

The SUMMATION

November 2018

The Monthly Newsletter of the Evansville Bar Association

915 Main Street, Suite 108
Evansville, IN 47708

Inside this issue:

EBA News	2
Bar Updates	3
EBF	4
CLE Offering	5&6
Calendar	7
VLP Registration	8

PRESIDENT'S MESSAGE

By: **Yvette LaPlante**



In 2013, during the Scott Wylie regime, Scott frequently reminded members that this is the best bar association in the state. The comment frequently made me roll my eyes and sip my chardonnay, but as I have become more invested in this association and heard more about the challenges other bars are facing, I have come to realize that Scott was right. The last month has provided perspective on how this bar association is exceling and the importance of our members continued engagement at the state level. I now wish to publicly retract my eye rolls.

In early October, the *Indiana Lawyer* published "[Staying Relevant](#)," an article about what the Indiana State Bar Association is doing to bring value to its members. It also highlighted challenges local bars are facing. Our membership numbers remain strong, despite decreases across the state. Cynics would tell you that Evansville is just a traditional city, the last to catch on to the trend of declining membership. But I think our steady numbers can be attributed to the fact that we try to be cognizant of the varying needs of our members. Like you, what I needed from this bar association ten years ago and what I need from it today are two very different things. And I anticipate those needs will be different in the next ten years as my practice evolves. The ability to understand and meet the needs of our members in all stages of the practice is due in large part to our current and former staff who work hard to keep everyone engaged. Keeping that momentum going, however, will require ongoing input from members in all stages of practice.

In mid-October, I attended the ISBA House of Delegates meeting. Vanderburgh County was one of the few delegations to fill all of its seats. The agenda's most contentious item was a request to recommend that lawyers complete one hour of diversity training and one hour of wellness training in each three year CLE cycle. At first, the over 120 delegates voted by audibly signaling "aye" or "nay." The signal receiving the loudest response won. Eventually, a more precise standing vote was conducted. The motion passed and the Supreme Court will likely consider the change after providing a ninety day comment period. During the discussion, a delegate from another county raised concerns about needing to travel to find CLEs that meet the requirements. His comment provided me with two insights. First, we are extremely fortunate to have a local bar that provides such a wide breadth of CLE options. And second, it is important to have a local voice in a room where the loudest voices prevail-- in the most literal sense.

Through my observations this month, I'm convinced Scott was right. The EBA is uniquely active and talented. I'm also convinced that we need to stay present at the state level to make sure our opinions are heard, our talents are recognized, and we remain the best bar in the state.



At the ISBA Board of Governors meeting on October 10, the board approved moving forward with a plan for offering health insurance to ISBA members. There is much work to be done and a certain level of participation will be needed to make the plan viable, but if all goes well, health insurance should be available sometime in the next year.

At the House of Delegates meeting on October 10, the following action was taken:

- Amendment of the ISBA Bylaws to allow law student and affiliate members to more fully participate in committee and section activities.
- Passage of a resolution recommending that Rule 29 of the Indiana Rules for Admission to the Bar and Discipline of Attorneys be amended to require attorneys to complete, as part of (not in addition to) the minimum 36 CLE hours per three year period, at least one hour of mental health and substance abuse programming, and at least one hour of diversity and inclusion programming.
- Passage of a resolution calling for the amendment of Indiana Rule of Professional Conduct Guideline 9.1 to eliminate language requiring non-lawyer assistants to be employees of their supervising lawyer.

VLP NEWS

By: Judge Smith and Magistrate Corcoran

It is time to sign-up for Talk To A Lawyer and VLP's weekly in-person clinics for 2019. Hard to believe that it is that time of year already. At the end of the next two editions of the Summation you will find a sign-up sheet that you can e-mail, fax, or mail to the VLP office to get on the schedule. For nearly twenty years, volunteers from the Evansville Bar Association – **lawyers and paralegals** – have fielded phone calls from area residents. We are closing in on 12,000 phone consultations during that time. Anyone can volunteer for TTAL and no previous experience is necessary. Resource materials are available and each session's volunteers often work together to help answer more challenging (or unusual) questions posed by callers. Our new lunch TTAL is scheduled for the third Tuesday of each month from 11:30 a.m. to 1:00 p.m. Central Time. Our long-standing Thursday evening session is scheduled for 4:30 to 6:00 p.m. on the first Thursday of the month. Talk To A Lawyer is one of the ways that the local bar interacts in a positive way with members of the public. This service also helps relieve some of the caller demand at our partner programs like Indiana Legal Services, the Legal Aid Society, and the EBA's Lawyer Referral Service. Volunteering is easy, fun, and there are snacks. Please consider signing up for as many dates as you can. Thank you!



JOIN US FOR A VETERANS DAY CELEBRATION

NOVEMBER 08, 4:00 - 6:00PM

SPECIAL REMARKS AT 5:00PM

EBA OFFICE

PLEASE COME CELEBRATE OUR VETERANS!

[RSVP HERE](#)

Donations will be collected for Point Man of Newburgh
a non-profit serving local veterans in need.

COCKTAILS AND APPETIZERS GENEROUSLY UNDERWRITTEN BY:



KAHN, DEES, DONOVAN & KAHN, LLP
Attorneys & Counselors at Law



update

WHO'S DOING WHAT?

Congratulations to **Jean Blanton** of Ziemer, Stayman, Weitzel & Shoulders who has been appointed to the State Board of Law Examiners for a term commencing on December 1, 2018.

Ashley Martin has been hired as the Lawyer Referral Service Director and Executive Assistant at the EBA office. Please show her a warm welcome by saying hello next time you're in the office, call or send her an email at ashley@evvbar.org.



The EBA Women Attorneys Section gathered to assemble 150 assault survivor kits for Albion Fellows Bacon Center. And, raised over \$1,500!

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joe.langerak@skofirm.com

EMPLOYMENT OPPORTUNITY

Boonville based small general practice firm seeking energetic motivated associate attorney with 0-5 years experience. Position involves courtroom work in a variety of areas of law, primarily criminal defense and family law. Salary commensurate with experience. Potential short track partnership/ownership opportunity for the right candidate. Send resume and cover letter to admin@martinlawyers.net.

Jessica Ann McCarthy

Indiana Department of Child Services
100 East Sycamore Street
Evansville, IN 47713
(812) 746-4630
jessica.mccarthy@dcs.in.gov

Don't forget:
Find a full list of
upcoming CLE on
the website at
evvbar.org

COMMITTEE & SECTION MEETINGS

See PAGE 6 for all Committee and Section Meetings!

Thank you to everyone who participated in the 2018 Trivia Night benefiting VLP and LAS. Overall, the event raised **MORE THAN \$9,000** for these organizations!



TRIVIA NIGHT
SAVE-THI-DATE:
October 17, 2019



Congratulations to
A Meeting of the Minds
for taking home the trophy!



The Carothers Law Office team Reasonable Doubt raised the bar a bit with matching t-shirts!



Full house!



Kelly Jackson,
President

The last couple months of the year are often referred to as the "Giving Season" in the nonprofit community. As we look forward to the holidays, people are often motivated to give more generously than during the rest of the year. Please remember the Evansville Bar Foundation during this Giving Season. With just one donation to the Evansville Bar Foundation, you can support multiple organizations. Each year, the Foundation awards yearly grants to multiple organizations which aim to use the law to better the lives of the people in our community. Organizations like CASA, Holly's House, Teen Court, and the Volunteer Lawyer Program can benefit from your generosity.

Your tax deductible gift to the Foundation will ensure that the Foundation can continue to help multiple organizations grow and thrive. **AND, under the newly revised Professional Conduct Rule 6.7, you can now report your Foundation donation when you complete your annual attorney registration.**

Thank you to Susan Vollmer for her efforts in pushing through the revisions to Rule 6.7!

[Donate](#)

THANK YOU 2018 DONORS

Lead Counsel

Foster, O'Daniel, Hambidge & Lynch LLP
Steven Hoar

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

Court Counsel

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Sacha Armstrong	Hannah Dill	Tamara Schmitt
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Hon. Richard D'Amour	Dan Robinson	
	Carrie Roelle	

Other Donation

Max Fiester
Kathryn Kornblum

New Attorney (0-3 Years)

Frank Mattingly
Olivia Robinson

LIBRARIAN'S CORNER: NOTARY SERVICES

The Law Librarian and Pro Se Coordinator is a Notary commissioned by the State of Indiana and sponsored by the Vanderburgh Law Library Foundation to provide notary service to its members, and also to enhance library service to all users of the Law Library. Notary service fees will be charged for the following services in order to recover the costs of the commission, including fees, supplies, and staff time.

Documents notarized (walk-in or by appointment):

Foundation members	\$ 0.00/per signatory
Others	\$ 5.00/ per signatory

Missing titles update: The Law Library is missing two titles: *Burns Indiana Statutes Annotated: Title 12, Articles 17-30* and *Indiana Practice: Personal Injury Law and Practice (v. 23)*. If you happened to remove these items from the Law Library and still have them in your possession, please return them at your earliest convenience so that others may use them. No questions asked! Thanks so much!

As always, I welcome your questions, comments, and suggestions. Please feel free to call me at (812)435-5175 or send me an email kweston@vanderburghcounty.in.gov.

**Fifth Third Bank
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the Evansville
Bar Association.**



FIFTH THIRD BANK

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You can find an up-to-date listing of CLE on the EBA website at evvbar.org

THE NUTS AND BOLTS OF EXPUNGING YOUR CLIENTS' CONVICTIONS - 1 CLE

HON. LES SHIVELY AND SHAUNDA LYNCH

MONDAY, NOVEMBER 19
NOON - EBA OFFICE

Solo/Small Firm Section Member \$25

EBA Member \$30

Non-member \$50

To register call (812)463-3201, email
eba@evvbar.org or click [here](#) to register online.

#METOO GOES TO COURT. OR, DOES IT? BEST PRACTICES TO PREVENT SEXUAL HARASSMENT CLAIMS - 1 CLE

HON. BILL HUSSMANN AND CARRIE ROELLE

THURSDAY, NOVEMBER 29
NOON - EBA OFFICE

Employment Law Section Member \$25

EBA Member \$30

Non-member \$50

To register call (812)463-3201, email
eba@evvbar.org or click [here](#) to register online.

HOW TO EFFICIENTLY HANDLE YOUR SMALLS CLAIMS CASELOAD IN THE DIGITAL ERA - 1 CLE

STEVE HOAR

TUESDAY, DECEMBER 04
NOON - EBA OFFICE

EBA Member \$30

Non-member \$50

To register call (812) 463-3201, email
eba@evvbar.org or click [here](#) to register online.

HOT TOPICS

3 CLE

Friday, December 7

8:30 AM

German American Bank

21 SE Third Street

Lower Level

EBA Member \$100

Non-Member \$150



To register for CLE call (812)463-3201,
email eba@evvbar.org or click [here](#) to
register online.

WHY **EBA** CLE?



CURRENT AVERAGE PRICE OF 6 CLE HOURS

ICLEF - \$375

NBI - \$359

EBA - \$180

OTHER ADVANTAGES OF EBA CLE

- Local Issues
- No Travel Expenses
- Great Speakers
- Lunch hour CLE

Did you know? Attorneys who
speak at EBA CLE events get
FREE CLE & generally receive
4x the speaking time in CLE
credits.

Is there a topic you would like to learn about and/
or speak about? If so, contact Julie at the EBA
Office at (812) 463-3201 or julie@evvbar.org.

FAMILY LAW UPDATE

6.5 CLE, 1 Ethics

8:30 AM - 4:30 PM

FRIDAY, NOVEMBER 09

GERMAN AMERICAN BANK

21 SE THIRD STREET

LOWER LEVEL

8:00am
8:30am
9:00am
10:00am
10:15am
11:15am
12:15pm
1:15pm
2:15pm
2:30pm
3:30pm
4:30pm

Registration
Limited Appearance and Flat Fee Representation
Parenting Coordinators and High Conflict
Break
Immigration Issues in Family Law
Presentation and Lunch provided by **Our Family Wizard**
Diversity & LGBTQ Issues in Family Law
CHINS
Break
Pre-nups, Post-nups and Cohabitation Agreements
Ethics of Representing Abusive Clients - Panel
Adjourn

FAMILY LAW SECTION MEMBER \$150

EBA MEMBER \$180

NON-MEMBER \$300

To register for CLE call (812)463-3201, email eba@evvbar.org or click [here](#) to register online.



EVANSVILLE BAR ASSOCIATION

29th Annual EBA Estate & Business Planning Institute

Friday, November 16, 2018

Registration 8:00 am

8:30 am - 4:00pm

Tropicana Conference Center
Walnut Room A & B

Register [HERE](#)

Email: eba@evvbar.org

Call: (812) 463-3201

Continuing Education Credit

IN and KY Attorneys: 6 CLE; IN Attorneys: 1 CME available

Indiana CPAs: 7.2 (50 minute hours)

Indiana Insurance Professionals: 6 CE

Accepted by the CFP Board for 6 hours CE credit

Pricing Information

	<u>EBA Members</u>	<u>Non-Members</u>
Flashdrive Materials	\$245	\$265
Book	\$275	\$295
Book and Flashdrive	\$285	\$305

SEMINAR POLICIES:

Recording of the seminar program is prohibited. All registrations must be prepaid. To cancel a registration, notice must be received 72 hours prior to the program for a full refund. A 50% of tuition service charge will be deducted for cancellations received less than 72 hours prior to the program. Seminar materials will be provided to those persons who cancel with less than 72 hours notice. No refunds will be made for cancellations made less than 24 hours in advance or no-shows.

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NOVEMBER CALENDAR

- 11/01 **Talk to a Lawyer**, 4:30 pm to 6:00 pm - EBA Office
- 11/02 **EBA Communications Committee Meeting**, Noon - EBA Office
- 11/06 **Family Law Section Meeting**, Noon - EBA Office
- 11/07 **Bench and Bar Committee Meeting**, Noon - Vanderburgh Superior Court, Jury Room 121
- 11/08 **Morning Mixer**, 7:30 am - Donut Bank at Lincoln Avenue and Hwy 41
EBA Board of Directors Meeting, lunch at 11:45 am; meeting at Noon - EBA Office
Veterans Day Celebration, 4:00 to 6:00pm - EBA Office - [RSVP HERE](#)
- 11/09 **Family Law Update** (6.5 CLE/1 ethics), Registration at 8:00am; begins at 8:30am - German American Bank, Lower Level - 21 SE Third Street - [REGISTER HERE](#)
- 11/13 **Paralegal Section Meeting**, Noon - EBA Office; *Lunch will be provide by Steward Richardson*
- 11/16 **29th Annual Estate and Business Planning Institute**, Registration 8:00am; begins at 8:30am - Tropicana Conference Center - 421 NW Riverside Drive - Call EBA or [REGISTER HERE](#)
- 11/19 **The Nuts and Bolts of Expunging Your Clients' Convictions**, Noon - EBA Office - [REGISTER HERE](#)
- 11/20 **Talk to a Lawyer**, 11:30am to 1:00pm - EBA Office
- 11/22 & 23 **Thanksgiving Holiday** - EBA Office Closed
- 11/27 & 28 **ISBA Indiana Law Survey** (Video Replay - 12 CLE/2 ethics), 9:00 am to 4:30 pm - EBA Office
- 11/28 **CLE Committee Meeting, Noon** - EBA Office - [REGISTER HERE](#)
- 11/29 **#MeToo Goes To Court. Or, Does It? Best Practices To Prevent Sexual Harassment Claims** (1 CLE), Noon - EBA Office - [REGISTER HERE](#)

NOTE: Be sure to get your CLE credits soon!

**The Evansville Bar Association Office will not have any CLE
December 24, 2018 through January 1, 2019.**

SAVE-THE-DATE

- Hot Topics** (3 CLE) Friday, December 7, 8:30 am - German American Bank Downtown - [REGISTER](#)
- 50 Year Members Lunch** Wednesday, January 16 Celebrate EBA Members who have practiced 50 years!
- New Lawyer Bootcamp** Wednesday, January 16
- Regional Mock Trial** Saturday, February 16, 2019 - more information to come!
- Dialogue Between Bench and Bar** Thursday, March 21, 2019 - Evansville Country Club

ICLEF VIDEO REPLAYS

- 11/05 **The Complexities of UCC Article 9 Simplified**

Volunteer Lawyer Program of Southwestern Indiana, Inc.

915 Main Street, Suite 208

Evansville, IN 47708

Scott Wylie, Plan Administrator

Phone: (812) 402-6303 Fax: (812) 402-6304

By E-mail: ybwylie@sigecom.net

Funding for this project is provided by the Indiana Bar Foundation

Volunteer for the EBA/VLP Talk-to-a-Lawyer Program

ATTORNEY/PARALEGAL NAME: _____ E-MAIL: _____

(E-mail to ybwylie@sigecom.net, fax to 812.402.6304, or mail to the address above.)

Afternoon Talk-to-a-Lawyer on the First THURSDAY of the month – We need both attorneys and paralegals. Sign-up to help below:

_____ January 3, 2019 4:30 to 6:00	_____ February 7, 2019 4:30 to 6:00
_____ March 7, 2019 4:30 to 6:00	_____ April 4, 2019 4:30 to 6:00
_____ May 2, 2019 4:30 to 6:00	_____ June 6, 2019 4:30 to 6:00
_____ XXXXX No July Session in 2019 (July 4 th)	_____ August 1, 2019 4:30 to 6:00
_____ September 5, 2019 4:30 to 6:00	_____ October 3, 2019 4:30 to 6:00
_____ November 7, 2019 4:30 to 6:00	_____ December 5, 2019 4:30 to 6:00

My firm would be interested in staffing one of these dates – please contact me to discuss.

Lunch-Time Talk-to-a-Lawyer on the Third TUESDAY of the month – We need both attorneys and paralegals. Sign-up to help below:

_____ January 15, 2019 11:30 to 1:00	_____ February 19, 2019 11:30 to 1:00
_____ March 19, 2019 11:30 to 1:00	_____ April 16, 2019 11:30 to 1:00
_____ May 21, 2019 11:30 to 1:00	_____ June 18, 2019 11:30 to 1:00
_____ July 16, 2019 11:30 to 1:00	_____ August 20, 2019 11:30 to 1:00
_____ September 17, 2019 11:30 to 1:00	_____ October 15, 2019 11:30 to 1:00
_____ November 19, 2019 11:30 to 1:00	_____ December 17, 2019 11:30 to 1:00

My firm would be interested in staffing one of these dates – please contact me to discuss.

Martin Luther King Jr. Holiday Talk to a Lawyer Session on January 21st – we need both attorneys and paralegals. Sign-up to help below:

_____ January 21, 2019 (Monday) from 11:30 to 1:00