THE ROLE OF THE NURSE ATTORNEY

42 MEDITATIONS ON A LONG WALK IN PARADISE

32 BAR FOUNDATION

30 YOUR CLE METRO BAR
Website Tips, Free Legal Research, Legal Directory, and Upcoming Events

25 WOMEN SUPPORTING THE LEGAL PROFESSION IN CLEVELAND
By Gabrielle T. Kelly

50 LEGAL AID CORNER
Beyond Intermission: Now it's Time for ACT 2
Patrick Haggerty

FEATURES

04 THE IMPORTANCE OF THE PARALEGAL
By the CAP Board

13 THE ROLE OF THE NURSE ATTORNEY
By Kimberly Cleveland, Esq., MSN, RN, C-MBC

17 WOMEN IN LAW: ENTIRELY UNREMARKABLE?
By Laura Creed

20 BUILDING A PRO BONO CULTURE
By Catherine R. Donnelly

35 A DIFFICULT TRUTH: WE ARE ALL BIASED
By Christina E. Niro Allison Taller Reich

42 MEDITATIONS ON A LONG WALK IN PARADISE
By Deborah Peters

47 LABOR & LACTATION: EMPLOYER REQUIREMENTS FOR NURSING MOTHERS
By Teresa G. Santin

DEPARTMENTS

07 FROM THE CMBA PRESIDENT
A Presidential Q & A
Richard D. Manoloff

11 FROM THE EXECUTIVE DIRECTOR
Women Who Serve
Rebecca Ruppert McMahon

32 BAR FOUNDATION
Mom ... And The One Minute Message
Drew T. Parobek

30 YOUR CLE METRO BAR
Beyond Intermission: Now it's Time for ACT 2
Patrick Haggerty

WWW.CLEMETROBAR.ORG APRIL 2017 CLEVELAND METROPOLITAN BAR JOURNAL | 3
The Importance of the Paralegal

BY THE CAP BOARD

As with nearly all professions, the paralegal profession continues to grow and change throughout time. Some of the most important, universal skills and abilities a great paralegal possess are, and always will be, organizational skills, verbal and written communication skills, proofreading skills, the ability to effectively manage time and prioritize tasks, and the ability to leap tall buildings in a single bound (okay maybe not the last one). Paralegals must also be problem solvers, critical thinkers, and evaluators of facts. In addition to these universal skills, a paralegal will develop expertise tailored to their unique place of employment which covers various and specific areas of law and includes even further specificity with regards to the supervising attorney or working group of attorneys they work with.

A paralegal performs similar functions as does an attorney. Unlike an attorney, a paralegal cannot legally advise a client and is prohibited by the unauthorized practice of law from accepting clients, setting fees, giving legal advice, or representing others in court, to name a few. Additionally, as paralegals, in our day-to-day duties, our supervising attorney (or attorneys) relies on us to not only to know our own schedule, but handle and communicate their schedule as well. We must have the ability to assist our attorneys in preparing for upcoming hearings, meetings, closings or trials. Under the supervision of an attorney, paralegals draft a wide variety of forms, correspondence, contracts, agreements, motions and other legal documents which have the ability to merge corporations, start a business, sue for money, ensure the assets of a person once they pass on, end a marriage, or protect the civil rights of an accused criminal (just to name a few). Effective utilization of a paralegal in your office can help save your clients money (which keeps them both happy clients and continued clients), as well as enable your attorneys to deliver more dynamic service to your clients.

Further, the maturation of the paralegal profession has brought efforts to standardize the profession. There are currently several national certifications for paralegals, and the Ohio State Bar Association (in cooperation with the State of Ohio) also has a certification program. All national and state certifications are currently voluntary. Efforts by paralegals to continue to standardize our profession and provide a consistent level of expertise to the legal field will continue. Paralegals play not only a valuable role in the delivery of affordable and competent legal services to clients, but also an important role in the efficient operation of law firms, corporations, government agencies, and courts.
VOTE Weaver OSBA President Elect Experience Matters

Education
- University of Michigan, J.D.
- The Ohio State University, B.A.

Professional Activities
- Ohio State Bar Association
  - Board of Governors, 2013-2016
  - Council of Delegates
  - Vice Chair, Government Affairs Committee
  - Futures Commission
- Ohio Bar Insurance Liability Co. (OBLIC)
  - Board of Directors
  - Member of Executive Committee
  - Co-Chair Claims Committee
- President, Cleveland Bar Association
- Fellow, American College of Trial Lawyers
- Fellow, International Society of Barristers
- Lawyer of the Year, Best Lawyers 2015 & 2017
- Life Member, Sixth Circuit Judicial Conference
- Life Member, Eighth District Judicial Conference
- Foreperson (2010), Cuyahoga County Grand Jury
- Recognized as an Ohio Super Lawyer every year since the inception of the award
- Listed in The Best Lawyers in America since 2006

Please call or email me with your ideas - rgwlaw73@gmail.com • 216-870-0022 (cell)

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To the talented women in law and everywhere who continue to do extraordinary things and shape the world: Thank you.

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A Presidential Q & A

Q: So Rick, you’ve been serving as President for about 10 months now, with just a couple of months to go. How would you sum up your experience as President thus far?
A: I’m just glad I’ve been wearing my seatbelt. This year at the Bar, we’ve been moving fast around many turns, and simply gunning it on the straightaways. Last year, the Board of Trustees approved a game-changing Strategic Plan. This year, we are implementing it, and there’s a lot to implement. It’s not all sexy (well, hardly any of it is, shockingly), but we have been hard at work laying the foundation for the future. Tack on establishing various new programs and initiatives, and operating the substantial day-to-day activities of the Association, and it’s been a busy, meaningful, year in the life of our organization.

Q: What are some of the highlights of the Strategic Plan?
A: Well, first and foremost, we are a membership organization. As the legal industry and our legal community change, we need to change — not just to stay relevant to our membership, but to become more meaningfully integrated into their practices. So, our Strategic Plan is heavily focused on that.

One aspect of our Strategic Plan that I have been particularly excited about is “thought leadership.” The Board recently approved the creation of a Thought Leadership Committee, charged with evaluating whether and how to respond to substantive issues as they arise, and proactively leading educational efforts and dialogue on issues of importance. Our organization has a lot to offer to the conversation, and we are uniquely situated to bring together stakeholders on significant matters, as we’ve done throughout this year.

Q: Speaking of responding to issues that pop up, how has the Bar decided to respond to President Trump’s Executive Orders, Presidential Memoranda, and other statements? Bar associations around the country seem to be all over the map on this.
A: Yikes — I thought this was going to be a puff piece?

Q: Nope.
A: But I’m President. Don’t I have veto power, or any sort of power?

Q: Nope.
A: All righty then … As I mentioned, the Board just approved a Thought Leadership Committee, which will be focusing on matters of this nature. While that Committee is getting up and running, the Executive Committee of the CMBA and other leaders within the organization are actively discussing this topic, with an eye to Board-established processes and procedures.

As a membership organization of 5500+ lawyers and associated professionals, there will be strongly held political viewpoints across the spectrum. Speaking for myself, I think we — again, as an organization — need to be careful not to wade into partisan politics through endorsement or advocacy of a particular partisan position.

But politics can be inextricably intertwined with policy. The January 27 Executive Order comes to mind. In such situations, I believe we do have a role to play — an important role. We can convene those with varying viewpoints and model how to conduct a civil, productive dialogue — a deep dive into an issue where people walk away better educated, with battle-tested viewpoints. We’ve been trying to do just that with our “Hot Talks” series, the first of which dealt with the January 27 Executive Order.

Sometimes a line will be crossed, and I don’t think it’s necessarily inappropriate for a bar association to grab the microphone when it is.

Q: So, what about those “initiatives” you spoke of earlier?
A: I don’t have any “shiny object” that I want everybody to focus on while I’m President. Not infrequently, such a shiny object gets replaced with a different shiny object, which can hinder the overall progress of the organization. Two steps forward, two steps back. I believe that our next President — Bar Superstar, Darrell Clay — shares my view on this.

Some of the nascent initiatives and new programs that I am excited about include: (1) at the request of CEO Eric Gordon, placing legal boots on the ground in Cleveland school buildings, with a pilot at two high schools being launched in April; (2) finding volunteers and exploring simple systems to provide access to attorneys, and thus to justice, to those with “modest means”; (3) a capital campaign, which, among other things, will take our facilities — and the revenue that comes with it — to the next level; and (4) a health and wellness initiative to provide robust offerings and opportunities in support of the long-term well-being of those in our mega-high-stress profession. I believe that these efforts are central to what we are all about as an organization, so I hope that they will endure and grow long after I am kicked to the curb.

Q: Now let’s get personal.
A: Or not.

Q: You were born in Cleveland, graduated from Bay High, left the area for a decade for college, divinity school, law school (all out east), and a couple jobs (in New York and Cincinnati), and then came back. What brought you back?
A: Cleveland rocks. Really, it does. While it’s true that I wanted to be near my family and
extended family (my wife and I are both from Bay). I’ve always viewed Cleveland as the best of all worlds. For a lawyer, it can provide world-class action. But Midwestern attitudes pervade. Like I was told by a municipal bond insurance company rep during a dinner in NYC recently — “I love dealing with Clevelanders. They’re really smart but they’re also really chill and fun.”

In Cleveland, opportunities abound for professional and personal growth and fulfillment — pick your passion. We’ve got the Cavs, the Tribe, and maybe the Browns someday. We’ve got parks, rivers, and beaches. We give to each other, and look out for each other. We’re the nation’s underdog, which brings us all together — “Cleveland Against the World.” From May to October, the weather is awesome. And after a few more years of global warming, November to April will be perfect also (and, as water levels rise, my house in southern Rocky River will become lakefront property). I just hope that we all can keep our pretty little gritty city a secret from the rest of the country, to avoid increased traffic, higher prices, etc. Or maybe we could build a wall....

**Q:** When you’re not running the Bar Association, how do you spend your time?  
**A:** Well, first, I would respond that I’m not running the Bar. The organization is blessed with a simply outstanding Executive Director — Becky McMahon — and the best **** staff in the land. Becky may blush when I say she has the biggest brain on the planet, but it’s true (next to Lin-Manuel Miranda, maybe). The staff is smart and indefatigable. And the Board of Trustees and other leaders are the best in the business.

Anyway, as to how I spend my time outside the Bar, aside from work and being VP of the Rocky River School Board, I have three daughters — one in college, one who is a senior in high school, and one in sixth grade. I have always tried to find ways to engage meaningfully in their lives. I try to help out with homework and school projects, although they get smarter than I am by about 7th grade or so, so I’m not much help after that. I’ve coached their sports teams for over a dozen years in basketball, softball and soccer. I’m helping my youngest establish a greenhouse in Rocky River so her team of “River Sprouts” can grow food throughout the year and give it to the needy. And I’m participating in the “Senior Show” that takes place every year in River, where parents put together more than two hours of humorous skits and heartwarming songs and slideshows for the graduating seniors on graduation night. I’ve written a few of the skits, but I can’t talk about them. I don’t think even the NSA can break through the wall of secrecy that always surrounds the Rocky River Senior Show.

**Q:** Speaking of skits, within the last year, people report that they’ve seen you on stage as Alexander Hamilton and Steely Venom, the front man for a fictitious 80’s hair band. What’s up with that?  
**A:** I have very little talent other than being quite willing to embarrass myself. I think that, if Hamilton were alive today, he’d be a lot like Venom — flowing hair, rebel attitude, a “feral tomcat.”

**Q:** We have time for one more question — what have been the biggest challenges of being President of the Bar Association?  
**A:** Hmm. One big challenge of any volunteer President is the call of the day job. My partners and colleagues at Squire Patton Boggs have been wonderfully patient and helpful. But I won’t kid you — it’s a challenge to try to maintain and grow a practice while undertaking the duties, and taking advantage of the opportunities, of Bar President. Good luck to you, Darrell.

Time does fly. There’s never enough time to do everything I’d like to do, so I’ve had to learn to pick my spots. To plant some seeds and then trust that somebody else will water them. And to try to add value to the ongoing operations of this top-notch organization.

It’s been a great ride so far. I’m thankful for the support from all quarters, and for the opportunity to try to make a positive impact on my chosen profession, in my chosen town.

CMBA President Richard D. Manoloff is a partner at Squire Patton Boggs (US) LLP, where he leads the representation of about a hundred Ohio school districts on financing matters. He is a co-author of Thomson Reuters’ Ohio School Law treatise. Aside from Alexander Hamilton, he says his favorite stage role at the Grand Assize of the Court of Nisi Prius was playing Mayor Jackson in a skit where the Mayor’s DNA got mixed up with that of Johnny Manziel — hijinks ensued. He has been a CMBA member since 1993. He can be reached at (216) 479-8331 or rick.manoloff@squirepb.com.
Lee Ann O’Brien

Company: The McGregor Foundation
Title: Director Corporate Relations, Special Projects, Planned Giving
CMBA Join Date: 2015
College: Miami University

IF YOU WERE NOT IN YOUR CURRENT PROFESSION, WHAT WOULD YOU BE?
Definitely, a national news anchor or an ‘open wheel’ race car driver—specifically grand prix or formula racing/Indy. While in the hotel industry, having met Mario [Andretti], even experienced the hot pits and working with various broadcasters, it’s easy to see the dichotomy of the risk and reward of both-still, energizing! Both careers offer the excitement of travel, meeting new people, and facing non-traditional challenges, sharing the emotions of exhilaration, passion and joy and maybe even the thrill of the chase; but certainly lend themselves to legacy. I suppose that comes from an innate feeling of wanting to make a difference. Why just think outside the box, when you can ‘blow up the box’?

TELL US WHY YOU LOVE CLE.
Having been given the opportunity to leave Cleveland in the late 90s, I am so glad we stayed! Although, Cleveland’s Bicentennial did not have the optimistic outcome that everyone hoped for; we are now witnessing the city’s rebirth and development. Where else can you enjoy a fresh water lake playing host to beautiful sunsets, have access to a foodie town with limitless restaurants of all kinds, see a Broadway Show, experience the sounds of the Cleveland Orchestra, Cleveland Pops, a jazz-fest, outdoor amphitheater entertainment venues like Cain Park, Blossom, Nautica, and is home to five National Sports franchises? There’s so much more…Not to mention how easily accessible all of these things are. Some of the best things are in CLE!

DESCRIBE AN IDEAL SUNDAY.
Sunday mornings are a cherished time to recharge batteries, enjoy the early morning sunrise, hear the birds chirping, take the dog (was dogs) for a walk or ride, workout, take a bike ride down Hogsback Hill into the Metroparks … and in the spring, sit outside enjoying a cup of coffee — before everyone else is up. We also try to catch CBS Sunday morning. Later, some golf — and friends!

EAST SIDE OR WEST SIDE?
That’s a tough call. Have wheels, will travel. I like both sides of town and I’ve never steered away from one or the other. With so many interesting venues on both sides of town, shopping, entertainment and restaurants, it’s interesting to explore! I think it’s important to be open to new things. I challenge myself to try new places and not get stuck in a rut. Now, there are many trendy hot spots downtown and in the urban areas like Tremont, Ohio City, Edgewater/Gordon Square, Little Italy, and Shaker Square.

IF YOU COULD GO TO DINNER WITH A FAMOUS PERSON, WHO WOULD IT BE?
Joan Ganz Cooney, an American television producer. She is one of the founders of the Sesame Workshop, the organization famous for the creation of the children’s television show Sesame Street, which was also co-created by her. She charted new territory by harnessing the power of television to educate underserved preschoolers. Topics include skin color, disabilities, diversity and other social impact initiatives, like children of divorce, military families and those with parents who are incarcerated. She has input as to how and when or why a new Muppet is born. Every Muppet needs a puppeteer. It’s would be interesting to discover how they make that selection and how the characters channel real life experiences. She was awarded the Presidential Medal of Freedom in 1995. What’s next!

Katie Donovan

Onders

Company: CMBA
Title: Lawyer Referral Service Coordinator
Undergrad: Bowling Green State University
Law School: Cleveland-Marshall College of Law

WHAT DO YOU LOVE ABOUT YOUR JOB?
Meeting all the attorneys who participate in the Lawyer Referral Service. They are really smart lawyers who put so much time and effort into representing their clients. Being a solo practitioner or in a small firm provides a lot of flexibility but also requires good business skills. The LRS attorneys are an impressive group. Also, all my co-workers at the CMBA are such great people. I am the newest CMBA employee, and everyone has been so welcoming — you should meet them all when you can!

TELL US ABOUT YOUR FAMILY
My husband, Jim, and I have two daughters, Molly and Shannon. My parents and brother live in the Cleveland area. My husband is one of 10 siblings — most of them and his dad live in Ohio too, except for a brother who lives in Alaska (on our vacation bucket list). I have 28 first cousins and too many distant cousins to count — I recently met one at the CMBA who I had never met before! Our family is close with all of our relatives and we get together often — we just celebrated our biggest family holiday, St. Patrick’s Day.

A RECENT MILESTONE FOR YOUR FAMILY
We had a busy fall. Our oldest daughter, Molly, started her freshman year at Xavier University in the Occupational Therapy program and really likes it there. Our youngest daughter, Shannon, plays soccer for Walsh Jesuit HS, and they won the state championship game in November. It’s been a busy but fun school year so far.

HOW DID YOUR HUSBAND PROPOSE?
Jim proposed on St. Patrick’s Day at Brandywine Falls. Then we went to the parade with our family and friends. It was like a giant engagement party.

EAST SIDE OR WEST SIDE?
Neither — south side! We live in Brecksville and love being outside spending time in the parks. We can bike the towpath south to Peninsula (Winking Lizard is a good destination) or north to Cleveland (Grumpy’s in Tremont is a fun spot). The Brecksville Reservation of the Cleveland Metroparks and the Cuyahoga Valley National Park have great trails to hike. The south side has a lot to offer — outdoor activities, shopping, restaurants and wonderful people.
Section & Committee

Spotlight

LAWYER REFERRAL SERVICE OVERSIGHT COMMITTEE

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Lee Koosed
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Staff Liaison
Katie Donovan Onders
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Regular Meeting
The LRS Oversight Committee meets in person at the CMBA Conference Center approximately twice/year and conducts much of its business via email and/or phone conferences.

What is your goal?
The Lawyer Referral Service’s mission follows along with the CMBA’s mission to sustain and improve the quality of, and public trust in, the administration of justice and the legal profession. The LRS works to bridge the gap between the Cleveland community and the diverse network of LRS attorneys. The LRS strives to provide quality referrals to the LRS attorneys while providing a public service to the Cleveland community.

What can members expect?
Committee members provide valuable information about the legal market (trends in legal needs), make recommendations on marketing the LRS to attorneys and to the general public, and assist in improving the LRS process.

Recent Event
The LRS provided 10,500 referrals in 2016 and provided 1,000 referrals in January 2017. The LRS is gaining an online presence — 20% of the referrals are now made online. For an additional fee, LRS attorneys can upgrade to the Enhanced Profile in the online directory which provides detailed information about the attorney for web users to compare before obtaining an online referral. Currently 146 attorneys participate in the LRS and we will always welcome more!

Upcoming Events
A joint CLE is being planned by the LRS Oversight Committee with the Small Firm & Solo Practitioners Section to be held Thursday, June 8, 2017 at the CMBA Conference Center. It will include lunch and an afternoon of CLE. We encourage all LRS attorneys to join us on June 8.

WOMEN IN LAW SECTION

Chair
Gabrielle Kelly
Brouse McDowell LPA
gkelly@brouse.com

Regular Meeting
1st Thursday of every month at noon at the CMBA

What is your goal?
To provide a section where women can network, obtain professional development, and participate in activities of interest to them.

Recent Event
Tour of Quicken Loans Arena and celebration of International Women’s Day

Upcoming Events
WiL’s next meeting on May 4th

CERTIFIED GRIEVANCE COMMITTEE

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Staff Liaison
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Regular Meeting
We meet on the first and third Tuesday of each month at the CMBA Conference Center.

What is your goal?
The Committee is authorized under the Ohio Rules for Government of the Bar to conduct confidential investigations of lawyer ethical misconduct allegations. The Committee files complaints with the Board of Professional Conduct in cases where disciplinary action is warranted. In this way, the Committee protects the public and carries out the self-policing function that is one of the duties of the legal profession. Service on the committee provides a great educational opportunity for attorneys interested in learning about the practical implications of the Rules of Professional Conduct in their own practices.

What can members expect?
Our members are very hard-working, actively conducting investigations and meeting twice a month to consider reports and recommendations. Service on the committee, both in conducting investigations and evaluating and recommending a course of action, raises the awareness of each member about the rules of conduct which will better equip members in interacting with their clients and peers to achieve the highest standards in ethics and professionalism. To be considered for membership on the Committee, applicants must submit an application, participate in a short interview, be approved by the Committee Chair and the Board of Trustees, and participate in a training session.
Women Who Serve

While the April issue of our Bar Journal is devoted to recognizing the contributions of women in the legal profession, the CMBA’s Women in Law also marked March 8 with a spotlight on International Women’s Day. The day-long program was created to encourage and inspire participants to explore ways to maximize career success and fulfillment. The 125+ women — and one confident, thoughtful man! — who attended the program, spent the day diving into a variety of topics from developing the “It Factor” to gaining the inside track on relationship building with business executives and entrepreneurs, to taking the leap into self-reinvention. Our tremendous group of presenters included:

- Judges — like Hon. Patricia Gaughan and Hon. Deanna O’Donnell;
- Chief legal officers — like Rose Fini, Carole Rendon and Jennifer Stueber;
- Public and private attorneys — like Patricia Fitzgerald, Andrea Kinast, Fran Goins, Michelle Sheenan and Natalia Steele;
- Representatives of the business community — such as Lynn-Ann Gries (Founder of Gries Consulting and Co-Founder & previous Chief Investment Officer of JumpStart); Jennifer Berlin (President & CEO of Ullman Oil Company), Rebecca Braun (President & Founder of The Braun Group) and Beth Potratz (President and CEO of Bryah HR Strategies & DriveMyWay);
- and many, many more.

From beginning to end, our 30+ speakers came together to learn from and challenge one another. We thank them all — together with the WIL leadership Gabe Kelly, Betsy Rader and Laura Creed — for being so thoughtful and generous with their insights. Each presentation, while different, shared common ground: honesty, practicality and more than a little humor. By program’s end, from the newest professional in the room to the most experienced, we all agreed the day was so rewarding that we will plan on meeting again on March 8, 2018 ... and every March 8 thereafter.

I want to also use this month’s article to thank another group of women who routinely answer our call to serve: the 18 women who participate in our Lawyer Referral Service (LRS). (See page 36 for a complete list of these dedicated practitioners.)

As you may know, members of the public who need help finding an attorney can reach the CMBA’s LRS by telephone (216-696-3532) or by internet (CleMetroBar.org/LRS). Registered with the Supreme Court of Ohio and approved by the ABAs Standing Committee on Lawyer Referral and Information Services, the CMBA’s LRS bridges the gap between local practicing attorneys and the many individuals and entities throughout Northeast Ohio and beyond who have need for attorneys. Annually, LRS-referred matters generate — in the aggregate — approximately $1,000,000 in legal fees for our panel attorneys — including a number of cases that result in high five- and six-figure fees.

While certainly not every referral results in significant work, LRS can deliver a steady stream of prospective clients to participating attorneys. One of our LRS attorneys who spoke at our March 8 program — Roni Sokol — has been an LRS attorney since 2013. With nearly two decades of large firm experience representing and defending insurance companies and their policyholders, Roni founded The Sokol Law Firm to pursue her passion for representing people with serious personal injury and wrongful death claims. Roni attributes her success in attracting clients to word of mouth referrals and the CMBA’s LRS.

Another long-term LRS panel attorney and member of the CMBA Board of Trustees — Sandy Kelly, Managing Partner of Ray, Robinson, Carle & Davies — so believes in the work that our LRS does for the greater Cleveland community that she has also been a member of the LRS Oversight Committee. Beyond adding new clients, Sandy fundamentally understands how serving as an LRS attorney enables her to assist the public with information about how to access our justice system. And even if a referral does not result in an immediate engagement, when prospective clients are treated respectfully and empathetically, they often return when new issues arise.

Other examples of long-term LRS supporters include:

- Julie Rabin, co-founder of the bankruptcy firm Rabin & Rabin, who maintains an Enhanced LRS Profile that has increased her exposure to prospective clients and led to increased client engagements; and
- Louise Mosher, who practices in the area of Social Security Disability and says she will always be a part of the LRS because she appreciates the importance of connecting with the public.

- We are also always recruiting new women — and men! — to join the LRS. Just last month, we added Claire Wade, co-founder of the employment litigation firm Sobel, Wade & Mapley. Claire has already landed a new client thanks to an LRS referral.

In a continued effort to broaden our reach within the community so as to expand both the quantity and the quality of referrals we can make, the CMBA is stepping up its efforts beyond our traditional marketing outlets. Within the past year, for example, the CMBA joined the Greater Cleveland Partnership, COSE and Business Volunteers Unlimited so as to improve our business community’s awareness of the LRS. When a business or nonprofit is need of legal assistance, we want their first call to be to the CMBA.

April is a great time to join the LRS: check out our spring promotion featured on page 36. Our LRS Manager, Katie Onders, can help you get started today. Or feel free to call me. Our community needs you, and your practice will benefit from getting connected.

Rebecca Ruppert McMahon is the Executive Director of the CMBA and the CMBF. She has been a CMBA member since 1995. She can be reached at (216) 696-3525 or rrmcmahon@clemetrobar.org.
Walter | Haverfield LLP is pleased to honor its Women in Law. Our 28 female attorneys are accomplished in their fields, committed to their communities and dedicated to their clients’ success.
Attorneys do not come to their practice in a ubiquitous manner. Their individual preparation, life experience and professional experiences shape their practice. This is especially true when a nurse decides to attend law school. Nurse-attorneys wear many hats in practice. Uniquely prepared in both the professions of nursing and law, these practitioners utilize their knowledge to impact society through both the venues of law and the practice of nursing. Nurse-attorney presence is broad sweeping and palpably impacts the areas of hospital administration, malpractice litigation, personal injury and toxic tort proceedings, criminal law, family law, and employment law. Nurse-attorneys contribute to the growth of firms, expansion of private practice, health policy development and reformation of the health care industry. Nurse-attorneys are distinctively qualified to advocate on behalf of nurses facing issues with licensure and alleged misconduct. The role of the nurse-attorney is as diverse as the preparation of each practitioner making these individuals an excellent resource for legal, health/public policy, and nursing education and research.

Nurse-Attorneys are licensed as both registered nurses and attorneys within their practice state(s). The attorney's preparation in nursing is varied because entry into practice for registered nurses may occur along many tracks. Nurses may sit for a licensure exam as a registered nurse degree in nursing, the nurse attorney can further expand her/his career path by pursuing a master's degree specializing in practice, education or administration or a doctorate degree. Doctorate degrees in nursing can be obtained as practice doctorates (DNP) or research doctorates (PhD). These advanced nursing degrees which integrate evidence based practice and research form an additional mechanism for the professions to inform one another in a mutually beneficial manner.

The variety of practice options for nurse attorneys is supported and recognized by the American Association of Nurse Attorneys (TAANA). The late Cynthia E. Northrup began organization of what has become TAANA in 1977. In 1982, this non-profit voluntary organization was incorporated in the District of Columbia (TAANA, n.d.). Since then, the organization has grown to 354 members. The organization connects nurse attorneys, students, and users of services with educational and professional opportunities (TAANA, 2015). Nurses are considered widely trusted advocates for patients at the bedside with a skill set that provides for advocacy into the boardroom (Hassmiller & Combes, 2012). Their contributions in the boardroom have been expanded following the IOM, 2010 report which identified the need for nurses to have a voice in health care decision making beyond the bedside and in the boardroom (IOM, 2010). As such, it should be no surprise
that thousands of nurses continue to expand their professional role through the completion of a law degree. The Code of Ethics for Nurses, provides that nurses promote, advocate for, and protect the rights, health and safety of the patient (ANA, 2015). As such, the Code, squarely places nurses in a position to protect the rights of privacy and confidentiality, protect human participants in research, provide performance standards and review mechanisms, provide for a culture of safety within the health care environment, protect patient health and safety by acting on questionable practice and protect patients against impaired practice (ANA, 2015).

Considerations for working with nurse-attorneys are similar to the consideration firms utilize when working with lawyers who are dually prepared in other fields such as accounting or engineering. These include an appreciation for the experience the nurse-attorney brings to the table. When considering the potential contributions, it is important for those hiring or working with the nurse-attorney to understand her precise history in the profession of nursing. Because of the diversity of nursing specialization and nursing roles, defining and understanding the specific education and individual contributions of the individual will determine if the experience of the nurse-attorney meets the needs of the firm or the organization.

Nurse-attorneys with experience in healthcare administration benefit the legal practice environment and health provider network by providing both insight into the application and integration of regulatory law and the rainmaking ability that follows established credibility in this area. The networking ability of nurse-attorneys who are well integrated in health management teams and professional organization provide for profound impact at the local and national levels. Whether growing the bottom line through rainmaking or efficiently selecting regulatory experts, the nurse-attorney’s familiarity with the health system, policy and practice parameters and standards within a geographic or practice area assists the firm or organization in growing and operating efficiently. Nurse-attorneys with extensive networks can provide a competitive edge for firms which concentrate on health law litigation, regulatory interpretation and medical/nursing home malpractice. Further, they can place health networks in the front line of interpreting, contributing to and implementing regulations.

Nurse-attorneys can be successfully onboarded within a firm or initiate a private practice to manage and prepare cases involving personal injury, malpractice, professional licensure and pharmaceutical claims. They can also work within health care environment to educate health care practitioners in operationalizing regulatory standards at the bedside. In these capacities nurse-attorneys who possess an advanced degree such as a nurse practitioner license, doctorate of nursing practice or PhD can provide leadership in educating health care teams or executing efficient, case specific and narrowly tailored discovery, trial preparation and trial advocacy. The valuable benefit of dual academic preparation provides for understanding of human responses to medications and disease in addition to the individual’s strategic and legal case management experience. The ability to merge knowledge of evidence based practice, understanding of human responses and ability to navigate the health system while researching appropriate experts and law provides an advantage in keeping costs contained and obtaining meaningful expert testimony.

The role of nurse-attorneys strengthens and supports the practice of contract and transactional law as well. In this role, nurse-attorneys compliment their understanding of drafting and the law with an understanding of how to efficiently communicate with a variety of age groups and individuals undergoing stressful situations. The nurse-attorney utilizes specialized knowledge of human growth and development and natural aging to communicate clearly with clients' who may be having difficulty managing issues due to age, stress and/or sensory impairment.

Additional benefits for health law contracting can be found when nurse attorneys assist licensed advanced practice nurses in review of their contracts. In Ohio, the Nurse Practice Act has been recently revised to provide definition and specific licensure for advanced practice nurses. Nurse-attorneys with experience as nurse practitioners and nurse administrators can provide a 360-degree approach to contracting for the provision of these services within the health care environment. Additionally, experience in these areas can provide a well rounded discussion with these practitioners when determining whether an employment contract is in order or whether a practice requires the protection of incorporation with the attendant choice of business entity provisions.

When nurse-attorneys are engaged in the education of law, health/public policy and nursing, they are able to provide a rich opportunity for students to engage deeply with legal and regulatory oversight of medical and health related issues and the practical application and impact of those regulations on patients, populations and legal and health systems. During a time when the health care industry is reforming to address the needs of access to care, cost, insurance portability, redefinition of patient record keeping, patient confidentiality in an age of cyber considerations and practitioner availability, students rely on their professors to share the intended and potential unintended consequences of the policy decisions made. As such, the nurse-attorney can contribute to and build a legacy of population based advocacy and policy that appreciates a systemic and broad approach to the resolution of many complex issues by relying on experience within the health care environment and knowledge of how that experience is used to define the regulatory environment with all its benefits and responsibilities.

They say, “If you really want to know the answer to your health question, ask a nurse.” This statement arises from the innate trust people have in nurses and the broad and unique knowledge base that nurses possess. While every nurse contributes differently based on her/his practice experiences, nurses do possess a very unique education and preparation that translates into being informed strong advocates. Nurses who choose this dual role, have the responsibilities of abiding by all practice rules for both professions in which they are licensed. They are required to maintain all continuing education requirements, ethical responsibilities and practice requirements in order to maintain their dual licensure. This responsibility is time consuming and arduous but it is well worth the effort when weighing the responsibility against the benefits of continuing traditions of well informed advocacy, cost containment, thorough consideration of policy statements and the education of the next generation of health lawyers and health professionals.

References

Kimberly (Thomas) Cleveland is a solo-practitioner in the state of Ohio. She focuses her practice on health law, nursing licensure and contracting and regulatory compliance for medical and nursing practices. Mrs. Cleveland is also faculty at Kent State University College of Nursing where she is the coordinator for health policy at the undergraduate and graduate level. She has been a CMBA member since 2007. She can be reached at (216) 470 1932 or Kimberly.ann.thomas@me.com
WWR thanks our talented women attorneys for their leadership in law, in our firm, and in our communities.

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Women In Law

Entirely Unremarkable?

BY LAURA CREED

It started out as a simple task. Find a TED Talk that we could watch and use as a jumping off point for a discussion at our next Women in Law section meeting.

Gabrielle Kelly, current WIL section chair, sent three TED Talks for review.

The first one was good, but too long. The second one was thought-provoking. It was more than thought-provoking. It was heresy! I remember asking Gabe, “Can we really show this? Isn’t the speaker saying that the Women in Law section shouldn’t exist? What if the members of the section agree?”

Kirsten Hall starts her TED Talk (https://www.ted.com/watch/ted-institute/ted-state-street/kirsten-hall-women-in-business-entirely-unremarkable) with a rather straight forward premise. “Being a woman and being in law (or business) is not worthy of remark. It is not exceptional, nor extraordinary.”

Alright, maybe we could agree with her basic premise. For many years, women have been attending law schools in numbers equal to men. In fact, in 2016, the ABA found that for the first-time women who were enrolled in juris doctor programs nationwide slightly outnumbered men.

Women have broken the glass ceiling in the ways that we practice law, too. We are managing partners, equity partners, non-equity partners, and associates. We are judges at all levels in both the federal and state judiciary. We are solo practitioners and judges at all levels in both the federal and state judiciary. We are equity partners, and associates. We are managing partners, equity partners, non-equity partners, and associates. We are judges at all levels in both the federal and state judiciary. We are solo practitioners and judges at all levels in both the federal and state judiciary.

But Ms. Hall takes it a step further and states, “The existence of women in law (or business) networks, events, organizations may inadvertently be perpetuating the very bias that they seek to overcome. And now, I think it is time to ask ourselves what harm might these groups be doing? And, why is it that we think they are even necessary? Have these groups, which once did help women gain equal footing, now become a crutch? I feel that for as long as we talk about women in law, women on boards, women in finance, we continue to perceive them there as something that is different, but not something that is ordinary, banal, normal, boring, and accepted.”

This is where the consensus with the speaker starts to diverge. Albeit an unscientific sample, I decided to reach out to several people at all stages of their careers. I spoke mostly to women. Most, but not all of them were lawyers. I also approached a millennial in her first year of business school, and a man or two just to gain a different perspective. Each one came to the same conclusion — that until women in law are on equal footing with men in terms of leadership and thus power, women still need women’s groups.

Sherri Dahl, owner of Dahl Law LLC and former Women in Law chair, put it succinctly, “I understand the concept that when we are all equal, or judged equally, then everyone is better off because there is no bias — at that point, we are simply judged by our merits. I also understand the view that some people think separating women into ‘women’s groups’ simply is condescending to women — these people might also think that we should just all socialize together in one big male and female group. All of these concepts pre-suppose that we are treated and judged equally; but in the U.S., we clearly are not. A very small percentage of companies and law firms have women at high levels (making big money). In law firms, women begin as 50%, but over time, we quit or do not get promoted, and by the time you get to equity partner, the number of women participating is very small. Factor in women of color, and the numbers are something like 1–2%.”

As recently as May 2016, the Cleveland Metropolitan Bar Association’s own Diversity and Inclusion Benchmarking survey confirmed that even though women are entering the legal profession at almost equal numbers as men, women are not attaining leadership roles or positions of power at the same rate. The idea that women would trickle up to positions of power has still not come to fruition.

Telling is the fact that we have been studying and discussing this issue for 30 years, and female attorneys have still not attained an equal amount of leadership roles as male attorneys. In 1987, a Commission on Women in Law was created at the bar association. The Commission then became the Women in Law section. Over the years, the section dwindled, but was reinigorated by the Cleveland Bar Association leadership in 2005. Notably, the 2005–2006 President of the Cleveland Bar Association, P. Kelly Tompkins, had promoting the advancement of female lawyers as one of his key goals for his term. The Women in Law section is still going strong with the largest membership of any section at the CMBA. Yet, in 2017, we are still striving for full equality in terms of leadership and power.

Kerin Lyn Kaminski, co-founder of Giffen & Kaminski LLC and former CMBA president, credits the Women in Law section with changing her life. “Because I got involved in, and eventually led, what would become the Women in Law section, I eventually became the President of the bar association. The Women in Law section introduced me to many of the bar association programs and the people who were influential in the bar, and it taught me leadership skills. There is no question. Women still need to help women. We need to make a concerted effort to help women get business so that they can have a seat at the table when decisions are being made. Women are not yet at parity.”

Many women recognize that their success in law is because of the support they have received from other female attorneys.
According to Lisa Cottle, trial attorney at the U.S. Department of Labor, Office of the Solicitor, “I’m 41 years old. I was one of seven women in a 50+ person office. I’ve been ignored by groups of men going out to lunch together. I’ve been ‘honey-sweetied’ my entire career. I think one of the main ways I’ve gotten ahead in my career is by networking with other women. To network, we have to give props to one another and encourage others to recognize our colleagues.”

In a similar fashion, Jennifer Himmelein, associate attorney at Cavitch, Familo & Durkin, commented, “If women in business, law, or finance were actually as commonplace as eye color and shoe size as the speaker suggests, then women’s groups whose goal was to celebrate women just for being women would be obsolete and could be counterproductive. But the fact is that women in those positions, particularly those in power, are not commonplace and are not on equal footing with men of the same position. So in today’s society, women’s groups are imperative to providing women the encouragement, advice, and support that they do not receive from men in their employment.”

Dahl acknowledges that one of the strengths of the Women in Law section is that we refer business to one another. “There are women who give me work, or refer me work, because I am a woman. I also have plenty of male clients. But, if a woman wants to give me work because I am a woman, then I will say ‘thank you.’ I will not feel like she is condescending to me. When I have work to refer to people, I first try to think of a woman to refer the work to because I want to help women advance. Am I biased? Yes. I will continue to be biased until women make up 50% of everything.”

A recent Women in Law section meeting exemplifies why we still need a women’s section at the CMBA. Gabe ends our section meeting with the question, “How can we help?” She usually starts it off with a “softball” type question just to loosen up the crowd. On this occasion, she queried about how many guests should be invited to a child’s first birthday party. From there, the conversation took off with a question from one of our solo practitioners who needed recommendations for a virtual receptionist and a payroll company. Next, one member asked how do capable experienced attorneys without a book of business find jobs. Finally, one member asked how should she best market herself as one of a very few female IP attorneys here in Cleveland.

Senior Assistant Attorney General, Nancy Q. Walker, informed the section that she had a sales and marketing career with a Fortune 500 company prior to becoming a lawyer. “Everyone should have their ‘elevator speech’ prepared and ready to go, plus personal cards,” she remarked. The next thing you know, we are all going around the room giving our elevator speeches, and the business cards were flying. The energy and encouragement were palatable. Women helping women. Until we are on equal footing with men, there will still be a need for the continued support for one another in the Women in Law section.

Laura W. Creed is the Legal Support Coordinator for the Cuyahoga County Court of Common Pleas. Ms. Creed has been with the Court since 1995, previously serving as the Chief Judicial Staff Attorney and as the Assistant Chief Judicial Staff Attorney. She is a lifetime member of the 8th District Judicial Conference and has been a member of the CMBA since 2003. She is active in the Women in Law section and currently serves as the Secretary/Treasurer for the section. She can be reached at (216) 348-4011 or CPLWC@cuyahogacounty.us.
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BY CATHERINE R. DONNELLY

ike many lawyers, I went to law school to help people while making a decent living. But a few years ago, I found myself deeply discouraged. I spent my days isolated in my office, hunched over a computer screen, speaking to only my legal assistant. While the work I did — collecting unpaid contributions for union benefit funds — helped people, they were hopelessly remote from me. I took to filling my bulletin board with public domain photos of nurses and construction workers, just to remind myself that a human being was somewhere in the distant chain of beneficiaries of my long, dull days.

I felt cheated out of the fulfilling life of service I envisioned in law school. My disappointment in practicing law manifested in non-legal job searches. Nothing could induce me to keep working in a law firm. Then, I began doing in-house volunteer work with the Legal Aid Society of Cleveland (Legal Aid), handling unemployment appeals. I started connecting with flesh-and-blood clients. Each of them had a need that as a lawyer I was uniquely positioned to fill. One client, with a benefit overpayment problem, just needed some certainty as to when she could start getting benefits again — how long would she have to hold out? I got her an answer. And then — she said thank you. I could not remember when I last heard that from a client.

Today, hearing “thank you” is part of my benefits package. After several months at Legal Aid, I went full time with up-and-coming boutique firm Moore Yourkvitch & Dibo (MYD), whose pitch to me was: “We want you to dedicate 20% of your time to pro bono representation and help build this firm’s culture of service.” And with that, I found a happy future doing what I thought I would never do again: practice law at a private law firm.

While pro bono service rescued my passion for the law, my experience is far from unique. Many attorneys, especially in Northeast Ohio, enrich their careers through pro bono service. I have the pleasure of working with six of them. Like many lawyers, I went to law school to help people while making a decent living. But a few years ago, I found myself deeply discouraged. I spent my days isolated in my office, hunched over a computer screen, speaking to only my legal assistant. While the work I did — collecting unpaid contributions for union benefit funds — helped people, they were hopelessly remote from me. I took to filling my bulletin board with public domain photos of nurses and construction workers, just to remind myself that a human being was somewhere in the distant chain of beneficiaries of my long, dull days.

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While pro bono service rescued my passion for the law, my experience is far from unique. Many attorneys, especially in Northeast Ohio, enrich their careers through pro bono service. I have the pleasure of working with six of them. Last year, we handled pro bono matters as diverse as tax foreclosure, nonprofit formation and intestate administration. Not only does MYD take on pro bono representation but also it pursues opportunities to sponsor and promote service — including sponsoring its first Legal Aid Brief Advice Clinic in 2016 and two planned for 2017. As partner Nathalie Dibo says, “We have found that leading by example is the best way to let our associates know that pro bono service is encouraged.”

But many attorneys are still stuck in the morass of time commitments and low morale. If you are one of them, don’t despair. Building a culture of pro bono service can help you find your compass point again.

Besides being a professional aspiration (ABA Model Rule 6.1 states “[a] lawyer should aspire to render at least (50) hours ... per year”), pro bono service reaps many rewards. With pro bono service agencies’ learning and mentoring opportunities, you can explore new areas of law while providing competent representation. Pro bono cases often present people and fact patterns you might not encounter otherwise. Pro bono service can build your reputation and network. Most of all, as former CMBA President David Kutik noted in 2005, pro bono service makes for happy, devoted lawyers.

Yet many attorneys do not do pro bono or do not do the amount they would like. In a 2013 study, the American Bar Association found that 44% of the respondents wanted to provide more pro bono hours than they felt they could. Janet Buczek et al., Supporting Justice III: A Report on the Pro Bono Work of American Lawyers, 2013 A.B.A. Standing Committee on Pro Bono and Pub. Serv. 1, 20. By far the biggest reason given for not doing so was time. Id. at 30. Time constraints cited ranged from family commitments of full representation. Because your legal work begins and ends in your firm, it is difficult to plan pro bono service into your schedule.

One-day service events are soul-satisfying ways to render at least (50) hours per year,” pro bono service reaps many rewards. With pro bono service agencies’ learning and mentoring opportunities, you can explore new areas of law while providing competent representation. Pro bono cases often present people and fact patterns you might not encounter otherwise. Pro bono service can build your reputation and network. Most of all, as former CMBA President David Kutik noted in 2005, pro bono service makes for happy, devoted lawyers.

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One-day service events are soul-satisfying ways to render at least (50) hours per year, these events are also a non-threatening way to introduce service into a reluctant firm. Opportunities for one-off events abound. Existing examples include:
We salute the contributions of all women in law, especially the leadership and expertise of the women of Renner Otto. **Together, we are advancing innovation.**

**FROM LEFT TO RIGHT:**
- TaeRa Franklin, Associate
- Kathryn Wieber, Patent Agent
- Heidi Boehlefeld, Managing Partner
- Stephzanie Williams, Associate
- Bonnie Smith, Associate
Legal Aid’s Brief Advice Clinics, often on Saturday mornings; the CMBA Pro Se Divorce Clinics once a month; and CMBA Reach Out for Nonprofits Clinics (with free CLEs!).

MYD is excited this year to work with a new agency: The Women's Business Center of Northern Ohio (WBC), whose mission is to assist women in starting or growing businesses. WBC is providing a new opportunity for one-day service with its Professional Advisory Network (PAN) program. PAN volunteer lawyers provide brief advice one Thursday a month to women of all ages and backgrounds to help grow their businesses and in turn their families and communities.

USE THE BUDDY SYSTEM.

Sharing service with a colleague has many plusses, including friendship, mutual support and network-building. Working with a friend combines both time together and service. For several years, a law school classmate and I made a habit of attending at least one Brief Advice Clinic together every year. Between consultations, we would catch up on each other’s busy lives over donuts.

The buddy system also makes longer representation more do-able and adds benefits attractive to firms not yet invested in service. Co-counseling shares the time burden so that when one of the attorneys become busy with billable projects, the other may be able to pick up the slack. Co-counseling with another volunteer outside your firm is also a great way to network and build your reputation. If your firm is one of the few that discourages service, the buddy system provides you with an outlet and moral support.

Legal Aid and CMBA both provide opportunities for attorneys to co-counsel on pro bono matters. For example, through Reach Out for Nonprofits, I recently joined up my real estate skills with an attorney who practices nonprofit law to help a church with title issues.

IDENTIFY OPPORTUNITIES TO ADD REAL VALUE.

Choose representation where your legal work has a substantial likelihood of making a positive difference and where the objective is clear and reasonably attainable. Naturally, we always try to identify the value of a case, fee or not. However, it is crucial to provide pro bono clients with a realistic picture of their prospects. Even though these clients do not pay your fees, they do pay costs. A $250 filing fee is a heavy burden for a person on disability, for example. Clients also pay in time: from missed work to foreclosure appearing on his credit report. A deed-in-lieu was vocally grateful to avoid the foreclosure appearing on his credit report.

The prospect of truly adding value will give you the sense of purpose you need to find time for the representation. Nothing seems to find you the bottom of the stack like a case in which you lack confidence. Positive client outcomes, fee or not, are also good for your firm: they are more likely to lead to a referral source for life.

Draw firm boundaries at the beginning of representation.

You can better define and manage your time commitment when you set goals of representation at the outset. A client engagement letter is a crucial aid to limiting representation as you can point to this agreement when the scope starts to expand. The engagement letter also provides comfort to your firm that you will not be endlessly engrossed with a nonbillable client.

Prioritize service.

The most significant factor is prioritization. “It has to be a mindset,” says MYD partner David Moore. “Otherwise it doesn’t work. You’ll find any excuse.” You will prioritize service if you seek opportunities that feed your passions. Partner Matthew Yourkvitch describes his pro bono intake system this way: “Case or client — the matter should either be a case where you can be passionate about the facts or the law, or where the client is sympathetic. Because that’s where the satisfaction comes in.”

Building a culture of pro bono service in your practice can be challenging, but worth it: pro bono service delivers benefits to lawyers of all experience levels, from skill-building to practice-building, and most of all, job satisfaction. Prioritizing pro bono service has brought new energy to my practice. What are you waiting for?
The 21st Annual Cleveland Mock Trial Competition

Friday, May 5

Mock Trial Opportunities
The Cleveland Mock Trial gives Cleveland high school students a chance to prepare their best legal arguments for an exciting day of competition with their peers each year in the spring.

Volunteer Today!
Judicial panelists needed to score and guide students during two trials at the Justice Center during the competition on April 28, 2017.

City of Cleveland v. Marshall
Cleveland High School Student Tracy Marshall is charged with illegally hacking a teacher’s computer, but did they do it? Teams represent prosecution and defense in a criminal appeal, honing legal skills and learning about important, topical issues.

The competition is presented by the Cleveland Metropolitan Bar Association, the Cleveland Metropolitan School District, and the Cleveland Municipal Court. Outstanding students are awarded paid summer internships with the Court.

Attorneys, judges, and law students: volunteer today as a judicial panelist!
For more information, visit CleMetroBar.org/ClevelandMockTrial or contact Jessica Paine at jpaine@CleMetroBar.org.
This year’s outing will include lunch, 18 holes of golf and a post-round reception — making the event an experience not to be missed.

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**2017 Golf Outing Registration**

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Westwood Country Club – 22625 Detroit Road, Rocky River, Ohio 44116

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- I need a pairing
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Golfers: 1. __________________________________________ 2. __________________________________________ 3. __________________________________________ 4. __________________________________________

- Lunch-only guests ($25) # _______
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Payment Total: _______

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In serving as the Chair of the Women in Law section this year, I’ve had the pleasure of working with some great people at the Cleveland Metropolitan Bar Association (CMBA). It was recently pointed out that the majority of the people tirelessly working at the CMBA, from Executive Director on down, are women. And, this Journal issue focusing on Women in Law is a perfect time to recognize the amazing job that these ladies are doing to support Cleveland lawyers and their communities.

First, there is Executive Director Rebecca (Becky) McMahon who has spent the last two years managing the affairs of the CMBA and implementing programs and policies that benefit the organization and its membership. The sections and committees of the CMBA are greatly assisted by Facility Planning and Sections Coordinator Lucy Jackson, and Director of CLE & Sections Samantha Pringle. Lucy and Samantha organize the section meetings, networking events, and CLEs that we lawyers attend.

The Cleveland Metropolitan Bar Foundation (CMBF) would not be as strong as it is without the efforts of the Director and Assistant Director of Development & Community Programs, Mary Groth and Jessica Paine. Mary and Jessica support the volunteer activities at the Bar, which include 3Rs, Louis Stokes Scholars Program, and Volunteer Lawyers for the Arts.

The CMBA Bar Journal that members receive every month is due to the dedication of Graphic Designer & Bar Journal Editor Jackie Baraona. Jackie is responsible for obtaining quality content and ensuring that the Bar Journal is visually interesting. Relatedly, Director of Membership, Marketing & PR Rita Klein works hard at finding different ways to make the CMBA website and other marketing materials modern and appealing, so members are proud to have people in the community and lawyers across the country viewing it.

The ease of joining the CMBA and renewing membership is due to Membership Coordinator Carmen Dortch. She handles the registration and management of over 5,000 individuals. The Lawyer Referral Service Coordinator Kathleen Donovan Onders is responsible for directing legal inquiries from the community to knowledgeable CMBA members who can take the cases and handle them in accordance with their normal practice.

Together Bar Counsel Heather Zirke and Assistant Bar Counsel Kari Burns advise the organization on various legal issues, investigate and prosecute cases involving attorney complaints and the unauthorized practice of law, and counsel attorneys on their ethical obligations as members of the legal profession.

Working behind-the-scenes at the CMBA are also Chief Financial Officer Alla Leydiker,
Manager of Facility Planning & Board Relations Melanie Farrell, Special Events & Facility Planning Coordinator Sarah Charlton, Legal Coordinator Carrie Cravener, Administrative & Special Events Coordinator Krista Munger, and Development Assistant Kris Wisnieski who make sure that the CMBA and CMBF's finances are in order, that the Board of Directors for the organization are knowledgeable about the CMBA's endeavors, and that events at the Bar proceed flawlessly. Because of the ladies at the CMBA, Cleveland's legal community can hold events, become involved in the community, and satisfy the requirements for licensure without much thought about the work that goes into planning these activities. Thus, as you are reading this issue and thinking about the wonderful contributions that women make to the practice of law, remember the example that our own CMBA is setting.

Gabrielle Kelly is a partner in the insurance recovery group at Brouse McDowell LPA. She has been a CMBA member since 2008. She can be reached at (216) 830-6826 or gkelly@brouse.com.
LAWRENCE A. SUTTER III

The attorneys and staff at Sutter O’Connell express our deepest gratitude and appreciation to the greater Cleveland legal community for your many messages, expressions of sympathy and support following the death of Larry Sutter, our managing partner and founder of our firm. Larry passed away on March 6, 2017 at the age of 53 after a battle against cancer. He was an inspirational lawyer, teacher, colleague, mentor, leader, friend, and member of our community. Larry leaves a legacy that will impact each of us in the important work we do every day for our families and clients.

We extend condolences to his wife Paula and the entire Sutter family.
Bring Your Leadership Skills Full Circle

Introducing the CMBA Leadership Academy

All written application and supporting materials must be submitted no later than 5 p.m. on Thursday, June 1, 2017. Interviews will be scheduled thereafter. The 2017–18 Leadership class will be announced on Friday, June 30, 2017.

ACADEMY CALENDAR
• Kickoff: September 28, 2017
• Monthly sessions are typically held on Thursdays, with the exception of the Annual Meeting
• Graduation: 11th Annual Meeting, June 2018

For more information and to apply, visit CleMetroBar.org/Leadership. For questions, contact Rebecca Ruppert McMahon at (216) 696-3525 or rmcmahon@clemetrobar.org.
Each month, these pages will be dedicated to highlighting just some of the activities and programs of your Cleveland Metro Bar.

MORE WEBSITE TIPS

We hope you are exploring and using CleMetroBar.org to stay informed and engaged. The site intentionally puts more control at your fingertips so you can more easily navigate and access what you need, on any device.

Here are 7 quick tips and reminders on just a few features:

1. Log in. This will ensure you have full member access and get member pricing on registrations.
2. Once you sign in, click on your name to view your full CMBA account.
3. In your CMBA account, you can review and update your contact info, demographics, practice info, and more.
4. Check out the current participation tab to access a list of fellow section and committee members. You also can now add a section online to get you plugged into the right place.
5. Scroll over the home page images to access key areas of the site, including the “What’s Hot at the CMBA” page behind the big photo.
6. Many of our events also now include an “add to calendar” button to help with scheduling, just be sure to register.
7. Any time you check out, you’ll get an auto email confirmation of your purchase/registration. If you are making an online donation, you’ll also receive a second donation confirmation email for your tax records.

FREE LEGAL RESEARCH

This month, when you sign into Fastcase through the CMBA, you’ll see it’s defaulted to the new Fastcase 7 interface. Fastcase 7 is designed to be more user friendly, save you clicks, allow you to easily manage filters and more.

Haven’t used this FREE member benefit yet? Fastcase is a comprehensive online law library created by lawyers for lawyers and gives CMBA members access to robust research tools for client work and pro bono projects. Plus, you can use it on the go with its mobile accessibility for new searches, favorites or your history.

Familiarize yourself with Fastcase through FREE monthly webinars. Here are some upcoming webinar dates. Get all the info at CleMetroBar.org/Fastcase.

• April 20 (1–2 p.m.)
• May 4 (1–2 p.m.)
• May 11 (1–2 p.m.)
• May 18 (1–2 p.m.)
• June 1 (1–2 p.m.)
MEMBERS-ONLY EVENT & CELEBRATION

This free happy hour reception brings together honored members of the judiciary, local in-house counsel, and your CMBA colleagues. Join us on Thursday, May 18 from 5 to 7 p.m. for some fun and to celebrate with Ohio’s newly sworn-in attorneys.

Register today at CleMetroBar.org/Greet.

Plus, this month, new members get three months free and benefits through June 2018. Learn more at CleMetroBar.org/Membership.

LOOKING AHEAD

The coming months will be a busy time at the CMBA. Please put these dates on your calendars.

May 4–5  William J. O’Neill Great Lakes Regional Bankruptcy Institute
May 5  Cleveland Mock Trial
May 18  Greet the Judges & GCs Members-Only Event
June 2  CMBA Annual Meeting at the Cleveland Public Auditorium
June 26  Golf Outing at Westwood Country Club

Get Engaged through Sponsorship Opportunities
Sponsorship opportunities exist for many of these upcoming and high-profile events. If your firm/office is interested in gaining visibility and building relationships through support of these events, please contact the CMBA at (216) 696-3525.

RESERVE YOUR 2017–18 LEGAL DIRECTORY

Pre-order your print edition now through May 31 and save $10 off already reduced member rates. CleMetroBar.org/directory.

Your Listing and Photo
We will soon email all members their listing information to confirm it for the directory. In the meantime, we encourage you to submit an updated photo for publication in the directory as well. Photos may be sent electronically to membership@clemetrobar.org.

Secure Your Ad: Highlight your expertise in this go-to resource when you advertise your law practice, specific practice areas, languages spoken, states admitted and attorney support services offered. Learn more on page 58.
In one of my first Bar Journal columns, I was privileged to share the many lessons about being a good lawyer that I learned from my dad during his 55-year legal career. I was gratified to hear from many of you who practiced with and against my dad; from old neighbors and family friends; from his political allies and opponents; and from lawyers who never knew my dad, but whose fathers were members of the legal profession who taught them similar lessons from a simpler, slower and perhaps better time. I also heard from my favorite aunt and godmother, Vesta Lou, who coincidentally shares my birthday if not my political leanings. “Nice article about your dad,” she said in her straightforward style, “now write about your mom.” My dad taught me many lessons about the practice of law and the importance of paying forward and giving back — lessons of our Bar Foundation. But Aunt Vesta was right; the story wasn’t complete without the lessons I’ve learned from my mom. They are lessons that match up remarkably with the mission — and the One Minute Message — of the CMBF.

Mom

... And The One Minute Message

My mom was born on June 2, 1933, in Vivian, West Virginia. She grew up in Davy, a mining town with about 1,000 residents in its prime. It was the heart of the Depression, but her family was lucky. My Granddaddy worked for the railroads, and not in the coal mines. A WWI veteran and avid baseball fan, he couldn’t understand why a squirming six year old had a hard time sitting through a double-header in cold and cavernous old Cleveland Municipal Stadium. My Granny was a school teacher and a real anomaly in the 1930s South — she was a college graduate. Together they raised six children, including uncles who served in the Army, Navy and FBI, and aunts who taught and nursed and were very involved in their communities. Like my mother, Opal Ann, all of my aunts were beautiful, and they all had two first names: Mary Alice and Vesta Lou. Elizabeth Ellen died when she was three years old, unimaginable heartache that you never recover from, but they found a way to live their lives bolstered by family and faith.

My mom graduated from Welch High School, attended by students from many communities in McDowell County, and headed off to Huntington, West Virginia, to prepare for a career in education at Marshall University. To this day, Marshall’s nickname is my favorite amongst all colleges: the Thundering Herd. The Texas Christian Horned Frogs and UC Santa Cruz Banana Slugs have tied for a distant second. After graduating, my mom moved to Lorain, Ohio, a bustling industrial town “on the shores of old Lake Erie, where the coal and iron meet,” as depicted in my Lorain High School Alma Mater. She didn’t know anyone in Lorain, but the community needed school teachers, and she was on her way. Not long after, she met one of Lorain’s most eligible bachelors, a fledgling attorney and councilman with a well-known political name. After a whirlwind six month romance, they were married. That was over sixty years ago. It was the smartest thing my dad ever did. I came along a little over a year later.

My mom is the nicest, kindest, most caring person I’ve ever known. In a word, she is the best. In fact, I’ve never heard anyone utter anything even remotely negative about her. She raised five kids with patience, understanding and unconditional love. And she’s loved my dad for over sixty years with patience that transcends that which she showed her children. The 13 grandchildren and two great-grandchildren that have followed have received all of these things and more. She gave us plenty of rope to learn to grow on our own, and reeled us back in when we started to stray just a little (sometimes with a broken paddle-ball paddle that brought far more hysterical laughs than tears — without even the semblance of a mock trial!). Even though she taught school
almost full-time as we were growing up, thanks to a one-of-a-kind grandmother known by all as “Nanny” (she will be the subject of an entire book), mom was always there for us. She was a great listener and counselor. She raised us as unique individuals with our own special talents, and she never compared us to one another. She gave us wings, and personified everything wonderful about home. Mom supported us in endeavors that she didn’t understand or which were painful for her, because they were important to us. The best example was her unwavering support of my football “career.” She never missed a junior high or high school game, and she hated every minute fearing that the next hit on her under-sized son would result in a trip to the ER, or worse. I actually think she enjoyed my brief foray into SEC football — where I really could have been killed as a walk-on quarterback for Vanderbilt in 1976 — because she didn’t have to be there to witness the onslaught. But she remained, with Nanny, my biggest cheerleader.

My mom gave my dad incredible support and love, and enabled him to pursue his legal and political dreams. She loved her family and her friends. And she was a remarkably gifted teacher. To this day, she fondly recalls stories of former first grade students, now grandparents themselves, who thank her for laying a foundation for future success with beginnings in the tough, south end of Lorain. It amazes me and my siblings how many times adults come up to us and ask if we’re related to Mrs. Parobek who was a school teacher. When we reply “yes,” they always say not only how nice she was or that she was their favorite teacher, but how her belief in them in first grade changed their lives. Stokes Scholars, Opal’s Scholars — they are really both the same in the ways that matter most!

**THE CMBF’S ONE MINUTE MESSAGE**

My dad taught me how to be a good lawyer. My mom taught me how to be a good person. These teachings intersect at the mission — and One Minute Message — of the CMBF. Here it is:

“The Cleveland Metropolitan Bar Foundation believes that lives can be changed, one person at a time, by lawyers giving back. Every day we support impactful programs that provide pro bono legal services, law related education and mentoring to those in need. We do this because our programs make a real and lasting difference to our greater community.”

Substitute “teachers” for “lawyers,” and “education” for “legal services,” and you have the One Minute Message of Opal Parobek.

**OPAL’S TEN COMMANDMENTS**

Broken down into its finer points, my mom’s One Minute Message is comprised of ten life lessons. Opal’s Ten Commandments are as follows:

1. **Opal’s Golden Rule**: Love your neighbor, and family and friends. It’s truly stronger than the traditional Golden Rule, because it expects nothing in return. Share your blessings with those who need them; we have so many blessings to give.

2. **Teach**: A little knowledge, encouragement and mentoring can change lives in immeasurable ways. Mom taught school for 31 years, mostly in the inner-city schools of South Lorain. That’s the equivalent of about 45,000 hours in the classroom and innumerable hours planning, preparing — and grading homework — outside of it. During those three decades, she touched the lives of approximately 1,000 students. I don’t know about you, but that sounds like a one woman 3Rs Program to me.

3. **Put Yourself Second, But Don’t Feel Bad About Getting Your Hair Done**: Do your best to love — or at least like everyone. Of course, it starts with family and friends, but extends to the little boy in my mom’s first grade class who gave her the best Christmas gift she ever received — a sugar tortilla. Because it was all he had, it meant so much to her. It really is better to give than to receive, but it’s also perfectly fine to love yourself — and get your hair done every week.

4. **It’s Not What You Have, It’s Who You Love and Who Loves You**: My mom’s home in West Virginia was reminiscent of the Waltons. The house on the side of the mountain, with a river below, was completed by a garden for vegetables, a chicken coop under the great porch, and a milk cow named Daisy. I’m still traumatized by the memory of my Granny heading to the chicken coop with axe in hand, but the fried chicken dinner that resulted was one of the best ever. My mom’s family didn’t have much in the way of worldly things, but they had love and mutual respect, and then spread it throughout the country and into the next generations.

5. **Create**: Cook your Southern favorites, fried chicken, corn bread and country ham with red-eye gravy, and the recipes your in-laws
brought over from Eastern Europe, paprikash, tomato gravy, and dumplings the size of softballs (and remember, dinner is a time for family conversation, not radio or TV — unless the Browns are on in the next room)! Sing in the choir: “How Great Thou Art” and “In the Garden” are good places to start. Dance with joy (Mom could definitely “Rock the Foundation”). Garden, and stop and smell the roses. Feed the hungry birds, and don’t chase the thieving squirrels, because they are hungry, too. Knit at home by the fireplace or with your club, the Knit Wits; these gifts mean so much more than the store-bought variety because of the love that goes into every stitch. Join the church or the Lakeland Women’s Club, or any organization of like-minded people with a mission important to you. Comparisons to our Volunteer Lawyers for the Arts program are not farfetched.

6. **Forgive:** Be tolerant and forgiving. Life is too short to say a mean word, to hold a grudge, or to expect the worst. This is a waste of time and energy, both precious commodities.

7. **Be Happy:** Most of all, be happy. To paraphrase Abraham Lincoln, “most people are about as happy as they choose to be.” Choose to be happy, even when life is difficult. Which leads to Opal’s next, inextricably-intertwined commandment.

8. **Have Faith:** As we all know, life isn’t always easy; nor is it always fair. We will all have our share of hurt and disappointment. That is life. My mom will tell you that she has been blessed abundantly, but she has also had setbacks and lost loved ones and seen sad things. That’s when her abiding faith has sustained her. I have seen my mom sad, but I don’t think I’ve ever seen her angry, and I’ve never seen her vengeful. This is because of her faith. It is an ever-present source of strength; a faith that is personal yet infectious, and never imposed on anyone.

9. **Count Your Blessings:** Be thankful for what you have; don’t fret over what you don’t. Don’t hold on to regret and chase rejection. The view from the windshield is more far-reaching and hopeful than the view from the rear-view mirror.

10. **Do Your Best!** My mom was never disappointed in me and my brothers and sisters as long as we did our best. She accepted that a person’s best could vary dramatically depending on what was going on in his or her life at the time, and she was a great believer in personal responsibility. At the end of the day, we are all responsible for our own lives. Do the right thing. Do your best. Succeed. Make mistakes. Fail, pick yourself up, and try again. The closest I’ve seen my mom to being angry was after reading “The Glass Castle” and “Hillbilly Elegy,” stories of Appalachian families much like her own, but with tremendous fundamental differences: her family met tough times with hard work, not surrender and despair; parents and siblings were the source of strength and support, not derision and blame; and love proved to be a much stronger antidote than alcohol and drugs. You worked hard, never expecting a handout, but grateful for the blessing of being able to give back.

**CONCLUSION**

As you probably can tell by now, my mom’s family and friends think that sainthood is justified notwithstanding her southern Methodist upbringing: St. Opal has a nice ring to it. At a minimum, we’re all convinced she walks with other angels here on earth. She has changed the lives of many, many people by giving back with her love, teaching and mentoring. She has made a real and lasting difference to everyone whose lives she’s touched — my dad; her kids and grandkids and great grandkids; her daughters-in-law, who simply love and adore her; her students; her friends; and, in reality, everyone who has had the pleasure and privilege of meeting her. Many less-fortunate people have been supported and given hope because my mom showed them she cared. She has made her community — and the world — a better place. That’s my mom’s One Minute Message. It sounds a lot like ours.2

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1 The CMBF’s One Minute Message is a synopsis of our important service mission. In less formal terms, it is the Foundation’s elevator speech and a summation of our motto: Lawyers Giving Back.

2 Special thanks to my brothers, Jimy and Brad, and my sisters, Lori and Heather, for their thoughtful insights and reflections; and to First Lady Rachel for her ideas — and everything!

Drew T. Parobek is a partner at Vorys, Sater, Seymour and Pease LLP. He is president of the Cleveland Metropolitan Bar Foundation and has been a CMBA member since 1993. Drew can be reached at (216) 479-6162 or dtparobek@vorys.com.
A Difficult Truth
We Are All Biased

BY CHRISTINA E. NIRO & ALLISON TALLER REICH

In 1952, the Boston Symphony orchestra instituted new audition procedures in a bold effort to diversify its male-dominated orchestra. The musicians’ auditions were conducted behind a large screen in an effort to remove the chance of bias and to allow for merit-based selection. The results from the preliminary rounds, however, still overwhelmingly favored men. The Symphony then asked all of the musicians to take off their shoes. Why? Those evaluating the musicians’ performance could hear the sound of the women’s heels as they entered the room, which influenced their perceptions of their auditions. After all musicians were required to remove their shoes, almost 50% of female musicians advanced to the second round. Whereas women accounted for less than 10% of new hires in major United States orchestras in the 1970s, the imposition of blind auditions has resulted in a 30% increase in female hiring. Claudia Goldin, Cecilia Rouse, The American Economic Review, Orchestrating Impartiality: The Impact of “Blind” Auditions on Female Musicians (Vol. 90, No. 4 September 2000).

BIAS: THE NATURAL HUMAN STATE

Traditional archetypes from literature, history, and our own experiences teach us that bias is a conscious decision: people who know better (i.e. good people) don’t discriminate; bad people do. Without question, conscious gender bias is a problem that persists for women in the legal profession and in a range of other fields. But what if we also make discriminatory decisions without realizing it? What if we discriminate in spite of our own efforts to remain unbiased?

We do. A myriad of scientific studies completed in the past two decades confirm that virtually every one of us is biased. Bias began thousands of years ago when humans had to make split-second life-or-death decisions between something that was “like us” (friend) or “unlike us” (foe). According to many scientists, biases are what kept us safe in the Prehistory Era and what keep us sane in this Information Age. Professor Timothy Wilson at the University of Virginia estimates that the human brain is bombarded with around 11 million pieces of information per second. Because it can only process about 40 pieces of information at one time, the brain creates shortcuts — or biases — that filter and sort what we see, hear, and interpret at a conscious level. Researchers have identified more than 150 types of unconscious bias, including the following:

Affinity bias: the tendency to warm to people like ourselves.

Beauty bias: the tendency to think that the most beautiful or handsome person, or the person with the most appealing physical attributes, will be the most successful.

Halo effect: the tendency to think everything about a person is good because you allow one positive point to cloud your opinions of the person’s negative attributes.

Horns effect: the tendency to think everything about a person is bad because you allow one negative point to cloud your opinions of the person’s positive attributes.

Confirmation bias: the tendency for people to seek information that confirms pre-existing beliefs or assumptions about a person or group.


It is not difficult to draw connections between these types of bias and women’s struggles in achieving professional success. What may be difficult for female professionals to accept, however, is that seemingly impenetrable glass ceilings may be due as much to our own unconscious biases and those of our female colleagues as it is to the conscious and unconscious bias of men. In a shocking Harvard University ongoing global online research study that has surveyed over 200,000 participants. Responses indicate that 76% of people (men and women) are gender-biased and tend to think of men as better suited for careers and women as better suited as homemakers. Harvard University, Project Implicit, https://implicit.harvard.edu/implicit.

In a recent Forbes article, Kristen Pressner (Vice President and Global Head of Human Resources for an international medical research and diagnostics corporation), candidly admitted her own hidden bias against other women: “I’d always thought that you could only have a bias against someone who was different than you. So it really struck me to discover [that] ... I am a woman leader and provider, yet simultaneously, I have a bias against women leaders and don’t see them as providers.” Kathy Caprino, Forbes, An International HR Leader Publicly And Bravely Admits Her Bias Against Women Leaders, September 24, 2016.

A presentation for the Association of Corporate Counsel similarly highlighted studies demonstrating that women are harder on other women and are often the perpetrators of bullying against women in the workplace, finding that 58% of the targets in workplace bullying are female and 80% of the perpetrators are women. Morrison Foerster, Janie F. Schulman Stephanie L. Fong, Association of Corporate Counsel, Implicit Bias in the Legal Profession January 17, 2014. As Chelsea Handler recently opined, “We have a problem with women supporting women.” Chelsea Handler, Thrive Global, We Have a Problem With Women Supporting Women, December 11, 2016.
If WE are all unconscionably biased, WHY do WE need to address it?

Countless studies and articles explore the negative effects unconscious gender bias has in the workplace and there is a profound business case for ensuring that companies mitigate unconscious bias. Christine Comaford, Forbes, How to Work with Unconscious Bias in Your Organization (June 25, 2016).

Research shows that diverse, inclusive teams consistently outperform teams made up of people who are similar to each other. Companies with greater gender diversity are 15% more likely to have financial returns above their national industry median. Tiffany Pham, Forbes, Think You’re Not Biased Against Women at Work? Read This. December 20, 2016.

Perhaps one of the most tragic consequences is the message being sent to young professional women entering the workforce: they see few women in equity, leadership, or executive positions and assume that they don’t belong there. Amy Rees Anderson, Forbes, No Man is Above Unconscious Bias, December 14, 2016.

The numbers say it all:
- For every 100 women promoted to manager, 130 men are promoted. McKinsey & Company, Women in the Workplace 2016.
- On average, companies in retailing and consumer goods employ 46% of women at entry level positions; 30% at the Vice President level, and only 13% at the C-suite level. Paolo Gaudiano, Ellen Hunt, Forbes, Why Removing Bias is Not Enough for a Balanced Workplace (July 18, 2016).
- In 2012, women held only 21% of the top legal positions in Fortune 500 companies, with 108 female General Counsel and Chief Legal Officers. Steven R. Strahler, Crain's Chicago Business, Why the General Counsel's Job Is Becoming Women's Work (February 23, 2013).
- 45.1% of associate attorneys at law firms are women, yet only 19.9% of women have attained partnership. Fong, supra; citing NALP Bulletin: 2010 Women and Minorities in Law Firms by Race and Ethnicity.
- Women compose 20% or less of the tech workforce, despite gender diversity in nontechnical or engineering positions at the same companies. Nick Heer, PixelEnvy, Diversity of Tech Companies by the Numbers: 2016 Edition (august 9, 2016)

Attrition also directly affects the bottom line. When women believe they are being treated differently or unfairly, when they are bullied, not trained, and passed over for opportunities, and where they cannot see a clear path for advancement (often due to the lack of women holding high-level positions), they leave. Anna Jaffe, Grace Chediak, Erick Douglas, Mackenzie Tudor, Retaining and Advancing Women in National Law Firms, Standard Law School White Paper May 31, 2016. And when they leave, costs are incurred. Companies spend sizeable training budgets on technical and soft skills, depending on the industry. There is also cost involved with recruiting new employees or laterals to fill specific needs, whether through advertisements, interview and recruiting costs, or compensation packages to entice employees to leave their current employers. Companies may also have increased administrative and human resource costs associated with employee attrition.

But, as noted above, attrition has non-monetary repercussions and can be more harmful than a loss of revenue. Diminished employee morale among other female employees and staff may occur when women leave a company because they feel unsupported or treated unfairly. A lack of women in leadership roles or positions of authority may leave a vacancy of female mentors for new employers. This vacancy, which alone

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Thank You

The CMBA proudly recognizes the outstanding women currently on our Lawyer Referral Service. We appreciate your participation in the LRS and look forward to our continued partnership!

Erin Patrice Brown
Stacy M. Callen
Meghan P. Connolly
Katherine A. Friedell
Amy K. Herman
Rachel Anne Kabb-Effron
Sandra M. Kelly

Ellen M. Kramer
Deneen J. LaMonica
Ellen S. Mandell
Louise H. Mosher
Elizabeth L. Perla
Julie E. Rabin

Nancy C. Schuster
Sheila M. Sexton
Roni R. Sokol
Claire Irene Wade
Margaret W. Wong
K. Ann Zimmerman

Join our distinguished panel of LRS attorneys in April and receive 15 months of referrals for the price of 12!

Contact our LRS Coordinator, Katie Donovan Onders, for details at (216)696-3525 or konders@clemetrobar.org.
or combined with an absence of women in leadership or management positions, can create negative impressions of the employer in future recruiting efforts. An absence of women in leadership and management positions can also impact client relationships and a company or firm’s ability to attract new clients, particularly from clients owned by women or whose primary decisionmakers are women. Clients may also become dissatisfied with turnover, particularly if it becomes regular or frequent, and may choose alternate counsel. Retaining employees by providing appropriate training, experience and promotional opportunities is, however, easier said than done.

**SUGGESTIONS FOR ADDRESSING UNCONSCIOUS GENDER BIAS IN YOUR WORKPLACE**

- Encourage self-awareness at all levels of your organization;
- Discourage split-second decisionmaking and make a conscious effort to slow down thinking when making determinations about significant and seemingly insignificant issues;
- Identify gender bias issues in your company and provide evaluations, mentoring, and opportunities to those at risk of or affected by unconscious gender bias;
- Institute a multi-perspective review of policies and practices to combat conscious and unconscious/institutional bias;
- Adopt objective criteria and standards for decisionmakers and supervisors and train them regarding conscious and unconscious bias;
- Remove name, gender, and ethnicity information from resumes, applications, and documents used in hiring, promotion, compensation, and management decisions;
- Appoint a single person or department to allocate assignments to employees; and
- Review management and organizational decisions for conscious and unconscious bias.

While it may be impossible to eradicate all of the unconscious bias that naturally exists in each of us, it is necessary to acknowledge, identify, and address unconscious bias that is negatively impacting our workplaces and the legal profession. We need to change what we believe about ourselves before we can change what we believe about others.

Christina E. Niro advises and represents national and local employers in a broad range of employment law matters from discrimination, retaliation, and harassment, to cases involving restrictive covenants, trade secret misappropriation, and unfair competition. She regularly practices in state and federal court and before administrative agencies. Christina is a member of the Garden Young Leaders of the Cleveland Botanical Garden and a proud Rocky River resident with her husband and daughter. She has been a CMBA member since 2012. She can be reached at (216) 515-1660 or cniro@frantzward.com.

Allison Taller Reich advises clients in the construction industry on all aspects of their projects and business, including drafting and negotiating contracts; managing claims, projects, and schedules; and assisting clients in resolving disputes informally or through litigation, arbitration, or mediation. Allison is involved in the community and serves on a number of non-profit boards including United Way Young Leaders and Boys and Girls Clubs of Cleveland's Bridge Board. Allison and her husband live downtown. She has been a CMBA member since 2012. She can be reached at (216) 515-1660 or areich@frantzward.com.
17th Annual Labor & Employment Law Conference

Thursday, April 20

CREDITS 6.0 hours CLE

REGISTRATION & BREAKFAST 8:30 a.m.

WELCOME & INTRODUCTIONS 8:55 a.m.

Welcome & Introductions
Lauren C. Tompkins, Giffen & Kaminski, LLC, Conference Chair

The Future of Employment Law Under President Trump: Heaven, Hell, or Somewhere In Between?
Daniel L. Messeloff, Jackson Lewis P.C.

ADA Compliance: Counseling the Smaller Employer
Todd K. Masuda, Schneider Smeltz Spieth Bell LLP

From Foe to Friend: Cooperative Negotiating Strategies
Brad Levine, Voudris Law LLC

Lunch (included)
Stephanie Dutchess Trudeau, Ulmer & Berne LLP

reasonability of restrictive Covenants: Defend Trade Secrets Act
Matthew K. Seeley, Kadish, Hinkel & Weibel

Workplace Investigations: How and When to Conduct, and What You Can, Should and Should Not Do
Joel R. Hlavaty, Frantz Ward LLP

Friday, April 21

CREDITS 6.25 hours CLE

REGISTRATION & BREAKFAST 8:30 a.m.

WELCOME & INTRODUCTIONS 9:00 a.m.

Welcome & Introductions
Lauren C. Tompkins, Giffen & Kaminski, LLC, Conference Chair

Professionalism in the Deposition Battlefield
Frank R. DeSantis, Thompson Hine LLP
Jack S. Kluznik, Weston Hud LLP

Defamation in the Employment Law Context
Warren Rosman, Weston Hud LLP

Lunch (Included)

Residential Real Estate: Acquisition, Closing, and Development with Case Law and Statutory Update

Tuesday, April 25

CREDITS 3.00 CLE requested

REGISTRATION & BREAKFAST 8:30 a.m.

SEMINAR 9:00 a.m. – 12:15 p.m.

Welcome & Introductions
Katheryn J. McFadden, Sandhu Law Group, LLC; Chair, CMBA Real Estate Law Section

Case Law and Statutory Update
Monica E. Russell, Critchfield, Critchfield & Johnston, Ltd.

Residential Development and Construction
• Developer’s perspective on lot acquisition, construction, and city
• approval process
• Negotiation of a residential construction contract
Gillian E. Hall, Knez Construction
Daniel P. Hinkel, Kadish, Hinkel & Weibel

Real Estate Financing
• Residential banking regulation/market update
• The process of acquisition and financing of new residential construction
• Negotiation of loan documents including mortgage and note
Frank C. Santoiemme, Singerman, Mills, Desburg & Kauntz Co., LPA
Bruce Brinkerhoff, Civista Bank

Residential Real Estate Closings
• Duties of buyer and seller attorneys during a residential closing

Visit CleMetroBar.org/CLE for updates or registration or contact the CLE Department at (216) 696-2404.
May 10
Workers Compensation Law
Topic TBA (at State Building)

May 11
Real Estate Law
Topic TBA

May 16
Estate Planning, Probate & Trust Law
Decanting and “Fixing” or Modifying
Irrevocable Trusts

• U.S. Economic Sanctions Update on Iran, Russia, and Sudan
• Trade Compliance Issues and Challenges
  Paul Wickline, Associate General Counsel, Parker-Hannifin Corporation
  Jon P. Yormick, Special Counsel, Phillips Lytle LLP
  Brent Shelley, Senior Legal Counsel De Nora Tech, Inc. (invited)

International and Immigration Tax Issues
• International Tax News and update on U.S. and U.K Relations
• U.S. Taxation of Resident and Non-resident Aliens
  Christina Woskobojnik, Tax Manager, Dyke Yaxley, LLC
  Allen J. Littman, Principal, The Firm of Allen J. Littman

Immigration Law Update
• Employment-Based Immigration, the H-1B and L-1 Visa Programs
  Refugee Law, CBP and ICE Update
  Brian J. Halliday, Principal, Ritter-Halliday LLP
  Heather Prendergast, Aljajakli & Kosseff, LLC

Adjourn to Networking Lunch

William J. O’Neill
Great Lakes Regional Bankruptcy
Institute 2017
Adding Structure to Restructuring:
Strategies for Surviving
Uncertain Times

Thursday, May 4
CREDITS 6.00 hours CLE
BREAKFAST & REGISTRATION 7:45 a.m.
PROGRAM 8:20 a.m.
Welcome & Introductions
Phyllis A. Ulrich, Carlisle McNellie Rini Kramer & Ulrich Co., LPA, Institute Co-Chair
Christopher B. Wick, Hahn Loeser & Parks LLP, Institute Co-Chair

Light Up or Leave me Alone! The Current Status of the Legal Marijuana Industry in Ohio
Kevin Patrick Murphy, Walter | Haverfield LLP
Rocco I. Debitetto, Hahn Loeser & Parks LLP
David L. Dingwell, Tzagias Plakas Mannos Ltd.

What You Know About That? Recent Commercial and Consumer Case Law Update
Hon. Russ Kendig, U.S. Bankruptcy Court, Northern District of Ohio
Hon. Arthur I. Harris, U.S. Bankruptcy Court, Northern District of Ohio
William J. Rochelle, III, ABI Editor-At-Large

Risky Business: Issues facing the Real Estate, Retail, and Hospitality Businesses
Heather C. Corrigan, General Counsel and Corporate Secretary, First Interstate Properties, Ltd.
Donzel “Don” Taylor, Welty Building Company, President
Eric E. Walker, Perkins Coie LLP, Chicago
Nancy A. Valentine, Ice Miller LLP, Moderator

Lunch Honoring Hon. Pat E. Morgenstern-Clarren (no CLE)

Breakout Sessions
We Can Work It Out: Views on the Restructuring Industry from the Bank’s Perspective (Commercial)
Sally Barton, KeyBank National Association
Glenn Bartley, Huntington National Bank
Rajko Radonjich, Senior Counsel, PNC
Drew T. Parobek, Voros, Sater, Seymour and Pease LLP, Moderator

Ch-ch-ch-ch-changes! Changes in the Consumer Practice (Consumer)
Philip D. Lamos, Office of the Chapter 13 Trustee
Mark R. Lembright, Feltly & Lembright Co., LPA
Stephen D. Hilt, Attorney at Law
Hon. Jessica E. Price Smith, U.S. Bankruptcy Court, Northern District of Ohio

Breakout Sessions:
Money Ain’t A Thang: Distressed Investing in Today’s Marketplace (Commercial)
Bassem Mansour, CEO, Resilience Capital Partners
Glenn Pollack, Founder, Candlewood Partners
Bob Stockard, CEO, Mill Hill Capital, Inc., Naples, FL
Thomas M. Wearsch, Jones Day – Moderator

Trumped? Remembering the Consumer Financial Protection Bureau (Consumer)
Alane A. Becket, Becket & Lee, Malvern, PA
Joann Needleman, Clark Hill PLC, Philadelphia

Breakout Sessions:
Love the One You’re With: Advisory Roles in Today’s Restructuring Universe (Commercial)
John D’Amico, Jeffries & Company, New York, NY

Peter Hartheimer, Sherwood Partners, Inc.
Larry Goddard, BDO USA LLP
Marc B. Merklin, Brouse McDowell
Bradley Sharp, Development Specialists, Inc.

Hot in the City! Hot Topics in Consumer Law
Hon. John P. Gazelle, U.S. Bankruptcy Court, Northern District of Ohio
Edward J. Boll, Lerner, Sampson & Rothfuss, LPA
William J. Rochelle, III, ABI Editor-At-Large

Adjourn to Networking Reception Sponsored by IVIRC

Friday, May 5

CREDITS 5.50 hours CLE with 2.5 hours Professional Conduct

BREAKFAST & REGISTRATION 7:45 a.m.

PROGRAM 8:20 a.m.

Welcome & Introductions
Phyllis A. Ulrich, Carlisle McNellie Rini Kramer & Ulrich Co., LPA, Institute Co-Chair
Christopher B. Wick, Hahn Loeser & Parks LLP, Institute Co-Chair

Big Brother is Watching You: Data Privacy, Cyber-Security, and Compliance
James J. Giszcza, McDonald Hopkins LLC, Detroit
Elizabeth B. Vandesteeg, Sugar Felsenthal Grai & Hammer LLP, Chicago
Luis Salazar, Salazar Jackson LLP, Miami
Hon. Alan M. Koschik, U.S. Bankruptcy Court, Northern District of Ohio, Moderator

Lien on Me: Updating The Uniform Commercial Code
Cassandra Burke Robertson, Case Western Reserve University School of Law
Andrew L. Tursca, Thompson Hine LLP
Brian A. McMahon, Caffe, Halter & Griswold LLP

How To Get It In: Evidentiary Issues in Bankruptcy Hearings
Hon. Kay Woods, U.S. Bankruptcy Court, Northern District of Ohio
Michael J. Barrie, Benesch, Friedlander, Coplan & Aronoff LLP, Wilmington, DE
Gregory P. Amend, Buckingham, Doolittle & Burroughs, LLC
W. Timothy Miller, Taft, Stettinus & Hollister LLP, Cincinnati

Lunch with Siechman Award Presentation and Keynote Speaker, Mike Polk Jr. (No CLE)

Don’t Be a Naughty Lawyer!
Patrick F. Haggerty, Frantz Ward LLP
Joseph N. Gross, Benesch, Friedlander, Coplan & Aronoff LLP

Old Dogs Matter: Perspectives on Professionalism and Changing Times from Industry Pillars
Joseph F. Hutchinson, Baker Hostetler LLP
G. Christopher Meyer, Squire Patton Boggs (US) LLP
Alan R. Lepene, Thompson Hine LLP
Jeremy M. Campana, Thompson Hine LLP, Chair, Bankruptcy & Commercial Law Section, Moderator

The Akron Bar Association and the CMBA present

Why Lawyers Strike Out: Professionalism in Baseball & the Legal Profession

Thursday, May 25

LOCATION Progressive Field, Heavy Hitters Club Executive Offices – Ontario Entrance

CREDITS 2.50 hours Professional Conduct CLE

PROGRAM 2:00 – 4:45 p.m.

GAME TIME 5:10 p.m. Access to Club Seats with First Pitch at 6:10 p.m.

Why Attorneys Strike Out: Professionalism in Baseball and the Legal Profession
On May 15, 1981 Len Barker is pitching a no hitter in the ninth inning. It is a tense time for the pitcher. However, he does not have to worry about a player bunting the ball. There are unwritten rules of professionalism in baseball based upon respect for the game. One of these rules is that you do not break up a no hitter by bunting in the ninth inning. However, in the legal profession, courts have noted a lack of professionalism and civility among attorneys even though these traits are the mainstay of our profession and the foundations upon which lawyers practice law. In this interactive presentation, attorneys will learn the unwritten rules of professionalism in baseball, how they are passed on from generation to generation and whether these same concepts of professionalism can apply in the legal profession.

Disorder in the Court: An Attorney’s Guide to Judicial Misconduct

The Rules of Professional Conduct indicates that an attorney who possesses unprivileged information that a judge has violated the Rules of Judicial Conduct shall inform the appropriate authority and that it is professional misconduct for a lawyer to knowingly assist a judge in conduct that is a violation of applicable rules of judicial conduct. Therefore it is incumbent for every attorney to be familiar with the rules of Judicial Conduct and the type of conduct that is to be expected from the Bench. In this interactive presentation attorneys will gain a working knowledge of the Rules of Judicial Conduct and we will review recent ethical decisions where judges were disciplined for ethical misconduct. Attendees have described this presentation as “educational, engaging, interactive, entertaining, lively, informative, humorous, and enjoyable.”

INSTRUCTOR Philip Bogdanoff, Attorney at Law

Philip Bogdanoff was a career assistant prosecutor in the Summit County Prosecutor’s Office and retired from that office as a senior assistant prosecutor. He has taught continuing legal education related to ethics and professionalism to various groups in seven states including the Ohio Bar Association and Ohio Prosecuting Attorneys Association. His professional conduct presentations have been described as informative, lively, entertaining, and captivating.

Adding Structure to Restructuring
Strategies for Surviving Uncertain Times
Thursday & Friday, May 4 & 5
CMBA Conference Center

Save the Date!

Estate Planning Institute
October 27

Cleveland Tax Institute
November 2 & 3

Real Estate Law Institute
November 9 & 10
I’ve never considered myself a runner, but last spring, I made the decision to register for my first marathon. Why did I decide to enter a race of 26.2 miles when I had never competed in even a 5k walking or running race before? While there are several factors that caused me to dip my toes & feet in the world of long distance running/walking, the most important motivator was to support a friend. Alison, one of my best friends from Kenyon College, is a “Marathon Maniac”. She is in the process of completing 50 marathons in 50 states. Last February, Alison invited all of her friends to join her in Maui, HI as she was seeking to complete her 44th state. In addition to the fun of planning a vacation to an island paradise, for a trip in the middle an Ohio winter, this new challenge intrigued me. I’ve been curious about what motivates Alison to seemingly torture herself, by training for and participating in so many races, and this was my chance to find out WHY she did it! Plus, my friend assured me that she would be walking, rather than running this event because 40 plus marathons, had taken its toll on her knees. Here was my chance to find out first-hand, the allure of the marathon, and to hopefully shedding a few unwanted pounds.

Four hours of walking is a long time to think. Even though I graduated from law school more than twenty years ago, I’ve always had a disciplined and organized approach to my continuing legal education and my career. I applied this type “A” approach to my decision to train for a marathon. I purchased a book on marathon training from Amazon, bought a decent pair of running shoes and planned out my 20 weeks of training in my calendar. How hard could this be? I'd studied for the bar exam, I'd given birth to two children and I'd moved my household 3 times in 6 years, this should be a “walk in the park”.

I soon learned that just because the training schedule was easy to follow, it didn't mean that it was easy. I was lucky to have the support of a training buddy- my husband. He kept me accountable and on track and without his encouragement, I would not have been prepared. Plus for me, training with someone else, made the long excursions a lot more enjoyable. As my weekly jaunts grew longer, so did my opportunity to reflect on my life and to dream about other goals related to both my work and family life.

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A weekly 10-mile training walk, is truly a great time to disconnect from the world of ubiquitous social media and to let your mind wander or engage in purposeful meditation. Another thing that I did not anticipate in August when I started training, was that my 18 mile walk/run would need to take place during one of the coldest and snowiest weekends of the year. Needless to say, I never pictured myself trudging around a track 72 times, in nearly a foot of snow, my hair frozen to my head, but that's what happened, and it wasn't all bad. I will say that after accomplishing that distance, I not only gained confidence in my ability to truly be able to complete the marathon, but it also gave me confidence and motivation in my career. It changes your perspective a bit when your biggest work problems can be handled from the warmth and comfort of an office setting.

There is no backing out of the race. In the months leading up to the marathon, I started to doubt whether personal endurance test was really such a great idea. To get over these recurring reservations and self-doubt, I felt that was important to take actions,
like registering for the race, booking non-refundable airline tickets & lodging, so that I couldn’t back out, even if I wanted to.

Despite my plans, I thought divine intervention might save me because on the day of our departure to Hawaii, we got hit by a big snowstorm that closed the airport runways for several hours. By a lucky twist of fate, we made our connection to CA and finally touched down in Maui, after more than 18 hours of travel. When I picked up the bib with my racing number/tracking chip and marathon finisher T-shirt a few days later, it finally dawned on me that In less than two days, I would be in the thick of the event, whether I wanted to or not.

Tea cup pigs, peacock roadblock, and new friends in unexpected places
In the few days leading up to the marathon, my family and I had the chance to explore Maui and fall in love with it. While my husband is not really a “beach vacation” type of guy, there was enough to do and see on Maui to keep his ADHD in check. Before the trip, we had taken the time to research (like all good attorneys) the best places to get shaved ice (Ululani), the freshest fish (Mama’s Fish House) and a delicious slice of Hula pie (google it), But it was Dan, the quirky owner of Dan’s Green House who sold dwarf lava bonsais, exotic parrots and tea cup pigs that really made our trip. Right after visiting with Dan, we wandered into the Mick Fleetwood gallery and got invited to a photography opening the next day where Mick Fleetwood from Fleetwood Mac would be the guest of honor. Unfortunately, we were unable to attend this cocktail reception, but it was because our winding drive on the Road to Hanna involved too many stops at waterfalls, animal sanctuaries (including the Garden of Eden where a large flock of peacocks blocked the road for over a half hour), and descent into a lava tube cavern that let your imagination run wild about dead bodies, aliens and maybe hidden treasure. For a couple of days at least I could forget about my long road ahead to try to finish what I had started.

It’s not about the medal, but that sure was nice.
Waking up in the pitch black of the early morning hours of January 15th, and putting on my running clothes, felt quite surreal. Standing at the starting line at 4:30 a.m. with a swarm of other runners, listening to the native Hawaiian spiritual prayer, chant and blowing of the conch signaling our start was both inspiring and fear inducing. Maybe I would be using that port-a-potty sooner than I expected.

However, between the cheering of the crowds and lively volunteer aid stations supplying us with Gatorade and water, the first few hours sped by. By 8 a.m., the mass of runners had spread out and I could start to see and enjoy the coastal course. About 10 miles into the race, humpback whales were breaching the water on a regular basis. At about the 14 mile mark, I was feeling pretty good and happy to be more than half way done, when two things happened that jolted me back to reality: 1) six plus miles of pretty steep hills and 2) temperatures reaching 80 plus degrees.

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Don't let the fear of blisters or failure keep you sidelined from adventure. I found myself caught wondering “Why didn't I start with a half marathon, rather than the 26.2 race?” And “Wouldn't it be nice to join that monk seal, sunning himself on the beach right now?” I also began to question if my body and mind would stop me from even finishing the marathon. It was right about then that my hope was restored. A young woman from Maui (a teacher in the local schools) slowed down right next to me and asked if we could walk together for the next seven miles. I like to think of her as my “marathon angel” because the camaraderie of this fellow marathoner (who had completed the Maui Oceanfront Marathon twice before), provided needed distraction from the growing pain in my feet (after the marathon I discovered that the balls of my feet were covered in blisters) and the oppressive sun. While my “angel” did decide to leave me at the final two miles of the race so that she could run to the finish, my husband and daughter came onto the course to walk the final half mile of the race with me, and I knew with certainty that I would finish, even if I was at the back of the pack. I grinned like a kid as I crossed the finish line and the medal was put over my head, and I didn't stop smiling the rest of the day.

After working in the Legal Recruiting field for over 20 years, I have experienced my share of burnout. Carving out time to focus on a goal outside of my career was re-energizing. As I reflect back on the last year, I wonder if I was crazy to try something so clearly outside of my comfort zone. Despite the challenges and pain, I find myself thinking that another marathon could be kind of fun — even if it’s not in Hawaii. Alison recently emailed me information about a marathon coming up this October that I must admit, sounds appealing. It’s a relatively flat course, full of scenic hiking trails, and I’m considering signing up and starting the process all over again. OR maybe I’ll just see what else is on that bucket list.

Deborah Peters is the President and COO of Major Legal Services. For over twenty years, she has connected law firms and corporate legal departments with the legal talent to help their businesses grow. MLS focuses on both temporary and direct hire placements of attorneys, paralegals and legal assistants. She has been a CMBA member since 1995. She can be reached at (216) 579-9782 or deborah@majorlegalservices.com.

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“The question isn’t who’s going to let me; it’s who is going to stop me.” - Ayn Rand
Justice Ruth Bader Ginsburg has said, “Women will only have true equality when men share with them the responsibility of bringing up the next generation.” As involved as a father may be in childrearing, men will never face the logistical dilemmas of breastfeeding working mothers. Federal and some state laws impose requirements on employers to provide breaks and a space for nursing mothers to express milk. These measures that attempt to level the playing field for women benefit employers by allowing them to retain high quality employees who are also mothers. However, our current political landscape may alter the requirements that currently exist.

When my daughter was a few months old, I remember a particularly tricky day on the job involving a deposition in central Ohio. Running low on reserves and ever concerned about my milk supply, I recall mapping out my daughter’s feeding schedule so that she would get enough to eat that day and the next day. I fed her right before I left for my trip and drove to central Ohio, with my large bag of necessities in tow: cooler with ice pack, pump and accessories, bottles, car adapter, and nursing cover. I arrived early to pump in the car before heading into the Knox County courthouse for the deposition. After waiting an hour after the deposition was scheduled to start and the small talk had reached its limit, co-counsel and I called the attorney who requested the deposition to inquire about the delay. No one was showing up for the deposition. I drove back to Cleveland irritated.

Juggling motherhood and a career is not simple. What the pediatrician recommends may at times prove precarious given one’s work obligations. Maintaining the breastfeeding relationship can create a hardship for working mothers, but there are rules in place for some breastfeeding mothers that help. At the federal level, Section 7(r) of the Fair Labor Standards Act (FLSA) requires certain employers to provide nursing mothers with a
reasonable break time and space for expressing milk for one year following a child's birth. These requirements, which I outline in further detail below, became effective when the Affordable Care Act (ACA) was signed into law on March 23, 2010.

All employers covered by the Fair Labor Standards Act must also comply with the Section 7(r) breastfeeding requirements. Employers with less than 50 employees must comply with these requirements unless they can make a showing that compliance would subject their business to an undue hardship. An undue hardship is evaluated based upon the expense or difficulty of an employer to comply with the requirements in relation to the employer's financial resources, size, structure, and nature of business. The undue hardship exception only applies to employers with less than 50 employees. For purposes of counting employees, all employees are counted, regardless of work site, or whether the employee is part-time or full-time.

While all employees are counted for purposes of determining if employers must comply with these requirements, not all employees are protected by the requirements for nursing mothers set forth in Section 7(r) of the FLSA. Only employees who are not exempt from Section 7 of the FLSA, which also covers overtime requirements, are protected by the requirements for nursing mothers.

A nursing mother may take breaks as frequently as needed. The time needed per break will vary depending on the mother. Section 7(r) of the FLSA does not require an employer to pay its employee for these breaks. However, if an employee expresses milk on a break that all employees receive and are paid for, then the employer must likewise pay the employee who is expressing milk on that break. Also, nursing mothers must be completely relieved of their duties during break time for the purpose of expressing milk; if they are not, they must be compensated.

The space an employer must provide for nursing mothers cannot be a bathroom and must be private—shielded from view and free from the intrusion of others. The area provided must be functional as a space to express breastmilk. While the space provided need not be dedicated solely for breastfeeding mothers, the space must be made available when needed. Likewise, an employer need not have a space dedicated to expressing breastmilk if the employer has no employees who are nursing mothers. 75 Fed. Reg. at 80075 provides that curtains or a space with partitions may be used if a separate room is not feasible. The U.S. Department of Health and Human Services
Ohio does not have any laws on the subject. Materials if they follow certain requirements. An "infant friendly" designation on promotional Press Release of Oregon Senator, Jeff Merkley, breastfed babies reduce healthcare costs: "Breastfeeding benefits brain development in children and those who are breastfed are less likely to be susceptible to a host of illnesses including asthma, diabetes, obesity and certain cancers. Moreover, the reduced rate of illness means health care savings for our nation.

Life for working mothers may be overwhelming at times and the reality is that men cannot share all of the obligations of parenthood. My frustration at the end of my fruitless journey to the cancelled deposition epitomized the struggle for me. I was happy to be back in the workforce, but I was so frustrated at how an oversight (like failing to notify of a cancellation) caused hours of otherwise unnecessary preparation, logistical planning, and distress for me. The laws in place for working mothers who are breastfeeding honor Justice Ginsberg’s vision of equality for women and allow employers to retain high quality employees who are mothers. Yet, many employers may not know or understand the needs of their employees who are nursing mothers, let alone the ever-changing state and federal requirements. To be sure that you are compliant with the most recent federal and state laws, you may have to consult your employment attorney.

The American Academy of Pediatrics recommends that a child be breastfed exclusively for the first six months of life and should continue to be breastfed for a year or longer.

Teresa G. Santin is an attorney at Thacker Robinson Zinz LPA, a WBENC-certified majority women-owned firm that focuses on business litigation, insurance recovery, and litigation management/e-discovery solutions. Ms. Santin has experience litigating in the areas of business, employment, and probate. She represents individuals, trustees, small and large businesses, and nonprofits in primarily business, employment, and probate disputes. She has been a CMBA member since last year. She can be reached at (216) 456-3840 or tsantin@trzlaw.com.

While the Affordable Care Act’s future is unknown, there are a few reasons why the provisions for nursing mothers at work outlined above may remain in place. First, the U.S. Senate Committee on Health, Education, Labor and Pensions, a bi-partisan committee, unanimously approved this amendment in 2009 while reviewing healthcare reform legislation. Second, repealing the Affordable Care Act in its entirety would require at least 60 Senate votes, meaning that some Democrats would need to support it. Finally, as stated in a June 23, 2009 Press Release of Oregon Senator, Jeff Merkley, breastfed babies reduce healthcare costs: "Breastfeeding benefits brain development in children and those who are breastfed are less likely to be susceptible to a host of illnesses including asthma, diabetes, obesity and certain cancers. Moreover, the reduced rate of illness means health care savings for our nation."

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For late-career and retiring attorneys — the idea of leaving the law behind can be a challenging transition. Many retired lawyers and those ramping down their practices have discovered that they enjoy learning new skills and exploring different ways of engaging with their communities. Increasingly, these lawyers have found that the ACT 2 program run by The Legal Aid Society of Cleveland’s Volunteer Lawyers Program. ACT 2 offers a great opportunity to expand legal skills in a fresh setting, while extending access to justice.

One of the hallmarks of the ACT 2 program is its flexibility. Specifically designed for experienced lawyers, the program can be tailored to each participant’s availability, skills, and desires. Some lawyers commit just a few hours a month during Legal Aid’s monthly Brief Advice Clinics, while others are more engaged, handling individual cases from start to finish. (Retiring lawyers can take advantage of Ohio’s new “attorney emeritus” registration status that offers lower registration fees for those doing pro bono work.)

The need for volunteer lawyers is urgent. Because of budget constraints, Cleveland Legal Aid is forced to turn away more than half the individuals who ask for its help. Many lawyers, especially those from big firms and corporate legal departments, may feel unequipped to handle a housing court dispute or a social security administrative appeal. ACT 2 will teach lawyers the skills they’ll need to handle matters like these and provide mentors to guide them. The ACT 2 program also supplies comprehensive administrative support. Volunteers can work in a Legal Aid office, use its office equipment, and have mail and phone calls for Legal Aid matters routed to the office. In addition, a dedicated paralegal is available on site to assist them. Plus, free continuing legal education is offered to all active ACT 2 attorneys. First, Legal Aid hosts occasional 1.0 hour CLE sessions on relevant issues of law for volunteers. And, through a partnership with the Cleveland Metropolitan Bar Association, any ACT 2 volunteer who does 100 hours of pro bono work with Legal Aid in a 12-month period gets 6 hours of free CLE through the CMBA. If that isn’t enough incentive, the pro bono work completed also earns CLE credit — and Legal Aid helps you with all the paperwork: for every six hours of pro bono work, the Ohio Supreme Court provides 1.0 hour CLE credit. A maximum of six hours of CLE credit may be earned in a reporting biennium through eligible pro bono legal services.

For many lawyers in the midst of a career change, ACT 2 has become an important way to stay socially and intellectually engaged in their community. Most important, these lawyers make a meaningful difference in the lives of people who desperately need legal help.

To learn more information or to sign-up, visit www.lasclev.org/ACT2. Or, contact Ann McGowan Porath, Legal Aid’s managing attorney for the Volunteer Lawyers Program at (216) 861-5332 or probono@lasclev.org.

Patrick Haggerty is a partner at Frantz Ward and chair of the firm’s litigation practice group. While he is not retiring anytime soon, he is a champion of the ACT 2 program as the chair of Legal Aid’s pro bono committee. He practices what he preaches and can frequently be found at Legal Aid Brief Advice Clinics — volunteering with colleagues from his firm, attorney-alumni from St. Edward High School, or any other team of volunteers willing to help Legal Aid’s clients. Pat has been on Legal Aid’s Board of Directors since 2013 and a CMBA member since 2000. He can be reached at (216) 515-1605 or phaggerty@frantzward.com.
The CMBA Conference Center is downtown Cleveland’s premiere, multi-purpose venue that is ready to meet all of your event and conference needs. Our newly renovated space offers state-of-the-art technology including video conferencing and high speed wireless internet. We have 10 conference and meeting rooms of varying capacity and possibility that can serve your smallest gatherings to your biggest. Our largest space is a 400-seat auditorium equipped with A/V and phone conferencing capabilities. The Conference Center also offers spacious balconies, overlooking the One Cleveland Center lobby, for receptions. We provide onsite catering for all food and beverage requests, including alcohol. We can also offer use of private offices in addition to these rooms, and assistance with event planning. Guests are able to take advantage of a convenient, attached parking garage and the building provides 24/7 security. At the CMBA Conference Center, our “all inclusive” approach will provide you with a seamless and thoroughly enjoyable experience.

WHO’S OUR SPECIALTY?

We specialize in providing you an “all inclusive” venue for your event. That’s right, we handle it all: A/V, caterers, linens, security and anything else your event needs. No fuss, no muss. When you book with us, you enjoy:

- ALL A/V components and Wi-Fi included in our already reasonable rental prices.
- No food and beverage minimum for catering needs.
- On-site, dedicated Conference Center coordinators
- At the conclusion of your event, you will receive one invoice.

HOW WE HELP YOU AND YOUR CLIENTS

Our unique downtown venue provides flexible meeting space — good for meetings, training, video conferencing, neutral ground for depositions, great socializing space for networking and happy hours, and more. Plus, CMBA members receive discounts on all rooms, plus FREE access to two conference rooms and our members-only office. The next time you need an office away from your office, come meet us at the Bar!
SPOTLIGHT ON: CONNER D. HILL

The CMBA thanks Conner Hill for authoring the 2017 Cleveland Mock Trial Competition case materials. As a software engineering major at Miami, Conner offered creativity, expertise, and insight into this year’s hypothetical involving a high school student and programming prodigy accused of hacking into a teacher’s computer.

Conner earned Outstanding Attorney Awards (2010-2013) in the Ohio Mock Trial Competition for Shaw High School, where he was valedictorian. Conner is a Louis Stokes Scholar who interned at The Legal Aid Society of Cleveland, and founder of the Shaw Academic Challenge team and University Academic Scholars Program. In 2013, Conner was one of just 1,000 students nationwide selected by the Gates Foundation as a Millennium Scholar, which awards lifetime educational scholarships to STEM students based on their intellectual abilities, community service, character, and promise.

In recommending Conner for the Stokes Scholars Program, teacher Lori Urogdy Eiler called him “one of America’s gems … a humble talented young man with eclectic interests and a flair for creativity when it came to technology and writing.”

As a high school student, Conner participated in The 3Rs and the Stephanie Tubbs Jones Summer Legal Academy, where he interned with the Cuyahoga County Prosecutor. He was Regional Champion and Second Place National Finalist for the National Bar Association’s MLK Jr. Drum Major for Justice Advocacy Competition in 2011.

Regarding the opportunity to contribute to the Cleveland Mock Trial, Conner said: “Although my career focus is engineering, being able to express my passion for law by helping write the mock trial materials has been an amazing experience that has made me truly feel fulfilled.”
## April

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<th>MONDAY</th>
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<td>17</td>
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<tr>
<td>PLI – 8:30 a.m.</td>
<td>PLI – 8:30 a.m. Estate Planning, Probate &amp; Trust Law Section Lunch &amp; CLE Grievance Committee Meeting Insurance Law Section Meeting</td>
<td>PLI – 8:30 a.m. CMBA Board of Trustees Meeting</td>
<td>Labor &amp; Employment Conference LRS Oversight Committee Meeting Movie Night – 6 p.m.</td>
<td>Ethics Program – 7 a.m. Labor &amp; Employment Conference Pro Se Divorce Clinic – 10 a.m. (Law Library)</td>
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<td>PLI – 8:30 a.m.</td>
<td>Residential Real Estate CLE – 8 a.m. PLI – 8:30 a.m. Membership Committee Meeting</td>
<td>Litigation Section Breakfast &amp; CLE – 8 a.m. JRs Committee Meeting PLI – 1 p.m.</td>
<td>Special Education Law Forum – 9 a.m. Membership Committee Meeting Court Rules Committee Meeting Small &amp; Solo Section Meeting (Shula’s 2 Independence) Family Law Section Meeting (Law Library)</td>
<td>Fee Dispute Hearing</td>
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## May

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<td>professionalism Award Selection Committee Meeting – 1 p.m.</td>
<td>CMBF Executive Committee Meeting – 8:15 a.m. Grievance Committee Meeting</td>
<td>International and Immigration Law Under the Trump Administration CLE – 9 a.m.</td>
<td>O’Neill Bankruptcy Institute – 8:00 a.m. PLI – 8:30 a.m. WIL Section Meeting YLS Council Meeting Law Day Reception – 5 p.m. Fellows only</td>
<td>O’Neill Bankruptcy Institute – 8:00 a.m. PLI – 8:30 a.m. Cleveland Mock Trial (High School) – 9 a.m. (Justice Center) Law Day (City Club of Cleveland)</td>
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<td>CMBF Board of Trustees Meeting – 4:30 p.m.</td>
<td>PLI – 8:30 a.m. Gambling CLE – 9 a.m. ADR Section Hot Talks – 5 p.m.</td>
<td>CMBA Executive Committee Meeting Mental Health Meeting Stokes Scholars Meeting UPL Committee Meeting Workers’ Comp Section Meeting (State Office Building) VLA Committee Meeting</td>
<td>Collaborative Law Training – 8 a.m. Ethics Committee Real Estate Law Section Lunch &amp; Presentation Reach Out for Nonprofits Seminar – 4:30 p.m.</td>
<td>Collaborative Law Training – 8 a.m. Ethics Committee Cleveland Mock Trial (Middle School) – 9 a.m. (Justice Center)</td>
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<td>PLI – 8:30 a.m.</td>
<td>PLI – 8:30 a.m. Estate Planning, Probate &amp; Trust Law Section Meeting Grievance Committee Meeting &amp; CLE Insurance Law Section Meeting</td>
<td>CMBA Board of Trustees Meeting</td>
<td>Disciplinary Hearing – 10 a.m. Family Law Section Meeting Greet the Judges &amp; GCs Reception – 5 p.m.</td>
<td>Environmental Law Institute – 8 a.m. (Altoft Cleveland Downtown) Pro Se Divorce Clinic – 10 a.m. (Law Library) Pro Se Plus – 1 p.m. (Law Library)</td>
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<td>Spring Foundation Reception – 5 p.m. (Azure Rooftop at the Metropolitan at the 9) Fellows only</td>
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<td>Litigation Institute – 10 a.m. Labor &amp; Employment Section</td>
<td>Court Rules Committee Meeting</td>
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<td>Memorial Day – Office Closed</td>
<td>PLI – 8:30 a.m. Federal Court Video – 1 p.m.</td>
<td>PLI – 8:30 a.m. JRs Committee Meeting</td>
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Office Space/Sharing

**Downtown**

- **820 W. Superior Ave** – 2 large offices available in existing suite with 4 other attorneys. Full amenities. Support staff space available. Call (216) 241-3646.

- **55 Public Square Building** – Large corner office, 17th floor; Beautiful Lake Views, Secretary Space Available, Call Jim or Kevin at (216) 696-0600.

- **55 Public Square** – Office available in nicely decorated suite with receptionist, fax and copier. (216) 771-8084.

- **Downtown Cleveland** – Rockefeller Bldg. @ W. 6th & Superior: Exceptional office space, exceptional value. All window space, no interior offices. Contact Ben Cappadora or Therese Manos at (216) 696-3929.

- **IMG Center** – E. 9th and St. Clair – Office space available in suite with several other attorneys. Telephone, receptionist, fax, copier, secretarial available. Referrals possible. Contact Ty Fazio at (216) 589-5622.

- **Leader Building** – Office space available in elegant suite with several other attorneys, receptionist, optional secretarial space, library/conference room, fax, copier, telephone system, kitchen. (216) 861-1070 for information.

- **Terminal Tower** – Law offices available in prime location with reception area, secretarial space, conference room, copier, fax and kitchen. Reasonable rent. Call (216) 241-2022.

- **Unique Cleveland Warehouse**

  **District** – Executive and Associate Offices with available full services, amenities, and referrals. Convenient to courthouses, restaurants, and parking. Call Pam MacAdams (216) 621-4244.

- **Suburbs – East**


  - **Beachwood** – Landmark Centre, large &/or small offices for attorney(s) and/or assistant/associate, conference room, telephone/copier/fax/scaner/internet included, furniture available. (216) 771-8400

  - **Beachwood** – Single office. New. Nice. Fair price and possible case sharing. (216) 244-3423

  - **Beachwood** – Green Road near Chagrin. Prime office space. Also small to large office suites in Class A building. Receptionist, Westlaw, conference room, office furniture included. Up to 6 offices available. $500 – $750 per office inclusive. Possible legal referrals. (216) 514-6400, ext. 324

  - **Beachwood** – Office for lease, either fully furnished or vacant (216) 856-5600

  - **Beachwood** – Office in gorgeous suite on Chagrin. Copier, fax, conference room and other amenities provided. Possible litigation referrals. Contact Craig W. Relman. (216) 514-4981.

  - **Beachwood** – LaPlace Mall, corner of Cedar and Richmond near Beachwood Place and Legacy Village, Upper level, sunny office space available with the usual amenities. Separate area for assistant, Free underground parking. Call (216) 292-4666 or email limlaw@sbcglobal.net.

  - **Bedford** – Law Offices available with conference room/library, kitchen, receptionist, and mentoring from CJM Grad with 40+ years legal experience. (440) 439-5959

  - **Cedar-Center** – large corner office in Class B building, $450 all inclusive except phone (216) 381-6570

  - **Chagrin Falls** – Furnished office available with other attorneys in eastside law firm. Chagrin Falls location with parking, $500/month includes office, WiFi, kitchen and conference room. Contact lawfirmchagrinfalls@gmail.com.

  - **Highland Heights** – Fantastic offices available. Includes receptionist, waiting area, conference room, kitchen, phone, printer/copier/fax, Internet. Space available for paralegal/secretary. Contact Annette at (440) 720-0379 or asamber@hendersonschmidlin.com.

- **Hoyt Block Building** – Window office available in stylish suite with many amenities, including comfortable conference room. Close to County Courthouse, popular restaurants and plentiful parking. Call (216) 781-7956.

- **Mayfield Heights** – Beautiful office space available with conference room, receptionist, all necessary law firm amenities, complimentary practices. Rent negotiable. (440) 473-5262.

- **Mentor** – Two offices available at Carrabine & Reardon. Expense sharing arrangement is negotiable. Great location Contact Jim Carrabine at (440) 974-9911.

- **Suburbs – South**

  - **Brecksville** – Conference room and mailing services available in the Ganley Building for $50 or $150 per month. Possible legal referrals. (440) 526-6411, ask for Laurie.

  - **Parma/North Royalton** – Office spaces in modern suite available now. Contact Paul T. Kirner at (440) 884-4300.

  - **Seven Hills** – Law office for rent – Rockside Road, Seven Hills Corner office in prime location with Internet, copier, fax, scanner, telephone, receptionist. Two conference rooms. $1,000 per month. Call Anthony at (216) 401-7763.

- **Suburbs – West**

  - **Avon** – New office space with multiple professionals. Great for networking. Desirable location across from Avon Commons on Detroit Road. Many included amenities. Contact Doug (440) 937-1551.

  - **Fairview Park Office Space** – Beautifully remodeled. Many amenities included. As low as $475 per month. Call (440) 895-1234 to schedule a visit.

  - **Westlake** – One/Two offices in Gemini Towers across from Crocker Park; includes phones, fax, copier, wi-fi, receptionist, conference room. Call (440) 250-1800 to schedule a visit.
## Services

### Appraiser – Personal Property, Art, Antiques, Residential Contents

### Business Appraiser/Forensic Accounting
For shareholder disputes, domestic relations, ADR, estate planning, and probate – Terri Lastovka, CPA, JD, ASA – (216) 661-6626 – www.valueohio.com

### Commercial Real Estate – Premier Development Partners
Highly experienced professionals in business real estate acquisition/dispositions and development. Brian Lenahan (216) 469-6423 or brian@premierdevelop.com.

### Experienced Attorney
Willing to co-counsel cases in Cleveland and all municipal courts – Contact Joe at (216) 363-6050.

### Experienced Expert Witness
For probate, estate planning or related matters. ACTEC Fellow since 1994. Harvard Law. EPC “Planner of Year 2006.” Herb Braverman at hblaw@aol.com.

### Experienced Process Server – Super competitive prices – flat rate $50/address within Cuyahoga County. First attempt within 24 hours. Pente Legal Solutions (216) 548-7608 or lisa.vaccariello@pentelllc.com

### Freelance Proofreading
– Heather Terry, hterry713@gmail.com (330) 813-0291 – Confidential and timely proofreading and editing services. Rates starting at $0.025/word.

### Looking to slow down or starting to think about retirement?
Attorney with established probate/estate planning/small business practice looking to expand current practice; (216) 245-8861

### MarcoAuction.com
– Court: Estate and Probate, Divorce, Power of Attorney; Real Estate: Residential and Commercial; Appraisals: Insurance, Jewelry and Antiques; and Chattel Items: Farming equipment – Marco Marinucci, Auctioneer – (440) 487-1878 or RealEstateAuctions39@yahoo.com

### Security Expert – Tom Lekan – tlekan@gmail.com – (440) 223-5730

### Trial Attorney – Experienced trial attorney in business litigation, personal injury, and complex family law. (25+ trials). Federal and State. stephen@neebittinger.com; (440) 782-7825.

### Video Conference, Deposition Facility
– Plaza West Conference Center; Rocky River offers conferencing and remote video, “smart” whiteboard conference facilities for 5–33 participants. plazawestcc.com (440) 333-5484.

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2017–2018 LEGAL DIRECTORY!

The CMBA’s hardcopy and electronic Legal Directory is the most efficient way to advertise your law firm or legal products and services to Northeast Ohio’s top law firms and attorneys. Attorneys and other legal professionals use the Directory on a daily basis, making your ad work every day of the year.

If interested, please contact Jackie Baraona at jbaraona@clemetrobar.org or (216) 696-3525 x 4012.

Deadline for advertising is June 9, 2017!
Thresher, Dinsmore & Dolan L.P.A. is pleased to announce that Leo M. Spellacy, Jr. has joined the firm.

Wickens, Herzer, Panza, Cook & Batista Co. is pleased to announce the promotion of attorney Christopher W. Peer to Shareholder.

The law firm of Buckley King is very pleased to announce the addition of a sports, entertainment and media law practice. Richard J. (“Ricky”) Volante and Sydney Elizabeth Victor have joined the firm to lead this practice.

Nager, Romaine & Schneiberg Co., L.P.A. is pleased to announce that Andrew J. Natale, partner and chair of the Construction Practice Group at Frantz Ward LLP, has been inducted into the Diocese of Cleveland CYO (Catholic Youth Organization) Hall of Fame.

Judge Hollie Gallagher has been appointed chairperson of the Cuyahoga County Common Pleas Court’s Mental Health and Developmental Disabilities Court docket.

Kaman & Cusimano is pleased to announce that partner Robert E. Kmiecik has been admitted into the College of Community Association Lawyers.

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Elections & Appointments

Donald Bulea of Giffen & Kaminski has been selected by the Cleveland 20/30 Club to receive the 2017 Northeast Ohio Movers & Shakers Award.

Giffen & Kaminski is proud to announce that Kerin Lyn Kaminski, Karen L. Giffen, Peggy Foley Jones, Diane Citrino, and Jan Roller have been recognized as Best Lawyers in America.

Honors

Nemeth & Associates LLC is pleased to announce that Richard H. Nemeth has been selected for inclusion on the Super Lawyers 2017 list in the area of consumer bankruptcy law. Nemeth was also recently elected to the Board of Directors of the National Association of Consumer Bankruptcy Attorneys. He was also asked to be a panelist at the 2016 Annual Meeting of the National Conference of Bankruptcy Judges.

Ulmer & Berne LLP was named the 2017 “Ohio Firm of the Year” by Benchmark Litigation at the annual Benchmark Litigation U.S. Awards.

Kerin Lyn Kaminski of Giffen & Kaminski has been selected by the Greater Cleveland Bar Association as one of the 2017 Women of Achievement Award recipients.

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New Associations & Promotions

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Roetzel is pleased to announce that Lewis W. Adkins Jr. has been appointed to the University of Akron Board of Trustees. This nine-year appointment, which began February 3, 2017, and ends July 1, 2025, was announced by the office of Governor Kasich.

Frantz Ward is proud to announce that partner, Michael N. Chesney, has joined the Board of Directors of the Boys & Girls Clubs of Cleveland. Mike will also serve on the board’s HR Committee.

Richik Sarkar, a member of McGlinchey Stafford, has been selected to participate in the Leadership Council on Legal Diversity’s 2017 Fellows Program, which aims to identify, train and advance the next generation of leaders in the legal profession.

Ulmer & Berne LLP announces that Gregory P Stein will serve as Co-Chair of the International Association of Privacy Professionals’ KnowledgeNet Chapter in Cleveland.

Danielle Linert of Giffen & Kaminski has been selected by the Board of Directors of the National Association of Minority & Women Owned Law Firms to serve as Oversight Co-Chair of the Practice Area Committees.

Michael A. Hill and William B. Eadie are excited to announce the creation of their new firm, Eadie Hill Trial Lawyers. Their focus is on medical negligence and nursing home cases throughout Ohio.

The law firm of Phillips & Mille, Co., LLP is pleased to announce it has successfully transitioned ownership to shareholders Phillips J. Henry and Erica A. Skerl. Henry serves as President with Skerl serving as Vice President.
TICKETS ON SALE NOW

10th Annual Meeting
Friday, June 2, 2017

Cleveland Public Auditorium