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Title: Lawyer starts weekend jail term after apologies to judge he defied

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Defense lawyer John Picerno, his appeals over, on Friday stood before the Jackson County judge who a year ago ordered him to jail for contempt. He apologized.

It was not enough.

Circuit Judge William F. Mauer told him to report to the county jail by 5 p.m., stay there until Monday morning and then start performing 100 hours of community service.

``Being over there many times and consulting with clients, he knows where to go,'' Mauer said.

The judge gave Picerno the option of just serving the entire 15 days he imposed on July 10, 1995, when Picerno refused to start trial in a rape case.

Picerno chose jail until Monday. Could he take court files to jail to prepare for a trial he starts Monday? Mauer allowed it.

Picerno declined to comment. He reported to jail before the deadline.

In the last few years, more defense lawyers than ever before have been jailed in such cases nationwide, said Bruce Simon, Picerno's attorney, who works for the Missouri Association of Criminal Defense Lawyers.

The Jackson County case tested the limits of judicial power in Missouri. It began when Picerno, then an assistant public defender, refused to start the trial of a man charged with 16 counts of rape, kidnapping, armed robbery and other crimes.

Picerno said he was not prepared and asked for a delay. Mauer refused, noting that the defendant had repeatedly delayed trial by shifting among three public defenders.

The Missouri Court of Appeals in Kansas City upheld Mauer, and last month the Missouri Supreme Court refused to hear the case.

``I meant no disrespect for you,'' Picerno told Mauer on Friday.

``I believed it was in the best interest of my client at that time. '' Mauer noted that Picerno's refusal involved a series of legal maneuvers over two days.

``I almost pleaded with Mr. Picerno not to take the action taken,'' Mauer said. ``It was not good for the profession - it was not good for him. ''