

ARTICLE III.

The purpose of the Association shall be to advance the science of jurisprudence, promote the administration of justice, uphold the honor of the profession of law, to encourage cordial discourse and interaction among members of the bar and between the bench and bar of St. Joseph County and of the state of Indiana, and to correlate the various activities of the Association in the interest of the legal profession and the public which it serves.

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St. Joseph County Bar Association

March 2014 Newsletter

UPCOMING SJCBA EVENTS & CLEs

- March 5 **CLE Video Replay**, "Anatomy of a Jury Trial," 8:30—4:30 p.m., Law Library (6 CLE)
- March 27 **CLE: Casemaker Training** presented by the ISBA, 1:00 p.m. (1.5 NLS)
- May 22 **CLE: "How to Manage a Small Law Firm,"** 8:30 a.m. — 4:30 p.m., Riverside Terrace (6 CLE)
- May 28 **CLE: The Family Law Committee —"Legal and Clinical Reports of Sexual Allegations in Child Custody Cases,"** 11:30 a.m.—1:30 p.m., WNIT Studios (1.5 CLE)
- May 30 **SJCBA Annual Meeting**, 11:00 a.m., St. Joseph Courthouse
- Early June **Summer Kickoff for Law Clerks**, 5:30 p.m. — 7:30 p.m., Parisi's Italian Restaurant (Date to be determined)
- June 18 **CLE: JLAP Training for JLAP Monitors**, 12 Noon
- June 26 **New Member Baseball Game & Family Picnic**
- July 17 **Annual Bar Association Golf Outing**, Juday Creek



HAPPY ST. PATRICK'S DAY

The New Lawyer Committee

Submitted by Michael Misch

Are you a "New Lawyer?"

As the chairman of the New Lawyer Committee, I would like to officially welcome all of our New Lawyers. The St. Joe County Bar Association defines a "New Lawyer" as a lawyer in practice for 10 years or less. This upcoming year will be filled with networking events, discounted CLE opportunities, and philanthropic events that will be directed at and sponsored by New Lawyers.

New Lawyer Networking Event- The New Lawyer Committee cordially invites all new lawyers to on **Thursday, March 13th**, to come to the Exchange (located in the lobby of 112 W. Jefferson) for an opportunity to mingle with your peers and have a drink. The event will be open house style from 5:00-7:30 pm with your first drink provided for you by **Michael Misch** and **Anderson Agostino & Keller P.C.**

The ISBA and SJCBA are combining efforts to serve our community on **Saturday, March 29, 2014** from 10:00 a.m. - 12:30 p.m. We will be volunteering our time at Green Bridge Growers and will be planting and working the soil to prepare for spring planting. www.greenbridgegrowers.org. The Green Bridge Growers Aquaponics Farm is located on the Hannah & Friends Grounds, 51250 Hollyhock Road, South Bend, IN 46637. We would like you to join us. Please let us know whether you are able to volunteer on the 29th. E-mail RSVP to vwolf@leonehalpin.com.

In Early June, we will welcome summer law clerks to the area at Parisi's Italian Restaurant for an evening reception on the patio. This has been an extremely popular event in the past. We do typically need to limit the number we allow to attend, so please RSVP early.

St. Joseph County Bar Association

Calendar of Upcoming Events

MARCH 2014

- 3/5 CLE/Video Replay: "The Anatomy of a Jury Trial," (6 CLE) Law Library, 8:30 a.m. — 4:30 p.m.
- 3/13 New Lawyer Networking, The Exchange, 112 W. Jefferson, South Bend, 5:00 p.m. — 7:00 p.m.
- 3/14 Family Law Committee Meeting, Le Peep, South Bend, 12 Noon
- 3/28 Diversity Committee Meeting, 12 Noon, Contact Victoria Wolf at vwolf@leonehalpin.com

APRIL 2014

- 4/18 St. Joseph County Courthouse & SJCBA Offices CLOSED for Good Friday
- 4/22 CLE: NLC presents the Introduction to the Judiciary Series, Details to follow for new lawyers

MESSAGE FROM THE PRESIDENT

By Cheryl Greene



As you read the masthead on this newsletter, you will note that among other things, the SJCBA's mission is to promote justice and to advance the interests of the legal profession and the public which it serves. In furtherance of this mission, the Board of Governors regularly seeks input from its members on a variety of issues including changes to our local court rules, the annual judicial survey, and changes in state law that would affect judicial selection or retention.

The question of HJR-3 (the proposed constitutional amendment to ban same-sex marriage and civil unions) was first discussed by the SJCBA's Board of Governors prior to the 2104 legislative session at the request of one of our board members. It was a spirited but respectful discussion with each board member having the opportunity to weigh in before we unanimously agreed to avoid public comment at that time. As HJR-3 moved through the legislative process, I continued to receive requests from other organizations throughout the state and from SJCBA members seeking to involve the SJCBA. These requests ranged from questions concerning the legislative process for a constitutional amendment, the impact of the legislation if adopted and finally, whether the SJCBA had taken a position on HJR-3.

In late January, the Indianapolis Bar Association sent out a survey to its members asking whether the Indy Bar should take a position on HJR-3 and, if so, what that position should be. One of our board members suggested that this approach might be adopted by the SJCBA as well. At our February 11, 2014 Board of Governors meeting, the board once again took up the question of HJR-3, but this time we focused on how best to solicit information from our members to ensure that a statement— if any—would reflect our members and would not simply be what the board "guessed" our members wanted.

In that spirit, the confidential survey which you received via email on February 12, 2014 was created through careful and considered discussion by the Board of Governors. Although we modeled some of our questions on the Indy Bar survey, we unanimously agreed to limit our survey to three questions including the question of what to do with the survey results. Unlike the Indy Bar which received responses from 47.7% of its members, only 21% of our members responded. Not surprisingly, the limited comments we received were strong positions both in favor of or in opposition to HJR-3, statements praising or condemning the decision to distribute the survey, as well some statements from members who threatened to resign from SJCBA if it took any position whatsoever on HJR-3.

Although the limited response to the survey seems to indicate that there is no clear consensus from our members, I am still proud that the board determined to engage our members in this discussion. We respect our members' diverse views and sincerely hope that no one will resign as a consequence of this survey or of any future survey. In keeping with the SJCBA's mission, we will continue to ask questions of our members using surveys as a tool for inviting open dialogue. I also invite you to contact me or other members of the board when there are issues of legal importance to the profession and the public. On behalf of the Board of Governors, thank you to everyone who took the time to respond to the survey.

Diversity Committee

By Victoria R. Wolf

Joint Meeting with the State Bar

The SJCBA and ISBA are hosting a combined meeting on March 28, 2014. Lunch begins at 11:30 with a meeting to follow. Location: Faegre Baker Daniels, 202 S. Michigan Street, Suite 1400, South Bend, Indiana 46601. **RSVP by March 20th REQUIRED.** Please E-mail vwolf@leonehalpin.com.

AROUND THE BAR

Address updates/Correction:

Brian Kubicki Gibson Insurance 130 S. Main St., Ste. 400 South Bend, IN 46601 574.245.3500 bkubicki@gibsonins.com	Paul Singleton 115 N. William St. South Bend IN 46601 574.276.1736 paul@singletonllp.com
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The Volunteer Lawyer Network
By Mark Torma

Trivia Night —May 9, 2014!!

The next Volunteer Lawyer Network TRIVIA NIGHT will be held on May 9, at the Jewish Federation of St. Joseph County. Tables of eight can be reserved for \$150, and space is limited, so don't wait! Reserve your table right now by calling [574-277-0075](tel:574-277-0075), or by writing to volunteerinc@att.net.

CLE: When Your Client is a Survivor: Best Practices in Working with Victims of Violence in Family Law Cases
March 13th, 2014 1:00 p.m.—4:00 p.m. (3 CLE)

On March 13, at 1 pm at the WNIT studios, the Volunteer Lawyer Network will host a live CLE presentation by Kerry Hyatt Blomquist of the Indiana Coalition for Domestic Violence, "When Your Client is a Survivor: Best Practices in Working with Victims of Violence in Family Law Cases". There is no charge for attending; attorneys will merely have to commit to taking 2 pro bono cases through the Volunteer Lawyer Network over the next two-year period. Take advantage of this opportunity to enhance your law practice and increase your ability to handle some of the more challenging, and deserving, cases.

Ask A Lawyer

The Volunteer Lawyer Network will be offering an Ask-A-Lawyer for the public at the public library in downtown Elkhart from 12:30 on April 2nd, and another Ask-A-Lawyer at the Main Library in downtown South Bend from 1 to 4 p.m. on April 28th. Both venues have had robust public attendance, so volunteer attorneys for both are definitely needed, in a wide range of legal specialties. To volunteer, or for more information on these events, contact the Volunteer Lawyer Network at [574-277-0075](tel:574-277-0075) or at volunteerinc@att.net.

CLASSIFIED ADS

JOB POSTING

First Source Bank seeks a Paralegal for their Corporate Legal & Compliance Dept. Minimum of eight years experience as a paralegal, a Bachelor's degree with a paralegal certificate are required. Please go to www.SJCBA.org for the complete job posting and information on applying.

The Clerk's Corner
By Terri Rethlake

Expungement filings

When filing a Petition for Expungement of Criminal Record(s), please **order the old criminal file(s)** from Martha (Records Clerk). Also, if the defendant was not convicted or convicted under another name (AKA, NKA, FKA) please list that name in the heading of the case along with the their current name. This will help with the implementation of the order to expunge the proper record. Thank you!

Odyssey Update

The Clerk's Office is working with JTAC to implement civil cases in Odyssey. At this stage, we are still working on conversion of cases & updating attorney information. Our date of implementation if all goes well is March 31, 2014.

On that note, any attorney or law firm that receives funds from this office **MUST** have a W-4 on file to receive checks. If that information is not in the Odyssey system, check(s) will not cut. Please send or bring in the W-4 to the basement Clerk's Office!

Under no circumstances should court records be taken out of the Clerk's Offices to transport to another courthouse. The Clerk's will transmit the files to Judges Manier and Fox through couriers.

Petition for Post-Conviction Relief filings in T&M Court

When a PCR is filed in a misdemeanor case, a new case number must be given to the filing and a filing fee paid. It will be assigned to a judge as follows: Pre-Odyssey case numbers with

PUBLIC NOTICE

Proposed Change to Local Rules

Note: Please go to www.SJCBA.org for the link to a complete text of these proposed changes.

Pursuant to the schedule established by Trial Rule 81, the courts of record in and for the 60th Judicial Circuit (St. Joseph County) hereby publish the attached proposed amendment to the local rule on caseload allocation plan for St. Joseph County courts at Appendix A for the General and Administrative Rules, 100 Series. Good cause exists for deviating from the schedule for amending local rules pursuant to Trial Rule 81 (D). New language is indicated by underlining. Any comments on this proposed local rule amendment must be received prior to **March 28, 2014**.

Comments may be submitted in writing either by hand-delivery, mail or e-mail to the following individual:

Lisa Plencner, Circuit Court Administrator, Court House, 3rd Floor, 101 South Main Street, South Bend, IN 46601-1896 or via e-mail to: lplencne@co.st-joseph.in.us

The proposed amendment to the Caseload Allocation Plan is subject to approval by the Supreme Court. The proposed retroactive effective date for the amended rule is **January 1, 2014**.

Issued this 26th day of February, 2014:

Hon. Michael G. Gotsch
Judge, St. Joseph Circuit Court

Hon. James Fox
Judge, St. Joseph Probate Court

Hon. Jenny Pitts Manier
Chief Judge, St. Joseph Superior Court

St. Joseph County Bar Association

ICLEF Video Replays in South Bend

MARCH 2014

3/6 How Big is the Blanket: Additional Insured (6 CLE)**
3/7 Developing & Representing the Business Entity (6 CLE, 1 ethics)
3/12 Best of ICLEF (6 CLE)**

APRIL 2014

4/16 How to Analyze and Understand Financial Statements (6 CLE, 6 CPE)
4/24 Section 1031 Exchanges (6 CLE)

MAY 2014

5/14 Probate Litigation (6 CLE)

Please call ICLEF at 317-637-9102 or go to www.ICLEF.org to register.

*** Indicates a moderator is needed.*

Please note: Printed books are no longer included with seminar cost.

Most books are available for an additional \$25 or online at <http://community.iclef.org>

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