

The SUMMATION

September 2018

The Monthly Newsletter of the Evansville Bar Association

915 Main Street, Suite 108

Evansville, IN 47708

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PRESIDENT'S MESSAGE

By: Yvette LaPlante



A magic castle, replica LST, racing zip line, rock climbing area, treehouse, monkey bar course, and wobble bridge are just a few of the features planned for Mickey's Kingdom, a 20,000 square foot all-abilities playground which will replace the existing Kids' Kingdom on the Evansville Riverfront.

[Mickey's Kingdom](#) is the product of the donations and efforts of several community groups and volunteers. Major donors include the 911 Gives Hope Organization, the Evansville Convention & Visitors Bureau, Vectren, the Evansville Rotary Club, and Bowen Engineering. Additionally, numerous local labor unions, contractors and other professional firms have provided in-kind services.

Community volunteers have been solicited to install Mickey's Kingdom between September 13th and 24th. The Bar Association will join in the effort at the Mickey's Kingdom site on Friday, September 21, 2018 from 7:45 am to 12:30 pm as part of its annual day of service, led by Will Cartwright.

My general reaction to the day of service each year is something like this: "Sounds cool. Worthy cause. I give a lot of my time away, and I'm not particularly skilled in that area." Then, I flashback to the year that Mag. Corcoran, Elissa Hewins, Sarah Dauer and her daughter, Evie, Meagan Brien, Cennet Braun, and I put together furniture at the YWCA as part of a Women Attorney Section meeting. I was tasked with putting together a bed frame with other members of the group. No one told me it was a bed frame. I thought I was building a bookshelf until the last piece went in. Upon remembering this, I always declare, "I'm out. No day of service."

This year, however, I'm going to participate for three reasons. First, I think it's part of this role. Second, I can help others feel very skilled. Those on the fence about participating should consider the third reason: my inability to distinguish a bed from a bookshelf did not render the project a failure. Someone--probably Evie, who was around four at the time--eventually explained it to me. The furniture got built. The YWCA had a room. I learned a few things, and I had a good dinner and conversation afterwards. The evening was a win.

So, to those of you that read about Mickey's Kingdom and thought, "Sign me up! I'm great at this stuff," I'll see you there. Please explain things to me slowly.

To those of you that read about it and thought, "Sounds cool. Worthy cause. Too bad it's out of my skill set," I get it. My comfort zone is a nice place too. Consider coming anyway. The project will get done and you'll be useful. Even if you can't distinguish an LST from a treehouse, someone there can. As a bonus, you may end up having good conversation with your fellow lawyers afterwards. And, of course, you'll help a very worthy cause in the process.

Let's build a magic castle!

EBA MEMBERS LUNCH

SEPTEMBER 19

NOON

TROPICANA

WALNUT ROOM A

Join us as the Evansville Bar Foundation recognizes this year's grant recipients.

Generously underwritten by:



To make your reservation, go to evvbar.org, email eba@evvbar.org or call (812) 463-3201.

VLP NEWS

By: Judge Smith and Magistrate Corcoran

On August 8th and 9th this past month, the Coalition for Court Access and the Supreme Court hosted a retreat to begin the process of reorganizing Indiana's nearly 20 year old pro bono delivery system. The retreat was chaired by our own Plan Administrator Scott Wylie and the leader of our colleague program in New Albany. Attendees included leaders of the bench and private bar as well as civil legal aid professionals and all of Indiana's pro bono Plan Administrators. It is well known to readers of this column that the pro bono system in Indiana has been resource-starved since the collapse of IOLTA interest rates in 2008. Despite a more than 40% reduction in funding for the past decade, VLP has made major strides by adding substantial clinical programming to complement its core case placement efforts and continues to have a close working relationship with Indiana Legal Services and the Legal Aid Society of Evansville. As our leaders consider the next steps in pro bono service delivery, we can be proud that VLP is one of the models on which the new system will be based. Thank you for your volunteer efforts on behalf of VLP and its clients.

2018 Legacy Lawyer Social

Tuesday, September 25

4:00-6:00 pm

at the Evansville Bar Association

Join your fellow legacy lawyers for a time of celebration, reminiscing and storytelling.

RSVP at eba@evvbar.org or (812)463-3201

Volunteer for the

EBA DAY OF SERVICE

Friday, September 21

8am start; Lunch at Noon

There are opportunities for **everyone** to be a part of this community project!

Mickey's Kingdom is a 20,000SF all-abilities playground that will replace Kids Kingdom on the Evansville Riverfront!

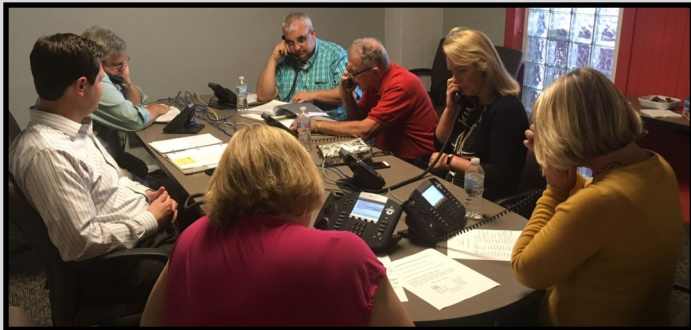
RSVP ASAP!

Email eba@evvbar.org
or call (812)463-3201



update

WHO'S DOING WHAT?



Did you know that the [Volunteer Lawyer Program of Southwestern Indiana, Inc.](#) provided over \$833,000 worth of free and reduced fee legal services to residents of 11 Indiana counties last year? FSORS proudly supports the VLP and sponsored VLP's Talk to a Lawyer in August. Thank you VLP and volunteers for all you do!

On September 22, William G. Hussmann of Kightlinger & Gray, LLP will participate in the St. Vincent de Paul Friends of the Poor® Walk.

Bill is also running the October 13 Evansville Half Marathon or 8K. Proceeds benefit the YMCA of Southwestern Indiana.

Any members who want to support or participate in these events are invited.

Bar Updates:

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

Brett Bueltel

The Law Offices of Steven K. Deig, LLC
 5615 E. Virginia Street
 Evansville, IN 47715
 (812) 477-5577
brett@deiglaw.com

Michelle A. Cox

318 Main Street
 Suite 218
 Evansville, IN 47708
 (812) 413-9782
michelle@michellecoxattorney.com

Jeff Shoulders

Bob Zoss Law Office, LLC
 2405 N. Green River Road
 Evansville, IN 47715
 (812) 471-8502
js@zosslaw.com



COMMITTEE & SECTION MEETINGS

See PAGE 6 for all Committee and Section Meetings!

EMPLOYMENT OPPORTUNITY

University of Evansville

The Director, Risk Management & Compliance will be responsible for advising academic and administrative departments in transactions including contracts involving the purchase, sale, lease, or license of goods or services, clinical contracts, and contracts associated with domestic and international program offerings. Contact Michele Adams at (812) 488-2320 or ma72@evansville.edu

SPONSORED BY EBA'S ACCESS TO JUSTICE COMMITTEE

\$500 CASH PRIZE FOR 1ST PLACE TEAM

TRIVIA NIGHT

Oct 18

Teams of 8

\$30 PER PERSON AT THE DOOR

\$25 PER PERSON IN ADVANCE

[REGISTER HERE](#)



Ballroom

@ Sauced

6:00 pm Doors Open

6:30 pm Game Starts

ArtistsWantedPapers.com



Kelly Jackson,
President

The Evansville Bar Foundation received grant applications from numerous worthy

organizations requesting over \$65,000 in total funding. While the Foundation will not be able to fund all of these grant requests, the Board of the Foundation is excited to announce the grant recipients at the Evansville Bar Association's Member Luncheon to be held on Wednesday, September 19, at noon at the Tropicana Conference Center.

The Board of the Foundation encourages all of you to attend the Member Luncheon on the 19th to witness and support this years' recipients of the Foundation grants. In addition to the rewarding of the grants, the Luncheon will also feature past grant recipients, the YMCA of Southwestern Indiana and Holly's House, who will each make short presentations on their respective programs which were funded, at least in part, by Foundation grants.

Please join us on September 19 at noon at the Tropicana Conference Center. To RSVP, please go to evvbar.org, email eba@evvbar.org or call (812) 463-3201.

Donate

LIBRARIAN'S CORNER: *PRO SE CLINICS*

At this time, the law library hosts three *pro se* clinics each month, operated by the Volunteer Lawyer Program. Two clinics focus on family law matters; the third focuses on general legal needs, such as small claims matters, evictions, debt collections, BMV fee waivers, and guardianships. The general clinic has been well attended since its first session in December, and we hope to offer a second monthly session this fall. In addition, the partnership between the VLP attorney and the law librarian help make it possible for self-represented litigants involved in any civil matter to seek guidance on how to successfully navigate the court system, obtain appropriate *pro se* pleadings, access self-help materials located in the library, and take advantage of online legal resource materials.

Your generous donations and ongoing commitment to the Law Library Foundation and the law library ensure that the people in this community have access to these legal services and *pro se* clinics. Thank you for your ongoing support.

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

SHEPARD LECTURE SERIES 2018

*Freeing the Innocent
Righting Wrongful Convictions in Indiana*

Tuesday, September 11 at 5:30 pm
ONB Auditorium, 4th Floor

This event is open to the public.
Seating is limited.

RSVP at (812) 463-3201 or
eba@evvbar.org.



Speaker: Fran Watson

THANK YOU TO THE 2018 EVANSVILLE BAR FOUNDATION DONORS*

Lead Counsel

Foster, O'Daniel, Hambidge & Lynch LLP

Steven Hoar

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

Court Counsel

| | |
|---|---------------------------|
| Gary and Paula Gerling Foundation | Michael Land |
| James Casey | Ryan Parker |
| Marc Fine | Sheets, Charles & Charles |
| Johnson, Carroll, Norton, Kent & Goedde | Stephen Thomas |
| | Tuley Law Office |

Attorney of Record

| | | |
|------------------------|------------------------|---------------------------|
| Sacha Armstrong | Scott Evernham | Tamara Schmitt |
| Steve Barber | Gentry Law Office | G. Michael Schopmeyer |
| Ted Barron | Gerling Law Offices | David Shaw |
| Erin Bauer | Kevin Gibson | Philip Siegel |
| Diane Bender | William Hussmann | Richard Steedman |
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| John Broadhead | Hon. David Kiely | Keith Vonderahe |
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| Robert Carithers | Teresa McKeethen | Neil Woods |
| Dan Carwile | Terry Noffsinger | Sarah Woods & Javier Lugo |
| Allison K. Comstock | Andy Ozete | Robert Scott Wylie |
| Hon. Richard D'Amour | Olivia Robinson | Bob Zoss |
| Hannah Dill | Carrie Roelle | |

Other Donation

Max Fiester
Kathryn Kornblum

New Attorney (0-3 Years)

Frank Mattingly



* As of August 31, 2018

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

HOW UNCONSCIOUS BIAS AFFECTS CLIENT RELATIONS-1 CLE

SACHA ARMSTRONG

THURSDAY, SEPT 06

NOON - EBA OFFICE

EBA Members \$30

Non-members \$50

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

MY CLIENT IS MENTALLY ILL...NOW WHAT? - 1 CLE

MAGISTRATE JILL MARCRUM
AND HON. LES SHIVELY

WEDNESDAY, OCTOBER 03

NOON - EBA OFFICE

EBA Members \$30

Non-members \$50

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

HOT TOPICS FOR IN-HOUSE CORPORATE COUNSEL - 6 CLE/1 ETHICS

TUESDAY, OCTOBER 30

8:30AM - WELBORN CONFERENCE CENTER

In-House Counsel Section Members \$150

EBA Members \$180

Non-members \$300

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

WHAT YOU NEED TO KNOW ABOUT INDIANA NOTARY CHANGES: NOTARIES PUBLIC AND SEA 539 - 1 CLE

SAMANTHA CHAPMAN

ATTORNEY AND SPECIAL COUNSEL, BUSINESS DIVISION
INDIANA SECRETARY OF STATE

THURSDAY, SEPTEMBER 20

NOON - EBA OFFICE

Paralegal Section Members \$25

EBA Members \$30

Non-members \$50

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

HOW TO WRITE ETHICALLY - 1 ETHICS

HON. MELISSA S. MAY

WEDNESDAY, OCTOBER 24

NOON - EBA OFFICE

EBA Members \$30

Non-members \$50

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

A YEAR IN REVIEW: DISCIPLINE CASES DECIDED BY THE COURTS - 1 ETHICS

HON. G. MICHAEL WITTE

WEDNESDAY, OCTOBER 31

8AM - EBA OFFICE

EBA Members \$30

Non-members \$50

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

*Don't be frightened,
just informed!*

SEPTEMBER CALENDAR

- 09/04 **Communications Committee Meeting**, Noon - EBA Office
Family Law Section Meeting, Noon - EBA Office
- 09/06 **How Unconscious Bias Affects Client Relations** (1 CLE), Noon - EBA Office - [REGISTER](#)
Editorial Board Meeting, 1:00 pm - EBA Office
Talk to a Lawyer, 4:30-6:00 pm - EBA Office
In-House Corporate Counsel Happy Hour, 5:00-7:00 pm - The Rooftop
- 09/07 **Business and Commercial Law Section Meeting**, Noon - EBA Office
- 09/11 **Paralegal Section Meeting**, Noon - EBA Office
EBF Development Committee Meeting, Noon - EBA Office
Shepard Lecture Series, Doors open at 5:00 pm; event begins at 5:30 pm - Old National Bank 4th floor auditorium; Guest Speaker Fran Watson - [RSVP](#)
- 09/12 **SOLD OUT: It's One, Two...Hours of CLE and the Old Ball Game** (2 CLE/1 Ethics/1 CME),
 Depart 8:00 am from EBA Office at 915 Main Street
- 09/13 **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
- 09/14 **Real Property Section Meeting**, Noon - EBA Office
- 09/18 **Talk to a Lawyer**, 11:30 am to 1 pm - EBA Office
- 09/19 **EBA Members Lunch**, Noon - Tropicana Walnut Room - [RSVP](#)
- 09/20 **What You Need to Know About Indiana Notary Changes:
 Notaries Public and SEA 539** (1 CLE), Noon - EBA Office - [REGISTER](#)
Young Lawyer Section - Happy Hour, 5:00 pm - K.C.'s Marina Point
- 09/21 **Day of Service**, 8:00 am start, Noon lunch - Mickey's Kingdom, Evansville Riverfront - [RSVP](#)
- 09/25 **Senior Lawyer Social**, 4:00 pm - EBA Office - [RSVP](#)
- 09/26 **CLE Committee Meeting**, 11:45 am - EBA Office
- 09/27 **Women Attorney Section Meeting**, Noon - EBA Office

SAVE-THE-DATE

- Trivia Night** Thursday, October 18, doors open at 6 pm - Sauced Ballroom - [REGISTER](#)
- Family Law Update (6CLE)** Friday, October 19, 8:30 am to 4:00 pm - KDDK Conference Center
- New Member Welcome** Thursday, October 25, 5:00-7:00 pm - Comfort, Second Floor - [RSVP](#)
- Hot Topics for In-House Counsel** - Tuesday, October 30, 8:30 am - Welborn Conference Center - [REGISTER](#)
- Estate and Business Planning Institute** - Friday, November 16, 8:20 am - Tropicana - [REGISTER](#)
- Hot Topics (3 CLE)** Friday, December 7, 8:30 am - German American Bank Downtown - [REGISTER](#)
- Regional Mock Trial** Saturday, February 16, 2019 - more information to come!

ICLEF VIDEO REPLAYS

- 09/10 **Expungement in Indiana: The Law, The Process, The Forms**
- 10/01 **CME for Family Mediators**
- 10/15 **Non-Profit Organizations: For Board Members and Lawyers**
- 11/05 **The Complexities of UCC Article 9 Simplified**

DIVERSITY SPOTLIGHT: HOW DOES OUR INITIAL PERCEPTION AND IMPLICIT BIAS AFFECT OUR PRACTICE?

Sacha Armstrong, Diversity Committee

During the course of our practices, it is often critical that we make certain judgments, assumptions and predictions about people that we encounter with only very limited information. We assess the credibility of witnesses with a one hour deposition and pick jurors based on a form and a few questions. The better we are at making these quick, real-time decisions, the better advocate we often are for our clients. That does not mean that we act in an inappropriate or discriminatory manner, only that our first encounter or response sends us certain information. All of us have implicit biases to some degree. It is important for us to acknowledge and understand this implicit response that we all have, and the role it plays in our decision-making process in our practice and as we deal with clients.

We naturally assign people into various social categories by visible and conventional traits, such as

age, gender, race, and role. Just as we might have implicit perceptions and knowledge that help us advise our clients on the best course of action to take in a certain situation, we may also have implicit social perceptions that guide our thinking about social categories. These perceptions may come from our direct experiences with other people, but they are often based on vicarious experience that we may get through media and other sources.

Many times, these perceptions also include our attitudes, based on the positive or negative feelings that these perceptions invoke. For instance, if we identify someone as having graduated from our same high school or living in our own neighborhood, we will feel more at ease and relate to them. The term "implicit bias" includes both implicit stereotypes and implicit attitudes. Even though our initial perception of people may be helpful to our clients in some situations,

they also can lead to discriminatory behaviors if we are not careful. Given the critical importance of exercising fairness and equality in our role as advocates and representatives of the legal system, we should at least be cognizant of the perceptions that we may have and the role that they play in our interactions and thought process with our clients and community.

Please join me on September 6. We will explore what implicit bias means and how it may influence our decisions and interactions with clients, and understand that being implicitly biased does not necessarily mean that we act in explicitly biased ways. We will also discuss how to recognize some behaviors that may suggest bias or differential treatment and learn techniques that help debias perceptions and improve client interactions that is beneficial to everyone.

[REGISTER HERE FOR THE CLE](#)

WHY CLE?

EVANSVILLE BAR ASSOCIATION

CURRENT AVERAGE PRICE OF 6 CLE HOURS

ICLEF - \$375

NBI - \$359

EBA - \$180

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.

OTHER ADVANTAGES OF EBA CLE

- Local Issues
- Great Speakers
- No Travel Expenses
- 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.