We Rocked It!

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WWW.CLEMETROBAR.ORG
The women of Brouse McDowell are leaders in law and leaders in the community.

Of Northeast Ohio’s largest law firms, Brouse has among the highest number of female partners. We’re striving to be #1.
The April Bar Journal is devoted to issues affecting women in law. I’ve been a woman in the law for more than half my life, so I feel moderately well-equipped to discuss these topics, unlike, say, mergers and acquisitions or real estate transactions.

In Northeast Ohio, I have gone from a law school graduate fresh from a Tennessee judicial clerkship (and knowing nobody in Cleveland) to a grizzled litigator with some 5,000 close friends (all of you reading this magazine). Over the years, I’ve been fortunate to have mentors of all kinds, shapes and sizes; I’ve enjoyed strong peer-to-peer relationships; I’ve mentored others; I’ve experienced career advancement and change. In many of these experiences, I have been aware of some level or degree of unconscious bias on the other side of the relationship. I have been less aware, until recently, of my own.

The premise from which I start is that everyone — no matter our gender, age or race — has unconscious biases against people who appear different from ourselves. I am not casting aspersions: they are called unconscious biases because, without introspection, we aren’t even aware that we have them. It is not surprising that, in the absence of other factors, we are comfortable with people we believe to be somehow like ourselves. The effect of unconscious bias when we look at persons who seem different from ourselves, though, can have profound consequences, and our best efforts to increase diversity can be implicated.

The leap from business to law is a short one. Law firms, of course, are for-profit businesses. Most have boards of directors, or similar governing groups. Some firms are small, some are multi-national, but all are businesses that depend on profits arising from wise decision-making by their leaders, along with providing superior legal services, in order to survive.

The legal sector behaves, however, as if it were immune from the negative effect of limiting its breadth of decision-makers. Very much like doctors and clergy, lawyers see themselves as steeped in tradition, notwithstanding advances in the substance of their field. So the way I came up through the ranks may feel to me like the way the next generation — and the one after that — should now and forever mature in the field.

And traditionally, of course, women have not been lawyers. In the late eighteenth century, women staffed the home front, instead, and were educated haphazardly, at best. By the late nineteenth century, women began to appear in various support staff roles (as “typewriters,” as those who used the new-fangled machines were called, as copyists, or as bookkeepers), but it was a major news item when Arabella Mansfield was admitted to the Iowa bar in 1869. It is clear that we as a profession have advanced far beyond those days. Our profession’s basic commitment to equal justice and access under the law, however, requires much more.

She’s Not One of Us
Diversity is the First Step; Inclusion is the Essential Second

Anne Owings Ford

The case for increasing the number of women decision-makers in the world of business has been made. In the corporate world, for-profit corporations whose boards include female directors outperform those made up entirely of men. “2020 Women On Boards” has explained why gender diversity on corporate boards is only logical:

Good corporate decision-making requires the ability to hear and consider different points of view, which comes from people who have different backgrounds, experiences, and perspectives. Companies that have women directors and executive officers lead by example. They send a clear message that they value diversity of thought and experience. Advancing women to positions of leadership is smart business. (https://www.2020wob.com/learn/why-gender-diversity-matters)

Even beyond this common-sense perspective, though, is research showing that for-profit corporations that have women on their boards are more successful. Brande Stellings of Catalyst says succinctly: “Having more women board directors correlates with many benefits, including higher return on sales; better stock growth; lower risk of insolvency; and lower likelihood of financial restatement.” (http://www.nytimes.com/roomfordebate/2015/04/01/the-effect-of-women-on-corporate-boards/female-board-members-are-good-for-business)
For the past decade, women have made up approximately half of all law school graduating classes in the U.S. Even as long ago as 1989, when I graduated, women were one-third of my graduating class. If you go back another decade, women were one in four or one in five law graduates. So access to legal education is improving and in fact may be as fair as it will get. But education is the first step in making a change, not the last, and current statistics on law firm leadership support this. Based on graduation rates and the ages of the persons in charge of various law firms, practice groups within law firms, branch offices of multi-office law firms, the numbers suggest that women should see approximately 20 – 33% women in management and supervisory roles. We don’t.

Instead, men are disproportionately represented in leadership positions in the private practice of law. At the intersection of unconscious bias and tradition, it seems, women are getting squeezed. Unconscious bias is a factor because it’s always easiest to identify and put one’s support behind an up-and-coming attorney who is as nearly identical to oneself as possible; tradition matters, as well, because looking back at the senior lawyers of one’s own experience, none were women.

Having established that the financial growth of our businesses depends on changing this dynamic, how do we do it? First, we need to let go of our unease with persons who don’t look like us, or have had a background or life experience different from our own. For example, I have had a fortunate life: notwithstanding some health challenges, I have always had enough to eat and plenty of books, as well as being surrounded by people who believed in the value of education. I cannot grasp the particular difficulties of life for someone whose pantry was bare and whose family was unable to focus on education, but who still fought through to join our profession.

If we strip away the window dressing and look at the essentials, though — challenges, self-doubt, solitary struggle and incremental successes — then our bedrock experiences aren’t so different. We really can mentor and support each other.

It can be nerve-wracking to approach a person so different from oneself with mentorship in mind. “What if I say the wrong thing?” “What if I inadvertently offend, just by being myself?” “What if he/she takes what I say the wrong way?” “What if he/she has a chip on the shoulder that I can’t dislodge?”

But remember the exchange between Miranda and Prospero in Shakespeare’s The Tempest? Miranda is awed and amazed by the differences between familiar people and the new ones she meets; Prospero wisely points out that the new ones really aren’t; they just seem new to Miranda:

Miranda: Oh, wonder! How many goodly creatures are there here! How beauteous mankind is! O brave new world,/ That has such people in ’t!

Prospero: ’Tis new to thee.

Shakespeare, The Tempest, Act 5, Scene 1.

Questions about how to face differences aren’t silly, but they are irrelevant. If we want the best for the profession and for our own practices within it, then we don’t have a choice: we must open ourselves and our power positions to these “different” ones. How many times in your practice have you done the difficult, the nearly impossible or the (seemingly) impossible? Taking steps beyond what existed before is how we advance the law and our clients’ interests. If we bring those same skills inside our firms, to advance the interests of the different, then we will be even more successful and become the sought-after, go-to firms. Our clients already know that diversity on boards and in top management makes them more successful. The sooner we demonstrate that we — finally — get it, too, the better off we all will be.

Anne Owings Ford has over 25 years’ experience in the world of litigation, from her first judicial clerkship to, most recently, her partner status at a national law firm. She has been a CMBA member since 1991. Anne currently is a litigation consultant, and she can be reached at aoford@roadrunner.com.
Craig A. Marvinney
Firm: Walter | Haverfield
Title: Partner
CMBA Join Date: 1986
College: Case Western Reserve University
Law School: Case Western Reserve University School of Law

WHY DO YOU LOVE CLE?
Cleveland is big enough to be a “Big City,” yet small enough to get around easily. Its varied ethnic heritage provides wonderful festivals and restaurants that could keep one occupied all year round! Big league in sports, and with great medical and innovative university resources and our Cleveland Orchestra, we are big league on a world stage. The Lake and its “Effect” provides variety in seasons, yet tempers them so we don’t have the brutal winters or the awfully hot summers of the plains. We have some of the finest outdoors activities — with one of the best bike/hike trail networks in the USA, Blossom in the Summers, and sailing on the Lake. We are within a half-day’s drive to decent ski resorts and many other places. With our renowned Art Museum, a vibrant legal community, and many places to explore right in our own backyard, including a National Park, I’d rather live here than anywhere else!

Jessica Paine
Company: CMBA
Title: Assistant Director of Community Programs & Information
Start Date: 2006
College: Ohio Wesleyan University
Law School: Cleveland-Marshall College of Law

IF YOU WERE NOT IN YOUR CURRENT PROFESSION, WHAT WOULD YOUR PROFESSION BE?
I love the idea of being whoever picks songs for movies and TV shows. Music is a huge part of my life, and I’m always thinking about what new or unusual songs would set the scene.

TELL US ABOUT YOUR PET(S) IF YOU HAVE ANY.
My husband Adam and I have three dogs, the result of Brady Bunch-ing our household a few years back: a ball of anxiety, a cranky old lady, and an escape artist. They’re absurd, but the sweetest.

CAN YOU PLAY AN INSTRUMENT?
Trumpet/Comet. Once upon a time, I handled the Descant Trumpet Solos in competitive high school marching bands and orchestras. My childhood community, Lake Lucerne out in Chagrin Falls’ Bainbridge, actually had me back for a “reunion” a few years back to reprise my 1960s solo Star Spangled Banner for their legendary 4th of July fun days. But those chops are gone.

MOST EMBARRASSING MOMENT IN COURT?
There are few things that get one’s legal juices going like the flush flow of a jury trial. Once in a jury trial in rural Ohio, while suffering from a growing mid-30s spread from accumulated pizzas and fast food, my first dark blue trial suit proved a little tight. Sure enough, while moving through a demonstration of some fire damage, that one large-fry-too-many resulted in a profoundly loud “RIIIIIP!” as my pants seam split, no, literally popped, from stem to stern with the whites totally flashing the jury. I turned to the judge, apologized, and made a crack to the jury about succeeding in demonstrating the “pop” and hiss of the fire’s origin. They roared, but to this day I don’t know how the court reporter transcribed that ...

ADVICE TO A LAW STUDENT?
One should develop self-sufficiency and cultivate a discipline of creativity by becoming insatiably curious about people and their world. Listen — with one’s eyes AND ears — ask questions, coach kids, and learn from them. Read as much as one can, and never pass on a chance for public speaking. And self-sufficiency? — to first be a good lieutenant before seeking the generalship — and if heading into private practice, learn how to be a good partner and originator of business for your firm. Keep balance (avoid too many pizzas...) and fitness in your life.

WHO HAS INFLUENCED YOU MOST IN LIFE?
My four daughters. They taught me how to see the world beyond my own point-of-view. As I’ve striven to assure their own varied growth, through their questions and lives, my understanding of the world has grown beyond measure. This puts past experience into better perspective, maintains balance in the present and focuses the future on what is truly important.
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PROTECTING IDEAS SINCE 1884
Campaigning for Cleveland!

Inside the CMBA staff, we have a mantra: “It’s all about membership!”

In all that we do—from developing innovative CLEs (check out “Why Lawyers Strike Out” going forward on May 16 at Progressive Field on page 45), hosting annual events (like the always-popular, free member-only Greet the Judges & GCs reception coming up May 25 on page 34) and supporting the incredible work of our sections and committees from lunch-and-learns to major institutes — we keep our members in the forefront of our individual and collective minds. Your likes and dislikes. Your varied interests and views. Your professional needs and your equally important needs for socializing and fun. Our members are the driving force behind everything we do.

A great example of how we endeavor to keep pace with where our members want us to go is reflected in one of our newest CMBA Committees: the Legal Technology Committee.

Just over a year ago, the Ohio Supreme Court made an important but often overlooked addition to the Rules of Professional Conduct. Comment 8 to Rule 1.1 now reads:

To maintain the requisite knowledge and skill, a lawyer should keep abreast of changes in the law and its practice, including the benefits and risks associated with relevant technology, engage in continuing study and education and comply with all continuing legal education requirements to which the lawyer is subject. (Emphasis added).

Partly in response to the revised comment and partly because of their passion for leveraging technology in their day jobs and beyond, a group of 15 CMBA members stepped forward to petition the Board of Trustees in May 2015 to create a first-of-its-kind Legal Technology Committee. The original ringleader and inaugural chair of the committee, is Jennifer M. Hart, an associate with Kohrman Jackson & Krantz LLP who practices general corporate and intellectual property law.

The Committee’s mission is to provide a forum where members can address new developments in technology that impact both the practice of law and law management, including the use of computers, tablets, mobile devices, apps, software packages, and other technology in the daily practice of law and law office management. Their primary focus is to educate attorneys, from newly admitted to the well-established, on how they can get the most out of technology.

Some of what our band of technology aficionados can provide is access to practical skills. For instance, did you know that when you open a document in Microsoft Word that if you press SHIFT + F5 (that means press them at the same time), that you will be taken automatically to the last place you made an edit? A handy shortcut when jumping to the place you left off in a 20-page brief or agreement.

Beyond tips and tricks that will make all of our keyboard-intensive lives easier, the committee can also serve as a resource for those who want to understand best practice guidelines on technology, including things like cloud computing, cyber security and even different software packages. Coming soon will be a series of hands-on CLE offerings for various Microsoft Suite products. They will also be hosting forums for discussing various software platforms. The possibility of a “LegalTech” Cleveland also looms in the not-so-distant future.

While our Legal Technology Committee has not yet become widely known across our membership, it is on the move! Interested in learning more? Jennifer Hart and her colleagues are only a couple of mouse clicks away at CleMetroBar.org. You can also meet them in person at an event we hope our entire membership will attend.

As you have likely heard by now, on Friday, June 3, we will be hosting our Annual Meeting and Inaugural Luncheon at the FirstMerit Convention Center. Richard D. Manoloff of Squire Patton Boggs will be inducted as our 9th Association President. Incoming officers and board members for both the CMBA and the Bar Foundation will be sworn in during the luncheon — including our new Foundation President, Drew T. Parabek of Vorys, Sater, Seymour and Pease LLP. Special tribute will also be given to the new 50-year and 65-year honorary life members, as well as to several individuals from the greater legal community for their contributions to professionalism and public service (see page 23).

In sync with the convention excitement that will be spreading throughout Cleveland in June, will be “Campaigning For Cleveland” at our Annual Meeting this year, celebrating all that is great about our Bar Association, our community, and our county. In that spirit, we are hosting a Membership Expo where attendees can connect with CMBA Section, Committee and Program leaders, as well as Cleveland businesses to learn about opportunities for engagement, volunteering, and business development. Among others, the Legal Technology Committee will be in attendance, eager to share more about their future plans.

Doors to the Expo open at 11 a.m., featuring entertainment by the Rocky River High School Jazz Band — in tribute to President Manoloff! — as well as refreshments and giveaways. Our inaugural luncheon will begin at 11:45 a.m. sharp! Then, at the conclusion of the program, the Expo party will kick into high gear with music provided by Transportation Boulevard, a cash bar, raffles, and additional surprises. We invite you — plus your colleagues and friends, whether CMBA members or not — to come kick off the first Friday of summer in style.

The Campaign for Cleveland is on!

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 rmcmahon@clemetrobar.org.
LRS OVERSIGHT COMMITTEE

Co-Chairs
David B. Gallup
Gallup Law
gallup@galluplaw.com

Lee A. Koosed
Stotter & Koosed
StotterK@aol.com

Staff Liaison
James Smolinski
jsmolinski@clemetrobar.org

Regular Meeting
Lawyer Referral Service (LRS) Oversight Committee meets in-person at the CMBA Conference Center periodically as needed. Most business is conducted via e-mail and phone conferences.

What is your goal?
To continually ensure that CMBA LRS is the best public and member service it can be. The Committee sets LRS policies and procedures and aims to educate the public and profession about CMBA LRS. Our service made over 9,000 referrals and generated $1M+ in legal fees on cases closed last year!

What can members expect?
Committee members have input on current and future LRS operations and programming, contribute to LRS attorney recruitment efforts, and lead by example with respect to LRS rules and regulations.

Upcoming Events
The 2015–2016 LRS Annual Update and CLE will be held Thursday, June 9, 2016 at the CMBA Conference Center. This afternoon hybrid event is a LRS Year-in-Review coupled with a CLE presentation on topics of interest to small firm / solo practitioners, and concludes with a Networking Happy Hour. Attendance is FREE for LRS attorneys and those who apply to join LRS. Contact LRS Manager James M. Smolinski at jsmolinski@clemetrobar.org or (216) 696-3525 x5002 to register.

Recent development to highlight?
The continuing success of the LRS Online Referral Directory. As part of LRS participation, all LRS attorneys are included in the 24/7 Online Referral Directory at CleMetroBar.org/Referrals. For an additional fee, members can upgrade to an Enhanced Profile in the Directory — maximizing public visibility. 15% – 20% of LRS referrals are being made online.

Additionally, through the new-and-improved CleMetroBar.org, LRS attorneys can login, access referral records, maintain case notes, update CMBA on referral status, generate forms, and more!

WOMEN IN LAW SECTION

Chairs
Amelia J. Leonard, Chair
Marshall Dennehey Warner Coleman & Goggin
ajleonard@mdwcg.com

Gabrielle T. Kelly, Vice Chair
Brouse McDowell LPA
gkelly@brouse.com

Staff Liaison
Samantha Pringle
springle@clemetrobar.org

Regular Meeting
Noon on the first Wednesday of every month at the CMBA Conference Center.

What is your goal?
To create a level playing field for women legal professionals by supporting one another and striving to create a work-life balance.

What can members expect?
The WIL section is comprised of women legal professionals from all levels of the profession and a wide variety of practice areas. Members are given a forum to share ideas, successes, triumphs, and failures with other women and receive encouragement, hope, compassion, praise, and support from those who truly have “been there.” We help women succeed in this still male-dominant profession by providing multiple event opportunities throughout the year to network, including our monthly lunch meetings, individualized Food for Thought groups, after-hours networking events, and special events like the Women’s Wellness Retreat and International Women’s Day CLE and celebration. We also provide opportunities for pro bono work and give members an opportunity to share events and information that are important to them.

Upcoming Events
WIL is presenting the 2nd Kentucky Oaks Viewing Party and Fundraiser on Friday, May 6. See page 42.

Recent Events
The first International Women’s Day celebration was held on March 8, featuring CLE program “Women Leading Their Way to New Perspectives, Opportunities, and Heights” followed by the Women Honoring Women awards reception. See page 27.

CERTIFIED GRIEVANCE COMMITTEE

Chairs
Karen E. Rubin, Chair
Thompson Hine
Karen.Rubin@thompsonhine.com

Steven Wasserman, First Vice Chair
Chernett Wasserman, LLC
slw@chernettwasserman.com

Robert J. Vecchio, Second Vice Chair
Vecchio & Vegh
rjvecchio@vecchio-vegh.com

Staff Liaison
Heather Zirke
hzirke@clemetrobar.org

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

What is your goal?
The Committee is authorized under the Ohio Rules for the Government of the Bar to conduct confidential investigations of lawyer and 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.

What can members expect?
Our members are very hard-working, actively conducting investigations and meeting twice each month to consider reports and recommendations. 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.
The CMBA Board of Trustees will review committee requests and finalize appointments. Appointments depend on a number of factors, and there is no guarantee that applicants will be appointed. For more information on individual sections, please visit CleMetroBar.org/Sections_Committees.

Indicate your first, second and/or third choices beside each committee name, then return this page to the CMBA as indicated below.

**GENERAL CMBA OVERSIGHT**

☐ **GOLF OUTING**
Assists in planning, securing sponsorship for, and executing the Golf Outing each June.

☐ **LAWYER REFERRAL SERVICE**
Advises on a range of matters including qualification and experience criteria for LRS attorney participants.

☐ **MEMBERSHIP**
Develops membership recruitment and retention strategies, assists individual sections with membership development plans and serves to review potential member benefit vendor relationships.

**COMMON INTEREST**

☐ **GREEN INITIATIVE**
Promotes efficient energy use and other environmentally responsible practices in the legal profession.

☐ **LGBT & ALLIES**
Provides educational opportunities for those interested in remaining knowledgeable about the patchwork of laws affecting LGBT individuals, enabling attorneys to better serve their clients who are members of Cleveland’s significant LGBT population.

☐ **LEGAL TECHNOLOGY**
Provides a forum to address the developments in technology and its applications in law practice and management.

☐ **COMMITTEE MEMBERSHIP**

2016–17

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☐ **LEGAL TECHNOLOGY**
Provides a forum to address the developments in technology and its applications in law practice and management.

☐ **UNAUTHORIZED PRACTICE OF LAW**
Investigates allegations that persons not admitted to the practice of law may be practicing law.

**PROFESSIONALISM**

☐ **COURT RULES**
Promotes the objectives and activities of the CMBA regarding proposed Court Rules and procedures.

☐ **DIVERSITY & INCLUSION**
Oversees the Association’s diversity initiatives, including the Minority Clerkship Program.

☐ **ETHICS & PROFESSIONALISM**
Responds to inquiries seeking guidance as to the proper ethical conduct of lawyers and judges and engages in activities promoting and improving the professional ethics of lawyers and judges in the community.

☐ **MENTAL HEALTH & WELLNESS**
Promotes mental health and wellness; provides education and resources about treatment and the rights and needs of those with mental illness.

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E-Mail

Fax (216) 696-2413

Mail

Membership Department

Cleveland Metropolitan Bar Association

1375 E. 9th St., Floor 2, Cleveland, Ohio 44114-1785

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APRIL 2016

CLEVELAND METROPOLITAN BAR JOURNAL | 11
2016 Golf Outing Registration

Monday, June 27, 2016 • Registration: 10 a.m. • Tee time: 12 p.m.
Westwood Country Club – 22625 Detroit Road, Rocky River, Ohio 44116

Name ____________________________________________ Company ______________________________

Phone ___________________________________________ Email _______________________________________

☒ Individual Tickets ($200 each) # _______ ☐ Foursome ($800 each) # _______

☐ I need a pairing ☐ I do not need a pairing

Golfers: 1. __________________________________________ 2. __________________________________________

3. __________________________________________ 4. __________________________________________

☒ Lunch-only guests ($25) # _______ ☐ Reception-only guests ($50) # _______

Payment Total: __________

☐ Check enclosed (payable to the CMBA) ☐ Visa ☐ Mastercard ☐ American Express ☐ Discover

Credit Card # __________________________________________________ Exp Date ___________________________

Signature ____________________________________________________________________________________

Register early — limited space available. The event will take place rain or shine.

Complete this form and return to Sarah Charlton, CMBA, 1375 East 9th Street, Floor 2, Cleveland, Ohio 44114-1785
scharlton@clemetrobar.org • fax (216) 696-2413

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.

Sponsorship opportunities available. Call (216) 696-3525 for info.
Section membership is an excellent way to network and meet your colleagues! Many sections offer regular luncheon meetings featuring presentations, host social events throughout the year, and provide exciting volunteer opportunities. For more information on individual sections, please visit CleMetroBar.org/Sections_Committees.

Please select the section(s) you would like to join from the list below.

Section members will be notified by email of all section activities.

Cost is $35 unless otherwise noted. In addition to the Women in Law and Young Lawyers Sections, law students may choose one additional section for free.

### AREAS OF LAW

- **CRIMINAL LAW** ($25)
  Develops programs for those engaged in both prosecution and defense in criminal law practice.

- **ENVIRONMENTAL LAW** ($15 FOR PUBLIC SECTOR ATTORNEYS)
  Sponsors seminars and updates information in the environmental law field.

- **ESTATE PLANNING, PROBATE & TRUST LAW**
  Keeps its members informed about current issues in estate planning, probate and trust law.

- **FAMILY LAW**
  Provides programs and updates for family law and domestic relations practitioners.

- **HEALTH CARE LAW**
  Provides current information to those in the ever-expanding field of health care law.

- **INSURANCE LAW** ($25)
  Supplies current information to those involved in the many facets of insurance law practice.

- **INTELLECTUAL PROPERTY LAW**
  Provides seminars, publications and social opportunities for practitioners of intellectual property law, computer law and related subjects.

- **INTERNATIONAL LAW**
  Updates its members on the constantly changing field of international legal matters, including immigration law.

- **LABOR & EMPLOYMENT LAW** ($25 FOR PUBLIC SECTOR ATTORNEYS)
  Examines federal and state labor law as well as employment law.

- **LITIGATION**
  Updates litigators on current practices and offers advice on handling cases in the courtroom.

- **REAL ESTATE LAW**
  Provides information and updates on real estate and housing law to its members.

- **WORKERS’ COMPENSATION** ($25)
  Supplies information about current developments in the Ohio’s workers’ compensation system.

### COMMON GROUND

- **GOVERNMENT ATTORNEY** ($10)
  Promotes participation of government attorneys in the Association and its activities, and helps government attorneys achieve maximum professional development.

- **SMALL FIRM & SOLO PRACTITIONER** ($10)
  Offers advice about management of small firms and solo practices.

- **WOMEN IN LAW** (FREE FOR LAW STUDENTS)
  Promotes the participation of women in the practice of law and in Bar Association activities.

- **YOUNG LAWYERS** ($25; FREE FOR LAW STUDENTS)
  Dedicated to keeping new lawyers involved in community, social and professional activities.

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Over the past 40 years, a growing body of research in the fields of psychology, neuroscience and economics has identified a framework of cognitive and emotional competencies that have come to be known as emotional intelligence. Also known as “E.I.” or “EQ,” emotional intelligence as a term was first described as “a form of social intelligence that involves the ability to monitor one’s own and others’ feelings and emotions, to discriminate among them, and to use this information to guide one’s thinking and action.” (Salovey and Mayer 1990, quoted at http://eiconsortium.org/reports/what_is_emotional_intelligence.html.) Emotional intelligence has more recently been broadly defined as a person’s ability to manage herself and her relationships with others, so that she can live her intentions. (Lynn AV. The EQ Interview: Finding Employees With High Emotional Intelligence 2008.) Thus, E.I. is different than memory and different than problem-solving, which were some of the first aspects of intelligence to be identified by early psychologists.

See the table for some of the key E.I. competencies in this framework. Together, these competencies make up an intelligence that, when present and developed, consistently predicts superior job performance and job satisfaction. In other words, the E.I. competencies are essential for success in the workplace and in life. All else being equal, among a group of individuals with similar IQs and educations, those individuals with stronger social and emotional abilities are those who will likely be more successful.

Why is E.I. important to us in our work as lawyers? Lawyers pride ourselves on being thick-skinned and analytical. But as Kim Langley of LifeBalance Enterprises explains, “It is deluded to pretend that communication can all be factual without emotions. Everyone has an emotional brain. No one can park the emotional brain in the car while they go to work.” Therefore, all fact-based communication is set in the context of human emotions and the woman who recognizes that fact has taken an important first step toward putting her E.I. to work. Furthermore, voluminous published literature demonstrates a strong connection between high E.I. and great places to work — companies that are both profitable and personable. Studies have found that employees, and particularly managers, who were strong in the E.I. competencies consistently outperformed their peers who were low in E.I. and untrained. These strong-E.I. individuals were also far more likely to stay in their jobs rather than leave the company, either voluntarily or involuntarily. (See http://eiconsortium.org/reports/business_case_for_ei.html.)

As particular examples from the literature, L’Oreal sales staff who were selected on the basis of certain emotional competencies consistently outsold the staff who had been hired using the company’s old model. These new hires sold $93,000 more per year and were 63% less likely to leave the company within one year. Similarly, when the United States Air Force began looking for emotional intelligence when hiring its recruiters, who are its primary HR personnel, those new recruiters high in E.I. were three times more successful, saving $3 million annually in staff turnover. When new division presidents in a large beverage firm were hired on the basis of their E.I., only 6% left their jobs within two years, compared to the previous figure of 50% attrition among division presidents within two years. Finally, research has even found a wider effect of E.I. training on a team. American Express financial advisors whose managers had completed E.I. training were able to grow their businesses in a year by 18.1%, compared to only 16.3% business growth for advisors whose managers had not been trained in E.I. (Full citations for the above available at id.)

Thus, attention to emotional competencies brings more than just individual contentment; it can truly help an entire company thrive and grow.
Development of one’s E.I. can aid the successful navigation of working relationships, which is critically important for each of us. Among other things, E.I. helps us in handling difficult conversations at work. When you face an emotionally challenging situation, such as a decision that affects you, or when you need to make or respond to criticism, the competency of social awareness — seeing and respecting the emotions involved in a situation — can help you handle the situation productively. Furthermore, it takes competency in discipline and self-management to keep yourself from becoming angry in response to criticism, especially heated criticism. (Dillon K. The HBR Guide to Office Politics.) The competency of courage, the ability to manage fear, can help you stay calm when you march into court with only a good-faith argument for the extension of existing law. A service orientation, the desire to help others, is enormously valuable in guiding you to identify and attack your client’s problem. The lawyer who is adept at anticipating, recognizing, and meeting clients’ needs will find herself with lasting and likely lucrative client relationships. Emotional intelligence thus can make you a more productive member of your organization, equipped to acknowledge your emotional response to your work and move toward solutions, rather than getting derailed by emotional, intrusive thoughts.

How can you identify and improve your emotional intelligence?
A number of assessments to measure E.I. are available online, and links to many of the tests best supported by empirical research can be found at www.eiconsortium.org. Because the tests were prepared through extensive research and development, many are available for a fee and may even be limited to use by accredited administrators who will provide accurate, comprehensive feedback to participants. However, some tests and analysis of their results are available free of charge as part of ongoing research.

Although the key E.I. competencies are described as skills, E.I. is not just social skills. It is more than common courtesy and studying etiquette, important as they may be. Because E.I. is an intelligence, some people have to work harder on it than others. Some people are born with more E.I. than others, but everybody can improve it. Personal or group coaching is widely available, along with written training guides. As immediate advice, Langley offers, “Find someone who is both successful and emotionally intelligent and watch them like a hawk.” Observe the facial expressions and non-verbal communications of your colleagues. Become attuned to others’ feelings and ask if you’re right about them. Choose good personal, face-to-face communication instead of email where possible. The eyes are the windows to the soul. Emoticons are not. Finally, be encouraged: E.I. improves on average over every decade of a person’s life.

*This article originally appeared in Sharing Success, the newsletter of the DRI Women in the Law Committee, Volume 5 Issue 1.

Nicole Braden Lewis of Tucker Ellis LLP defends companies across the country and locally as both national and local counsel. In asbestos litigation, she represents product manufacturers and premises owners who have been in business since the days when asbestos was widely used, and now find themselves defendants in lawsuits. In this and her other areas of practice, Nicole communicates closely with clients to develop a case strategy at the outset of a matter, through trial if necessary, and to help avoid further litigation in the future. She has been a CMBA member since 2001. She can be reached at (216) 696-3882 or nicole.lewis@tuckerellis.com.
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It Could Happen To You
Age Discrimination Against Older Women

BY ELIZABETH (BETSY) RADER

Age discrimination is real and invidious, particularly for women. I see this discrimination regularly in my employment law practice. Our firm’s phone rings daily with calls from men and women over 50 who have been abruptly terminated from long-term jobs, despite good performance reviews. But while men may find other, albeit lower-paid, jobs, women typically experience extended or permanent unemployment despite desperate job searches.

A major study published in October 2015 demonstrates that my anecdotal observations about older women are grounded in hard facts. This research found age discrimination generally against older workers, but found the evidence to be most "unambiguous" and "robust" in regard to discrimination against older women. The study was based upon callback rates from over 40,000 job applications in various occupations. For instance, it found that, in the profession of administrative work most dominated by women, the callback rate was a startling 29% lower for middle-aged women (ages 49–51), and 47% lower for older female applicants (ages 64–66) than for younger women. (Is it Harder for Older Workers to Find Jobs? New and Improved Evidence from a Field Experiment, Working Paper 21669, National Bureau of Economic Research, authors David Neumark, Ian Burn, Patrick Button.)

Over 40 years ago, Susan Sontag identified the reasons why age discrimination impacts women more than men. Sadly, not much seems to have changed since then, and no one has come up with a better explanation for the bias against older women. First, Sontag noted society’s emphasis on women’s appearances. "Being physically attractive counts much more in a woman’s life than in a man’s, but beauty, identified, as it is for women, with youthfulness, does not stand up well to age." Second, Sontag described the qualities most valued in women. "Femininity is identified with incompetence, helplessness, passivity, non-competitiveness, being nice. Age does not improve those qualities." (The Double Standard of Aging, The Saturday Review, September 23, 1972.) From ancient times, women have been sorted into three categories: the maiden, the mother and the crone. Unfortunately, the discrimination statistics demonstrate that once a woman passes the age when she can bear children, she is even in modern times viewed as a crone — not an appealing image to an employer.

Sontag’s explanation may help to describe what happens to women in the legal profession. Almost half of law students are female and they enter private practice as associates at nearly those same percentages, around 45%. The numbers have been similar to this for many years. Yet only 20% of law firm partners (and only 17% of equity partners) are female. At the 200 largest law firms, only three managing partners are women. (A Current Glance at Women in the Law, American Bar Association, July 2014.)

Why are female lawyers apparently more successful in their early years? Perhaps it is because a recent law school graduate is likely young, eager-to-please, submissive to the partners’ authority, poised to take the notes and run the errands. This is consistent with the traditional female stereotype, and if the woman is also smart and hard-working, then she may well be successful as an associate.

Furthermore, as female lawyers get older, the emphasis on generating business becomes greater, especially to be considered for equity partnership. Here, women face serious obstacles.
The “old boys’ club” still exists almost literally. Although the numbers have improved in recent years, women still hold only 16% of board seats in the S&P 1500, and only 21% of the top legal positions in Fortune 500 companies. The basketball and golf outings, cigar bars, alumni connections from private boys’ schools, the hero worship of men who played certain college or professional sports — these all create hurdles for women attempting to be rainmakers.

And, of course, as women age, they often must make choices about having children and taking time away from work to care for them. They do not have the option to wait until they are well into their 40s and well-established before having small children. Men are still far more likely to have a spouse who is the primary care-taker, enabling them to keep up a demanding work schedule. Women may choose to work part-time, flex-time, telecommute, take time off, or move into a less demanding specialty or a non-equity track. These choices often impact women’s career standings, and financial footings, as they enter their 40s and 50s.

The heart-wrenching irony for many women is that just as they are ready to ramp up their careers and create a nest egg in their 50s or 60s, they are hit with the cold reality of age discrimination. For women who managed to maintain their career momentum throughout their early years, many anticipated a career trajectory that continued indefinitely, only to find themselves suddenly demoted or terminated long before they had planned to retire. Indeed, many people plan to work past what used to be considered “retirement age.” Fewer people have pensions than in prior generations, and many older workers have not recovered the savings they lost in the Great Recession. The government has increased the age at which full social security benefits vest, and that age may increase even further.

Public policy should encourage people to work as long as they want: continued employment means less dependence on government-funded social programs, greater income and more tax revenues. But the harsh reality is that employees often do not have the choice to work as long as they want or need to work — especially women.

An important finding of the NBER study is that where age discrimination laws are stronger, the evidence of discrimination is weaker. In particular, the study found a correlation between lower discrimination rates and larger damages available under state law. Given the many benefits to allowing people to work as long as they are able, this would support strong age discrimination laws.

Unfortunately, age discrimination laws are generally weaker than other anti-discrimination laws at both the federal and state levels. For instance, in order to obtain the full range of damages in an age discrimination case under Ohio law, the employee needs to file suit within just 180 days. This is an incredibly short statute of limitations, virtually without compare to any other cause of action. Someone reeling from an unexpected termination may not even consult a lawyer within this amount of time. People terminated after long tenures often have no idea that they will never work again or that they will only be offered jobs at half their former pay. When the realization dawns that their lives are ruined, it is often too late to sue.

The Ohio age discrimination laws are particularly confusing. If the employee is attempting to navigate these laws on her own, she may file a charge with the Ohio Civil Rights Commission and unwittingly give away some remedies. To make matters worse for victims of age discrimination, a bill has recently been introduced in the Ohio legislature that would limit non-economic and punitive damages to levels well below those available for other types of torts in Ohio.

At the federal level, the judiciary’s interpretation of the Age Discrimination in Employment Act (ADEA) has made it more
difficult to enforce than other anti-discrimination laws. In \textit{Gross v. FBL Financial Services, Inc.}, 557 U.S. 167 (2009), the Supreme Court interpreted the ADEA in a way that complicates proving causation for age cases in comparison with other federal civil rights statutes.

Age discrimination against older women is also more difficult to fight because it does not fit cleanly into a traditional age discrimination or sex discrimination analysis, since the company may well treat younger women and older men fairly as compared to older women. It is the intersection of age and gender that leads to the most pernicious discrimination. Fortunately, some courts have recognized “intersectional” discrimination, also sometimes called “age plus sex” discrimination. “The point behind the establishment of the sex-plus discrimination theory is to allow Title VII plaintiffs to survive summary judgment when the defendant employer does not discriminate against all members of the sex.” \textit{Arnett v. Aspin}, 846 F.Supp. 1234, 1239 (E.D. Pa. 1994).

All of us will become old eventually, and so everyone has a very personal stake in ensuring that older workers are protected from illegal discrimination. Unfortunately, most people pay no attention to these types of laws until the day they are told to clean out their desks in 15 minutes. Rights without effective remedies are meaningless, and so the age discrimination laws should provide employees with a reasonable statute of limitations for bringing claims, and damages in amounts that not only make employees whole and pay their attorneys’ fees, but also deter employers from violating the law in the future. Age discrimination should not be permitted to play any role in a decision to demote or terminate an employee. To lose a job in her 50s or 60s is often a tragedy from which a person will never recover — strong, enforceable laws will help to prevent this from happening illegally to women and men.

\textbf{Elizabeth (Betsy) Rader} is Of Counsel with the law firm Thorman Petrov Group, where her practice focuses on the representation of individuals in employment discrimination cases. Her legal practice has included employment law for 30 years. She is the Secretary of the Women in Law Section of the CMBA and is a Fellow of the CMBF. She has been a CMBA member since 2013. She can be reached at (216) 621-3500 or brader@tpgfirm.com.

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Giving Mothers a Fair Chance: The New Frontier for Women’s Rights in the Workplace

BY KATYA S. CRONIN

In America, we tell young girls that they can do anything when they grow up. Due to the tireless efforts of women’s rights advocates, this statement becomes more and more true every day. Yet, there is one more frontier for women’s rights that advocates seldom discuss, even though it has one of the greatest effects on a woman’s life: motherhood. While the reticence is understandable — some advocates see child rearing as the means by which society kept women at home — it is time for that position to change.

The lack of meaningful structural support for new mothers has a dramatic negative effect on women’s careers, children’s health, and our economy’s vitality. With something of such obvious importance at stake, society’s silence on this issue is deafening. It is time for us to look at the problem, consider the solutions, and take action.

One of the greatest obstacles to a young American girl doing anything she wants when she grows up is the lack of basic structural support found in virtually every other country on Earth. As of last year, there were only three nations that provided no monetary benefits to new mothers: Oman, Papua New Guinea, and the United States of America. Since that time, Oman established paid maternity leave. The U.S. has not. We are the most powerful and richest nation in the history of the world, yet we do nothing as a society to help mothers, a group responsible for birthing and raising the next generation of our citizens. This lack of a minimal safety net hurts families, endangers the health of women and children, and drains $500 billion in GDP each year from lost productivity and female workers who are unwilling or unable to return to work. It is bad for the family, bad for business, and bad for America’s competitiveness.

This problem is far from faceless. Consider this everyday scenario. A young lawyer starts a promising career. After a few years, she simultaneously hits two important milestones: her career is about to take off and she is reaching the end of a healthy biological age to have children. This juncture without a basic safety net forces her to make a devil’s choice: does she risk an interruption of her career to have children or play the odds of infertility and other health risks with a later pregnancy? While this scenario may be sadly familiar to female attorneys or women in white-collar positions, it is actually far better than what many women face in America. Consider instead a woman who works a minimum wage job or is her family’s main bread winner. Her only option for dealing with pregnancy complications or spending time with her newborn is to take unpaid leave (and lose her health insurance to boot). But for the average American family that is simply not a realistic option. As a result, this new mother, like millions of others in similar circumstances, will have to hurry back to work with a still-broken body and a broken heart.

The law as it stands does little to nothing to help struggling mothers in America. In 1978, after the Supreme Court held in General Electric v. Gilbert that pregnancy is “a voluntarily undertaken and desired condition” that cannot constitute grounds for a discrimination claim, an outraged Congress passed the Pregnancy Discrimination Act (PDA). That law provides that a company cannot fire a woman due to her pregnancy and must make reasonable accommodations. Yet, courts and companies have routinely interpreted the PDA to allow them to force expectant mothers onto unpaid leave in order to deal with their condition. While the recent Young v. UPS decision offers some help, the
Have access to any paid maternity leave in the U.S., according to the Bureau of Labor Statistics. Most employers who do offer it grant merely four to six weeks of leave. Policies vary widely across industries and pay grades. About 26% of white-collar workers get some sort of paid leave, as compared to only 6% of service workers like waitresses or sales assistants.

I am fortunate enough not to have the problems laid out in this article. My firm is on the cutting edge of maternity leave and childcare assistance in the country — rivaled only by progressive tech employers like Google and Facebook. But the fact that my workplace speaks to the fact that we need a societal change. How do we make that change? One place to start is cultural. While writing this article, I have spoken to many women who are afraid to even take time off to care for their newborns because they believe that their colleagues and supervisors (both men and shockingly also women) will see them as lazy or not pulling their fair share. Employers should see motherhood — an event looked upon with wonder as the necessary perpetuation of the species for millennia — as a blessing to work with, not a burden to malign. Another avenue for change is voicing your support for pending Congressional legislation.

Supreme Court rejected both the Petitioner’s and Government’s position that the PDA grants pregnant women a favored and thus more protected status. That result is troubling. Since the PDAs adoption, the percentage of women who are primary wage earners has gone up from 11% to 40%. And 87% of those employed still work full time in their ninth month of pregnancy, making pregnancy-related job accommodations a key issue for the vast majority of women at some point in their lives.

The legal protections for new mothers in the U.S. are likewise practically nonexistent. The sole piece of federal legislation on the issue — the Family and Medical Leave Act of 1993 (FMLA) — currently provides only for unpaid leave of up to 12 weeks. Moreover, the FMLA only applies to about 60% of U.S. workers. For an employee to be eligible for FMLA benefits, she must have worked for her employer for at least 12 months, clocked in at least 1,250 hours in the past year, and the employer must have at least 50 employees. That means that women who are freelancers, contract workers, entrepreneurs, or work at small businesses are completely on their own.

Private industry has not stepped in to fill this gap. Currently, only 12% of American workers have access to any paid maternity leave in small businesses are completely on their own. Currently, only 12% of American workers have access to any paid maternity leave in the U.S. The FMLA only applies to about 60% of U.S. workers. For an employee to be eligible for FMLA benefits, she must have worked for her employer for at least 12 months, clocked in at least 1,250 hours in the past year, and the employer must have at least 50 employees. That means that women who are freelancers, contract workers, entrepreneurs, or work at small businesses are completely on their own.

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How to Build a Thriving Small Law Firm as a Woman

BY BORBALA BANTO

Startups, big and small, have trended for quite some time now. Industries and companies are being disrupted in ways no one ever thought possible (see Uber, Airbnb, or Amazon). In many industries, professionals are following the trend and striking out on their own, and in the process they challenge the “traditional” methods of business. Law firms are no different, and now more and more lawyers have decided to leave “Big Law” behind and hang out their shingle. Thankfully they’re in luck as more work shifts from large law firms to smaller ones.

As a CPA and business advisor, I have the privilege of working with various law firms across the country, and recently I’ve noticed the increase in woman-owned small law firms. As a female business owner myself, I feel that it is my personal mission to inspire female attorneys to start their own law firm. With the right motivation and guidelines, I believe that every woman can run a thriving law firm, offering the opportunity of an exciting and rewarding legal career.

A small law firm can be considered successful if it serves its owner in three aspects: professional, lifestyle, and financial. From a professional standpoint, you have to love your practice area and be fulfilled by it intellectually. From a lifestyle point of view, it has to offer a balance between work and personal life. To achieve the financial aspect, it has to provide the economic rewards you strive for. If you take any of these three features away, you won’t be able consider your practice successful.

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HOW BIG CAN YOU BUILD IT?

Quite honestly, the sky is the limit because only your lack of dreams, personal goals, and persistence can hold you back. I have the privilege of working with successful female law firm owners who gross seven figures a year and manage a staff of ten, as well as ones who gross multiple six-figure incomes with only a small virtual support team.

WHAT MOTIVATES FEMALE LAWYERS TO START THEIR OWN PRACTICE?

I believe it’s a combination of both economic and social purposes — women want to make money, but they also want to have a positive impact on the world.

Flexibility to balance work and family is key. Even though “Big Law” has tried to make changes to traditionally brutal work schedules, many women desire and require more flexibility. Not necessarily working fewer hours, but building work around their personal schedules instead of the other way around. Many of us find ourselves in that “sandwich generation” where we’re responsible for raising our children and simultaneously caring for aging parents, which means we crave flexibility to achieve a work-life balance that isn’t typically provided by an employer. My favorite example is of a friend who decided to start her own family law practice because she wanted to spend more time with her children in the afternoons. She still works full-time when the kids are in school and after they go to sleep, but she doesn’t have to give up her priorities when it comes to her family, either.

The ability to choose your own cases and the satisfaction of creating a firm you can be proud of.

By being the boss, you get to establish the culture of the firm, which means you choose the type of clients you accept and the type of employees you want to work with. If you are a caring and compassionate person, you don’t have to pretend to be someone different. You can elect to bring your dogs to the office and pick the color of your letterhead. Above all, letting your personality shine through your work can serve your clients better. Creating a business and seeing your vision come to reality is a great feeling, but it is also a great way to make a difference in the world!

Financial rewards and building equity in a business (that can ultimately be sold) should not be overlooked.

Owning and running your own practice can represent a high earning ability compared to being employed by someone else. Women run their businesses differently than men, and that adds positively to the bottom line. Women tend to be fiscally more conservative and emphasize profitability and quality over rapid growth.
Although you most likely did not take a course in law school about how to manage a small law firm, you can learn step-by-step from great mentors and advisers — you simply have to seek them out. Building a firm with the essential business and marketing structures in place builds considerable equity over the years, which can give you a great pay-off if it is ultimately sold to another firm or successor.

**LET'S DO IT! BUT HOW?**

**Don't let your inexperience hold you back.**
So many attorneys have built and run their million dollar firms, and you can do it too! Obstacles into this industry have never been lower. Friends, family and classmates might be tempted to discourage you, but if you don't try, there is zero chance you'll succeed. Next to being a good lawyer, you will learn how to manage staff, how to analyze financial statements, and how to anticipate and prevent cash-flow rollercoasters.

**Plan ahead.**
You already have everything you need to begin the process. Unlike startups in other fields, starting a law firm actually requires very little capital. If you have a cell phone and a laptop, you almost have everything you need to start. Shared collaborative offices replaced the need to sign an expensive lease from the get-go, Dropbox substituted heavy filing cabinets, and VOIP telephone systems and cloud servers made expensive hardware obsolete. Choose a cloud practice management software to make billing and collecting fees a breeze, and use legal and business management apps that can help you run your firm more efficiently. Also, many firms find it very cost effective to use virtual receptionists and assistants.

**Pick a niche and define what differentiates you from other law firms.**
While this may sound scary, it’s critical that you avoid becoming a “whatever comes in the door” law firm. Not only because it’s impossible to be great at everything, but because you’ll never be able to achieve expert status or even to get referrals from other lawyers unless you have a well-defined niche. You might have heard the joke, “What is a difference between a dentist and an orthodontist? The answer is $250,000 a year!” The same message applies in law because your profitability increases if you are an expert in a particular area of law.

**Build your referral network and rainmaking system.**
At least one-third of your time should be spent cultivating relationships and becoming a networking and marketing expert to attract...
new clients. I often hear practitioners say, “I didn’t go to law school to become a salesperson,” but building your own business comes with accepting the fact that you are an entrepreneur selling legal services. Contrary to common belief, there are ways to network and be a rainmaker with ease and elegance. Try what fits your personality best, such as volunteering, joining boards and organizations, blogging on your website, or booking speaking engagements.

**Build your own personal advisory board.**

There is a reason why even champion athletes have coaches; no one becomes a great business-person all on their own. Find attorneys who run their own successful practices and seek them out as mentors, and then take them out to lunch regularly to pick their brains. You’ll notice that they will be delighted to share their wisdom with you.

There are many online and offline resources to help small law firms, such as books, LinkedIn groups, blogs, and podcasts. A great place to start is joining the solo and small law firm section of your bar association. Today, you can hire a practice management coach or an outsourced CFO to help you define your financial and non-financial goals as well as be a sounding board that you can rely for objective feedback. Not to mention that they will help you achieve your goals faster and with more peace of mind.

If you want an exciting and rewarding legal career that serves your professional, financial, and lifestyle goals, then open and build a successful and thriving law practice. You already know how to be a great attorney; being your own boss will let you make your own decisions and give you the freedom to be a headstrong, opinionated, and compassionate lawyer. Even more importantly, it will give you the liberty to change the way things have always been done by adding new ideas and methods of serving your clients and accommodating their needs like no big law firm ever could.

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**Borbala Banto** is the founder of Concierge CPAs, Inc. and Better Numbers for Lawyers. She is a CPA, trusted business adviser and outsourced CFO to small law firms across the United States. She helps her clients improve their financial performance and get control of their numbers. Borbala interviews successful small law firm owners on the Law Business Podcast. She has been an associate CMBA member since 2001. She can be reached at (216) 333-3413 or borbala@conciergecpas.com.
International Women’s Day
“Women Leading Their Way to New Perspectives, Opportunities & Heights” CLE Program and Women Honoring Women Awards Reception

On March 8, the CMBA’s Women in Law Section celebrated International Women’s Day with a day of leadership, education and personal development. We welcomed the ABA’s Grit Project to Cleveland, led by ABA Facilitator Christina Huszca from Tucker Ellis (Denver). We partnered with 2020 Women on Boards for a dynamic presentation on the importance of board service and developing the necessary skills to serve on a corporate board. Our speakers shared their experience and expertise on topics ranging from mentoring, career negotiations, rainmaking, practice management and more.

We ended the day with the Section’s Women Honoring Women awards, celebrating five women for their accomplishments and commitment to the legal community.

Kristen Cavin, Forest City Enterprises (Rising Star)
Maria Shinn, Shinn Lanter, (Small Firm/Solo)
Ann Porath, The Legal Aid Society of Cleveland (Public Sector)
Kerin Lyn Kaminski, Giffen & Kaminski, LLC (Firm)
Adrienne Stemen, Swagelok Co. (In-House)

Save the Date
Block Wednesday, March 8, 2017 on your calendars for next year’s event!
We Rocked the Foundation!

On Saturday, February 13, the CMBF’s Rock the Foundation 11 at the Music Box Supper Club, broke all our Rock records and was one of the most memorable evenings in the storied history of the CMBF/CMBA.

In honoring two community titans, as Chris Connor received the first Richard W. Pogue Award for Excellence in Community Leadership and Engagement, we continued the evolution of “Rock” beyond being just an event for the legal community. We can be proud that Rock is becoming a major community event in celebration of the great programs funded by the CMBF. And this year, thanks to you, we achieved the largest and broadest spectrum of sponsorship and individual support in our history. By the numbers, we had more than 550 people in attendance, and we raised $210,000 in sponsorships contributed by 55 firms and organizations, including 23 first-time Rock sponsors. In addition, we had nearly $20,000 in individual event ticket sales, $2,500 in raffle tickets sold (and a LeBron James autographed ball) and 400+ valentines were given out! (And, we had a record number of questions concerning what the heck “Rocktail Attire” was supposed to mean.)

Many people worked tirelessly to pull off this great event. The Rock Committee was led by Stephanie Trudeau and Eric Goodman; Ginger Mlakar and John Lebold rocked sponsorships; Pat Krebs, Drew Parobek, Tom Fehrer, Kevin Donahue, Chris Caspary, Mark Avsec and Roseanne Aumiller all did great work on the Rock Committee. And as always the great CMBA staff went the extra mile on Rock. Special kudos go to Becky McMahon, Mary Groth, Krista Munger, Kris Wisnieski, Rita Klein, Jackie Baraona, and all the staff for their extra effort.

Thanks to Transportation Blvd. and The No Name Band, we had nearly six hours of great jazz and rock music and a full dance floor all night. A splendid time was had by all, as the pictures you see here attest. So thank you again for your awesome support of Rock the Foundation. You are having a major positive impact on the fiscal health of the Foundation and, in turn, on our community through the remarkable programs of the CMBA. Rock on!!

CMBF President Hugh McKay grew up in East Cleveland, attended Brown University (BA ’78) and the University of Pennsylvania (JD ’81). He is the former President of the CMBA, founder of The 3Rs program, and is Partner-in-Charge of the Cleveland office of Porter Wright where he practices complex commercial litigation. He has been a CMBA member since 1982. He can be reached at (216) 443-2580 or hmckay@porterwright.com.
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Logo
Always takes you back to the home page

Featured Content Area
Directs you to a page spotlighting what's hot at the CMBA

You can hover over or simply click these five key images or use the navigation at the top.

Four Main Landing Pages
Take you to the pages for Legal Professionals, Public, Students, and Bar Foundation

PROGRAMS & EVENTS

Events & Programs
The home page prominently features what's coming up on the CMBA calendar.

Full Calendar
Click this red button to access the full calendar (in month or list views).

For all calendar events, click here
Log in for easy access to your account information and so the site can recognize you and your membership status for access, pricing and more. Logging in allows you to review and update your personal information, renew dues, donate, register for events and more. Your username and password remain the same, but if you forgot them, you can easily find your account or reset your password online.

In your account, you’ll also find a series of tabs for your account. Your tabs may be different than this example, as they will be updated based on your membership type or select involvement with the Bar Association, such as LRS or a Foundation Fellow.

Check out the current participation tab to find your upcoming registrations, sections and committee involvement details, and open invoices.

Your current participation tab also has section and committee links. This gives you access to the public profiles of other section and committee members, helping you to stay in better touch with one another.

Add a Public Profile

From your account area, you can now create a public profile, including a photo, information about your expertise and experience, links to your social media profiles and more. This profile is then available to others who log into the site and with whom you have CMBA connections. For example, this is the information that section and committee members will see when exploring their connections and engagement in the CMBA or your company’s profile.

Firm Information

From your own account or the public profile of another member, you also can click on the company name to view information about that firm or office. That includes general information about the office — which can be updated if your firm or office is interested — as well as access to public profiles for others at that company.

Want to invite a colleague to join you for an event/activity? You can easily see if they are a current member via this company link and then invite them to join you at the Bar.

The new site is mobile-friendly, making it even easier to access whatever you need from wherever you are!

YOUR ACCOUNT

Found on the top of every page.

New site is mobile-friendly, making it even easier to access whatever you need from wherever you are!
Join other CMBA members, honored members of the judiciary, and in-house counsel from all over Cleveland for a fun networking party.

**Greet the Judges & GCs**

**A MEMBERS-ONLY EVENT**

**Wednesday, May 25th**

Space is limited. For details and to register, contact the CMBA at (216) 696-3525.

Calling All Mock Trial Volunteers!

Cleveland high school students are preparing their best legal arguments for an exciting day of competition with their peers. Coached by volunteer attorneys and law students, teams will take turns representing the prosecution and defense in a criminal appeal, giving them the opportunity to both hone their legal skills and to learn more about important issues facing teens today.

This year’s case focuses on a high school student’s First Amendment rights in a criminal case involving charges of rioting, criminal damage, and resisting arrest during a protest.

Volunteers are needed to judge students’ performances at morning and afternoon trials.

20th Annual Cleveland Mock Trial Competition

Friday, May 6

at the Justice Center

CleMetroBar.org/ClevelandMockTrial

For photos from last year, please visit Facebook.com/CleMetroBarFoundation.
Let the CMBA Conference Center host your next event.

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The Conference Center at the Cleveland Metropolitan Bar Association offers excellent options to meet your needs and save you money for groups of three to 300+.

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Crystal.maluchnik@janiklaw.com
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Human Trafficking Is Here Every Day

BY JUDGE MARILYN B. CASSIDY

Sarah was brutally beaten, her pregnant body overdosed with heroin and left for dead in one of Cleveland’s many abandoned houses. She wore a blue uniform provided by the county jail where she was residing as the result of felony drug possession charges. Her frail frame shook behind the podium and tears fell down her black and blue swollen cheeks as her public defender spoke. In our municipal court she was answering to misdemeanor charges for soliciting and possession of drug paraphernalia.

Human Trafficking Is Here.

Trafficking is not limited to international movement of persons from one place to another. After drug dealing, human trafficking is tied with the illegal arms industry as the second largest criminal industry in the world today, and it is the fastest growing (State of Ohio Human Trafficking Task Force Report 2015, p.18). A drug or firearm can be sold only once. A woman (or man) can be sold as many as 30 times a day. It happens every day.

Human trafficking involves both sex and labor trafficking. Both exist in the state of Ohio. To date, cases seen by the Cleveland Municipal Court concern sex trafficking. Data reported in 2015 reflects numbers significantly higher for sex trafficking than for labor trafficking (State of Ohio Human Trafficking Task Force Report, p. 54).

Where there are hotels, there is sex trafficking. Trafficking is in the Greater Cleveland area from Beachwood to Strongsville, Euclid to Westlake, Bedford to Independence, and including the airport to name a few. The sex trade operates primarily online through fake massage parlors, so-called escort services, or classified advertising websites such as Craigslist or Backpage.com. Women involved in street prostitution may also be trafficked.

Municipal courts are uniquely poised to identify adult victims of human trafficking, to help them escape the clutches of a very dangerous life, and to lead them in rebuilding a new, healthy, and productive life. We are the court that most citizens are likely to experience in their lifetime. Traffic and driver’s license issues, neighborhood disputes, loud noise and disorderly conduct comprise much of our dockets.

Municipal courts also see driving under the influence, assault, domestic violence, petty theft, human trafficking, and soliciting cases. As a means of securing our community, judges and probation officers aim to help the people sentenced improve their quality of life: drunks get sober, drug users get clean, people learn how to manage anger and to develop new habits at home to prevent violence. These are the successes that most people never hear about. The failures are well publicized.

In the Cleveland Municipal Court and nationwide, adult victims of trafficking are often seen as defendants in cases of prostitution, drug paraphernalia and petty theft. They may appear as victims, or defendants in cases of domestic violence.

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Human trafficking is defined by Ohio law as follows:

No person shall knowingly recruit, lure, entice, isolate, harbor, transport, provide, obtain, or maintain … another person knowing that the person will be subjected to involuntary servitude or be compelled to engage in sexual activity …” (Ohio R.C. 2905.32)

Simply stated, trafficking is modern day slavery. Prostitution is called “the oldest profession.” Yet, for as long as the court has seen these cases what progress have we really achieved in preventing or addressing it through multidisciplinary law enforcement and probation services?

In May of 2014, the Cleveland Municipal Court established an Ohio Supreme Court certified specialized docket for human trafficking called FLY (Freedom Lives You). This specialized docket serves as an alternative to the traditional criminal justice model to address the needs of adult victims of human trafficking who are forced, compelled, or coerced to engage in criminal activities that result in their involvement with the city of Cleveland, Ohio’s criminal legal system. A specialized docket must meet specific, detailed criteria set forth by the Ohio Supreme Court. Its purpose is to reduce the rate of recidivism by providing access to treatment services, intensive monitoring of offender progress and the application of immediate sanctions and incentives to address noncompliance and compliance of offenders. The program is completely voluntary for offenders.

The program is designed for “high risk, high need” participants. Prospective participants are screened by a competent clinician to determine clinical eligibility. To be clinically eligible an individual must be a “trafficked person.” Vera Foun-
dation, New York, NY. TVIT, Trafficking Victim Identification Tool. To be legally eligible they must be charged with a misdemeanor of the first or second degree. Once accepted into the program, a full biosocial assessment, which includes physical and mental health status as well as social needs, is conducted and a plan determined.

A key component of the specialized docket process is the treatment team. Trauma counselors, mental health providers, alcohol and drug dependency counselors, case managers, and probation officer(s) meet as a group with the judge prior to court proceedings. Law enforcement may be present for the purpose of helping to identify traffickers. The city prosecutor and public defender also attend treatment team meetings. Each participant's progress is discussed in detail. The team develops incentives/sanctions appropriate for the participant's case and objectives for the upcoming time interval. The team remains present during court proceedings to help participants understand their treatment progress (or lack of it).

Research and experience teach us that a large percentage of human trafficking victims are survivors of childhood sexual assault (State of Ohio Human Trafficking Task Force Report 2015, p.18).

Sarah delivered her baby while in custody. The child was placed with responsible family members. Sarah went to residential treatment straight from the jail. She left treatment after eating lunch on the day she arrived. She is missing.

Sarah's long history with local courts suggests that Sarah will be back. If she is lucky, she will be arrested and returned to jail, where once again there will be an attempt to engage her. If less lucky, she will again be the victim of a violent crime and/or a defendant in a serious felony charge. If she is among the least lucky, she will occupy a drawer in the county morgue.

These individuals suffer severe trauma as a result of the initial abuse. The trauma, together with other complicating factors, such as fleeing the residence where the assault occurs, eviction, homelessness, poverty, and mental illness, can lead to vulnerability to predators such as traffickers, who provide shelter, comforts, and promises of a better life. Victims may already be self-medicating with alcohol and illicit drugs.

Once the victim is "lured in," she cannot escape. It is noteworthy that men, women, and transgender individuals can be victimized. Since the large majority of victims are female, the author uses "she." Her continued sex trade activity and further abuse is secured by her indebtedness to the trafficker for the shelter, food, clothing, and drugs. The trafficker may also maintain control through physical confinement, threats, beatings, drug addiction, and/or the fraudulent representation by the trafficker as a boyfriend or fiancé. In some cases, the victim is married to or otherwise related to the trafficker.

Trauma bonding with the perpetrator also impedes a victim's ability to walk away from the problem (State of Ohio Human Trafficking Task Force Report 2015 p.19, citing Clawson, Dutch, Solomon & Goldblatt 2009).

Successful management of trauma victims necessarily includes trauma treatment. Addiction treatment alone is not enough to remedy the depth of damage to these individuals. Intensive trauma counseling, both individual and group, is showing promise with assisting victims to regain a stable life footing.

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Judge Marilyn B. Cassidy is in her 10th year of service on the Cleveland Municipal Court. Inspired by a similar program run by the Hon. Paul Herbert in the Franklin County Court, Judge Cassidy initiated the process to become an Ohio Supreme Court certified specialized docket for human trafficking in 2014. The court was fully certified in June of 2015. Judge Cassidy has been a CMBA member since 1983. She can be reached at (216) 664-4999 or cassidym@cmcoh.org.
2016 Diversity & Inclusion Conference

Walking the Talk Boldly Into the Future

SAVE THE DATE
Friday, May 20
CMBA Conference Center
8:30 a.m. – 12 p.m.

We are thrilled to welcome

Verna Myers

nationally recognized speaker and author as our featured presenter.

Verna Myers is on a personal mission to disrupt the status quo and she knows how to: she’s lived it. Myers rose out of Baltimore’s working class to become a Harvard-trained lawyer, entrepreneur, author and cultural innovator. Her dynamic, laugh-out-loud speeches inspire audiences to go farther — to move beyond leveling the playing field to create a new field altogether — and empower people of all backgrounds to contribute at their highest levels.

Learn more at VernaMyers.com.

The full program agenda and speakers will be announced soon.
2016 Ohio Mock Trial Cuyahoga Competition

Thank you, volunteers and participants!

The CMBA congratulates all participants and volunteer judicial panelists for the successful 33rd Annual Ohio Mock Trial Cuyahoga District and Regional Competitions! On Jan. 29, 49 teams from 19 local high schools presented their best legal arguments in the biggest District Competition statewide, with the help of more than 80 volunteer judicial panelists. Interest in high school mock trial is growing in Northeast Ohio. The number of teams competing required us to coordinate trials in two courthouses on the same day for the first time. For the Regional Competition on Feb. 19, 20 teams from 10 schools went head-to-head for the chance to advance to the State Tournament in Columbus March 10–12.

Each year, volunteer judges and attorneys serve as competition judicial panelists, scoring and critiquing the performances of the region’s top young legal minds as they present their arguments both for the prosecution and defense. Students are judged on their understanding of the case facts and applicable law, the roles of the attorney and witnesses at trial, and courtroom procedures and decorum. The fictional case in 2016 involved a police officer’s defense of the use of deadly force as well as an exploration of Fourth Amendment protection against unreasonable searches and seizures as it applies to the use of force by an officer.

We are pleased to report that a Cuyahoga Regional Qualifier, Orange High School – Team Polaris, was crowned the state champion after competition in Columbus in March. Congratulations to Orange High School for this terrific accomplishment. Congratulations, also, to St. Edward High School – Team Andre, for finishing as a state finalist this year.

This is Ohio’s largest academic competition and Cuyahoga County high school participation was among the highest yet — with the help of volunteers from the legal community in 2016, over 650 students representing 22 high schools in Cuyahoga, Geauga, Lake, and Lorain Counties were provided the opportunity to hone their communication, analytical, and courtroom skills.
Participating Schools
• Beaumont High School
• Brecksville Broadview Heights High School
• Charles F. Brush High School
• Cleveland Early College High School at John Hay
• Cleveland School of Science & Medicine at John Hay
• Cuyahoga Heights High School
• Hathaway Brown High School
• Independence High School
• Lake Ridge Academy
• Maple Heights High School
• Mayfield High School
• Mentor High School
• Notre Dame Cathedral Latin High School
• Open Door Christian Schools
• Orange High School
• Shaker Heights High School
• Shaw High School Leadership Academy
• Solon High School
• St. Edward High School
• Strongsville High School
• University School
• Whitney M. Young Leadership Academy

* Team(s) competed at Regional
^ Team(s) competed at the State Tournament

Our sincere thanks to the judges and magistrates of the Court of Common Pleas, Cleveland Municipal Court, Cuyahoga County Eighth District Court of Appeals, Common Pleas Court, Probate Court, and Domestic Relations Court for allowing us to use their courtrooms for this special event, and to the Justice Center, Lakeside Courthouse, and Law Library staff for their gracious assistance.

The Ohio Mock Trial program is conducted under the auspices of the Ohio Center for Law Related Education (OCLRE). The OCLRE is sponsored by the Supreme Court of Ohio, the Ohio State Bar Association, Attorney General’s Office and ACLU Foundation of Ohio. The Cuyahoga District and Regional Competitions are sponsored by the CMBA, with funding support from the CMBF.

If you are interested in volunteering as a judicial panelist for the Ohio Mock Trial in 2017, or for information about other upcoming mock trial volunteer opportunities, please contact Competition Coordinator Jessica Paine by emailing jpaye@clemetrobar.org or by calling (216) 696-3525 ext. 4462.

For more photos of participating teams and of the volunteers, please visit Facebook.com/CleMetroBarFoundation.
Kentucky Oaks Day
RACE-VIEWING & SOCIAL

WIL is bringing a little southern charm and hospitality to CLE.

Friday, May 6th
4:00 – 7:30 p.m.
CMBA Conference Center
1375 East 9th Street, Floor 2
Cleveland, Ohio 44114

Join the CMBA’s Women in Law for a networking social to watch the race and share southern-style refreshments. Fitting with the theme of the race, hats are optional, but strongly encouraged!

What is the Kentucky Oaks? The Kentucky Oaks® is a horse race for three-year-old Thoroughbred fillies and is staged annually at Churchill Downs® on the day preceding the Kentucky Derby®.

The winner of the Kentucky Oaks is presented with a garland of lilies draped around the filly’s withers. In honor of Oaks official flower, the stargazer lily, and our partnership with Bright Pink, we encourage you to put on your finest pink attire to witness “The Race of the Lilies.”

Our guests will be able to view this two-minute race via a simulcast from Churchill Downs and purchase raffle tickets to cheer their favorite horse and support their charities.

Visit CleMetroBar.org for details.

Proceeds to benefit Bright Pink® and the CMBA Women in Law Section. Bright Pink® is the only national non-profit focused on the prevention and early detection of breast and ovarian cancer in young women, while providing support for high-risk individuals. Their mission is to save women’s lives from breast and ovarian cancer by getting them to live proactively at a young age. Their innovative programs educate, equip and empower the 52 million young women in the U.S. between 18 and 45 years old, who have the power to be proactive; to reduce their risk for these diseases or detect them at early non-life-threatening stages. Join them in being Bright Pink at BrightPink.org.
Board of Professional Conduct Issues New Guidance on Flat Fee Agreements

The terms and parameters of fee agreements have historically raised ethical issues for attorneys, and flat fee agreements are no exception. Under the former Ohio Code of Professional Responsibility, the Board of Professional Conduct for the Ohio Supreme Court addressed some of these issues in Advisory Opinion 96-4. However, with the adoption of the Ohio Rules of Professional Conduct in February 2007, which contain significant changes with respect to the handling of client funds, many questions resurfaced.

In the first advisory opinion addressing flat fee agreements under the Ohio Rules of Professional Conduct, the Board withdrew Opinion 96-4 and issued Advisory Opinion 2016-1, entitled "Flat Fee Agreements Paid in Advance of Representation," on February 12, 2016.

There are two major differences between Opinions 2016-1 and 96-4. First, the scope of Opinion 2016-1 is much broader, applying to flat fee agreements in all matters, not just criminal cases. Second, Opinion 2016 provides that flat fees paid in advance of representation must be placed in a client trust account, i.e. an IOLTA account, until earned. This is a departure from the Board's guidance under DR 9-102(A), which precluded a lawyer from placing client advances into a client trust account.

The following summarizes the Board's Opinion.

Permissibility of Flat Fee Agreements
Flat fee agreements are generally permissible so long as they comply with Prof. Cond. R. 1.5. Prof. Cond. R. 1.5 provides that a fee must not be "illegal or clearly excessive," and sets forth several non-exclusive factors to be considered in determining the reasonableness of the fee, such as "the time and labor required, the novelty and difficulty of the questions involved, and the skill requisite to perform the legal service properly" and "the fee customarily charged in the locality for similar legal services." Prof. Cond. R. 1.5(a).

Flat fee agreements must also comply with Prof. Cond. R. 1.8(e), which provides that non-indigent clients must remain liable for court costs and expenses of litigation. Additionally, flat fee agreements cannot limit an attorney's duties of competent and diligent representation under Prof. Cond. R. 1.1 and 1.3.

Handling of Flat Fees
Under Prof. Cond. R. 1.15(a) and 1.15(c), an attorney is required to maintain client funds separate from the attorney's property in an IOLTA account, and must similarly place any legal fees and expenses paid in advances by the client into a trust account. Therefore, flat fees must generally be held in an attorney's IOLTA account until earned.

However, flat fees deemed "earned upon receipt," i.e. earned regardless of the amount of future work performed, are considered to be an attorney's property. Such fees cannot be placed into an IOLTA account, and should instead be deposited into an attorney's operating account. Unfortunately, the Board did not address the circumstances under which "earned upon receipt" designations are appropriate and the ethical problems that may arise should the client be entitled to a refund of such fees.

Refund of Flat Fees
Irrespective of any "nonrefundable" or "earned upon receipt" designation, flat fees cannot be deemed nonrefundable. According to Prof. Cond. R. 1.5(d)(3), an attorney is obligated to return any unearned portion of the fee if the attorney does not complete the representation for any reason. Similarly, under Prof. Cond. R. 1.16(e), an attorney that withdraws from representation must "refund promptly any part of a fee paid in advance that has not been earned, except when withdrawal is pursuant to Rule 1.17."

The fact that flat fees must be considered "refundable" does not mean that a client is entitled to a refund. A client may be entitled to a refund in the event that the representation is not completed depending upon the application of the reasonableness factors set forth in Prof. Cond. R. 1.5(a). Comment [6A] to Prof. Cond. R. 1.5.

Practical Considerations
In short, when utilizing a flat fee arrangement, it is important to remember the following:
- Legal fees must be reasonable;
- Legal fees and advances on litigation expenses must be deposited and held in an IOLTA account until earned;
- A designated "earned upon receipt" fee cannot be deposited in an IOLTA account;
- There is no such thing as a nonrefundable flat fee. If any portion of the flat fee is not earned, it must be returned to the client;
- For any fee denominated as "earned upon receipt," a client must be advised in writing it may be entitled to a refund of any unearned portion of the flat fee if the representation is not completed;
- Clients must remain responsible for litigation expenses; and
- Flat fee agreements cannot limit an attorney's duties to provide competent and diligent representation.

Moreover, to support any decision as to whether a refund is warranted or the amount of a refund, it is wise to maintain contemporaneous time records for any flat fee matter and include language in the fee agreement delineating the calculation for determining whether a refund is warranted. See Comments to Prof. Cond. R. 1.5.

Jamie Price is an associate attorney at Walter Haverfield where her practice focuses on civil and commercial litigation and white-collar criminal defense. She also has experience defending lawyers against malpractice claims and in grievance proceedings. Jamie has been a member of the CMBA since 2008. She can be reached at (216) 928-2931 or jprice@walterhaver.com.
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- **Reentry Strategies for Returning Citizens and SB 337**
  - Mike Brickner, Senior Policy Director, ACLU of Cleveland

Lunch Speaker
- Kenneth Surratt, Deputy Director, Housing & Community Development, Cuyahoga County

### Tips, Tricks and Trends in the Small/Solo Practice

**Friday, May 13**

**REGISTRATION** 12:30 p.m.

**SEMINAR** 1 - 4:15 p.m.

**LOCATION** Holiday Inn, 6001 Rockside Road, Independence, Ohio 44131

**CREDITS** 3.00 CLE requested, 1.0 Professional Conduct

**Welcome & Introductions**
- David N. Truman, Truman Law LLC, CMBA Small & Solo Section Vice-Chair

**Effective and Ethical Use of Flat Fees in Your Practice: Review of the Recent Advisory Opinion (0.75 Professional Conduct Credit)**
- Jamie A. Price, Walter | Haverfield LLP

**Rough Waters with Opposing Counsel? The CMBA’s Professional Conciliation Panel is Here to Help (0.25 Professional Conduct)**
- Marvin L. Karp, Ulmer & Berne LLP

**Find Your Source: Increasing Business Through Referrals**
- William Edlin, Spangenberg, Shibley & Liber LLP
- James M. Smolinski, Director, CMBA Lawyer Referral Service

**Scott Heasley, Gallagher Sharp, CMBA VP of Membership, Moderator**

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

**Monday, May 16 at Progressive Field**

**Indians vs. Reds**

**GAME** 2 - 4:45 p.m.

**LOCATION** Progressive Field, Cleveland

**CREDITS** 2.50 hours Professional Conduct requested

**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 mainstays 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 indicate that an attorney who possesses unprivileged information that a judge has violated the Rules of Judicial Conduct shall inform the appropriate authority and that that it is professional misconduct for a lawyer to

**View from the Bench: Procedures, Practices and Pet Peeves**
- Hon. Brian F. Hagan, Rocky River Municipal Court
- Hon. Deborah J. Nicastro, Garfield Heights Municipal Court
- Hon. Brendan J. Sheehan, Cuyahoga County Court of Common Pleas
- Ashley L. Jones, Ashley Jones Law Firm, CMBA Small & Solo Section Chair, Moderator

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**Continuing Legal Education**

7th Annual Fair Housing Seminar

**Fair Housing Case Update and LGBT and Re-Entry Legal Developments**

Presented by the CMBA’s Government Attorney Section, in partnership with the Northeast Ohio Fair Housing Collaborative

**Wednesday, April 27**

**REGISTRATION** 8:30 a.m.

**SEMINAR** 9:00 a.m. - 1:30 p.m.

**CREDITS** 3.00 CLE

**CO-CHAIRS**
- Marilyn Tobocman, Ohio Attorney General’s Office
- Lisa Gold-Scott, City of Shaker Heights General’s Office

**Wednesday, April 27**

**REGISTRATION** 8:30 a.m.

**SEMINAR** 9:00 a.m. – 1:30 p.m.

**CREDITS** 3.00 CLE

**CO-CHAIRS**
- Marilyn Tobocman, Ohio Attorney General’s Office
- Lisa Gold-Scott, City of Shaker Heights General’s Office

**Representing our Most Vulnerable Populations in Housing Cases:**

- **Lessons Learned from the Brown Brothers Case and Beyond**
  - Diane Citrino, Partner, Giffen & Kaminski

- **Evictions and Counterclaims involving Subsidized Tenants**
  - Hazel Remesch, Supervising Attorney, Legal Aid Society of Greater Cleveland

- **Updates from Justice – Local Office Initiatives**
  - Michelle Heyer, Assistant U.S. Attorney, Dept. of Justice

- **Updates from OCRC – Statewide Initiatives**
  - Lori Anthony, Chief, Civil Rights Section, Office of Ohio Attorney General

**Discrimination in Sexual Orientation – the Problem and Enforcement**

- **Report on Housing Discrimination in the LGBT Community**
  - Kris Keniry, Director of Enforcement and Michael Lepley, Senior Research Associate, The Housing Center

- **Administrative Enforcement in Sexual Orientation Cases**
  - Lori Anthony, Chief, Civil Rights Section, Office of Ohio Attorney General
  - Moná Scott, Fair Housing, Administrator, City of Cleveland, Office of Fair Housing and Consumer Affairs

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**Indians vs. Reds**

**GAME** 2 - 4:45 p.m.

**LOCATION** Progressive Field, Cleveland

**CREDITS** 2.50 hours Professional Conduct requested

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- 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 mainstays 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 indicate that an attorney who possesses unprivileged information that a judge has violated the Rules of Judicial Conduct shall inform the appropriate authority and that 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 was a career prosecutor in the Summit County Prosecutor’s Office and argued 20 cases before the Ohio Supreme Court including six death penalty cases. After 30 years of public service, in 2008 he 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. He maintains a website, philipbogdanoff.com, with more information.

Domestic Relations Practice in 2016: Consequences of Poverty and Class and Impact of Obergefell
Presented by the CMBA and Cuyahoga County Domestic Relations Court
Thursday, May 19
CREDITS 6.25 CLE requested with 1.0 hour professional conduct credit
REGISTRATION 8 a.m.
PROGRAM 8:30 a.m. – 4 p.m.
Hidden Rules of Class: Bridges Out of Poverty
Jodi Pharr, J. Pharr Consulting
Juvenile Drug Court and Substance Abuse by Minors (1.0 Professional Conduct)
Hon. Denise N. Rini, Cuyahoga County Juvenile Court

Veterans as Clients: Understanding the Military Experience and Veterans’ Rights
Presented by the CMBA and the Ohio Military/Veterans Legal Assistance Project
Tuesday, May 24
CREDITS 3.00 CLE
REGISTRATION 12:30 p.m.
PROGRAM 1 – 4:15 p.m.
The Military Experience and What to expect in an Attorney/Client Relationship with a Veteran as a Client
David Borell, Anapach, Meeks & Ellenberger, Toledo
Federal Law Regarding the Rights of Deployed and Active Duty Servicemembers
Steve Lynch, U.S. Coast Guard
Overview of the VA Benefits System
Michael Renner, Executive Director, Ohio Military/Veterans Legal Assistance Project

William J. O’Neill Great Lakes Regional Bankruptcy Institute 2016
Bankruptcy Toolbox: Do You Have What You Need?
Wednesday & Thursday, June 1 & 2
CREDITS Up to 14.50 CLE & 16 CPE hours
Wednesday, June 1 – 6.75 CLE
Plus 0.50 optional lunch presentation
Bankruptcy in the U.S. Supreme Court & Stern Update
Hon. Mary Ann Whipple, Judge, U.S. Bankruptcy Court, Northern District of Ohio
John A.E. Pottow, Professor, University of Michigan Law School

Impact of Obergefell on Families
Joan M. Burda, Attorney at Law
Joy B. Savren, Attorney at Law
Hon. Gregory C. Fuss, Magistrate, Cuyahoga County Domestic Relations Court
Hon. Diane M. Palos, Cuyahoga County Domestic Relations Court, Moderator
All programs are held at noon at the CMBA Conference Center, unless otherwise noted.

**April 19**

Estate Planning, Probate & Trust Law

View from the Bench

**April 21**

Family Law Section

Working with Difficult and Emotionally Charged Couples in Divorce

**Commercial Breakout Session: Chapter 11 Exit Strategies (Structured Dismissals and Other Options)**

Sarah L. Fowler, Ice Miller LLP

Scott N. Opincar, McDonald Hopkins LLC

Bradford Sandler, Pachulski Stang Ziehl & Jones LLP

Samuel J. Gerdano, Executive Director, American Bankruptcy Institute

—

**Consumer Breakout Session: Recent Developments in Chapter 13: Cases, Issues and Trends**

Hon. Keith M. Lundin, Judge, U.S. Bankruptcy Court, Middle District of Tennessee

Henry E. Hildebrand, III, Chapter 13 Trustee, Nashville, Tennessee

—

**Commercial Breakout Session: Oil & Gas: A Distressed Industry**

Tom Pratt, Applied Business Strategy LLC

Christopher B. Wick, Hahn Loeser & Parks LLP

Richard A. Zytkowski, Managing Director, LMM Capital

—

**Commercial Breakout Session: Chapter 13 Issues**

Hon. Alan M. Koschik, U.S. Bankruptcy Court, Northern District of Ohio, Moderator

Hon. Robert D. Drain, U.S. Bankruptcy Court, Southern District of New York

Angela M. Allen, Jenner & Block LLP

Heather Lennox, Jones Day

Michael H. Torkin, Sullivan & Cromwell LLP

Sheldon Stein, Attorney at Law

Phyllis A. Ulrich, Carlisle, McNellie, Rini, Kramer & Ulrich Co., LPA

A. Jacob Zurbrugg, Debra Booher & Associates Co., LPA

Mediation: An Effective Settlement Tool

Hon. Jessica E. Price Smith, U.S. Bankruptcy Court, Northern District of Ohio

Richard G. Hardy, Ulmer & Berne LLP

Ronald H. Isroff, Isroff Mediation Services, LLC

IVIRC Reception to Follow

**Thursday, June 2 – 6.75 CLE**

Plus 0.50 optional lunch presentation

The U.S. Consumer Financial Protection Bureau: Looking to 2016 and Beyond

Richard A. Freshwater, Thompson Hine LLP

Kelly Lipinski, McGlinchey Stafford PLLC

Case Law and Rules Update

Hon. Russ Kendig, Chief Judge, U.S. Bankruptcy Court, Northern District of Ohio

**May 11**

Workers’ Compensation Section

Topic TBA

**May 17**

Estate Planning, Probate & Trust Law

Legacy Trusts and Ohio Asset Protection Statute

**May 18**

Labor & Employment Section

Psychology of Collective Bargaining

Hon. Arthur I. Harris, U.S. Bankruptcy Court, Northern District of Ohio

E-Discovery

Karlin Scholz Jenson, BakerHostetler LLP

Scott A. Kane, Squire Patton Boggs (US) LLP

Kevin F. Brady, Redgrave LLP

Timothy M. Opinski, General Counsel of Juvihno Ltd

A Funny Thing Happened on the Way to the RNC (.50 CLE optional)

Joseph D. Roman, Greater Cleveland Partnership

Article 9 Update

Cassandra G. Mott, Thompson & Knight LLP

Kelsey M. Toulouse, Vorys, Sater, Seymour and Pease LLP

James J. White, Robert A. Sullivan Professor of Law Emeritus, University of Michigan

Preference and Fraudulent Transfer Updates (With a Few Unusual Asset Issues Thrown In)

Richard A. Baumgart, Dettelbach, Scherman & Baumgart

Marc B. Merklin, Brouse McDowell

Jeffrey C. Toole, Buckley King

Taxes & Bankruptcy: We’re From the Government & Here To Help (You Not Mess This Up!)

Anita A. Gill, Internal Revenue Service, Office of Chief Counsel

Trish D. Lazich, Ohio Attorney General’s Office

Bankruptcy Fraud

Suzana K. Koch, U.S. Attorney’s Office, Moderator

John Aske, Special Agent, Federal Bureau of Investigation

Adam Hollingsworth, U.S. Attorney’s Office

Lenore Kleinman, U.S. Trustee’s Office

Robert J. Patton, U.S. Attorney’s Office

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Unexpected Lessons from My Daughters: How Being a Mother Is Making Me a Better Lawyer

BY CLARE C. MORAN

It is three o’clock in the morning and I am sitting in the dark trying to coax my youngest daughter to fall asleep. She was a great sleeper for the first seven months of her life, but for reasons unknown to my sleep-deprived brain, she has recently decided she would rather play all night than sleep. Sitting with my daughter in the dark night after night (having the TV on will only wake her up more, or worse, will wake up our three-year-old), my mind often wanders to the many responsibilities that fill my daily life. I think about the dishwasher I forgot to unload, the laundry that is still in the dryer, and finally to the work, deadlines and clients I will need to attend to the next day. However, as I think about my work as a lawyer and a mother during these long nights, I cannot help but notice how the lessons I am learning from raising my two young daughters are also helping me to become a better lawyer.

First, my life has become all about preparation: meals, diaper bags, and the gargantuan efforts that go into packing for what can now only be loosely described as a “vacation.” Before children, my husband and I would decide to take a trip, each pack a bag and leave. No more. The planning that needs to be made before leaving on a trip with two little ones requires me to plot out how everyone’s needs will be met away from the comforts of home. A lot of times I am so busy trying to remember the big things like portable cribs and strollers, I can easily forget the little, but equally important things, like the stuffed animal someone cannot live without. This is not unlike preparing for trial. Sure, you need to prepare your voir dire, your witnesses and your arguments, but you also need to make sure you don’t miss the small things too, which can be just as important. For instance, did you read the judge’s standing orders? Did you make sure your laptop containing all of your exhibits is compatible with the courtroom’s technology? Did you talk to your client about how he should conduct himself in front of the jury? Having kids has helped me to remember not to overlook the small things that can become the big things in life and in law.

Having kids also means I am constantly advocating. If my toddler had her way, she would eat sweets all day and go to bed whenever she wanted. Unfortunately for her, there are bedtimes to be kept and vegetables to be eaten. However, I have learned that her attitude toward accepting that she must do these things all depends on the way I present them. Simply announcing that it is time for her to go to bed will not get the same reaction as telling her we have a special new story to read at bedtime tonight. I often have to be creative so in her mind whatever I am asking her to do sounds like a good idea. As a criminal defense attorney, the facts I am dealt are often difficult and not favorable to my client. There can be innocent victims, prior criminal convictions, gory photographs, and incriminating statements from the client, just to name a few. The challenge I face, and the skill I am constantly working on, is convincing a court or jury of my position despite, or even because of, those facts. Advocating for a court or jury to accept my position when faced with unfavorable facts requires some of the same creativity as selling a three-year-old on eating her vegetables. Eating vegetables may not be something my daughter enjoys, but it is a reality that is not going away. So, when it is time to eat her broccoli, we pretend my daughter is a giant and the pieces of broccoli are little trees in a forest that are trying not to be eaten. Creatively embracing a difficult fact and making that reality more palatable is something I do every day at the dinner table and it provides good practice for applying these skills in the courtroom as well.

I have also learned time and again as a parent that team work is essential to succeeding at this difficult job. From the week she came home from hospital, my husband has been the only person who is able to get our younger daughter to fall asleep at bedtime (for the first three hours of the night anyway). However, my husband has never mastered the art of getting a squirmy baby dressed, which I can do with ease. So we work as a team, jumping in to do the tasks that are easier for one of us and asking for assistance when one of us is struggling. Just like raising children, practicing law is hard work and can sometimes seem overwhelming. As lawyers, our days are spent processing complex information and making difficult and important decisions. Many of us are representing clients who may be experiencing the most traumatic thing that has ever happened to them. I think it is important to remember that an issue we may be struggling with is probably not unique and may benefit from a colleague’s different perspective. Whether it be asking a colleague to proofread your brief, or taking a few minutes of your own time to help talk through trial strategy with a colleague, our clients undoubtedly benefit when we help each other.

Perhaps most importantly, having children is constant reminder to me of the importance of being accountable. As a parent, I am
challenged every day to be mindful of the impact my words and actions have on my children. I think this responsibility is even more significant given that I have two daughters who also may be faced with the decision to balance a career with raising children one day. I hope that through my example they will see that it is possible to do. For now though, the reminder that my little ones are watching what I do and listening to what I say is usually learned the hard way. Just recently at the grocery store, as I pushed my daughter around in a race car shopping cart, she started furiously steering, and shouting, “C’mon man, get out of the way!” I wish I could say that she acquired her “road rage” from my husband, but unfortunately, she was doing a spot on impression of my driving. This incident again reinforced that my kids are constantly looking to me for guidance and it is up to me to make sure that I conduct myself in a way that serves their best interests. Just as with our children, our clients place in us an incredible amount of trust to make sure their best interests are served. Our clients depend on us to keep their confidences, to preserve their assets, to defend their freedom, or even to save their lives. Being ever cognizant of the gravity of these responsibilities is not always easy when
faced with the daily stressors that the practice of law can entail. The challenge as a parent to be ever mindful of how my actions are impacting my children's lives has increased my appreciation of my duties to my clients. It has served as a helpful reminder that everything I say and everything I do in this profession is an opportunity to promote my clients' best interests.

Like parenting, being a lawyer can be difficult and un-glamorous and rob you of much-needed sleep. However, both jobs also challenge me every day to be a better mother, advocate and person. For that privilege (and for coffee which makes this all possible), I am thankful.

Clare Moran was born and raised in Cleveland, Ohio. She is a graduate of John Carroll University and Cleveland-Marshall College of Law. Her law practice with Synenberg, Coletta & Moran, LLC includes criminal defense and civil defense. She has been a CMBA member since 2015. She can be reached at (216) 622-2727 or cmoran@synenberg.com.
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Women in the Profession: Still Room for Advancement

BY MELISSA LAUBENTHAL

The national media reports that millennial women are not concerned with the advancement of women in the workplace, because they perceive that women have arrived. But is the media right? Do the statistics in the legal field back up the belief that women are now fully represented at the highest seats of our profession? Analysis of these questions requires a brief overview of the data gathered over the past 20 years on this topic, both nationally and in Ohio.

In 2011, a Special Committee of the Ohio State Bar Association issued a report on gender fairness in the profession (Ohio Report). The Ohio Report reviewed and revisited a 1993 report by the Ohio Joint Task Force on Gender Fairness. The Ohio Report analyzed publicly available data as well as the results of a statewide survey of 1,000 male and female legal practitioners, in all size firms. The survey reveals that female respondents, by a three-to-one margin, believe it is easier for men to practice law. Even in 2011, some of the personal experiences reported were shocking. One woman revealed, “I had a (male) judge once say when I stood up to do rebuttal argument, ‘Honey, in this court we let the ladies go first and last, just in case they change their minds.’” With the personal stories that were reported, the three-to-one margin is not surprising.

The Ohio Report also demonstrated that lawyers’ perceptions and attitudes relating to gender fairness in the workplace were different as between men and women. While 50% of male respondents said that women can expect to be treated the same as regards pay and compensation at law firms, only 14% of female respondents agreed with that statement. The same percentage of male respondents believed that women have the same opportunity for promotion and advancement as men, with only 11% of female respondents agreeing. An overwhelming percentage of men (73%) believed that if a person is competent, gender difference is less of an issue, while only 44% of women agreed with the same statement.

Moreover, these issues of perception are not limited to Ohio. The Florida Bar, for example, reported that in December 2015 — five years after the Ohio Report — 43% of women said they had experienced gender bias in their careers. One respondent said, “I have left a firm where I was told by the managing partner that I did not have to worry about making money and moving ahead because I would get married one day and will not have to worry about living expenses.”

But are these anecdotal perceptions of women lawyers correct? The Ohio Report unfortunately statistically indicated that in many ways they may be. An article published in the Cleveland Plain Dealer in 1992 revealed that, of 16 large law firms in Cleveland, none had greater than 14% female partners but did have associates of over 40%.

Now, nineteen years later, at the time the Ohio Report was published, 43.1% of female lawyers in Ohio were associates and only 18.5% were partners. Thus, it would appear that simply waiting for associates to move up the ladder is not a solution at the larger firms. The Ohio Report also provided that in 2008, female attorneys only earned some 80.5% of male attorneys’ wages, and revealed “unusually high” numbers in two areas — unmarried female lawyers (23%) and childless female lawyers (37%).

These numbers make clear that the pace of change is unacceptably slow for women in the larger firms. The National Association
of Women Lawyers describes this problem as the “50/15/15 conundrum” — for the past 15 years, 50% of law school graduates were women, yet only 15% of equity partners and chief legal officers were women. In response to this problem, the National Association of Women Lawyers issued its “NAWL Challenge” in 2006. The goal of the NAWL Challenge was to increase the number of female equity partners, female general counsels and female tenured law professors to 30% within 10 years.

Unfortunately, the 50/15/15 conundrum remained with little improvement over the next 10-year span. As of 2015, the NAWL Challenge was only satisfied in one area — tenured law professors, who represent 37.5%. The percentage of female general counsels increased to approximately 23% for Fortune 500 companies. The biggest disparity remained in the law firm context, with only 18% female equity partners — a mere 2% increase from the National Association of Women Lawyers’ 2006 data. In fact, the National Association of Women Lawyers estimated in 2015 that if the pace of progress over the past 10 years continues as it has, women equity partners will not reach 30% until the year 2181. How discouraging.

Thus far, all the measurements have demonstrated little to no movement. So let’s hope the millennials know something we don’t and the statistics don’t support.

One question remains: Has the Cleveland legal community kept pace with this low rate of change or have we done better? Are the perceptions of women lawyers and the data any different than that of the Ohio Report of five years ago? The Cleveland Metropolitan Bar Association has been working to learn the answer to these questions. Over the last several months, our Bar has been gathering information from its members as to the current status of women in our legal community. In June, the CMBA Bar Journal will publish the results of its own comprehensive survey initiative on diversity in the profession, including gender diversity. The CMBA’s survey was launched in two parts. Phase I included surveys to 748 law firms, corporate legal departments, courts and public agencies seeking demographic and programmatic information related to diversity. Phase II of the CMBA project is a survey sent to over 8,500 individual lawyers, judges, paralegals, and other legal professionals seeking information on perception of diversity and inclusion.

This is the most comprehensive information ever collected on the results of our Cleveland diversity efforts and the information collected will serve to provide us all with feedback on where we have been and where we need to go. Ideally, the numbers will show progress and if not progress, will provide us some road map to progress and an ability to measure improvement in the future.

Melissa Laubenthal is an associate at Giffen & Kaminski, LLC. She focuses her practice on immigration law and litigation. She has been a CMBA member since 2005. She can be reached at (216) 621-5161 or mlaubenthal@thinkgk.com.
### April

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<td>18</td>
<td>Litigation Section Lunch &amp; CLE</td>
<td>Labor &amp; Employment Law Conference 2016 – 8:30 a.m.</td>
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<td>(Vorys, Sater, Seymour and Pease LLP Offices)</td>
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<td>PLI – 8:30 a.m.</td>
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**All events are held at the CMBA Conference Center at noon unless otherwise noted. Information is current as of publication date.**
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Experienced Attorney willing to co-counsel cases in Cleveland and all municipal courts – Contact Joe at (216) 363-6050.

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Hahn Loeser & Parks LLP is pleased to announce that E. Sean Medina has been elected to the firm’s partnership. Mr. Medina represents corporations of various size in complex commercial litigation and general litigation matters in state and federal trial and appellate courts.

Tucker Ellis LLP is pleased to announce Ronald Stansbury and Corine Corpora have joined the firm as pivotal members of its Employee Benefits and Executive Compensation and ESOP practices.

Reminger Co., LPA recently elected Brian Nally as shareholder during their annual shareholder meeting.

Weltman, Weinberg & Reis Co., LPA is pleased to announce Scott S. Weltman and Larry Rothenberg have been named 2016 Ohio Super Lawyers. Additionally, David S. Brown, Benjamin Hoen, Jennifer Monty Rieker, and Matthew M. Young have been named 2016 Ohio Rising Stars.

FisherBroyles, LLP is pleased to announce the Suzanne Kleinsmith Saganich has been recognized as Ohio Super Lawyers in 2016 in Real Estate and Business.

For the second year in a row, Thacker Martinsek Founding President and Co-founding Shareholder, Amanda Martinsek, has been rated by her peers as among the Top 25 Women Lawyers in Cleveland by Super Lawyers.

Ulmer & Berne is proud to announce partner Patricia A. Shlonsky has been named a 2016 Client Choice award recipient.

Midwest Real Estate News Magazine has inducted Walter | Haverfield LLP partner Irene MacDougall into the Commercial Real Estate Hall of Fame.

Cuyahoga Job and Family Services’ Office of Child Support Services in collaboration with Cuyahoga County Juvenile Court will help parents get a fresh start and avoid going to jail by offering a child support warrant recall program every Friday from 9 a.m. to 3:30 p.m.

The former Koehler Neal LLC is pleased to announce that the firm has changed its name to Koehler Fitzgerald LLC. The firm has also launched a new website to showcase its areas of practice for both businesses and individuals, and to highlight the experience and expertise of its growing team of lawyers. Please visit www.koehlerlaw for more information.

Carter Strang, a partner at Tucker Ellis LLP, spoke on the “Life & Legacy of Louis Stokes” at the Suburban Temple Kol-Ami Black History Month Celebration. Carter’s speech included personal anecdotes from his December 2015 CMBA Journal article “Remembering Civil Rights Icon Louis Stokes.”

Cleveland mediator Jerry Weiss was a panelist at the ABA Section of Dispute Resolution Annual Spring Conference on the topic of “Legal Mediations are not only about Money: Mediators and Advocates as Problem Solvers” April 6 – 9 in New York, NY.

Kaufman & Company, PLLC welcomes Attorney Chad D. Cooper to the firm. Mr. Cooper has nearly 20 years’ experience in litigation, appeals and alternative dispute resolution.

Weltman, Weinberg & Reis Co., LPA welcomes Attorney David Mullen to its Brooklyn Heights office. Mr. Mullen will practice in general consumer collections and legal matters.

Seasoned trial attorney David J. Fagniili has joined Marshall Dennehey Warner Coleman & Goggin as a shareholder in the firm.
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