

# The SUMMATION

January 2023

The Monthly Newsletter of the Evansville Bar Association

501 Main Street, Suite 101  
Evansville, IN 47708

## PRESIDENT'S MESSAGE

By: Joe Langerak



The Evansville Bar Association has a Professional Courtesy Code (the "PCC") that we, either as the EBA Board, the Editorial Board, or through certain CLEs, try to remind our members about from time to time. The PCC is distinct from the Rules of Professional Conduct. As we turn the calendar to 2023, many of us will make resolutions to be in better physical or mental shape, or take other measures to live a better life. I encourage our members to take a few directives from the PCC to improve their practice hygiene and the way we practice with other members of the bench and bar. The entire PCC can be found here on the [EBA website \[https://evvbar.org/members/professional-courtesy-code.aspx\]](https://evvbar.org/members/professional-courtesy-code.aspx), but these are a few highlights that I find particularly insightful.

**Call the Court Back.** The courts are very congested, and the judges and their team members are very busy. Return a call to the court immediately, but no later than four (4) hours after the call was placed. In addition, have your team understand that if you are indisposed someone should call the court and advise it of same along with a best estimate of when the call will be returned.

**Call Attorneys Back Too.** Return calls within twenty-four (24) hours or if you cannot, have someone from your team call that person and explain when they can expect a return call. This can be difficult at times, especially for those of us that travel a great deal for work, but the return on investment is a very favorable view of you among your fellow lawyers.

**Be On Time.** Many of us bill by the hour. When an attorney billing by the hour is left waiting in a meeting room, a deposition, or in court, one of three things typically happens: (1) the client is billed for time that she should not have to pay for due to an attorney being late; (2) the attorney stuck in limbo is now not being paid for her time; or (3) the attorney waiting is trying to find other appropriately billable work to conduct while she is waiting for the tardy offender. None of these are good for the waiting attorney or anyone's clients. Arrive about five (5) minutes before the event is scheduled to begin, unless you need additional time to prepare your space to conduct your business.

**Remind Clients About Ethical Obligations.** Some clients want a bull-dog for an attorney. Zealous advocacy is perfectly appropriate. However, a client should recognize, and it is incumbent on the attorney to remind them when appropriate, they cannot expect discourteous or abusive conduct, or that the attorney not grant simple accommodations to opposing counsel that do not adversely affect the client's lawful objectives.

**Don't Embarrass Opposing Counsel.** There are occasions when you are dealing with a brand-new attorney, an attorney dealing with a new issue or body of law, or an attorney that may, unfortunately, not be prepared. Embarrassing an attorney will carry no weight with the court or others and offering gratuitous personal criticism of other counsel is never the right play. Stick to the merits.

**Cooperate.** I often tell clients I prefer a high-quality attorney on the other side of a matter because it allows for the efficient administration of a case or deal. Part of that is simply cooperation and appreciating where the case or matter is likely headed, and getting there quicker rather than later. Don't play games with revisions to documents you know to be unacceptable to the other side, or delay tactics solely for the purposes of delay. Cooperate for the benefit of all involved – the court, the clients, and the attorneys.

**Don't Talk About Fees.** Unsolicited comments on another attorney's fees do nothing for your case or deal, and only have a likelihood to put the practice of law as a whole in a poor light. The reality is that you have no idea what work may have been done for a client on a deal or case, what discounts may have existed for unrelated matters, or the relationship of the attorney and the client are a broader scale.

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# LAWYERS LUNCH CLUB

## SIGN UP NOW!

### WHAT IS THE LAWYERS LUNCH CLUB?

The Lawyers Lunch Club is an opportunity to meet members of the bar in other practice areas and firms. Lawyers who sign up for the lunch club are placed in a diverse group of 6-8 lawyers, who meet once a month for lunch, for three months. The groups are autonomous—they pick their own meeting time, day, and location based on their schedules. These lunches are a great way to forge relationships with other lawyers in a small group setting.

This session of Lawyers Lunch Club will run March through May.\*

**To join the fun, email [ashley@evvbar.org](mailto:ashley@evvbar.org) or call (812)463-3201 by February 3, 2023.**

If you are interested in being a Group Captain, let us know when you sign up!

*\*Even if you have participated in the past, please re-sign up so we only include those who still want to participate.*

## VLP News

By: Senior Judge Sheila Corcoran and Susan Vollmer

Since the beginning of the pandemic, volunteers from the Evansville Bar Association and the Volunteer Lawyer Program have dramatically increased the availability of civil legal aid services in the area. VLP continues to offer a weekday help desk to serve those facing eviction or housing instability from 8:00 a.m. to 9:00 a.m. VLP also offers two family law clinics and two general legal clinics on alternating Thursdays from 11:00 a.m. to 1:00 p.m. in-person each week. Twice each month, VLP participates in a statewide virtual clinic to address the eviction crisis and, of course, VLP and the EBA run the state's oldest and most frequent Talk to a Lawyer hotline twice each month. All of these opportunities for members of the public to get simple matters or questions addressed only exist because of YOUR volunteerism. Please consider volunteering for one of these clinical programs by e-mailing Scott Wylie at [vlpwylie@sigecon.net](mailto:vlpwylie@sigecon.net).

### ***In case you missed it...***

A news story discussing legal aid kiosks in Indiana, featuring our own Scott Wylie, has aired on Scripps TV stations across the country.

Here is a link to one of those stories: [States turn to high-tech kiosks to get legal help to those facing evictions](#)



Take a tour of the new office space,  
enjoy food and have a drink!

**TUESDAY, FEBRUARY 28**  
4-6PM

501 Main St. | Suite 101  
Evansville, IN 47708



Join us for  
*Breakfast with the  
Bench & Bar*

All are invited to attend!

**Friday, March 10**

beginning at 7:00am  
Evansville Bar Association  
501 Main Street, Suite 101



**Jimmy Gentry**  
President

**R**esolutions for a new year are a holiday favorite of mine. Whether yours is a lofty goal or a simple life-style adjustment, I commend you for identifying a goal and encourage you in your efforts. If you are like me, you might struggle to identify a change that is both realistic and worthwhile. One resolution I recommend you consider that is both of these is to financially support your bar foundation in 2023. Your realistic donation of at least \$100 is certainly worthwhile in the Foundation's mission to promote a public understanding and awareness of the law, support an improved delivery of legal services to the community as a whole, promote activities to enhance the performance of attorney professionalism and ethical responsibilities, and advance the administration of justice.

Please consider donating by clicking the link below or mail a check to the new office at 501 Main Street, Suite 101, 47708.

Your donation is tax deductible and is reportable under Revised Rule 6.7(a)(3) of Professional Conduct. Furthermore, if you or your loved one wish to consider incorporating the EBF into an estate plan to help fund the EBF for years to come, please contact me to discuss. Whether a one-time donation or through planned giving, the EBF Board and I appreciate you and your support.

**Donate**

## LIBRARIAN'S CORNER: THANK YOU!

Thanks to everyone contributing in response to the Law Library Foundation's annual appeal! Your generous donations and ongoing commitment to the Foundation and the William H. Miller Law Library ensure that the people in this community have "...a quality law library readily accessible to all...at a substantial economic savings to everyone." In addition to this mission, the goals of the Foundation are to preserve, maintain, and enhance the Law Library of Vanderburgh County as a resource center for legal information that serves the courts, bar, and people of Evansville and the surrounding tristate area. This work has been even more important during the pandemic. And you make it possible for this library to remain one of only two county law libraries in the entire state.

To become a 2023 member of the Law Library Foundation, you may use the envelope enclosed in the November mailing or send your contribution to:

Vanderburgh Law Library Foundation  
City County Courts Building  
825 Sycamore Street, Suite 207  
Evansville, Indiana 47708

As always, I welcome your questions, comments, and suggestions. Please feel free to call me, Kathleen Weston, at (812) 435-5175 or send me an email ([kweston@vanderburghgov.org](mailto:kweston@vanderburghgov.org)).



## Annual Campaign Donors\*

### Legacy of Leadership

Randall K. and Rebecca Craig Family Foundation, Inc.

### Senior Partner

Gary and Paula Gerling Foundation

Steve Hoar

Stewart Richardson Deposition Services

### Lead Counsel

Marc Fine

The Gentry Law Office

Stone & Stratman

Tuley Law Office

Brian and Barbara Williams

### Court Counsel

Bob Carithers

Angela Freel

Hon. Bill Hussmann

Ryan Parker

### Attorney of Record

Steve Barber	Kathryn Kornblum
Todd Barsumian	John Kreigbaum
Erin Bauer	David Lamont
Diane Bender	Stan Levco
Tim Born	Hon. Mary Margaret Lloyd
John Brinson	Hon. Tom Massey
Laurie Bumb	Teresa McKeethen
Bill Bussing	Dan Robinson
Dan Carwile	Laura Scott
Allison Comstock	Toby Shaw
Hon. Richard D'Amour	Randall T. Shepard
Jamie Dameron	Charlie Spaetti
Max Fiester	Gary Taylor
Greg Freyberger	Aaron Tuley
Nicholas Gartner	Brent Weil
Kevin Gibson	John Whinrey
Hon. Carl Heldt	Crystal Wildeman
Kelly Jackson	Scott Wylie

### New Attorney (0-3 Years)

### Law Student

### Paralegal

Melissa Alldredge  
Jeana Goebel  
Lauren Gore

### Friends of the Foundation

Julie Moore Holtz  
Kathleen Weston

You can find an up-to-date listing of CLE on the EBA website at [evvbar.org](http://evvbar.org)

Registration and pre-payment are required by phone at (812) 463-3201, email at [Ashley@evvbar.org](mailto:Ashley@evvbar.org) or online at [evvbar.org](http://evvbar.org).

Registrations received two hours prior to start of course will be charged an additional \$5. Printed materials are available by request for \$5 per credit hour, not to exceed \$25. Credit will not be reported to the Indiana Supreme Court Commission on Continuing Legal Education (CLE Commission) until payment for the course has been received in full.

# NEW LAWYER BOOTCAMP

**3 CLE**

**VANDERBURGH COUNTY COURTHOUSE  
COURTROOM 101**

**WEDNESDAY, FEBRUARY 8, 2023**

**1:00pm-4:45pm**

**5:00pm—Rooftop for refreshments**

**FREE for all EBA members 0-3 years in practice**

**EBA members \$90 (more than 3 years)**

**Non-members \$150**

To register call (812) 463-3201 or email

[ashley@evvbar.org](mailto:ashley@evvbar.org).

**NEED  
SOME  
HELP?**

Have you had problems logging into the EBA website?

If so, please let us know!

Call Ashley at the office at  
(812)463-3201 or email her at  
[ashley@evvbar.org](mailto:ashley@evvbar.org).



**Do you have an idea  
for a CLE course? Is  
there a topic you  
would like to learn  
more about and/or  
speak about?**

If so, contact

**Julie Moore Holtz at the EBA Office at  
(812) 463-3201 or [Julie@evvbar.org](mailto:Julie@evvbar.org).**



EVANSVILLE BAR ASSOCIATION

## NEW CLE COURSES AVAILABLE ON DEMAND!

Don't miss the new additions to the EBA On-Demand CLE catalog! We've got over 20 hours of CLE programming for you to enjoy whenever or wherever it's convenient for you—and, members save 25% on all one-hour courses!

**EBA MEMBERS use coupon code:  
*eba20mem* for member pricing!**

Go to the EBA website at  
[evvbar.org](http://evvbar.org) and  
click the **CLE** button!

The CLE Commission will not approve online CLE credit if you previously received credit for the same live course. It is your responsibility to monitor your credits.

## APPLIED PROFESSIONALISM

FOR THE NEW ATTORNEY

**6 CLE/6 Applied Professionalism/ 6 Ethics**

**Friday, September 22**

**8:30am-4:00pm**

**Check-in and light breakfast at 8:00am**

**Evansville Bar Association**

**501 Main Street, Suite 101**

To register call (812) 463-3201 or email  
[ashley@evvbar.org](mailto:ashley@evvbar.org).

**Presented by the  
EBA Young  
Lawyers Section**

**FREE for EBA Member  
0-3 Years in Practice**

**\$100 for Non-member  
0-3 Years Practice**

**\$190 for EBA Member  
4+ Years in Practice**

## WHO'S DOING WHAT?



Gutwein Law is pleased to announce that **Ross Yates** has been elected partner in the firm.

**Spencer Tanner**, Gutwein Law, is one of twenty-five lawyers selected for the 2023 class of the Indiana State Bar Association's Leadership Development Academy.



The EBA Paralegal Section gathered at Hacienda during the holidays for fun, food and festivities! Front row L to R: **Kelsey Stroud, Julie Corbin, Jennifer Helfert, Tuesdae Suttles**. Back row L to R: **Lauren Jones, Connie Wambach, Sharon Brantley, Susan Longest, Shannon Young, and Rebecca Korba**.



### Bar Updates:

Welcome new attorney member **Zach Winsett** and new paralegal member **Bryn Owen**. Please make the following additions and updates to your contacts:

#### Bryn Owen, Paralegal KDDK

501 Main Street, Suite 305  
Evansville, Indiana 47708  
(812) 423-3183  
[bowen@kddk.com](mailto:bowen@kddk.com)

#### Zach Winsett Bob Zoss law Office & Mediation Services

2405 North Green River Road  
Evansville, Indiana 47715  
(812) 471-8502  
[zw@zosslaw.com](mailto:zw@zosslaw.com)



#### Christian Lenn LLP

401 SE Sixth Street, Suite 200  
Evansville, Indiana 47713

**Chris Lenn** [clenn01@gmail.com](mailto:clenn01@gmail.com)

O: (812)425-2100

#### Gonterman & Meyer Law

25 NW Riverside Drive, Suite 310  
Evansville, Indiana 47708

**Rhett Gonterman**

**Greg Meyer**

**Amy Rees, Paralegal**

**David Shaw**

**Kelsey Stroud, Paralegal**



O: (812) 213-4039

[rhett@evvlegal.com](mailto:rhett@evvlegal.com)

[greg@evvlegal.com](mailto:greg@evvlegal.com)

[Amy@evvlegal.com](mailto:Amy@evvlegal.com)

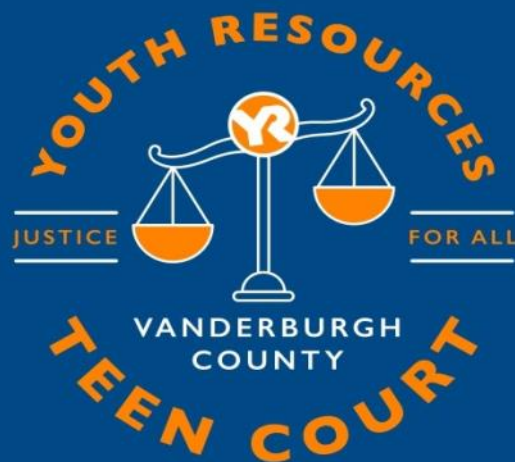
[david@evvlegal.com](mailto:david@evvlegal.com)

[kelsey@evvlegal.com](mailto:kelsey@evvlegal.com)

## EMPLOYMENT OPPORTUNITIES

For more information or how to apply, go to [evvbar.org](http://evvbar.org), click the MEMBERS tab.

PLEASE JOIN US FOR AN ATTORNEY INFO SESSION



MONDAY, FEBRUARY 13, 2023 • 5:30-6:30PM

YOUTH RESOURCES

4451 N. FIRST AVENUE • EVANSVILLE, IN 47710

Lower level of First Federal Savings Bank. Use the south side entrance.

# JANUARY 2023 CALENDAR

- 01/01 **WE HAVE MOVED!** 501 Main Street, Suite 101, 47708
- 01/10 **EBA Paralegal Section Meeting**—Noon, EBA Office or Video Conference
- 01/12 **EBA Board of Directors Meeting**—Lunch at 11:45am with meeting at Noon—EBA Office
- 01/16 **Martin Luther King Jr. Day—Talk to a Lawyer**—11:00am-1:00pm, EBA Office
- 01/17 **Talk to a Lawyer**—11:30am-1:00pm, EBA Office
- 01/19 **EBF Board of Directors Meeting**—Lunch at 11:45am with meeting at Noon—EBA Office
- 01/25 **CLE Committee Meeting**—Noon, EBA Office

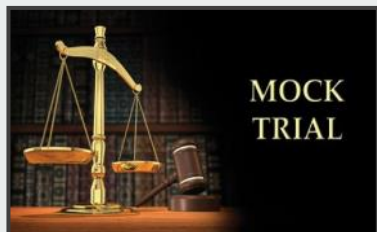
## SAVE-THE-DATE

**Evansville Regional Mock Trial—JUDGES NEEDED**—Saturday, February 18, 2023 (see info below!)

**New Lawyer Bootcamp** (3 CLE) - Wednesday, February 8, 2023, 1:00pm, Courthouse—Courtroom 101; Free for all EBA members 0-3 years in practice, \$90 for members more than 3 years in practice, Non-member \$150

**Law Day Celebration**—Friday, April 28, 2023; 5:30pm, City View by Sterling Square

**Applied Professionalism for the New Attorney** (6 CLE/6 Applied Professionalism/6 Ethics Pending) - Friday, September 22, 8:30am-4:00pm, EBA Office, Check-in and light breakfast at 8:00am



## Regional Mock Trial JUDGES NEEDED

Saturday, February 18, 2023  
Civic Center Courts Building

In February, the Young Lawyers Section and Evansville Bar Association are once again teaming up with the Indiana Bar Foundation to host the Evansville Regional Mock Trial Competition **LIVE AND IN-PERSON on Saturday, February 18, 2023 at the Courts Building**.

In order to host the competition, we must secure volunteers to serve as presiding judges (one per court room) and scoring judges (three per court room). **Ideally our local judges and magistrates will serve as presiding judges with lawyers and other volunteers serving as scoring judges. For more information or to volunteer on February 18 as a Mock Trial judge, please [VOLUNTEER FORM](https://form.jotform.com/222145490260145) — <https://form.jotform.com/222145490260145> prior to February 3, 2023.**

Please contact Mark Abell ([mark.abell@jacksonkelly.com](mailto:mark.abell@jacksonkelly.com)) if you have any questions about the competition.

### President's Message continued...

**Stand in Court.** Stand when addressing the court unless you have a reason for needing to sit, and if so, ask the court for permission to address it from counsel table in a seated position.

**Talk Through the Court.** In open court, direct your comments only to the court, the witnesses or, during *voir dire*, to the jury. Do not directly address opposing counsel except on introductory matters.

**The Ultimate No-Brainer.** Be courteous to court personnel and to other non-attorneys who are involved in the court system. It amazes me when attorney's express arrogance or rudeness to these folks. Setting aside it is just the right thing to do, they also happen to be the gatekeepers to the systems. It would do you well to treat them with the utmost respect and courtesy.

**Dress for Success.** This is especially true during the Zoom age, and should include Zoom hearings, in my opinion. Dress appropriately - men should always wear a coat and tie and women should wear appropriate attire.

**Don't Knee-Jerk Default.** Don't default another attorney without first giving him the courtesy of at least one letter, e-mail or telephone communication and an opportunity to file whatever pleading is required, unless specifically directed by your client to move for the default without displaying such courtesy.

**Social Media.** I have moved for mistrials over social media use by attorneys, especially during a jury trial. A healthy suggestion is use social media for nothing but personal matters. Also, if what you deem a personal matter hinges on a legal issue or charged political topic, think twice about posting anything.

All in all, much of the PCC goes back to the message I penned in August. As a general rule, **Be Kind, No Crinkles**. Have a great start to the New Year.