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EVANSVILLE BAR ASSOCIATION

The SUMMATION

September 2016

The Monthly Newsletter of the Evansville Bar Association

PRESIDENT'S MESSAGE

By: Max Fiester



THE “ COMMERCIALIZATION OF THE LEGAL PROFESSION” OR “ THE UNAUTHORIZED PRACTICE OF LAW”

Legal Zoom. Rocket Lawyer. Law Depot. These are some of the websites offering “legal services” that are held out as inexpensive and instant. One website even stated, “[t]hese sites provide legal assistance for far less than a physical lawyer would cost, and in most cases are easier to understand.” Now, ice water is easier to understand than the 2009 Seghesio Home Ranch Zinfandel (95 points from Wine Spectator), but I will take a glass of the red wine, thank you very much.

I have yet to meet with a client who previously prepared an online will and believes all of their concerns were adequately addressed. On the other hand, I have met many clients for whom I have laid out the relatively simple process of bringing suit in small claims court, only to have them still insist that I represent them. When they think critically about it, I believe most people understand that when it comes to comparing an attorney to instant documents, you do in fact get what you pay for. So why are instant form websites growing, and should we be concerned about the effects?

On **September 21st, starting at 12:00 p.m.** at the Tropicana Walnut Room A, ISBA President Carol Adinamis will be the keynote speaker for the EBA Members Lunch. Her topic will be the Commercialization of the Legal Profession. This is sure to be an informative meeting and I encourage each of you to attend.

The Indiana State Bar Association will be addressing the unauthorized practice of law at its September meeting, and the EBA is sending 8 delegates to this meeting. Did you know the ISBA has an Unauthorized Practice of Law Committee tasked with staying informed on, and providing information to the ISBA regarding, the unauthorized practice of law? The September meeting is going to address this issue head-on, and your EBA is going to be a part of it.

Indiana Code § 33-43-1-1 requires a person to take an oath to uphold the constitutions of the United States and the State of Indiana and to faithfully and honestly discharge the duties of an attorney before they shall practice law. Under Ind. Code § 33-43-2-1, it is a Class B Misdemeanor for one to profess to be a practicing attorney, conduct a trial, or “engage in the business of a practicing lawyer” without being admitted as an attorney. The question is, what does it mean to engage in the business of a practicing lawyer? This is just one of the questions I expect the state bar to address at its upcoming meeting.

As technology continues to advance and the public continues to demand instant results, the risk of inappropriate documents and uninformed decisions increases. Stay informed and be active where you can. The EBA will endeavor to keep its members informed of developments as they happen. Toward that end, I hope to see all of you at our Membership Luncheon on September 21st. Register [here](#).

401 SE 6th Street,

Suite 101

Evansville, IN 47713

812-463-3201

www.evbar.org

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EBA News

- Susan Vollmer reported that there were 200 referrals in July and that the EBA received \$1231.11 in referral fees, meaning attorneys in the referral service received over \$12,000 in fees for same.
- Jean Blanton agreed to chair the annual day of service project. The EBA members will be asked to volunteer to help renovate a portion of both the YWCA and Albion shelters. The work day will be September 16, 2016.
- The Board discussed the importance of the Solo/Small Firm Section and concerns that there is currently no chair or vice-chair leading the section. Susan Vollmer was asked to send a notice to the entire section regarding the need for a chair.
- The Board discussed the issue of not having Law Day Celebration Chairs designated yet. The Board was asked to try and find volunteers and to send any potential names to Susan Vollmer. The goal is to have 2 or 3 people in place by the mid-September.

VOLUNTEER LAWYER PROGRAM

Get Your Pro Bono On.... By Judge Greg Smith and Magistrate Sheila Corcoran

We first want to give a big shout out and thank you to the attorneys who responded to VLP's call for help with Talk To A Lawyer expenses for 2017. In addition to a very welcomed grant award from the Evansville Bar Foundation, an additional \$700 was received from the following: Don and Elizabeth Baier, Ole Olsen, Robert (Bob) Carithers, and Jean Blanton. Of course, if anyone else would like to donate, Beverly tells us that additional donations will be used to help buy new computers, software and peripherals needed. Thank you, again, for your donations and commitment to the Volunteer Lawyer Program.

2016 LEGACY LAWYERS SOCIAL

JOIN YOUR FELLOW LEGACY LAWYERS FOR A TIME OF CELEBRATION, REMINISCING, AND STORY TELLING.



THURSDAY, SEPTEMBER 22, 4:00 PM
EBA OFFICE
401 SE SIXTH STREET, SUITE 101
EVANSVILLE, IN 47713

RSVP EMAIL JEANA AT: EBA@EVVBAR.ORG
OR CALL: (812) 463-3201

[REGISTER ONLINE HERE](#)

Red Mass - October 03

Noon, St Mary's Church

The Red Mass is celebrated to invoke God's blessing upon the members of the Bench, Bar, Legislature, Law Enforcement and Governmental agencies, all protectors and administrators of the Law.

All are welcome to attend.



WOMEN ATTORNEYS SECTION

Monday September 19, Noon - Ziemer, Stayman, Weitzel & Shoulders

Ginny Peterson, a managing partner at Kightlinger and Gray, will be leading a roundtable discussion about career paths, and obstacles many women encounter in professional advancement.

RSVP eba@evvbar.org or 463-3201





WHO'S DOING WHAT?

Congratulations to **Jeffrey Ahlers, Robert ("Ted") Barron, Shannon Frank, Jake Fulcher, Jon Goldman, Jeffrey Helfrich, Mark Samila,** and **Mike Schopmeyer** from Kahn, Dees, Donovan & Kahn for being recognized as 2017's *Best Lawyers in America*. In addition, **Kent Brasseale II** was named real estate law's Lawyer of the Year in Evansville by *Best Lawyers*.

Congratulations to **Randall K. Craig, J.D., CELA, CAP,** for being recognized in *The Best Lawyers in America @2017* in the specialty of Trusts and Estates. He was also named as the Best Lawyers' 2017 Evansville Trust and Estates "Lawyer of the Year".



Paralegal Section planning exciting things for the year ahead.

Looking for a fun way to get involved?

The EBA is looking for 2-3 people to plan the 2017 Law Day Celebration. Contact Susan Vollmer susan@evvbar.org for more information or to volunteer.

Employment Opportunities

Plan Administrator: The Volunteer Lawyer Program of Southwestern Indiana (VLP) is looking to hire a full-time plan administrator. Planned position start date to be January 2, 2017. Specific duties include, but are not limited to, implementation and oversight of the District 13 Plan; formulation and monitoring of approved policies and procedures; collection and compilation of data and reports; management of the organization's resources; and, reporting to and advising the Board of Directors of the VLP in respect to all phases of its mission, goals, and responsibilities. This position also oversees the Family Court Project, ADR Project and all additional grant projects awarded to the VLP. The successful candidate must be admitted to the Indiana Bar in good standing. Grant writing experience and Pro Bono Program management experience preferred. (Full Job Description) The salary range for this position is \$50,000 - \$60,000 and is commensurate upon experience. Send resumes and grant writing samples to VLP Secretary, Kevin Gibson kgibson@vanderburghgov.org See full description [here](#). Deadline to apply is 09/30/2016

Bar Updates: Welcome attorney member Justin McGiffen.

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

Justin McGiffen
Vanderburgh Superior Court
825 Sycamore St, Rm 114
Evansville, IN 47708
812.435.5206
Justin.mcGiffen@valpo.edu

Committee/Section Meetings

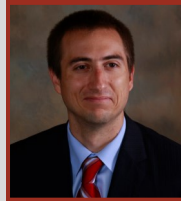
- 09/06 **Family Law Section Meeting**, Noon - EBA Office
- 09/13 **ISBA Delegates Meeting**, 8:00am - EBA Office
- 09/15 **Young Lawyers Section Lunch**, Noon - Turoni's on Main
- 09/19 **Women Attorneys Section Meeting**, Noon - ZSWS
- 09/20 **Bench & Bar Committee**, 12:00 pm - EBA Office
- 09/23 **Access to Justice Committee Meeting**, Noon - EBA Office
- 09/28 **CLE Committee Meeting**, 11:45 am - Lic's Deli

WE ARE PLANNING A SPECIAL CELEBRATION TO HONOR OUR VETERANS. IF YOU ARE A VETERAN AND DO NOT SEE YOUR NAME LISTED HERE, PLEASE SEND YOUR SERVICE INFORMATION TO EBA@EVVBAR.ORG AND INCLUDE A PICTURE IF POSSIBLE.

Sacha L. Armstrong, Donald Baier, James Belcher, Sydney Berger, Thomas Bernhardt, Paul Black, R. Thomas Bodkin, Dennis Brinkmeyer, Neil Chapman, Rod Clutter, Michael Cork, Ben Cabbage, Sarah B. Dauer, Arthur R. Donovan, Kathy Feldmeier, Sean Georges, Rhett Gonterman, David Gray, Joseph Harrison, Sr., Henry Hudson, Victor Ippoliti, Brian Jeffries, David Jones, J. Robert Kinkle, Alan Kissinger, John Kreighbaum, R. Steven Krohn, David Lamont, R. Stephen LaPlante, Chris Lee, Russell G. Lloyd, Sr., Thomas O. Magan, Peggy McCormick, P. Michael Mitchell, Terry Noffsinger, Robert D. Norton, C.E. Oswald, Brandon S. Renner, Robert Rock, David Sanders, Toby Shaw, Toby Shaw II, Willard C. Shrode, Phil Siegel, Jim Son, Robert Stayman, Thomas H. Terrell, Wayne Turpin, Jacob Weis, and Fred White



Javier Lugo,
President



Every year, the Evansville Bar Foundation awards grants to organizations that "promote justice and improve lives through the law." This year, the EBF awarded \$24,040 in grants to the following organizations: **EBA Diversity Committee, EBA Womens Attorney Section, Holly's House, Indiana Legal Services, Inc. , Voices, Inc. , Volunteer Lawyer Program-** and it's "Talk to a Lawyer" Program, **YMCA Youth in Government Program, Youth Resources of Southwest Indiana - Teen Court, Casa, Inc.**

While many of our community's most vulnerable folks will benefit from these awards, there are many who still need our help. This is evident because these organizations had originally requested \$43,543 in grant funding. We still have work to do. I ask that you consider donating what you can to the EBF. Please remember that 2/3's out of all of your contributions to the EBF will go directly into funding grants for next year. I like to think that we are interested in the law because we believe it's worthwhile to promote the values of fairness, equality, and civil rights. These organizations are on the front line of promoting those values to our community. Let's do our part to see that they continue doing just that.

Law Library Updates

A new handout for people using the Self-Service Legal Center on www.in.gov has been prepared to reflect numerous recent revisions to the Center's forms packets. The contempt packets have been removed from the site and are no longer available online. The Law Library will keep the superseded packets in paper form for the time being, just as it keeps superseded treatises and statutes. Did you know that people can print documents such as BMV driving records in the Law Library? At present, there is no other office in the Courts Building providing this service. The charge is fifty cents per page, the same as the copy machine.

A reminder that ALR, Fifth Series, volumes 85 and 106, ALR, Sixth Series, volume 6, and Indiana Law Encyclopedia, volume 3 are still missing from the shelves. If you happened to remove any of these items from the Law Library and still have them, please return them at your earliest convenience so that others may use them. No questions asked!

Please send your comments and suggestions to evvlaw@evansville.net, or call 812-435-5175.

Helen Reed, Law Librarian

2016 CONTRIBUTORS

Thank you to those that have contributed to the **John L. Sanders Memorial - Evansville Bar Foundation in 2016.**

In 2016 The Evansville Bar Foundation awarded \$24,000 to community programs, but nearly \$44,000 in grants were requested. Two-thirds of all donations go towards funding grants. Anyone who donates before September 14 will be recognized at the Members Lunch on September 21.

Lead Counsel

Foster, O'Daniel,
Hambidge
& Lynch LLP

Todd I Glass

Steve Hoar

P. Michael Mitchell

Brian and Barbara
Williams

Court Counsel

James Casey

Charles Hewins

Michael Land

Krista Lockyear

Terry Noffsinger

Hon. Leslie Shively

Dirck Stahl

Bob Zoss

Attorney of Record

Sacha Armstrong

Steve Barber

Erin Bauer

Diane Bender

D. Timothy Born

Allyson Breeden

Attorney of Record (Cont)

John Brinson

Thomas Bryan

Michele Bryant

Wilfred Charles
Bussing III

Allison Comstock

Hon. Richard G.
D'Amour

Dennis Dewey

Marc Fine

Jimmy Gentry

Kevin Gibson

Benjamin Haddox Jr.

David Hatfield

Kelly Jackson

Daniel R. Robinson,
Jr.

Katherine J Rybak

G. Michael
Schopmeyer

David Shaw

Philip Siegel

John A. Thomason

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

Paralegal

Barbara VanZant

Get Involved!

Boy Scouts Seek Volunteers for Law Career Immersive Exploration Post

Evansville Boy Scouts are looking for volunteers to lead students in an immersive learning evening program about the profession of law.

Join the Bench & Bar Committee

The Bench and Bar Committee is comprised of lawyers and judges. The Committee is responsible for planning the Dialogue between the Bench and Bar Conference, discussion and resolution of issues relating to the interaction between the attorneys and the court system and is responsible for the Fee Arbitration program. New members are welcome!

WHAT'S COMING UP

Select a box to register, email eba@evvbar.org or call Jeana at 812-463-3201

MANDATORY PRO BONO RULES

IN INDIANA SOUTHERN DISTRICT

WEDNESDAY 09/07

9:00 AM

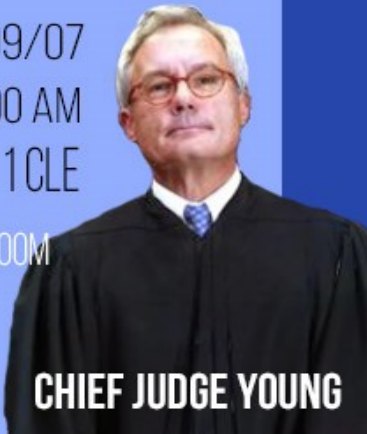
1 CLE

FEDERAL COURTHOUSE COURTROOM

\$30 EBA MEMBERS

\$50 NON-MEMBERS

CHIEF JUDGE YOUNG



NATALIE CHOATE

4 CLE

MONDAY, SEPTEMBER 12

GRIFFIN CENTER AT USI

8:30 AM



Evansville Estate & Financial Planning Council

\$125 EBA OR EEFPC MEMBERS

\$195 NON-MEMBERS



UNIVERSITY OF SOUTHERN INDIANA

MEMBERS LUNCH

Underwritten by



SEPTEMBER 21

NOON

TROPICANA

WALNUT ROOM A

The Evansville Bar Foundation will be recognizing this year's grant recipients and ISBA President Carol Adinamis will be speaking on Commercialization of the Legal Profession.

Carol Adinamis

INDIANA STATE BAR ASSOCIATION PRESIDENT



New Attorney Celebration



Thursday, October 13

5:00 pm

Ri Ra Irish Pub

Come welcome the new members of the Evansville Bar Association

Sponsored by:

Northwestern Mutual

The Lawyerist

OCTOBER 27

INNOVATION POINTE 318 MAIN

EBA MEMBERS - SEMINAR & LUNCH \$80

- SEMINAR ONLY \$65

NON-MEMBERS - SEMINAR & LUNCH \$125

- SEMINAR ONLY \$110

SPONSORED BY

LAW OFFICE OF DOUG BRIODY

FRICK POWELL ATTORNEYS AT LAW

CHAPMAN INJURY LAWYERS

KIGHTLINGER GRAY ATTORNEYS AT LAW

SIESKY & VIEHE ATTORNEYS AT LAW

THE FUTURE IS HERE: ETHICAL & PRACTICAL CONSIDERATIONS FOR YOUR LAW PRACTICE TODAY AND TOMORROW

3 CLE/1 Ethics/1 NLS

11:30 am Lunch
1:00 pm CLE begins



Randall T. Shepard Lecture Series

“Access to Justice and the Pro Bono Rules” 1 Ethics CLE

Introductory Remarks by **Hon. Randall T. Shepard**; Special Guest Speaker: **Jon Laramore**, Executive Director of Indiana Legal Services, Panel discussion to include Chief Judge Richard Young

September 13, 2016 - 5:30 pm - Randall T. Shepard Courtroom, Old Courthouse; CLE will be followed by a meet and greet reception.

Cost is \$50.



Dealing With Bankruptcy Notices for Those Who Don't Practice Bankruptcy - 1 CLE

Wednesday, September 7

Noon - EBA Office

*Additional \$5 for walk-ins

Speaker: Yvette LaPlante

Cost is \$30 for EBA Members and \$50 for Non-members

Register online at www.evvbar.org

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

EBA Commercial Law & ISBA Bankruptcy and Creditor's Rights Sections

Present: Major Developments in Chapter 12 Bankruptcy - 1.5 CLE

Thursday, September 15

3:00 pm - EBA Office

*Additional \$5 for walk-ins

Chapter 12 Trustees and attorneys provide insights, analysis and recommendations related to Chapter 12 Bankruptcy and its effects on the farming community.

Cost is \$35 for EBA Commercial Law/ ISBA Bankruptcy & Creditors' Rights Section Members. \$45 EBA/ISBA Members. \$75 non-members. Register online at www.evvbar.org ; email eba@evvbar.org or call 812-463-3201

Recent Employment Law Changes of Interest to the Non-Employment Lawyer - 1 CLE

Thursday, September 22

Noon - EBA Office

*Additional \$5 for walk-ins

Speaker: Cory Kuhlenschmidt

Cost is \$30 for EBA Members and \$50 for Non-members

Register online at www.evvbar.org

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

Understanding Where Assets Go When Someone Dies (and How to Get Them There) - A Primer For Non-Probate Attorneys - 1 CLE

Tuesday, September 27

Noon - EBA Office

*Additional \$5 for walk-ins

Speakers: Beau Dial & David Harris

Cost is \$30 for EBA Members and \$50 for Non-members

Register online at www.evvbar.org

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

How to Obtain Confidential Records Concerning Mental Health, DCS and Education - 1 CLE

Tuesday, October 04

Noon - EBA Office

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

Register online at www.evvbar.org

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

Specialized Driving Permits - 1 CLE

Friday, October 07

*Additional \$5 for walk-ins

Noon - Warrick County Superior Court No. 1

Speaker: Mark Foster

Cost is \$30 for EBA or Warrick County Bar Members and \$50 for Non-members; Lunch is being provided by the Warrick County Bar Association

Register online at www.evvbar.org

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

Preserving and Obtaining Cell Phone

Records - 1 CLE

Wednesday, October 12 *Additional \$5 for walk-ins

Noon - EBA Office

Speaker: Ben Bierce

Cost is \$30 for EBA Members and \$50 for Non-members

Register online at www.evvbar.org

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

Tips and Advice on Appellate E-Filing and Practice in Indiana - 1 CLE

Wednesday, October 19

Noon - EBA Office

Speaker: Kevin Smith

Cost is \$30 for EBA Members and \$50 for Non-members

Register online at www.evvbar.org

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

SPONSORED BY EBA'S ACCESS TO JUSTICE COMMITTEE

TRIVIA NIGHT

\$500
cash prize for 1st place team

October 20, 2016

6:00 PM DOORS OPEN
6:30 PM GAME STARTS

ALL PROCEEDS GO TO LEGAL AID SOCIETY OF EVANSVILLE, INC. AND VOLUNTEER LAWYER PROGRAM OF SOUTHWESTERN INDIANA, INC. TO HELP OTHERS GAIN ACCESS TO JUSTICE.

*Kirby's
Private Dining*

TEAMS OF 8
\$30 PER PERSON AT DOOR
\$25 PER PERSON PRE-REGISTERED
TO REGISTER, PLEASE CALL 463-3201
OR EMAIL [EBA@EVVBAR.ORG](mailto:eba@evvbar.org)

LIGHT SNACKS AND A CASH BAR WILL BE AVAILABLE

SEPTEMBER CALENDAR

- 09/01 **Talk to a Lawyer**, 4:30 pm - EBA Office
- 09/06 **Family Law Section Meeting**, Noon - EBA Office
- 09/07 **Mandatory Pro Bono Rules in Indiana Southern District** 1 CLE, 9:00 am - Federal Courthouse Room 301
- 09/07 **Dealing With Bankruptcy Notices for Those Who Don't Practice Bankruptcy** 1 CLE, Noon - EBA Office
- 09/08 **Morning Mixer**, 7:30 am - Donut Bank Hwy 41 & Lincoln Ave
- 09/08 **EBA Board of Directors Meeting**, 11:30 am - EBA Office
- 09/12 **Natalie Choate on Retirement Benefits** 4 CLE, 8:30 am - Griffin Center @ USI
- 09/13 **ISBA Delegates Meeting**, 8:00am - EBA Office
- 09/13 **Randall T Shepard Lecture Series "Access to Justice & The Pro Bono Rules"**
1 Ethics CLE, 5:30 pm - Randall T Shepard Courtroom, Old Courthouse
- 09/14 **It's One...Two Hours of CLE and the Old Ballgame** 2 CLE - Bus departs from EBA Office at 8:30 am
- 09/15 **Young Lawyer Section Lunch**, Noon - Turonis on Main
- 09/15 **Major Developments in Chapter 12 Bankruptcy** 1.5 CLE (Joint with the ISBA), 3:00 pm - EBA Office
- 09/19 **Women Attorneys Section Meeting**, Noon - Ziemer Stayman Weitzel & Shoulders
- 09/20 **Bench & Bar Committee Meeting**, 12:00 pm - EBA Office
- 09/21 **EBA Members Lunch**, Noon - Tropicana Walnut Room A
- 09/22 **Recent Employment Law Changes of Interest to the Non-employment Lawyer** 1 CLE, Noon - EBA Office
- 09/22 **Legacy Lawyer Social** , 4:00 pm - EBA Office
- 09/23 **Access to Justice Committee Meeting**, Noon - EBA Office
- 09/27 **Understanding Where Assets Go When Someone Dies (and How to Get Them There)** 1 CLE, Noon - EBA Office
- 09/28 **CLE Committee Meeting**, 11:45 am - Lic's Deli

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.

10/24 **Critical Issues Relating to Equal Employment Opportunity**