



# Hon. Lajuana M. Counts

## U.S. Magistrate Judge, Western District of Missouri

by Erica R. Clinton and Suzanne L. Bliss



Erica R. Clinton graduated from the University of Iowa College of Law in 2000. After law school, she clerked for Hon. Alan B. Johnson, U.S. district judge for the District of Wyoming. Clinton also has several years of experience in criminal appellate work and juvenile law. In 2015, she began working for Hon. Sarah W. Hays, U.S. magistrate judge for the Western District of Missouri and began clerking for Hon. Lajuana M. Counts in 2018. Suzanne L. Bliss graduated from the University of Iowa College of Law in 1987. In 1991, she left private practice to clerk for Hon. Sarah W. Hays, U.S. magistrate judge for the Western District of Missouri. Upon Judge Hays's retirement in 2018, Bliss began clerking for Hon. Lajuana M. Counts.

**T**o act justly, to love mercy, and to walk humbly with your God, and so may He bless you. May He keep you. May He guide and direct you.” These words, part of the benediction by Reverend Dr. Robin Henderson Wilson at U.S. Magistrate Judge Lajuana M. Counts’s investiture,<sup>1</sup> are words that Judge Counts lives by, both in her personal life and in her professional life.

Judge Counts was born in Tennessee, the third child of Warlene Reed, a teenage mother. Judge Counts’s grandparents, Wallace and Louise Greer, ran a general store in an unincorporated area of Tennessee called Denmark where Judge Counts and her siblings spent time. Judge Counts credits her mother as the one person who always believed that she would reach her goals. Reed led by example, graduating from college and then obtaining a master’s degree, all while raising three small children. Through those accomplishments, Reed instilled in her children the importance of working hard to achieve their dreams. Her efforts resulted in all four of her children graduating from college. In fact, all eight of the Greer grandchildren graduated from college and have remained close. Despite living in various parts of the country, they all attended Judge Counts’s investiture—a testament to the love and support that the extended family has for one another.

There was a healthy competition in the home between Judge Counts and her older brother, each vying to get the best grades and to have the most extensive vocabularies. So much so that the two of them would read the encyclopedia in the summertime! When Judge Counts was about eight years old, her mother gave her a set of flash cards of famous African Americans, one of whom was Justice Thurgood Marshall. From that moment forward, Judge Counts wanted to be a judge. Her junior high school principal, Melvin Washington, called her “Judge” because he knew what she wanted to be, and he believed in her. Washington passed away years ago, but Judge Counts continued to stay in touch with his widow, Frances Washington, for many more years. While in high school, the law firm of Gerhardt & Hazelwood in St. Charles, Missouri, hired Judge Counts so that she could gain experience



and determine whether she saw a future in law. Keith Hazelwood, one of the partners, attended Judge Counts’s investiture 40 years later. Judge Counts has a special gift of making and maintaining connections with people.

Judge Counts received a bachelor’s degree from the University of Missouri in 1982. She then moved to Kansas City, Missouri, where she worked at the Federal Reserve Bank. In Kansas City, she met Stanley L. Counts, who would soon become her husband. Together they shared a commitment to family, faith, and community. Judge Counts and her late husband are the proud parents of three children, the first of whom was born after Judge Counts’s second year in law school.

Judge Counts attended the University of Missouri–Kansas City School of Law, where she met a lifelong friend, Dana Tippin Cutler. Cutler, who is a former president of the Missouri Bar, recalled a discussion she and Judge Counts had during Cutler’s first year of law school when Cutler was contemplating calling it quits. Judge Counts told her, “You will finish law school if I have to drag you by your hair to every class.” Cutler reflected that at that moment, Judge Counts showed what kind of a judge she would eventually be: “She’s going to listen, and when need be, she’s going to sit up.



Top photo: Judge Counts and family; Bottom photo: Judge Fernando J. Gaitan, Jr. with Judge Counts.

She will get some bass in her voice, and she's going to tell the litigants or the defendants, Oh, no, not here, not today, not on my watch. But it will be with love. It will be with care. It will be with compassion."<sup>22</sup>

After law school, Judge Counts clerked for Hon. Fernando J. Gaitan Jr., who at the time served on the Missouri Court of Appeals, Western District. At Judge

Counts's investiture, Judge Gaitan noted that "Lajuana clerked for me right out of law school; so I had the vantage point of watching her grow and mature as a lawyer, as a civic leader in our community, and as a community leader in the time she's put into working with people, not just as a lawyer, but as a person. She is an extraordinary lady, and she's part of my court family, and she's special to me and to our family."<sup>23</sup>

In 1989, Judge Counts began a 29-year career with the U.S. Attorney's Office for the Western District of Missouri. She was the first African American woman to serve as an assistant U.S. attorney in the Western District.<sup>4</sup> During her time as an assistant U.S. attorney, Judge Counts worked in the Financial Fraud Unit, the General Crimes Unit, the Narcotics Unit, and the Appellate Unit. Her time at the U.S. Attorney's office provided a well-rounded exposure to criminal prosecutions and to what justice means in the context of being a litigator. In Judge Counts's words, "It wasn't about winning every case. It was about doing what was fair and what was right."<sup>25</sup> In 2008, Judge

Counts became the supervisor of the appellate unit, where she remained until her appointment as a magistrate judge in August 2018, presenting approximately 400 cases to the Eighth Circuit Court of Appeals.<sup>6</sup>

While at the U.S. Attorney's office, she formed a friendship with two female colleagues, Jane Pansing Brown and Lucinda "Cindi" Woolery, who affectionately refer to each other as "Sisters in Law." Speaking of their friendship, Brown reflected on Dr. Martin Luther King Jr.'s "I Have a Dream Speech," in which he dreamed that someday his children would be judged by their character rather than the color of their skin. Both Judge Counts and Brown are approximately the same age as Dr. King's children. Brown noted that when she and Judge Counts met in the early 1990s, they never saw each other as black and white; they saw each other as fellow UMKC Law School alums, as fellow Missouri Bar members, as Kansas City Bar Association members, as friends, eventually as coworkers, and as sisters. As Brown opined, Judge Counts's selection as a federal magistrate judge is due to "her character, work experience, temperament, hard work, and honesty, nothing more, nothing less," and is in keeping with Dr. King's dream.<sup>7</sup>

Judge Counts was appointed as a U.S. Magistrate Judge for the Western District of Missouri in 2018. She is the first African American woman to serve as a judge in the Western District of Missouri.<sup>8</sup> The road to her appointment was a long one and she credits "prayer and obedience and yielding to [her] faith [for giving her] the strength to believe."<sup>9</sup> At her investiture, Judge Counts stated that she was "thankful for every failure. Failing is normal. Everyone fails, but it's what you do after you fail that makes a difference."<sup>10</sup>

Teamwork is a central component to how Judge Counts approaches her work. She can often be heard in chambers stating, "teamwork makes the dream work." This approach carries over to her work on projects and programs occurring in the Western District of Missouri. Shortly after being appointed, Judge Counts was asked to serve on the Western District of Missouri Re-entry Court team. The Re-entry Court team, which included two judges, a probation officer, a federal public defender, and an assistant U.S. attorney, conducted regular meetings with participants to provide intensive supervision upon release from prison. Judge Counts was an integral member of the team, making sure that participants were held accountable for their actions but were also treated with "respect, concern, and dignity[,]" noting that the participants "are not numbers or statistics; they are human beings."<sup>11</sup> Re-entry Court was phased out in 2023, at which time, Judge Counts began working with the Intensive Treatment Court, which provides non-guideline sentencing alternatives to defendants in need of various forms of treatment.

Judge Counts began serving in leadership positions with the Kansas and Western District of Missouri Chapter of the Federal Bar Association in 2022 and is now the current president. The focus of her presidency has been

preparing to host the FBA Annual Meeting & Convention, which will be held in Kansas City, Missouri, in September 2024. Judge Counts looks forward to meeting members and showcasing Kansas City, Missouri, to the national FBA membership.

Judge Counts's impact extends beyond the bench, having served on numerous boards and committees, many of which focus on promoting and protecting the interests of women and the underserved members of the community. She currently serves as board director chair for Saint Luke's North Hospital and as a member of the Saint Luke's Hospital System Board, the Kansas City Youth Court Board, the Children's Emergency Fund Board, and the Missouri Supreme Court Commission on Racial and Ethnic Fairness. Prior leadership positions include serving as vice-president of the Kansas City Metropolitan Bar Association's Board of Governors, president of the Jackson County Bar Association, and president of the University of Missouri—Kansas City Law Foundation. Additionally, she served as a member of the Missouri Supreme Court Disciplinary Hearing Panel, the Missouri Bar Gender and Justice Committee, the National Bar Association, the Association for Women Lawyers of Greater Kansas City, the UMKC Women's Council, the Lawyers Encouraging Academic Performance, Operation Breakthrough, and the De La Salle Education Center. Judge Counts's service has led to her being awarded, *inter alia*, the 2013 Public Service Practitioner by the Missouri Lawyers Media Women's Justice Awards,<sup>12</sup> the 2016 Spurgeon Smithson Award by the Missouri Bar Foundation,<sup>13</sup> the 2018 Kansas City Metropolitan Bar Association's President's Award,<sup>14</sup> the 2018 Jackson County Bar Association's Judge Lewis W. Clymer Award,<sup>15</sup> the 2018 NAACP Kansas City, Missouri Branch's Lucile H. Bluford Special Achievement Award, and the 2019 UMKC Law Foundation's President's Award.

At Judge Counts's investiture, attorney John W. Kurtz noted how "quietly and gently she inspires people[.]"<sup>16</sup> Judge Counts's work both on and off the bench exemplifies her belief in the importance of both having a mentor and being a mentor. Many of the mentors in her life have been women lawyers who have similarly been awarded the Women's Justice Award.<sup>17</sup> She also credits Judge Gaitan, the first African American judge in the Western District of Missouri,<sup>18</sup> with being one of her mentors. She in turn has served as a mentor to many in the profession and has steadfastly supported law students throughout the area. Judge Counts regularly attends and hosts events for minority law students and continues to be a supportive presence in the lives of students she has met through these events.<sup>19</sup>

Judge Counts's first five-and-a-half-years on the bench have illustrated her commitment to acting justly, to loving mercy, and to walking humbly with her God. She has treated defendants who come before her with respect, care, and dignity, all while providing a stern hand. She offers and demands civility and respect in the courtroom.

She cares deeply for those in her life and her community. And she has done so with the gentleness and humility of someone who holds strong to her faith. ☺

## Endnotes

<sup>1</sup>Transcript of the Investiture Ceremony of Lajuana M. Counts at 36 (October 19, 2018) (hereafter "Transcript").

<sup>2</sup>Transcript at 14-15.

<sup>3</sup>Transcript at 23.

<sup>4</sup>Willie J. Epps, Jr., *Black Lawyers of Missouri: 150 Years of Progress and Promise*, 86 Mo. L. Rev. 1, 107 (2021).

<sup>5</sup>Transcript at 28.

<sup>6</sup>Willie J. Epps, Jr., *Black Lawyers of Missouri: 150 Years of Progress and Promise*, 86 Mo. L. Rev. 1, 108 (2021).

<sup>7</sup>Transcript at 18.

<sup>8</sup>Willie J. Epps, Jr., *Black Lawyers of Missouri: 150 Years of Progress and Promise*, 86 Mo. L. Rev. 1, 107 (2021).

<sup>9</sup>Transcript at 35.

<sup>10</sup>Transcript at 35.

<sup>11</sup>Carie Allen, et al., *Building A Successful Team in a Problem-Solving Court: The Western District of Missouri Model*, 92 UMKC L. Rev. 499, 503 (2024).

<sup>12</sup>"Women's Justice Awards recognize women across Missouri who have demonstrated leadership, integrity, service, sacrifice and accomplishment in improving the quality of justice and exemplifying the highest ideals of the legal profession." <https://molawyersmedia.com/event/womens-justice-awards>.

<sup>13</sup>"The Spurgeon Smithson Awards were established in 1976 by bequest of the late Smithson, an outstanding Kansas City lawyer. The Missouri Bar Foundation makes the awards annually to Missouri judges, teachers of law and/or lawyers deemed to have rendered outstanding service toward the increase and diffusion of justice." [https://mobarfoundation.org/Foundation/Spurgeon\\_Smithson\\_Award.aspx](https://mobarfoundation.org/Foundation/Spurgeon_Smithson_Award.aspx).

<sup>14</sup>"This award is given based upon service to the profession, reflecting favorably upon the mission and objectives of the association." [https://kcmba.org/web/web/Events/Annual\\_Meeting.aspx](https://kcmba.org/web/web/Events/Annual_Meeting.aspx).

<sup>15</sup>"The Clymer Award was established to recognize a minority attorney for his or her service to the community and their promotion of the integrity of the legal profession." <https://www.jacksoncountybar.com/awards>.

<sup>16</sup>Transcript at 5-6.

<sup>17</sup>Staff Report, *Missouri Lawyers Media Women's Justice Awards: Lajuana M. Counts, Public Service Practitioner*, Mo. Law. Media, April 29, 2013, 2013 WLNR 34701976.

<sup>18</sup>Willie J. Epps, Jr., *Black Lawyers of Missouri: 150 Years of Progress and Promise*, 86 Mo. L. Rev. 1, 88 (2021).

<sup>19</sup>Mischa Buford Epps, *Distinguished Counselor: Shaun Stallworth*, KC Counselor, May 2020.