



FOLAND, WICKENS, EISFELDER, ROPER & HOFER, P.C.



Charles Atwell

Of Counsel

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PRACTICE

Civil Litigation

Commercial and Business Litigation

Mediation and Arbitration

Charles Atwell joined the firm on December 1, 2012 after serving over 16 years as a Circuit Judge in Jackson County, Missouri. Charlie's last assignment was that of Presiding Judge for the entire circuit. During his tenure on the bench he tried or was involved in a variety of complex cases in such areas as commercial litigation, securities fraud, products liability, medical malpractice, antitrust, real estate evaluation, and death penalty cases. Some of the more notable cases that Judge Atwell presided over include a plane crash case involving the death of the governor of the state of Missouri; commercial litigation involving the Power & Light District of Kansas City, Missouri; constitutional interpretation of the state statute involving abortion rights of minors; and complex real estate litigation touching upon the value of commercial real estate in the Country Club Plaza area of Kansas City, Missouri. During his over 16 years as a judicial officer, Judge Atwell sat as a special judge for both the Missouri Court of Appeals Western District and on the Missouri Supreme Court.

Judge Atwell frequently serves as a discovery master in complex cases. While on the bench he used discovery masters on many occasions in complicated cases and has the good fortune of being a master himself in several of these matters since he joined the firm. It should be noted that in such masters assignments Judge Atwell frequently uses two of our other lawyers, Michael Belancio and James Maggard, both of whom served as law clerks in the 16th Judicial Circuit and are familiar with discovery practice in the Kansas City area.

Since joining the firm he has been involved in representing individuals and corporations under investigation as well as individual defendants in state and federal court.

OF NOTE

Before taking the bench, Charlie served as both an Assistant Prosecuting Attorney for Jackson County, Missouri and an Assistant United States Attorney for the Western District of Missouri. Thereafter, he was a partner in the firm of Wyrsh Atwell Mirakian Lee & Hobbs and was a well-known trial lawyer, both regionally and throughout the United States. While in practice, he was regularly named in Best Lawyers of America and retained an AV rating from Martindale-Hubbell. Charlie was active in the Missouri Association of Criminal Defense Lawyers and the National Association of Criminal Defense Lawyers (NACDL). In 1989–90 he served as President of the Missouri Association and between 1990–1996 he served twice on the Board of Directors of the National Association of Criminal Defense Lawyers. In 1993–1994 he was co-chair of NACDL's CLE committee with the Honorable Charles Daniels, who presently sits on the New Mexico Supreme Court. He has been a longtime faculty member of the National Institute of Trial Advocacy at the national session in Boulder, Colorado as well as the Midwest Regional in Chicago, Illinois – both at Northwestern University School of Law and Loyola Law School. In 2007 he was named by *Missouri Lawyers Weekly* as the best Circuit Judge in the State of Missouri. In 2013 Judge Atwell was given an award by the Kansas City Metropolitan Bar Association for his outstanding contributions to CLE program. In 2015 he received two other awards. One award was the Ross Roberts Trial Academy Award for Professional Excellence in the area of teaching trial advocacy. He also received the Distinguished Counsel Award from the Kansas City Metropolitan Bar Association. The Distinguished Counsel Award is an award that is given periodically to lawyers for both the quality of their legal ability and also for maintaining congeniality and civility of the practice of law.

In 2015 the National Institute of Trial Advocacy (NITA) decided to begin to host a deposition program once a year at the University of Missouri-Kansas City School of Law. Judge Atwell and Judge William Ossmann of Shawnee County, Kansas were named as program directors of that program. The first session was held in August of 2015 and was a great success. NITA plans to make this program an annual event with the leadership of Judges Atwell and Ossmann.

In law school, he was a member of the law review and graduated with honors from UMKC School of Law in 1978.

MEDIATION SERVICES

Charlie's practice involves both mediation and arbitration. He has successfully mediated cases in such areas as employment law, business and commercial litigation, medical malpractice matters, personal injury and real estate disputes. He also participates in both civil and criminal litigation on behalf of the firm. The Judge has been on the AAA Arbitration Panel for the last three years and regularly handles matters in arbitration for AAA. He has also been involved in other arbitrations that have been tried both in Kansas City and occasionally outside of the Kansas City area, which included an extended arbitration that was tried in Jacksonville, Florida. Judge Atwell has had substantial experience in representing individuals and companies in business investigations including matters before state and federal grand juries.

Credentials

BAR ADMISSIONS

Judge Atwell is admitted to the Missouri Bar, the United States District Court for the Western District of Missouri, the United States District Court of Kansas, and the United States Supreme Court. During his career he has been admitted in and practiced in the United States Courts of Appeals for the Sixth, Eighth, and Tenth Circuits.

During his career as a lawyer he also appeared pro hac vice or handled matters in the following jurisdictions: the Eastern District of Missouri, Southern District of New York, Eastern District of New York, Central District of California, Eastern District of Arkansas, District of New Mexico, District of Colorado, Baltimore County Maryland, Saline County Kansas, Johnson County Kansas, Wyandotte County Kansas, Lake County Ohio, Shawnee Kansas, Maricopa County Arizona, Linn County Kansas, and various counties throughout the state of Missouri.

REPRESENTATIVE CLIENTS

Judge Atwell has served as the mediator, arbitrator, or special master for the following firms:

- The Accurso Law Firm
- Armstrong Teasdale LLC
- Baker Sterchi Cowden & Rice, LLC
- Bartimus Frickleton Robertson & Goza, PC
- Law Office of George Barton, PC
- Barton, Hall & Schneider, PC
- Baty, Holm, Numrich & Otto, PC
- Arthur Benson & Associates
- Berkowitz Oliver Williams Shaw & Eisenbrandt LLP
- Berman Deleve Kuchan & Chapman, LLC
- Bratcher Gockel Kingston, LC
- Brown & James, PC
- Bryan Cave LLP
- Coronado Katz LLC
- Davis Bethune & Jones, LLC
- Deacy & Deacy LLP
- Dentons US LLP

- Dysart Taylor Cotter McMonigle & Montemore, PC
- Edgar Law Firm, LLC
- Graves Garrett LLC
- Henson, Hutton, Mudrick & Gragson, LLP, Topeka, KS
- Hinkle Law Firm, LLC
- Holman Schiavone LLC
- Humphrey Farrington & McClain PC
- Husch Blackwell LLP
- Joseph Hollander & Craft, LLC, Wichita, KS
- Kapke & Willerth LLC
- Ketchmark & McCreight, PC
- Krigel & Krigel, PC
- Kutak Rock LLP
- Langdon & Emison
- Lathrop & Gage LLP
- Manz Swanson Hall Fogarty & Gellis, PC
- McAnany Van Cleave & Phillips, PA
- The McCallister Law Firm PC
- McCausland Barrett & Bartalos, PC
- Miller Schirger, LLC
- Missouri Attorney General's Office
- Monsees & Mayer, PC
- Morrow Willnauer Klosterman Church LLC
- Morton, Reed, Counts, Briggs & Robb, LLC
- Ogletree, Deakins, Nash, Smoak & Stewart, PC
- Polsinelli PC
- The Popham Law Firm, PC
- The Redfearn Law Firm, PC
- Reed Smith, Chicago, IL
- The Reynolds Law Firm, LLC
- Roe & Epstein, LLP
- Rouse Hendricks, German May, PC
- Law Office of John P. Ryan, Jr.
- Siegfried Bingham, PC
- Seyferth Blumenthal & Harris LLC

- Seyferth Shaw, LLP, Chicago, IL
- Shank & Hamilton PC
- Shook, Hardy & Bacon, LLP
- Slagle, Bernard & Gorman, PC
- Spencer Fane Britt & Browne LLP
- Stinson Leonard Street LLP
- Triplett, Woolf & Garretson, LLC, Wichita, KS
- United States Attorney's Office, Western District of Missouri
- Wagstaff & Cartmell, LLP
- Walters Bender Strohbahn & Vaughan, PC
- Warden Grier, LLP
- Watson & Dameron, LLP
- Wendt Goss, PC
- White, Goss, A Professional Corporation
- White, Graham, Buckley & Carr, LLC
- Williams & Connolly, LLP, Washington D.C.
- Yeretsky & Maher, LLC
- Zerger & Mauer LLP

MEMBERSHIPS

- In November 2014, Judge Atwell was again elected as a member of the Board of Directors of the National Association of Criminal Defense Lawyers (NACDL).
- Missouri Bar
- Kansas City Metropolitan Bar Association
- Life Member of NACDL

EDUCATION

University of Missouri-Kansas City, J.D., 1978

PROFESSIONAL ENDORSEMENTS

"Judge Atwell brings a fresh approach to mediation. His insight based on his years presiding over trials in Jackson County is invaluable. Judge Atwell will get your case settled! In my case it was eight days after the mediation, after he worked the phones relentlessly. He got a case settled that all of the lawyers said had a zero chance at settling."

John Schultz, Franke Schultz & Mullen, PC

"'Outstanding Mediation' in a most difficult case. Judge Atwell worked overtime to make sure a workable resolution was reached in one of my most emotion-charged cases."

Leland Dempsey, Dempsey & Kingsland, PC