



THE

Volume 76 Number 8 September 2016

IOWA LAWYER

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*Big benefits,
small investment*



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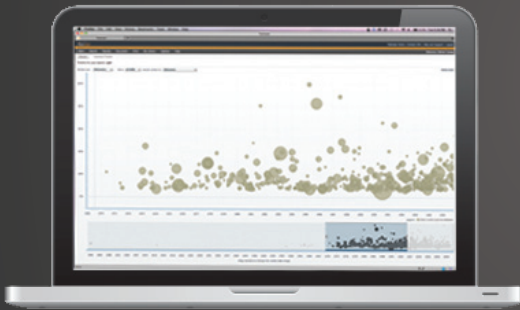
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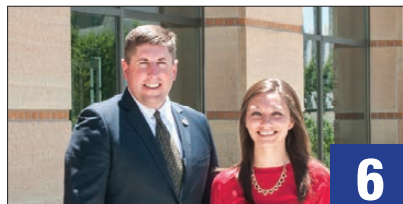
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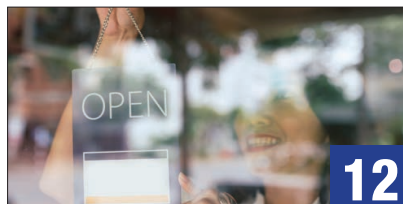
By Scott Hall and Jaime F. Borčić



Student Debt: A battle young attorneys cannot fight alone

Results from a recent YLD survey uncovered some sobering truths about what it's like to practice as a young Iowa attorney in 2016. Based on the overwhelmingly gloomy results, the YLD has formed the Student Debt Task Force to find practical ways for young attorneys to manage their law school debt.

By Leslie Behaunek



Your shingle. Your choice.

The phrase "hanging a shingle" is known in the legal world as opening your own law practice. The thought of hanging a shingle has likely crossed the mind of every attorney, at one time or another. In this article, you will read three different shingle experiences from young lawyers who assumed the risk of being solo and lived to tell about it.

By Hope Wood, Melissa Larson & Andrea McGinn

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Jaime F. Borčić stands with Scott Hall on the stairs outside of the Community Choice Credit Union Conference Center June 14 during the ISBA Annual Meeting. The two attorneys were paired by the ISBA YLD's Mentoring Program and share their perspectives on mentorship on page 6.



Arnold “Skip” Kenyon III

is in-house counsel at the Iowa State Savings Bank in Creston, Iowa, and head of the trust department.

Looking ahead to October: *Pro bono* month

The responsibilities to our clients are important, necessary and rewarding. However, as with any profession, attorneys have a daily checklist and must grind out the necessary hours to meet deadlines, court filings, prepare for client meetings, and stay engaged in our practice. As law school moves farther back in the rear-view mirror, it becomes easier to forget the idealism that inspired us to become lawyers in the first place: the desire to help people solve their problems. Beyond building a successful practice, gaining recognition or winning public office, the ultimate reward

for our work is the sense of accomplishment that comes from helping a client resolve a complex legal issue—even if it means that sometimes we have to pay it forward.

Pro bono assistance can take many forms. Sometimes it is a formal court assignment, such as protecting a child’s interests or preserving family ties in a custody dispute. Other times, we help as an act of civic engagement, working with community leaders to create new non-profit organizations, for example. Perhaps most frequently, it’s as simple as helping a friend with a property line dispute, or navigating elder law with Mom and Dad at the kitchen table.

The way most Iowans hear about attorneys working pro bono is through media outlets based in our largest cities. By definition, these news sources serve a primarily urban and suburban audience, and therefore highlight the people and organizations offering services in metropolitan areas. Des Moines is home to the nationally-renowned Neal and Bea Smith Legal Clinic at Drake University Law School, where future attorneys gain practical experience and develop an appreciation for the rewards of pro bono work.

Less well-known but equally important are the efforts of our colleagues in rural areas whose clients face some unique challenges. Long drives to reach the county courthouse can make filing a small claims suit prohibitively expensive. Restricted courthouse hours, as a result of budget cuts, create additional obstacles. In some areas, internet and cellphone service is patchy or non-existent, making it difficult to

research an issue or find legal representation. More isolated rural communities don’t have access to a law firm or a dedicated Legal Aid office. In circumstances like these, pro bono work is essential to creating and maintaining a sense of community wellbeing and fair conflict resolution.

On a personal level, I have practiced law in the southwestern Iowa town of Creston for 39 years. As in other areas across the state, many Union County attorneys are called upon to assist clients who can pay very little or nothing at all. In these instances, we are not only practicing lawyers, we are community members offering a service that few people in our area can provide.

As part of this year’s ongoing effort to strengthen the bonds of collegiality, I asked several rural attorneys across Iowa to offer their insights on the unique challenges and rewards of pro bono work in small communities. Kate Kohorst, who works in western Iowa’s Harlan area, informally surveyed nearby law firms.

“The majority of our cases present themselves at our doors. Because we know the community fairly well in which we practice, there are often cases we take because the client needs representation, rather than whether the client can pay our retainer,” Kohorst says. “Or, we take cases for far less than the ‘going rate’ because clients want to pay something but simply cannot afford the whole fee.”

Kohorst found that all of the firms in her area receive referrals from the Iowa Legal Aid Volunteer Lawyers Project, while one also gets referrals from Iowa Legal Aid. She notes the VLP is extremely valuable as a point of first contact, pre-screening clients for potential conflicts of interest—a common problem in close-knit small towns.

In the northeast Iowa community of Guttenberg, Gary Mick found some common themes among

some of his fellow lawyers. While they all agreed there is a great need for legal representation among low-income residents, they have chosen to address it in a variety of ways.

“Some refer to the Volunteer Lawyers Project. Many times this is done to let someone else determine the need for pro bono services,” Mick says. “Many are themselves participants in the Volunteer Lawyers Project as service providers. A few are increasingly using limited appearances to assist in drafting and counsel without full representation. A few have attached themselves to an agency (shelter, church, etc.) and offer services to a degree to consumers selected by that agency including conferences, drafting and full representation and follow-up.”

Phil Garland’s law firm in the northern Iowa community of Garner is active in the Volunteer Lawyers Project. “In many of those cases, we follow up with additional assistance and



sometimes end up handling the case ourselves,” he says. In addition to pro bono work, his office also does “low bono,” offering services at a significantly reduced or nominal rate. “One thing we have learned over the years is to have our clients pay something, a filing fee or a cost fee,” Garland says. “When they pay the filing fees or a small fee they are vested, or as we like to say, ‘have skin in the game’ and they are more cooperative in responding to correspondence and accomplishing the mission than if they paid nothing.”

Although many Iowans face geographic challenges when it comes to accessing the justice system, we are very fortunate to have Iowa Legal Aid. This organization provides very effective, dedicated and thoughtful assistance to numerous low-income Iowans through programs such as its Volunteer Lawyers Project. Thanks to robust volunteer support in the legal community, they continue to do remarkable work on a very limited budget.

Recently, the legal community has moved more definitively toward providing low-income Iowans with greater access to the justice system. In June, The Iowa State Bar Association approved the formation of the Access to Justice Commission. The commission’s aim is to increase awareness of this problem, so that it moves beyond the realm of “Good Works,” and enters public debate as one of the key social and civil rights issues of our time.

As with any large-scale problem, creating an environment in which all Iowans have equal access to the justice system will require more than the work of a single commission, or the passage of a single bill. Increasing access to the justice system will be a long process, but one worth undertaking.

In the spirit of Pro Bono Month this October, please take time to acknowledge your own pro bono efforts, and to thank your peers who do the same. If you are looking for the opportunity to offer pro bono services, please visit iowalegalaid.org. Now more than ever, it is important to continue our commitment to define Iowa attorneys as professionals who prioritize our citizens and our communities, who pride their colleagues on their contributions and are inspired by their dedication. As a profession, we have the ability to encourage one another and engage those around us to invest our most valuable resource—our time.

Thank you for allowing me the opportunity to serve.



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Perspectives on mentoring and its importance in today's legal climate

This feature shares success stories of the ISBA's Mentoring Program. Read on to hear of the different perspectives that mentoring has impressed upon participating attorneys. Scott Hall and Jaime F. Borčić were paired by the program in 2015. If their stories inspire you to get involved, email the mentoring program to learn how to get set up as a mentor or mentee. Email mentor-program@iabar.org or visit www.iowabar.org/mentorprogram.

The mentoring profession

By Scott Hall

I never met John McClintock. I never tried a case in front of Judge Harold Vietor. I never had coffee with the Polk County judges in the early morning hours before court service days. I never played racquetball with the legal eagles of central Iowa at the downtown YMCA. But make no mistake, I've gained knowledge and experience from all of these people and events through my mentors.

When I was first hired by Jim Carney and George Appleby as a law clerk my 1L year at Drake, I knew only a handful of attorneys, and I had very little idea what the practice entailed. I had to be taught every aspect of the private practice of law from the ground up. Within a few months of my hiring, I was sitting at counsel table next to Jim during a week-long personal injury trial involving an absentee defendant truck driver, spoliation of evidence issues, and removal and remand to and from federal court. I was learning the practice of law in my clerkship while, at the same time, learning the analysis of law in my law school. Over the course of my final two years in law school, I clerked as much as possible, engaged in the criminal law clinic at Drake, and soaked up as much practical knowledge as I could from the attorneys at Carney Appleby Law, and the Drake professors and clinicians, like Bob Rigg, Gordy Allen and Jim Monroe.

Jim Carney took me under his wing. The first thing he did was escort me over to the Polk County Courthouse where he walked me around the building, each floor, each courtroom and corridor, and he introduced me to every person we met. He knew almost each person by name and was as polite to the judges as he was to the security guards, the clerks and the judicial assistants. He took me to lunches and golf tournaments and hearings and depositions, and he took me to trials. I assisted on big, important jury trials. I helped him pick juries and observe the juries as trial played out. I drafted motions and briefs and learned how to "think like a lawyer." I was taken to administrative rules committee meetings, meetings with legislators, meetings with judges, meetings with state and local bar association leaders. I was introduced to everybody Jim knew and I was constantly learning. "What did we learn today?" Jim would say, as I learned how to recall the knowledge I had gained and put it into words that made sense.

But this was just the beginning. In my third year of law school I was selected to receive the David L. Brown Scholarship, an award chosen by Drake Law School's professors and clinical lawyers. That's when I first got to know David L. Brown. From that moment on, David was teaching me. Our practice areas have always been different, and we do not share the same firm, but David is a lawyer's lawyer, and his wisdom about the practice of law, and life, are unmatched. Whether we are discussing case hypotheticals, ethical dilemmas, or life and its trials and tribulations, David cares enough to listen and offer guidance. Today, I find myself walking to The Savery for breakfast or lunch, not only because of the quick service and fresh food, but also because, chances are, David L. Brown will be there

too, and I know I'll learn something about our profession, its history, and the practice before I head back to my office.

George Appleby has taught me more about honest advocacy and work ethic than he'll ever fully know. Diane Dornburg has taught me about compassion, empathy and caring for clients and my fellow man. Doug Struyk has taught me how to receive every argument and angle to each issue with respect, while maintaining my own position with precision and authority. Each and every ISBA bar officer whom I've called or emailed out of the blue, each section chair, each committee chair, and every judge who has taken the time to instruct me formally and informally when they saw me in need, has made me the good, competent Iowa lawyer I am today.

This was my legal education. This is how I learned to practice law. This is what has been, and continues to be, absolutely vital to my success and fulfillment through the practice of law. This is what has allowed me to help so many clients in so many ways in my first seven-plus years of practice. And, this is why I mentor now as many young lawyers as I can on as many issues as I am able, both inside and outside of my firm. This is why Ian Russell and I travelled to Columbus, Ohio, two years ago to attend the National Legal Mentoring Consortium so we could come back and help build the ISBA YLD Mentoring Program you see today. This is why the YLD Council Members volunteer their time and energy to make this program work, and will continue to do so in perpetuity.

When I was assigned my first mentee by the ISBA YLD Mentoring Program last year, I had no idea what to expect. The mentoring program committee I served on does its best to match up mentors and mentees based upon practice area, geography and other factors noted on the simple application. When I first met Jaime Borcic at the YLD Luau last year, I met a competent and polite young professional with years of real estate experience and knowledge but very little experience navigating the private practice of law. Over the course of 12 months, we met for breakfast, lunch, coffee, when it was convenient for us both, and we helped each other grow as people and professionals. She gave me as much or more than I ever gave her, and in the end we established a friendship and professional relationship that will likely last forever.

There has never been a greater need for this kind of education in our profession. New lawyers are joining our ranks with the largest debt-load ever, in a job market that is difficult, and in an age where going to the courthouse means electronically filing a document and attending a hearing by phone. The practice of law has likely never been more isolating to its practitioners.

It is imperative to our profession that we each take the time, make the effort and extend the hand to young lawyers whenever and however we can.

Ours is the mentoring profession. It always has been and it ever will be, no matter what changes we face now and in the future. This is true because our profession, our trade, will not survive without the mentoring of young lawyers by all of us.



Scott Hall is a partner at Carney Appleby Law in Des Moines, Iowa. His practice focuses on real estate, business, estate planning & probate, civil litigation and personal injury & medical malpractice. He is a Drake University Law School graduate of 2008. Hall is the chair of the ISBA Real Estate Law Section and stays involved with the YLD.

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Law School won't teach you everything

By Jaime F. Borčić

Unfortunately, law school alone will not prepare you for the real world of practicing law. As new attorneys, we need supervisors, colleagues and mentors to help guide us. I have been blessed to have various supervisors, colleagues and mentors throughout my legal career.

It started with Brent Zimmerman, who introduced me to the world of real estate and mortgages. Ever since then, I've been hooked. Next, I credit Zorica Ilic Burch, one of the most successful women in my field. She took me under her wing 10 years ago and taught me the ins and outs of residential mortgage lending and real estate transactions. She has always been very honest with me about being a new attorney and the work that it takes to be successful. She is someone who I highly respect, and I appreciate the time she's taken to help me develop into the attorney I am today.

My first "mentor" was Amy McCurtain, senior company counsel for Wells Fargo. She was introduced to me at a time when I desperately needed guidance and sup-

port. Just a year earlier, I had made what was the biggest decision of my life. I had just left a job that I had dreamed about my whole life and was only four months into. As a new, first-time mother and new associate I was forced to make the decision between putting my family first or my career. Which did I want more? Which was more important?

I had made promises to my bosses that I meant when I said them but couldn't keep when the time was presented. I had worked so hard and cried so many tears to get this job, but I had also made the conscious decision to start a family and bring a child into this world. Ultimately, I decided that I needed to focus on family and put my career to the side. So I took a non-legal position at Wells Fargo. I was open with my boss about my intentions of returning to the legal profession and he knew about my concerns about being able to reenter the field due to taking time off. He recommended talking with a good friend of his, Amy McCurtain.

We hit it off right from the start. I

expressed my deep concern about giving up my dreams and my career to focus on motherhood, and she encouraged me to not give up on those dreams and gave me tips on how to keep myself marketable and educated. She provided me with resources and valuable tools I now use on a daily basis. Although I am no longer at Wells Fargo, Amy and I continue to meet on the first Thursday of every month, and our relationship has grown into a friendship I will always be thankful for.

When I decided I was ready to throw myself back into the legal profession full-time, I was lost on where to start and what my plan would be. I reached out to the ISBA to see if they had any mentorship programs available for new lawyers like myself. To my surprise, they were in the process of creating the ISBA's first mentorship program and sent me the information on how to apply. The ISBA Mentoring Program and Scott Hall specifically have helped me to talk and work through some of my most challenging career situations to date. Scott has

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The credits are available on a statewide first-come, first-served basis, so talk to your clients today about how they can take advantage of this unique opportunity. Or visit www.IowaCommunityFoundations.org for more information on Endow Iowa and to find your local community foundation.



Find your local Community Foundation and learn more about the Endow Iowa Tax Credit Program at www.IowaCommunityFoundations.org.

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encouraged me and motivated me to continue pushing myself and work hard towards my goals. He has allowed me to ask certain questions I've never had the guts to ask and gain perspectives I may not otherwise have ever considered. His dedication to making this program work and leading by example has proven to me that there are people out there in our profession who we can aspire to be like and look up to. Scott's willingness to empower new attorneys, share wisdom and not feel threatened is a trait more lawyers need to add to their skill sets.

The ISBA Mentoring Program is especially helpful in that it provides you with training materials and resources to prepare yourself for your mentorship. Prior to my first meeting with Scott I was able to watch a training webinar and write down questions and problems that I had hoped my mentor would be able to answer and solve with me. The requirements of the program are not strenuous and it allows the relationship to build naturally between the mentor and mentee.

The ISBA Mentoring Program provides each mentee with a packet

of information that not only helps to explain the purpose behind mentorship but also how it is designed to help mentees develop the practical skills and judgment needed to practice in a highly-competent manner. Furthermore, the ISBA Mentoring Program helps to instill the ethical and professional values that characterize excellent lawyers.

What I have learned from the people I consider my mentors is that mentorships are crucial for career progression. I am thankful for the opportunity to be part of the ISBA Mentoring Program and intend to someday mentor a new attorney who is entering the unknown

world of practicing law. There is no better way of showing appreciation to this program than by giving back. May this program be successful to all that participate and ultimately benefit the clients we serve. Cheers!



Jaime F. Borčić is an associate attorney at Wasker, Dorr, Wimmer & Marcouiller, P.C. in West Des Moines, Iowa. Her practice focuses on real estate, landlord/tenant, wills, trusts, probate and estate planning. Borčić is a 2012 graduate of Drake University Law School.



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1031 EXCHANGE

Student debt: A battle young attorneys cannot fight alone

By Leslie Behaunek, YLD Communications Chair

Iowa's legal community is at a crossroad due to the single largest cost of extending legal services to those that require it: a legal education. There is currently a crisis endured by young attorneys in Iowa with a ripple effect that the Iowa legal community cannot afford to ignore. The immediate impact of student debt on young attorneys is devastating, and if the underlying causes are not investigated and remedies implemented, it could have a dire impact on the Iowa legal community and profession long-term.

Impact on Iowa Attorneys

In response to a recent survey of Iowa attorneys in their first 10 years of practice—a survey that elicited responses from almost 500 attorneys—the respondents articulated how student debt is impacting their personal and professional decisions. The tone of the responses can be summed up in one word: desperation.

One attorney stated, “Between student loans, child care and other costs of living, we live paycheck to paycheck. I can’t afford to save for retirement or my kids’ college education. It is terrifying.”

Another responded, “We waited to have our first child, and now we cannot afford daycare for a second child so we cannot afford any more children. Even if we could afford daycare, we cannot afford a second maternity leave.”

Several respondents discussed the mental health and substance abuse problems they have experienced due to their crushing debt. Many responded they had put off getting married, having children, purchas-

ing a home, and saving for retirement.

Others explained that they felt trapped in unsatisfying jobs they took solely to pay off their debt. Too many described their student debt in the hundreds of thousands of dollars that they anticipate being unable to ever pay off given the job opportunities for attorneys in Iowa.

To provide some context, many senior members of the bar likely owed \$5,000-\$10,000 when they started practicing law with a \$20,000-\$30,000 yearly salary. A significant number of young attorneys are leaving law school with \$100,000-\$200,000 in student debt once their undergraduate and law school debt is combined.

Of the young attorneys who responded to the ISBA survey, 87 percent reported having student debt, and 28 percent reported earning a yearly salary of \$40,000-\$60,000, 27 percent reported earning \$60,000-\$80,000, and 37 percent reported earning \$80,000 and above. These numbers reflect current salaries for the respondent attorneys, some of whom have been practicing law for 10 years.

It is true that inflation and cost of living have changed over the years, but the debt-to-income ratio has not changed in a similar manner. Debt has increased at a significantly higher rate than salaries for new attorneys. To compound the problem, student loans provided for graduate and professional studies typically carry a much higher interest rate than the rates to refinance a house or purchase a car.

In order to provide additional illustration of this problem, an examination of a specific debt situation may be helpful.

Depending on the type of federal loan acquired and when it was acquired, the interest rate varies from 5.41 percent to 8.5 percent. These rates are set by Congress and are therefore non-negotiable. The standard loan repayment plans are based on a 10-year or 120-month calculation, which means a loan total of \$150,000 at a conservative 5.5 percent interest rate provides for a \$1,628/month loan payment during those 120 months, with a total of \$195,347 owed in principal and interest over that 10-year period.

For an Iowa attorney earning a salary of \$50,000 out of law school, approximately half of the after-tax salary would have to go toward paying off student loans in order to meet the standard repayment plan. This is why many young attorneys elect to pay under the Income-Based Repayment plan, which adjusts the required monthly payment based on the attorney's tax filing status and household income.

However, for that young attorney starting out with a \$50,000 yearly salary and \$150,000 in student debt, the Income-Based Repayment calculation provides for the attorney paying a graduated monthly payment based on their hopefully-increasing salary for 300 months (25 years), and at the end of that 25-year repayment period, the remaining \$74,492 would be “forgiven” by the government and taxed as if it was income to the attorney at that time. So after paying \$268,844 in principal and interest over a 25-year period, at monthly rates adjusted according to the attorney's household income and tax status, that attorney is then required to pay taxes for the remaining forgiven loan amount.

Attorneys who have gone straight through undergrad and law school studies, entering the practice of law and starting their loan repayment process at 25-years old, spend the most productive years of their practicing life paying for essentially a second mortgage, all while trying to start a family, buy a house, save for retirement, save for their children's education, and build their practice. To add a layer of complexity, many young attorneys are married to spouses who also carry student debt from undergraduate and professional studies.



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Impact on the Iowa Legal Community

Now you may be asking how this financial burden on young attorneys has anything to do with the broader Iowa legal community. The answer is simple. If Iowa attorneys are to take over rural practices, be engaged in their communities, provide pro bono legal services, and actually stay in the practice of law long-term, the Iowa legal community needs to help in finding solutions to this crisis. The future of Iowa's legal profession depends on it.

One survey respondent suggested looking at "retirement incentives to open up jobs, more affordable licensure, bar association and CLE options, and advocacy related to law and policy changes that might lead to quicker and more widespread loan forgiveness options."

If young attorneys could refinance their student loans in the same way they can refinance their mortgages, for example, they may be able to repay their debt faster and avoid paying tens of thousands in interest over the course of the repayment period.

Working Toward a Solution

In response to this crisis, the ISBA Young Lawyers Division has formed a Student Debt Task Force to find concrete solutions to address this problem. The task force has been charged with implementing a comprehensive debt-relief program for young attorneys, in addition to exploring other ways in which this crisis can be alleviated.

If you would like to be part of the solution, please contact Kyle Fry at kfry@american-equity.com, Reed McManigal at RMcManigal@holmesmurphy.com; or Tom Hillers at hilletI@nationwide.com.

This problem is too big for one attorney or even a task force of attorneys to solve on their own. The Iowa legal community as a whole must come together to work toward viable solutions to ensure Iowa has a vibrant legal community that can provide access to justice for all Iowans for decades to come.



Leslie Behaunek is an associate attorney in the Litigation Department at Nyemaster Goode, P.C., in Des Moines. Leslie serves as Communications Chair for the ISBA YLD and has been active on several ISBA and YLD committees since she graduated from Drake University Law School in 2012.

YLD Diversity Committee keeps things moving

In 2013, a group of young lawyers of The Iowa State Bar Association's Young Lawyers Division came together to create the YLD Diversity Committee with the following purpose:

The Committee promotes and advances the full and equal participation of all attorneys regardless of age, race, creed, color, national origin, sex, sexual orientation, gender identity, religion, and disability, in all sectors and at every level of the legal profession and The Iowa State Bar Association. The Committee supports a legal profession that respects and values its members' differences. The Committee's efforts aim at creating a more diverse work environment in the legal profession and a more diverse young lawyer population in the State of Iowa.

With that in mind, the committee is working to broaden the diversity of the Iowa bar, while ensuring that it is serving its constituents by providing educational opportunities for Iowa lawyers to learn about issues involving diversity in the Iowa legal profession.

Law student diversity mentoring program - Varietas

The Law Student Relations Subcommittee successfully launched a law student diversity mentoring program called Varietas in 2014 to assist law students from underrepresented groups, who are often not from Iowa to begin with, build their legal network in Iowa. Varietas connects students from both the University of Iowa College of Law and Drake University Law School with Iowa lawyers. The goal is that Varietas law students consider working in Iowa after law school. The committee also hopes that Iowa lawyers gain an understanding of how future lawyers perceive the Iowa bar, especially on issues related to diversity in the Iowa legal community. The Law Student Relations

Subcommittee is chaired by Maggie White.

Educating our profession

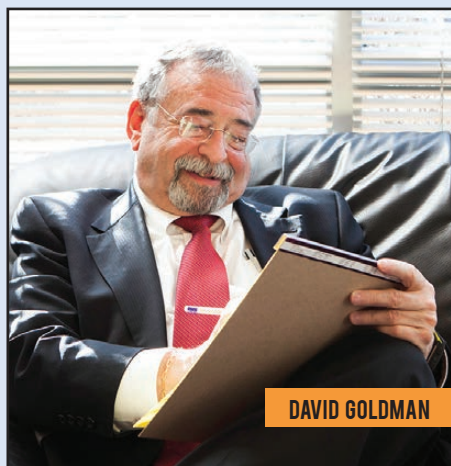
The Education Subcommittee, also formed two years ago, will be spending the year focusing on two major initiatives. First, the subcommittee will continue to find creative ways to present information on the workplace diversity issues facing Iowa's legal profession. Those who attended the 2014 ISBA Annual Meeting and 2015 YLD Summer CLE in Okoboji may remember the committee's CLE, "You're a Lawyer, You Should Know Better..." The CLE was a compilation of anecdotes that the Education Subcommittee members collected from Iowa lawyers and used to illustrate the issues that legal professionals from underrepresented groups face when practicing in Iowa. The subcommittee is also focusing on ways to connect with future law students, especially students from underrepresented groups who are considering attending one of Iowa's two law schools. The Education Subcommittee is chaired by Gina Messamer.

Recruiting

Finally, the committee is recruiting new members who are interested in finding tangible ways to diversify the Iowa bar. Contact YLD Diversity Committee Chair Abhay Nadipuram, at nadipuram.abhay@principal.com, to get involved.



Abhay Nadipuram is an attorney at the Principal Financial Group, primarily supporting Principal's asset management arm, Principal Global Investors, L.L.C. He practices in the areas of derivatives, regulation of investment advisers (U.S. and ex-U.S.), structuring and distribution of private funds and other investment vehicles, and global asset management compliance. Abhay also supports Principal Global Services Pvt. Lmtd., a wholly-owned subsidiary of Principal, in Pune, India.



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Your Shingle. Your Choice.

By Hope Wood, Melissa Larson & Andrea McGinn

The phrase “hanging a shingle” is known in the legal world as opening your own law practice. The thought of hanging a shingle has likely crossed the mind of every attorney, at one time or another.

In this article, you will read three different shingle experiences from young lawyers who assumed the risk of being solo and lived to tell about it. It is frightening to start a practice; not every solo practice survives, but the more you know before you leap, the more likely you will land on your feet. The stories below provide valuable insight into different ways you can hang a shingle.

Shingle under a shingle

By Hope Wood

My shingle

I received my law license in May 2013. When I laid out the plans for my business, I was only familiar with stand-alone solo firms; a lawyer who rented an office space or building for the sole purpose of operating a law practice. It was only by happenstance that I came into my current situation – one that I affectionately refer to as “a shingle under a shingle.”

I hung my shingle within an existing law firm’s shingle. I office share in a downtown two-person law firm, one attorney is a decade-long friend. The situation benefits the firm because I help cover their rent and they help me through mentorship, freelance work and case referrals.

Advice to the newly-licensed attorney

You will make very little money during the first 1-2 years of solo practice. Minimal overhead expenses are paramount to the survival of your shingle. For me, whenever finances were squeezed tight, I looked at my two biggest monthly expenses: rent and parking. The only way to get this number to zero is to work from home. Attorneys are successful with a home shingle, but I knew it wasn’t for me. In

the earliest months of my solo practice, I was able to make rent because the firm provided enough freelance work. I continually come back to the importance of having my shingle within a law firm shingle; it is the best monthly investment for my practice.

Why my shingle experience works for me

Immediate access to other attorneys has been the reason I have been able to make it to my three-year anniversary as a solo practitioner.

It is helpful to be able to take a few steps to talk with another attorney about the stress of the work and get feedback on my case strategies. When I learn a new area of law, an attorney in my office space has experience and is willing to serve as a mentor.



Hope Wood has been in practice for three years. She runs a solo law practice and is a freelance lawyer for other attorneys. Her blog “Problem Solver” is consistent with her job description of “Attorney & Problem Solver.” Learn more at www.hopewoodjd.com. *Photo credit – Republished with permission, McClanahan Studio, L.C., Ames, IA.*

Rural Shingle

By Melissa S. Larson

My shingle

After four years practicing in a small rural firm, I hung my shingle in the same town last January. My firm is a general practice focusing primarily on mediation, family and juvenile law, with a mixture of court-appointed and private clients. I rent offices and a shared reception area in a building with other offices.


Advice to the newly-licensed attorney

An advantage to practicing outside of a major metropolitan area is that your overhead expenses are likely to be less expensive. Look for reasonable rent and keep your overhead as low as possible. Ask yourself if a purchase or expense is truly necessary, or if it can wait.

For a rural practitioner, networking is key. Introduce yourself to other attorneys, clerks of court and judges in your area. Direct introductions can be more difficult now with e-filing, but get to the local courthouses. When I started, I invested in postcards to mail so key people had my contact information. You need to be visible for referrals, but also to find good mentors.

A large initial advertising budget may not be necessary. Virtually all of my private business comes from client word-of-mouth and referrals from other attorneys. I designed a website and blog on Weebly and maintain a firm Facebook and Twitter account.

Do not be afraid of rural Iowa. I am less than an hour from West Des Moines, but



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my practice is booming in ways I do not feel that it would have in the metro. Not many new solos can pay themselves and hire part-time office help within the first five months of being open, but I have been able to do that. The citizens of the rural counties need quality representation, and that is becoming increasingly less accessible to them as generations of rural attorneys retire with no one to replace them. They are looking for people who invest in and believe in their communities. Like The Voice said in A Field of Dreams, "if you build it, they will come."

Why my shingle experience works for me

Choosing which areas of law to practice (or not practice) and which cases to take (or not take) has been a very positive experience. I have been able to expand my mediation practice and take on collaborative family law cases. This has increased my motivation and overall satisfaction with my work.

Freelance Shingle

By Andrea McGinn

My shingle

Hanging your shingle at 25-years old, just out of law school, is not a normal thing to do and has not been the easiest task, but I can honestly say I'm very happy with my decision.

My shingle hangs within Skogerson Law, P.C., in Van Meter, Iowa. Amy Skogerson and I hit it off right away. I proposed to her that I perform freelance/contract work for her firm while still in law school and then once I was licensed, I would hang my own shingle inside her office. We both loved the idea and ran with it. I knew I wouldn't be able to afford rent for a little while, so we agreed I would do some work as an independent contractor for her firm as my "rent" payment for the first few months. The arrangement has benefited both of us in multiple ways from having another colleague in the office, to case referrals, mentorship and financial assistance.

Advice to the newly-licensed attorney

It is possible! If you have the drive to open your own firm, figure out how to make it work. With the help of Amy and my husband, I was able to start my own firm right out of law school. I have over \$100,000 in student loan debt like many of you. The only thing I can say about this is, "Thank goodness for income-based repayment!" Believe it or not, your student loan servicer will work with you and likely has a repayment plan you can fit in your air-tight budget.

If you're worried about meeting rent and expenses in an office

I practice across southern and central Iowa but concentrate on Adair County and surrounding counties. I enjoy spending time outside my office and the fact that I am not relegated to only practicing in one courthouse. Seeing new faces and scenery helps keep things fresh in the "small world" of legal practice.

With the exception of initial court-appointed case scheduling, I have a lot of flexibility in my schedule. Maintaining a good work-life balance is important to me, and it helps to avoid burnout in the long run. A solo-rural-general practice can at times be overwhelming, so some time off is essential.



Melissa S. Larson is a graduate of Drake University Law School and Grand View University. She currently owns a solo general practice in Greenfield, Iowa. She also enjoys spending time with her family, reading, and photography. <http://www.melissal arsonlaw.com>

building, consider getting your name out there for contract/freelance work. Attorneys all over have work they'd rather contract out to someone else; whether it's research, legal writing, or drafting documents; figure out a competitive rate and start putting the word out, and I think you'd be surprised at the amount of work you'll get.

Why my shingle experience works for me

My shingle continues to hang in Van Meter with the support of Skogerson Law, P.C., and my husband. Office sharing, combined with freelance/contract work, has helped make my dream of opening my own firm a reality. As my own practice grows, my time for freelance work has dwindled, but we adjust accordingly. My shingle experience had a learning curve, but Amy and I were committed to making it work. Stop in to McGinn Law, P.L.L.C. and Skogerson Law, P.C. for a chat or some lunch next time you're going by Van Meter!



Andrea McGinn graduated from Drake Law School in May 2015, and hung her shingle in Van Meter after passing the July bar exam. McGinn Law is a general practice, focusing mainly on family law, collaborative law and juvenile law. Andrea is married to her best friend, Nick McGinn, and they live in Pleasant Hill with their two dogs and are due with their first child the month of this publication.

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Choosing a rural practice

These young attorneys see opportunity to work with a seasoned lawyer, practice in a variety of legal areas and build a client base quickly as pluses

By Steve Boeckman, ISBA Communications Dept.

A number of young attorneys are choosing an alternative to starting their own law practices. They are joining rural practices with the expectation that they will take over the practice when the owner, who is often an older solo practitioner, decides to retire.

Carrie Rodriguez, who joined the Garland Law Firm in Garner, Iowa, in the summer of 2015, is an example of one such young attorney. Andrea McGinn, who opened her own solo practice a year ago under the watchful eye and wing of Amy Skogerson in Van Meter, Iowa, is another. Mathew Zinkula, who joined the Booth Law Firm in Osceola midsummer 2015 is a third.

All three young attorneys said the opportunity to live and work in a small town and be a part of the community, as well as the exposure to a wide range of practice areas were reasons they wanted to build their careers in a rural area. They also see plenty of opportunities for young attorneys to establish successful rural practices.

"The people are one of the best parts of a rural practice," McGinn said. "You get to know many people in the town pretty quickly. You are able to get involved in the community in which you work and engage with the citizens."

"I am able to handle my own cases, build my practice, and gain a lot of experience, which is a unique opportunity for a new attorney," Zinkula said. "I have the freedom to build up a practice and am able to use my skills to help people."

The experience they are gaining one year out of law school is important for these young attorneys.

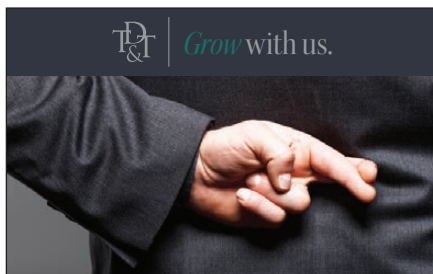
"My practice involves numerous areas of law - family law, probate and estate planning, real estate transactions, personal injury, bankruptcy, and criminal law," Rodriguez explained. "When you work in all these areas, you never get a sense that you are 'experienced' in any of them because you are always working on something new."

"You will learn more than you ever thought possible in a very short amount of time," McGinn added. "Don't be afraid to ask questions and have a mentor to whom you can ask those questions."

All three new attorneys stressed the importance of the mento-



Carrie Rodriguez addresses students at the University of Iowa College of Law during the annual presentation made by the ISBA's Rural Practice Committee to students at Iowa's two law schools, as well as the Creighton University School of Law. Garner attorney and Chair of the Rural Practice Committee, Phil Garland, looks on. Rodriguez joined the Garland Law Firm last summer.



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Andre McGinn (right) reviews information on a case with Amy Skogerson in the conference room of the law office they share in Van Meter, Iowa. McGinn always dreamed of having her own firm after graduating from Drake Law School in 2015. She met Skogerson at a meet and greet event sponsored by the ISBA's Rural Practice Committee in January 2015. The two hit it off and Skogerson invited McGinn to set up her practice in an office-share arrangement. Initially, McGinn did freelance work for Skogerson in exchange for rent.

ring relationship they have with the rural practitioners with whom they work.

Zinkula said that the other attorneys, county attorneys, judges, and other individuals in the legal community where he works are generally friendly, and he has been able to build a solid working relationship with them, which ultimately helps the clients, develop his skills and become a better attorney.

Rodriguez said that working alongside an experienced attorney has been an “invaluable experience.”

McGinn has a slightly different situation in that she has her own solo practice in an office-sharing arrangement with Skogerson. (See a more complete description of her practice on page 13.) She credits the office-sharing arrangement “with a very gracious attorney” for allowing her to realize her dream of having her own practice.

Despite information circulating in legal and other publications that the need for legal work in rural areas is drying up, these young attorneys see plenty of opportunities.

“If a young lawyer is willing to go to one of these small communities, there are plenty of opportunities to be successful,” said Rodriguez. “Many small communities don’t have an attorney, or the attorney that is established in the community is nearing the age of retirement, or has long passed it.”

“Attorneys are definitely needed in rural Iowa,” Zinkula added. “As attorneys become judges, retire, etc., a hole has been left in the market. There is great opportunity for young attorneys in rural Iowa. I have been able to build up a solid practice very quickly.”

McGinn shares the same belief. In fact, she suggests law students, soon-to-be graduates and recent graduates contact rural attorneys in the parts of the state where they might like to live. “I am sure many of them would be open to hearing a proposal from you, whether it be office sharing, an associate position, clerking, etc. Just don’t be afraid to ask,” she said.

Rodriguez recommends that law students contemplating rural practice after graduation work as a summer clerk in a rural practice. That would give them the practical/procedural experience with some of the daily tasks such as drafting petitions, interrogatories, etc., that she wishes she had gotten before joining the practice.

A rural practice “will give you the chance to develop your skills very quickly, to work in numerous different areas of the law, and to practice law in field(s) that you enjoy,” Zinkula added. “There is a real need for attorneys in rural Iowa, which gives young attorneys the chance to build up a large client base quickly, and to gain a lot of experience. There are also a lot of people who are in need of an attorney in rural Iowa, which allows young attorneys to make a difference and to help people immediately upon graduating and passing the bar.”



Matthew Zinkula joined the Booth Law Firm in Osceola, Iowa, last summer.

IN MEMORIAM

Joseph Bertroche Sr., 82, died July 4 in Hiawatha, Iowa.

Bertroche was born in 1934 in Ottumwa, Iowa. He graduated from Drake University Law School and served in the Army both on active duty and in the National Guard. He practiced in Des Moines for 47 years, during which he was appointed by President Reagan to the National Advisory Council for Delinquency Prevention, served on the Iowa Commission on the Status of Women and was a representative of the NAC to the Federal Coordinating Council on Juvenile Justice and Delinquency Prevention.

Ronald W. Kuntz, 79, died July 8 in Des Moines, Iowa.

Kuntz was born in 1937 in Brooklyn, Iowa. He earned his J.D. from Drake University Law School. Kuntz completed more than 300 trials as a prosecutor for the Polk County Attorney’s Office during his career. He also served as an assistant attorney general and senior trial attorney for the Iowa Attorney General. He established the law firm of Kuntz, Laughlin and Horn, was general counsel for Casey’s General Stores and spent time as an instructor at Grand View University, Des Moines Area Community College and the Iowa Law Enforcement Academy.

John Raymond Phillips, 80, died June 17 in Leesburg, Florida.

Phillips was born in 1936 in Iowa City, Iowa. He earned his J.D. from the University of Iowa College of Law. He worked in the Chicago Regional Office of the National Labor Relations Board and spent 25 years as a partner in Des Moines, Iowa, at Rogers, Phillips & Swanger and Nyemaster Goode.

Richard Richards, 63, of Des Moines, Iowa, died June 28.

Richards was born in 1952, in Eldora, Iowa. He received his J.D. from Drake University Law School in 1977. During his 38-year career he worked at the Iowa Attorney General’s Office, the Polk County Prosecutor’s Office and the U.S. Attorney’s office for the Southern District of Iowa.

Virginia Cady Scism, 81, died July 5 in Bentonville, Arkansas.

Scism was born in 1935. She received her J.D. from Drake University Law School in 1985. She served for one year as an assistant dean at Hollins College in Roanoke, Virginia, and was president of Blank Hospital’s Guild. Scism was one of the first women elected to the board of directors of Iowa Methodist Medical Center and served on the boards for the Des Moines Ballet Company and the YMCA Camp.

Harold D. Vietor, 84, died July 23 in Tucson, Arizona.

Vietor was born in 1931 in Parkersburg, Iowa. He joined the Navy during the Korean War, then earned his J.D. from the University of Iowa College of Law in 1958. He served as a law clerk on the United States Court of Appeals for the Eighth Circuit, then practiced in Cedar Rapids, Iowa for six years. In 1965 he was appointed as an Iowa District Judge and served as chief judge of the 6th Judicial District from 1970 to 1979. Vietor was then appointed by President Carter as a Federal District Court Judge for the Southern District of Iowa. He assumed senior status in 1996, but continued handling cases until after celebrating 50 years of service on the bench. He also served as president of the Iowa Judges Association, president of the Eighth Circuit District Judges Association and organizer of the Blackstone Inn of Court.

Members who know of a colleague passing should email the membership department at membership@iowabar.org and include a link to the obituary and/or funeral information. To sign up for the ISBA obituary notification service, log into your iowabar.org account, click on “Manage Profile” and choose the “Edit Bio” option. Scroll down to the option “Obituary Notification,” select “yes,” then save the changes. Once the option is elected, you will receive an email notification anytime a member passes away, the same day the ISBA receives the notification.

Letter from the YLD president – The first step is admitting...

By Reed McManigal, YLD President

The YLD has a problem. Probably not the opening line you were expecting from my first president's letter, but I assure you it is true. Before discussing this problem and the steps the YLD is taking to address it as an organization, I should provide some background for those who don't already know me.

I was born and raised in Mason City, Iowa, and attended the University of Iowa for both college and law school. After graduating in 2010, I was fortunate to have the opportunity to start practicing law with Jim Hayes and Karen Lorenzen in Iowa City, Iowa. It was a blast. I will be forever grateful for the opportunity and the mentorship they provided. After five years with Hayes Lorenzen, I shifted gears and started at Holmes Murphy in West Des Moines. The last 15 months have been a fantastic blur.

Since joining the YLD in 2010, I have had the opportunity to learn from some accomplished YLD past-presidents, including, Laurie Parrish, Ian Russell, Amos Hill, and Joe Goedken. I am equally impressed with YLD President-elect Tom Hillers and Secretary Maggie White. The future of the YLD is bright. I certainly hope I don't break anything during my time as president. During this period of time I have also had the opportunity to work with fantastic young attorneys who are passionate about the YLD. It's not possible to say 'thank you' enough for the work our members do. I would like to specifically thank Cindy Lande for spearheading an effort to involve law students in the YLD, Scott Hall for representing Iowa at ABA events across the nation, Abhay Nadipuram for creating the YLD Diversity Committee, and Leslie Behaunek for doing everything faster and better than I could imagine.

These are just some examples of the work YLD members are doing for the benefit of the entire ISBA. It's truly a team effort.

Let's get back to the YLD's problem. We have a wealth of talented, diverse and driven young attorneys in Iowa, but there are a limited number of hours in a day. The YLD is in constant competition with other organizations, causes and activities for the time and energy of our members. We also compete with raising a family, time with friends, personal hobbies and too many other obligations to mention. As millennials continue to shift the culture of our workplaces and baby boomers transition to retirement, the demands on our organization have grown. The days where attorneys join The Iowa State Bar Association because 'everyone does' are limited. Our members are asking us how we add value to their practice, to their lives and to the issues that are most important to them.

The YLD has recently begun answering that question, first by establishing the YLD Mentoring Program, which is in its second year of existence. We are continuing to identify issues that are most important to young lawyers in order to determine how best to serve current members as well as reach potential members.

Over the summer, we sent an online

survey to our roughly 1,800 YLD members concerning student debt issues. The response was outstanding with almost 500 respondents; we hit a nerve. To provide a comparison, there were fewer votes cast in the last ISBA election despite distribution to a group almost five times the size. After analyzing the results, we created a Student Debt Task Force to address the issue. Turn to page 10 to read a synopsis of the survey results. We have also worked with our membership, the YLD Executive Council and committee chairs, and Harry Shipley at the ISBA to identify other issues affecting our members.

Ultimately, we want to draw the time and talent of members toward our organization. We are exploring a YLD legislative agenda and developing practice forms for young attorneys, and we will continue to produce the Jury Verdict Reporter for the benefit of all ISBA members.

We are also in the middle of a significant member outreach campaign. Each and every YLD member will receive a personalized call this year. We believe it is important that our membership knows we are listening, we care and we are addressing the issues that are most important to them.

Additionally, we are taking President Skip Kenyon's desire to reenergize regional bar associations to heart. The YLD will host a social event in each judicial district this year. Keep your eyes and ears open – all are invited to attend, regardless of YLD membership. Please don't hesitate to reach out to me or your YLD district representative for additional information.

In closing, I want to take this opportunity to thank my wife for her support, sacrifice, and, of course, her unending patience with me.

I look forward to working with many of you in the coming year.

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Reed McManigal McManigal is an account executive at Homes Murphy, an innovative insurance agency based in Des Moines, Iowa. Prior to his current role, McManigal practiced at Hayes Lorenzen Lawyers, P.L.C., in Iowa City, Iowa. He is a 2010 graduate of the University of Iowa College of Law.



Massier

Katharine Massier, Nathan Olson and Teresa Pope joined Branstad Law, P.L.L.C., in Des Moines, Iowa.

Massier received her J.D. from Drake University Law School in 1991. She has spent time as an assistant city attorney for the city of Des Moines and a law clerk for the First Judicial District of Iowa and the Iowa Supreme Court. She will maintain a general practice including family law, appeals and administrative law.



Olson

Olson received his J.D. from New York Law School in 2012 and was previously a district court clerk for Polk County. His practice will focus primarily on appellate, criminal defense and administrative law.



Pope

Pope received her J.D. from the University of Iowa College of Law in 2013 and is an associate of the Blackstone Inn of Court. Her practice will focus primarily on family, criminal and juvenile law.



Coonan

Timothy Coonan joined Davis Brown Law Firm, P.C., in Des Moines, Iowa, as special counsel. Coonan received his J.D. from Drake University Law School. Prior to joining the firm he spent 10 years with the Iowa Association of Electric Cooperatives as Director of

Government Relations. He will represent trade associations, non-profits, municipal entities, and other organizations before the legislative and executive branches at both the state and federal level, governmental agencies, and other administrative entities.



Pendleton

Jean Pendleton and Regan E. Wilson joined Dickinson, Mackaman, Tyler & Hagen, P.C., in Des Moines, Iowa.

Pendleton received her J.D. from Drake University Law School and is a fourth-generation Iowa attorney. Her practice will focus primarily on employment and labor law, family law and business.



Pope

Wilson received her J.D. from Drake University Law School in 2014. She will maintain a family law practice including divorce, termination of parental rights, adoption and paternity and custody actions.



Folkens

Melinda J. Folkens joined Evans, Haigh & Hinton, L.L.P., in Sioux Falls, South Dakota, as an associate. She earned her J.D. from the University of South Dakota School of Law in 2013. Folkens will maintain a practice focused primarily on civil litigation.

Jill Handley retired from her position as Vice President and Deputy General Counsel of Transamerica Life Insurance Company. In June she founded Rapid Rulings, a new type of online dispute resolution service.



Waterman

David C. Waterman joined the United States Attorney's Office for the Middle District of Florida as an Assistant United States Attorney in the appellate division. Waterman received his J.D. from the UCLA School of Law in 2013. He previously served as a law clerk for the

Honorable Michael J. Melloy of the Eighth Circuit Court of Appeals, the Honorable Mark W. Bennett of the United States District Court for the Northern District of Iowa and the Honorable John A. Jarvey of the United States District Court for the Southern District of Iowa.



Wolfram

Cassandra Wolfram joined Lynch Dallas, P.C., in Cedar Rapids, Iowa, as an associate. Wolfram received her J.D. from the University of Iowa College of Law in 2011. Her practice will focus on municipal law, school law, labor and

employment law, workers' compensation, insurance defense and civil litigation.

TRANSITIONS SUBMISSIONS

To submit a transition item, please follow the same style published here and keep submissions short and to the point. The focus of the announcement should be on the individual involved, not the law firm.

Please include a high-resolution (300 dpi) color photo of the individual in the ".jpg" format and the announcement as plain text or as a Microsoft Word ".doc."

E-mail submissions to communications@iowabar.org. Include office phone number and name of person furnishing the copy. Questions? Please call 515-697-7898.

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Creating professionals for a better tomorrow

By Jerry Anderson, Dean, Drake University Law School

When I'm asked to distinguish Drake Law's approach to legal education, I usually say "we create professionals." What I mean is that we do not aim to produce purely legal practitioners, on one end of the spectrum, or purely legal theorists, on the other end. Instead, we want our graduates to be complete professionals -- lawyers who know the law, but also know how to negotiate effectively, how to find their way around a courthouse, and how

to behave ethically and civilly.

To achieve that goal, we hire faculty who are professionals themselves, in every sense of the word. Drake University Law School does not hire or retain those who are merely good scholars -- our faculty also have to be excellent teachers and to have engaged in significant, quality legal practice. We are proud to be lawyers as well as academics.

Each year, every Drake Law faculty member submits a report detailing his or her activity in the areas of teaching, scholarship, and service -- our three "pillars" of academic life. As I reviewed the reports this year, I was struck by how deeply involved our faculty is in public service and how much they contribute to the improvement of the law in Iowa.

A few examples from just this past year include:

Law Improvement:

- Prof. Andrea Charlow: Co-chair of the Spousal Support Guidelines Working Group.
- Prof. Laurie Doré: Reporter to the Iowa task force on expedited civil action rules; member of the working group to re-style the Iowa Rules of Evidence.
- Prof. Jerry Foxhoven: Co-chair of two law improvement task forces and member of a third; also member of at least five other commissions and boards.
- Prof. Brent Pattison: Chair of the Quality Representation Subcommittee of the Iowa Children's Justice Advisory Committee.

Government:

- Prof. James Albert: Chair of the Iowa Ethics and Campaign Disclosure Board (one of the longest serving appointees on any state board).
- Associate Dean John Edwards: Councilmember, Clive City Council
- Prof. Tony Gaughan: Member, Iowa Public Information Board
- Prof. Jonathan Rosenbloom: Commissioner, Des Moines Planning and Zoning Commission
- Prof. Danielle Shelton: Commission Member, Iowa State Bar CLE Commission

There are many other examples. The Iowa Trust Code would not be what it is today without the service of Prof. Martin Begleiter. Iowa's business association statutes would not be what they are today without the work of Prof. Matt Doré and former Dean David Walker.

Most of our faculty speak at CLE seminars regularly. (Prof. Foxhoven spoke at 20 CLEs last year alone!) Last year, Prof. Bob Rigg received the Service Award from the Iowa Association of Criminal Defense Lawyers, and Prof. Chip Lowe received the Pro Bono Service Award from the Iowa Supreme Court.

Moreover, almost every faculty member serves on the board of some nonprofit group, and many serve on several. This record of service has been recognized by the University by awarding six members of the Law School's faculty or staff the Levitt Award for Distinguished Community Service (Neil Hamilton, Russ Lovell, Melissa Weresh, Carole Tillotson, David McCord, and Matt Doré).

My point is this: Drake University Law School faculty are engaged. They are engaged with the bench and bar, they are engaged in public service and they are engaged with the community.

As you may expect, the benefit is mutual -- by engaging in this manner, our faculty continue to develop as professionals. Their service helps them keep abreast of the latest developments and sensitized to the practical impacts of the law in society.

And we hope our faculty's service, along with their scholarship and teaching, provides an example to our students about what it means to be a professional. We want them to realize that a law degree means having the power-- and the responsibility -- to make the world a better place.



Dean Jerry Anderson was named dean of Drake University Law School July 2016. Before joining Drake Law School in 1991, he taught at the Catholic University of America

Columbus Law School and University of Oklahoma Law School. Anderson earned his B.S. in Business Administration at the University of Kansas and his J.D. at Stanford Law School.

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Continuing a tradition of success

By Gail Agrawal, Dean, University of Iowa College of Law

Every August brings a new group of students aspiring to join the ranks of Iowa lawyers. At this time of year, even as Iowa Law's faculty and staff are focusing their attention on welcoming the members of the Class of 2019, we are also reflecting on the progress of the newest lawyers we have had the honor of preparing to enter the legal profession.

As I write this letter, most members of the Class of 2016 are awaiting the results of the bar examination. Surpassing the results of the Class of 2015 would be challenging. They achieved a 98 percent pass rate on the Iowa bar examination, and a national pass rate of slightly over 89 percent. They sat for the bar examination in 24 states, and boasted a 100 percent pass rate in 15 of them. Over 94 percent were employed on the reporting date, 10 months after graduation, placing Iowa Law 20th in the nation for graduates employed in full-time, long-term jobs requiring a J.D. We have similarly high expectations for the class that left us in May.

Like the classes that preceded them, our recent graduates embarked on varied career paths. They are living and working in more than 30 states and four foreign countries, as near as downtown Iowa City and as far as Seoul, South Korea. Nearly half have Iowa addresses, spread out across 36 counties. One calls Hancock County home, thanks to Phil Garland and the ISBA Rural Practice Committee's projects. Others work as assistant attorneys general in Iowa, North Dakota, and Missouri. Private firms welcomed them into many practice areas: tax, probate, real estate and business, immigration, litigation, intellectual property, labor and employment, health and nonprofit, and corporate and securities. They are serving our country in the Coast Guard and Army JAG and our communities as public defenders and county attorneys in Iowa, Colorado, New York, and Arizona. We take seriously the responsibility to enable our students to achieve their professional dreams.

The Class of 2019 will benefit from the Iowa Law network in the years to come, and will soon be seasoned lawyers reaching out to help the next generation. The estimated 143 members of our entering class join us from 29 states and two foreign countries. They hold undergraduate degrees from 90 colleges and universities, and 14 have also earned

graduate degrees. This class, like ones before it, will be diverse, with students of color making up 22 percent of the class. The 1Ls will be joined by six LLM and three SJD students, who began their orientation and studies with the help of our new Director of Global Community Engagement, Jennifer Blair.

This year's entering class will be the first students taught by our new faculty members, Professors Sarah Seo and Mihailis Diamantis, and field placement director and lecturer, June Tai, Esq. They will also be the first class in 54 years not to have the privilege of studying with Professor Arthur Bonfield, and the first in over a decade not to learn trial practice skills under the careful tutelage of Professor John Whiston, both of whom retired last year.

We invite you to stop by this fall and introduce yourself to our new students, faculty, and staff. If you need a reason to come to Iowa City, you could join us for a pre-game cookout before any home Iowa football game, attend a lecture, (Jeffrey Toobin will give the Levitt Lecture on Sept. 15 and Nobel Laureate Kailash Satyarthi will be here on Sept. 20), or see one of the many outstanding performances at the new Hancher. Whatever brings you to campus, we hope you will include a visit to the Boyd Law Building.



Dean Gail Agrawal joined the University of Iowa College of Law in 2010. Prior to that she served as the Dean of Kansas University School of Law from 2006 through 2010. She was a member of the faculty of the University of North Carolina Law School, where she served as Associate Dean for Academic Affairs, Senior Associate Dean, and during the 2005-06 academic year, as Interim Dean. She earned her B.A. from the University of New Orleans, her M.P.H. from Tulane School of Public Health and Tropical Medicine and her J.D. from Tulane Law School.

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Iowa children benefit from Iowa State Bar Foundation donations

If you were to ask your children, nieces or nephews what they wanted to be when they grew up, what would they say? A 2013 survey by Daily Mail ¹ showed “lawyer” ranked #7 out of the top 10 careers that people wanted to be as a child. A LinkedIn survey ² found that about 31 percent of adults are currently working in their childhood dream job; why so low?

As an article by Rasmussen College ³ stated, “The only problem is that kids’ dreams are limited by what they know and understand at a particular moment in time.” A child is more likely going to interact with a doctor or teacher than they would a lawyer. So how do we nourish a curiosity for a career as a lawyer?

In 1983, the dean of the Drake Law School at the time, Richard Calkins, had an idea to create a program that would do just that. He began the Iowa Mock Trial Program, a high school academic competition that helped students learn both about the law and legal processes, and also helped them become better educated citizens.

“[It’s] a tremendous way for young people to develop critical thinking and presentation skills,” said John Wheeler, director of the Center for Law & Civic Education for the ISBA and former high school social studies teacher. “Beyond pencil and paper tests, mock trial participants are able to show what they know in a way that compels them to think more deeply about the elements of law and the trial process.” Wheeler has been with the program since 1988, and moved to the ISBA Center for Law & Civic Education when the program was started at the ISBA.

The Iowa Mock Trial Program is now in its 34th year, thanks to the steady donations to the Iowa State Bar Foundation who primarily funds the program. Even though it is part of a national program, Iowa’s program remains one of the largest and is one of very few who offer the experience to middle school. The middle school competition began only two years after the high school program began.



Lauren Woltz from Marion Home School gives her opening statement.

“Iowa is also one of the founders of the National High School Mock Trial Championship and has been a participant in that program for all 33 years,” noted Wheeler.

Since its start, the program has given tens of thousands of students the opportunity to play out real life scenarios of the judicial process. In fact, each mock trial covers highly-relevant and topical problems, usually found in news headlines.

“The case materials are relevant to their lives – usually ‘ripped from the headlines’ – and provides an enjoyable way to get their hands dirty with the law and contemporary issues,” acknowledged Wheeler.

Each year is alternated between civil and criminal cases, allowing students to have a more complete overview of all areas of law. In the last four years, they’ve covered environmental pollution (2015), cyberstalking (2014), immigration (2012), and privacy and technology (2011).

The mock trials are split sixth to eighth grade for the middle school competition and ninth to 12th grade for high school. The middle school competitions are held in the fall, with regionals

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taking place in late October and early November and state championship tournaments done in late November. The high school competitions are in the spring, with regionals in late February or early March. They then advance to nationals representing Iowa at the National High School Mock Trial Championship.

Dana Miller, a teacher with the Marion Home School Assistance Program, became a coach in 2014. Her team won the national championship in 2016. The team was comprised of 10 students: Gabriel Groothuis, Ben Carlile, Colin Gorton, Blake Stickley, Clayton Dryden, Lauren Woltz, Jessica Ertz, Andrea Ertz, McKenna Kephart, and Christina Hawkins.

On top of the critical thinking and presentation skills Wheeler mentioned, Miller says most coaches in the program like to go a step further. "We directly teach other valuable life skills such as time management, goal setting and team building skills in our practices," said Miller. "Most importantly, the mock trial coaches try hard to create a positive, team-unifying environment, where the students can learn and grow, and have a lot of fun in the process."

Between the middle school and high school competitions, this year's high school tournament was Wheeler's 56th competition. He said that year after year, he continues to learn from past competitors about how the experience impacted them.

"I hear from many former [students] each year who tell me that they feel more prepared and confident in making presentations, more ready to work as a team on college assignments and in 'real life.'" said Wheeler.

So could it be said that the students who participate in this competition all become lawyers? Not necessarily but thanks to programs such as the Iowa Mock Trial Program, they are definitely better informed. Wheeler agrees.

"Most [mock trial students] do not go on to a career in law," he said, "but they all will take on the role of citizen and they all will, at some point, be asked to analyze information, prepare a compelling argument and then present their ideas to others."

The Foundation is a separate legal entity from The Iowa State Bar Association; it is governed by a nine-person board of directors made up of attorneys from across the state. Because the Foundation is a 501(c) 3 nonprofit organization, contributions are tax deductible to the extent allowed by law.

There are many ways you can give to your foundation. An outright cash gift is the simplest. You can also give at the times of your ISBA dues billing statement. You may also wish to make a memorial gift in honor of a colleague, judge, family member or friend. A bequest allows you to make a significant contribution in the future without affecting your income now. All of these gifts can extend your influence far beyond your lifetime.

You can learn more about the Iowa State Bar Foundation at www.iowabar.org or call 515-697-7870.

Resources:

¹ <http://www.dailymail.co.uk/news/article-2392971/Girl-footballers-boy-dancers-What-to-days-children-REALLY-want-grow-up.html>

² <https://press.linkedin.com/site-resources/news-releases/migrated/2012/11/cool-careers-linkedin-research-reveals-data-about-the-top-childhood-dream-jobs>

³ <http://www.rasmussen.edu/student-life/blogs/main/when-i-was-little-i-wanted-to-be/>

This article was written by Kristi Kenyon, consultant and ghost writer for the Iowa State Bar Foundation.

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ISBA's newest service: **Iowa Jury Verdict Reporter**

By Thomas Hillers, ISBA YLD President-elect

What it is

Okay, so maybe you have heard that there is a group out there that puts together a verdict report. You don't know what group it is, but you're pretty sure you don't want to pay thousands of dollars for it. Well here's the good news: if you are a member of either the Litigation Section, the Mediation Committee or the Young Lawyers Division of The Iowa State Bar Association, it is free. Every week, a list is emailed to all of the members within those groups. The list contains the verdicts from the past week along with the trials going forward that week. If you would like to receive the verdict report, you just need to join one of those groups and you will get the email automatically.

Why it matters

There are a few different levels of benefit provided by the verdict reporter and the verdict database. At the surface, you can see who is trying what type of cases, and you can see what juries are doing in the venues that you care about. For the trial geeks though, the benefits are ever so much deeper.


The verdict reporter, and the database created, offers attorneys the ability to review and save substantive filings. It has surprised me that so many of my col-

leagues are unaware that any registered filer can view the filings in almost any other EDMS case. You don't have to be an attorney on the case. The potential benefits of the ability to review filings is hard to overstate. As an example, I had a friend contact me about a farm dispute that he was handling that was set for trial in 30 days. We searched the verdict database and found a few farm dispute cases in the list. With the information in the database, we were able to go out to EDMS and pull up the specific filings and orders in each case. The motions and the court's order provided a topical list of issues with the relevant case law. The motions showed him the arguments that his opponent would likely make, and allowed him to prepare substantive responses so that he was not trying to do research and prepare a resistance on the eve or during trial. From those documents, he was also able to craft his themes, and most important, he did not have to start from scratch as he was preparing his pre-trial filings. When magnified by the accessibility of EDMS, the verdict reporter opens to a well of knowledge that is so deep and wide that it is hard to fathom.


At the next level, the reporter provides an element of "binding precedent" that gives our logical brains comfort with

matters of law, but has always been lacking when it comes to juries. Actually seeing a jury verdict form or even multiple verdict forms on the same topic or from the same venue provides very persuasive data points from which we can advocate our client's position. While a part of our job is to predict jury verdicts, most times we are trying to convince others of what a jury will do with a set of facts. Think about it for a moment. In making demands to insurance companies, we are trying to convince the claims representative that our client is entitled to a certain sum of money. What we are actually doing, is convincing them of what eight people in a given county will do with the facts in our case. The verdict database can be a powerful weapon for your advocacy. In mediation, we are trying to convince the mediator, opposing counsel and most important, the other party, as to what a jury will do with the case. During mediations, I would often print off a few exemplar verdicts and give them to the mediator to use as the other side became entrenched. I would also pull them up to show to claims representatives who needed a little more convincing that the venue was not as conservative as first thought. The verdicts can also be used to set client expectations on the other side of the line. In the right circumstances, I had always wanted to use the other side's projector to search for "slip," which clearly conveyed that the odds were not in the plaintiff's favor. Don't take me the wrong way on this – it is just as powerful for Nile folks on the other side of the line. Searching for "brain" brings up a number of traumatic brain injury verdicts that were not favorable to the defense. The point being that when used in an opening at mediation, the searchable database can be very persuasive to your opponent.

Another tactic that is underutilized is to collect the verdicts that support your client's position and attach them to your demand letters. Seeing the line items on a special verdict form has a way of showing



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that it is easy for a jury to get to a number by adding up six small numbers. The tactic is even more powerful now that you can include verdicts from the specific county. To be able to produce the last four verdicts from the venue can give you an authority that your opponent lacks.

Finally, there is the deepest level of benefit: the study of our local civil trials. If you are a civil litigator, happiness is a lot closer than you might think. This Friday, take one hour and review the EDMS dockets of the last few trials that went to verdict. Don't just look at the entries—open them and study them. Keep notes and save the great stuff that you find. If you have tried some cases, you know that it is much easier to draft a motion in limine a month before trial rather than a week before trial. Collect all the great points of law or arguments that you uncover in a master template—it is much easier to delete irrelevant paragraphs. Plus, those templates will remind you of topics that you might otherwise forget down the road. As you study the dockets, you will see very clear themes and strategies develop, which will give you confidence during your next trial. The confidence comes from knowing that at a basic level, you are doing things right. That allows you to focus on the tactics that you have gleaned, which will make you a force to be reckoned with. Finally, if you truly love the practice, it will give you the opportunity to build meaningful relationships with your colleagues. Now, when you see that attorney who had a trial, you can discuss the case on a granular level and ask questions about the things that you could not see in the docket. I promise you that it will develop a deep happiness with the subject matter that you spend your days in. Justice Holmes put it best:

...we all want happiness. And happiness, I am sure from having known many successful men, cannot be won simply by being counsel for great corporations and having an income of fifty thousand dollars. An intellect great enough to win the prize needs other food besides success. The remoter and more general aspects of the law are those which give it universal interest. It is through them that you not only become a great master in your calling, but connect your subject with the universe and catch an echo of the infinite, a glimpse of its unfathomable process, a hint of the universal law.

—Oliver Wendell Holmes, *The Path of the Law*, 10 *Harvard Law Review* 457 (1897).

Who we are and why you should join us. As a bit of background, in the Spring of 2014, the State Fair Committee of the Young Lawyers Division was struggling to find active members. In an attempt to attract people who might be interested in putting on the event at the State Fair, the group reorganized and rebranded itself as the Litigation Committee of the Young Lawyers Division. To represent both sides of the coin, I invited Nile Hicks, a plaintiff's attorney at the Beattie Law Firm to join me as a co-chair. We decided that we should try to implement a few programs to benefit young litigators. The discussions centered on what young attorneys would find beneficial, subject to their limited availability. The idea hatched that we should give young attorneys a reason to get out of their offices and attend jury trials. Anyone who has endured the nights before they are to first-chair their first jury trial knows that having seen a few jury trials can ease some of the anxiety. Plus, there is no substitute for watching a live jury trial – especially when the attorneys are the titans of our profession.

With an unbridled optimism, we set out

to develop a program that would notify young attorneys of the jury trials in their area so that they could gain experience. The first hurdle was to figure out who we could get trial information from each week. We called the case coordinators in each district. We discussed our idea and obtained their buy-in. Some of them were very excited, while others were more reserved. Thereafter, we sent emails to each of the case coordinators with a personal message asking them for information about the jury trials that were scheduled to go forward in the following week. Then, we waited. To our surprise, the response was overwhelming. Some of the case coordinators did not have trials, but emailed us back just to tell us to have a great weekend! We quickly realized that we did not know what to do with the information that we received from the court. The data was limited to the parties' names, the case number, the county and very limited descriptions of the case type. The first week, we tried calling the attorneys on the cases to get more details about the case. It was to be expected that many of the litigators were not accepting calls.



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So, we tried to review the docket entries for each case in EDMS. At that time, a few of the counties had not converted, and many of the dockets contained very limited filings. However, the trial briefs provided us with the facts and issues. This was to be an experience that was not lost on us – consider the judge who is reviewing the case in the days (or hours) before the trial. A concise trial brief can frame the issues in a light that is favorable to your client. Curiosity got the best of us, and we could not help but review some of the other filings.

Reviewing pre-trial filings every Friday afternoon was to become one of the most formative experiences in our litigation practice. Every Friday, Nile and I were reading – and saving – arguments, theories, strategies, motions, objections, and even orders from the titans of Iowa’s trial bar. Imagine if every Friday you took an hour and intensely studied the strategies of our best trial lawyers. We could not help but adopt what we were learning. Most important, as we started to incorporate the strategies, we found that it gave us an edge over our opponents.

We turned to Harry Shipley and Dewey

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JURY VERDICT REPORTER

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Iowa Jury Verdict Reporter, published by the Litigation Committee of the ISBA Young Lawyers Division is a collection of Iowa civil jury verdicts. You can search hundreds of cases to view comparable verdicts and sample documents used within the various cases. The Iowa Jury Verdict Reporter also includes an email service where upcoming trials and recent results are emailed to all members of the YLD, Litigation Section and Alternative Dispute Resolution Section on a weekly basis. If you are not a member of the any of the groups and would like to begin receiving these emails please contact our membership department at membership@iowabar.org

The Iowa Jury Verdict Reporter database is searchable and will help you:

- Assess the value of your case
- Support your demand or offer
- Evaluate whether your opposition's offer is reasonable Decide whether to take your case to trial or settle
- Access actual Pre-Trial filings, Motions in Limine, Trial Briefs and Jury Instructions

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Iowa Civil Jury Verdicts

Date of trial	Venue	Case Number	Case Type	Verdict
07/18/2016	Linn County	LACV080421	MVA_Car v. motorcycle. Fault disputed and fault of a released party alleged.	Pending
07/18/2016	Howard County	LACV016901	Personal injury from assault: negligent damage to crops.	Pending
07/18/2016	Clinton County	LACV041710	Personal injury in MVA. Fault admitted but existence, nature, and extent of damages disputed.	Pending
07/18/2016	Buchanan	LACV008720	Personal injury in MVA. Fault admitted	Pending

Cantrell at the ISBA headquarters, who were instrumental in helping us craft the technical side to distribute the information to our members. In our first email to the group, we stated that our goals were to get young attorneys out to watch trials.

After we sent the first jury-trial email, we wondered what we should do with the historical information about past trials. We decided to check EDMS to see if the verdicts were posted. Not only were the verdicts there, but so were some of the

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post-trial motions. So, we decided to include the past week's verdicts in the email. The verdict reporter quickly outshined the trial reporter. As a side note, the group is still interested in finding a way to offer benefits (e.g. CLE credits, etc.) to young attorneys to provide incentive to attend local jury trials.

The Litigation Committee is now co-chaired by Ben Long from the Riccolo & Semelroth Firm in Cedar Rapids, Iowa, and James Russell from the Parker & McNeill Firm in West Des Moines, Iowa.

How to use the verdict reporter.

I have received so many questions about how to access the database and how to view other dockets that I feel it is important to provide a quick summary here.

To access the verdict reporter and the database, go to the homepage of The Iowa State Bar Association. Click on the tab titled "Jury Verdict Reporter" on the right-hand side of the page (You must be logged in to access the database). Now, you can either scroll through the list of trials, or you can click on the "Search" button and run a query. For instance, you can type in the county name to pull all the verdicts from a given venue. Most of the entries also have the actual verdict form for you to view.

Viewing the dockets of other cases with the information contained in the verdict reporter is very easy. Even if your assistant handles your EDMS account, I assure you, you can do this. First, go to the Bar Association website and click on the tab titled "Jury Verdict Reporter" on the right-hand side of the screen. Click on the "Search" button and type in any term. Locate the case in the verdict reporter that you are interested in viewing. You will need the case number, the county and one of the party's names. As an aside, our information is not perfect, so you can always verify our information in ISIS. Now, log in to EDMS. Click on the button titled "My Cases". Near the top of the screen there will be three fields where you can enter data with a button titled "History" to the right of the fields. Enter the case number, county and party's last name in the respective fields and click the "History" button. That will pull up the docket for the case and you can view any of the filings that are hyperlinked. Most importantly, you do not have to be an attorney on the case to view the filings. Obviously, there are some exceptions based upon the security level, or a party's request to file documents under seal.

Conclusion

The Litigation Committee needs active, energetic members. I have no doubt that the individuals who choose to dedicate a small portion of their time to this cause will reap immeasurable benefits in the future. They will be the trial titans of our generation.



Thomas Hillers is an in-house counsel at Nationwide Mutual Insurance in Des Moines, Iowa. He is a graduate of Valparaiso University School of Law. Hillers is also President-elect of the YLD.

KUDOS

The Iowa State Bar Association congratulates the following individuals for recognition they received:



Fredrikson & Byron, P.A., for being named one of the '50 Best Law Firms for Women' by Working Mother and Flex-Time Lawyers L.L.C. The groups named the firm

as the second highest nationally ranked firm by percentage of women equity partners with 35 percent. The award recognizes firms that lead the industry in initiatives for women's business development and career advancement, plus offer flexible work arrangements and generous paid parental leave.



Green

Jenna Green, an associate at Hupy and Abraham, S.C., P.C., in West Des Moines, Iowa, for being selected by the National Trial Lawyers for their 'Top 40 Under 40: Civil Plaintiff' list for Iowa. The National Trial Lawyers list is comprised of America's elite top trial attorneys 40 years of age and younger. The annual On the Rise – Top 40 Young Lawyers provides national recognition for ABA young lawyer members who exemplify a broad range of high achievement, innovation, vision, leadership and legal and community service.



Johnson

Shontavia Johnson, Kern Family Chair in Intellectual Property Law and Director of the Intellectual Property Law Center at Drake University Law School in Des Moines, Iowa, for being named one the American Bar Association's Top 40 Young Lawyers. Her work focuses on intellectual property, entrepreneurship and innovation and she has also founded two entrepreneur-centered companies.



Weston

J. Michael Weston, founding member of Lederer Weston Craig, P.L.C., in Cedar Rapids, Iowa, for his selection as president of the National Foundation for Judicial Excellence at its annual symposium. Weston has previously served on the foundation board since 2013 and as symposium chair in 2011. The NFJE was founded in 2004 to support a strong, independent, responsive judiciary by providing officers of the courts with educational programs and other tools that enable them to perform at their highest level.

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EXPERIENCED TRANSACTIONAL ATTORNEY – *Nyemaster Goode, P.C., Des Moines, Iowa* – Seeking an attorney with five or more years' experience in transactional practice. Candidates should have experience serving a variety of industries, with experience in healthcare, corporate governance, mergers and acquisitions a plus. Candidates, depending on interest, will have the option to work in any of the Firm's three offices in Des Moines, Ames and Cedar Rapids. Send cover letter and resume to Michael J. Dayton, Nyemaster Goode P.C., 700 Walnut St., Suite 1600, Des Moines, IA 50309, or email to mjdayton@nyemaster.com. (76-9)

BUSINESS LITIGATION ASSOCIATE – *Faegre, Baker, Daniels, L.L.P., Des Moines, Iowa* – Seeking an associate attorney to join the business litigation practice group. Ideal candidate has one to five years' experience in commercial and business litigation or is including a judicial clerkship. Excellent writing skills, attention to detail and strong academic credentials are required. Submit cover letter, resume, law school transcript and writing sample at www.faegrebd.com/careers. (76-9)

PUBLIC LAW ATTORNEY (LABOR RELATIONS) – *Ahlers & Cooney, P.C., Des Moines, Iowa* – Seeking an attorney with five-plus years' experience in labor relations and employment matters, specifically collective bargaining, grievance and interest arbitrations and other labor/employment issues. Understanding and working knowledge of the National Labor Relations Act and other federal and state labor and employment laws, including a state collective bargaining statute and public law experience preferred. Submit cover letter and resume to info@ahlerslaw.com. (76-9)

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ATTORNEY – *Boliver Law Firm, Marshalltown, Iowa* – Seeking an attorney with equal experience in transactional law and litigation. Qualified candidates will be admitted to practice in Iowa and have some experience in family law, taxes and general litigation. Send resume in confidence to Boliver Law Firm, 2414 S. 2nd Street, Marshalltown, Iowa, 50158 or jboliver@boliverlaw.com or boliver@boliverlaw.com. (76-9)

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IF DEPRESSION, STRESS, ALCOHOL OR DRUGS are a problem for you, we can help. We are a non-profit corporation offering attorneys free help in a totally confidential relationship. We are the Iowa Lawyers Assistance Program. Under order of the Iowa Supreme Court, all communication with us is privileged and private. Our director is a former lawyer, a recovering alcoholic and drug addict. He is a trained substance abuse counselor. We cannot help unless you call – 515-277-3817 or 800-243-1533 – or message (in confidence) help@iowalap.org. All you have to do is ask us to contact you. No other details are necessary. We will call you. The Iowa Lawyers Assistance Program also can provide speakers for local bar associations. Just ask. (TF)

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OFFICE SPACE AVAILABLE – *Waterloo, Iowa* – Downtown office space available for 1-2 lawyers and staff. Services include reception, internet, access to printers/scanners/copiers/fax, telephone, conference room, kitchenette, and parking. For more information contact Jenny at 319-234-0535 or jenny.zabel@mccrindlelaw.com. (76-9)

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Visit www.iowabar.org/calendar for more information on any of our upcoming CLE opportunities.

September 23

Corporate Counsel and Trade Regulation Seminar
(In-person or Live Webinar)

September 28

Necessary Policies for Government Employment Handbooks
(Live Webinar)

September 30

Fundamentals of Federal Practice
U.S. District Courthouses

October 5

Appealing MCO Decisions: Perspectives and Guidance from Members and MCO Counsel
(Live Webinar)

October 14

Labor and Employment Law Seminar
Hilton Garden Inn
Johnston

October 25

Managing Law School Debt Presentation
(Live Webinar)

October 27-28

Family Law Seminar
West Des Moines Marriott
West Des Moines

November 3

Trademark Law Update
(Live Webinar)

December 2

Intellectual Property Law Seminar
(In-person or Live Webinar)

December 7 - 9

Bloethe Tax School
Des Moines Marriott Downtown
Des Moines

December 16

Federal Practice Seminar
Embassy Suites
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Fundamentals of Federal Practice Seminar

September 30

U.S. District Courthouses in Cedar Rapids, Council Bluffs, Davenport, Des Moines and Sioux City

This video-conferencing CLE program is geared towards new and seasoned attorneys looking to brush up on federal court practice. Learn the latest all while interacting with judges and courthouse personnel from the Northern and Southern Districts of Iowa.

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which includes
3.25 federal hours

Labor and Employment Law Seminar

October 14

Hilton Garden Inn, 8600 Northpark Drive, Johnston, IA 50131

Sponsored by The Iowa State Bar Association Labor and Employment Law Section

- 8:00 - 8:25** Coffee and Registration
- 8:25 - 8:30** Welcome and Announcements
- 8:30 - 9:00** **Identity Theft and the Employment Relationship** - Speaker: Jo Ellen Whitney, Davis Brown Law Firm
- 9:00 - 9:30** **Know Your Revised Agency Rules, Part 1: Pay Data Reporting Requirements** – Speaker: Kelsey Knowles, Belin McCormick
- 9:30 - 10:15** **How to Get the Deal Done: Tips and Wisdom from Employment Law Mediators** – Speakers: David Goldman, Babich Goldman, P.C.; Elizabeth Kennedy, Ahlers & Cooney, P.C. and Michael Mullin, Kutak Rock, L.L.P.
- 10:15 - 10:30** Break
- 10:30 - 11:30** **The Federal Defend Trade Secrets Act of 2016 and Implications for Non-Compete and Confidentiality Agreements** – Speakers: Thomas Foley, Whitfield & Eddy, P.L.C. and Randall Armentrout, Nyemaster Goode, P.C.
- 11:30 - 12:00** **Case Law Update** – Speaker: TBA
- 12:00 - 1:00** Lunch (provided with registration)
- 1:00 - 2:00** **Litigating Employment Claims in Federal Court** – Speakers: Hon. Leonard T. Strand, United States District Judge for the Northern District of Iowa; Hon. Rebecca Goodgame Ebinger, United States District Judge for the Southern District of Iowa; Hon. Helen C. Adams, United States Magistrate Judge for the Southern District of Iowa and Hon. CJ Williams, United States Magistrate Judge for the Northern District of Iowa
- 2:00 - 3:00** **The Ethics of Attorney Advertising in a Digital Age** – Speaker: Timothy Semelroth, RSH Legal
- 3:00 - 3:30** **Know Your Revised Agency Rules, Part 2: FLSA Developments** – Speaker: Kendra Hanson, Fredrikson & Byron, P.A.
- 3:30 - 3:45** Break
- 3:45 - 4:15** **What You Didn't Learn in Law School: How to Effectively Manage a Law Practice** – Speakers: Thomas Duff, Duff Law Firm, P.L.C.; Deborah Tharnish, Davis Brown Law Firm and Mark Zaiger, Shuttleworth & Ingersoll
- 4:15 - 5:00** **Effective Use of Demonstrative Evidence in Employment Law Trials** – Speakers: Mark Sherinian, Sherinian & Hasso Law Firm and Kevin Visser, Simmons Perrine Moyer Bergman P.L.C.

Registration Form: Labor and Employment Law Seminar

Name: _____ Member #: _____ Phone #: _____

Address: _____ City, State, Zip: _____

E-mail: _____

Registration Fees:

Prices below reflect the early-bird registration fees. Registering after October 13th will result in a \$50 late fee being added on to your registration fee amount.

___ Labor & Employment Section Members (hard copy materials) - \$185

___ Labor & Employment Section Members (electronic materials) - \$165

___ ISBA Members (hard copy materials) - \$195

___ ISBA Members (electronic materials) - \$175

___ Non-ISBA Members (hard copy materials) - \$300

___ Non-ISBA Members (electronic materials) - \$280

Attending Lunch?: ___ Yes ___ No

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Cancellation policy: Registration refunds will be issued only if written notification is received by the Bar Office by October 7, 2016. Written notification can be mailed, faxed, or e-mailed to the bar office.

Family Law Seminar

October 27-28

West Des Moines Marriott, 1250 Jordan Creek Pkwy., West Des Moines, IA 50266

Sponsored by The Iowa State Bar Association Family and Juvenile Law Section

Thursday's CLE Program: 8:00 a.m. – 5:00 p.m.

Thursday's Chair Reception: 5:00 – 6:00 p.m.

Friday's CLE Program: 8:00 a.m. – 5:00 p.m.

This year's Family Law Seminar will feature Forrest "Woody" Mosten, an internationally known expert on alternative dispute resolution. Woody will lead a day-long training entitled Building a Successful Unbundled Family Law Practice. Attendees will learn how to expand and improve their practices by increasing legal access to the under served through offering unbundled legal services. Woody will use materials from his forthcoming ABA book, The Family Lawyer's Guide to Unbundled Legal Services, to show how to make unbundled legal services a profitable and rewarding part of your practice.

ADDITIONAL TOPICS AND SPEAKERS:

Conduct Your Family Court Trial to Withstand Appeal

Speakers: Hon. Richard Doyle, Iowa Court of Appeals and Andrew Howie, Hudson Mallaney Shindler & Anderson PC

Family Law Update

Speaker: James Meade, Meade Law Office

What Family Law Attorneys Need To Know About the New Federal Every Student Succeeds Act

Speaker: Thomas Mayes, Iowa Department of Education

Visit www.iowabar.org/event/2016FamilyLaw for the complete agenda.

Registration Form: Family Law Seminar

Name: _____ Member #: _____ Phone #: _____

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E-mail: _____

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Registration and Electronic Materials:

___ Students - Free ___ Judges - \$95 ___ ISBA Family Law Section Members - \$270 ___ ISBA Members - \$285
___ Non-ISBA Members - \$400

Registration and Hard Copy Materials:

___ Students - \$35 ___ Judges - \$130 ___ ISBA Family Law Section Members - \$305 ___ ISBA Members - \$320
___ Non-ISBA Members - \$435

Attending Thursday's Lunch (provided with registration)?: ___ Yes ___ No

Attending Thursday's Chair Reception (provided with registration)?: ___ Yes ___ No

Attending Friday's Lunch (provided with registration)?: ___ Yes ___ No

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Get involved: You have much to contribute

By David Cox, Family Law Section chair

Whether we like it or not, there is a perception by many newly-admitted lawyers that they must choose between being active in the Young Lawyer's Division (YLD) or being active in an ISBA Section focusing on a substantive area of law such as the Family & Juvenile Law Section, Probate Section, Real Estate Section, etc. This false dichotomy has created the notion that there is the YLD and then the "Big Bar." We need to get rid of that false dichotomy. The reality is much simpler: We are all a part of the same bar association, and newly-admitted lawyers should be active in both the YLD and substantive law sections of the ISBA. The YLD has great programs and allows newly-admitted lawyers to quickly get into leadership positions. Their programs are geared toward the newly-admitted lawyer and the general practitioner. However, being involved in that program should not prevent a YLD member from also being active in a substantive law section of the ISBA.

As section chair of the Family & Juvenile Law Section, I am trying to understand how to get newly-admitted lawyers to be active in the substantive law sections of the ISBA. Recently, I had discussions with many newly-admitted lawyers (and some not so newly-admitted) to find out why they are not active in ISBA Sections. I frequently heard the same three answers:

1. The lawyer did not see the benefit to him/her of being active in the bar,
2. It was financially difficult to leave the office for a day and not bring in revenue,
3. The attorney does not consider himself/herself as having enough knowledge or skill to benefit the section.

After listening to the newly-admitted law-

yers' reasons, I shared my experiences with the ISBA and how an active membership in an ISBA section overcomes all of these concerns. I invite every member of the Iowa Bar to do the same as you work with and meet new lawyers.

Benefits of bar membership to newly-admitted lawyers

The ISBA exists to benefit you as a lawyer. You aren't being greedy expecting to receive a benefit from your membership. There are plenty of benefits of being a bar member through the website, the Iowa Lawyer Magazine, and the Iowa Lawyer Weekly. However, there are more benefits related to being an active section member in the ISBA that frequently get overlooked.

By attending meetings, you will learn substantive law in your area. Some of the best lawyers in your substantive area of law will be at the meetings. Some meetings may contain a CLE component or help build professional skills. If nothing else, your section will have a discussion of affirmative legislative changes they want to see made in the coming legislative session.

During those discussions a newly-admitted lawyer can learn a lot about 1) how to interpret the statutes, 2) possible weaknesses in the current statutes that could benefit your clients, 3) possible future changes in the legislation that you can pass on to clients, and 4) introduction to a statute you did not know existed. Furthermore, by discussing affirmative legislative proposals, sections will frequently look for comments from other sections that may be affected by the legislation. Reviewing the comments from the other section will give a newly-admitted

lawyer a better understanding of how his/her area of law impacts other areas of law and different policy arguments for and against legislative changes.

In essence, you will receive a fuller understanding of your substantive area of law as well as practice pointers and how to conduct yourself as a professional.

Loss of revenue

Section meetings are a great way to meet other lawyers from across the state. This will be one of your best sources of referrals throughout your career. You never know which client will refer the next big case to you. In the same manner, you never know which lawyer you meet at a section meeting may send a client your way in the future. Being active in a section also is a great way to be asked to give a presentation at a CLE. Getting your name out in the legal community as an expert on a substantive area of law will only help your revenue throughout your career. Also, as you become more comfortable at section meetings and get to know other attorneys, you will have a larger list of lawyers you can call if you have questions.

Every newly-admitted lawyer has questions from time to time, and I cannot think of a better way to get quality mentors in your substantive area of law than being active in an ISBA section. By increasing your reputation throughout the state and improving your skills, you will be creating a solid foundation for referrals throughout your legal career.

All levels of knowledge are encouraged to get involved

Finally, I want to dispel the notion that you have to be an expert to be active in the section. We all started as newly-admitted lawyers. We all answered client questions by saying we will have to "do some research on that issue." No one knows everything, but everyone can contribute something. There are a lot of ways you can donate your time and talent as a newly-admitted lawyer and benefit the section.

A newly-admitted lawyer can contribute to the section by giving one or two ideas for CLE topics. You could make a phone call to ask someone to be a speaker at a CLE. You could be involved with helping your section brainstorm article ideas for a newsletter, social activities for your next section meeting or join your section council.

Some sections have a spot on the council reserved for only newly-admitted lawyers.



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Every section committee can be improved with a collection of different perspectives. The sections want your perspective as a new lawyer. Get involved and voice your opinion. In a short period of time you will have learned a lot about your area of law, how to be a professional, tips on working with clients, and other things that will improve your skills and knowledge as a lawyer. You will then be able to take on a leadership position and contribute more to the section. You might also pass on your knowledge to the next round of newly-admitted lawyers and encourage them to get involved in an ISBA section.

Conclusion

Newly-admitted lawyers should become active. You have a lot to contribute to the ISBA sections, and the sections have a lot to contribute to you as well. Don't be afraid to go to a meeting, call or email a section chair to ask questions, or join a committee. It will improve your skills as a lawyer, help your professional development, and improve your revenues throughout your career. I hope to see you at the next section meeting.



David Cox is the ISBA Family Law Section chair. Cox's practice at Bray & Klockau, P.L.C. in Iowa City, Iowa, is limited to family law and domestic relations. He graduated with distinction from the University of Iowa College of Law and has been an ISBA member since 2007.

July & August Thanks to speakers

July 12, 2016

**Recent Developments in Patent Law
Sponsored by The Iowa State Bar
Association Intellectual Property Law
Section**

Jonathan Kennedy, *McKee, Voorhees & Sease*

July 28, 2016

**In-House Counsel's Role in Mitigating Cyber
Security Risks
Sponsored by The Iowa State Bar
Association Administrative Law Section**

Michael Dayton, *Nymaster Goode, P.C.*

Benjamin Roach, *Nymaster Goode, P.C.*

Tony Peterson, *Special Agent, FBI Cyber Task Force*

August 11-13, 2016

**Solo and Small Firm Conference
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Association and the Nebraska State Bar
Association**

Adam Astley, *Slowiaczek, Albers & Astley*

Scott Baird, *Tab3*

Catherine Cano, *Jackson Lewis*

Robert Clements, *Benchmark Business Group*

Dustin Cole, *Attorneys Master Class*

Jennifer Colwell, *McGill, Gotsdiner, Workman & Lepp*

Jim Corbett, *Casemaker*

Laura Essay, *Dvorak & Donovan Law Group*

Joseph Feller, *Koopman Kennedy & Feller*

Brandie Fowler, *Higgins Law*

Phil Garland, *Philip L. Garland Law Firm*

Matthew Gardner, *Gardner Law Firm*

Christine Henningsen, *University of Nebraska
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August 11, 2016

**New Patent Filing Options in Europe
Sponsored by The Iowa State Bar
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Section**

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Tostmann, Munich Germany*

Jason Sytsma, *Shuttleworth & Ingersoll, Cedar
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