describe any law school activities, scholastic achievements and other awards or honors you think are relevant to the commission's decision.

I was in the top third of my law school class. I was the recipient of the Sidney Faber Award in Criminal Law for receiving the highest grade in my criminal law class. I participated in Moot Court Competition and I won the ABA Client Counseling Competition. I advanced to the regional ABA Client Counseling competition in Topeka, Kansas. I was also the recipient of a partial scholarship awarded to a single working parent attending law school.

During law school I was a single parent of an elementary age child who was active in extracurricular activities. I did not have the benefit of family living within close proximity to provide assistance. Balancing the duties and responsibilities of being a single parent and a law student presented its own unique set of challenges requiring perseverance and tenacity.

8. State, in chronological order (starting with the earliest employment) (a) significant non-law-related employment prior to or since law school and (b) all employment from the beginning of law school to the present. To the extent reasonably available to you, include the name and address of each employer and the dates of employment, and for legal employment, describe the positions you have held, e.g., associate, partner, law clerk, general counsel.

**Payless Lumber Company
East Chestnut Expressway
Springfield, MO
Head Cashier 1982-1985**

**Cox Hospital
1425 N Jefferson
Springfield, MO 65802
I worked as a surgical technician from 1985 to 1995. I voluntarily left this position to attend law school.**

**Missouri Attorney General's Office – Criminal Appeal Division
207 W. High St.
Jefferson City, MO 65102
I worked as a summer clerk in 1997.**

**Law Offices of Robert Palmer, PC
205 Park Central East
Suite 511
Springfield, MO 65806
I was an associate with the firm from 1998 to 2003. I voluntarily left this position to open a law firm with my husband, Randy Alberhasky.**

**The Alberhasky Law Firm, P.C.
419 Boonville Avenue
Springfield, MO 65806
Shareholder, 2003 - present**

**City of Springfield – Municipal Court
625 N. Benton
Springfield, MO 65806
Provisional Municipal Judge, January 2009 –present**

9. If you were a student at any school from which you were suspended, placed on probation, or expelled by school authorities, for any reason, describe the circumstances.

I took a college course at Missouri State University during my senior year of high school for which I received a D and was placed on academic probation. I repeated the course. I made the Dean's List every semester thereafter and graduated cum laude from MSU.

10. Describe the nature of your experience in trial and appellate courts and explain how they demonstrate the quality of your legal work. **It is your responsibility to redact any information in your description that might be confidential; i.e. juvenile matters, etc.** *(You either may take as much space as you need here or attach your response on separate sheets).*

During the course of my practice, I have gained a wide breadth of knowledge and experience having practiced in both state and federal court. I began my legal career as an associate with The Law Offices of Robert MN Palmer, P.C. representing clients in complex product liability cases in federal and state courts throughout the nation. I assisted Mr. Palmer in preparing for litigation in crashworthiness cases filed in Missouri, Texas, Illinois, Kansas and Hawaii. I was responsible for researching and ensuring the firm was in compliance with the rules of civil procedure for various jurisdictions. I also represented my own clients in personal injury, civil rights and property cases.

In 2003, my husband and I opened our firm and I have litigated numerous personal injury and administrative law cases. I have represented clients in a variety of matters including civil rights, special education, property, criminal, and traffic. I have also developed an expertise in the area of special education law representing families of children with disabilities under the Individuals with Disabilities Education Act and Section 504 of the Rehabilitation Act of 1973. Special education law is a complex and constantly changing area of law. There are few attorneys who practice special education law and I am the only one in Southwest Missouri who represents children.

As part of my special education law practice, I provide consultation services to parents throughout the United States including Louisiana, Georgia, New Jersey, Texas, and Utah. I also provide a significant amount of time providing pro bono consultations services to parents of blind children.

Since 2009, while continuing my practice, I have served as a provisional municipal judge for the City of Springfield. I am on the bench approximately two to four days a month.

I have an inquisitive interest in the law that has been the impetus for my diverse practice. The broad range of cases I have litigated have required me to extensively use my research, analytical and writing skills. The level of success I have achieved for my clients is evidence of the quality of my advocacy skills and written work product. I believe my diverse practice, dedication to research, and my judicial experience give me the perspective and background necessary to serve as an associate circuit judge.

Include in your response:

- a. **Appellate Experience:** Please include a representative list of cases you have briefed and/or argued (if you are a judge, include representative cases from your practice prior to your judicial appointment). To the extent reasonably available to you, the style, date, court and, if published, the citation; identify the client(s) you represented and opposing counsel; give a one-paragraph description of the case and your role.
- ***M.S. v. Utah School for the Deaf and the Blind*, Tenth Circuit Court of Appeals, 14-4114, 2015**

I am lead counsel for the family of M.S. who is a deafblind child and has never been taught to communicate by the school district. On behalf of my client, I alleged, among other things, USDB denied M.S. an appropriate education and I sought compensatory educational services in an intensive residential program. After receiving an unfavorable ruling at the administrative level on the issue of the denial of an appropriate education, I filed an appeal in the U.S. District Court of Utah. The defendant filed a cross-appeal requesting the Court issue an order changing my client's educational placement from a residential program to her local school district with only day services. The District Court denied the defendant's cross-appeal and ruled in our favor on the issue of a denial of an appropriate education and ordered defendant to pay for compensatory educational services but also ordered the defendant to determine whether my client should be placed at a private school at defendant's expense. The defendant appealed to the Tenth Circuit on the issue of denial of an appropriate education. I filed a cross-appeal on the issue of the district court delegating its authority to the defendant to determine placement. Defendant subsequently dropped its appeal. Oral argument is set in Denver, Colorado for September 29, 2015. Opposing counsel is Utah Solicitor General Bridget Ramano.

- ***Hansen Ex Rel. J.H. v. Republic R-III School District*, 632 F.3d 1024 [265 Ed. Law Rep. 9] (8th Cir. 2011):**

I was sole counsel on behalf of a 13-year-old boy who suffers from Bipolar Disorder, Conduct Disorder, and Attention-Deficient Hyperactive Disorder. I alleged on behalf of my client, the school district violated the Individuals with Disabilities Education Act by failing to find my client eligible for special education services. After receiving an unfavorable decision from the Hearing Panel, I filed an appeal to the United States District Court for the Western District of Missouri. The District Court overturned the Hearing Panel's decision and found my client eligible for special education services. The school district appealed to the Eighth Circuit Court of Appeals. The Eighth Circuit affirmed the District Court's

decision. I also obtained a favorable ruling for my client for attorney fees and expenses for the full amount sought. There are few cases in the Eighth Circuit favorable to parents so the Eight Circuit's ruling was not only important to my clients but for other families seeking special education services for their disabled children. Opposing counsel was Ernest Trakas, Celyndra Brasher and Alefia Mithaiwala.

- ***State ex re. Phillips v. Lepage*, 67 S.W.3d 690 (Mo. App. S.D. 2002):**

This case arose out of an automobile accident in McDonald County. I was lead counsel on behalf of Curtis Dyer who alleged Alice Doyle was negligent in crossing the center line of the road and striking his vehicle head on. Mr. Dyer suffered injuries and his wife, his two children, and his step-son were killed. Relator was the father of Mr. Dyer's step-son. Alice Doyle's insurance company, Allstate, agreed to pay policy limits and brought an action in interpleader because it was facing competing claims for the insurance funds. Judge John LePage denied relator's demand for jury trial on relator's wrongful death claim within an interpleader action. Relator filed a writ of prohibition and mandamus. I authored the respondent's brief and gave oral argument before the Court of Appeals. The preliminary prohibition order was quashed and the relator's petition was denied by the appelland court. Opposing counsel was Glenn Gulick.

- ***Deever v. Karsch Sons Inc.*, 144 S.W.2d 370 (Mo. App. S.D. 2004):**

Our firm represented the claimant in a workers' compensation claim. The ALJ found in favor of the claimant and the award was upheld by the Labor and Industrial Relations Commission. The employer appealed. I assisted in the research and drafting of the motion to dismiss, arguing that the notice of appeal was not effective because of the employer's failure to pay the full amount of the docket fee within the thirty days of the final award. The employer paid the docket fee of \$50 as required by Rule 81.04(c) but failed to pay the additional \$20 required by statute within 30 days of the final award. Our motion to dismiss was granted. Opposing counsel was Jason D. Knight.

- b. **Trial-Level Experience:** Please include a representative list of cases and/or administrative hearings you have handled (if you are a judge, include representative cases from your practice prior to your judicial appointment). To the extent reasonably available to you, the style, date and court; identify who you represented and opposing counsel; state whether the case was disposed of following a jury trial, bench trial or at what other stage; and give a one-paragraph description of the case and your role.

- ***M.S., by and through her parent, J.S. v. Utah School for the Deaf and the Blind*, Special Education Due Process Hearing, April 2013:**

I was admitted *pro hac vice* in Utah to represent M.S. in a special education case. M.S. is a 15-year-old residential student at the Utah School for the Deaf and the Blind (USDB). M.S. has multiple disabilities including deaf-blindness and cognitive deficits. USDB failed to teach M.S. a means to communicate. USDB was facing budget cuts and made the decision to send students, including M.S., back to their local school districts due to the high cost of educating said students. I filed for due process on behalf of M.S. alleging USDB failed to provide M.S. with a free and appropriate public education, it failed to provide M.S. with extended school year services, and that the local school district was not the appropriate placement for M.S. I also sought private placement at the Perkins School for the Blind in Massachusetts. A five-day hearing was held in Salt Lake City in which 30 witnesses testified including experts. The hearing officer found USDB violated the Individuals with Disabilities Education Act when it failed to provide extended school year services for M.S. and when it tried to place M.S. back into her local school district. The Hearing Officer ordered USDB to keep M.S. in its residential program. The Hearing Officer ruled against us on the issue of the deficiency of the Individual Education Plan and on the issue of private placement. The hearing officer was Wallace Calder. My local counsel was Ron Gardner. Opposing counsel was Kristina Kindl and Kevin Olsen.

- *Camdenton R-III School District v. L.F.*, Special Education Due Process Hearing, April 2012:

I was sole counsel for the L.F. family and their minor child, L.F. The parents of L.F. disagreed with the educational evaluation conducted by the Camdenton school district and requested the school district provide L.F. with an independent educational evaluation (IEE) at public expense. Camdenton initiated due process proceedings against the parents of L.F. requesting a hearing panel determine its evaluations were appropriate. The parents withdrew their request for an IEE but Camdenton refused to withdraw its request for a due process hearing. I agreed to represent the family pro bono. I entered my appearance in the case and filed a motion to dismiss. Shortly after my entry of appearance, Camdenton backed down and withdrew its request for a hearing. Ransom Ellis, III was the Hearing Chairperson. Opposing counsel was Teri Goldman.

- *Wentzville R-IV School District v. G.A.*, Special Education Due Process Hearing, November 2012:

The Wentzville School District evaluated G.A. for eligibility for special education services and determined G.A. did not meet the eligibility criteria for special education services under the IDEA. The parents withdrew G.A. from Wentzville school district and subsequently filed a complaint with the

Office of Civil Rights against the school district. In retaliation, Wentzville initiated special education due process proceeding against the parents of G.A. I was retained by G.A.'s parents for the limited purpose of having the matter dismissed or transferred to the Missouri Administrative Hearing Commission. Although the Hearing Chair denied my motion to dismiss, or, in the alternative transfer venue, I was successful in quashing a significant portion of the school district's subpoena duces tecum thereby protecting my client from oppressive and harassing discovery. The Hearing Chair was Pamela Wright. Opposing counsel was Ernest Trakas.

- ***H.F. a minor et al. v. Forsyth R-III School District et al.*, United States District Court for the Western District of Missouri, 09-3349-CV-S-RED, 2011:**

I was sole counsel on behalf of Bruce Forrest and his minor child, H.F. Mr. Forrest was an employee of the school district and his minor child was a student enrolled in the school district. H.F. qualified as a student with a disability under Section 504 of the Rehabilitation Act of 1973. I filed on behalf of my clients, a complaint with the Office of Civil Rights alleging discrimination by the school district against H.F. Shortly thereafter, Mr. Forrest was demoted. I withdrew the OCR complaint and filed a complaint in District Court alleging the school district discriminated against H.F. and retaliated against Mr. Forrest for advocating for his child under Section 504. At the close of discovery, the school district requested and paid for mediation. The matter was settled for a confidential amount. A hearing was held before Judge Richard Dorr to approve the minor's settlement. Opposing counsel was Ernest Trakas and Elizabeth Helfrich.

- ***Laura Brown et al. v. Forsyth R-III School District et al.*, United States District Court for the Western District of Missouri, Case No. 10-3013-CV-S-RED, 2011:**

I was sole counsel on behalf of Laura Brown and her minor child A.B. who alleged his civil rights were violated when employees of the school district struck him with a wooden paddle leaving bruises and contusions on his buttocks and thigh area. Judge Richard Dorr granted summary judgment. This case was instrumental in causing the school district to ban spanking and reverse its long-standing policy allowing corporal punishment. Opposing counsel was Todd M. Johnson, Brandon Cori and Robert Numrich.

- ***Elizabeth Lewis v. Travis Graves*, Associate Circuit Court of Greene County, Missouri, Case No. 1131-CV00492, 2011:**

I represented Travis Graves in a full order of protection case. Ms. Lewis and Mr. Graves were embroiled in a bitter child custody battle when Ms. Lewis filed for a full protective order against Mr. Graves. Judge Mark

Powell presided over the hearing. I was able to demonstrate Ms. Lewis sought the protective order for the sole purpose of using the order to prevent Mr. Graves from having access to his minor child. Judge Powell found no credibility to Ms. Lewis' claims and denied Ms. Lewis a full order of protection.

- *Johns v. Covington et al. v. Botts Enterprises*, Circuit Court of Lawrence County, Case No. 08LW-CC00039, 2009:

I was sole counsel in this property case on behalf of Bobbie Johns who alleged trespass upon her property. She claimed the defendants erected a building, a driveway, and a fence on her property as well as removed several trees that defendants sold for compensation. The defendants filed a third-party complaint. This was a bench trial in front of Judge Robert Wiley who ruled in favor of my client and awarded her damages and ordered defendants to remove the building, driveway and fence at their own expense. Opposing counsel was J. Craig Peterson and the third-party defendant's counsel was Steven Snead.

- *Kristi Murphy et al. v. David Murphy et al.*, Circuit Court of Greene County, Missouri, Case No. 104CC4881, 2006:

I was sole counsel in this personal injury case on behalf of Kristi and David Murphy who alleged the defendants were negligent by failing to safely evaluate whether Kristi could manage the horse provided by defendant. Kristi was thrown from the horse and suffered a fractured ankle. After three-day trial, presided over by Judge Daniel Conklin, the jury returned a verdict for the defendant. Opposing counsel was Bradley Sylwester.

- *City of Springfield v. Barbara Evans*, City of Springfield, Missouri, Case No. 070674891, 2008:

I was sole counsel in this criminal matter on behalf of Barbara Evans. Ms. Evans was charged with driving while intoxicated. I negotiated a plea agreement in which Ms. Evans received a suspended execution of sentence. The plea agreement was approved by Judge Denise Budd.

- *Wanda Holloway v. Joe L. Farley*, Circuit Court of Stone County, Missouri, Case No. CV503-324CC, 2005:

Our firm represented Wanda Holloway in a personal injury case. Ms. Holloway alleged the defendant was negligent in crossing the middle of the road striking her vehicle and causing her injury. I drafted and argued motions at trial and prepared the jury instructions. The jury returned a verdict for the defendant. Opposing counsel was Steven Snead and Warford Johnson III.

- ***State of Missouri v. Travis Graves*, Circuit Court of Greene County, Missouri, Case Nos. 31303CF8941 and 31303CF6596, 2004:**

I was sole counsel in this criminal matter on behalf of Travis Graves. He was charged with felony stealing and felony possession of a controlled substance. I negotiated a plea agreement reducing the felony stealing charge to a misdemeanor with time served. Judge Calvin Holden approved the plea agreement. I further negotiated a plea agreement for my client to receive a suspended imposition of sentence on the possession of a controlled substance charge and for my client to participate in drug court. Judge Don Burrell approved the plea agreement.

- ***Allstate v. Curtis Dyer, et al.*, Circuit Court of McDonald County, Missouri, Case No. Unknown, 2002:**

I was lead counsel on behalf of Curtis Dyer who alleged Alice Doyle was negligent in crossing the center line of the road and striking his vehicle head on. Mr. Dyer suffered injuries and his wife, his two children, and his step-son were killed. Alice Doyle's insurance company, Allstate, agreed to pay policy limits and brought an action in interpleader because it was facing competing claims for the insurance funds. A hearing on the apportionment of the insurance funds was held before Judge John LePage. Opposing counsel was Glenn Gulick.

- ***Erica Gould v. Tavis Stanley*, Circuit Court of Lawrence County, Case No. CV101-523CC, 2002:**

I was sole counsel in this personal injury case on behalf of Erica Gould who alleged defendant was negligent by driving his vehicle at an excessive speed causing the vehicle to go off the road and crash. Ms. Gould was a passenger in the car and suffered lacerations to her face with permanent scarring to her forehead. The case was settled the day before trial. Opposing counsel was William Lasley.

- ***Jonathan Beck v. Wal-Mart Stores, Inc.*, Circuit Court of Greene County, Missouri, Case No. 199 CC 0713, 2001:**

I worked with William Petrus representing Jonathan Beck in this personal injury case. Mr. Beck alleged the defendant was negligent in not properly tightening the lug nuts on his tires, resulting in a lug nut falling off and locking up the tire, causing the vehicle to crash. I presented witnesses for direct examination and I assisted in preparing the jury instructions. After a two day trial presided over by Judge Henry Westbrooke, the jury returned a verdict for plaintiff in the amount of \$30,000. Defendants filed a motion for judgment notwithstanding the verdict, or in the alternative, a motion for new trial. I presented oral argument for plaintiff at hearing and Judge Westbrooke denied defendant's motion. Opposing counsel was

James T. Seigfried.

- ***Kathleen N. Mills v. Steven Turner*, Circuit Court of Taney County, Missouri, Case No. CV798-0435CC, 2001:**

I worked with William Petrus representing Kathleen Mills in this personal injury case involving an automobile accident wherein Kathleen Mills suffered injuries. I presented witnesses for direct examination. The jury returned a verdict for defendant. Judge Jame Eiffert presided over the trial. Opposing counsel was Sean McGinnis.

- ***Eulis Kemble v. Wal-Mart Stores, Inc.*, United States District Court for the Western District of Missouri, 99-3003CVS-RGC-ECF, 2000:**

I was lead counsel on an employment discrimination case on behalf of Eulis Kembel who alleged he was demoted because of his disability and because of the perception he was disabled. At the close of discovery, Wal-Mart filed for summary judgment. I drafted the motion in opposition. The majority of employee claims under the Americans with Disabilities Act are lost at summary judgment but I was successful in persuading Judge Russell Clark to deny Wal-Mart's motion. A few weeks before trial, Wal-Mart initiated settlement negotiations and the matter was settled for a confidential amount. Opposing counsel was David Sullivan and Pamela Connolly.

I assisted Robert Palmer with complex product liability cases while an associate at his firm. My responsibilities included drafting complaints, drafting and managing discovery, drafting and arguing motions, deposing expert witnesses, and researching and ensuring compliance with the rules of civil procedure for various jurisdictions. The following is a representative list of those cases:

- ***Angela Beanland et al. v. Ford Motor Company*, Circuit Court of Laclede County, Missouri, Case No. CV300-390CC, 2002:**

The firm represented Angela Beanland in this products liability case. Ms. Beanland alleged the defendant was negligent in the design of the front passenger seat bottom and the seat belt restraints which enhanced her injuries above what she would have received in the collision. Angela suffered a L1 burst fracture with neurological impairment. The case settled for a confidential amount. Opposing counsel was Robert T. Adams and Douglas W. Robinson.

- ***Courtney Palka v. General Motors Corporation, et al.*, Circuit Court of Cook County, Illinois County Department, Law Division, 2001:**

The firm represented Courtney Palka in this products liability case. Courtney Palka alleged defendant was negligent in the design and manufacturer of the rear end of 1996 Chevrolet Beretta. Courtney was a two-year-old child who was properly belted in a child seat in the rear of the Beretta when the vehicle was rear ended by another driver. The survival space in the rear of the Beretta was reduced by over 60% where Courtney was seated. Courtney suffered significant brain damage rendering her blind and quadriplegic. The case settled for a confidential amount. Opposing counsel was Philip L. Harris, James K. Toohey and Jennifer Johnson.

- *Mohamed v. Mazda Motor Corporation*, United States District Court for the Eastern District of Texas, Marshall Division, 2001:

The firm represented Dr. Khadijah Abdul Ali Mohamed's family in this product liability case. The Mohammed family alleged the defendant was negligent in the design and manufacture of the Mazda Protege and failed in its duty to exercise ordinary care in the design of the passive restraint in the Protege. Dr. Mohammed was restrained only by the passive shoulder belt when her vehicle was struck by a pick-up truck. Dr. Mohammed suffered fatal injuries. The case settled for a confidential amount. Opposing counsel was Lewin Plunkett.

- *Chad Cloud v. DaimlerChrysler*, Circuit Court of Jackson County, Missouri, 2000:

The firm represented Chad Cloud in this product liability case. Chad Cloud alleged defendant was negligent in the design and manufacturer of the Chrysler by providing a lap-only belt system in the back seat. Chad, a minor, was a passenger in the back driver-side seat wearing the lap-only belt system when his mother's car crossed the center line and collided with another vehicle. Chad jackknifed over the lap belt causing injury to his thoracic spine rendering him paraplegic. The case settled for a confidential amount. Opposing counsel was Gary R. Cunningham and Robert Haddad.

- *Erving Domingo, et al. v. Ford Motor Company*, Circuit Court of the Second Circuit Court of the State of Hawai'i, Civil No. 97-0286, 1999:

The firm represented Erving Domingo and his children in this product liability case. Erving Domingo alleged the defendant was negligent in the design and manufacture of the Mercury Tracer and failed in its duty to exercise ordinary care in the design of the passive restraint in the Tracer. Rhonda Domingo was restrained only by the passive shoulder belt in the front passenger seat when her vehicle was struck by a Blazer. She suffered fatal injuries to her aorta and liver. The matter was settled for a confidential amount. Opposing counsel was Donald Dawson and Kenneth Fukunaga.

- c. **Judicial Experience:** If you are a judge, commissioner, or are serving or have served in another judicial capacity, please describe the nature and extent of your judicial responsibilities, including the dates you have served at each level, the types of dockets you have handled, and any special expertise you have developed that you believe is relevant to your qualifications for the position for which you are applying.

Since January 2009, I have served as a provisional municipal judge for the City of Springfield. In Springfield Municipal Court, cases are assigned to a courtroom and not to a specific judge so when I am scheduled to be on the bench I preside over a range of cases that have been assigned to that courtroom for that particular day. During my tenure as a provisional municipal judge, I have presided over more than 40 bench trials for a variety of cases including stealing, possession of narcotic paraphernalia, driving while intoxicated, common assault, marijuana possession, and traffic violations.

During the first two years I served as a provisional judge, I presided over numerous "red light camera" hearings. Municipal court is not a court of record in that our proceedings are not recorded and appeals are de novo (a new trial before a new tribunal as if the first trial did not occur). However, the proceedings of red light camera hearings were recorded and appeals based upon error. Accordingly, I issued written opinions for each of the red light camera hearings I presided over during the aforementioned time frame.

In addition, I have presided over contempt hearings, probation revocation hearings, bond forfeiture hearings, and pre-trial conferences. I have also heard and ruled on various motions, including motions to suppress, motions to dismiss and motions to withdraw. My other responsibilities include taking plea agreements, imposing fines, setting bonds, and imposing jail sentences.

Serving as a provisional municipal judge has provided me with significant experience and knowledge of how to manage a courtroom and move a high volume docket in an efficient but courteous and patient manner. It has also given me an opportunity to work with people from all walks of life including defendants with mental illness, substance abuse problems and who are often homeless. I have taken the opportunity to visit and tour the various facilities in our community that provide assistance to our citizens in need of treatment and housing so I may have a better understanding of the resources available to the defendants.

My judicial experience also includes presiding over the docket in Marionville Municipal Court and in Willard Municipal Court when the Municipal Judge for those cities was not available.

11. (a) Describe any additional legal experience that you believe may be relevant to the decision of the commission (e.g., work as a law professor, in government, as corporate or other legal counsel).

In 2010, I was appointed as special prosecutor by the City of Bolivar to investigate a case of stealing. After a thorough investigation, I deferred prosecution.

While in law school, I clerked at the Missouri Attorney General's Office in the Criminal Appeals Division and drafted respondent's briefs on behalf of the State of Missouri. During my tenure, I was the only law clerk in the criminal division to have been given the honor of presenting an oral argument. I argued before the Missouri Court of Appeals, Western District. The State won the appeal.

Also during law school, I participated in the Domestic Violence Clinic. As a third year Rule 13 certified law student, I represented petitioners in multiple rural counties in obtaining orders of protection for themselves and their children. I also served as guardian ad litem for minor children and participated in child custody hearings.

(b) Describe any non-legal experience that you believe may be relevant to the commission's decision.

I bring a unique perspective to the bench. My life experience and my legal practice are not typical. I grew up in a lower-income neighborhood in Northwest Springfield. My parents owned a shoe repair shop and worked six days a week to support our family. Neither of my parents graduated from high school so, for our family, getting a high school diploma was the goal. After high school I followed in the footsteps of my older sister, and those with whom I grew up with, and obtained vocational training, a job and raised a family. Later in life I made the decision to earn a college degree. I took college courses at MSU while I continued to work at Cox Hospital as a surgical technician while raising my son. I then moved to Columbia, Missouri with my young son to attend law school at MU. By the time I began practicing law I had real life experiences to draw upon.

It is that background and those experiences that have shaped my practice and influenced the choices I have made in my legal career. I am confident my personal and professional background would add to the tapestry of experience in the 31st Circuit Court.

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

Missouri Bar Association, 1998 - present

Springfield Metropolitan Bar Association, 1998 - present

Missouri Association of Trial Attorneys, 1998 - present

Missouri Municipal and Associate Circuit Judges Association, 2009 - present

Council of Parent Attorneys and Advocates, Inc., 2008 - present

13. (a) List any professional articles or books authored by you that have been published or any special recognition or award of a professional nature you have received.

Women's Justice Award – Litigation Practitioner 2015

Missouri Lawyer's Weekly honors and recognizes female lawyers throughout the state for their work in the legal profession with its Women's Justice Award. Honorees are selected based upon the core principles of leadership, professionalism, accomplishment and passion for making a difference. I was selected to receive a Women's Justice Award in the category of Litigation Practitioner.

In 2015 I was presented with a plaque by the Utah Parents of the Blind Children at the National Federation of the Blind of Utah's convention for recognition of my work on behalf of blind children in Utah.

Missouri Association Trial Attorneys Magazine – Spring 2015 – “My Shorts are the Number H!” This is an article I wrote about litigating special education cases.

- (b) List any other articles, reports, letters to the editor, editorial pieces, or other material authored by you that have been published within the last five (5) years.

“Future Reflections” Volume 31, Number 4 – A 2012 speech I gave at the National Federation of the Blind's annual convention regarding my experience establishing the Parents of Blind Children Chapter of Missouri was published in a magazine for parents and teachers of blind children.

14. List all professional, business, fraternal, scholarly, civic, charitable, or other organizations in which you have significantly participated. Provide dates of membership or participation, and indicate any office you held. Include clubs, working groups, advisory or editorial boards, panels, committees, conferences or publications.

Over my professional career, I have been involved in numerous community activities and charitable organizations.

Springfield Metropolitan Bar Association

I am active member of our local bar. I have presented CLE classes for our bar and I am a member of the Law Day committee. As part of the committee I help select the recipient of the John D. Ashcroft scholarship as well as selecting the winners of the Law Day essay and poster contest. At the SMBA 2014 Law Day luncheon, I had the privilege of presenting the SMBA Liberty Bell award to Springfield Municipal Court's probation officer, Jody Austin.

Southwest Center for Independent Living (SCIL)

I am currently serve on the board of directors of SCIL. SCIL is a non-profit organization that provides home and community based supports, programs and services that allow people with disabilities to live independently.

Boy Scouts of America

For the past five years my family has been very active in this youth development program. My husband served as the Cub Master for Cub Scout Pack 11 for three years and prior to that served as a Den Leader. I assisted my husband in his duties for various Cub Scout activities including weekly meetings, the pinewood derby, the rocket launch, and the annual banquet.

Army Maj. Michael R. Martinez Class of 1998 Scholarship

In 2014, my husband and I created the Army Maj. Michael R. Martinez Class of 1998 Scholarship in memory of our dear friend, and my law school classmate, Michael R. Martinez. Mike was a member of the Army Judge Advocate General's Corp and volunteered to deploy to Iraq. He made the ultimate sacrifice for our country when he was returning from Baghdad and the Blackhawk helicopter he was flying in crashed. The scholarship is awarded to a University of Missouri – Columbia law student who has served in the military.

MATA Certified Emergency Response Team Volunteer

In June 2011, I volunteered in Joplin after the devastating tornado to provide free legal advice on issues confronting disaster victims.

Rountree Elementary, PTA

I served as President in 2011-2012. During my time as president, the PTA organized the most successful fundraiser in recent history raising enough funds to purchase expensive playground equipment for the school. Since 2008, I have served as the Chairperson for Rountree's Holiday Basket program. As Chair, I help select Rountree families in need and coordinate with the families to ascertain their specific needs and to obtain gift wish lists for the children. I also coordinate and oversee the collection and delivery of the donations. Since I have taken the position of Chairperson, we have been able to assist approximately 100 Rountree families in need.

Rivendale Learning Institute

Rivendale is a private school for children with learning disabilities and autism. My husband and I supported and sponsored the 2009 and 2010 "Leather and Lace" fundraiser to raise money to help ensure children with autism and learning disabilities receive the education and services they need to reach their full potential.

Love Without Boundaries

In 2004, I volunteered my time and skills as a surgical technician on a surgical-mission trip to China to repair cleft lips and palates of orphans. That same year I organized a blanket drive and coordinated with UPS to ship over 1200 blankets to orphanages in Inner Mongolia.

I am an avid runner. I have run in many charity races to raise money for various organizations. My first marathon was in Memphis, Tennessee sponsored by St. Jude Children's Research Hospital. The funds raised from the marathon goes to research to save children from cancer and other deadly diseases.

15. Do you now hold or have you ever held an elective or an appointive public office or position? If yes, provide details.

Yes. In 2009, I was appointed by Springfield City Council to serve as a provisional municipal judge. The provisional municipal judge position is a one-year appointment. The Springfield City Council has re-appointed me every year since 2009. I was most recently re-appointed in June 2015.

I was also appointed special prosecutor for the City of Bolivar in 2010.

16. Please list any client(s) or organization(s) for which you performed lobbying activities and describe the lobbying activities you performed on behalf of such client(s) or organization(s).

Not applicable.

17. Provide the branches and dates of (a) military service or (b) other public service not otherwise disclosed in this application. If discharged from the military, state whether the discharge was other than honorable.

Not applicable.

18. State whether you are able, with or without a reasonable accommodation, to perform the essential functions of being a trial judge.

I am able to perform the essential functions without accommodations.

19. Were you ever refused admission to the bar of Missouri or the bar of another state or the federal courts? If yes, provide details.

No.

20. Have you ever been disciplined, admonished or cited for breach of ethics or professional conduct by the Supreme Court of Missouri or by any court or bar association or committee thereof? If yes, provide details.

No.

21. If you are or were a member of the judiciary of the state of Missouri, please state:

- a. Whether an order of discipline ever has 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 yes, provide details.

No.

- b. Whether a reprimand or admonition ever has been entered against you by the Commission on Retirement, Removal and Discipline for any of the causes specified in Supreme Court Rule 12.07. If yes, provide details.

No.

22. Have you have ever been held in contempt of court? If yes, provide details.

No.

23. 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.**

If your answer is yes, state the style of the case, where it was filed and explain in detail. If you are a judge and you have been sued in your judicial capacity, list only those cases where you are or were other than a nominal party.

Chantel Kelly v. Mark W. Kelly, Action for dissolution of marriage. Filed in Greene County, Missouri, March 1995. Judgment entered and matter concluded June 1995.

24. Have you ever been convicted or received a suspended imposition of sentence for a felony or misdemeanor in state, federal or military court? (*Note that this question does not require that traffic offenses or other infractions be listed.*)

No. If your answer is yes, state the style of the case, where it was filed and explain in detail.

25. Are you delinquent in the payment of any federal, state, county or city taxes?

No. If yes, provide details.

26. You must attach to this application at least one writing sample of your choice. The only rule, limitation or instruction is that you must indicate whether it was edited by anyone else, and if so, to what degree

Attached is a brief I wrote for a case on appeal to the U.S. Court of Appeals - Eighth Circuit. I am the sole author and it represents 100% of my own work.

27. List/describe any additional honors or awards you have received, activities you have performed, or any other information not set out above that demonstrates the quality of your work as an attorney or that you otherwise believe is relevant to the commission's decision.

Due to my expertise in the area of special education law, I have been asked to present on the topic by various organizations. I freely give of my time due to my strong belief that every child deserves a quality education.

**Rehabilitation Center for the Blind (Missouri Dept. of Social Services)
Children's Vision Summit
Key Note Speaker
May 2015, Columbia, MO**

**National Federation of the Blind of Utah Conference
Presenter – “M.S. v USDB”
May 2015, Ogden, UT**

**SWAN – Southwest Autism Network
Seminar on Special Education
May 2014, Springfield, MO**

**Missouri Parents of Blind Children – State Convention
“Preparing for an IEP Meeting”
March 2014, Columbia, MO**

**SWAN – Southwest Autism Network
Panel for “Autism Prevention Crisis”
February 2014, Springfield, MO**

**Juvenile Law Committee - SMBA
“Special Education – IEPs”
July 2013, Springfield, Missouri**

**SMBA CLE – Hour by Hour
“School Law Review and Update”
June 2013, Springfield, Missouri**

**Guardian Ad Litem Training – CLE
“Working with IEPs and the School System”
June 2013, Springfield, Missouri**

**NALS of Missouri
“Litigating Special Education Cases”
February 2013, Springfield, Missouri**

**Springfield Area Legal Support Professionals
“Litigating Special Education Cases”
October 2012, Springfield, Missouri**

**Missouri State University Blindness Skills Specialist Project,
“Know the Law, Know Your Rights”
September 2012, Springfield, Missouri**

**National Organization of Parents of Blind Children
“Do’s and Don’ts of an IEP Meeting”
July 2012, Dallas, Texas**

**National Federation of the Blind of Missouri Convention
IEP Workshop
March 2012, Kansas City, Missouri**

**National Organization of Albinism and Hypopigmentation
IEP Workshop
2009, Kansas City, Missouri**

Please list the names of *five* persons whom you will ask to provide letters of reference for you with respect to your judicial qualifications. Do **not** list as a reference a judge of the court involved. As to each of the five references, **please provide name, title, mailing address, telephone and e-mail address.** *Please note that it is your responsibility to contact your references* and to see that they send the requested letters in a timely manner with the a Guidelines for References.

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