

APPLICATION OF W. ANN HANSBROUGH
TO THE APPELLATE JUDICIAL COMMISSION FOR THE
JUDGE WELSH VACANCY
MISSOURI COURT OF APPEALS, WESTERN DISTRICT

***RESPONSES TO THESE QUESTIONS, INCLUDING ATTACHMENTS THERETO,
WILL BE MADE PUBLIC IF THE APPLICANT IS NOMINATED FOR THIS VACANCY***

1. Present principal occupation or title: **Associate Circuit Judge**
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? **57 Years**

(b) How many consecutive years immediately preceding your application have you been a qualified voter of Missouri? **39 Years**
4. List each state, court, or agency in which you are licensed as an attorney, and, for each, the date you were admitted, your bar number, and whether your license is in good standing. If any license is not in good standing, explain.

Missouri: Admission: October 11, 1985
Bar #: 33191
Status: Good Standing

Kansas: Admission: April 29, 1994
Bar #: 16262
Status: Inactive with Good Standing

United States Court of Appeals for the Tenth Circuit
Admission: April 1989
Status: Good Standing

United States District Court for the Western District of Missouri
Admission: October 11, 1985
Status: Good Standing

United States District Court of the District of Kansas
Admission: April 29, 1994
Status: Good Standing

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

University of Missouri – Columbia
230 Jesse Hall
Columbia, MO 65211
Attended: August 1978 - May 1982
Degree: Bachelor of Journalism - May 1982

Three Rivers Community College
2080 Three Rivers Boulevard
Poplar Bluff, MO 63901
Attended: August 1977 – May 1978 (While in High School - 6 Hours)
May 1979 – July 1979 (6 Hours)

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

University of Missouri – Columbia

- **Bachelor of Journalism (May 1982)**
- **University Scholar**
- **Legislative Intern – Missouri State Senate**
- **Member of Kappa Tau Alpha Journalism Honorary Fraternity**
- **Member of Delta Delta Delta Sorority**
- **Editor University of Missouri Sorority Rush Book (1981)**

- (c) If, as a student, you were suspended, placed on probation, or expelled by school authorities for any reason, describe the circumstance.

I was never suspended, placed on probation or expelled by any school for any reason.

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

**University of Missouri School of Law
203 Hulston Hall
Columbia, MO 65211**

**Attended: August 1982 – May 1985
Juris Doctor – May 1985**

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

Recipient of American Jurisprudence Award for Highest Grade in Torts

Executive Council of Board of Governors of Student Bar Association:

- Vice-President (1984-1985)
- Secretary (1983-1984)
- First Year Class Representative (1982-1983)

Dean's Honor List for University of Missouri School of Law

Member Phi Delta Phi Legal Fraternity

Co-Chairman of Missouri Bar Association – Student Division

- (c) If, as a student, you were suspended, placed on probation, or expelled by school authorities for any reason, describe the circumstances.

I was never suspended, placed on probation or expelled by any law school for any reason.

7. State, in chronological order (starting with the earliest employment) your *significant non-law-related employment*. To the extent reasonably available to you, include the name and address of each employer and the dates of employment; the position held; whether the employment was full-time, part-time, or seasonal; and the reason the employment ceased.

Belknap Drug Store

Highway 67 North

Poplar Bluff, Missouri

Position: Cashier and Pharmacy Technician

- Seasonal Holiday: 1976 through 1979

- Summer Full-Time: 1978 and 1979

Reason employment ceased: To attend, and return to, college

City of Poplar Bluff, Missouri

R.W. Huntington Swimming Pool

430 N. 2nd Street

Poplar Bluff, Missouri

Position: Lifeguard at Municipal Pool

- Summer 1978 (Part-Time)

Reason employment ceased: To attend college in Columbia

Westwood Hills Country Club

1 Birdie Lane

Poplar Bluff, Missouri

Position: Lifeguard

- Summer 1979; 1980 (Part-Time)

Reason employment ceased: Returning to college

Daily American Republic Newspaper

208 Poplar Street

Poplar Bluff, Missouri

Position: Internship through University of Missouri
School of Journalism

- May through August 1981

Reason employment ceased: Returning to college

Katy Station Restaurant

402 E. Broadway

Columbia, Missouri

Position: Waitress

- Spring and Summer 1982 (Part-Time)

Reason employment ceased: To attend law school

8. State, in chronological order (starting with the earliest employment) *all law-related employment*. To the extent reasonably available to you, include the name and address of each employer and the dates of employment; the position held (e.g., associate, partner, law clerk, general counsel); and the reason the employment ceased.

Brown, Willbrand & Simon Law Firm

**601 East Broadway, Suite 203
Columbia, Missouri 65205**

Position: Law Clerk

- Part-Time – August 1984 - May 1985
- Summer Internship – May - August 1984

Reason left employment: To accept full-time position in Kansas City

Swanson, Midgley, LLC

**4600 Madison Avenue, Suite 1100
Kansas City, Missouri 64112**

Positions Held:

- Associate (1985 - 1992)
- Partner (1992 - 2004)
- Managing Partner (1999 - 2003)

Management Positions and Honors:

- First Woman Partner in Firm's 112 Year History
- One of Three Managing Partners for Firm (1999 - 2003)
- Director of Professional Development
- Director of Facilities:
 - Supervision of office construction and relocation to Crown Center
- Plan Administrator – Firm's Retirement Plan
- Founder and Director of Firm's Volunteer Attorney Project

Practice Areas:

- Broad Civil Trial Practice Experience:
 - Construction Litigation
 - Tort Litigation
 - Sports Litigation
 - Client: National Collegiate Athletic Association "NCAA")
 - Drug Testing
 - Tax Litigation
 - Not-for-Profit Issues

- Education Law
 - Clients: Park Hill School District
 - Gardner School District
- Civil Rights Litigation
- Fraud Litigation

Reason left Employment: To begin new law practice

Law Offices of Stout & Hansbrough, LLC

**6304 North Lucerne
Kansas City, Missouri 64151**

Position: Member

Practice Areas: General Practice (September 2004 – January 2014)

Reason left employment: Appointed to Platte County Bench

Circuit Court of Platte County, Missouri / Sixth Judicial Circuit

**415 Third Street
Platte City, MO 64079**

Position: Associate Circuit Judge (February 2014 – Present)

Case Assignments: Felony Criminal, Civil and Juvenile

Memberships and Honors:

- First Female Judge Appointed in the History of Platte County
- Member Missouri Supreme Court Chief Justice Realignment Task Force (2017-Present)
- Board of Directors Missouri Association of Probate and Associate Circuit Judges (2015-Present)
- Presided over one of the longest criminal jury trials in the history of Platte County
- Missouri Leadership Team & Educator for National Immigrant Women's Advocacy Project

9. 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. It is your responsibility to redact any confidential information.)* 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) including, to the extent reasonably available to you, the style, date, and court and, if published, the citation; identify the client(s) you represented and opposing counsel; and give a one-paragraph description of the case and your role.
 - 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) including, 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.
 - c) **Judicial Experience:** If you are a judge, commissioner, or are serving or have served in other judicial capacity, please describe the nature and extent of your judicial responsibilities, including the dates you have served as a judge at each level, the types of dockets you have handled and any special expertise you believe is relevant to your qualifications for the position for which you are applying.

“Never Underestimate the Power of a Determined Woman with a Briefcase”

My Dad told me I could do anything. So when I changed my academic path from journalism to law, he assured me I would succeed. As I began my career, I powered forward like the little engine that could... “I think I can, I think I can.”

My first challenge was joining a Kansas City law firm known for its expertise in Sports Law. The firm had never promoted a woman to partner in its one-hundred and twelve-year history. I powered through that glass ceiling to not only become the firm’s first woman partner, but to also become a Managing Partner. Swanson, Midgley offered challenging trial and appellate opportunities with sophisticated clients such as the NCAA, the Veterans of Foreign Wars, and Yellow Freight.

After almost twenty years of intense trial and appellate work at Swanson Midgley, I voluntarily resigned my partnership to practice law with my husband, a solo practitioner in the Northland of Kansas City. This acquainted me with the local bench and bar of Clay and Platte Counties and educated me to the unique challenges of a small law practice.

After ten years, the little engine began to rev again. I wanted to be a Judge. However, Platte County had never appointed a female judge. With determination and loyal supporters, I once again powered through a glass ceiling. My judicial assignments required that I learn both criminal and juvenile law, in addition to utilizing my civil practice experience. In my first retention election, I received one of the top five composite scores in the state from the lawyers that appeared before me. On a scale of 1 to 5, with 5 being the highest, I ranked among the top in the state in *“maintaining a professional demeanor in the courtroom”* (4.83); *“the judge was prepared for court”* (4.71); *“the judge listened carefully during the court proceeding”* (4.79); and *“the judge addressed individuals (e.g., attorneys, court staff, litigants, public, witnesses) respectfully in the courtroom”* (4.83).

In my thirty-three-year career, I have experienced the practice of law from a metropolitan law firm, a solo practice, and the trial bench. I have been fortunate to encounter almost every area of law that would be reviewed by an appellate court. This diversity of experience has strongly prepared me for the review and analysis required by an appellate judge.

Below are some representative cases from my appellate and trial experience:

(a) Appellate Experience:

National Collegiate Athletic Association (“NCAA”) v. Commissioner of Internal Revenue

| | |
|--------------------------|---|
| <u>Client:</u> | National Collegiate Athletic Association (“NCAA”) |
| <u>Court:</u> | United States Court of Appeals – Tenth Circuit (1990) |
| <u>Case Number:</u> | 89-9005 (914 F.2d 1417) |
| <u>Opposing Counsel:</u> | Gary R. Allen, Robert S. Pomerance, and Bruce R. Ellison; United States Department of Justice – Tax Division |

My participation in this case began following an adverse determination for the NCAA by the United States Tax Court. I prepared the brief and formulated the argument which caused the United States Court of Appeals for the Tenth Circuit to reverse the determination by the United States Tax Court. The issue before the Court was whether the promotional notices appearing in the NCAA’s program for the Men’s Final Four Basketball Tournament generated unrelated business taxable income. The Internal Revenue Service was so upset by the opinion, they placed the following exception in the Regulations related to unrelated business taxable Income (IRC§ 512(b)(2)).

IRS won’t acquiesce in the 10th Cir. holding in National Collegiate Athletic Assn., above. IRS asserted that time span of advertising activity should include time soliciting and preparing

advertisements for publication, and so disagreed with 10th Cir. conclusion that preparatory time shouldn't be considered. (AOD 91-015, 7/3/91)

Although the IRS issued the above statement regarding the outcome of this case, it chose not to appeal the case to the United States Supreme Court. Several years after the Tenth Circuit determination, we received a call from the IRS Office in Washington DC. Bruce R. Ellison was retiring and we were told that this case was his greatest frustration. They asked if we could send them something from the case that they could use at his "Retirement Roast"; we sent them the original Final Four Basketball Program that was marked as an exhibit in the case. Ellison later authored two books on unrelated business taxable income and prominently referenced this case in both. The case has been cited to the U.S. Supreme Court and has a huge impact in the non-profit world, particularly in the sports area. It is one of the reasons that we no longer have college bowls games named the "Fiesta Bowl" but now have the "Doritos Fiesta Bowl".

State ex rel. Carlund Corporation v. The Honorable William F. Mauer

Client: Carlund Corporation
Court: Western District Court of Appeals (1993)
Case Number: WD 46833 (850 S.W. 2d 357)
Opposing Counsel: Peter Strand (Shook, Hardy & Bacon)
Greg Spies (Watson, Ess, Marshall & Enggas)
David Raymond (Blackwell, Saunders, Matheny,
Weary & Lombardi)
Michael White (McDowell, Rice & Smith)

This was a Writ of Prohibition action filed by our client, Carlund Corporation, seeking the appellate court's order prohibiting enforcement of the order by the Honorable William F. Mauer (Circuit Court of Jackson County, Missouri) staying Carlund's affirmative claims in the pending lawsuit regarding the Crown Center Hotel Parking Garage project. Jim McLarney served as lead counsel and I assisted with the Writ application. We were successful in having the stay lifted so Carlund could proceed with its affirmative claims.

Robbie Arthur Alberswerth, Respondent v. Theresa Leann Alberswerth, Appellant

Client: Robbie Arthur Alberswerth
Court: Western District Court of Appeals (2006)
Case Number: WD65322 (184 S.W.3d 81)
Opposing Counsel: Weldon "Chip" Perry, Jr. (Lexington, Missouri)

I served as Respondent's counsel in this appeal of a modification tried before the Circuit Court of Lafayette County, Missouri in 2005 in which my client, Robbie Alberswerth, retained sole legal custody of his minor children. The Court affirmed the custodial determination; the award of guardian ad litem fees; and expert witness determination. The case was remanded for the trial court to supplement the Judgment with statutory factors for the custody determination and for further financial evidence in support of the attorneys' fee award in favor of Robbie Alberswerth.

Phelan v. The Honorable Elizabeth Davis

Client: Richard Phelan (Relator)
Court: Western District Court of Appeals (1998)
Case Number: WD 54671 (965 S.W. 2d 886)
Opposing Counsel: Jeffrey Bay (Van Osdol, Magruder, Erickson & Redmond)

I served as lead attorney in this Preliminary Writ of Prohibition proceeding which was made permanent against the Honorable Elizabeth Davis of the Circuit Court of Clay County, Missouri. The issue before the Court was personal and subject matter jurisdiction with regard to dissolution of marriage proceeding in Missouri.

(b). Trial-Level Experience:

Edward W. Thurston v. Popco, Inc. d/b/a Topsy's Popcorn Shoppe

Client: Popco, Inc. d/b/a Topsy's Popcorn Shoppe
Court: United States District Court for the Western District of Missouri
Case Number: 98-6040-CV-SJ-8
Opposing Counsel: Arthur A. Benson II of Arthur Benson & Associates

I served as first chair in this federal jury trial representing Defendant Topsy's Popcorn Shoppe. Plaintiff Edward W. Thurston alleged he was denied service by Topsy's due to his race in violation of the Federal Civil Rights Act. This case was tried before the Honorable Ortrie Smith. After a week-long trial, the jury returned a defense verdict in favor of my client.

Carlund Corporation v. Crown Center Redevelopment Corporation

Client: Carlund Corporation
Court: Circuit Court of Jackson County, Missouri (1989-1997)
Case Number: CV90-0266
Opposing Counsel: Peter Strand (Shook, Hardy & Bacon)
Greg Spies (Watson, Ess, Marshall & Enggas)
David Raymond (Blackwell, Saunders, Matheny,
Weary & Lombardi)
Michael White (McDowell, Rice & Smith)

This case was initiated by our client, general contractor Carlund Corporation, who filed a mechanic's lien alleging non-payment for participation in a cathodic protection project in the Crown Center Hotel Parking Garage. Cathodic protection is used in reinforced concrete structures, such as large parking garages, to slow the corrosion of the rebar in the steel. The process requires laborious saw cutting in the floor of the structure for electronic ribbons to be buried which send currents to the rebar to impede its corrosion. The initial proceeding was a two-week jury trial. There was also a successful Writ of Prohibition proceeding initiated by our client at the Western District Court of Appeals against the trial judge in the midst of the case. There was an additional appeal to the Western District on an issue by a secured lender for Carlund that claimed a right to intercept payments to Carlund's subcontractors. (*Carlund Corporation and Capital Indemnity, Plaintiffs, Forest Lake State Bank, Appellant v. Crown Center Redevelopment and J.H. Mackay Electric, Defendants, W.P. Elgard Coproation,*

Respondent, 849 S.W. 2d 647 (Mo App. W.D. 1993). The case settled just prior to the second phase of the jury trial. I participated throughout the proceedings, with Jim McLarney who served as lead counsel. These numerous legal proceedings explain the almost ten-year time span of the case.

Calia and Byrd v. John Chezik Homerun, Inc. d/b/a John Chezik Honda

Clients: John Calia, Ronald Byrd and Linda Byrd
Court: Circuit Court of Clay County, Missouri (1996)
Case Number: CV-194-2569CC
Opposing Counsel: Robert Luder (Ensz & Jester)

This was a jury trial with co-counsel Bernard Brown. We represented the plaintiffs in a suit for fraud and failure to disclose prior wreck damage to the used car they purchased from John Chezik Honda. Settlement was achieved just prior to the presentation of the closing argument.

Neumann v. Fessler

Client: Debora Neumann
Court: Circuit Court of Clay County, Missouri (1992)
Case Number: CV-191-007717 DR
Opposing Counsel: Stephen Crain (Crain & Fluker)
Guardian Ad Litem: Peter Schloss (Shull, Norris, Beaman & Schloss)

I served as first chair of multiple-day child custody trial. I represented a bulimic mother whose husband (while she was hospitalized) moved with the children from Texas to Missouri. After recovery, my client (Debora Neumann) moved to Florida and remarried. The Honorable James Welsh determined that the two daughters should be permitted to move to Florida with my client. This favorable result for my client was achieved despite an adverse recommendation by the Guardian Ad Litem.

John O'Hara and Michael O'Hara v. O'Hara Painting Company

Clients: John O'Hara and Michael O'Hara
Administrative Agencies: Missouri Division of Workers' Compensation;
Kansas Division of Workers' Compensation

I served as first chair before both the Missouri and Kansas Division of Workers' Compensation on behalf of John and Michael O'Hara. The O'Hara brothers were painting in an attic when an explosion caused life-threatening injuries to John and severe burns to both John and Michael. The trial resulted in a total disability determination for John and partial disability determination for Michael. Due to an alleged lapse in the insurance policy for non-payment of premiums by the employer, there were significant legal issues in the case, in addition to the nature and extend of the Claimants' injuries.

(c). Judicial Experience:

I was appointed to Associate Circuit Judge in January of 2014 and have served in that capacity to the present date. My judicial assignments include felony criminal proceedings, domestic relations, and juvenile cases.

In criminal cases, I am responsible for the case from arraignment through preliminary hearing. I have also been assigned some of the criminal proceedings from our Presiding Judge to handle through final disposition. One such case was *State of Missouri v. Scott A. Gilbert*, Case #123AE-CR01233-01. This case was one of longest criminal jury trials in the history of Platte County, and generated 71 Jury Instructions and 46 Verdict Forms. Mr. Gilbert was found guilty of 10 felony counts and was sentenced to 128 years in prison. The case was affirmed on appeal by the Western District Court of Appeals, WD 79322 (2017). Additionally, as part of my criminal assignment, I review requests for warrants on a daily basis and review requests for search warrants several times a week.

In domestic relations matters, I handle marital dissolution, modification, and other child custody cases. In addition, I handle emergency orders of protections for adults, and as the juvenile judge, exclusively handle child orders of protection. It is not unusual for me to have three domestic relations bench trials a week, in addition to my regular criminal, juvenile and adult abuse dockets. I handle domestic matters from the date of filing to disposition by trial or settlement. I preside over all temporary order proceedings and other pre-trial proceedings; conduct discovery conferences; and determine all post-trial motions, including review of Qualified Domestic Relations Orders.

Upon the retirement of former Presiding Judge Lee Hull, I was honored to accept the appointment as Juvenile Judge for Platte County in February 2014. I have a docket for juvenile matters twice a month, but it is not unusual for me to hear juvenile matters several times a week, due to their urgent nature. I am exclusively responsible for all juvenile proceedings and am continuously on call to address juvenile matters. I preside over all juvenile abuse and neglect matters from initial protective custody proceedings, through all review and permanency hearings, to final disposition, at times requiring termination of parental rights trials. I am also exclusively responsible for all delinquency cases for juveniles in Platte County.

As Juvenile Judge, I also have exclusive jurisdiction over all adoption proceedings in Platte County, from initial filing to final disposition, including review of all studies and evaluations prior to making determinations on both initial and final placements.

10. Describe any additional legal experience 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).

While I was an Associate at Swanson, Midgley, one of our Partners served as a Missouri Bar Examiner. I was assigned the task of grading bar exam essays. The creativity demonstrated by some of the exam candidates enlightened me to look beyond the obvious response and think “outside the box”. This experience gave me the confidence to trust my own creative intuition when analyzing legal issues. Now as a “seasoned” lawyer, that experience continues to remind me to utilize creativity in approaching complex legal issues.

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

- **Member Platte County Bar Association (1996 - Present)**
- **Secretary– Platte County Bar Association (2013)**
- **Treasurer – Platte County Bar Association (2012)**

- **Member Association of Woman Lawyers (1985 - Present)**
 - Volunteer with Golf Tournament Committee
- **Volunteer – Judge for Missouri State High School Mock Trial Competition (2013)**
- **Member of Missouri Bar Association**
 - **Committee Memberships:**
 - Law Firm Management (1999 - 2003)
 - Family Law (1990 - Present)
 - Women in the Profession (2014 – Present)
- **Member Lawyer’s Association of Kansas City (1985 - 1996)**
- **Editor of Lawyer’s Association Newsletter, *The Advance Sheet*, (1989 - 1990); (1986 - 1987)**
- **Program Committee: Lawyer’s Association of Kansas City (1988-1989); (1987 - 1988)**
- **Public Service Committee Member for Lawyer’s Association– Young Lawyer’s Section (1986 - 1998)**
- **Event Coordinator for Lawyer’s Association Participation in Kansas City Corporate Challenge (1989 - 1990); (1987 - 1988); (1985 - 1986)**
- **Member of Kansas City Metropolitan Bar Association (1985 - 2005)**
 - Committee Memberships:
 - Family Law
 - Women in the Profession
- **Member of American Bar Association (1990 - 2005)**
- **Member of Kansas Bar Association (1994 - 2004)**

12. Describe your efforts (e.g., work on bar committees, pro bono efforts, CLEs presented, etc.) to contribute to the improvement of the law, the legal system and the administration of justice.

Throughout my career, I have dedicated myself to local bar participation through which I have made lasting friendships while serving my community. One such recent effort was with the Platte County Bar Association Christmas Party. We transformed our Annual Christmas Party into a charity event to benefit the Platte County Children's Trust Fund. As the Juvenile Judge for Platte County, this cause is dear to my heart. In the past two years, we have collected almost \$10,000.00 for the Children's Trust Fund which supplements foster parent allotments for items such as scout uniforms and prom dresses.

I also enjoy mentoring law students. I have accepted law students from the University of Missouri School of Law for internships over the semester breaks. I provide the students with observation opportunities not only in my courtroom and chambers, but also throughout the courthouse. I am in the process of locating a student from the University of Missouri – Kansas City to serve as a law clerk for our entire circuit.

I was a presenter at CLE's when in private practice and have served on several judicial panels for CLE's and other presentations since taking the bench. In 2019, I will be a Presenter at the Missouri Judicial Colleges on the Issue of the National Immigrant Women's Advocacy Project. I was nominated for membership on the Missouri Team for this Project. I have attended one national training session on these issues, and will attend another in April of 2019, allowing me to assist Missouri judges in recognizing these issues, including human trafficking, when confronted with them in our courtrooms.

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

- Trustee for Park University (2018 - 2021)
 - Trustee Committee for Academic Affairs
- Member: Harvest Ball Society – Charitable Fundraising*
- Graduate of First Leadership Northland Class (Kansas City Northland Chamber of Commerce)
- Volunteer for Platte County Children's Trust Fund (2013 - Present)

- **Board Member: Park Hill South High School Booster Club (Girls' Basketball) (2006 - 2015)**
- **Fundraising Director: Park Hill South Booster Club (Girls' Basketball) (2012 - 2013)**
- **Director: Holiday Hoops Youth Basketball Tournament (Fundraiser) (2007 - 2011)**
- **Member: Grade Card Subcommittee: Park Hill School District (2004 - 2005)**
- **Sponsor: Junior Assembly Northland (2007 - 2010); (2013 - 2015)**
- **Volunteer with Park Hill South High School Student Council (2008 - 2015)
-Keynote Speaker at State Convention (2015)**
- **Member Delta Delta Delta Sorority Alumni Association (1982 – Present)**
- **Member Greater Kansas City Chamber of Commerce (2000 - 2004)
-Kansas City International Airport Committee
-Member of "Airport Report Card" Subcommittee**
- **Board Member – Riss Lake Neighborhood Swim Team (2004 - 2007)
-Vice-President (2005 - 2007)
-Volunteer of the Year (2005)**
- **Board Member – Vice-President – North Lakes' Homes Association (1987 - 1991)**
- **Member Platte Woods United Methodist Church (1987 - Present)**
- **Member University of Missouri Alumni Association (1985 – Present)**

*Required to resign upon Judicial Appointment.

14. Describe your activities (e.g., speeches, presentations, educational activities, etc.) undertaken to further public understanding of and respect for courts and the judicial system and to promote access to justice for all.

I am passionate about public speaking. I seize every opportunity to speak to schools and community organizations. I am on the Missouri Bar list as a volunteer for public speaking requests and have devised several different presentations for schools, including my favorite "The Battle of the M&Ms". My goal is to enlighten citizens on the value of our legal system. As a trial judge with a demanding case volume, my ability to accept invitations to speak is limited. If I was fortunate enough to be selected as a member of the Western District bench, I would hope to utilize any free time to accept such speaking engagements.

15. List any professional articles or books authored by you that have been published.

I was the author of: *"What to do When Irreconcilable Differences Invade the Classroom: A Guide for the Gardner School District"*.

I have also authored outlines and materials to accompany CLE presentations.

16. List any special recognition or award of a professional nature you have received.

- **"Super Lawyer" for Missouri (2008 - 2011) -Selected by Peer Review as Top 5% of Lawyers in Missouri**
- **"Super Lawyer" for Kansas (2008 - 2011) -Selected by Peer Review as Top 5% of Lawyers in Kansas**
- **Bar Register of Preeminent Women Lawyers – Peer Review
Selected Top 5% of Women Lawyers (2011 - 2013)**
- **AV Preeminent Rating – Martindale-Hubbell (2000 - 2014)**
- **Board Member "Meritas Law Firms Worldwide" (2000 - 2003)
-Organization of 6500 Attorneys in 60 Countries
-Served Three-Year Term with Twenty International Board Members
-Chairman: "Women in the Profession" Committee**

- **Board Member – United Security Insurance (2010 - 2014)**
 - Vice-Chairman of the Board**
 - Compensation Committee Chairman**
- **Kansas City Metropolitan Bar Association (KCMBA) Volunteer Service Award**
- **Nominated by Johnson County, Kansas Judiciary for Membership in “Kansas Inn of Court”**
- **Winner of “I Supply” Award from General Electric Supply for Construction Litigation**

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

I have never held an elective or appointive office other than my appointment to the Circuit Court of Platte County.

18. 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.

I have never served in any other position of public service or in the military.

19. 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.

I am able, without accommodation, to perform the essential functions of an appellate judge.

20. Were you ever refused admission to a bar of any state or federal court? If yes, provide details.

I have never been refused admission to a bar of any state or federal court.

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

I have never been disciplined, admonished or cited for any breach of ethics or professional conduct by any court or bar association or committee thereof.

22. 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.

I have never had an order of discipline entered against me by the Supreme Court of Missouri for breach of the Code of Judicial Conduct or the Canons of Judicial Conduct.

(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.

I have never had a reprimand or admonition entered against me by the Commission on Retirement, Removal and Discipline for any cause.

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

I have never been held in contempt of court.

24. 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?

I have never been sued by a client.

If 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.

My husband and I were plaintiffs in two actions regarding damages at our home:

David C. Stout and W. Ann Hansbrough v. Stewart's Tree Mend Us Tree Care
Case Number: 05AE-CV02331 (2005)
Circuit Court of Platte County, Missouri

In this case, my husband and I filed this action against a tree company. When the company was removing a tree from our neighbor's yard, the tree fell and destroyed our air conditioning unit. The case was resolved shortly after the tree company's insurance company was notified of the lawsuit.

David C. Stout and W. Ann Hansbrough v. Whirlpool Corporation
Case Number: 7CV196008407 (1997)
Circuit Court of Clay County, Missouri

In this subrogation case, my husband and I were the named plaintiffs in this action filed by our homeowner's insurance company to recover damages they paid to repair our home after a malfunctioning Whirlpool washing machine flooded our home. Neither my husband nor I had any active participation in the case and, to the best of my knowledge, the matter was settled by our insurance company with Whirlpool.

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

I have never pleaded guilty to, been convicted of or received a suspended imposition of sentence for a felony or misdemeanor in any state, federal or military court.

- If yes, state the style of the case, where it was filed, and explain in detail.
26. Have you ever been delinquent in the payment of any federal, state, county or city taxes? If yes, provide details.

I have never been delinquent in the payment of any federal, state, county, or city taxes.

27. 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.

I have attached the following three writing samples:

Opening Brief of Appellant

National Collegiate Athletic Association v. Commissioner of Internal Revenue

United States Court of Appeals for the Tenth Circuit

Case No. 89-9005

Respondent's Brief

Robbie Arthur Alberswerth v. Teresa Leann Alberswerth

Missouri Court of Appeals – Western District

Case No. W.D. 65322

Judicial Opinion

Susan B. Huffman v. Lawton Bruce Huffman

Circuit Court of Platte County, Missouri

Case No. 15AE-CV00377

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

I have been a victim of violent crime and endured the horror of one of my daughters being the victim of a violent attack. My experience was in 1989 when I was the victim of a “bump and rob” on the highway driving home late from the office. Thankfully, due in part to boxing lessons I had received from my older brothers, I was able to keep the attacker out of my car and escaped with only a bloodied face and torn clothing. The same perpetrator killed a woman just two nights after my attack. In my daughter's encounter, she and her boyfriend were attacked by a gang in St. Louis in broad daylight. Her injuries required surgery to repair. The St. Louis Police were familiar with the style of attack and characterized it as a “gang initiation”. These life experiences allow me to empathize with victims of violent crimes. Such empathy has been valuable as a trial judge and will also enhance my ability to evaluate criminal proceedings presented on appeal.

References:

**The Honorable James Van Amburg
Presiding Judge – Circuit Court of Platte County, Missouri
415 Third Street
Platte City, MO 64079
(816) 858-3436
james.vanamburg.courts.mo.gov**

**William M. Corrigan, Jr.
Partner
Armstrong, Teasdale LLP
7700 Forsyth Blvd. / Suite 1800
St. Louis, MO 63105
(314) 342-4105
wcorrigan@armstrongteasdale.com**

**J.A. (Jay) Felton
Partner
Lathrop & Gage LLP
2345 Grand Blvd. / Suite 2200
Kansas City, MO 64108
(816) 292-2001
jfelton@lathropgage.com**

**Janet Warner
Former Chief Juvenile Officer for Platte County, Missouri
632 Cherry Street
Weston, MO 64098
jlwaerner1@yahoo.com
(816) 640-2903**

**David A. Fischer
James Lewis Parks and Isidor Loeb Professor Emeritus of Law
University of Missouri School of Law
333 Hulston Hall
Columbia, MO 65211
(573) 882-6487
FischerD@missouri.edu**