

State of the Judiciary

Chief Justice Richard B. Teitelman, Missouri Supreme Court

Message to the Missouri Legislature

January 23, 2013, in Jefferson City, Missouri

Mr. Speaker, Mr. President, Mr. President Pro Tem, members of the General Assembly: Thank you for welcoming me here again this morning. I am humbled to stand before you today to deliver this 40th state of the judiciary address.

Before I begin, let's take a moment of silence to remember the great Stan "the Man" Musial, who not only was a great baseball player but also a humanitarian who treated everyone with graciousness and dignity.

I congratulate all of you – and especially the new legislators coming to Jefferson City for their first session – for your commitment to serving your fellow citizens. I want to offer particular congratulations to your new leaders: in the House, Speaker Tim Jones; Speaker Pro Tem Jason Smith; and Majority Floor Leader John Diehl; and in the Senate, President Pro Tem Tom Dempsey; and Majority Floor Leader Ron Richard.

I was struck by something President Pro Tem Dempsey said on the opening day of the legislative session. He observed that this remarkable state truly has been "the land of opportunity for so many." Like Sen. Dempsey, I too see Missouri as a land of opportunity, where people reach out to others and help them succeed.

I know my colleagues on the Supreme Court share my sentiments. Let me introduce success stories in their own right: Judges Mary Russell, Patty Breckenridge and Zel Fischer, all of whom practiced law in small firms in rural Missouri communities; Judge George Draper III, whose father – while serving as an assistant attorney general in the 1960s under Tom Eagleton – was refused service at restaurants here in Jefferson City; and Judge Laura Denvir Stith and our newest addition, Jefferson City native Judge Paul Wilson, both of whom learned the importance of public service at an early age from parents who were community leaders.

I remain grateful to have the opportunity to serve with such wonderful people who are so dedicated to serving the constitution and the people of Missouri.

Monday, as we celebrated the birth of Dr. Martin Luther King Jr., I thought of success stories here in Missouri. Stories like those beginning in 1920 with the election of Republican Rep. Walthall Moore and continuing through the 1960s with Sen. Theodore McNeal, Rep. DeVerne Calloway, Rep. Leon Jordan and Rep. Harold Holiday Sr.; through the 1970s with Rep. Orchid Jordan and Sen. Gwen Giles; and into the 1980s with Sen. Lee Vertis Swinton – men and women who, across generations, cast their votes in this great institution as Missouri's first black legislators.

I also thought about Lloyd Gaines and Lucile Bluford, both of whom sought in the 1930s to become students at the University of Missouri. Their struggles helped lead to opportunities. In just the past decade, the university's enrollment of African-Americans alone has increased by more than 80 percent, and now, nearly 20 percent of the university's freshmen are minorities.

Truly, opportunities for success abound in Missouri. One more recent success story is that of Alice Conway, assistant general counsel at Monsanto.

She is remarkable for her educational achievements – she earned her Ph.D. in comparative literature at the same time as she earned her law degree from Washington University in St. Louis, she is a mezzosoprano who has studied at Julliard; and she has studied not only English but also French, German, Latin and Spanish literature.

She is all the more remarkable because she did all this reading in Braille, as she has been blind since infancy. Her mother translated many of her reading materials into Braille by hand.

Alice now manages commercial and employment law issues for Monsanto.

We in the judiciary are doing what we can to create more opportunities for people in Missouri to gain access to our courts. Thanks largely to grant funding, we are providing interpreters as needed in all criminal, family, domestic and juvenile cases, and we now have a dedicated language-access point of contact for every county in the state.

At the Supreme Court, we are working to provide closed-captioning services for the oral arguments we stream online, and we will be providing informational brochures in Braille and audio files for the blind.

The judiciary's educational efforts are expanding statewide. We continue to welcome thousands of your constituents as visitors touring our beautiful Supreme Court Building. And we now have more than 125 individuals – business and civic leaders, teachers, lawyers, court staff, judges and others – volunteering their time to help educate our citizens about the role Missouri's courts serve in our outstanding system of government as well as the importance of the constitution and the laws.

One example of a local community coming together to get young people excited about these important issues is Houston, Texas – Missouri, that is. Former legislator and now Associate Circuit Judge Doug Gaston has engaged local leaders and high school students together in a "Constitution Project."

Much like we all have to work together, he has worked with the local police department, sheriff's office, newspapers, radio stations, lawyers, and, of course, school administrators and teachers to provide legal experience.

During this constitution project, students from four Texas County high schools spent part of their fall semester participating in a mock criminal case. Some students investigated

the crime scene and analyzed the evidence, others reported in the local newspaper and radio stations about the progress of the investigation and case, and the rest served as prosecution and defense attorneys. The project helped them see first-hand how so many facets of our constitutional system of government work together.

Winners were chosen at the school and county level and awarded scholarships. Along with Judge Gaston and some of the local leaders who made the constitution project possible, we have several of the winners here with us today: county winners Brittany Scott and Nathan Poynter, both of Houston High School; and Houston High School winner Dusti Turner. Let's recognize them for their wonderful efforts.

This constitution project has been such a success that the members of the Supreme Court Committee on Civic Education – in partnership with the Missouri Highway Patrol, the Missouri Press Association, the Missouri Broadcasters Association and The Missouri Bar – hope to bring it to other local communities, eventually having a statewide competition.

As another statewide effort, the courts continue to try to make it easier and more affordable for people to file cases. The Supreme Court, all three districts of the court of appeals, and the circuit courts in Callaway and St. Charles counties are up and running in the Missouri eFiling System, and an additional 25 county circuit courts plan to join the eFiling System this year.

Although Judge Ray Price Jr. left the Court last summer to return to private practice, his legacy remains. Thanks largely to his commitment to being “smart,” and not just “tough,” about the way we deal with those in the criminal justice system, we now have treatment court divisions serving all but two of our 45 judicial circuits.

With a graduation rate exceeding 50 percent, Missouri now has more than 12,000 graduates who successfully have completed treatment court programs. In addition, nearly 600 drug-free babies have been born to treatment court participants.

One drug court graduate has received national recognition: Josh Palmer of Malden was featured in a nationwide meth-prevention media campaign sponsored by the Office of National Drug Control Policy. Josh's first encounter with meth at 17 spiraled into a full-blown addiction that eventually cost him his job, his house and the trust of his family. Through the drug court program in Dunklin County, Josh was able to beat his addiction and turn his life around. He now lives with his wife and children and works as a substance abuse counselor for youth in Hayti. Josh, will you please stand and be recognized?

Missouri's treatment courts are celebrating their 20th anniversary this year. One of the reasons we have drug courts in Missouri is because of the leadership of Albert Riederer – a former court of appeals judge and three-term Jackson County prosecutor – who died Dec. 27 after a courageous battle with cancer. While he was prosecutor, Albert spearheaded the effort to fund a drug court in Kansas City that was just the second in the country. One of his partners in this effort – Jim Nunnally, former administrator of the

Jackson County “COMBAT” program to help fight drug abuse and drug-related crime – was honored earlier this month for his contribution to the development of the Jackson County drug court.

We appreciate everything that people like Albert and Jim have done for their community, their state and, indeed, the nation – as Missouri has become a national leader in drug courts. It has three “mentor courts” established as educational training sites for other drug courts throughout the country. And last fall, Jackson County’s family drug court received a national award of excellence for being one of just five peer learning courts.

Because it brings positive change to Missourians and their communities, this model of providing treatment to certain nonviolent criminal offenders has moved beyond just drug courts. In 2010, your legislation made Missouri one of the first states in the nation to establish DWI courts.

And we now have three regional treatment courts serving the unique needs of our military veterans. One success story is Kennedy, who served in the Army in the 1980s and who, a decade later, fell into drug and alcohol abuse, leading to multiple arrests. Kennedy graduated from the St. Louis veterans treatment court this past September and now coordinates a computer clinic to help others in that program learn basic computer skills. The treatment court was his key to freedom from addiction and crime. Let’s salute Kennedy, who is here with us today.

We also want to thank you in the legislative branch and those in the executive branch for working with the judiciary during the last year to implement meaningful reforms that make sentencing for nonviolent offenders more effective and our state safer.

We too can create amazing opportunities when we strive to follow the example of cooperation among the branches of government set by civic leaders such as Albert Riederer and our own longtime Supreme Court clerk, Tom Simon, who also died late last year.

These leaders, and so many more like them in Missouri, embody Dr. Martin Luther King’s belief, drawn from the words of the prophet Amos, that we should not be satisfied until “justice rolls down like water and righteousness like a mighty stream.” And with students like those in Texas County embracing the ideals of justice laid out in our constitution, Missouri will be in good hands in the years to come.

I know all of us on the Court – and all of you here today – firmly believe in our state’s motto – carved into the dais in this beautiful chamber – “Let the welfare of the people be the supreme law.” I am humbled to serve with you.

I know you all are very busy, but if you have the opportunity, please join us now for lunch, graciously provided by The Missouri Bar, downstairs in Hearing Room 3. For those who enjoyed the knishes last year, we are bringing more this year, and it also will give you a great opportunity to meet the Bar’s new executive director, Sebrina Barrett.

Thank you. And God Bless America!