

The

Summation



EVANSVILLE BAR ASSOCIATION



401 SE 6th Street, Suite 101
Evansville, IN 47713
812-463-3201
www.evvbar.org

April 2016

The Monthly Newsletter of the Evansville Bar Association

PRESIDENT'S MESSAGE

By: Steve Hoar



In the depths of the Cold War, President Eisenhower issued a proclamation designating May 1, 1958, as Law Day. Law Day was a counterpoint to the Soviet Union's May Day parades in which the communist regime celebrated its military prowess.

The Law Day proclamation came just months after two historic, though seemingly unrelated, events: the Soviet launch of Sputnik into orbit and the desegregation of Little Rock Central High School, with help from the U.S. Army's 101st Airborne Division, in compliance with the U.S. Supreme Court's decision in *Brown v. Board of Education*. Law Day was meant to draw a stark contrast between America's greatest weapon, the rule of law, and the rule of force that reigned behind the Iron Curtain.

Every president since Eisenhower has followed in his footsteps by proclaiming each May 1st to be Law Day. The proclamations are studies in the prevailing political winds of the time. In 1962, President Kennedy characterized the rule of law as "one of the vital bulwarks" in the "struggle to sustain freedom." In 1968, President Johnson described law as "a process of continuous growth that allows the creation of new rights for all men through a deliberative democratic process." In 1969, President Nixon invoked "rising crime rates, urban rioting, and violent campus protests" in calling for a reversal of "the upward trend of lawlessness in our land." In 1982, President Reagan portrayed the United States, with its commitment to the rights and freedoms guaranteed by the Constitution, as "a beacon of liberty to oppressed peoples around the globe."

While the emphases have changed through the years, the core purpose of Law Day remains the same: cultivation of respect for the law. Knowledge of and respect for the law support a strong and engaged citizenry, which in turn provides fertile ground for good government.

Here in Indiana, two sons of Evansville, former Indiana Chief Justice Randall Shepard and former Indiana Ninth District U.S. Representative Lee Hamilton, have led an initiative to strengthen citizenship in our state. This initiative, the Indiana Civic Health Index, measures citizens' engagement in their communities and suggests ways to increase positive involvement.

While Indiana ranks high among the states in certain aspects of civic life, such as volunteering, group membership, and family meals, our state lags in other measures of civic involvement. For example, Indiana ranks 44th in participation in school groups, 46th in public meeting attendance, and 47th in working with neighbors to fix or improve something in the community. Indiana ranked last in the nation for voter turnout in the 2014 midterm election, with a turnout rate of less than 28%.

The problem of disengaged citizens can be countered by more education. The study found that more education leads to greater participation in almost every category of civic engagement. Additionally, civic education programs significantly improve participants' civic knowledge and, presumably, the quality of their civic engagement. One such program is *We the People*, which is administered by the Indiana Bar Foundation. The Foundation recently came to Evansville to present a mock congressional hearing in which Evansville North High School's *We the People* team was grilled about constitutional and other legal subjects. The depth of legal knowledge held by these high school seniors was impressive. *We the People* exists with the support of volunteer coaches and judges. Please consider volunteering for this worthy program when invitations are sent later this year.

Law Day presents additional opportunities for lawyers to share their legal knowledge, helping our community and state achieve better civic engagement. The EBA sponsors several Law Day educational activities, such as mock trials for area high school students and articles on legal topics published in the *Evansville Courier & Press*.

The Indiana State Bar Association is sponsoring a statewide program that sends lawyers into schools to discuss the Law Day theme. This year, in recognition of the 50th anniversary of the U.S. Supreme Court's decision in *Miranda v. Arizona*, the Law Day theme is "Miranda: More than Words." This theme highlights the procedural protections of the Constitution and the legal profession's role in safeguarding these rights. Volunteers can sign up at www.inbar.org.

Finally, the EBA's Law Day party, **A Night Down South, will be held on April 29**. Come share camaraderie with your colleagues and celebrate our profession.

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CALL FOR NOMINATIONS: INTERESTED IN SERVING ON THE EBA BOARD OF DIRECTORS?

The mission of the Evansville Bar Association is to enhance the practice of law, cultivate professional excellence, promote high ethical standards and uphold the honor of the profession.

The primary role of the EBA's Board of Directors is to set policy, oversee finances and determine the viability of programs and projects. To do this, a member of the Board of Directors is expected to:

- Attend Board meetings regularly and miss a Board meeting only for a very compelling reason.
- Attend with regularity EBA and Evansville Bar Foundation activities and social functions and positively consider donation or financial requests in keeping with personal capabilities.
- Promote the involvement of members of their firms/companies/agencies in EBA activities and functions.
- Serve as a "Board Liaison" to at least one committee, section or program, providing leadership, direction and communication for and between the Board of Directors and the relevant group.
- Conscientiously review written material presented to them in their capacity as members of the Board of Directors.
- Be active in the affairs of the Evansville Bar Association and diligent in the performance of all duties during the term of office.

If you are interested in serving on the EBA Board of Directors, please submit a letter of interest to the EBA Nominating Committee, 401 SE 6th Street, Suite 101, Evansville, IN 47713 or e-mail susan@evvbar.org.

Please include: Name, number of years in practice, number of years as an EBA Member, principal areas of practice, participation in EBA activities, committees, and sections.

DIVERSITY ROUNDTABLE

Tuesday, May 10
8:00 AM - 10:00 AM
EBA Office



Lack of diversity in your organization is affecting your bottom line. Clients are leaving Evansville to seek legal representation in Bloomington and Indianapolis because their perception is that there are not attorneys in Evansville that understand their cultures or their needs.

In an attempt to help you better serve the increasingly diverse Evansville population, the EBA Diversity Committee is inviting you to participate in a roundtable discussion facilitated by Mark Sebree.

Discussion Topics will include:

- Understanding diversity: racial, ethnic, cultural, economic background, gender, and sexual orientation.
- Effect of new medical school and the face of our changing community
- Increasing efforts to educate staff and attorneys
- Economic benefits of increasing diversity and inclusion efforts within your business
- Representing the different aspects of our community within your businesses
- Benefits of creating in-house committees focusing on Diversity and Inclusion
- Effect of business leaving the Evansville area due to the lack of diverse members in law firms and businesses

Seating is limited. RSVP to eba@evvbar.org or 812.463.3201.
Event is Free.

ORAL HISTORIES of SENIOR ATTORNEYS

"A lawyer's time and advice are his stock in trade."

- Abraham Lincoln

Would you be *willing to volunteer to interview* a seasoned attorney to add to our **oral history collection?**

It just might be a wonderful experience and it will help preserve something valuable for our profession and our organization.

Contact Susan at susan@evvbar.org or call (812) 463-3201

SPEAKERS BUREAU - A Community Outreach

EBA needs your expertise!!

As a community outreach, the EBA offers to provide various groups with speakers on a wide variety of legal topics through a program called the **EBA Speakers Bureau**.

For example, a senior citizens group may require information on advance health care directives, options for estate planning, or preserving their financial assets. Neighborhood groups might ask for a speaker on zoning law or real estate issues, and a high school may ask for a speaker on laws that affect young people, law as a career, buying your first car, etc. So please join the list of speakers!

Contact Susan at susan@evvbar.org or
Call (812) 463-3201

WHO'S DOING WHAT

Congratulations to the law firm of **Bamberger, Foreman, Oswald & Hahn, LLP** for being awarded the Susan K. Helfrich Award for Excellence in Pro Bono Service by the VLP of SW Indiana.

Congratulations to **Janet Hagan** of Terrell, Baugh, Salmon & Born for being presented the Florence Britzius Award by the EBA for outstanding commitment to the profession and the community as a legal secretary.

Congratulations to **Tracie Whalen** of Berry Plastics for being presented the EBA Outstanding Paralegal Award.



Bar Updates: Please make the following changes and additions to your address book:

Leanne M. Garbers
Vanderburgh County Prosecutor's Office
Civic Center, Admin. Bldg #108
1 N.W. M.L. King Jr. Blvd.
Evansville, IN 47708
(812) 435-5703
lgarbers@vanderburghgov.org

Alexandra Deeley
Berry Plastics Corporation
101 Oakley Street
Evansville, IN 47710
(812) 250-3759
alexdeeley@berryplastics.com

Gregory G. Meyer
GREG MEYER LAW OFFICE
Curtis Building, Suite 205
915 Main Street
Evansville, IN 47708-1856
(812) 213-4039
gregory.meyerlaw@gmail.com

MacKenzi L. Payne-Crowe
OneMain Holdings, Inc.
PO Box 59
601 N.W. 2ND St.
Evansville, IN 47708
812-468-5174
mackenzi.paynecrowe@springleaf.com

Jillian N. Reed
Bob Zoss Law Office & Mediation Services
2405 North Green River Road
Evansville, IN 47715
(812) 471-8502
jr@zosslaw.com

Laura L. Chambliss
Managing Director of Legal Affairs
Big Rivers Electric Corporation
201 Third Street
P.O. Box 24
Henderson, KY 42419-0024
(270) 844-6178
Laura.Chambliss@bigrivers.com

Ted C. Ziemer IV
Bingham Greenebaum Doll LLP
25 NW Riverside Drive, Suite 100
Evansville, IN 47708
(812) 437-0200
tziemer@bgdlegal.com

Kristen Head
Berry Plastics Corporation
101 Oakley Street
Evansville, IN 47710
(812) 250-3738
kristenhead@berryplastics.com

Eric L. Johnson
Berry Plastics Corporation
101 Oakley Street
Evansville, IN 47710
(812) 250-3785 (ext. 12785)
EricLJohnson@berryplastics.com

LAWYER REFERRAL SERVICE- "get on THE LIST!"

\$90,000 ...

...that is the amount of fees generated in 2015 by the EBA's Lawyer Referral Service. Some of those fees could have gone to you. Maybe in 2016?

"I intend to stay in the program. It does pay for itself."

"I encourage continuation of the excellent program."

"We appreciate the referrals that are made... The volume is certainly not overwhelming and works into our practice very well."

So consider giving the Lawyer Referral Service a try and...

... "get on THE LIST."

For more information: eba@evvbar.org or call 812-463-3201.

Committee/Section Meetings

- 04/05 Communications Committee Meeting, 8:15AM - EBA Office
- 04/07 Diversity Committee Meeting, 8:00 AM - EBA Office
- 04/13 Employment Law Section Meeting, Noon - EBA Office
- 04/19 Paralegal Section Meeting, Noon - Bamberger, Foreman, Oswald & Hahn
- 04/19 Editorial Board Meeting, 11:30 AM - EBA Office
- 04/27 CLE Committee Meeting, 11:45 AM - Lic's Deli

Classified Advertising

HOOK BUSINESS SERVICES - ARE YOU A SOLE PRACTITIONER, ARE YOU SHORT-STAFFED, OR DO YOU NEED PARALEGAL, BILLING OR BOOKKEEPING SERVICES WITHOUT HIRING ADDITIONAL STAFF? IF SO, FEEL FREE TO CONTACT MARY ELLEN AT (812) 774-3239 OR BY EMAIL AT maryellenhook3959@gmail.com I AM A MEMBER OF THE EBA WITH 38 YEARS OF LEGAL EXPERIENCE IN THE EVANSVILLE AREA AND I AM A NOTARY PUBLIC. I WOULD WELCOME THE OPPORTUNITY TO HELP WITH ANY OF YOUR BUSINESS NEEDS. SERVICES WILL BE BILLED AT AN HOURLY RATE WITH A QUICK TURNAROUND, INCLUDING PICK UP AND DELIVERY SERVICE WHEN NECESSARY.

EMPLOYMENT OPPORTUNITIES

- **Indiana Legal Services, Inc.** (Evansville branch) has an opening for a full-time intake paralegal **beginning May 1, 2016**. Send a résumé and cover letter containing salary requirements and contact information for three professional references to: Managing Attorney, Indiana Legal Services, Inc., 2425 U.S. Highway 41N, Suite 401, Evansville, Indiana or email to steve.culley@ilsnet.net. Equal Employment Opportunity/Affirmative Action Employer Click [HERE](#) for full job description and required qualifications.
- **Honorable Matthew P. Brookman** is looking for a law clerk for a 2-plus year term beginning April 2016 and ending September 2018. Salary range is \$59,246 - \$84,443, dependent upon background and experience. Click [HERE](#) for full job description and required qualifications.
- **Charles Spaetti** has a position open for a part time legal secretary (@19 hours per week; schedule flexible). His practice concentrates in collection law. Word processing, phone and good organizational skills are needed. Send resume to cas6484@sbcglobal.net.



Katie Worman, President

**CALL FOR NOMINATIONS
INTERESTED IN SERVING ON
THE EVANSVILLE BAR FOUNDATION
BOARD OF DIRECTORS?**

The mission of the EBF is to promote justice and improve lives through the law. This is done by encouraging and supporting programs designed to promote a public understanding and awareness of the law; supporting an improved delivery of legal services; promoting activities to enhance the performance of the practicing lawyers' professional qualifications and ethical responsibilities; and advancing and promoting the administration of justice primarily through grant awards and volunteer time. If you are interested in serving on the EBF Board of Directors, please submit a letter of interest to:

**Evansville Bar Foundation
401 SE 6th Street, Suite 101
Evansville, IN 47713**

or e-mail susan@evvbar.org, no later than **April 30, 2016**.

**The following is a list of the Evansville Bar Foundation's
"2016 EARLY CONTRIBUTORS"
Each has already given their financial support for 2016!
Thank you.**

Lead Counsel

Foster, O'Daniel, Hambidge &
Lynch LLP
Steve Hoar
P. Michael Mitchell
Brian and Barbara Williams

Kevin Gibson
David Hatfield
G. Michael Schopmeyer
Philip Siegel
Dan Tuley
Heath Tuley
John Whinrey

Court Counsel

Charles Hewins
Michael Land
Krista Lockyear
Terry Noffsinger
Dirck Stahl

New Attorney (0-3 Years)

Lindsay Charles
Steven Charles
Ryan Hatfield
Brandon Powell
Erin Schmitt
Patrick Thomas

Attorney of Record

Steve Barber
Erin Bauer
D. Timothy Born
Allyson Breeden
John Brinson
Thomas Bryan
Michelle Bryant
W. Charles Bussing III
Hon. Richard G. D'Amour

Paralegal

Barbara VanZant



WHAT'S NEW @ THE LAW LIBRARY?

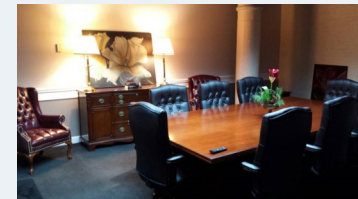
New Acquisitions

In recent months, the Law Library has received a donation of approximately 60 volumes of BNA labor reporters from Bowers Harrison. Titles include Wage & Hour Cases 2d, Fair Employment Practice Cases, Individual Employment Rights Cases, and Americans with Disabilities Cases. The holdings list on the website, www.vanderburghgov.org/lawlibrary, has been updated to reflect these additions. Thank you to Bowers Harrison for making these volumes available. If you are downsizing your print collection, please give me a call at 812-435-5175 or send email to evvlaw@evansville.net. I'll be happy to help you find a new home for your surplus volumes.

The Law Library has also received a donation of five volumes to fill gaps in our set of Am Jur Pleading and Practice Forms. Although the set is not currently updated, it still has value for many attorneys, along with its companion set Am Jur Legal Forms 2d. Thank you to Bricker & Eckler, Columbus OH, for sharing!

Helen Reed, Law Librarian

**COURTVIEW CONFERENCE CENTER
Suite 505 Curtis Building - weekly or monthly rental**



- Private free-standing 500+ sq. ft. corner office conference room available for weekly, daily, and half day rental. Perfect for jury trials, bench trials, client meetings, depositions, pre-trial/settlement conferences, witness preparation and board meetings.
- Conference Center overlooks and is a one minute walk to the Vanderburgh County Courthouse and the Vanderburgh County Civic Center. Two minute walk to the Federal Courthouse.
- Conference Center will include private keyed entrance, 10 person conference table, secure high speed wireless and wired internet, 50" UHDTV with Bluetooth sound system, wireless copier/scanner, complimentary beverages, tablet/cell phone charging stations, work desk, additional seating and secure document shredding.
- Curtis Building amenities include ample free parking, same floor restrooms, cleaning service and breakfast/lunch catering to Conference Center from the on premise antique Caboose diner. For reservations or additional information, please contact:

**Massey Law Offices, LLC
(812) 491-9333**

915 Main St., Suite 502, Evansville, IN 47708

www.masseylawoffices.com

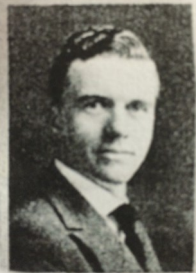
Better Solutions for High-Conflict Family Law Cases I CLE

Tuesday, April 5
Noon* - EBA Office
Lunch Generously Provided by
Bamberger, Foreman, Oswald & Hahn

Eliminate The 'He Said/She Said' - Improve client communication and keep parents accountable in moderate and high conflict cases. OurFamilyWizard.com and its mobile applications are often made part of the parent agreement in an effort to reduce litigation and improve co-parent communication. Learn how parents and professionals utilize its features to manage and document communication. Learn who may access the family's activity and obtain declarations on authenticated records. Review model language colleagues are using to stipulate to and order communication on the website. Discuss relevant appellate opinions regarding the best interest of the child and user privacy.

***Registration and lunch 11:30 AM,
CLE begins at Noon.**

Cost is \$25 for Family Law Section Members, \$30 for EBA Members, \$30 for Non-members. Attendees that do not pre-register are still welcome to attend as a walk-in, space permitting, at an additional cost of \$5.00. Register on-line at www.evvbar.org email eba@evvbar.org or call 812-463-3201.



Indiana University
Bloomington, Indiana
Yearbook 1923
Senior

Can you name this man?

Boonville, Ind. LL. B. Lambda
Chi Alpha, Gamma Eta Gamma,
Demurrer Club
(Photo provided by Charles A. Spaetti)

New Child Support Guidelines I CLE

Tuesday, April 26
Noon
EBA Office

Speaker: Judge D'Amour

Cost is \$25 for Family Law Section Members, \$30 for EBA Members, \$50 for Non-members.

Attendees that do not pre-register are still welcome to attend as a walk-in, space permitting, at an additional cost of \$5.00.

Register on-line at www.evvbar.org email eba@evvbar.org or call 812-463-3201.

EBA Women Attorneys Section presents A Professional Development Workshop

with Carol Frohlinger
President of Negotiating Women, Inc.
www.negotiatingwomen.com



May 5, 2016
Tropicana Conference Center

There will be a morning interactive workshop followed by a lunch with keynote speech.

President of Negotiating Women Inc. and **Co-author of Her Place at the Table** and **Nice Girls Just Don't Get It**, Carol Frohlinger is an internationally known speaker on the ways women can negotiate with authenticity to achieve their maximum personal and professional potential.

TICKETS ARE LIMITED !!

Register via email eba@evvbar.org or call 812-463-3201.

"Carol Frohlinger has done a series of excellent negotiations programs for the National Association of Women Lawyers around the country (e.g., NY, LA, Philadelphia, Chicago, LA) to terrific reviews."

- Lisa B. Horowitz, JD, MSOD
President, National Association of Women Lawyers Senior Manager of Professional Development McDermott Will & Emery LLP

AGENDA:

10:00am-11:30am

Workshop for women

11:30am-12:00pm

Networking

12:00pm-1:00pm

Lunch with keynote speaker

Carol Frohlinger

Lunch is open to professional women & men

COST:

Workshop only - \$35

Keynote/Lunch only - \$20

Attend Both - \$50

The EBA and ISBA Present

Professional Retirement Planning: Sell, Retire, or....

3 CLE/1.5 Ethics

Friday, April 8

9:00AM - EBA Office

This seminar will cover all the issues you need to consider before, during and after closing your practice.

9:00AM

Social Emotions Concerns and Issues (ethics)

9:45AM

Closing or Leaving your Practice, Becoming Of Counsel

10:45AM

Break

11:00AM

Attorney Surrogate Rule (ethics)

11:45AM

Insurance Issues Upon Retirement

12:15PM

Adjourn

\$90 for EBA/ISBA members; \$150 for non-members. Attendees that do not pre-register are still welcome to attend as a walk-in, space permitting, at an additional cost of \$15.00 (\$5.00 per CLE hour.)

Register on-line at www.evvbar.org email eba@evvbar.org or call 812-463-3201.

LAW DAY CELEBRATION 2016

“ A Night Down South”

Friday, April 29 6:00 PM
Old Vanderburgh Courthouse

Evening’s Events Include:

- Parade of Attorneys
- Cocktail Reception
- Welcome, Oath of Attorneys, Awards
- Hors D’oeuvres
- Silent Auction

And Much More...



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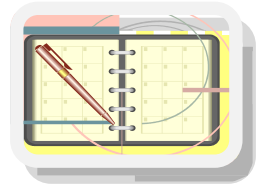
Amy Brandsasse
Professional Guardian
Ad Litem Services, LLC.



Uniting the Power of People and Technology



APRIL CALENDAR



- 04/05 Communications Committee Meeting, 8:15AM - EBA Office
- 04/05 Better Solutions for High Conflict Family Law Cases, 1 CLE, Noon - EBA Office**
- 04/07 Diversity Committee Meeting, 8:00 AM - EBA Office
- 04/07 Talk to a Lawyer, 4:30 PM - EBA Office
- 04/08 Professional Retirement Planning: Sell, Retire, or...3 CLE/1.5 Ethics, 9:00 AM - EBA Office**
- 04/13 Employment Law Section Meeting, Noon - EBA Office
- 04/14 EBA Morning Mixer, 7:30ish - Donut Bank on Hwy 41 & Lincoln
- 04/14 EBA Board of Directors Meeting, 11:30AM - EBA Office
- 04/19 Editorial Board Meeting, 11:30 AM - EBA Office
- 04/19 Paralegal Section Meeting, Noon - Bamberger, Foreman, Oswald & Hahn
- 04/26 New Child Support Guidelines 1 CLE, Noon - EBA Office**
- 04/27 CLE Committee Meeting, 11:45 AM - Lic's Deli
- 04/29 Law Day Celebration, 6:00 PM - Vanderburgh County Old Courthouse

UPCOMING EBA SPONSORED VIDEO REPLAYS

No EBA sponsored replays scheduled for April.

UPCOMING ICLEF VIDEO REPLAYS

For reservations, pricing, or to verify credits or content for the ICLEF video replays, please contact ICLEF at (317) 637-9102 or visit www.iclef.org.

- 05/09 Complexities of UCC Article 9 Simplified, 6 CLE
- 06/20 How to Understand & Analyze Financial Statements, 6 CLE
- 06/22 Medicaid for the Elderly and Aged in Indiana, 6 CLE