Fifteenth Annual Criminal Justice Act Seminar

The 15th Annual Criminal Justice Act Seminar, co-sponsored with Federal Public Defender Offices of the Eastern District of Missouri and the Southern District of Illinois, was held at the Thomas F. Eagleton U.S. Courthouse on May 11, 2017. One-hundred and seventeen attorneys attended the day-long seminar, for which they received 7.2 MCLEs, including 2.6 hours of ethics.

Chief Judge Rodney W. Sippel welcomed the attendees, kicking off the day’s presentations. Presenters were professionally diverse—including a U.S Magistrate Judge, Federal Public Defender Office attorneys & an investigator, a Pretrial Services officer, private attorneys, and a Professor of Law.

Paul Rashkind, appellate chief, Southern District of Florida Public Defender, was a featured speaker.

Mass Tort Filings in The Eastern District

The Eastern District continued to see an influx of mass tort cases in 2017.

Mass tort cases present complex legal issues and fact patterns, as well as case management challenges presented by large numbers of plaintiffs and defendants.

The judges of the Eastern District have not only worked on mass torts filed in this district, but also have taken a lead nationally in cases that involve plaintiffs in a number of districts across the nation that are being consolidated in one district under one judge, a process known as multidistrict litigation (MDL).

In addition to the pre-existing mass tort cases associated with the Bridgeton landfill, Doe Run, and Mallinckrodt from prior years, in 2017 an additional 1,137 cases were filed with Doe Run as a defendant, and an additional 76 cases were filed with Mallinckrodt as a defendant.
Life as a U.S. Magistrate Judge

In an article in The Judges’ Journal (Volume, 56, Number 2), U.S. Magistrate Judge Noelle C. Collins briefly recounts the development of the magistrate judge system and shares her experiences as a new magistrate judge, including the lengthy and comprehensive merit-selection process.

The Eastern District of Missouri includes magistrate judges in most civil direct assignment decks and consistently has one of the highest consent to a magistrate judge rates in the nation. As a result, Judge Collins—and the district’s other magistrate judges’—civil dockets include a wide variety of case types; such as copyright infringement, wage actions, and contract disputes. With the assistance of her chambers staff, Judge Collins proactively manages her civil docket, prioritizing items that need a quick turn-around. She fosters a process that moves parties towards the best resolution they can reach.

Judge Collins maintains a full criminal docket. In addition to pretrial matters on felony cases, she co-presides over the Janis C. Good Mental Health Court and performs the always hectic criminal duty.

In addition to handling civil and criminal dockets, Judge Collins participates in Court en Banc governance meetings and serves on multiple working committees, such as the Local Rules committee. She also contributes to public outreach by addressing potential jurors and presiding over naturalization ceremonies.

Judge Collins describes her responsibilities as a magistrate judge as humbling, but the most rewarding work of her life.

Improving the Eastern District’s website

In 2017, the U.S. District Court for the Eastern District of Missouri completed the move of its webserver, hosted at the Thomas F. Eagleton Courthouse in St. Louis, to a shared hosting service provided by the Administrative Office of the United States Courts. With this move, the Eastern District has access to combined U.S. Court departments that specialize in security, back-up, and server redundancy in the event of a webserver going offline. The change in hosting services includes a content management system upgrade that allows for a more modern look and scalability for tablets & phones, while preserving the same structure as the Eastern District’s previous site, thus making the transition easier for our website visitors.

Effective Juror Utilization in the Eastern District

Effective juror utilization is defined as 30% or less of jurors not selected, serving, or challenged (NSSC) on the first day of service. For the 12-month period ending June 30, 2017, the Eastern District’s NSSC rate was 23.4%, almost 7 percentage points better than the Judicial Conference’s goal. Our rate was the 16th best in the nation and the 2nd best in the 8th Circuit.

In comparison to the previous 12-month period, the Eastern District improved its NSSC rate by 24%. This is the 8th largest improvement among U.S. District Courts; a much higher rate of improvement than the federal judiciary as a whole.

Among the 25 U.S. District Courts with six or more District Judges sitting in the same division—presumably larger courts that can take advantage of practices to improve juror utilization that smaller courts can’t such as pooling jurors or staggering jury selections—the Eastern District ranked 2nd in the nation.
Southeastern Division Bench & Bar

The 2017 Southeastern Division Bench & Bar Seminar was held on May 1 at the Rush Hudson Limbaugh, Sr. U.S. Courthouse in Cape Girardeau. Topics were:

- Southeastern Division Year in Review
- Supreme Court Update: October Term 2016
- The Attorney Discipline System in Missouri
- Judges’ Roundtable

Chief Judge Rodney W. Sippel and U.S. District Judge Stephen N. Limbaugh, Jr. welcomed the attendees and opened the session. Other speakers included U.S. District and Magistrate Judges, Missouri Office of Chief Disciplinary Counsel, and professors of law from Southern Illinois University.

Attendees received 4.0 MCLEs, including one hour of ethics. Sixty attorneys attended the 2017 seminar, slightly more than attended last year.

All of the attendees who completed a program evaluation rated the seminar content as useful, with four-fifths rating the overall seminar as very useful. The update on the 2016 term of the Supreme Court and the Missouri Office of Chief Disciplinary Counsel’s discussion of attorney discipline were particularly well-received.

Join us for the next Southeastern Division Bench & Bar in May 3, 2018!

Northern Division Bench & Bar

The 2017 Northern Division Bench & Bar Seminar was held on June 16 at the U.S. Federal Building and Courthouse in Hannibal. Senior U.S. District Judge E. Richard Webber and Clerk of Court Gregory J. Linhares welcomed the attendees and opened the seminar.

Seminar topics were:

- Bankruptcy Practice: Tips & Procedures
- Social Security Disability Appeals
- The Disciplinary System in Missouri and Responding to a Complaint
- Judges’ Roundtable

Speakers included U.S. District, Magistrate & Bankruptcy Judges; Bankruptcy Court staff; practicing attorneys; and Missouri Office of Chief Disciplinary Counsel staff counsel.

Attendees received 3.4 MCLEs, including one hour of ethics. Fifty-three attorneys attended the 2017 seminar, a 51% increase in attendance from the previous year.

A special ceremony was held on Law Day, May 1, at the Rush H. Limbaugh, Sr. U.S. Courthouse in the Southeast Division. A ceremony was held in the Northern Division at the Hannibal Federal Building on June 16.

Naturalization Ceremonies in the Eastern District

From January to June, 2017, the judges of the Eastern District of Missouri swore in 620 new American citizens. Of the 15 ceremonies during this time period, 9 were held off-site. Special ceremony locations included Saint Louis University School of Law, St. Charles Community College, the U.S. Grant National Historic Site, The Missouri History Museum, and the International Institute of Saint Louis.

Naturalization ceremonies on Flag Day and Independence Day were held at the Old Courthouse at the Jefferson National Expansion Memorial in St. Louis.

Join us for the next Northern Division Bench & Bar in June 15, 2018!
Educational Outreach Overview

The first half of 2017 was a busy time for education and outreach activities at the District Court. A successful StreetLaw Teacher Workshop was hosted, Law Day was observed, numerous naturalization ceremonies were held, and various community service projects were completed.

The courthouse tour program was extremely busy during the first six months of the year. Clerk’s office staff from the Circuit, District, and Bankruptcy Courts combined efforts to lead tours for an ever-growing list of participants. More and more, teachers design course curricula and learning activities that are directly related to the courthouse tour experience.

“I have been coming to the courthouse for about 10 years with all different levels of my classes. I love the federal courts because kids get to see that justice is fair and compassionate. I think it is important for them to put faces of real people on these important positions.” – Dr. Brandon Hentze, Belleville West High School.

“I have really enjoyed bringing my students to the courthouse for the past few years and think it is an amazing resource unique to our area. As part of my curriculum, I teach about the U.S. Constitution and find that there is always something new to learn about the Judicial Branch.” – Stephanie Durant, Hazelwood West High School.

The Court’s long-standing programs for adult and senior members of the community were popular in the first half of 2017. During that time, the Judges of the District Court’s Judicial Speakers Bureau spoke at nine off-site locations, for such audiences as the American Association of University Women, Creve Coeur-Olivet Chamber of Commerce, and The Willows retirement community. Additionally, seven Friday seminars were held at the courthouse in conjunction with OASIS St. Louis. The OASIS series in spring covered issues involving memory and the law, such as false identifications and false confessions. The summer series took a deep dive into the history of federalism in American government.

Professional Development for Educators—StreetLaw Workshop

StreetLaw has offered high quality professional development workshops to teachers for more than two decades. The flagship program is a 6-day institute in Washington D.C. each summer that brings teachers together from across the country to learn about the Supreme Court. With local support, StreetLaw was able to bring the workshop to 35 Missouri teachers who might not otherwise have been able to attend. The two-day intensive workshop was held at the Eagleton Courthouse and jointly sponsored by the U.S. District Court, the Judicial Learning Center, the Federal Practice Memorial Trust, the Missouri Bar Office of Citizenship Education, The Missouri Bar Foundation, and the Bar Association of Metropolitan St. Louis. Participating judges included Chief U.S. District Judge Rodney W. Sippel, Chief U.S. Magistrate Judge Nannette A. Baker, and U.S. Magistrate Judge John M. Bodenhausen.

In March, the Court kicked off a new partnership with St. Louis Public Schools Department of College and Career Readiness by hosting the first installment of a recurring program for local seventh graders. During the Career Exploration Program, the students were exposed to a variety of careers at the courthouse by meeting, interviewing, and introducing professionals such as judges, lawyers, probation officers, and clerk’s office staff.

In spring 2017, the Court hosted the State Championship of the Missouri High School Mock Trial Competition, organized by the Bar Association of Metropolitan St. Louis. Sixteen teams from around the state occupied the courthouse all weekend from March 31–April 2. Over ten volunteers from the Clerk’s Office assisted with this large-scale event, and Senior U.S. District Judge E. Richard Webber had the difficult task of judging the final round, sending Truman High School from the Kansas City Region to the 2017 National Championship.

I have attended several different workshops put on by the Judicial Learning Center and the resources I obtained have been great. Many of my students have a negative view of the judicial system, and I would like for them to see the judicial process in action. When I share what I have observed in the court rooms while at the Courthouse, my students are excited and ask so many insightful questions. — Kristen Wimbley, Teacher, McKinley CLA High School and StreetLaw 2017 attendee
Law Day 2017—The 14th Amendment: Transforming American Democracy

In 1961, Congress passed a joint resolution designating May 1 as the national day set aside to celebrate the rule of law. Law Day underscores how law and the legal process contribute to the freedoms that all Americans share. The District Court’s annual Law Day event for students has been recognized by the American Bar Association as among the best in the country. The events of 2014, 2015, and 2016 were each winners of the ABA’s Outstanding Law Day Activity Award. Though not ultimately a winner, the 2017 event was chosen as a finalist for the award. The schools invited to participate were Northwest Academy of Law, Soldan International Studies High School, and Webster Groves High School. Prior to the event, students worked on lesson plans created by the Missouri Bar and an essay contest addressing the theme “The Fourteenth Amendment: Transforming American Democracy.” On May 2, the students participated in a full day of activities at the courthouse, including a courtroom observation and a simulated courtroom hearing in which students played the roles of judges, attorneys, and witnesses. Chief U.S. Magistrate Judge Nannette A. Baker facilitated the mock hearing. The winners of the essay contest were announced, and on Friday, May 5, the winners and their teachers attended the St. Louis Law Day luncheon at which U.S. Supreme Court Justice Clarence Thomas was the keynote speaker.

A Law Day naturalization ceremony was held in the District Court’s Southeast Division at the Rush H. Limbaugh, Sr. U.S. Courthouse in Cape Girardeau, MO. Eighteen new American citizens took the oath of allegiance. Following the ceremony, the Southeast Division Bench and Bar Seminar was held, offering CLE credit for attorneys.

The Judicial Learning Center

The Judicial Learning Center is both a physical space in the Eagleton Courthouse and an independent non-profit organization dedicated to promoting public understanding of the federal judicial branch. The non-profit organization The Judicial Learning Center, Inc. increased outreach efforts to the local education community through the new Teacher Advisory Council. Eight teachers were selected to serve in an advisory capacity. The first meeting of the advisory council was held in May and the teachers got right to work assisting in the planning of the Summer Teacher Institute.

2017-2019 Members of the Teacher Advisory Council

- Ted Bartelestone, Principia Upper School
- Derek Bridges, Clark Elementary School, Webster Groves School District
- Stephani Durant, Hazelwood West High School, Hazelwood School District
- Dr. Brandon Hentze, Belleville High School West, Belleville Township High School District 201 (Illinois)
- Thomas Johnston, Gateway STEM High School, St. Louis Public Schools
- Tammy O’Connor, Soldan International Studies High School, St. Louis Public Schools
- Lana Ramaine, Northwest High School, Northwest R-1 School District
- Kristen Wimbley, McKinley CLA High School, St. Louis Public Schools

In addition to being one of the sponsoring partners of the StreetLaw Teacher Workshop in St. Louis, the Judicial Learning Center sponsored a local teacher to attend the StreetLaw flagship program in Washington D.C. Mr. Joseph Kibler from Soldan International Studies High School, St. Louis Public Schools, attended with all expenses paid by the organization.

The non-profit continues to support courthouse tours through the very popular Transportation Grant program. Teachers can apply to have the cost of a bus fully or partially paid by the Judicial Learning Center, Inc. This provides much needed assistance and opens the doors of the courthouse to those who might not otherwise be able to visit. In early 2017, the grant program funded busses for all of the Law Day participating schools, North St. Francois County High School, Francis Howell High School, and many others from Missouri and Illinois.

National Civil Education Initiatives

The United States District Court for the Eastern District of Missouri is active in civic education activities beyond the geographic boundaries of the District.

Chief Judge Rodney W. Sippel is chair of the United States Judicial Conference Committee on the Judicial Branch. The Judicial Branch Committee jurisdiction statement includes studying and reporting to the Judicial Conference on the present and future relationships with Congress, the executive branch, media, bar and the general public.

One example of the Committee’s efforts to improve relationships with Members of Congress is the Judicial Branch Committee’s partnership with the Pew Charitable Trust to host the Judicial-Congressional Dialogue Series. The series began in 2014 with the encouragement of Justice Stephen Breyer. Chief Judge Robert A. Katzmann (2nd Circuit) has spearheaded the semi-annual events. In May of 2017 program Professor Mary Clark from the American University Law School and Marcia Coyle from the National Law Journal discussed “The Appointment of the First Women Federal Judges”. Judges from the committee and a number of U.S. Senators, including Senate Judiciary Chair Charles Grassley (IA) and the Ranking Member of the Senate Judiciary Committee Dianne Feinstein (CA) attended.

In March of 2017 Chief Judge Sippel sat as a judge for the finals of the Seigenthaler-Sutherland Cup National First Amendment Moot Court Competition in Washington D.C. The competition hosted by the Newseum Institute and the Columbus School of Law at The Catholic University attracts law schools from across the country.

Moot Court judges: left to right—Judge Jane Branstetter Stranch, 6th Circuit U.S. Court of Appeals; Chief Judge Rodney W. Sippel, U.S. District Court, Eastern District of Missouri; Judge Susan Webber Wright, U.S. District Court, Eastern District of Arkansas; John Garvey, President of The Catholic University of America. Photo courtesy of Tim Lundin, The Newseum

Chief Judge Rodney W. Sippel welcomes attendees at the Judicial-Congressional Dialogue Series while Tamera Luzzatto (Senior Vice President, The Pew Charitable Trusts) looks on.

Education and Outreach coordinator Rachel Marshall is also active with civic education initiatives at the national level. She supports many of the initiatives of the Branch Committee. Ms. Marshall works closely with Ms. Rebecca Fanning of the Administrative Office of the U.S. Courts. Rebecca organizes national civil judiciary education. Rachel’s efforts were highlighted in the March 2017 issue of the “Federal Lawyer”, a publication of the Federal Bar Association.

Community Service in the Eastern District

The Clerk’s Office brightened Valentine’s Day for residents of the Ritz Nursing Home in Alhambra, Illinois—many of whom may not have regular visitors—by crafting and filling 30 holiday-themed gift bags.

In March, staff participated in the St. Patrick Center’s 40 in 40 Housing Challenge. This event seeks to end homelessness for 40 families in 40 days by providing products they will need to start a home. Court staff provided two full ‘move-in-kits’ for this event.

In April, staff donated pet food, blankets, treats, and toys to the Humane Society of Southeast Missouri located in Cape Girardeau. The Humane Society-run shelter relies on donated items to care for animals as they await their forever homes.

For Armed Forces Day in May, the Eastern District’s Community Service Office Outreach Committee designed U.S. District Court t-shirts commemorating service in the armed forces. For a donation, staff were allowed to wear these t-shirts on special service days. Proceeds were donated to the Veterans Administration St. Louis Health Care System and used for the comfort and welfare of local veteran patients at Jefferson Barracks Hospital.
The Eastern District started the Janis C. Good Mental Health Court in 2013. This treatment court addresses the unique needs of individuals diagnosed with serious and persistent mental illness, as well as those with a dual diagnosis of mental illness and substance abuse where the mental illness is the primary barrier. The Janis C. Good Mental Health Court is led by District Judge John A. Ross, Chief Magistrate Judge Nannette Baker, and Magistrate Judge Noelle Collins. They are assisted by staff from the U.S. Probation Office, Federal Public Defender’s Office, U.S. Attorney’s Office, community treatment providers, and the National Alliance of Mental Illness in St. Louis.

Two supervisees graduated from the Janis C. Good Mental Health Court in January 2017, earning early release from supervision. One graduate completed multiple community resource groups— including Redevelopment Opportunities for Women, Smart Recovery, and the Footsteps Program (through NAMI). She also maintained employment, even earning a promotion to a lead position.

The other graduate was on a second period of supervision after having been previously revoked. She participated in Safe Connections, Trauma Changes Things, Narcotics Anonymous, and Redevelopment Opportunities for Women. She was a Narcotics Anonymous meeting leader and now serves as a sponsor for others. She made regular restitution payments. She also enrolled in St. Louis Community College of Forest Park, where she received A’s. She is still enrolled and is working toward a degree in Social Work.

In June, U.S. Probation Office staff arranged for family members to visit their fathers incarcerated at Leavenworth for the 23rd Family Day. The Probation Office chartered a bus, and staff escorted 35 guardians and children for the 23rd Family Day visit. The visit lasted two days—with arts & crafts, food and resource sharing. All expenses were paid by a faith-based organization with no expense for the families.

In April, ten supervisees graduated from Ranken Technical College’s automotive vocational education program. The program consisted of 120 hours of automotive and light-duty repair training. Graduates were also awarded three credit hours towards an automotive degree that may be completed at Ranken Technical College at a later date.
The Eastern District started the Gang Re-entry Initiative Program (Project GRIP) in 2010. To date, it remains the only gang court in the federal system. Project GRIP assists gang-involved individuals by improving their chance of successfully transitioning from incarceration to supervision. This program uses a comprehensive approach that connects individuals with resources, training, and support that will improve their social, educational and vocational abilities. District Judge Henry E. Autrey presides over Project GRIP. He is assisted by staff from the U.S. Attorney’s Office, Federal Public Defender’s Office, U.S. Probation Office, and treatment providers & community partners.

One supervisee graduated from Project GRIP re-entry court in March 2017.

The March graduate first attended Project GRIP sessions while still a Federal Bureau of Prisons inmate while he was at Dismas House in St. Louis for observation. He was a documented member of the Murderville Crips criminal gang. The graduate had a previous unsuccessful federal supervision, but for this period of supervision he made a decision to do things differently. He decided to use the resources and support provided by the Probation Office, joining Project GRIP immediately upon release to supervision.

While on supervision, he attended Project GRIP sessions consistently, where he was a vocal member. He often counseled younger participants, offering guidance and employment assistance when appropriate. He maintained employment, first through a temporary agency working at factories, and later as a home health care assistant working with veterans. Through the latter, he accomplished his goal to work in home health care, maintaining this employment throughout the remainder of his supervision.

The gang court graduate also improved his relationships with family members, including paying all outstanding child support. He and his wife bought a home in St. Louis County, and he adopted his niece and nephew. He remained free of controlled substances, did not recidivate, and completed mental health counseling.

Since ending supervision, he has maintained contact with his Probation Officer. He continues to work in home health care and reside with his family. He has a positive attitude and has had no contact with law enforcement.

The Probation Office provided 27 refurbished computers to offenders and their families. Supervisees are considered for a computer if it will further compliance with the conditions of supervision, aid in a job search, promote graduation from a re-entry court, or generally better their situation. Many are awarded to enrollees in college or vocational school. In addition, supervisees in rural or remote areas may receive a computer to help them remotely complete their GED. Home access to a computer helps supervisees meet educational and employment goals, and also provides access to educational games and activities for children living in the home.

To illustrate the benefits of this program, one current awardee was convicted of illegally possessing a firearm and drug possession with intent to distribute. He is participant in Project GRIP re-entry court. While on supervised release, he has maintained employment, attended counseling, and played an active role in the lives of his children, nieces & nephews. Computer access has assisted him in furthering his employment opportunities. Importantly, it has also let him help his children with their schoolwork, especially a learning-disabled son who he has spent a significant amount of time helping with reading and other homework.
The Eastern District of Missouri’s Sentencing Alternatives Improving Lives (SAIL) program began in March 2015 and is a post-plea, pre-sentence program with the objective of diverting defendants who would otherwise be likely to be sentenced to a term of incarceration from serving any time in prison.

The SAIL program is a partnership between The Court, the Pretrial Services Office, the U.S. Attorney’s Office, and the Federal Public Defender’s Office. The program includes a period of intensive supervision combined with various services to address the theorized root causes of an individual’s criminal conduct. For successful participants, it is theorized to prove more effective than incarceration in decreasing the likelihood of recidivism. To date, there have been 23 participants in the SAIL program.

In 2017, the SAIL Court, along with other pretrial diversion courts in four other districts, entered into an agreement with the John Jay College of Criminal Justice to research and evaluate the impact and effectiveness of pretrial diversion courts in the federal criminal justice system. The study is expected to be complete in July 2018.

In 2017, the U.S. Pretrial Services Office served the community by:

- Organizing and collecting food for the University of Missouri – St. Louis (UMSL) Triton Hunger Relief Program.
- Coordinating the donation of school supplies and holiday gifts for the children of federal defendants and offenders through the Family Program partnership between the U.S. Probation Office and the U.S. Pretrial Services Office.
- The Family Program also hosted several Family Orientation sessions and Table Talk meetings to introduce defendants and their families to federal sentences and assist in the transition from pretrial to post-sentence.
- Organizing the participation on behalf of the Thomas F. Eagleton U.S. Courthouse in the Motion for Kids annual holiday party and gift donations for children whose families have been impacted by the criminal justice system.
The Eastern District of Missouri has implemented a wireless network, using the latest cellular data technology, that is available to attorneys who are members of the federal bar. Our system provides LTE internet access for e-mail and research while in the courtroom and adjacent areas. Users must have a compatible wireless-enabled device and password to connect to court Wi-Fi. Wired connections are available for in-court use only. No transmission of audio or video to a location outside the courtroom is allowed.