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Ardini talks about new life on Western District

By SCOTT LAUCK

scott.lauck@molawyersmedia.com

Judge Ted Ardini, the newest member of the Court of Appeals Western District, has spent a career at the highest levels of policymaking in Missouri state government. So it perhaps came as a surprise the other week when he threw a lifeline to a nervous lawyer making a first argument before the court.

“I just threw a softball question, just to get them talking,” Ardini said.

Ardini recounted that episode Oct. 3 during a discussion at the Jackson County Law Library, where approximately 50 local lawyers and judges showed up to meet the most recent addition to the Kansas City-based appellate court.

Ardini served for more than seven years as chief counsel to Gov. Jay Nixon after years of work together in the attorney general’s office. In July, Nixon named Ardini to fill the vacancy on the Western District created by the retirement of Judge Joseph Ellis.

As he settles into the role, Ardini shared some advice with lawyers who may appear before the court. Expect the judges to know your case inside and out, he said, and don’t ignore the facts and law that don’t support your side of the argument.

“You’re going to start behind the eight ball,” he said.

Although the workload at the Western District is heavy, Ardini said it’s not quite the same as the “pressure cooker” of the governor’s office, particularly during the two-month period when the chief counsel and other staffers review hundreds of bills passed by the General Assembly to determine if any should be vetoed.

“It’s morning, it’s noon, it’s night. It’s Sunday mornings,” he said.

Chief Judge Mark Pfeiffer, who moderated Monday’s discussion and who, like Ardini, is from Columbia, said Ardini has brought that same intensity to the court. Pfeiffer joked that, after receiving more than one early morning email from Ardini, he’s cautioned his colleague to “get a life.”



Court of Appeals Western District Chief Judge Mark D. Pfeiffer, left, and Judge Edward R. Ardini, Jr. at the Jackson County Law Library on Oct. 3.

Submitted photo by Kelly Lynn Anders

In interviews after the discussion, Pfeiffer and Ardini both said Ardini’s work in the governor’s office was an issue they kept in mind when determining any potential conflicts of interest in cases that come before the court. Ardini said he recused himself from one of the first cases he was scheduled to hear at oral arguments to avoid such a conflict. But Ardini said he expects such conflicts won’t keep him from hearing cases involving routine governmental matters in which he wasn’t involved, and that the number of cases he won’t be able to hear will dwindle over time.

It’s not as if Ardini is fishing for controversy. During the discussion, both Ardini and Pfeiffer said they avoid social media and indicated most judges ought to do the same, to avoid any appearance of impropriety. Ardini jokingly instructed one of his law clerks, who was in the audience, to “do something to me” if he ever opened a Facebook or Twitter account.

“It can be dangerous thing for lawyers, and certainly for judges, to dabble around in,” Ardini said. **MO**