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EVANSVILLE BAR ASSOCIATION

The SUMMATION

February 2017

The Monthly Newsletter of the Evansville Bar Association

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Evansville, IN 47713

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www.evvbar.org

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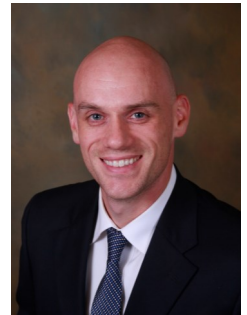
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PRESIDENT'S MESSAGE

By: **Max Fiester**

"Uncommon Courtesy"

By and large, most of the members of the Evansville Bar Association feel they practice in a bar that is exceptional. The exception is not due to having the smartest attorneys in the state, or the most notable attorneys in the region, or the highest-profile clients (all of which may be true). No, the exception relates to our members' interaction with each other. The level of mutual respect shown to other attorneys in this area is remarkable, and something that I believe exceeds the common practice outside of Southwestern Indiana.



The EBA previously had a practice of publishing our Code of Professional Courtesy on occasion in the Summation. It was suggested that we revisit this practice. As part of that exercise, we will be examining the Code and updating it if necessary. The EBA Code of Professional Courtesy was adopted on May 17, 1990 as shown by the signatures of President Ed Johnson and Secretary Jim Casey. It was then revised on January 11, 2007 as shown by President Shannon Frank and Secretary Shawn Sullivan. The Code's purpose, as shown in the Preamble, is a noble one: "In order to promote a high level of professional courtesy and enhance and preserve the professional relationships among members of the Evansville Bar Association...."

Importantly, the Code recognizes our primary duty as attorneys is first to our clients. Just as importantly, it defers to the Rules of Professional Conduct. However, it rejects the idea that effective advocacy is mutually exclusive from courteous interaction with your legal adversary and colleague at the bar. It recognizes that being 15 minutes late to a hearing or meeting does not enhance your client's position. It counsels against "wrongful and gratuitous personal criticism of other counsel" unless action must be taken under the Rules of Professional Conduct. Phrases like "courteous tone" and "cordial and respectful demeanor" pervade the Code. The Code also requires deference and courtesy to the Court in both presentation and the status of any developments in the case. Our Oath of Attorneys says nothing about wearing a tie to the courtroom, but our Code of Professional Courtesy requires men and women to dress appropriately. I recently received notices of deposition in a case outside of Southwestern Indiana where the noticing attorney made no effort to secure a date by agreement. Our Code of Professional Courtesy recognizes this places a burden on opposing counsel, and encourages mutually agreeable dates in litigation. Again, this effort does not weaken a client's position, but it does facilitate courteous interaction.

Stay tuned as we reexamine the Code and print it for your refreshed recollections. In the meantime, consider taking what opportunities you can to show your fellow attorneys some "uncommon courtesy."

EBA NEWS

- The EBA had a record year for CLE; 133 hours of EBA sponsored CLE were offered with 1205 attendees. Big events included the St. Louis Baseball Bus Trip, Natalie Choate joint CLE, The Lawyerist and the Annual Estate Planning Institute.
- The Board voted to allow staff attorneys at VLP, Legal Aid and Indiana Legal Services to attend CLE for free in 2017.

EBA - VLP Awards Lunch

March 22 - Noon - Tropicana Conference Center

Be Sure to RSVP and Be Sure to Nominate Those Worthy Attorneys, Paralegals and Secretaries!

eba@evvbar.org or 812.463.3201

VLP NEWS

By: Judge Smith and Magistrate Corcoran

On January 19th, members and friends of the Evansville Bar Association joined the family of the late Susan Helfrich to honor her work with the local legal community. Cited throughout the memorial service was her commitment to the disenfranchised and marginalized in our society. Susan was among the founders of the Volunteer Lawyer Program and had her finger in nearly all pro bono efforts created during her quarter of a century of service to our Bar. One of the most enduring parts of that legacy is our Talk to a Lawyer Program, which has been helping area residents navigate the complexities of the legal system for well over a decade. In just the past five years, TTAL volunteers have fielded **3075 calls** covering every imaginable area of the law (and some areas unimaginable). This past month, the EBA and VLP hosted two sessions, the usual on the first Thursday of the month and a special session on the Martin Luther King Jr. Holiday. Thanks to the **EBA Diversity Committee** for planning the MLK event. If you are interested in volunteering for TTAL, which runs monthly from 4:30 p.m. until 7:00 p.m. at the EBA offices, contact Scott Wylie at vlpwylie@sigecom.net or 812.402.6303.

AROUND THE BAR



Many of our Young Lawyers volunteered to serve lunch and/or dinner at the Evansville Rescue Mission in January. Special Thanks to Lori Underwood for coordinating the volunteers.



Javi Lugo and Alex Scates volunteering with the Teen Court.

Attorney volunteers needed to mentor youth in Teen Court!

Youth Resources' Vanderburgh County Teen Court is a restorative justice program for first-time juvenile offenders (ages 10-17). Teen Court provides guidance, mentoring, and close supervision and gives at-risk youth the skills, confidence, and support needed to become contributing citizens of our community.

Attorney volunteers have the opportunity to work with youth (8th-12th grade) at a real sentencing hearing. Teens volunteer as defense and prosecuting attorneys, jurors, bailiff, and judge observer. Adult volunteers mentor the youth attorneys and help them present their case to the teen jury. No courtroom experience is required! **Pro bono hours served at Teen Court are reported quarterly to the Volunteer Lawyers Program.**

Teen Court is held every Monday night in Superior Court. Adult volunteers are asked to arrive at 4:15pm to prepare for the evening's case. Hearings start promptly at 5pm and end no later than 6pm. Application required before volunteering. **Find out more on February 8 at 5:30pm at Youth Resources at our quarterly training for new youth & adult volunteers.**

Contact Teen Court Program Coordinator Laura Heister at 812-421-0030 ext. 17 or laurah@youth-resources.org to get involved.



WHO'S DOING WHAT?

Congratulations to **Marc Fine**, elected to Jackson Kelly's executive committee.

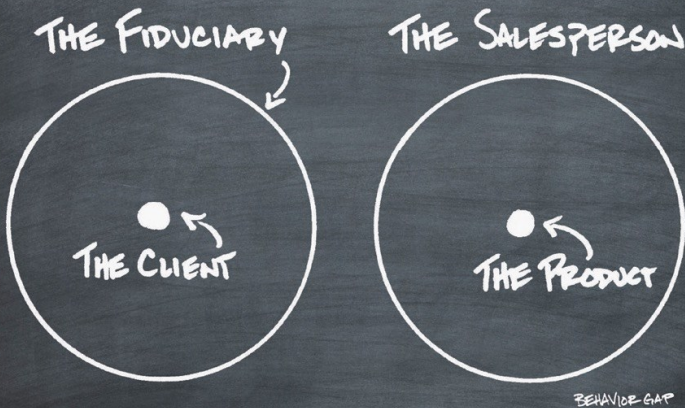
Congratulations to **Charles Compton** for his elevation to managing member of Jackson Kelly's Evansville office.

Employment Opportunities

Associate Attorney - Busy small firm looking for associate attorney. Competitive pay and benefits. Contact Erin Bauer at (812) 425-9211.

The Indiana Coalition Against Domestic Violence is looking for attorneys to provide critical legal services to victims of domestic abuse, sexual assault and stalking in their civil situations. Attorneys will be paid a modest means rate of \$75 per hour plus expenses and mileage. If you are interested in assisting contact Kerry Bennett, kbennett@icadvinc.org

What Motivates THEIR Adviser?



Our Fiduciary Standard confirms a commitment to always putting your clients first and offering real advice.

Your clients deserve to talk to a fiduciary adviser

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Bar Updates: Welcome new attorney members **Kevin Martin, Brian Oberst** and **Haddy Khaled Rikabi**, student member **Lisa Baxter**, and paralegal member **Carla Hayden** to the Evansville Bar Association. Please make the following changes and additions to your address book:

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Committee/Section Meetings

- 02/01 **Probate, Elder Law & Guardianship Section Meeting**, Noon - EBA Office
- 02/06 **Bench & Bar Committee Meeting**, Noon - EBA Office
- 02/07 **Family Law Section Meeting**, Noon - EBA Office
- 02/13 **EBF Finance Committee Meeting**, Noon - Morgan Stanley Office
- 02/17 **Diversity Committee Meeting**, 8:00 am - EBA Office
- 02/22 **CLE Committee Meeting**, 11:45 am - Lic's Deli
- 02/24 **In-House Corporate Counsel Section Meeting**, Noon - EBA Office
- 02/28 **Editorial Board Meeting**, Noon - EBA Office



Javier Lugo,
President



Every year, the Evansville Bar Foundation awards grants to local organizations who aim to promote justice and improve lives through the law. Since the Evansville Bar Foundation is our Foundation, I'd like to take this opportunity to tell you about one of those organizations and the good work it does.

Youth Resources of Southwestern Indiana is a local organization that, in 2005, with the help of the Evansville Bar Foundation, held its first ever Teen Court Hearing. At a Teen Court Hearing, a juvenile who has been charged with a juvenile offense will have a sentencing hearing where the prosecutor, defense attorney, and jurors are made up of middle and high school peers.

I've participated in several Teen Court hearings and I've seen firsthand how Teen Court can make an impact on these kids' lives. At the sentencing hearing, the jury of peers decides on an appropriate sentence for the juvenile with an emphasis on restorative-based justice. A type of justice that attempts to provide the juvenile offenders with resources, knowledge, and life lessons for the future. A type of justice that emphasizes that even though they got in trouble, they are still valued in this community.

LAW LIBRARY NEWS

Secured Wireless Update

Beginning February 3, 2017, current members of the Vanderburgh Law Library Foundation will need to update their passwords to have access to the VLLF secured wireless network in the Courts Building. Please stop in during library hours (8 AM to 4 PM M-F) to get your new password. If you have not previously signed a wireless access agreement, you can take care of that at the same time. While unsecured wifi is available to all in the Courts Building, access to the VLLF network allows printing from your wireless device (regular print charges apply), in addition to a more secure connection for your communications. Not a Law Library Foundation member? This is another good reason to become a member, or to renew your membership if it has lapsed!

Your questions, comments, and suggestions are always welcome. Please call 812-435-5175 or send email to evvlaw@evansville.net.

A Big Thank You

2017 EARLY CONTRIBUTORS

Legacy of Leadership

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

Lead Counsel

Foster, O'Daniel, Hambidge & Lynch LLP

Steven S. Hoar

P. Michael Mitchell

Court Counsel

James Casey

Michael Land

Gary Gerling

Ryan Parker

Katharine VanOst Jones

Mark Samila

Kahn Dees Donovan & Kahn

Attorney of Record

Donald Baier

Philip Siegel

Elizabeth Baier

Patrick Shoulders

Steve Barber

Gary Taylor

Ted Barron

Tuley Law Office

Erin Bauer

John Whinrey

Marjorie Blalock

Clifford Whitehead

Wilfred Bussing III

Brian and Barbara Williams

Lindsay Charles

Joseph Michael Woods

Steven Charles

Sarah Woods and Javi Lugo

Thomas Clowers

Donald Wright

Allison Comstock

Robert Scott Wylie

Mag. Sheila Corcoran

Garland Cravens

New Attorney

Hon. Richard D'Amour

Will Cartwright

Dodson & Schaefer

Donna Davis

Jimmy Gentry

Hannah Dill

Kevin Gibson

Kristin Morrison

Kathryn Kornblum

Olivia Robinson

Joann Krantz

Neil Woods

Thomas Massey

G. Michael Schopmeyer

David Shaw

Other Donation

Hon. Randall T. Shepard

Lori Sherman

Hon. Leslie Shively

Angela Wargel

WHAT'S COMING UP

Register online at www.evvar.org, email eba@evvar.org or call Jeana at 812-463-3201

Women Attorneys Chocolate Night

5:00 pm

February 8
Evansville
Country Club



Mingling starts at 5:00pm; Drink demonstration with Scott Wylie and goodies served at 5:30pm

AND thanks to the generosity of Julie Weyer of Lifetime Financial Growth, Chocolate Dessert and a signature drink are FREE!

We do need RSVP's - RSVP to eba@evvar.org or 463.3201



3 WAYS TO LEARN ABOUT E-FILING

The Currently scheduled Classes are ALL full. We will not be able to take walk ins. We will be scheduling an additional course .

Nuts & Bolts of E-filing in Indiana (with Doxpop) 1.50 CLE **SOLD OUT**

Friday, February 3, 2017, Noon

Kahn, Dees, Donovan & Kahn Lower Level Conference Room.

Paralegals/Support Staff \$35, EBA Members \$45, Non-members \$75.

E-filing Training with the State Court Administration

1 CLE **Both Time Slots SOLD OUT**

Friday, February 10, 2017, Noon & 2:00pm

Kahn, Dees, Donovan & Kahn Lower Level Conference Room.

Paralegals/Support Staff \$25, EBA Members \$30, Non-members \$50.

Advanced Deposition Strategies and Technology - 2 CLE - Wednesday, March 01

Noon - EBA Office - Speaker: Lane Siesky

What You Will Learn:

- Gaining an advantage with technology such the "Trello" Software (its free) for deposition outlines;
- Using app "Slack" for communications with co-counsel or your client(s) during depositions;
- Strategies for when to, and when not to, video-tape the deposition;
- Knowing the different personality types for deponents and how to deal with each;
- Conducting depositions remotely;
- Dealing with the opposing counsel that it is being difficult and/or obstructive;
- Setting goals for the deposition;
- Strategies for questions and exhibits; and
- More . . .

\$60 EBA Members; \$100 Non-members; **Register online** at www.evvar.org; email eba@evvar.org or call 812-463-3201





JUSTICE SLAUGHTER

2017 Dialogue Between the Bench and Bar

6.5 CLE/2 Ethics/ 1 CME

March 14, 2017

Evansville Country Club

EBA Members

\$200 with book

\$185 with electronic materials

Non-members

\$325 with book

\$310 with electronic materials

Register [here](#) or at
eba@evvbar.org

There will be a section on E-filing during the Dialogue Between the Bench and Bar CLE. There will also be several vendors on hand to

8:00 am **Registration**

8:30 am **Criminal Law Update:** Hon. Robert Pigman and Mark Foster

Civil Law Update: SSI/SSD - Administrative Law Judge and Workman's Comp - Andy Ward

9:30 am **Federal Court Update:** Hon. Richard Young and Magistrate Matthew Brookman

Family Law Custody Evaluations: Kathryn Kornblum and Amy Brandsasse

10:30 am **Break**

10:45 am **Hollywood Ethics** - Hon. Gary Miller

11:45 am **Vendor Break and Lunch**

Justice Slaughter will speak 12:25 - 12:55

1:00 pm **E-Filing** - Hon. William Hughes and Hon. Mary Margaret Lloyd

2:00 pm **Criminal Psych Evaluations:** (competency) - Dr. David Cerling and Hon. Robert Pigman

Civil Mediation: (CME Credit) Dealing with Difficult People, Personalities and Predicaments - Ross Rudolph

3:00 pm **Break**

3:15 pm **The Ethics of Wrongful Convictions** - Professor Fran Watson

4:15 pm **Adjourn**

COMMITTEE/SECTION SPOTLIGHT

Membership Committee:

The membership committee has several roles in the EBA, including inviting non-members to join, coordinating the Lawyer Lunch Clubs and most recently, interviewing our more seasoned attorneys and launching the new EBA History page of our Website. Take a look!

There are currently 43 interviews of some of our valued members, many of which are no longer with us.

Just go to www.evvbar.org and click the "EBA History" tab at the top of the page.

EBA Oral Histories Interviews Documentary Films

In an effort to preserve the legacy and history of the practice of law in Vanderburgh County, Indiana, the Evansville Bar Association conducted interviews with notable members of the law community. This site serves as a repository of those oral histories, as well as selected documentaries produced by the students of Reitz High School's award-winning "Feel the History" program.

Interviews
Attorney Oral Histories

Film Documentaries
Feel the History 2.0

Oral histories recorded in partnership with the Evansville Bar Association during their membership of the practice of law in Vanderburgh County.

Documentaries of the practice of law in Vanderburgh County, Indiana, by students from the award-winning Reitz High School "Feel the History" program.

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FEBRUARY CALENDAR

- 02/01 **Probate, Elder Law & Guardianship Section Meeting**, Noon - EBA Office
- 02/02 **Talk to a Lawyer**, 4:30 pm - EBA Office
- 02/02 **Young Lawyers Happy Hour**, 5:00 pm - The Peephole
- 02/03 **Nuts & Bolts of E-filing**, Noon - Kahn, Dees, Donovan & Kahn Lower Level (Sold Out)
- 02/06 **Bench & Bar Committee Meeting**, Noon - EBA Office
- 02/07 **Family Law Section Meeting**, Noon - EBA Office
- 02/08 **Women Attorneys Chocolate Night**, 5:00 pm - Evansville Country Club
- 02/09 **Morning Mixer**, 7:30 am - Donut Bank
- 02/09 **EBA Board of Directors Meeting**, 11:30 am - EBA Office
- 02/10 **E-filing Training with the State Court Administration**, Noon & 2:00 pm - Kahn, Dees, Donovan & Kahn Lower Level (Both Time Slots Sold Out)
- 02/13 **EBF Finance Committee Meeting**, Noon - Morgan Stanley Office
- 02/16 **EBF Board of Directors Meeting**, Noon - EBF Office
- 02/17 **Diversity Committee Meeting**, 8:00am - EBA Office
- 02/22 **CLE Committee Meeting**, 11:45 am - Lic's Deli
- 02/24 **In-House Corporate Counsel Section Meeting**, Noon - EBA Office
- 02/28 **Editorial Board Meeting**, Noon - EBA Office

ICLEF VIDEO REPLAYS

For reservations, pricing, or to verify credits or content for the ICLEF video replays, please contact ICLEF at 317.637.9102

- 02/06 **Powerful Witness Protection**, 9:00 am - EBA Office
- 02/13 **120 Hot Tips in Estate & Trust Planning**, 9:00 am - EBA Office
- 02/20 & 21 **Elder Law Institute Two Day Replay**, 9:00 am - EBA Office