



2017 ANNUAL MEETING IN REVIEW

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Does Your Client Have an Idea?

McKee, Voorhees & Sease, PLC (MVS) is an Intellectual Property law firm located in downtown Des Moines, Iowa. We help clients worldwide in over 150 countries to obtain and protect their intellectual property rights through patents, trademark and copyright registrations, licensing, and litigation.

We've dedicated our entire legal practice exclusively to IP since the firm's inception almost a century ago and have a combined almost 600 years of IP experience within our legal team. Being a boutique law firm allows us to provide our clients the best in experience and service, and the latest in industry knowledge. Our clients have general counsel that advise them to make the best decisions for their general legal wellbeing.

That said, intellectual property is what MVS attorneys have been recommended to handle on countless occasions by general counsel. In turn, we value reciprocity and refer our clients to general practitioners consistently.

If your client has an idea and you aren't sure what direction they should take, look no further. The attorneys at MVS will be happy to speak with them to discuss their intellectual property needs.

EDITORIAL TEAM

Editor-in-Chief

Melissa Higgins
515-697-7896
mhiggins@iowabar.org

Contributing Editor

Virginia Sipes, J.D.
515-697-7897
vsipes@iowabar.org

Copy Editor

Steve Boeckman
515-697-7869
sboeckman@iowabar.org

General Inquiries

515-243-3179
isba@iowabar.org

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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 a make a determination of suitability for publication. Email all submissions to communications@iowabar.org in Microsoft Word format.

STATEMENTS OR OPINIONS

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Outgoing President Skip Kenyon presented the Award of Merit, the ISBA's highest honor, to Guy R. Cook during the 2017 Annual Awards Gala. Cook has practiced law for 35 years, appearing as counsel in more than 1,000 litigated matters, and has tried more than 200 jury trials. He was recognized for his life-time advocacy for fair and impartial courts. Read more on page 8.

Find-A-Lawyer ad blitz

The ISBA launched an advertising campaign this summer for its newly-revamped Iowa Find-A-Lawyer website. This includes statewide ads for IowaFindALawyer.com on Google and Facebook, in the Des Moines Register print newspaper and on DMRegister.com, on the radio and on transit buses in Cedar Rapids, Waterloo and Marshalltown.

If you have not already done so, now is the time to make sure your practice is listed on this site, so you are not missing out on potential connections with paying clients. Go to IowaFindALawyer.com to set up your listing. It is free as a benefit of your ISBA membership.

If you have any questions or need assistance creating your Iowa Find-A-Lawyer listing, email: membership@iowabar.org or call the Membership Department at 515-697-7870.



Examples from the Iowa Find-A-Lawyer ad campaign: A bus wrap in Waterloo and a Facebook - sponsored post.

The Iowa State Bar Association
 625 East Court Avenue, Des Moines, Iowa, 50309-1904
 Main: 515-243-3179 Fax: 515-243-2511
www.iowabar.org isba@iowabar.org



PRESIDENT	Stephen R. Eckley	Des Moines	515-283-4637	sreckley@belinmccormick.com
PRESIDENT-ELECT	Tom Levis	W. Des Moines	515-274-1450	tom.levis@brickgentrylaw.com
VICE PRESIDENT	Willard Boyd III	Des Moines	515-283-3172	wlb@nyemaster.com
SECRETARY	Dwight Dinkla	Des Moines	515-697-7867	ddinkla@iowabar.org
IMMEDIATE PAST PRESIDENT	Arnold "Skip" Kenyon III	Creston	641-782-1000	skipkenyon@issbbank.com
DISTRICT GOVERNORS				
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	Steven J. Drahozal	Dubuque	563-583-1940	sdrahozal@spd.state.ia.us
	Gary Mick	Guttenburg	563-252-1733	gmick@alpinecom.net
DISTRICT 1B				
	Shannon Simms	Waterloo	319-291-6161	simms@nfiowa.com
	John Wood	Waterloo	319-234-1766	johnjwood@beecherlaw.com
DISTRICT 2A				
	Matthew F. Berry	Clear Lake	641-357-7296	berrylaw@ctel.com
	Patrick Vickers	Greene	641-823-4192	pgv@myomnitel.com
DISTRICT 2B				
	Victoria Feilmeyer	Ames	515-956-3915	vafeilmeyer@nyemaster.com
	Jerry Schnurr III	Fort Dodge	515-576-3977	jschnurr@frontier.com
	Bethany Currie	Marshalltown	641-752-8800	bjcurrie@peglowlaw.com
DISTRICT 3A				
	Jill Davis	Spencer	712-262-1150	jill@mbsdslaw.com
	John M. Loughlin	Cherokee	712-225-2514	jmloughlinlaw@gmail.com
DISTRICT 3B				
	Maura Sailer	Denison	712-263-4627	msailer@frontier.net
	James Daane	Sioux City	712-252-2424	jdaane@maynelaw.com
DISTRICT 4				
	Kathleen Kohorst	Harlan	712-755-3156	kate@harlanet.com
	Robert Livingston	Council Bluffs	712-322-4033	Robert.Livingston@stuarttinley.com
DISTRICT 5A				
	Mason Ouderkirk	Indianola	515-961-5315	mason@olfirm.com
	Daniel Huitink	Pella	641-621-8130	dhuitink@vermeer.com
DISTRICT 5B				
	Roberta Chambers	Corydon	641-870-0108	roberta.a.chambers@gmail.com
DISTRICT 5C				
	Willard Boyd III	Des Moines	515-283-3172	wlb@nyemaster.com
	Emily Chafa	Johnston	515-986-0914	emily.chafa@iwd.iowa.gov
	Joseph Happe	Des Moines	515-288-2500	JoeHappe@davisbrownlaw.com
	Margaret A. Hanson	Des Moines	515-246-7957	maggiehanson@davisbrownlaw.com
	Bridget R. Penick	Des Moines	515-242-8902	bpsnick@fredlaw.com
	Adam D. Zenor	Des Moines	515-245-8902	azenor@grefesidney.com
	Dawn Boucher	W. Des Moines	515-267-1174	dawnlarew@hotmail.com
	Kathleen Law	Des Moines	515-283-3116	kklaw@nyemaster.com
	Abhay Nadipuram	Des Moines	515-235-9111	nadipuram.abhay@principal.com
	Nathan Overberg	Des Moines	515-243-7611	noverberg@ahlerslaw.com
	Nicolle Schippers	Des Moines	515-237-0270	nicolle.schippers@ARAGlegal.com
DISTRICT 6				
	Linda Kirsch	Cedar Rapids	319-365-9461	lmk@shuttleworthlaw.com
	Lori Klockau	Iowa City	319-338-7968	lklockau@bkfamilylaw.com
	Jonathan D. Schmidt	Cedar Rapids	319-366-1000	jschmidt@nazettelaw.com
	Robert Fischer	Vinton	319-472-2353	rfischerlaw@qwestoffice.net
	Mark Parmenter	Cedar Rapids	319-365-1184	mparmenter@lwclawyers.com
DISTRICT 7				
	David J. Helscher	Clinton	563-243-1243	dave.helscher@clintonnational.net
	Christopher Surls	Lowden	563-941-5301	cls@wbnlaw.com
	Ian J. Russell	Bettendorf	563-324-3246	irussell@l-wlaw.com
DISTRICT 8A				
	Robert Breckenridge	Ottumwa	641-684-6097	reb@ottumwalaw.net
	Ryan J. Mitchell	Ottumwa	641-682-5447	ryan@ommglaw.com
DISTRICT 8B				
	Brian Helling	Burlington	319-754-6587	bhelling@seialaw.com
REPRESENTATIVES AND DELEGATES				
Iowa Judges Association Delegates:				
	Mary Chicchelly	Cedar Rapids	319-398-3920	mary.chicchelly@iowacourts.gov
ABA Delegates:				
	Alan Olson	Des Moines	515-271-9100	aoo@olson-law.net
	David L. Brown	Des Moines	515-244-2141	dlbrown@hmlawfirm.com
	Jane Lorentzen	Des Moines	515-244-0111	jlorentzen@hlwawpc.com
LEGISLATIVE COUNSEL TEAM				
	James Carney	Des Moines	515-282-6803	carney@carneyappleby.com
	Doug Struyk	Des Moines	515-282-6803	struyk@carneyappleby.com
	Shannon Henson	Des Moines	515-282-6803	henson@carneyappleby.com
ISBA YOUNG LAWYERS DIVISION OFFICERS				
YLD President	Thomas Hillers	Des Moines	515-508-6460	hillet1@nationwide.com
YLD President-elect	Margret E. White	Des Moines	515-244-4300	maggie.e.white@emcins.com
YLD Secretary	Abhay Nedipuram	Des Moines	515-235-9111	nadipuram.abhay@principal.com
YLD Immediate Past President	Reed McManigal	W. Des Moines	515-223-6860	rmanigal@holmesmurphy.com



Stephen R. Eckley is a senior civil trial attorney at Belin McCormick in Des Moines.

A big shot for a year, then forgotten

I gave the following remarks as my “Inaugural Address” during the Annual Awards Gala on June 21, 2017. I would like to take this opportunity to share them with all ISBA members in my first President’s Letter.

“In our busy lives, we tend not to take the time to reflect. This occasion has forced reflection upon me. As I thought about what to share with you, I returned to two particular memories, one serious, one humorous.

The serious memory is this. Less than three years ago, I found myself in a hospital room at Iowa Methodist. I was visited by two doctors. A few days earlier, I had suffered a stroke. After three days of tests, the doctors concluded that the stroke likely had been caused by a small, fibrous tissue on one of my heart valves. It was, they said, the size of

a pencil lead. They could find no other explanation for the stroke than that a piece had broken off and blocked a blood vessel to my brain. The doctors were concerned another piece might break off. They said one option would be to have surgery to remove what was left.

My first reaction was ‘Okay, let’s do it.’ But then they said the surgery would be open heart and there would be a five percent mortality risk. They left the room.

In an hour, my wife Dawn was going to visit me in the hospital. I paced the room the entire hour. I don’t mind telling you the first 20 minutes were spent feeling pretty nervous. The last 20 minutes were spent figuring out how to put a positive spin on all this so my family wouldn’t worry so much.

The middle 20 minutes were as impactful as any in my life. During that time, I realized how lucky I was to have already succeeded in my greatest life goal. That goal was to have a family and to raise children that I would be proud of. When I realized we had achieved that goal, the nervousness went away.

So, let me begin by thanking my family, my wife Dawn, daughter Jennifer, son David and youngest son Greg. They have made my life fulfilling. Everything else is extra.

Whatever success I have had in our profession has been dependent on the help of many, many people, to whom I owe immeasurable thanks. Senior lawyers who guided me, partners who worked with me, younger lawyers who in recent years have carried me, and just as important, staff who supported me, covered for me and put up with me.

There have been so many who deserve my thanks that I will refrain from naming individuals. But there is one person I would like to recognize even though he is not here tonight.

Thirteen years ago, the Belin law firm and The Iowa State Bar Association lost a brilliant, much loved attorney who tragically passed away in the prime of his career. At that time, I was with a different law firm. I had partners who were great friends, but a practice that had grown dull. That brilliant Belin attorney had previously approached me about joining his firm, but with his passing I assumed I had lost the opportunity. I was wrong. As the firm struggled with the impossible task of filling the void in its ranks, my name came up.

The shining light we all lost 13 years ago was Roger Stetson. He was once a president of this association. If life had been kinder to all of us, Roger would be here tonight, sharing the stage with the other past presidents. It is gratifying to think that my time as your president will be another extension of Roger’s legacy.

Last, but not least, I am especially grateful to my friends with the Polk County Bar Association and The Iowa State Bar Association, whose support and encouragement have led, to my great surprise, to the honor and privilege of becoming your bar president.

The second memory I will share still makes me smile. The path to

becoming bar president is not a short one. Typically, after building a legal career, you spend several years on the BOG demonstrating a commitment to the bar’s mission. After that you have a year as V.P., a year as President-elect, and then you become President. Shortly after I became V.P., I was at a bar function and one of our more outspoken Iowa Supreme Court justices happened to walk by. He almost went past without saying anything, but then he stopped. He turned and said “Well, you’ll be a big shot for a year, then you’ll be forgotten.” And he went on his way.

You might be surprised that I am comforted by this remark. The Iowa State Bar Association was formed 143 years ago. We were the very first state bar association. Today we are the best bar association in the country, and if you think I’m blowing smoke, talk to our peers. So, I hope that in a few short years, my time as caretaker is indeed forgotten. It will mean that I succeeded in not damaging a truly great organization. So, thank you, Justice Wiggins, for your words of wisdom and comfort.

This year, we will again face challenges.

- These include a projected decline in membership as larger numbers of older lawyers are replaced by smaller numbers of younger lawyers. We must resist this demographic trend by doing everything we can to be recognized as a value proposition for all Iowa lawyers.
- Another challenge will be to find ways to draw lawyers to our rural communities.
- And we must advocate for relief from the crushing student loan debt borne by many of our younger lawyers.
- We will continue our efforts to provide legal help to Iowans who struggle to afford an attorney.
- This year we will again battle for full funding for the judicial system.
- Finally, to our last breath, we will fight any threat to the impartiality of our judges.

We will face these and other challenges with determination and confidence, as we have every year for nearly a century and a half. Knowing that we will work together, I can’t wait to get started.”

Stephen R. Eckley

President, The Iowa State Bar Association
sreckley@belinmccormick.com, 515-283-4637

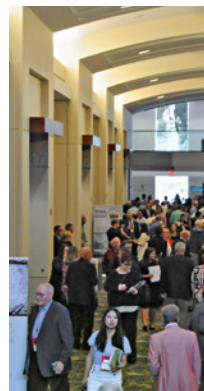


Iowa Supreme Court Chief Justice Mark Cady administers the oath to Stephen R. Eckley during his investiture ceremony at the Annual Awards Gala on June 21, 2017.

2017 Annual Meeting

Thanks to all who attended!

2017 Annual Meeting was held June 19-21 at the Iowa Events Center in Des Moines. There was a major push by ISBA leadership this year to encourage more young attorneys to attend, by making the CLE registration free for ISBA members in their first through third years of practice. More than 150 young attorneys who fell into that category registered to attend Annual Meeting as a result.



Outgoing ISBA President Skip Kenyon sits with Chief Justice Mark Cady during the annual Supreme Court Luncheon honoring Iowa's justices.



ISBA past presidents and Iowa Supreme Court Chief Justice Mark Cady joined outgoing President Skip Kenyon on the stage to begin incoming President Stephen Eckley's investiture ceremony.



Stephen Eckley, the new ISBA President, gives his inaugural address at the Awards Gala on the Wednesday night of annual meeting. Eckley, who practices at the Belin McCormick firm in Des Moines, is the bar's 131st president.



Outgoing YLD President Reed McManigal surprised ISBA Assistant Executive Director Harry Shipley with this year's YLD Award of Merit. McManigal and the rest of the YLD officers unanimously agreed that Shipley was extremely deserving of this award because of his tireless dedication to ISBA members and specifically for his work helping carry out the causes of the YLD.





More than 30 vendors set up in the hallway to meet with members during seminar breaks. Annual meeting is held at the Community Choice Credit Union Convention Center in the Iowa Events Center.



The Chair of the Ethics and Practice Guidelines Committee, Nick Critelli, presents on "Ethical Forms of Billing" during the Monday afternoon plenary session.



Diocese of Des Moines Bishop Richard Pates holds up a ciborium and host while Deacon Steve Reed, an attorney in West Des Moines, holds up a chalice during the annual "Red Mass" at St. Ambrose Cathedral that is part of the ISBA Annual Meeting. Instituted more than 100 years ago in England, the Red Mass calls upon the Holy Spirit to guide judges in their decisions and lawyers in their advocacy for clients throughout the year.



A new annual meeting social event this year was the YLD Tailgate event on Tuesday night, replacing the Luau in the Lot in the bar association office parking lot. Another new social event introduced this year was an I-Cubs baseball outing on Monday night.



ISBA staff members help check in registrants during the three-day annual meeting, including Emily Chafa (pictured left). More than 600 attorneys and more than 200 judges and judicial staff members attended all or part of the Annual Meeting CLE seminars or social events.



Fred Rooney, known as the father of the law firm incubator movement, speaks during the Access to Justice track CLE at annual meeting. Over 80 presentations in 25 educational tracks were available for attendees to choose from.

Former ISBA President Guy Cook honored with 2017 Award of Merit

By Steve Boeckman, Communications Director Emeritus

A long-time member, former president and widely-recognized trial lawyer received The Iowa State Bar Association's highest honor – the Award of Merit – at this year's annual meeting, June 19-21.

"Guy R. Cook embodies the principles upon which the Award of Merit was established," Outgoing President Skip Kenyon read from a proclamation honoring the senior partner at the Des Moines-based Grefe and Sidney law firm. "During his 35 years of practice, he has tirelessly applied the law to assist his clients, appearing as counsel in more than 1,000 litigated matters and trying more than 200 jury trials.

"He has served the legal profession through his contributions to The Iowa State Bar Association, as president from 2013-2014, and as a member of numerous committees and sections. He is a former president of the Polk County Bar Association and member of the Board of Counselors at Drake University. In addition, he is a member of the Iowa Association for Justice, is a fellow of the Iowa Academy of Trial Lawyers and is a member of the American Board of Trial Advocates," President Kenyon read.

The association's Award of Merit was created in 1947. It is awarded annually to a member who has demonstrated selfless dedication to the legal profession, to the bar association and to the community, and who demonstrates a passion for the legal profession and for fellow attorneys.

A Des Moines native, Cook was admitted to the Iowa Bar in 1982 after graduating from Drake University Law School. Prior to entering law school, he received an undergraduate degree in political science at the University of Iowa. During his undergraduate and law school years, he worked as a union ironworker, as a campus security officer and as a law library assistant to help pay for his education.

Following law school and admission to the bar, he served as a judicial clerk for Iowa Supreme Court Justice J. L. Larson, and as an Assistant United States Attorney for the Southern District of Iowa before being asked to join the Grefe & Sidney law firm in Des Moines in 1987. Over the years with the firm, he has developed a practice exclusively in litigation.

"Those who know him would agree that Guy is passionate about educating the public on the legal profession and the courts, especially Iowa's merit selection of judges, and is always prepared to discuss the subject on radio and television programs," President Kenyon



read from the proclamation. "As president-elect of the bar association during the contentious 2012 retention election of Iowa Supreme Court Justice David Wiggins, and as chair of the ISBA Fair and Impartial Courts Committee during the 2016 retention elections of Supreme Court Justices Mark Cady, Daryl Hecht and Brent Appel, he labored relentlessly to ensure they would be retained."

His life-time advocacy for fair and impartial courts resulted in appointments to the Merit Selection Panel for U.S. Magistrate Judges for the U.S. District Court for the Southern District of Iowa, and service on the state judicial nominating commission charged with identifying and vetting candidates for Iowa's appellate courts. In addition, he was appointed to the Iowa Supreme Court Grievance Commission.

In his acceptance speech, Cook praised Iowa's judiciary, stating that it is consistently in the top five in the nation, and urged those in attendance to do everything in their power to keep Iowa's court system fair and impartial.

President Kenyon also told the audience that, had it not been for Cook, the ISBA would not be meeting in the beautiful surroundings of the Community Choice Credit Union Convention Center (for-

merly Veterans Auditorium). During his presidency, Cook pushed hard to boost the attendance at the annual meeting, resulting in an estimated 30 percent increase in attendance and necessitating a larger space than was available at previous venues.

"It is with great pride that The Iowa State Bar Association presents its 2017 Award of Merit to this giant of the profession: Guy R. Cook," President Kenyon concluded.



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or Kristi Rullestad, Account Manager
k.a.rullestad@reynolds-reynolds.com 515-557-1251
or Steve Sypal, Partner
s.e.sypal@reynolds-reynolds.com 515-557-1204

300 Walnut Street, Suite 200
Des Moines, IA 50309
800-767-1724 FAX 515-243-6664

Stephen B. Jackson, Sr. receives the Rolland Grefe Pro Bono Publico Award

One of the highlights of the Awards Gala each year at 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. The recipient is someone who has 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 Rollie Grefe, one of the true pillars of the Iowa Bar. The Rolland E. 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 21, the Rolland Grefe Pro Bono Publico Award was presented to Stephen B. Jackson, Sr. of Cedar Rapids. Steve has practiced law for 50 years and is a member of the Shuttleworth & Ingersoll firm. He also was the founder and former chair of the Linn County Bar Association's Family Law Group for many years. Prior to joining Shuttleworth & Ingersoll, P.L.C., Jackson practiced at Jackson and Jackson PLC in Cedar Rapids with his son. Steve is a graduate of Coe College and the University of Iowa Law School. He was admitted to practice in 1964.

Steve Jackson, Sr. has assisted in the development of pro bono legal services in eastern Iowa in a variety of ways for nearly three decades. Steve has been a great volunteer attorney, serving many clients, but he has been so much more than just a volunteer attorney.

Steve has been a member of Iowa Legal Aid's Volunteer Lawyers Project since 1987. The Volunteer Lawyers Project records only go back to 1999, but reflect that since that time Steve has closed over 100 cases, primarily in the area of family law, and has contributed nearly 540 hours of pro bono time.

Steve recognized an unmet legal need for assistance with family law matters in the Cedar Rapids area and wanted to do what he could to help meet this need. Steve

talked with staff in Iowa Legal Aid's Cedar Rapids Regional Office and proposed an arrangement where he would come to the regional office on a regular basis and meet with clients who were eligible for free legal assistance, but would be turned away for lack of staff resources. The result of this collaboration was the "Jackson Intake Project," which was established in 1997. One Wednesday afternoon a month, Steve came to the Cedar Rapids Regional Office of Iowa Legal Aid and met with clients who had a variety of family law problems. Steve provided these clients with free legal advice and accepted many of the cases for extended pro bono representation through the Volunteer Lawyers Project. This was just the beginning of Steve's long-term commitment to an intake project that was unique to the Cedar Rapids Regional Office of Iowa Legal Aid.

Knowing that alone he was just making a dent in the demand, it didn't take long for Steve to recruit his son and law partner, Stephen B. Jackson, Jr., to volunteer as well. With Steve, Jr. on board, the Jacksons were able to come to the regional office once every two weeks instead of once a month, to advise and represent low-income clients with family law problems.

Steve was serving as the Chair of the Linn County Bar Association's Family Law Committee and realized that if he recruited some of the Family Law Committee's members to join this effort, the Jackson & Jackson Intake Project could be expanded to a weekly effort that would substantially

Past Rolland Grefe Pro Bono Publico Award Recipients

- 2005 Marti D. Nerenstone, Council Bluffs
- 2006 Diane H. Kutzko, Cedar Rapids
- 2007 Donald A. Wine, Des Moines
- 2008 Behnaz Soulati, Des Moines
- 2009 Robert Holiday, West Des Moines
- 2010 Thomas G. Fisher, Des Moines
- 2011 Philip L. Garland, Garner
- 2012 Scott G. Buchanan, Algona
- 2013 Robert C. Oberbillig, Des Moines
- 2014 Brian W. Peters, Dubuque
- 2015 Deborah M. Tharnish, Des Moines
- 2016 Timothy G. Pearson, Des Moines



Stephen B. Jackson, Sr. addresses the crowd at the ISBA Awards Gala, after accepting the 2017 Rolland Grefe Pro Bono Publico Award. This award is annually bestowed upon an ISBA member committed to delivering pro bono legal services to Iowans who cannot afford a lawyer.

increase the number of clients who could be served. Steve proposed this expansion in 2005 and spearheaded both the recruitment and training efforts. As a result of Steve's leadership, an additional two-dozen volunteer lawyers joined the project, which was renamed the "Linn County Family Law Intake Project." The Linn County Family Law Intake Project continues to this day, connecting literally hundreds of low-income Linn County residents with pro bono family law attorneys.

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50-Year Members

Twenty-eight members admitted to the Iowa Bar in 1967 were honored with a certificate and 50-year pin at a special luncheon on Tuesday, June 20, during the ISBA's Annual Meeting. The 28 represented a total of 57 members who are celebrating 50 years as lawyers this year.

Those who were able to attend the luncheon included (front row, from left) James Richmond, Raymond Beebe, Robert Holz, Jr., Donald Senneff, Kathleen Neylan, Gerald Kuehn; (second row, from left) Nick Critelli, Jr., Paul Tyler, Robert Goodwin, V. Philip Watson, James Updegraff, Hon. Gerald Magee, Jerrold Oliver; (back rows, left to right) Hon. J.C. Irvin, Edgar Bittle, Gerald Seidl, Thomas Langlas, Julian Garrett, John Veldey, Michael Sellers, Hon. J. Hobart Darbyshire, Boyd Boehlje, John Klaus, David Funkhouser, Michael Elwood, Hon. Joel E. Swanson, Lewis McMeen and Scott McLeod.

Unable to attend the honors luncheon were: James Anderson, Edwin Bartine, II, John Calton, Robert Chapman, Craig



Ensign, H. N. Gloe, Robin Hermann, James Hoffman, John Houar, Roland Landsness, Joseph McCabe, Jr., James McGrath, III, William McNally, Robert Miller, Jr., Philip Miller, Hon. Haskell Pitluck, John

Rashke, Gregory Roth, Carl Saunders, Fred Schneider, Edmund Sease, Leon Shearer, G. William Smits, William Snyder, Martin Spellman, Theodore Stone, James Thomas, Joel Welch, Robert Williams.

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OUTGOING BOARD MEMBERS

Collin Davison
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Debra DeJong
District 3B
Donn Stanley
District 5C
Deb Hockett-Clark
District 5C
Anjela Shutts
District 5C
Randy Current
District 7

OUTGOING COMMITTEE CHAIRS

Megan Flynn
Federal Practice
Ed Detlie
Law Practice Management
Anjela Shutts
Legal Access
Eldwin (Charlie) Nichols
Public Relations
Deborah Petersen
Scope and Correlation

OUTGOING SECTION CHAIRS

Hon. Heather Palmer
Administrative Law
Patrick Dillon
Agricultural Law
Brenton Soderstrum
Construction Law
Nicolle Schippers
*Corporate Counsel**
Steve Drahozal
Criminal Law
Jason Sytsma
Intellectual Property Law
Kyle Irvin
Probate, Trust and Estate Planning
Scott Hall
Real Estate and Title Law
Sam Kreamer
Solo and Small Firm
Christopher James
Taxation
Sarah Crane
Trade Regulation

*2017 Outstanding Section Chair

Welcome to the new Board of Governors members and section and committee chairs!

BOARD OF GOVERNORS – NEW MEMBERS



Matthew F. Berry
District 2A

Current City: Clear Lake
Admitted to Iowa Bar: 1980

Law School: University of Iowa College of Law
Firm: Berry Law Firm
Area of Practice: Real estate, estate planning, probate, elder law, income tax planning, purchase and sales of business, corporations and limited liability companies
Contact: berrylaw@ctel.net, 641-357-7296



Bridget R. Penick
District 5C

Current City: Des Moines
Admitted to Iowa Bar: 2002

Law School: University of Iowa College of Law
Firm: Fredrikson & Byron, P.A.
Area of Practice: Employment & labor law, employment & labor litigation, labor management relations, litigation, immigration, trade secrets
Contact: bpenick@fredlaw.com, 515-242-8902



Joseph A. Happe
District 5C

Current City: Des Moines
Admitted to Iowa Bar: 1985

Law School: Creighton University School of Law
Firm: Davis Brown Law Firm
Area of Practice: Construction law, insurance defense, litigation and appeals, mediation and alternative dispute resolution, personal injury, product liability and toxic torts, professional liability defense, workers' compensation
Contact: JoeHappe@davisbrownlaw.com, 515-246-7998



Maura Sailer
District 3B

Current City: Denison
Admitted to Iowa Bar: 2007

Law School: Creighton University School of Law
Firm: Reimer Lohman & Reitz
Area of Practice: Family law, civil litigation, juvenile law
Contact: msailer@frontiernet.net, 712-263-4627



Adam D. Zenor
District 5C

Current City: Des Moines
Admitted to Iowa Bar: 2008

Law School: University of Iowa College of Law
Firm: Grefe & Sidney PLC
Area of Practice: Appellate, insurance coverage & defense, labor & employment, medical professionals, litigation & alternative dispute resolution, white collar criminal
Contact: azenor@grefesidney.com, 515-245-4300



David J. Helscher
District 7

Current City: Clinton
Admitted to Iowa Bar: 1979

Law School: Case Western Reserve University
Firm: Clinton National Bank
Area of Practice: Finance
Contact: dave.helscher@clintonnational.net, 563-243-1243



Margaret A. Hanson
District 5C

Current City: Des Moines
Admitted to Iowa Bar: 2013

Law School: University of Iowa College of Law
Firm: Davis Brown Law Firm
Area of Practice: Employment law, business litigation, commercial litigation, insurance defense, construction litigation, products liability
Contact: maggiehanson@davisbrownlaw.com, 515-246-7957

The Iowa State Bar Association is governed by a 43-member Board of Governors elected from each of the state's 14 judicial election districts. The association's officers (President, President-Elect and Vice-President) are elected by the membership after being nominated by the Board of Governors. The Board of Governors also elects two representatives to the American Bar Association's House of Delegates.

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COMMITTEES – NEW CHAIRS



John Moorlach
Federal Practice
Current City: Indianola
Admitted to Iowa Bar: 2004

Law School: Drake University Law School
Firm: Whitfield & Eddy Law
Area of Practice: Commercial/Business litigation, appellate practice, creditors' rights, bankruptcy and workouts, banking, litigation
Contact: moorlach@whitfieldlaw.com, 515-246-5501



Jonathan Schmidt
Law Practice Management
Current City: Cedar Rapids
Admitted to Iowa Bar: 2012
Law School: Capital University Law

School
Firm: Nazette, Marner, Nathanson & Shea L.L.P.
Area of Practice: Dissolutions, divorce, collaborative dissolutions and mediation, adoptions and termination of parental rights, business and contracts law, corporation law and business entities, employment law, criminal defense law, personal injury, property damage, worker's compensation
Contact: jschmidt@nazettelaw.com, 319-366-1000



Leslie Behaunek
Public Relations
Current City: Des Moines
Admitted to Iowa Bar: 2012

Law School: Drake University Law School
Firm: Nyemaster Goode PC
Area of Practice: Litigation, higher education and Title IX law
Contact: lbehaunek@nyemaster.com, 515-283-8187



Cindy Moser
Scope and Correlation
Current City: Sioux City
Admitted to Iowa Bar: 1977

Law School: University of Iowa College of Law
Firm: Heidman Law Firm LLP
Area of Practice: Business, employment law, health care
Contact: Cynthia.Moser@heidmanlaw.com, 712-222-4150

SECTIONS – NEW CHAIRS



George Eichhorn
Administrative Law
Current City: Johnston
Admitted to Iowa Bar: 1980

Law School: Drake University Law School
Firm: ChildServe
Area of Practice: Corporate counsel, health law
Contact: George@childserve.org, 515-727-1579



Bridget Bailey
Agricultural Law
Current City: Spencer
Admitted to Iowa Bar: 2007
Law School: Drake University Law

School
Firm: BL Bailey Law
Area of Practice: Agribusiness, agricultural law, banking law, civil litigation, commercial lending, debtor and creditor, estate planning, trusts, wills
Contact: Bridget@blbaileylaw.com, 515-490-9715



Phillip Bubb
Construction Law
Current City: Des Moines
Admitted to Iowa Bar: 2013

Law School: University of Michigan Law School
Firm: Fredrikson & Byron PA
Area of Practice: Litigation, construction, real estate
Contact: pbubb@fredlaw.com, 515-424-8905



E. Charlie Nichols
Corporate Counsel
Current City: Des Moines
Admitted to Iowa Bar: 2005

Law School: University of Iowa College of Law
Firm: Principal Financial Group
Area of Practice: In-house counsel
Contact: nichols.charlie@principal.com, 515-247-4944



John Sandy Jr.
Criminal Law
Current City: Spirit Lake
Admitted to Iowa Bar: 1982

Law School: Drake University Law School
Firm: Sandy Law Firm PC
Area of Practice: Criminal defense, civil litigation, wills and trusts, family law
Contact: jlsandy@sandyawpractice.com, 712-336-5588



Jonathan Kennedy
Intellectual Property Law
Current City: Des Moines
Admitted to Iowa Bar: 2012

Law School: Drake University Law School
Firm: McKee, Voorhees & Sease, PLC
Area of Practice: Intellectual property law, patents, trademarks, copyrights, trade secrets
Contact: jonathan.kennedy@ipmvs.com, 515-288-3667



Mark Gray
Probate, Trust & Estate Planning
Current City: Ankeny
Admitted to Iowa Bar: 1989

Law School: John Marshall University
Firm: Gray, Hodges & Associates, PLC
Area of Practice: Corporate law, estates, real estate law, trusts, wills
Contact: gray@grayhodgeslaw.com, 515-964-3633



Erik Fisk
Real Estate & Title Law
Current City: Des Moines
Admitted to Iowa Bar: 2005

Law School: Drake University Law School
Firm: Whitfield & Eddy PLC
Area of Practice: Construction law, labor law, employment law, litigation, real estate, insurance defense
Contact: fisk@whitfieldlaw.com, 515-288-6041



Jeremy Danilson
Solo and Small Firm
Current City: Grimes
Admitted to Iowa Bar: 2012

Law School: Drake University Law School
Firm: Danilson Law, PLC
Area of Practice: Business law, real estate law
Contact: Jeremy@danilsonlaw.com, 515-480-6986



David Grooters
Taxation
Current City: Mason City
Admitted to Iowa Bar: 1999


Law School: University of Iowa College of Law
Firm: Pappajohn Shriver Eide & Nielsen PC
Area of Practice: Estate planning, trusts and estates, estate administration, elder law, taxation, corporations, business planning, real estate, transactional law, adoption, juvenile law, family law
Contact: grooters@pappajohnlaw.com, 641-423-4264



Hon. Edward Mansfield
Trade Regulation
Current City: Des Moines
Admitted to Iowa Bar: 1996
Law School: Yale University

Firm: Iowa Supreme Court
Contact: edward.mansfield@iowacourts.gov

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ISBA BOG takes action to approve new mission and vision, looks ahead to new year 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 21 and 22, a variety of reports were also presented.

ACTIONS

Resolutions approved by the ISBA Board of Governors included:

- Honoring ISBA Immediate Past President Skip Kenyon in recognition of his service as ISBA President.
- Honoring Deceased Members. See page 16.

Additional actions taken by the BOG included:

- Approval of the 2017-2018 Budget.
- Approval of the reappointment of Mark Schuling and appointments of Phil Garland and Debra Peterson 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 a revised ISBA Mission and Vision Statement.
- Approval for the ISBA Criminal Law Section's legislative committee to have the option to perform an analysis and recommend a position on a death penalty bill if introduced in the Iowa General Assembly.
- Approval to provide free ISBA membership for qualifying, YLD legal aid attorneys.
- Authorization for the ISBA to send a letter regarding concerns with H.R. 1215, the "Protecting Access to Care Act of 2017," to U.S. Congressman Rod Blum.

REPORTS

President's report – President Skip Kenyon (June 21)

ISBA President Skip Kenyon reported on the election of President-elect Tom Levis, Vice President Bill Boyd and ABA Delegate Jane Lorentzen by the general membership.

Strategic Planning – ISBA Ad Hoc Strategic Planning Committee Chair Bill Boyd (June 21)

ISBA Ad Hoc Strategic Planning Committee Chair Bill Boyd presented governors with a proposed mission and vision statement for approval. The governors reviewed the committee's draft mission and vision statements and approved the following statements, including goals and priorities:

Mission: ISBA supports members and their services to clients, community, and the judicial system.

Vision: ISBA is a leading voice and trusted collaborator in helping its members serve their clients, the public, and the judicial system through engagement, advancements in law, innovation, and access to justice.

Annual Meeting of the Corporation (June 21)

ISBA Executive Director Dwight Dinkla and ISBA Assistant Executive Director Harry Shipley began the annual meeting of the corporation with a presentation of the new, easier-to-navigate ISBA member website, www.iowabar.org, that is compatible with handheld devices and includes a searchable CLE index with video resources. The new member site is also easier to navigate because legal resources for the public are now relocated to the ISBA's new public website, Iowa Find-A-Lawyer.com and also accessible via a "Public Resources" link at the top, right of the member home page.

Iowa Find-A-Lawyer users can access the new service at www.iowafindalawyer.com where 400 Iowa attorneys are currently registered, as well as self-help tools and free legal help. The self-help tools that are available through the new, public website include short videos where ISBA attorneys provide legal information on topics of interest to the public and informational brochures on additional legal topics. The free legal help option available via the new, public website provides links to legal services providers in Iowa and to IA Free Legal Answers, part of the ABA's Free Legal Answers pro bono initiative. All Iowa attorneys now have the opportunity to provide brief, limited legal answers pro bono to qualifying members of the public via this "virtual legal clinic."

The Iowa Find-A-Lawyer advertising campaign began in June to promote the new website through state-wide newspaper ads; bus ads in Cedar Rapids, Marshalltown and Waterloo; radio ads on the Iowa Almanac radio program; and through social media ads.

Shipley presented the 2017-2018 Budget in lieu of Eric Turner, for approval by the ISBA Board of Governors. Highlights included membership projections for the next three years and 99 percent attainment of goals to fund a rainy-day, six-month operating expense and building reserve fund to maintain the building for 30 years.

In closing, Dinkla recognized ISBA Committee Chair of the Year Kathy Law, who is also a member of the BOG for District 5C, for all of her work to make the annual meeting a success through her service as an ISBA Annual Meeting Co-Chair.

Legislative counsel's report (June 21)



The Board of Governors recognizes outgoing President Skip Kenyon during their June meeting.



Jim Carney, ISBA legislative counsel, provided governors with a summary of all 15 affirmative proposals in the 2017 ISBA Affirmative Legislation Program.

Jim Carney, ISBA legislative counsel, provided governors with a summary of all 15 affirmative proposals in the 2017 ISBA Affirmative Legislation Program; seven affirmative bills were signed by the governor.

Carney highlighted significant legislation that passed during the 2017 legislative session including SF 413 – Statute of Repose; SF 465 – Medical Malpractice; and HF 518 – Worker’s Compensation. Read more about these bills in the “2017 Legislative Session in review” article in the May 2017 issue of *The Iowa Lawyer*, available online on the ISBA’s website under “Publications.” Additional information regarding the 2017 Regular Session of the 87th Iowa General Assembly prepared by the Legislative Services Agency is available on page 26.

Recognition of Outgoing Board of Governors and Section and Committee Chairs (June 21)

President Kenyon recognized outgoing members of the board of governors and outgoing section and committee chairs and commended them for their services to the ISBA and the BOG. See page 10 for a list of these outgoing leaders.

YLD president’s report – YLD President Reed McManigal (June 21)

ABA YLD Chair Anna M. Romanskaya from San Diego, California, attended the annual meeting as part of her tour of state bar association YLDs throughout the country. She commended the

ISBA YLD for setting an example and for its outstanding leadership.

YLD President Reed McManigal recognized YLD Secretary Maggie White, YLD President-elect Tom Hillers and incoming YLD Secretary Abhay Nadipuram for their efforts during his term. He reported that White started a successful, new online tool where YLD members can anonymously post questions and receive answers; Hillers launched the student debt task force; and Nadipuram contributes significant leadership in the YLD’s diversity efforts, which receive national recognition.

Hillers summarized the YLD’s member recruitment efforts and asked the governors to take action on the YLD’s proposal to provide free ISBA membership for YLD legal aid attorneys.

ISBA Public Service Project (June 21)

The ISBA Public Service Project President Rosanne Lienhard Plante and ISBA PSP Executive Director Brett Toresdahl presented a written report to the BOG regarding the ISBA PSP Board of Director’s vote to dissolve the organization effective June 30. The non-profit organization operated independent of the ISBA. The report states that the action to dissolve the ISBA PSP became necessary due to the loss of nearly 50 percent of its annual funding, and highlights accomplishments made during the past 24 years including the ISBA PSP’s work to promote the creation of the Iowa Access to Justice Commission.

Dialogue with Iowa Supreme Court Chief Justice Mark Cady (June 21)

Iowa Supreme Court Chief Justice Mark Cady began his remarks by thanking the members of the ISBA BOG for their efforts this year. He also thanked the BOG for supporting the Iowa Access to Justice Commission and the Iowa Supreme Court’s new policy prohibiting weapons from courtrooms, court-controlled spaces and public areas of courthouses and other justice centers occupied by the court system. Cady and Molly Kottmeyer, Counsel to the Chief Justice of the Iowa Supreme Court, answered questions regarding the ongoing impact of budget limitations that do not fully fund the court system and the ongoing work to maintain a presence in all 99 Iowa counties and provide the best service possible to Iowans. Cady stated that ISBA members can continue to build on the concept that our state court system is essential to life in their communities.

Incoming President’s Remarks (June 22)

Incoming ISBA President Steve Eckley opened his remarks by thanking Immediate Past President Skip Kenyon for his leadership during 2016-2017. Eckley stated that the ISBA’s preeminence as a bar association is due to many people including a tremendous staff, sections and committees that work to serve members and the legislative team. He noted accomplishments that were made during the past year, including the formation of the Iowa Access to Justice Commission. Eckley concluded his remarks by inviting members to engage in the ISBA’s work in a manner that suits their interests and abilities and stating that he looks forward to members joining him to address the challenges ahead during the coming year.

Incoming YLD President’s Remarks (June 22)



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Incoming YLD President Tom Hillers opened his remarks by thanking the dedicated leaders and members of the YLD for their service. Hillers highlighted goals to continue the work of the YLD Student Debt Task Force and to find solutions that can get licensed, new attorneys employed where they are needed.

The Iowa State Bar Foundation Annual Meeting (June 22)

ISBF Immediate Past President Paul Tyler noted that members of the ISBA BOG are also members of the ISBF. Mark Schuling was reappointed for an additional term on the ISBF board and Phil Garland and Debra Peterson were appointed to serve as new ISBF board members. Tyler provided an update on the ISBF’s finances, and the engagement of a professional fundraiser and campaign called “For the People,” to raise \$1 million to grow the endowment over the next decade.

Iowa Lawyer Assistance Program (June 22)

Iowa Lawyers Assistance Program Executive Director Hugh Grady and ISBA Past President and Lawyers Helping Lawyers Committee Chair Dan Moore commented on the importance of ILAP and the committee in serving lawyers, and noted findings from the 2016 landmark study conducted by the Hazelden Betty Ford Foundation and the American Bar Association Commission on Lawyer Assistance Programs. Grady informed new governors and reminded all other governors and attendees of his availability to make CLE presentations at county bar functions, law firms and other venues. The ILAP website is Iowalap.org. The best way to reach Grady is via mobile phone at 515-360-1668.

ABA Delegate Report (June 22)

ABA Delegate David L. Brown invited the BOG to consider authorizing the ISBA to send a letter regarding concerns with H.R. 1215, the “Protecting Access to Care Act of 2017,” to U.S. Congressman Rod Blum. In addition, he underscored the ABA’s commitment to the independence of the judiciary and thanked his fellow ABA delegates, ISBA Past President Jane Lorentzen and ABA Past YLD President and ISBA member Alan Olson.

Reports from the law school deans (June 22)

Drake Law School Dean Jerry Anderson provided highlights and accomplishments from the year including a special IOLTA award of \$500,000 to create an entrepreneurial clinic to help start-up businesses in low-income communities. Anderson stated that Drake Law School created a new Law Opportunity Leadership Program that will attract a more diverse student body and engage corporate and law firm partners to provide employment opportunities for program participants. He also commented on 3+3 Programs, the LLM Compliance and Risk Management fall entrants, faculty transitions, honors and upcoming events.

University of Iowa College of Law School Dean Gail Agrawal was asked to report on trends in U.S. legal education on the whole in addition to her report on the University of Iowa College of Law. National applications are down nearly 50 percent and the pool of college-aged students is declining. Last year, the average University of Iowa College of Law School student indebtedness for students who have taken out loans was

\$75,000; the national average is between \$96,000 and \$98,000 with \$120,000 for private law school students. Agrawal also provided updates on the 2017 graduating class, student and faculty achievements, events, retirements, awards of tenure and new faculty hires.



Drake Law School Dean Jerry Anderson (top) and University of Iowa College of Law School Dean Gail Agrawal (bottom) present updates to the governors.



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Janice Becker, 76, of Iowa City died on May 24.

Becker was born in 1940 in Marshalltown. She received her J.D. from the University of Iowa College of Law. Among other things, she was a founding member and former president of the Johnson County Humane Society, active in the Johnson County Bar Association, past president of the Iowa City School District Transition Services Community Agency Parent Teacher Organization, served on the University of Iowa Animal and Care Committee and also on the Coralville/Iowa City Animal Control Advisory Committee.

Robert Coats, 80, of Scotch Plains, New Jersey, died on April 9.

Coats was born in 1937 in Omaha, Nebraska. He received his J.D. from the University of Iowa College of Law. During his law school career, Bob joined Phi Alpha Delta legal fraternity, authored several legal articles published in the Iowa Law Review and was a student assistant for Professor Charles Davidson. Upon being admitted to practice law in both Iowa and Illinois, Bob worked as a lawyer for Chicago Title & Trust Company in Illinois and later in Florida.

John Cray, 83, of Burlington died Feb. 28.

Cray was born in 1933 in Burlington. He received his J.D. from the University of Iowa College of Law in 1957. He joined the law firm of Poor, Cray, Walter and Youngstrom, becoming a partner in 1962 and practicing until his retirement in 2011.

Rodeny Mulcahy, 45, of Charles City died on May 22.

Mulcahy was born in 1972 in Charles City. He graduated from Oklahoma City University School of Law. After finishing his internship, he began work at Eggert, Erb, Frye and VonAh in Charles City. Shortly after, he became a partner, and continued working for the same firm, now known as: Eggert, Erb, Mulcahy and Kuehner P.L.L.C.

Patricia Mullin, 90, of Dubuque died April 4.

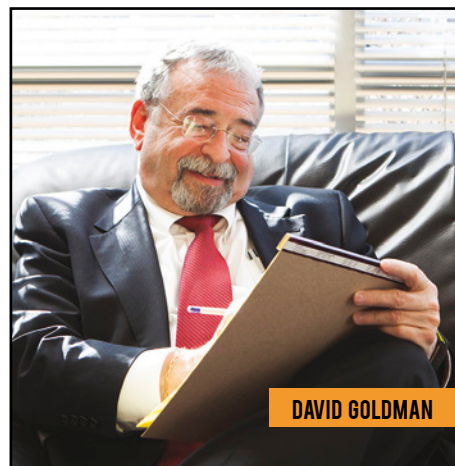
Mullin was born in 1926. She was the first technician for the newly-formed Dubuque Blood Bank Association, but later set her sights on a degree in law. Upon receiving her J.D. from DePaul University, she went to work for the John D. MacArthur Company, principally Bankers Life and Casualty Company in Chicago. She was a member of The Iowa State Bar Association, Illinois State Bar Association, the Women's Bar Association of Illinois (where she was elected president from 1970-1971) and the Women's Bar Association of Illinois Foundation (where she served as director from 1963-2012). She was also licensed to practice before the U.S. Supreme Court.

Iowa State Bar Association's deceased members, since December 2016

The following twice-annual resolution honoring the ISBA's recently deceased members was approved by the Board of Governors.

The following individuals have served the legal profession with dignity and honor. They have been faithful stewards in upholding the Constitutions of the United States and the State of Iowa, and supportive members of The Iowa State Bar Association. They have unselfishly responded to any requests made of them to further the cause of the legal profession in the State of Iowa.

Janice Malfeld Becker	Iowa City	(5/24/17)
Barbara Berkenpas	Ashton	(3/6/17)
Theodore Ralph Boecker	Des Moines	(1/30/17)
Hon. Donald Bormann	Emmetsburg	(3/8/17)
Willis 'Will' Buell	Homer, NE	(4/7/17)
Bruce Irving Campbell	Des Moines	(12/21/16)
Robert Bruce Coats	Scotch Plains, NJ	(4/9/17)
Hon. Phillip R. Collett	Ottumwa	(1/13/17)
John D. Cray	Iowa City	(2/28/17)
Julie Fillenwarth	Arnolds Park	(4/14/17)
Donald H. Gloe	Decorah	(2/28/17)
James Heiny	Mason City	(12/29/16)
Walter H. Johnson	Des Moines	(2/15/17)
Charles Joiner	Naples, FL	(3/10/17)
Terry D. Loeschen	Roanoke, VA	(3/21/17)
Charles M. Manly III	Spirit Lake	(3/7/17)
A. Frederic Matthias	Newton	(3/31/17)
Hon. Edward J. McManus	Cedar Rapids	(3/20/17)
Col. Philip C. Mills	Venice, FL	(1/31/17)
Rodney 'Rod' Mulcahy	Charles City	(5/22/17)
Arthur P. Ovrom	Keosauqua	(4/27/17)
Richard S. Rhinehart	Sioux City	(1/18/17)
Jack D. Russell	Seagoville, TX	(2/27/17)
William G. Stockdale	Omaha, NE	(3/27/17)
Sydney A. Thomas	Waterloo	(4/14/17)
David C. Tracey	Manchester	(1/17/17)
LeRoy R. Voigts	Waverly	(4/20/17)
Harley A. Whitfield	Spirit Lake	(1/9/17)
Harold R. Winston	Austin, TX	(2/2/17)



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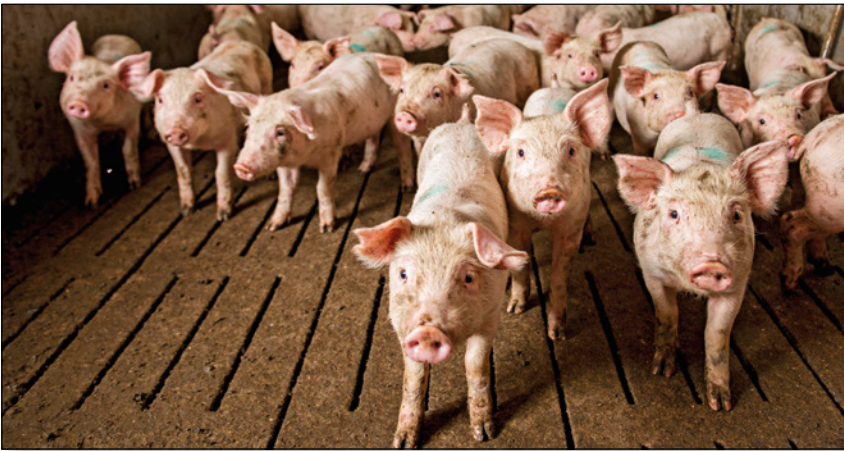
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Email: dgoldman@babichgoldman.com

References Available On Request

New CAFO law goes into effect July 2017

By Jennifer De Kock



In 2004, Jim & Joan Doe owned a century farm in southeast Iowa, growing corn and soybeans and raising a few hundred head of hogs. That year, the Does sold 10 acres of their land to Ed and Bev Roe. The Roes built their retirement home, where they enjoyed fishing and entertaining their children and grandchildren. In 2010, the Does formed an LLC and constructed a 5,000-head hog barn, commonly known as a CAFO, or confined animal feeding operation. By 2012, the Does and the Roes were immersed in lengthy, expensive litigation over their respective rights to enjoy their property and go about their business.

The above case is fictitious, but consistent with disputes that are increasingly litigated in Iowa and other agricultural states. When one neighbor claims that another neighbor's lawfully operated CAFO interferes with the use and enjoyment of their property, they can file a common law nuisance suit for damages.

CAFOs continue to expand across the state, spurring nuisance lawsuits. Iowa is one of 48 states and the District of Columbia to enact "Right to Farm" laws that limit nuisance litigation against CAFOs. "Nuisance" has two meanings in this context: it is both the invasion of odor, particulates, flies or other infestations from a CAFO on a neighbor's property, and the statutory and common law cause of action for interference with

property rights.

The Iowa Legislature enacted 657.11A in 2017, adding to the existing statute insulating a CAFO from nuisance suits unless it violates state or federal law, or 1) unreasonably interferes with a neighbor's use and enjoyment of property for a significant amount of time; and 2) does not use existing generally accepted management practices reasonable for that CAFO. The legislature declared that it enacted 657.11A to limit nuisance lawsuits. However, the new law adds to an existing statute found unconstitutional in 2004.¹ Building on top of this already weakened legal foundation could increase litigation between CAFOs and their neighbors as parties – and the judicial system – try to clarify whose rights are protected and on what basis.

The new law is not retroactive, although it aggressively limits CAFO nuisance lawsuits with a cause of action arising after July 1, 2017. It caps damages, limits who can sue and creates strict medical and property claim requirements.² The real meat of 657.11A – no pun intended – is its limitation on damages. It caps damages for loss of use and enjoyment of property at one and one-half times the total of lost property value plus health damages. To justify an award of compensatory health damages, objective medical evidence must prove the nuisance caused a health condition.³

The history of Iowa right to farm law

1982

The Iowa Legislature enacts §93A.11 as the first right to farm statute.

1987

The language in §93A.11 became §176B.11.

1993

Chapter 176B became Iowa Code §352.

1995

The Iowa Legislature enacts Iowa Code §657.11.

1996

The Iowa Supreme Court decides *Weinhold v. Wolff*, 555 N.W.2d 454

1998

The Iowa Supreme Court finds §352.11 facially unconstitutional in *Bormann v. Bd. of Sup'rs In & For Kossuth Cty.*, 584 N.W.2d 309.

2004

The Iowa Supreme Court holds §657.11(b) unconstitutional as applied in *Gacke v. Pork Xtra, L.L.C.*, 684 N.W.2d 168.

2017

The Iowa Legislature enacts Iowa Code §657.11A



Future plaintiffs may only recover for diminution in value to their share of property. If all owners do not sue, they cannot recover all the lost property value. This provision already has traction, as the Iowa Court of Appeals recently halved lost property value damages for a homestead held in joint tenancy when only one spouse sued in nuisance.⁴

Under the new law, only a person with legal or equitable title to property can sue for compensatory property damages. The new law seemingly abrogates the right of a resident spouse to sue for lost property value,

despite historic statutory and common law homestead rights and Iowa Supreme Court precedent.⁵ Even if plaintiffs without titled property interests are allowed to sue a CAFO, their damages for lost use and enjoyment will be minimal when calculated under the statutory formula. The statute also specifically defines fair market value as what a willing buyer and seller will pay and accept. Under previous law, plaintiffs could simply testify as to their lost property value. Under the new law, both parties may require expert witnesses, potentially increasing litigation costs for each side.

As the new law mandates that all nuisance is permanent, a CAFO can only be sued once even if the same nuisance occurs multiple times. CAFO nuisance is generally permanent, as the only real way to stop stink and flies is to close a barn, a remedy the courts do not allow. Individual instances of manure runoff or leaks are temporary nuisances and can arise multiple times at the same barn, spurring multiple lawsuits. Under the new law, when a temporary nuisance reoccurs after litigation, the CAFO is immune from liability. The statute additionally bars injunctive relief, preventing courts from restricting and monitoring CAFO practices.

The legislature enacted 657.11A to protect CAFOs from expensive litigation. However, the Iowa Supreme Court consistently finds Right to Farm statutes unconstitutional when CAFOs interfere with the use and enjoyment of their neighbors' property. Only future litigation and the Iowa courts can clarify these ambiguities and constitutional questions, presenting Iowa attorneys with the challenge of arguing nuisance suits under a new law that creates more uncertainty than it was intended to resolve.

¹ The Iowa Supreme Court held the current version of 657.11 unconstitutional as applied in *Gacke v Pork Xtra*, 684 N.W.2d 168 (Iowa 2004). The facial and as applied constitutionality of 657.11 currently awaits further scrutiny from the Supreme Court in an interlocutory appeal taken from *Dovico, et al. v. Valley View Swine, et al.*, Wapello County No. LALA105144, S.Ct. No 16-1002.

² There is no "loser pays" provision in the enacted version of 657.11A.

³ *Weinhold v. Wolff*, 555 N.W.2d 454, 465 (Iowa 1996).

⁴ See *McIlrath v. Prestage Farms of Iowa, L.L.C.*, 889 N.W.2d 700 (Iowa App. 2016).

⁵ *Weinhold v. Wolff*, 555 N.W.2d 454, 465 (Iowa 1996).

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About the Author



Jennifer De Kock joined Wandro & Associates in 2016 as a senior litigator. A significant amount of her practice focuses on the constitutionality of agriculture nuisance statutes before the Iowa Supreme Court. She is admitted to the Iowa and Illinois Bars.



Rosenberg

Brent D. Rosenberg and Sharon Wegner have joined Graham, Ervanian & Cacciatore, L.L.P. in Des Moines.

Rosenberg maintains a general practice which includes state and federal criminal defense, corporate law, business litigation and general trial law. He is admitted to the Iowa Bar and Texas Bar.



Wegner

Wegner received her J.D. from Drake University Law School in 2014. She represents clients in a broad range of matters including family law, criminal defense, juvenile law and civil litigation. She also provides Guardian ad Litem services throughout Central Iowa.



Rich-Chappell

Meredith Rich-Chappell and Lu Ann White have joined Lederer Weston Craig PLC in West Des Moines as associates.

Rich-Chappell received her J.D. from the University of Iowa College of Law in 2000. She is a member of The Iowa State Bar Association, Linn County Bar Association and Iowa Defense Counsel Association. She practiced as assistant Johnson County attorney before joining the firm, including serving as the first prosecutor for the Johnson County Drug Treatment Court.



White

White received her J.D. from the University of Iowa College of Law. She has been admitted to the U.S. Supreme Court, U.S. Court of Appeals, Eighth Circuit and the U.S. District Court (Northern/Southern Districts of Iowa). White maintains a practice focused on trial law, litigation, appellate practice, insurance defense, personal injury, employment law, commercial litigation and product liability.



Lowry

Jason A. Lowry has joined Caldwell, Brierly, Chalupa & Nuzum, PLLC, in Newton as an associate. He received his J.D. from Drake University Law School in 2014. Lowry will practice primarily in real estate, probate, municipal law, elder law and taxation.



Douglas

Keisha N. Douglas has joined Califf & Harper, P.C., in Moline, Illinois, as an associate. She received her J.D. from the University of Iowa College of Law in 2016, where she was editor for the Transnational Law & Contemporary Problems Journal during her third year. Douglas will maintain a general civil practice.



Knight

Kelsey L. Knight has joined Carr & Wright, PLC, in Des Moines as an associate. She received her J.D. from Drake University Law School in 2014. Her practice will focus on complex commercial and product liability litigation. She worked at Culp, Doran & Genest, PLC for two years before joining Carr & Wright, PLC in 2017. Her practice focuses primarily on family law, juvenile and criminal defense, but she also represents small businesses, probates small estates, and advises and represents clients in the LGBTQ community.



Johnson

Maurice Johnson has joined the Goosmann Law Firm's Sioux City office. His practice areas include transactional, corporate, employment, business law, construction, real estate, contract tribal law, tribal economic development and gaming, land-use, regulatory and municipal law. Most recently, he served as the Attorney General for the Omaha Tribe of Nebraska.



Podmeyer

John Podmeyer and Benjamin Lynch have joined Hupy and Abraham, S.C., P.C., in Des Moines.

Podmeyer received his J.D. from Drake University Law School. He joined the firm in as a clerk in 2015 and now focuses on personal injury law.



Lynch

Lynch received his J.D. from Drake University Law School. He joined the firm in 2016 and focuses on personal injury and workers' compensation law.



Jacobs

Todd C. Jacobs has been named a shareholder at Bradley & Riley PC in Cedar Rapids and Chicago. He was formerly the managing partner of Shook, Hardy & Bacon LLP's Chicago office and of Chicago litigation boutique Grippo & Elden LLC. Jacobs represents clients nationwide in a variety of complex business disputes, including class actions, securities and shareholder derivative actions, commercial contracts, insurance coverage and intellectual property matters.

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A message from the new YLD President on the mission to help alleviate law school student debt

By Tom Hillers



Tom Hillers
Assistant General Counsel with the Product Legal Team at Nationwide Insurance, and the new President of the ISBA Young Lawyers Division. Contact him by email at hillet1@nationwide.com.

Growing up in a small town, I remember that before we started the Iowa Test of Basic Skills every year, our teacher would say that it was called the Iowa Test of Basic Skills because we had the best education system in the country. I was so proud to be part of something great. Not just great – but the very BEST. So now, I often wonder - Is Iowa the BEST state in the nation to practice law? To measure this, we don't need surveys or metrics or study groups. We need only to take some time to step into the shoes of a growing number of our young peers. As they walk to the court, they know that Iowa offers them and their clients the most fair opportunity to obtain justice. When they interact with opposing counsel, they know that more likely than not, they are shaking hands with a trusted friend. But in the silence of the afternoon, as they take a moment from the day, they can't help

but feel disheartened because despite all of their hard work, their disposable income cannot cover the principal and interest of their monthly student loan payments.

But even in those mo-

ments, so many of us recall the months or even the year that we spent searching for a legal job – barely able to buy groceries let alone being able to pay all of the bills with something other than a credit card. So, from those shoes, we must ask ourselves – “Is this the BEST state to practice law?” When every graduate from Drake and Iowa has a real opportunity to practice law here in Iowa, and in return for their hard work they have a real opportunity to earn an income that would allow them to pay off their debt in 10 years – at that point – we will be the very BEST place to practice law. The journey begins today. If you are ready to make a positive change, email us because we cannot do it without your help.



The Young Lawyers Division officers broke into small groups during their meeting on June 20 to discuss ongoing projects, including efforts to help alleviate the student debt load for young attorneys.

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pvaldron@pattersonfirm.com

Harry Perkins III

All types of civil litigation

Member of Iowa Academy of Trial Lawyers, International Academy of Dispute Resolution, AV rated with over 40 years of litigation experience
hperkins@pattersonfirm.com

Gregory A. Witke

All types of civil litigation

Member of International Academy of Dispute Resolution, AV rated with 30 years of litigation experience
gwitke@pattersonfirm.com

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Legal Legacy: The story of the Spellmans' unique family tradition

By Melissa Higgins, Communications Director

Most kids don't grow up playing "personal injury attorney." But for the children of the Spellman clan in Central Iowa, that was just another regular Saturday morning.

Siblings and cousins would trot out old typewriters and dusty files from the basement of their fathers' law firm in Perry and set up a play office. They would open briefcases, stack up legal pads and fire up the coffee pot to make some brew for their "clients." They would meet in the conference rooms and pretend to prep for trial, all while their dads were doing the same thing in real-life the next room over.

"We couldn't wait to come in on Saturday mornings," said Christine Creighton, reminiscing about her days growing up in the firm where her father, uncles and grandfather worked.

Christine, as well as four of her siblings, Mark, Ted, Beth and Kevin, are all now attorneys in that same office they grew up playing in: Spellman Law Firm in Perry.

Two of their cousins are also attorneys in the firm, Daniel Jay and AnneMarie.

This is the "new generation" of the Spellman Law Firm; the old guard consists of brothers Martin, Daniel, Patrick and Thomas. They all joined the firm with their father Edward in the 1970s and 80s.

All four brothers speak fondly of their dad, who passed away in 1995. He started the firm on his own in 1954.

"He was kind of understated, you know, part of that World War II generation. They don't say much; he didn't brag," said Patrick. "But our dad was a good example for being honest and for treating people fairly and with respect."

Daniel recalls the care his father took with clients, visiting with everyone at length even if they didn't have an appointment. He was a hard worker, a full-time farmer who practiced law up until the day of his death.

It was that quiet example that led four



The Spellman brothers, left-to-right: Martin, Thomas, Daniel, Patrick. A photo of their father, Edward, hangs in the middle.



The "new generation" of Spellmans. Back row: Daniel Jay, Mark, Edward (Ted), Kevin; Front row: Christine, AnneMarie, Elizabeth (Beth).



Spellman Law Firm, located at 1024 2nd Street in Perry, has expanded over time to include three buildings.

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of Edward's sons to follow in his footsteps into the practice of law in Iowa, though the brothers said they never felt pressure to do so.

"It was a tradition that developed. Our dad was a role model," explained Daniel.

"I just think – you grow up around a group of lawyers, so you tend to become what your dad became. It's just natural," said Thomas.

There are 37 total blood relatives who are lawyers in the Spellman family, spanning three generations. They work all over the country and in Iowa, including two of Patrick's children, but 11 of them practice at the office in Perry that Edward founded, including the seven who are children of Daniel and Martin.

Martin's children recall, in addition to "playing law" when they were younger, accompanying their father to depositions when they were a little older, even serving as mock juries or sounding boards for their dad at the dinner table.

"It was a great experience," said Beth, "though I didn't understand the value of it at the time."

Martin, Daniel and Patrick all said, like their dad, they didn't try to persuade their children into law. But the seeds were inevitably planted, and one-by-one some of them followed that path.

As the family firm grew, so did the office. The Spellmans bought two more neighboring buildings along 2nd Street in Perry.

"We just kept knocking down walls and expanding," said Mark, the first of the "new

generation" to join up with his dad and uncles. The firm also opened a Des Moines location in 1999, and the children kept coming back.

"I never made a resume," said Kevin, laughing. "I just showed up one day and started working."

"There's plenty of work to be done ... everybody's busy," said Ted. "We've been able to absorb everybody."

Currently, there are 11 Spellmans on the letterhead, but you'll also see one name that stands out: Michael Kealhofer. Don't be fooled; he's family too. Michael is Martin Spellman's brother-in-law.

Kealhofer is quick to point out, from an "outsider perspective," just how amazing it is that a firm full of family members gets along so well.

"Nepotism run rampant," he jokingly calls it. But on a serious note: "Different people, different personalities, but everyone gets along."

The Spellman Law Firm focuses primarily on plaintiff's litigation, representing people who have been injured or harmed, which is another thing they see as a sort of family tradition.

"I don't think you'd have a great big



The only non-blood relative attorney in the firm is Michael Kealhofer, though he is still related by marriage. Martin Spellman is married to Kealhofer's sister.

family passion if we were working for corporations or insurance companies. We were raised to see what's not fair and what can be done about it. We are always fighting for the little guy," explained Christine.

There is also a tragic event in the family's history that might have shaped this desire to help injured Iowans. Daniel tells the story of their brother who, when he was eight years old, was hit by a school bus on a gravel road by their house.

"There were originally nine of us," said Daniel. "I was there when it happened. He was hit, taken to Mercy Hospital in Des Moines. He passed away there."

"Awful, terrible thing to happen to your family," said Patrick. "That might have influenced us."

When the Spellman Law Firm handles injuries or wrongful death plaintiff's cases, they always pair at least two attorneys together. Typically, one of the newer attorneys will be paired with an uncle, or perhaps his or her father.

So, what's it like serving as a professional mentor to your own child?

"It's good for them because they learn, but it's good for me too," said Martin.

"When I'm on (a case) with my kids, they do more work than I do," he said, chuckling.

AnneMarie added that sometimes going into client meetings as a father-daughter duo makes for interesting interactions.

"My dad (Daniel) would say something like, 'Honey, go make a copy of this.' And the client would look at me strangely. I had to explain 'Oh, it's okay. He's my dad,'" she said.

The built-in mentorship that comes with having a multi-generation family firm is one of the reasons several of the younger attorneys came back to grow their career in Iowa.

"They all want us to do well and we want

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everyone else to do well. Because we all love each other and we're a family, not because it's going to look better for our firm. We want everyone to have a thriving practice and get self-fulfillment from their jobs," said Christine.

"You don't feel afraid to go ask for help," added Beth. "Because it's a family firm, we all want everyone to succeed."

The nature of a family firm also lends itself to a more family-friendly environment. For example, it's not only acceptable, but encouraged, to bring your children into work.

"We've all been through the children ringer," said Daniel Jay. So, he says, no one minds if you bring a sick kid into the office. In fact, the grandpas and great uncles keep toys and candy on-hand, just in case the grandkids come visit.

"It reduces those stresses that come with working in a more corporate-type atmosphere," said Beth. "You can bring your child in and not worry what your boss is going to think. Work-life balance is better than a lot of firms."

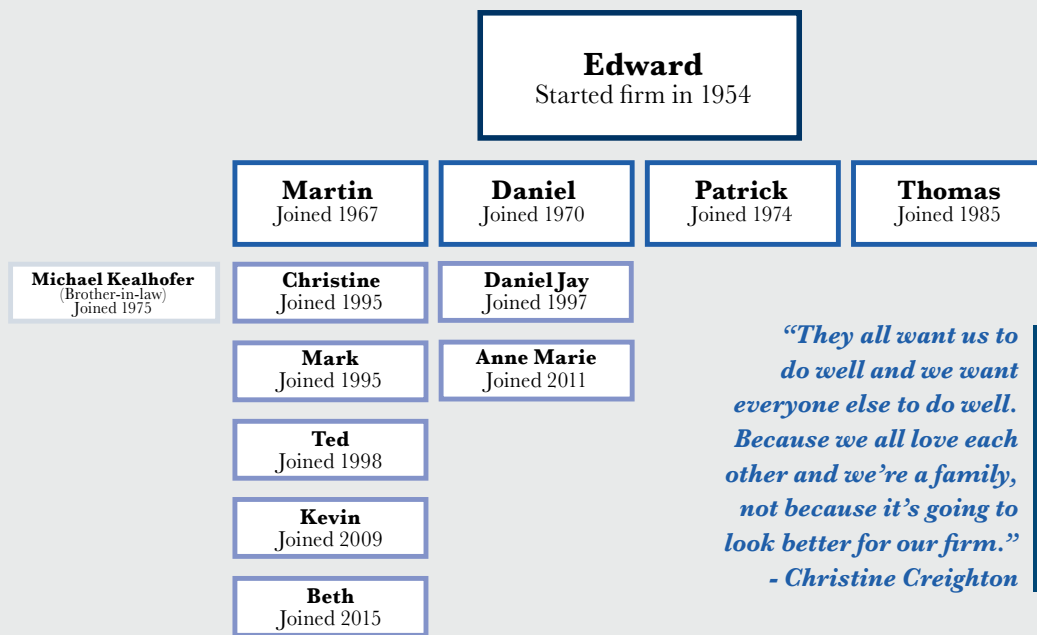
And just like they did many years ago, sometimes the younger Spellmans will catch their own kids acting out a game of "attorney" in the office.

"I bring my kids sometimes after school and they'll sit in my office and do homework. My four-year-old will set up his "office" and play lawyer," said AnneMarie.

She and others wouldn't speculate about whether their own children might be interested in practicing law. Perhaps not.

"At some point, maybe the kids will get sick of going to law school," said Beth, laughing.

The Spellman Law Firm Family Tree



*"They all want us to do well and we want everyone else to do well. Because we all love each other and we're a family, not because it's going to look better for our firm."
- Christine Creighton*



AnneMarie discusses a mutual case with her father, Daniel, in his office.



The original sign for Edward Spellman's firm in Perry.

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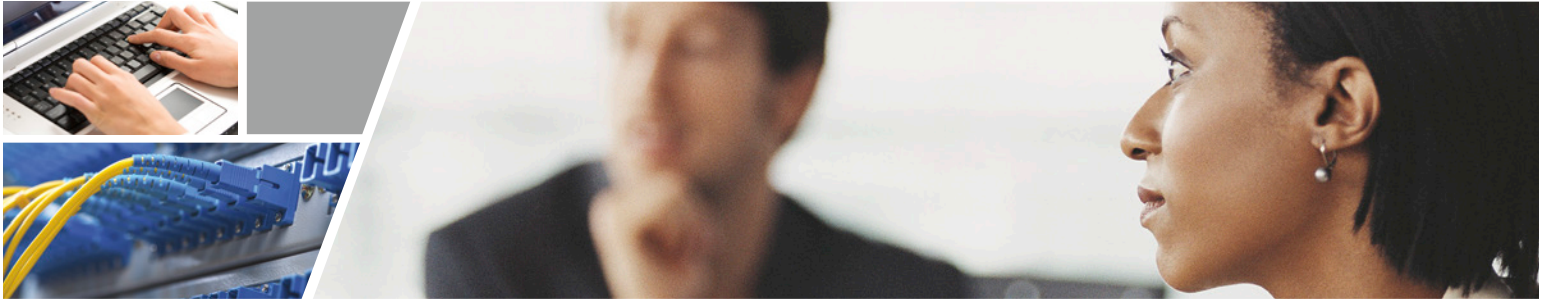


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8 Tips for Cyber Security Practices in Law Firms



PROFESSIONAL SERVICES

Most firms already employ common data security tools such as spam filters, anti-spyware, software-based firewalls, and virus scanning on both PCs and in email. These are indeed essential risk management tools, but lawyers and law firms should not assume that installing these security features results in comprehensive protection. These eight tips will help you take the necessary steps to shrink security gaps.

1. Encrypt, Encrypt, Encrypt

According to a 2013 American Bar Association survey, all forms of encryption – including file encryption, e-mail encryption and full-disk encryption – are the security features used least often by law firms.¹ This data is surprising as encryption represents a relatively simple and effective risk management tool. Furthermore, lost or stolen laptops and devices are a top cause of law firm data breaches. If a computer or device is encrypted, even if the laptop or device is lost or stolen, the information will not be accessible.

2. Use Caution in the Cloud

Reportedly, the cloud is used by 64 percent of lawyers in their practices.² When you store firm and client information in the cloud, it is essentially stored off site, possibly in another country, where it may be subject to international search and seizure laws.

Most bar associations that have published opinions on the ethics of cloud computing found that working in the cloud is ethical if appropriate precautions are taken.³ At a minimum, you must use due diligence in selecting a cloud provider by

asking the right questions. Does the cloud provider employ adequate security to protect the data? Will the data be stored internationally? If so, will it be subject to search and seizure? You also should know what data you're placing in the cloud, and whether that data is subject to state or federal privacy laws. Have the clients provided their written consent to place information in the cloud? Will the information in the cloud be encrypted? Law firms should use only a cloud provider that can provide reasonable assurance that the data will be protected.

3. Beware of BYOD

While advantageous for many reasons, Bring Your Own Device (BYOD) policies are risky if appropriate security measures are not taken. Firms should have a specific BYOD policy in place regulating how those devices are to be used, and giving the law firm ultimate control over the devices. Company data on the devices should be both encrypted and password protected. Law firms also should install mobile device management (MDM) software that can remotely "wipe" the employee's device if the firm employee leaves the company. Law firms may consider installing a remote location-tracking "app" on the device if the device does not already have such software installed.

4. Vet Your Vendors

Lawyers frequently outsource work such as e-discovery, legal research, copying, IT and other non-legal services to third-party vendors. As recent data breaches have demonstrated, third-party vendors are becoming a vulnerable point of attack at which hackers can strike.

Lawyers have specific ethical duties under ABA Model Rules of Professional Conduct 5.1 and 5.3 to ensure that their vendors' conduct is compatible with professional obligations, including the duty of confidentiality under Rule 1.6. According to ABA Formal Opinion 08-451, an outsourcing lawyer must "act competently to safeguard information relating to client representation against inadvertent or unauthorized disclosure" by the individuals to whom the lawyer has outsourced the work.

¹ Joshua Poje, "Security Snapshot: Threats and Opportunities," ABA TechReport 2014, Legal Technology Resource Center.

² Alan Cohen, "Survey: Data Security is Tech Chiefs' Top Worry," *The American Lawyer*, (Oct. 29, 2014).

³ See, e.g., Oregon Bar Ethics Opinion 2011-188 (November 2011); Pennsylvania Formal Opinion 2011 – 200; North Carolina 2011 Formal Opinion 6 (January 27, 2012); New York State Bar Ethics Opinion 842 (Sept. 10, 2010); Alabama Ethics Opinion 2010 – 02; Washington State Bar Advisory Opinion 2215 (2012).

Therefore, you must assess whether your vendors are storing, transporting or analyzing confidential data. If so, written and signed contracts should address the various relevant security issues, including ensuring that the information is properly stored and secured to prevent unauthorized access. Finally, law firms should carefully and thoroughly review the vendor's contract for indemnification clauses, limitations on liability and guidance as to the party who will be expected to pay in the event of a data breach.

5. Staff Training is Key

Educating staff on confidentiality issues and avoiding a data breach can greatly reduce the risk of a data breach in your firm. They should receive instruction on the policies and practices the law firm expects them to follow, including Internet usage policies and social media policies. For example, targeted or untargeted malware and/or viruses are a major cause of data breaches, which can be transmitted to the firm's network when firm employees click on a link in an e-mail. It's important for employees to understand that spam filtering and anti-virus will never be 100% effective in stopping malware. Regular training for employees about these and other "do's and don'ts" can help avoid a large number of potential data breaches within law firms.

6. Be Wireless Savvy

Strong wireless protocols should be observed in order to prevent unauthorized guests from accessing firm data. Also, you must exercise caution when working over unsecured networks using laptops, smart phones and tablets. Free networks, including those found in airports, hotels and coffee shops, are frequently unsecured. A virtual private network ("VPN") will encrypt any data sent or received, and make it more difficult to intercept. Another alternative involves purchase of a mobile Wi-Fi hotspot, which is a small, transportable Wi-Fi router that provides a personal and private Wi-Fi cloud to which you can securely connect your device.

7. Have a Password Policy

Enforcing a uniform password policy for all lawyers in the firm is one of the most effective – and inexpensive – programs a law firm can pursue to protect its sensitive data. Employers should be required to select a complex password with a combination of letters, numbers and symbols. The password should be a minimum of 12 characters, and contain upper- and lower-case letters and numbers. Passwords should be changed regularly and not repeated. Password managers can help attorneys create, track and store secure passwords. The limited risk associated with using a password manager is greatly outweighed by the benefit of having a strong password in place.

8. If All Else Fails, Be Prepared

Even law firms with the best security protection available remain at risk of a data breach or another disaster. Therefore, law firms should prepare for the possibility of a disaster by having a business recovery plan in place and test it at least annually. In addition, routinely back up your data and maintain a copy at an off-site, secure location. Given the potentially devastating impact of a data breach, cyber liability insurance coverage could mean the difference between a law firm surviving a data breach relatively unscathed, or not surviving at all. Cyber liability coverage can help a law firm cover the costs related to a data breach, including privacy breach notification expenses, litigation, loss of income, regulatory fines and penalties and other expenses.

Conclusion

In short, data security represents a real and growing concern for law firms. Excellent data security is increasingly becoming a criterion for clients in selecting legal counsel. In addition, various ethical and legal duties require law firms to make reasonable efforts to provide adequate security for sensitive data. Failing to provide such security could have serious legal, financial and reputational consequences. Implementing cyber security practices is the first step in lessening your risk of being hacked. But it's important to have cyber liability coverage to help lessen your financial losses should the worst occur.

To learn more about how to keep your business protected, visit www.locktonrisk.com/iowabar or call 800-679-7154.



The information, examples and suggestions presented in this material have been developed from sources believed to be reliable, but they should not be construed as legal or other professional advice. Consultation with competent legal counsel and/or other professional advisors before applying this material in any particular factual situation is recommended. This material is for illustrative purposes and is not intended to constitute a contract. Please remember that only the relevant insurance policy can provide the actual terms, coverages, amounts, conditions and exclusions for an insured. All products and services may not be available in all states and may be subject to change without notice. "CNA" is a service mark registered by CNA Financial Corporation with the United States Patent and Trademark Office. Certain CNA Financial Corporation subsidiaries use the "CNA" service mark in connection with insurance underwriting and claims activities. Copyright © 2017 CNA. All rights reserved. PS3700C
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LAWMAKERS PASS BILLS DURING 2017 SESSION

BUSINESS, LABOR, and INSURANCE

- Asbestos or silica exposure, bankruptcy trust claims. SF 376
- Public improvement projects, requirement prohibitions. SF 438
- Felons, receipt of certain insurance proceeds. SF 467
- Public employment, collective bargaining. HF 291
- Minimum wage and other local preemptions. HF 295
- Workers' compensation. HF 518
- Occupational safety and health, state penalties. HF 529

CIVIL and JUVENILE LAW

- Termination of parental rights, petition and venue. SF 275
- Fiduciary's access to digital assets. SF 333
- Domestic abuse and sexual abuse protective orders. SF 401
- Statute-of-repose, modification and applicability. SF 413
- Termination of parental rights and adoption. SF 433
- Public and private nuisances, animal feeding operations. SF 447
- Medical malpractice actions. SF 465
- Jury service and selection and shorthand reporter regulation. SF 466
- Abortion prerequisites and limitations. SF 471
- Fireworks legalization. SF 489
- Judicial Branch appropriations, justice administration efficiencies. SF 508
- Family law, representation of children. HF 133
- Forcible entry and detainer actions, notice. HF 146
- Small estates. HF 184
- Probate proceedings, request for notice. HF 195
- Paternity and support obligations. HF 253
- Quiet title actions. HF 371
- Child foster care provided by a relative. HF 396
- Mechanics' notice and lien registry. HF 586

CRIMINAL LAW AND PUBLIC SAFETY

- Electronic communication device use while driving. SF 234
- Sexual exploitation by a school employee. SF 238
- Vehicular homicide and sobriety monitoring programs. SF 444
- Law enforcement privilege, drug and criminal sentencing, and restrictions. SF 445
- Asset forfeiture. SF 446
- Interference with official acts of a bailiff. HF 52
- Criminal trespass, modifications. HF 69
- Domestic abuse, stalking, and use of a global positioning device. HF 263
- Controlled and imitation substances, penalties. HF 296
- Firearms and weapons regulation, use of reasonable force. HF 517
- Harassment and invasion of privacy, modifications. HF 526
- Dependent adult abuse, personal degradation. HF 544

TAXES

- First-time homebuyer savings account. SF 505
- Property tax assessments and assessors. HF 478
- Taxation and tax law administration. HF 608

Web access to the entire 2017 Summary of Legislation and archived summaries:
<https://www.legis.iowa.gov/publications/information/legislationSummary>



Iowa General Assembly
Website
2017 Enrolled Bills

Date convened: January 9
Date adjourned: April 22

Length: 104 calendar days

Bills introduced: 1,247
Senate Files: 548
House Files: 699

Study Bills proposed: 406
Senate Study Bills: 200
House Study Bills: 206

Bills and Joint Resolutions
enacted: 174

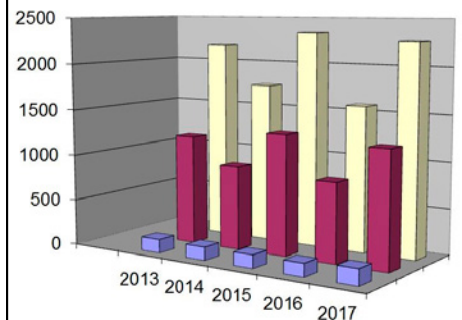
Amendments filed: 850
Senate amendments: 389
House amendments: 461

Governor's actions:
Bills signed: 174
Bills item vetoed: 4
Bills vetoed: 0

This page is produced by the Legal Services Division of the Legislative Services Agency and contains a partial listing of legislation of interest to the legal profession. A complete list and summary of legislation enacted during the 2017 Legislative Session may be found at www.legis.iowa.gov/publications and then by clicking on the second to last link on the page titled "Summary of Legislation."

The Legal Services Division provides legal services to the General Assembly in a nonpartisan objective manner, including bill and amendment drafting, legal and legislative research, official Iowa law publications, standing committee staffing, and Legislative Council, statutory, and interim study committee staffing. Bill drafting services are also provided to state agencies, the Judicial Branch, and the Governor.

**TOTAL BILLS
DRAFTED, INTRODUCED, AND PASSED
DURING THE DESIGNATED YEARS**



Passed
Introduced
LSA Drafted

Information: Legislative Services Agency

ISBA CLE Calendar

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

August 15

Business Development: Creating, Cultivating and Maintaining Client Relationships
(Live Webinar)

August 31

A Primer on Creditor Collection Rights in Bankruptcy
(Live Webinar)

September 14-15

Bridge the Gap Seminar
West Des Moines Marriott
West Des Moines

September 21

Decoding Software License Agreements: Tips and Best Practices when Licensing Software
(Live Webinar)

September 22

Corporate Counsel and Trade Regulation Seminar
(In-person or Live Webinar)
ISBA Headquarters
Des Moines

September 25

Boilerplate Provisions – Their Meaning and Why They Matter
(Live Webinar)

October 26

Arbitration by Choice: An Overlooked Option
(Live Webinar)

October 26-27

Family Law Seminar
West Des Moines Marriott
West Des Moines

Bridge the Gap



September 14-15
West Des Moines Marriott
1250 Jordan Creek Pkwy.
West Des Moines, IA 50266

Earn 15 hours of CLE credit in just 2 days!

Topics being presented at this year's seminar include:

- Mechanics' Liens
- Legislative Update
- Juvenile Appeals
- State Case Law Update
- Federal Case Law Update
- Avoiding Probate
- Judgement Collections
- Forensic Evidence
- Child Support Guidelines
- Workers' Compensation from Defense and Plaintiff's Views
- Succession Planning
- Employment Law from Defense and Plaintiff's Views

Learn more at www.iowabar.org/event/2017BTG



It's time for the
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December 6-8

HOTEL INFORMATION

Des Moines Marriott Downtown
700 Grand Ave., Des Moines, IA 50309

Visit www.iowabar.org/event/2017TaxSchool to make room reservations.

Family Law Seminar

October 26-27

West Des Moines Marriott

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

Register online at www.iowabar.org/event/2017FamilyLaw



Thursday, October 26

7:30 - 8:00 - Registration

8:00 - 9:15 - **Family Law Update** - Speaker: Jim Meade, Meade Law Firm

9:15 - 10:00 - **Parenting Coordinator: Resolving Conflicts Informally** - Speakers: Diane Dornburg, Carney & Appleby PLC and Karen Thalacker, Correll Sheerer Benson Engels Galles & Demro PLC

10:00 - 10:15 - Break

10:15 - 11:15 - **New Changes to the Iowa Child Support Guidelines** - Speakers: Hon. Chad Kepros, District Court Judge, District 6; Hon. Eliza Ovrum, District Court Judge, District 5C; Marlis Roberts, Robberts & Kirkman, LLLP; and Wayne Berman, Assistant Attorney General

11:15 - 12:00 - **Special Issues in Child Support Cases** - Speaker: Laurie Parrish, Miller Pearson Gloe Burns Beatty & Parrish PLC

12:00 - 12:30 - Lunch (included with registration)

12:30 - 1:00 - **Lunch Presentation: Providing Limited Scope, Pro Bono Legal Services** - Speaker: Virginia Sipes, ISBA Innovation & Community Outreach Director

1:00 - 2:00 - **Ethics** - Speaker: Tara van Brederode, Attorney Disciplinary Board

2:00 - 2:45 - **Intellectual Property Issues in a Dissolution of Marriage Case** - Speakers: Jay Hamilton, Hamilton IP Law PC; Charles Damschen, Hamilton IP Law PC; and Alexander Johnson, Hamilton IP Law PC

2:45 - 3:00 - Break

3:00 - 4:00 - **Post-secondary Education** - Speaker: Hon. Nancy Baumgartner, Senior Judge, District 6

4:00 - 5:00 - **Compassion Fatigue: How to Take Care of Yourself** - Speaker: Hon. Colin Witt, District Associate Judge, District 5C

5:00 - 6:00 - Chair's Reception (included with registration)

Friday, October 27

7:30 - 8:00 - Registration

8:00 - 9:00 - **Making Premarital Agreements Romantic by Taking Out the "D" Word** - Speaker: Joseph Pavelich, Spies, Pavelich & Foley, LLC

9:00 - 10:00 - **Valuing The Professional Practice** - Speakers: David Cox, Bray & Klockau PLC; Shannon Shaw, Shaw Business Valuation and Litigation Support Services, LLC; Brian Crotty, HDH Advisors, LLC; and Jim Nally, BCC Advisers

10:00 - 10:15 - Break

10:15 - 11:15 - **How To Cross-examine a Business Valuation Expert** - Speakers: Anita Ventrelli, Schiller DuCanto & Fleck LLP and Mario Ventrelli, Ventrelli Simon, LLC

11:15 - 12:00 - **How To Support or Cross-examine a Psychologist's Report** - Speaker: Arnold Shienvold, Riegler Shienvold & Associates

12:00 - 1:00 - Lunch (included with registration)

1:00 - 2:00 - **Tips For Handling the Grey Divorce (Divorces with Parties Over the Age of 50)** - Speaker: Samantha Gronewald, Sullivan & Ward PC

2:00 - 2:45 - **Ethical Considerations of Legal Services Agreements** - Speaker: Matthew Brandes, Simmons Perrine Moyer Bergman PLC

2:45 - 3:00 - Break

3:00 - 4:00 - **Expert Testimony in Domestic Abuse Cases** - Speaker: Laurie Schipper, Executive Director Iowa Coalition Against Domestic Violence

4:00 - 5:00 - **The Pilot Program for Informal Divorce Trials** - Speaker: Hon. Henry Lathom II, District Court Judge, District 7 and Hon. Nancy Tabor, District Court Judge, District 7

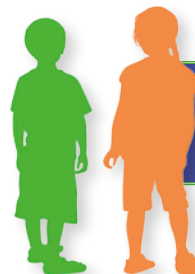
Juvenile Law Track (Friday)

Please indicate track attendance when registering.

8:00 - 9:00 - Updates from the Department of Human Services (DHS)

9:00 - 10:00 - UCCJEA/ICPC Issues in Juvenile cases

10:00 - 11:00 - Addressing Disproportionality in the System



CLE Credit (pending):

15 state hours which includes
1.75 ethics and 3 juvenile hours

PUBLISHER'S NOTE: To submit an ad to CLASSIFIED ADVERTISING, please follow the style of the ads appearing here, indicate the classification where you want your ad to appear and state how long the ad is to run. Each ISBA member receives two free entries annually, except for "Positions Available" ads. Those ads must be posted in the ISBA's Career Center to qualify for publication in the magazine. Once posted in the career center, they will be published in the magazine one time for each posting. Corporate and government attorney members of the association receive the same free privileges for their business, non-employer-related ads. If you have questions, call the Communications Dept. at 515-697-7898. E-mail your copy to communications@iowabar.org. The number appearing in parentheses after each ad indicates the volume and the number of the issue when the ad will be pulled from the magazine. (AL) refers to paid ads. (TF) indicates internal or "house" ads that run indefinitely.

COMMERCIAL ADVERTISERS: For rates, or to place an ad, contact Alex Larson (515) 238-4406; alex@larsonent.com.

POSITIONS AVAILABLE

ASSOCIATE ATTORNEY – *McEnroe, Gotsdiner, Brewer, Steinbach & Rothman, P.C., West Des Moines* – Seeking an associate attorney. All candidates absolutely must have at least two years of experience. Attorneys with an established practice looking to expand their capabilities are ideal. Experience with Family law, Probate, Tax, Bankruptcy, Workers Comp or Appeals, would be preferred. Send resumes to Daniel Rothman at drothman@mckenroelaw.com

ASSOCIATE COUNSEL – *Iowa State University, Ames* – Seeking an associate counsel focused on employment law. Candidates should have a J.D. or equivalent and at least 4 years of directly relevant experience. Candidates with experience in higher-ed issues are preferred. For further information and to apply online, visit our website at <https://www.iastatejobs.com/postings/27014>. ISU is an EO/AA Employer.

LITIGATION ATTORNEY – *McGrath North Mullin & Kratz, PC, LLO, Omaha, Nebraska* – Seeking an experienced attorney to join its litigation team. Applicants should have at least five years of recent civil litigation and trial experience. In addition to the required experience, successful applicants must work well in all aspects of litigation within a team and on their own. To apply, visit <http://careers.iowabar.org/jobs/10003305/litigation-attorney>

INTELLECTUAL PROPERTY, DATA SECURITY AND PRIVACY ATTORNEY – *McGrath North Mullin & Kratz, PC, LLO, Omaha, Nebraska* – Seeking an attorney with at least three years of experience in the areas of technology and licensing, privacy and data security, and intellectual property matters including trademark and copyright matters. Successful applicants must have experience drafting relevant agreements and must have experience in all aspects of trademark/copyright protection. To apply, visit <http://careers.iowabar.org/jobs/10003314/intellectual-property-data-security-and-privacy-attorney>

DEPUTY COUNSEL – *University of Iowa, Iowa City* – Seeking applicants for the position of deputy counsel in the University's Office of General Counsel. The deputy counsel provides legal advice to the University on a potentially broad variety of subject matter areas, including general business and regulatory compliance issues. Considerable (five years minimum) experience in a university, government agency or sophisticated law firm setting working with complex legal issues, including technical con-

tract drafting and negotiation and regulatory compliance, required. To apply, visit https://jobs.uiowa.edu/jobSearch/searchResults.php?requisitionNumber=71241&submit=Search+For+Requisition&jobTitleText=&salary=&salary_hourly=&org=&adStartDate=

LABOR & EMPLOYMENT ASSOCIATE – *Faegre Baker Daniels, Des Moines* – Seeking an employment litigation associate in our Labor & Employment Group that will be based in Des Moines. Duties are expected to include a broad range of employment litigation and administrative agency matters representing employers. Candidates will have strong academic credentials, writing skills and professional recommendations where appropriate. If you are looking for an opportunity with a growing, collaborative firm, please apply online and include your resume, unofficial transcript, writing sample and cover letter.

ASSOCIATE ATTORNEY – *Reynolds & Kenline, LLP, Dubuque* – Seeking a full time associate attorney to join our firm in Dubuque. We are a general practice law firm serving clients in Iowa, Illinois and Wisconsin. The preferred candidate would possess at least two years of legal experience. To apply, visit <http://careers.iowabar.org/jobs/9158960/associate-attorney>

LITIGATION DIRECTOR – *Disability Rights Iowa, Des Moines* – Seeking an attorney with seven years' experience for the litigation director position. The litigation director will lead litigation teams in developing and carrying out systemic and individual litigation on behalf of Iowans with disabilities and/or mental illness. Extensive experience needed in bringing systemic and individual litigation, including class actions. E-mail cover letter, resume and at least three pleadings or motions related to applicant's involvement in systemic and individual litigation to Katie Vande Vorde, Operations Manager, Disability Rights Iowa, kvandevorde@driowa.org. No phone calls please.

CHIEF DEPUTY CLERK – *United States District Court, Northern District of Iowa, Cedar Rapids* – The United States District Court for the Northern District of Iowa is accepting applications for a Chief Deputy Clerk. The Chief Deputy Clerk is a professional, managerial position responsible for the day-to-day administration and supervision of operations and various administrative functions of the Clerk of Court's office. The Chief Deputy reports directly to the Clerk of Court and assists the clerk with supervision; planning; developing and

implementing office policies, procedures and programs; and managing the court's operations. The court anticipates that the current Clerk of Court may retire within the next three years. Candidates wishing to apply must submit an application packet which includes: a cover letter of interest that addresses qualifications and relevant experience; a current resume including salary history; a narrative statement that details management philosophy and personal leadership style; three professional references; and Form AO78, Application for Judicial Branch Employment. Application documents should be emailed to applications@iand.uscourts.gov

WORKERS' COMPENSATION ATTORNEY – *Grefe & Sidney, PLC, Des Moines* – Seeking a litigation associate with one-to-three years of experience in workers' compensation. Experience such as clerking, clinic and prior litigation work is strongly preferred. The qualified applicant should have a passion for trial work and have strong academic credentials. To apply, visit <http://careers.iowabar.org/jobs/9119505/workers-compensation-attorney>

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CLASSIFIED ADS

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EXECUTIVE DIRECTOR – *Iowa Legal Aid, Des Moines* – Seeking an executive director to lead this private, not-for-profit corporation that provides low-income and other vulnerable residents of Iowa with high-quality free legal services. Successful candidate will be the public face of Iowa Legal Aid, lead a staff of lawyers and support personnel of over 100 people, including union-represented employees and work with and support the Iowa Legal Aid organizational Board of Directors and the Iowa Legal Aid Foundation Board of Directors among other duties. Applications must include a letter expressing your interest in the position, qualifications and what you hope to contribute to the organization's future, a current resume and a writing sample. Applications will be kept confidential until finalists are chosen. Send to: Iowa Legal Aid, 1111 9th Street, Suite 230, Des Moines, IA, 50314-2527.

EXCHANGE OFFICER – *IPE 1031, West Des Moines* – Seeking an attorney to work with individuals and their advisors in structuring exchange transactions. No experience with exchange transactions is necessary. The position offers significant opportunity for professional growth for candidates with strong credentials. This is a fantastic chance for a self-motivated team player to work in a professional, entrepreneurial and collegial work environment. Candidates should have high integrity; intellectual strength; critical thinking skills with good judgment; be detail oriented, yet have the ability to see the big picture; have the ability to multi-task; have great people skills; and constantly strive for excellence. The position is full-time, and offers competitive compensation and benefits. To apply visit: <http://careers.iowabar.org/jobs/9054020/exchange-officer>.

FIRM ADMINISTRATOR – *Ward, Murray, Pace & Johnston, P.C., Sterling, Illinois* – Seeking a full-time firm administrator to handle day-to-day administrative matters. Prior accounting or finance experience is important, as are solid organizational skills, dependability, motivation and attention to detail. Technological proficiency is desirable. All inquiries will be kept confidential. Salary is competitive and commensurate with experience. To apply visit: <http://careers.iowabar.org/jobs/9040432/firm-administrator>

ATTORNEY – *Caldwell Brierly, Chalupa & Nuzum, PLLC, Newton* – Seeking an attorney with two-to-three years' experience in real estate and/or probate. Taxation a plus. To apply, visit <http://careers.iowabar.org/jobs/9036030/attorney>

ATTORNEY – *DeKoter, Thole, Dawson & Rockman, PLLC, Sibley* – Seeking an associate attorney to join a growing and interesting practice, with the long-term goal of succeeding older members. Our clients include area manufacturing companies, banks, insurance carriers, municipalities, and many businesses and individuals. Strong writing and communication skills. Some litigation experience would be very helpful. To apply, visit <http://careers.iowabar.org/jobs/9014304/attorney>

UNITED STATES MARINE JUDGE ADVOCATE – *United States Marine Corps, Nationwide* – Seeking attorneys to practice in one of several fields of law as a Judge Advocate Officer. Judge Advocates learn military and naval law at the Naval Justice School in Newport, RI. Upon completion of Naval Justice School, Marine Judge Advocates will begin service at an operational Marine Corps unit, advising and leading Marines. Applicants must have a J.D. with at least a 2.0 GPA, an LSAT of 150 or higher, be bar certified in any state and pass a background investigation and medical examination. Salary is competitive with civilian pay. In addition, a substantial portion of monthly pay will consist of nontaxable housing and subsistence allowances. Other benefits include up to \$400,000 of life insurance at low cost and full free medical coverage. If interested contact Walter McCord at 515-240-3472 or Adam Crise at 515-491-9265.

SPACE AVAILABLE

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

OFFICE SPACE AVAILABLE – *West Des Moines* – Office space available for lawyer and staff. Services include access to printer/scanner/copies/fax, conference rooms, kitchenette and parking. For more information contact Wendy at 515-224-4999 or wendy@tdufflaw.com.

OFFICE SPACE AVAILABLE – *Des Moines* – West of downtown (Ingersoll neighborhood) office space available for 1-2 attorneys or one attorney with a staff person. One office is 147SF (15x10) with exterior window, new paint and flooring. Other office is 120SF (12x10) interior space. Office amenities include reception area, conference room, access to copier/printer/scanner, WiFi, kitchenette in building and free client parking. Will consider subletting offices as a group or individually. Short distance to Polk County Courthouse, easy freeway access. For more information contact Joel Fenton at 515-480-1542 or joelfentonlaw@gmail.com.

TRAINING OPPORTUNITIES

COLLABORATIVE LAW / MEDIATOR TRAINING – *Collaborative Law Training (Sep. 7 & 8, 2017)* – The training will help you to develop a basic plan to set up a collaborative law practice. This training is for mediators, lawyers, CPAs, financial planners and child advocates.

Family Law Mediator Training (Sep. 11-15, 2017) A 40-hour comprehensive training that will form a foundation for your mediation practice and provide a thorough background in dispute resolution to enable you to develop your own style and area of mediation. Please visit our website at www.CrillyMediation.com for more information and to download registration forms. If you have any questions, please call Chris Crilly at 319-363-5606.

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Partner

Thanks to all of the presenters from the 2017 Annual Meeting, June 19-21.

Hon. Paul Ahlers, District Associate Judge, District 2B
Justice Brent Appel, Iowa Supreme Court
David L. Baker - Mediation Services
Hon. Romonda Belcher, District Associate Judge, District 5C
Dr. Robert Bender, Broadlawns Geriatric Medicine and Memory Center
Kimberly Blankenship, Shareholder, Bradley & Riley PC
Hon. Thomas Bitter, District Court Judge, District 1A
Andrew Boettger, Hastings Gartin & Boettger LLP
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Christine Branstad, Branstad Law PLLC
Trinity Braun-Arana, Office of Professional Regulation
Bill Bridgforth, Ramsey Bridgforth
Rebecca Brommel, Brown Winick PLC
Tyler Buller, Iowa Department of Justice
B. John Burns, Iowa Public Defender's Office
James Byrne, Neifert Byrne & Ozga PC
Espnola Cartmill, Belin McCormick PC
Travis Cavanaugh, Simmons Perrine Moyer Bergman
Hon. Susan Christensen, District Court Judge, District 4
Hon. Thad Collins, Chief Judge, United States Bankruptcy Judge, Northern District of Iowa
Mark Cord, Moore Heffernan Moeller Johnson & Meis, LLP
Nick Critelli, Critelli Law PC
Tre Critelli, Director, Office of Professional Regulation
Igor Dobrosavljević, IT Professional, CEO of Grand Consulting, LLC
Stephen Eckley, Belin McCormick PC
Zachary Dal Pra, Justice System Partners
Carl Dawson, Missouri State University
Peter Deegan, Criminal Chief for U.S. Attorney's Office NDIA
Marvin DeJeer, Evelyn Davis Center
Megan Dimitt, Lederer Weston & Craig PLC
Diane Dornburg, Carney & Appleby PLC
Prof. Matthew Doré, Drake University Law School
Jessica Doro, Bradley & Riley
Steven Drahozal, State Public Defenders' Office
Nicole Facio, Newbrough Law Firm LLP
Daniel Fischer, Hall Hudson Fischer, P.C.
Teresa Furneaux, Family Services Coordinator and Counselor Training Coordinator at Powell Chemical Dependency Center
Timothy Gartin, Hastings Gartin & Boettger LLP
Andrew Giller, Rush & Nicholson PLC
Prof. Josephine Gittler, University of Iowa Law School
Scott Gratias, Private Investigator
Chief Judge Marlita Greve, District 7
Ashley Grieser, McKinney Law Office P.C.
Hon. Mary Pat Gunderson, District Court Judge, District 5C
Kristen Hall, Hall Mediation & Law
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Darin Harmon, Kintzinger, Harmon, Konrardy, PLC
Kelli Huser, Iowa Department of Justice
Jo Kline Cebuhar, Attorney and Author
Carolyn Hartley, Ph.D., Associate Professor, University of Iowa School of Social Work
Aaron Hawbaker, State Public Defender's Office
Aaron Hilligas, Ahlers & Cooney, PC
Andrew Kahl, Criminal Chief for the U.S. Attorney's Office, SDIA
Heather Jackson Badovinac, Adult Public Defender's Office
Dwight James, The James Law Firm PC
Jill Johnson-Welch, Dickinson Mackaman Tyler & Hagen PC
Sarah Keely, Law Student, University of Iowa
Kevin Kaufman, Iowa Attorney General, Child Support Division
Hon. Chad Kepros, District Court Judge, District 6;
Joseph Kizer, Resource Insurance Consultants (RIC)
Emily Kolbe, Des Moines lawyer
Sydney Kronkow, State Court Administration
Michael Lahammer, NDIA Criminal Justice Act Panel Attorney District Representative
John Lande, Dickinson Mackaman Tyler & Hagen PC
Robert Livingston, Stuart Tinley Law Firm LLP

Jana Luttenegger Weiler, Davis Brown Law Firm
Hon. Kelly Mahoney, United States Magistrate Judge, U.S. District Court, Northern District of Iowa
Justice Edward Mansfield, Iowa Supreme Court
Thomas Mayes, Iowa Department of Education
Hon. Christopher McDonald, Iowa Court of Appeals
Meredith Mahoney Nerem, Jordan & Mahoney Law Firm PC
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Christine Moon, DMAC
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Michel Nelson, Iowa Savings Bank
Sherrie Nelson, Daughter and Former Spouse of Alcoholic
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Ellen Ramsey-Kacena, Ellen Ramsey-Kacena Law Office
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Jessica Taylor, J.D., Managing Attorney, Iowa Legal Aid
Frank Tenuta, Iowa Legal Aid
Kristine Tidgren, ISU Center for Agricultural Law and Taxation
Nancy Thompson, Nancy L. Thompson Law Office, P.C.
Kelli Todd, Managed Care Ombudsman
Kristi Traynor, Regents and Human Services Division
Brett Trout, Brett J. Trout P.C.
Tara Van Brederode, Attorney Disciplinary Board
Daniel Vondra, Partner, Vondra Malott PLC
Bruce Walker, Phelan Tucker Mullen Walker Tucker & Gelman LLP
Thomas Walton, Nyemaster Goode PC
Christopher Warnock, Tenants Project
Joshua Weidemann, O'Connor Thomas
Dr. Gary Wells, Iowa State University
James Whalen, Federal Public Defender for NDIA, SDIA
Hon. Colin Witt, District Associate Judge, District 5C
Justice Bruce Zager, Iowa Supreme Court
Adam, Zenor, Greffe & Sidney PLC

*Working as Co-counsel with Iowa Lawyers on Personal Injury
and Workers' Compensation cases for over 25 years.*



TOM L. DREW

535 40th Street, Des Moines, IA 50312

Phone: (515) 323-5640

Fax: (515) 323-5643

Email: tdrew@drewlawfirm.com