

THIS ISSUE

Women in Law

**Suffrage.
Women's Rights.
Equal Pay. Title VII.
Women's March.
#MeToo. Time's Up.**

The quest for equality has been long, and it's not over yet. **PAGE 28**



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We can't say enough about our
women
attorneys.

We can talk about their top-notch legal skills, their relentless advocacy for our clients, and the way they pursue excellence in everything they do. But even that's not enough. Our firm simply wouldn't be as strong without them, and we value everything they bring to the table, every day.

PICTURED (LEFT TO RIGHT):

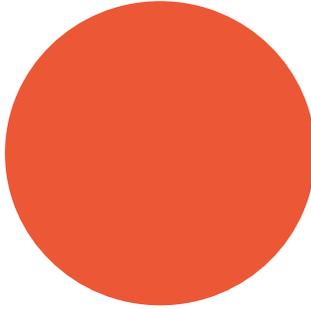
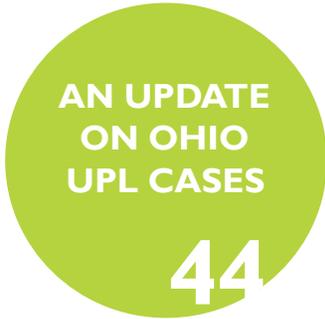
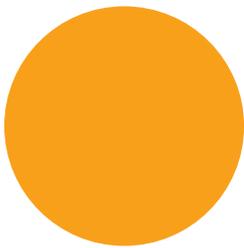
Heather E. Baird, Samantha J. Stahler, Yelena Boxer, Megan L. Mehalko, Elizabeth R. Emanuel, Amanda M. Miller, Nora Cook, Shazia Singh, Cheryl Donahue, Amanda P. Parker, Kathleen M. Vlasek, Julie R. Fenstermaker, Katherine A. Smith, Julie M. Price, Kelly D. Noll

NOT PICTURED:

Jessica N. Angney, Elizabeth A. Batts, Nancy R. Chawla, Susan E. Clady, Emily V. Danford, Dana Marie DeCapite, Leslie A. Drockton, Alison K. Evans, Kathryn Kramer Gaydos, Patricia Geraghty, Gennifer E. Gibbs, Karly B. Johnson, Jennifer L. Katzakis, Laura E. Kogan, Jean Kerr Korman, Margarita S. Krncevic, Deviani M. Kuhar, Kelly C. Morgan, Johanna Fabrizio Parker, Shaka S.J. Sadler, Sara V. Scheinbach, Addisah Sherwood, Kelly J. Skeat, Jackie C. Staple, Clare R. Taft, Arthi Tirey, Lori H. Welker



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are Chaired by Women
WE'RE ONE OF THEM



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IN OUR CLEVELAND OFFICE**

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Section & Committee Spotlight

For information on how to join a section or committee, contact **Samantha Pringle, Director of CLE & Sections**, at **(216) 696-3525 x 2008** or springle@clemetrobar.org

Certified Grievance Committee

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Susan M. Evans, 1st Vice Chair
Lustig Evans & Lucas Co., LPA
smevans@ex100.com

Matthew D. Besser, 2nd Vice Chair
Bolek Besser Glesius, LLC
mbesser@bolekbesser.com

Regular Meeting

First & Third Tuesday of the month at the CMBA Conference Center

What is your goal?

1. To ensure that the general public is protected from attorney behavior that violates the Rules of Professional Conduct.
2. To instill confidence in the community that the legal profession

will honestly and with transparency monitor their own members.

3. To protect attorneys from harassing and/or meritless grievances.
4. To educate the local bar about the Rules of Professional Conduct.

What can members expect?

As a member of the committee you can expect to be assigned 1–2 grievances each year to investigate and report to the committee. One of the unspoken benefits of being a member of the committee is that you become more mindful of the rules of practice and potential pitfalls.

Recent Events

Recently, bar counsel along with assistant bar counsel and the chair of the grievance committee held ethics seminars for members of CMBA and the legal community at large.

Women in Law Section

Co-Chairs

Laura Creed
Cuyahoga County Court of Common Pleas
cplwc@cuyahogacounty.us

Betsy Rader
Betsy Rader Law LLC
betsyraderlaw.com

Regular Meeting

1st Wednesday of the month at noon.

What is your goal?

Our goal is to secure the full participation of women in the legal profession and empower women to excel.

What can members expect?

The benefits of belonging to the Women in Law section, the largest and most active section at the CMBA, is that we provide effective mentoring, training, networking opportunities, and support. We do this by holding monthly meetings often with a prominent speaker or panel, our Food for Thought program, CLE programs, social and networking events, as well as helping those less fortunate in our community with our Lawyers helping Women in Crisis program as well as other pro bono initiatives.

Upcoming Events

The Women in Law section is delighted to be hosting a very special Women honoring Women event on **April 26, 2018**. We are celebrating the 30th anniversary of the Commission on Women in Law which led to the creation of the Women in Law section. We hope that all members of the legal community will join us as we celebrate our honorees and imagine the next 30 years: *Creating Your Future in the Changing Legal Profession*.

Recent Events

The annual celebration of International Women's Day on March 8th continues to be a highlight for the section. This event is well-attended, and members often comment on feeling inspired and rejuvenated. Another event to highlight in 2018 was our screening and discussion of the documentary *Balancing the Scales*. We were thrilled to have a panel discussion moderated by the filmmaker, Sharon Rowen, along with our guest panelists: Chief Justice Maureen O'Connor, Jessica Lopez, and Robert Rawson.

Lawyer Referral Service Oversight

Co-Chairs

David Gallup
Gallup Law
gallup@galluplaw.com

Sandy Kelly
Ray Robinson Law Co., LPA
skelly@rayrob.com

Regular Meeting

The LRS Oversight Committee meets for lunch quarterly at the CMBA Conference Center.

What is your goal?

The mission of the LRS follows along with CMBA's mission to sustain and improve the quality of, and public trust in, the administration of justice and the legal profession. The LRS works to bridge the gap between the Cleveland community and the diverse network of experienced LRS attorneys. The LRS strives to provide quality referrals to the LRS attorneys while providing a public service to the Cleveland community.

What can members expect?

LRS Oversight Committee members provide valuable information about the legal market (trends), make recommendations on marketing the LRS to attorneys and to the Cleveland community, and assist in improving the LRS process.

Upcoming Event

A joint CLE is being planned by the LRS Oversight Committee with the Small Firm & Solo Practitioners Section to be held Wednesday, May 23. It will include lunch, an update on the LRS and an afternoon of CLE. We encourage all LRS attorneys as well as all Small & Solo Practitioners to join us on May 23.

Recent Events

The LRS provides 1,000+ referrals each month. Several local business organizations and non-profits provide LRS information to their members and/or clients. Currently 153 CMBA attorneys participate in the LRS and we will always welcome more! Attorneys new to the LRS can join in April and receive 15 months of referrals for the price of 12 (\$250).

ON AMENDING THE CMBA'S CODE OF REGULATIONS



Darrell A. Clay

consider 2007 to have been a particularly monumental year.

In January, the iPhone was introduced and went on to sell over 1,000,000 units in under three months. Introduction of the smartphone has fundamentally changed the way we communicate and interact with each other.

“Mad Men” made its debut on cable. Although I wouldn’t get hooked on it until many years later, this acclaimed period drama profoundly altered modern television. It demonstrated that a niche TV network could develop and produce its own high-quality content, and viewers would flock to it.

After a six year drought, the Cleveland Indians returned to October baseball, winning the Divisional Series before losing a nail-biter of a seven-game American League Championship Series to the Red Sox. I hosted a party at my house for one of the playoff games, and met a friend-of-a-friend, Mary, who I would go on to marry two years later.

Last, but certainly not least, the leaders of the Cleveland Bar Association and the Cuyahoga County Bar Association overcame years of discord to unite the two organizations and give birth to the Cleveland Metropolitan Bar Association. As I said during the 2017 Annual Meeting, we owe a debt of gratitude to the persistence of those who overcame past failures and succeeded in unifying our bar.

One of the key projects that we decided to tackle this year was updating the CMBA’s Code of Regulations. The Code hadn’t been revised in any meaningful way since it was first adopted in 2007, and so it still contained provisions about how the first CMBA Board of Trustees would be selected by a Blue Ribbon Panel of CBA and CCBA members. Important

as this was at that time, such language no longer constituted a necessary component of our governing document. In addition, we wanted an updated Code that would reflect best practices in the bar association world, be consistent with intervening changes to Ohio law governing non-profit associations, and otherwise reflect the way we’ve come to administer ourselves.

Thus, shortly after the Annual Meeting, we stood up a Governance Committee and charged it with the responsibility of preparing a top-to-bottom revision of the Code. Since our first meeting in September, we’ve diligently worked our way through the entire Code. Every single section has been reviewed, dissected, reworked, and — in my view — vastly improved.

On March 23, 2018, the Governance Committee released a working draft of the proposed amended Code to the full membership, along with an executive summary of the revisions. You can review those documents at <http://tinyurl.com/yatefsbo>. On April 6 and 10, we held open meetings at which members were invited to ask questions, share concerns, and provide feedback on the proposed amendments. (I’m writing this before those meetings are held, so even though you’re reading it afterwards, I can’t offer any insight as to how they went.)

However, as we worked through this process, it became apparent that we needed to expedite a single amendment. Article XI of the 2007 Code currently permits the Board to choose whether amendments shall be approved by one of two means: an in-person meeting of the membership, or a “mail ballot.” No option was available for an e-mail ballot or other electronic voting mechanism. (Remember when I said the iPhone has fundamentally changed the way we interact?)

Because the existing language of Article XI does not reflect the most convenient, cost-effective, and inclusive methods now available for voting, the Board and Governance Committee have both recommended adopting a revision that would authorize voting for additional amendments by mail, e-mail, or other electronic means approved by the Board. We believe this will allow us necessary flexibility in how we structure the process of approving the rest of the revisions to the Code in the near future.

To accomplish this, we need everyone to cast their vote in favor of this amendment. Please heed the call to action. Visit <http://tinyurl.com/ycb24ojr> to access the ballot. Print a copy, cast your vote, and mail the ballot to the CMBA’s offices. Our deadline for receiving ballots is 5 p.m. on April 24.

I cannot thank enough those who heeded the call to serve on the Governance Committee: Colleen Cotter, Bruce Hennes, Shana Marbury, Ron Johnson, and Marlon Primes. We were ably assisted by CMBA’s Executive Director Rebecca Ruppert McMahon and Bar Counsel Heather Zirke. It’s my hope that, when approved by the membership, version 2.0 of the CMBA’s Code of Regulations will stand us in good stead for the same 10+ years as the first iteration did!

Darrell A. Clay is the tenth President of the CMBA. He is a litigation partner at Walter | Haverfield LLP, with a practice focusing on complex civil litigation, white collar criminal defense, and aviation matters. He has been a CMBA member since arriving in Cleveland in April 1997. E-mail your CMBA-related questions or concerns to him at dclay@walterhav.com. Follow him on Twitter at [@DClayCMBA](https://twitter.com/DClayCMBA).



WHY GIVE? SOMEONE NEEDS A LAWYER'S HELP

Mitch Blair, CMBF President

Clevelanders need Lawyers Giving Back. Our youth benefit when we teach in the classroom and mentor them in high school through law school. They tell us their experiences in mock trials, courtroom field trips, paid internships, and diversity programs show them a career path in the legal profession and how to achieve it.

Needy citizens, including homeless individuals and families, turn to Lawyers Giving Back when legal assistance can improve their situation. Help with small matters can make big differences.

Grass-roots nonprofits, small arts organizations, and individual artists doing important work in our neighborhoods come to us for legal services they otherwise could not afford.

Answering the call, 2,000 Cleveland lawyers, judges, law students, firms, corporations, and organizations give back. In 2017, more than 1,000 volunteered 20,000 hours, a gift of time valued at \$2 million, backed by donors contributing \$150,000.

WHAT CAN YOU GIVE?

- **Time?** Because needs are great and growing, requiring more volunteers.
- **Talent?** Because the gift of legal services is singular to lawyers.
- **Treasure?** Because giving to our nationally recognized outreach programs is an investment in a proven winner.

'SAY YES'

Frank Osborne, retired partner of Tucker Ellis, a Foundation Fellow, and volunteer in the Cleveland Homeless Legal Assistance Program

since 2005, counsels residents in the transitional housing program at the Salvation Army.

"You don't need to find ways to help people, the opportunities find you. You just have to recognize the need and say yes. In 2005, someone came to our office and asked for volunteers, and I've never regretted saying yes.

"If you became a lawyer so you could help others, here's a chance. It always turns out, the rewards are greater for you than for those you help."

Sarah Nemastil, associate at Wegman Hessler Vanderburg, is a five-year volunteer for the homeless at the Salvation Army with Frank Osborne.

Michael Riley, partner at McDonald Hopkins and co-chair of the Foundation's Fellows Committee, expresses his pride in being part of this organization of lawyers who come together to serve our community.

"I hope Cleveland lawyers will be spreading education, enthusiasm for the law, and justice for all for many years to come. That's why I support the Cleveland Metropolitan Bar Foundation."

'LAWYERS MOTIVATED ME'

Xavier Thomas-Hughes, a beneficiary of Lawyers Giving Back, heads to law school at Georgetown University in August 2018.

He's a high school graduate of Cleveland's Whitney Young Leadership Academy and a college graduate of Ohio State University.

"Lawyers giving back gave me access to resources and opportunities I never would have had. They empowered me, as I witnessed their generosity, to follow my dreams, to become an agent of change.

"The Stephanie Tubbs Jones Summer Legal Academy and the Stokes Scholars Program motivated me to pursue a career in law and a dream to ultimately become a federal judge. The lawyers who have devoted time in these programs

have inspired me to give back myself."

Lawyers in the classroom, like Elisabeth Arko of Tucker Ellis, are an inspiration to Cleveland high schoolers.



"As lawyers, we are in a unique position to help people overcome legal obstacles negatively affecting their lives. Our clients at the clinics are always grateful to us for providing the legal assistance they need."

Gabrielle Kelly, partner of Brouse McDowell, is a 3Rs team captain and donor.

"Using my skills and my resources as a lawyer to make a difference in the community feels so good. Seeing the results and the impact on kids is incredible, truly priceless."

Mitch Blair is vice chairman of Calfee Halter & Griswold LLP and former chair of the Litigation Group. He tries complex disputes, with special emphasis on securities litigation, including class action defense. He is president of the Cleveland Metropolitan Bar Foundation and has been a CMBA member since 1982. He can be reached at mblair@calfee.com or (216) 622-8361.

The Scoop

CMBA Member Q&A



Elizabeth Bonham

Firm/Company: **ACLU of Ohio**
 Title: **Staff Attorney**
 CMBA Join Date: **2017**
 Undergrad: **Warren Wilson College**
 Law School: **Cleveland-Marshall College of Law**

IF YOU WERE NOT PRACTICING LAW, WHAT WOULD YOUR PROFESSION BE?

If I didn't like litigation so much, I would be a vegetable farmer.

WOULD YOU EVER VOLUNTEER FOR A ONE-WAY MISSION TO MARS?

I would certainly consider volunteering for a one-way mission to Mars, provided the space travel was reasonably safe, and the mission was non-military and non-imperialist, for example, a research project funded by an agency whose intentions I agreed with.

WHAT WAS YOUR FIRST PET? ITS NAME?

My first pet was a cat named Luke Skywalker. My interest in pets did not continue into adulthood.

EAST SIDE OR WEST SIDE?

Westside

WHAT'S THE BEST PART ABOUT BEING A LAWYER?

The best part about being a lawyer is being in a service profession. We have access to special tools and we are responsible to use them for helping others. For this reason, I regard membership in our profession as an honor.

Daniel Baron

Firm/Company: **Baron Law, LLC**
 Title: **Attorney**
 CMBA Join Date: **2016**
 Undergrad: **University of Akron**
 Law School: **Cleveland-Marshall College of Law**

IF YOU WERE NOT PRACTICING LAW WHAT WOULD YOUR PROFESSION BE?

Air Force Fighter Pilot

WHAT DO YOU LOVE MOST ABOUT YOUR JOB?

I think everyone in the legal profession would agree that being able to advocate for clients is quite rewarding. However, I particularly enjoy practicing in estate planning because of the unique problem-solving opportunities that it brings. Clients are often surprised to learn that a simple document (like a trust, POA, or buy/sell agreement) can put their concerns to rest. I'm a problem solver at heart and I love the challenge of finding the one solution that gives the client peace of mind.

WHAT WAS YOUR FIRST PET? ITS NAME?

Diesel

CAN YOU PLAY AN INSTRUMENT?

Piano – although oddly enough, I can't read music.

MOST EMBARRASSING MOMENT IN COURT?

There are too many embarrassing moments to count. I plead the fifth! But there was one time where I was egregiously late to court because I decided to help an elderly woman who struggled to get up the parking garage slope. It literally took me 30 minutes to help her and the judge did not believe me. Weeks later the elderly woman tracked me down and sent homemade cookies coupled with a note. I wasn't in as much trouble after sharing the cookies with the court.



Nadia Ardner

Firm/Company: **Keis George LLP**
 Title: **Associate Attorney**
 CMBA Join Date: **2017**
 Undergrad: **Heidelberg University**
 Law School: **The Ohio State University**

A RECENT MILESTONE FOR YOU OR YOUR FAMILY?

My husband and I have two older kids — they're five and six — and we decided that it would be a great idea to start over with diapers and sleepless nights and brought a third one into the mix in 2017. We're having a blast!

WHAT'S THE BEST PART ABOUT BEING A LAWYER?

The opportunity to learn something new on a daily basis paired with the opportunity to advocate for clients. I was an advocate for my three hard-of-hearing siblings before I even knew there was a name for what I was doing, and being able to incorporate that into my career is incredibly rewarding.

EAST SIDE OR WEST SIDE?

West side. I am relatively new to the Cleveland area, so the distinction doesn't mean much to me. The choice to live on the west side was based off of convenient commutes to work, but I've come to love it.

WHAT WOULD REALLY SURPRISE PEOPLE ABOUT YOU?

My computer desk at home is covered in band stickers that I have collected over the years by attending shows at venues ranging from smaller (my favorite kind) to stadium to outdoor.

TELL US ABOUT YOUR FIRST EVER JOB?

I worked at a family-owned seasonal rootbeer stand, Jolly's. My friend's family operated it. Three of my younger siblings went on to work there too, which is pretty neat.

INTERESTED IN BEING FEATURED OR KNOW SOMEONE WHO MIGHT?

E-mail Jackie Baraona at:
jbaraona@clemetrobar.org.



Women Honoring Women

Celebrating thirty years of Women in the Law

THURSDAY, APRIL 26, 2018

4:30 - 7:30 P.M.

CMBA CONFERENCE CENTER

Honoring the members of the 1987 Commission on Women in Law:

Karen B. Newborn, Chair
Angela G. Carlin
Karen A. Davey
Hon. Ann Dyke
Jane S. Flaherty
Sheri H. Edison
Hon. Patricia A. Gaughan
Frances F. Goins

Hon. Lillian Greene
Magistrate Barbara S. Hall
Hon. Mabel M. Jasper
Barbara Kacir
Irene Keyse-Walker
Hon. Patricia S. Kleri
Denise Knecht
Hon. Ann McManamon

Hon. Karen Nelson
Moore
Jane M. Picker
Mary Ann Rabin
J. Helen Slough
Hon. Linda Rocker
Hon. Lesley Brooks
Wells



Featuring a keynote presentation by
Yvette McGee Brown,
*Partner, Jones Day and
former Ohio Supreme Court Justice*

For registration and
sponsorship details, visit
CleMetroBar.org/WIL30



WHERE THERE'S A WIL, THERE'S A WAY



Rebecca Ruppert McMahon

Thirty years ago, then Cleveland Bar President **Lizabeth A. Moody** — a law professor with Cleveland-Marshall College of Law and the first woman to serve as president of the Cleveland Bar — spearheaded the creation of a new section within the Bar: the Commission on Women in Law. As approved by the Board of Trustees, the Commission's initial mission was to study the participation and needs of women attorneys inside the Cleveland Bar.

In 1987, women represented:

- 16% of the Cleveland Bar's membership,
- 21% of the Board of Trustees,
- 18% of committee chairs/vice chairs and 25% of section chairs/vice chairs, and
- 36% of the Young Lawyers Section.

Karen B. Newborn, then a partner with Baker & Hostetler, chaired the new Commission and convened its first meeting on November 19, 1987. The founding members of the Commission included 23 women judges, law professors and other attorneys.

During the inaugural meeting, the Commission decided its first course of action would be to assess the broader issues of "women in the law" as well as the specific issue of women's participation in the Cleveland Bar. **Barbara B. Kacir**, then a partner with Jones Day, led the initiative which involved surveying every female member, as well as several other bar associations. More than 40% of the 800 women members of the Cleveland Bar responded to the survey which collected a variety of data, including responses to the question "what, if anything, would you like to see changed about the legal profession?" Interestingly, the vast majority of respondents expressed a desire for change in one or both of the following areas:

1. Culture change: described as a need to eliminate the vestiges of sexism and discrimination within the workplace, while finding ways to support all attorneys in reducing the stress associated with practicing law, balancing work and family, and managing conflicts.

2. Practice change: described as the need to return to a higher standard of professionalism within the practice of law including (a) increasing lawyer awareness of and compliance with the ethical standards of the profession, and (b) improving the administration of justice in terms of speed and cost, with particular emphasis on expanding the use of Alternative Dispute Resolution.

Thirty years later, women's engagement and leadership inside the CMBA has significantly expanded. Today:

- Nearly 2,000 of our 5,300 members (38%) are women;
- Membership in the renamed Women in Law Section (WIL) consistently exceeds 450 members each year;
- Eleven out of 34 members (32%) of the CMBA Board of Trustees are women, and 15 of 38 (39%) Foundation Board members are women;
- Women represent 50% of section chairs/vice chairs and 25% of committee chairs/vice chairs;
- Nearly half (48%) of the members of the Young Lawyers Section are women; and
- Four women have served as President of the CMBA since its founding 11 years ago — Kerin Kaminski, Mary Whitmer, Barbara Roman, and Anne Owings Ford.

Much of this progress can be attributed to the attention, support and advocacy provided by the thousands of women who have committed their time and talents to WIL over the past decades.

While great things have happened inside the CMBA, the advancement of women throughout the broader legal profession — both nationally and locally — continues to be slow. In 2017, the American Bar Association Commission on Women in the Profession (ABA Commission) reported that:

- Women represent: 18% of both equity partners; 25% of Fortune 500 and 20% of Fortune 501-1000 general counsel; 31% of

law school deans; 34% of federal judges; and 31% of all state court judges.

- Across all attorneys, women earn on average 90% of what men earn.
- Among the 200 largest firms in the U.S., a typical female equity partner earns 80% of the compensation earned by a typical male partner.

Ohio's statistics track these national figures fairly closely.

It is interesting to note that the Cleveland Bar established our Commission on Women just months after the founding of the ABA Commission whose first Chairwoman was Hillary Rodham Clinton. When she assumed the helm in 1987, Hillary predicted that even though women were entering and graduating from law schools in growing numbers that would quickly reach parity with men, those numbers would not ensure that women lawyers would advance, succeed, or assume positions of power in the legal profession at the same rate as their male counterparts. Data over the past three decades has proven that prediction's accuracy.

As we mark the 30th anniversary of WIL, we have a tremendous opportunity to celebrate the profound effect WIL has had within our legal community. We also have the chance to engage with each other as to how our profession can continue to evolve so that one day gender gaps permanently disappear.

I invite everyone — men and women — to join us on April 26 for our 30th anniversary celebration, **Women Honoring Women**. Special thanks to this year's WIL Co-Chairs, **Laura Creed and Betsy Rader**; Anniversary Co-Chairs **Laura, Diane Citrino and Michelle Sheehan**; and additional host committee members **Alison Archer, Awatef Assad, Kami Davis Brauer, Shannon Byrne, Christina Bushnell and Carol Metz**.

Come meet us at the Bar to see first-hand where there's a WIL, there's a way! 

Thank You

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

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

Contact our LRS Coordinator, Katie Donovan Onders, for details at (216)696-3525 or konders@clemetrobar.org.



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18th Annual Northern Ohio Labor & Employment Conference

Presented by the CMBA's Labor and Employment Section

CREDITS 12.50 CLE requested

REGISTRATION 30 minutes before scheduled start time

Thursday, April 19
6.0 hours CLE

Welcome & Introductions

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

Evolving Protected Class

Brittany N. Brantley, Fisher Phillips
Richard A. Millisor, Fisher Phillips

Don't Do That! Employment Law Lessons from America's Worst Employers

Jonathan T. Hyman, Meyers, Roman, Friedberg & Lewis

Frontiers in Employment Law

Carl F. Muller, Tucker Ellis LLP
Christine M. Snyder, Tucker Ellis LLP

Strategic Considerations When Drafting and Litigating Employment Restrictive Covenant Agreements

David A. Posner, BakerHostetler LLP

Workplace Violence

Sarah J. Moore, Fisher Phillips
James M. Patrick, Fisher Phillips

Seven Sticking Points & Deadly (Well, At Least Career Altering) Sins Associated with Negotiating Separation & Settlement Agreements

Andrew T. Haring, Ogletree Deakins

Friday, April 20
6.50 hours CLE

Defusing and Dealing with Difficult People

Timothy A. Dimoff, CEO/President, SACS Consulting and Investigative Services, Inc.

Me Too/He Too; Navigating the New Landscape of Gender Issues in the Workplace

Corey N. Thrush, Ogletree Deakins
Matthew T. Wholey, Ogletree Deakins

Deciphering Emerging FLSA Issues

Ryan T. Neumeier, McDonald Hopkins LLC
Ryan A. Winters, Scott and Winters Law Firm LLC

Labor Law for the Non-Unionized Employer: What You Don't Know Can (and Probably Will) Hurt You!

George S. Crisci, Zashin & Rich Co., LPA

Labor Law Developments: What Employers with Unions Need to Know

William J. Kishman, Squire Patton Boggs (US) LLP

The Impact of the 2008 ADA Amendments on the Definition of "Substantial Limitation" Under the Ohio Civil Rights Act

Daniel J. Rudary, Brennan, Manna & Diamond, LLC

What You Need to Know Now Series: LGBT Legal and Legislative Update

Tuesday, April 24

CREDITS 3.00 CLE & CEU

REGISTRATION 8:30 a.m.

PROGRAM 9 a.m. – 12:15 p.m.

The National Perspectives – Legislative/Regulatory/Electoral Update

Timothy J. Downing, Ulmer & Berne LLP
Sarah Warbelow, Human Rights Campaign

The State of the State: Civil Rights and Ongoing Legislative Efforts in Ohio

Alana Jochum, Executive Director, Equality Ohio
Chad M. Eggspuehler, Tucker Ellis LLP

Masterpiece Bakery and First Amendment Rights

John Paul Schnapper-Casteras, Special Counsel for Appellate and Supreme Court Advocacy, NAACP Legal Defense and Educational Fund

Masterpiece Bakery Case – First Amendment Rights

John Paul Schnapper-Casteras, Special Counsel for Appellate and Supreme Court Advocacy, NAACP Legal Defense and Educational Fund

2018 Litigation Institute: The State of the Practice

Wednesday, April 25

CREDITS 3.5 hours CLE, with 1.0 hour professional conduct

REGISTRATION 11:45 a.m.

LUNCH 12:00 p.m.

PROGRAM 12:30 - 4:15 p.m., Reception to follow

Welcome & Introductions

Christopher D. Caspary, Zashin & Rich, Institute Chair

The State of the Practice

Carole S. Rendon, BakerHostetler LLP

Ethics Hour (1.0 hour Professional Conduct requested)

Karen E. Rubin, Thompson Hine LLP

William C. Mann, Mann Dulaney, LLC
Larry W. Zukerman, Zukerman, Daiker, & Lear Co., LPA

Gregory A. Thompson, Schneider Smeltz Spieth Bell LLP, Moderator

In-House Counsel Panel

John W. Lebold, Associate General Counsel, The Sherwin-Williams Company

Nancy L. Berardinelli-Krantz, Vice President and Chief Counsel, Litigation, Eaton

Francis Joseph Pudner, JD, MBA, Senior Counsel, The PNC Financial Services Group, Inc.

Dennis S. Medica, CPA, CFF, CGMA, CVA, CFE, Medica, LLC, Moderator

Judicial Panel

Judge Cassandra Collier-Williams, Cuyahoga County Court of Common Pleas

Magistrate Judge Jonathan D. Greenberg, United States District Court, Northern District of Ohio

Judge John J. Russo, Cuyahoga County Court of Common Pleas

Christopher D. Caspary, Zashin & Rich, Moderator

William J. O'Neill Great Lakes Regional Bankruptcy Institute 2018: It's Time For Our Commercial Break

CREDITS 9.75 hours CLE

Thursday, May 3

Morning Session – UCC – 3.25 hours CLE

Welcome & Introductions

Suzana K. Koch, United States Attorney's Office, Bankruptcy & Commercial Law Section Chair

Jeffrey C. Toole, Buckley King LPA, Institute Co-Chair

The Best and Worst UCC Article 9 Practices — Common Traps and



Meet us at the Bar for lunch, networking, and CLE. Check out these one-hour CLEs, sponsored by our Sections.

All programs are held at noon at the CMBA Conference Center, unless otherwise noted.

April 17

Estate Planning, Probate & Trust Law

View from the Bench
The Honorable Laura J. Gallagher,
Cuyahoga County Probate Court

April 19

Family Law Section

Special Education Considerations for Parenting Plans (IEP/504 Plans)
Kerry Agins

April 27

Criminal Law Section

Join the newly revitalized section for their lunch and CLE presentation covering the security threats to law firms.
Topic: Is Your Firm Vulnerable? Perspectives from a "Super Hacker"
Presenter (via Skype): Hector Xavier Monsegur

May 9

Workers' Compensation Section

Federal Workers' Compensation
Geoffrey J. Shapiro

Mistakes and How to Avoid Them

G. Ray Warner, St. John's University School of Law
Tyson A. Crist, Ice Miller LLP

Sales in the Global Marketplace — Comparing and Contrasting CISG (the United Nations Convention on Contracts for the International Sale of Goods) With UCC Article 2

Keith A. Rowley, Professor, UNLV – William S. Boyd School of Law
Clayton P. Gillette, Professor, NYU School of Law (invited)

When Insolvency and UCC Articles 2 and 2A Intersect: Sellers', Buyers', Lessees', and Lessors' Rights and Remedies Before and During Bankruptcy

Susanne E. Dickerson, Assistant General Counsel – Legal, Cleveland-Cliffs Inc.

Gus Kallergis, Calfee Halter & Griswold LLP
Christopher W. Peer, Wickens, Herzer, Panza, Cook & Batista Co.

Lunch & Presentation of the Sicherman Award by William A. Brandt, Jr., Development Specialists, Inc.

Thursday, May 3

Afternoon Session – Financial Institutions – 3.00 hours CLE

Welcome & Introductions

Suzana K. Koch, United States Attorney's Office, Bankruptcy & Commercial Law Section Chair
Michael A. Axel, KeyBank National Association, Institute Co-Chair
Drew T. Parobek, Vorys, Sater, Seymour and Pease LLP, Institute Co-Chair

Issues Involving Distressed Syndicated Loans/Participated Credits

Curtis L. Tuggle, Thompson Hine LLP
Dale Conder, KeyBank National Association
Daniel Scouler, Jr., Glass Ratner

Regulatory Roundup

Rodney A. Holaday, Vorys, Sater, Seymour and Pease LLP
Jeffery E. Smith, Vorys, Sater, Seymour and Pease LLP

Jeff F. Ackroyd, Federal Reserve Bank of Cleveland
Zachary Luck, Deputy Superintendent for Consumer Finance, ODFI

Cyber Security & ESI Issues

Marcel C. Duhamel, Vorys, Sater, Seymour and Pease LLP

Workouts: The Interplay between Borrower and Lender

Carla J. Laning, KeyBank National Association
Michael P. Shuster, Porter Wright Morris & Arthur LLP
Dennis Kebrdle, Chikol
Harry W. Greenfield, Buckley King LPA
Frederic P. Schwieg, Attorney at Law

Friday, May 4

Morning Session – Real Estate – 3.00 hours CLE

Welcome & Introductions

Suzana K. Koch, United States Attorney's Office, Bankruptcy & Commercial Law Section Chair
Irene M. MacDougall, Walter | Haverfield LLP, Institute Co-Chair

The Aftermath – Real Estate Acquisition and Disposition Strategies

Mark S. Abood, Hanna Commercial Real Estate
Irene M. MacDougall, Walter | Haverfield LLP
Tom Pratt, Applied Business Strategy LLC

Leasing 101 – Common Provisions & Why They Matter

Megan C. Zaidan, Walter | Haverfield LLP
Peter C. Goffstein, Industrial Realty Group, LLC

Commercial/Retail Leases in Bankruptcy: You Can't Always Get What You Want

Lori Pittman Haas, Ulmer & Berne LLP
Michael S. Tucker, Ulmer & Berne LLP

Tech Show 2018 – Legal Technology: Putting It All Together

CREDITS 6.0 Prof. Conduct Hours

Friday, May 18

Artificial Intelligence and Law Firms

Finding Information via Social Media • Social Media and Evidence • The Use and Ethics of Artificial Intelligence • Alexa and Related Privacy Issues • Recent Cases
Marcel C. Duhamel, Vorys, Sater, Seymour and Pease LLP

Wire Fraud: Cyber Threats to the Legal & Real Estate Community

Identifying Cyber Criminal Attacks • Protecting Ourselves and Our Clients from Cyber Attack • Identifying Phishing Emails • Tools to Protect All Online Accounts
Scott Stevenson, CEO, Northwest Title

Tech Best Practices to Avoid Ethical Compromise

Top 10 Best Tech Practices • 5 Elements All Cyber-Liability Policies Need
Michael Lamprecht, President, BDI Global Services

Anatomy of an Attack

Risk Identification and Prioritization • Risk Analysis and Best Practices • Avoidance Plans and Orderly Breach Response • Why Does it Matter if Some Parties Gain Access to Your ESI? • Shared Risk • Duty of Technology Competence
Nicholas Hinsch, CEO, eVal; Lisa Pierce Reisz, Esq., Vorys, Sater, Seymour and Pease LLP

Witness a Live Hack

Live Demonstrations to Illustrate the Importance of Reduction of Attack Surface • Live "Info Gathering" from Public Domains • Anatomy of a Penetration Test: Is There a Truly "Impenetrable" "Protected" Law Firm? • What is an Attack

Narrative and How Can it Help Prevent Future Vulnerability?
 Nicholas Hinsch, CEO, eVal

2018 Diversity & Inclusion Conference: Appreciating Differences

Tuesday, May 22

CREDITS 5.00 CLE

REGISTRATION 8:00 a.m.

Appreciating Differences

Renita L. Jefferson, MBA, GPCC, PCC Embrace Consulting

COURSE DESCRIPTION:

This course is designed to introduce participants to the core skill areas specific to Diversity & Inclusion, Employee Engagement and Change Agent behaviors. Participants will learn how to leverage the broad spectrum of human diversity where appreciating differences serves as the foundation for cultural change in the organization. Participants will be introduced to the Dimensions of Diversity, unconscious bias, workplace inclusion and D&I cultural competencies.

Through a self-assessment process, participants will gain awareness of their thoughts/ preferences of Diversity & Inclusion behaviors. Participants will also learn the importance of Diversity and Inclusion Change Agent behaviors in the workplace.

ABOUT OUR PRESENTER

Renita has a 20 year history with the American Greetings Corporation. Renita is the architect for corporate-wide Organizational Development Programs as well as the Director of Diversity & Inclusion and Talent Acquisition.

As Director of Diversity & Inclusion, Renita has aligned the execution of the multi-year Diversity & Inclusion strategy to enable one of American Greetings' key values — "We care about People and treat them with Respect". Under her leadership, the Diversity and Inclusion work has evolved from merely a "people process" into an integrated strategy in support of talent development and performance management

Renita has received numerous awards that recognize her leadership and community service. She is a sought-after keynote speaker with expertise in various areas of Human Resources. She serves on multiple boards and enjoys working as a volunteer throughout the city of Cleveland.

Perspectives on Diversity from In-House Counsel

Rosalina M. Fini, Chief Legal & Ethics Officer, Cleveland Metroparks
 Jana J Litsey, General Counsel, The Huntington National Bank



Register at CleMetroBar.org/CLE!

For questions or to register over the phone, call (216) 696-2404.

Tucker Ellis salutes its outstanding female attorneys for their talent, dedication, and service to our clients, our communities, and our firm.



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SPOTLIGHT ON: SARAH A. NEMASTIL & FRANK R. OSBORNE

Meet CHLAP's dynamic duo! Sarah Nemastil and Frank Osborne volunteer with the CMBA's Cleveland Homeless Legal Assistance Program offering legal guidance to the men in the Salvation Army – PASS program each month. These men focus on accomplishing what is necessary to achieve and maintain permanent housing placement.

Sarah and Frank alternate months so that one of them is at the clinic on the first Wednesday of every month. They counsel clients on matters such as child support, driver's license issues, expungement, social security, etc. Sarah and Frank follow up with each other after each clinic to share the cases of the individual clients and, if needed, provide follow up information to be shared with the client at the next clinic.

Sarah, an associate with Wegman, Hessler Vanderburg, started volunteering five years ago because she wanted to use her legal skills to help people in need and give back to the community. Residents are always grateful for the legal assistance provided at the clinics. To Sarah, it was surprising "how something as simple as a meeting or two can give people the resources they need to get their lives back on track or the closure they need to move on." Frank, who is retired from Tucker Ellis, has volunteered his time and talent for the past 13 years with CHLAP. Frank has been surprised by "the great level of respect and gratitude shown to us by the people we meet — whether the news we deliver is good or bad."

The CMBA is so grateful to this dynamic duo of compassionate counselors who make a difference in the lives of all they meet. Thank you Sarah and Frank — your dedication is admirable and greatly appreciated!



Moving from Institutional Betrayal to Institutional Courage

BY DIANE CITRINO

Betrayal is one of the ugliest and most painful things we experience in our lives. Institutional betrayal — betrayal by an institution we respect — our school, church, employer, military, U.S.A. Gymnastics, to name just a few — can cause even more damage than personal betrayal. The term institutional betrayal was coined by Dr. Jennifer Freyd and her students in 2009 and refers to wrongdoing perpetuated by an institution upon individuals dependent on that institution.¹ The concept that institutions can betray those who love them has come increasingly into the news with the tsunami of sexual assault cases at colleges and universities. Not only are individuals harmed, but the fabric of community is frayed when a revered institution betrays those who depend on it.

A clear expression of institutional betrayal was voiced by Aly Raisman, a two-time Olympic athlete, during the sentencing hearing of Dr. Larry Nassar. She specifically called out the institutions — U.S.A. Gymnastics and the U.S. Olympic Committee — that allowed Dr. Nassar's predatory behavior toward young athletes to go unchecked and to not have done more after his abuses were uncovered:

False assurances from organizations are dangerous, especially when people want so

badly to believe them. They make it easier to look away from the problem and enable bad things to continue to happen. And even now, after all that has happened, U.S.A. Gymnastics has the nerve to say the very same things it has said all along. Can't you see how disrespectful that is? Can't you see how much that hurts?...Why has the U.S. Olympic Committee been silent?...**It is like being abused all over again.**²

Raisman's comment about the pain caused by institutional betrayal has been verified by social scientists. It is hard for individuals and institutions to confront betrayal. The trauma symptoms exhibited by victims of sexual assault have been found to be much worse when the institutions where they are reported ignore or fail to protect victims.³

Why is it so hard for people and institutions to take action to see the betrayer for what he or she is and protect the victim? Dr. Freyd and psychologists have studied "betrayal blindness," where someone can be unaware of betrayal that is right in front of his or her eyes.⁴ In some cases, betrayal may simply be too dangerous for a person to consciously acknowledge if someone is dependent on the betrayer. This can explain a battered woman

refusing to acknowledge her spouse's betrayal when she doesn't have any resources to leave him. Institutions may be dependent on a coach or doctor to win an important championship, or a company on the magic of its founder. Psychologists see betrayal blindness in institutions who renege on the trust of those who rely on them similar to the blindness of individuals in personal relationships.

Institutional betrayal can take the form of missing opportunities to fix problems: the failure to investigate complaints, a failure to properly supervise people in authority, a cover up when a problem is found, or structural rules that encourage bad behavior rather than doing the right thing. For example, the State of California missed numerous opportunities to discover Jaycee Dugard, an 11-year-old kidnapped by Phillip Garrido, a known sex offender on parole. Dugard was held captive by Garrido for 18 years before she was finally rescued. But the inspector general of California made those errors public after an investigation and admitted the Department of Corrections and Rehabilitation "missed potential opportunities to discover the existence of Garrido's three victims, by failing to investigate clearly visible utility wires running from Garrido's house toward the concealed compound at the rear of his property; talk to neighbors and local public safety agencies; and act on GPS and other information clearly showing Garrido had violated his parole terms."⁵ This type of admission is a good first step to fighting institutional betrayal.

Institutional courage is the opposite of institutional betrayal.⁶ Seeing and acknowledging the betrayal is part of fixing the system. Listening to people who have been harmed and taking their concerns seriously is critical. Part of what colleges and universities do as a routine part of their Title IX obligations is to observe patterns in order to prevent future problems. This can require institutional courage as alumni reaction to a fraternity shutting down or coach being terminated can be harsh.

in the moment phrase 1. Fully engaged and focused. 2. Keen awareness of one's surroundings. 3. A core skill of good Mediators.

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Sometimes institutional courage means issuing an apology and vowing to do better. An exemplar of institutional courage is Ed Ray, President of Oregon State University. A former Oregon State student, Brenda Tracy, called to his attention a sexual assault perpetrated by the University's athletes 16 years earlier that had only resulted in a one-game suspension and community service. The University exhaustively reviewed the record, President Ray issued a heartfelt and moving apology, and the University hired Ms. Tracy, the person who had experienced the assault, to help get better policies and procedures in place.

Lawyers have a role to play in ending institutional betrayal and turning their clients toward institutional courage. Everyone benefits when a problem is brought to light and better processes protect the people who depend on that employer/university/governmental entity/institution. Institutional courage looks like training people how to report problems, getting a complete and thorough investigation of any problems, hearing the people involved, and working to change the tone if appropriate. Choosing courage makes sense for our clients.

¹Platt, M., Barton, J., & Freyd, J.J. "A Betrayal Trauma Perspective on Domestic Violence." *Violence Against Women in Families and Relationships*, edited by Buzawa, Eve S., & Stark, Evan, Praeger, 2009, Vol. 1, pp.185-207.

²Gaianan, Mahita. "Read Aly Raisman's Full Testimony Confronting Larry Nassar." *Time*, 19 Jan. 2018, 4:52. time.com/5110455/aly-raisman-larry-nassar-testimony-trial/. Emphasis supplied.

³C.P. Smith and J.J. Freyd, "Nowhere to Turn: Institutional Betrayal Exacerbates Traumatic Aftermath of Sexual Assault," poster presented at the 27th Annual Meeting of the International Society for Traumatic Stress Studies (ISTSS), Baltimore, Maryland, November 3-5, 2011.

⁴Freyd, Jennifer, and Pamela Birrell. *Blind to Betrayal: Why We Fool Ourselves We Aren't Being Fooled*. Wiley, 2013.

⁵Shaw, David R. *The California Department of Corrections and Rehabilitation's Supervision of Parolee Phillip Garrido*. Office of the Inspector General, State of California, 2009, retrieved February 3, 2018.

<https://www.oig.ca.gov/media/reports/ARCHIVE/BOI/Special%20Report%20on%20CDCRS%20Supervision%20of%20Parolee%20Phillip%20Garrido.pdf>

⁶Dr. Jennifer Freyd discussed this concept during a presentation titled, "*Institutional Betrayal and Workplace Investigations: Risks, Warning Signs, and Mitigation Strategies for Investigators*" on October 7, 2017 in Marina Del Rey, California. The example about Ed Ray in this article is taken from Dr. Freyd's presentation (with her permission); the example about Philip Garrido is from her book, *Blind to Betrayal*, cited above.



Diane Citrino is a partner at Giffen & Kaminski who frequently conducts investigations in work and school settings. She is a former Regional Director of the Ohio Civil Rights Commission where she oversaw thousands of investigations into allegations of discrimination. Diane is a frequent speaker and author on the topic of investigations. Her clients regularly exhibit institutional courage. She has been a CMBA member since 1995. She can be reached at (216) 621-5161 or dcitrino@thinkgk.com.

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Building Your “A-Team”

How the Legal Profession Can Benefit from Diverse and Unique Experts in the Field

BY CHRISTINE MEADOR

When you think of a supreme team, what comes to mind? Perhaps you would imagine a group of top notch individuals placed together to accomplish a set goal or objective. Whether it is a business team, a sports team or a litigation team, choosing your “team members” is critical to the success of your project or goal. So, how can litigation support experts help your legal team? Whether you are dealing with litigation, mediation or arbitration, utilizing individuals specialized in the area of forensics, dispute analysis & litigation support can be essential in more ways than one. Understanding what “litigation support” professionals do and the types of services they offer can open a door to a wide array of benefits that can support your legal team.

Path to becoming a dispute analysis & litigation support “team member.”

My desire to work in forensic accounting goes back many years to a presentation on Fraud Prevention. During this presentation, the presenter discussed the strategy of developing a “forensic team.” Specifically, I recall he mentioned one of his team members had a background in teaching. A teacher on a forensic team? That surprised me! In the end, I learned that a forensic team was diverse and strategically selected to support the case. The main point that stuck with me is that these elite teams are filled with a diverse group of individuals. What this did for me was introduce me to the possibility of a career and set me on my path to becoming a member on a forensic accounting team.

From my own personal experience, I found that moving into the profession of fraud prevention was challenging. The key for me was a wide range of experience, education and certifications. Along the way, I began working in the nonprofit sector and found I enjoyed the field, the mission and the accounting work. My years of experience with nonprofits would be a defining factor that added to my current work in disputes and litigation support.

The nonprofit sector is a large part of the economy offering important services which often affect our everyday lives. In every community we are filled with nonprofits. We rely on these organizations for the services they provide, for employment and for the benefits they provide to our communities. These organizations are formed with boards of directors and rely heavily on management for the operations. The governance oversight is through the board of directors and supporting committees. The complex nature of the nonprofit entity, which involves boards, committees, management, employment and volunteers, requires a unique understanding. In addition to this, the nonprofit finance structure can also be extensive; therefore, it is critical to have a keen understanding of nonprofit financial management. Ultimately, knowledge and expertise in the area of audits, boards, budgets, corporate governance, grants and funding are key requirements to success. Having individuals with a unique expertise in this area is especially useful when dealing with the challenges of nonprofit management.

I have often found, the more diverse the expertise, the more valuable the player. The versatility of a team member is critical. In my own personal experience, I see how my versatility along with experience, education and certifications has increased my value as a team member. In the end, my background in the nonprofit sector along with certifications in Nonprofit Management and as a Certified Fraud Examiner has placed me as a good candidate for consulting, dispute analysis and litigation support in this area.

What is litigation support?

One of the most common questions I have received is, “How does analysis or forensic accounting work affect litigation?” As this is a specialized area, it is important to lay out how accounting and analysis work can be a critical benefit to litigation support. Let’s take a look at a definition of litigation support and how a specialist in this area can be a great asset to your team.

A “broad definition” of litigation support is all work used to assist in preparing for a legal case

or matter. Professionals out in the field may offer a variety of services that can assist in the area of litigation support. The areas in “accounting and litigation support” that can offer assistance is in the area of dispute analysis, forensic accounting, forensic investigations, business valuations, mediations and arbitrations.

How can litigation support professionals help you?

Professionals versed in this type of work can be a critical addition to your team. These professionals can offer your team talents and expertise to support your needs. To have a specialist allows increased quality and efficiency in the service as well as an extended range of services. An example of individuals used in litigation support could be a Certified Public Accountant or a Certified Fraud Examiner. As a Certified Fraud Examiner, professionals are trained in Fraud Prevention & Detection, Financial Transactions & Fraudulent Schemes, Investigations and the Law. These are individuals certified with experience, professional hour requirements and working in the area of litigation support on a regular basis.

Litigation support can deliver an array of services on many levels ranging from basic analysis support to expert witness. In a sense, this is having a forensic litigation member on your team. Disputes is an area of services in which legal assistance may be required by attorneys or clients in relation to a legal matter such as arbitration, mediation or litigation. Even disputes unrelated to a legal case can move to litigation; therefore, involving professionals in advance of legal action can be a strategic move and a critical piece in planning. In addition to disputes, litigation support may cross into areas of government contracts and business valuations.

There is success in a solid presentation of facts whether it is a review on losses, financial statements or an analysis projecting business losses for future earnings. Having a team member focusing on a financial analysis or an expert report may be the key factor in supporting your case. Utilizing individuals

specialized in the area of analysis can illuminate facts in a manner to increase mutual resolution. In the end, this could be the critical piece to resolving a case or settling a mediation matter.

Services in action

Diversity in services filters down to the clients you are serving. By offering a wide range of services, you have the ability to serve a diverse group. As a member of the accounting team, I am able to “bring to the table” expertise in the nonprofit sector which plays into my work in disputes analysis and forensic investigations. As we move into an era of increased mediation & arbitration, it pays to have a diverse team of specialists to support litigation matters or disputes. Whether you are working on a case, client dispute, questions or training, securing an outside specialist could be exactly what you need to get the job done.

In the area of litigation support, Medica, LLC. is a Cleveland CPA firm “making it happen.” As a leading pioneer in fraud prevention, disputes, analysis and investigations, the firm offers a wide range of services with a diverse leadership team experienced in national & international matters. Every case is unique and no project will be the same. The value of the firm is that ability to pull in team members as assets to the project at hand.

Dispute analysis project.

To give an overview of our “services in action”, let’s take a closer look at an example of a dispute project. This is not a case; however, a client dispute can turn into a litigation matter; therefore, proper preparation is critical. In this example, a large nonprofit organization held a grant contract yet experiences a decline in payment for services rendered. This was a substantial amount of funding tied to a government grant contract.

The project was time based and critical to have completed with a deadline of one week. In a pinch situation, you may have individuals in-house, yet pulling key people together to accomplish a high level project that is not coming together may be difficult. In this situation, the client’s in-house approach was not working and the organization secured the team to handle the client dispute. The team was pulled together utilizing the various members versed in government contracts, nonprofits, grant proposals and financial analysis.

This particular engagement operated similar to that of an audit with team members having designated roles and operating at the client location. In the end, the team functions to facilitate an end goal, which in this case was full preparation of a Request for Equitable Adjustment, to include reports, financial work and charts.

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In a world with global opportunities, diversity puts the ball in the hand of those that recognize and utilize that strength. As you can see with the dispute presented, projects are not clear cut. Disputes and legal matters do not fit a mold and building a support team to address the project issues at hand are critical. By utilizing “litigation support” professionals, you open your opportunities to a unique group of individuals versed with the expertise, background and training to work with legal matters that can strengthen your legal team.



Christine M. Meador is a forensic accountant at Medica, LLC. She has extensive experience in accounting, budget development, grant work, financial reporting, internal controls and analysis of business strategies. Christine focuses on assisting organizations with fraud prevention and investigations. Christine has been a CMBA member since 2017. She can be reached at cmeador@medicacpa.com.

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Q&A WITH KAREN GIFFEN

Women in Law & Pro Bono Service

Melanie Shakarian

As women, we often have so many interests and responsibilities vying for our time. Why should female attorneys make pro bono service a priority in their career?

The best answer is because it's the right thing to do. It is a privilege to practice law, and I believe we are better people and better lawyers if we take a bit of our time and use that privilege to help our community. It's also a great way to get courtroom and client contact experience that might take years to develop in a law firm setting.

Legal Aid is so happy you volunteer your time and expertise with us. Why did you choose to invest in Legal Aid?

Legal Aid provides a critical service to our community that no one else can provide. It feels good to participate in that. Plus, I love the people I work with at Legal Aid.

You are now President of Legal Aid's Board of Directors. How has your Board Presidency made you more of a champion of pro bono service?

As Board President, I'm getting a look at the whole Legal Aid organization. I'm getting to hear more client stories and learning how Legal Aid is helping those clients. I would have told you that it was impossible for me to be more impressed with the people of Legal Aid. But it isn't! I am more in awe of The Legal Aid Society of Cleveland every day. The people of Legal Aid make it easy to champion pro bono service.

Many attorneys like the professional benefits of volunteering. From your observation, how can pro bono service help grow your practice of law?

You get great lawyering experience. You can use that experienced to help your

next paying client or to talk about in your next job interview or pitch to get a great assignment. You also meet a lot of people. Legal Aid volunteers come from all over Northeast Ohio's legal community. If you get involved, you'll likely meet and network with so many others beyond the sphere of your day job.

What advice do you give to a young attorney, perhaps someone just beginning to get involved with Legal Aid or on the fence about taking that first step into pro bono work?

Go to a Legal Aid brief advice clinic. I think it is the best way to get a good sense of the clients Legal Aid serves and the kind of work we do for those clients. You'll also get a good idea of the vast experience and knowledge of Legal Aid lawyers who can support your pro bono work. You shouldn't be afraid to take a case with Legal Aid because you'll get great help. Legal Aid lawyers have been doing this for years, in some cases decades. If you run into something about which you are unsure, they are happy to help.

You had a memorable experience as a new volunteer yourself. Can you tell us about your first pro bono case?

It was a landlord/tenant dispute. Our client was a family of four living in a duplex. The landlord was unresponsive to their complaints about doors that would not lock, a faulty heating system (it was winter), and some floor boards that felt like they were about to

give way. The tenants wanted to get out, but were afraid to leave and risk their security deposit. The deposit meant a lot to them. We negotiated with the landlord and got the security deposit back. The mom of that family was so happy. She already had so much to worry about and it felt great to help lift one of the many burdens she carried.



Karen Giffen is a partner at Giffen & Kaminski, and long-time champion of women in law through volunteer support — like presentations at the CMBA Diversity Summit. In her practice, she focuses on business, financial services, securities and employment litigation. She was recently elected Board President of The Legal Aid Society of Cleveland. She has been a CMBA member since 1989. She can be reached at (216) 621-5161 or kgiffen@thinkgk.com.



Melanie Shakarian is an attorney and Director of Development & Communications at The Legal Aid Society of Cleveland. She has been a CMBA member since 2003 and loves when bar leaders like Karen encourage others to get involved. You can read more about volunteer opportunities at www.laslev.org. She can be reached at (216) 861-5217 or melanie.shakarian@laslev.org.



Each month, these pages will be dedicated to highlighting just some of the activities and programs of your Cleveland Metro Bar.

DESTINATION CLE

Friends of the CMBA and Akron Bar traveled to beautiful Glendale, AZ for three days of CLE and Indians spring training March 22 – 24!

It's not too often we can catch a Tribe game with palm trees and mountains in the background.

In between CLE and baseball games, we gathered for happy hour and dinner at the Renaissance Glendale Resort & Spa.

Special thanks to the State Bar of Arizona, the Maricopa County Bar Association and the Arizona State University Sandra Day O'Connor College of Law for their assistance in securing Arizona speakers.



TEACH FOR AMERICA

On Saturday, March 10, a group of teachers and administrators from Teach for America visited the CMBA to learn more about our partnership programs with the Cleveland Metropolitan School District and Shaw High School in East Cleveland. Louis Stokes Scholar and Summer Legal Academy alumni Xavier-Thomas Hughes, who will be starting at Georgetown Law School in August, assisted by sharing his experiences and perspective. The Distinguished Gentlemen of Spoken Word provided an inspirational performance. Our guests from other cities were very impressed with the CMBA's commitment to the students in our city schools.





MARCH'S HOT TALKS: #METOO MOVEMENT

Karen Giffen (Giffen & Kaminski, LLC) moderated our March event with participation from panelists Darrell Clay (Walter Haverfield) Betsy Rader of (Betsy Rader Law, LLC) and Tom Feher (Thompson Hine LLC). The discussion explored issues of sexual harassment in the legal profession and in general, the recent rise of the #MeToo movement. An interactive poll of the mostly female audience during the event revealed that 74% had been victims of sexual harassment in the workplace.

Hot Talks are free and open to the public, no RSVP required. Also watch live on Facebook with archived talks available on the CMBA YouTube Channel.

May 8: Creating Safer Communities: Guns in Our Schools and on Our Streets. Learn more at CLEMetroBar.org/HotTalks.



VLA & REACH OUT

Volunteer Lawyers for the Arts and Reach Out for Nonprofits volunteers kicked off spring with two presentations to help educate the public about the law. On March 8 a VLA panel hosted a lively discussion at Praxis Fiber Workshop in the newly-sprouting Waterloo Arts District on "Social Media Pitfalls," followed by a gallery tour as part of the VLA's mission to highlight unique arts venues around town. Reach Out partnered with the VLA the following week to share information on 501(c)(3) formation issues to a crowd equally divided between nonprofit leaders and attorneys learning how to help them. In all, 17 leaders from 14 local nonprofits attended, with four nonprofits staying to meet one-on-one with volunteer attorneys for brief legal advice.



VLA
March 8



ReachOut
March 15

Suffrage. Women's Rights. Equal Pay. Title VII. Women's March. #MeToo. Time's Up.

The quest for equality has been long, and it's not over yet.

BY ALLISON TALLER REICH & CHRISTINA NIRO

The Oxford English Dictionary defines “quest” as “a long or arduous search for something.” There is no denying that changes in legislation and technology in the 20th century have brought about many profound changes in the status of women, but it has not been enough. After centuries of movements for gender equality, there is more work to do.

A Century for Suffrage

Although opinions vary, it took nearly one hundred years for women to obtain a single right: the right to vote. The movement for

women's suffrage represented not only an opportunity to actually cast a ballot in national elections, but the right to be heard, represented, and seen as “equal” in the eyes of the law.

Women began meeting to lobby for the right to vote before the Civil War. While women organized in large numbers and had male supporters, many women did not own land, were beholden to their husbands, or feared speaking out. Although multiple organizations were formed in support of women's right to vote, there were also opposition organizations arguing that women were physically and mentally inferior to men and lacked the capacity to vote. Women were granted the right to vote in the United States in 1920; however, not all women were free to vote at that time. State and local voting restrictions and requirements, obstacles, and public opinion kept many women from the polls.

WWI and WWII

The World Wars played a pivotal role in expanding women's rights in this country. The labor shortage created by the United States' massive military effort allowed women to move into the workforce and into roles previously held by men. It became increasingly clear that women were more than physically and mentally capable of contributing

in the workforce, from auto mechanics to the 1,100 Women Airforce Service Pilots who flew sophisticated military aircraft across the United States. Though many tried, there was no “putting the genie back in the bottle.”

Title VII, The Equal Pay Act, and the Sexual Revolution

“By the mid-1960s, the participation of women in the labor force reached over 40%.” Anna Marie Valerio, *Developing Women Leaders: A Guide for Men and Women in Organizations* (Wiley-Blackwell, 2009), 14. Technological advancement leading to the creation of family planning methods allowed women to plan and limit the number of children they had, permitting them to stay in the workforce longer and have more control over their career. Id. Women also fought for equality in the workplace, which led to passage of two key pieces of landmark legislation: Title VII and the Equal Pay Act. Yet despite passage of these laws over a half century ago, “equal pay for equal work” remains an unattained goal for many activists and lawmakers. In 2007, women earned median weekly wages of 80 cents for every dollar earned by men. Id. at 15 citing Alice H. Eagly and Linda L. Carli, *Through the Labyrinth: The Truth about How Women Become Leaders*, (Harvard Business School Press, 2008). As recently as 2015, female equity partners at law firms earned approximately 20% less than their male counterparts. Renwei Chung, *7 Highlights from the 2015 Survey on Retention and Promotion of Women in Law Firms* (Above the Law, October 30, 2015). Gender discrimination in the work place is still a serious problem. As Valerio noted, “[g]ender-neutral laws designed for equal protection may not necessarily produce gender equal outcomes.” Valerio at 14.

Women's March 2017

The day after Donald Trump's presidential inauguration, as many as five million women came together, once again, to demand equality, respect, diversity, inclusion, and freedom — rights already

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fought for, rights already granted under the law, but rights that still do not exist in society or the workplace. The 2017 Women's March took place over a century after 8,000 suffragettes marched down Pennsylvania Avenue in Washington, D.C. on March 3, 1913, the day before Woodrow Wilson's presidential inauguration.

Social Media, #MeToo, and Time's Up

Recent social movements for gender equality may be able to accomplish what laws, to this point, have not. While great strides have been made to make men and women equal on paper, that is still not the reality in boardrooms, paychecks, proportional representation, healthcare and regulation, career advancement, or protection and freedom from harassment and abuse.

Women are now using tools like social media to bring about change. For too long, sexual harassment and assault of women has been trivialized. Victims are often doubted and dehumanized. Attention is often misplaced on the victim's clothing and actions. Victims are "slut-shamed" or "victim-blamed." Perpetrators can become the victims in the public eye. Large numbers of women have found safety and courage in numbers and support in their families, colleagues, and fellow victims, and have forward and try to change the experience of those who will follow in their footsteps.

A Change Is Gonna Come

It is both a challenging and exciting time for women. We have more education, financial independence, and options and control regarding family planning than ever before. However, as the history above demonstrates, progress at the individual level has outpaced progress at organizational and societal levels. Changes in this country's laws have not, standing alone, changed hearts and minds.

Despite the gains made by women in the last century, we can point to examples in our recent history of women altering themselves to fit what society tells us are the norms of leadership and power. Margaret Thatcher took voice training specifically to lower her voice to add the tone of "authority" (i.e. male-ness) that her advisors felt she lacked. Female politicians standing rightfully on the world stage next to men still don "power pantsuits" as a way to communicate power. Robb Young, *Power Dressing: First Ladies, Women Politicians & Fashion* (Merrell Publishers, 2011). While Angela Merkel has received plenty of negative press coverage for her ill-fitting, mismatched, dull suits, she has been perhaps more viscusly criticized when femininely dressed. After wearing formal attire to the

opening of Norway's Opera House in 2008, she was crucified in the German and European papers, one of which noted that her "weapons of mass destruction were on display. Katya Foreman, *Angela Merkel: Chancellor chic?* (BBC.com, October 21, 2013). "It's simply due to the fact that, in Germany, a woman is Chancellor,' [Merkel] patiently told Germany's ZDF TV. "There certainly wouldn't be a discussion like this with a man." Id. And while no man would ever be

called a "subversive sex symbol" for wearing a full coat, slacks, and boots to a U.S. Army Base, that is exactly how Condoleezza Rice was described after she wore a high-necked black military coat on a visit in 2005. See Young. Women's attempts to force themselves like square pegs into round holes leaves us feeling like we're on the outside looking in — impersonators in roles we do not feel we deserve. Mary Beard, *Women and Power*, (Mary Beard Publications Ltd. 2017), at 39–40.

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The answer lies not only in equal pay, family-friendly work hours, and greater maternity and childcare benefits; we must fundamentally change in our culture, our minds, and our subconscious how we think about authority, power, and leadership in order to achieve genuine societal and organizational progress. Forget the glass ceiling. Power is not concentrated in a single CEO or a single politician. This narrow perspective confines power and leadership and restricts them to possessions that only few — historically men — can own. Beard at 86. We have to change the paradigm and acknowledge and embrace power in the collective as much as individual leaders. As the recent #MeToo and Time's Up social movements have once again shown us, together we can achieve greatness and effect leaps in societal change and progress.

Our conversations must be inclusive. We can each find time in our busy lives to confront our own implicit biases, be cognizant of how we interact with others, oppose stereotypical thinking, include others in the conversation, expose ourselves to counter-stereotypical models and images, and cultivate relationships that involve people with different social identities. Sharon L. Rowen, *Balancing the Scales: Women in the Law* (Cleveland Metropolitan Bar Association 2017).

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We must also continue to demand more from our colleagues and acknowledge those who valued women's contributions before it became the trend to do so. Andrea Jung recalls how fortunate she was to count former Avon Products CEO and chairman as a mentor — a man she describes as “ahead of his time.” Joanna Barsh and Susie Cranston, *How Remarkable Women Lead*, (New York, McKinsey & Co., Inc. 2009), 228. When Jung first met James E. Preston, he had a plaque behind his desk that showed four footprints: barefoot ape, barefoot man, wingtip shoe, high heel. As Jung discovered, Preston was no bumper sticker feminist. “Jim helped me advance; he’s been a mentor ever since. He stuck his neck out for me. Jim believed that I could see things and do things that he could not, and so he was willing to take a bet on me.” Id. On the day she became CEO, Preston gave her that plaque, which sat behind her desk in the same place.

Society in the 1970s was ready to listen in a way that it had not been in the 1950s or the 1920s. The same is true today, thanks to those willing to hear women's voices and to listen. We must continue the work started by those over a century ago, and continue to fight for a better future for the generations of women who follow us. The quest continues, but the future has never been brighter.



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



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



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MORE SHOULD BE DONE TO ENSURE DEAF INDIVIDUALS HAVE EQUAL ACCESS TO THE LAW

Andrew November, Sean Sobel, & Laura Gold

D/deaf¹ individuals face profound difficulties every day effectively communicating with others in public places. Whether it be at the doctor's office, shopping, or taking in a movie or play, the D/deaf community faces persistent pushback from businesses who fail to provide the proper means to have equal access to communication. Would it surprise you if we told you that attorneys are regarded as some of the biggest offenders in not providing equal access to potential and current D/deaf clients? According to Verne Taylor, the President of the Ohio Association of the Deaf (OAD): "Deaf citizens have reached out to the OAD for assistance with legal cases because lawyers do not provide interpreters. We must contact the National Association of the Deaf for referrals. There are few attorneys here willing to provide interpreters. What is with lawyers not understanding the ADA and our rights?" Cuyahoga County's Deaf and Hard of Hearing population is 27,750 or 2.21%, so this article should serve as a wakeup call and help empower us to provide equal access to the law for the D/deaf community.

Law offices, whether solo practitioners or large firms, are considered "places of public accommodations" subject to Title III of the Americans with Disabilities Act of 1990 (ADA). Under the ADA, such public accommodations must "furnish appropriate auxiliary aids and services where necessary to ensure effective communication with individuals with disabilities." 28 C.F.R. § 36.303(c). While the means of "auxiliary aids and services" can vary depending on the situation, two methods that are generally not acceptable for attorneys to communicate with their clients who are D/deaf or hard of hearing are (1) lip reading and (2) writing notes back and forth.

Rather than rely on the ineffective means of lip reading and passing notes, the best way that attorneys can guarantee effective communication between themselves and their D/deaf clients is by using ASL interpreters (or CART (Communication Access Real-time Translation),

oral interpreters/transliterators, cued speech interpreters, tactile interpreters, etcetera). However, the obligation attorneys have to provide auxiliary aids and services to D/deaf clients forms what could be the biggest obstacle in making sure the D/deaf community is represented.

Attorneys must pay the cost of auxiliary aids and services and cannot under any circumstances pass that cost along to their D/deaf clients, even if the case is being handled on a contingency basis and the D/deaf client has otherwise agreed to pay the costs and expenses associated with his or her matter. 28 C.F.R. § 36.301(c). This presents two problems: (1) attorneys are by and large unaware that they are responsible for paying the cost of auxiliary aids, and therefore, pass that cost on to their D/deaf clients, and (2) if attorneys are aware that they must pay the cost of auxiliary aids and services, they may be hesitant to take on D/deaf clients because of the added costs.

So, what is to be done? Recently, we held a meeting with Laura Gold J.D. Advocacy & Disability Rights Coordinator at Services for Independent Living, Dr. Maria O'Neil Ruddock, the Director of the Community Center for the Deaf & Hard of Hearing at the Cleveland Hearing and Speech Center (CHSC), and CMBA Executive Director Becky Ruppert McMahon in an effort to kick-start our brainstorming. Beyond providing educational programming, one idea that surfaced centered on The National Association of the Deaf's recommendation that every state establish its own Communication Access Fund that can provide reimbursement for attorneys who provide auxiliary aids and services. We are planning a CMBA Hot Talk so we can have a live conversation about these issues.

Additionally, we would like to encourage D/deaf and Hard of Hearing individuals to come meet and socialize with the CMBA membership. The 2018 CMBA Halloween Run in the Fall will offer ASL interpreters to its participants, and the CMBA will also work directly with the CHSC's Community Center for the Deaf and Hard of Hearing to advertise the event.

Creating this relationship will also help attorneys understand the unique nature of Deaf Culture. Understanding Deaf Culture can foster not only effective communication, but an effective attorney-client relationship. Many hearing people are surprised to learn that English is not the first language for some D/deaf individuals. Many D/deaf individuals learn ASL before learning English. Thus, barriers in communication are common, which further reinforces the reality that providing an ASL interpreter and/or appropriate auxiliary aids and services is an absolute must for effective communication.

The CHSC Deafness Advocacy Committee welcomes members from the community to not only attend meetings, but also to present ideas on how to advance community support services for the D/deaf community. The CHSC also hosts regular "Town Halls" and has featured CMBA member attorneys who have presented on estate planning, Social Security, discrimination issues, interacting with the police and criminal law, and accessibility, to name a few. We're eager to hear from attorneys in other practice areas who would like to present.

If you would like to request an ASL interpreter, you can contact the CHSC Interpreter Scheduler at (216) 231-0787.

¹D/deaf is a reference to Deaf individuals that associate themselves with Deaf Culture and ASL while deaf is a reference to individuals that may not associate with Deaf Culture and may not use ASL to communicate



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A Firm Fit for Me

BY AMANDA M. GATTI

Have you asked yourself lately whether you are happy? Not just with your career, but are you happy with your life? Perhaps visit the pre-law school version of yourself and ask: Is your life now everything you imagined and more? Do you see your friends often? Do you love your hobbies? Do you have the family you've always wanted?

If the answer to these questions is a resounding yes, then congratulations! You have likely found a firm that is a great fit for you and your lifestyle. But if you are thinking instead, “no... not really... not at all,” and you feel like you've sacrificed too much of your personal life to make your work life prosper, then maybe it's time to look at what might be the root of the problem: Are you trying too hard to fit a firm that is just not fitting you?

I've heard stories of attorneys making choices in their personal lives that are undeniably influenced by their careers at law firms. A common one is when to start a family — many postpone having children until they make partner or feel established at their firm. But sometimes this choice is pushed off much longer than initially anticipated. Another example is when to retire — some refuse to retire because they would not know what to do with themselves. They've spent their entire career focused on working, and they have no hobbies or interests outside of work. So they feel forced to stay until they are eventually pushed out.

For me, my law firm career didn't necessarily affect my personal decisions, like when to start a family. But it certainly affected the way I felt about that choice. When I had my daughter as a first-year associate, I felt incredibly isolated — none of the associates at my firm had kids at that time. Partners who had kids enjoyed a completely different level of flexibility than I perceived was available to me. Expectations to make partner after a certain number of years were high. In turn, I felt paranoid and pressured — am I spending enough time at the firm? Am I pulling my weight? Am I with my kids enough? It was exhausting.

Once I realized I may not be on track to make partner the same year as my peers, I felt regret for having kids as a young associate. I was shocked by this — for a fleeting moment, I blamed my personal choice for sabotaging my career. Feeling ashamed by this notion, I decided to leave the firm.

In hindsight, those thoughts seem silly to me and completely out of character. But I wondered what caused them. After bouncing between two more law firms, I identified the culprit: firm culture. Firm culture plays a significant role in how we rationalize the choices we make in our personal lives, or how important to us our personal lives are in general. You can either assimilate to a firm's culture and risk losing yourself along the way, or you can find a firm with a culture that fits you.

My experience at three different firms revealed that certain elements of firm culture are important for both personal and professional growth. For instance, I thrive in a culture that promotes transparency and consistency in the decision making process, promotes personal growth, and respects me as a valued team member. What makes you thrive? I challenge you to question whether your firm is a good fit. If your answer is no or you are otherwise unsure, ask yourself the following:

Is a lack of transparency making you paranoid?

How do I make partner? When will I make partner? How do I measure against my peers? Am I falling behind? Who decides my salary?

You'd think these questions are simple enough to answer, but not everyone has the luxury of obtaining this information without pulling teeth. Or, even if they do, the answers are never con-

sistent enough to rely upon. Some firms have a culture where you are on a “need-to-know” basis. Others promote competition among attorneys to determine the next or best partner, causing attorneys to constantly size each other up and judge each other too harshly. This creates a frustrating environment that leads to paranoia, second-guessing, and lack of focus on what matters — doing what you love and practicing law.

The solution may be to involve the attorney in the decision-making process by requiring them to devise their own standards that can be reviewed and approved by the firm. Each year, attorneys should develop their own business plan with proposals like how many hours they expect to work, and correspondingly, what they should be paid. It could also include the type of work the attorney wants to handle, whom they will market to, and what professional goals they want to achieve. The attorney should know who will review the plan, and thoroughly discuss it with decision-makers before it is approved. This plan should set the attorney's individual standards, and be used to evaluate their performance when year-end decisions are made.

Eliminating the paranoia and constant second-guessing helps individuals focus on what is important, not just at work, but also at home. If you know exactly what the firm expects of you at year-end, you can more confidently plan the expected, like vacations, and work around the unexpected, like sick days, while meeting the standards and achieving the goals you helped create.

Do you focus too much on the firm and not enough on yourself?

Some think that by increasing the firm's bottom line, they will be successful attorneys, and much happier overall. But centering your goals on the firm's financial success may not always translate to personal growth. You may end up overworked and underpaid with nothing else to show for it. In the end, you're miserable, and odds are, replaceable.

Perhaps firms should reprioritize the individual attorney over the firm by investing in support for personal development. Rather than placing the focus only on money, firms should also encourage attorneys to develop their skills

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and talents. This can be achieved through providing access to training on marketing, networking, and personal business development. Practice groups should meet regularly to educate each other on the law, conduct writing workshops and practice trial tactics in mock settings. Most importantly, professional development resources should be available to everyone — no matter your title or how many years of experience you have.

A firm that promotes professional development, in addition to the bottom line, motivates attorneys to develop their individual talents, which enhances initiative, improves self-esteem and builds confidence. Could confidence and high self-esteem cause happiness and lead to a healthier lifestyle? I'm not a psychologist, but I doubt that it hurts.

A firm that provides resources, support and encouragement to be a better attorney makes you feel valued and appreciated, and in my experience, it also affords a sense of stability.

What will this do for your personal life? The mindset of self-improvement doesn't just remain at the office. I felt encouraged to continue the improvement at home by trying my hand at running a half marathon, leading my daughter's Daisy Troop, and writing this article. Feeling valued, appreciated, and stable has provided confidence and initiative to branch out outside of work and try new things.

Do you feel like you are part of the team, or are you on an island?

Some firms have cultures that leave attorneys feeling hazed. These firms expect new attorneys to "pay their dues" and respect is earned, never given. This plays out in the form of constant grunt work assignments, long hours, last minute weekend assignments, and instilling a "never say no" mentality. However, rarely is there a good outcome for the attorney who serves as the firm's whipping boy. And firms will usually end up watching their investment walk right out the door.

Firms invest thousands of dollars into the acquisition, retention and training of new attorneys. Why then treat that investment like a five-dollar doormat?

A firm full of bitter, disillusioned attorneys kills morale and creates a revolving door. Instead, firms should encourage inclusivity and promote respect among attorneys regardless of their rank. I feel more motivated and encouraged to do well and work harder when I feel like I am part of the team. It also enhances loyalty. It's hard to be loyal to a law firm if you're feeling isolated, depressed and underappreciated. And



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you risk taking out your frustrations on your family or friends, driving you even further into isolation. Instead, being treated like contributing member and valued asset of the firm will improve your self-worth and overall happiness.

It's important to find a firm that fits your career goals and aspirations, but you shouldn't have to sacrifice your personal life in order to fit in. And if it doesn't feel right now, then chances are it never will be. So don't forget to ask yourself every now and then: Is my career thriving? Is my personal life fading? If you are

not happy with the responses, you may need to find a firm that's a better fit for you.



Amanda Gatti is an associate attorney at Buckingham, Doolittle & Burroughs, LLC. As a member of BDB's Cleveland office, Amanda represents businesses and professionals in civil litigation. Amanda has been a member of the CMBA since 2011. She can be reached at (216) 615-7303 or agatti@bdbllaw.com.



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FOOD FOR THOUGHT — HELPING WOMEN LAWYERS SURVIVE AND THRIVE

BY LAURA W. CREED

Should you take a 6th grader out of school for a hockey tournament? (With school approval, yes.) Would it be a good idea to tell your pregnant paralegal that eating a diet of only junk food is not good for her or the baby? (Laughs, but a definite no from the employment lawyer in the group.) Was the announcement of becoming a partner a surprise? (No, not completely.) How do you get any work done when the kids are constantly having snow days for seemingly no reason? (Knowing nods.) These and other mundane, yet important issues were topics of conversation at a recent lunch at Atega at the Metropolitan on E. 9th Street in downtown Cleveland. Seated at a round table with the diverse and talented members of my Food for Thought group, an outsider might have wondered our connection as we laughed and caught up on each other's lives.

We are all female lawyers, but are otherwise diverse in age, practice area, and career path. The thing that binds our group, which has been meeting for lunch once a month for seven years, is friendship and a true appreciation for what each member brings to the table. Group member Carol Metz, Partner in Charge of the Cleveland Office of Buckley King, puts it succinctly, "No matter what is going on, taking time out for lunch with my tribe always helps me to reset. They are a group of amazing women who cheer first, never criticize, and can help string together the little moments of our lives."

The successful and longstanding Food for Thought program of the Women in Law Section has interesting origins. Albeit on a much smaller scale, the initial concept of women professionals meeting and supporting each other came from Magistrate Judge Patricia Hemann who in June of 2002 sent a letter of introduction to eight rising female attorneys. The letter was designed to introduce the women to each other with the hope that they would find value in forming a



lunch group. "Ten years ago, I had the good fortune of joining with five women on various 'causes' involving women in the law. From those initial contacts, we evolved into a once-a-month-for-lunch survival group. All of us would admit that to the extent we have remained sane, it is because of each other. I am concerned about the significant number of young women lawyers who leave the practice for one reason or another. Based on my experience, I believe the only way to survive, and more importantly to thrive, is to find others in like circumstances who will assure you when needed that you are not crazy."

The suggestion in this letter — to find others in like circumstances and to help each other survive and thrive — evolved into an idea to create a forum on a larger scale for women attorneys to network and to get to know and support each other.

Michelle Sheehan of Reminger was one of the original recipients of Magistrate Hemann's letter. While brainstorming ways to create the same opportunity for more women, Michelle and Christine Lobas of Studiothink dubbed the program "Food for Thought." With the support of then-Cleveland Bar Association President-Elect, Kerin Kaminski, the Food for Thought program launched in the fall of 2006. The participants were organized into groups of eight to ten women, but each group was independent and set its own guidelines. The groups were instructed to meet at least eight times between the fall and summer for lunch. Recommended, but not required, topics of

discussion were time management, mentoring, business development, career path choices, billing issues, current events, politics, and leadership skills.

More than 10 years later, the Food for Thought program is still going strong with some nuances. Some of the groups meet for breakfast or happy hour instead of lunch. There are groups that meet in venues other than downtown — east side, west side, and south. Each year, female members of the

Cleveland Metropolitan Bar Association can sign up for this program. Groups are assembled by location, preference for breakfast, lunch, or happy hour, and diversity of age and practice. Usually, we have a fun kick-off event to start the year, such as a wine tasting.

The reason women keep joining the program is clear: mentorship and friendship. According to Jennifer Himmelein, Partner at Cavitch, Familo, & Durkin, "When I first joined Food for Thought, I was a newer lawyer and did not have any female mentors at my firm. I wanted to be able to network and learn from other women in the legal profession." In a similar fashion, Rebecca Yingst Price of the Law Office of Rebecca Yingst Price, LLC, notes, "I joined Food for Thought to get to know other female attorneys in a friendly, nonjudgmental setting. I love our group because we have gotten to the point where we can discuss personal and professional struggles. I no longer feel that you have to always be showing your positives (aka the Facebook persona)."

New groups are formed every year, but some groups decide to stay together. My first few years in the program, I switched groups every year. I am still connected with many of the amazing women I met. In 2010, I requested to be in a group that contained two of my former co-workers. The next year when it was time to rejoin, the group discussed whether it made more sense to disperse and be in new groups to meet new people or to stay together. The decision to stay together for one more year was

made, and it would be our decision for the next few years until it was no longer a topic of discussion. We are at the point that even if the program were to end, we would remain a group of colleagues.

Group members often remark about the benefit of learning from each other. According to Lisa Cottle, trial attorney at the U.S. Department of Labor, Office of the Solicitor, "Food for Thought is a great learning tool. When we began, my original group had a monthly agenda with specific topics and action items. That helped me to take ownership of my career trajectory. Later, when I achieved my goal of getting back to government service, I continued to learn from the women I met who were working both in litigation and other areas of practice. Despite our different subject areas or work environments, the experience of being a woman in the law business is universal." Amy Kellogg, Partner at BakerHostetler, acknowledges, "I have learned so much from this group, not only from a professional level, but from a personal level, too. It has run the gamut from learning about human trafficking to learning about new places to visit."

Members of my Food for Thought group are my professional cohorts. They make the CMBA a much smaller and inviting place. They are

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whom I turn to when I am trying to navigate my career, make other professional connections, or need a new book suggestion. When I became co-chair of the Women in Law Section this year, I quickly turned to my fellow Food for Thought group members to become leaders in the section, chair committees, and work on programs. I know their work ethic, and I trust them; they are more than professional acquaintances, they are my friends. Diane Citrino, Partner at Giffen & Kaminski, sums it up nicely, "The relationships with the women in my Food for Thought group have grown into lasting friendships. We have diverse strengths and enjoy being together on a regular basis. And, the food is good, too!"



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

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Making the Case for Women's Initiatives in the Workplace

BY JULIE A. CROCKER

Many women attorneys in law firms comprised of mostly men will try to blend in with their male colleagues by trying to be “one of the guys.” They try not to bring attention to the fact that they are women, and you will often hear women say how they are the same as their male colleagues. They are not. Men and women are different. And that's okay. In fact, it's a good thing. Women bring different perspectives to the workplace and have different experiences that can benefit both law firms and clients.

An increasing number of law firms are embracing these differences and are attempting to create an inclusive and welcoming environment for women attorneys, and an increasing number of clients are expecting, and even demanding, diverse legal teams. So if law firms are not motivated to focus on inclusiveness and the retention of women attorneys solely because it is the right thing to do, then at a minimum, law firms should be motivated by the business benefits of diversity and the retention of women attorneys. Indeed, in order to remain competitive and recruit and retain the best talent, law firms must re-think and re-work their traditional methods of hiring and advancement and make a conscious effort to create a more diverse and inclusive environment.

Creating an Inclusive Environment for Women Helps when Recruiting and Helps Satisfy Client Needs

For the past 20 years, approximately half of all law school graduates have been women. (www.nalp.org/uploads/Membership/DiversityInfographic-Women.pdf.) If law firms are not focused on recruiting and retaining women, they are missing an opportunity to bring top candidates to

their firm. Female law school graduates at the top of their law school classes will have numerous employment opportunities and likely multiple offers from different firms. Having women-friendly policies and initiatives helps when recruiting these attorneys and can make a particular law firm a more attractive choice for someone considering their post-graduation options. If law firms want to attract this top talent, it can only help to demonstrate to female candidates that their firm is an inclusive and supportive environment where women can and do succeed.

In addition, corporate clients are increasingly looking to ensure that their law firms match their company and customer demographics. The more female attorneys a firm has, the more options a firm will have for staffing cases and deals and for satisfying specific client goals and needs.

Creating an Inclusive and Supportive Law Firm Helps Retain Women Attorneys

Women leave the practice of law at higher rates than their male counterparts. (www.americanbar.org/news/abanews/publications/youraba/2017/december-2017/aba-summit-searches-for-solutions-to-ensure-career-longevity-for.html.) There is no clear answer as to why women are leaving, likely because there is not a universal reason women decide to leave. One commonly cited reason for women attorneys leaving is that when they would like to have children, they are at a point in their career that demands the biggest commitment of time and energy. Some women will leave to join firms or companies that allow for more flexibility or a more family-friendly environment. Another reason women leave is because they perceive that their law firm does not advance or promote women in the same way

as men. Also, some women leave because of the lack of a model for success that women attorneys can aspire to become. It is difficult for a young female attorney to see a path to success and a long-term career when the majority, and sometimes only, people who have “made it” are men.

So how do you change a law firm so it can successfully hire, retain, and promote women? By making an already difficult job a little easier and by giving women the opportunity to excel. If women attorneys feel valued and appreciated and their job is flexible, they are more likely to stay, and law firms will benefit from the investment in training. Law firms will also benefit from the institutional knowledge of its women attorneys and the relationships that those attorneys have formed with clients. Positive firm policies and initiatives will also increase productivity and morale, and in turn, build a more productive and invested group of attorneys.

Women-Friendly Initiatives and Policies

Over the past few years, Taft Stettinius & Hollister LLP has been committed to advancing its women attorneys and has implemented a number of policies and initiatives that focus on women and that make their jobs easier. One of the first steps Taft made was to form a Gender Advancement Committee. Taft's Gender Advancement Committee was created to investigate the issues affecting female lawyers, to provide a forum to debate and discuss those issues, and to propose solutions to issues women face in the workplace. In furtherance of those goals, the Gender Advancement Committee hosts an annual Women's Symposium to address specific areas of concern. For example, at this year's Women's Symposium, a

national speaker will be presenting on the unique challenges women face in business development.

Taft has also implemented an industry-leading parental leave policy that allows all attorneys to take up to 16 weeks of paid leave after the birth or adoption of a child. The policy applies regardless of gender, marital status, or primary versus non-primary caregiver status. The only requirement under the policy is that a Taft attorney be one of the parents of the newborn or newly-adopted child. Paid parental leave is available to Taft attorneys from the first day of employment at Taft — there is no minimum amount of time an attorney has to work prior to receiving this benefit. Taft's parental leave policy is among the most expansive packages offered among law firms. By comparison, private law firms in the U.S. generally offer an average of eight weeks of parental leave for primary caregivers and four weeks for non-primary caregivers. As anyone who is a parent knows, the transition back to work after welcoming a child can be hard. Taft's policy allows parents to spend more time with their new child, with the hope that their return to work will be easier and less stressful.

Taft also recently adopted a policy that makes a breastmilk delivery service available to mothers who are traveling for free. The service sends a package to the attorney's hotel or other travel destination so it is available upon arrival. The package includes a small box with a user-activated cooling unit and milk storage bags. When the milk is ready to be shipped home, the user activates the cooling unit, packages the milk, puts a pre-paid mailing label on the box, and leaves the box at the hotel (or mail location) for pick-up. The service allows business-traveling moms to get breastmilk to their children overnight and takes the hassle and stress out of storing and traveling with breastmilk while on business trips.

To further support working mothers, Taft is currently researching a policy that will provide its attorneys with emergency childcare in the event a child's usual daytime caregiver is not available and for situations when a caregiver is needed on an emergency basis. An issue sometimes faced by working parents is when their child's babysitter or nanny is not available due to illness or other unexpected events, and that parent has work

obligations that cannot be rescheduled or postponed. This emergency childcare benefit will make childcare services available to working parents on short notice so that they do not have to worry about the logistics of finding a backup caregiver.

Taft also moved to a one-class partnership structure and eliminated the two-class system of equity and income partners that had previously been in place. This change was made to advance Taft's culture and to allow all partners to have an opportunity to be in leadership positions and to have a positive impact on the direction of the firm. By implementing a one-class partnership structure, Taft has removed any barriers to equity partnership that women in law firms commonly face when attempting to obtain equity partner status, such as bias, a lack of fair allocation of origination credit, and a failure to clearly define succession plans for clients, since law firms statistically see men inheriting clients at higher rates than women. One of the reasons for, and benefits of, this change is that women attorneys now have an equal opportunity to have true career development and leadership opportunities.



Reach Out

LEGAL ASSISTANCE FOR NONPROFITS

May 10 – Make Your Own Rain: Fundraising and Crowdfunding for Nonprofits

August 23 – Board Onboard, Baby! Legal Issues in Board Governance & Engagement

October 25 – What a Novel Idea! Intellectual Property Overview for Nonprofits

For more about Reach Out visit CleMetroBar.org/ReachOut, or email JPaine@clemetrobar.org to be added to our mailing list.

Policies and initiatives such as the ones described above may not be possible or appropriate for every law firm, but even if that is the case, all law firms can work toward equality by being aware of the issues women attorneys face and by offering flexibility to all attorneys when needed. Every law firm's goal should be to reach a point where diversity and inclusion initiatives are no longer necessary because successful diversity and inclusion has been achieved.



Julie A. Crocker is a Partner in the Litigation Practice Group of Taft Stettinius & Hollister LLP. She is a member of Taft's Executive Committee and Taft's

Gender Advancement Committee. Julie focuses her practice on commercial disputes, including shareholder litigation, litigation related to and resulting from mergers and acquisitions, and litigation involving commercial sales, negotiable instruments, and secured transactions. She has been a CMBA member since 2012. She can be reached at (216) 241-2838 or jcrocker@taftlaw.com

An Update on Ohio UPL Cases

BY MICHAEL P. HARVEY

The unauthorized practice of law continues to be a problem for our neighbors in the Greater Cleveland area. Not only is the practice of law by non-lawyers prohibited under the Revised Code and the Rules for the Government of the Bar, it has a disproportionate impact on low-income individuals with legitimate legal claims.

The Unauthorized Practice of Law Committee (UPL Committee) of the CMBA investigates confidential allegations that unlicensed individuals may be engaged in the practice of law. When appropriate, the Committee files complaints with the Board on the Unauthorized Practice of Law of the Supreme Court of Ohio to seek injunctions and civil penalties against individuals and companies who have caused harm to individuals in our community. The kinds of matters that are typically investigated by the UPL Committee include:

- Disbarred lawyers providing legal services;
- Non-lawyers claiming to be licensed to practice law and charging fees for legal services;
- Non-lawyers charging customers to research and write legal documents;

- Corporations providing foreclosure assistance or negotiating with creditors for customers;
- Out-of-state lawyers filing documents, appearing in court or appearing for case management conferences by telephone without complying with pro hac vice registration; or
- Relatives filing documents or appearing in court for family members.

Background

The Supreme Court of Ohio in *Land Title Abstract v. Dworken*¹ specifically stated that the practice of law is not limited to conduct or cases in court. The practice of law embraces the preparation of pleadings and other papers incident to actions and special proceedings. And, the management of such actions and proceedings on behalf of clients before Judges and courts, and in addition conveyancing, the preparation of legal instruments of all kinds, and in general all advice to clients and all action taken for them in matters connected with law. The Court in its syllabus stated that corporations cannot practice law in Ohio. The *Dworken* Decision is the foundation for over 1,000 decisions relating to the unauthorized practice of law in Ohio.

The constitutional basis for *Dworken* is Section 2(B)(1)(g), Article IV of the Ohio Constitution. See *Geauga Cty. Bar Assoc. v. Haig* (2011), 129 Ohio St.3d 601; see also Rev. Code § 4705.07(A)(3). “The unauthorized practice of law occurs when a person who is not admitted to the Ohio Bar or otherwise certified to practice law by the Supreme Court of Ohio provides legal services to another person in this state.” Gov. Bar R. VII(2)(A).

The Supreme Court of Ohio has stated often that regulations against the unauthorized practice of law protect the public against incompetence, divided loyalties and other unintended evils that are often associated with unskilled representation.² See Ohio Gov. Bar R. VII(2)(A)(1). What the Court has done is generally prohibited those activities that involved the lay exercise of legal discretion because of the potential for harm. So, for example, in *CompManagement*, the Court stated they were compelled by public interest factors to permit lay representatives to participate in workers’ compensation claims to the extent that they did not act as lawyers in the process. The Court has also noted that certain limited activities before the Unemployment Compensation Board of Review and the Bureau of Employment Services did not engage in the unauthorized practice of law. See *Henize v. Giles* (1996), 22 Ohio St.3d 213.

Recent Ohio Cases

In *Ohio State Bar Assn. v. Home Advocate Trustees LLC*,³ the Supreme Court of Ohio found that a Washington corporation preparing and filing documents in Ohio courts on behalf of residents whose real property was in foreclosure constituted the unauthorized practice of law. The Court enjoined and assessed a civil penalty of \$10,000.

In *Ohio State Bar Assn. v. Century Negotiations Inc.*,⁴ the Court found that negotiating with creditors on behalf of Ohio

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residents is an attempt to settle the delinquent debts and is, therefore, the unauthorized practice of law. The Court affirmed that a corporation cannot lawfully engage in the practice of law, nor can it do so indirectly through the employment of qualified lawyers.

In *Disciplinary Council v. Schroeder*,⁵ the Court found that the respondent had responded to a debt collection notice by disputing and requesting validation of a debt as a representative of the debtor. The respondent was found to have engaged in the unauthorized practice of law and was fined \$2,500.

In *Disciplinary Council v. Furtado*,⁶ the Supreme Court enjoined a former attorney's modification and drafting of estate planning documents and assessed a \$10,000 civil penalty.

Aiding Non-Lawyers in UPL

Ohio lawyers should also be aware that they could be disciplined for assisting a non-lawyer or suspended or disbarred lawyer who engages in the unauthorized practice of law.

In *Office of Disciplinary Council v. Pavlick* (2000), 89 Ohio St.3d 457, the Supreme Court stated that lawyer ethics rules prohibit Ohio attorneys from aiding both laypersons and attorneys unlicensed in Ohio in the unauthorized practice of law. The Court stated this can occur also by facilitating or failing to adequately limit through supervision the activities of a lawyer unlicensed in Ohio.

In *Cincinnati Bar Association v. Kathman* (2001), 92 Ohio St.3d 92, the Court again stated that marketing or selling living trusts with non-lawyers aids in the unauthorized practice of law because the practice of law includes legal advice and counsel, and the preparation of legal instruments and contracts by which legal rights are secured. Kathman received a six-month suspension.

Conclusion

The UPL Committee depends on the vigilance of judges and the legal community to identify possible cases of UPL for investigation. Please contact CMBA Bar Counsel Heather Zirke at (216) 696-3525 or hzirke@clemetrobar.org

if you have concerns about an individual or corporation who you believe may be engaged in the unauthorized practice of law.

¹ (1934), 129 Ohio St. 23.

² *OSBA v. Home Advocate Trustees LLC* (2017), 2017 WL 6524495; *Cleveland Bar Association v. CompManagement Inc.* (2004), 104 Ohio St.3d 168.

³ (2017), 2017 WL 6524495.

⁴ (2017), 2017 WL 6524497.

⁵ (2017), 2017 WL 6048195

⁶ (2017), 2017 WL 6559781



Michael P. Harvey has been a member of the CMBA since 1987. He is a member and former Chair of the Unauthorized Practice of law Committee and presently a CMBA

Trustee. His primary areas of practice are employment, business, commercial, construction, real estate and non patent intellectual property law. He can be reached at (440) 570-2812 or mpharveyco@aol.com.

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April/May

All events held at noon at the CMBA Conference Center unless otherwise noted.

MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY
<p>16</p> <p>PLI – 8:30 a.m.</p> <p>PLI – 8:30 a.m.</p> <p>2018 Greater Cleveland Bench-Bar Memorial Program</p> <p>Joint Grants & Finance Comm. Meeting – 4 p.m.</p>	<p>17</p> <p>PLI – 8:30 a.m.</p> <p>CMBA BOT Meeting</p> <p>Estate Planning, Probate & Trust Law Section</p> <p>Grievance Committee Mtg.</p>	<p>18</p> <p>PLI – 8:30 a.m.</p> <p>Bankruptcy Section Presentation</p>	<p>19</p> <p>Labor & Employment Law Conference – 8 a.m.</p> <p>Family Law Section Meeting & CLE</p>	<p>20</p> <p>Labor & Employment Law Conference – 8 a.m.</p> <p>Pro Se Divorce Clinic – 10 a.m. (Cleveland Law Library)</p>
<p>23</p> <p>PLI – 8:30 a.m.</p>	<p>24</p> <p>PLI – 8:30 a.m.</p> <p>CMBF Finance Committee Meeting</p> <p>LGBT Update – 9 a.m.</p> <p>CMBF Endowment Comm. Meeting – 4 p.m.</p>	<p>25</p> <p>3Rs Committee Meeting</p> <p>Membership Committee Meeting</p> <p>Litigation Institute – 12 p.m.</p>	<p>26</p> <p>Thought Leadership – 8 a.m.</p> <p>PLI – 8:30 a.m.</p> <p>Leadership Academy – 9 a.m.</p> <p>Court Rules Committee</p> <p>Small & Solo Section (Holiday Inn Independence)</p> <p>WIL Anniv. Event – 4 p.m.</p>	<p>27</p> <p>Professional Conduct Video & Federal Court Video – 9 a.m.</p> <p>Criminal Law Section Lunch & CLE</p>
<p>30</p> <p>CMBF Executive Committee Meeting – 8 a.m.</p> <p>PLI – 8:30 a.m.</p>	<p>1</p> <p>Grievance Committee Meeting</p>	<p>2</p> <p>PLI – 8:30 a.m.</p> <p>CMBF Board of Trustees Meeting</p>	<p>3</p> <p>O’Neill Institute – 8 a.m.</p> <p>YLS Council Meeting</p> <p>WIL Section Meeting</p> <p>Fellows Reception – 5 p.m. (Velvet Tango Room)</p>	<p>4</p> <p>O’Neill Bankruptcy Institute – 8 a.m.</p> <p>Law Day (City Club of Cleveland)</p>
<p>7</p>	<p>8</p> <p>Hot Talks</p> <p>ADR Section</p> <p>JFA Committee Meeting</p> <p>Diversity & Inclusion Committee Meeting – 4 p.m.</p>	<p>9</p> <p>PLI – 8:30 a.m.</p> <p>CMBA Executive Committee</p> <p>UPL Committee Meeting</p> <p>Louis Stokes Scholars Committee</p> <p>Workers’ Comp Section Meeting (State Office Building)</p> <p>VLA Committee Meeting</p>	<p>10</p> <p>Real Estate CLE – 8:30 a.m.</p> <p>Ethics Committee</p> <p>Real Estate Law Section Mtg.</p> <p>PLI – 1 p.m.</p> <p>Leadership Academy – 3 p.m. (Music Box Supper Club)</p> <p>Reach Out for Nonprofits – 4 p.m.</p>	<p>11</p> <p>Cleveland Mock Trial – 8 a.m. (Justice Center)</p> <p>PLI – 8:30 a.m.</p>
<p>14</p> <p>Professionalism Award Selection Committee Meeting – 8 a.m.</p>	<p>15</p> <p>PLI – 8:30 a.m.</p> <p>Estate Planning, Probate & Trust Law Section</p> <p>Grievance Committee Meeting</p>	<p>16</p> <p>DR Court CLE – 8 a.m.</p> <p>CMBA Board of Trustees’ Meeting</p>	<p>17</p> <p>Family Law Section Meeting & CLE</p> <p>Pillars Program</p> <p>Commercial Docket CLE – 1:30 p.m.</p> <p>Greet the Judges & Judges – 5 p.m.</p>	<p>18</p> <p>Tech Show – 8 a.m.</p> <p>Pro Se Divorce Clinic – 10 a.m. (Law Library)</p> <p>Pro Se “Plus” Divorce Clinic – 1 p.m. (Law Library)</p>
<p>21</p> <p>PLI – 8:30 a.m.</p>	<p>22</p> <p>Diversity & Inclusion Conference – 8:30 a.m.</p> <p>PLI – 8:30 a.m.</p> <p>Mental Health Meeting</p>	<p>23</p> <p>Surviving the Law Apocalypse</p> <p>Small/Solo and LRS CLE</p> <p>Membership Comm. Mtg.</p>	<p>24</p> <p>Thought Leadership Committee – 8 a.m.</p> <p>PLI – 8:30 a.m.</p> <p>Court Rules Comm. Mtg.</p>	<p>25</p>
<p>28</p> <p>Memorial Day – Office Closed</p>	<p>29</p> <p>PLI – 8:30 a.m.</p> <p>CMBF Endowment Committee – 4 p.m.</p>	<p>30</p> <p>PLI – 8:30 a.m.</p> <p>Labor & Employment Section Lunch & CLE</p> <p>3Rs Committee Meeting</p>	<p>31</p> <p>PLI – 8:30 a.m.</p> <p>Federal Court Training Video – 9 a.m.</p> <p>CMBF Strategic Planning Committee – 10:30 a.m.</p> <p>Pitfalls & Pointers for Young Litigators – 1 p.m.</p>	

Employment

Schraff & King Co., L.P.A. is accepting applications for a Probate and Medicaid paralegal position. Please send resume and cover letter to John Thomas at jthomas@schraffking.com.

Job posting for Director of Offender Services, Summit County Court of Common Pleas. Go to <http://www.summitpcourt.net/default.aspx> for application information.

Law Practices Wanted/For Sale

Established workers' compensation firm looking to increase client base by taking over an existing book of clients. If interested in discussing this, please call (216) 990-7951.

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

Office Space/Sharing

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Suburbs – East

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

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

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

Chardon Square – Offices and large conference room in prime storefront location on Main Street opposite Geauga County Courthouse for possible space sharing or partial sublease. Contact Bill Hofstetter at (440) 285-2247.

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

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

Suburbs – South

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

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

Suburbs – West

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

Avon – Office space – One newly furnished office in attractive two attorney suite with conference room and reception area. Historic building. Excellent location with free parking. Please contact mschroth@schroth-law.com for details.

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

Lakewood – Furnished office available in nicely decorated suite. \$500/month includes office, WiFi, utilities, conference room and free parking. (216) 246-1392.

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

For Rent

Lake Erie Rental – Upscale 2 bedroom/2 bath house on Lake Erie in Willowick; Beautifully furnished, wifi and air conditioning, fire pit and patio. Rent for getaway weekend or week. (440) 725-1224

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All written application and supporting materials must be submitted no later than 5 p.m. on **Friday, June 1, 2018**. Interviews will be scheduled thereafter. The 2018–19 Leadership class will be announced on Friday, June 29, 2018.

For more information and to apply, visit CleMetroBar.org/Leadership. For questions, contact Rebecca Ruppert McMahon at (216) 696-3525 or rmcmahon@clemetrobar.org.

ACADEMY CALENDAR

- Kickoff: **Thursday, September 27, 2018**
- Monthly sessions are typically held on **Thursdays**, with the exception of the Annual Meeting.
- Graduation: **12th Annual Meeting, June 2019**



 **New Associations & Promotions**



Ogletree Deakins has elected **Ellen Toth** to the equity shareholder position.



Kohrman Jackson & Krantz LLP is pleased to welcome **Jim Sammon** as a partner in the firm's litigation group. Jim brings nearly 25 years of litigation expertise in areas ranging from contract and lease disputes to legal ethics and legal malpractice.



Kohrman Jackson & Krantz LLP is proud to announce that **Laura Englehart** has been named partner.



The law firm of Buckley King is pleased to announce that **Gregory S. Costabile** has become a shareholder of the Firm. Costabile is a Certified Specialist in Family Relations Law by the Ohio State Bar Association Specialty Board.

Stephen L. Byron has become a principal with Singerman, Mills, Desberg & Kauntz Co., L.P.A. Mr. Byron will head the firm's public sector practice. **Michelle R. Reese** has become an associate with the firm. Ms. Reese will practice in the areas of real estate law, business law, and corporate and real estate financing.



Kerilyn Boergert has joined Clark Schaefer Hackett as a Principal in the firm's state and local tax and transaction advisory services practices.



Roetzel & Andress LPA is pleased to announce that **E. Mark Young** has joined the firm's Cleveland office and Business & Commercial Litigation practice as a partner.



Sara Ravas Cooper and **Shelly LaSalvia** are Walter | Haverfield's two

newest partners. The additions bring Walter | Haverfield's partnership to 38 members.

 **Honors**

FisherBroyles, LLP is pleased to announce the following partners have been selected by *Super Lawyers Magazine* for recognition: **Suzanne Kleinsmith Saganich** and **Joseph M. Saponaro**.

 **Elections & Appointments**



Kristin L. Wedell has been certified by the Ohio State Bar Association as a specialist in Labor & Employment.



Frantz Ward is proud to announce that partner **Gregory R. Farkas** has been elected to the Board of Directors for Youth Challenge. He will serve a two-year term in this role.



Taft Stettinius & Hollister LLP is pleased to announce that the firm has named its 2018 executive committee including the following Cleveland members: **Julie A. Crocker** and **Adrian D. Thompson**.



The Board of Directors of COSE has appointed **Alex Gertsburg** of the Gertsburg Law Firm to the organization's governing body. Mr. Gertsburg has been serving the legal needs of small businesses throughout his career and joins COSE with the dedication to advance Northeast Ohio's small business community. Having served as both General and outside Counsel for organizations of all sizes, Mr. Gertsburg has an acute appreciation for what matters most to businesses: practical and cost-effective results.



Frantz Ward LLP is pleased to announce that **Ian H. Frank** and **Marc A. Sanchez**, partners in the firm's Construction Practice

Group, have accepted the invitation to join the Fellowship of the Construction Lawyers Society of America.



Frantz Ward LLP is pleased to share that **Nora Loftus**, a partner in the firm's nationally-recognized Construction Practice Group, has been named chair of the firm's Diversity & Inclusion Committee.

The Million Dollar Advocates Forum is pleased to announce that attorney **Mark S. Fishman** has been certified as a member of the Multi-Million Dollar Advocates Forum.

 **Announcements**

Taft Stettinius & Hollister LLP announced that it has adopted a one-class partnership structure, eliminating the two-tier system (equity and non-equity) that had been in place for more than 25 years.

In response to the avalanche of pay equity legislation and the challenges facing employers working to understand and comply with a patchwork quilt of equal pay laws, **Fisher Phillips'** Pay Equity Practice Group has launched a "Pay Equity Interactive Map," a web-based tool that allows employers to explore state- and city-specific pay equity laws by clicking each state on the map. It will help keep employers informed of developments in the ever-evolving area of pay equality.

McDonald Hopkins has launched MH2020, a three-year initiative to commemorate the firm's 90th anniversary in the year 2020. MH2020 takes a unique approach to the firm's anniversary celebration by focusing on the growth and success of the firm's clients, rather than primarily on the firm itself. The program kicks off with the addition of a new section on McDonald Hopkins' website, which will profile a new client every month over the next two years and throughout 2020.

Something To Share?

Send brief member news and notices for the Briefcase to Jackie Baraona at jbaraona@clemetrobar.org. Please send announcements by the 1st of the month prior to publication to guarantee inclusion.



Cleveland Metropolitan Bar Association
1375 East 9th Street, Floor 2, Cleveland, Ohio 44114-1785

April 2018

11TH ANNUAL MEETING

CLEVELAND MARRIOTT DOWNTOWN AT KEY CENTER

Annual Meeting 2010



Rock the Foundation 2009



Rock the Foundation 2012



Golf Outing 2009



Annual Meeting 2008



Greener Way to Work Day 2009



JUN 01, 2018

Doors open at 11:00 a.m | Lunch at 12:00 (sharp)