

# No Standing News

Since we have no standing, we stand with those left standing

Volume I

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## FREE MAYBERRY!

**From the desk of R. W. Nash  
Editor-in-Chief**

*Editor's Note: The following article is a reprint with the permission and encouragement of the Honorable Judge Edward D. Calvin who published it in 1994, in the Newsletter of the Missouri Municipal and Associate Circuit Judges Association. The Judge you will read about is OUR OWN MUNICIPAL JUDGE JOANNE B. MAYBERRY (Retired) who has been waiting out multiple hearings and city appeals to see if she will receive a paltry \$278 per month pension from the city. The city council, led by Councilman Ed Owsley, and advised by their "bill-by-the-hour" city counselors, John Beger and Lee Bushie (wonder why they want to drag this out?) have spent thousands of our tax dollars trying to block her from getting this little pension.*

Newsletter of the Missouri Municipal &  
Associate Circuit Judges Association

September, 1994

JUDICIAL BRIEF

of

Judge Joanne B. Mayberry

by Edward D. Calvin

I cannot think of a more fitting example of our State Motto, "Salus Populi Suprema Lex Esto" in

actual practice than the judicial career of the Honorable Joanne B. Mayberry.

Judge Mayberry's career started in June of 1975 in Rolla, a mid-Missouri community, as an interim municipal judge. She sought the appointment when she discovered young children incarcerated in the city jail with their parents. After assuming the bench, Judge Mayberry quickly discovered that cases were not commenced in the Rolla Municipal Court by the filing of an information by the city attorney. Defendants were not afforded 'due process of law' in the Municipal Court.

No records of fines assessed or fines paid were being maintained. No accountability for the fine money turned over to the City general revenue was required, and no reports of any kind were made to the Rolla City Council.

Judge Mayberry was so incensed by what she saw that she closed down the city jail and the entire municipal court system. She set up a formal bookkeeping system for the court, including a multiple receipt system; required the city attorney to file a proper information for each case instituted; established a Bill of Rights, setting out the rights of persons charged with municipal offenses; commenced filing monthly reports of all cases handled in the Municipal Court to the City Council; established a night court to accommodate the working people; and developed alternative means of sentencing instead of merely levying fines.

Judge Mayberry's total reform of the Rolla municipal judicial system seems amazing considering that at the time of the early reforms,

she had no formal legal training or experience. Although she does not hold a college degree, she has a thorough understanding of the Constitution and the Supreme Court Rules. Continuous reading and studying have helped her learn the judicial system and keep current on the law. To add to her knowledge, Judge Mayberry has taken courses from the University of Missouri, Rolla; has attended as many seminars as possible; and joined the Missouri Municipal and Associate Circuit Judges Association. Over the years, she has not hesitated to seek the advise, counsel and assistance of Supreme Court Justices and Circuit Judges, all of whom have willingly given her a helping hand.

Judge Mayberry favors greater uniformity among Missouri Municipal Judges in the running and operation of their Courts. Working toward this goal has been the driving force in her affiliation with MMACJA. In 1977, Judge Mayberry was elected to the Board of Directors of the Association and was the first female non-lawyer to be elected its President in 1980. Working in the Association, Judge Mayberry has participated in the re-writing and updating of the Judges Handbook and the re-writing of Supreme Court Rule 37. In 1989, Judge Mayberry was recognized by MMACJA for her work for the Association, the Judiciary, and the people of the State of Missouri, in a proclamation stating "Judge Mayberry has withstood personal sacrifice, and notwithstanding such hardship, has continued to be an outstanding example of professionalism as a lay Municipal Judge."

Her duties on the bench require "only" about 25 to 50 hours of her time each week, but that doesn't mean the Judge is idle the rest of the time. She has been a leader in Phelps County in finding suitable foster parents for abused children. She also led the fight to obtain a facility in Rolla for battered wives. Judge Mayberry has worked with WIC and Big Brother Agencies, and is constantly helping people in trouble, without money, or in need of medical attention.

Now we might ask, what more can we expect of a person? Well, the answer in Judge Mayberry's case is a devoted wife, mother of three children and grandmother to four, exemplifying the old saying, "If you want something done, ask a busy person to do it."

The Municipal Court of Rolla processes approximately 10,000 cases a year and accounts for well over \$150,000.00 a year in fines and court costs. The time and effort involved in working out alternative methods of sentencing is enormous. Judge Mayberry has two main guidelines she religiously follows in conducting her Court. They are: due process of law; and courtesy in the courtroom by herself and other court personnel. Judge Joanne Mayberry exemplifies the motto "Let the welfare of the people be the Supreme Law."

Thank you, Judge Mayberry, for your dedication to the law, to justice for the people, and to the dignity of the Judiciary. You are indeed, 'Honorable.'

(end of article)

*Editor: Whatever the outcome in the next hearing on Judge Mayberry's pension, one thing is absolutely certain: none of the pinch-penny grumps in city hall will ever have a tribute like this written about them!*

*As Editor of No Standing News I have only one thing to say to Mayor Morgan, who has known Judge Mayberry and her late husband Bill for many years. You want to be a city leader? You can stop this offensive assault on an outstanding public citizen.*

*Well Joe, do you have what it takes to call off the attack dogs?*

**FREE MAYBERRY! NOW!**

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Views expressed do not necessarily reflect those of No Standing News, nor of its Editor-in-Chief.

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