

The

Summation



EVANSVILLE BAR ASSOCIATION



401 SE 6th Street, Suite 101

Evansville, IN 47713

812-463-3201

www.evvbar.org

Inside this issue:

EBA News	2
Bar Updates	3
Committee and Section Meetings	3
EBF	4
CLE Offerings	6
EBA Calendar	7

May 2016

The Monthly Newsletter of the Evansville Bar Association

PRESIDENT'S MESSAGE

By: Steve Hoar



The law is a conservative profession. The common law has the capacity to evolve, but only gradually over time. Under the doctrine of stare decisis, courts are reluctant to change established legal principles. Lawyers must cite authority in support of their arguments. There is good reason for this cautious, slow-to-change approach: established rules allow members of society to rely on the law in bringing predictability to the conduct of their affairs.

The world outside the legal profession, however, is not conservative in its approach to change. Change is fast-paced. Technology is disruptive. Everyone wants information in real-time. The rapidity of change in the Information Age sometimes causes dissonance when it collides with a legal culture predicated on precedent.

This story is not new. Bar association social events are rife with accounts of how there were no computers, email, or digital research back in the day. But like Moore's Law, which predicts that computing power will double every two years, the pace of change in the legal profession is accelerating at an exponential rate.

In the mid-1990s, legal futurists envisioned that email would become the primary mode of communication between lawyers and clients. Some in the profession criticized this idea as dangerous because it was a threat to information security and lawyer-client confidentiality. We know which side won that argument.

According to IBM, 2.5 quintillion bytes of data are created every day. 90% of all data was created within the past two years. Lawyers must deal with this data explosion when managing discovery, conducting due diligence, and performing legal research. Westlaw and Lexis were at the forefront of the legal data revolution with their compilation of and ability to search legal authority. E-discovery services, helping lawyers deal with the massive amounts of electronic data produced in the course of a lawsuit, have been around for more than a decade.

Now there is Ross. Ross is the child of Watson, the IBM supercomputer that beat the greatest of the *Jeopardy!* champions. Ross accesses Watson's cloud platform to answer plain English legal questions. Ross began as a project by college students, but is now funded by one of the world's largest law firms and is being offered to clients.

Are lawyers doomed to obsolescence? Will we serve our robot overlords? Even Ross's purveyors are not that ambitious. They want to help lawyers do more in less time thereby bringing down costs for consumers.

Direct-to-consumer online legal service providers say they have similar aspirations. Some purport to answer legal questions for as little as \$4.95. One might question the quality of legal advice that costs \$4.95.

Without doubt, litigants and others with legal problems who are not assisted by counsel are increasing. If their income is low enough, they may qualify for help from Indiana Legal Services, Legal Aid, or VLP. But others who are above the income cutoff may nonetheless think they cannot afford an attorney. They are probably not taking into consideration how much the absence of counsel's advice might cost them in the long run.

It is a certainty that the legal profession will not stop the march of technology. Equally certain is that no computer is able to replace a seasoned lawyer's judgment, responsive communication, and skills of persuasion. The challenge for lawyers is to find the right balance by harnessing technology to maximize efficiency while preserving the acumen, guidance, and personal service that are the hallmarks of our profession.



**EBA ANNUAL
MEMBERS MEETING**

**MONDAY, JUNE 6, 2016
5:00PM - EBA Office**

**ALL EBA Members are invited to join
in for election of the EBA Board of
Directors, a very short annual
meeting and FREE adult
refreshments**

LAWYERS LUNCH CLUB

"Take 2"

Approximately 60 attorneys
joined the first round and have enjoyed
getting to know each other.



**We are getting ready to put new groups together.
Want to join the fun???**

Sign up to join the lawyers lunch club!

The Membership Taskforce will place members in fun groups of 6, making sure each group contains a great mix of experience, practice area etc. Just e-mail eba@evvbar.org or call 463.3201 to join the club!

News From the Volunteer Lawyer Program

By Judge Greg Smith and Magistrate Sheila Corcoran

At the last EBA luncheon, we celebrated and honored **Bamberger, Foreman, Oswald and Hahn** with the Susan K. Helfrich Award for Excellence in Pro Bono. In accepting the award on behalf of the firm, Laura Scott encouraged other firms to find ways to engage in pro bono activity. One way is to sponsor one of the Talk To A Lawyer nights by providing the paralegals, volunteer attorneys and food for the evening. Other ways can be to encourage associates to take a case that puts them in a courtroom. The associate gains valuable courtroom experience, the pro bono client is well represented and the courts appreciate one less unrepresented litigant. Want to do some pro bono but not sure how it fits within the firm? Contact VLP and we're sure an idea and plan can be devised.

Also, during the luncheon, those attorneys who provided 50 hours or more of pro bono service during 2015 were honored. Those attorneys are: **Allyson Breeden, Susan Wilkie, Sarah Fandrey, Mark Miller, Wm. Royal Gearhart, Marcy Groves, Mark Foster, James Casey, Keith Wallace, David L. Jones, Kathryn Kornblum, Tim Hambidge, Joe Langerak, Katherine Rybak, Molly Briles, Katherine Vanost-Jones, Scott Wylie, Tracy Thread and Beverly Corn.** Earlier in the month, a celebration occurred in Knox County, recognizing: **Dave Roellgen, Jeff Kolb and Yvette Kirchoff.** There were several lawyers who were close to 50 hours, but didn't quite reach the goal. This is a great list of volunteer attorneys, but we believe this district can do better for 2016. Here's the challenge – let's increase this number by 50%. Need help figuring out a way to get 50 hours? Contact VLP and they'll help you in anyway they can.

Thank you to all who were honored and for all volunteers out there who give of their time and talents.

Short Term Volunteer Opportunity 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

Lawyers Assistance Program

Lawyers, judges, and law students in Southwestern Indiana have local and state resources available to help them with issues that could impair their ability to practice law.

At a local level, the Lawyers Assistance Committee consists of Michele Bryant, Judge Wayne Trockman, Chris Lenn, David Sanders, Toby Shaw, Doug Briody, Keith Wallace and Susan Vollmer. This Committee meets regularly and works with JLAP and other volunteers to provide **confidential** assistance to members of the legal community in need. If you or someone you know is struggling with an impairment issue, do yourself or your friend a favor and contact JLAP or a member of the local Committee.

Local Volunteers Contact Information:

Michele Bryant: mbryant@woodmclaw.com

Judge Trockman: wtrockman@vanderburghgov.org

Toby Shaw: tobyshaw1943@yahoo.com

David Sanders: dds@fine-hatfield.com

Christian Lenn: clenn@courtbuilding.com

Susan Vollmer: susan@evvbar.org

Doug Briody: doug@dougabriody.com

Keith Wallace: kmw@bowersharrison.com



Bar Updates: Welcome to attorney member **Sylvia Freels** and student member **Kristen Koewler**. Please make the following changes and additions to your address book:

Sylvia Freels

Mead Johnson & Company LLC
2400 W Lloyd Expressway
Evansville, IN 47721
(812) 429-5361

Sylvia.freels@mjn.com

William G. Hussmann Jr.

Kightlinger & Gray, LLP
7220 Eagle Crest Blvd.
Evansville, IN 47715
(812) 474-4400 ext 6317

whussmann@k-glax.com

Chapman Injury Lawyers

420 Main Street, Suite 1202
Evansville, IN 47708
812.426.0600

Neil Chapman

neil@chapmanlaw.com

Steve Thomas

steve@chapmanlaw.com

Noah Thomas

noah@chapmanlaw.com

Vanstone and Kornblum
New E-mail

Sandra@vanstonekornblum.com

Committee/Section Meetings

- 05/03 **Family Law Section Meeting**, Noon - EBA Office
- 05/04 **Solo/Small Firm Section Meeting**, Noon - EBA Office
- 05/11 **Probate, Elder Law & Guardianship Section Meeting**, Noon - EBA Office
- 05/17 **Real Property Section Meeting**, Noon - EBA Office

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

Salaried Trial Attorney Position. Contact Law Offices of Steven K. Deig, LLC, 5615 E. Virginia Street, Evansville, Indiana 47715, 812-477-5577. All inquiries confidential.

*Let's help clients think through their
Business Exit Strategy... Together.*



*We invite you and your clients to our
complimentary business exit breakfast:
Eat Toast or Be Toast - May 5, 8 a.m. to 10 a.m.*

Limited Space! <http://bit.ly/EatToast> or 812-477-6221

*Partner with a team dedicated to helping your clients
become empowered to exit their business on their own terms.*

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A Division of Payne Wealth Partners

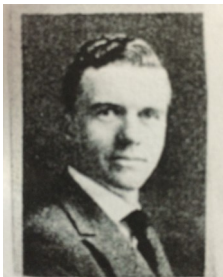
812-477-6221 • paynewealthpartners.com



Katie Worman, President

Recently, the Evansville Bar Foundation board voted to change the grant cycle effective with the 2016 cycle. Beginning this year, all grant requests will be due between July 1 and July 31. In addition, the grants will be awarded at a special lunch this year, to be held on September 21, 2016.

All guidelines and policies can be found at www.evbar.org under the Foundation tab. If you feel that you or an organization you are connected to have a need that qualifies under the guidelines, we encourage you to submit a request.



JOHN L. SANDERS

(the answer to last month's question:
"Can you name this man?")

The **Evansville Bar Foundation** was formed in 1999 due to a generous donation from Evelyn Sanders, the widow of John L. Sanders who practiced law in Evansville for 75 years.

(Photo provided by Charles A. Spaetti)



WHAT'S NEW @ THE LAW LIBRARY?

The following volumes are currently missing from the Law Library:

ALR, Fifth Series, volumes 85 and 106

ALR, Sixth Series, volume 6

Indiana Law Encyclopedia, volume 3

If you happened to remove any of 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!

Thank you,
Helen Reed, Law Librarian

"2016 CONTRIBUTORS"

**Thank you to those that have contributed to the John L. Sanders Memorial - Evansville Bar Foundation in 2016.
Still Plenty of time to add your name to the list!**

Lead Counsel

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

Court Counsel

James Casey
Charles Hewins
Michael Land
Krista Lockyear
Terry Noffsinger
Dirck Stahl

Attorney of Record (cont)

Hon. Richard G. D'Amour
Kevin Gibson
David Hatfield
G. Michael Schopmeyer
Philip Siegel
Dan Tuley
Heath Tuley
John Whinrey
Joseph Michael Woods
Sarah Woods & Javier Lugo
Scott Wylie

New Attorney (0-3 Years)

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

Attorney of Record

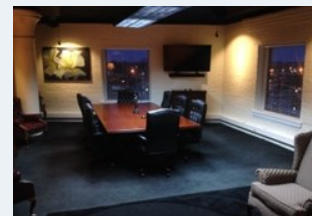
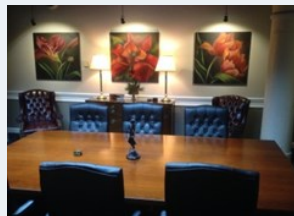
Steve Barber
Erin Bauer
Diane Bender
D. Timothy Born
Allyson Breedon
John Brinson
Thomas Bryan
Michelle Bryant
W. Charles Bussing III

Paralegal

Barbara VanZant

COURTVIEW CONFERENCE CENTER

Suite 505 Curtis Building - Available for Attorney Rental



- Private free-standing 500+ sq. ft. corner office conference room available for weekly, daily, and half day rental. Ideal for use during 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. Three minute walk to the Federal Courthouse.
- Conference Center includes private keyed entrance, 10 person conference table, secure high speed wireless and wired internet, 55" UHDTV with Bluetooth sound system, wireless copier/scanner, complimentary bottled water, tablet/cell phone charging stations, additional seating and secure document shredding.
- Curtis Building amenities include ample free parking, same floor restrooms, and breakfast/lunch catering to Conference Center, when available, 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

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

[illegible]

- 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

**Job Well Done to All Who Worked So Hard to Make
Law Week 2016 a Success!!**

Mock Trials
Lori Underwood, Chair
Will Cartwright, Vice-Chair

Awards Committee
Monica Edwards, Jimmy Gentry, Terry White
Cathy Nestricks, Lane Siesky, Laura Scott,, Elissa Hewins

Editorial Board
Max Fiester, Chair
Judge Carl Heldt, Doug Briody, Clay Havill, Yvette LaPlante
Mark Miller, Dan Robinson, Kathryn Sullivan, and
Shawn Sullivan

Our Sincere Appreciation to Those Who Underwrote the Student Lunch

Bamberger, Foreman, Oswald & Hahn
Hon. Richard D'Amour
Frick Powell
Charles Hewins & Richard Steedman
Kahn, Dees, Donovan & Kahn
Massey Law Offices
Alex Schmitt for County Commissioner
Terrell, Baugh, Salmon & Born
Ziemer, Stayman, Weitzel & Shoulders

Wilfred C. Bussing III
Danks & Danks
Jon Goldman
Katharine Jones & Carrie Miller
Keating & LaPlante
Old National Bank - Legal Dept.
Stone & Stratman
Woods & Woods
Bob Zoss Law Office

**Special Thanks to the
Volunteer Attorneys
And Judges for the Mock Trials**

Judge Kiely	Craig Emig
Judge D'Amour	Royal Gearhart
Judge Lloyd	Javier Lugo
Judge Shively	Matt Malcolm
Judge Tornatta	Keaton Miller
Magistrate Hussmann	Drew Pittman
Magistrate Cox	Brandon Powell
Molly Briles	Alex Scates
Brett Bueltel	Kyle Sawa
Will Cartwright	Cliff Whitehead
Patrick Duff	

Another BIG Thank You to our Sponsors!

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Bingham Greenebaum Doll
New Horizons Financial Consultants
Ritman & Associates**

Bronze
Alphagraphics
Amy Brandsasse– Professional Guardian
Ad Litem Services
LexisNexis
Stewart Richardson

Also to:
Matt Wagner Design
For donating the beautiful invitation
design



EBA Women Attorneys Section presents
A Professional Development Workshop
 with Carol Frohlinger, J.D.
 President of Negotiating Women, Inc.
www.negotiatingwomen.com

May 5, 2016
 Tropicana Conference Center
 Looking forward to this **SOLD OUT** event



THANK YOU TO OUR SPONSORS

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 WEITZEL SHOULDERS LLP
 ATTORNEYS AT LAW



BRONZE



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



MICHELLE AGOSTINO COX
 LAW FIRM, LLC

Catherine A. Nestruck

Mandatory Child Abuse Reporting
I Ethic CLE
Wednesday, June 15
Noon - EBA Office

Speaker: Magistrate Judge Graham Polando

Cost is \$30 for EBA Members and \$50 for Non-members
 Register on-line at www.evvbar.org email eba@evvbar.org or
 call 812-463-3201.



EBA Business and Commercial Law Section presents
Annual "Breakfast with the Judge"
I CLE
Wednesday, May 18
8:00AM
YWCA - Parlor

The annual "Breakfast with the Judge," featuring the

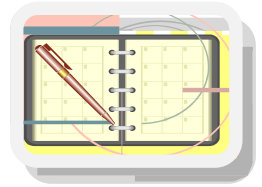
Hon. Basil Lorch, III

Registration and Breakfast, 7:30AM, 8:00AM Start

Cost is \$30 for Business and Commercial Law Section Members;
 \$35 for EBA Members and \$50 for Non-members and includes
 breakfast.

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

MAY CALENDAR



05/03	Family Law Section Meeting, Noon - EBA Office
05/04	Solo/Small Firm Section Meeting, Noon - EBA Office
05/05	A Professional Development Workshop with Carol Frohlinger, 10:00AM - Tropicana Conference Center
05/05	Talk to a Lawyer, 4:30 PM - EBA Office
05/10	Diversity and Inclusion Roundtable, 8:00 AM - EBA Office
05/11	Probate, Elder Law & Guardianship Section Meeting, Noon - EBA Office
05/12	EBA Morning Mixer, 7:30ish - Donut Bank on Hwy 41 & Lincoln
05/12	EBA Board of Directors Meeting, 11:30AM - Biaggis
05/17	Real Property Section Meeting, Noon - EBA Office
05/18	Breakfast with Judge Lorch I CLE, 8:00 AM - YWCA Parlor
05/19	EBF Board of Directors Meeting, Noon - EBF Office

UPCOMING EBA SPONSORED VIDEO REPLAYS (all video replays are held in the EBA Office)

06/23 Anatomy of a Jury Trial 7 CLE (pre-approved for IN and KY CLE) - 8:30AM start

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 and Analyze Financial Statements, 6 CLE
06/22	Medicaid for the Elderly and Aged in Indiana, 6 CLE
07/11	Municipal Law Update, 6 CLE