SIXTH CIRCUIT JUDICIAL COMMISSION
PLATTE COUNTY, MISSOURI
APPLICATION FOR CIRCUIT JUDGE

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

1. State your full name.

Thomas Clark Fincham

2. State your date and location of birth.
I was born August 21, 1956 in Kansas City, Missouri.

3. State your present occupation, place of work, and job title. I am an Associate Circuit Judge in Division III of the Circuit Court of Platte County. I work at the Platte County Courthouse, 415 3rd Street - Suite 50, Platte City, Missouri 64079

4. Provide the following information concerning your eligibility for the office of Circuit Judge:

(a) Are you at least thirty years of age? Yes.

(b) Are you licensed to practice law in Missouri? Yes.

(c) Have you been a citizen of the United States for at least ten years? Yes. I have been a citizen of the United States all my life.

(d) Have you been a resident of Platte County for at least one year? Yes. I have lived in Platte County for over 26 years.

5. State whether you are able, with or without a r~asonable accommodation, to perform the essential functions of a Circuit Judge, including the ability to preside over trials, conduct legal research and analysis, attend court anywhere in the State of Missouri, communicate clearly and effectively both orally and in writing, and expeditiously decide issues coming before the court. I am able to perform all the essential functions of a Circuit Judge (including those listed above) anywhere in the State of Missouri.

6. State the year of your admission to the Missouri Bar and whether your license is and always

has been in good standing. If not, please explain. I was admitted to the Missouri Bar in September 1981, and my license has always been in good standing.

7. List any other states, courts, or agencies in which you have been licensed as an attorney, and state whether your license is and always has been in good standing. Formerly a member of the U. S. District Court, Western District of Missouri in good standing.

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

(a) Name and location of institution University of Missouri at Kansas City, 5100 Rockhill Road, Kansas City, Missouri 64110

(b) Dates attended and degrees received Attended August 1974 – December 1977. Awarded a Bachelor of Arts Degree in Economics – December 1977.

(c) Significant activities, achievements, honors, and awards I completed my undergraduate degree in seven semesters and also received the Economics Department Award for Academic Achievement – 1977. I received University Scholar Awards in 1975 and 1976. Between December 1977 when I received my undergraduate degree, and August 1978 when I entered law school, I took nine hours of business courses at night and worked full time during the day. At that time, students were not allowed to begin law school in the "spring" semester.

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

(a) Name and location of law school University of Missouri at Kansas City School of Law, 5100 Rockhill Road, Kansas City, Missouri 64110

(b) Dates attended and degrees received Attended August 1978 – May 1981. Awarded Juris Doctor Degree – May 1981.

(c) Significant activities, achievements, honors, and awards I was a member of the UMKC Law Review, Men's Law Caucus, and Student Bar Association. I was also on the Dean's List.

10. State whether you have ever been suspended or expelled as a student from any school or educational institution. If so, please explain. I have never been suspended or expelled from any school or educational institution.

11. List, in chronological order, all non-legal and legal employment you have held post-high school. Include the name and location of each employer, job title, dates of employment, and reason for termination of employment. I graduated from Westport High School in 1974. At that time, I was employed at Mission Hills County Club, 5400 Mission Drive,

Prairie Village, Kansas 66208. I started as a bus boy in the dining room. I became a waiter, then head waiter, and also served as part time maitre d'. I also worked as a cook and a bartender. At the end of my employment there, I worked in the accounting office preparing payroll and accounts receivable, as well as statistical reports for the club's Board of Directors. I left Mission Hills in May 1980 to begin work as a law clerk.

May 1980 to October 1981. I was a law clerk for the firm of Wallace, Saunders, Austin, Brown and Enochs, 10110 Sante Fe Drive, Overland Park, Kansas 66212. Wallace Saunders was primarily an insurance defense firm. Among other duties, I performed legal research, wrote memorandums of law, drafted pleadings, summarized depositions, and interviewed witnesses. I left Wallace Saunders after passing the Missouri Bar.

December 1981 to January 1985. I was an associate in the firm of McFadin and White, 1920 Swift – Suite 205, North Kansas City, Missouri 64116. I gained litigation experience in civil and criminal cases on the federal , state and municipal levels. My criminal trial experience included both misdemeanor and felony cases.

January 1985 to March 1991. After becoming a partner, the firm name was changed to McFadin, White and Fincham. We were located at the same address on Swift Avenue in North Kansas City. My practice continued in the same areas. A highlight of my practice at that time was the opportunity to argue a case before the Missouri Supreme Court, which was *Romans v. Director of Revenue,* 793 SW2d 894 (Mo. 1990.) This case is discussed in detail in response to question 14 below. I continued as a partner in McFadin, White and Fincham until March 1991 when I resigned to join the law firm of Wirken and King, P.C.

April 1991 to July 1992. I joined the law firm of Wirken and King, P. C., 4740 Grand Ave – Suite 300, Kansas City, Missouri 64112 in April 1991. I started as a senior associate in the litigation department of a 30-attorney law firm. I was involved in a variety of cases, including plaintiff's personal injury, general business litigation, insurance defense, condemnation, and federal criminal matters. Within nine months, I was made a partner in the firm. I was also a member of the firm's Board of Directors and was elected by the other partners to a four-person executive committee. I was also an advisor and mentor for the lesser-experienced attorneys.

Cases I was involved in at Wirken and King included the following:

(a) We were defense counsel for our insured (a night club entertainer with a wild animal stage act) and his insurance carrier defending a personal injury matter in the Superior Court of the U. S. Territory of Guam. The case involved a woman who was allegedly bitten by a black panther which was part of the act. The case was settled favorably for our clients.

(b) We represented the Land Clearance for Redevelopment Authority of Kansas City ("LCRA") in condemnation proceedings in Jackson County Circuit Court. The

LCRA condemned numerous blighted properties in the inner core of Kansas City to make way for new development. The condemnations were concluded and the development moved forward on schedule.

(c) We represented an individual in the District Court of Johnson County, Kansas in a suit against a marina at the Lake of the Ozarks regarding the sinking of our client's boat. The matter was settled on terms beneficial to our client including our client getting a brand new, larger boat.

(d) We defended a local bank in a wrongful dishonor/fraud claim. Plaintiff claimed damages of $1,000,000. I settled the case on the eve of trial for less than $6,000.

(e) We represented a local manufacturer of industrial cleaning equipment in a patent and trademark infringement suit in the United States District Court for the Middle District of Georgia against a Georgia manufacturer of infringing products. This case was tried after I left the firm.

I resigned from Wirken and King, P.C. in July, 1992 and resumed by own private practice.

July 1992 to mid-1993. I had a "solo" private practice at 5440 N. Oak Trafficway, Kansas City, Missouri 64118 handling personal injury, domestic matters and criminal cases. A highlight of my practice during this period was the jury trial in the case of *State of Kansas v. Travis Vaughn* in the District Court of Brown County, Kansas at Hiawatha. This case is significant in that as defense counsel, I and William C. O'Keefe of Seneca, Kansas (who was first chair trial counsel) represented a young African-American man charged with first degree murder and aggravated sexual battery. The victim was a Caucasian female and the community was virtually all Caucasian. At trial, I cross-examined the state's medical expert regarding the victim's cause of death and was able to get an admission from him to the effect that since the victim's body was found in water, she must have drowned. This was completely at odds with the State's theory of the case and supported our theory that our client did not assault the victim and was not responsible for her death. After a week-long trial, the jury acquitted our client of all charges.

Mid-1993 to 1995. In 1993, John R. Sanderford, III joined me and we formed the firm of Fincham and Sanderford, again at 5440 N. Oak Trafficway. We were a general practice firm and Mr. Sanderford also developed a probate and estate planning practice. Highlights of my practice during this period included the following cases:

(a) Mr. Sanderford and I (as second chair defense counsel) defended a 66 year-old man charged with child abuse in the Circuit Court of Morgan County, Missouri. We were able to prove that the testimony of the alleged victim was greatly influenced by her contact with one of the social workers involved in the case. After a three-day jury trial, our client was acquitted.

(b) As co-counsel, I represented a man in the Clay County Circuit Court who had been shot with a shotgun through the front door of his residence. The assailants were actually looking for the man's son, and our client was shot by mistake. We filed suit in 1994 against all the young men involved in the shooting. We sought to recover under several homeowners insurance policies reasoning that since our client was an unintended victim, the homeowners insurance would provide coverage for the negligent act of shooting the wrong person. A declaratory judgment action was filed by one of the insurance carriers, and motions for summary judgment were filed by the other insurance companies on behalf of their respective insureds. We settled all the cases but one. After an adverse ruling in the trial court relative to a summary judgment motion filed by one of the insurance companies, we appealed the case to the Missouri Court of Appeals - Western District. The appellate court affirmed the judgment of the trial court on different grounds. The case was finally concluded in 2000 when the Missouri Supreme Court refused transfer of the case from the Western District.

1995 to October, 1999. In 1995, Mr. Sanderford left our firm to join a trust and estate planning practice in Independence, Missouri. When Mr. Sanderford left, Steven B. Salmon and I formed the firm of Fincham & Salmon, again at 5440 N. Oak Trafficway in Kansas City, Missouri. We were a general practice firm handling personal injury, criminal, domestic and municipal matters. In 1999, Victor B. Peters joined the firm, and we changed the name of the firm to Fincham, Salmon & Peters. Our firm continued to handle criminal, domestic, personal injury, probate and municipal matters. Highlights of my practice during this period were:

(a) In 1999, I represented a woman in the Jackson County Circuit Court who was accused of stealing $140,000.00 from her former employer. Through extensive work prior to a plea being entered, I was able to obtain probation for my client and keep her out of prison. In addition, upon my entry into the case, I immediately got her in contact with a CPA to file amended tax returns in order to avoid criminal charges being filed against her for tax evasion and filing false tax returns.

(b) We represented a young man who was charged in Clay County Circuit Court with forcible rape. This case was tried to a jury in January 1997. Our client was found guilty and sentenced to a term of years in prison. This case is discussed in detail in the answer to question 13 below.

October 1999 to May 2010. In October 1999, we left our offices at 5440 N. Oak Trafficway and moved to 6060 N. Oak Trafficway – Suite 102, Gladstone, Missouri 64118. Mr. Salmon and I continued our practice as Fincham & Salmon while Mr. Peters started his own firm. Steve and I continued to practice in the areas of personal injury, criminal, domestic and municipal matters. Highlights of my practice during this time period include the following cases:

(a) In 2004, I represented a woman who was involved in a chain reaction rear-end

automobile collision. My client sustained a back injury as a result. Without filing suit, I was first able to negotiate a "policy limits" settlement with the insurance company of the driver who caused the accident, and was further able to assert a claim against my client's own insurance carrier relative to her underinsured motorist coverage. I obtained a significant additional sum for my client from this second settlement, almost doubling her recovery.

(b) As co-counsel, I represented a man who was burned on his chest and arms in a fire at a gas station. The fire was caused by a static electricity build-up as he was fueling his vehicle. He was "life-flighted" to the KU Medical Center. An interesting aspect of this case was that these fires usually occur in the winter months when the air is cold and dry, but this incident occurred on a hot, humid August day. The case was settled favorably in 2004.

(c) I represented a young woman in 2005 who struck a loading ramp which had fallen off a truck and was in her lane of travel on I-35 in Johnson County, Kansas. She suffered a neck and back injury when she hit the ramp and went off the highway down an embankment. Without filing suit, I settled the case for over $200,000.00.

(d) As co-counsel, I represented a family injured when a household electrical appliance caught fire. The injuries were actually relatively minor. However, through research and discovery, we were able to ascertain that there had been other instances where this same type of appliance had caused other fires. The case was concluded in 2006.

(e) I represented a young man in a personal injury case in 1983 when he was injured by an uninsured intoxicated driver. A large judgment was obtained. Beginning in the late 1980's I in essence "chased" this individual from job to job, filing garnishments on his wages to collect the judgment. As part of my collection efforts, I registered the judgment in Minnesota when he moved there. Finally, in 2003, I ascertained that he had filed a lawsuit against his employer for a job related injury. I contacted the attorney representing him in that case and was able to negotiate a lump sum settlement for my client which finally concluded the matter.

(f) As co-counsel, I represented a man who was beaten up by an employee of a restaurant. He had to undergo facial reconstructive surgery to repair the damage done. The matter was concluded in 2007.

12. Describe the nature and extent of your experience as a practicing attorney in the trial and appellate courts, and explain how such experience demonstrates the quality of your legal work. Please see my answer to question 11 above regarding experience as a practicing attorney and my answers to questions 13 and 14 below regarding trial and appellate cases. In addition, I have been appointed as a guardian

ad litem by the Clay County Circuit Court in numerous cases (divorce, paternity, custody, etc.) to represent the interests of the child or children involved in those matters. I served in that capacity for over five years prior to my appointment to the bench in Platte County. I believe that my time and experience in private practice along with the judicial positions I have held (both as a municipal judge and as an Associate Circuit Judge) have provided me with the experience to ably perform the duties of a Circuit Judge.

13. Provide a representative list of at least ten cases in which you served as the primary attorney at trial or an administrative hearing. The list should include the style of each case, court or administrative agency, identification of your client, and the nature and date of disposition.

(a) *Charles Finazzo v. Mary Ann Finazzo,* Case No. CV104-5426 DR, Clay County, Missouri. The case was tried on June 8, 2005. This was a dissolution action in which I represented the Petitioner. My opposing counsel was James Brown. The case was tried to Hon. K. Elizabeth Davis. The main issue in the case was that the Respondent requested significant periodic maintenance payments from my client. At trial I was able to limit the amount of maintenance awarded to the Respondent to a small amount.

(b) *In Re the interest of KCC, Case No. JU105-131J, In Re the interest of LMC, Case No. JU105-132J* and *In Re the interest of JLC, Case No. JU105-133J,* Circuit Court of Clay County, Missouri – Juvenile Division. As court-appointed attorney for the natural mother of the above three children, I tried these cases in August 2005. The judge was Hon. James E. Welsh. The children were taken from the mother and placed with the father. Opposing counsel were John Shank, attorney for the Juvenile Office; and Ken Hassler, attorney for the father. This case was significant in that the mother chose not to take my strong advice to settle the case (I had negotiated a very beneficial arrangement for her) and proceeded to trial – with unfortunate results.

(c) *Devin Duckworth v. Lisa Duckworth,* Case No. CV199-7749 DR, Clay County Circuit Court. I represented the Petitioner defending a child support modification action filed by the Respondent. Opposing counsel was Molly Lauber of the Clay County Prosecutor's Office. Mother sought an increase in child support. After a bench trial to Commissioner Sherrill Roberts on August 6, 2007, the Respondent's motion to modify was denied in all respects and there was no increase in my client's child support payments.

(d) *State of Missouri v. David Gatewood,* Case No. 7CR196 00038, Clay County Circuit Court. I (along with Steve Salmon as second chair) represented a young man who was charged with forcible rape. The prosecutors were Janet Sutton and Larry Buccero of the Clay County

Prosecutor's Office. This case was tried to a jury in January 1997. Our client was found guilty and sentenced to a term of years in prison. This case is significant in that we had negotiated a plea agreement for our client which would have involved him pleading guilty to a lesser offense and being incarcerated for only about four months. We believed a jury trial was a "high risk" undertaking for our client with a tremendous downside given the facts of the case -- and so advised him. He refused to plead guilty to any offense.

(e), (f), and (g) *Donna Hurst v. Marty Hurst,* Case Nos. 16DR81-02223-01, -02 and -03, Jackson County Circuit Court. These were a series of three separate motions to modify child support wherein I represented the Respondent/Father. Opposing counsel were Ralph Pratt in the first case and Michael Rumley in the latter two. The judges were Hon. Robert Meyers, Hon. Justine Del Muro and Hon. Christine Sill-Rogers. The -01 case was tried in 1989, the -02 case was tried in 1995 and the -03 case was tried in 2001. An interesting aspect of these cases was that my client was one of the very first "million dollar" winners in the Missouri lottery. As a result, Mother believed that my client should pay for everything, which made any reasonable settlement virtually impossible.

(h) *Carrie Snyder v. Karl Snyder,* Case No. 03FC200480-01, Jackson County Circuit Court. This was a motion to modify a dissolution judgment wherein I represented the Movant/Father. Michael Hanna was opposing counsel and Nick Cutrera was the guardian ad litem. The case was tried in December of 2005 to the Hon. Jack Grate. There were allegations of drug activity by the Petitioner/Mother. Although the court awarded the parties joint legal and physical custody of the child, the court nonetheless took the child out of Mother's home and placed her with my client. Per our request, Petitioner was awarded supervised visitation only.

(i) *Abe Corley, et.al., v. Penny Renae Corley,* Case No. 7CV196006041, Clay County Circuit Court. This was an application for contempt citation/motion to modify matter filed by grandparents against their daughter-in-law seeking to enforce grandparent visitation with their grandchild. Opposing counsel was James D. Boggs. My clients had unsupervised visitation and mother sought to have supervised visitation only. The case was tried to Hon. James E. Welsh in November 2002. The trial court, although slightly reducing my clients' time with their grandchild, still awarded unsupervised time with the child and also awarded attorneys fees against the mother. Mother appealed. The appeal of the case is discussed in response to question 14 below.

(j) *Gerald Diffey v. Susan Diffey,* Case No. 07CV102003817, Clay County Circuit Court. This was a hotly contested dissolution action wherein I represented the Petitioner/Father. Opposing counsel was Lou Angles and the case was tried to Hon. K. Elizabeth Davis in May, 2003. There were allegations of prescription drug use/abuse by my client. Mother's male friend made veiled threats about his

being subpoenaed as a witness at trial. My client was awarded unsupervised parenting time with the children.

(k) *City of Pleasant Valley v. William Baker,* Clay County Circuit Court. I do not have a Clay County case number, but the appeal of this case is reported at 991 SW2d 725 (Mo. App. W.D. 1999). The Defendant was originally charged with driving while suspended, driving with expired license plates, two counts of failing to signal and hindering/interfering with a police officer by fleeing. I along with Jeff Smith, Esq. were appointed by Hon. Jane Brown of the Clay County Circuit Court to represent the defendant. The City of Pleasant Valley was represented by its then-prosecutor, Larry Buccero. Mr. Baker was a self-described "Freeman" who insisted that the City of Pleasant Valley did not have the jurisdiction to charge him with any offense, let alone impose any punishment. Our client advised us that there were numerous constitutional and due process issues of such magnitude that all the cases against him should be dismissed. On many occasions, both Mr. Smith and I tried to disabuse Mr. Baker of that notion – but to no avail. We advised him that he could go to jail as a result of the charges. We had been in contact with the City Prosecutor prior to trial and were able to negotiate what would have been a very favorable plea agreement for our client. Mr. Baker informed us he would not plead guilty to any offense since, again, the City had no jurisdiction to charge him in the first place. We were able to get the driving while suspended charge dismissed by the court. We tried the remaining cases to a jury in March 1998. The jury found the defendant guilty of the remaining offenses and recommended a 4-day jail sentence on the hindering/interfering charge along with over $1,000 in fines. He appealed (with other appointed counsel), again raising constitutional and due process issues. The conviction was affirmed in all respects.

(l) *Kyle Minear v. Tammy Minear,* Case No.: 00CV84515, Platte County Circuit Court. This was a dissolution action wherein I represented the Respondent/Wife. Opposing counsel was Brad Grill and the case was tried to Hon. James Van Amburg in August 2001. An interesting aspect of this case was the Petitioner/Father testified that he sold a business and that at the closing of the transaction at a local bank, he received his sale proceeds in stacks of cash (not cashier's checks or money orders) and that there were no closing or other documents memorializing the sale. Judgment was entered in November 2001. The Petitioner appealed the case pro se, and his appeal was dismissed in May 2002.

The above are representative of the cases I tried in private practice. I will be happy to answer any questions you may have about any aspect of that practice.

14. If you have appellate experience, provide a representative list of cases in which you served as the primary attorney on appeal. The list should include the style of each case, appellate court or administrative agency, identification of your client, and the nature

and date of disposition.

(a) *Kyle Romans v. Director of Revenue*, 793 SW2d 894 (Mo. 1990.) I wrote the brief for the Plaintiff (Respondent in the Missouri Court of Appeals – Western District) and argued the case in the Missouri Supreme Court. The case involved the time limit in which to file a petition to review the revocation of driving privileges due to an alleged refusal to submit to a chemical test. I prevailed in both the trial court and in the Missouri Court of Appeals – Western District arguing that Section 577.041 R. S. Mo. did not (at that time) contain any time limit for the filing of these actions. The Missouri Supreme Court, however, ruled that although Section 577.041 contained no time limit, the 30-day time limit contained in Section 302.311 R. S. Mo. applied. This ruling caused my client's case to be dismissed by the trial court, thereby concluding the matter.

(b) *Abe Corley, et.al., v. Penny Corley,* 128 SW3d 521 (Mo. App. W.D. 2003.) I wrote the brief and argued the case in the Missouri Court of Appeals – Western District. I represented the grandparents at trial in a grandparents' visitation rights case. This case is discussed in answer to question 13 above. The trial court awarded my clients unsupervised visitation with their grandchild. Mother appealed. The judgment of the trial court as to unsupervised visitation time for my clients was affirmed.

(c) *In the Interest of KDC, LMC and JLC, Plaintiffs; DC, Father-Respondent; Juvenile Officer, Respondent; LMM (Mother) Appellant,* 198 SW3d 623 (Mo. App. W.D. 2006.) As appointed counsel for Mother, I wrote the brief in this matter in the Missouri Court of Appeals – Western District. This was the appeal of the Clay County Juvenile matters set forth in paragraph 13 above. The appellate court affirmed the trial court's judgment removing the children from my client's home.

15. If you are serving or have served in a judicial capacity, describe the nature and extent of your judicial responsibilities, the types of dockets handled, and any special expertise developed.

(a) Municipal Judge, Oakview, Missouri. July 1995 to June 2010. There were two dockets per month with 160 to 200 cases per docket.

(b) Municipal Judge, Ferrelview, Missouri. September 1998 to June 2010. Prior to 1998 Ferrelview did not have its own court. I assisted in establishing the court in conjunction with the court clerk, city attorney and members of the village board of aldermen. We held court one evening per month and we had 50 to 60 cases on the docket.

(c) Municipal Judge, Richmond, Missouri. July 1999 to June 2010. Like Ferrelview, Richmond did not have its own court. I was selected to not only be the municipal judge, but also to help set up the court. In conjunction with the court clerk and other city officials, we established the court and held our first docket in September, 1999. We held court one evening per month and there were 260 to 375 cases on the docket.

(d) Municipal Judge, Platte Woods, Missouri. March 2003 to June 2010. We held court one evening per month and we had 70 to 100 cases on the docket.

(e) Municipal Judge, Riverside, Missouri. March 2006 to June 2010. I was initially appointed to this position by Judge Lee Hull in March 2006 when the prior judge resigned. I was then appointed by the City Board of Aldermen to this position one month later. We held court two times per month with 175 to 300 cases on each docket.

(f) Provisional Judge – Municipal Court of Pleasant Valley, Missouri. 2007 to June 2010. I filled in for the then-sitting judge if he was ill, on vacation, or if a conflict of interest arose.

(g) I also filled in for other municipal judges on an as-needed basis. This was an informal arrangement where we would fill in for one-another should the need arise. We did this as a "favor" to each other and there was no compensation involved.

(h) Municipal Judge, Lawson, Missouri. April 2001 to April 2006. We held court one evening per month with 60 to 70 cases on the docket. I resigned this position when appointed as municipal judge in Riverside.

My tenure as a municipal judge for many years provided me with significant knowledge and many valuable lessons regarding how to run a docket, how to move cases efficiently, how to deal with law enforcement, and how to deal with difficult defendants and attorneys. In addition, I presided over the trials of a myriad of cases ranging from speeding citations, to DWI's to driving while suspended/revoked charges, to possession of marijuana charges and domestic violence and assault cases. I was fortunate to have this experience to bring to my current position.

(i) Associate Circuit Judge, Platte County Circuit Court – Division III. June 2010 to present. In my current position, pursuant to Platte County Local Rule 6.1, I handle one-half of all the following types of cases filed in Platte County: dissolutions/motions to modify custody and/or child support, legal separations, separate maintenance, family access motions, misdemeanor bad check cases, misdemeanor non-support cases, felony cases through preliminary hearing, Department of Revenue/drivers cases and adult abuse/ex parte order of protection cases. In addition, I also handle all cases arising under the Uniform Reciprocal Enforcement of Support Act, and Child Support Enforcement actions brought by the State of Missouri. I also handle other circuit civil and criminal cases as assigned by the presiding judge. Further, on a daily basis, I review complaints relative to the issuance of warrants, set bonds, review search warrant applications (and issue search warrants in appropriate circumstances), and also review petitions for ex parte adult abuse orders of protection. I am "first on call" for ex parte petitions after regular court hours.

Since I began work in Division III, I have put into effect several procedures which help to resolve cases and move them toward a final disposition. First, I schedule a pre-trial conference in all cases we set for trial. I set that conference about 30 days prior to the trial date. At the time of the conference, I meet with counsel to discuss the issues in the case and possible resolution of them. Second, prior to the time of the pretrial conference, I try to review the pleadings and other material in the file to see what the contested issues might be. This gives me background information regarding (for example) the length of the marriage, number of children, if any, whether custody of the child/children is an issue, and also in many cases the relative financial positions of the parties. With this information, I can more intelligently discuss the case with counsel at the pretrial conference since counsel for the most part will not need to "bring me up to speed" relative to the basic facts of the case. Third, if a party to a dissolution files a motion for temporary support, maintenance, attorney fees, etc., I will set either an office conference or a conference call with counsel to discuss the temporary issues. If the issues cannot be resolved with an in-person conference with counsel or a conference call, we will set a date for a contested hearing. In the vast majority of the cases, however, the temporary matters are resolved without a hearing. This saves valuable court time and generally helps to resolve matters in their entirety.

(j) In addition to the above duties as an associate circuit judge, I am also the provisional judge for the Parkville, Missouri Municipal Court. I will fill in for the current judge if he is on vacation, is ill, has a conflict of interest, or a change of judge has been filed.

16. If you are serving or have served in a judicial capacity, provide a representative list of at least ten cases over which you have presided to completion. The list should include the style of each case and the nature and date of disposition.

Jennifer Redburn v. Bryan Redburn, Case No.: 09AE-CV04648. This was a dissolution of marriage action. The marriage was of short duration, but there were significant assets. Major issues included the marital and non-marital interests in some shares of stock in a closely held corporation, and the valuation of those shares. There were also allegations of serious misconduct. It was alleged that Respondent had met a female on the website "sugardaddy.com" and had fathered a child with her. The case was tried in July 2012 and judgment entered in August 2012. Trial counsel were Michael McIntosh for Petitioner and Michael Albano for Respondent.

Mark Roggy v. Gina Roggy, Case No.: 10AE-CV04477. This was also a dissolution of marriage case involving a multi-day trial. There were misconduct issues including mother allegedly having a child with another man. After having that child, there were allegations that mother used a mail-in paternity test to determine the paternity of the child – but used the DNA from her daughter with husband, not the DNA from the child she had with the other man. Also, Mother allegedly did not tell the father of the child born outside the marriage that she was married at the time she had the relationship with him, and also allegedly told husband that the child she had with the other man was the result of a rape, not an extra-marital affair. Trial counsel

were Deborah Conklin for Petitioner and Jennifer Fain for Respondent. The case was tried in mid-2011 and judgment was entered in August 2011.

Pathfinder, Inc. v. Michael, Case No.: 0697CC02656. This was a civil matter involving a business dispute between former associates. The case was filed in 1997 and was initially assigned to Judge Ward Stuckey. It was transferred to me in October 2010. The case started as a claim by Pathfinder against its former employee, Mr. Michael regarding a non-competition agreement. Mr. Michael filed a counter-claim alleging a partnership had existed, and claimed a share of business income including profits made from the design, patenting and sale of a unique industrial machine. The case was tried over several days in April 2012 after it had been pending for 15 years. Several days after the trial, I held a conference call with counsel to inform them of my decision. It was requested that I not enter a judgment until counsel had an opportunity to discuss the matter. A settlement was thereafter reached and the case voluntarily dismissed in May 2012. Trial counsel were Bob Zeldin, John Shank and Brad Grill.

State of Missouri v. Joseph Vigliaturo, Case No.: 12AE-CR00210. This was a misdemeanor non-support case wherein the defendant did not pay any support to Mother for his daughters for several years. The case was bench tried on March 5, 2013. The defendant's position at trial was that, since he had purchased automobiles for his daughters and paid to insure them, he should be relieved of the obligation to pay support to Mother. After taking the case under advisement, I entered a finding of guilty on March 11. On April 23, after overruling a motion for new trial, I sentenced the defendant to one year in the Platte County Jail with the execution of sentence suspended and two years probation. Trial counsel were Alyssa Mayer for the State and Richard Rose for defendant.

Juanita Morrison v. Chad Morrison, Case No.: 03CV82907-03. This was a motion to modify action wherein father sought joint legal and physical custody of his children, along with additional parenting time. The case was tried in January and March 2011 and involved deposition testimony from counselors/mental health professionals. I sent a letter to counsel regarding my decision on March 24. Judgment was entered April 27. Mother retained sole custody. Trial counsel were Lyle Odo for Father, Tammy Glick for Mother and Jen Snider, GAL.

New Tobacco Warehouse v. Steve Knighton, Case No.: 09AE-CV02304. This was a collection matter wherein the Plaintiff brought suit against Defendant on an open trade account. The case was tried on August 10, 2010. Defendant disputed some of the purchases on the account saying there was insufficient proof that he in fact purchased certain merchandise. Judgment was entered for Plaintiff on August 13 in the sum of $30,592.00. Trial counsel were Aaron Johnson for Plaintiff and Gary Steinman for Defendant. Defendant appealed this case to the Missouri Court of Appeals - Western District where the judgment was affirmed.

Shelley (Rogers) Wheeler v. Richard Rogers, Case No.: 04CV82700-01. This was a

modification case wherein Father sought residential custody of teenage son and emancipation of teenage daughter. Son had been in custody of Mother since the divorce but the testimony indicated that she could really not effectively control or supervise him. It was alleged that son had been drinking alcoholic beverages, staying out late and doing poorly in school. Daughter had finished a trade school and was pretty much on her own. The case was tried on September 7, 2010, and involved interesting material gleaned from Facebook accounts. I rendered a decision on September 15. The formal judgment was entered on September 27. Residential custody of son was changed to Father. Daughter was declared emancipated. Mother was pro se at trial and father was represented by Sandra Ferguson. Approximately 10 months later, Ms. Ferguson informed me that son was attending a new school, was making good grades and had basically "turned things around" at Father's home.

James Saunders v. Sharon Saunders, Case No.: 05AE-CV01597-01. Petitioner/Father sought modification of and change of visitation while Mother sought her own modification of parenting time and attorney's fees. Father had voluntarily relocated to Texas from Kansas City and sought almost the same parenting time with children as existed prior to his move including every other weekend. This, according to Father's proposed schedule, would have involved the children missing many days of school. The case was tried on February 28, 2011 and judgment was entered March 21. I awarded Father extended holiday time and summer visitation, but not every other weekend. Trial counsel were Christopher Wirken for Mother and Kevin Jameson for Father.

Christy Hurd v. John Hurd, Case No.: 10AE-CV03702. This was a dissolution action wherein Mother was the primary "bread winner." The marriage was of long duration. Mother was employed in an executive position with a large corporation while Father worked part time at a home supply store/lumber yard. His income was far less than Mother's. The issues of parenting time, maintenance and tax exemptions were tried to the court. Mother alleged that Father had a college degree, but had not diligently sought employment in his field. Therefore, Mother argued, Father should be entitled to little or no maintenance. Father requested substantial maintenance arguing that even if he was employed full time in his field, he would still earn only 40% to 50% of what Mother earned. Trial counsel were Jill Jackoboice for Mother, William Shull for Father and Tammy Glick GAL. The case was tried on January 23, 2012, and final judgment entered on March 21, 2012. Father was awarded a small amount of monthly maintenance after consideration of full time employment income.

Wendy Berry v. Michael Berry, Case No.: 10AE-CV04490. This was also a dissolution action. One of the main issues was that Mother had a house prior to the marriage, but marital funds were used to improve it and pay down the mortgage. There was a substantial disagreement as to the value of the house, and the value of the improvements made to it, which in turn impacted the values of the marital and non-marital interests. Trial counsel were Laura Duchardt for Petitioner and James Boggs for Respondent. The case was tried in March and May 2012. Judgment was entered on June 27, 2012.

Richard Pollard v. Anne J. Pollard, Case No.: 04CV85203-03. This was a modification action wherein Father sought to modify his maintenance payments and child support payments to Mother, and also his parenting time with his daughter. Mother filed a counter-motion seeking an increase in child support and less parenting time for Father. Mother had been awarded sole custody of the child and the child had disabilities. Trial counsel were Christie Jess for Father and Brad Grill for Mother. Both Mother and Father stated they did not get along well and that they would not be able to communicate effectively to make a joint custody arrangement work. In addition, Mother testified that she and daughter would be better off if Father just "went away." The case was tried over two days in January and February 2012. Each party was granted time to file a post-trial brief. Judgment was entered on May 2, 2012. Mother retained sole custody of the child, but Father was awarded more parenting time. Mother's maintenance was terminated. Child support was not modified.

Terry Pat White v. Julia White, Case No.: 10AE-CV03393-01. This was a very unusual modification case. Mother registered her Texas divorce decree in Platte County Circuit Court and then sought a modification of it. Under Section 452.730, R. S. Mo., I am allowed to contact a court in another state to determine which court should hear and determine child custody issues. I had a long phone conversation with Judge York of the 246th Judicial Court of Harris County, Texas as to whether Missouri or Texas would be the more appropriate venue for a child custody determination in this case. Judge York advised that "Missouri needs to take the case and do something" since "there wasn't much Texas could do for [Mr. White.]" Trial counsel were Robert Black for Mother, Brent Winterberg for Father and Tammy Glick, GAL. The case was tried on May 21, 2012. Mother alleged she suffered substantial abuse at the hands of Father, some of which occurred in the presence of the children. The children alleged that they also suffered abuse at Father's hands. Both sons testified that they wanted no contact whatsoever with Father. The GAL recommended the children have no visitation with Father. I sent a letter to counsel informing them of my decision on May 31, and a formal judgment was entered on June 21, 2012 which denied Father any contact with sons.

Lydia Johnson v. Harold Johnson, Case No.: 08AE-CV03545-01. This was an extremely bitter contested modification matter. Mother sought an increase in maintenance payments and child support. Father sought to terminate Mother's maintenance. In due course, both parties sought residential custody of the two children. Many motions were filed by both parties in this litigation spanning two years. There were over 20 trial/hearing dates (some just a few hours, others were one-half day or a whole day) involving many witnesses. After both parties underwent mental examinations (both parties had retained their own expert, as did the GAL) the matter was finally settled in April 2013. Father received sole custody of both children, and mother received specific visitation time. Mother's maintenance was terminated. Counsel were Anita Rodarte for Father, Grady Price for Father, and Christopher Patterson GAL.

State of Missouri v. Bradley Ise, Case Nos.: 10AE-CR01308 and 01395. These cases involved several misdemeanor charges -- two counts of driving while revoked and one count of following too close. The Defendant decided not to plead guilty to any offense so the case was tried to a jury on December 17, 2012. Trial counsel were Dan Portnoy and Nick Hinrichs for the State and Chris Belts and Kathleen Brown from the public defender's office for the defendant. After a day-long trial, the jury found the defendant guilty of all charges. After a motion for new trial/judgment of acquittal was overruled, I sentenced the defendant on February 5, 2013 to one year in the Platte County jail on each of the driving while revoked charges (consecutive) and to 15 days in jail (concurrent with the two one-year sentences).

State of Missouri v. Jay Warder, Case No.: 09AE-CR03527-01. This was a felony criminal matter assigned to me. Mr. Warder was originally charged with six Class C felonies of statutory rape, statutory sodomy and enticement of a child, along with five misdemeanor counts of child abuse. These charges arose out of Mr. Warder's taking care of a neighbor's daughter. A plea agreement was eventually reached and Mr. Warder pled guilty to nine of eleven counts (five felony counts and four misdemeanor counts). The agreement included a provision that any jail sentences imposed would be concurrent to one another. The Defendant entered pleas of guilty in June 2011. In September 2011 I sentenced him to six years (concurrent time) on each felony count and 1 year (concurrent time) on each misdemeanor count. The State was represented by Kevin Humiston. The defendant was represented by Quint Shafer.

Edward Willis v. Olin Miller Insurance, et.al., Case No.: 11AE-CV02903. This was a circuit civil matter assigned to me which involved an alleged failure to procure worker's compensation insurance coverage. Plaintiffs were represented by Jerry Kenter. Defendant Olin Mills Insurance, Inc. and Olin Miller individually were represented by Robert Shaw. Defendant Missouri Employers Mutual Insurance Company (MEMI) was represented by Scott Pool of Jefferson City. The case was set for a four-day jury trial beginning March 25, 2013. MEMI filed a motion for summary judgment which I denied. The case settled the week prior to trial.

Blue Ridge Bank v. Jim Donaldson, et.al., Case No.: 10AE-CV02006. This was a complex circuit civil matter assigned to me in August 2010. It involved claims by Blue Ridge Bank seeking foreclosure, reformation of a deed, quiet title and other relief. Defendants counter-claimed alleging damages based on fraudulent omission, negligent misrepresentation, fraudulent misrepresentation, and other wrongful conduct on the part of the bank, including violation of "anti-tying" provisions of federal banking law, and a claim for attorney fees. There were numerous hearings regarding discovery problems/issues. The case was set for a five-day jury trial in August 2012. Plaintiff filed motions to dismiss and for summary judgment as to defendants' claims. The summary judgment motion was granted in part. The matter was settled after mediation and the entire matter dismissed by the parties. Counsel were Julie Gibson and John Hein for Blue Ridge Bank, and Charlie Dickman and Patrick Miller for Defendants.

Chillicothe R-II School District v. Weathercraft, et.al., Case No.: 10LV-CC00167-01. In August 2011, I was assigned by the Missouri Supreme Court to hear this Clinton County Circuit Court case which involved alleged problems with the roof on a school in Chillicothe. After a defense motion for summary judgment was denied in late 2011, the matter was settled in 2012.

Confidential v. Confidential. This matter was originally filed as a dissolution of marriage case. Subsequently, other related cases were filed by the parties. The parties were two women who were legally married in California when same-sex marriage was legal in that jurisdiction. They had two children by way of *in vitro* fertilization and an anonymous sperm donor from Europe. Missouri does not recognize same-sex marriages, even if valid where contracted. As such, I did not believe that I had the legal authority to dissolve the marriage, and so informed counsel. The parties went to mediation, and this matter now appears to be settled.

I have presided over many, many more matters I have been in Division III. A review of my trial notes indicates that I have had over 125 trials since my appointment to the bench. These trials have been as short as an hour or two, and as long as many days over many months. The trials do not include preliminary hearings in criminal cases or adult abuse/ex parte order of protection cases.

17. If you do not have significant experience in litigation or in a judicial capacity, describe any other legal experience or accomplishments in the legal profession that may qualify you to serve in the office of Circuit Judge. N/A.

18. List all bar associations and law-related organizations of which you are or have been a member, with any offices held and dates of membership. Missouri Bar Association 1981 to present; the Platte County Bar Association 1982 to present; the Clay County Bar Association 1982 to present (Secretary/Treasurer, 1983-1984). Missouri Municipal and Associate Circuit Judges Association ("MMACJA") 1995 to present (Member of Board of Directors, 1999 to present; Chairman, Regional Seminars Committee 2006 – 2007; Secretary 2009 – 2010; Vice President 2010 – 2011; President 2011 – 2012). As Vice-President of MMACJA, I was Chairman of the Annual Conference Committee, and had the responsibility of organizing, planning and presenting our Annual Courts Conference at the Lake of the Ozarks in May, 2011. Our conference is held on the Wednesday, Thursday and Friday prior to the Memorial Day Holiday. I was responsible for determining the topics to be covered at the conference, obtaining speakers for those topics, scheduling them, arranging for our membership lunch and our opening reception, among other things. Please see the copy of my 2011 conference agenda attached to this application as Exhibit A. The 2011 conference was unusually problematic due to weather-related issues. Even with all the problems, the conference was well-attended (over 300 were registered for the conference) and well-received.

Missouri Municipal and Associate Circuit Prosecutors Association 1997-2003.

Kansas City Metropolitan Bar Association 1995 – 2001 (Chairman, Municipal Court Committee 1998). As the Chairman of this committee, I was responsible for presenting a seminar on municipal court practice and procedure at the KCMBA Bench-Bar Conference at the Lake of the Ozarks in 1998.

Clay-Platte Municipal Judges Association 1995 – 2010 (President, 1999-2000).

Missouri Association of Trial Attorneys ("MATA") 2000 – 2010.

Missouri Association of Probate and Associate Circuit Judges ("MAPACJ") 2010 to present (Member of Board of Directors 2013 – present.)

19. List any published articles or books you have authored and any significant programs or events for which you served as a primary speaker. I was the author of Comment, Federal Rule of Evidence 407 and its State Variations: The Courts Perform Some "Subsequent Remedial Measures " of Their Own in Products Liability Cases, which was published in 49 UMKC Law Review 338 (1981.) This Comment was authored by me in my second year of law school and was published in my third year. It dealt with Federal Rule of Evidence 407 and the admissibility into evidence of subsequent remedial measures taken by defendants in products liability cases.

I have served as a speaker on several occasions as follows:

(a) I was a speaker at the Platte County Bar Association meeting in April 2012 regarding limited scope representation of pro se litigants in domestic relations cases, along with practice and procedure in Division III. As part of the presentation, I prepared a hand-out for the attendees regarding the Supreme Court Rules and Ethical Considerations relative to limited scope representation.

(b) I was a member of a panel at a GAL Training Program sponsored by the Platte County Juvenile Office at the Platte County Resource Center in May 2012. We spoke about the role of the GAL, resources available to GALs, expectations of the court regarding the GAL, and practical aspects of serving as a GAL (including filing pleadings, fees, home visits, and communication with the court and parties).

(c) I was a member of a panel speaking at a Synergy Services seminar in July 2012. The subject matter of the seminar dealt with the duties and powers of circuit courts, authority and jurisdiction of circuit courts, ex parte orders of protection, full orders of protection, practical application of Missouri Adult

Abuse Law and how the relationship of the parties in an adult abuse case affects the applicability of various statutes.

(d) I was the speaker at a Missouri Bar YLS meeting in October 2012 discussing the Missouri Non-Partisan Court Plan along with Division III practices and procedures.

(e) I was a member of a panel of four judges at a Family Law Symposium sponsored by the Missouri Chapter of the American Academy of Matrimonial Lawyers held in April 2013 at the KCMBA headquarters. We discussed numerous different family law factual scenarios and each judge gave input as to issues presented in each scenario, including maintenance, attorneys fees, financial issues, misconduct, and expert witnesses. We also answered questions from the floor.

(f) I was a speaker on a panel with other municipal judges answering questions from the floor regarding municipal court problems/operations as part of the MMACJA Annual Courts Conference in 2009. I was also a speaker and member of a panel at the 2013 Annual Conference discussing methods and techniques to make courts operate more smoothly. I have served as a speaker/instructor for the MMACJA regional CLE seminars from 2005 to the present time. In that capacity, I have presented materials to other judges, prosecutors and clerks regarding new cases, judicial ethics, new legislation applicable to municipal and associate courts, and Missouri Supreme Court Rule 37 (which governs municipal courts). In addition, I co-authored the case law updates for those seminars from 2005 to 2010.

(g) I was a speaker at a Synergy House seminar in Parkville, Missouri in fall 2009 which focused on Missouri dissolution of marriage law and Missouri Adult Abuse Law. This seminar was attended by Synergy staff members, social workers, counselors, and members of the law enforcement community.

20. Do you now or have you ever held any elective or appointive public office or position? If so, please explain. In addition to the appointed positions set out in the answer to question 15 above, I served as the appointed City Attorney and City Prosecutor for the City of Dearborn, Missouri, from October 1997 to March 2003. As the city attorney, I was responsible for drafting new ordinances, revising old ordinances, drafting documents and advising the city on all legal matters which arose in the course of the City's business. I also represented the City in court on various matters. In my capacity as city prosecutor, I prosecuted 35 to 50 cases per month in the Dearborn Municipal Court. I resigned this position when I was appointed as Municipal Judge in Platte Woods.

I was also the provisional prosecutor for the City of Pleasant Valley, Missouri 1999 – 2007. I filled in for the City Prosecutor if he was out of town, ill, or if a conflict of

interest arose.

21. Provide the branches and dates of any military service or other public service not otherwise covered in this application. If discharged from the military, state whether the discharge was other than honorable. I have not served in the military.

22. Describe your community and volunteer service activities, including any organizations (outside the legal profession) with which you are affiliated and any offices held. I was on the board of directors of Northland Alternative Service Program ("NASP") 8127 N. Oak Trafficway, Kansas City, Missouri from 2004 to 2010. NASP was a not-for-profit organization which coordinated community service time for defendants who are placed on probation or diversion. NASP contacts various community organizations which need to have work done, and then matches defendants whose probation/diversion requires community service time to the needs of those organizations. NASP monitors the hours and ensures that they are done on a timely basis. (If the hours are not completed on a timely basis or not completed at all, NASP will notify the appropriate court of the defendant's failure to comply with the court's probation/diversion order). I was secretary of the organization in 2008, vice-president in 2009 and was president in 2010, until I was appointed to my current position – at which time I resigned since NASP had dealings with the Platte County Circuit Court.

I am currently an officer and member of the Board of Directors of the Bluffs Homes Association. I volunteered to serve on the Board and was elected to the Board in January 2012. I was elected Vice-President of the Association in January 2013 and currently serve in that capacity. I am also a member of the Tree Committee. Among other things, the Board is responsible for collecting association dues, paying bills, maintaining the landscaping at each of our neighborhood entrances, enforcing neighborhood covenants and welcoming new neighbors.

I served as an Adjunct Professor of Law (non-compensated position) at UMKC Law School teaching trial advocacy 1992 – 1997. In this class, second-year law students are taught fundamental trial techniques (direct examination, cross-examination, introduction of exhibits into evidence, etc.) I also served as a judge when these students had their mock trials at the end of the semester where they used the skills they learned in class in the courtroom. I again served as a judge in a moot court/trial advocacy student trial at the UMKC Law School in April 2013.

I have participated with members of the Riverside, Missouri Police Department speaking to high school students about court operations and procedures (yearly, 2007 – 2010). In addition, we held a mock trial for the students, with the students playing the roles of witnesses and defense counsel. I received a Certificate of Appreciation from the Riverside Police Department in May 2009 for participation in their Junior Police Academy Program.

I was honored to serve as the judge in a mock criminal jury trial (a DWI case) presented by the Platte County Prosecutor's Office to local high school students in November 2009. Students served as members of a jury who heard the evidence and then rendered a verdict.

I received a Certificate of Appreciation from the Eastern Jackson County Youth Court in 1996 for speaking to a group of high school students about the duties and responsibilities of a judge.

23. List any significant honors or awards you have received that otherwise have not been covered in this application. In mid-2012, I was quite honored (and very humbled as well) to receive the highest possible ratings ("a perfect score of 5.00 in all categories") from my fellow judges in Platte County as part of a Judicial Performance Evaluation. Attorneys also participated in the survey. Thereafter, I found out that I received the highest rating of any judge in the state in the attorneys' surveys for judges who were up for a retention vote in November 2012. I received a composite score of 4.78 out of 5.0. Please see the "Show-Me Courts" evaluation report and the excerpt from the September 10, 2012 edition of the Missouri Lawyers Weekly attached to this application as Exhibit B.

24. Are you delinquent in the payment of any federal, state, county or city taxes? If so, please explain. I am not delinquent in the payment of any federal, state, county or city taxes.

25. Have you ever been convicted of a misdemeanor or felony or received a suspended imposition of sentence in any federal, state, or military court? If so, please explain and provide the style of the case (including case number), the court, the date of the conviction, and the sentence or fine imposed. I have not been convicted of any felony or misdemeanor offenses nor have I received a suspended imposition of sentence for any offense.

26. Have you ever been held in contempt of court? If so, please explain. I have never been held in contempt of court.

27. Have you ever been sued by a client or been a party to any litigation, other than as a guardian ad litem, plaintiff ad litem, or defendant ad litem? If so, please explain and provide the style of each case, the court, your role as plaintiff or defendant, and the nature and date of disposition. I have never been sued by a client, but have been a party to litigation. Please see Exhibit C attached to this application.

28. Have you ever been disciplined or cited for breach of ethics or professional conduct by a court or by any bar association or committee thereof? If so, please explain. No.

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

(a) Whether an order of reprimand, removal, retirement, suspension or other disciplinary action has ever been entered against you by the Supreme Court of Missouri for breach of the Code of Judicial Conduct or the Canons of Judicial Conduct? If so, explain the details of such breach and the date, nature, and duration of the discipline imposed. No.

(b) Whether a reprimand or admonishment has ever been entered against you by the Commission on Retirement, Removal and Discipline for any of the causes specified in Rule 12.07 of the Supreme Court Rules Governing the Judiciary. If so, explain the details of such cause and the date and nature of the discipline imposed. No.

(c) Whether, to your knowledge, you are the subject of a complaint that is currently under investigation by the Commission on Retirement, Removal and Discipline. If so, explain that nature of such complaint and the status of the investigation. No.

31. Provide any additional information that you consider relevant to your qualifications for the office of Circuit Judge. I believe that my background of over 28 years in private practice along with my experience as a municipal judge and as an Associate Circuit Judge have provided me with important and valuable skills which I can put to good use if I am appointed as a Circuit Judge.

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

1. Louis C. Accurso, Esq., 4646 Roanoke Pkwy., Kansas City, Missouri 64112.
laccurso@accursolaw.com (816) 561-3900

2. Greg Mills, City Administrator and former Police Chief, City of Riverside, Missouri, 2950 NW Vivion Road, Riverside, Missouri 64150
gmills@riversidemo.com (816) 741-3993

3. Joel Wurster, M.D. (Ret.), 5226 Bluff View, Parkville, Missouri 64152.
jwurster2@kc.rr.com (816) 587-0474

4. Michael J. Svetlic, Esq., 5716 N. Broadway, Kansas City, Missouri 64118.
svetliclaw@hotmail.com (816) 452-4533

5. Douglass F. Noland, Esq., 34 Westwoods Dr., Liberty, Missouri 64068.
doug@nolandlawfirm.com (816) 781-5055

CERTIFICATION OF ACCURACY AND AUTHORIZATION FOR RELEASE OF INFORMATION

By my signature to this form, I certify that all statements made in my application for the office of Circuit Judge and attachments thereto are truthful and correct. I further certify that if I am nominated by the Sixth Circuit Judicial Commission and appointed to the office of Circuit Judge, I will accept the appointment and perform the duties of that office as provided by law.

By my signature to this form, I authorize: (1) the Commission, through its Chairperson, to obtain relevant information, including but not limited to documents, records, and files, with respect to my medical, law enforcement, or disciplinary records; and (2) the Commission and its members to obtain additional relevant information regarding my qualifications, as well as the accuracy of my responses to the questions on this application. It is my understanding that the information obtained pursuant to this authorization shall be made available only to the members of the Sixth Circuit Judicial Commission and their staff as necessary to perform their duties.

Notwithstanding the above, in accordance with Supreme Court Rule 10.28 (e), if I am one of the three nominees listed on the certificate of nomination sent to the Governor, I authorize the Commission to send a complete copy of this application to the Governor and publicly release a copy of the application with personal and confidential information redacted as identified on the cover page of this application.

This certification and authorization shall remain in full force and effect until revoked by me in writing.

Signature of Applicant

7-1-13
Date

Thomas C. Fincham
Printed Full Name of Applicant

AGENDA

Missouri Municipal & Associate Circuit Judges Association

Annual Courts Conference

Wednesday, May 25, 2011

9:00 AM - 5:00 PM	**REGISTRATION**	5TH FLOOR ATRIUM
12:00 Noon - 12:10 PM	**CONFERENCE OPENING** - Bob Hershey, President, Tom Fincham, Conference Chair, Bob Aulgur, Secretary, and Mark Rundel, Treasurer	MARBELLA ROOM
12:10 - 1:00 PM	**LEGISLATION UPDATE** (1.0 hour CLE) Cotton Walker will tell us what our legislators did this last session that impacts us and our courts.	MARBELLA ROOM
1:00 - 1:50 PM	**ANNUAL TRAINING ON THE NEW DWI LAW** (1.0 hour CLE) Bob Aulgur will provide the mandatory training required under the new law along with some fact scenarios that will have you scratching your head for answers	MARBELLA ROOM
1:50 - 2:00 PM	**BREAK**	
2:00 - 2:50 PM	**ETHICS FOR EVERYDAY USE** (1.0 hour CLE) Glenn Norton gives us practical information about ethics and professionalism you can use everyday.	MARBELLA ROOM
2:50 - 3:15 PM	**ANNUAL BUSINESS MEETING** and **Election of Officers for 2011-12.**	MARBELLA ROOM
3:15 - 5:00 PM	**An overview of recent license suspension, revocation and denial issues from a DOR perspective** - Charles L. Gooch, Managing Counsel, Transportation Section, Missouri Department of Revenue. (2.1 hour CLE)	MARBELLA ROOM
5:00 - 6:30 PM	**WELCOMING RECEPTION**	GRANADA "A"
7:00 - 9:00 PM	**BOARD MEETING/DINNER** (for 2010-11 Board)	ESCOLLO ROOM

Total CLE hours - Wednesday: 5.1 including 1.0 ethics hours

Thursday, May 26, 2011

7:00 - 8:30 AM	**BREAKFAST BUFFET**	GRANADA "A" & "B"
7:00 AM - 4:45 PM	**REGISTRATION**	5TH FLOOR ATRIUM

8:30 - 9:20 AM	**Je' Eastman and Carl Ward present ' WI cases - myths and realities."** (1.0 hour CLE) Jeff is a premier DWI defense attorney on the western side of the state and Carl is the same on the eastern side. They will tell you that the things you might always think are true about DWI cases really aren't!	MARBELLA ROOM
9:20 - 9:30 AM	**BREAK**	
9:30 - 10:20 AM	Jeff Eastman and Carl Ward conclude (1.0 hour CLE)	MARBELLA ROOM
10:20 - 10:30 AM	**BREAK**	
10:30 AM - 12:00 noon	**Professor Penny White** (1.8 hours CLE including 1.8 hours ethics) MMACJA's first Polly Shelton Lecture Chair Speaker, Prof. White will share her experiences regarding being voted off the Tennessee Supreme Court, and will also show advertisements which ran in the media during judges campaigns. She will also tell us about the importance of an independent judiciary and keeping politics out of the courtroom.	MARBELLA ROOM
12:00 noon - 1:00 PM	**Annual luncheon** sponsored in part by Mo. Dept. of Highway Safety	GRANADA "A" & "B"
1:00 - 1:30 PM	**Dr. Leanna Depue – "It's Personal"** (0.4 hours CLE) Mo. Dept. of Highway Safety. Also, Governor Nixon and all members of the Missouri Supreme Court invited	GRANADA "A" & "B"
1:30 - 1:45 PM	Break and return to Marbella for afternoon sessions	
1:45 - 3:00 PM	**"25 Questions - Always - Sometimes - Never" with Jess Ullom.** (1.5 hours CLE) Jess will have a panel of three experienced judges share their insights into 25 situations that arise commonly in our courts. He will discuss what the judge can "always" do, "sometimes" do or can "never" do and will use the responder system to poll the attendees regarding their responses to those situations.	MARBELLA ROOM
3:00 - 3:15 PM	**BREAK**	
3:15 - 4:45 PM	**Honorable Randall Head** (1.8 hours CLE) An Associate Circuit Judge from Iron County and a certified CCW instructor Judge Head will give a presentation regarding Missouri's law of concealed/carry in general and as it relates to judges. He will also discuss the Missouri law of self-defense and the castle doctrine.	MARBELLA ROOM
5:00 - 8:00 PM	Dinner on your own	
9:00 PM - ?	**Rick Brunk and Blues Plus in the MIST Lounge** - Clerks are invited to attend. Karaoke and air-guitar opportunities throughout the evening. Enjoy your favorite beverage and dance to great music. (0.0 hours CLE, but many hours of fun!)	MIST NIGHTCLUB

Total CLE Hours - Thursday: 7.6 including 1.8 ethics

Friday, May 27, 2011

7:00 - 8:30 AM	**BREAKFAST BUFFET**	Granada "A" & "B"
7:00 - 7:30 AM	**New Board of Directors Breakfast** (2011-12 Board)	Escollo Room
7:30 - 8:20 AM	**BOARD MEETING** - 2011-2012 Board	Escollo Room
8:30 - 9:20 AM	**COURT AND PERSONAL SAFETY/SECURITY** (1.0 hour CLE) Hugh Ryan will discuss common-sense, everyday things you can do to maximize your own safety and security, and the safety and security of your staff before, during and after court.	Marbella Room
9:20 - 9:30 AM	**BREAK**	
9:30 - 10:45 AM	**CASE LAW UPDATE** (1.5 hours CLE) With Joe Cambiano and Mike Svetlic. Mike and Joe will update you on all the new cases you need to know about to keep abreast of current issues and changes in the law. Mike will have a special segment devoted to recent U. S. Supreme Court cases on search and seizure, Miranda and criminal law.	Marbella Room
10:45 - 11:00 AM	**BREAK**	
11:00 AM - 12:00 noon	Joe and Mike conclude case law and the conference. Have a safe trip home and enjoy the holiday!! (1.2 hours CLE)	Marbella Room

Total CLE Hours - Friday: 3.7

Programs should qualify for 16.3 CLE Hrs includes 2.8 Ethic Hrs credit under Supreme Court Rules 15 and 18 for Reporting Year July 1, 2010 to June 30, 2011. Attendance at the entire conference qualifies for these credits.

Complimentary Items

Indoor Pool, Free Movie Pass, Tennis Courts, Volleyball Court on the beach

Activities Available (Not Included In Registration Fee)

Golf (18 holes of golf) on The Cove or The Ridge after 12 noon Tuesday through Friday of conference based on availability at $47.00 per round, cart included, plus taxes for foursome Tee Times only. Tee Times at this discounted rate should be made 48 hours in advance and attendee must reference the MMACJA special rate at time of reservation. Attendee conference badges must be presented at golf check-in. Racquetball; Horseback Riding (State Park); Spa Shiki Salon; Boat Rental and Fishing Guide; Wave Runner Rental; Parasailing; Adventure Club (Children's Activities). There are charges for these activities, so please make reservation well in advance.

Comments, Suggestions and Inquiries For 2011 Conference

Contact:	Thomas Fincham, Conference Chair 415 3rd Street - Suite 50 Platte City, MO 64079	Jean Harmison, Executive Secretary 1717 E Republic Rd, Ste A Springfield, MO 65804
Phone:	(816) 858-3517	(417) 886-8606
Fax:	(816) 858-1845	(417) 886-3685
Cell:		(417) 839-3454
E-mail:	Thomas.Fincham@courts.mo.gov	jean@clubmanagementservices.com

Membership Application & Conference Registration Forms

Mail to: Missouri Municipal and Associate Circuit Judges Association
c/o Jean Harmison, Executive Secretary
1717 E Republic Rd, Ste A
Springfield, MO 65804

Checks payable to: MMACJA

Now Available
On-line Registration
Pay by credit card through PayPal

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Thomas C. Fincham

District: 6th Judicial Circuit (Platte County)
Position: Associate Circuit Judge
Evaluation Year: 2012

Background
Judge Thomas C. Fincham was appointed as an associate circuit judge in the 6th Judicial Circuit in June 2010. He received both his Bachelor of Arts degree in economics and his law degree from the University of Missouri-Kansas City.

Before his appointment to the court, Judge Fincham spent many years in the private practice of law. He served as municipal judge for Riverside, Ferrelview, Platte Woods, Lawson, Oakview and Richmond, Missouri. He also served as city attorney and city prosecutor for Dearborn, Missouri. He is a member of the Missouri Municipal and Associate Circuit Judges Association and the Missouri Association of Probate and Associate Circuit Judges. His community interests include serving as a member of the board of directors of the Bluffs Homes Association.

Discussion
Attorneys who responded to survey questions rated Judge Fincham on a scale of 1 to 5, with 1 representing "not at all" and 5 representing "completely." Judge Fincham received a rating above 4.0 in all categories, which is an indication that the attorneys have substantial respect for the judge's skill and professionalism.

Judge Fincham received his highest scores for maintaining and requiring proper order and decorum in the courtroom (4.82), demonstrating appropriate demeanor on the bench (4.82), treating all people who appear before him equally (4.82), displaying fairness and impartiality toward each side of the case (4.80), and allowing parties latitude to present their arguments (4.80). Judge Fincham's lower scores were for clearly explaining all oral decisions (4.72), giving reasons for rulings (4.73), and efficiently using pretrial procedure to narrow and define the issues (4.74).

The committee reviewed survey responses submitted by Judge Fincham's peers. Judge Fincham received a perfect score of 5.00 in all categories.

The committee has also reviewed three written opinions submitted by Judge Fincham that dealt with issues of domestic law and driving privilege suspension law. His opinions appeared to be well-reasoned and clearly written, and appeared to fulfill all of the necessary legal requirements.

Recommendation
The 6th Circuit Judicial Performance Evaluation Committee recommends that Judge Thomas C. Fincham BE RETAINED.

Lawyer Survey Results
Peer Survey Results

If printing surveys, you may need to select "Fit to Printable Area" or "Landscape."

Opinion 1
Opinion 2
Opinion 3

Sitemap

Paid for by The Missouri Bar Sebrina Barrett, Executive Director PO Box 119 Jefferson City, MO 65102

Judges — who are they to ju

By Scott Lauck
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Lawyers and judges see cases differently. Turns out they see each other differently, too.

Last week, The Missouri Bar released performance evaluations of 51 judges selected under the Nonpartisan Court Plan who will stand for retention votes on Nov. 6. The evaluations are primarily based on anonymous surveys of lawyers familiar with those judges.

But for the first time this year, evaluations also included survey results from the judges' peers — that is, from other judges. The results are positively glowing.

On average, judges did 9 percent better among their peers than with lawyers. Only nine of the 51 judges scored worse among other judges than they did among lawyers. Ten judges got perfect scores in every category from their colleagues.

In contrast, no judge got a perfect rating from lawyers — the highest-rated judge in the lawyers' surveys, Platte County Associate Circuit Judge Thomas C. Fincham, got a composite score of 4.78 out of a possible 5.0.

In some cases, the differences between how lawyers and judges regarded the same person were dramatic. St. Louis County Associate Circuit Judge Dale Hood, the only judge in the state recommended not to be retained, got the lowest composite score in the state among both lawyers and judges. Yet Hood's fellow judges still rated him 3.49 — 44 percent higher than the 2.43 he got from lawyers. He was among 15 judges whose peer scores exceeded the lawyer score by 15 percent or more.

The lawyer and the peer surveys use the 5-point scale to rate appellate judges in 10 categories and circuit judges in 18 categories. Respondents are asked to measure such traits as demeanor, knowledge of the law and docket management. The peer judges and the lawyers were asked the same set of questions.

Missouri Lawyers Media has calculated a composite score for each judge by averaging his or her average scores in each of the survey categories. The bar itself doesn't report that number, though it does play a role in how judges are rated. A composite score of 2.85 on the lawyer surveys serves as a rough cutoff for recommending that a judge be retained or not.

Dale Doerhoff, the statewide coordinator of the evaluation program, said Missouri officials consult with states that have similar evaluation systems. Colorado, for instance, once publicized its composite numbers but found that people focused too much on who was the best- and worst-rated judge.

"The composite numbers became a media horse race," Doerhoff said.

He added that the committees of lawyers and nonlawyers who oversee the evaluations also take the judge's docket and other factors into account. Judges can appeal a "do not retain" rating. Most judges were comfortably above the cutoff.

"In 2010, the Supreme Court mandated that unless there was an extenuating circumstance, if a judge received a rating of 2.85 or below, there was no discretion within our committee to make a recommendation other than no retain," said Bruce Hilton, chair of the 21st Judicial Circuit Judicial Performance Evaluation Committee. His was the committee that recommended Hood, the only judge in the state who fell below the threshold composite score, not be retained.

Of course, the category numbers tell their own stories. It's clear that lawyers have certain likes and dislikes with their judges. Seven of the 10 appellate judges got their highest rating for "being courteous toward attorneys," while eight of the 10 were rated lowest in "making reasoned decisions based upon the law and facts."

Among trial judges, 30 of the 41 were most lauded for maintaining and requiring "proper order and decorum in the courtroom." Complaints were more varied, but 15 of the judges got their lowest ratings in demonstrating "appropriate demeanor on bench" or in issuing rulings that "state reasons and consistently apply the substantive law."

In most cases, however, the differences between judges' high and low scores are quite narrow. Bar officials cautioned against getting too hung up on a few decimal points.

"It's highly evident by the data we have available to us that we just have good judges in Missouri," said Don Barzowski, a high-school government teacher in Iron County who serves as vice-chairman of the committee that evaluates appellate judges. "That's all there is to it. I guess the story here is there is no story."

The retention elections are a feature of the Nonpartisan Court Plan used for

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Judges gave Hood much higher scores than

[JUDGES FROM PAGE 1]

ber of lawyers and nonlawyers evaluated judges statewide based on anonymous sur-

How Hood stacks up

Comparison of the highest composite score, average composite score and Hood's score.

QUESTION ASKED OF LAWYERS AND JUDGES	HIGH	AVERAGE	HOOD'S

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Response to Question 27 - other litigation in which I was a party

Thomas Fincham v. Randy L. Solberg; Case No. 7CV186002546; Circuit Court of Clay County, Missouri. I filed suit to collect attorneys fees due from a client. Filed May 22, 1986. Judgment satisfied November 23, 1988.

Thomas Fincham v. John Marek; Case No. 16CV93-28414; Circuit Court of Jackson County, Missouri. I filed suit to collect attorneys fees due from a client. Filed December 17, 1993. Judgment entered February 2, 1994.

Thomas C. Fincham v. Flemon Walker; Case No. 7CV100002611; Circuit Court of Clay County, Missouri. I filed suit to collect attorneys fees due from a client. Filed April 20, 2000. Judgment entered July 28, 2000. Judgment satisfied February 21, 2001.

Thomas C. Fincham v. Devin L. Duckworth; Case No. 7CV100008512; Circuit Court of Clay County, Missouri. I filed suit to collect attorneys fees due from a client. Filed December 14, 2000. Judgment entered February 9, 2001. Judgment satisfied February 21, 2001.

Thomas C. Fincham v. Carol M. Gleason; Case No. 7CV101004369; Circuit Court of Clay County, Missouri. I filed suit to collect attorneys fees due from a client. Filed June 22, 2001. Judgment entered October 5, 2001. Judgment satisfied October 23, 2002.

Thomas C. Fincham v. Robert D. Cougill; Case No. 7CV103000405; Circuit Court of Clay County, Missouri. I filed suit to collect attorneys fees due from a client. Filed January 16, 2003. The case was dismissed by me on March 3, 2003 as the amount due was paid by client.

Thomas C. Fincham v. Gregory J. Poe; Case No. 7CV103000407; Circuit Court of Clay County, Missouri. I filed suit to collect attorneys fees due from a client. Filed January 16, 2003. Judgment entered February 28, 2003. Judgment satisfied May 29, 2003.

Thomas C. Fincham v. Gerald L. Diffey; Case No. 7CV103006201; Circuit Court of Clay County, Missouri. I filed suit to collect attorneys fees due from a client. Filed August 7, 2003. Judgment entered September 11, 2003.

Thomas C. Fincham v. Jason Huffstutter; Case No. 7CV105002081; Circuit Court of Clay County, Missouri. I filed suit to collect attorneys fees due from a client. Filed March 10, 2005. Judgment entered May 20, 2005.

Thomas C. Fincham v. Kathryn J. Ward; Case No. 7CV105002082; Circuit Court of Clay County, Missouri. I filed suit to collect attorneys fees due from a client. Filed March 10, 2005; The case was dismissed by me on May 28, 2005 as the amount due was paid by the client.

Thomas C. Fincham v. Kenneth Martin; Case No. 7CV1058010805; Circuit Court of Clay County, Missouri. I filed suit to collect attorneys fees due from a client. Filed December 1, 2005. I could not obtain service of process on Mr. Martin, and the case was dismissed by the court February 22, 2008.

Thomas C. Fincham v. Dawn J. Flanery; Case No. 7CV102002704; Circuit Court of Clay County, Missouri. I filed suit to collect attorneys fees due from a client. Filed April 10, 2002. The case was dismissed by me April 22, 2002 as the amount due was paid by the client.

Thomas C. Fincham v. Vickie Ann Terrill; Case No. 7CV103000406; Circuit Court of Clay County, Missouri. I filed suit to collect attorneys fees due from a client. Filed April 16, 2003. The case was dismissed by me Mary 29, 2003 as the amount due was paid by the client.

Thomas C. Fincham v. John R. Williams; Case No. 7CV103004254; Circuit Court of Clay County, Missouri. I filed suit to collect attorneys fees due from a client. Filed June 4, 2003. The case was dismissed by me June 19, 2003 as the amount due was paid by the client.

Thomas C. Fincham v. Jennifer M. Sticken; Case No. 7CV103005403; Circuit Court of Clay County, Missouri. I filed suit to collect attorneys fees due from a client. Filed July 10, 2003. The case was dismissed by me August 18, 2003 as the amount due was paid by the client.

Thomas C. Fincham v. Joseph M. Harris; Case No. 7CV102005939; Circuit Court of Clay County, Missouri. I filed suit to collect attorneys fees due from a client. Filed August 2, 2002. Judgment entered December 6, 2002.

Thomas C. Fincham v. Dawn R. Shields; Case No. 7CV1030060869; Circuit Court of Clay County, Missouri. I filed suit to collect attorneys fees due from a client. Filed August 1, 2003. Judgment entered September 4, 2003.

Thomas C. Fincham v. Benjamin Benford; Case No. 7CV103006535; Circuit Court of Clay County, Missouri. I filed suit to collect attorneys fees due from a client. Filed August 18, 2003. Judgment entered October 17, 2003. Judgment satisfied March 16, 2007.

Thomas C. Fincham v. Lydia D. King; Case No. 7CV103008028; Circuit Court of Clay County, Missouri. I filed suit to collect attorneys fees due from a client. Filed October 8, 2003. I could not obtain service on Ms. King, and the case was dismissed by the court on September 26, 2005.

Thomas C. Fincham v. Cynda L. Traw; Case No. 7CV104006046; Circuit Court of Clay County, Missouri. I filed suit to collect attorneys fees due from a client. Filed July 21, 2004. Judgment entered September 3, 2004. Judgment satisfied November 22. 2004.

Thomas C. Fincham v. Holly Crandall; Case No. 7CV104007292; Circuit Court of Clay County, Missouri. I filed suit to collect attorneys fees due from a client. Filed September 2, 2004. I could not obtain service on Ms. Crandall and the case was dismissed by the court on September 26, 2005.

Thomas C. Fincham v. Gerald L. Diffey; Case No. 7CV104009538; Circuit Court of Clay County, Missouri. I filed suit to collect attorneys fees due from a client. Filed November 10, 2004. The case was dismissed by me on December 8, 2004 as the amount due was paid by the client.

Thomas C. Fincham v. Paul F. Bond; Case No. 7CV197000973; Circuit Court of Clay County, Missouri. I filed suit to collect attorneys fees due from a client. Filed February 11, 1997. Judgment entered June 26, 1997.

Thomas C. Fincham v. Mark A. Crowley; Case No. 7CV197001556; Circuit Court of Clay County, Missouri. I filed suit to collect attorneys fees due from a client. Filed March 6, 1997. Judgment entered April 17, 1997.

Thomas C. Fincham v. David Gatewood; Case No. 7CV197001678; Circuit Court of Clay County, Missouri. I filed suit to collect attorneys fees due from a client. Filed March 11, 1997. Judgment entered May 1, 1997.

Thomas C. Fincham v. Laura Susan Turner; Case No. 7CV197007983; Circuit Court of Clay County, Missouri. I filed suit to collect attorneys fees due from a client. Filed November 11, 1997. Judgment entered December 5, 1997. Judgment satisfied March 18, 1998.

Thomas C. Fincham v. Robert S. Klingele; Case No. 7CV198000138; Circuit Court of Clay County, Missouri. I filed suit to collect attorneys fees due from a client. Filed January 8, 1998. I could not obtain service on Mr. Klingele and the case was dismissed by the court on March 16, 1999.

Thomas C. Fincham v. Lori Boswell; Case No. 7CV198000139; Circuit Court of Clay County, Missouri. I filed suit to collect attorneys fees due from a client. Filed January 8, 1998. Judgment entered November 20, 1998.

Thomas C. Fincham v. Stacy Eacret; Case No. 7CV199003002; Circuit Court of Clay County, Missouri. I filed suit to collect attorneys fees due from a client. Filed April 28, 1999. Judgment entered June 4, 1999.

Thomas C. Fincham v. Ronald Lane; Case No. 7CV197003342; Circuit Court of Clay County, Missouri. I filed suit to collect attorneys fees due from a client. Filed May 9, 1997. Judgment entered June 20, 1997.

Thomas C. Fincham v. Audrey James Hopkins; Case No. 7CV198006539; Circuit Court of Clay County, Missouri. I filed suit to collect attorneys fees due from a client. Filed September 16, 1998. Judgment entered October 23, 1998.

Thomas C. Fincham v. Jason R. Stephens; Case No. 7CV198007228; Circuit Court of Clay County, Missouri. I filed suit to collect attorneys fees due from a client. Filed October 15, 1998. The case was dismissed by me November 20, 1998 as the amount due was paid by the client.

Thomas C. Fincham v. Linda Olsen; Case No. 7CV198007229; Circuit Court of Clay County, Missouri. I filed suit to collect attorneys fees due from a client. Filed October 15, 1998. I could not obtain service on Ms. Olsen and the case was dismissed by the court on June 8, 2000.

Thomas C. Fincham v. Todd Chain; Case No. 7CV198007230; Circuit Court of Clay County, Missouri. I filed suit to collect attorneys fees due from a client. Filed October 15, 1998. Judgment entered January 5, 1999.

Thomas C. Fincham v. Noelle M. Calton; Case No. 7CV198007231; Circuit Court of Clay County, Missouri. I filed suit to collect attorneys fees due from a client. Filed November 15, 1998. I could not obtain service on Ms. Calton and the case was dismissed by the court on June 8, 2000.

Thomas C. Fincham v. Desmond M. Gidden; Case No. 7CV198007410; Circuit Court of Clay County, Missouri. I filed suit to collect attorneys fees due from a client. Filed October 22, 1998. Judgment entered December 4, 1998.

Thomas C. Fincham v. Chester M. Murray; Case No. 7CV1970056504; Circuit Court of Clay County, Missouri. I filed suit to collect attorneys fees due from a client. Filed September 5, 1997. Judgment entered November 21, 1997.

Thomas C. Fincham v. Darlene Dickerson; Case No. 7CV198004787; Circuit Court of Clay County, Missouri. I filed suit to collect attorneys fees due from a client. Filed July 7, 1998. The case was dismissed by me April 16, 1999 as the amount due was paid by the client.

Thomas C. Fincham v. Tracy L. Young; Case No. 7CV197005878; Circuit Court of Clay County, Missouri. I filed suit to collect attorneys fees due from a client. Filed December 4, 1997. Judgment entered April 9, 1998.

Thomas C. Fincham v. Forrest Rhea; Case No. 08CY-CV03614; Circuit Court of Clay County, Missouri. I filed suit to collect attorneys fees due from a client. Filed April 11, 2008. Judgment entered May 16, 2008.

Thomas C. Fincham v. Natasha Dick; Case No. 08CY-CV03620; Circuit Court of Clay County, Missouri. I filed suit to collect attorneys fees due from a client. Filed April 11, 2008. Judgment entered May 16, 2008. Judgment satisfied August 17, 2009.

Thomas C. Fincham v. Dawn R. Shields; Case No. CV103-6089 AC; Circuit Court of Clay County, Missouri. I filed suit to collect fees due from a client. Filed August 1, 2003. Judgment entered September 4, 2003.

Thomas C. Fincham v. Cynda L. Traw; Case No. CV104-006046 SC; Circuit Court of Jackson County, Missouri. I filed suit to collect fees due from a client. Filed July 21, 2004. Judgment entered November 22, 2004.

Thomas C. Fincham v. Michael Reilley; Case No. 0694SC01590; Circuit Court of Clay County, Missouri. I filed suit to collect attorneys fees due from a client. Filed August 18, 1994. Judgment entered against the defendant by consent October 3, 1994.

Thomas C. Fincham v. Angel Buenaflor; Case No. 08CY-CV09711; Circuit Court of Clay County, Missouri. I filed suit to collect attorneys fees due from a client. Filed October 3, 2008. Judgment entered October 31, 2008.

Thomas C. Fincham v. Devin L. Duckworth; Case No. 09CY-CV13554; Circuit Court of Clay County, Missouri. I filed suit to collect attorneys fees due from a client. Filed December 22, 2009. Defendant served with process February 10, 2010. Client has contacted me and indicates that he will pay the balance due by March 1, 2010.

Thomas C. Fincham v. James Harstedt; Case No. 08AE-CV01661; Circuit Court of Platte County, Missouri. I filed suit to collect attorneys fees due from a client. Filed May 14, 2008. Judgment by consent entered against defendant June 12, 2008.

Thomas C. Fincham v. Deborah L. Fincham; Case No. C 009910; Johnson County, Kansas District Court. This was a divorce action filed in January, 1981. A Judgment of Divorce was entered by the Court in April, 1981.

Thomas C. Fincham v. Dawn R. Shields; Case No. 05CV01170; Johnson County, Kansas District Court. Petition for registration of foreign judgment. Petition filed February 10, 2005. Judgment entered/registered March 8, 2005.

State of Missouri v. Thomas C. Fincham, Case No. 7TR198005631. I was issued a traffic citation for failing to wear a seat belt on July 31, 1998. I paid the $10.00 fine on August 13, 1998.

State of Missouri ex. rel. Ricky Allen Snedden v. Honorable Thomas C. Fincham, Judge of the Municipal Court of Lawson, Missouri, Case No. CV0301-206CC, Division 3, Circuit Court of Ray County, Missouri. Mr. Snedden filed a petition for writ of mandamus on May 23, 2001 naming me as the defendant in my capacity as the judge of the Lawson, Missouri Municipal Court. After being served with process, I ascertained that Mr. Snedden had three matters which had been pending in our court for some time. Prior to the time I took the bench in Lawson, Mr. Snedden had requested that his cases be disposed of under the Uniform Mandatory Disposition of Detainers Law. No action was taken on his request at that time, so he instituted this action to compel the dismissal of his matters. The cases pending against Mr. Snedden were subsequently dismissed by the City. Judge Werner Moentmann of the Ray County Circuit Court then dismissed this instant case and the matter was concluded.

City of Kansas City, Missouri v. Thomas C. Fincham, Citation No.: 2152 901. I was issued a traffic citation for speeding. This matter was dismissed by the City on January 3, 2007.

City of Kansas City, Missouri v. Thomas C. Fincham, citation No.: 2220 920. I was issued a traffic citation for speeding. This matter was dismissed by the City on April 2, 2007.

City of Gladstone, Missouri v. Thomas C. Fincham, Citation No.: 0190945. I was issued a traffic citation for speeding. This matter was dismissed by the City on October 19, 2006.

City of Kansas City, Missouri v. Thomas C. Fincham. I do not have the citation number. I was issued a traffic citation for speeding in October, 2012. I retained counsel, the charge was amended to defective equipment violation, and I paid approximately $200.00 in fines and costs.

State of Missouri v. Thomas C. Fincham. I do not have the citation number. I was issued a traffic citation for speeding by the Missouri Highway Patrol in May, 2010 while I was traveling through Lafayette County. I retained counsel, the charge was amended to a non-moving violation, and I paid approximately $125.00 in fines and costs.

I have received other traffic citations for speeding over the years, but I do not recall the dates or details of them. The above information regarding traffic matters was obtained by me through Case.net and by a computer check.

Ex.rel. Brandon B. Sheil v. Honorable Thomas C. Fincham, WD76109. This was an application for a writ of mandamus filed in the Missouri Court of Appeals – Western District by a litigant in a dissolution action. The Relator/Father was seeking to compel me to rule on certain motions (which I indicated to both parties that I would take up with the trial of the case) and to enter certain orders against the Mother (which I believed I did not have the authority to enter under the current posture of the case). The petition for the writ (some 1100 pages) was filed on February 11, 2013, and was denied on February 13. The case is still pending and is set for trial in August.