



LEGAL BEAGLE



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President's Message

Happy New Year! Hopefully, you will find valuable information in this issue of the Beagle. In this issue you will find items regarding new judges, retirements, deaths, and announcement of a new location for the Steak Fry! If you have news of interest to the Bar, such as office moves, new hires, deaths, etc., you may send notices and announcement to me or directly to Bill Piedimonte via e-mail or telephone.

Randall Cain
President

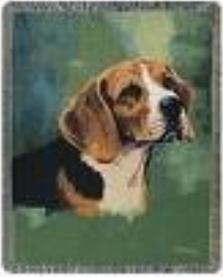
Reminder of Coming Events

February 28, 2014 - Luncheon at Monetti's in Lee's Summit. Our speakers will include several of the recently appointed Jackson County Judges. We anticipate receiving an hour of CLE credit for this luncheon.

March 28, 2014 - Luncheon at Carrabas

April 18, 2014 - CLE at Drumm Farm

May 2, 2014 - Annual Steak Fry at Rhapsody in Independence ***New Location!***



Register Online

You can now register for an event online at the bar website, www.ejcba.com,

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william.d.piedimonte@piedimontelaw.com

Courthouse Happenings

EJCBA's own Scott Manuel has been appointed as Deputy Probate Commissioner for the 16th Circuit. Scott practiced law at Humphrey, Farrington and McClain for 24 years, and is a recent past president of the EJCBA.

Jalilah Otto has been appointed as Associate Circuit Judge by Governor Nixon to fill the vacancy left by the appointment of the Honorable Kenneth R. Garrett III to the Circuit Bench. Judge Otto was an assistant prosecuting attorney in Jackson County from 2005 to 2010, when she joined to U.S. Attorney's office as a Special Assistant.

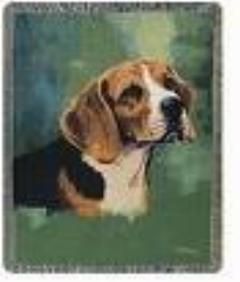
Governor Nixon also announced the appointment of Deputy Probate Commissioner S. Margene Burnett as circuit judge in Division 7, a position which became open upon the retirement of the Honorable Ann Mesle. Commissioner Burnett has been on the probate bench in Jackson County for 10 years, having been first appointed in 2003 and then re-appointed twice by the Probate Judge. She was president of the Missouri Association of Probate and Associate Circuit Judges for 2011-2012.

The EJCBA congratulates each of these three outstanding choices, and looks forward to a long and productive association in their courtrooms.

Also, in further news, Bob Welch is the new Prosecuting Attorney in Jackson County Municipal Court, Division 301.

Financial Report

Our balance at the present time is \$9,350.00. Our balance continues to be somewhat lower than usual due to several factors, including increased expenses for the Golf Tournament and the Steak Fry, and the fact that we usually lose a little bit on lunches. On the bright side, renewals have been pouring in, and we're hoping that will continue to the point that we don't have to look at increasing costs for attending some events.



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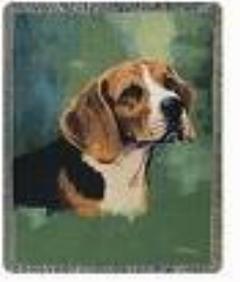
william.d.piedimonte@piedimontelaw.com

Announcements

- Richard Koury has decided to retire after 40 honorable years in practice. Rich served as President of the EJCBA from 1981 to 1982, and is a Vietnam veteran who served as a combat infantryman for two years, and has some health issues as a result of exposure to Agent Orange. His office building, across the street from the court house, is for sale, and his intention is to refer his law practice to the lawyer or firm that buys the building. As soon as his existing cases are concluded Rich plans to enjoy life, hunt and fish, and spend time at his Florida home. You can keep up with him if you want to at his website, www.kouryinvestments.com. Rich was a strong and highly valued member of the EJCBA community for many years, and we all wish him well.
- Office space is available at the Truman Law Building, conveniently located just off I-70 near Noland Road. Interested parties should contact longtime EJCBA member Bob Knapp at 373-3798.
- Another longtime EJCBA member, and editor of this newsletter, Bill Piedimonte also has office space available in his building directly across the street from the court house annex. This furnished suite is available for either a long term lease, or as a convenient short-term trial suite boasting such close proximity to the court house. You can see the space at 317 W. Kansas, or call Bill at 816-836-8900 for more information.
- Effective January 1, 2014, the Law Office of James H. Young and Associates, LLC, has become the Law Office of Young, Jakobe & Kuhl, LLC. The firm is located at 3300 NE Ralph Powell Rd. In Lee's Summit, and is dedicated to the practice of family law.
- Walther "Bud" Roher passed away January 7, 2014. Bud was a graduate of Raytown High School and Rockhurst College, and UMKC Law School in 1982. The EJCBA family extends our condolences to his wife Beth and to the rest of their family.

NEW LOCATION FOR STEAK FRY!

The Board has decided to try a new location for the ever-popular Steak Fry, which is scheduled for May 2. Although Mike Onka hall is a great spot for the event for many reasons, the acoustics have always been a big problem. So, we have decided to try Rhapsody, at 2322 E. RD Mize Rd, Independence (across the street from the old MCI Hospital). More details will be forthcoming.



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News You Can Use

A new case comes in your door, in the form of the daughter of a long-time client. She lives in Johnson County Kansas, but was on the way to visit her parents in Eastern Jackson County when a negligent driver runs a red light and causes her serious injury. The medical bills alone exceed \$300,000.00.

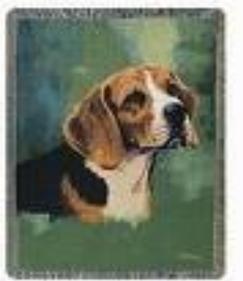
You learn the driver only has \$25,000.00 of coverage, but also determine that she has \$100,000.00 in Underinsured Motorist Coverage under her Kansas automobile policy. You collect the \$25,000.00, and are careful to insist that the release not be “global” so as not to impair any other possible claims. You then present the UIM claim to her carrier under her Kansas policy. Congratulation...you just committed a slam-dunk act of mal-practice, and cost yourself a substantial fee in the process.

Kansas has a nasty trap for the unwary practitioner. Section 40-284 K.S.A. contains a requirement that as a **mandatory** precedent to the presentation of any UIM claim, certified mail notice must be sent to the UIM carrier before final settlement with the tortfeasor. There is no discretion, and no relief available to for any claim of ignorance, excusable neglect, or “lack of prejudice.” If you don’t comply, you have destroyed the UIM claim has a matter of law.

I wanted to bring this to everyone’s attention, because it is a trap that is as nasty as it is obscure. Kansas UIM law is very different than Missouri’s, and is not friendly to consumers.

Membership Renewal

As many of you know, we have decided to change our membership term to a calendar year basis. Thus, renewals are now due. Applications are available on the EJCBA website, and membership fees may be paid online or mailed to Executive Secretary Paige Waits. If you’re not sure if you’re current or not, I’ve included an alphabetized membership list on page 5 for your convenience.



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