



Automated Court System Leads to Prosecutor's Office Changes

The City Prosecutor's Office has moved to full time staffing. Since 1976, the courtroom prosecution staff has been staffed primarily by part-time employees. Jack Schrimsher, a former City Prosecutor who retired as an Assistant City Attorney in 2003, implemented the part-time plan to meet the demands of covering eight divisions of municipal court with a full-time staff of only three attorneys. Many a new law school graduate got a start in private practice with the financial support of a flexible and "steady" client.

The Municipal Court began its complete overhaul last year on how it handles its cases. A new case management system developed by the Regional Justice Information Service (REJIS) was purchased to replace the old ALERT system developed by KCPD that had been in use throughout this region since the late 1970's. When the REJIS system was introduced, we found that we had to revise and adapt many of our old ways of doing business in the Prosecutor's Office.

"The part-time staffing model worked well for many years, but doesn't meet the needs of this Office as we integrate into an automated court system," City Prosecutor Lowell Gard said. In addition, a report by the Missouri Association of Prosecuting Attorneys (MAPA) regarding best prosecutorial practices supports this change. The report emphasizes that a full-time staff is generally the best practice for a large metropolitan area, such as Kansas City.

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Litigation Unit Secures Victory for City

The Litigation Unit recently successfully defended the City in an auto versus pedestrian accident that occurred on the Country Club Plaza in 2002. Plaintiffs, a family of three, were crossing a four-lane intersection in a designated crosswalk when they were struck by a vehicle, whose driver claimed not to see them.

Plaintiffs brought suit claiming that the driver was negligent in the operation of his motor vehicle and that the City knew of the dangerous intersection for forty years and failed to remedy or warn of the dangerous condition. Holly Dodge and Doug McMillan represented the City and claimed that the crosswalk was not dangerous and that the accident was caused by the negligence of the driver and plaintiffs.

At trial, Plaintiffs sought \$600,000.00, including \$206,000.00 in medical expenses for injuries to one of the three. The jury found plaintiffs to be 35% at fault, the driver to be 65% at fault and the City to be 0% at fault. Total damages awarded to the Plaintiffs were \$625,000.00.

The trial lasted four days, and was held before Judge Brian C. Wimes, Division 18.

Word on the Street

• **Stacy Perry** celebrated her thirtieth anniversary as a City employee. Stacy began in 1981 as a Secretary in the Law Department. She had a brief stint in the Water Services Department, but returned in 1985 following the acquisition of computers for the Law Department office staff. Stacy quickly learned the cutting edge DOS-based computer system and discontinued typing on an electric typewriter with many sheets of paper and carbons. Stacy is second in seniority in the office, after Bill Geary (32 years). Congratulations to Stacy on thirty years of public service!

• The Law Department welcomes new Assistant City Attorney **Corey Carter**. Corey received both his undergraduate and law degrees from the University of Missouri, Columbia. (Go Tigers!) Corey has previously worked at the Clay County Prosecutor's Office and the Cole County Prosecutor's Office and is now putting his courtroom skills to work as a member of our Litigation Unit. Corey is located on the 9th floor.

• Welcome back to **Christina Jim**! Christina returned to the Law Department on May 1st, after working in the Mayor's Office. Christina is a legal secretary, located on the west side of the 27th floor, and provides assistance to 4 attorneys.

• Congratulations to **Leah Skender** who was promoted to the position of Legal Investigator in the Prosecutor's Office. Leah has been a member of the Law Department since March, 2007, and was previously a Legal Secretary.

See more **Word on the Street** on page 2

Food Drive Successful

This summer, the City Attorney's Office participated in the "Food from the Bar" food drive, a four week effort among law firms and legal offices to raise money and donate food for our local food banks.

Did you know that thirty-six percent of emergency food recipients have to choose between paying for food and paying for medicine or medical care? Our office donated 80 pounds of food plus \$100 which translates to 562 meals.

Harvesters sent the office a letter stating that our "generosity and support has made a lasting difference in the lives of families, seniors and children in our community."

The "Food from the Bar" food drive was organized by the Association for Women Lawyers and the Kansas Women Attorneys Association. Thanks to Beth Murano and Kendrea White who coordinated the City Attorney's Office participation.



Diversion Program Established

The Kansas City, Missouri Prosecutor's Office, a division of the Law Department, recently established a Diversion Program for eligible first-time offenders of non-violent ordinance violations. If the offender successfully completes the Diversion Program comprised of offense-tailored counsel and education services, the case will be dismissed.

Developed by City Prosecutor Lowell Gard and First Assistant City Prosecutor Megan Pfannenstiel, the Diversion Program is expected to have a significant impact reducing recidivism and a positive effect on participants' lives.

The Diversion Program focuses on first-

time offenders because "They are the most likely to respond favorably to education and guidance," explained Gard. "We hope we will never see them in court again," he added. The Diversion program will not only give offenders a

"(First-time Offenders) are the most likely to respond favorably to education and guidance."

second chance to keep and hold a clean record, Gard explained, it is expected to free up more time for Municipal Court judges to focus on the problems created by repeat offenders.

Defendants who apply for the Diversion Program must be represented by an attorney and admit guilt prior to program admission. Most traffic offenders are not eligible. A defendant who does not complete the program will return to court for sentencing by a Municipal Court judge.

Word on the Street (cont.)

- **Beth Murano** received a resolution from the Missouri House of Representatives in recognition of her many accomplishments as City Prosecutor. House Resolution No. 413 was adopted by the Missouri House of Representatives on February 7, 2011.

- **Brittany Petonke** returned to the Law Department on July 5th from Regulated Industries. Brittany is a Social Service Supervisor for the Domes-



tic Violence Division. Brittany was previously a Social Service Worker with the Law Department.

- Promoted to the position of Senior Social Service Worker in the Domestic Violence Division on July 3rd was **Lindsey Arbuthnot**. Lindsey was previously a Legal Investigator for the Neighborhood Prosecution Grant.

Prosecutor's Office

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One of the biggest improvements to the system is the dramatic increase in information available to court personnel. "As it is now, prosecutors don't know what's on the docket until they arrive in court," First Assistant City Prosecutor Megan Pfannenstiel said. The adoption of the new case management system will change that. In addition to the case management software (called *IMDSPlus*), prosecutors will utilize another REJIS program known as *LEWeb*, software that allows users to view DOR drivers' license photos, MULES, and NCIC online. "When the REJIS system 'goes live' on August 29, we'll have at our fingertips all of the information we've been lacking. Police reports, driving records, witness information, and conviction histories were often difficult to get or incomplete", Pfannenstiel said. "We'll no longer have to rely on defense attorneys to supply information to us in the courtroom." Prosecutors will have the ability to do more work on cases outside of court. "Plea negotiations will no longer have to be handled in the court-

room, because we'll have electronic access to the ticket right in our offices."

The new full-time assistant city prosecutors are: Holly Dodge, Laura Dold, Kendrea White, Sara Juarez, Courtney Wachal, Vic Peters, Linda Miller, and Keith Ludwig. Holly transferred from the Litigation Department. She was an Assistant Prosecutor in Colorado and one of our Domestic Violence prosecutors before moving to Litigation about a year ago. Laura Dold had been one of our part-time Assistant City Prosecutors while maintaining a private practice for about five years. Kendrea White is also a former part-time Assistant City Prosecutor. Sara Juarez comes to us with her years of experience as a Legal Aid of Western Missouri defense attorney in Municipal Court. Courtney Wachal was a senior attorney on the staff of the Clay County Public De-



Pictured from left (back): Linda, Vic, Courtney, Keith, Sara (front): Kendrea, Holly, Laura

fender's office. Vic Peters is a former elected Platte County Prosecutor and leaves his private practice to join the City Prosecutor's staff. Linda Miller and Keith Ludwig are both former part-time KCMO Assistant City Prosecutors who have many years of experience with our office in addition to their private practices.

Sendejas Travelled for Rotary Trip to France



Assistant City Attorney Jesse Sendejas was chosen by the Kansas City Plaza Rotary Club from 10 applicants to participate as part of a Rotary International Group Study Exchange team with a Rotary District in France, from March 21 through April 21, 2011.

Four young professionals, 25 to 40 years old, from within Missouri Rotary District

6040 were then chosen for the team from among the nominees submitted by the District's 54 Rotary clubs, including the Plaza Rotary Club. They spent four weeks in a Rotary District in southern France on the French Riviera. Team members were hosted by Rotarians in the French cities and spent time with persons in similar vocations, as well as visited cultural and tourist sites.

The team started its tour in Nice for a week and spent 14 – 18 hour days traveling to meetings with businesses, making presentations to French Rotary Clubs, touring historic sites and learning French culture. The exchange continued to Menton, Monaco/Beausoleil, St Jean Cap Ferrat, Vence/Grasse, Toulon and Hyères.

Sendejas focused on the French justice system and explained that, unlike the United States common law basis, French law is based on the Napoleonic Code. Commercial law is separate from other

civil law matters, she explained. "My experiences with this different culture of people and being submerged in that lifestyle for an extended period changed me as a person and gave me a different outlook on the defendants in my cases," said Sendejas.

Cassy D. Venters, a long-time member of the Kansas City Plaza Rotary Club, was the team leader. "This exchange will provide a vocational and cultural experience for young persons in the early years of their professional careers," Ms. Venters said. "They are sure to form friendships with the young French professionals they meet. It's a life-changing experience for everyone."

The exchange program is sponsored by Rotary International, a worldwide service organization with over 1.2 million members, and by the 54 Rotary clubs in northern Missouri. It is funded by The Rotary Foundation. Sendejas was recruited to apply for the exchange program by the Honorable Jerry Venters of the United States Bankruptcy Court, Western Missouri.



ATTORNEY & STAFF SPOTLIGHT



Bill Geary **Deputy City Attorney**

Time with the Law Department:

32 years (Aug. 20, 1979 – one week after being discharged from the Navy) [Jimmy Carter was president; the Royals hadn't been to the World Series yet; *The Empire Strikes Back* and *Return of the Jedi* hadn't been released; I weighed 150 pounds; John Lennon was still alive; President Obama and Sarah Palin were still teenagers; some of the lawyers on the staff had yet to be born]

Noteworthy Accomplishments:

Designated by the International Municipal Lawyers Association (IMLA) as a Local Government Fellow since 2001.

Job Duties:

Mostly “miscellaneous, as assigned”

Originally From:

North Kansas City

First Job:

North Kansas City Municipal Swimming Pool

Activities/Hobbies:

Grandchildren, reading, woodworking, bicycling (recently taken up), sports (watcher not a doer anymore)

Office Location:

28th Floor, City Hall

Lorene Osterhaus **Paralegal**

Time with the Law Department:

5 years as of May 1

Time with the City and other Departments:

Same / None

Job Duties:

Primarily requesting and digesting records.

Originally From:

Born in Clay Center, KS, moving 12 times, 9 cities, 6 states before graduating high school, including KCMO. But, if I had to say where I was originally from it would be: St. Marys, KS.

First Job:

High School- Nurse's Aide. (Babysitting families with eight and nine ornery boys before that).

Activities/Hobbies:

Give me a warm, ocean beach and I would probably forget about everything but reading, friends and family activities. Currently: Hanging out with, shopping with and road trips with friends and family. Reading, gardening, gym workouts, HGTV, museums, swimming. 10K walks w/ Volkspoint group. K-State activities and Steelers games with hubby and friends. I haven't quilted and sewed in awhile but my kids and friends make sure the machine stays oiled up darned jeans and mending.

Office Location:

9th Floor, City Hall

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