Are You in Jeopardy?
Ethical Issues in Marketing, Trust Accounts & Beyond

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Lawyers Association of Kansas City

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Marketing, Trust Accounts, and Beyond

SUMMARY OF MISSOURI ADVERTISING RULES

Rule 7.1. Communication Concerning A Lawyer's Services

Attorneys may not advertise, or otherwise hold themselves out to the public, in a way that is false or misleading. The rule goes on to provide general and specific examples.

It is permissible to advertise using the lawyer's past results, if the advertisement includes a statement: "Past results afford no guarantee of future results. Every case must be judged on its own merits."

Prohibits advertising a field of practice in which the attorney has "neither experience nor competence." Also prohibits advertising an area of practice in which the attorney routinely refers clients out to other attorneys, unless conspicuously disclosed.

All advertising, solicitations, etc. must conspicuously include: "The client may be responsible for costs or expenses." if the option of taking a case on a contingency fee basis is mentioned and the disclaimer is true in that attorney's practice.

Rule 7.2 Advertising

The attorney must keep a copy or record of advertising or written communication about the attorney's services for two years, along with when and where it was used.

An attorney who is financing advertising must be disclosed. Conspicuous disclosure is required if an attorney participates in a radio, television, or other electronic program purporting to give legal advice or legal information, if the broadcaster receives anything of value from the attorney.

With some very specific exceptions, a lawyer may not give anything of value in exchange for a referral. This prohibits true referral fees but it does not prohibit fee splitting under Rule 4-1.5(e).

The exceptions include paying for advertising, paying for notices required by the sale of a law practice (Rule 4-1.17), and the usual charges of a registered lawyer referral service (Rule 4-9.1).

An advertisement listing an office staffed, by an attorney, less than three days a week must disclose the days and times when an attorney will be present or that meetings with attorneys will be by appointment only. Advertisements are exempt if they contain only the following: name of the firm and attorneys, fields of practice, date and place of admission to the bar(s), address, e-mail address, website address, telephone number, and office hours.

Any advertisement or communication, other than solicitations under Rule 4-7.3 or those exempted, must conspicuously contain the following statement: "The choice of a lawyer is an important decision and should not be based solely on advertisements." Rule 4-7.2(g) exempts advertisements that only contain name of the firm and attorneys, fields of practice, date and place of admission to the bar(s), address, e-mail address, website address, telephone number, and office hours.

"Conspicuous" means that the required disclosure must be of such size, color, contrast, location, duration, cadence, or audibility that an ordinary person can readily notice, read, hear, or understand it.

Disclaimers must appear in each language used in the advertisement.

Rule 7.3 Direct Contact with Prospective Clients

Real time communication will be considered "in person" for purposes of solicitation. In person solicitation is prohibited, with a few exceptions. Any real time communication will be considered "in person."

Written solicitations may only be communicated by "regular United States mail." 4-1.0(n) states, in part: "Writing" or "written" denotes a tangible or electronic record of a communication or representation, including handwriting, typewriting, printing, photostating, photography, audio or video recording, and e-mail.

An attorney may engage in in-person solicitation, including telephone solicitation, of only "an existing or former client, lawyer, close friend or relative." Only written solicitations may be used with anyone else and they must comply with certain requirements:

(1) The mail must be plainly marked "ADVERTISEMENT" on the face of the envelope and at the top of the first page. This word must be in type at least as large as the largest type used in the solicitation, including letterhead.

(2) Generally, a copy of written solicitations must be kept for two years.

(3) The written solicitation must include a specific statement found in the rule.

Written solicitations may only be sent by regular U.S. mail. The written solicitation cannot resemble legal documents and, in most situations, it must disclose how the attorney obtained the information prompting the solicitation. The nature of the potential client's legal problem must not be revealed on the outside of the solicitation.

If the attorney sending the solicitation knows that another lawyer or firm will actually handle the matter, the solicitation must disclose this fact.

Written solicitation is prohibited, if:

(1) the soliciting attorney knows the potential client is already represented by an attorney or the soliciting attorney knows the person does not want to receive solicitations.

(2) fraud, overreaching, intimidation, undue influence, coercion, duress, or harassment involved.

(3) it would violate Rule 4-7.1, assert opinions regarding liability, or offer assurances of client satisfaction.

(4) within 30 days and "concerns an action for personal injury or wrongful death or otherwise relates to an accident or disaster involving the person solicited or a relative of that person."

(5) it "vilifies, denounces or disparages any other potential party."

Disclaimers must appear in each language used in the direct mail communication.

Rule 7.4 Communication of Fields of Practice

An attorney may advertise that he or she practices or doesn't practice in certain fields of law. Generally, an attorney may not indicate that he or she is a specialist or has a higher level of expertise, unless the communication includes the Rule 4-7.4 disclaimer.

Rule 7.5 Firm Names and Letterheads

Firm names and letterheads must not be false or misleading. Trade names have been permitted in Missouri, as long as they are not misleading.

A multi-state firm can use the same firm name in Missouri. The firm name, letterhead and other communications may not include the name of an attorney holding public office if that attorney is not actively and regularly practicing with the firm.

Attorneys who are not partners may not hold themselves out in a manner which expressly or impliedly indicates that they are partners. For example, if Kelly Smith and Pat Jones office share, they may not hold themselves out a "Smith and Jones."

Missouri Informal Advisory Opinions

Informal advisory opinions are issued by the Legal Ethics Counsel pursuant to Missouri Supreme Court Rule 5.30. The Legal Ethics Counsel issues opinions to members of the bar about Rules 4, 5 and 6 for prospective guidance about an attorney's own conduct involving an existing set of facts. Informal advisory opinions will not be issued about past conduct, hypothetical scenarios,

or the conduct of an attorney other than the one asking for the opinion.

Written summaries of select informal opinions are published for informational purposes as determined by the Advisory Committee. Informal opinion summaries are advisory in nature and are not binding. The first four digits of the opinion summary number indicate the year the opinion was issued. The full text of attorneys' requests and the Legal Ethics Counsel's responses are confidential.

For a searchable database and information about requesting an informal opinion, go to: http://www.mobar.org/ethics/informalopinions.htm

Websites Are Advertising

Informal Opinion 2006-0005

QUESTION: Rule 4-7.2(f) states that advertisements or communications must conspicuously contain the statement: "The choice of a lawyer is an important decision and should not be based solely on advertisements." Attorney has a website and a small listing in the Yellow Pages. Does the information referred to in Attorney's website and Yellow Page ad need to contain the statement set forth in Rule 4-7.2(f)?

ANSWER: Rule 4-7.2(f) applies to websites. **Websites are considered advertising.** It is not necessary to include the Rule 4-7.2(f) statement in a print ad or website that is limited to the information listed in Rule 4-7.2(g). Rule 4-7.2(g) exempts an advertisement from 4-7.2(f) if it is limited to some or all of the following:
(1) the name of the law firm and the names of lawyers in the firm;
(2) one or more fields of law in which the lawyer or law firm practices;
(3) the date and place of admission to the bar of state and federal courts; and
(4) the address, including e-mail and web site address, telephone number, and office hours.

(emphasis added).

Twitter

Opinion Number: 20090040 - Rule Number: 7.3(b)

QUESTION: May Attorney contact Potential Clients on Twitter? If Attorney views a post on Twitter asking for a recommendation for a lawyer, may Attorney respond?

ANSWER: It would be considered solicitation and be prohibited under Rule 4-7.3(b). Written solicitations to prospective clients may be sent only by regular Unites States mail. Additionally, Twitter only allows messages of 140 characters. The paragraph required by Rule 4-7.3(b)(3) exceeds 400 characters.

Blogging -- Virginia decision (Confidentiality and Advertising)

Hunter v. Virginia State Bar, 744 S.E.2d 611 (Va. 2013).
http://www.courts.state.va.us/opinions/opnscvwp/1121472.pdf

Attorney responds to derogatory review on Avvo

In re Betty Tsamis (Count II)
http://www.iardc.org/13PR0095CM.html

Pit Bull

The Florida Bar v. Pape, 918 SO.2d 997 (Fla. 2005)
https://scholar.google.com/scholar_case?case=16361152610493053674&q=Florida+Bar+v+Pape&hl=en&as_sdt=4,10,26

Impersonation

Could fake profiles on dating sites be illegal under Computer Fraud and Abuse Act?
http://www.abajournal.com/news/article/could_cat_fishing_on_dating_sites_be_illegal_under_cfaa_perhaps/?utm_source=maestro&utm_medium=email&utm_campaign=daily_email

Photoshopping

Lawyer disciplined for, among other things, photoshopping pictures with celebrities for her website.
http://www.americanbar.org/content/dam/aba/events/professional_responsibility/2015/May/Conference/Materials/in_re_sangary_ca_fair_use.authcheckdam.pdf

Trust Accounts

Trust Account Basics for Support Staff

Client Trust Accounts and Property of Others: Rule 4-1.15

Violations of the trust account rule rank 3rd on the types of violations OCDC investigates. This type of violation is more likely to lead to significant discipline than communication (#1) and diligence (#2) violations. Out of 58 cases in which the Supreme Court imposed discipline in 2014 (reprimand through disbarment), 23 involved trust account violations. There is no published information about the number of admonitions that involved trust account violations.

A trust account is a bank account where an attorney holds money that belongs to clients or others, but only if the money is held in connection with a representation. Money an attorney is holding for a club, team, or similar organization must not be in the trust account. Payroll taxes must not be in the trust account.

Trust account funds do not belong to the attorney. The trust account may include funds

that are deposited for payment of fees. Those funds may not be withdrawn until they have been earned. Then, they must be withdrawn reasonably promptly. If the funds are withdrawn before they are earned it is misappropriation. If the earned funds are left to linger in the trust account, it is commingling. Either of these violations is likely to result in significant discipline.

If a client provides an attorney with funds for payment of fees, costs, or expenses in the future, those funds must go into the trust account. This includes payments on flat fees, if the amount of the payment has not already been earned. Failure to properly place funds in the trust account is considered misappropriation and is likely to result in significant discipline.

Once a check is deposited into the trust account, you need to wait 7-14 days before you take any money out of the trust account based on that check. Even though the bank will show the funds as available, they haven't actually been collected by the bank and the deposit can be reversed. Waiting 7-14 days should allow time for the banking system to identify any problems with the check, except fraud, and reverse the deposit. Seven days is probably sufficient for checks from established businesses like insurance companies. It may be a good idea to wait longer for checks from individuals where the chances that the check will bounce are greater. Even if the check doesn't bounce, checks can be returned for many reasons within that time frame. No matter how safe the check writer is, you need to wait at least 7 days.

If the bank has a system that allows for alerts when certain events occur, be sure to sign up for it. You should especially be sure to sign up for notification of returned checks and overdrafts. If there is an overdraft, the bank will report it to OCDC. Banks don't always notify the attorney or firm before notifying OCDC. That's why setting up an alert is important. If OCDC receives notice of an overdraft, it will ask the attorney(s) for an explanation and it may ask for all trust account records for a period of months or even years.

It is tempting to think the attorney should keep a "cushion" of firm money in the trust account to protect against overdrafts. The Rules do not allow a cushion. An attorney can keep firm money in the trust account "for the sole purpose of paying bank service charges on that account, but only in an amount necessary for that purpose."

The trust account must be reconciled reasonably promptly each time an official statement from the financial institution is provided or available.

ALL records reasonably related to trust account transactions must be kept for at least six years. The client cannot waive this requirement. "Client trust account records may be maintained by electronic, photographic, or other media provided that they otherwise comply with Rules 4-1.145 to 4-1.155 and that printed copies can be produced." Records related to the trust account include many items you might not normally consider to be trust account records. Rule 4-1.15(f) lists the minimum records that must be maintained. Rule 4-1.15(b). Paragraph 19 of the Comment to Rule 4-1.15 lists a number of other common documents that are considered trust account records.

There is a check list for a self-audit. The check list was prepared by OCDC and is available on the OCDC website under "Articles." www.mochiefcounsel.org.

In re Coleman, 295 S.W.3d 857 (Mo. banc 2009) See pages 865-866 re trust account.
https://scholar.google.com/scholar_case?case=14461553705827821806&q=In+re+Coleman&hl=en&as_sdt=4,26

In re Farris, 472 S.W.3d 549 (Mo. banc 2015).
https://scholar.google.com/scholar_case?case=294377193297195414O&q=In+re+Farris&hl=en&as_sdt=4,26

Other

In re Eisenstein, 485 S.W.3d 759 (Mo. banc 2016)
https://scholar.google.com/scholar_case?case=11140173994131684503&q=In+re+Eisenstein&hl=en&as_sdt=4,26

In re Diaco
https://assets.documentcloud.org/documents/2301480/report-of-the-referee.pdf

http://www.tampabay.com/news/courts/civil/dj-todd-schnitt-loses-suit-against-his-former-attorney-in-defamation-case/2271547

RULES

4-1.1. Competence

A lawyer shall provide competent representation to a client. Competent representation requires the legal knowledge, skill, thoroughness and preparation reasonably necessary for the representation.

4-1.4. Communication

(a) A lawyer shall:

(1) keep the client reasonably informed about the status of the matter;

(2) promptly comply with reasonable requests for information; and

(3) consult with the client about any relevant limitation on the lawyer's conduct when the lawyer knows the client expects assistance not permitted by the Rules of Professional Conduct or other law.

(b) A lawyer shall explain a matter to the extent reasonably necessary to permit the client to make informed decisions regarding the representation.

4-1.15. Trust Accounts and Property of Others

(a) A lawyer shall hold property of clients or third persons that is in a lawyer's possession in connection with a representation separate from the lawyer's own property. Client or third party funds shall be kept in a separate account designated as a "Client Trust Account" or words of similar import maintained in the state where the lawyer's office is situated or elsewhere if the client or third person consents.

(1) Every client trust account shall be either an IOLTA account, non-IOLTA trust account, or exempt trust account. No earnings from an IOLTA account, a non-IOLTA trust account, or exempt trust account shall be made available to any lawyer or law firm, nor shall any lawyer or law firm have a right or claim to such earnings. Other property shall be identified as such and appropriately safeguarded.

(2) A client trust account, whether IOLTA, non-IOLTA, or exempt must be in an approved institution. Every lawyer practicing or admitted to practice in this jurisdiction, as a condition thereof, shall be conclusively deemed to have consented to the overdraft reporting and production requirements mandated by the regulations adopted by the advisory committee.

(3) Only a lawyer admitted to practice law in this jurisdiction or a person under the direct supervision of the lawyer shall be an authorized signatory or authorize transfers from a client trust account;

(4) Receipts shall be deposited intact and records of deposit shall be sufficiently detailed to identify each item;

(5) Withdrawals shall be made only by check payable to a named payee, and not to cash, or by authorized electronic transfer; and

(6) No disbursement shall be made based upon a deposit:

(A) if the lawyer has reasonable cause to believe the funds have not actually been collected by the financial institution in which the trust account is held; and

(B) until a reasonable period of time has passed for the funds to be actually collected by the financial institution in which the trust account is held.

(7) A reconciliation of the account shall be performed reasonably promptly each time an official statement from the financial institution is provided or available.

(b) A lawyer may deposit the lawyer's own funds in a client trust account for the sole purpose of paying bank service charges on that account, but only in an amount necessary for that purpose.

(c) A lawyer shall deposit into a client trust account legal fees and expenses that have been paid in advance, to be withdrawn by the lawyer only as fees are earned or expenses incurred.

(d) Upon receiving funds or other property in which a client or third person has an interest, a lawyer shall promptly notify the client or third person. Except as provided in Rules 4-1.145 to 4-1.155 or otherwise permitted by law or by agreement with the client, a lawyer shall promptly

deliver to the client or third person any funds or other property that the client or third person is entitled to receive and, upon request by the client or third person, shall promptly render a full accounting regarding such property.

(e) When in the course of representation a lawyer is in possession of property in which two or more persons (one of whom may be the lawyer) claim interests, the lawyer shall keep the property separate until the dispute is resolved. The lawyer shall promptly distribute all portions of the property as to which the interests are not in dispute. Lawyers shall cooperate as necessary to enable distribution of funds that are not in dispute.

(f) Complete records of client trust accounts shall be maintained and preserved for a period of at least six years after the later of:

(1) termination of the representation, or

(2) the date of the last disbursement of funds.

Client trust account records may be maintained by electronic, photographic, or other media provided that they otherwise comply with Rules 4-1.145 to 4-1.155 and that printed copies can be produced. These records shall be readily accessible to the lawyer.

Upon dissolution of a law firm or of any legal professional corporation, the partners shall make reasonable arrangements for the maintenance of client trust account records. Upon the sale of a law practice, the seller shall make reasonable arrangements for the maintenance of client trust account records.

Complete records shall include at a minimum:

(1) receipt and disbursement journals containing a record of deposits to and withdrawals from client trust accounts, specifically identifying the date, source, and description of each item deposited as well as the date, payee, and purpose of each disbursement;

(2) ledger records for all client trust accounts showing, for each separate trust client or beneficiary, the source of all funds deposited, the names of all persons for whom the funds are or were held, the amount of such funds, the descriptions and amounts of charges or withdrawals, and the names of all persons or entities to whom such funds were disbursed;

(3) fee agreements, engagement letters, retainer agreements and compensation agreements with clients;

(4) accountings to clients or third persons showing the disbursement of funds to them or on their behalf;

(5) bills for legal fees and expenses rendered to clients;

(6) records showing disbursements on behalf of clients;

(7) the physical or electronic equivalents of all checkbook registers, bank statements, records of deposit, pre-numbered canceled checks, and substitute checks provided by a financial institution;

(8) records of all electronic transfers from client trust accounts, including the name of the person authorizing transfer, the date of transfer, the name of the recipient and confirmation from the financial institution of the trust account number from which money was withdrawn and the date and the time the transfer was completed;

(9) reconciliations of the client trust accounts maintained by the lawyer;

(10) those portions of client files that are reasonably related to client trust account transactions; and

(11) records of credit card transactions with clients to the extent permitted by law and the payment card industry data security standard.

(g) Unless exempt as provided in Rule 4-1.145(a)(6) or all of the lawyer's trust accounts are non-IOLTA trust accounts, a lawyer or law firm shall establish and maintain one or more IOLTA accounts into which shall be deposited all funds of clients or third persons in compliance with the provisions in Rules 4-1.145 to 4-1.155.

(h) Every lawyer shall certify in connection with this Court's annual enrollment statement the financial institutions in which the lawyer has one or more trust accounts and that the lawyer or the law firm with which the lawyer is associated either maintains an IOLTA account with an eligible and approved institution or is exempt because the:

(1) lawyer is not engaged in the practice of law;

(2) nature of the lawyer's or law firm's practice is such that the lawyer or law firm does not hold client or third party funds;

(3) lawyer is primarily engaged in the practice of law in another jurisdiction and not regularly engaged in the practice of law in this state;

(4) lawyer is associated in a law firm with at least one lawyer who is admitted to practice and maintains an office in a jurisdiction other than the state of Missouri and the lawyer or law firm maintains a pooled trust account for the deposit of funds of clients or third persons in a financial institution located in such other jurisdiction and any interest or dividends, net of any service charges and fees, from the account is being remitted to the client or third person who owns the funds or to a nonprofit organization or government agency pursuant to the laws or rules governing lawyer conduct of the jurisdiction in which the financial institution is located; or

(5) The lawyer maintains an exempt account.

4-1.22. Retaining Client Files

A lawyer shall securely store a client's file for six years after completion or termination of the representation absent other agreement between the lawyer and client through informed consent confirmed in writing. Such informed consent confirmed in writing may be made between the lawyer and the client at any point during the six years after completion or termination of the

representation. If the client does not request the file within six years after completion or termination of the representation, the file shall be deemed abandoned by the client and may be destroyed.

The six year client file retention requirement shall apply to all client files where the completion or termination of the representation occurs on or after July 1, 2016. All client files where the completion or termination of the representation occurs prior to July 1, 2016, shall be governed by the previously required 10 years.

A lawyer shall not destroy a file pursuant to this Rule 4-1.22 if the lawyer knows or reasonably should know that:

(a) a legal malpractice claim is pending related to the representation;

(b) a criminal or other governmental investigation is pending related to the representation;

(c) a complaint is pending under Rule 5 related to the representation; or

(d) other litigation is pending related to the representation.

Items in the file with intrinsic value shall never be destroyed.

A lawyer destroying a file pursuant to this Rule 4-1.22 shall securely store items of intrinsic value or deliver such items to the state unclaimed property agency.

The file shall be destroyed in a manner that preserves client confidentiality.

A lawyer destroying a file pursuant to this Rule 4-1.22 shall maintain the written record of the client's consent of destruction for at least six years after completion or termination of employment.

Client files, except for items of intrinsic value, may be maintained by electronic, photographic, or other media provided that printed copies can be produced. These records shall be readily accessible to the lawyer.

Upon dissolution of a law firm, the lawyers shall make reasonable arrangements for the maintenance of client files. Upon the sale of a law practice, the seller shall make reasonable arrangements for the maintenance of client files, which includes written notice to a client as to the location of the client's file.

A lawyer's obligation to maintain trust account records as required by Rules 4-1.145 to 4-1.155 is not affected by this Rule 4-1.22.

4-3.3. Candor Toward the Tribunal

(a) A lawyer shall not knowingly:

(1) make a false statement of fact or law to a tribunal or fail to correct a false statement of material fact or law previously made to the tribunal by the lawyer;

(2) fail to disclose to the tribunal legal authority in the controlling jurisdiction known to the

lawyer to be directly adverse to the position of the client and not disclosed by opposing counsel; or

(3) offer evidence that the lawyer knows to be false. If a lawyer, the lawyer's client, or a witness called by the lawyer has offered material evidence and the lawyer comes to know of its falsity, the lawyer shall take reasonable remedial measures, including, if necessary, disclosure to the tribunal. A lawyer may refuse to offer evidence, other than the testimony of a defendant in a criminal matter, that the lawyer reasonably believes is false.

(b) A lawyer who represents a client in an adjudicative proceeding and who knows that a person intends to engage, is engaging, or has engaged in criminal or fraudulent conduct related to the proceeding shall take reasonable remedial measures, including, if necessary, disclosure to the tribunal.

(c) The duties stated in Rule 4-3.3(a) and (b) continue to the conclusion of the proceeding and apply even if compliance requires disclosure of information otherwise protected by Rule 4-1.6.

(d) In an ex parte proceeding, a lawyer shall inform the tribunal of all material facts known to the lawyer that will enable the tribunal to make an informed decision, whether or not the facts are adverse.

4-4.2. Communication with Person Represented by Counsel

In representing a client, a lawyer shall not communicate about the subject of the representation with a person the lawyer knows to be represented by another lawyer in the matter, unless the lawyer has the consent of the other lawyer or is authorized to do so by law or a court order.

4-8.4. Misconduct

It is professional misconduct for a lawyer to:

(a) violate or attempt to violate the Rules of Professional Conduct, knowingly assist or induce another to do so, or do so through the acts of another;

(b) commit a criminal act that reflects adversely on the lawyer's honesty, trustworthiness, or fitness as a lawyer in other respects;

(c) engage in conduct involving dishonesty, fraud, deceit, or misrepresentation. It shall not be professional misconduct for a lawyer for a criminal law enforcement agency, regulatory agency, or state attorney general to advise others about or to supervise another in an undercover investigation if the entity is authorized by law to conduct undercover investigations, and it shall not be professional misconduct for a lawyer employed in a capacity other than as a lawyer by a criminal law enforcement agency, regulatory agency, or state attorney general to participate in an undercover investigation, if the entity is authorized by law to conduct undercover investigations;

(d) engage in conduct that is prejudicial to the administration of justice;

(e) state or imply an ability to influence improperly a government agency or official or to achieve results by means that violate the Rules of Professional Conduct or other law;

(f) knowingly assist a judge or judicial officer in conduct that is a violation of applicable rules of judicial conduct or other law; or

(g) manifest by words or conduct, in representing a client, bias or prejudice based upon race, sex, religion, national origin, disability, age, or sexual orientation. This Rule 4-8.4(g) does not preclude legitimate advocacy when race, sex, religion, national origin, disability, age, sexual orientation, or other similar factors, are issues.

Sara Rittman

MS. SARA RITTMAN is in private practice providing ethics consultation and advice to attorneys as well as representing attorneys in disciplinary and reinstatement matters. She represents applicants in attorney admission matters. She also represents other licensed professionals in disciplinary proceedings.

She was Missouri's first Legal Ethics Counsel from 2003 to 2012. She became Deputy Chief Disciplinary Counsel in 2000 after becoming Staff Counsel for the Office of the Chief Disciplinary Counsel in 1993. Beginning in 1985, Ms. Rittman was the Unit Chief of the Professional Licensing Unit of the Attorney General's Office. Ms. Rittman became an Assistant Attorney General for Missouri in 1981.

She served as an officer of the National Organization of Bar Counsel from 2008 to 2012. She served as President from 2011 to 2012.

She received her B.S.Ed. in 1978 from The University of Missouri at Columbia. In 1981, she received her J.D. from The University of Missouri-Kansas City.