

July 2019 Issue

Reviewing January—June 2019 & Looking Ahead at Events to Come in July—December 2019



U.S. District Court— Eastern District of Missouri

Our Mission: To serve the public, bench, and bar in an effective, fair, and impartial manner.

Serving the Citizenry of the United States by

- > Providing justice
- > Educating attorneys
- > Informing the public
- > Supervising & rehabilitating offenders
- > Using resources wisely

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Eastern District of Missouri



Eastern District of Missouri gets new District Judge

On May 22nd, the United States Senate confirmed Stephen R. Clark as a U.S. District Judge in the Eastern District of Missouri. Judge Clark’s confirmation fills one of the two vacant judgeships in the district.

law degree from Saint Louis University and his bachelor’s degree from the University of Notre Dame.

Judge Clark’s former firm, Runnymede Law Group, engaged in business/commercial, employment, & constitutional litigation; appellate practice; and government affairs. Before starting his own law firm, he had an extensive background in federal civil practice. He also served in the Volunteer Lawyers Program for Legal Services of Eastern Missouri and as a municipal prosecutor in Black Jack, Missouri. He earned his



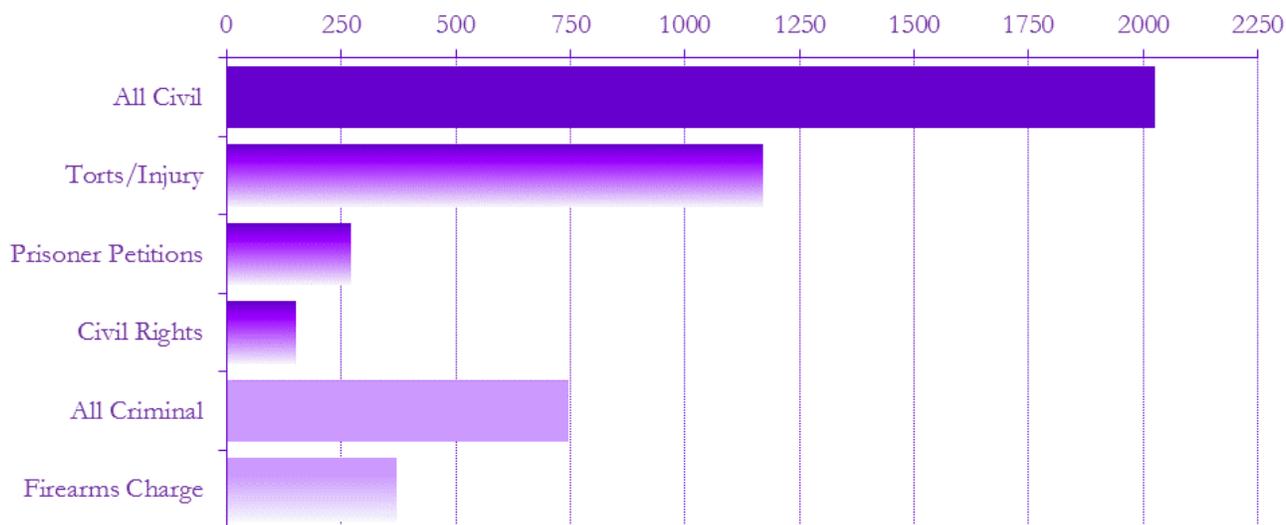
The Honorable Stephen R. Clark

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CASELOAD STATISTICS

January—June 2019



Civil. Filings increased almost 60% during the first six months of 2019, compared to 2018. More than 2,200 civil cases were filed in the Eastern District of Missouri during this period. Torts/personal injury were about 60% of filings. Approximately 15% of petitioners requested a waiver of the filing fee due to inability to pay—mostly in prisoner petitions, civil rights cases and Social Security appeals.

Criminal. The U.S. Attorney’s Office for the Eastern District of Missouri’s Project Safe Neighborhoods initiative to reduce violent crime in St. Louis is ongoing and continues to be reflected in the elevated criminal caseload. More than 630 criminal cases involving 745 defendants were filed in the Eastern District during the first six months of 2019. Filings with a firearms charge as the most serious offense comprised more than 50% of all criminal defendant cases. Illegal drug (27%) and fraud (5%) were the next most commonly charged criminal offenses.

Probation Officers recognized for Distinguished Service

U.S. Attorney Jeffrey B. Jensen of the U.S. Attorney’s Office in the Eastern District of Missouri presented U.S. Probation Officers Marc Pillow (*pictured below*) and Damir Begovic (*not pictured*) with the Distinguished Service Award for their assistance in a case involving the assault of and interference with federal office. The incident occurred at the probation office while United States marshals were taking into custody a person with a long history of violence whose supervision had been revoked and who also had an active warrant.



- contribution by Kenneth R. Fitzgerald

ACCESS TO JUSTICE

Increasing Service to Indigent & Self-Represented Civil Litigants

Eastern District of Missouri Initiatives

The Eastern District of Missouri started several initiatives to provide better assistance to—and improve the understanding of court processes among—indigent and self-represented litigants in civil cases.

To encourage more attorneys to represent these litigants while recognizing the complexity of these cases, the Court increased appointed attorney reimbursement as follows:

- district court case fee: from \$2,500 to \$5,000
- district court case expenses: from \$5,000 to \$10,000 (or more with approval)
- service as limited scope counsel in mediation now eligible for reimbursement in the same way as attorneys in other appointed cases
- bankruptcy case expenses: from \$500 to \$1,000

The Eastern District is partnering

with the Bar Association of Metropolitan St. Louis (BAMSL) to provide guidance to self-represented litigants by reviewing their claim before filing and assisting with completing the Court’s filing forms. BAMSL will recruit and manage a pool of volunteer attorneys.

Interested attorneys can contact the Clerk of Court at greg_linhares@moed.uscourts.gov or at (314) 244-7890

Federal Pro Bono Counsel Training Seminar—April 2019

In April, The Eastern District of Missouri and Federal Practice Committee co-sponsored a free continuing legal education seminar at the Thomas F. Eagleton Courthouse. The seminar addressed pro bono representation at time of initial case filing, during mediation, as appointed counsel in civil cases generally, and the ethics of pro bono representation. Attendees earned up to 4.0 MCLEs.



Eastern District Pro Se Law Clerks
Christine Miller & LeeAnn Zigler

Seminar sessions were:

- Working the Help Desk: Intake, Forms, Logistics
- Pro Bono Limited Scope Representation in a Mediation Setting
- Ethics of Limited Scope Representation
- Appointments 101: I’ve Been Appointed, Now What?

Presenters included Eastern District of Missouri Clerk of Court & Pro Se Law Clerks, a representative of BAMSL and the Missouri Attorney General’s Office, mediators, and private attorneys with pro bono experience.

Forty attorneys attended the seminar. Almost all attendees who completed an evaluation survey rated the overall seminar program as very (80%) or somewhat (15%) useful. No one rated the seminar as not useful. Each individual session



Mediators & Eastern District ADR Advisory Committee members John Grimm (left) & Jim Reeves (center)

was similarly rated. Participants described the seminar as informative and helpful, praising the speakers, and voicing thanks for offer of future mentoring. Attendees expressed interest in learning more about prisoner litigation.

Great CLE. Panel speakers all did a good job. I learned a lot about federal practice.—participant comment

THE HONORABLE CHARLES A. SHAW

Celebrating 25 Years of Service on the Federal Bench



Senior U.S. District Judge Shaw celebrated 25 years of service on the federal bench on January 3, 2019. Judge Shaw was born in Jackson, Tennessee and reared in St. Louis—where he and his wife, Kay, reside. He earned a bachelor's from Harris-Stowe State University and a master's in Business Administration from the University of Missouri-Columbia. Judge Shaw earned his law degree at The Catholic University of America in Washington, D.C. He is admitted to practice in Missouri and the District of Columbia. From 1987 until his elevation to the federal bench in 1993, Judge Shaw was a circuit judge in the 22nd Judicial Circuit of Missouri and was elected Assistant Presiding Judge for the circuit in 1992. Prior to his state judicial service, he was an Assistant United States Attorney from 1980-87, practiced with the St. Louis firm of Lashly & Baer from 1976 -80, and was an enforcement litigation attorney with the National Labor Relations Board in Washington, D.C. from 1974-76.

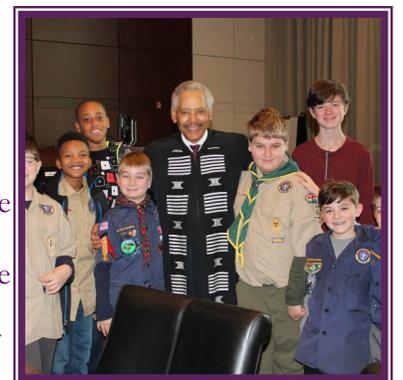
Judge Shaw has served on many boards and committees for various philanthropic organizations as well as bar associations. He is the recipient of numerous awards and honors for his service and accomplishments including Most Distinguished Alumni Achievement Awards from his law school and college. Most recently, Judge Shaw was honored by the Eta Boule Foundation, Inc. with a Eta Boule James L. Usher 2019 Community Service Award (*at right*) at its 'A Salute to Fathers & Mentors: 2019 Benefit Concert to Support Young Black Men'.

Judge Shaw was a featured speaker at Washington University School of Law's program "*Constance Baker Motley: One Woman's Fight for Civil Rights and Equal Justice Under the Law*" held in March. Judge Shaw discussed Judge Motley's life and career, explaining her major role in civil rights era cases before the Supreme Court to demolish Jim Crow and integrate America, and her later distinguished career as the first black female federal judge. He also described how segregation prevented his father-in-law from attending graduate school at the University of Missouri in the 1930s, and noted that the restrictive covenant prohibiting ownership or occupancy of property by African Americans held unconstitutional by the Supreme Court in 1948 in *Shelley v. Kraemer* concerned a house in north St. Louis, two blocks from the one his parents purchased in 1950 where he grew up.



In January, Judge Shaw met with Webelo Scouts from Flynn Park Elementary in University City. He shared his journey to the federal bench and answered their questions about what it's like to be a federal judge and memorable cases he presided over, helping the boys earn Arrow of Light rank.

Judge Shaw poses with Benjamin N. Cardozo Award



- contributions by Susan Heider & Lynn Reid

The Honorable Rodney W. Sippel



Judge Sippel (r) at moot court

National Moot Court. Chief Judge Sippel presided at the finals of the Seigenthaler-Sutherland Cup National First Amendment Moot Court Competition held at the Newseum in Washington D.C.

Justice & Journalism. As Chair of the U.S. Judicial Conference Committee on the Judicial Branch, Judge Sippel also participated in the Justice and Journalism program—hosted by the Judicial Branch Committee and the Freedom Forum Institute—held at the Southern District of Alabama.

BAMSL. Judge Sippel continues to serve on the Executive Committee of The Bar Association of Metropolitan St. Louis.

The Honorable Henry E. Autrey



Off-Site Court Hearing. U.S. District Judge Henry E. Autrey held court at Northwest Academy of Law High School in St. Louis. (*at right*) He, his staff, and several local attorneys provided a real-life experience to the students—holding two motion hearings in the school’s courtroom.

Mock Trial Coach. Judge Autrey also continues to support his alma mater—De Smet Jesuit High School (*below*) , by coaching its mock



trial team.

The Honorable Noelle C. Collins



U.S. Magistrate Judge Noelle C. Collins was appointed by Chief Justice John. G. Roberts, Jr. to the Federal Judicial Center’s Magistrate Judge Education Advisory Committee for a term through April 2022.

The Honorable J.M. Bodenhausen

County Bar. U.S. Magistrate Judge John M. Bodenhausen represented the federal judiciary in the ‘Current Issues in Criminal Law and Law Enforcement’ CLE offered by the St. Louis County Bar Association and hosted by the 21st Judicial Circuit of Missouri. He was a member of a panel that also included state trial and appellate judges.

Veterans Court. Judge Bodenhausen also assumed oversight of the Eastern District’s Veterans Court—which is an intensive supervision program providing services through a partnership with the Department of Veteran Affairs to maximize access to services related to substance abuse, mental & physical health, housing, vocational rehabilitation, and employment.



Free Speech, Free Press, Free Society—Law Day 2019

“Free Speech, Free Press, Free Society” was this year’s Law Day theme—focusing on these cornerstones of



representative government and calling on participants to understand and protect these rights to ensure, as the U.S. Constitution proposes, “the blessings of liberty for ourselves and our posterity”. Belleville East was this year’s participating high school.

Prior to Law Day at the Thomas F. Eagleton Courthouse, Belleville East students participated

in an essay and art contest. Students wrote letters and created art projects to communicate the importance of free speech and free press to American society. Letters were written to welcome new American citizens, and artwork was created to be displayed at naturalization ceremonies. Contest winners were announced by Chief Judge Sippel on Law Day.

Fifty Belleville East students attended the Law Day event. The morning program was an expert panel discussion on Free Speech, Free Press, Law and the Courts. Panelists were Chief District Judge Rodney W. Sippel, St. Louis Post-Dispatch reporter Robert Patrick, Saint Louis University School of Law

Professor Joel Goldstein, and First Assistant U.S. Attorney Carrie Costantin. *(pictured at far left)*

A mock trial, based on a fictional case about how these freedoms applied to student journalists, was held in the afternoon. Students were coached by a law clerk from the Eastern District and an assistant federal public defender. Magistrate Judge Noelle C. Collins presided. *(pictured below)*



Street Law Professional Development for Teachers—2019

In February, 40 teachers from Missouri and Illinois participated in the “Federal Courts and Constitutional Controversies” Street Law Professional Development Workshop held at the Thomas F. Eagleton Courthouse. The fourth annual workshop was jointly



Judge Sippel welcomes attendees

sponsored by the U.S. District Court—Eastern District of Missouri, Judicial Learning Center, Federal Practice Memorial Trust, Missouri Bar Office of Citizenship Education, and Bar Association of Metropolitan St. Louis.

Program learning objectives included participants being able to:

- describe the role of the federal courts in our democracy
- explain key Supreme Court rulings related to the 5th and 8th amendments
- use case studies, moot courts and deliberations to effectively teach constitutional concepts, specific

cases, operations of the U.S. Supreme Court, and controversial issues

Speakers included federal & state judges, staff counsel, law clerks, prosecutors & public defenders, and attorneys in private practice.



Judge Bodenhausen helps participants prepare for moot court

Youth In Government—2019

In March, judges and staff at the Rush Hudson Limbaugh, Sr. U.S. Courthouse in Cape Girardeau hosted the annual Youth in Government program. High school students observed courtroom proceedings and participated in a mock sentencing hearing.



Judge Crites-Leoni addresses students

WLA Law Day—2019

In April, the Court supported the Women Lawyers' Association (WLA) of Greater St. Louis by hosting its Law Day event for 8th graders from Marian Middle School. U.S. District Judge Webber welcomed the young women, giving an overview of the judiciary. Students then discussed court careers with U.S. Magistrate Judge Bodenhansen, a defense attorney & a deputy clerk; toured a courtroom & the Judicial Learning Center; and participated in a lunch time discussion with members of the WLA.



Spring Tours & Events—2019

Spring is a busy time for visitors to the Thomas F. Eagleton Courthouse. In addition to the usual school and community groups, notable visitors in the first half of 2019 included:

⇒ Russian journalists, academics, NGO executives, regional and local government officials, and entrepreneurs traveling as part of the Library of Congress's Open World Program



- ⇒ Taiwanese professors & students group
- ⇒ Representatives from the Kansas courts
- ⇒ U.S. Army Corps of Engineers
- ⇒ 1L law students from St. Louis and Washington universities, and online students from Washington University's LLM program
- ⇒ Missouri's First District Congressional Youth Cabinet
- ⇒ The Bar Association of Metropolitan St. Louis' Young Lawyer Division Trial Institute
- ⇒ Cadette & Junior Girl Scouts and American Heritage Girls badge events
- ⇒ A 3-part series on "U.S. Probation and Positive Change" targeted to seniors and delivered through OASIS St. Louis

Naturalizations—Jan-Jun 2019

During the first half of 2019, the Eastern District hosted 17 naturalization ceremonies swearing in 1,240 new citizens. Services included two at Harris Stowe State University and the annual Flag Day ceremony at the Old Courthouse in downtown St. Louis.



Judge Baker & New Citizen

17th Annual Criminal Justice Act Seminar –2019

“Excellent program! I drove over 100 miles and fought the terrible traffic to be here and it was well worth it. The seminar subjects were very timely & well presented. Thank you!” - 2019 CJA Seminar participant comment

The Honorable



Catherine D. Perry opened the 2019 CJA seminar



The CJA seminar, co-sponsored with the Federal Public Defenders Offices of the Eastern District of Missouri and Southern District of Illinois, was held in May at the Thomas F. Eagleton Courthouse. One hundred and thirty-one attorneys participated in the seminar

Senior U.S. District Judge Catherine D. Perry welcomed attendees. Sessions covered:

- U.S. Supreme Court Term in Review 2018-19
- Professional Duty to Investigate Predicate Offenses
- Easiest Catch: Don't be Another Fish in the Dark 'Net
- Overview of First Step Act
- Ethical Duties of Defense Counsel—A View from the Bench

Almost all Attendees' suggested future seminars include 8th Circuit rulings, white-collar crime issues, prosecutorial ethics, mental health issues in federal court, calculating sentencing guidelines, and online procedural manuals accessed by defendants.



Judges Ross (left), Padmore Mensah (2nd right) & Webber (right)

I learned a lot of information and new law regarding federal practice

Great program again!!!

All speakers very knowledgeable and all topics very relevant.

National Computer Forensics Facility & FPPOA Line Officer Award



Scott Anders—Chief U.S. Probation Officer, Stephen Holmes & Jennifer Morris—FPPAO representative

U.S. Probation Officer Stephen Holmes was instrumental in the creation of the Judiciary's first national computer forensics laboratory, housed at the Thomas F. Eagleton U.S. Courthouse. The laboratory has helped federal probation and pretrial offices from across the country examine electronic devices, including devices in cases involving child pornography, fraud and terrorism.

As a result of his efforts, Stephen Holmes was named 2018 Regional Line Office of the Year by the Federal Probation and Pretrial Officers Association (FPPAO) for his significant contribution to the Federal Probation & Pretrial Services System.

PROBATION OFFICE

Committed to Positive Change, Affording Every Individual an Opportunity to Succeed

Project Home Program Award

Lisa Berry accepted the 2019 Community Development Leadership award on behalf of the Project Home Program. The award was presented by Rebecca Zoll of North County Inc. at its 42nd Annual Leadership Breakfast. The award was given in recognition of Project Home's promotion of home ownership for formerly-incarcerated individuals and their families.

The Eastern District of Missouri started Project Home 12 years ago. The program educates low-income ex-offenders and their families about the possibilities & benefits of homeownership, connects them with the best homeownership resources for their needs, and helps them through the entire home-buying process. Through Project Home, the Probation Office and its partners (Prosperity Connection, Beyond Housing, Coldwell Banker Gundaker, and U.S. Bank) have helped 75 individuals and families improve their credit; obtain down payment assistance; and secure low-cost, reputable mortgage loans. *- contribution by Lisa Berry*

Veterans Court

The Eastern District of Missouri's Veterans Court is now located in the Eastern Division and presided over by U.S. Magistrate Judge John M. Bodenhausen. In March 2019, Probation Officer Jason Kang presented a laptop to Veterans Court participant Jason Gunnell as U.S. Magistrate Judge Bodenhausen looks on. *(pictured at right)*



Officer Activities outside District

Eastern District of Missouri probation officers contribute their time & talent outside of district.

- ⇒ Scott Anders: Federal Judicial Center's Education Committee for Probation and Pretrial Services
- ⇒ Thomas Bauer: National Information Standards Working Group
- ⇒ Lisa Berry: Temporary Duty Assignment (TDY) —District of Alaska
- ⇒ Rebecca Biermann: Remote Com National working group
- ⇒ Todd Colegrove: FJC's Planning Committee for 'Guide to New Officer In-District Training'
- ⇒ Richard Dudley: Administrative Office (AO) of the U.S. Courts' Focus Group studying supervision practices for sex trafficking defendants
- ⇒ Timothy Goehring: district review in Middle District of North Carolina
- ⇒ Brandy Harmon; Ryan Farrell; & Clark Porter: Cognitive Skills class, Greenville Prison
- ⇒ Theron Jackson: AO's automated narrative extraction & timeline development project
- ⇒ Monica Mannino: National Probation and Pretrial Wellness Committee; FJC's Resilience and Work Load Management Working Group; Mental Health First Aid Certified Instructor
- ⇒ Lori Meyer: national working group on child pornography offenders (CPORT)
- ⇒ Jennifer Parker: pre-review for the District of Colorado
- ⇒ John Ross: Federal Bureau of Prisons' User Acceptance Testing team
- ⇒ Toni Smith: TDY—national trainer for Criminogenic Needs and Violence Curriculum (CNVC)
- ⇒ Michael Schmidt: Federal Law Enforcement Training Centers detail
- ⇒ Lisa White: district review in District of Alabama; Family Day, Leavenworth
- ⇒ Ryan Wilke: provided financial training to Western District of Arkansas
- ⇒ Nicole Vernier-Gelven: TDY—CNVC project; district review in District of Columbia

PROBATION OFFICE

Committed to Positive Change, Affording Every Individual an Opportunity to Succeed

In April 2019, the Eastern District of Missouri partnered with Saint Louis University, the Missouri Department of Corrections- Division of Probation and Parole, and the United States Attorney’s Office to host an Ex-offender Job Fair at Chaifetz Arena in Saint Louis. Nearly 80 employers and over 20



community resource agencies were there to greet, interview, and possibly hire over 500 eager returning citizens that participated. Many of the participants attended job readiness, Dress for Success classes, and an on-site

The day started off with a welcoming address from Chief

Fair. They have returned based on the quality of the candidates, who participated in the 2018 job fair. These employers were eager to hire from this population again. Construction companies, area restaurants, and hotels were a few of the business that wanted to experience this unique job fair.

The Eastern District of Missouri Workforce Development Team is hopeful that many of clients who have participated were able to ob-

tained jobs and careers through this collaborative effort. The Workforce Development Team believes that Second Chances and “First Steps” are needed for our men and women to become success-

ful and productive in today’s ever changing society. The

Ex-Offender Job Fair 2019

Judge Rodney W. Sippel and City of Saint Louis Mayor Lyda Krewson. Chief United States Probation Officer Scott Anders, and Mrs. Anne Precythe, Director of Missouri Department of Corrections personally thanked the employers and community resource providers for their participation. Additionally, the City of Saint Louis Prosecutor’s Office and the United States Attorney’s Office welcomed all the volunteers and staff at the Chaifetz Arena.

For many of the employers, this was their second Ex- offender Job



prep session before meeting with employers.



Eastern District of Missouri looks forward to next year and expects the job fair will continue to grow.

- contribution by Jo Cooper & Quincy Foutain

PRETRIAL SERVICES

Exemplifying the Highest Ideals & Standards in Community Corrections

In fiscal year 2018, pretrial case activations in the Eastern District of Missouri increased to 1,538 from 1,025 in 2017. The Pretrial Services Office’s detention rate also increased to 70% from 61.5% in 2017.* Despite this increase, our detention rate remains lower than the national average of 74%.

In fiscal year 2018, the Pretrial Services Office interviewed 611 defendants who were charged with a firearms offenses, accounting for approximately 40% of cases interviewed in the Eastern District. According to the Pretrial Risk Assessment (PTRA), 84% of these activations were higher risk cases, with only 16% being low risk. The Eastern District of Missouri’s number of activations with a firearms offense is higher than any other district, with the second highest having 374 firearms cases.

The Pretrial Services Office activated 26 pretrial diversion cases in fiscal year 2018 and collected \$516,962 in restitution payments. Restitution is distributed back victims who sustained financial losses as a result of the divertees’ criminal conduct.

In fiscal year 2018, 40% of new supervision cases in the Eastern District of Missouri were classified (by PTRA) as higher risk because of increased associated risks, supervision requirements and necessary services. In addition, 32 new sex offense cases, which typically score lower in risk assessment, required more intensive supervision due to the corresponding risk associated with the alleged offense. Nationally, the Eastern District of Missouri activated the third highest number of sex offense cases. Substance abuse and mental health treatment continue to be the most

essential needs for defendants under pretrial supervision. In fiscal year 2018, the Pretrial Services Office spent \$317,549 in treatment services, of which \$93,768 was allocated to location monitoring.

Thirty-one defendants have participated in the SAIL diversion program, with 12 graduates and 8 unsuccessful discharges. SAIL has produced \$1.4 million in savings for the cost of incarceration.

- contribution by Katie Stephens

SAIL Program Staff & Participants



Diversion & Treatment Opportunities

Sentencing Alternatives Improving Lives	To date—31 participants with 12 graduates; estimated \$1.4 mil savings in avoided imprisonment costs
Pretrial Diversion w/ US Attorney’s Office	In fiscal 2018—26 new diversion cases; ~\$517k collected in restitution
Moral Reconation Therapy	In-house cognitive-behavioral therapy w/ estimated \$105k savings in treatment costs since February 2013

* The Pretrial Services Office in the Eastern District of Missouri investigates supervised release violators; therefore, the published detention rates have been controlled for detained supervised release violators to allow for more accurate statistical comparison with other districts that do not investigate supervised release violators.

Clerk's Office Update

Court Staff Perform Community Service

Court staff contributed staff time, talent and money to:

- Almost Home—Mother's Day Gift Bags for young mothers taking a transformational journey to becoming self-sufficient, independent, confident and empowered.
- Kingdom House: helping those who are disadvantaged achieve a path out of poverty—landscaping & sorting donations
- Garden Palace Reflections—Valentine's Day gift bags for residents who may not receive regular visitors
- Operation Brightside: Flowers for Downtown—helping plant flowers along Market Street and Tucker Boulevard in conjunction with the City of St. Louis Park Division.
- Fallen Hero Run and Breakfast—a fundraiser for families of law enforcement officers killed in the line of duty
- Red Cross Blood Drive—sponsored by the Court and held at the Thomas F. Eagleton U.S. Courthouse



District Court Information

The Honorable
Rodney W. Sippel,
Chief Judge

Gregory J. Linhares
Clerk of Court

Scott A. Anders
Chief Probation Officer

Mark M. Reichert
Chief Pretrial Services
Officer



Eastern District Court Locations

Thomas F. Eagleton
U.S. Courthouse
111 South 10th Street
St. Louis, MO 63102
314-244-7900

Rush Hudson
Limbaugh, Sr.
U.S. Courthouse
555 Independence St
Cape Girardeau, MO 63703
573-331-8800

Hannibal Federal Bldg
801 Broadway
Hannibal, MO 63401

The Everyday Leadership Program (ELP)—open to staff from the Eastern & Western Districts of Missouri and Nebraska—prepares staff to take a leadership role in their current position and develops them for future opportunities. The program strengthens skills in communication, court system awareness, integrity & trust, interpersonal savvy, project management, problem solving, self-development, and teamwork & collaboration.



GRADUATES!

ELP graduates (L to R) John Bernsen, Kevin Nelson, Melissa Cosgrove, Clark Porter, and Jessica Carter