

ALSO INSIDE

- Attorney/Client Disputes: A Role for Arbitration?
- Bar Launches News Web Pages
- Academy Seeks to Develop Future Bar Leaders

Calendar of Events

OBA CLE Seminars

APRIL 17

Hot Topics in Mediation for Advocates and Mediators - OKC

6 hrs. of MCLE credit, including 1 hr. of ethics Oklahoma Bar Center 1901 N. Lincoln Blvd.

APRIL 18

Elder Law Essentials - OKC 6 hrs. of MCLE credit, including 1 hr. of ethics Oklahoma Bar Center

1901 N. Lincoln Blvd.

Reinventing Your Law Practice - Tulsa 6 hrs. of MCLE credit, including 0 hrs. of ethics
Renaissance Hotel
6808 S. 107th East Ave.

APRIL 25

Reinventing Your Law Practice - OKC 6 hrs. of MCLE credit, including 0 hrs. of ethics
Oklahoma Bar Center
1901 N. Lincoln Blvd.

MAY 1

The 25th Annual Basic Bankruptcy Seminar: Silver Anniversary of Learning Bankruptcy Basics Chapter 7 - OKC 6 hrs. of MCLE credit, including 2 hrs. of ethics Oklahoma Bar Center 1901 N. Lincoln Blyd.

MAY 2

14th Annual Legal Institute of Pickens County, I.T. - Ardmore 6 hrs. of MCLE credit, including 1 hr. of ethics
Dornick Hills Golf and Country Club 519 Country Club Rd.

MAY 9

Workers' Compensation: You Can't Make This Stuff Up! - OKC 6 hrs. of MCLE credit, including 1 hr. of ethics Oklahoma Bar Center 1901 N. Lincoln Blyd.

Oklahoma Insurance Law Update 2008 - Tulsa 6 hrs. of MCLE credit, including 0 hrs. of ethics Renaissance Hotel 6808 S. 107th E. Ave.

MAY 15

Current Federal Regulatory Issues for Financial Institutions and Technology Service Providers - OKC 8 hrs. of MCLE credit, including 1 hr. of ethics Oklahoma Bar Center 1901 N. Lincoln Blvd.

MAY 16

Workers' Compensation: You Can't Make This Stuff Up! - Tulsa 6 hrs. of MCLE credit, including 1 hr. of ethics Renaissance Hotel 6808 S. 107th E. Ave.

Oklahoma Insurance Law Update 2008 - OKC 6 hrs. of MCLE credit, including 0 hrs. of ethics Oklahoma Bar Center 1901 N. Lincoln Blvd.

MAY 21

Making Your Case With a Better Memory - Tulsa 8 hrs. of MCLE credit, including 0 hrs. of ethics Renaissance Hotel 6808 S. 107th E. Ave.



MAY 22

Making Your Case With a
Better Memory - OKC
8 hrs. of MCLE credit, including
0 hrs. of ethics
Oklahoma Bar Center
1901 N. Lincoln Blvd.

MAY 29

Building Your Million-Dollar Practice - And Your Dream Retirement - OKC 8.5 hrs. of MCLE credit, including 0 hrs. of ethics Oklahoma Bar Center 1901 N. Lincoln Blvd.

MAY 30

Law Practice Phase Two: Building a Plan for the Next Era of Your Career - OKC 4.5 hrs. of MCLE credit, including 0 hrs. of ethics Oklahoma Bar Center 1901 N. Lincoln Blvd.

April & May 2008

Check registration times at www.okbar.org You may register online at www.okbar.org or call (405) 416-7006

Calendar of Events

APRIL 16

Oklahoma Condominium Law 1 hr. of MCLE credit, including 0 hrs. of ethics \$50

MAY 7

A Civil Attorney's Responsibility to Screen Clients for Domestic Violence 1 hr. of MCLE credit, including 0 hrs. of ethics \$50

MAY 13

Advanced Internet Research (Webinar) 2.5 hrs. of MCLE credit, including 0 hrs. of ethics \$125

MAY 14

Domestic Violence Safety Planning for Family Law Attorneys 1 hr. of MCLE credit, including 0 hrs. of ethics \$50

JUNE 3

Update to Oklahoma's Immigration Law 2 hrs. of MCLE credit, including 0 hrs. of ethics \$100

JUNE 10

Federal Legislative Update 2008 2.5 hrs. of MCLE credit, including 0 hrs. of ethics \$125

IUNE 17

Oklahoma Legislative Update 2008 2 hrs. of MCLE credit, including 0 hrs. of ethics \$100



A webcast is considered live programming and does not count toward the three MCLE hour online limit.

Register online at www.legalspan.com/okbar/webcasts.asp

April, May & June 2008

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The Rule of Law

By Bill Conger

Law Day is May 1, and the American Bar Association theme this year is the Rule of Law. This theme is particularly important now as we witness the events in Pakistan where the government of Pervez Musharraf suspends the constitution, puts the sitting Supreme Court under house arrest, installs its own justices and arrests scores of protesting lawyers. In our own country,

we are beset by serious threats to the independence of our judiciary, a rising population of persons who are denied access to justice because they cannot afford it and the existence of too many laws that are biased toward special inter-

The term "rule of law" is one that many of us, and not just lawyers, use so often but never really understand its meaning. Since it sounds like a good principle,

many use the term to legitimize a particular belief about the correctness of a law. Such was the case recently when the John Birch Society and other groups staged what they called a "Rule of Law Rally" in support of House Bill 1804 — the immigration bill. That is not what the rule of law means to me. The rule of law is a concept.

I have read many definitions of the rule of law. Many are substantially similar, but I believe the working defi-

nition provided by the World Justice Project captures the concept in its broadest sense and in the most succinct way. The rule of law compromises four universal principles:

- 1. A system of self-government in which all persons, including the government, are accountable under the law;
- 2. A system based on fair, publicized, broadly understood and stable laws;
- 3. A fair, robust and accessible legal process in which rights and responsibilities based in law are enforced impartially;
- 4. Diverse, competent, independent and ethical lawyers and judges.

Because their principles are universal, they matter to all of us who make up our community — the clergy, teachers, doctors, lawyers, business people, police, fire department, the military — in essence all fields of endeavors. As ABA President William Neukom so aptly states, "The Rule of Law is a framework guiding the relationship of

There can

be no social

justice without

simple justice –

the rule of law.

citizens with our fellow citizens, of citizens with their governments and of governments with other governments. It is nothing less than the essential foundation of communities of equity and opportunity of any scale and any

location. There can be no social justice without simple justice the rule of law."

OBA HOLDS CONFERENCE

In order to increase more awareness of how the absence of an adequate rule of law infrastructure consigns billions of people to lives characterized by violence, poverty, corruption, ignorance and poor health and to promote better awareness of the importance of the rule of law across all segments of society, the Oklahoma Bar Association sponsored a Rule of Law Conference on April 11 at the Meinders School of Business at Oklahoma City University. The conference was an educational event and included, by invitation only, leaders from diverse sectors and disciplines, such as government, business, law, medicine, the clergy, media and law enforcement. We are excited to be a part of this initiative.



President Conger is general counsel at Oklahoma City University. bconger@okcu.edu (405) 208-5845

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EVENTS CALENDAR

APRIL

- 15 OBA Civil Procedure Committee Meeting; 3 p.m.; Oklahoma Bar Center, Oklahoma City and OSU Tulsa; Contact: James Milton (918) 591-5229
- OBA Clients' Security Fund Committee Meeting; 2 p.m.; Oklahoma Bar Center, Oklahoma City and Tulsa County Bar Center, Tulsa; Contact: Micheal Salem (405) 366-1234
- 17 OBA Legal Intern Committee Meeting; 3:30 p.m.; Oklahoma Bar Center, Oklahoma City; Contact: H. Terrell Monks (405) 733-8686
- OBA Bar Center Facilities Committee Meeting; 9 a.m.; Oklahoma Bar Center, Oklahoma City and Tulsa County Bar Center, Tulsa; Contact: John Morris Williams (405) 416-7000
- 24 OBA Bench and Bar Committee Meeting; 12 p.m.; Oklahoma Bar Center, Oklahoma City and Tulsa County Bar Center, Tulsa; Contact: Jack Brown (918) 581-8211
- 25 **OBA Board of Governors Meeting;** Oklahoma Bar Center, Oklahoma City; Contact: John Morris Williams (405) 416-7000
- 26 OBA Young Lawyers Division Meeting; 9:30 a.m.; Oklahoma Bar Center, Oklahoma City; Contact: Kimberly Warren (405) 239-7961
- 29 OBA Law-related Education Committee Meeting; 4 p.m.; Oklahoma Bar Center, Oklahoma City; Contact: Debra Jenkins (405) 416-7028

MAY

- OBA Ask A Lawyer Day; Oklahoma City and Tulsa; Contact: Melissa Brown (405) 416-7017
- 8 **OBA Bench and Bar Committee Meeting**; 12 p.m.; Oklahoma Bar Center, Oklahoma City and Tulsa County Bar Center, Tulsa; Contact: Jack Brown (918) 581-8211
 - **OBA Professionalism Committee Meeting;** 4 p.m.; Oklahoma Bar Center, Oklahoma City and Tulsa County Bar Center, Tulsa; Contact: Sharisse O'Carroll (918) 584-4192
- OBA Family Law Section Meeting; 3 p.m.; Oklahoma Bar Center, Oklahoma City and OSU Tulsa; Contact: Lynn S. Worley (918) 747-4610

For more events go to www.okbar.org/news/calendar.htm

The Oklahoma Bar Association's official Web site: www.okbar.org

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OBA Annual Tradition Marks 30th Anniversary

By Giovanni Perry, Law Day Committee Chair

Annual art and writing contests, an informative TV show and 12 nonstop hours of free legal advice have been the foundation of this state's big day for the legal community. It's our way to show the public the important work we as lawyers do daily. And this year marks the 30th anniversary for the Ask A Lawyer project, an essential element of Oklahoma's Law Day activities. This year also celebrates the 50th anniversary of Law Day nationally, which was developed by Wewoka attorney Hicks Epton. The OBA Law Day Committee is very proud of these traditions carried out every May 1.

ASK A LAWYER TV SHOW

This year's Ask A Lawyer television program will air May 1 at 7 p.m. on OETA stations across the state. A series of segments will be shown during the hour to provide a glimpse into Oklahoma's legal community.

This year's show highlights several current issues in the legal world and what Oklahoma lawyers are doing to make a difference. Viewers will hear about one man's journey through the state's mental health court system and how he's gone from being a drug addict to a caring grandfather. Pet owners should be interested in the show's "animal law" segment, which explains how to ensure that a pet is cared for should its owner pass away. The show will also touch on the tort reform issue by featuring a mother who took action after her son was killed as a result of a vehicle defect.

CONTESTS AND ACTIVITIES

This year we continued to offer expanded activities and contests for school-aged children. The Law Day theme this year is, "Elections: Democracy in Action." The committee offers a wide variety of contests, and this year more than 1,600 students from across Oklahoma submitted entries in the OBA Law Day contests. The winners have been announced, and they can be viewed at www.okbar.org and on page 812 of this issue.

In addition to the contests, we also targeted ninth and tenth graders with an online citizenship test. This is a 25-question, multiple-choice quiz using questions taken from the actual U.S. citizenship test. Students automatically receive scores and an explanation about the questions they missed.

Lask A Lawyer

Thursday, May I
7-8 p.m.
OETA stations

FEATURING SEGMENTS ON:

- ☆ Mental Health Court
- ☆ Animal Law
- ☆ Tort Reform

Hosted by Melissa DeLacerda Moderated by Dick Pryor Special Guests:

Oklahoma Supreme Court Chief Justice James Winchester OBA President Bill Conger



High school juniors and seniors were encouraged to learn more about how the law changes after they reach their 18th birthday. On the Law Day Web site, the committee has provided the Legal Guide for Young Adults in Oklahoma, which is prepared by the OBA's Law-related Education Committee.

FREE LEGAL ADVICE

Final preparations are under way for the statewide Ask A Lawyer call-in event, to be held May 1. This may be one of the best ways all Oklahoma bar members can participate in the national celebration of Law Day. This annual event gives us a unique opportunity to provide a valuable community service while promoting positive public relations for bar members.

Callers statewide will be able to reach an attorney by calling (800) 456-8525 throughout the day on May 1. The OBA and the committee work with each county Law Day chairperson in setting up a network of local phone numbers so that those who prefer to speak to a local attorney will be able to see and call those numbers during the broadcast. Volunteer attorneys in each participating county staff the phones and answer questions for a predetermined time period. Oklahoma and Tulsa County attorneys work together to staff the toll-free, statewide phone number from 9 a.m. to 9 p.m.

To make this community service project a success, the Law Day Committee needs your help. It takes a total of 30 attorneys for each two-hour shift to fully staff the statewide number. That effort, combined with the local county bars creates a huge need for attorneys to step forward. To volunteer in Oklahoma County, contact Connie Creed at (405) 236-8421, or send e-mail to ccreed@okcbar.org. In Tulsa County, contact Jason Bashforth, (918) 591-5296, e-mail jbashforth@dsda.com or Dan Crawford, (918) 749-8400, e-mail liondc@gmail. com. Those of you wishing to volunteer in other counties should call your Law Day chairperson. You can find that person's name in the related story in this issue. Phone banks are located at the OETA studios in Oklahoma City and Tulsa.

The Law Day Committee has again committed to branch out to the Latino community by offering free legal advice in Spanish. Each shift in Tulsa and Oklahoma City will need Spanish-speaking volunteers. If you speak Spanish or

know non-attorneys who would volunteer to translate, we need your help!

DIRECTIVE AND PROCLAMATION

Another important aspect of Law Day includes a directive, which this year was signed by Oklahoma Supreme Court Chief Justice James Winchester on Feb. 22. By signing the directive, the chief justice encourages courts to host Law Day events. This year, nearly all of our contest first-place winners were present to have their photos taken with Chief Justice Winchester and OBA President Bill Conger. We once again filmed a segment with the chief justice talking to the contest winners about this year's theme and fielding questions from the students. Also, this year Gov. Brad Henry has

signed a proclamation designating May 1, 2008, as Law Day in Oklahoma.

GET INVOLVED!

We hope all of you will participate in some way in Law Day, whether it's volunteering to provide free legal advice in your county, making a presentation to a local school group or organization or joining us on the Law Day Committee. Planning for the 2009 celebration begins almost as soon as the 2008 celebration ends, and we need your ideas! If you'd like to join this fun, yet very hardworking committee, contact me at (405) 601-2222 or e-mail me at giovanni.perry@cox.net. We would love for you to join us. Happy Law Day!



Law Day contest winners display their artwork at a state Capitol ceremony attended by Law Day Committee Chair Giovanni Perry and Vice Chair Kim Spady (back row, left) along with Oklahoma Supreme Court Chief Justice James Winchester (back row, right). Photo: Legislative Service Bureau Photo Division



Volunteer Lawyers Needed to Give Free Legal Advice

- Several hundred attorneys needed in Tulsa and Oklahoma City
- Thursday, May 1
- 9 a.m. to 9 p.m.
- Location: OETA Studios in Tulsa and Oklahoma City
- Two-hour shifts.
- OBA provides reference guides for commonly asked questions
- Food and snacks will be served.

To sign up, contact:

- Oklahoma County: Connie Creed (405) 236-8421 ccreed@okcbar.org
- Tulsa County: **Jason Bashforth** (918) 591-5296 jbashforth@dsda.com

Dan Crawford (918) 749-8400

liondc@gmail.com

• Other Counties:

Call your Law Day Chairperson to help answer phones.

Ask A







¿Habla Español? We need you!

Spanish-speaking attorneys are needed to give free legal advice on Ask A Lawyer day.

Non-attorney translators are also needed.

The OBA is making a greater effort this year to reach out to the Latino community, so we expect to hear from Spanish-speaking callers.

When: Thursday, May 1
9 a.m. – 9 p.m. (two-hour shifts)
OETA Studios in Oklahoma City and Tulsa

To sign up:

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Dan Crawford • (918) 749-8400 liondc@gmail.com

¡Alli los miramos!











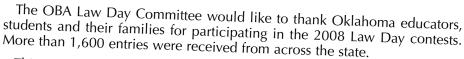






"Elections: Democracy in Action"







This year's theme, "Elections: Democracy in Action," encouraged children to learn about the importance of elections and the value of democracy.



Art contests were offered to the younger students. The coloring contests for pre-kindergarteners, kindergarteners and transitional first graders were again a tremendous success. More than half of the total entries were coloring contest entries. First and second grade students could enter a drawing contest, while third and fourth graders could create a collage. Fifth through eighth graders could choose between entering a diorama or creative



The creative free for all category for ninth through 12th graders invited students to use their imaginations and choose any medium to demonstrate the Law Day theme. The students took on the challenge and came through with outstanding results: some examples were pastel drawings, creative writing and performing original songs.



One student was designated the "grand prize winner" for having submitted the best overall entry from all grades.



Finally, two fun activities were available for high school students: an online quiz based on the actual U.S. citizenship test, and the Legal Guide for Young Adults in Oklahoma, which helps teenagers understand the rights and responsibilities that they are granted upon reaching their 18th birthday. Teachers were given access to a test over the guide online. County bar associations will officially present the contest winners in their

The Oklahoma Bar Journal is proud to present the 2008 contest winners...

county with plaques and prize money later this school year.

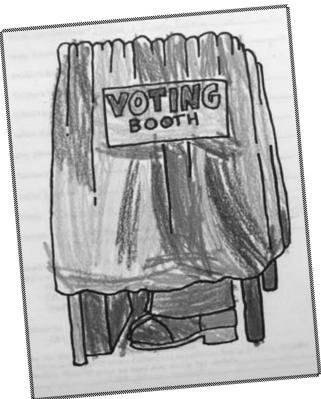


Coloring Contest Winners ★ Pre-Kindergarten ★



1st Place:
Piper Adair

Briggs Early Learning Center, Tahlequah Teacher: Jamie Wilder





Honorable Mentions:

Paisleigh Atwood, Morrison Elementary
Cameron Clark, Christian Heritage Academy, Del City
Darian Curry, Kirk Preschool, Tulsa
Laney Draper, Christian Heritage Academy, Del City
Ethan Howard, Kirk Preschool, Tulsa
Clay Hunter, Taloga Elementary
Keaundra Kirk, Briggs Early Learning Center, Tahlequah
Megan Lemieux, Christian Heritage Academy, Del City
Jadyn Nunley, Sterling Elementary
Lara Quickle, Sterling Elementary
Emma Reherman, Okarche Elementary
Sarah Sherrard, Christian Heritage Academy, Del City

and Place: **Baylor Coffman**

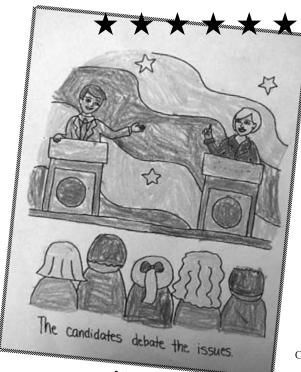
Christian Heritage Academy, Del City Teacher: Donna Alexander

Coloring Contest Winners ★ Kindergarten ★



1st Place: Stormy White Seiling Public School Teacher: Jan Smart





^{2nd Place:} Hannah Barrick

Cyril Elementary Teacher: Sherri Pierce



Honorable Mentions:

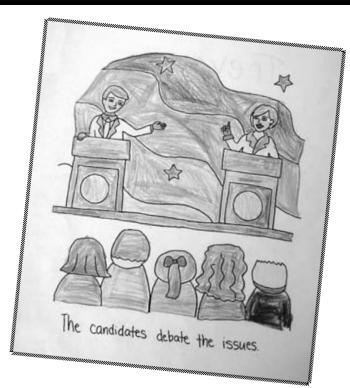
Elizabeth Bayless, Temple Elementary Derek Bright, All Saints Catholic School, Norman Rian Briggs, Emerson Elementary, Duncan Kenneth Leroy Calbert III, Vian Elementary Blake Chandler, Vian Elementary Gray Cloud, Vian Elementary Brooks Coffee, Vian Elementary Lauren Cyricacks, Maud Elementary Hannah Dillard, Maryetta School, Stilwell Chassidy Dixon, Emerson Elementary, Duncan Kayleigh Duncan, Maryetta School, Stilwell Ian Ellis, All Saints Catholic School, Norman Cooper Evans, Seiling Public School Julianne Fields, Broadmoore Elementary, Moore Sydney Flynn, Perkins-Tryon Elementary Nikiah French, Maryetta School, Stilwell Evelyn Hills, Seiling Public School Rosilyn Hodge, Broadmoore Elementary, Moore Sarai Huizar, Emerson Elementary, Duncan Samantha McEachern, Seiling Public School Joseph Wayne McMahon, Vian Elementary Evan Moore, Emerson Elementary, Duncan Catelyn Oblander, Westwood Early Childhood Center, Woodward Olivia Ortega, All Saints Catholic School, Norman Bobby John Smith, Vian Elementary Jayce Smith, Broadmoore Elementary, Moore Skyler Leo Spencer, Vian Elementary Katie Stephenson, Maryetta School, Stilwell Haylan Thompson, Maryetta School, Stilwell Raven Tomberlin, Seiling Public School Macie Vaught, Butner Elementary Lexie Vinson, Vian Elementary Cody Williams, Emerson Elementary, Duncan

Coloring Contest Winners ★ Transitional First Grade ★



1st Place: **Trevor Thompson**

Cordell Elementary Teacher: Sherri Goeringer





Honorable Mentions:

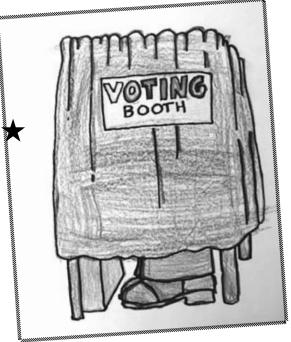
Cloie Banks, Cordell Elementary Kerrie Helt, Cordell Elementary Gage Madison, Cordell Elementary Gavin Penner, Cordell Elementary Jessica Shaffer, Cordell Elementary Creed Skidmore, Pleasant Vale Elementary, Enid





2nd Place: **Laura Schmidt**

Cordell Elementary Teacher: Sherri Goeringer



Drawing Contest Winners ★ First Grade ★



1st Place: Shayci Lee Wile

Taloga Elementary Teacher: Amber Coker



Honorable Mentions:

Angel Espinoza, Geary Elementary Cassidi Hindman, Pawhuska Elementary





2nd Place: **lvie Schwarz**

Covenant Community School, Stillwater

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Drawing Contest Winners ★ Second Grade ★





1st Place: Plizia Bishop

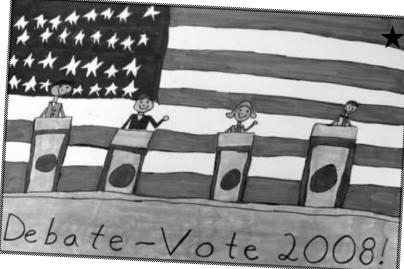
Maryetta School, Stilwell Teacher: Samilou Smith

Honorable Mentions:

Samuel Carroll, Bethany Earl Harris Elementary, Bethany Helen Dai, Covenant Community School, Stillwater Sprinkle Luellen, Jennings Public Schools Garrett McCrackin, Jennings Public Schools Hannah Morton, Maryetta School, Stilwell Dawson Robinson, Jennings Public Schools Landon Unger, Maryetta School, Stilwell







2nd Place: **Mattie Eagleton**

Maryetta School, Stilwell Teacher: Samilou Smith

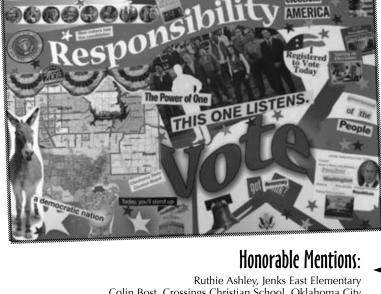
Collage Contest Winners ★ Third Grade ★



1st Place: **Thomas Stege**

Kolbe Academy, Norman Teacher: Marie Stege





Colin Bost, Crossings Christian School, Oklahoma City Clarissa Brocato, Covenant Community School, Stillwater Wanda Clark, Prague Elementary Matthew Craig Jr., Alex Elementary

Rayvin Diego, Alex Elementary Lily Everett, Covenant Community School, Stillwater Bayli Hyde, Burlington Public School Hannah Johannsson, Jenks East Elementary Kyndle Kirby, Cleveland Intermediate School

Haley Olson, Hilldale Elementary, Muskogee Miranda Opela, Prague Elementary Hima Patel, Watonga Elementary KC Patterson, Covenant Community School, Stillwater

Samuell Pearson, Alex Elementary Rebekah Peek, Covenant Community School, Stillwater

Eric Richter, Jenks East Elementary Evan Rolls, Covenant Community School, Stillwater Noelle Elizabeth Souter, Carnegie Elementary, Tulsa

Lauren Tran, Jenks East Elementary Greyson Vaughn, Jenks East Elementary Taryn Ward, Holy Trinity Christian School, Edmond

Matt Young, Jenks East Elementary



2nd Place: **Keegan Caldwell**

Pawhuska Elementary Teacher: June Foster

Collage Contest Winners ★ Fourth Grade ★



1st Place: **Bo Riggs**

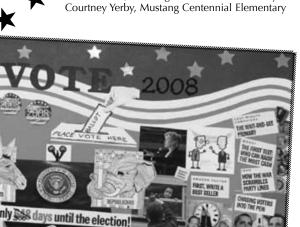
Prague Elementary Teacher: Barbara Hutchens





Honorable Mentions:

Claudia Baxter, Covenant Community School, Stillwater David Cagle, Home School, Jones Brianna Findley, Covenant Community School, Stillwater Salvador Martinez, Byng Elementary, Ada Thomas Patterson, Covenant Community School, Stillwater Natalie Reed, Mustang Centennial Elementary



2nd Place: **Joy Rong**

Covenant Community School, Stillwater Teacher: Ronda Peek

Diorama Contest Winners ★ Fifth Grade ★





1st Place: Dayeneirah Sampson

Hammon Elementary Teacher: Ms. Hawkins



Honorable Mentions:

Johnnie Coil, Prague Elementary Luke Fuqua, Prague Elementary Johannna Galvan, Prague Elementary Marci Howerton, Canton Elementary Bethany Richardson, Prague Elementary Diana Trujillo, Prague Elementary

2nd Place: **Michaela Farrill**

Prague Elementary Teacher: Barbara Hutchens





Diorama Contest Winners ★ Sixth Grade ★



1st Place: Lance Sessions

Canton Elementary Teacher: Jack Haub



*

Honorable Mentions:

Kelly Hickey, Canton Elementary Matthew McGuire, Canton Elementary Courtney Pritchett, Salina Middle School



★ Seventh Grade ★



1st Place: Rachel Peek

Covenant Community School, Stillwater Teachers: Emily Boozer



2nd Place: Paige Brocato

Covenant Community School, Stillwater Teacher: Emily Boozer

Creative Writing Contest Winners ★ Fifth Grade ★

The Day Joel Chose the President

It was a cold, crisp day on November 2, 2008, the day of the presidential election. Joel, our hero, who woke up and said to himself, "It is time to vote for the president;" Joel got dressed and was walking down the road thinking to himself, "Maybe I'll vote for the democrat." He kept walking very contentedly but then thought, "Never mind, democrats are socialists. I'll vote for the republican." But then he remembered that Alvin Yakatory, the republican candidate, wanted to keep the rich people rich and the poor people poor. Then he thought he would vote for Jason Steelflex, the democratic candidate.

Then he remembered that Jason wanted to have illegal immigrants pour into the U.S.A. and then try to give them voting rights. Not only does that increase the population but it also increases the rate of crime. Now, with that explanation, Joel really wanted to vote for the republican. But then he remembered that republicans didn't have the same heart for people as the democrats did.

Joel was pondering both sides very carefully. He thought things like, "Jason Steelflex has views on anti-abortion that I like but he owns several yachts and won't give any support to people that are not as privileged. On the other hand, Alvin Yackatory is supporting food stamps."

He didn't know who to vote for. He arrived at the voting booth. He weighed all the advantages and disadvantages of the candidates. In the end, he had carefully made sure that his vote would be the right one. He had beads of sweat streaming down his face. After ten minutes he voted for...Clum See Boy, the libertarian! California chose Libertarian candidate Mr. Boy by one vote!

Two months later, Clum was being sworn into office, Joel was watching this on the news. Clum said, "A special thanks to Joel Harkett, I heard he cast the last vote in California, swinging the Electoral College our way." That was how Joel chose the president.



1st Place: Luke Cagle

Home School, Jones Teacher: Ruthanna Kline Cagle

Honorable Mentions:

Ryan Chapdelaine, Canton Elementary
Anicia Cheney, Canton Elementary
Richard Combs, Canton Elementary
Desmond Fairbanks, Canton Elementary
Brent Harris, Canton Elementary
Kameron Owens, Canton Elementary
Edyn Rolls, Covenant Community School, Stillwater
Isaac Sanderson, Canton Elementary
Ethan Smoker, Canton Elementary
Rachel Watson, James Monroe Elementary, Oklahoma City

Creative Writing Contest Winners ★ Sixth Grade ★

The Fight

Once upon a time, there was an elephant and a donkey. They were rich rulers in there countries. They were well known and proud of it.

The two animals immigrated to America. They were ready to take over, to change the country. When they got there, they got a big surprise! They found that they had to be chosen by the citizens. They couldn't believe they had to "fight" each other, but other candidates.

The battle was on! The candidates' blood ran hot. They argued, they gave out things such as buttons and stickers, they shook hundreds of hands, spoke at numerous luncheons, and they argued some more! One day, in a candidate debate, the donkey said, "Who would want such a fat leader? Bray. Our children are not safe. He could step on them!"

Then the elephant said, "Hey, I would talk! I'm not the one who brays every time I talk!" The room got quiet. The other animals just sat there praying and hoping no one would say anything to them.

The time came for the people to decide. One by one, animal by animal, herd by herd, they came to vote. The votes were counted at the end of the day. The top two candidates would go on to run in the final round. After all the votes were in the winners were announced. "And the winner is...The elephant and the donkey!"

The donkey and the elephant were tired of all the negative campaigning. In fact, they had become fond of each other. Each felt the other would be a better leader. You will never guess what happened next. The donkey and the elephant joined together to form one party. They called themselves the "Elekey Party"

Today's parties – Democrats and Republicans, might have the mascots they do because of the way these animals acted. Maybe today's candidates could learn a thing or two from the donkey and elephant in this story. Taking the best parts of both parties and making one great one may be the answer.

2nd Place: **Taylor Barrick**

Empire Elementary, Duncan

To read Taylor's poem, go to www.okbar.org.



1st Place: **Katelyn Robinson**

Evangelistic Temple School, Tulsa Teacher: Rachel Keeney



Honorable Mentions:

Andrew Baker, St. Elizabeth Ann Seton, Edmond Celynne Beaudoin, St. Elizabeth Ann Seton, Edmond Casee Cole, Pond Creek-Hunter School Jake Dowdy, Evangelistic Temple School, Tulsa Jadyn Watson-Fisher, Evangelistic Temple School, Tulsa Melody Garrison, Canton Elementary Danielle Renee Gonzales, St. Elizabeth Ann Seton, Edmond Sarah Hanson, Evangelistic Temple School, Tulsa Adam Jester, St. Elizabeth Ann Seton, Edmond Davis Martin, St. Elizabeth Ann Seton, Edmond Bridget McGuire, St. Elizabeth Ann Seton, Edmond Brian Ralston, St. Elizabeth Ann Seton, Edmond loe Rohleder, St. Elizabeth Ann Seton, Edmond Zachary Scott, St. Elizabeth Ann Seton, Edmond Lauren Smith, St. Elizabeth Ann Seton, Edmond Nicole Smith, St. Elizabeth Ann Seton, Edmond Blair Tarman, St. Elizabeth Ann Seton, Edmond Nate Trotter, St. Elizabeth Ann Seton, Edmond Lauryn Tumpkin, Evangelistic Temple School, Tulsa

Creative Writing Contest Winners ★ Seventh Grade ★

How America Gained Its Freedom

Today we have the right To vote for whom we chose To be the ruler of our country Until the next election

Yet this was not always so Americans are free of Kings After years of bloody fighting In the war against England Our men cold and weary Willingly fought the British

Paul Revere and William Dawes Rode endlessly through the night To warn America of the advancing British And rushing to the field With their muskets in hand Came the Minutemen

The Lobsterbacks kept coming And our men stood their ground Until a shot rang through the air And when the smoke finally Left the area bare They saw the bodies of men lost Oh, the horrors of that day

We were suddenly plunged into war And at Bunker Hill the words of Colonel Prescott rang true: "Hold your fire until you see the whites of their eyes" We lost that battle even though they listened to the Colonel And we lost many more in time

But when Washington attacked Trenton Crossing the Delaware on Christmas night Victory was assured For the enemies were still jolly and merry Later Princeton fell to our cunning General as well

At Saratoga we had another victory Our men were scattered thorough the fields Until Benedict Arnold rallied them together

Soon the British marched past us hands raised And at Valley Forge the Marquis de Lafayette And Baron von Steuben trained the army Then our soldiers marched to and fro professionally Then we were a match for the British

Soon we persuaded the French to join our cause General Rochambeau arrived with men and arms Giving us more navel power To foil to the British at sea

Finally the war came to a close At Yorktown the British were surrounded The Americans cut-off all land escape routes While the French Navy cut them off by sea The British food and ammunition ran low And one morning when the sun rose---a glorious sight

The white flag came toward the American's battlements General Cornwallis surrendered Which brought the war to an end Making America a free and independent nation

Now in this free country We must take advantage of our liberty And vote for leaders Who will guide our nation Through times of war and peace

The Oklahoma Bar Journal





1st Place: Chandler Berrett

Evangelistic Temple School, Tulsa Teacher: Kelly Fidler

and Place: Margaret Barnes

Evangelistic Temple School, Tulsa Teacher: Kelly Fidler

To read Margaret's poem, go to www.okbar.org.

Honorable Mentions:

Emily Downing, Evangelistic Temple School, Tulsa Annabel Mueller, Evangelistic Temple School, Tulsa Rachel Payne, Maysville Jr. High School Jocelyn Michaela Puckett, Maysville Jr. High School Micah Reed, Evangelistic Temple School, Tulsa Emily Stanton, Evangelistic Temple School, Tulsa Justice Tarrant, Maysville Jr. High School

824

Creative Writing Contest Winners ★ Eighth Grade ★



1st Place: Patrick Ryan Bender

St. Elizabeth Ann Seton School, Edmond Teacher: Barbara Brearton



Honorable Mention:

Sebastian Pineda, Edison Middle School, Tulsa

2nd Place: **Destin Bement**

Edison Middle School, Tulsa Teacher: Linda Lance

To read Destin's poem, go to www.okbar.org.

The Death of Democracy

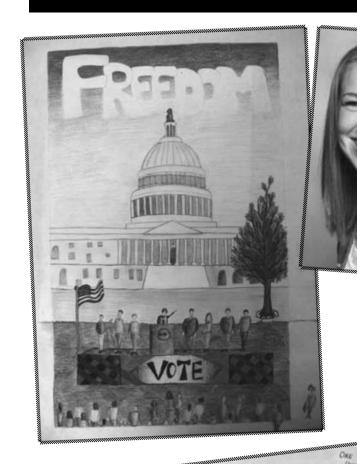
One year, not so very far in the future from now, Democracy died. At his wake, many citizens lined up to walk by his coffin and mourn. They sadly commented, "Wow, he was so young. He should have lived much longer. It was wonderful when he was alive." And "I never suspected that death could happen so fast. I would have done anything to keep him alive. What will we do without Democracy?" An old man in a tattered coat stood by the coffin long after most of the others had left. This man, once well known but now almost anonymous to most, was a very close friend of Democracy. He might have been the only one at the wake who truly understood what a terrible tragedy had occurred.

"Old friend," whispered Election. "I tried so hard to keep you alive. Earlier this year, not one single person had voted in any election, not even the candidates who were running." It was not just the big Presidential elections that bored voters; gradually voters ignored the elections for every official in the United States. Of course, there were many reasons for the decline. Some people said that they were all sure that someone else would vote. Others had more important things to do than vote, or believed their one vote could not have a real impact. Without participatory elections, the people of the United States did not fulfill their patriotic duty to responsibly choose their leaders. The leaders that direct our country must be elected by the people to stand for the people if they are to act for the good of the citizens of the United States what they really want and need.

Once adults ignored the simple tasks of registering, becoming informed, and going to the poles to vote, it became easier for selfish people with personal agendas to come to power in our country. As one election after another passed with gradually declining turnout at the poles, Democracy gradually became weaker. Democracy still could have been saved if people realized their error and changed their ways, for a vigorous electoral process was the only medicine that democracy really needed. Americans just would not or could not grasp that elections are democracy in action, and without elections, life as we know it would drastically change. As Democracy realized that Americans possessed the tremendous freedom to vote but could not bother to do it, he gradually lost the will to live.

In this time in the future when the mourners gathered for Democracy's farewell, the present government had decided that Americans did not need to have any say in their elections. These foolish citizens once thought that elections were not very important in their lives, but now they realized how wrong they were. People angrily commented that things were not going well for America and someone should do something about it. They never understood that they were the "someones" who failed to act. So the people at the wake mourned Democracy's death because they had never realized how much they would miss him when he was gone.

At the end of the wake, Election sadly turned to leave. An old woman stopped him and remarked, "Wait, don't I know you from somewhere?" Election looked at her for a while before replying, "Yes, but that was a long time ago." And then he left. He was not seen again in America.



1st Place: Allison Palmer

Ponca City High School Teacher: Tim Wehrle



2nd Place: **Emma Krottinger**

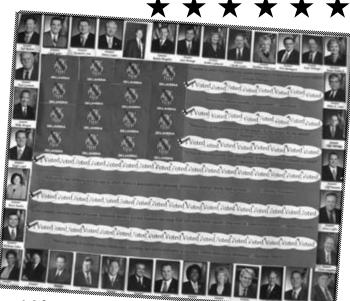
Ponca City High School Teacher: Tim Wehrle

Honorable Mentions:

Jessica Black, Colbert High School
Brett Cargal, Ponca City High School
Brittany DeLaney, Ponca City High School
Emily Ford, Colbert High School
Ashley Gray, Colbert High School
Courtney Levy, Evangelistic Temple School, Tulsa
Peter C. Mackay, Evangelistic Temple School, Tulsa
Cassi Mattingly, Colbert High School
Evan McEnroe, Ponca City High School
Ernasten Primeaux, Ponca City High School
Arvin Sepehr, Evangelistic Temple School, Tulsa
Kailey Young, Ponca City High School







and Place:

Reagan Gill

Claremore High School, Teacher: Jan McClaren



1st Place: Kelsey Taylor Hall

Claremore High School Teacher: Jan McClaren

Honorable Mentions:

For Creative Writing:

Megan Bell, Mingo Valley Christian School, Tulsa Morgan Burkhardt, Claremore High School Jessie Cowles, Evangelistic Temple School, Tulsa Marcus Gonzalez, Lawton High School Kayla Hope, Lawton High School Kori L.M. Hughes, Lawton High School Conner Jones, Lawton High School Laurel Lamb, Lawton High School Sarenna Lawson, Lawton High School Jaylen Lewis, Lawton High School Marion Owens, Lawton High School Christian Quick, Evangelistic Temple School, Tulsa Lacy Reinke, Lawton High School Richard Starr, Claremore High School Kaitlyn Stockton, Lawton High School Colton Stout, Colbert High School Rachel Thomas, Evangelistic Temple School, Tulsa Nate Thornburg, Lawton High School Shelby Wagner, Lawton High School Nicole Woodley, Lawton High School Tavia Zarubin, Evangelistic Temple School, Tulsa

For Art:

Brittany Klassen, Ponca City High School Kaelynn McClelland, Ponca City High School Mathew Morgan, Ponca City High School Adam Richardson, Claremore High School Courtney Stein, Ponca City High School Sarah Wheeler, Ponca City High School

1st Place: Bryan Lindsley

Claremore High School Teacher: Jan McClaren

Elections

The peaceful exchange of power, The power to evoke change, Change in a nation, A nation whose voice is heard, A voice which spans diversity, A diversity that unifies, A unification that creates power, A power that governs the voiced, The voiced which creates a democracy, A democracy actioned by elections, Elections which preserve freedom, Freedoms that ensure rights, Rights that have endured, Endurance secured through rotation, Rotation of the public into office, Offices of influence elected, Elected controlled by the people, People choosing their future, Future generations looking to the past, The past providing answers, Answers of democracy and example, Examples of elections working, Workers electing winners, Winners hoping for reelection, Reelection based on performance, Performance altering public opinion, Opinions based on feelings and facts, Facts proving effectiveness, Effectiveness keeping the peace, Peace continuing with elections,



For Creative Writing:

Sean Barton, Lawton High School
John Paul Brammer, Lawton High School
Logan Burk, Lawton High School
Cameron Dooley, Lawton High School
Myriah Elliz, Lawton High School
Hayley Erwin, Lawton High School
Kayla M. Farris, Lawton High School
Jon Fields, Lawton High School
Keeli Garroutte, Claremore High School

Savannah McAllister, Lawton High School Jake McClure, Lawton High School Rachel McGlothlin, Lawton High School Victor Murley, Lawton High School Will Reinke, Lawton High School

Dillon Roberts, Lawton High School Spencer Sharpe, Evangelistic Temple School, Tulsa Kaitlyn Taylor, Lawton High School Meagan Taylor, Lawton High School Robert Valentin, Lawton High School Madison Taelor Wells, Lawton High School

Jenny Whitaker, Lawton High School Brooke Wikstrom, Lawton High School Brittney Wilson, Claremore High School

For Art:

Brooke Brock, Mingo Valley Christian School, Tulsa Stoney Golay Jr., Ponca City High School Michelle Powell, Ponca City High School Cash Putnam, Ponca City High School Rachel Selby, Mingo Valley Christian School, Tulsa



2nd Place: **Daniel Patrick**

Ponca City High School, Teacher: Tim Wehrle



Elections democracy in action.

★ 12th Grade ★

"November 4, 2008"

(An original song)

Intro:

Verse 1: November 4, 2008

Election Day - in every state

November 4, 2008

Who will win? - which presidential candidate?

Verse 2:

We have the right and opportunity To use our power granted by democracy In the USA, we have the choice To be silent – or to use our voice

Chorus 1:

Democracy

It's a guarantee

That in the land of the free You will be heard

Democracy

Oh please, hear my plea

I know we can all agree You need to be involved

We need your vote this upcoming election

Check a box – make a selection

Does this make sense? - do you understand?

Our nation's next leader rests completely in your hand

Repeat Chorus 1: (x2)

Bridge: (x4)

Here's your chance to make a difference

It's your time to change the world

Repeat Chorus 1:

(key change)

Chorus 2:

Election Day

It's not that far away

Go ahead and display

Democracy

Election Day

Oh and by the way

Hear me when I say

You won't wanna miss out

November 4, 2008

Election Day - I can't wait



1st Place: Ryan Thomas

Evangelistic Temple School, Tulsa Teacher: Lorrie Quinnelly



Honorable Mentions:

For Creative Writing:

Morgan Grazier, Keves High School Huston Hulse, Evangelistic Temple School, Tulsa Jerime R. Julson, Evangelistic Temple School, Tulsa Kandyce Moore, Evangelistic Temple School, Tulsa Chris Swanson, Evangelistic Temple School, Tulsa Jasmine Ware, Midwest City High School

For Art:

George Garton, Ponca City High School Eric Moffitt, Mingo Valley Christian School, Tulsa

and Place: Mark A. Stewart

Evangelistic Temple School, Tulsa Teacher: Lorrie Quinnelly

To read Mark's poem, go to www.okbar.org.



DISSOLUTION OF MARRIAGE - THE BASICS

A Seminar for New Attorneys • Wednesday, May 7, 2008 Conference Center, OSU Tulsa, 700 North Greenwood, Room 150 MCLE Credit of 7 Hours

FREE for Attorneys Actively Serving on a Pro Bono Panel

	AGENDA
8:30 a.m.	Registration
9:00 - 9:55	Military Law for Family Attorneys by William G. LaSorsa, Attorney
9:55-10:45	
*A **D	Nuts and Bolts of a Dissolution Case 1 by Julie Goree, Attorney, Legal Aid Services of Oklahoma, Inc.
**B	"Change Is GoodOr Is It? When To Modify and When Not To Modify" by Melissa Cornell, Attorney, Robertson Cornell
10:45 - 11:00	BREAK
11:00 - 11:50	No. 10 had a Dividition Comp. 2 had the Comp. Attended Aid Comings of Oldshame Inc.
*A **B	Nuts and Bolts of a Dissolution Case 2 by Julie Goree, Attorney, Legal Aid Services of Oklahoma, Inc. Advanced Jurisdiction by Marianne Blair, Professor, University Of Tulsa College of Law
_	,
11:50 – 1:15 1:15 – 2:05	LUNCH (On your Own) Basic Custody by C. Michael Zacharias, Attorney
2:05 – 2:55	Working With DHS
2:00 - 2.55	How to Get DHS Records by Catherine O'Leary, Legal Department, DHS
	Involving the Child Support Office in Your Case by Amy Wilson, Legal Department, DHS
2:55 – 3:15	BREAK
3:15 – 4:05	Mediation Panel: J. Kenton Francy, Attorney, Francy Law Firm
	Norma Eagleton, Attorney, Eagleton Eagleton & Harrison Daniel Boudreau, Former Justice of the Oklahoma Supreme Court
4:05 - 5:00	Domestic Violence
	The Role of DVIS by Kelly Bell, Legal Department, DVIS
	How To Get Protective Orders by The Honorable Rodney Sparkman, Tulsa County District Court
	What Happens in the Courtroom by The Honorable Wilma Palmer, Tulsa County District Court
	*A - Basic Track **B - Advanced Track
	SEMINAR REGISTRATION - DISSOLUTION OF MARRIAGE - THE BASICS
☐ Ple	ease register me. I am an active member of my local Pro Bono Panel
□ Sig	gn me up as a Pro Bono Attorney and register me for the seminar
Name	Phone () FAX ()E-MAIL
Firm	OBA No
Address	
Stre	eet City Zip County
Pick One: □	Option A: Basic custody and child support Mail Your Registration to:
П	Option B: Advanced custody and child support Legal Aid Services of OK
Questions? Kai	ren Langdon, 918-295-9422 or 1-800-299-3338 423 S. Boulder Ave., # 200 Tulsa, OK 74103 or FAX 918-584-3060



















County Law Day Chairpersons

Adair Ralph F. Keen II (918) 696-3355

Alfalfa Marcus A. Jungman (580) 596-3591

Atoka Shannon Reasor (580) 889-3343

Beaver Todd Trippett (580) 625-4597

Beckham J. Cade Harris (580) 225-5777

Blaine Mike Cunningham (580) 623-7400

Bryan Chris Jones (580) 924-1444 and Whitney Kerr (580) 745-9311 and Matt Mickle (580) 920-8742

Caddo Amos Black IV (405) 247-2548

Canadian Eva Fancher (405) 354-3972

Carter John Veazey (580) 223-1942

Cherokee Park Medearis (918) 456-4848

Choctaw J. Frank Wolf III (580) 326-6427

Cimarron Stanley Ed Manske (580) 544-2571 Cleveland Sam Talley (405) 830-2652

Coal Trae Gray (580) 927-2314

Comanche Paul J. Sowinski (580) 248-4675

Cotton Kathleen Flanagan (580) 875-2136

Craig Brandon L. Baker (918) 256-7511

Creek Jennifer Ward (918) 227-4682

Custer Andrew Carruth (580) 772-7721 and Luke Adams (580) 323-3964

Delaware Christy Wright (918) 253-4215

Dewey Judge Rick Bozarth (580) 328-5521

Ellis Laurie E. Hays (580) 885-7503

Garfield David Henneke (580) 237-1600

Garvin George Burnett (405) 238-7368

Grady John H. Graves (405) 360-7555

Grant Judge Jack D. Hammontree (580) 395-2258

Greer Eric Yarborough (580) 782-3653

Harmon Judge Mike Warren (580) 688-2553

Harper Judge G. Wayne Olmstead (580) 735-2222

Haskell Thomas H. Conklin III (918) 967-4661

HughesRobert L. Irby (405) 379-5429

Jackson Sommer Robbins (580) 480-3601

Jefferson William W. Eakin (580) 228-3514

Johnston Dustin Rowe (580) 371-9561

Kay K. Wayne Lee (580) 765-2541

Kingfisher Paul I. Schulte (405) 375-4165

Kiowa William E. Gentry (580) 726-2301

Latimer F. Nils Raunikar (918) 465-1000

LeFlore Gary Briggs (918) 647-8136 Lincoln

Sarah L.

Soderstrom-Bridge (405) 517-6648

Logan

William Wheeler Jr. (405) 808-1131

Love

Richard A. Cochran Jr. (580) 276-5111

Major

Mitchell A. Hallren (580) 227-4449

Marshall

Jeffrey S. Landgraf (580) 795-3397

Mayes

Ryan M. Roberts (918) 825-4558

McClain

Ben D. Baker (405) 527-8001

McCurtain

Kevin T. Sain (580) 208-2880

McIntosh

Chris Bone (918) 473-4404

Murray

Aaron Duck (580) 622-3218

Muskogee

Tom Wright (918) 682-0091

Noble

Sarah Kennedy (580) 336-9244

Nowata

Linda M. Gambill-Branstetter (918) 273-2200

Okfuskee

Donald West McFarland (918) 623-2717

Oklahoma

John Heatly (405) 232-0621

Okmulgee

Javier Ramirez (918) 756-3391

Osage

Steven G. Venturi (918) 287-1700

Ottawa

Ken Gallon (918) 540-1818 Pawnee

Pat Pickerill (918) 358-2244

Payne

Mozella Irwin-Smith (405) 612-3965

Pittsburg

J. Michael Miller (918) 302-1000

Pontotoc

Karen Thomas (580) 332-2545

Pottawatomie

Bill Haselwood (405) 273-2332

Pushmataha

Gerald C. Dennis (580) 298-5082

Roger Mills

Pat VerSteeg (580) 497-2431

Rogers

Mark Antinoro (918) 343-4100

Seminole

Judge Timothy Olsen (405) 257-3386 Sequoyah

Kent Ghahremani (918) 775-5900

Stephens

Joshua A. Creekmore (580) 255-8726

Texas

Thad Parsons (580) 652-3322

Tillman

Bradford L. Benson (580) 335-7541

Tulsa

Ken Williams (918) 594-0519

Wagoner

Amy B. McFarland (918) 485-2147

Washington

Remona K. Colson (918) 336-1605

Washita

Scott Mason (580) 832-3848

Woods

Westline Ritter (580) 327-1511

Woodward

Mike Meinders (580) 254-5551

If your county information has changed, please contact Melissa Brown, melissab@okbar.org.





County Bar Association **Activities**

★ ★ Alfalfa County Bar Association

The Alfalfa County Bar Association will participate in the Ask A Lawyer program in conjunction with the statewide campaign to answer legal questions by phone from 7 - 9 p.m. on May 1.

★ ★ Beaver County Bar Association

The Beaver County Bar Association will participate in the Ask A Lawyer program in conjunction with the statewide campaign to answer legal questions by phone from 7 - 8 p.m. on May 1.

★ ★ Beckham County Bar Association

The Beckham County Bar Association will be answering questions on air at KECO radio in Elk City from 5 – 6 p.m. on May 1. The association will also participate in the Ask A Lawyer program in conjunction with the statewide campaign to answer legal questions by telephone from 6 – 8 p.m. Attorneys will attend local high schools to speak with students about their legal rights and responsibilities when they turn 18 as well as the dangers of drinking and driving from a legal aspect, i.e. the costs associated with court and attorney's fees and the possible punishments ranging from misdemeanor and felony DUIs combined with the Department of Public Safety hassles.

★ ★ Bryan County Bar Association

The Bryan County Bar Association is sponsoring contests for local school children with a coloring contest for kindergarten through third graders, a poster contest for grades fourth through sixth, an essay contest for seventh through ninth graders, and an essay contest for 10th through 12th graders. Attorneys will also be visiting local schools during the month leading up to Law Day

During the week leading up to Law Day, members of the county bar will write articles for publication in a local newspaper, with one article appearing each day before and on Law Day. An advertisement will run in the local newspaper with the local attorneys' names and photos on Law Day, with a group photograph taken especially for Law Day.

The Bryan County Bar Association will participate in the statewide Ask a Lawyer program in conjunction with the statewide campaign to answer legal questions by phone from 6-7 p.m.

Finally, the association has created a committee to put together a centennial biographical sketchbook of all local attorneys who have practiced in Bryan County since 1957 to supplement an earlier biographical sketchbook done for the bicentennial. The project is scheduled to be completed before



Law Day and to be distributed as part of the Law Day celebration.

★ ★ Carter County Bar Association

The Carter County Bar Association will begin its celebration of Law Day with a luncheon hosted by the Ardmore Lions Club on April 17. The luncheon will feature an address from J. William Conger, Oklahoma Bar Association president. Following the luncheon, the association will promote this year's theme by sponsoring two voter registration drives. The first drive will be held at Mountain View Mall in Ardmore on Saturday, April 26, and the second drive will be held at the Ardmore Higher Education Center on Wednesday, April 30. The association will conclude its Law Day activities by participating in the statewide Ask A Lawyer program. The association will be prepared to answer questions by telephone from 7 - 8 p.m. on May 1.

★ ★ Choctaw County Bar Association

The Choctaw County Bar Association will participate in the Ask A Lawyer program in conjunction with the statewide campaign to answer legal questions by phone from 7 – 8 p.m. on May 1.

★ ★ Cimarron County Bar Association

The Cimarron County Bar Association will participate in the Ask A Lawyer program in conjunction with the statewide campaign to answer legal questions by phone from 7 - 9 p.m. on May 1.

★ ★ Cleveland County Bar Association

The Cleveland County Bar Association, in celebration of Law Day's 50th anniversary nationally (and 55th in this state), has planned a variety of activities in the local communities of Norman, Noble, Moore and Lexington from April 28 through May 2. Law Day will be officially recognized by Cleveland County on Thursday, May 1, although there will be events the entire week. Once again, the goal of this local bar will be to reach out to the County's youth and educate them about the legal system, the law and help them realize how the law affects them.

Voter registrations will again be set up at local high schools to encourage students over the age of 18 to take part in this year's elections. The local bar has also set a goal to have at least one volunteer speaker at every paro-

chial and public school that will be obliged to host one within the county. To volunteer as a speaker for a school, please contact Sam Talley at (405) 364-8300.

Local lawyers, an OU law professor, and judges from Cleveland County will be writing articles for The Norman Transcript for the entire week of April 28 through May 2. These articles will focus on the writer's topic of choice and will touch on such areas like criminal law, juvenile law and recent national topics of interest.

The Cleveland County Bar Association will participate in the Ask A Lawyer program from 6:30 p.m. to 8:30 p.m. on May 1 in conjunction with the television program held by the state bar to answer legal-related questions by phone.

To conclude the events of Law Day, a reception will be held on May 2.

★ ★ Comanche County Bar Association

On May 1, the Comanche County Bar Association will sponsor its annual Law Day Luncheon. This year's event will be held at Fort Sill's Patriot Club. Members of the Comanche County Bar along with attorneys from the Office of the Staff Judge Advocate General's Office and the Fort Sill Legal Assistance Office will join together to celebrate this annual Law Day Luncheon. The luncheon begins at 11:30 a.m. and features Judge Sam A. Joyner, United States Magistrate of the Northern District of Oklahoma, as the keynote speaker. During the luncheon, the Comanche County Bar Association will present its annual scholarship awards to five local high school students in Comanche County based on their community involvement and academic potential. The Comanche County Bar Association has been involved in supporting academic excellence and higher education for more than two decades. In addition, Legal Aid Services of Oklahoma Inc., in conjunction with the Comanche County Bar Association, will present its annual pro bono award to a deserving bar member. On May 2, at 8:30 a.m. the association will have its annual golf outing at Fort Sill. The Comanche County Bar Association will also be participating in the Ask A Lawyer program from 6:30 p.m. to 8 p.m. on May 1 in conjunction with the television program held by the state bar to answer legal related questions by phone.

★ ★ Creek County Bar Association

The Creek County Bar Association will participate in the Ask A Lawyer Program in conjunction with the statewide campaign to answer legal questions by phone. This program is promoted throughout the communities in Creek County by fliers, local newspapers and also through the statewide promotion of this program. A special Law Day insert will be published in the Sapulpa Herald with articles addressing common legal issues and providing the community with resources and information to help with topics affecting the community such as domestic violence, coping with mental health, child abuse and legal aid. This will be the second year this insert has been published. Members of the Creek County Bar will also man voter registration booths for the local high schools to encourage young people to register to vote. Members of the Creek County Bar will speak at local schools regarding the importance of voting and the changes that have been accomplished through participation in the democratic process. The association will also conduct cook-outs in the communities where voter registration can be accomplished.

★ ★ Custer County Bar Association

The Custer County Bar Association will participate in the Ask A Lawyer program in conjunction with the statewide campaign to answer legal questions by phone from 6 - 8 p.m. on May 1.

★ ★ Hughes County Bar Association

The Hughes County Bar Association will participate in the Ask A Lawyer program in conjunction with the statewide campaign to answer legal questions by phone from 9 a.m. to 5 p.m. on May 1.

★ ★ Johnston County Bar Association

The Johnston County Bar Association is hosting an essay contest for county seventh graders.

★ ★ Kay County Bar Association

The Kay County Bar Association will participate in the Ask A Lawyer program in conjunction with the statewide campaign to answer legal questions by phone from 7 - 9 p.m. on May 1.

★ ★ Latimer County Bar Association

The Latimer County Bar Association will participate in Ask A Lawyer by answering telephone calls from 7 – 8 p.m. on May 1 in conjunction with the OETA program. The LCBA will also speak to local service organizations about the origins and importance of Law Day.

★ ★ Lincoln County Bar Association

The Lincoln County Bar Association is planning three events for Law Day 2008. On May 2, Lincoln County will have its annual Law Day picnic. Lincoln County will also host its annual fourth grade mock trials in the cases of The Three Little Pigs v. Big Bad Wolf and The Three Bears v. Gold E. Locks. The Lincoln County Bar Association will also participate in the Ask A Lawyer program in conjunction with the statewide campaign to answer legal questions by phone from 7 – 8 p.m.

★ ★ Marshall County Bar Association

The Marshall County Bar Association will participate in the Ask A Lawyer program in conjunction with the statewide campaign to answer legal questions by phone from 7 - 8 p.m. on May 1.

There will be a Law Day celebration on May 7 at the Marshall County Courthouse for Madill fifth graders. Speakers from different areas of the court system, a hands-on election and a mock trial will be some of the items on the program's agenda.

★ ★ Mayes County Bar Association

The Mayes County Bar Association will participate in the Ask A Lawyer program in conjunction with the statewide campaign to answer legal questions by phone from 7 - 8 p.m. on May 1.

★ ★ McClain County Bar Association

The McClain County Bar Association will participate in the Ask A Lawyer program in conjunction with the statewide campaign to answer legal questions by phone from 7 - 8 p.m. on May 1.

★ ★ McCurtain County Bar Association

On March 27, the McCurtain County Bar Association and the Tri-County Bar Association hosted the OBA Board of Governors banquet in conjunction with Law Day activities. The banquet was held at the Museum of the

Red River in Idabel. Entertainment was provided by Dr. Michael Johnson, an Oklahoma cowboy, award winning author and national magazine columnist.

On May 1, the McCurtain County Bar Association will participate in the Ask A Lawyer program locally and in conjunction with the statewide campaign to answer legal questions by phone from 7 - 8 p.m. Also, on April 26, beginning at 8:30 a.m., the public is invited to call Broken Bow radio station KKBI where local attorneys will be answering questions live.

Local attorneys will speak at schools in McCurtain County throughout the months of March and April.

★ ★ McIntosh County Bar Association

The McIntosh County Bar Association will participate in the Ask A Lawyer program in conjunction with the statewide campaign to answer legal questions by phone from 7 - 8:30 p.m. on May 1.

★ ★ Muskogee County Bar Association

The Muskogee County Bar Association will participate in the Ask A Lawyer program in conjunction with the statewide campaign to answer legal questions by phone.

★ ★ Nowata County Bar Association

Nowata County bar members will be providing pro bono services.

★ ★ Okfuskee County Bar Association

The Okfuskee County Bar Association will participate in the Ask A Lawyer program in conjunction with the statewide campaign to answer legal questions by phone from 7 - 8 p.m. on May 1.

★ ★ Oklahoma County Bar Association

The Oklahoma County Bar Association is sponsoring the luncheon this year featuring Judge Jerome Holmes, U.S. 10th Circuit Court of Appeals. The luncheon is set for noon, Thursday, May 1 at the Sheraton Hotel in downtown Oklahoma City. Drawing on his varied experiences as a law clerk, federal prosecutor, practicing attorney and appellate judge, Judge Holmes will bring a unique perspective to this year's Law Day theme. There will also be a recognition of the Journal Record's "Lawyers in Leadership," presentation of the *Journal Record Award* and presenta-

tion of the Liberty Bell Award. The centerpiece stuffed animals will be donated to several of the police departments in eastern Oklahoma County. Tickets are available by calling the OCBA at (405) 236-8421.

Volunteers will be handling phone calls from 8:45 a.m. to 9 p.m. on May 1. Mike Blaschke will be chairing this subcommittee with assistance from Mike Krasnow and Lance Leffel.

The Central Oklahoma Association of Legal Assistants (COALA) will be sponsoring approximately 20 high school students who will mentor with judges, attorneys and legal assistants during the morning of May 1. Students will then attend the Law Day Luncheon and tour the Oklahoma County Courthouse.

The Oklahoma County Law Library is getting involved in Law Day by celebrating a week of special events. Law Library Administrator Venita Hoover is working to provide a variety of services and daily presentations.

The OCBA Douglass High School Task Force will sponsor the moot court team members at the Law Day Luncheon where they will be recognized for their outstanding efforts this year.

The OCBA Law Day Committee is providing lists of speakers at various civic clubs and other venues in Oklahoma County. These groups have been contacted in an attempt to provide legal speakers during the Law Day week

★ ★ Okmulgee County Bar Association

The Okmulgee County Bar Association will participate in the Ask A Lawyer program in conjunction with the statewide campaign to answer legal questions by phone from 7 – 8 p.m. on May 1.

★ ★ Payne County Bar Association

The Payne County Bar Association will participate in the Ask A Lawyer program in conjunction with the statewide campaign to answer legal questions by phone from 6 – 9 p.m. The association will also offer legal advice at the Stillwater Public Library from 7 a.m to 7 p.m. on May 1.

The association will also be holding a Piggy Back State Contest. The deadline to enter in the county contest is April 15.

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On May 1, the Honors Docket will be held in Judge Worthington's courtroom at 1:30 p.m.

On May 6 the Payne County Bar Association will host a Law Day bowling tournament. Law Day activities will conclude with an annual banquet featuring Burns Hargis on May 8.

★ ★ Pittsburg County Bar Association

The Pittsburg County Bar Association is having its Law Day dinner at Pete's Place on May 2 at 7 p.m. Rep. Dan Boren will be the speaker.

★ ★ Pontotoc County Bar Association

A mock presidential election will be held at area middle schools to emphasize the 2008 theme of "Elections: Democracy in Action." Students will be provided ballots and an overview of the election process, followed by a question and answer session. Mock election results will be announced by the schools. Pontotoc County will also participate in the Ask A Lawyer program in conjunction with the statewide campaign to answer legal questions by phone. The association will be prepared to answer questions by telephone from 6 - 9 p.m. on May 1.

★ ★ Rogers County Bar Association

The Rogers County Bar Association will participate in the Ask A Lawyer program in conjunction with the statewide campaign to answer legal questions by phone from 7 - 8 p.m. on May 1.

★ ★ Seminole County Bar Association

The Seminole County Bar Association is having its Law Day luncheon on April 30.

★ ★ Sequoyah County Bar Association

The Sequoyah County Bar Association will participate in the Ask A Lawyer program in conjunction with the statewide campaign to answer legal questions by phone from 6:30 – 8:30 p.m. on May 1.

★ ★ Stephens County Bar Association

On Friday, May 2, the Stephens County Bar Association will hold its annual Law Day luncheon and golf tournament at the Elk's Golf and Country Club in Duncan. The luncheon will begin at 11:45 a.m. and the golf tournament at 1:30 p.m. Judge Gary L. Lumpkin, presiding judge of the Oklahoma Court of

Criminal Appeals, will be the guest speaker. The Liberty Bell Award for outstanding civic leadership in Duncan and the James C. Benson award for outstanding service to Stephens County will both be presented during the luncheon. Tickets for the luncheon are \$15 and can be purchased at the Stephens County District Attorney's Office. You can reserve a place in the golf tournament by contacting Joshua Creekmore at (580) 255-8726.

★ ★ Texas County Bar Association

The Texas County Bar Association will participate in the Ask A Lawyer program in conjunction with the statewide campaign to answer legal questions by phone from 7 – 8 p.m. on May 1.

★ ★ Tillman County Bar Association

The Tillman County Bar Association will participate in the Ask A Lawyer program in conjunction with the statewide campaign to answer legal questions by phone from 6 – 8 p.m. on May 1.

★ ★ Tulsa County Bar Association

As a precursor to Law Week, the Tulsa County Bar Association and the Tulsa County Bar Foundation sponsored the naturalization ceremony at the United States Courthouse in the Northern District Courtroom 1 on April 9. Fifty to 55 new naturalized citizens were present. Local students and TCBA members had the pleasure of greeting new citizens after Judge Claire Egan inducted them. Also, about 50 Hamilton Middle School children were guests of the TCBA for the ceremony. At Hamilton, TCBA sponsors a lunch buddy program and runs a Law Career Day Fair each year, among other activities at the school.

TCBA member Marvin G. Lizama spoke on behalf of the TCBA concerning his own experiences with the naturalization process. Mr. Lizama was born in Honduras, Central America. In 1992, Mr. Lizama became a naturalized U.S. citizen and that same year, he was able to participate for the first time in the electoral process during the presidential election of 1992.

* * * * Student Art Contest

Tulsa County schools and students are working on their contest entries for the Law Week Student Art Contests. Judging will be held in Law Week and cash prizes awarded at the Community Law Fair on April 26. Deadlines for entries to the bar center is April 18. Contact Chair Rodney Buck at (918) 494-2483 or rlbuck@saintfrancis.com for more information.

Lawyers in the Library

Lawyers in the Library is back again and will be held on Monday, April 28, from 9 a.m. to 4 p.m. in the Tulsa County Law Library. Lawyers in the Library is a long-standing Law Week event, offering the community free advice sessions on a variety of topics. Last year, 22 volunteer attorneys assisted 102 patrons with their legal questions. From 1 - 4 p.m., Marvin Lizama, a Spanish-speaking attorney, will be available. Volunteer lawyers are asked to sign up for a one-or two-hour time slot, but can assist for any length of time if they are not available for a full one-hour period. Consultations are 15-minute sessions offered on a walk-in basis. Sign-up forms will be available at the Tulsa County Bar Association offices, Law Library and the Tulsa Lawyer. Contact Joyce Pacenza at jpacenza@tulsacounty.org or Leonard Pataki at lpataki@dsda.com to volunteer.

* * * * Ask A Lawyer

The Ask A Lawyer program provides free legal consultation with the members of the bar association as a public service to the community and to maintain good will with the public. Tulsa County Bar Association and the Tulsa County Bar Auxillary will jointly sponsor this program from 9 a.m. to 9 p.m. at the OETA studios on N. Sheridan Road. Volunteers are needed for two or more hour shifts to staff the phones. To volunteer, contact Co-Chairs Judge Dan Crawford at (918) 749-8904; liondc@gmail.com or Jason Bashforth at (918) 591-5296; jbashforth@dsda.com.

* * * * Law Week Luncheon

This year's keynote speaker will be Dr. Paul F. Boller, a national best-selling author, noted lecturer and awarded teacher. He will be entertaining and timely in his comments about our theme, "Elections: Democracy in Action." The title of his speech will be, "American Presidential Campaigns through the Years." The Law Week Luncheon will be

held May 2, at noon at the Downtown Doubletree Hotel in Tulsa. Forms are available in the Tulsa Lawyer or online at www.tulsabar. com. No walk-ins and no reservations after April 28.

* * * * Community Law Fair

The Tulsa County Bar Association will sponsor the Law Fair at Promenade Mall to provide an opportunity for Tulsa-area charitable and legal services organizations to gather together in a public way to inform the public about the services they provide. The Law Fair will be held May 3, from 10 a.m. to 2 p.m. Contact Chair Lindsay McDowell at (918) 582-1173 or ljmcdowell@rhodesokla.com for more information or to reserve a space.

Mock Trial for Elementary Students

Lawyers are scheduled to select jurors soon in the much anticipated Gold E. Locks v. The Bears case to be tried in April during Law Week 2008. Lead counsel Michael Ashworth and Chuck Woodstock are preparing for the trial to be presided over by Judge Mary F. Fitzgerald. The community was shocked to learn of the break in at the home of Mr. and Mrs. Bear where their porridge was eaten, their beds slept in and their young child's chair was broken to bits. Gold E. Locks remains out on bond.

This event is sponsored by the TCBA and the Tulsa Public Schools. This year it will be held at Eugene Field School on April 28. About 200 students will attend from second to the fifth grades and about 10 teachers. Students will also participate as counsel and students and faculty will play the parts. TPS Principal Cindi Henn will also play a role. Contact Chair Charles Woodstock at (918) 583-1511; woodstocklaw@aol.com or Judge Daman Cantrell at daman.cantrell@oscn.net for details.

* * * * Liberty Bell Award

The Liberty Bell Award will be presented at the Law Week Luncheon on May 2. This award recognizes a non-lawyer individual or entity for outstanding service to the community in striving to provide access to justice for all. Contact Chair Judge Richard Woolery at (918) 227-4080 or richard.woolery@oscn.net for additional information about this award or to add nominations for future consideration.

Free CLE for Pro Bono Panel Members

In appreciation for the pro bono legal services of its volunteers, Legal Aid Services of Oklahoma Inc. provides free CLE to the pro bono panel members. This year's seminar, "Dissoulution of Marriage - The Basics," will be presented at OSU-Tulsa on May 7 from 9 a.m. to 5 p.m. Contact Karen Langdon at (918) 295-9422 or karen.langdon@laok.org for further details.

* * * * Lakeside Home Mock Court Team Presentation

The Lakeside Home Mock Court Team will present a demonstration of a portion of their mock trial competition to students at Collinsville High School, Owasso High School and Thoreau Demonstration Academy. Lakeside residents will share their stories about what got them into the court system and what they have learned. The Lakeside team is in its fifth year of the high school Mock Trial competition.

* * * * Tulsa Attorneys Supporting Kids (TASK) Project

Committee members will select one or two Tulsa area organizations to benefit from this effort. Both cash and in-kind donations are needed. For details on specific needs, or how to contribute, contact Chair Chad McLain at (918) 582-6900 or chadmclain@gblaw.org.

★ ★ Woodward County Bar Association

The Woodward County Bar Association will participate in the Ask A Lawyer program in conjunction with the statewide campaign to answer legal questions by phone. Additionally, bar members will visit high schools in Woodward County to advise seniors on legal issues they may face as young adults.



JAMES R. WINCHESTER



SUPREME COURT OF OKLAHOMA STATE OF OKLAHOMA

STATE OF OKLAHOMA ROOM 245 STATE CAPITOL OKLAHOMA CITY, OKLAHOMA 73105 (405) 521-3842 FAX (405) 528-1607

OKLAHOMA SUPREME COURT DIRECTIVE

OBSERVANCE OF LAW DAY MAY 1, 2008

"Elections: Democracy in Action"

Each Court in each of the twenty-six judicial districts in Oklahoma is urged to hold Law Day activities. These activities may include courtroom ceremonies, courthouse tours and mock trials. The cooperation of the judges and court clerks is essential for Law Day special events.

This year is the 51st annual nationwide observance of Law Day. Law Day is sponsored by the Oklahoma Bar Association, each of the seventy-seven County Bar Associations and the American Bar Association. Law Day programs should be keyed to the 2008 theme: "Elections: Democracy in Action."

DONE THIS 22nd DAY OF FEBRUARY, 2008.

SUPREME COURT OF OKLAHOMA

JAMES R. WINCHESTER
CHIEF JUSTICE



OBA Law Day Committee Chair Giovanni Perry and Vice Chair Kim Spady witness Chief Justice James Winchester (seated) signing the directive along with OBA Executive Director John Morris Williams and OBA President Bill Conger.



THE OBA SUMMER GET-A-WAY

Come & Enjoy the Fun! June 19-21, 2008 Tanglewood Resort on Lake Texoma

OBA Solo & Small Firm Conference

YLD Midyear Meeting Estate Planning, Probate and Trust Section Midyear Meeting

Register online at www.okbar.org

Plan a get-a-way with the OBA!

Spend some vacation time with your family and still get all your CLE for the year

The OBA Summer Get-A-Way

OBA Solo & Small Firm Conference and YLD Midyear Meeting June 19-21, 2008 • Tanglewood Resort — Lake Texoma

Register online at **www.okbar.org** or return this form.

Registrant's Name:			OBA#:		
Address:	City/State/Zip:				
Phone:	Fax:		E-Mail:		
List name and city as it sho	uld appear on badg	e if different from	m above:		
Registration Fees: Reg Thursday evening Poolside l Ballroom Buffet.					
					Circle One
Early-Bird Attorney Registra	tion (on or before	May 30, 200	08)		\$175
Late Attorney Registration (I	May 31, 2008 or	after)			\$225
Early-Bird Attorney & Spouse/Guest Registration (on or before May 30, 2008)					\$275
Late Attorney & Spouse/Gu Spouse/Guest Attendee 1	•	•	•		\$325
Early-Bird Family Registration					\$325
Late Family Registration (M	•	•	•		\$375
Spouse/Guest/Family At	-	•	of children.		
Spouse/Guest:		Family:		Age:	
Family:	Age:	Family:		Age:	
Materials on CD-ROM only	,			Total:	\$
Thursday, June 19 • Golf	With the BOG • 18	Hole Golf (of entries @ \$50 ea.)	Total:	\$
Friday, June 20 • Nine Hole Golf (of entries @ \$35 ea.)				Total:	\$
				Total Enclosed	: \$
Make check payab					
CLE REGISTRAR, P.O. Box		-		•	•
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Expiration Date:	Aut	thorized Signat	ure:		
No discounts. Cancellatio	ns will be accepted	at anytime on o	r before May 30, 200	08 for a full refu	nd; a \$50 fee

will be charged for cancellations made on or after May 31, 2008. No refunds after June 17, 2008. Call 1 (800) 833-6569 for hotel reservations. Ask for the special OBA rate.

OBA Solo & Small Firm Conference and YLD Midyear Meeting June 19-21, 2008 • Tanglewood Resort - Lake Texoma • (800) 833-6569

HOTEL REGISTRATION FORM



Registrant's Name:	Pho	ne:		
Address:		ity/State/Zip:		
Spouse/Guest/Family Attendee	Names:			
Name		Age, if under 21		
Name		Age, if under 21		
Name		Age, if under 21		
~~~~	HOTEL INFORMA	TION ~~~~~		
Arrival Day/Date:	Departure Day/Date:	No. of People:		
Please check room preference:	Single Condo \$99	New Hotel Room \$123 Tower Suite \$134		
Smoking Room	Non-Smoking Room	Special Requests:		
FRIDAY, JUNE 20, 2 CHILDREN ACTIVITIES (3 yr 9:30 am - 11:30 am: Age Appropriate CraftsNo. \$12.50 each child	rs. & up) 9:30 am: G			
11:30 am - 1 pm: Story Time (lunch included) No. \$12.50 each child	No	9/\$35, 18/\$50 (call for tee time) No. Golfers 9/\$35		
1 pm - 3 pm: Supervised Swimming No. \$12.50 each child 7:30 pm - 10:30 pm: Movies & Popcorn No. \$12.50 each child		RECREATIONAL ACTIVITIES 4 Outdoor Swimming Pools & Jacuzzi • 2 Lighted Tennis Courts Playground & Volleyball Court • Croquet & Badminton		
SATURDAY, JUNE 21,	2008	Lake Texoma Striper Fishing		
9:30 am - 11:30 am: Age appropriate games No. \$12.50 each child	S	TRANQUILITY SPA Featuring:		
11:30 am - 1 pm: Story Time (lunch included) No. \$12.50 each child	S	Massage Therapy, European Facials, Body Wraps, Airbrush Tanningplus much more!		
1 pm - 3 pm: Supervised Swimming No. \$12.50 each child	Sb			
TOTAL for Children  Private babysitting available 3 and under \$10 per hour, arran	SSee v			
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Make check payable to the TanglewNSAM	olease complete: NOT CANCELLED BY 6 P.M.			
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#### OKLAHOMA CRIMINAL DEFENSE LAWYERS ASSOCIATION & OKLAHOMA COUNTY CRIMINAL DEFENSE LAWYERS ASSOCIATION **PRESENT**

#### THE SEX CRIME ACCUSATION – FIGHTING FOR YOUR CLIENT'S LIFE THURSDAY, MAY 15TH AND FRIDAY, MAY 16TH, 2008

@ The Marriott Hotel, 3233 N.W. Expressway, Oklahoma City, 1-800-228-9290 (Seminar Rate of \$109)

Approved for 15 Hours CLE (includes 1 hr. Ethics)

#### **THURSDAY**

#### **FRIDAY**

#### 8:00 - 8:30 REGISTRATION & OPENING. REMARKS. Andrea Miller, President OCDLA, Cynthia Viol, President, OCCDLA 8:30 - 9:00 PRETRIAL & TRIAL MOTIONS. Cynthia Viol, Oklahoma City 9:00 - 9:50 2413 &2414 LEGISLATION & **COCA.** David Ogle and James Hankins, Oklahoma City 10:00 - 11:50 VOIR DIRE: THE MARRIAGE OF COLORADO AND WYOMING. David Smith. Norman, & Cynthia Viol, Oklahoma City 11:50 - 12:40 (ETHICAL ASPECTS OF) THE CHILD INTERVIEW. Jamie Vogt, M.S., L.P.C., Forensic Interviewer, Tulsa LUNCH ON YOUR OWN 1:40 – 2:30 CROSS EXAMINING THE CHILD WITNESS. Stanley G. Schneider, Houston 2:30 – 3:20 THE MEDICAL EXAMINATION. Jamie Ferrell, R.N., SANE, Houston

3:30 - 4:20 THE SEX OFFENDER EVAL:

5:10 - ? RECEPTION @ THE MARRIOTT

Oklahoma City.

**EVERYTHING YOU WANTED TO KNOW ABOUT** PPGS. Richard Kishur, Ph.D., Oklahoma City

4:20 - 5:10 TECHNICAL & LEGAL ASPECTS

OF KIDDIE PORN. Robert A. Manchester.

8:00 - 8:50 HOW TO EVALUATE THE DNA. Mary Long, Oklahoma City. 8:50 – 9:40 HOW TO WIN WHEN THE STATE

**HOLDS ALL THE CARDS.** Tracy Schumacher, Norman.

9:50 – 10:40 SEX OFFENDER REGISTRATION: & YOU THOUGHT PRISON WAS BAD. Jack Dempsey Pointer, Oklahoma City. 10:40 - 11:10 THE FEDERAL "SEXUALLY **DANGEROUS PERSON" & CIVIL COMMITMENT.** Julia Summers, Oklahoma

11:10 – 12:00 DEATH FOR SEX IN LOUISIANA: THE KENNEDY CASE. Jelpi Picou, New Orleans.

**LUNCH ON YOUR OWN** 1:30 - 4:10 WHAT ARE YOUR TROUBLING **ISSUES? SUBMIT YOUR CASE FOR PANEL DISCUSSION:** 1 page synopsis, deadline for submission is April 21. PANEL: Stanley Schneider, Jelpi Picou, David Smith, Tracy Schumacher, Mary Long, David Ogle, Jim Hankins, Robert Manchester, Jack Pointer, Tony Lacy, Cynthia Viol, and Julia Summers.

4:10 - ? RECEPTION @ THE MARRIOTT

	REGISTRA	TION			
Cost: OCDLA/OCCDLA Member					
Public Defender \$225.00 Public	Defenders	in block o	of 10 or mo	re \$200.00 per perso	
NAME:	BAR	# & STATE	:		
ADDRESS:					
E-MAIL:	PHO	NE:			
Check payable to OCDLA, \$					
Credit Card: Amount:	MC	_ VISA	AE	_ DISC	
Card Number :	: Exp. Date:				
Signature:					
I CERTIFY THAT I AM NOT A MEMBER			OR POLIC	E AGENCY:	
Signature:					
MAIL REGISTRATION TO: OCDLA	, PO BOX	2272, OK	LAHOMA	CITY, OK 73101-22	

# Attorney/Client Disputes in Oklahoma: A Role for Arbitration?

By Stanley A. Leasure and Wayne L. Anderson

The use of arbitration in connection with all types of business disputes has exploded in recent years. This is particularly true with respect to pre-dispute arbitration agreements, entered into at the time the contract is formed. Given the unique relationship between attorneys and their clients, the use of such clauses in retainer agreements between attorneys and their clients raises several ethical and practical concerns and, indeed, the ultimate question of whether they should be permitted at all.

For purposes of this article, a "pre-dispute arbitration clause in an attorney/client agreement" is an agreement entered into at the formation of the attorney/client relationship requiring that all disputes between the attorney and client, including malpractice claims, be resolved through binding arbitration. This article will explore these issues in the context of Oklahoma law and ethics and will conclude with thoughts regarding the appropriateness of the use of predispute arbitration agreements by Oklahoma lawyers and their clients.

#### ETHICAL CONSIDERATIONS

In 2000 the Oklahoma Bar Association Legal Ethics Committee was asked to address the issue of pre-dispute arbitration clauses premised on the following hypothetical: "Lawyer 'A' provides a retainer agreement to his client containing a clause that all disputes 'arising under the retainer agreement' shall be subject to binding arbitration." In an ethics opinion issued Aug. 18, 2000, the committee concluded, subject to the ultimate decision by the Oklahoma Supreme Court, that arbitration clauses in attorney fee agreements are valid under Oklahoma substantive law, that the Oklahoma Rules of Professional Conduct do not prohibit pre-

dispute clauses in attorney/client agreements provided: 1) the attorney, after full disclosure, ensures that the client has given informed consent to the arbitration provision and 2) it does not encompass disciplinary complaints or proceedings against the attorney.¹

The analysis of the committee centered on several factors: 1) the enforceability of arbitration clauses and the applicability of the Oklahoma Uniform Arbitration Act (OUAA); 2) the duty of loyalty to the client and informed consent to arbitration and 3) the scope of the arbitration clause.2 With respect to enforceability issues, the committee pointed out that under the OUAA,³ parties to contracts (other than collective bargaining agreements and insurance contracts) are allowed to enter into written arbitration agreements which are "valid, enforceable and irrevocable, except upon such grounds as exist at law or in equity for the revocation of any contract."⁴ The committee also emphasized the strong public policy in Oklahoma favoring arbitration as declared by the Oklahoma Supreme Court.5 Acknowledging that arbitration is an effective dispute resolution method between attorneys and their clients and pointing out that one of the comments to Rule 1.5 of the Oklahoma Rules of Professional Conduct recommends

consideration of arbitration or mediation of fee disputes, the committee noted that care must be taken to ensure compliance with ethical requirements in the consideration of mandatory arbitration clauses in attorney/client agreements; particularly the duty of loyalty and the requirement that the client give informed consent to arbitration. 7 The committee noted that the attorney's duty of loyalty to the client requires that the self-interest of the lawyer not be allowed to have an adverse impact on the representation of the client.8 Further, the attorney's fiduciary obligation requires the avoidance of overreaching or exploitation of superior knowledge of the legal system to the detriment of the client.9 The committee also invoked the language of Rule 1.8(a) to implicate the conflict of interest rules in circumstances where a binding arbitration clause is being considered in the context of an attorney/client agreement.10 The committee found that the lawyer's duty in regard to arbitration clauses extends to assuring the informed consent of the client to the inclusion of an arbitration clause as well as the concomitant respon-

sibility on the part of the attorney to "explain a matter to the extent reasonably necessary to permit the client to make informed decisions regarding the representation." Finally, the committee pointed out that the arbitration agreement itself must be fair and reasonable to the client in light of Rule 1.8 and the appurtenant comments. 12

Agreements prospectively limiting a lawyer's liability for malpractice are prohibited.

After discussing the duty of loyalty and the requirement of informed consent, the committee addressed three particular areas of concern: waiver of the right to a jury trial, level of the sophistication of the client and consultation with independent counsel. The committee expressed concern that any client being asked to enter into an arbitration agreement with an attorney must be made to understand the significant differences between arbitration and litigation including: lack of a jury trial; differences in cost and timing; extent of discovery; and availability of relief, appellate review and a public forum. The level of client sophistication was another consideration the committee felt important in connection with the nature and extent of the attorney's required disclosure. The committee saw similarities between dealing

with an unsophisticated client and one under a disability, with both circumstances calling for a more careful and detailed explanation of the arbitration process and placing the burden on the attorney to provide whatever information is needed so that the client understands the consequences of the arbitration provision.¹³ The need for independent counsel was also addressed in this advisory opinion. Rejecting contrary opinions from other jurisdictions, the committee saw no need to require independent counsel prior to the execution of an attorney/client agreement containing a binding arbitration clause.14 However, it did recommend giving the client the opportunity to consult with independent counsel, noting that advising of the potential desirability of this separate consultation would provide an additional safeguard to the process of obtaining informed consent.15

The Oklahoma Bar Association Legal Ethics Committee advised simplicity and clarity in the drafting of arbitration clauses.¹⁶ The committee addressed certain specifics regarding the scope

of arbitration clauses, declaring that disciplinary proceedings against attorneys cannot be the subject of an arbitration clause. Further, pursuant to Rule 1.8(h), an attorney may not include an arbitration clause that limits the attorney's liability for malpractice.¹⁷ An arbitration clause which shifts determina-

tion of the claim to a different forum does not prospectively limit lawyer liability. Comment [14] to Rule 1.8 of the Oklahoma Rules of Professional Conduct provides:

Agreements prospectively limiting a lawyer's liability for malpractice are prohibited. This paragraph does not, however, prohibit a lawyer from entering into an agreement with the client to arbitrate legal malpractice claims, provided that such agreements are enforceable and the client is fully informed of the scope and effect of the agreement.¹⁹

The American Bar Association Committee on Ethics and Professional Responsibility reached similar conclusions, declaring that a provision in an attorney/client agreement that requiring binding arbitration of both fee and malpractice disputes is permissible, provided the client is

fully apprised of the advantages and disadvantages of arbitration and has given informed consent to inclusion of the arbitration provision.20 The ABA committee's analysis centered on two primary issues: 1) whether the requirement of binding arbitration prospectively limits the lawyer's liability in violation of Rule 1.8(h) and, 2) the duty under Rule 1.4(b) to give clients an adequate explanation of matters, such as the risks and benefits of mandatory binding arbitration. Some ethics tribunals have concluded that the differences between arbitration and the judicially supervised process of litigation are so significant that they constitute an attempt to prospectively limit liability.²¹ However, the ABA committee opined that mandatory arbitration does not limit a lawyer's liability, but instead establishes an alternative procedure for resolving such claims.²² It determined that the fiduciary duty of a lawyer to a client includes the requirement that both the positive and negative aspects of binding arbitration (cost, waiver of right to jury trial, broad discovery and right to appeal) be discussed with the client so that the

client can make an informed decision. With that, the ABA committee concluded that as long as: 1) no attempt is made to prospectively limit the liability of the attorney to the client; 2) the client is fully apprised of advantages and disadvantages of arbitration and 3) sufficient information is provided to enable the client to make an informed decision, then it is ethically permissible to include — in a retainer agreement — a binding arbitration provision with respect to both fee disputes and malpractice claims.

#### OKLAHOMA COMMON LAW

In Rollings v. Thermodyne Industries Inc., a case of first impression, the Oklahoma Supreme Court concluded that an agreement to submit future disputes to arbitration is binding.²³ This ruling was based, in part, on the court's conclusion that arbitration is to be favored as a matter of public policy.²⁴ That same year, in Shaffer v. Jeffrey, the Oklahoma Supreme Court addressed several issues regarding arbitration clauses that are included in attorney/client agreements. In Shaffer, a lawyer and his firm were sued by sev-

eral former clients. They defended on the grounds that the dispute was subject to an arbitration clause.25 The district court dismissed the lawsuit. The Oklahoma Court of Appeals reversed, directing the entry of an order compelling arbitration.26 Relying on the holding in *Rollings v. Thermodyne Industries Inc.*²⁷ that voluntary agreements to submit future disputes to arbitration (pursuant to the Oklahoma Arbitration Act) are enforceable, the Oklahoma Supreme Court rejected the plaintiff's arguments that the arbitral provisions in the attorney/client agreements were unconstitutional and unenforceable.28 Interestingly, the court seemingly reserved judgment on the critical issue, noting: "The parties do not raise, and we do not address, the propriety of an arbitration clause in an attorney fee agreement, or whether circumstances could exist that would void an arbitration clause in an attorney fee agreement."29

In 1991, the U. S. District Court for the District of Colorado addressed these issues under Oklahoma law in the context of a fee dispute and malpractice claim by Guy Grider, a "sophisti-

cated" Oklahoma businessman against his Colorado law firm.30 The retainer agreement between Grider and the law firm required binding arbitration.31 The pertinent portion of the parties' agreement with respect to arbitration stated: "You and [the law firm] agree to submit any fee disputes between us and claims by you regarding [the law firm's handling of your matter for binding resolution by the Legal Fees Arbitration Committee of the Colorado Bar Association; except that this does not bar [the law firm] from collecting amounts due it in other ways, including litiga-

tion."³² In response to a suit filed in the U. S. District Court for the District of Colorado, the defendant law firm sought an order compelling arbitration under the terms of the parties' agreement and the Federal Arbitration Act (FAA). The district court first concluded that the malpractice claim and fee dispute were within the scope of the arbitration agreement.³³ The court next turned to Grider's claim that the arbitration clause was unenforceable because: 1) the arbitration clause was fraudulently induced; 2) law firm breached its fiduciary duty to the client; 3) arbitration provisions violated Rule 1.8 of

This ruling was based, in part, on the court's conclusion that arbitration is to be favored as a matter of public policy.

the Oklahoma Rules of Professional Conduct and 4) the arbitration provision was void pursuant to the provisions of Article 23, Section 8 of the Oklahoma Constitution.

With respect to the contention that the arbitration clause was fraudulently induced, the court found that the law firm never misled Grider as to the effect of the arbitration clause: that he understood the arbitration clause and had the opportunity to discuss it with his Oklahoma lawyer.34 The claim that the arbitration clause favored the law firm and should be voided as a breach of fiduciary duty was likewise rejected. The court concluded that the fiduciary duty between the parties arose only after the fee agreement was signed and, subsequently, Grider had failed to establish the creation of an attorney-client relationship prior to that.35 The court also rejected the claim that the arbitration clause violated Oklahoma Rule of Professional Conduct 1.8 ("[a] lawyer shall not make an agreement prospectively limiting the lawyer's liability to a client for the lawyer's personal malpractice") because the arbitration provision did not limit liability but only shifted the forum in which that liability would be determined.³⁶ Finally, the court denied the claim that Article 23, Section 8 of the Oklahoma Constitution ("[a]ny provision of the contract, express or implied, made by any person, by which any of the benefits of this Constitution is sought to be waived, shall be null and void") precluded enforcement of the arbitration provision in question.37 The court reasoned that the transaction indisputably involved interstate commerce and, as such, the FAA — not Oklahoma law governed the validity of the agreement to arbitrate; Oklahoma law was only relevant to the extent it should be looked at for general contract law principles.38

#### CONCLUSION

In Oklahoma, neither legal nor ethical prohibition precludes the use of pre-dispute arbitration clauses in legal services contracts as long as the client is given sufficient information to make an informed decision and no attempt is made to limit the lawyer's liability. Accordingly, the ultimate decision as to whether arbitration is beneficial and under what circumstances it should be utilized is one which should be left to the good judgment of the parties involved. There are, in fact, substantial ethical, practical and societal considerations to be dealt with given the sensitive nature of the relationship between the attorney and client. Nevertheless, these con-

siderations and concerns over possible abuse should be dealt with on a case by case basis and should not be allowed to deny all parties the freedom to contract regarding the issue of how disputes between them will be resolved.

- 1. OK Adv. Op. 312, 2000 WL 33389634 (Okl. Bar. Assn. Leg. Eth. Comm.).
  - 2. Id. at 2-5.
  - 3. 15 O.S. 1991 § 801 et seq.
- 4. OK Adv. Op. 312, 2000 WL 33389634 (Okl.Bar. Assn.Leg.Eth. Comm.) at 1-2.
- 5. Id. at 2, citing Rollings v. Thermodyne Industries, Inc., 1996 OK 6, 910 P.2d 1030 (1996); Shaffer v. Jeffrey, 1996 OK 47, 915 P.2d 910, 917 (1996).
- 6. OKLA. RULES OF PROF'L CONDUCT R. 1.5 comment provides: "Disputes Over Fees. If a procedure has been established for resolution of fee disputes, such as an arbitration or mediation procedure established by the bar, the lawyer should conscientiously consider submitting to it."
- 7. OK Adv. Op. 312, 2000 WL 33389634 (Okl.Bar. Assn.Leg.Eth. Comm.) at 2.
  - 8. Id. at 2 citing, Okla. Rules of Prof'l Conduct R. 1.7 cmt.
- Id. 2 citing, N.Y. Cty. Law. Assn. Comm. Prof. Ethics Op. 723 (July 7, 1997).
- 10. *Id.* 2 citing, D.C. Bar Ethics Op. 218 (1991); Phila. Bar Ass'n Op. 80-2 (1988). As of the date of the opinion Rule 1.8(a) provided: "(a) A lawyer shall not enter into a business transaction with a client... unless: (1) the transaction... (is) fair and reasonable to the client and [the terms are] fully disclosed and transmitted in writing to the client in a manner which can be reasonably understood by the client; (2) the client is given a reasonable opportunity to seek the advice of independent counsel in the transaction; and (3) the client consents in writing thereto."
  - 11. Id. at 3, citing Rule 1.4 (b).
  - 12. Id.
- 13. Id. at 4, citing Rule 1.14 and comments thereto.
- 14. *Id., citing* N.Y. Cty. Law. Ass'n Comm. Prof. Ethics Op. 723 (July 17, 1997) and Ohio Adv. Ethics Op. 96-9 (1996).
  - 15. Id. at 5.
    - 6. Id.
- 17. Okla. Rules of Prof'l Conduct R. 1.8 (h) provided at the time of this opinion: "A lawyer shall not make an agreement prospectively limiting the lawyer's liability to a client for the lawyer's personal malpractice, or settle a claim for such liability with an unrepresented client or former client without first advising that person in writing that independent representation is appropriate in connection therewith."
  - 18. Id.
  - 19. OKLA. RULES OF PROF'L CONDUCT R. 1.8, comment [14].
- 20. ABA Comm. on Ethics and Prof'l Responsibility, Formal Opinion 02-425 (2002).
  - 21. See, e.g., Md. Eth. Op. 90-12 (October 12, 1990).
- 22. ABA Comm. on Ethics and Prof'l Responsibility, Formal Opinion 02-425 (2002) citing 2 C.G. Hazard and W.W. Hodes, The Law of Law-Yering, (3d ed. 2001) §12.18 at 12-50; Me. Eth. Op. 170 (December 23, 1999) and Model Rules of Prof'l Conduct R. 1.8(h) cmts. [14] and [5].
- 23. Rollings v. Thermodyne Industries, Inc., 1996 OK 6, 910 P.2d 1030, 1031 (1996). The arbitration clause in question provided: "[I]n the event of any dispute between the parties hereto relating to this Agreement, the parties hereby agree to arbitrate such dispute on the rules, regulations and guidelines of the American Arbitration Association."
- 24. Id., see also Voss v. City of Oklahoma City, 1980 OK 148, 618 P.2d 925, 928 (1980) and Bilbrey v. Cingular Wireless, L.L.C., 2007 OK 54, 164 P.3d 131 (2007).
  - 25. Shaffer v. Jeffrey, 1996 OK 47, 915 P.2d 910 (1996).
  - 26. Id. at 911.
- $27.\ Rollings\ v.\ Thermodyne\ Industries,\ Inc.,\ 1996\ OK\ 6,\ 910\ P.2d\ 1030,\ 1031\ (1996).$ 
  - 28. Id. at 912-913.
  - 29. Id. at 913 n. 2.
- 30. McGuire, Cornwell & Blakey v. Grider, 765 F.Supp. 1048 (D.Colo. 1991).
  - 31. Id. at 1049.
  - 32. Id.
  - 33. Id. at 1050.
  - 34. Id.
- 35. *Id.* at 1051. *See*, however ABA Comm. on Ethics and Prof'l Responsibility, Formal Opinion 02-425 (2002): "The Committee is of the opinion that Rule 1.4(b) [duty to explain risks and benefits of alternative courses of action] applies when lawyers ask prospective clients to execute retainer agreements that include provisions mandating the use of

arbitration to resolve the disputes and malpractice claims."; cf. Model Rules of Prof'l Conduct Preamble cmt. [17] (2002): "Most of the duties flowing from the client-lawyer relationship attach only after the client has requested the lawyer to render legal services and the lawyer has agreed to do so. But there are some duties... that attach when the lawyer agrees to consider whether a client-lawyer relationship shall be established."

36. Id. at 1051, citing Monahan v. Paine Webber Group, Inc., 724 F.Supp. to 24, 227 (S.D.N.Y. 1989). 37. Id.

38. Id., citing Moses H. Cone Memorial Hospital v. Mercury Construction Corp., 460 U.S. 1, 103 S.Ct. 927, 74 L.Ed.2d 765 (1983); Southland Corporation v. Keating, 465 U.S. 1, 104 S.Ct. 852, 79 L.Ed.2d 1 (1984); Flink v. Carlson, 856 F2d 44, 46 n. 2 (8th Cir. 1988). Other courts have dealt with this issue in a variety of ways. See e.g. Derfiner & Mahler, LLP v. Rhoades, 257 A.D.2d 431, 683 N.Y.S.2d 509 (Sup.Ct.App.Div. First Dept. 1999) (no public policy reasons preclude the arbitration of legal malpractice claims as long as the arbitral agreement comports with the applicable ethical rules); In re Hartigan, 107 S.W.3d 684 (Tex.App.San Antonio 2003) (court declared that arbitral clause was not an improper attempt to limit lawyer's liability, but merely an alternative method for dispute resolution that did not insulate or limit the attorney's liability in any manner); Thornton v. Haggins, No. 8305, 2003 WL 23010100 (Ohio Ct. of App., Eighth Cir., Dec. 24, 2003) (declined to enforce an arbitration clause in an attorney/client agreement in connection with a malpractice action, citing Ohio ethical opinion).

#### ABOUT THE AUTHORS



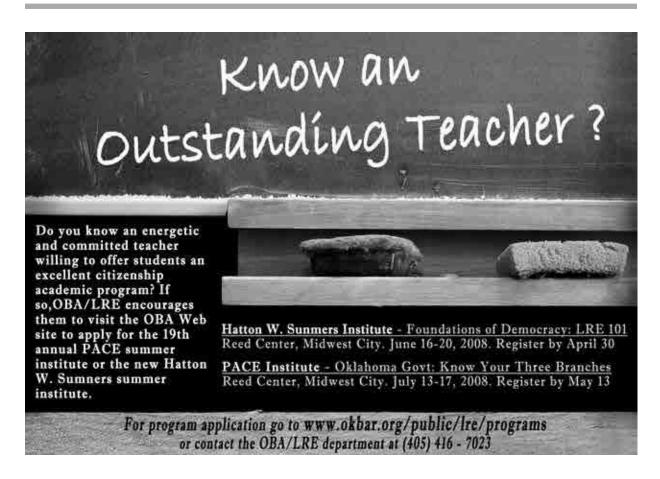
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OBA/CLE & OBA/MAP present

The New Lawyer Experience: Hit the Ground Running

Oklahoma City, May 6, 2008

Oklahoma Bar Center, 1901 N. Lincoln Blvd.

#### Program Planner/Moderator — Jim Calloway

Director, OBA Management Assistance Program, OKC

8:30 a.m. Registration

#### 9:00 OPENING A BUSINESS

- a. Resources for starting a law practice
- b. Being an employee versus the business owner
- c. Business entity selection
- d. Physical location/practice setting options
- e. Liability insurance and other aspects of risk management
- f. Business planning

Jim Calloway

#### 9:50 Break

#### 10:00 PROFESSIONALISM IN THE PRACTICE OF LAW

- a. Your Actions and Appearance
- b. Dealing with Clients
- c. Dealing with Other Attorneys
- d. Dealing with the Courts

#### Hon. Justice Steven W. Taylor

District 2, Oklahoma Supreme Court, OKC

#### 10:30 TRUST ACCOUNTING & LEGAL ETHICS

- a. The role of Ethics Counsel
- b. Most common questions of the Ethics Counsel
- c. Trustworthy Trust Accounts
- d. File and document retention
- e. Q & A

Gina Hendryx, OBA Ethics Counsel, OKC

#### 11:00 Break

## 11:10 MANAGEMENT - MANAGING YOUR FINANCES, YOUR FILES, AND YOUR STAFF

- a. Profit, loss, and the importance of good financial reports
- b. Establishing practice areas
- c. Setting fees
- $\mbox{\it d}.$  The importance of building work flow systems and tracking work in progress
- e. Client file management
- f. Billing (retainers, mechanics of billing, "alternative billing," getting paid)
- g. Disaster Planning

#### Jim Calloway

#### 12:00 Lunch provided by Oklahoma Attorneys Mutual Insurance Company

## 12:30 MALPRACTICE INSURANCE AND OTHER RISK MANAGEMENT ISSUES

Phil Fraim, President, Oklahoma Attorneys Mutual Insurance Company, OKC



#### 1:00 THE CRITICAL NATURE OF GOOD COMMUNICATION

- a. Client communications Easy in theory, often hard in practice
- b. Establishing reasonable client expectations
- c. Communication and dealing with other attorneys
- d. Communication with the court
- e. Technology and communication tools
- f. Dealing with "bad news" and "bad clients"

#### **MARKETING**

- a. Developing a marketing plan
- b. Ethical marketing strategies
- c. Differences in marketing vs. public relations
- d. Budgeting Marketing on a tight budget or no budget **Jim Calloway**
- 2:05 Break

#### 2:15 "REAL WORLD" LEGAL ETHICS General Counsel's Perspective

- a. Ethical issues facing small firm lawyers
- b. Simple guidelines for ethical conduct
- c. Role of OBA General Counsel
- d. Ethics resources

Dan Murdock, OBA General Counsel, OKC

#### 2:45 Break

#### **3:00 MARKETING** (Continued)

- e. Generating referrals Word of mouth is your best marketing tool
- f. Advertising: From the newspaper to the Yellow Pages
- g. Internet-based marketing
- h. Analyzing your marketing efforts

Jim Calloway

#### **TECHNOLOGY**

- a. Law office hardware, from computers to copiers to phones
- b. The small law firm technology software shopping guide
- c. Practice management software
- d. Using technology to provide better client services
- e. The Internet and the 21st Century lawyer Online research and other resources
- f. Mobile phones, PDAs and other gadgets. What do you really need?
- g. Q & A

Jim Calloway

#### 4:00 Adjourn

#### WHO SHOULD ATTEND THE NEW LAWYER EXPERIENCE?

- New admittees who will be opening their own practices
- Experienced lawyers who are leaving employment to open their own practices
- Young lawyers who wish to improve their law office operations
- Lawyers considering a change in a practice setting

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This course is not eligible for mandatory CLE credit. This is an informational course.

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### The New Lawyer Experience: Hit the Ground Running

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**May 6, 2008**Oklahoma Bar Center,
1901 N. Lincoln Blvd.



#### BAR MEMBERSHIP ANNIVERSARIES

The Oklahoma Bar Association applauds these members who in 2008 reach significant milestone anniversaries.

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# OKNEWSBAR: A New Time-Savings News Service for You

By Jim Calloway, Director, OBA Management Assistance Program

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# Academy Seeks to Develop Future Bar Leaders

By Bill Conger

President John F. Kennedy once said, "Leadership and learning are indispensable to each other." As president of the Oklahoma Bar Association, an attorney and an educator, I am passionate about learning and leadership, and that is why one of the goals of my presidency has been to provide leadership training for tomorrow's bar leaders.

After a highly successful, two-day OBA Leadership Conference in 2007, I decided to build on that strong foundation by developing a more extensive leadership program. I wanted to provide a continued opportunity to OBA members for leadership training and professional growth and will do so through the 2008-2009 Oklahoma Bar Association Leadership Academy.

WHO IS ELIGIBLE? — Any OBA member, including 2007 Leadership Conference participants.

HOW DO I APPLY? — Fill out the application form online at www.okbar.org/members/leadershipacademy by May 30.

WHAT IS THE COST? — The OBA will pay for the program, accommodations and food, but participants will be responsible for their own travel.

WHY PARTICIPATE? — You will benefit personally and professionally by learning about professional leadership. You will be exposed to the legislative and judicial systems; you will interact with high-level state and local officials and judges B and meet many attorneys from the private and public sectors.

QUESTIONS? — Call or e-mail Co-Chair Linda Thomas at (918) 337-0947, ltlaw@sbcglobal.net or OBA Educational Programs Director Donita Douglas at (405) 416-7028, donitad@okbar.org.



LEADERSHIP ACADEMY 2008

The Leadership Academy format will differ from the Leadership Conference. The academy will include fewer people than the Leadership Conference -- about 20 individuals will be selected. However, more training sessions will be offered with the academy. I anticipate that there will be four sessions, beginning in the early fall this year and continuing through June 2009.

If you are selected and attend this program, you will learn what it means to be a leader. You will learn how to communicate, motivate and succeed not only in your law career, but also in service to professional, political, judicial, civic and community organizations. You will also have a chance to meet and interact with prominent legal and community leaders.

It is also of extreme importance to me that the Leadership Academy participants include members of the OBA who are from diverse backgrounds or who have historically been underrepresented in OBA leadership. If you fall within one of these categories, I urge you to consider applying for this opportunity.

My thanks to the Leadership Academy Task Force, led by Bartlesville attorney Linda Thomas and Oklahoma City attorney Laura McConnell Corbyn. The work and continued work of the task force is much appreciated. Task force members are Chris Camp, Martha Rupp Carter, Dietmar Caudle, Charles Chesnut, Robert Farris, Charles Geister, Celeste Johnson, Patrick Layden, Michael Mordy, Jon Parsley, Giovanni Perry, Keri Williams and Judge Richard Woolery.

# Mock Trial Volunteers Complete Another Season

The final round of this year's Oklahoma High School Mock Trial Championship featured a previous state champion and a team that had never reached the finals – Del City's Christian Heritage Academy and Clinton High School. At the Bell Courtroom at the OU Law Center on March 4, Christian Heritage Academy defeated Clinton for the honor of representing Oklahoma at the National High School Mock Trial Championship to be held in Wilmington, Del., in May.

The Mock Trial Committee, the Young Lawyers Division and the Oklahoma Bar Foundation wish to express their gratitude to all of those members of the bar who volunteered during this year's competition.

"Our Mock Trial program owes its success to the hard work of hundreds of attorneys who volunteer their time and efforts as members of the Mock Trial Committee, attorney coaches, trial site coordinators, presiding judges and scoring panelists. Our thanks go out to everyone who volunteered and participated in this year's competition," said Mock Trial Committee Chair Rachel McCombs.

The Mock Trial Program, now in its 28th year, would not be possible without the support of



YLD Mock Trial Committee members made the 2007-2008 program a success through their hard work.

the Oklahoma Bar Foundation and the Oklahoma Bar Association.

Out of 51 teams that began competing in January, the top finishers are, in third place, Ada High School; fourth, Jenks High School; fifth, Catoosa High School; sixth, Atoka High School; seventh, Holland Hall, Tulsa; and eighth, Broken Arrow High School.

This year's Mock Trial Committee members are Chairperson Rachel McCombs; Executive Vice Chairperson Jennifer Bruner; Immediate Past Chairperson Jennifer Scott Moradi; Vice Chairperson/ Oklahoma City Trial Site Coordinator Erin Moore; Vice Chairperson/Tulsa Trial Site Coordinator Marsha Rogers; Vice Chairpersons Case Development Marsha Rogers, Nicole M. Longwell and Christine Cave; and Mock Trial Coordinator Judy Spencer. Other Mock Trial Committee members are Iulie Austin. Dessa Baker-Inman, Jim Buxton, Joe Carson, Christian D. Szlichta, Antonio L. Jeffrey, Scott Inman and Kathryn Walker.

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## ATTORNEY COACHES

Joe Adair Lauren Allison Blayne Allsup

Machele Anderson Clifton Baker **Amber Bass** Laura Baysinger Kirsten Bernhardt Chris Box Gary Briggs Scott Brockman Margo Brown Mark Brown Stephen Bulleigh Damon Cagle Judge Daman Cantrell Brita Cantrell MaryAnn Coleman Crowe & Dunlevy Law Firm Erin Dailev Tim Daniels MJ Denman Barry Denny Catina Drywater Susan Eades Shon Erwin Judge James Fatigante Judge Mary Fitzgerald Christine Ford Joe Gardner Sophia Gooden Daniel Guten Mark Hendrickson Iulie Henson **Emily Herron** Forrest Hess Terry Holtz Mike Horn John Howland Shawn Huffman Michelle Kirby-Roper Greg Laird Rita Lamkin Shawn Lawhorn Iulie Lombardi Phil Lombardi Tim Maxcev Matt McBee Kade McClure **Jeff Mixon** Paula Moore **Brian Morton** Rania Nasreddine



The final round of the competition begins in the Bell Courtroom at the OU College of Law.

Jackie Perrin Bill Perry Laurie Phillips Richard Phillips Loretta Radford Dawn Reitan-Brockman Tim Roberts Pete Silva Zach Smith Don Smitherman Frank Stout - two teams Julie Strong Shannon Taylor Laurie Thomas Rex Thompson James Thornley

## TRIAL SITE COORDINATORS

Danny Williams

Randall Wood

Roy Tucker

Jennifer Bruner**
Deresa Clark
Amie Colclazier**
Lisa Cosentino**
Eric Edwards
Don Elwick
Bill Haselwood
Scott Inman
Antonio Jeffrey
Dana Jim
Erin Moore
Lou Ann Moudy

Leah Terrill-Nessmith**
Corrine O'Day-Hanan
Mark Osby
Jim Pettis
Marsha Rogers***
Judge Gary Snow**
Clint Soderstrom
Christian Szlichta**

# FINAL PRESIDING JUDGE

Judge Edward Cunningham

# FINAL SCORING JUDGES

Judge David B. Lewis Judge Dana L. Rasure Judge Millie Otey Judge Daman Cantrell Judge Kenneth Dickerson

#### PRESIDING JUDGES

Judge B. Allen*
Judge Gayla Arnold
Lynn Babb
Judge James Bland
David Bryan
Robert Butler
Judge George Butner*
Judge Daman Cantrell
Judge Glenn Carter
Jeff Clark

Judge Douglas Combs Judge Sandy Crosslin **Judge Edward** Cunningham*** Chad Davis **Judge Kenneth** Dickerson*** Don Easter** Ron Elrod Roger Foster Matthew Frisby Judge Carl Funderburk Jodie Gage Jennifer Gideon Todd Goolsby** **Iovce Green** Judge Joe Heaton Judge Brian Henderson Referee Hiddle Gary James Nathan Johnson** Stephanie Jones Jeff Keel **Judge David Lewis** Jeff Lynch Judge Millie Otey Iohn Pereira** Clay Pettis Cynthia Pickering Judge Dana Rasure Richard Rice Carol Seacat Bernice Shedrick Judge Steven Shreder

Bill Simpson
Zach Smith
Judge Gary Snow**
Amy Steele
Chris Szlichta**
Judge Norman
Thygesen
Doug Todd
Russell Uselton
Randy Wagner
Judge Caroline Wall
Joe Weaver
Rod Wiemer

## SCORING PANELISTS

Kenneth Adair Lindsey Andrews Chris Arledge Elaine Arnold Mark Ashton Lynn Babb Becky Barney Mindy Beare Terra Bonnell John Branum Heidi Brasher Megan Brooking Michael Brown David Bryan **Joel Butterworth Jim Buxton** Ed Cadenhead Stephen Cale** Stephen Cameron Ioe Carson*** **Ieremy Carter** Elizabeth Cates* Dietmar Caudle Christine Cave Shannan Cazonni Ken Chesnutt Paul Choate** Jason Christopher John Cramer* Peggy Cunningham** Brad Davenport D.J. Deleon Michael Denton* Abby Dillsaver Ken Dominic Maria Erbar **Julie Ezell** Eva Fancher Selim Fiagome Amber Fite

Sherril Flood Marna Franklin Matthew Frisby** Trever Furlong **Jodie Gage*** Luke Gaither Tom Gibson Brett Glenn Anthony Gorospe* Elaine Green Alan Grubb Deborah Hackler John Hargrave Russ Haskins Elise Haves Tim Heefner Shane Henry Referee Hiddle Sara Hill Candin Hobbs Lance Hopkins Kristine Huntsman Scott Inman Robert Irby Douglas Jacobson Antonio Jeffrey Paula Johnson Vicki Jordan* Erin Kennedy Vic Kennemér** **Jennifer Kerns**** Ryan Kiesel Kris Koepsel* Ryan Koiset

Andy Kreigel

Patrick Layden Niki Lindsey John Lively Marvin Lizama Leonard Logan Gregg Luther Carin Marcussen* Jack Mattingly Jr. Scott McCann Rachel McCombs*** Lance McCrary Tracy McDaniel* Larry McMains Andrea Medley Regina Meyer Ion Miller* Nason Morton David Mosburg Justin Munn Iim Myles Irma Newburn*** Andrew Nichols Brenda Nipp Brittany Novotny Corrine O'Day-Hanan Chanteau Orr Lloyd Palmer Scott Pappas John Parris** Lisa Patel** Clay Pettis Mark Phelps David Proctor Jessica Rainey

Rob Ridenour Roger Rinehart Michael Schade John Schneider Robert Seacat Pete Serrata **Bret Smith** DeWayne Smoote Bryan Stanton Amy Steele Pam Stephens **Justin Stout** Tressa Stridham Khristan Strubhar Emmit Tayloe* Patrick Thompson Shelley Tipps Eric Úrbach Eddie Valdez Larry Vickers Susanna Voegeli Joe Vorndran Michael Warwick **Bradon Watkins** Ioe Weaver Brian Wilkerson **Betty Williams** Ronald Willis Greg Wilson

* Served twice

** Served three times *** Served four times



Josh Reid

Christian Heritage Academy team members pose with their trophy. They were coached by teacher Jerrid Eischen and attorney Chris Box.

### PHOTO HIGHLIGHTS

# Board of Governors Travels to Idabel in March



Kathy and OBA Governor Jim Stuart enjoy a dinner hosted by the McCurtain County Bar Association, held the evening before the board's March meeting.



Idabel attorney Ken Farley and OBA Governor Jerry McCombs



Idabel attorney Mitch Leonard, McCurtain County Bar President Kevin Sain and OBA President Bill Conger



Dr. Michael Johnson provided entertainment after dinner at the Museum of the Red River.

OBA Past President Charles "Buddy" Neal and Justice Steven Taylor

# Rare Books

By John Morris Williams

I love books. I like to hold them, read them, own them, let them line the shelves as treasures. There was a time when the term "rare book" meant a book that was out of print or that was limited in publication. Now books as paper printed objects seem to be on the downturn. There are now electronic readers and other devices coming on the market that reveal a trend toward books being printed on paper becoming rarer.

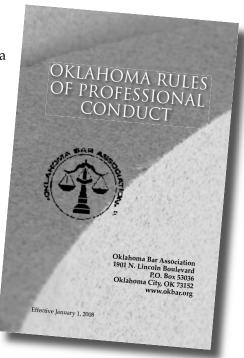
I am all for being "green" and letting the electronic age help us save resources. However, there are just some things that should be in a book. Some things that should be available if the computer is down. One of those things that should be in print is the Oklahoma Rules of Professional Conduct. Of course, the official statutory reporter prints these. They are also online at OSCN.net, and they were posted on okbar.org.

You should have received a published copy of the Oklahoma Rules of Professional Conduct. It was thought that a stand alone volume would be a better member service than merely printing them in the Oklahoma Bar Journal. I like the fact that it can be easily shelved and retrieved. Like

many of the member services we offer, there is a large amount of unseen work that goes into such a project. Also, a special thanks to our friends at Oklahoma Attorneys Mutual Insurance Co. for helping to defray some of the printing costs.

This publication is the result of more than two year's work by our Ethics 2000 Committee and countless hours of staff support. After approval by the committee, the **OBA** Board of Governors took several months to review the rules at its monthly meetings. After that, public hearings were held, and eventually they were approved by the House of Delegates before being sent to the Oklahoma Supreme Court. The committee, under the leadership of Dean Lawrence Hellman and Gary Rife, even provided us with comments.

I got involved in a small way by meeting with one of the mailing services that was vying for our business. Nothing is simple. There are a multiple number of factors to consider in just mailing a publication. Add to that color, size, paper stock, ink color and sending it all out to bid for the best prices.



After the postage deal, I was done. From there Carol and Gina took over and the fine product you see today was possible because of many hours of hard work.

Now that you have this publication in hand, I hope you take time to review it. Although the new rules have been publicized for over a year, my guess is that some of you have not taken the time to sit down and study them. You should read them like your livelihood depends on it — because it does!

(continued on next page)

A couple of major changes you should pay particular attention to:

Rule 1.15 Trust Account Overdraft Reporting The new rule requires the financial institution to notify the OBA general counsel in the event of an overdraft on a trust account.

Rule 1.17 Sale of a Law Practice This rule now permits a lawyer to sell an "area of practice" if the seller ceases to engage in the practice of law in the geographic area wherein the practice has been conducted. It also expands a lawyer's ability to cease practicing in an area of law or an area of the state.

Rule 1.18 Duties to Prospective Clients This is an entirely new rule. The rule gives lawyers guidance on when an attorney/client relationship forms with the person seeking legal advice but does not "hire" the attorney.

Many thanks to the members and staff who made this publication a reality. I hope for you that this is not a rare book; but rather, a book that is a useful tool.

To contact Executive

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To contact Executive Director Williams, e-mail him at johnw@okbar.org

### Oklahoma Bar Journal Editorial Calendar

#### 2008

- May Work/Life Balance Editor: Jim Stuart jtstuart@swbell.net Deadline: Jan. 1, 2008
- August
  Insurance Law
  Editor: Judge Lori Walkley
  lori.walkley@oscn.net
  Deadline: May 1, 2008
- September **Bar Convention**Editor: Carol Manning
- October
  Guardianship
  Editor: Stephen Barnes
  barneslaw@alltel.net
  Deadline: May 1, 2008
- November
  Technology/Practice
  Management
  Editor: Melissa DeLacerda
  melissde@aol.com
  Deadline: Aug. 1, 2008
- December
  Ethics & Professional
  Responsibility
  Editor: Martha Rupp Carter
  mcarter@tulsa-health.org
  Deadline: Aug. 1, 2008

If you would like to write an article on these topics, contact the editor.

#### 2009

- January

  Meet Your OBA

  Editor: Carol Manning
- February

  Immigration

  Editor: John Munkacsy
  johnmunk@sbcglobal.net
  Deadline: Oct. 1, 2008
- March
  Privacy
  Editor: Melissa DeLacerda
  melissde@aol.com
  Deadline: Oct. 1, 2008
- April
  Law Day
  Editor: Carol Manning
- May
  Oil & Gas and Energy
  Resources Law
  Editor: Julia Rieman
  rieman@enidlaw.com
  Deadline: Jan. 1, 2009
- August

  Bankruptcy

  Editor: Judge Lori Walkley
  lori.walkley@oscn.net
  Deadline: May 1, 2009
- September

  Bar Convention

  Editor: Carol Manning
- October Criminal Law Editor: Pandee Ramirez pandee@sbcglobal.net Deadline: May 1, 2009
- November Family Law Editor: Leslie Guajardo lguajardo@swolaw.net Deadline: Aug. 1, 2009
- December Ethics & Professional Responsibility Editor: Jim Stuart jtstuart@swbell.net Deadline: Aug. 1, 2009

# 'I Just Need an Answer to a Simple Question.'

By Jim Calloway, Director, OBA Management Assistance Program

"I just need an answer to a simple question." We have all heard that one.

When it comes from an unfamiliar voice on the telephone in the law office, this phrase roughly translates to "I would like some free legal advice from you, please, and I really have five or six questions, but this is a good way to get you started talking." When it comes from one of your school-age children, it means that you are about to play a few rounds of "Are You Smarter than a Fifth Grader: Home Edition." When it comes from your spouse or significant other, it means you should be ready for a question that is anything but simple, or worse, a question that is simple, but with potential answers that are complex and fraught with peril.

Is there any such thing as a simple question to a professional who might be charged with some sort of liability for answering a question incorrectly?

Well, this month we are not going to cover questions propounded to you. Rather we are going to spend a few minutes discussing how you can get instant answers to most of your simple questions. I hope this month's readers will find this column to be life changing, even if that change is only giving you an extra five minutes per day.



You send an e-mail to one address and it ends up in dozens or hundreds...

But, first, let me tell you about Solosez. As a way of getting part of my online information, I participate in several electronic e-mail lists. One of these lists is called Solosez. Solosez is sponsored by the American Bar Association General Practice Solo and Small Firm Division and boasts 3,315 subscribers. Yes, you read that correctly, 3,315 subscribers and growing every week. These are almost

exclusively solo and small firm lawyers and the list focuses on issues of interest to them. You can find out more about Solosez by visiting www.abanet.org/soloseznet.

There's a lot of value in Solosez. People answer each other's questions. People post obscure items of interest. People share their lives, sometimes sending extremely personal messages that end up in the inboxes of over 3,300 of their closest friends. If you are interested, you might give Solosez a try. Just don't subscribe under your primary email account. Because, while there is no charge for Solosez, it is not free. There is a cost in time invested. You will receive hundreds of e-mail messages per day. I firmly believe that the only way you can deal with Solosez in any rational manner is to set up a dedicated Gmail account for Solosez only. Then you can have the flood contained in a separate e-mail account and have the power to search through the pile using Google's Gmail search tools.

Why am I mentioning Solosez? Because it and all of the other electronic e-mail lists operate the same way. You send an e-mail to one address and it ends up in dozens or hundreds (or 3,315) of inboxes.

One e-mailer's trash is another's treasure and every person who has ever subscribed to a list has asked themselves the question, "Why on earth did that person send that question to the entire list?"

One negative aspect of online community interest groups is that people send totally unrelated and undesirable material to the collective. The problem of course is that each of us would define undesirable by our own standards.

The Oklahoma Bar offers OBA-NET free of charge to its members. It is based on the Web board model rather than an electronic mailing list. If the OBA has your e-mail on file, you can register for OBA-NET at www.oba-net.org.

So today I propose an answer to a question that has troubled me for years. Why would *that person* send *that question* to hundreds of people via e-mail when they could simply find the answer online themselves?

The irony is that they probably find it themselves as quickly as they can type the question and send the e-mail. So why bother hundreds of others? I have determined that part of the answer to my question is narcissism and laziness. It doesn't bother some people to force hundreds of others to reach for the delete key if they can get what they need.

But, I now believe that most people simply don't know they can now get instant answers to almost anything online or they don't know how.

Many lawyers who can do superb digital legal research for their clients seem to not know how to do other online research. They can easily find precedents and cases, but cannot easily find the flash point of kerosene. (Oh, wait, that's in 25 Oklahoma Statutes § 34 and the Oklahoma Constitution; bad example.)

So this month, let's cover how to locate the answers to questions online. (Now I may be about to say things that my highly-trained law librarian wife and other librarians will disagree with, but she stopped reading my column years ago.)

So let's start where every one of you would likely start anyway, if you thought about it: Google. I'm certainly not against traditional dictionaries. But why would you ever ask hundreds of people what a word or technical term means when you can just type it into Google? You've probably noticed that when you search for a single word in Google, right next to the number of results is a link to the definition.

You've probably noticed that when you search for a single word in Google, right next to the number of results is a link to the definition.

For example, if I'm tempted to ask the members of my favorite electronic mailing list what exactly "ombudsman" means, I should do a Google search for the word first. OK, I get nine and a quarter mil-

lion results in Google for "ombudsman." But right next to that number is a link to the definition of the word. When I click on the link, not only do I get the definition and history of the word, but there's a speaker icon where I can click and hear it pronounced. Before I leave this page let me scroll down a bit, and scroll and scroll. Wow! There is information on this word from 10 different sources, including Thomason Gale Law Encyclopedia and Wikipedia. The final entry is a series of translations of the word into other languages.

But let's click back on the browser to return to the original page of results from our Google search. The first result is the Wikipedia entry for "ombudsman." I click on that link to enter Wikipedia and go to "ombudsman" there. The main Wikipedia page for English speakers is http://en. wikipedia.org.

Wikipedia gets a bad rap in the legal community. The idea of a free online "encyclopedia that anyone can edit" just screams non-authoritative to lawyers. Certainly there have been a few well-publicized Wikipedia hoaxes. OK, some librarians should skip the next paragraph.

Wikipedia is a great source of information and all lawyers should be using it regularly, admittedly with a bit of caution. You can find extensive and detailed information on an amazing variety of topics, particularly if you want to understand some new pop culture phenomena or term that may not have even made into print dictionaries or encyclopedias vet. Now it is true that I wouldn't stake an entire client matter solely on information I found on Wikipedia. But that's true for most single

sources. And even if you want to dismiss Wikipedia as nonauthoritative, there's a good chance that the Wikipedia treatment of a given topic will have links to other Internet resources that you would believe to be authoritative.

And, referring back to my original point, Wikipedia is quite likely to be more authoritative than the e-mails that you receive back in response to a query to an electronic mailing list. Given no other choices, I'd rather cite Wikipedia in a court brief, noting the exact date and time (in case the entry changes) and saving the original page as I found it, than cite "e-mail from Bruce Dorner, Londonderry, NH attorney (Aug. 7, 2008.)" I may know that Bruce is an expert, but will the court?

Wikipedia is the most famous of many, many wikis. (And if you don't know what a wiki is, there's a good chance to put this lesson into practice.) Some other wikis of interest include WikiHow, the "how to" wiki at www.wikihow.com, Wex from the Cornell University Law School Legal Information Institute at www.law.cornell.edu/wex and JurisPedia, a worldwide law wiki, http://en.jurispedia.org.

One thing to understand is that popular wikis are quickly self correcting. True, someone may register as an editor and edit in some nonsense or offthe-wall statement. But there is a very good chance that, within a minute, someone else will fix it. Wikipedia is a great source for all sorts of reference material. As I noted in one of my blog posts earlier this year, if you want to see every song that made number one each week on the Billboard 100 for a given year or a recap of the 2000 NCAA

football season, Wikipedia should be your first stop.

Wikipedia has been cited in more than a few appellate court opinions, which is probably a surprise to some. A Jan. 29, 2007, *New York Times* article, "Courts Turn to Wikipedia, but Selectively," noted that trend. The article is still online at http://tinyurl.com/2xtekf, but the *New York Times* may still require free registration to access it. Wikipedia also has a table of court opinions citing Wikipedia as a source:

Wikipedia is quite likely to be more authoritative than the e-mails that you receive back in response to a query to an electronic mailing list.

http://tinyurl.com/395wcb.

We have focused on single word searches at this point. But veteran Internet researchers know that a search using several key words is more likely to get a result you want. So for really complex searches or when your first shot at Google doesn't turn up what you need, take a few seconds to think of several words. Try to focus on unique words that have limited meaning. If you wanted to find a page, with words to a particular song, you wouldn't want to use the term "words," for example, but would want to search for "lyrics" along with the title.

And if you wanted information about a book or song, you wouldn't want to type just the title of the work into Google, you would want to enclose it with quotation marks so that the results would all have that exact phrase, not just some of the words.

But what about answers to other questions, you might ask? Entering a few search terms into a search engine may get you pages of results, but you really want the answer to a question, not an afternoon schedule of reading Web pages.

You might want to ask "What is the meaning of life?" for example. And, just so you know, Wikipedia does have an information page for that at http://en.wikipedia.org/wiki/Meaning of life.

But here's a strategy. If you want the answer to a specific question, search for the first part of a sentence that would answer the question, enclosed by quotes. So search for "Niagara Falls is located" or "The death penalty is allowed." Some times I even play Google Jeopardy, where I enter the question that I want answered enclosed by quotes. This will only give me a response where the author has rhetorically posed the question in the writing, of course. But it works a fair number of times.

Any phrase enclosed by quotes is more likely to get you the results you desire than a few keys words. But if that does not work, remove the quotes and try the same search again. You do have to be more cautious with these narrowly targeted searches and make sure that the Web site promoting the content is trustworthy. There's probably

some blogger somewhere who has posted that Niagara Falls is in Nigeria.

For more on online reference guides and resources, I strongly suggest checking out "Fun and Handy Reference Sites That Rock!" online at www.abanet.org/genpractice/ereport/vol7/num1/ sitesforsoreeves.html or http://tinyurl.com/562chm. My counterpart with the South Carolina Bar, Courtney Kennaday, and I have been writing out column "Sites for Sore Eyes" for the ABA GP | Solo Technology eReport for several months now and we really encourage you to read this last one for some great research sites.

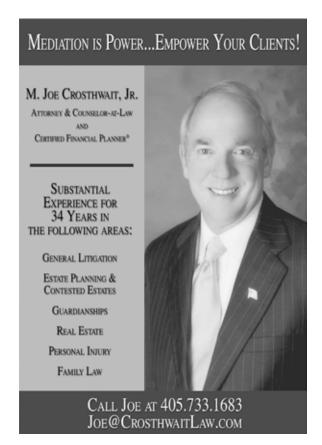
If you want additional training on Internet research, check

out the OBA/CLE Advanced Internet Research webinar scheduled for May 13. I will be co-presenting that one with Dallas attorney Tom Mighell, who was chair of ABA TECH-SHOW 2008 and has been a past presenter at our OBA Solo and Small Firm Conference. We've got some great information prepared and you can get CLE credit online while seated in your home or office. Get more information or register online at www. okbar.org/cle/2008/2008-05-13seminarID903.htm or http://tinyurl.com/6fyt94.

Now, I know I may be discouraging some from e-mailing certain questions to electronic mailing lists or posting to other online community message boards. I don't want

to do that. For certain types of questions and for seeking the subjective opinions of others, there is simply nothing like a good electronic mailing list, or a Web board like OBA-NET. I get tons of wisdom from these groups of people who are willing to freely share their ideas, their opinions and their information. There has been a good deal of recent business literature written on the wisdom of crowds.

I just don't want for the only person who had the answer to my question to be the one who dropped out of the group last week after he opened an e-mail asking "What is an ombudsman anyway?" for the fifth time this year.



#### IMMIGRATION STAFF ATTORNEY COLLEGE OF LAW – BOESCHE LEGAL CLINIC

The University of Tulsa currently has an opening for an Immigration Staff Attorney with the Immigration Outreach and Education Project in the College of Law, Boesche Legal Clinic. The applicant must have: a demonstrated commitment, experience, and comprehensive substantive knowledge in immigration law; experience practicing before the USCIS, EOIR, and BIA; 5+ years experience practicing law; and ability to work independently, as well as collaboratively with other community service providers. The applicant must be licensed to practice law in Oklahoma, eligible to seek admission upon a waiver, and be a member in good standing. Fluency in Spanish is strongly preferred. Please check the website at www.utulsa.edu/personnel/jobs for a complete job description. TU offers a competitive benefits package, including 100% tuition benefit after one year of employment. To receive full consideration, please submit a resume, cover letter, and the name, address, and phone number of three professional references to: The University of Tulsa Office of Human Resources, 800 S. Tucker Drive, Tulsa, OK, 74104 or fax to (918)631-2110 or email tujobs@utulsa.edu. Review of applications will commence immediately and continue until this position is filled. The University of Tulsa is an Equal Opportunity/Affirmative Action Employer.

# Representing Disabled Clients

By Gina Hendryx, OBA Ethics Counsel

The adopted changes to the Oklahoma Rules of Professional Conduct include expanded options for the lawyer representing a client with diminished capacity or under a disability. Rule 1.14 now includes lesser restrictive alternatives to seeking a guardianship when the client lacks the capacity to assist in the lawyer-client relationship.

#### Rule 1.14. Client with Diminished Capacity

- (a) When a client's capacity to make adequately considered decisions in connection with a representation is diminished, whether because of minority, mental impairment or for some other reason, the lawyer shall, as far as reasonably possible, maintain a normal client-lawyer relationship with the client.
- (b) When the lawyer reasonably believes that the client has diminished capacity, is at risk of substantial physical, financial or other harm unless action is taken and cannot adequately act in the client's own interest, the lawyer may take reasonably necessary protective action, including consulting with individuals or entities that have the ability to take action to protect the client and, in appropriate cases, seeking the appointment of a guardian ad

litem, conservator or guardian.

(c) Information relating to the representation of a client with diminished capacity is protected by Rule 1.6. When taking protective action pursuant to paragraph (b), the lawyer is impliedly authorized under Rule 1.6(a) to reveal information about the client, but only to the extent reasonably necessary to protect the client's interests.

The lawyer has an increased duty to communicate with the impaired client so that the client can make informed decisions as to the scope and objectives of the representation.

The Comment to Rule 1.14 states that "the normal client-lawyer relationship is based on the assumption that the client, when properly advised

and assisted, is capable of making decisions about important matters." A client's capacity may be diminished due to illness, senility, minority, addiction, medication or a host of other causes. The lawyer should, as much as is reasonably possible, maintain a normal lawyer-client relationship with the impaired client. The lawyer has an increased duty to communicate with the impaired client so that the client can make informed decisions as to the scope and objectives of the representation. The same special duty to communicate arises when deafness or linguistic differences impede client decisionmaking. See, e.g. People ex rel. Myers v. Briggs, 263 NE2d 109. In Nebraska Bar Association v. Walsh, 294 NW2d 873, a lawyer was disciplined for failure to communicate fully with deaf client so that client could make an informed decision as to whether to file an appeal.

However, when the client has diminished mental capacity, maintaining the normal lawyer-client relationship may be difficult, if not impossible, in some respects. Prior to the adoption of rule changes, lawyers in Oklahoma were limited to seeking the appointment of a guardian when faced with a client under a disability. Initiation of guardianship proceedings

often pitted attorney against client and necessitated the revelation of lawyer-client confidential communications. Rule 1.14 (b) now permits the lawyer to seek reasonably necessary protective action including the less restrictive alternatives of consulting with "individuals or entities that have the ability to take action to protect the client...".

Many times the issue is concern that someone is taking financial advantage of an elderly or infirm client. Lawyers are reticent to seek the formality of a guardianship based on such suspicions, but were prohibited from voicing their concerns to family members or government

agencies. With the adoption of the rule changes, lawyers may now investigate further and seek the assistance of family members, physicians and/or agencies such as Adult Protective Services. When taking protective action pursuant to Rule 1.14 (b), the lawyer should only reveal information about the client to the extent reasonably necessary to protect the client's interests. Rule 1.14 (c).

Rule 1.14(b) permits the lawyer to seek appointment of a guardian to protect the client's interests if there is no less drastic alternative. One option the lawyer should consider is a guardian ad litem or a guardian for the

purposes of the litigation only. This is less severe than seeking a guardianship over a person and his/her property. The guardian only advises on matters of the litigation and may be discharged at the end of the legal matter.

Whether to seek a guardianship or the appointment of a guardian ad litem should be a considered decision after consultation with the client, the client's family members, physicians and/or trusted friends.

Have an ethics question? It's a member benefit, and all inquiries are confidential. Contact Ms. Hendryx at ginah@okbar.org or (405) 416-7083; (800) 522-8065.



## March Meeting Summary

The Oklahoma Bar Association Board of Governors met at the Museum of the Red River in Idabel on Friday, March 28, 2008.

#### REPORT OF THE PRESIDENT

President Conger reported he attended two Leadership Academy Task Force meetings, the February board meeting and Charlotte Nelson's retirement reception. He participated in several telephone conferences regarding the Rule of Law Conference and presented the LRE Teacher of the Year Award and School of the Year Award.

#### REPORT OF THE VICE PRESIDENT

Vice President Mordy reported he attended Charlotte Nelson's reception, February board meeting, OCU luncheon and Law Schools Committee meeting.

#### REPORT OF THE PRESIDENT-ELECT

President-Elect Parsley reported he attended the Bar Leadership Institute in Chicago, February board meeting, board dinner at Mickey Mantle's Steakhouse, retirement reception for Charlotte Nelson and a luncheon at the OCU law school.

#### REPORT OF THE PAST PRESIDENT

Past President Beam reported he attended the

February board meeting, Civil Procedure Committee meeting, Custer County Bar Association meetings for February and March, retirement reception for Charlotte Nelson and volunteered at the OETA Festival.

#### REPORT OF THE EXECUTIVE DIRECTOR

**Executive Director Wil**liams reported that he attended the NABE Chief Staff Retreat, ABA Bar Leadership Institute and NABE Program Committee meeting in Chicago, Supreme Court School and Teacher of the Year award presentation and monthly staff celebration. He also attended meetings and conferences with legislators, President-Elect Parsley regarding the 2009 OBA cruise, President Conger regarding the OBA Leadership Academy, Carol Manning and Supreme Court Clerk Mike Richie regarding publication of court material, Mock Trial Coordinator Judy Spencer, OBA directors, OBF and Board of Bar Examiners staff regarding planning the move back into the remodeled space. He also met with the heat and air contractor regarding the service agreement, builder, decorator, architect and artist regarding signage for the board room.

#### BOARD MEMBER REPORTS

Governor Bates reported she attended the Oklahoma County Bar Association Board of Directors meeting, Cleveland County Bar meeting, OCBA awards meeting, February board meeting, retirement reception for Charlotte Nelson and a luncheon at the OCU law school. She also participated in multiple calls and discussions regarding judicial code changes. Governor Brown reported he attended the Bench and Bar Committee meeting, February board meeting, retirement reception for Charlotte Nelson, luncheon at OCU law school and participated in a conference call meeting of the Rule of Law Committee. Gover**nor Christensen** reported she attended the Bench and Bar Committee meeting and subcommittee meeting, Oklahoma County Bar Association Board of Directors meeting, February Board of Governors meeting, retirement reception for Charlotte Nelson and luncheon hosted by OCU School of Law and President Conger. She also participated in the OCU Law School Pro Bono and Public Interest Career Fair, numerous discussions regarding the Rule of Law Conference

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and multiple discussions regarding the proposed revised model code of judicial conduct. Governor **Dirickson** reported she attended the Custer County Bar Association monthly meeting, February board meeting, board dinner at Mickey Mantle's Steakhouse, retirement reception for Charlotte Nelson and luncheon at OCU law school. Governor Hermanson reported he attended the Member Services Committee meeting, Bench and Bar Committee meeting, February Board of Governors meeting, Board of Governors dinner, retirement reception for Charlotte Nelson, luncheon at OCU law school. He also answered the phones for the OBA at the OETA Festival and moderated an ABA/CLE teleconference on blogging. Governor McCombs reported he attended the February board meeting, board dinner, retirement reception for Charlotte Nelson, luncheon at OCU law school and McCurtain County Bar Association luncheon. He also reported that he sent out invitations to paying invitees to the Tri-County Bar Association for the upcoming board banquet, as well as to the other invitees, met with the Museum of the Red River director regarding final arrangements for the banquet and met with Chef A.J. regarding final dinner arrangements. Governor Souter reported that in January he attended the swearing-in ceremony for the Board of Governors, January board meeting, Creek County Bar Association meeting and "Has Beens" party. In February he attended the Creek County

Bar Association meeting. Governor Stockwell reported she attended the Lawyers Helping Lawyers Committee meeting, Cleveland County Bar Association Executive Committee meeting and Charlotte Nelson's retirement reception. Governor Stuart reported he attended the February board meeting in Oklahoma City, Oklahoma High School Mock Trial final round at OU in Norman and volunteered at OETA Festival for the OBA.

#### REPORT OF THE YOUNG LAWYERS DIVISION

Governor Warren reported she chaired the YLD February Board of Directors meeting, participated in numerous discussions on the YLD Gift of Life Committee and the YLD Wills for Heroes Committee. She said the Gift of Life Committee has many brochures to distribute to the public encouraging organ donation. The Wills for Heroes Committee is working with the OBA Communications Department to develop a Web page for the community service project.

#### LAW STUDENT DIVISION LIAISON REPORT

LSD Representative Janoe reported the division is working on increasing its membership. He said holding member-only events is one idea they are exploring. They are also working on building the division into a more cohesive group instead of as three separate law school entities. He said they will be asking board members for help.

#### GENERAL COUNSEL REPORT

General Counsel Murdock shared a status report of the Professional Responsibility Commission and OBA disciplinary matters. He reported he attended a meeting of the PRC, OBA director's meeting and monthly OBA employee celebration. He participated in the annual OBA OETA evening program to raise money for public television, OCU Law School Pro Bono and Public Interest Career Fair, evening reception and benefit auction for the Pro Bono and Public Interest Career program a week later, personally donating an auction item. He spoke at a Career Day program to the gifted and talented student program involving 75 sixth grade students at the Mustang Education Center, presented a Saturday CLE in Tulsa to the national meeting of the Association for Legal Support Professionals and a noon CLE to the Garfield County Bar Association in Enid. He discussed with the OBA auditor improved procedures for processing payments received by the Office of the General Counsel and had implemented those recommended procedures.

#### BOARD LIAISON REPORTS

Governor Brown reported the Bench and Bar Committee's deadline for accepting comments on the proposed Code of Judicial Conduct is March 31. People submitting comments will be invited to the April 24 committee meeting. He said the committee has received a number of comments and will submit a detailed report to the board.

#### BAR CENTER RENOVATIONS

**Executive Director Wil**liams reported the injured construction supervisor is back on the job. He said a new roof is being installed on both buildings. Recent heavy rains resulted in leaks in bar center vestibule, which will need to be repainted at some point. He reviewed details of construction progress, including that the elevator will take days to assemble. He reported a staff meeting was held, and a timeline for the move has been created. The custom table for the board room will arrive in late May.

#### LAWYER'S CREED

The board voted to ratify its e-mail vote to amend the Lawyer's Creed by replacing reference to the Guidelines of Professional Courtesy that no longer exist with the Standards of Professionalism.

#### OKLAHOMA ATTORNEYS MUTUAL INSURANCE CO. BOARD OF DIRECTORS

The board approved President Conger's recommendation to reappoint Jo Angela Ables, Oklahoma City, and Michael Mayhall, Lawton, for three-year terms to OAMIC expiring June 1, 2011.

#### GUIDE FOR COMMITTEES AND SECTIONS POLICY AMENDMENT

Executive Director Williams reviewed the proposed

policy amendments to no longer require board approval of presidential committee leadership and membership appointments and to allow Law Student Division members and other non-OBA members to serve as ex officio committee members. The board approve the proposed amendments with the addition of a sentence that ex officio committee members will be non-voting members, plus the correction of a typographical error.

#### OBA REIMBURSEMENT POLICY

The board approved the amendment to change the word "spouse" to "guest" in all instances.

#### LAW DAY

Communications Director Manning reported contest winners have been selected and winning entries are posted on the Web. Production for the Ask A Lawyer TV show is under way. She encouraged board members to assist their county Law Day chairpersons to hold events, which are an excellent opportunity for positive public relations.

#### RULE OF LAW CONFERENCE

President Conger thanked Governors Christensen and Brown for their work on the April 11 conference. Board members should have received their invitations. He reviewed the names of speakers participating.

#### LEGISLATIVE UPDATE

Executive Director Williams reviewed current activities taking place at the Oklahoma Legislature.

#### **OETA FESTIVAL**

President Conger reported more than \$4,100 had been raised in private donations for the OBA's sponsorship. Several board members said they renewed their annual pledges when they received the mailing from OETA, so their donations were not included on volunteer night. Director Manning said she would inquire about adding those donations to the total, which would keep the OBA in the top level of donors recognized monthly in OETA's program guide.

# RESOLUTION FOR MCCURTAIN COUNTY BAR ASSOCIATION

President Conger presented a resolution of appreciation to the McCurtain County Bar Association for its hospitality in hosting the governors in Idabel.

#### **NEXT MEETING**

The board will meet at the Oklahoma Bar Center at 3 p.m. on Friday, April 25, 2008.

Editor's Note: Summaries of previous meetings can be found at www.okbar.org/obj/boardactions/default.htm

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#### Jerry D. Dean and James H. Pilkington v. Multiple Injury Trust Fund

Before the Workers' Compensation Court of the State of Oklahoma Court Claim No. 1986-16937Q consolidated with No. 1989-04341F

#### NOTICE OF CLASS ACTION PROPOSED SETTLEMENT AND HEARING ON SETTLEMENT

TO: All persons who received awards against the Special Indemnity Fund of the State of Oklahoma during the period from January 1, 1987, until May 9, 1996, whose claims were not timely paid, and who did not opt out of this class action, and the surviving spouses and dependent children of such persons.

PLEASE READ THIS NOTICE CAREFULLY. THIS IS NOT A NOTICE OF A LAWSUIT AGAINST YOU. YOU MAY BENEFIT FROM READING THIS NOTICE.

WHAT THIS LAWSUIT IS ABOUT. On October 22, 1993, Jerry D. Dean and James H. Pilkington filed this action on behalf of themselves and others similarly situated against the Special Indemnity Fund of the State of Oklahoma. The Class Representatives alleged that the awards entered against the Special Indemnity Fund during the period from January 1, 1987, until May 9, 1996, were not timely paid, and that the Special Indemnity Fund owed interest and remaining principal on all such awards. The Special Indemnity Fund later became known as the Multiple Injury Trust Fund. The parties have negotiated a proposed settlement.

NO ADMISSION OF LIABILITY. By settling this lawsuit, the Multiple Injury Trust Fund is not admitting that it has any liability to the class members.

**THE PROPOSED SETTLEMENT.** The proceeds total approximately \$71.2 million. Of this total, the Multiple Injury Trust Fund has paid Class Members approximately \$54.7 million during the pendency of this action. Under the terms of the settlement, the Multiple Injury Trust Fund will pay up to an additional \$9.1 million plus attorneys' and administrators' fees and costs pursuant to the review, approval and supervision of this Court. The attorneys for the class believe that this settlement is fair, reasonable, adequate and in the best interests of the class members. The terms of the settlement are as follows:

- 1. **Benefit.** Each class member who is a QUALIFIED CLAIMANT may receive a one time FINAL PAYMENT in an amount up to that which is set out in the following schedule from the MITF Claims Settlement Fund:
  - -\$1,000 for a QUALIFIED CLAIMANT whose order awarding material increase benefits in the original underlying claim was filed between January 1, 1987, and December 31, 1988;
  - \$700 for a QUALIFIED CLAIMANT whose order awarding material increase benefits in the original underlying claim was filed between January 1, 1989, and December 31, 1993; and
  - \$ 500 for a QUALIFIED CLAIMANT whose order awarding material increase benefits in the original underlying claim was filed between January 1, 1994, and May 9, 1996.

A sum equal to 20% of the amount paid to every QUALIFIED CLAIMANT shall be deducted from said amount and paid by the Multiple Injury Trust Fund in lump sum to the attorney of record who represented that QUALIFIED CLAIMANT in his underlying case against the Special Indemnity Fund.

A QUALIFIED CLAIMANT is defined in the proposed settlement agreement as follows: Any person who received awards against the Special Indemnity Fund of the State of Oklahoma during the period from January 1, 1987, until May 9, 1996, whose claims were not timely paid, and who did not opt out of this class action ("Class Member"), and:

- (1) Who is alive on the date of the filing of this Order; or
- (2) The surviving spouse (who is alive on the date of the filing of this Order) of a deceased class member; or (3) A surviving dependent child (who is alive on the date of the filing of this Order) of a deceased class member as defined in Title 85 O.S. §48.
- 2. **Release.** Each CLASS MEMBER shall be deemed to have fully, finally, and forever released, relinquished and discharged: (A) all Claims against the Multiple Injury Trust Fund (including its respective past and present officers, directors, agents, managers, attorneys, employees, associates, successors or predecessors in interest, and representatives), whether or not such CLASS MEMBER participates in the settlement by providing a claim form; and (B) the Multiple Injury Trust Fund from any and all claims arising out of, relating to, or in connection with the defense of this action. Further, the Multiple Injury Trust Fund shall be deemed to have, fully, finally and forever released, relinquished and discharged each and all of the CLASS MEMBERS, and their Counsel from any and all claims for abuse of process, malicious prosecution or any other claim arising out of, relating to, or in connection with the initiation and prosecution of the action.
- 3. Class Representative Award, Attorney Fees and Expenses, and Administrators' Fees and Expenses. The Multiple Injury Trust Fund will pay: an additional sum of \$7,500.00 as a class representative award to both Claimants Dean and Pilkington; a fee of \$6.4 million to the Class Action Attorneys as a fair and reasonable fee in satisfaction of their liens and for their efforts in prosecution of this action which has been pending since October 22, 1993 (this represents approximately 8.95% of the total proceeds); reasonable reimbursable costs to the Class Action Attorneys; and the sum of \$500,000.00 to the Co-Administrators of the MITF Claims Settlement Fund for fees and expenses incurred in administering claims under this settlement.

**CLAIMS PROCESS.** Members of the class who believe they are entitled to share in the class recovery MUST complete and submit the **PROOF OF ELIGIBILITY FOR PAYMENT and CLAIM FORM** provided below postmarked by SEPTEMBER 1, 2008, to the Office of the Administrators at the address set out in the form.

**FAIRNESS HEARING.** On APRIL 29, 2008, at 9:00 a.m. a hearing will be held on the fairness of the proposed settlement. At that hearing, the Court will hear any properly filed objections concerning the fairness of the proposed settlement. The hearing will take place in the Courtroom of Judge Richard L. Blanchard, Room 109, Workers Compensation Court, 1915 N. Stiles, Oklahoma City, Oklahoma 73105.

WHAT YOU CAN DO.

- 1. You should contact the attorney who represented you in your claim(s) against the Special Indemnity Fund. You may wish to consult with another attorney (at your expense) regarding this matter. You also have the right to file an appearance in the case if you wish.
- 2. If you have no objection to the settlement, and wish to participate in the settlement, you must fill out and return the Claim Form provided below.
- 3. You have the right to object to the proposed Settlement. Persons who desire to object must file a written objection with the Court Clerk of the Workers' Compensation Court and provide a copy of that objection to Class Counsel and Counsel for the Multiple Injury Trust Fund such that it is received by the Court Clerk and Class Counsel as well as Counsel for the Multiple Injury Trust Fund on or before APRIL 25, 2008, four (4) days before the Fairness Hearing. The written statement must contain: (1) A heading, referring to the above Court Claim Number(s) and to the Workers Compensation Court of the State of Oklahoma; (2) A statement as to whether the objector intends to appear at the settlement Fairness Hearing, either in person or through counsel, and, if through counsel, identifying counsel by name, address and telephone number; to preserve your right to appeal you must appear and present your objection at the Fairness Hearing; (3) A detailed statement of the specific legal and factual basis for each and every objection; (4) A list of any witnesses the objector may call at the settlement Fairness Hearing, together with a brief summary of each witness' expected testimony; (5) A list of and copies of any exhibits which the objector may seek to use at the settlement Fairness Hearing; (6) A list of any legal authority the objector may present at the settlement Fairness Hearing; (7) The objector's current address; (8) The objector's current telephone number; and (9) The objector's signature; (10) If you do object to the settlement, you must file your objection in writing with the Clerk of the Workers Compensation Court, 1915 N. Stiles, Oklahoma City, Oklahoma 73105. Any Class Member who fails to timely file such written statement in accordance with the above requirements will not be permitted to present any objection at the settlement Fairness Hearing.

IMPORTANT: THE COURT REQUIRES THAT ANY OBJECTIONS BE RECEIVED BY THE CLERK OF THE WORKERS' COMPENSATION COURT AND THE ATTORNEYS LISTED BELOW BY 5:00 PM ON APRIL 25, 2008. IF YOU MAIL AN OBJECTION, IT IS YOUR SOLE RESPONSIBILITY TO ENSURE THAT YOUR WRITTEN OBJECTION IS RECEIVED BY THE COURT CLERK AND THE LAWYERS LISTED BELOW BY 5:00 PM ON APRIL 25, 2008. YOU BEAR THE RISK OF ANY PROBLEM WITH THE MAILS.

WHAT YOU SHOULD DO IF YOU WISH TO MAKE A CLAIM NOW. You must submit the Claim Form below to the Office of the Administrators at the address listed on the Claim Form postmarked on or before September 1, 2008. You may contact the attorneys listed below after the date of the Fairness Hearing in order to confirm that the settlement was finally approved, and/or for more information about this matter.

Thomas A. Layon and John B. Nicks, Attorneys for the Class, at THE LAYON LAW FIRM, P.C., Pecan Tree Place - 2nd Floor, 5508 South Lewis Avenue, Tulsa, OK 74105, Phone (918) 583-5538, Fax (918)585-3101.

Philip W. Redwine, Attorney for the Multiple Injury Trust Fund, at REDWINE & CUBBERLEY, 400 South Crawford, Norman, OK 73069, Phone (405) 364-5551; Fax (405) 364-9591.

This notice is only a summary of the terms of the settlement. You may inspect the proposed Settlement Agreement and the Court file during regular business hours at The Workers Compensation Court whose address is set forth above. **DO NOT ADDRESS ANY QUESTIONS ABOUT THE SETTLEMENT OR THE LITIGATION TO THE CLERK OF THE WORKERS' COMPENSATION COURT OR TO THE JUDGE.** They are not permitted to answer your questions.

#### PROOF OF ELIGIBILITY FOR PAYMENT and CLAIM FORM

(Must be postmarked on or before September 1, 2008)

Name:  Print your name at the time you received an award against the Special Indemnity Fund.  Address:  Street		Office of the Co-Adn Pecan Tree Place- 2 nd 5508 South Lewis Av	Please mail this Claim Form to: Office of the Co-Administrators Pecan Tree Place- 2 nd Floor 5508 South Lewis Avenue Tulsa, OK 74105-7105	
City	State Zip	Your claim num	ber(s) or Court case number(s)	
Telephone: () SSN Name, address, and telephone number of A				
		CLAIMANT regarding an award of benefits again 9, 1996. I authorize communications regarding		
Present Name (Please type or print clearly	) Signature	Date		
(Please attach a ph	otocopy of your current driver'	s license, passport, or other valid picture identifi	cation.)	

# OBF Helps Oklahoma Students Gain Experience in Democracy and the Law

By Renée DeMoss, OBF President

Who was president when the 1964 Civil Rights Act was passed? What year was the Constitutional amendment enacted that gave women the right to vote? These are the types of questions that an alarmingly high number of young Americans students cannot correctly answer. Indeed, the lack of knowledge American students have about U.S. history and the democratic process has been termed a "crisis."

Another "crisis" said to be facing our country is the enormous need for pro bono service from lawyers. It is estimated that more than 80 percent of the legal needs of persons in the United States with limited income are currently unmet.

Recently the OBF agreed to fund two grant requests that may help address these crises — one that encourages Oklahoma students to learn more about the American democratic process and

another that enriches the legal educations of Oklahoma law students by helping them provide pro bono services to those in need. Under an OBF policy that supplies funding in certain circumstances outside the usual grant cycle, the foundation awarded funds to support Norman High School students and law students from the University of Oklahoma College of Law, with projects designed to aid them in learning more about our laws and legal system.

#### FIRST OBF GRANT AWARDED TO NORMAN HIGH SCHOOL

Norman High recently outscored other Oklahoma schools to become state champions of the "We the People: the Citizen and the Constitution" competition. The "We The People" program is a nationally acclaimed curriculum that focuses studies of middle and high school students on the history and principles of the U.S. Constitution and the Bill of Rights. A recent nation-wide study of the program confirms that students learning this curriculum display significantly greater "political tolerance" and commitment to principles enunciated in the Constitution and Bill of Rights than do students learning through traditional textbooks and teaching methods.

> Based on their studies of the "We the People" materials, students first compete in their own classrooms and then with other area schools in simulated congressional hearings, where they evaluate, take and defend positions on historical and contemporary political issues. During the competitions, the students prepare oral presentations and field ques-



tions from judges designed to demonstrate their knowledge and understanding of how democracy works in the United States.

The Oklahoma state competition was held at the State Capitol Building and competing teams were ranked by Oklahoma judges. The Norman team advanced to represent Oklahoma in the national competition to be held in Washington, D.C. in May, where they will compete against teams from the other 49 states and the District of Columbia, OBF funding will help send the Norman students to the national competition.

THE UNIVERSITY OF OKLAHOMA COLLEGE OF LAW PRO BONO PROGRAM "STUDENTS FOR ACCESS TO JUSTICE" RECEIVES SECOND GRANT

The "Students for Access to Justice" program provides OU law students

our law students with volunteer opportunities to work on legal issues through internships with Oklahoma organizations, government agencies and courts at every level.

In January 2008, five students from the OU SATJ program traveled to New Orleans to volunteer with the Student Hurricane Network. The Student

Hurricane Network is a national network of law students dedicated to advancing the cause of social justice in communities affected by Hurricanes Katrina and Rita.

While there, the students worked with the New Orleans Legal Assistance Corporation by helping attorneys with bankruptcy issues. They also worked with the Louisiana Justice Institute, a non-profit legal advocacy organization created to address the urgent needs poor and minority communities have in rebuilding their neighborhoods. The students completed surveys and informed displaced residents living in Federal Emergency Management Agency trailer parks about rights they have to receive assistance from the U.S. Department of Housing and Urban Development.

Deeply moved by the pro bono work they did in New Orleans, the five OU students returned from New Orleans with a real appreciation for the impact that quality legal assistance can make in the lives of others. With great enthusiasm, those five



students motivated 15 more students to forego their spring breaks and go back to New Orleans to continue their pro bono work in this devastated area. The OBF helped fund this worthwhile educational experience for the OU law students.

During this trip, many of the students worked on another project designed by the Louisiana Justice Institute. The students went door to door to every house in the Ward 27 neighborhood to gather information about each house and the legal problems the residents face in rebuilding.

Law students Walt Cromwell, Toby Frisen and Joanne Lafontant had the opportunity to assist an 80 year old gentleman who had worked as a mechanic for the Tuskegee Airmen. He was still living in a FEMA trailer and was battling ailments caused by formaldehyde in the trailer. He was struggling to rebuild his home of 45 years where he had raised his children, and was dealing with rising costs for building materials and the endless red

tape involved in obtaining government assistance. Other students helped similar clients negotiate through the myriad roadblocks they faced in obtaining assistance to rebuild their homes. The students were glad for the opportunity to participate in the program, and the lessons learned will serve them

well in their future legal careers. Student Mary Walters stated, "The little bit that I was able to give was one of the most rewarding experiences of my life. If everyone gave one week, it would make a huge impact."

OU law students Brad Wilson and Mike Davis were among those who worked with the Orleans Public Defender's Office, which represents people accused of committing crimes in the Orleans Parish and who cannot afford private

attorneys. Mr. Davis assisted the office in updating files, organizing case loads and ensuring that no one slipped through the cracks by failing to be assigned an attorney. Mr. Wilson conducted interviews with five inmates at the Orleans Parish Prison to obtain information about the facts of their cases and their criminal histories and to familiarize them with the procedures followed by the



Orleans Public Defenders
Office. He also worked with
a student studying social
work to conduct psychosocial assessments to determine if the five inmates
required treatment for post
traumatic stress, substance
abuse or other health related
problems. Mr. Wilson is
interested in criminal
defense work and enjoyed
learning the holistic
approach of the Orleans

Public Defenders Office. "I hope the work we did will not only help the inmates get fair and just treatment in the legal system but will also get them the help they need to stay clean and out of the system."

You can be a part of the initiative to help Oklahoma students gain valuable experiences like these through membership in the OBF

Fellows program and through other general contributions. Join with other Oklahoma attorneys and help us to make a real improvement in the lives of others by completing the Fellow enrollment form that follows. Annual Fellow payments of only \$100 still go a long way and help many diverse law-related programs!





# FELLOW ENROLLMENT FORM

Attorney O Non-Attorney

Name: (name, as it should appear on your OBF Fellow Plaque)	County	
(name, as it should appear on your Obr Fellow Flaque)	County	
Firm or other affiliation:		
Mailing & Delivery Address:		
City/State/Zip:		
Phone: Fax: E-1	Mail Address:	
I want to be an OBF Fellow <u>now</u> – Bill Me Later!		
Total amount enclosed, \$1,000		
\$100 enclosed & bill annually		
New Lawyer 1st Year, \$25 enclosed & bill as stated	YES –	
New Lawyer within 3 Years, \$50 enclosed & bill as stated & 2	apport charitable good works agree to become a member of	
_ I want to be recognized as a <b>Sustaining Fellow</b> & will continue my annual gift of at least \$100 – (initial pledge should be complete)	the OBF Fellow Program.	
I want to be recognized at the leadership level of <b>Benefa</b> contribute <b>at least \$300</b> – (initial pledge should be complete)	ctor Fellow & will annually	
Signature & Date:	OBA Bar #:	
Make checks payable to: Oklahoma Bar Foundation • P O Box 53036 • Oklahoma Ci	ty OK 73152-3036 • (405) 416-7070	
OBF SPONSOR:		
I/we wish to arrange a time to discuss possible cy pres distribution to the Oklahoma Bar Foundation and my contact information is listed above.		
Many thanks for your suppor	rt & generosity!	

#### **OBA/CLE** presents

#### **Reinventing Your Law Practice**

#### Cosponsored with the OBA Law Office Management and Technology Section

Tulsa Oklahoma City April 18, 2008 April 25, 2008

LOCATIONS: Renaissance Hotel Oklahoma Bar Center 6808 S. 107th E. Ave. 1901 N. Lincoln Blvd.

CLE CREDIT: This course has been approved by the Oklahoma Bar Association Mandatory Continuing Legal

Education Commission for 6 hours of mandatory CLE credit, including 0 hours of ethics. For course

approval in other states, contact the CLE Registrar.

TUITION: \$150 for early-bird registrations received with payment at least four full business days prior to the

seminar date; \$175 for registrations received within four full business days of the seminar date. Register online at www.okbar.org/cle. The Oklahoma City program will be webcast. For details go

to www.legalspan.com/okbar/webcasts.asp.

**CANCELLATION** Cancellations will be accepted at any time prior to the seminar date; however, a \$25 fee will be charged

POLICY: for cancellations made within four full business days of the seminar date. Cancellations, refunds, or

transfers will not be accepted on or after the seminar date.

#### **Program Planners**

Jody Nathan, Stauffer, Graves & Nathan, A P.C., Tulsa
John Brewer, Law Office of John N. Brewer, Oklahoma City

Jim Calloway, OBA Director of Management Assistance Program, Oklahoma City

#### Program Moderator Jody Nathan

Program:

DATES &

8:30 a.m. Registration and Continental Breakfast

9:00 Reinventing Your Work: Using To-Do Lists, Folders, and Other Time Management Tools -Get

More Done in a Faster Way

Tery Deshong, Department of Human Services, Tahlequah

9:50 Break

10:00 Reinventing Yourself as a Virtual Lawyer: Just You and Your Laptop

Bill Kumpe, The Bill Kumpe Law Firm, Tulsa

10:50 50 Tips on Reinventing Your Practice

Jim Calloway John Brewer

11:40 Networking lunch (included in registration)

12:10 p.m. Reinventing Your Perspective: Clients are More Than Just Legal Problems

Karina Forrest, Executive Director, National Alliance on Mental Illness OK, Oklahoma City

1:00	Reinventing Your Office Systems: A Case Study Gabe Bass, Bass Law Firm, A P.C., El Reno
1:50	Break
2:00	Reinventing Your Customer Service Model Jim Calloway
2:50	Adjourn

Reinventing Your Law Practice
Cosponsored with the OBA Law Office Management and Technology Section

□ <b>Tulsa</b> April 18, 2008 Renaissance Hotel			
□ Oklahoma City	Full Name		
April 25, 2008	Firm		
Oklahoma Bar Center	Address		
□ Materials only \$80	City	StateZip	
	Phone ( )	E - Mail	
	Are you a Member of OBA? ☐ Yes ☐ No	OBA Bar#	
	Make Check payable to the Oklahoma Bar to: CLE REGISTRAR, P.O. Box 53036 O		
	For ☐ Visa or ☐ Master Card Fax (405) 4 or Mail	16-7092, Phone •(405) 416-7006	
	Credit Card#	Exp.date	
	Authorized Signature		

# Meeting the Need

By Lynn Elliott Gaither

One year ago a group of attorneys met in Oklahoma City for an evening reception celebrating the beginning of Trinity Legal Clinic of Oklahoma Inc. The next day, more than 20 attorneys and law students gathered for training sessions on criminal law, immigration law and family law. These same attorneys, plus those who have joined along the way, have provided well over 250 hours of free legal services and served approximately 150 indigent persons in Oklahoma City who otherwise would not have had timely

access to legal counsel.

Trinity Legal is an Oklahoma not-for-profit corporation funded by donations from attorneys and others interested in helping the poor with their legal needs. The clinic model is designed to maximize resources, to minimize inefficiency and to empower volunteer attorneys to make the most of their commitment of time and talent. Instead of using resources to operate a bricksand-mortar facility, Trinity Legal partners with existing community organizations. The clinic operates within the partner organizations' facilities and serves the partner organizations' clients.

The partner organizations assist with initial client intake and financial eligibility screening. Trinity Legal's first two partner organizations are City Rescue Mission and Cross and Crown Mission, both in Oklahoma City. Discussions are ongoing for adding additional "partnerships" at other locations.

This clinic model also ensures clients are served in a comprehensive manner. Indigent clients needing help with child support enforcement often also need assistance in feeding and clothing their children. Cross and Crown Mission has programs to provide this assistance. Homeless clients with outstanding warrants for failing to report to their probation officer often need an addiction recovery program. City Rescue Mission

provides these programs. Clients receiving assistance with their legal needs also have access to other services which address other needs, thereby providing a holistic approach and increasing the likelihood of long-term improvement in their life circumstances.

Many Trinity Legal clients are taking advantage of these services to improve their situation. At City Rescue Mission, Trinity Legal often assists clients who are enrolled in the Bridge to Life program. In addition to attending recovery programs such as Alcoholics Anonymous, participants in this structured program commit to attend numerous life-skill classes designed to help individuals overcome homelessness

permanently. Clients take courses on anger management, financial skills, job training, parenting, relationship skills and communication, among others. Trinity Legal's volunteer attorneys help these participants deal with legal issues that would otherwise impede their progress toward completion of the program and their goal of independent living.

Most attorneys volunteering with Trinity Legal sign

up to serve at a two-hour clinic session once every month or every other month. At the clinic, two attorneys meet with a client to discuss the client's legal issues. The attorneys answer legal questions and provide counsel on how to proceed in a given situation. If a client has a matter requiring ongoing representation, one of the interviewing attorneys might volunteer to provide further assistance on a pro bono basis or might find another attorney to assist the person. Realizing that no legal service organization is capable of meeting all the needs of the poor, Trinity Legal continues to network with other legal service organizations, government agencies

and charities to address as many needs as possible.

Trinity Legal provides volunteer attorneys with training and information on common poverty law issues such as child custody, guardianship, divorce, misdemeanors, birth certificate corrections, social security and victim protective orders. A desk reference manual is available at each clinic location and covers the applicable law and procedures for many poverty law issues. Reference attorneys are also available to answer questions from clinic volunteers regarding specific legal issues.

The needs of the poor are great, far greater than the available resources of Trinity

Legal and all the other worthy legal service organizations. Please consider how and where you can best serve the poor, so many of whom desperately need the help only an attorney can provide. Every attorney with a heart for service can make a difference.

Ms. Gaither is executive director of Trinity Legal Clinic of Oklahoma Inc., P.O. Box 7868, Edmond, OK 73083-7868, (405) 410-4544, www.trinitylegal.org. Trinity Legal is a Christian organization that provides free legal services without regard to a client's sex, race, age, national origin or religion. This article was written at the request of the Access to Justice Committee.

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The Christian Legal Society of Oklahoma requests the Honor of your presence at the Eighth Annual Banquet

Monday, May 12, 2008

6:30 р.м.

Petroleum Club of Oklahoma City

Chase Bank Tower 100 North Broadway, 34th Floor Oklahoma City, Oklahoma

Keynote Speaker: Mary Fallin

\$50.00 per person

For more information call Rosemary Rogers (405) 524-2020

>>>>>>>>>>>>>

#### **Hot Topics in Mediation for Advocates and Mediators**

Cosponsored by OBA/CLE and the OBA ADR Section

Oklahoma City

DATE & April 17, 2008

LOCATION: Oklahoma Bar Center

1901 N. Lincoln Blvd.

CLE CREDIT: This course has been approved by the Oklahoma Bar Association Mandatory Continuing Legal

Education Commission for 6 hours of mandatory CLE credit, including 1 hour of ethics. For course

approval in other states, contact the CLE Registrar.

TUITION: \$150 for early-bird registrations received with payment at least four full business days prior to the

seminar date; \$175 for registrations received within four full business days of the seminar date. Register

online at www.okbar.org/cle.

CANCELLATION Cancellations will be accepted at any time prior to the seminar date; however, a \$25 fee will be charged

POLICY:

for cancellations made within four full business days of the seminar date. Cancellations, refunds, or

transfers will not be accepted on or after the seminar date.

#### Program Planners/Moderators

Andrea Braeutigam, J.D., LL.M., Institute for Dispute Resolution, Stillwater Lynn Malley, J.D., M.A., LL.M., Institute for Dispute Resolution, Stillwater

8:30 a.m. Registration and Continental Breakfast

9:00 Facilitative vs Evaluative Mediation: What Difference Does it Make, and Who Would Know

Anyway?

Panel Moderators
Andrea Braeutigam
Lynn Malley
Panel Members

Ray Tompkins, Ray Tompkins, PLLC., Oklahoma City Steve Boaz, Boaz & Associates, P.C., Oklahoma City

Gail Puckett, J.D., Mike Monroney Aeronautical Center, Oklahoma City

9:50 Break

10:00 Family Mediation: Considerations in Mediating Cases Involving Domestic Violence

TBA

10:50 Collaborative Law: Another Tool in the Attorney's Toolbox

**Panel Members** 

Julie S. Rivers, Family Law Solutions, P.C., Oklahoma City

Malcolm McCollam, McCollam Law, Tulsa David Tracy, Naylor, Williams & Tracy, Inc., Tulsa

11:40 Networking lunch (included in registration)

12:10 p.m.	Mediation Representation: (How) Mediators Would Like You to Prepare Your Client  Panel Moderators  Andrea Braeutigam  Lynn Malley  Panel Members
	Steve Boaz
	Barry Davis, Atkins & Markoff, Oklahoma City
	Robert C. Margo, Robert C. Margo, P.L.L.C., Oklahoma City
1:00	Mediation Case Law Review: Top Five Issues That Make it to Court - Where Do You Fit? Andrea Braeutigam Lynn Malley
1:50	Break
2:00	Ethics - Questions for Representatives and Mediators to Cogitate On (ethics) Gina Hendryx, Ethics Counsel, Oklahoma Bar Association, Oklahoma City
2:50	Adjourn

# Hot Topics in Mediation for Advocates and Mediators Cosponsored with OBA/CLE and OBA ADR section

☐ Oklahoma City	Full Name	
April 17, 2008 Oklahoma Bar Center		
	Address	
	City	StateZip
	Phone ( )	E - Mail
	Are you a Member of OBA? $\Box$ Y	es 🗆 No OBA Bar#
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#### YOUNG LAWYERS DIVISION

#### YLD WELCOMES NEW ADMITEES

The Young Lawyers Division will host several activities in the next few weeks to welcome its newest members to the Oklahoma Bar Association.

During the next few weeks, the YLD will host a number of opportunities for the division to extend its welcome and offer congratulations to those individuals who successfully passed the February bar exam.

There will be three swearing-in ceremonies for those who passed the February bar exam at the Oklahoma Supreme Court Courtroom on April 25. The ceremony for OCU graduates who passed will be at 9 a.m., OU and out of state attorneys will be at 10 a.m. and TU will be at 11 a.m. Immediately following each ceremony, the YLD will host a reception for the new members and their families and friends. Light refreshments and snacks will be served. Information on the division's standing committees and

current activities will also be provided during this networking opportunity. For more information, contact Doris Gruntmeir at (918) 680-3983.

Happy hour receptions in Tulsa and Oklahoma City will also honor the new lawyers. All new division members, as well as all YLD members, are invited and encouraged to attend each of these events. Festivities will be in both Tulsa and Oklahoma City. For questions concerning the happy hour in Tulsa, please contact Molly Bircher at mbircher @hallestill.com or (918) 594-0595. Questions about the Oklahoma City happy hour should be directed to John Weaver at jweaver@baer-timberlake.com or (405) 842-7711.

# NEW LAWYER HAPPY HOURS

MAY 7 - 6 P.M.

SONOMA BISTRO & WINE BAR 3523 S. PEORIA AVE. TULSA

MAY 15 - 6 P.M.

MICKEY MANTLE'S STEAKHOUSE 7 S. MICKEY MANTLE DR. OKLAHOMA CITY

#### Calendar

#### April

- OBA Civil Procedure
  Committee Meeting; 3 p.m.;
  Oklahoma Bar Center, Oklahoma
  City and OSU Tulsa; Contact:
  James Milton (918) 591-5229
- OBA Clients' Security Fund Committee Meeting; 2 p.m.; Oklahoma Bar Center, Oklahoma City and Tulsa County Bar Center, Tulsa; Contact: Micheal Salem (405) 366-1234
- 17 OBA Legal Intern Committee Meeting; 3:30 p.m.; Oklahoma Bar Center, Oklahoma City; Contact: H. Terrell Monks (405) 733-8686
- OBA Bar Center Facilities
  Committee Meeting; 9 a.m.;
  Oklahoma Bar Center, Oklahoma
  City and Tulsa County Bar Center,
  Tulsa; Contact: John Morris
  Williams (405) 416-7000

- 24 OBA Bench and Bar Committee Meeting; 12 p.m.; Oklahoma Bar Center, Oklahoma City and Tulsa County Bar Center, Tulsa; Contact: Jack Brown (918) 581-8211
- 25 OBA Board of Governors
  Meeting; Oklahoma Bar Center,
  Oklahoma City; Contact: John
  Morris Williams (405) 416-7000
- 26 OBA Young Lawyers Division Meeting; 9:30 a.m.; Oklahoma Bar Center, Oklahoma City; Contact: Kimberly Warren (405) 239-7961
- OBA Law-related Education Committee Meeting; 4 p.m.; Oklahoma Bar Center, Oklahoma City; Contact: Debra Jenkins (405) 416-7028





#### May

- **OBA Ask A Lawyer Day;** Oklahoma City and Tulsa; Contact: Melissa Brown (405) 416-7017
- OBA Bench and Bar Committee Meeting; 12 p.m.; Oklahoma Bar Center, Oklahoma City and Tulsa County Bar Center, Tulsa; Contact: Jack Brown (918) 581-8211

**OBA Professionalism Committee Meeting;** 4 p.m.; Oklahoma Bar Center, Oklahoma City and Tulsa County Bar Center, Tulsa; Contact: Sharisse O'Carroll (918) 584-4192

887

OBA Family Law Section Meeting; 3 p.m.; Oklahoma Bar Center, Oklahoma City and OSU Tulsa; Contact: Lynn S. Worley (918) 747-4610

#### may cont'd

- OBA Access to Justice Meeting; 1:30 p.m.; Oklahoma Bar Center, Oklahoma and Tulsa County Bar Center, Tulsa; Contact: Kade McClure (580) 248-4675
- OBA Alternative Dispute Resolution Section Meeting; 4 p.m.; Oklahoma Bar Center, Oklahoma; Contact: Andrea Braeutigam (405) 744-3305 or Michael A. Simpson (918) 582-8877
- 20 OBA Civil Procedure Committee Meeting; 3 p.m.; Oklahoma Bar Center, Oklahoma City and OSU Tulsa; Contact: James Milton (918) 591-5229
- OBA Member Services Committee
  Meeting; 3:30 p.m.; Oklahoma Bar Center,
  Oklahoma City; Contact: Keri Williams
  (405) 385-5148

- **OBA Paralegal Committee Meeting;** 3 p.m.; Oklahoma Bar Center, Oklahoma City; Contact: Joseph H. Bocock (405) 235-9621
- OBA Board of Governors Meeting; Enid, Garfield County; Contact: John Morris Williams (405) 416-7000
- Memorial Day (State Holiday)



#### June

5 OBA Work, Life Balance Committee Meeting;

12 p.m.; Oklahoma Bar Center, Oklahoma City and Tulsa County Bar Center, Tulsa; Contact: Melanie Jester (405) 609-5280

**OBA Board of Editors Meeting**; 2 p.m.;
Oklahoma Bar Center,
Oklahoma City and Tulsa
County Bar Center, Tulsa;
Contact: Carol Manning
(405) 416-7016

12 OBA Bench and Bar Committee Meeting;

12 p.m.; Oklahoma Bar Center, Oklahoma City and Tulsa County Bar Center, Tulsa; Contact: Jack Brown (918) 581-8211

#### OBA Professionalism Committee Meeting:

4 p.m.; Oklahoma Bar Center, Oklahoma City and Tulsa County Bar Center, Tulsa; Contact: Sharisse O'Carroll (918) 584-4192

- OBA Family Law
  Section Meeting; 3 p.m.;
  Oklahoma Bar Center,
  Oklahoma City and OSU
  Tulsa; Contact: Lynn S.
  Worley (918) 747-4610
- 17 OBA Civil Procedure
  Committee Meeting;
  3 p.m.; Oklahoma Bar
  Center, Oklahoma City and
  OSU Tulsa: Contact: James

Milton (918) 591-5229

19-21 OBA Solo & Small Firm Conference and YLD Midyear Meeting; Tanglewood Resort on Lake Texoma; Contact: (405) 416-7050

This master calendar of events has been prepared by the Office of the Chief Justice in cooperation with the Oklahoma Bar Association to advise the judiciary and the bar of events of special importance. The calendar is readily accessible at www.oscn.net or www.okbar.org.

#### FOR YOUR INFORMATION



Oklahoma bar and ABA leaders meet at the recent Bar Leadership Institute. From left are ABA President-Elect Tommy H. Wells, OBA President-Elect Jon Parsley, OBA Executive Director John Morris Williams and ABA Executive Director Henry F. White.

#### **OBA Leader Attends Institute**

OBA President-Elect Jon Parsley of Guymon recently joined 300 other incoming leaders of lawyer organizations from across the country at the ABA's annual Bar Leadership Institute in Chicago.

Others from Oklahoma attending the institute were Oklahoma County Bar President-Elect James Kirk, OCBA Executive Director Debbie Gorden, Tulsa County Bar President-Elect Leonard Pataki and TCBA Executive Director Sandra Cousins.

The group attended sessions on bar governance, finance, communications and planning for a presidential term. Various ABA entities briefed the participants on resources available from the ABA for local, state, national and specialty bar associations and foundations.

The institute is sponsored by the ABA Standing Committee on Bar Activities and Services and the ABA Division for Bar Services.



Volunteer lawyers take calls during the OETA Festival March 12.

#### **Bar Supports Public Television**

The OETA raised more than \$4,000 in private donations as part of its volunteer effort to support the state's PBS-TV station during the annual OETA Festival. The donation earned the association recognition as a "Senior Executive Producer" level that is recognized in the station's monthly programming guide.

Bar members turned out in force the evening of March 12, taking pledges by phone during the fundraiser. This year's volunteers were Melinda Alizadeh-Fard, Stephen Beam, Jim Drummond, Tim Henderson, Brian Hermanson, W. Mark Hixson, Mark Koss, Dan Murdock, Sherry Oden, Ernest Nalagan, Janis Preslar, Judge Richard Kirby, Kendra Robben, Linda Ruschenberg, Lori Sander, Anna Self, B. Michael Shanbour, Jim Stuart, Margaret Travis and Rex Travis.

#### **OBA Member Resignations**

The following OBA members have resigned as members of the association and notice is hereby given of such resignation:

Thomas Phillip Anderson OBA No. 15526 18731 Talarik Dr. Eagle River, AK 99577

John William Beck OBA No. 648 4816 S. Ash Ave., Suite 102 Tempe, AZ 85282-7735

LeeAnn Marie Benischek OBA No. 19274 4333 Edgewood Road NE Cedar Rapids, IA 52499-5221 David E. Nichols OBA No. 6658 100 Blackbeard's Hill, Suite 8E St. Thomas, U.S.V.I. 00802

Lance Steven Salyers OBA No. 21039 35 Forest View Court Monroe, OH 45050

Alice Kathryn Wasson OBA No. 20125 Oak Tower 324 E. 11th St., 20th Floor Kansas City, MO 64106-2417

# Kudos

Tonica Amis Wit-**L**trock, president of First American Title & Trust Company and vice president for First American Title Insurance Company, has been elected as chairman of the newly created Oklahoma Abstractors Board. The OAB regulates the abstracting industry and enforces the Oklahoma Abstractors Act as of Jan. 1, 2008. Ms. Wittrock was appointed to the board by Gov. Brad Henry in November 2007.

n article titled "Invite **A**the Magic of Siegfried and Roy into Your Torts Discussion," written by Marty Ludlum of Oklahoma City Community College, was published in the Journal of Legal Studies Education (spring 2008). The article discussed bringing current events into the classroom and how a professor's passion (in this case, magic) can lead to a quality discussion, applying legal topics to the real world.

Mark Lovelace, Eric L. Johnson and other lawyers in Phillips McFall McCaffrey McVay & Murrah PC have authored "Oklahoma Lending Law, a Guide for Commercial Lenders." The guide focuses on laws impacting banks and other

lenders that make business loans and conduct related commercial transactions in Oklahoma. It is available online through the American Bar Association.

BA member Kristi Lea Harrington was recently elected circuit judge to South Carolina's Ninth Judicial Circuit. Judge Harrington is a 1996 graduate of the TU College of Law.

William P. Bleakley was among nine journalists to be recently inducted into the Oklahoma Journalism Hall of Fame. Mr. Bleakley is publisher of the Oklahoma Gazette. He founded the paper in 1979, and it has grown into the state's largest general circulation weekly. He is a 1972 graduate of the OU College of Law.



Henry A. "Hank" Meyer, Christine Cave and Ryan Leonard announce the formation of their new partnership, Meyer Cave & Leonard PLLC, located in the heart of Bricktown at 116 E. Sheridan, Suite 207, Oklahoma City, 73104. Daniel G. Couch also has joined the firm as an associate. The firm will concentrate primarily on the areas of federal and state litigation (civil and criminal), class actions, energy law, and employment counseling and litigation. The firm's phone number is (405) 702-9900.

Oklahoma Attorneys Mutual Insurance Company announces that Alison A.

Cave has joined the company as in-house counsel in the claims area. Ms. Cave received her J.D. from the OU College of Law in 1985 and brings experience in professional liability defense, insurance and general negligence liability defense, as well as bar disciplinary defense matters.

Titus, Hillis, Reynolds, Love, Dickman & Mc-Calmon announces that Michael S. Linscott and **James J. Robertson** have joined the firm. Mr. Linscott joins the firm as a partner. He holds a B.S. degree in mathematics from OU and earned his law degree with honors from the TU College of Law. His primary focus is on complex commercial litigation and insurance related cases, including bad faith, products liability and toxic tort matters. Mr. Robertson will serve in an of counsel position with the firm. He is also a graduate of the TU College of Law. He will enhance the firm's labor and employment practice group and adds a family law practice. He has more than 10 years of family law experience in the Tulsa

area, and he also has experience in worker's compensation and personal injury matters.

Henry C. Bonney, Scott W. Stone and John E. Campbell Jr. announce that Jerry W. Herberger has joined the firm as an associate and that the firm name has been changed to Bonney Stone & Campbell LLP. Offices are located at BancFirst Building, 16 S. 9th St., Suite 300, Duncan, 73533; (580) 255-5600; bsc@bonneystonecampbell.com.

**Tobey S. Elliott** announces **■** the opening of his law office, T.S. Elliott Law Office PLLC, located at 600 S. Denton Tap Rd., Suite 134, Coppell, Texas, 75019-5441. The practice focuses on federal firearms and explosives license regulation defense, small business needs, real estate transactions, estate planning, land use law, elder law, disability law and education law. Mr. Elliott received a B.B.A. in real estate from North Texas in 1985 and his J.D. in 1999 from OCU. He can be reached at (877) 486-5298, tse@tselliottlawoffice. com or through the Web site www.tselliottlawoffice.com.

Mitchel, Gaston, Riffel & Riffel PLLC announces Lynn M. Retz has been named a partner in the firm. Ms. Retz's areas of practice include bankruptcy, Medicaid, estate planning and civil litigation. She is in the firm's satellite offices of Woodward, Alva and Fairview by appointment and otherwise in the Enid office.

Karen M. Thomas announces the opening of the law office of Karen M. Thomas, Attorney at Law. Ms. Thomas, a graduate of the SMU School of Law, was formerly a prosecuting attorney for The Chickasaw Nation. Her practice will consist of general civil and criminal law, with emphasis on divorce and family law matters, real estate, oil and gas, probate and criminal defense. Her office is located at 100 E. 13th St., Suite 102, Ada, 74821. Her mailing address is P.O. Box 2645, Ada, 74821. Phone: (580) 332-2545; Fax: (580) 332-3233; kmthomasesq@cableone.net.

Tall, Estill, Hardwick, Gable, Golden & Nelson PC announces that **Susanna** Gattoni Voegeli has rejoined the firm as a shareholder and Elisabeth E. Muckala was hired as an associate in the Oklahoma City office. In the firm's Tulsa office, Richard **L. Edmonson** has joined the firm in an of counsel position, and Thomas D. Robertson has been elected shareholder. Ms. Voegeli received a B.S. from OU and her I.D. with honors from the OU College of Law. She has returned to Hall Estill after two years with the U.S. Attorney's Office for the Western District of Oklahoma. Her practice areas include class action defense, employment counseling, employment litigation, labor and employment, and litigation. Ms. Muckala received a B.A. from OU and her J.D. summa cum laude from OCU School of Law. Her practice areas include administrative law, appellate practice,

civil rights, claims litigation, corporate/commercial, and energy and natural resources. Previously Mr. Edmonson was with Syntroleum Corp. where he served as senior vice president and general counsel. His practice areas include corporate/commercial, energy and natural resources, renewable energy, oil and gas, and legislative and regulatory affairs. He received a B.A. from OSU and his J.D. from the University of Texas School of Law. Previously, Mr. Robertson was with the firm in an of counsel position. He received a B.A. from Austin College and his J.D. from Emory University School of Law where he was a member of the National Trial Competition team. His primary practice area is labor and employment, including employment counseling and employment litigation.

Lannounces that Jenifer A. Gani has joined the firm as an associate attorney. Ms. Gani is a 2000 graduate of OCU and a 2007 graduate of OCU School of Law. She was formerly with the James C. Cox Law Firm in Oklahoma City.

The Bartlesville law firm of Selby, Connor, Maddux & Janer announces Janice P. Dreiling, retired district judge for Washington and Nowata counties, has joined the firm of counsel. She will provide legal assistance to clients in civil law, including mediation, estate planning, wills and trust, administration of estates, guardianship matters, health care and advance directives.

Rosenstein, Fist & Ringold announces that Bo Rainey has been made a member of the firm. He received B.S. and B.A. degrees from the University of Kansas in 1987 and earned his law degree from TU in 1992. Mr. Rainey has been employed by the firm since 2001 and was made a member of the firm in 2008. Rosenstein, Fist & Ringold has offices located at 525 S. Main, Suite 700, Tulsa, 74103 and 2801 N. Lincoln Blvd., Suite 224, Oklahoma City, 73105. Other information regarding the firm can be found on its Web site at www.rfrlaw.com.

¬he Tulsa law firm of Herrold Herrold & Co. PC announces the selection of John A. Bugg and Mark **A. Waller** as shareholders and directors of the firm. The firm also announces that Emily M. Jones has joined the firm as an associate. Mr. Bugg obtained his bachelor's degree from Oklahoma Baptist University, a master of divinity degree from Southwestern Baptist Theological Seminary in Fort Worth, Texas, and received his J.D. from Baylor School of Law in 1989. His practice emphasizes complex civil and commercial litigation as well as labor and employment law, along with emerging practice in the areas of estate planning and commercial transactions. Mr. Waller joined the firm in 2003. He is a 1991 graduate of the TU College of Law and obtained his bachelor's degree in economics from TU in 1980. Mr. Waller practices primarily in the areas of labor and employment

law, civil and commercial litigation, and energy law. Ms. Jones is a 2007 graduate of the TU College of Law and received her bachelor's degree from the University of Kansas in 2003. She served in the student bar association during law school as both a delegate and the chairperson of the Community Affairs Committee, and was the editor in chief of Dicta, the TU Law newspaper. She joined the firm in 2007 and has focused her practice on civil and commercial litigation, employment litigation and probate, trust administration and estate planning.

ableGotwals announces Jthat Leslie L. Lynch has joined the firm in the firm's Oklahoma City office in an of counsel position. Ms. Lynch has experience in complex civil litigation and employment litigation and was previously employed by the U.S. District Court for the Western District of Oklahoma as a law clerk for eight years. She serves as an adjunct professor at OCU teaching a course in pretrial litigation. She graduated magna cum laude from OCU School of Law in 1993. She earned a B.B.A. with an emphasis in marketing from Oklahoma Baptist University in 1987. Ms. Lynch's legal practice is in the areas of litigation (state and federal), employment liability, product liability and appellate practice.

Anne E. Zachritz has been elected to the board of directors of Andrews Davis. Ms. Zachritz concentrates her practice in employment defense and commercial

litigation. She represents employers in employment litigation and in charges of discrimination before the Equal Employment Opportunity Commission and the Oklahoma Human Rights Commission.

Robinett & Murphy announces that Jennifer Struble has joined the firm as an associate. Ms. Struble earned a B.S. in political science from OSU in 1993, an M.P.A. from OU in 1995 and a J.D. from TU in 2003. While at TU, she served as the executive editor of the Tulsa Law Review. Her practice areas include civil litigation, employment law and Social Security appeals.



Richard A. Parr II was a featured speaker at the University of Texas' 30th annual Corporate Counsel Institute. He spoke regarding "Current Topics in Acquisitions and Divestitures." Mr. Parr currently serves as general counsel of HCR ManorCare Inc., a nationwide provider of post-acute and long-term care, home health and hospice services, based in Toledo, Ohio.

Mike McBride III
. spoke at the 12th
annual National Institute
on Gaming Law Minefield
in Las Vegas, Nev. The
program was designed to
offer in-depth coverage and

discussion of the recent legal, regulatory and ethical issues confronting both commercial and Native American gaming. Mr. McBride, who chairs the firm's Indian Law and Gaming Practice Group, served on a panel discussion titled, "Tribal Gaming: Where Does It Go From Here."

Amir M. Farzaneh was the speaker at the March meeting of the South Oklahoma City Lawyers Association. Mr. Farzaneh spoke about the immigration law, HB-1804 and work-site compliance. He is a frequent speaker on immigration law issues and serves as newslet-

ter co-chair and editor for the Immigration Committee of the ABA Section of Litigation.

Michael A. Simpson presented "The Benefits of Alternative Dispute Resolution" to the American Subcontractors Association, Oklahoma Chapter. As an attorney focusing on construction and contract matters, Mr. Simpson has represented numerous clients in mediations and arbitrations. He currently serves as the co-chair of the OBA's Alternative Dispute Resolution Section.

How to place an announcement: If you are an OBA member and you've moved, become a partner, hired an associate, taken on a partner, received a promotion or an award or given a talk or speech with statewide or national stature, we'd like to hear from you. Information selected for publication is printed at no cost, subject to editing and printed as space permits. Submit news items (e-mail strongly preferred) in writing to:

Melissa Brown Communications Dept. Oklahoma Bar Association P.O. Box 53036 Oklahoma City, OK 73152 (405) 416-7017 Fax: (405) 416-7001 or E-mail: barbriefs@okbar.org

Articles for the May 10 issue must be received by Apr. 28

# Collaborative Training for Attorneys

Sponsored by the
Oklahoma Academy of
Collaborative Professionals
12 Hours CLE, including 1 hour of ethics
(CLE previously approved for this program)

**Dates**: April 25 - 26, 2008

**Location**: Hilton Garden Inn, (Airport Hil-

ton) 801 South Meridian,

Oklahoma City

Cost: \$350. Space is limited so

please register now. Make check to OACP. Mail to: Novell Wilson, 1831 East 71st Street, Tulsa, OK 74136

Hotel Information and Directions at Yourdivorcechoice.com

# Your one-click resource to all the information you need.



**llene Dixon Davis** of AOklahoma City died March 6. She was born Feb. 3, 1921, in Beaver, She earned a bachelor's degree from OSU and went into government service in 1945. During World War II she worked in Washington, D.C., returning to Oklahoma City to become an FAA employee and attend OCU for a law degree. Her six brothers, nieces and nephews were her first priority in life. She and her brother bought and lived several years on a farm located on the Caribbean coast of Costa Rica. She participated in a number of organizations, including the Peace House, the Food Bank, Rest, Common Cause, Interfaith Alliance and the United Nations chapter in Oklahoma. Memorial contributions may be made to the endowment fund of the First Unitarian Church of Oklahoma City or to a charity of your choice.

Judge Denton Delaplane Gossett of Austin, Texas, died Feb. 24, 2008. He was born Sept. 23, 1924. He was admitted to the Oklahoma bar in 1948. Memorials donations may be made to the University of Oklahoma Sooner Club, the OU President's Associates or to University Christian Church, 2007 University Avenue, Austin, Texas, 78705.

**7 ene Paul Morrell** of Houston, Texas, died March 3. He was born Oct. 4, 1932, in Ardmore. He attended OU, where he studied geology, and graduated in 1954. Shortly thereafter, he moved to Falmouth, Mass., where he was stationed at Otis Air Force Base serving as a second lieutenant navigator/controller on a **Lockheed Constellation** EC121D aircraft, running reconnaissance flights in the North Atlantic. After his military service, he returned to Oklahoma and earned his J.D. from OU. Upon graduating, he moved back to Ardmore where he practiced energy law and entered into politics, an experience that led him to Washington, D.C. In 1969, he was appointed Deputy Assistant Secretary of the U.S. Department of the Interior for Mineral Resources. Later he was appointed Director of the U.S. Office of Oil and Gas (predecessor of the Department of Energy) and Director of the U.S. Oil Import Program. In 1972, he resigned from government service to work in the private sector, where he eventually ended up in Houston, working for several gas and energy corporations. Memorial contributions may be made to the OU Foundation, attention Gene Morrell Fund to Benefit the School of Geology and Geophysics.

netired Judge Thomas Crampton Smith Jr. of Oklahoma City died March 31. He was born Feb. 15. 1917, in Bristol, Va. He was a 1940 graduate of the University of Tennessee, where he played football for the legendary coach Major Bob Neyland. He played in the 1939 Orange Bowl against OU and in the 1940 Rose Bowl. Following graduation, he enrolled at the OU School of Law. **He was called to active** duty in the U.S. Army Air Corps and was assigned to the Judge Advocate General Corps. During World War II, he was stationed in North Africa. After active duty, he remained in the Air Force Reserves, rising to the rank of colonel. He served as the commanding officer of the JAG Reserve Unit at Tinker **AFB**. After the war, he completed his studies at the OU School of Law and entered the private practice of law with his uncle, Edward Howell. After 40 years of law practice, he was selected to serve as a special district judge for Oklahoma County, and he was later appointed by Gov. Henry Belmon to serve as a district judge for Oklahoma County. He was actively involved in community service, including president of the Oklahoma Junior Chamber of Commerce, president of the Uptown Kiwanis Club, president of the Last Frontier Council of the Boy Scouts of

America, president of the Oklahoma Bar Foundation, president of the Baptist Layman's Corporation and a member of the Board of Directors of Baptist Hospital. He was inducted into the Oklahoma Air and Space Museum for his legal services in establishing the museum, and he received the Journal Record Award presented on Law Day in 1997. Memorial

donations may be made to the Adams Care Fund of the Baptist Village of Oklahoma City.

Philip Ray Wade of Miami, Fla., died Dec. 21, 2007. He was born Sept. 11, 1911, in Boleyn, La. He earned a bachelor of science degree from TU and received a law degree from OU in 1942. He worked for Exxon for 29 years in Venezuela, Central America, Puerto Rico, the Bahamas, Cuba and Miami. He also worked for the U.S. Embassy in Chile in the '40s. From 1970 to 1982, he was treasurer of the Episcopal Diocese of Southeast Florida. Memorial donations may be made to St. Thomas Episcopal Church Endowment Fund, 5690 N. Kendall Dr., Coral Gables, Fla., 33156.

### **Print or Electronic?**

#### You now have a choice.

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#### 14th Annual Legal Institute of Pickens County, I.T. Ardmore DATE & May 2, 2008 LOCATION: Dornick Hills Golf and Country Club 519 Country Club Rd. **CLE CREDIT** This Course has been approved by the Oklahoma Bar Association Mandatory Continuing Legal Education Commission for 6 hours of mandatory CLE credit, including 1 hour of TUITION: \$150 tuition for early-bird registraitons with payment received at least four full business days prior to the seminar date; \$175 for registrations with payment received within four full business days of the seminar date. CANCELLATION Cancellations will be accepted at any time prior to the seminar date; however, a POLICY: \$25 fee will be charged for cancellations made within four full business days of the seminar date. Cancellations, refunds, or transfers will not be accepted on or after the seminar date. Program: Program Planner/Moderator The Honorable Tom S. Walker District Judge, 20th Judicial District of Oklahoma, Ardmore 8:30 a.m. Registration & Continental 11:40 Networking lunch (included in Breakfast registration) 12:10 p.m. Summary Judgment From the 9:00 The State of the Profession -Judges' Perspectives Where We Are and Where We are Headed Panel John Morris Williams, Executive The Honorable Tom S. Walker Director, Oklahoma Bar Association, The Honorable John Scaggs, Oklahoma City District 20 Judge, Sulphur The Honorable Lee Card, 9:50 Break Associate District 20 Judge, Ardmore 10:00 The Use of Demonstrative **Evidence - How to Score Points** 1:00 Break with the Jury and Avoid Shooting Yourself in the Foot 1:10 The Psychology of Youth Gangs -Hilton "Red" Walters, Rife & A Substitute for Family Walters, Oklahoma City Herman Jones, Ph.D., University of Oklahoma Health Sciences Center, 10:50 Metadata - What Is It, How Can It Oklahoma City Help/Hurt My Client, What Are My Ethical Duties (ethics) 2:50 Adjourn Jim Calloway, Director of Management Assistance Program,

Oklahoma Bar Association,

Oklahoma City

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#### The 25th Annual Basic Bankruptcy Seminar: Silver Anniversary of Learning Bankruptcy Basics Chapter 7

Oklahoma City

**DATE &** May 1, 2008

LOCATION: Oklahoma Bar Center

1901 N. Lincoln Blvd.

CLE CREDIT: This course has been approved by the Oklahoma Bar Association Mandatory Continuing Legal Education

Commission for 6 hours of mandatory CLE credit, including 2 hours of ethics.

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seminar date; \$175 for registrations received with payment, within four full business days of the first seminar date. Register online at <a href="https://www.okbar.org">www.okbar.org</a>. This program will be webcast. For details go to

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CANCELLATION Cancellations will be accepted at any time prior to the first seminar date; however, a \$25 fee will be charged

POLICY: for cancellations made within four full business days of the seminar date. Cancellations, refunds, or

transfers will not be accepted on or after the seminar date.

Program:

#### Program Planner/Moderator

Herbert M. Graves, Assistant U.S. Trustee, Western District of Oklahoma, Oklahoma City

8:30 a.m. Registration and Continental Breakfast

8:50 Introduction

Herbert M. Graves

9:00 Overview of Chapter 7

Commencement of the case•Eligibility and "means testing'•Conversion •Bankruptcy Estate •Protection of the estate - automatic stay •Trustee's avoiding powers •Executory Contracts, leases and sales •Distribution of the Estate - claims, priorities, and subordination •Fresh Start - Objections to discharge, redemption, reaffirmation,

etc.

Sidney K. Swinson, GableGotwals, Tulsa

10:30 Break

10:40 Means Testing Ethics (ethics)

Where to find the numbers•Form B22A vs Form B22C•Marital deduction - where does it go and when does it apply•IRS standards•When do these numbers change•Applicable web sites•New 2008 expense standards•Special circumstances•Deductions for student loans•Can I deduct my client's retirement loan payment?

Charles Snyder, Department of Justice, Office of the U.S. Trustee, Oklahoma City

Paul Thomas, Department of Justice, Office of the U.S. Trustee, Tulsa

12:10 p.m. Networking lunch (included in registration)

#### 1:00 The Client and You

Obtaining information from your client • Completing the means test with your client •When to prepare a payroll spreadsheet •Obtaining pay advances and tax returns •Electronically filing documents •What software to use •Conducting the meeting of creditors •What do to when your client is audited •Marital deductions and the non-filing spouse •Statutory exemptions •Certificate of credit counseling and financial management

Margaret E. Travis, Attorney at Law, Oklahoma City

#### 2:00 Break

#### 2:10 Duties of the Trustee and Conduct of the Meeting of Creditors

Documents to be furnished to the trustee •Examination of the debtor at the meeting of creditors •Managing the untruthful debtor •Turnover of property of the estate •Tax refunds •Administration of the operating business •Collection of accounts receivable •Abandonment of estate assets to the debtor

Charles Greenough, Boone, Smith, Davis, Hurst & Dickman, P.C., Tulsa

#### 3:10 Adjourn

#### The 25th Annual Basic Bankruptcy Seminar: Silver Anniversary of Learning Bankruptcy Basics Chapter 7

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## My Brush with the Law

By J. Scott Andrews

In 1989, I was a loan officer for a bank in northwest Oklahoma City. I had been in that position for two years or so. One of the first loans I made went bad due to a divorcing couple. The collateral on the loan was a van which was worth about what the balance was on the loan. To spend money to hire a repossession company would have probably caused a deficiency balance and thus a probable loss to my portfolio.

The wife had told me that her husband had possession of the van but that she had a set of keys. She also knew where he was living at the time. Having done my own repossessions before, I decided to get this van back at no additional cost.

I enlisted the services of my friend Ray to ride with me to the debtor's residence at approximately 9 p.m. I was wearing a dark blue T-shirt, jeans and a ball cap. Sure enough, the van was backed into the driveway at the husband's residence and we could see the debtor through the plate glass window watching TV. Talk about adrenaline!

I told my buddy to let me out of my truck a block or so away from the van and instructed him to follow me once I passed him. I snuck down the street, opened the door, jammed the key in the ignition and sped out of the driveway. I turned back to look at the house and saw the debtor running out the door yelling.

I drove by Ray and we sped through the streets of Edmond to the foreclosed home the bank owned. It had a large metal barn where we kept our repossessed autos until sale time. The barn was located about a mile off the street on a winding gravel driveway. I placed the van in the barn and climbed back in my truck

When Ray and I got half way off of the property, we were met by six Edmond police cars back to back. The policemen were standing by their vehicles, doors open and guns drawn. I pulled to within a few feet of the lead squad car and reached over into the seat to retrieve the debtor's loan file. As I turned off the truck and opened my door I heard the police screaming, "Hands up and get down on the ground." Of course I knew I wasn't a car thief so I approached the officers at the lead squad car. Their yelling escalated and I tried to tell the police the story and the yelling escalated even more. I reached over to place the loan file on the hood of my pickup before I was escorted to the ground by several officers. One officer held a nice, brushed stainless steel revolver to my head as several others frisked me. They then escorted Ray out of the truck and did the same to him.

Let's just say by this time I was shaking like a Chihuahua on a cold winter day! As I stood up, one of the cops said "Now you can talk." With trembling hands I retrieved my wallet to pull out my driver's license and a business card. And, with a shaky voice I began telling the repossession story. When

I finished the story the police officer told me I should have called the police department prior to repossessing the vehicle. I explained that my training had taught me to call immediately after the repossession. The officer then exclaimed that, "in Edmond you call before and after." In a very calm voice he told me the main mistake I had made: "You moved once when you picked up that file and a second time when you put it on the hood. If you had moved again, I would have shot you."

Ends up the debtor had called the police to report the van stolen. A citizen with a scanner heard the announcement go out on the radio about the time I passed them, called the police and followed me to the property. Needless to say, it took over an hour to calm down and I didn't do another "self repossession" for years to come!

Mr. Andrews practices in Ardmore.

