

RESPONSES TO THESE QUESTIONS WILL BE MADE PUBLIC IF THE APPLICANT IS NOMINATED FOR THIS VACANCY

A. PERSONAL INFORMATION

1. Present principal occupation or title: **Circuit Judge, 22nd Judicial Circuit (City of St. Louis) State of Missouri.**

2. Are you at least 30 years of age? **Yes (X)** No ()

3. (a) How many years have you been a citizen of the United States? **63 years.**

(b) How many consecutive years immediately preceding your application have you been a qualified voter of Missouri? **42 years.**

4. State the date you were admitted to The Missouri Bar and whether your license is in good standing. **1975 – in good standing.**

B. EDUCATIONAL BACKGROUND

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

Name	Address	Dates Attended	Degree
Washington University, St. Louis, Mo.	10 N. Brookings Dr. St. Louis, Mo. 63105	1966-1970	Bachelor of Arts Degree

- (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 Spring 1969, 1970

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

Name	Address	Dates Attended	Degree
St. Louis University School of Law	221 N. Grand Blvd. St. Louis, Mo. 63103	1972-1975	Juris Doctorate Cum Laude

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

I graduated Cum Laude in the top ten percent of my law school class. (Order of the Woolsack) I was a published member of the St. Louis University Law Journal and my article was cited by the U.S. Supreme Court in the landmark case *Batson v. Kentucky*. (See publications below). I was active as a charter member of the women law student organization at St. Louis University and traveled as a representative of the school to a national meeting of women law students. My first child, Kristen, was born between my second and third years of law school, an event which brought great joy as well as challenges to the goal of balancing responsibilities as wife and mother, law student and later, practicing attorney. The same holds true for the birth of my son John in 1980.

7. 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.

No.

C. PROFESSIONAL BACKGROUND AND EXPERIENCE

8. State, in chronological order (starting with the earliest employment), significant non-law-related employment prior to or since law school. To the extent reasonably available to you, include the name and address of each employer and the dates of employment.

Employer	Address	Dates of Employment
Washington University School of Engineering, Amin. Asst. to Dr. John Zaborszky (deceased)	1 Brookings Dr. St. Louis, Mo. 63105	1970-1971

Alliance for Regional Community Health, Health Planner	Now Defunct. Address was in downtown St. Louis on Olive St.	1971-1972

9. State, in chronological order (starting with the earliest employment), all employment from the beginning of law school to the present. For legal employment, describe the positions you have held, e.g., associate, partner, law clerk, general counsel.

Employer	Address	Dates of Employment	Position
Legal Services, Eastern Missouri	4232 Forest Park Ave. (I worked when it was on Vandeventer St.) St. Louis, Mo. 63108	Summer 1973	Law Clerk
Missouri Court of Appeals Eastern Missouri	One Post Office Square 815 Olive St., St. Louis, Mo. 63101	1973-1975	Law Clerk to Hon. Theodore McMillian
Anderson, Everett, Sedey & Van Amburg	705 Olive St., #924, St. Louis, Mo. 63105 (now defunct)	1975-1981	Founder and Law Partner
Schuchat, Cook & Werner	1221 Locust St., Second Floor St. Louis, Mo. 63103	1981-1996	Law Partner
VanAmburg, Chackes, Carlson & Spritzer	230 S. Bemiston, #800, Clayton, Mo. 63105	1996-2003	Founder and Law Partner

Judge, 22nd Judicial Circuit, State of Missouri
 10 N. Tucker Blvd., Division 19
 St. Louis, Mo. 63101

2003-Present Circuit Judge

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

Bar Admission	Date
Previously admitted to United States Court of Appeals Eighth Circuit; E.D. Mo, U.S. Supreme Court	1975-2003 Since taking the bench, I have not paid renewal fees.

11. Describe the nature of your experience in trial and appellate courts and explain how they demonstrate the quality of your legal work. (*You either may take as much space as you need here or attach your response on separate sheets*). 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:
 - i. State the style, date, court and, if published, the citation;
 - ii. Identify the client(s) you represented and opposing counsel; and
 - iii. Give a one-paragraph description of the case and your role in it.

The following is a list of significant appellate cases I have personally briefed and argued while active in the practice of law prior to my judicial appointment. As requested, this is a representative list, not all-inclusive of appellate matters I have handled over the years as a practicing attorney.

- *Christine Herman, et.al. v. Roosevelt Federal Savings and Loan Association*, 569 F.2d 1033 (8th Cir. 1978); Trial Court: Eastern District of Missouri, 432 F.Supp. 843 (E.D.Mo. 1977).

This is the first case I ever tried, with my co-counsel Nancy Everett. We were new law graduates when we filed this case, and two years out of law school when we tried it to Judge Kenneth Wangelin in the federal court in St. Louis. We represented four women tellers who were being paid less than the male tellers at the bank. We alleged violations of the 1963 Equal Pay Act. Judge Wangelin ruled in three of our clients' favor and awarded them back pay plus attorneys' fees. Co-counsel Nancy Everett and I jointly wrote the brief on appeal and Nancy argued the case on appeal. Opposing counsel were Samuel Ebling, John Lewis and Gregory Hoffmann.

- *Johnson and White v. Bunny Bread*, 646 F.2d 1250 (8th Cir. 1981); Trial Court: 486 F. Supp. 91 (E.D. Mo. 1980)(Tried to Judge Kenneth Wangelin)

I filed this case during the early years of enforcement of the 1964 Civil Rights Act (Title VII) prohibiting race discrimination in employment. I represented two former African American employees, Johnson and White, who alleged, among other theories, constructive discharge due to a racially hostile work environment at the hands of their supervisor in the defendant's Cape Girardeau plant. The federal trial and appellate courts ruled against the employees, holding that even if the employees endured racial epithets from their white supervisor, the epithets were merely "stray remarks" that did not rise to the level of a hostile work environment. I was sole counsel at trial and on the appeal. Opposing counsel at trial and on appeal was Mr. A.M. Spradling III.

- *Breitman v. Breitman*, 632 S.W.2d 494 (Mo. App. E.D. 1982)

This was a divorce case, which I handled at trial and on appeal. Early in my civil practice, I handled numerous divorce matters in trial courts and several on appeal. Opposing counsel was Bernard Barken.

- *Hanlon v. Bd. Of Education of the Parkway S.D.*, 695 S.W. 2d 930 (Mo.App. E.D. 1985)(Tried to Judge, not jury)

This case is representative of the numerous cases I handled in court and in school board hearings on behalf of tenured teachers while at the law firm of Schuchat, Cook and Werner. I represented a terminated tenured teacher, Mercedes Hanlon, who claimed that she had not been given due process by the school board in the termination process. The School District prevailed. I was sole trial and appellate counsel. Opposing counsel at the administrative hearing, circuit court trial and on appeal was Thomas Tueth.

- *Jane Catlett, et al., v. Missouri Highway and Transportation Commission*, 828 F. 2d 1260 (8th Cir. 1987)(Aff'd in part and reversed in part) (Consent Decree subsequently entered by Judge Scott O. Wright); Trial Court: 589 F.Supp.929 (W.D. Mo. 1983); 627 F.Supp.1015 (W.D.Mo. 1985); 643 F.Supp. 321 (W.D. Mo. 1985). (Tried in part to jury and legal issues to Judge)

This was a significant case which I filed in the federal district court three years out of law school. I represented Jane Catlett and several named plaintiffs as well as a class of 150 women who had applied for entry-level highway jobs but were rejected. I and Kansas City co-counsel Karen Plax prepared and tried this case on behalf of the individuals and a class of women, many with a background in farming in the Springfield, Mo. Area, who applied for entry-level highway maintenance jobs and who were

turned down for these jobs. The case was tried in part to a jury in federal court in Jefferson City, Missouri on the issue of liability to the individuals and class and in part to Judge Scott O. Wright of the federal district court in Western Missouri with respect to the remedy. In 1983, the jury found in favor of the class of women at trial and the judge found in favor of the individually named plaintiffs on the Title VII claims. The Highway Department then appealed to the United States Court of Appeals. Opposing Counsel on appeal were Jack Whitacre, and Sandra Schermerhorn, Spencer, Fane, Britt and Browne, Kansas City, Mo. Opposing counsel at trial were John Gladden and Paula Lambrecht of the Missouri Highway and Transportation Department.

I was lead counsel in writing the brief and arguing the case, which was affirmed in substantial part by the United States Court of Appeals. The Highway Department appealed again to the United States Supreme Court which declined to take the appeal. At the conclusion of the case, numerous women were hired for the first time into these entry-level highway maintenance positions, and the court ordered the Highway Department to distribute to the class of women over \$2 million in back pay and to cease its discriminatory hiring practices. This was a complex piece of litigation and was, to my knowledge, one of the first class actions alleging sex discrimination tried to a judge and/or a jury in the State of Missouri. *See, Scott O. Wright, Never in Doubt-Memoirs of an Uncommon Judge, Kansas City Star Books, 2007, pp.139- 141 (in which he discusses this case).*

- *Loeffler v. Tisch*, 486 U.S.549, 108 S.Ct.1965 (1988); *Loeffler v. Carlin*, 780 F.2d.1365 (8th Cir. 1985); *Loeffler v. Tisch*, 806 F.2d 817 (8th Cir. En banc (1986 (Tried to Judge Kenneth Wangelin, U. S District Court, Eastern District of Missouri)

I was sole counsel for a male rural carrier Ted Loeffler, in a reverse gender discrimination claim arising of his termination by the United States Postal Service. I tried the case as sole counsel and Loeffler won on the merits of his discrimination claim before Judge Kenneth Wangelin in the federal district court in St. Louis. The Postal Service appealed to the 8th Circuit Court of Appeals and Loeffler cross-appealed the trial judge's denial to him of pre-judgment interest on his back-pay award. The Eighth Circuit upheld the case on the merits but denied prejudgment interest. Loeffler appealed the denial of interest to the United States Supreme Court, won certiorari and ultimately prevailed. The issue before the Supreme Court was whether or not the Postal Service held immunity to awards of prejudgment interest. The Supreme Court ruled that the Postal Service was

not immune and ordered the payment of interest in the amount of over \$75,000 to Mr. Loeffler.

I was the lone trial and appellate counsel and wrote and researched all the briefs, including the appellate brief filed with the United States Supreme Court. I personally argued the case before the U.S. Supreme Court in 1988. Opposing counsel before the U.S. Supreme Court was the United States Asst. Solicitor General Charles Rothfeld of the Department of Justice. Opposing counsel at trial and appeal to the Eighth Circuit were in-house Postal Service lawyers, including David Karro. I cannot recall and can locate no record of the name of trial counsel for the Postal Service.

- *Ortbals v. S.S.D. of St. Louis County*, 762 S.W.2d 437 (Mo.App. E.D. 1988) (Appeal from School Board termination of tenured teacher)

This case was filed and litigated on behalf of a tenured teacher while I was at the law firm of Schuchat, Cook and Werner. I represented a terminated tenured teacher, Helen Ortvals, who claimed that she had not been given due process by the school board in the termination process. The School District prevailed. I was sole trial and appellate counsel. Opposing counsel was Eric Schmitz.

- *EEOC, Bruce Ey, Dewey Helms v. HBE Corporation*, 135 F.3d 543 (8th Cir. 1998)(Tried to Jury and Remedy issues to Judge) Trial Court: 4:93-CV-711CEJ; 4:93-CV-867CEJ.

I was co-trial counsel and co-appellate counsel in this highly publicized jury trial which resulted in a \$6 million dollar verdict against the Adam's Mark Hotel for race discrimination and retaliation against two senior managers, one white, and one black. I represented the Chief Personnel officer for the hotel, Bruce Ey, who had refused his superior's orders to fire his black Asst. Personnel Director, Dewey Helms. The verdict in favor of Mr. Ey was \$1,060,000 in punitive damages and back pay but was reduced on appeal to \$106,000 by the Court of Appeals. The trial court awarded an additional \$131,571 in front pay plus attorneys' fees after the appeal and the judgment was thereafter satisfied.

The case and the evidence adduced at trial brought the problem of race discrimination in a prominent downtown hotel to the forefront. I was sole trial counsel for my client Mr. Ey. Co-plaintiff Dewey Helms was represented by Mary Anne Sedey at trial and the EEOC was represented by Donna Harper. I wrote my client's brief and argued his case on appeal.

The opposing attorney at trial was John Renick; on appeal were Thomas Walsh, Elizabeth Carver and Timothy Garnett.

- *Lyoch v. Anheuser-Busch*, 139 F3d 612 (8th Cir. 1998). Trial court: 4:94-CV-1384(JCH).

I was sole trial counsel and co-counsel with my then law partner Susan Carlson on appeal. Ms. Carlson and I collaborated on the brief and I was sole counsel at oral argument before the Eighth Circuit Court of Appeals. The case was brought by my client, Dee Lyoch, a long-term employee of Anheuser-Busch who alleged that the company systematically failed to promote her and women in general because of her gender. The trial judge dismissed the case on summary judgment but the United States Court of Appeals reversed, sending it back to the district court for trial. The company settled prior to trial. Opposing counsel were Gerald Carmody, who presented oral argument, Lisa D. Martin and Jill Bodensteiner on the brief.

- 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:
- i. State the style, date and court;
 - ii. Identify who you represented and opposing counsel;
 - iii. State whether the case was disposed of following a jury trial, bench trial or at what other stage; and
 - iv. Give a one-paragraph description of the case and your role in it.

In addition to the cases listed above in response to the inquiry regarding appellate experience, which cases I tried as well, the following is an additional representative list of cases I personally tried as sole or chief litigation counsel:

- *Rosanne Smith-Darr and Charles Hendrick v. Seneca School District*, 1990 U.S. Dis. LEXIS 5433 (W.D.Mo.1990) (Tried to Jury)

This case was typical of the many cases I handled in federal court on behalf of Missouri public school teachers. I was sole trial counsel representing two probationary teachers who alleged that their contracts were non-renewed because of their efforts to organize a National Education Association chapter in their school district and because they spoke out publicly on

issues of public concern. The jury ruled in favor of the Roseanne Smith-Darr on her claim of violation of the First Amendment, and I believe in favor of Mr. Hendrick on a tenure act claim. Judge Dean Whipple awarded back pay and attorneys' fees.

- *Hettie Standley, Jana Klein, Marilyn Schoppenhorst, Dara Kiely, Ruthann Burgess, Arthur Wickman v. Chilhowee R-IV School District, et al*, Case No. 89-0779-CV-W-3, 89-779-CV-W-2 (U.S. District Court for Western District of Missouri (1992), 5 F2d 319 (8th Cir. 1993).

I was sole trial counsel in this jury trial in federal court in Kansas City on behalf of several probationary teachers who alleged they were fired due to their organizing activities for the National Education Association. Their claims were based upon the First Amendment of the U.S. Constitution and the Missouri Tenure Act. The jury ruled in their favor awarding over \$147,000 in back pay on the federal claims plus \$100,000 on state law claims. The court awarded attorneys' fees and costs. Opposing counsel: Emily Jane Bailey, Robert Best.

I did not handle the appeal but the verdict was affirmed in part. The judgment was thereafter satisfied.

- *Carol Sexton v. City of Washington, Mo.* United States District Court for the Eastern District of Missouri, 4:94CV1722 1996. Tried to a jury before Judge Catherine Perry.

I was sole trial counsel in this sex discrimination case brought on behalf of Ms. Sexton who alleged that she was not paid equally to her male counterparts in violation of Title VII of the 1964 Civil Rights Act. Jury returned a verdict in favor of Ms. Sexton. The case was satisfied shortly after trial. Opposing counsel were Robert Stewart and Thomas Berry.

- *Leslie Cowan v. Strafford School District*, 94-3217-CV-S-RGS, Honorable Russell Clark, District Judge Western District of Missouri 1994.

I was sole trial counsel on behalf of Leslie Cowan, a probationary elementary public school teacher whose contract was not renewed when prominent members of the town's religious community labeled her a "witch" after she gave her second-graders then popular "Magic Rocks" on their last day of school. Her claim was based upon the First Amendment right to be free of religious oppression by the state, Title VII of the 1964

Civil Rights Act and upon teacher tenure laws of the State of Missouri. The jury in federal court in Springfield, Mo. ruled in the teacher's favor and United States Judge Russell Clark awarded her back pay and future lost pay as well as attorney's fees and costs. Opposing trial counsel was Thomas Mickes.

The case was affirmed on appeal 140 F. 3d 1153 (8th Cir. 1998) (which I did not handle) and thereafter the judgment satisfied.

- *Cecilia Lacks v. Ferguson Reorganized School District*, 936 F. Supp 676 (E.D. Mo 1996) (Tried to Jury and Judge), *Lacks v. Ferguson Reorganized School District*, 147 F. 3d 718 (Eighth Circuit 1998).

I was sole trial counsel representing Cecilia Lacks, a veteran, tenured public high school English teacher who was terminated for not censoring or disciplining her students for using street language in their in-class creative writing. Her claim was based upon the First Amendment right of teachers to receive notice of their deficiencies in their classroom speech and teaching methods, and the prohibition of race discrimination Title VII of the 1964 Civil Rights Act. I represented her at a highly publicized school board hearing at which she was terminated followed by a highly publicized jury trial at which she prevailed on her jury claims under the First Amendment and Title VII. United States District Court Judge Catherine Perry ruled in her favor on the state tenure act claims. The jury awarded her \$750,000. Opposing counsel at trial were Frank Susman and Todd Aschbacher.

I did not represent her on the appeal to the Eighth Circuit Court of Appeals. The United Courts Court of Appeals reversed the trial court and took away the jury verdict in the case.

The case was later featured on Dateline NBC.

- *Donna Beck Smith v. Monsanto Co.*, 9 F.Supp.2d. 1113 (E.D. Mo. 1998).(Tried to jury)

I was sole trial counsel for Donna Beck Smith, then Asst. Treasurer of Monsanto in her sex discrimination and retaliation claim against the company. The jury ruled in favor of Ms. Smith on her retaliation claim, against her on the sex discrimination claim, and awarded her \$835,000 in lost wages, benefits and emotional distress damages, later reduced by the trial judge to \$300,000. The case was particularly challenging because Ms. Smith's supervisor was a woman. Opposing counsel at trial were Richard Jaudes, Clifford Godiner, Aaron Baker, Ellen Wilcoxon.

The case was later settled for a confidential sum.

- *Thomas Dunn v. Enterprise Rent-a-Car*, St. Louis County Circuit Court (Case No.01CC-001530) tried to jury before Honorable Senior Judge Jack Koehr. Later appealed after I took the bench, *Dunn v. Enterprise Rent-A-Car Co.*, 170 S.W.3d 1 (Mo.App. E.D. 2005)

This case presented novel and close issues concerning Missouri common law protecting whistleblowers from retaliation in the workplace. No Missouri case had, at the time of trial, directly addressed the issues raised in this case. Mr. Dunn, the former corporate comptroller for the company, alleged that he was wrongfully discharged for refusing to violate the law or a clear mandate of public policy and that he was wrongfully discharged in violation of public policy for refusing to sign off as corporate comptroller on accounting practices of the company which he believed would have violated federal securities laws if the company had pursued its intent to go public and for internally reporting conduct of his superiors that he believed violated various state consumer protection laws. The trial judge directed a verdict on the accounting issues but allowed the jury to decide the retaliation claim regarding consumer practices. The jury found in favor of Mr. Dunn and awarded him \$4 million in damages. The trial judge then granted judgment to Enterprise notwithstanding the verdict. On appeal, which took place after I took the bench, the appellate court sent the case back for a new trial on the accounting issues and agreed with the trial judge regarding his entry of judgment for the company on the consumer practices issues. The case was then settled.

I was lead trial counsel, second-chaired by Jerome Dobson. Mr. Dobson thereafter handled the appeal. Opposing counsel at trial were Michael A. Kahn, Julie M. Kennedy, Andrew Davis of San Francisco, Calif. and Gordon Ankney of St. Louis, Mo.

In addition to court cases I handled as a practicing attorney, I was sole counsel representing teachers and working people in over one hundred administrative and labor arbitration hearings which took place in various counties in Missouri and Illinois.

- 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:
- i. Include the dates you have served at each level;
 - ii. Identify the types of dockets you have handled; and
 - iii. State any special expertise you have developed that you believe is relevant to your qualifications for the position for which you are applying.

I have served as trial judge in the City of St. Louis 22nd Judicial Circuit since March, 2003. As such, I have presided over seventy criminal jury trials, serious felony cases, including Murder, Rape, Armed Criminal Action, and sexual offenses against minors. In the area of criminal law, I was also appointed Special Master by the Missouri Supreme Court to oversee DNA testing requested by a Missouri Death row inmate and ordered by the Court. I completed a class entitled Advanced Trial Skills sponsored by the Missouri Trial Judge Education Committee March 31, 2011, focusing exclusively on criminal trials.

I have also presided over numerous civil jury trials, including class actions, toxic tort and tobacco cases, medical malpractice as well as commercial litigation. I served as a court in equity, presiding over non-jury trials involving real estate, commercial disputes and other non-jury matters.

As a trial judge, I have been appointed by the Missouri Supreme Court to serve on several special committees:

1. I am a member of the Trial Judge Education Committee, which develops curriculum for the annual continuing education of trial judges throughout the State. I have developed curriculum and moderated panels at both Summer and Fall Judicial Colleges;
2. I was appointed by the Missouri Supreme Court to serve on a special committee to revise the Judicial Code of Ethics;
3. I was appointed by Missouri Supreme Court and the Missouri Bar to serve on the Gender and Justice Committee.

12. 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 the past nineteen years, I have taught as Adjunct Law Professor in Trial Advocacy at Washington University School of Law most semesters.

since 1990. I have also taught trial practice at St. Louis University School of Law as an adjunct off and on, most recently in 2006.

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

Missouri Bar, 1975-present; Former Labor Law Committee Vice Chair 1991-1996;

I am currently a member of the Bar Association of Metropolitan St. Louis, 1977-present. Former chair, Federal Practice Committee 1994-95; Co-chair, Bench and Bar Committee 1992-95; Former member School and Labor Law Committee; Resource Center for Law Related Education

American Bar Association, 1982-2008, 2011 to present: Co-Chair EEO Committee, Section of Labor and Employment 1989-91; Instructor, ABA Advocacy Institute for the Modern Labor and Employment Practitioner, Phoenix Arizona, 1988.

American Judicature Society, 2008-present

Lawyer's Association of St. Louis 2004-present

Women Lawyer's Association of St. Louis, charter member 1978- present.

In addition to the above, prior to taking the bench, I participated in the following professional activities:

United States Court of Appeals for the Eighth Circuit Advisory Committee 1987-89;

United States District Court for the E.D. Mo. Federal Practice Committee 1987-1992

Board Member: Missouri Lawyer Trust Acct. Foundation 1991-1996

National Employment Lawyers' Association 1992-2003

Board Member, Missouri Association of Trial Attorneys, 2002-2003

14. 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.

Publications

- a. Topic Author, Elkouri & Elkouri, How Arbitration Works, Fifth Edition, ABA Section of Labor and Employment Law, 1996.
- b. Author, St. Louis Bar Journal, Fall, 1992, The New Civil Rights Acts: Union Concerns.
- c. Co-Author, Model Civil Rights in Employment Jury Instructions – Eighth Circuit, 1989, published by the Bar Association of Metropolitan St. Louis.
- d. Co-Author with Mary Anne Sedey, St. Louis Bar Journal, Spring, 1989, “Practice Before the United States Supreme Court: Two Lawyers’ Experience.”
- e. Author, St. Louis Bar Journal, Spring, 1987, “Free Speech and Public Employees: A Delicate Balance.”
- f. Co-Author with Suzanne Rehtin, “Rape Evidence Reform in Missouri: A Remedy for the Adverse Impact of Evidentiary Rules on Rape Victims,” 22 St.L.U. L. Journal, 367 (1978).
- g. Author, Comment, “A Case Study of the Peremptory Challenge: A Subtle Strike at Equal Protection and Due Process,” 18 St.L.U. L. Journal 662 (1974), cited by Justice Marshall in *Batson v. Kentucky*, 476 U.S. 79, 104; 10 S.Ct. 1712, 1727, Fn 4 (1986).

Awards and Honors

1. Martindale-Hubbell AV (highest) rating as practicing attorney prior to taking the bench.
2. 2002 Certificate of Appreciation, Organization of American Historians;
3. 2000 Featured “Top 50 Lawyers” in St. Louis Magazine.

4. 1999 University City School District's Outstanding Citizen Volunteer Award – (“Pacesetters Award”) for my work with students at University City High School in mock trial competitions.
5. 1997 Missouri National Education Assoc. Horace Mann Award – for individual contribution to public education;
6. 1994 President's Award – Women Lawyers' Association;
7. 1993 Walston Chubb Award- Legal Services of Eastern Missouri, Inc., (For pro bono legal services rendered by me for over ten years to underprivileged in the St. Louis community).
8. 1991 Legal Service to Civil Liberties Award, American Civil Liberties Union (for legal services rendered pro bono to individuals with claims involving the Bill of Rights and for volunteering as Editor of the publication of the local chapter)

D. PUBLIC SERVICE

15. Describe your community activities, including any organizations not listed elsewhere with which you are affiliated.

Over my professional career, I have been involved in numerous community activities and organizations. Those preceding my appointment to the bench are listed below:

- University City School District – Coach U. City High School Mock Trial team 1996-2003 – worked intensely with students three-four months each school year; PTO
- Habitat for Humanity Board of Directors 1993-94
- Leadership St. Louis Class of 1991-92
- Citizens for Modern Transit: Board of Directors 1994-96
- University City Historic Preservation Commission 1984-1993; Served as Chair of the Commission 1985-90 (Appointed by Mayor of U.City)
- American Civil Liberties Union 1974-2002 Former member of Board of Directors and Editor of the Newsletter

- National Women’s Political Caucus – member intermittently from 1972-2000

Since my appointment to the trial bench, I have appeared on behalf of the circuit bench at the invitation of neighborhood groups and schools throughout the City of St. Louis. I have also been involved in restorative justice programs, serving as a Board Member, Center for Women in Transition, an organization that helps women transition back from prison to community. I have also coached the High School Mock Trial team at University City High School and recently served this year as a volunteer judge in the state competition. I have participated in numerous high school career days throughout the City.

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

Yes. University City Historic Preservation Commission. Appointed 1984-1993 by the Mayor of University City, Missouri.

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.

E. PROFESSIONAL CONDUCT AND ETHICS

18. 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.

19. 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.

20. 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.

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

No.

22. 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?

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.

Yes, I was a respondent in the dissolution of my marriage from 1970-1999 to Albert VanAmburg. The dissolution was granted August, 1999 in the Family Court of St. Louis County, Mo. *Albert VanAmburg, Petitioner v Lisa VanAmburg, Respondent*. Case No. 98FC-10184 Division 8. The matter was resolved as an uncontested case.

23. 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.*)

If your answer is yes, state the style of the case, where it was filed and explain in detail.

No.

24. Are you delinquent in the payment of any federal, state, county or city taxes? If yes, provide details.

No.

F. MISCELLANEOUS

25. State whether you are able, with or without a reasonable accommodation, to perform the essential functions of being an appellate judge, including participating in oral argument; performing legal research; communicating clearly and effectively, both orally and in writing; supervising the lower courts, serving on court committees and performing other administrative functions; and expeditiously deciding issues coming before the court.

Yes.

26. You must attach to this application at least one, but not more than three, writing samples that comply with the requirements set out in the instructions for applicants.

The writings attached represent 100% my work and writing. They are titled as follows:

- Brief for the Petitioner, *Theodore J. Loeffler v. Preston Tisch*, On Writ of Certiorari to the Supreme Court of the United States, October Term 1986;
- St. Louis Bar Journal, Spring, 1987, “Free Speech and Public Employees: A Delicate Balance.”
- Final Judgment and Order of Remand: *The Vault Restaurant and Cabaret vs. City of St. Louis*, Cause No. 054-2490 Circuit Court City of St. Louis 3-23-06.

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.

In 1994, I was one of several candidates considered for nomination to the United States Court of Appeals for the Eighth Circuit. In 2001, I was one of five finalists considered for appointment as U.S. Magistrate Judge.

I also enjoy mentoring law students. Every semester, I supervise law students (interns) from both local law schools, Washington University and St. Louis University. I enjoy working with these law interns, who are enthusiastic about entering the practice of law and enjoy observing justice unfold in the courtroom.

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 (5) references, **please provide name, title, mailing address, telephone and e-mail address. Please note that it is your responsibility to contact your references**, although if you intend to use as a reference a federal judge or other individual who only can provide a reference upon a specific request by the interviewing authority, please advise the commission and it will send that reference such a request. As to all references, it is your responsibility to see that they send the requested letters in a timely manner.

Provide your references with the attached Guidelines for References. The commission must receive your letters of reference, **via e-mail**, to EDjudgevacancy@courts.mo.gov, by the date indicated in the Instructions to Applicants.

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