

The SUMMATION

915 Main Street, Suite 108
Evansville, IN 47708

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July 2020

The Monthly Newsletter of the Evansville Bar Association

PRESIDENT'S MESSAGE

By: Erin Bauer

THE YEAR 2020...WHAT CAN I SAY?

The Year 2020....what can I say? And it's only half over. I certainly did not think I would assume the EBA presidency during a global pandemic or as protests around the world continue to call attention to social injustices following the killing of George Floyd. I will not pretend to have all of the answers, but I hope we can all agree that we have room for improvement – as individuals, as a society, and even as a bar association.



Each night, I watch the news with my seven year-old daughter and ten year-old son. As I try to explain the events occurring in our nation to them, I keep coming back to one simple message to them: "Be nice to one another and treat EVERYONE with respect." Clearly, my message is oversimplifying the solution, but I think it's a place to start.

As the EBA Board of Directors recently informed our membership, the Board has asked the EBA's Diversity and Access to Justice Committees to develop action plans for the appropriate role of the Association to address the concerns of racial inequities within our community. If you would like to join one of those committees or otherwise offer support to their efforts, please contact Magistrate Briles, Chair of the Access to Justice Committee, and/or Raymond Dudlo, Chair of the Diversity Committee.

Before we dive too far into focusing on the future, the EBA Board and I want to thank Sacha for her service as out-going president. The past few EBA presidents have faced several challenges – the relocation of the EBA office, the hiring of a new director, and, most recently, of course, COVID-19. Sacha was able to accomplish many things during her presidency despite the recent challenges. She led us through a strategic planning retreat to plan for the future of the EBA (and we all know how riveting strategic planning retreats can be), helped to make the Regional Mock Trial Competition a great success, and, as her term closed, worked alongside our great EBA director, Julie Moore Holtz, and staff member, Ashley Martin, to ensure the EBA continued to operate and offer services to our members during these past few challenging months. I know Sacha fielded many EBA questions and issues during the quarantine as she juggled work from home and e-schooling children. So, from all of us, Sacha, thank you!! You may rest now.

I also want to thank the incoming board members who have agreed to serve the EBA over the next year, as well as those rolling off the board who devoted their time and service over the past year. Your service is truly appreciated.

In the next few months, as we struggle to return to "normal" or the "new normal," whichever the case may be, the EBA will strive to adapt to the needs of its members and offer the quality services it has offered in the past. The EBA office will open to the public soon, with social distancing rules still applying. We will begin to offer more in-person CLEs and meetings but will continue to offer online, including "on-demand" CLEs, for those who do not feel comfortable attending in-person or who simply prefer the convenience of attending a CLE from home or the office. The Board will continue to monitor and discuss options with regard to upcoming events and will keep members informed as information becomes available. As always, if you have a question, suggestion, or concern that you feel the EBA can address as we navigate through this ever-changing environment, please do not hesitate to contact us.

My first month serving the EBA has certainly been eventful. I look forward to serving the EBA over the next year....2020 can only go up from here, right?



The Evansville Bar Association is committed to providing a safe and healthy workplace for staff, members and guests. The EBA office is open to members and plans to reopen to the public on Monday, July 6.

The following infection prevention methods have been and will continue to be implemented at the EBA office:

- Hand sanitizer and disinfectant are available.
- Face masks are recommended.
- Social distancing—Six feet will be maintained between seating; staff, members and guests should maintain a six feet distance at all times.
- Chairs, tables and touch-points will be sanitized prior to, and at the conclusion, of all events.

DO NOT enter the EBA office if you have a fever, cough or shortness of breath.

At this time, we are exploring options to enhance audio/visual capabilities to live-stream meetings, CLE courses and events. We appreciate your patience and understanding during this transition to the "new normal."

VLP News

By: Judge Smith and Senior Judge Corcoran

Although the need for legal help has not gone away during the pandemic, the ability for members of the EBA and the staff of VLP to help has been drastically limited as we have dealt with closed public buildings and limited court access. Of course, that is about to change and your willingness to volunteer during what will be a challenging period will be more important than ever. In the coming months, VLP staff anticipates steep increases in housing, debt, and family law cases. To help the Courts catch up on delayed actions and deal with the influx of new matters, VLP in conjunction with its civil legal aid partners will be coordinating a daily help desk in the Vanderburgh County Courts and expanding Talk to a Lawyer times to help in our other counties. Please keep your eyes out for opportunities to be of service as we try to help our community through this unique time.

cheers to 40+ years



**Indiana Legal Services
invites you to
a retirement Open House
for
Katherine Rybak
Friday, July 31, 2020
4-6pm
EBA Office**



Lifetime Financial Growth is pleased to offer a **10% Permanent Discount** on Disability Insurance to all Evansville Bar Association Members.

To learn more about this offer, contact Julie Weyer at (812) 550-8702 or julie_weyer@lifetimefinancialgrowth.com

You can find an up-to-date listing of CLE on the EBA website at evvbar.org
Registrations received two hours or less prior to start of course will be charged an additional \$5;
Printed materials provided by request for \$5/credit hour

TSUNAMI! THE PRO BONO RESPONSE TO EVICTIONS DURING THE PANDEMIC 1 ETHICS (DISTANCE EDUCATION)

Due to the COVID-19 pandemic, both the State of Indiana and Congress implemented moratoria on the initiation of eviction actions. As the end of July approaches, the eviction moratoria are set to expire, leaving a number of Hoosier renters at risk for losing their housing. This training will cover the current state of the law regarding evictions, highlight basic due process protections under state and federal law, and discuss best tenant advocacy practices.

BRANDON BEELER, DIRECTOR—HOUSING LAW
 CENTER, INDIANA LEGAL SERVICES

FRIDAY, JULY 10—NOON
 VIDEO CONFERENCE

Member \$30; Non-member \$50

To register, go to evvbar.org or email Ashley at eba@evvbar.org. Once registered, log in information and materials will be emailed to you.

BE AN ACCESS TO JUSTICE HERO: TIPS AND STRATEGIES FOR SUCCESSFUL PRO BONO REPRESENTATION 1 ETHICS

Attendees will gain insight into the challenges presented by pro bono service and the systems in place to support volunteer representation, including recent changes to the Rules of Professional Conduct. The program will cover discrete task representation, court-based legal services, and technologies designed to expand access to our legal system. The program will also cover technical support provided through Indiana's unique pro bono programs.

SCOTT WYLIE, DIRECTOR—PRO BONO INDIANA

FRIDAY, AUGUST 21—NOON
 EBA OFFICE

Member \$30; Non-member \$50

To register, go to evvbar.org or email Ashley at eba@evvbar.org.

THE BEST "BENCHSLAPS" OF RECENT TIMES: LEARN FROM SOMEONE ELSE'S MISTAKE! 1 ETHICS

Black's Law Dictionary (yes, you read that correctly) defines "benchslap" as follows: "A judge's sharp rebuke of counsel, a litigant, or perhaps another judge, esp., a scathing remark from a judge or magistrate to an attorney after an objection from opposing counsel has been sustained." However it's defined, no one wants to be on the receiving end of one. In this seminar, we'll examine some of the most memorable benchslaps in recent years and discuss how we can benchslap-proof our own advocacy.

KATIE BOREN, ZSWS

TUESDAY, AUGUST 11—NOON
 EBA OFFICE

Member \$30; Non-member \$50

To register, go to evvbar.org or email Ashley at eba@evvbar.org.

SAVE-THE-DATE

**31st Annual EBA
 Estate & Business Planning Institute**

Friday, November 6, 2020

DoubleTree—Downtown Evansville*

with guest speakers

Professor Roberta Flowers, Stetson University

College of Law and

**Christopher R. Hoyt, University of Missouri (Kansas City)
 School of Law**

* Location and/or delivery method subject to change

2020 Bench & Bar conference

Friday, December 10

DoubleTree—Downtown Evansville*

*Featuring local judiciary and an
 Appeals on Wheels: Traveling Oral Argument*

* Location and/or delivery method subject to change



Daniel Robinson, Jr.,
President

Timing is everything—so goes the saying. And while I would have never envisioned taking over as president of the Evansville Bar Foundation during these trying times, that is where we are. I certainly do not know the right answers, nor do I even really know all the right questions. But I do know the mission of the John L. Sanders Memorial – Evansville Bar Foundation seems particularly relevant today: “Promoting justice and improving lives through the law.”

We are very fortunate to have been entrusted with such a strong foundation. Accounting for the grants we will award this year, since 2008, the Foundation will have awarded over \$250,000 to local organizations. We certainly owe a debt of gratitude to the initial gift left by Mrs. Sanders in the name of her late husband, but we also owe a debt of gratitude to you for your consistent support over the years. From the entire board, thank you! I would be remiss if I also did not thank Ryan Parker for his exemplary leadership over the last year.

Of course, there is always room to grow. Now, more than ever, we have been presented with a unique opportunity to effectuate the purpose of the Foundation in a meaningful way. Beginning July 1 and continuing through July 31, the Foundation's grant application window will be open. Please reach out and encourage organizations within the mission of the Foundation to submit a grant request. Whether it be a program designed to promote a public understanding and awareness of the law, an organization supporting an improved delivery of legal services to the community as a whole, an activity to enhance the performance of our professional qualifications and ethical responsibilities, or something generally advancing and promoting the administration of justice, the Foundation is ready to help.

Finally, I would also encourage each of you to keep supporting the Foundation. While none of us know what the future holds, we can use our time, talents and treasure now to help shape a better tomorrow.

To donate to the Foundation, go to <https://evvbar.org/foundation.aspx> or click the DONATE button below. All donations are tax deductible and reportable under Revised Rule 6.7(a)(3) of Professional Conduct!

Donate

The John L Sanders Memorial
**EVANSVILLE BAR
FOUNDATION**
is now
accepting grant
applications

JULY 1-JULY 31

Please forward the information to organizations that align with the Grant Policy of the EBF.

More information can be found on the EBA website at evvbar.org under the **FOUNDATION tab**.

**SPONSORED BY EBA'S
ACCESS TO JUSTICE COMMITTEE**

TRIVIA NIGHT

OCT 15

Doors open @ 6pm
Trivia @ 6:30pm

**BALLROOM
SAUCED***

* Location and/or delivery method subject to change

In Memory Of... John Hegeman

Thank you those who have made a contribution to the John L. Sanders Memorial—Evansville Bar Foundation in memory of long-time EBA member John Hegeman.

Diane Bender
Hon. Sheila Corcoran
Hon. W. Timothy Crowley and Sandra Crowley
Larry Downs and Suzanne Crouch
Kathryn Kornblum, Vanstone & Kornblum

LIBRARIAN'S CORNER: LAW LIBRARY FOUNDATION BOARD MEMBERS AND OFFICERS

Thank you for your support of the William H. Miller Law Library and the Vanderburgh Law Library Foundation. At the annual meeting of the Vanderburgh Law Library Foundation, the following board members and officers were elected:

Officers

President and Circuit Court Representative

Hon. Carl A. Heldt Vanderburgh Circuit Court

Vice-President

Kevin Gibson Legal Aid Society

Secretary

Kathryn Kornblum Vanstone & Kornblum LLC

Treasurer

Craig Emig Jones • Wallace, LLC

Board Membership for the 2020-2021 Term:

Erin Bauer	Barber & Bauer, LLP
Charles Berger, EBA Board Member Representative	Berger & Berger LLP
Magistrate Molly Briles	Vanderburgh Superior Court
Hon. Sheila Corcoran, VLP Board Member Representative	Vanderburgh Superior Court
Hon. Richard D'Amour, Superior Court Representative	Vanderburgh Superior Court
Mallory Deckard	Kahn Dees Donovan & Kahn, LLP
Steven Hoar	Kahn Dees Donovan & Kahn, LLP
David Jones	Jones • Wallace, LLC
Yvette M. LaPlante	LaPlante, LLP
Scott Stratman	Stone & Stratman, LLP
Andrew Ward	Ward Law Office LLC

Congratulations to the board members and officers that will serve the Vanderburgh Law Library Foundation in the coming year. 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.



ANNUAL CAMPAIGN DONORS*

Legacy of Leadership

Randall K. and Rebecca L. Craig Family Foundation, Inc.

Senior Partner

Gary and Paula Gerling Foundation, Inc.

Terry Noffsinger

Lead Counsel

Foster, O'Daniel, Hambidge & Lynch

John Gaither

Steve Hoar

Brian and Barbara Williams

Court Counsel

James Casey

Hon. Sheila Corcoran

Marc Fine

James Gentry, Jr.

Hon. William Hussmann

Michael Land

Morgan Stanley—The Stanley Group

Ole Olsen, Jr.

Mark Samila

Sheets, Charles & Charles

Stephen Thomas

Tuley Law Office

Neil Woods

Sarah Woods and Javier Lugo

Attorney of Record

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Steve Barber

Ted Barron

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David Shaw

Toby Shaw

Charles Spaetti

Phil Siegel

Gary Taylor

VanStone & Kornblum,

Kathryn L. Kornblum

Keith Vonderahe

Scott Wylie

New Attorney (0-3 Years)

Nicholas Gartner

Paralegal

Rebecca Korba

Law Student

Nicholas Loehr

WHO'S DOING WHAT



Georgianne Mastison has been appointed Chief Deputy Prosecutor in Posey County. Congratulations, Georgianne!



Congratulations to Javier Lugo and Sarah Woods who welcomed their daughter, Lucia, to the family in March!

We want to know WHO'S DOING WHAT!

Email us news, updates and photos of personal or professional achievements about you, your firm or other EBA Members to julie@evvbar.org by the 20th of each month to be included in the next Summation.

NOTE: Due to space constraints not all submissions will be included.

DO YOU KNOW...

...EBA members **Mallory Deckard**, **Greg Freyberger**, and **Cory Kuhlenschmidt**? If you do, you may not know them as well as you think! If you didn't, now, you do!

Check out **WE ARE THE EBA** on Page 7 where, each month, a member of the EBA Board of Directors will introduce themselves and two fellow EBA members.

Thanks to Greg Freyberger for putting together the first edition of **WE ARE THE EBA**.



Bar Updates:

Please make the following additions and changes to your contacts:

Kerry Currier

10115 North Pine Bluff Drive
Bicknell, Indiana 47512

(812) 881-9471

kerrycurrier1950@gmail.com



Groves Law Office

312 First Street
Henderson, Kentucky 42420
(812) 402-1740

mgroves@groveslawllp.com

cgroves@groveslawllp.com

EMPLOYMENT OPPORTUNITIES

The **ADR Mediation Program** is looking for mediators to be on its panel. ADR pays \$100 per hour, with a maximum of 5 hours, for qualified mediations. This is a great way to get experience, a little income and pro bono service hours, at the same time. For specific information and to be placed on the list, please contact Beverly Corn, bcorn@evvlo.com.

Jackson Kelly PLLC is seeking a full time litigation Associate with 0 to 4 years' experience to add to our team in Evansville, Indiana. Candidates must possess strong critical thinking, interpersonal and public speaking skills. Candidates should also have the ability to work independently or with a team of attorneys to develop case strategies, communicate effectively both verbally and in writing, negotiate and conduct research.

In addition to competitive compensation that is commensurate with experience and education, the firm offers an excellent benefit package that includes health, vision and dental insurance, life insurance, a 401(k) plan and more.

Inquiries should be addressed to Tamara Johnson, Jackson Kelly PLLC, PO Box 1507, Evansville, Indiana 47706-1507, Tel: 812-422-9444, E-Mail: thjohnson@jacksonkelly.com.

The **Vanderburgh County Public Defender Agency** in Evansville, Indiana has an immediate opening for a full-time attorney to handle felony cases. Applicants must be licensed to practice law in Indiana. Prior legal experience is preferred but not required.

The starting salary will be dependent on prior trial experience and will range from \$55,487 to \$71,864, which also includes a generous benefits package. Interested applicants should email a resume and cover letter to Jon Schaefer at jschaefer@vanderburghgov.org.

WE ARE THE EBA



Mallory Deckard, Attorney at Kahn, Dees, Donovan & Kahn

8 years in practice; civil litigation, insurance subrogation, personal injury, family law, and immigration

Why did you become an attorney? I was the victim of a traumatic crime as a freshman in college. As a result, I became very involved in victim advocacy. However, I soon realized I want to play a more active role in the legal system. I thought I would become a prosecutor, but the universe had other plans for me. I've practiced in civil litigation my entire career and my favorite moments are when I feel like I really help others.

What's the best piece of advice you've ever been given? Everything will look better in the morning -Never attribute to malice what you can attribute to ignorance

What always makes you laugh? The only thing I can think of is the Netflix series "Schitt's Creek".

What song would you sing at Karaoke night? "The Way I Am" by Ingrid Michaelson because it's such a cute little love song!

What celebrity would you most like to meet for a cup of coffee and why? I'm not too much into celebrity culture, but I'd probably say Mindy Kaling because she's hilarious and we'd have a grand old time.

What's your favorite item in your office and why? My Ruth Bader Ginsburg action figure because RBG is my hero, and the fact that I have an action figure of her makes me laugh.

What's one thing you will never do again? Demo and rebuild a shed... there's a reason they sell them already assembled!

If you could share a meal with 4 people, dead or alive, who would they be? Ruth Bader Ginsburg, Oprah Winfrey, Betty White and Frida Kahlo.

Who inspires you? I'm not really inspired by one specific person, but I'm inspired by attributes other people have. I'm inspired by people who have made great achievements despite facing great adversity, especially when they accept their status with humility, treat others with sincere kindness, and act in the best interest of others.



Greg Freyberger, Partner at Wooden McLaughlin—Evansville

19 years in practice; commercial and insurance litigation, predominantly on the defense

Why did you become an attorney? I was in college obtaining a criminology degree when one of my advisors informed me that police officers get shot at more often than attorneys. He, being a lawyer himself, recommended I take the LSAT. I did relatively well and the rest is history. I suppose it was serendipitous.

What's the best piece of advice you've ever been given? My dad used to tell us that "A job worth doing is worth doing right." I like that advice. But the best piece of advice, in my opinion, is "The problem is not the problem. Your attitude about the problem; that's the problem." One's outlook and attitude can drastically change how you see obstacles in life.

What always makes you laugh? Two words: Baby farts.

What song would you sing at Karaoke night? "Mr. Night," by Kenny Loggins. And I would butcher it.

What celebrity would you most like to meet for a cup of coffee and why? Tommy Silva from This Old House. The guy can fix anything.

What's your favorite item in your office and why? My computer speakers. For the past 19 years, I've had trouble concentrating without some music playing in the background.

What's one thing you will never do again? Play softball on an organized team. My body is not as young as my immature brain is, and I often forget that fact in the heat of competition. The last season I played was wrought with minor injuries.

If you could share a meal with 4 people, dead or alive, who would they be? Robin Williams, Bishop Robert Barron, Tony Robbins, and Russell Brand.

Who inspires you? My kids. I have two daughters and a son. I'm trying to be the person that they will grow up to be. If I can be half the example for them that my parents were to me, I'll consider the endeavor a huge success.



Cory Kuhlenschmidt, Associate General Counsel at Berry Global

19 years in practice; labor and employment

Why did you become an attorney? Two things: 1) I spent several summers during college as a runner for Bowers, Harrison, Kent & Miller. Paul Black gave me that opportunity and I really enjoyed getting to know the attorneys and staff, and I found the legal profession very interesting through those experiences; and 2) I wasn't qualified to do much of anything once I graduated from college so law school was a welcomed opportunity.

What's the best piece of advice you've ever been given? Two things: 1) "Never become an attorney." Gary Case gave me that advice on my first day working as a runner for Bowers, Harrison, Kent & Miller in the summer of 1995. His point was being an attorney is not at all like you may imagine it to be...it's hard and you have to work hard for it. 2) My mentor, Art Rutkowski, always emphasized that a really good labor and employment attorney stays on top of legal developments/trends and is always prepared to give well thought out advice promptly. Clients value the right response at the right time. By the time they're calling their labor and employment attorney, they need the counsel immediately (if not sooner).

What always makes you laugh? "Dad jokes"... "Do you want to hear a great airplane joke? Aww...never mind...it's over your head."

What song would you sing at Karaoke night? If I've had enough brown water, I'll sing just about anything - which includes "Copacabana!"

What celebrity would you most like to meet for a cup of coffee and why? I love IU basketball. I would really enjoy meeting Archie Miller for coffee to talk IU basketball and to get his take on coaches and players in the Big 10.

What's your favorite item in your office and why? My current office is in my home so I'll go with my wife when she's sitting in there with me. When she's not, I'll go with my grandmother's dry bar which houses an assortment of bourbon.

What's one thing you will never do again? Work in a law firm if I can help it. Don't get me wrong, it is absolutely nothing personal...I've worked with and learned from so many wonderful people (and characters) at two different law firms (Bowers Harrison and Bamberger) but law firms as an institution and I do not mix.

If you could share a meal with 4 people, dead or alive, who would they be? John Adams, Katherine Graham, Ed Dwight and Ted Kuhlenschmidt

Who inspires you? People doing extraordinary and impactful things in our community. One great example for me is Ben Trockman. I have had the pleasure working with and learning from Ben on disability diversity and inclusion in employment. I greatly respect his leadership to bring awareness, understanding and appreciation for diversity in our community.

JULY 2020 CALENDAR

07/01-07/31	Evansville Bar Foundation Grant Applications Accepted — https://evvbar.org/foundation.aspx
07/01	Access to Justice—Housing Subcommittee Meeting —Noon, video conference*
07/02	Talk to a Lawyer —4:30-6:00pm, EBA Office
07/03	EBA Office Closed —Happy Fourth of July!
07/07	Family Law Section Meeting —Noon, EBA Office
07/08	CLE Committee Meeting —Noon, EBA Office
07/09	EBA Morning Mixer —beginning at 7:30am, Donut Bank on Lincoln Avenue at Hwy 41
	Evansville Bar Association Board of Directors Meeting —Lunch @ 11:45am, meeting @ Noon, EBA Office
07/14	Access to Justice Committee Meeting —Noon, Video Conference*
	Paralegal Section Meeting —Noon, EBA Office or Video Conference—For log in information, please contact Michelle Robinson michelle.robinson@skofirm.com or Connie Wambach at connie.wambach@ils.net
07/21	Talk To A Lawyer —11:30am-1:00pm, EBA Office
07/23	Women In Law Section Meeting —Noon, EBA Office or video conference*
07/29	CLE Committee Meeting —Noon, EBA Office
07/31	Retirement Party for Katherine Rybak hosted by Indiana Legal Services —4-6pm, EBA Office

* Log in information is sent in the calendar invite for each meeting. If you would like to participate, contact Julie Moore Holtz at julie@evvbar.org.

SAVE-THE-DATE

Trivia Night 2020	Thursday, October 15—Doors open at 6:00pm, Trivia at 6:30pm; Sauced Ballroom
Family Law Update	Friday, October 30—8am, Location TBD
31st Annual Estate & Business Planning Institute	Friday, November 6—8:30am, DoubleTree Downtown Evansville
Bench & Bar Conference	Thursday, December 10—8:30am, DoubleTree Downtown Evansville
Procrastinators' Delight: All Ethics, All Day (6 Ethics CLE)	Tuesday, December 29 beginning at 8:30am
Procrastinators' Delight: The Last Stand (6 General CLE)	Wednesday, December 30 beginning at 8:30am
Regional Mock Trial Competition—Evansville	Saturday, February 13, 2021
National High School Mock Trial Championship	May 13-15, 2021—Downtown

ICLEF VIDEO REPLAYS @ EBA

Due to the COVID-19 pandemic, ICLEF replays at the EBA office have been suspended at this time.



It's baaaack!

EBA MORNING MIXER

Come enjoy some good coffee, great donuts and even better conversation!

Thursday, July 9
Beginning at 7:30am
Donut Bank on Lincoln Ave at Hwy 41