



THE

Volume 76 Number 7 August 2016

# IOWA LAWYER

## J.C. SALVO

### 2016 ISBA AWARD OF MERIT RECIPIENT

**143rd Annual Meeting provided learning, fun and chance to reconnect with fellow attorneys, judges**  
Page 9

**J.C. Salvo cited for his many contributions to the profession, the ISBA and his community**  
Page 12

**Tim Pearson receives the Rolland Grefe Pro Bono Publico Award**  
Page 14

**Iowa Lawyers in Bangladesh - Ford Fairchild**  
Page 30

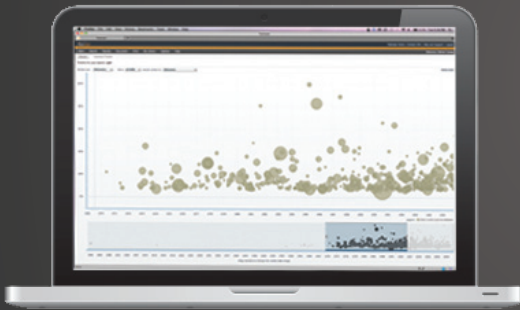


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The official publication of The Iowa State Bar Association.

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**THE IOWA LAWYER**

(ISSN 1052-5327) is published monthly except for the combined December-January issue, by the Iowa State Bar Association, 625 East Court Ave., Des Moines, IA 50309-1904. One copy of each issue is furnished to association members as part of their annual dues. Non-member subscription rates are \$40 per year. Periodicals postage paid at Des Moines, Iowa.

**POSTMASTER**

Send address changes to The Iowa Lawyer Magazine, 625 East Court Avenue, Des Moines, Iowa, 50309-1904. Members can contact the membership department to change their address by emailing membership@iowabar.org.

**PRINTER**

The Iowa Lawyer Magazine is printed by Colorfx, 10776 Aurora Avenue, Des Moines, Iowa, 50322. Telephone 515-270-0402. Art Director: Melissa Thompson.

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CLASSIFIED. Qualifying ISBA members receive two free non-job listings annually as a member benefit. Members should contact the ISBA Communications Department for ad placement. Non-member classified ad rate is \$110 at 125 words per listing. See classified section for further details.

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The Iowa State Bar Association seeks to publish original articles that advance the education, competence, ethical practice and public responsibility of Iowa lawyers. Members are encouraged to submit articles and manuscripts to the editor for possible publication. Submissions should be no longer than 1,500 words, although exceptions can be made. Footnotes should be kept to a minimum. Include a short bio of the author(s) and professional photo(s) when submitting. NOTE: Not all submissions are guaranteed publication. The editors and bar leaders review all submissions to make a determination of suitability for publication. Email all submissions to communications@iowabar.org in Microsoft Word format.

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# THE IOWA LAWYER

Volume 76 Number 7 August 2016

## TABLE OF CONTENTS



6

### Board of Governors Meet during annual meeting

ISBA BOG takes action to support fair and impartial courts, engage in strategic planning and an Iowa Access to Justice Commission at annual meeting. Turn to page 6 for details about the meeting, actions and reports.



13

### Ferrell illustrates that 'you can do whatever you want with a law degree'

Associate Director of the Center for Human Rights at the University of Iowa College of Law Dr. Brian Ferrell has had an interesting career to say the least. Read more to find out why he was selected to receive the YLD's Award of Merit.



24

### Judge McDonald receives Patriot Award

Court of Appeals Judge Christopher McDonald received the Patriot Award from the Iowa Committee for Employer Support of the Guard and Reserve July 13, recognizing his outstanding support of Melissa Knight, a U.S. Air Force member and law clerk for the judge.

## FEATURES

- New selections add to ISBA library ..... 4
- 143rd Annual Meeting provided learning, fun and chance to reconnect with fellow attorneys, judges..... 9
- J.C. Salvo cited for his many contributions to the profession, the ISBA and his community..... 12
- Tim Pearson receives the Rolland E. Grefe Pro Bono Publico Award..... 14
- ISBA's newest leaders..... 15
- 50-year member class of 2016 ..... 17
- ISBA staff directory ..... 18
- Drake retains deans cup ..... 19
- Resolution honoring deceased members..... 20
- Iowa Lawyers in Bangladesh Fairchild..... 30

## COLUMNS

- President's letter: Judicial branch budget shortfalls Kenyon ..... 5
- In Memoriam ..... 19
- Transitions ..... 21
- Letters to the editor..... 22
- Thanks to June Speakers ..... 23
- Classifieds ..... 26
- CLE opportunities ..... 28

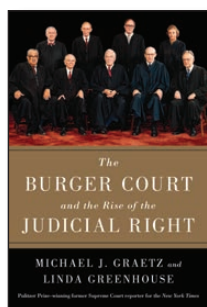
## ABOUT THE COVER

Immediate Past President Bruce Walker presents J.C. Salvo, also a past president, with the 2016 ISBA Award of Merit during the annual gala at the Community Choice Credit Union Convention Center ballroom June 15. Salvo was selected to receive the award because of his many contributions to the profession, the ISBA and his community.



# New selections added to ISBA library

Three new books were added to the ISBA library this month. The selections, listed below, along with over 200 other legal and law-related publications, are available to be checked out by members for up to a month at any time.

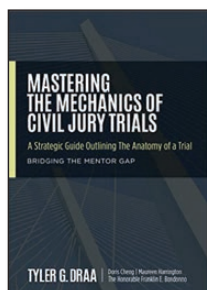


## The Burger Court and the Rise of the Judicial Right

By Michael J. Graetz and Linda Greenhouse

A fresh and revelatory look at the Warren Burger Supreme Court finds that it was not a “moderate” or transitional court, as often portrayed, but a conservative one that still defines the constitutional landscape we live in today. The most comprehensive

evaluation of the Burger Supreme Court ever written for a general audience, *The Burger Court and the Rise of the Judicial Right* draws on the personal papers of the justices as well as other archives to reveal how the court shaped its major decisions.

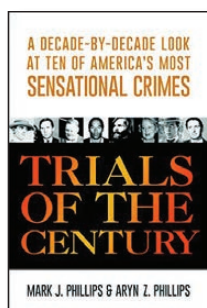


## Mastering the Mechanics of Civil Jury Trials: A Strategic Guide Outlining the Anatomy of a Trial

By Tyler G. Draa, Doris Cheng, Maureen Harrington and Franklin E. Bondonno

A collection of experiences on the art of civil jury trial practice intended to preserve the Seventh Amendment right for all Americans to trial by jury. This manual reflects decades of collective

wisdom from four veteran litigators. Using examples from real cases, the anatomy of a trial is offered in full color, unlike the black and white limitations of textbook study.



## Trials of the Century: A Decade-by-Decade Look at Ten of America's Most Sensational Crimes

By Mark J. Phillips and Aryn Z. Phillips

In every decade of the twentieth century, there was one sensational murder trial that riveted public attention and at the time was called “the trial of the century.” This book tells the story of each murder case and the dramatic

trial—and media coverage—that followed. Starting with the murder of famed architect Stanford White in 1906 and ending with the O.J. Simpson trial of 1994, the authors recount ten compelling tales spanning the century. Each is a story of celebrity and sex, prejudice and heartbreak, and all reveal how often the arc of American justice is pushed out of its trajectory by an insatiable media driven to sell copy.

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## Judicial branch budget shortfalls

We are taught from an early age that our government is formed with three branches-- Executive, Legislative, and Judicial. The United States Constitution and the Constitution of the State of Iowa establish each branch as separate, equal, and independent. However, in Iowa and other states, courts are finding that the authority and independence of the judicial branch can be compromised by the legislature-- simply by refusing to fund their minimum operating budgets.

During the last legislative session, a bill was introduced that would have enshrined the independence of the judicial branch by making it autonomous. Although the funding would still be set by the legislature, the judicial branch would have independent control in

allocating those funds. Although it sounds revolutionary, this is exactly how Iowa's executive and the legislative branches are already funded.

Meanwhile, the judicial branch budget has been--and will continue to be--an annual, ongoing struggle unless there are systemic changes in the budget approval process.

Recent history has demonstrated repeatedly that the effectiveness of the judicial branch is severely curtailed when the funding is restricted. That is primarily because personnel costs alone account for more than 95 percent of the budget. Consequently, when lawmakers refused to fully fund the judicial branch budget for the upcoming year, the \$5.4 million shortfall made cuts in services inevitable. In an effort to stem job losses, Chief Justice Mark Cady has instituted a hiring freeze across the judicial branch, ranging from court reporters and clerks to judges.

The end result will affect thousands of Iowans across the state.

Divorce proceedings, child custody, child support and domestic abuse hearings will be backlogged.

Juvenile and criminal court proceedings and involuntary commitment hearings will also be delayed.

Contract enforcements, collection efforts, business agreement interpretations and foreclosures will all be affected.

Ultimately, these funding restrictions will affect the Iowa economy. Business can only flourish in an environment where a dependable, effective court system exists. If the courts are compromised, it will not be business as usual for either the court system itself, or for the businesses throughout the state.

This situation has not escaped the notice of *The Des Moines Register* Editorial Board. In a piece published June 13 (“Iowa’s Court Crisis Is Predictable, Avoidable”), the board pointed out that the short-term

savings achieved by shorting the judicial branch’s budget translate into long-term deficits.

“Fiscal conservatives may applaud this as much-needed ‘belt tightening,’ but some of the 2016-2017 cuts will actually result in increased costs for taxpayers farther down the road. For example, the new budget includes a moratorium on the creation of family treatment courts and juvenile drug courts that are proven to help defendants avoid the criminal justice system while saving taxpayers the cost of additional prosecutions and incarceration.”

The problems created by underfunding the judicial branch are not confined to the courts and the people they serve. This issue can, and likely will, directly affect the legislative branch in the near future. Right now, the courts generate \$156 million each year. The overwhelming majority of that money--\$105 million—lands in the general fund. With an ever-mounting backlog of proceedings fueled by understaffing, the entire state will soon find that it, too, is underfunded.

Unfortunately, there is no guarantee that a hiring freeze alone will allow the judicial branch to bridge the \$5.4 million budget shortfall. In addition to leaving judicial vacancies unfilled, judges have already done all they can, as they have not received pay raises for seven of the past eight years. The only remaining avenue, therefore, may be furloughs. Should they become necessary, all of the problems the court anticipates will multiply exponentially.

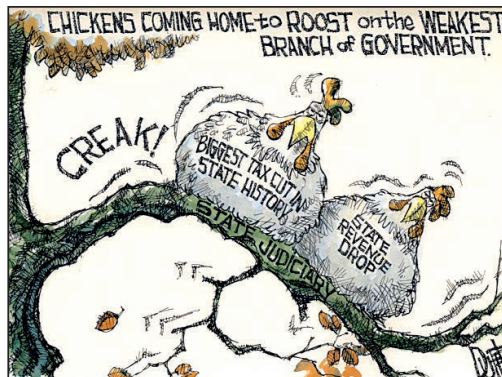
On a personal note, the last time Iowa courts faced a significant funding reduction in 2009, the judicial branch responded by restricting travel for judges. At the time, I was involved in a personal injury jury trial. The incident had occurred in Adair County, and the parties resided in Union and Adair. Due to the judiciary travel restrictions, we were required to travel to Dallas County for the four-day trial. This meant not only all parties, but also all the witnesses, doctors and experts had to make the trip, driving up costs for both plaintiff and defendant. The case was

unnecessarily tried in an outside venue, with Dallas County jurors determining the outcome, rather than the parties’ peers in Adair County.

The FY 2016-2017 judicial branch funding freeze will limit the effectiveness of the judiciary, and will have a direct impact on the people who most need the protections of the court. Please reach out to your local business people and clients and urge them to ask their state legislators to support full funding for the judicial branch.

It affects us all.

Thank you for allowing me to serve.



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## Board of Governors Annual Meeting –

# ISBA BOG takes action to support fair and impartial courts, engage in strategic planning and an Iowa Access to Justice Commission at annual meeting

Members of the ISBA Board of Governors (BOG) approved resolutions and recommendations submitted by committees, sections and others as part of the annual meeting of the ISBA Corporation and The Iowa State Bar Foundation. During the course of the meeting June 15 and 16, a variety of reports were also presented.

## Actions

Resolutions approved by the ISBA Board of Governors included:

- Honoring ISBA Immediate Past President Bruce Walker in recognition of his service as ISBA President.



ISBA Incoming President Skip Kenyon presents the Resolution Honoring ISBA Immediate Past President Bruce Walker to Walker in recognition of his service as ISBA President.

- Honoring Deceased Members. (See page 20)
- The Resolution Supporting the Establishment of an Iowa Access to Justice Commission.
- Establishing an Ad Hoc Committee of the Board of Governors for the Support of Iowa's Fair and Impartial Courts.
- Establishing an Ad Hoc Committee of the Board of Governors for Strategic Planning.

Additional actions taken by the BOG included:

- Approval of the 2016-2017 Budget.
- Approval of reappointments and appointments to The Iowa State Bar Foundation Board of Directors.
- Approval of changes and additions to the Iowa Civil and Criminal Jury Instructions approved and recommended by the Iowa Jury Instructions Committee.
- Approval of three revised title standards based on recommendations by the ISBA Real Estate & Title Law Section's Title Standards Committee.
- Approval of a simplified Power of Attorney Iowa Short Form for public access on the ISBA website. The form was approved and recommended by the Probate, Trust & Estate Planning Section.

## Reports

### President's report – President Bruce Walker (June 15)

ISBA President Bruce Walker reported on the election of President-Elect Steve

Eckley, Vice-President Tom Levis and ABA Delegate David L. Brown by the general membership.

### Annual meeting of the corporation (June 15)

ISBA Executive Director Dwight Dinkla began the annual meeting of the corporation with a presentation of the digital annual report that is also available to members on the ISBA website and can be found by searching 2016 Annual Report. To view the report, go to the front page of the ISBA website.

Jay Eaton, Ways and Means Committee chair 2015-2016 and ISBA past president, and Harry Shipley, ISBA assistant executive director, presented the 2016-2017 budget for approval by the ISBA Board of Governors. Highlights included an upsurge in CLE revenue, and an increase in publication revenue attributable to the 2016 Probate and Trust manual.

### Legislative counsel's report (June 15)

Jim Carney, ISBA legislative counsel, provided governors with a summary of the successes of the 2016 ISBA Affirmative Legislation Program.

Highlights of successes during this legislative session include:

- 2014 Amendments to Uniform Voidable Transactions Act (Current Iowa Code 684, "fraudulent transfers");
- Corrective amendments to IA Business Corporation Act (Iowa Code 490);
- Notice Under the Iowa Trust Code; IA Probate Code Amendment; Iowa Uniform Power of Attorney Act Technical Corrections;
- Appointment of Guardian Ad Litem for Minor Child in Adoption Proceedings;
- Amendment of Code Section 232.2(39) Definition of "Parent";
- Supplemental Appropriation of \$3 million for Indigent Defense; and
- Allocation of \$6.7 million for Polk County Courthouse furniture and equipment.

The legislative report included information about the budget bills and approximately 368 additional bills tracked by the ISBA legislative team. Carney also reported on upcoming elections and

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LawPAC. Miscellaneous items presented included a budget practices sheet, a state budget flow chart and predictions for next session's budget.

### Access to Justice Commission Study Group recommendations (June 15)

President Walker and ISBA Vice President Steve Eckley reported on the drafting and review of the Resolution Supporting the Establishment of an Iowa Access to Justice Commission. The resolution supports the establishment of an Iowa Access to Justice Commission by the Iowa Supreme Court. The resolution states that because access to civil justice is a societal responsibility that should be met through public funding and voluntary contributions, no mandatory fees or hour requirements should be imposed on lawyers. Further, the resolution includes a pledge of \$25,000.00 per year for three years from The Iowa State Bar Association to demonstrate its support for the establishment of an Iowa Access to Justice Commission.

After discussion and the opportunity to hear comments from attendees, the governors approved the resolution.

### Iowa Supreme Court Rule 39.18 Study Committee report (June 15)

ISBA Immediate Past President Joe Feller updated the governors on the work of the Succession Planning Committee. At the June 14 committee meeting, committee members contemplated the feasibility of including language on annual client security reports with potential to include updated language on the 2018 report forms. The committee will meet again in July and report back to the governors.

### YLD president's report – YLD President Joe Goedken (June 15)

ISBA YLD President Joe Goedken updated governors on mock trial and the YLD mentoring program. He encouraged governors to consider serving and continuing to serve as mock trial coaches and judges and as YLD mentors. Goedken reported on additional YLD activities including the YLD reception after the newly admitted ceremony last spring and another successful Luau in the Lot.

### Recognition of outgoing board of governors and section chairs (June 15)

President Walker recognized outgoing Board of Governors John D. Jordan, District 2B, Ryan A. Mohr, District 3A, Daniel L. Hartnett, District 3B, Jane

E. Rosien Hardy, District 5A, Ryan G. Koopmans, District 5C, Matthew J. Handfield, District 5C, Janice Thomas, District 5C, Matthew J. Brandes, District 6, and Robert J. Leinen, District 6, and outgoing section and committee chairs and commended them for their services to the ISBA and the BOG.

### Dialogue with Iowa Supreme Court Chief Justice Mark Cady (June 16)

Iowa Supreme Court Chief Justice Mark Cady began his remarks by thanking the members of the ISBA BOG for their support this year. Regarding the

fiscal year 2017 budget, Cady and Molly Kottmeyer, Counsel to the Chief Justice of the Iowa Supreme Court, reported that the legislature appropriated the same amount of funding as the judicial branch received last year, over \$5 million short of the amount needed to maintain the current level of service to Iowans. As part of the effort to develop long-term planning options, the court has asked the state court administrator to complete a workload study of all aspects of judicial branch operations. The results of the workload study will guide future budget decisions by the judicial branch.

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### Incoming president's remarks (June 16)

Incoming ISBA President Skip Kenyon opened his remarks by thanking Immediate Past President Bruce Walker for moving many important issues forward. Kenyon dedicated the coming year to an emphasis on professionalism, collegiality and camaraderie within the profession. He stated that he will work with members to develop a mission statement and strategic plan to strengthen the organization. An ad hoc committee will be created to engage in strategic planning. Kenyon concluded his opening remarks by saying that our partnership is our effectiveness—together our focus creates unity and positive change.

### Retention election discussion and planning (June 16)

ISBA Past President Guy Cook presented a video with advertisements, and national and local coverage of the 2012 retention election. The ISBA BOG passed a resolution to create an ad-hoc committee to oversee and coordinate efforts related to supporting fair and impartial courts during the 2016 retention election.

### Incoming YLD president's remarks (June 16)

Incoming YLD President Reed McManigal noted that there are many talented, dedicated members of the YLD with many and varied demands on their time. McManigal expressed his enthusiasm for the upcoming year and an interest in learning more about the value that YLD members place on belonging to the YLD and the ISBA in general.

### The Iowa State Bar Foundation Annual Meeting (June 16)

ISBF President Paul Tyler noted that members of the ISBA BOG are also members of the ISBF. ISBA Past Presidents

Jane Lorenzen and Frank Carroll were reappointed for additional terms on the ISBF board and ISBA Past President Guy Cook was appointed to serve as a new ISBF board member. Tyler provided an update on the ISBF's finances and plans to grow the endowment over the next decade and noted that the foundation will be sharpening its vision and focus.

### Iowa Lawyers Assistance Program (June 16)

Iowa Lawyers Assistance Program Executive Director Hugh Grady commented on the success of the open AA meetings at this year's annual meeting. Grady attributes nine new ILAP referrals to the May issue of the Iowa Lawyer magazine. He advised that the ILAP website, [Iowalap.org](http://Iowalap.org), is now accessible. He went on to inform new governors and remind all other governors and attendees of his availability to make presentations at county bar functions, law firms and other venues. His presentations are eligible for one hour of CLE credit. The best way to reach Grady is via mobile phone at 515-360-1668.

### Reports from the law school deans (June 16)

Drake Law School Dean Ben Ullem provided updates from the school including statistics currently available regarding law school applications and post-graduation employment for the class of 2015. Ullem offered thoughts on his most recent tenure as dean of the law school and stated he is grateful to serve a terrific faculty and staff where the entire educational experience is focused on student success. Further, he stated that he sees students' lives transformed at the school and that it is rewarding to watch them go on to lead rewarding lives as problem solvers.

University of Iowa College of Law School Dean Gail Agrawal reported that the class of 2015 is 95 percent employed, one student is still seeking a job in Iowa and 4 are out-of-state. The class of 2015 includes a record breaking 31 judicial clerks out of a graduating class of 146. Agrawal went on to provide updates on student and faculty achievements, events, retirements, awards of tenure and new faculty hires.

### ABA Delegate report (June 16)

ABA Delegate David L. Brown offered over two decades of perspective in the ABA on limited law practitioners and reported that the existing policy at the ABA is to not support non-lawyers in the practice of law. Brown went on to report on the April 2nd Drake Law School Supreme Court Dinner that featured ABA President Paulette Brown as a speaker. In addition, he noted that ABA Day 2016 in Washington D.C. was a positive event and that ABA Past President Robert Grey highlighted the ISBA YLD mentorship program at the June 15 ISBA Annual Meeting plenary session.

### Ethics and Practice Guidelines Committee report (June 16)

ISBA Past President Nick Critelli reported on the Ethics & Practice Guidelines Committee's ongoing efforts. In particular, he noted preventative measures in Iowa and remarked on the committee's work to develop an App to assist with the elimination of potential or apparent conflicts of interest. Concerns regarding the virtual practice of law involving the provision of legal services outside of the typical brick and mortar physical law firm are also being reviewed by the committee. Members are encouraged to contact the committee with questions as needed.

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ISBA Past President Guy Cook leads a discussion on the upcoming retention election.



# 143rd Annual Meeting provided learning, fun and chance to reconnect with fellow attorneys, judges

The 1,050 lawyers, judges and court reporters who attended this year's ISBA Annual Meeting in June cited the educational sessions, the opportunities to connect with fellow practitioners and the chances to rub shoulders with judges and court reporters in an informal setting as the highlights of the meeting. Fifty six of the 77 (73 percent) who filled out the evaluation form at the end of the event said they definitely will attend next year's meeting. The remaining 21 (27 percent) said they were undecided.

The vast majority of respondents said they were very satisfied or somewhat satisfied with the programming, materials, registration process and venue of the three-day meeting. Typical of the responses was this statement from one of the attendees: "The presentations were, overall, excellently done and the conference provided many excellent choices at each time slot. I very much enjoyed the interaction with other attendees as well and came away with a renewed vigor and appreciation for how hard Iowa lawyers try to serve their clients."

Another attendee summed up the feelings of many others, stating that the "opportunity to connect with ISBA members and others in attendance (judges, court reporters)," was a highlight.

Other frequently mentioned comments included: "The opportunity to network while also gathering information of use in the day-to-day practice of law," "having so many different tracks going at the same time so I can choose what seminars to attend," "the ability to custom tailor among the various tracks," "convenient vendor locations," and the ability "to obtain a full year's CLE (Iowa) credit requirements in one setting."

The three-day event offered a smorgasbord of 98 CLE presentations in 23 different tracks, plus two plenary tracks. Depending on which tracks they attended, meeting goers earned up to 19 hours of state CLE credit, which included 10 ethics hours and 16.5 federal hours. A total of nine ISBA sections and one committee sponsored CLE programs during the three-day event.

Plenary tracks on Tuesday and Wednesday mornings focused on the themes of civility and professionalism in the law practice. Tuesday morning's session entitled "Civility Matters," featured a panel of Iowa attorneys including Frank Harty, Randall Armentrout, Tim Semelroth, Stephen Doochen and Michael Streit. It was sponsored by the American Board of Trial Advocates.

Wednesday's plenary session entitled "Mentorship: The Key to Iowa Attorneys' Professionalism" featured Robert Grey, Jr., past president of the American Bar Association. He told the attendees that mentoring is essential for lawyers to maintain high standards and values. He praised the mentoring program the Young Lawyers Division (YLD) has developed that pairs older Iowa lawyers with new lawyers, and discussed the 260-member organization of which he is president that mentors 700 law students every year.



Incoming President Skip Kenyon delivers his inaugural address minutes after being invested as the 2016-2017 ISBA president. The address was the closing event at the President's Awards Gala during the ISBA Annual Meeting in June.



One of Skip Kenyon's sons asks his father if he will serve the public during his term as ISBA president. Both sons, Joseph and Beau, represented the public during the investiture ceremony at the President's Awards Gala. Standing in support behind the new president are past ISBA presidents who attended the gala.

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Partner



Robert Grey, Jr., past president of the American Bar Association, addressed annual meeting attendees on the subject of mentorship at the ISBA Annual Meeting in June.



Immediate Past President Bruce Walker presents a president's award to Tom Hillers at the Young Lawyers Division quarterly meeting during the ISBA's Annual Meeting.



Former Congressman Neal Smith shares his thoughts on the federal judiciary during the luncheon honoring the Iowa Supreme Court on Wednesday of the annual meeting.

The goal of a good mentoring program should be to advance a young attorney's knowledge as rapidly as possible so he or she can become a great lawyer, he said.

In addition to the multitude of CLE presentations, attendees were treated to numerous social activities, meetings and opportunities to talk with the 49 vendors who lined the hallway outside of the meeting rooms. The Iowa State Bar Foundation, the YLD and the ISBA Board of Governors held meetings during the event.

This year's vendors offered a range of products and services from computer software to programs that improve management of the law office and programs attorneys could offer to clients. Some vendors even offered educational books and toys for children. Ninety five percent of those who filled out the evaluation form said they had adequate time to visit with vendors.

The social activities began on Monday, the first day of the event, with law school luncheons hosted by Creighton University, Drake University and the University of Iowa. The luncheons provided an opportunity for alumni to get together, renew old friendships, create new ones and swap war stories about the practice of law.

Tuesday activities included a Red Mass at 7 a.m. at St. Ambrose Cathedral in downtown Des Moines, the 50-year-member luncheon at noon, the joint president's reception at 5 p.m. and the Luau in the Lot hosted by the Young Lawyers Division (YLD) at bar headquarters starting at 6 p.m. Wednesday's social activities began with the Foundation Fellows Breakfast at 7 a.m., a luncheon honoring the Iowa Supreme Court at noon with former Congressman Neal Smith as the keynote speaker, and the annual President's Awards Gala at 6:30 p.m.

During the gala, J.C. Salvo received the ISBA Award of Merit, the highest honor the association bestows on a member. Dr. Brian

Farrell received the YLD Award of Merit. And, Tim Pearson received the Rolland Grefe Pro Bono Publico Award (see separate articles elsewhere in this issue).

In addition, Jay Eaton received a president's award. Emily Chafa received the Outstanding Committee Chair Award for her work with the Diversity & Inclusiveness Committee, and Mark Schuling received the Outstanding Section Chair Award for his work as chair of the Government Practice Section.

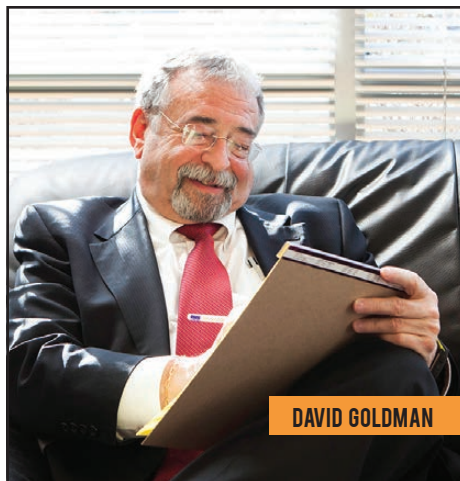
Arnold O. "Skip" Kenyon III was invested as the 2016-2017 ISBA president during a ceremony which featured a stage full of past presidents and Iowa Supreme Court Chief Justice Mark Cady, who delivered the oath of office.

New this year were open AA and Al-Anon meetings available to anyone who wanted to attend. The AA meetings were held in the mornings and afternoons during all three days of the 143rd annual event. The Al-Anon meetings were held on Tuesday and Wednesday. Several attendees commented on the evaluation form that they were grateful the meetings had been added and urged organizers to include them again next year.

As in past years, the Iowa Court of Appeals held oral arguments during the annual meeting. This year, two sessions were held at 9 a.m. and at 10:30 a.m. on Wednesday morning.

"From the numerous continuing legal education courses to the fun social activities, we hope this annual meeting exceeds your expectations," wrote Kathleen Law and Christine Moon, the annual meeting co-chairs, in their introduction to the meeting program. "This is a great opportunity to get all of the education you need for the year and spend time visiting with people you haven't seen since the last annual meeting."

From the comments on the evaluation form, their hope became reality.



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References Available On Request



Four members of the High School Mock Trial team that won the 2016 national championship tell those attending the annual Iowa State Bar Foundation's Fellows Breakfast how participation in mock trial has benefitted them. The bar foundation supports the mock trial program through grants made to the ISBA's Center for Law and Civic Education.



Two annual meeting attendees speak with a vendor during a break in the educational presentations. A total of 49 vendors lined the hallway outside of the meeting rooms.



A birds-eye view of the Luau in the Lot sponsored by the Young Lawyers Division shows annual meeting attendees eating and visiting in an informal environment in the parking lot of the ISBA building. The event was held Tuesday evening of the ISBA's Annual Meeting.

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**November 21 – 22, 2016**  
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Fairfield, IA

**December 12 – 13, 2016**  
Cass County Extension Center  
Atlantic, IA

**December 13 – 14, 2016\***  
FFA Enrichment Center  
DMACC Campus  
Ankeny, IA

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### Day one teaching team (all locations):

Roger McEowen, JD  
Joe Kristan, CPA  
Chastity Wilson, JD, LLM, CPA

### Day two teaching team

(Fayette, Storm Lake, and Fairfield):

A. David Bibler, JD, CPA  
James L. Goodman, JD  
Daniel L. Fretheim, JD

### Day two teaching team (Atlantic and Ankeny):

David Repp, JD  
Paul Neiffer, CPA

### Questions:

haley.montsma@CLAconnect.com  
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2016 Award of Merit —

## J.C. Salvo cited for his many contributions to the profession, the ISBA and his community



***“Everyone loves their own lawyers; it’s lawyers in general they can’t stand”***

No doubt hundreds of times in his 44 years as an attorney, J.C. Salvo made that statement to groups discussing how to improve the image of lawyers with the public, or groups simply lamenting the poor image lawyers hold in the public’s eye.

Those who know the Harlan, Iowa, attorney aren’t surprised by the statement. He has been a staunch supporter and defender of the legal profession since being admitted to the Iowa Bar in 1972. And, it’s one of the many reasons he was selected

to win this year’s Award of Merit, the highest honor the ISBA bestows on one of its members.

Immediate Past President Bruce Walker presented the award to Salvo during the ISBA Annual Awards Gala Wednesday evening, June 15. The gala climaxed the association’s annual meeting.

Awarded for the first time in 1947, the Award of Merit recognizes a member’s devotion to the legal profession, to the bar association and to his or her community. Salvo

certainly embodies those principles, the Award of Merit nominating committee wrote to the ISBA Board of Governors in its recommendation of Salvo as this year’s recipient.

As stated in the framed proclamation that accompanies the crystal Parthenon traditionally presented to Award of Merit winners: “Many aspire, but only a few attain this coveted award. Those who attain it do so because they have entered the rarefied air of selfless dedication to the legal profession, to the bar association and to their communities.”

Born in Council Bluffs, the Creighton University School of Law graduate’s impact on the legal profession, the bar association and his community is still

being felt today. He served on the ISBA Board of Governors from 1999 to 2006, including as president in 2005-2006. Under his leadership, the association purchased and remodeled its first permanent home. He continued serving after his presidential year by chairing the Raise the Bar Capital Campaign, using his sense of humor to make the campaign a success.

Before and since, Salvo has volunteered on a myriad of bar association groups, including the Ways and Means and Judicial Administration Committees, the Family Law and Litigation Sections, and the ISBA Task Force for the Delivery of Enhanced Legal Services Throughout Iowa. He also served on the Iowa Supreme Court’s budget committee and its pro se task force. And, he served on the Governor’s Task Force on Marriage/Divorce Reform.

Along the way, this highly regarded trial lawyer represented hundreds of clients in family law and civil cases. He also was active as a fellow of the Iowa Academy of Trial Lawyers where he served in various capacities, including as president in 1998.

His adopted community of Harlan in Shelby County also has benefitted from his service as chairman of the boards of community organizations, including the Harlan Municipal Utilities Board, the Harlan Chamber of Commerce, the city’s Zoning and Planning Commission and its Board of Adjustment. He was named Citizen of the Year in 1982 and received the Community Leadership Award in 1984 for his contributions.

Beyond the city of Harlan, he served as president of the Loess Hills Area Education Agency, Area XIII, and the Shelby County Health Foundation. He served on numerous boards at St. Michaels Catholic Church. And, he headed up the bond issue referendum for Iowa Western Community College.

Salvo and his wife and biggest cheerleader, Trudy, have three children -- Carr, Cassie and Dan -- and five, soon to be six, grandchildren.

The proclamation concludes: “It is with great pride that The Iowa State Bar Association presents its 2016 Award of Merit to this giant of the profession, J.C. Salvo.”



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# YLD Award of Merit — 2016 recipient illustrates that ‘you can do whatever you want with a law degree’

“The career services counselors at any law school will tell you, you can do whatever you want with a law degree. Tonight’s recipient of the YLD Award of Merit, Dr. Brian Farrell, has proven them correct.”

Those were the opening remarks made by Ian Russell, a past president of the ISBA’s Young Lawyers Division (YLD), in presenting the 2016 YLD Award of Merit to Farrell during the President’s Awards Gala June 15 at the Community Choice Credit Union Convention Center in Des Moines, Iowa.

“He has done many things, but his career and his law degree have been dedicated to the preservation and advancement of core civil liberties and natural rights,” Russell continued.

Farrell is currently a lecturer in Law and Human Rights, director of the Citizen Lawyer Program, and associate director of the Center for Human Rights at the University of Iowa College of Law. However, his curriculum vitae indicates he has crammed more accomplishments into the 18 years since he received his law degree from the University of Iowa College of Law than many attorneys with twice his legal tenure.

For example, in 2007, he co-founded the Innocence Project of Iowa, which is committed to the prevention of wrongful convictions and exoneration of innocent persons in the state. The group is dedicated to investigating Iowa cases and ensuring the integrity of Iowa’s criminal justice system. Farrell is currently president of the project and sits on the board of directors.

He practiced law in Iowa and Georgia, focusing on criminal defense, appeals and post-conviction relief. In 2002, he completed a master’s degree (LLM), and in 2014 a PhD in international human rights law, both degrees from the National University of Ireland Galway. In 2012, he was named a Fulbright Scholar by the U.S. Department of State and the J. William Fulbright Foreign Scholarship Board and taught for a semester in Bulgaria at Sofia

University St. Kliment Ohridski.

Along the way, he served as a contributor to the Oxford Reports on International Criminal Law, a consultant to the Harvard School of Public Health’s Program on Humanitarian Policy and Conflict Research, and as a human rights field researcher in Israel and the West Bank.

He also has authored more than 20 publications on international law, human rights, criminal law and legal education. His book Habeas Corpus in International Law will be published this year by Cambridge University Press.

In summary, “Dr. Farrell is a testament to the fact that you truly can do anything with a law degree,” Russell said. “His professional life has taken him from the state of Iowa to the state



of Georgia, to Ireland, and now back to Iowa. I am humbled to call him a fellow Iowa lawyer, and I am honored to welcome Dr. Brian Farrell and present him with the 2016 Young Lawyers Division Award of Merit.”

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# Tim Pearson receives the Rolland E. Grefe Pro Bono Publico Award



Grefe Pro Bono Publico Award was established by his widow, Mary Grefe, in his memory and in recognition of his long service to the ISBA, as well as his support for access to justice for all people.

On June 15, the Rolland E. Grefe Pro Bono Publico Award was presented to Tim Pearson of Des Moines, Iowa, a partner at Laden & Pearson, P.C. He is a graduate of Cornell College and the Drake University Law School and was admitted to practice in 1975.

works with the domestic court judges to seek solutions to the burden on the court of pro se litigants and any other issues with which domestic court judges seek assistance. Pearson is also a tireless fundraiser for the PCBA VLP.

As a volunteer, Pearson has taken 107 cases from the PCBA VLP, the equivalent of over 500 hours of service to individuals with need in Polk County. In addition, Pearson provides pro bono mediations through the PCBA VLP, which translates to an additional 75 hours of time donated. One of the most important roles that Pearson plays in the delivery of legal services in the community is that of a trainer for and mentor to other volunteer attorneys.

Pearson's commitment and dedication to equal justice and access to justice are evident through his contributions as a volunteer attorney together with his encouragement of fellow attorneys to join the effort and his donation of time to expand the resources available to help low-income Iowans. These many contributions make him a worthy recipient of the 2016 Rollie E. Grefe Award.

One of the highlights of the ISBA Annual Awards Gala each year during the ISBA Annual Meeting is the presentation of the Rolland E. Grefe Pro Bono Publico Award. This award recognizes a legal professional who has committed his or her talent and training to improve the quality of justice in the community and around the state and enhanced the human dignity of others by improving or delivering pro bono legal services to those who are unable to afford a lawyer. In so doing, this individual honors the legacy of the late Rollie E. Grefe, one of the true pillars of the Iowa Bar. The Rolland E.

Pearson helped to empower low-income Iowans through his work as an active participant of the Polk County Bar Association Volunteer Lawyers Project, the Polk County Bar Association, the PCBA Family Law Committee and the 5th Judicial District. Pearson has been a volunteer attorney with the Polk County Bar Association Volunteer Lawyers Project for nearly 30 years. He is a former president of the PCBA Volunteer Lawyers Project Board and for the past 15 years served on the PCBA Board. Pearson promotes pro bono through his leadership in the PCBA and specifically the PCBA Family Law Committee. He

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**Jim Nalley**  
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**Jennifer Julander**  
ASA

Introducing the ISBA's newest leaders –

# New BOG, Section, Committee Chairs

The following individuals accepted appointments to various leadership roles as the ISBA transitioned into the new fiscal year:

## Board of Governors



### **Bethany Currie – District 2B**

**Current City:** Marshalltown

**Admitted to Iowa Bar:** 2003

**Law School:** Drake University Law School

**Firm:** Peglow, O'Hare & See, P.L.C.

**Areas of Practice:** Workers' compensation, real estate law, general litigation, criminal defense, personal injury, juvenile law, tax returns, probate

**Contact:** bjcurrie@peglowlaw.com, 641-752-8800



### **Jill Davis – District 3A**

**Current City:** Spencer

**Admitted to Iowa Bar:** 2005

**Law School:** Drake University Law School

**Firm:** Montgomery, Barry, Bovee, Steffen & Davis, L.L.P.

**Areas of Practice:** Civil litigation, ag law, real estate law, probate law, business law, banking law, probate, estate planning

**Contact:** jill@mbsdslaw.com, 712-262-1150



### **James Daane – District 3B**

**Current City:** Sioux City

**Admitted to Iowa Bar:** 1988

**Law School:** University of South Dakota

**Firm:** Mayne, Arneson, Hindman, Hisey & Daane

**Areas of Practice:** Civil litigation, criminal law, juvenile law, personal injury, real estate law

**Contact:** jdaane@maynelaw.com, 712-252-2424



### **Dan Huitink – District 5A**

**Current City:** Pella

**Registered House Counsel:** November 2014

**Law School:** University of Iowa College of Law

**Firm:** Vermeer Corporation

**Areas of Practice:** Corporate counsel

**Contact:** dhuitink@vermeer.com, 641-621-8130



### **Dawn Boucher – District 5C**

**Current City:** West Des Moines

**Admitted to Iowa Bar:** 2004

**Law School:** Drake University Law School

**Firm:** Iowa Workforce Development

**Areas of Practice:** Administrative law judge

**Contact:** dawn.boucher@iwd.iowa.gov, 515-281-6502



### **Kathleen Law – District 5C and Legal Forms Committee**

**Current City:** Des Moines

**Admitted to Iowa Bar:** 2005

**Law School:** Drake University Law School

**Firm:** Nyemaster Goode, P.C.

**Areas of Practice:** Real estate law

**Contact:** kklaw@nyemaster.com, 515-283-3116



### **Abhay Nadipuram – District 5C**

**Current City:** Des Moines

**Admitted to Iowa Bar:** 2013

**Law School:** University of Iowa College of Law

**Firm:** Principal Financial Group

**Areas of Practice:** Corporate law, financial services, in house corporate, securities

**Contact:** nadipuram.abhay@principal.com, 515-235-9111



### **Nathan Overberg – District 5C**

**Current City:** Des Moines

**Admitted to Iowa Bar:** 1997

**Law School:** University of Iowa College of Law

**Firm:** Ahlers & Cooney, P.C.

**Areas of Practice:** Urban Renewal/Economic Development, Employment Law, Higher Education Law

**Contact:** noverberg@ahlerslaw.com, 515-243-7611



### **Nicolle Schippers – District 5C**

**Current City:** Des Moines

**Admitted to Iowa Bar:** 1997

**Law School:** Drake University Law School

**Firm:** ARAG

**Areas of Practice:** Corporate law

**Contact:** Nicolle.Schippers@ARAGlegal.com, 515-237-0270



### **Robert Fischer – District 6**

**Current City:** Vinton

**Admitted to Iowa Bar:** 1985

**Law School:** Drake University Law School

**Firm:** Robert B. Fischer Law Firm, City attorney for Mount Auburn, Vinton

**Areas of Practice:** General Practice

**Contact:** rfischerlaw@qwestoffice.net, 319-472-2353



### **Mark Parmenter – District 6**

**Current City:** Cedar Rapids

**Admitted to Iowa Bar:** 2003

**Law School:** Drake University Law School

**Firm:** Lederer, Weston & Craig, P.L.C.

**Areas of Practice:** Civil litigation, construction law, commercial litigation, insurance defense, real estate, commercial law, municipal law

**Contact:** mparmenter@lwclawyers.com, 319-861-5338

## Committees



### **Megan Flynn – Federal Practice**

**Current City:** West Des Moines

**Admitted to Iowa Bar:** 2009

**Law School:** University of Iowa College of Law

**Firm:** Coppola, McConville, Coppola, Carroll, Hockenberry & Scalise, P.C.

**Areas of Practice:** Employment law and civil rights, breach of contract, personal injury, products liability, shareholder disputes, and insurance litigation

**Contact:** megan@csmlaw.com, 515-809-6975



### **Charlie Nichols – Public Relations**

**Current City:** Des Moines

**Admitted to Iowa Bar:** 2005

**Law School:** University of Iowa College of Law

**Firm:** Principal Financial Group

**Areas of Practice:** investment Management, structuring & distribution of private funds and other investment vehicles

**Contact:** nichols.charlie@principal.com, 515-247-4944

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## Sections



### **Heather Palmer – Administrative Law**

**Current City:** Des Moines

**Admitted to Iowa Bar:** 1999

**Law School:** Drake University Law School

**Firm:** Iowa Division of Workers' Compensation

**Areas of Practice:** Deputy Workers' Compensation Commissioner

**Contact:** heather.palmer@iwd.iowa.gov, 515-725-3826



### **Kristen Hall – Alternative Dispute Resolution**

**Current City:** Des Moines

**Admitted to Iowa Bar:** 1998

**Law School:** Drake University Law School

**Firm:** KH Mediation

**Areas of Practice:** Alternate dispute resolution, collaborative divorce, elder law, estate planning, mediation

**Contact:** kristen@khmediation.com, 515-229-7395



### **Brenton Soderstrum – Construction Law**

**Current City:** Des Moines

**Admitted to Iowa Bar:** 1989

**Law School:** University of Iowa College of Law

**Firm:** Brown Winick, P.L.C.

**Areas of Practice:** Administrative law, alternative dispute resolution, construction law, employment and labor law, litigation / trial law, workers' compensation law

**Contact:** soderstrum@brownwinick.com, 515-242-2474



### **Desiree Kilburg – Commercial & Bankruptcy Law**

**Current City:** Cedar Rapids

**Admitted to Iowa Bar:** 2009

**Law School:** University of Iowa College of Law

**Firm:** Shuttleworth & Ingersoll, P.L.C.

**Areas of Practice:** Civil litigation, bankruptcy, health law and litigation

**Contact:** desiree.kilburg@gmail.com, 319-365-9461



### **David Cox – Family & Juvenile Law**

**Current City:** Iowa City

**Admitted to Iowa Bar:** 2007

**Law School:** University of Iowa College of Law

**Firm:** Bray & Klockau, P.L.C.

**Areas of Practice:** Family law

**Contact:** dcox@bkfamilylaw.com, 319-338-7968



### **Samuel Kreamer – General Practice**

**Current City:** West Des Moines

**Admitted to Iowa Bar:** 1981

**Law School:** Drake University Law School

**Firm:** Kreamer Law Firm, P.C.

**Areas of Practice:** Business law, estate planning, probate law, and succession planning.

**Contact:** sikjdcpa@kreamerlaw.com, 515-727-0900



### **Margaret Johnson – Government Practice**

**Current City:** Des Moines

**Admitted to Iowa Bar:** 2006

**Law School:** William & Mary Law School

**Firm:** Iowa Public Information Board

**Areas of Practice:** Deputy director/Government attorney

**Contact:** meg\_colaw@hotmail.com, (515) 725-1783



### **Alissa Smith – Health Law (co-chair)**

**Current City:** Des Moines

**Admitted to Iowa Bar:** 2004

**Law School:** University of Iowa College of Law

**Firm:** Dorsey & Whitney, L.L.P.

**Areas of Practice:** Health care, health transactions and regulations, cybersecurity privacy and social media

**Contact:** smith.alissa@dorsey.com, 515-283-1000



### **Benjamin Fee – Health Law (co-chair)**

**Current City:** Des Moines

**Admitted to Iowa Bar:** 2014

**Law School:** University of Iowa College of Law

**Firm:** Dorsey & Whitney, L.L.P.

**Areas of Practice:** Health care, health transactions and regulations

**Contact:** fee.ben@dorsey.com, 515-697-3637



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**Emily Pontius – Labor & Employment Law**

**Current City:** Des Moines  
**Admitted to Iowa Bar:** 2006  
**Law School:** George Washington University Law School

**Firm:** Fredrikson & Byron, P.A.

**Areas of Practice:** Employment, litigation, higher education

**Contact:** epontius@fredlaw.com, 515-242-8914



**Kyle Irvin – Probate, Trust & Estate Planning**

**Current City:** Sioux City  
**Admitted to Iowa Bar:** 2005  
**Law School:** University of Iowa College of Law

**Firm:** Corbett, Anderson, Corbett, Vellinga & Irvin, L.L.P.

**Areas of Practice:** Estate planning, probate administration, wills and trusts, real estate, business corporations, probate and trust litigation

**Contact:** kirvin@corbettanderson.com, 712-277-1261



**Christopher James – Taxation**

**Current City:** West Des Moines  
**Admitted to Iowa Bar:** 2006  
**Law School:** Drake University Law School

**Firm:** Athene Holding, Ltd.

**Areas of Practice:** International tax issues

**Contact:** cjames@athene.com, 515-342-3709



**Sarah Crane – Trade Regulation**

**Current City:** Des Moines  
**Admitted to Iowa Bar:** 2009  
**Law School:** University of Chicago Law School

**Firm:** Davis Brown Law Firm, P.C.

**Areas of Practice:** Business litigation, commercial litigation, appeals, antitrust law, insurance defense, employment law, family law appeals

**Contact:** sarahcrane@davisbrownlaw.com, 515-288-2500



**Tom Wertz – Workers' Compensation**

**Current City:** Cedar Rapids  
**Admitted to Iowa Bar:** 1978  
**Law School:** University of Tulsa Law School

**Firm:** Wertz & Dake

**Areas of Practice:** Workers' compensation

**Contact:** twertz@wertzlaw.com, 319-861-3001

# The Iowa State Bar Association 50-year Member Class of 2016



For their 50 years of membership to the ISBA, the following individuals were recognized at a special 50-year-member luncheon during the 2016 ISBA Annual Meeting at the Iowa Events Center in downtown Des Moines, Iowa, June 14: (wheelchair) Steven S. Hoth, Burlington, Iowa; (front row, from left) John J. Willett, Tama, Iowa; Eugene J. Kopecky, Cedar Rapids, Iowa; Morris E. Knopf, Minneapolis, Minnesota; John H. Smith, Keokuk, Iowa; Craig E. Carlson, West Des Moines, Iowa; Lawrence P. Van Werden, Osceola, Iowa; Hon. James E. Kelley, Rockville, Maryland; (back row, from left) James R. Moore, Marshalltown, Iowa; Franklin W. Sauer, Independence, Iowa; James A. Erb, Charles City, Iowa; Roxanne B. Conlin, Des Moines, Iowa; John J. Wolfe, Jr., Clinton, Iowa; Ronald W. Feilmeyer, Atlantic, Iowa; David A. Elderkin, Cedar Rapids, Iowa; E.J. Giovannetti, Des Moines, Iowa; Hon. Charles H. Pelton, Davenport, Iowa; Thomas E. Leahy, Windsor Heights, Iowa. Luncheon attendees were presented with a certificate and lapel pin from incoming ISBA President Arnold "Skip" Kenyon, III, in honor of this milestone in their careers.

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# ISBA Staff Directory

The Iowa State Bar Association staff is here to assist members in a variety of ways. The ISBA office is open from 8 a.m. to 4:30 p.m., Monday through Friday. For general questions or to be connected to the right individual, call 515-243-3179 or email [isba@iowabar.org](mailto:isba@iowabar.org).



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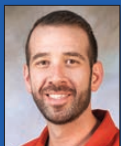
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# Drake Retains Dean's Cup

By Greg Kenyon

On May 16, 104 golfers made the pilgrimage to the Tournament Club of Iowa in Polk City in the annual quest for the Dean's Cup.

The morning rounds began under fair skies as the Drake Captain, Chief Justice Mark Cady sent 18 Drake golfers out in the morning singles to meet the Iowa team led by its acting Captain Judge Art Gamble (Iowa Captain Eliza Ovrum was sidelined by an illness). At the mid-day break, Iowa had taken a commanding lead of 22 to 14.

In the afternoon, the teams returned to the links to contest two-person, 9-hole matches. Another 68 golfers joined the fray vying for the points awarded to the low five best shot foursomes.

The Bulldogs roared back in the afternoon matches as they amassed 29 points to 7 for the Hawks. In the best shot competition, the team of Chet Mellema, Tom Joensen, Mike Miller and Brandon Brown shot 60 to claim first place for Iowa. They were closely followed by another Hawk team as Jace Bisgard, Sam Jones, Jonathan Landon and Brett Papendick fired a 61 for second place. But it was not enough as Drake claimed the 3rd, 4th and 5th places behind the stellar play of Ted Stopulos, Pat Stopulos, Nick Noble and Jordan Fuehrer in 3rd, Lee Hook, Judge John Jarvey, John Novak and John Ricolo in 4th with a 64 and the team of Geri Huser, Kelli Huser, Justice David Wiggins and Rick Olson who fired a 65 for 5th place. When all the points were tallied, the final score was Drake 47 ½, Iowa 34 ½.

In the pin events, David Baker claimed closest to the pin on #8. Mark Rosenbury was closest on #16. Chris Moon won the women's long drive on #17, and the long driver among the men was Jeremy Danielson on #9. The highly sought after Ronald D. Longstaff long putt award was claimed by Judge Michael Moon.

A new game of skill was added this year. Participants tossed golf balls from the deck at a golf bag approximately 40 yards away. Ryan Clark claimed the prize.

The big winner was Iowa Legal Aid as it received the net proceeds from the event. The 2017 matches will be contested on May 15th at the Finkbine Golf Course in Iowa City. Please mark your calendars and plan accordingly.

## IN MEMORIAM

**Edward Blando**, 77, died June 3 in Cedar Rapids, Iowa. Blando was born in 1938 in Aberdeen, South Dakota. He graduated from the University of South Dakota Law School in 1968 and in 1976 moved to Cedar Rapids. During his 48-year career, he served as Assistant Attorney General, Area Prosecutor's Section and as a partner with Elderkin Pirnie Law Firm. Ed was also a fellow of the Iowa Academy of Trial Lawyers, member of the American Board of Trial Advocates and twice chaired committees for The Iowa State Bar Association.

**David Crumley**, 85, died June 1 in Fort Dodge, Iowa. Crumley was born in 1931 in Des Moines, Iowa. He served in the U.S. Army for two years, then graduated from the University of Iowa College of Law in 1960. Crumley then helped form the Stark & Crumley Law Firm where he practiced for 56 years. During that time he served on The Iowa State Bar Association tax committee and as president of the Lions Club, among several other organizations.

**Robert D. Hall**, 85, of Sun Lakes, Arizona, died June 12. Hall was born in 1931 in Des Moines, Iowa. He received his J.D. at Drake University Law School and served in the military during the Korean War. Bob practiced in Des Moines and Ankeny, Iowa, until his retirement in 2006.

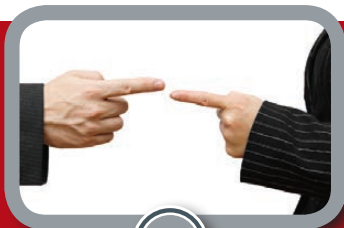
**John T. Nolan**, 80, died June 11 in Iowa City, Iowa. Nolan was born in 1936 in Iowa City. He earned his J.D. from the University of Iowa College of Law then served for two years with the U.S. Army Corps of Engineers. John practiced for 42 years, during which he practiced in front of the Iowa Supreme Court and U.S. Court of Federal Claims.

**Lynn Wiese**, 65, died June 26 in Mason City, Iowa. Wiese was born in Manning, Iowa, earned his B.A. from the University of Northern Iowa in 1973, and his J.D. from the University of Iowa College of Law in 1976. On graduation he joined the law firm now known as Barker, McNeal, Wiese & Holt in Iowa Falls. He was a member of The Iowa State Bar Association, American Bar Association, Iowa Association of Criminal Defense Lawyers, National Association of Criminal Defense Lawyers, Iowa Association for Justice, and the American Association for Justice. Wiese served on the Iowa State Bar Association Board of Governors, was an active coach and judge for the Mock Trial program, and in 2014 became a member of the Iowa Academy of Trial Lawyers.

*Members who know of a colleague passing should email the membership department at [membership@iowabar.org](mailto: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](http://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.*

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# Resolution Honoring Deceased Members

The Iowa State Bar Association Board of Governors approved the following resolution during the 2016 Annual Meeting:  
**WHEREAS:** The following individuals have served the legal profession with dignity and honor, and  
**WHEREAS:** They have been faithful stewards in upholding the Constitutions of the United States and the State of Iowa, and  
**WHEREAS:** They have been supportive members of The Iowa State Bar Association, and  
**WHEREAS:** They have unselfishly responded to any requests made of them to further the cause of the legal profession in the State of Iowa, now  
**THEREFORE BE IT RESOLVED:** That we pause for a moment of silence to honor their passing from this life into eternity.

## The Iowa State Bar Association Deceased Members

John L. Ayers . . . . .	West Des Moines, Iowa . . . . .	Aug. 4, 2015
G. David Binegar . . . . .	Davenport, Iowa . . . . .	Feb. 1, 2016
Edward M. Blando . . . . .	Cedar Rapids, Iowa . . . . .	June 3, 2016
John Arthur Brady . . . . .	Lexington, Kentucky . . . . .	Feb. 20, 2016
Russell G. Buchanan . . . . .	Algona, Iowa . . . . .	Dec. 20, 2015
Wilbur N. Bump . . . . .	New Orleans, Louisiana . . . . .	March 24, 2016
Allan J. Carew . . . . .	Dubuque, Iowa . . . . .	Sept. 9, 2015
Hon. James H. Carter . . . . .	Cedar Rapids, Iowa . . . . .	Feb. 27, 2016
James R. Cmejrek . . . . .	Ann Arbor, Michigan . . . . .	Jan. 30, 2016
Kristin A. Collinson . . . . .	West Des Moines, Iowa . . . . .	Sept. 21, 2015
Joe Cosgrove . . . . .	Sioux City, Iowa . . . . .	July 1, 2015
John F. Davis . . . . .	Urbandale, Iowa . . . . .	Feb. 7, 2016
Hon. Newt Draheim . . . . .	Clarion, Iowa . . . . .	Sept. 13, 2015
Paul D. Dunlap . . . . .	Urbandale, Iowa . . . . .	Feb. 17, 2016
Hon. George Gardner Fagg . . . . .	Johnston, Iowa . . . . .	July 14, 2015
Louis "Lou" Fusco . . . . .	Indianola, Iowa . . . . .	Aug. 16, 2015
Joseph E. Halbur . . . . .	Carroll, Iowa . . . . .	March 26, 2016
Craig R. Hastings . . . . .	Ames, Iowa . . . . .	Jan. 23, 2016
Roger J. Hudson . . . . .	West Des Moines, Iowa . . . . .	March 10, 2016
Thomas P. Hyland . . . . .	Clive, Iowa . . . . .	May 31, 2016
Joseph C. Johnston . . . . .	Tiffin, Iowa . . . . .	Sept. 19, 2015
Lisa A. Keane . . . . .	Omaha, Nebraska . . . . .	Oct. 12, 2015
Russell H. Laird . . . . .	Des Moines, Iowa . . . . .	June 5, 2015
David W. Leifker . . . . .	Hazel Green, Wisconsin . . . . .	June 13, 2015
Joan Lipsky . . . . .	Cedar Rapids, Iowa . . . . .	Aug. 18, 2015
Jeffrey R. Logan . . . . .	Ottumwa, Iowa . . . . .	March 1, 2016
David Francis McCann . . . . .	Council Bluffs, Iowa . . . . .	Feb. 29, 2016
James L. McDonald . . . . .	Keokuk, Iowa . . . . .	Aug. 13, 2015
Elliott "Jack" McDonald, Jr. . . . .	Davenport, Iowa . . . . .	April 8, 2016
Keith E. McWilliams . . . . .	Palm Desert, California . . . . .	June 3, 2015
Hon. Theodore H. Miller . . . . .	Clive, Iowa . . . . .	Dec. 27, 2015
Hon. Richard D. Morr . . . . .	Chariton, Iowa . . . . .	Dec. 1, 2015
James R. Mumford . . . . .	Winterset, Iowa . . . . .	Sept. 14, 2015
Jr. Roger Nolan . . . . .	Bettendorf, Iowa . . . . .	Sept. 11, 2015
Robert "Bob" Norris . . . . .	Shenandoah, Iowa . . . . .	March 28, 2016
J. Douglas Oberman . . . . .	Waterloo, Iowa . . . . .	April 17, 2016
Hon. Donald E. O'Brien . . . . .	Sioux City, Iowa . . . . .	Aug. 18, 2015
Anthony F. Renzo . . . . .	Santa Fe, New Mexico . . . . .	Nov. 1, 2015
Hon. W. Ward Reynoldson . . . . .	Des Moines, Iowa . . . . .	March 28, 2016
Donald G. Ribble . . . . .	Cedar Rapids, Iowa . . . . .	Nov. 4, 2015
Robert "Bill" Sackett . . . . .	Okobojo, Iowa . . . . .	Nov. 6, 2015
Robert L. Sandblom . . . . .	Scottsdale, Arizona . . . . .	April 11, 2016
Lawrence F. Scalise . . . . .	Santa Barbara, California . . . . .	June 12, 2015
Steven C. Schrader . . . . .	Decorah, Iowa . . . . .	July 14, 2015
Schroder, Jr., Russell H. . . . .	Osage, Iowa . . . . .	Aug. 24, 2015
Thomas C. Senneff . . . . .	Iowa City, Iowa . . . . .	Aug. 23, 2015
Mark C. Thomas . . . . .	Coon Rapids, Iowa . . . . .	Sept. 6, 2015
James Van Ginkel . . . . .	Atlantic, Iowa . . . . .	April 3, 2016
Rand S. Wonio . . . . .	Davenport, Iowa . . . . .	Oct. 3, 2015
Gary L. Yahnke . . . . .	Marion, Iowa . . . . .	Feb. 14, 2016

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Babich

**Ryan Babich** was elected a shareholder at Babich Goldman, P.C., in Des Moines, Iowa. Babich received his J.D. from Drake University Law School in 2010. He is a member of the Polk County, Iowa State and American Bar Associations and maintains a practice focused on family law.



Cronin

**Matt Cronin** and **Marina Grabchuk** joined Belin McCormick, P.C., in Des Moines, Iowa. **Cronin** earned his J.D. from the University of Iowa College of Law. He will join the firm's corporate practice group, focusing on banking and financial institutions, creditor remedies, commercial transactions and litigation. Prior to joining the firm, Cronin served as senior vice president and general counsel for First American Bank.



Grabchuk

**Grabchuk** earned her J.D. from the University of California – Hastings. She joins the firm's litigation and employment groups, focusing primarily on employment-based, family-based and individual immigration, as well as I-9 regulatory compliance.



Meggison-Decker

**Jordan E. Meggison-Decker** and **Ellen M. Hames** joined BrownWinick, P.L.C., in Des Moines, Iowa, as associates. **Meggison-Decker** received her J.D. from Drake University law school in 2012. She joins the intellectual property group at the firm, focusing on patent application preparation and prosecution, trademarks and copyrights.



Hames

**Hames** received her J.D. from Drake University Law School in 2015. She will maintain a general practice including agribusiness, business and corporate law, environmental

law, international business transactions and real estate law.



Bullock

**Thomas Bullock** joined the Des Moines law firm of Newkirk Zwagerman P.L.C., as an associate attorney. Bullock earned his B.S. in Economics and Political Science from Iowa State University in 2005 and his J.D. from Drake University Law School in 2014. He will

focus primarily on discrimination, civil rights and employment law.



Ella

**V. John Ella** joined Trepanier MacGillis Battina P.A., in Minneapolis, Minnesota, as a shareholder. Ella received his J.D. from the University of Minnesota Law School in 1994. He practices primarily in employment law, business law and commercial litigation. Ella has also authored over 100 articles or chapters for various legal publications.



Greiner

**Gregory Greiner** was named chairman of the military and national security law practice at Tully Rinckey P.L.L.C. in Washington, D.C. He received his J.D. from Drake University Law School and operated a solo practice in Des Moines, Iowa. He was an active duty U.S. Army judge advocate for four years and a former senior defense counsel and operations law chief with the Army Reserve in Des Moines.



Hughes

**William Hughes** has joined Davis Brown Law Firm, P.C., in Des Moines, Iowa, as special counsel. He earned his J.D. from the University of Iowa College of Law in 2008. Hughes practices primarily in estate and tax planning, business succession planning, complex trust and estate administration, charitable giving and retirement planning. Prior to joining the firm he worked in Milwaukee, Wisconsin, where he was part of an initiative that provide pro bono estate planning documents to police officers, firefighters, EMTs, and their families.



Roberts

**Brett Roberts** and **Kendra Hanson** have joined Fredrikson & Byron, P.A., in Des Moines, Iowa.

**Roberts** joined the firm's mergers & acquisitions, private equity, bank & finance and securities groups as a senior associate. He graduated from the



Hanson

University of Iowa College of Law in 2010 and spent time as a law clerk in the U.S. Court of Appeals Eighth Circuit.

**Hanson** joined the firm's Employment & Labor and Employment & Labor Litigation Groups as an associate. She received her J.D. from Washburn University School of Law in 2013.



Mouw

**Austin Mouw** has joined Hopkins & Huebner, P.C., in Des Moines, Iowa, as an associate. He earned his J.D. from the University of Iowa College of Law in 2013. Mouw will maintain a practice focused primarily on liability and insurance defense.

(PENDING) **Megan Hingtgen, Shannon Holmberg** and (PENDING) **Katelynn McCollough** joined Davis Brown Law Firm, P.C., in Des Moines, Iowa, as summer associates. Hingtgen is a first year law student at the University of Iowa, Holmberg a second year student at Drake University and McCollough a second year student at the University of Iowa. The summer program at Davis Brown allows students to gain experience in legal research and contribute to the community through work on pro bono projects.



Hingtgen



Holmberg




McCollough

**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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# Letters to the Editor

## On Senator Charles Grassley

I was disappointed to read a letter to the editor in the June issue of the Iowa Lawyer from fellow past ISBA President Keith McKinley critical of Iowa Senator Charles Grassley and his leadership of the Senate Judiciary Committee.

Keith claims the president has a “constitutional right and duty to fill a vacancy on the Supreme Court.” In fact, Article II of the U.S. Constitution says the president “shall nominate, and by and with the Advice and Consent of the Senate, shall appoint . . . Judges of the supreme Court, . . .” The president has the power only to nominate justices. There is no power to appoint or fill a vacancy on the Supreme Court without Senate approval.

Also missing from the Constitution is any reference to hearings. That means regardless of who the president nominates, the Senate has the constitutional authority to give its advice and consent — or withhold it. Senators can hold hearings, or not hold hearings. That is entirely within the discretion of the Senate in filling its role of advice and consent. It all depends on what the Senate thinks is best for the country and the rule of law.

And it hardly seems prudent for Senator Grassley to waste time and taxpayer money having a hearing on a nominee who the majority of the Senate has announced they will not support. We are fortunate to have as our Senator a person who stands on principle, even in the face of some particularly vicious and unfounded personal attacks.

In April, ABA President Paulette Brown announced the recipients of the prestigious Justice Award from the American Bar Association. This award recognizes “members of Congress and grassroots advocates for their support on a variety of issues of importance to the legal profession and the administration of justice.” Senator Grassley and Senator Cory Booker (D-NJ) received the award for their “leadership on the Sentencing Reform and Corrections Act and juvenile justice reform.”

Our own Senator Grassley deserves congratulations not condemnation from the Iowa bar for this work as well as 25 other bills important to our profession, each one with strong bi-partisan support, that have cleared the Senate Judiciary Committee since Senator Grassley became chairman last year.

Sincerely,  
*Robert V.P. Waterman, Jr.*  
*Past President of the ISBA*  
*Davenport, Iowa*

## On Jury Duty

I read Michael Dayton’s letter [in the June issue of the Iowa Lawyer] with great interest. In 2009 having been in active practice which involved about 45 jury cases tried to verdict, I was called to jury duty in Minneapolis. It turned out to be a great opportunity to observe a part of the human condition by interacting with a broad range of people. At one point I was seated at a table with a skilled craftsman, a professor from the University of Minnesota and man who was teetering on the edge of homelessness.

As prospective jurors we were given the usual overview about the duties, but were then treated rather indifferently. I remained the whole first day in the assembly room.

On the second day about 40 of us were sent to a courtroom and upon arrival were given a supplemental questionnaire, and told to wait in the hall. The supplemental questionnaire had two significant questions: Had I ever been given a drug that caused me to lose control of my faculties followed by my being sexually abused? And if so, how did I feel about being drugged and sexually abused? Quite an introduction to the case!

We filled out and handed in the questionnaires. We then waited in the hall for about two hours while a plea bargain was worked out. (We weren’t told that, but it was obvious.) There were only three or four chairs in the hallway so most of us sat on the floor. The defendant, with women who appeared to be his wife and daughter, walked up and down the hall a few times. The women were crying. Finally, a court administrator deputy sent us back to the assembly room. We weren’t told what deal had been reached.

The third day I got into the jury box in an assault and battery case. Prosecution and defense counsel were young. When the judge learned that I was a lawyer admitted to practice; she interceded and observed that she was concerned that I might use my experience to influence the jury unfairly. She then looked straight at defense counsel who moved that I be excused. That motion was granted.

I had always wondered what it felt like to be stricken from the jury panel. Now I knew. It felt good! Really good!

Sadly, the third day was the last for our group.

My experience on jury duty was positive in the sense that I got to meet and converse with people from varied walks of life. As for participation in court procedure, it was much as I expected — lots of waiting around.

Regards,  
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*Newfolden, Minnesota*

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# June Thanks to speakers

## June 2

### Human Factors: A Scientific Evaluation of Human Cognition, Behavior and Interactions

Sponsored by The Iowa State Bar Association and ISU Center for Agricultural Law and Taxation

Dr. Emily Skow, Exponent®, Inc.

## June 7

### Recent Developments in Trade Secret Law

Sponsored by The Iowa State Bar Association Intellectual Property Law Section

R. Mark Halligan, FisherBroyle

## June 7

### Iowa Farm Leases from Start to Finish

Sponsored by The Iowa State Bar Association Intellectual Property Law Section

Kristine Tidgren, ISU Center for Agricultural Law and Taxation

## June 9

### Iowa Fence Law

Sponsored by The Iowa State Bar Association and ISU Center for Agricultural Law and Taxation

Kristine Tidgren, ISU Center for Agricultural Law and Taxation

## June 13-15

### The 2016 ISBA Annual Meeting

Sponsored by The Iowa State Bar Association Annual Meeting Committee

Hon. Paul Ahlers, District Associate Judge, District 2B

Paige Albjerg, actress/recent law school graduate

Hon. Steven Andreasen, District Court Judge

Rachel Antonuccio, Iowa City Public Defender's Office, Juvenile Division

Justice Brent Appel, Iowa Supreme Court

Ben Arato, Rob Tully Law Offices, P.C.

Randall Armentrout, Nyemaster Goode, P.C.

David Baker, David L. Baker - Mediations Services

Kay Bartolo, Des Moines Lawyer

Cristi Bauerly, Court reporter at the State of Iowa Judicial Branch

Ronni Begleiter, BrownWinick, P.L.C.

Henry Bevel, Swisher & Coht P.L.C.

Natalia Blaskovich, Reynolds & Kenline, L.L.P.

Trinity Braun-Arana, Asst. Director for Boards and Commissions, Office of Professional Regulation

Hon. Celeste Bremer, U.S. Court Chief Magistrate Judge

Scott Brown, Summit Structured Settlements

Misty Bubke, Court reporter at the State of Iowa Judicial Branch

Todd Buchanan, Buchanan, Bibler, Gabor & Meis

B. John Burns, Iowa Federal Public Defender's Office

Michael Carlson, Cobb County District Attorney's Office

Prof. Ronald Carlson, Fuller E. Callaway Chair of Law Professor Emeritus, University of Georgia School of Law

Ovie Carroll, U.S. Department of Justice, Criminal Division

Emily Chafa, Iowa Workforce Development

Andrea Charlow, Drake Law School

Benjamin Chatman, SUMO Group Inc.

Gina Christensen Messamer, Law Clerk, United States District Court for the Southern District of Iowa

Toni Christy, NCAA

Hon. Thad Collins, U.S. Bankruptcy Court

James Cooney, III, Womble Carlyle Sandridge & Rice, L.L.P.

David Cox, Bray & Klockau P.L.C.

Matthew Craft, Dutton Braun Staack & Hellman, P.L.C.

Nick Critelli, Critelli Law, P.C.

Tre Critelli, Office of Professional Regulation

Barb Davis, Barbara Durden Davis, P.C.

Natalie Denburg, Ph.D., Assistant Professor of Neurology and Neuroscience, University of Iowa Carver College of Medicine

Stephen Dooehn, Whitfield & Eddy, P.L.C.

Prof. Laurie Doré, Drake Law School

Matthew Eslick, Nyemaster Goode, P.C.

Dot Faust, Deputy Director, Offender Services

Joseph Feller, Koopman, Kennedy & Feller

Erik Fisk, Whitfield & Eddy, P.L.C.

Erica Fitch, Iowa Workforce Development Division of Worker's Compensation

Robert Gainer, Cutler Law Firm PC

Richard Garbersen, Shuttleworth & Ingersoll P.L.C.

Theresa Garthwaite, CNA Insurance

Timothy Gartin, Hastings Gartin & Boettger, L.L.P.

Prof. Josephine Gittler, University of Iowa, Iowa City

Craig Goettsch, Iowa Insurance Division

Hon. Rebecca Goodgame Ebinger, U.S. District Court Judge

Hugh Grady, Lawyer Assistant Program

Mark Gray, Gray, Thompson & Associates, P.L.C.

Scott Green, American Family Mutual Insurance Co.

Hon. Marlita Greve, Chief Judge, District 7

Robert Grey, Jr., Hunton & Williams

Dennis Groenenboom, Iowa Legal Aid

Justin Gross, Community Lawyers of Iowa, P.L.C.

Kristen Hall, KH Mediations

Neil Hamilton, Drake Ag Law Center

Frank Harty, Nyemaster Goode, P.C.

Justice Daryl Hecht, Iowa Supreme Court

Crystal Hemesath, 515 Therapy and Consulting

Hon. Robert Hutchison, District Court Judge, District 5

Kyle Irvin, Corbett Anderson Corbett Vellinga & Irvin, L.L.P.

Hon. Stephen Jackson, U.S. Court Magistrate Judge

Lisa Jaffee, CNA Insurance

Todd Janzen, Janzen Ag Law

Gregory Kenyon, Bradshaw Fowler Proctor & Fairgrave, P.C.

Steve Klesner, Johnston, Stannard, Klesner, Burbidge & Fitzgerald, P.L.C.

Ryan Koopmans, Nyemaster Goode, P.C.

Sally Kreamer, Deputy Director, Community-based Corrections

Sydney Kronkow, Legislative Liaison

Steven Lawyer, Steven Lawyer & Associates

Gregory Lederer, Lederer Weston & Craig, P.L.C.

Kathy Lerma, RN, BA Business Administration

Stephen Locher, Belin McCormick, P.C.

Ross Loder, Iowa Department of Public Safety

Paul Lundberg, Lundberg Law Firm, P.L.C.

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Kaylan McCord, Reporter, Scopist and proofreader at McCord Reporting

Hon. Christopher McDonald, Court of Appeals

Audrey McGinn, State Public Defender

Brian McKenrick, Court Administrator, District 7

Hon. Rose Anne Mefford, District Associate Judge, District 8

Tyler Miller, Judicial Branch Information Technology

Paul Morf, Simmons, Perrine, Moyer, Bergman, P.L.C.

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Mark Newman, Newman Thompson & Gray, P.C.

Jeff Noble, Polk County Attorney's Office

Hon. William Owens, Associate Juvenile Judge, District 8A

Heather Palmer, Iowa Workforce Development Division of Worker's Compensation

Mollie Pawlosky, Dickinson Mackaman Tyler & Hagen, P.C.

Susan Pence, Bankers Trust

Bridget Penick, Fredrikson & Byron, P.A.

Ellen Ramsey-Kacena, Ellen Ramsey - Kacena Law

Wayne Reames, Belin McCormick, P.C.

Lisa Reel Schmidt, Iowa Attorney General's Office

Rich Richards, Des Moines Lawyer

Kim Roddick, Reynolds & Kenline, L.L.P.

Christopher Rottler, Community Lawyers of Iowa, P.L.C.

Roxann Ryan, Iowa Department of Public Safety

Joslyn Sailer, Sailer Law, P.L.L.C.

Hon. Paul Scott, District Court Judge, District 5C

Sara Scott, Iowa Department of Justice

Timothy Semelroth, Riccolo Semelroth & Henningsen, P.C.

Frank Severino, Polk County Attorney's Office

Amber Shanahan-Fricke, Federal District Court for the Southern District of Iowa

Hon. Anita Shodeen, U.S. Bankruptcy Court

Anjela Shutts, Whitfield & Eddy, P.L.C.

Virginia Sipes, ISBA

Tyler Sirovy, U.S. Army Private 1st Class

Beth Skinner, Statewide Recidivism Reduction Coordinator

Chantelle Smith, Iowa Attorney General's Office

Charles Smith, Telpner Peterson Law Firm L.L.P.

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Dr. Christopher Wilson, Licensed Psychologist

Theresa Wilson, Office of the State Appellate Defender

Hon. Colin Witt, District Associate Judge

Hope Wood, Hope Wood Law Firm

Alexander Wonio, Hansen McClintock & Riley

Justice Bruce Zager, Iowa Supreme Court

Jennifer Zwagerman, Drake Ag Law Center

## June 24

### Common Mistakes in Local Rules: Perspectives from Northern and Southern District Judges

Sponsored by The Iowa State Bar Association YLD Professional Development Committee

Hon. Helen Adams, U.S. Court Magistrate Judge, Southern District of Iowa

Hon. C.J. Williams, U.S. Court Magistrate Judge, Northern District of Iowa



ESGR Volunteer Michael Dayton presents Judge Christopher McDonald with a Patriot Award for support of Guard and Reserve members. Judge McDonald was nominated by Tech Sgt. Melissa Knight (pictured, right) who is his law clerk.

## Judge McDonald receives Patriot Award

Court of Appeals Judge Christopher McDonald received the Patriot Award from the Iowa Committee for Employer Support of the Guard and Reserve (ESGR) July 13, recognizing his outstanding support of an employee who serves as an Airman in the Iowa National Guard.

“Judge McDonald understands the importance of my military service and values service as an asset to his team,” said Melissa Knight, who is a law clerk for the judge and a technical sergeant in the Iowa Air National Guard. “He has been flexible with my work schedule while serving at

the 185th Air Refueling Wing in Sioux City, Iowa. I am thankful to have such a supportive employer.”

The unique time requirements of military service can sometimes be difficult for employers to handle, but McDonald emphasized the importance of finding ways to fulfill those needs.


“As members of the court, we deal with constitutional issues almost every single day and I think it’s important that we acknowledge that why we are really here is to support those people who are willing to make the ultimate sacrifice on our behalf.”

Following the presentation, McDonald joined Chief Justice Mark Cady in signing a declaration of support for the Guard and Reserve. The declaration acknowledged gratitude for the service of those in the military and pledged continued support to current and future employees.

“It is with deep gratitude that we are today able to acknowledge what everyone does when they continue to participate in the service of this country while employed throughout the state,” said Cady. “We are proud to publicly recognize our support for you in your time of need just as Judge McDonald did in Melissa’s time of need.”

Steve Bogle, the Iowa ESGR state chair, also showed appreciation for the declaration and the strong support McDonald showed. Bogle emphasized the importance an employer has in making a service member successful in both civilian and military careers.

“As everyone here probably already knows, without the support of our employers and family members, our service members could in no way provide the professionalism and leadership needed to do their military duties and protect this great country we live in,” Bogle said. “It’s certainly not taken for granted that with the kind



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Command Chief Master Sgt. Tim Cochran, Maj. Kristina Stanger, Chief Justice Mark Cady, Melissa Knight, Judge Christopher McDonald, Michael Dayton and Steve Bogle smile for a photo op at the Judicial Branch Building in Des Moines, Iowa, July 13. (Iowa Judicial Branch photo)

of support you have provided our soldiers, marines, sailors and airmen can do what they need to do without worrying about having a job when they come back home.”

The patriotic employer award was created by the ESGR to publicly recognize individuals who provide outstanding patriotic support and cooperation to their employees. Employers are selected based on nominations by service members who feel they have gone above and beyond in aiding their military employees.

The ESGR also helps to increase awareness of laws concerning military employees, advocates mutually beneficial initiatives and works to resolve potential conflicts between employers and service members.



Chief Justice Mark Cady and Judge Christopher McDonald sign a declaration of support for the Guard and Reserve as Kristina Stanger, attorney and a Major in the National Guard, looks on. (Iowa Judicial Branch photo)



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Candidates should also have a talent to develop and maintain a network of clients in the community. Admission to practice in the state of Iowa is required. Send resume to Mark J. Willging, Fuerste, Carew, Juergens & Sudmeier, P.C., 151 West 8th Street, 200 Security Building, Dubuque, IA 52001 or [mwillging@fuerstelaw.com](mailto:mwillging@fuerstelaw.com) (76-8)

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West Des Moines

**September 13**

**Ethics in Intellectual Property Law**  
(Live Webinar)

**September 16**

**To Contest or Not Contest: An Overview of  
IOSHA Legal Proceedings**  
(Live Webinar)

**September 23**

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

**September 30**

**Fundamentals of Federal Practice**  
U.S. District Courthouses

**October 14**

**Labor and Employment Seminar**  
Hilton Garden Inn  
Johnston

**October 27 - 28**

**Family Law Seminar**  
West Des Moines Marriot  
West Des Moines

**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  
Des Moines

## Fundamentals of Federal Practice Seminar

**September 30**

This video-conferencing CLE program is for new attorneys and seasoned attorneys looking to brush up on federal court practice. The seminar will provide an excellent opportunity to meet and interact with judges and courthouse personnel from both the Northern District of Iowa and the Southern District of Iowa.

### SEMINAR LOCATIONS:

Attendees are invited to attend at one of the five U.S. District Courthouses where the program will be broadcast using the court's video-conferencing technology.

- Cedar Rapids - 111 7<sup>th</sup> Avenue, Southeast
- Council Bluffs - 8 South 6<sup>th</sup> Street, Room 313
- Davenport - 131 East 4<sup>th</sup> Street, Suite 150
- Des Moines - 123 East Walnut
- Sioux City - 320 6<sup>th</sup> Street

### CLE CREDIT (approved):

3.25 state hours which includes 3.25 federal hours

Register online at [www.iowabar.org/event/2016FederalFundamentals](http://www.iowabar.org/event/2016FederalFundamentals)



# Bridge the Gap Seminar

September 8 - 9

West Des Moines Marriott • 1250 Jordan Creek Pkwy. • West Des Moines, Iowa 50266

## THURSDAY, SEPTEMBER 8

- 8:00 - 8:30** **Legislative Update**  
Speaker: Iowa Senator Rob Hogg, Cedar Rapids
- 8:30 - 9:00** **Estate Recovery**  
Speaker: Benjamin Chatman, SUMO Group Inc.
- 9:00 - 9:30** **eDiscovery Rules**  
Speaker: James Weston, Tom Riley Law Firm PLC
- 9:30 - 10:00** **Adoption from A to Z**  
Speaker: David Grooters, Pappajohn Shriver Eide & Nielsen PC
- 10:00 - 10:15** **Break**
- 10:15 - 11:00** **Alimony**  
Speaker: Mary Zambreno, Dickinson Mackaman Tyler & Hagen PC
- 11:00 - 12:00** **Trial Topic**  
Tim Semelroth, RSH Legal
- 12:00 - 1:00** **Lunch (not provided with registration)**
- 1:00 - 2:00** **Federal Case Law Update**  
Speaker: Hon. Helen Adams, United States Magistrate Judge for Southern District of Iowa
- 2:00 - 2:45** **Farm Valuation and Farm Lease Terms**  
Speaker: Fred Greder, Benchmark Agribusiness
- 2:45 - 3:00** **Break**
- 3:00 - 4:00** **Ethics of Technology**  
Speaker: Nick Critelli, Critelli Law PC
- 4:00 - 5:00** **Search and Seizure in the Digital Age**  
Speaker: Robert Rehkemper, Gourley Rehkemper & Lindholm PLC

Register online at  
[www.iowabar.org/event/2016BTG](http://www.iowabar.org/event/2016BTG)

## FRIDAY, SEPTEMBER 9

- 8:00 - 9:00** **Concurrent Jurisdiction**  
Speaker: Sara Strain Linder, Bray & Klockau PLC  
(Approved for juvenile law credit. Additional two hours of juvenile law credit may be taken from the ISBA On-Demand CLE Catalog at no charge.)
- 9:00 - 10:00** **Federal Sentence Guidelines**  
Speaker: TBA
- 10:00 - 10:15** **Break**
- 10:15 - 10:45** **Elder Abuse: Hitting too Close to Home**  
Speaker: Chantelle Smith, Iowa Attorney General's Office
- 10:45 - 11:45** **Business Continuity Planning**  
Speaker: August "Dutch" Geisinger, Safeguard Iowa Partnership
- 11:45 - 12:45** **Lunch (not provided with registration)**
- 12:45 - 1:45** **State Case Law Update**  
Speaker: Hon. Paul Ahlers, District Associate Judge, District 2B
- 1:45 - 2:15** **Practical Resolution of Estate and Trust Dispute**  
Speaker: Christine Halbrook, Bradshaw Fowler Proctor & Fairgrave, PC
- 2:15 - 2:30** **Break**
- 2:30 - 3:00** **Legal Issues Surrounding Drones**  
Speaker: TBA
- 3:00 - 4:00** **Substance Abuse**  
Speaker: Dan Moore, Moore Heffernan Moeller Johnson & Meis, LLP, ILAP President
- 4:00 - 5:00** **Ethics Panel**  
Moderator: Michael Streit, Shuttleworth & Ingersoll PLC

# Iowa lawyers in Bangladesh

By Forde Fairchild

This past spring, four Iowans, all of whom are experienced criminal justice experts and federal prosecutors, traveled halfway around the world to the impoverished country of Bangladesh. They did so to assist local prosecutors and investigators in better combating transnational criminal activities ranging from a growing threat of terrorism to the trafficking in persons, narcotics and the endangered Royal Bengal Tiger by pirate groups.

I was lucky to be one of those four. We participated in two events organized by the Department of Justice's Office of Overseas Prosecutorial Development Assistance and Training (OPDAT), which was formed in 1991 in response to the growing threat of transnational crime.

## What is the OPDAT

The OPDAT works with partner countries to develop and strengthen fair, just and accountable justice sector institutions, to build strong international partners to combat transnational criminal activities, and to enhance and foster the administration of justice and rule of law consistent with international norms and standards. Its programs support the United States' and the department's national security, law enforcement and justice policy goals and priorities by assisting foreign counterparts in numerous ways including improving the skills of foreign prosecutors, investigators and judges through case-based mentoring, workshops and developmental programming.

The majority of the OPDAT's programs are implemented in the host country by experienced U.S. prosecutors attached to U.S. Embassies. Assistant United States Attorney Jack Lammers, a native of Manchester, Iowa, who is normally stationed in Sioux City, Iowa, is one such experienced prosecutor.

Lammers is currently serving an eight-month detail as an intermittent legal advisor to the People's Republic of Bangladesh. With the assistance of his Foreign Service National staff, he assesses host country criminal justice institutions and procedures; drafts, reviews and comments on legislation and criminal enforcement policy; and provides technical assistance to host country officials in the justice sector among other things.



On the roof of the Grand Prince Hotel at the trial advocacy program for the Anti-Corruption Commission prosecutors with Assistant U.S. Attorneys Jaime Bowers, Jack Lammers and John Hanley.

## About Bangladesh

With a total area of 144,000 square kilometers and a land mass of 133,910 square kilometers, Bangladesh is about the size of Iowa. Made up mainly of fertile alluvial plains between the Ganges and Jamuna Rivers that converge in the center of the country, the tropical country can – even in April – remind one of Iowa in August. The two places also share an important reliance on agriculture. The people of Bangladesh frequently proclaim they are “sons of the soil.” However, in stark contrast to Iowa, with a population of more than 145 million people, Bangladesh is one of the most densely populated countries on earth. Its mega-city capital of Dhaka is among the most-populated cities in the world. With more than 15.4 million people squeezed into the area of about Portland, Oregon, or into the area of the cities of Sioux City and Des Moines, Iowa, combined, it is the most densely populated city in the world.

Bangladesh's legal system, too, might remind one of that found in the United States. The present day states of Pakistan, India and Bangladesh were all once possessions of the British Empire's India. As such, each inherited a common law, adversarial legal system with certain constitutional safe guards that we would recognize at home. However, unlike the United States, trials are usually conducted by judges rather than juries and convictions are rare.

## Case preparation and trial skills training

During his tour, Lammers organized or participated in nine conferences throughout Bangladesh. Iowa was well represented in the final two training events focusing on case preparation and trial skills. One event was held in capital city Dhaka and the other, which was targeted to wildlife prosecutors, forestry investigators and police investigators, was held in Khulna, the nearest city to the Sunderbans Forest which is the largest mangrove forest in the world.

The trainings were designed to help local prosecutors and investigators improve their conviction rates while maintaining the rights of the accused. In the United States, we have a criminal justice system that protects the innocent and punishes the guilty, and by doing so moderates the passions of the people and guards against the lies that suggest we must either surrender liberty for security or accept extraterritorial violence and mob rule as substitutes for law and order.

For the success of our system is why prosecutors and investigators in Bangladesh asked for our assistance, and I was glad to provide that assistance. It really shouldn't surprise anyone that Iowa is so well-represented in this effort: Iowans care for their neighbors and thirst for justice and fairness like no one else in the world.

For the Dhaka program, Lammers recruited two federal prosecutors to aid him. One of these two was Assistant United States Attorney Jamie Bowers, who is currently stationed in Sioux City, Iowa.

The Khulna training, Lammers recruited three Assistant United States Attorneys, two of the three were Iowans: Myself, a native of Terril, Iowa, who is currently stationed in Sioux City, Iowa, and Robert Knief, a native of Oelwein, Iowa, who is currently stationed in Las Vegas, Nevada.

### Iowans with a greater mission

Three of the four Iowans, including myself, who traveled to Bangladesh are currently stationed in Sioux City, Iowa, and under the direction of the presidentially-appointed chief law enforcement officer for the Northern District of Iowa, United States Attorney Kevin Techau.

Techau admitted it was a hardship allowing three of his people to take on these extra-international responsibilities, but he did so because he believed this kind of capacity-building abroad makes America safer at home. He noted also the hardship was really borne by the individuals themselves. Long nights at the office before and after their 10-day deployments made sure these prosecutors' local investigations would not suffer in their absence.

"Each of these attorneys," said Lammers "brought unique expertise to the training."

Knief served both as an officer and a long-time state and federal prosecutor. Bowers served as a long-time state and federal prosecutor in both the Continental United States and in Saipan in the Northern Mariana Islands. I have both counter-terrorism and wildlife crime experience here and abroad. Additionally, all three of us have had years of experience building formal or ad hoc taskforces and sparking interagency law enforcement cooperation.

### Strong partnerships

The host nation's law enforcement officials welcomed their United States partners warmly. They observed that the training events were helpful and even inspiring. The close relationships developed by the U.S. and local prosecutors were especially evident on the final day of the Khulna training when the chief prosecutor of the province led everyone in a series of rousing celebratory dances and songs. This



Foreign service nationals (i.e., Bangladesh employees of the USG) Tanik Munir and Sangita Gazi with Forde Fairchild at the closing dinner after the wildlife trafficking conference in Khulna.

was an experience like no other for a kid from Terril, Iowa.

The party ended with the Bangladeshis inviting their new friends to return soon. They are in luck, Assistant U.S. Attorney Shawn Wehde, a native of Iowa City, Iowa, and currently stationed in, you guessed it, Sioux City, Iowa, is packing his bags.



After college, law school, and two judicial clerkships, Forde Fairchild was hired by the United States Department of Justice, through the Attorney General's Honors Program. At the United States Department of Justice, Fairchild has served as a Trial Lawyer in Washington D.C., a Special Deputy Marshal and Deputy Justice Attaché in Baghdad and Mosul Iraq, and as an Assistant United States Attorney in the Northern District of Iowa (which includes his current duty station of Sioux City, Iowa).

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