

Volume 84 ♦ No. 11 ♦ April 13, 2013

Freedom Equality Justice

Emancipation Reclamation

And, I, this day
 do solemnly swear
 that I will faithfully
 execute the office of
 President of the
 United States
 so that I will
 preserve, protect
 and defend the
 Constitution
 of the United States
 against all enemies
 foreign and domestic;
 that I will
 take care that the
 laws be faithfully
 executed;
 and that I will
 preserve, protect
 and defend the
 Union.
 Abraham Lincoln
 September 22, 1862

"We are:
"One Nation Under
God, Indivisible,
With Liberty And
Justice For All."



After all, there is but
One Race: Humanity.

"All Men Are Created Equal"

[illegible]

ALSO INSIDE

- Mercenarism
- OBA Member Anniversaries
- Judicial Nominating Commission Elections

OBA/CLE Presents:

Modern Slavery in Oklahoma: Why OBA Members Must Help to Eliminate Coerced Labor and Sex for the Profit of Captors

Planner/Moderator:
Craig Williams
Oklahoma Bureau of Narcotics
and Dangerous Drugs,
Oklahoma City

Most people in Oklahoma think human trafficking is something that happens some place far away. The truth is, Oklahoma is a prime state for modern day slavery recruitment. This seminar will give you a better understanding of the issues you may encounter and how the legal community is impacted. Experts will also provide valuable information on how to recognize human trafficking and what you can do in your practice to assist victims of child, sex, labor and other forms of trafficking to get the help they need. This program will launch the OBA initiative to join the fight against Human Trafficking.

May 9 - Oklahoma Bar Center

The seminar starts at 9 a.m.
and adjourns at 3 p.m.

For program details, log-on to:
my.okbar.org/CleCalendar

Continental breakfast and networking
lunch included with registration.

Approved for 6 hours-MCLE/1 Ethics. **\$25** for earlybird registrations with payment received at least four full business days prior to the seminar date, **\$50** for registrations with payment received within four full business days of the seminar date.

Cancellations will be accepted at any time prior to the seminar date; however, a \$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.

This reduced price CLE is made possible by:

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You will receive a list of download materials in advance of the seminar. If you would like a hard copy of the materials, there will be a \$25 charge. Printed materials will not be available the day of the seminar; however, you can order a copy to be mailed to you at a later date.

THIS PROGRAM WILL BE WEBCAST. FOR DETAILS, VISIT
okbar.inreachce.com/Home/Calendar

NOTE: Tuition for webcast varies from
live program tuition.

HOWARD K. BERRY, SR. ANNUAL LAW DAY AWARD



Derek Burch, Oklahoma City, receives the 2012 Howard K. Berry, Sr. Law Day Award from Oklahoma County Bar Foundation Trustee John Kenney in the presence of District Judge Dan Deason

\$10,000 award presented every Law Day to exceptional individuals and charitable groups in Oklahoma County who make significant contributions to advancing justice, the justice system and the principles of the U.S. Constitution and Bill of Rights.

For info, visit WWW.OKCBAR.ORG

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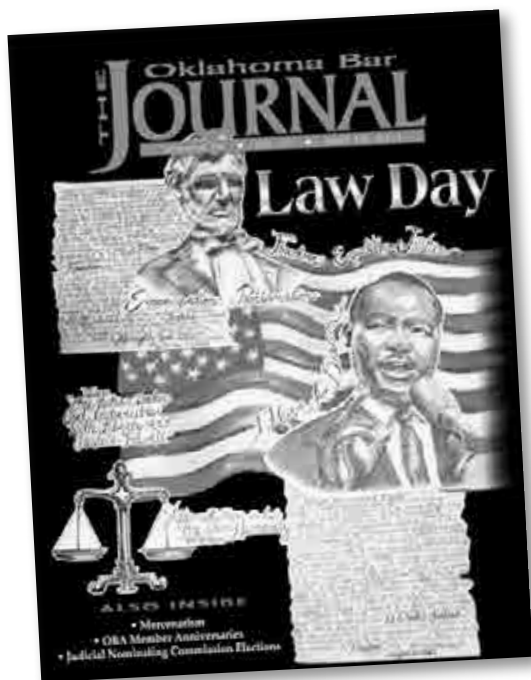
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THE OKLAHOMA BAR ASSOCIATION**

THEME:
LAW DAY: REALIZING THE DREAM:
EQUALITY FOR ALL
EDITOR: CAROL MANNING

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2013 Law Day Contest Grand Prize Winner*

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Senior Practitioners Make Time for Community Service

By Jim Stuart

One of the benefits of serving as OBA president is the opportunity to recognize our long-standing association members. Recently I attended a reception honoring several senior members of my local bar, including one of my former law partners, Lindsay Peters. I was thrilled to present Mr. Peters with his 60-year pin. Similar events are scheduled by county bars throughout the state.

While researching the careers of these senior Oklahoma lawyers, I have discovered a common thread. All have spent the better part of their professional lives giving back to their communities. I rediscovered the ways in which Mr. Peters has served his community through the years — on the boards of the Boy Scouts, county health department and as a trustee of a charitable trust contributing to community projects.

Like most lawyers, his community service was performed quietly and without much fanfare. Lawyers are often called to service in ways in which we are trained, whether by resolving a community dispute or promoting a good cause. It is difficult to think of how a community would grow and prosper without the contribution of its local lawyers.

ABA Model Rule of Professional Conduct 6.1 encourages lawyers to render volunteer pro bono services to persons of limited means or to assist charitable, religious, civic, community, governmental and educational organizations. We

are also called to service by participating in activities which improve the law, the legal system and the legal profession.

VOLUNTEER SERVICE ENCOURAGED

I encourage you to take part in this year's Law Day activities by volunteering through your local bar. Other means of professional service include making financial contributions to Legal

Aid, Lawyers Helping Lawyers and the Oklahoma Bar Foundation. Volunteer your time to provide legal services to an Oklahoma military veteran.

I particularly want you to reserve Sept. 20-21 for an OBA day of service, in which OBA members in all 77 counties will be given the opportunity to spend a day giving back to their communities. The ways in which Oklahoma lawyers can fulfill our professional and ethical obligations to give back are endless. We should all strive to follow in the example set by our predecessors.

It is difficult to think of how a community would grow and prosper without the contribution of its local lawyers.



A stylized, handwritten signature of Jim Stuart in black ink.

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405-275-0700

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EVENTS CALENDAR

APRIL 2013

- 15 **OBA Alternative Dispute Resolution Section meeting**; 4 p.m.; Oklahoma Bar Center, Oklahoma City and Tulsa County Bar Center; Contact Michael O'Neil 405-232-2020
- 16 **OBA Civil Procedure and Evidence Code Committee meeting**; 3 p.m.; Oklahoma Bar Center, Oklahoma City and Tulsa County Bar Center; Contact James Milton 918-594-0523
- 17 **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
- OBA Women in Law Committee meeting**; 4 p.m.; Oklahoma Bar Center, Oklahoma City and Tulsa County Bar Center, Tulsa; Contact Dierdre Dexter 918-584-1600
- 18 **OBA Professionalism Committee meeting**; 1:30 p.m.; Oklahoma Bar Center, Oklahoma City and Tulsa County Bar Center, Tulsa; Contact Judge Richard Woolery 918-227-4080
- 19 **Oklahoma Association of Black Lawyers meeting**; 12 p.m.; Oklahoma Bar Center, Oklahoma City; Contact Donna Watson 405-721-7776
- OBA Board of Governors meeting**; 1:30 p.m.; Oklahoma Bar Center, Oklahoma City; Contact John Morris Williams 405-416-7000
- OBA Rules of Professional Conduct Committee meeting**; 3 p.m.; Oklahoma Bar Center, Oklahoma City and Tulsa County Bar Center; Contact Paul Middleton 405-231-2622
- 20 **OBA Title Exam Standards Committee meeting**; 9 a.m.; Stroud Conference Center, 218 W. Main St., Stroud; Contact Jeff Noble 405-942-4848
- OBA Young Lawyers Division meeting**; 10 a.m.; Oklahoma Bar Center, Oklahoma City; Contact Joe Vorndran 405-275-0843
- 22 **OBA Juvenile Law Section meeting**; 3 p.m.; Oklahoma Bar Center, Oklahoma City and Tulsa County Bar Center, Tulsa; Contact Tsinena Thompson 405-232-4453
- 23 **Board of Bar Examiners Admissions Ceremonies**; 9 a.m. and 10 a.m.; Oklahoma State Capitol Supreme Courtroom, Oklahoma City; Contact Oklahoma Board of Bar Examiners 405-416-7075

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

The Oklahoma Bar Association's official website: **www.okbar.org**

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Law Day 2013

Annual Celebration to Highlight Equality

By Richard Vreeland and Jennifer Prilliman

Commemorating the 150th anniversary of the issuance of the Emancipation Proclamation and the 50th anniversary of Dr. Martin Luther King Jr.'s speech "I Have a Dream," this year's Law Day theme is "Realizing the Dream: Equality for All." We celebrate Law Day every year as a reminder of the importance of the rule of law and to not take for granted the liberties and freedoms we enjoy. This year's theme reminds us that though we have made great strides in the United States towards equality, there is still work to be done. As lawyers we play a critical role in promoting equality, whether it is representing clients and ensuring they receive proper due process, giving our time to service organizations or just being active participants in our community.

Law Day is an opportunity for us to pause and acknowledge issues both present and past. The OBA Law Day Committee is excited to once again highlight and celebrate the work that lawyers do in our communities. Law Day has more than 50 years of history and tradition, and it began here in Oklahoma. Wewoka attorney and past OBA President Hicks Epton developed the idea for Law Day in the late 1950s, and it has evolved into a national celebration. This year Oklahomans will observe Law Day on May 2 with activities and events throughout the state.

Again this year we held our annual art and writing contests for students in kindergarten through 12th grade. Students interpreted the theme in a variety of art formats. With the help of OETA and Red Rock Film productions, we have again produced an informative television show covering important topics and the impact lawyers make on the lives of individuals and

the law. Additionally, with the help of all our attorney volunteers, we will continue to offer 12 hours of nonstop free legal advice on May 2.

ASK A LAWYER TV SHOW

We are excited about this year's Ask A Lawyer television show which will air May 2 at 7 p.m. on OETA stations across the state. We have changed the format from the past few years and hope you will be as excited as we are about the changes. The show begins with the emotional story of a young woman who was the victim of sexual abuse at the hands of a trusted school coach. The segment highlights the signs and warnings teachers, parents and friends should be aware of as well as the legal recourse victims may seek.

Estate planning and elder law questions are some of the most common questions we receive during the annual Ask A Lawyer event. We interviewed a daughter caring for her



OBA member Phyllis Walta shares a personal and moving story as she is interviewed for the OBA Ask A Lawyer TV show. Ms. Walta's daughter, Ann, was the victim of a sexual predator at school, and the family is speaking out to help prevent other children from being targeted.

aging parents about the work her attorney did for her. This will be followed by a panel discussion addressing some of the common questions relating to estate planning and elder care. The show continues with a question and answer segment in which community members submit questions about social media and the workplace, an area where technology has outpaced the law.

The show will feature OBA President Jim Stuart who will highlight many good works being done by lawyers throughout the state. Chief Justice Tom Colbert also joins in the celebration of Law Day and recognizes the student contest winners and their winning artwork.

CONTESTS AND ACTIVITIES

This year more than 1,300 students from across the state submitted entries centered on this year's theme. Judging is never easy for the Law Day Committee members; the stu-



Volunteer lawyers answer calls for legal advice during the 2012 Ask A Lawyer event in Oklahoma County.

Ask A Lawyer

Thursday, May 2

7-8 p.m.

OETA stations

FEATURING
SEGMENTS ON:

- ☆ Sexual Predators in Schools
- ☆ Elder Law
- ☆ Social Media
- ☆ Lawyers Giving Back

Hosted and
Moderated by
Dick Pryor

Special Guests:

Oklahoma Supreme Court
Chief Justice Tom Colbert

OBA President
James T. Stuart





Richard Smothermon, district attorney for Pottawatomie and Lincoln counties, discusses his experience prosecuting child predators during the Ask A Lawyer TV show.

dents always submit such excellent work. The winners have been announced, and the winning entries can be viewed at www.okbar.org/lawday and on page 753 of this issue.

FREE LEGAL ADVICE

We are well under way in preparing for the statewide Ask A Lawyer call-in event to be held May 2, when for 12 nonstop hours the public can call in for free legal advice. The Ask A Lawyer call-in event is a great way for all Oklahoma bar members to participate in the celebration of Law Day. This annual event gives us a unique opportunity to provide a valuable community service while promoting a positive public image of attorneys and the OBA.

Callers statewide will be able to reach an attorney by calling 800-456-8525 throughout the day on May 2. The OBA Law Day Committee works with each county Law Day chairperson to set up a network of attorneys to field calls during the broadcast. Volunteer attorneys in each participating county staff their own



Laurie Koller of the Carr & Carr law firm in Tulsa is interviewed for the Ask A Lawyer TV show, discussing the topic of sexual predators in schools.

local phones and answer questions for a predetermined time period. Attorneys in Oklahoma and Tulsa counties work together to staff the toll-free, statewide telephone number from 9 a.m. – 9 p.m.

Your Help is Needed

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



Oklahoma Supreme Court Chief Justice Tom Colbert welcomes Law Day contest winners to a recognition ceremony at the State Capitol. Also attending were Law Day Committee Co-Chairs Richard Vreeland and Jennifer Prilliman.



Attorneys Mark Hammons (left) and Andy Fugitt, both of Oklahoma City, discuss the topic of sexual predators in schools during the 2013 Ask A Lawyer TV Show.

bars, creates a huge need for attorneys to step forward. To volunteer, contact your local county Law Day chairperson. The activities planned for each county are listed in a related story in this issue.

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

In continuing with OBA Law Day tradition, Chief Justice Tom Colbert signed the Law Day directive, encouraging courts to host Law Day events. Gov. Mary Fallin has again this year signed a proclamation designating May 2, 2013, as Law Day in Oklahoma.

GET INVOLVED

As we get ready to celebrate Law Day next month, the OBA Law Day Committee is already preparing for next year's Law Day activities. If you have ideas for next year's Law Day or just want to be involved, then join us on this fun yet hardworking committee. If you would like to join you can contact Richard Vreeland at 405-360-6631, richard.vreeland@laok.org or Jennifer Prilliman at 405-208-5174, jsprilliman@okcu.edu.



Ask A Lawyer host and moderator Dick Pryor directs questions about elder law to panelists Sarah Stewart and Rick Goralewicz, both of Oklahoma City.

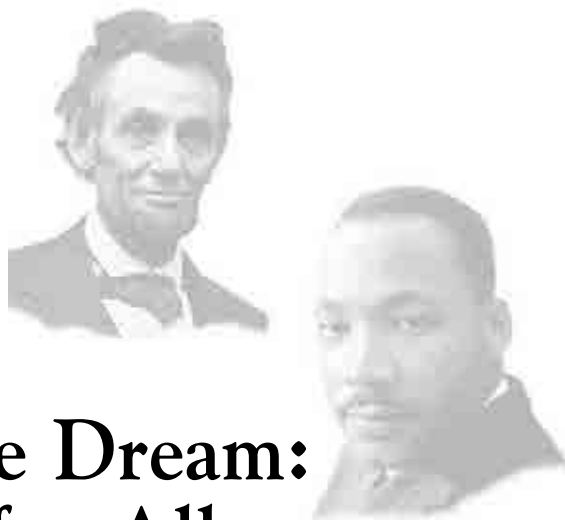
We hope that you will participate in Law Day, whether it is volunteering to provide free legal advice in your county or making a presentation to a local school group or organization. With the commitment of the Law Day Committee, county Law Day chairpersons and the help of each and every one of you, this year's Law Day will be a great celebration highlighting the many important roles OBA members play in our communities.

Mr. Vreeland, of Norman, and Ms. Prilliman, of Oklahoma City, serve as co-chairs of the OBA Law Day Committee.



LAW DAY 2013

CONTEST WINNERS



Realizing the Dream: Equality for All

Nearly 1,300 Oklahoma students from all over the state took part in the Law Day 2013 contest. This year's theme: "Realizing the Dream: Equality for All" evoked the message that the founding fathers and scores of civil rights activists fought for. It's also the message that so many fight for still today.

From the time Abraham Lincoln delivered the course-altering Emancipation Proclamation to a nation deeply scarred by a war of neighbor against neighbor to when Dr. Martin Luther King Jr. stood in the shadow of Lincoln's statue a century later to deliver one of the most important speeches in the nation's history, the United States had taken enormous steps towards equality. But Dr. King knew the end was still beyond the horizon of the tumultuous 1960s. Even today, forms of slavery still exists in America and much work must still be done and must always be done to ensure all citizens of the United States have the right to freedom and justice as guaranteed to them by the founding documents of this country.

Human trafficking, grossly underrepresented minorities and women in positions of power and influence, and deeply engrained and systemic racism and prejudice still threaten the rights Lincoln, King and innumerable civil rights advocates gave their lives for.

Law Day 2013 provides an opportunity for reflection on the struggle for civil rights in America and the impact that the struggle has had in promoting the ideal of equality under the law. It also provides an occasion to consider the work that remains to be done in rectifying injustice and eliminating discrimination. As Dr. King observed in his letter from a Birmingham jail, "Injustice anywhere is a threat to justice everywhere."

This Law Day, let us rededicate ourselves to promoting the great principle of equality under the law enshrined in our nation's founding documents. Happy Law Day!





Grand Prize Contest Winner



Brittney Regier

Home School, Enid

Teacher: Mr. Tonnel



You Tube

Video Contest Winners

Justin Reede, Samuel Lillie and Kelsey Wheeler

Claremore High School, Claremore

Teacher: Jan McClaren



To see the video, go to
www.okbar.org/lawday

Coloring Contest Winners

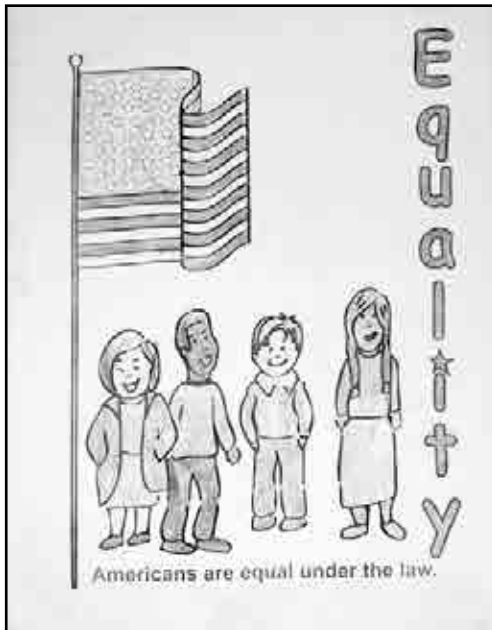
Pre-Kindergarten



**Cambri
Castleman**

Denison Public Schools,
Idabel

Teacher: Rachel Riddle



**2nd Place
Amber Beagle**

Pawnee Public Schools,
Pawnee

Teacher: Katie Heisler



Equality for All

Coloring Contest Winners ☆ Kindergarten



1st Place Savannah Graham

Vian Elementary School,
Vian

Teacher: Mrs. Bethel



2nd Place Nadia Smith

Augustine Christian
Academy,
Tulsa

Teacher:
Linda Thornhill



Realizing the Dream

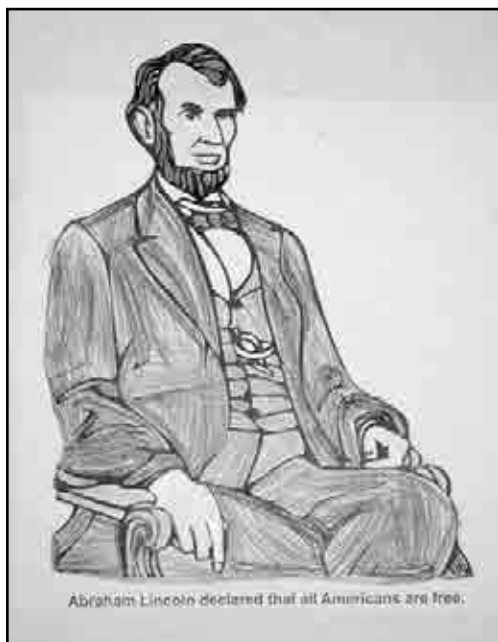
Coloring Contest Winners ☆ Transitional First



Misael Guerrero

Pleasant Vale
Elementary School,
Enid

Teacher: Mrs. Lassiter



**2nd Place
Robert Ballard Jr.**

Pleasant Vale
Elementary School,
Enid

Teacher: Mrs. Lassiter

Equality for All

Drawing Contest Winners ☆ First



1st Place

Austin Buchanan

Virginia Smith Elementary School,
Harrah

Teacher: Jill Walker

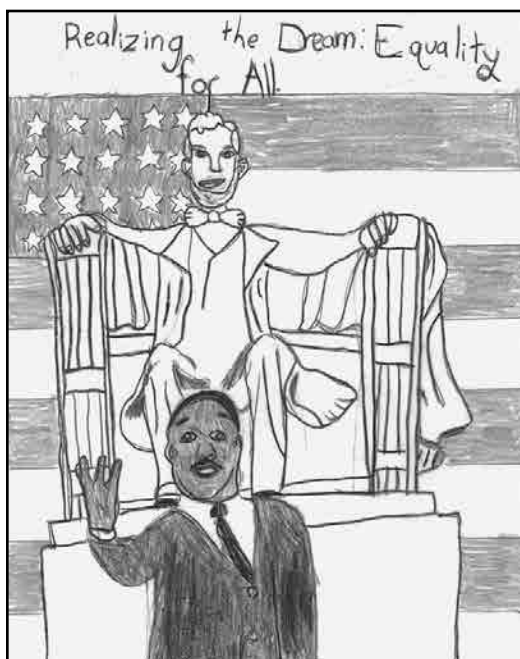


2nd Place

Emersen Villagrana

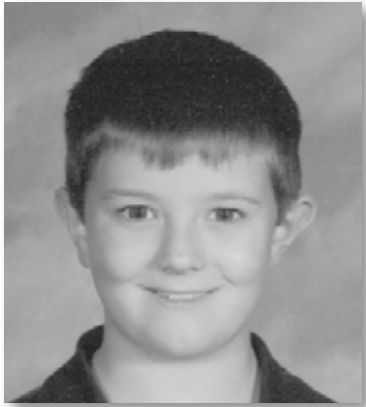
Horace Mann Elementary School,
Duncan

Teacher: Kendra Dorrough



Realizing the Dream

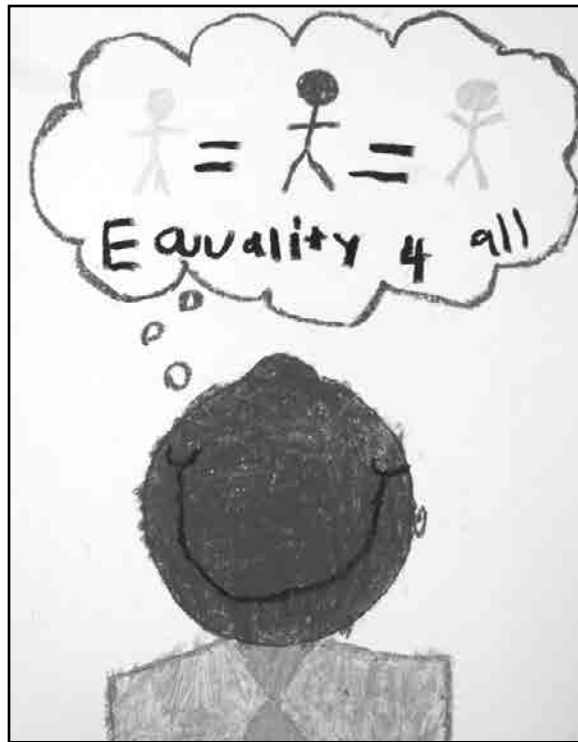
Drawing Contest Winners ☆ Second



1st Place:
Griffin Kidd

Horace Mann Elementary School,
Duncan

Teacher: Angela Giles



2nd Place
Julie Macedo

Horace Mann
Elementary School,
Duncan

Teacher: Teresa Blalock

Collage Contest Winners ☆ Third



1st Place
Josh Hawkins

Charles Haskell
Elementary School,
Edmond

Teacher: Mary Beth Hoffman



2nd Place
Ashley Jean Ortiz

Charles Haskell
Elementary School,
Edmond

Teacher: Mary Beth Hoffman

Realizing the Dream

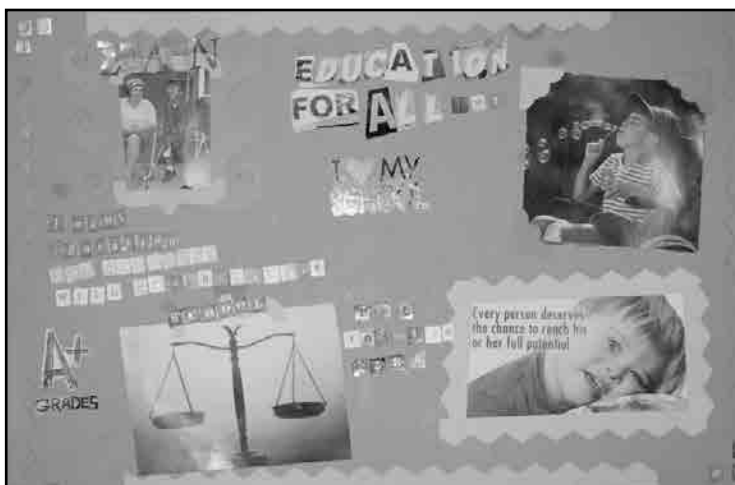
Collage Contest Winners ☆ Fourth



1st Place
Lana Daniels

Stone Ridge
Elementary School,
Piedmont

Teacher: Jennifer Strubhar



Zarah Stromski

Covenant Community
School,
Stillwater

Teacher: Elizabeth Albright

Equality for All

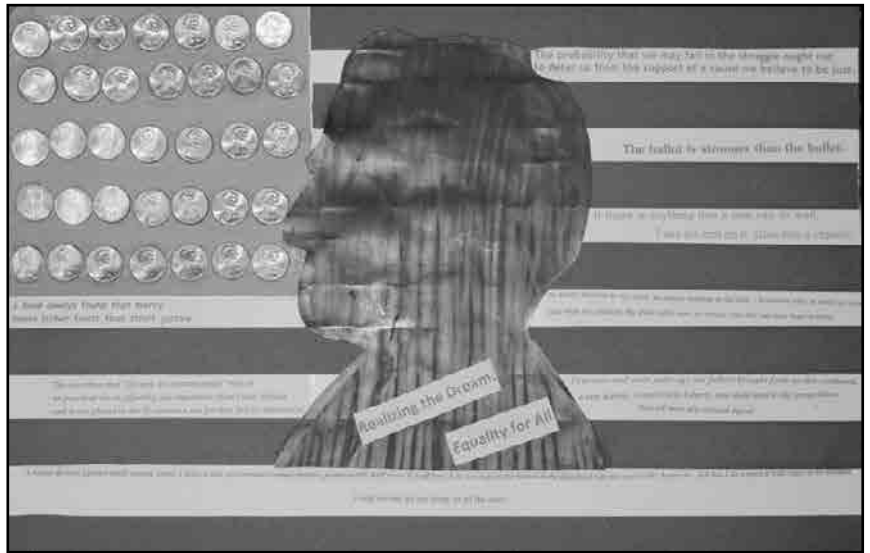
Collage Contest Winners ☆ Fifth



1st Place
Carli Seabolt

Perry Upper Elementary School,
Perry

Teacher: Paula Gottschalk



2nd Place
Kieley Hallett

Wilson Elementary School,
Miami

Teacher: Cheryl Gwartney



Realizing the Dream

Creative Writing Contest Winners ☆ Fifth



1st Place Jace Goldsberry

Perry Upper
Elementary School,
Perry

Teacher: Paula Gottschalk

Equal Rights

Do you think all the people in America have equal rights? I used to think that until I talked to my grandmother. I am going to tell you about a conversation I had with her. She grew up in the 1940s and 1950s and saw with her own eyes that equal rights did not exist at that time.

When she was a little girl, she went to a different school than the colored children. They were not allowed to go into white restaurants or white restrooms. They were even banned from drinking from the same water fountains that white people used. Black and white children did not generally play together, and black children had to sit at the backs of the movie theaters and at the backs of buses.

We should be grateful for the leaders who helped give equality to all people. John F. Kennedy helped pass laws to give black citizens the right to vote and get a good education. Martin Luther King, Jr. helped lead the civil rights movements and worked to make sure it was done peacefully. Rosa Parks would not give up her seat on the bus to a white person and was arrested for sitting at the front of the bus. She helped end segregation on buses.

2nd Place Jaxson Grundy

Angie Debo Elementary School,
Edmond

Teacher: Tina Valentine

To read Jaxson's poem, go to
www.okbar.org/lawday.



Equality for All



Creative Writing Contest Winners ☆ Sixth

Equality For All

People should not be judged by skin color, religion, or a disability. Martin Luther King and Rosa Parks fought for equality, and their dreams came true. Some people are having problems with that.

When I was in 2nd grade at Wright Elementary in Tulsa, people made fun of my friends, most of which were fully deaf. Being hearing impaired, I went to their class for an hour each day to practice sign language. People said my friends were dumb and stupid. One day I just couldn't take it anymore. The next time they made fun of my friends I said "Just stop it already! They're my friends, I'm like them. You're making fun of me if you're making fun of them!" They stopped.

That's how I know what it's like to be judged by someone. It's not fair because if you got to know them you would have no reason to judge in the first place. It's kind of like the quote, "Don't judge a book by its cover." Judging someone by the outside is cruel, unfair, and unjust.

People can also judge you by you judging others. We don't want to be judged so why judge in the first place? There is no good answer to that question. Why isn't there? No judging is good.

Judging someone by any of this could cause depression or even death. It is sad to watch people get bullied, pathetic even! People shouldn't do that. When you bully you are judging and when you judge, you are bullying.



1st Place Kaylee Aber

Skiatook Middle School,
Skiatook

Teacher: Dawn Walker

To read Sabrina's poem, go to
www.okbar.org/lawday.

2nd Place Sabrina Lopez

St. Elizabeth Ann Seton School,
Edmond

Teacher: Joan Krauss



Realizing the Dream



Creative Writing Contest Winners ☆ Seventh



1st Place

**Caleb
McQuay**

Hope Christian Academy,
Skiatook

Teacher:
Kent Carver

We All Have Things in Common

"What?! How could this be? This is an outrage! I will not take orders from this buffoon!" exclaimed Cyrus.

Out in the alley behind the school, Cyrus was yelling at his classmate, Joe.

"Seriously man, it's not that big of a deal. Just deal with it. Just because he's Mexican doesn't mean he's inferior," replied Joe.

"Well I don't care, Joe. He's stupid, fat, ugly, mean, and many more things that would be inappropriate to say aloud," Cyrus replied back.

"You're only going to be partners with him for a week, dude. Why make such a big deal out of it?" Joe asked.

"I know you hate Mexicans, but making fun of Miguel and all the other Mexicans isn't going to help. And why are you yelling and taking out all of your anger on me? Do I have anything to do with you getting paired up with Miguel? You just need to calm down and realize he is not inferior. People used to make fun of blacks like you, you know."

"I'm sorry about getting angry with you Joe, but I just DESPISE Mexicans. Maybe we should just drop the subject. See you tomorrow at school, Joe," Cyrus replied.

At school the next day, Cyrus got angry again. This time, he did something he regretted doing. He walked up to Miguel at the lockers and shoved him really hard causing Miguel to lose his balance and fall down, scattering books across the floor. Cyrus thought he could get away with it, but he was wrong. While he thought no one was looking, it turned out one person was: Joe had witnessed the whole thing from the water fountain which was right across from the lockers.

After this event had happened, Joe went and told their teacher for the period, Mrs. Camplan. Mrs. Camplan told Joe, "I will deal with Cyrus tomorrow, first thing in the morning. I appreciate you telling me this, Joe. I know this must be tough for you, since Cyrus is your best friend. You stood up for what is right. There are few

people who have that trait anymore. I'm proud of you, Joe. Keep it up."

Mrs. Camplan didn't lie. First thing in the morning she confronted Cyrus. She pulled him aside and scolded him about bullying Miguel. Afterward she told Cyrus to apologize to Miguel. She also told him he would have to be around Miguel and get to know him better for a week without bullying him or he would be suspended from school.

Cyrus did as he was told and it wasn't as bad as he thought. It turned out that he and Miguel had a lot in common. They both liked Call of Duty, they liked the same books and movies, especially Lord of the Rings, and they loved politics and sports.

"Miguel is so cool, Joe!" exclaimed Cyrus. "He and I are becoming really good friends, but you and I will always be best friends, Joe."

"That's so different from what you were saying three months ago, Cyrus. I'm glad that you like Miguel now, because as it turns out, he is really cool, but he doesn't have many friends. We need to help him get some friends," replied Joe.

Then Cyrus replied, "I used to think that Miguel was weird because he had an accent. Mrs. Camplan knew we would be good partners because we like a lot of the same things. We just didn't know each other really well."

A few days later a kid walked up to Cyrus and asked, "How can you stand that horrid Mexican, Miguel? He is so ugly and annoying!"

Cyrus replied, "First off, he is not ugly and annoying. I used to think that before I had a conversation with him. It turns out that he and I are the same except for the amount of melanin in our skin and the location on the map where we were born. That doesn't amount to much compared to what we have in common. I just wish everyone would just realize that. If you are having trouble understanding me, you could go talk to Mrs. Camplan. She will help you out."

That night Cyrus had a splendid idea: He could host a party that weekend and invite Miguel and his friends, along with some of his own friends. He asked his parents and they approved, so it was settled. They would have a party that weekend.

That weekend, around six o'clock, the guests began arriving. Miguel arrived first, along with his friends Domingo, Juan, Jose, and Roberto (affectionately known as Bob). Next came Joe, who brought with him the kid from a few days

continued on next page

before who had a problem with Miguel. The Shubla brothers came next, followed by their friend Daniel. And last, but not least, came Mrs. Camplan.

To start the party off right, Cyrus' parents ordered Mexican food from their favorite restaurant. When the food arrived, Juan asked, "What restaurant did you get that from?"

When Cyrus' parents replied that it was Señor Salsa, Juan exclaimed, "My parents own that restaurant!"

Then all the boys exclaimed, "That's why the food is so delicious!"

After dinner, Mrs. Camplan organized some party games. They played "Apples to Apples" and other games that helped the boys get to know each other better. While playing "Would You Rather?" they learned a lot about each other. They had a lot of fun with the games.

At the end of the party, Mrs. Camplan gave a speech. She mentioned how proud she was of these boys becoming friends. She stated that in some areas in the country there were people who treated Mexicans like people used to treat black people: unfairly. At one point she said, "The Civil Rights Act helped black people become realized. Even though we can't create an act to get Mexicans realized, we can treat Mexicans fairly." She also discussed how they could lead by example in the school, which could help others realize how stupid it is to think that some people are unequal to others just because of where they are born, or their skin color.

After the party, for the next few months, the other people in their class realized that people of all different nationalities could be friends. By the end of the school year, the whole class was influenced by Cyrus and his friends. Eventually, the whole school followed the example set by Cyrus and his class.

2nd Place

Anna Olson

Edmond Sequoyah Middle School,
Edmond

Teacher: Tammy McManis

To read Anna's entry, go to www.okbar.org/lawday.

Creative Writing Contest Winners ☆ Eighth



1st Place

Jaya Chakka

Owasso 8th Grade Center,
Owasso

Teacher: Pat D. Davis

The Fate of Humanity

"This is it." I whispered, my face pressed to the cool glass. The massive orb outside waits patiently. Vibrant blue and green coloring its features. After years, we have finally reached our destination. Our ship descends into the planet's atmosphere, and we all brace ourselves for landing. I feel a sudden rush, a mixture of anticipation and nausea. After what seems like an eternity, we touch down, the ship's sturdy legs unfolding to support its weight. I want to open the doors immediately, to see what lies outside; but that would be foolish and potentially dangerous. Instead, I move with my brethren, preparing our weapons and protective suits to face whatever lies beyond the safety of our vessel.

Finally, the moment comes when our ship's large door opens, resting with a light thud on the ground below. I replay the details of our mission in my head: Inspect the planet to be certain it can hold life, dominate any species that may further be of use, and destroy any threats. As we step out in military formation, our firearms at ready, we come to an abrupt halt. The image that assaults us is almost too overwhelming to bear. Large metal buildings and other contraptions fade into the background, and an enormous mass of life forms has clustered around our ship. Their technology is severely inferior to ours. All the same, it is evident that there is already life on the planet...and that civilization has risen and matured.

I activate the organism scanner on my helmet and survey the mass. In moments, I can see everything from the structure of the smallest cavity of their brains to every-

continued on next page

thing that they have ever known. It is amazing, to see some of the history of this planet, the ways of life of these odd creatures who call themselves humans. There are also things that appall me; these creatures have the capability for such destruction and hate, such greed and hunger for power. They think they are the absolute superior species; they might well be on this planet. Yes, our technology is greater, but these highly developed intelligent life forms, these humans could be a serious danger.

Archaeon, the leader of our squadron, pulls out our language dissecting device and streams the information from our helmets into it piecing together the foreign language of this particular group of humans. Turning on the translating option, he begins to input words, our first attempt at communication. When he finishes typing, he presses the transmission button, and time seems to slow in expectation. Finally, the machine comes to life, and begins to speak in a tiny voice.

"Humans do not fear. Unless you present yourselves as a threat, you will not be harmed. We have come to take possession of your planet. If you prove yourselves useful you may be allowed to live." There is a moment of absolute silence; and then chaos erupts.

We have retreated to the ship's interior and are circled around a small table debating what action we should take. "They could be of use," one of our younger members points out. "They are intelligent and obviously very capable." Some people nod, but others still look unconvinced.

"There are too many of them," I point out. "Sure, we might have better technology, but technology isn't everything. It just isn't safe to keep this many of them alive. Based on the brain scans, there are seven billion of them. That's just too many to handle." Everyone — some people rather reluctantly — nods.

"So we find the best ones and let them live." Archaeon says, "The strongest, the most intelligent, the least aggressive..." Again there is a wave of nods. The sad truth of the matter is, one way or another, some of these humans are not going to live. There is a pause in our conversation as the weight of what we're going to do settles in. My brain fights itself, unable to fathom whether it should feel guilt for the mass genocide we are going to commit. Just remember, I tell myself, you don't have a choice. You're just following orders.

"It's settled then," Archaeon states plainly, standing up and grabbing the language dissector. We gather in our formation again and follow him out the doors, where the large crowd still mills. Everyone goes absolutely silent now, and I breathe a sigh of relief that the chaos has quieted a little. Archaeon activates the device again and begins to transmit a new message.

"We have come to a decision. There are far too many of you on this planet, so we will have to minimize your numbers. However; we are giving you a chance of survival. If you can prove to us that your race or gender; or religion or any group you belong to is worthy of living, you will be spared. If not you will be eliminated."

Read the rest of Jaya's story at okbar.org/lawday

To read Desaray's story, go to
www.okbar.org/lawday.

2nd Place Desaray Widner

Ardmore Middle School,
Ardmore

Teacher: Jelana Mosley



Realizing the Dream

Visual Arts Contest Winners ☆ Sixth



1st Place **Georgia Burnstein**

St. Elizabeth Ann Seton
Catholic School, Edmond

Teacher: Joan Krauss

2nd Place **Charlie Suenram**

St. Elizabeth Ann Seton
Catholic School, Edmond

Teacher: Joan Krauss



Equality for All

Visual Arts Contest Winners ☆ Seventh



1st Place Emersyn Powell

Edmond Sequoyah
Middle School,
Edmond

Teacher: Tammy McManis



2nd Place Bailey Hooper

Temple Public Schools,
Temple

Teacher: Terri Hooper



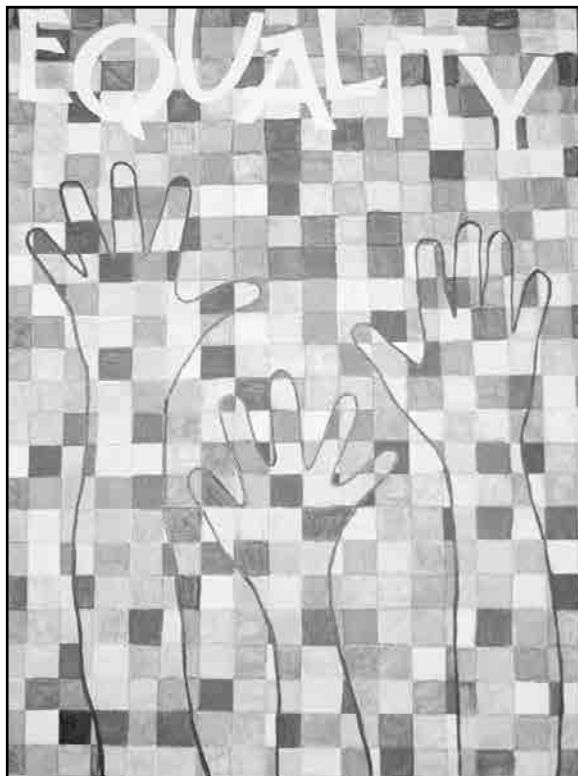
Visual Arts Contest Winners ☆ Eighth



1st Place Sidni Blalock

Duncan Middle School,
Duncan

Teacher: Sherry McGhghy



2nd Place Kerrigan Alexi Hall

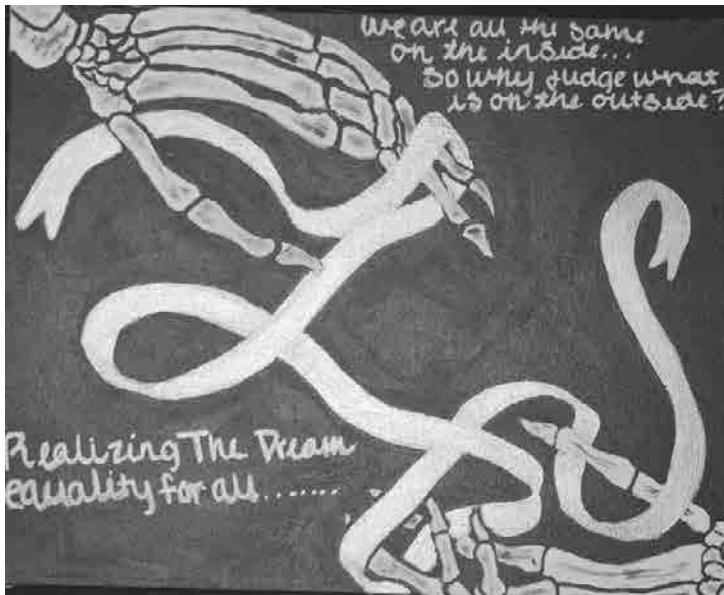
KIPP Tulsa College Prep,
Tulsa

Teacher: Stephanie Reed



Equality for All

Creative Free for All Contest Winners ☆ Ninth



1st Place - Tie Lilly Swingle

Miami Public Schools
Miami

Teacher: Dawn Hill



1st Place - Tie Payton Strubhar

Piedmont High School
Piedmont

Teacher: Jennifer Strubhar

The Fight of a Storm

Dark skies roll over the sulken city
The laughter we cherish is gone
Certain rights are denied with no pity
Once and for all we were wronged

The mood reflects on our mournful faces
Thunder looms over the hills
Strong winds bring only more disgraces
Our passion is long since burned out

Chains bear a weight holding us from a fight
But lightning strikes a spark inside
It grows brighter turning into a light
Passion will not be denied

Joining forces and holding hands
We wait out the storm
Knowing in the morrow is different lands
Awaiting us with new skies and a new life

We are the people, together
It is no longer just a hope
After what seems like forever
Our nation is united as one

Thanks be to a woman who sat on a bus
Disgraced, Discouraged, but finally won
For a man who was willing to fight for us
With a dream that fought the storm away

Creative Free for All Contest Winners ☆ Tenth



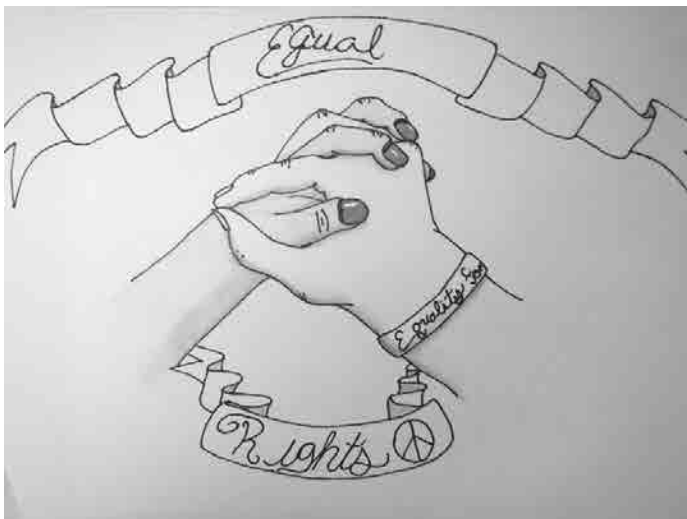
1st Place Charmaine Arongay

Lawton High School,
Lawton

Teacher: Dr. Terrance Freeman

Tunnel

Madre once told me
"Your life will be a tunnel.
It will be up to you to get to the other side."
How harsh is this tunnel I began to travel alone in.
The journey seems to stretch on forever.
As I drag my feet drearily as a mere child,
I can hear my little footsteps' echoes travel faster than me
In this dark abyss of my life
I whimpered as a child, listening to the resonating cries
Of my *personas* being overpowered by
The roars of the Wealthy and the Powerful – the Superior.
They sounded like monsters devouring prey
The journey seems to stretch on forever
As my feet take me farther along as I grow.
The tunnel is beginning to get smaller
And it is harder to look back on "what was"
It is fine though because I can see my hope.
The light ahead of me is as warm as an embrace
And urges me step after step,
Paso tras paso.
The journey stretches on forever
As I reach out my tan hand,
Praying the Kind will come from the light
And save me from this weary life,
This dark abyss.



2nd Place Curtis Shoemaker

Miami High School,
Miami

Teacher: Dawn Hill

Realizing the Dream

☆ Creative Free for All Contest Winners ☆
Eleventh



1st Place
Brittney Regier
(Grand Prize Winner)

Home School
Enid

Teacher: Mr. Tonnels



2nd Place
Connor Hostler,
Jordan Horton,
Katlin Schwartz

Claremore High School,
Claremore

Teacher: Jan McClaren



Equality for All

☆ Creative Free for All Contest Winners ☆
Twelfth



1st Place
Jason North

Pawnee High School,
Pawnee

Teacher: Becky Beagle



2nd Place
Yuyun Yang

Oklahoma Bible Academy,
Enid

Teacher: Mrs. Williams

Equality for All



LAW DAY 2013



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918-696-2172

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Cleveland

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Cleveland

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Cleveland

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Cleveland

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Custer

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Dewey

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Griffin Hazard
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Jennifer Ellis
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Ottawa

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Roger Mills
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Rogers
Mark Solano
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Judge Tim Olsen
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Seminole
Jack Cadenhead
405-382-6341

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Jamie Linzman-
Phipps
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Vonda Wilkins
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Tillman
Judge Bradford
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Washita
Skye Shepard-Wood
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Woods
Mark Keller
580-327-1030

Woodward
Aric Alley
580-254-9211

OKLAHOMA BAR JOURNAL EDITORIAL CALENDAR

2013

■ **May**
Estate Planning & Probate
Editor: Pandee Ramirez
pandee@sbcglobal.net
Deadline: Jan. 1, 2013

■ **August**
Criminal Law
Editor: January Windrix
janwindrix@yahoo.com
Deadline: May 1, 2013

■ **September**
Bar Convention
Editor: Carol Manning

■ **October**
Appellate Law
Editor: Emily Duensing
emily.duensing@oscn.net
Deadline: May 1, 2013

■ **November**
**Raising the Bar: Lawyers
Who Make a Difference**
Editor: Melissa DeLacerda
melissde@aol.com
Deadline: Aug. 1, 2013

■ **December**
**Ethics & Professional
Responsibility**
Editor: Joe Vorndran
joe@scdtlaw.com
Deadline: Aug. 1, 2013

2014

■ **January**
Meet Your OBA
Editor: Carol Manning

■ **February**
Alternate Dispute Resolution
Editor: Judge Megan Simpson
megan.simpson@oscn.net
Deadline: Oct. 1, 2013

■ **March**
Business Litigation
Editor: Mark Ramsey
mramsey@soonerlaw.com
Deadline: Oct. 1, 2013

■ **April**
Law Day
Editor: Carol Manning

■ **May**
Diversity in the Law
Editor: January Windrix
janwindrix@yahoo.com
Deadline: Jan. 1, 2014

■ **August**
Children and the Law
Editor: Sandee Coogan
scoogan@coxinet.net
Deadline: May 1, 2014

■ **September**
Bar Convention
Editor: Carol Manning

■ **October**
Health Care
Editor: Emily Duensing
emily.duensing@oscn.net
Deadline: May 1, 2014

■ **November**
President's Topic
Editor: Melissa DeLacerda
melissde@aol.com
Deadline: Aug. 1, 2014

■ **December**
**Ethics & Professional
Responsibility**
Editor: Judge Allen Welch
allen.welch@oscn.net
Deadline: Aug. 1, 2014

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

LAW DAY 2013

County Bar Association Activities



★ Adair County Bar Association

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

★ 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.

★ Bryan County Bar Association

The Bryan County Bar Association will participate in the Ask a Lawyer program in conjunction with the statewide campaign to answer legal questions by phone. Additionally, various members of the Bryan County Bar Association will visit local high school students and discuss a variety of topics in order to promote a greater understanding and appreciation of the law and legal system.

★ Carter County Bar Association

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

★ 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.

★ Cleveland County Bar Association

Cleveland County's Law Day celebration will involve exciting events this year. The Law Day luncheon will be held May 1, and

Micheal Salem, a renowned and respected Norman attorney, will be giving the Law Day address which will qualify for CLE.

As always, custom-designed Law Day T-shirts will be available for sale, the date to be determined. The T-shirts are reported to be especially awesome this year.

On May 11, the association will be having an exceptional event at the Fred Jones Museum which will include access to the entire museum. If bar members have not had a chance to visit this nationally renowned museum, this will be the perfect opportunity. The event will begin with heavy hors d'oeuvres and cocktails and a chance to celebrate our legal heritage with colleagues and friends.

★ Comanche County Bar Association

The Comanche County Bar will celebrate Law Day May 2 with a golf tournament hosted jointly with the JAG office at Ft. Sill.

★ Craig County Bar Association

The Craig County Bar Association will participate in the Ask A Lawyer program in conjunction with the statewide campaign to answer legal questions by phone and will provide food and beverages to participating volunteers.

★ Custer County Bar Association

The Custer County Bar Association has had a great time working on Law Day projects. The county fifth grade students were summoned to the courthouse on March 26 for the trial of Henry Farmer. The complaining witness, Miss Orginia Petunia, alleged that the

vile and stinky Mr. Farmer continually allowed his pigs to get out of his so-called fence and rout in her yard and trample her beloved flowers. The final straw was when Miss Petunia caught the pigs eating her prized petunias that she was going to enter in the county fair. The members of the bar association put on four mock trials for students from Arapaho-Butler, Clinton and Weatherford schools. There were expert witnesses on all things pig, a neighbor, a police officer and even a "pig" entered the courtroom at one point. The students served as jurors and the verdicts were one guilty, one deadlocked jury, one not guilty and one mistrial after the jury panel was polled. More than 300 students participated in this project and each received a pocket Constitution to take with them. There were 25 attorneys and various courthouse personnel who participated in this fun and informative project. The informal polling conducted at the end of the trial was inconclusive as to who had more fun, the students or the attorneys.

The bar association will also be going to the high schools to speak with the senior classes and hand out the legal guide for young adults distributed by the Oklahoma Bar Association. Several attorneys will be participating in this project.

Additionally, the bar association will have several volunteers on hand to answer questions on the evening of Ask A Lawyer on May 2.

★ **Garfield County Bar Association**

The Garfield County Bar Association will send attorneys into middle schools throughout Garfield County as part of their annual "Lawyers in the Classroom" program to inform, educate and promote civics education and help students better understand our U.S. Constitution. Further, the 2013 Garfield County Ask A Lawyer call-in program will be held on Law Day. Ten attorneys will be available to answer legal questions throughout the evening. Finally, GCBA will get local elementary schools involved through its own art and writing contests encouraging young students to express their talents while promoting the theme of Oklahoma Law Day 2013: "Realizing the Dream: Equality for All." The winning writing and art projects will be displayed throughout the Garfield County Courthouse

for a week following Law Day. The winners of the writing competition will be invited to attend the following Garfield County Bar Association meeting and orally present their writing to the attorneys in attendance and will also be presented with a certificate and cash prize for their entry.

★ **Grant County Bar Association**

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

★ **Greer County Bar Association**

The Greer County Bar Association will hold its annual Law Day on May 2 at the Greer County Welcome Center. The association will host an open-to-the-public seminar on the needs and differences of a power of attorney, advance directive and DNR. This will be followed by a question and answer session with the public. The association will also participate in the Ask A Lawyer program in conjunction with the statewide campaign to answer legal questions by phone.

★ **Jackson County Bar Association**

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

★ **Johnston County Bar Association**

The Johnston County Bar Association is hosting an essay contest for third grade students.

★ **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.

★ **Kingfisher County Bar Association**

On Wednesday, May 1, the Kingfisher County Bar Association will hold its annual Law Day luncheon at the Kingfisher County Courthouse in the main courtroom. The luncheon will begin at noon. The keynote speaker for the luncheon will be retired Canadian County District Court Judge Edward C. Cunningham, and the Liberty Bell Award will be presented to an outstanding civic leader in Kingfisher County.

★ LeFlore County Bar Association

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

★ Logan County Bar Association

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

★ 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. In addition, the association is holding a writing contest for K-12 students. Contact Emily Crain: 918-825-4558.

★ McCurtain County Bar Association

The McCurtain County Bar Association will host a Law Day banquet for the Tri-County Bar Association (McCurtain, Choctaw and Pushmataha counties) on April 27 at the Idabel Country Club. Justice John Reif will serve as guest speaker. Members of the association will be visiting local schools to promote Law Day to the community. The association will host an Ask A Lawyer radio show at KKBI in Broken Bow on April 27 staffed by several members of the association.

★ Muskogee County Bar Association

The Muskogee County Bar Association will be participating in the Ask A Lawyer day project. To enhance the project, the association is partnering with Bacone College to provide six telephone extensions to assist callers.

★ Noble County Bar Association

The Noble County Bar Association will participate in the Ask A Lawyer program in conjunction with the statewide campaign to answer legal questions by phone. The association will also participate in the Perry High School Awards Assembly, giving a student a college scholarship in conjunction with Law Day. The Noble County Bar Association will also present a Liberty Bell Award in conjunction with Law Day.

★ 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.

★ 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.

★ Oklahoma County Bar Association

• Law Day Luncheon – May 1, Skirvin Hotel Grand Ballroom

The Oklahoma County Bar Association is sponsoring the luncheon this year featuring Oklahoma Supreme Court Chief Justice Tom Colbert. *The Journal Record* will present this year's *Journal Record* Award as well as recognize the Leadership in Law Award recipients. The Liberty Bell Award and the Howard K. Berry Sr. Award will also be presented at this year's Law Day luncheon. The centerpiece stuffed animals will be donated to the various police departments in eastern Oklahoma County. Tickets are available by calling the OCBA at 405-236-8421.

• Ask A Lawyer Program – May 2 at OETA

Volunteers will be handling phone calls from 8:45 a.m. to 9 p.m. Curtis Thomas will be chairing this subcommittee and volunteers may sign up by going on the OCBA website at www.okcbar.org or by calling the bar office at 405-236-8421.

• COALA Student Program

The Central Oklahoma Association of Legal Assistants (COALA) will be sponsoring high school and Legal Assistance Program students who will tour the Oklahoma County Courthouse and speak with various judges in the morning. Students will then attend the Law Day luncheon.

• Civic Speakers

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. For more information,

contact subcommittee chair Jim Howell, 405-737-5673.

★ Osage County Bar Association

The Osage County Bar Association will participate in the Ask A Lawyer program in conjunction with the statewide campaign to answer legal questions by phone. The county will field calls for free legal advice for the entire day on May 2, from 9 a.m. – 9 p.m.

★ Ottawa County Bar Association

The Ottawa County Bar Association began its annual Law Day activities on March 21, inviting the Ottawa County Boys and Girls Club to attend court with Judge William Culver. The association sent out more than 500 packets to local schools promoting Law Day student art and poetry contests and will announce local winners in conjunction with Law Day. The Ottawa County Bar Association will participate in the Ask A Lawyer program with the statewide campaign to answer legal questions by phone and will try the case of *Wolf v. Pig* to a mock jury of local grade school students.

★ Pawnee County Bar Association

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

★ Pontotoc County Bar Association

The Pontotoc County Bar Association will work in conjunction with East Central University to host a lunch and a series of panels on Tuesday, April 30. The day is being planned by the Legal Studies Program at ECU which offers an ABA-approved legal studies bachelor's degree. For a detailed schedule of speakers or to reserve a place at our mentoring lunch, please contact Law Day Chair Christine Pappas at cpappas@ecok.edu. Paralegals, attorneys and judges from any county are invited to attend.

★ Roger Mills County Bar Association

The Roger Mills County Bar Association will participate in the Ask A Lawyer program in conjunction with the statewide campaign to answer legal questions by phone. Tours of the courthouse are planned, and a mock trial and a "Classroom in the Courtroom" program will

be held for elementary students in the district courtroom.

★ 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.

★ Seminole County Bar Association

To open Law Week celebrations, several of Seminole County's young lawyers will speak to middle school students at each county school about the legal profession and the practice of law in the birthplace of Law Day. Students will hear from young lawyers who not long ago sat in their very same seats in Seminole, Wewoka, Konawa and many others.

The association will hold its annual Law Day activities on April 30. There will be CLE beginning at 8:30 a.m. in the South Courtroom of the Seminole County Courthouse in Wewoka. At noon, a Law Day luncheon will be held at the Rudolph Hargrave Community Center in Wewoka. Several Supreme Court and appellate court justices are expected to attend. OBA President James T. "Jim" Stuart will be the featured speaker.

Seminole County will also participate in the Ask A Lawyer program in conjunction with the statewide campaign to answer legal questions by phone May 2 from 7-8 p.m.

★ 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. Spanish language interpreters will be available.

★ Tulsa County Bar Association

To open Law Day celebrations, the naturalization ceremony was held on April 10 at the U.S. District Court for the Northern District of Oklahoma. Thirty-three new citizens from diverse countries were administered the Oath of Allegiance.

The ceremony was observed by one of the eighth grade classes from Holy Family Cathedral School. Booker Gillespie, who sings with the Signature Symphony, led new citizens and attendees in "God Bless America" and "God Bless the USA."

On April 5, a hearing on a summary judgment was held at the TU College of Law on a motion docket. More than 70 law students attended the hearing.

- **Student Art and Poetry Contest**

The contests are held in conjunction with the Tulsa-area schools with prizes awarded for each grade K-12 by the Tulsa County Bar Foundation. Visit www.tulsabar.com for more information. Awards will be presented at a reception hosted by the TCBF and TCBA. Contact: Rodney Buck at 918-494-2483, rlbuck@saintfrancis.com.

- **Lawyers in the Library**

A legal advice and referral service organized by the TCBF and the Tulsa County Law Library. Staffed by TCBA members who give free 15-minute consultations to library patrons on a walk-in basis. To be held April 23 at the following locations and times: Tulsa County Law Library, 9 a.m. – 4:30 p.m.; Kendall-Whittier Library, 2 p.m. – 7 p.m.; Rudisill Regional Library, 3 p.m. – 7 p.m.. Contact: Kimberly Moore-Waite at 918-295-9433, kimberly.waite@laok.org.

- **Ask A Lawyer**

A legal advice and referral service organized by the TCBF and in conjunction with the statewide campaign to answer legal questions by phone. TCBA members will utilize phones set up at the new OETA studios. Contact: Dan Crawford 918-660-0400, dan@dlcrawfordlaw.com.

- **Free CLE for Pro Bono Panel Members**

Provided by Legal Aid Services of Oklahoma Inc. on Wednesday, April 24, at OSU Tulsa. Free for attorneys actively serving on a Pro Bono Panel. Registration starts at 8:30 a.m. Seminar concludes at 4 p.m. MCLE credit of 6 hours. To register, visit www.probono.net/ok.

- **TCBA Member Free CLE**

Hosted by the Tulsa County Bar Association Center, the 23rd Annual Free CLE for TCBA members is Friday, April 19. Six hours of CLE with an optional one hour of ethics. Welcome and sign-in and walk-in registration begins at 8:30 a.m.

- **Annual Law Day Luncheon**

Keynote Speaker: Chief Justice Tom Colbert. Seating begins at 11:30 a.m. Lunch is 12 – 1:30 p.m. Downtown Hyatt Hotel, 100 East 2nd St., Tulsa. Contact Sandra Cousins at 918-584-5243 ext. 222, or register at www.tulsabar.com.

At the luncheon, senior members of the Owasso High School Mock Trial team will be recognized for their four-year participation in the OBA-sponsored program. This team was one of the most successful in the state, undefeated in Green Country, and participated in a mock trial before the Oklahoma Supreme Court with the defending state champions, Clinton High School.

- **Legal Civics in the Classroom**

Tulsa County District Judge Mark Barcus presented and engaged in discussions with students of East Central High School about the courts and a program about the dangers of drunk driving called Crash Court. This program is an actual court case event with real defendants pleading guilty in front of the high school students with their attorneys.

More than 700 Owasso eighth graders will receive their own pocket Constitution, and watch a video with Chief Justice Roberts discussing the Constitution. There will also be demonstrations from Owasso Youth Court and mock trial teams.

In May, Gable and Gotwals attorney Erin Dailey and probationers of Tulsa Lakeside Home (a former group home for delinquent youths under the supervision of the Tulsa County Juvenile Bureau) will discuss their experiences in the juvenile justice system with more than 500 students at Thoreau Demonstration Academy (a Supreme Court school of the year for civics education).

The TCBA Law Day Committee thanks District Judge Damon Cantrell for his efforts in planning, hard work and guidance as well as his dedication to making a difference in the lives of young people.

★ **Wagoner County Bar Association**

Wagoner County Bar President Richard Loy Gray Jr. will host a Q & A event with the Wagoner senior citizens at the First Baptist Church Annex on Thursday, March 25. The Wagoner County Bar Association will participate in the "Ask A Lawyer" program in conjunction with the statewide campaign to answer legal questions by phone.

★ **Washington County Bar Association**

The Washington County Bar Association will participate in the Ask A Lawyer program

in conjunction with the statewide campaign to answer legal questions by phone.

★ **Woods County Bar Association**

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

★ **Woodward County**

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.

NOTICE OF JUDICIAL VACANCY

The Judicial Nominating Commission seeks applicants to fill the following judicial office:

**Associate District Judge
Twenty-first Judicial District
Garvin County**

This vacancy is created by the retirement of the Honorable John A. Blake effective August 1, 2013.

To be appointed an Associate District Judge, an individual must be a registered voter of the respective judicial district at the time (s)he takes the oath of office and assumes the duties of office. Additionally, prior to appointment, the appointee must have had a minimum of two years experience as a licensed practicing attorney, or as a judge of a court of record, or combination thereof, within the State of Oklahoma.

Application forms can be obtained on line at www.oscn.net by following the link to the Oklahoma Judicial Nominating Commission or by contacting Tammy Reaves, Administrative Office of the Courts, 2100 North Lincoln, Suite 3, Oklahoma City, OK 73105, (405) 556-9300, and should be submitted to the Chairman of the Commission at the same address **no later than 5:00 p.m., Friday, May 3, 2013. If applications are mailed, they must be postmarked by midnight, May 3, 2013.**

Heather Burrage, Chairman
Oklahoma Judicial Nominating Commission

Thursday, May 2

9 a.m. to 9 p.m.

ASK A LAWYER

Free Legal Advice

Volunteer Lawyers Needed



Statewide Hotlines

**Location: OETA Studios
Oklahoma City & Tulsa**

Sign up for Tulsa, contact:

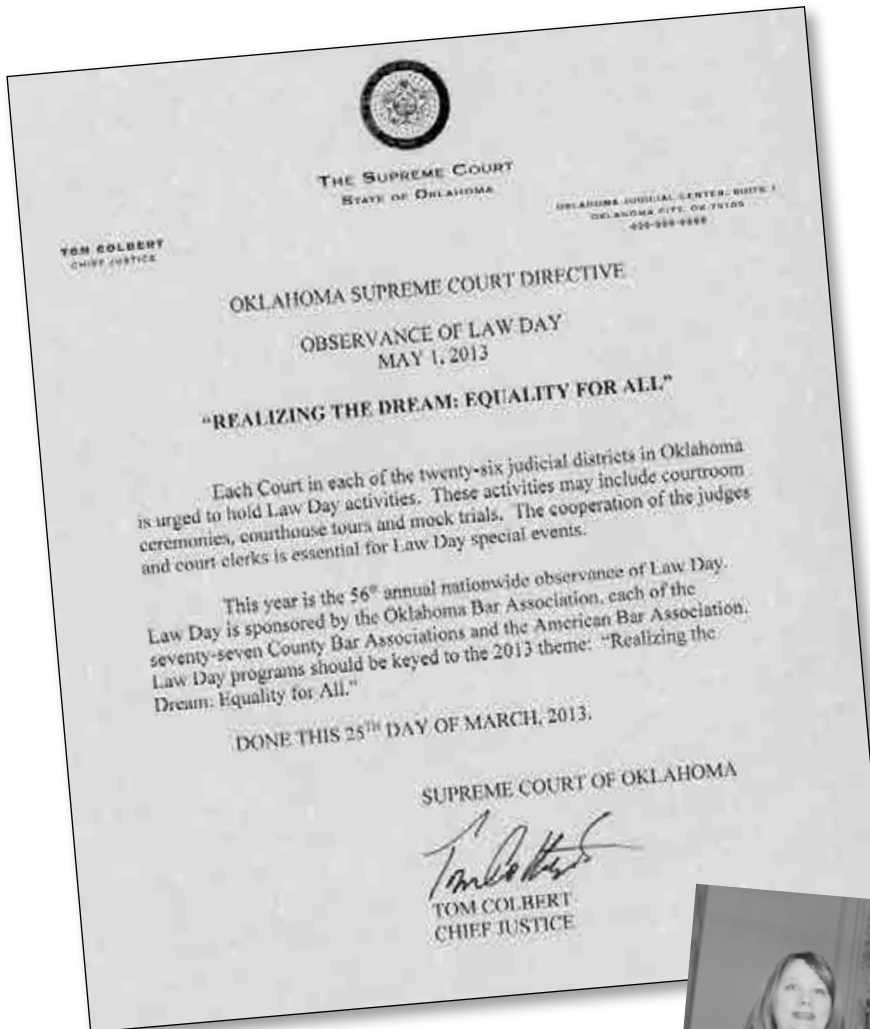
**Dan Crawford
918-660-0400
dan@dlcrawfordlaw.com**

Sign up for OKC, contact:

**Connie Creed
405-236-8421
connie@okcbar.org
www.okcbar.org**

***Other counties are also giving legal advice.
Contact your Law Day chairperson to volunteer.***

LAW DAY 2013



Oklahoma Supreme Court Chief Justice Tom Colbert (seated) signs the Law Day directive as OBA Law Day Committee Co-chairs Jennifer Prilliman and Richard Vreeland prepare to welcome students during the annual recognition ceremony at the State Capitol.



STATE OF OKLAHOMA



EXECUTIVE DEPARTMENT

Proclamation

Whereas, Law Day is a day of public acknowledgment of our nation's and Oklahoma's heritage of justice, liberty and equality under the law, and May 1st has been declared "Law Day" by the United States Congress; and

Whereas, the American Bar Association and the Oklahoma Bar Association have declared the theme for Law Day 2013 as "Realizing the Dream: Equality for All"; and

Whereas, this year's theme recognizes the inextricable link between freedom and equality, the importance of living up to the promise of equality under the law enshrined in our nation's founding documents, and the challenges that remain in realizing that ideal; and

Whereas, the year 2013 marks the 150th anniversary of the issuance of the Emancipation Proclamation, as well as the 50th anniversary of the March on Washington for Jobs and Freedom, and Rev. Dr. Martin Luther King, Jr.'s "I Have a Dream" speech; and

Whereas, all Americans are entitled to equal protection of the law and to the unalienable rights of life, liberty, and the pursuit of happiness;

Now, therefore, **J. Mary Fallin**, Governor of the State of Oklahoma, do hereby proclaim May 1, 2013 as

"Law Day"

in the state of Oklahoma and urge the citizens, schools, businesses and media to use this occasion to preserve and strengthen the rule of law.

In Witness Whereof, I have hereunto set my hand and caused the Great Seal of the State of Oklahoma to be affixed.



Done at the Capitol, in the City of Oklahoma City, this 27th day of March, in the Year of Our Lord two thousand and thirteen, and of the State of Oklahoma on the one hundred and fifty year.

Mary Fallin
GOVERNOR

*United States District Court
Western District of Oklahoma*



*You are cordially invited
to the formal swearing in of
Suzanne Mitchell
as United States Magistrate Judge*

and

*Presentation of the Portraits of
Retired United States Magistrate Judge
Bana Burkett Roberts*

and

*Former United States Magistrate Judge
Robert E. Bacharach*

*Thursday
May 2, 2013
2:00 p.m.*

*United States Courthouse
Ceremonial Courtroom - Third Floor
200 Northwest Fourth Street
Oklahoma City, Oklahoma*

Reception to follow

¿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 reaching out to the
Latino community, so we expect to hear
from Spanish-speaking callers.*

**When: Thursday, May 2
9 a.m. – 9 p.m. (two-hour shifts)**

**OETA Studios in
Oklahoma City and Tulsa**

To sign up:

Oklahoma City

**Connie Creed • 405-236-8421
connie@okcbar.org**

Tulsa

**Dan Crawford • 918-660-0400
dan@dlcrawfordlaw.com**

¡Alli los miramos!

"SARAH FOUND THE PERFECT
CHEMISTRY
OF FLEXIBILITY AND
CHALLENGE."

"Both of my parents are lawyers, so I always thought I would be one, too," Sarah says. "Then I took tenth grade chemistry, and I was suddenly fascinated with science on a molecular level. At first, my family thought it was just a phase."

Some phase. Now a senior, Sarah has taken Organic Chemistry, Microbes and Genetics classes. She's been a TURC Junior Scholar, a semifinalist for the national 2012 Siemens Competition and a semifinalist for the 2013 Intel Science Talent Search. What she has already accomplished, synthesizing peptides and proteins in water, could lead to significant advancements in her field. And she's been accepted into multiple top-tier colleges.

"When other kids ask me about the flexible schedule at Holland Hall, I say it lets them work exactly as hard as they want to," Sarah says. "I've crammed my schedule full of what I love, and it's paying off."

Find the flexibility to follow your passions.
Contact Olivia Martin, Director of
Admission, at (918) 481-1111.



HOLLAND HALL

www.hollandhall.org



— Sarah,
Holland Hall Senior

Mercenarism: Alive and Well

By Amer Mahmud

On Sept. 16, 2007, Blackwater (now Xe) security guards fired on a crowd in Baghdad's Nisour Square killing 17 people.¹ At the time, Blackwater employees were escorting a convoy of U.S. State Department personnel through western Baghdad. As the convoy passed through Nisour Square the guards perceived a threat and opened fire, invoking self-defense on several civilian vehicles that led to civilian deaths. A subsequent Federal Bureau of Investigation report found that 14 of the 17 killings were unjustified.² When the incident occurred, Blackwater was contracted by the State Department to provide security for U.S. diplomats. More recently, it was reported that Muammar Qaddafi had hired foreign fighters from Mali for up to \$1,000 each to help thwart the determined insurgency in Libya. Similarly, there are reports of foreign fighters funneling into Syria to help fight the Bashar Assad regime. When people hear of instances such as these where civilians are being used in combat, the word mercenary often comes to mind. That's not an unnatural reaction because generally a mercenary is basically defined as "one who fights for an employer other than his home state and whose motivation is economic."³ But mercenarism is supposed to be prohibited under international law, so that begs the question, "How is this possible?"

The practice of states using civilians in combat continues and has flourished throughout history. For instance, in 1975 when Portugal withdrew from Angola, it left the country dysfunctional, which caused a civil war to erupt. Unsurprisingly the U.S. and the U.S.S.R. began supporting their respective guerrilla factions. The Communist Party was eventually able to seize power in a U.N.-supervised election in 1992; however, the U.S. and South African governments continued to fight as a rebel faction.⁴ Shortly thereafter, Executive Outcomes (EO)⁵

was hired by the Angolan government to help with stabilization efforts. In 1994, the U.S.-backed rebels were beaten into a peace accord conditioned on the withdrawal of EO troops.⁶ EO's success made them marketable for similar situations in other countries.⁷

During the last decade, due to two simultaneous conflicts in Iraq and Afghanistan, the fighting has stretched the U.S. military thin, and the U.S. continues to be supported by civilian contractors to perform various functions — some

that can even expose them to combat. These firms hire persons with security experience from all over the world, and they come from nations that are parties to the conflict, and from nations that are not.⁸ But regardless of how civilians are used to support military efforts, it's nearly impossible to characterize these civilians as a "mercenary" under international law due to the nebulous provisions dealing with the classification of civilians as mercenaries. Accordingly, the word mercenary appears only to be an empty characterization without much legal ramifications. And until international law shifts in favor of a more robust effort against the use of mercenaries, regulation will remain ambiguous, and subject to legal steering based on national interests, which may be exactly the intent of many countries.

INTERNATIONAL EFFORTS TO DEAL WITH THE USE OF MERCENARIES

Mercenaries were generally considered a legitimate means of warfare until after World War II, when they became actively involved in many of the post-colonial struggles for independence. In addition to being linked with human rights abuses and other war crimes in those post-colonial struggles, mercenarism was increasingly delegitimized because its involvement in conflicts usually prolonged conflicts and undermined international principles of self-determination. As a result, the push for banning mercenaries came primarily from post-colonial African states and often over the objection of Western states.⁹ Resulting international law, however, has failed to adequately define a mercenary and remains ineffective.

For instance, the 1949 Geneva Conventions deal with the means and methods of warfare, but the agreements do not mention mercenaries, and scholars generally believe that the drafters did not seek to change the status quo.¹⁰ The U.N. General Assembly has repeatedly passed resolutions admonishing the use of mercenaries, but the international community's long history of using mercenaries meant there was no universal desire to challenge the traditional approach until the latter half of the 20th century. In a largely political movement against the West, since the West was accused of using mercenaries to defend its interest in colonial Africa, Nigeria led the charge of African nations pushing for a new definition of mercenary under international law. In the end, a rather loose definition of mercenary emerged as part of Additional Protocol I (AP I) to the Geneva Conventions.

Article 47 of the AP I provides that a mercenary is any person who: 1) is specially recruited locally or abroad in order to fight in an armed conflict; 2) does, in fact, take a direct part in the hostilities; 3) is motivated to take part in the hostilities essentially by the desire for private gain and, in fact, is promised, by or on behalf of a party to the conflict, material compensation substantially in excess of that promised or paid to combatants of similar ranks and functions in the armed forces of that party; 4) is neither a national of a party to the conflict nor a resident of territory controlled by a party to the conflict; 5) is not a member of the armed forces of a party to the conflict; and 6) has not been sent by a state which is not a party to the conflict on official duty as a member of its armed forces. AP I clearly reflects an aversion for mercenaries, but due to the equivocal nature of the elements, the international community thought it prudent to develop the law further. In 1989, the U.N. General Assembly adopted the U.N. Mercenary Convention. This treaty incorporates the definition of Article 47, and applies it to international and internal conflicts. It also added language to reflect that a mercenary is also someone who in any situation is specially recruited locally or abroad for the purpose of participating in a concerted act of violence aimed at: 1) overthrowing a government or otherwise undermining the constitutional order of a state; or 2) undermining the territorial integrity of a state.¹¹ Consequently, it's pretty clear that the drafters created the U.N. Convention not only in response to post-colonial conflict in Africa, but also had specific parties in mind when they drew up the criteria for a mercenary.¹²

Predictably due to the additional language in the Mercenary Convention, it has not achieved widespread acceptance like AP I,¹³ and so the convention carries far less significance, but it is clearly operative amongst the member states.¹⁴ AP I, however, arguably constitutes customary international law (CIL) even though the U.S. has not ratified because the U.S. Department of State has recognized the inclusion of the core of Protocol I in CIL.¹⁵ Despite the historical and regional significance of the U.N. Convention, and the various other U.N. resolutions related to mercenaries, this article will proceed with a brief discussion of two of the most elusive elements of Art. 47 of AP I since violation of it during an international conflict will have a far better chance of being considered a violation of CIL.

Foreign Fighters May Escape Characterization as Mercenaries Under AP I Based on the Direct Participation in Hostilities Requirement

Acts amounting to direct participation in hostilities must meet three cumulative requirements: 1) the act must be likely to adversely affect the military operations or military capacity of a party to an armed conflict or, alternatively, to inflict death, injury or destruction on persons or objects protected against direct attack (threshold of harm), 2) there must be a direct causal link between the act and the harm...(direct causation) and 3) the act must be specifically designed to directly cause the required threshold of harm in support of a party to the conflict and to the detriment of another (belligerent nexus).¹⁶

For civilians working for firms like Xe, who mostly provide security details, it's the belligerent nexus requirement, *inter alia*, that would likely keep their employees out of the sphere of mercenarism. This issue often arises when a government contracted civilian security detail is tasked to protect a convoy. For instance, due to the nature of the conflict in Afghanistan, it would not be a stretch to imagine a suspicious and unresponsive local national approaching on foot too close to the "comfort" zone of the security guards. In situations like this, and based on the well-known methods of combat such as suicide bombings, it can cause a contractor in such a position to shoot, which could later be determined as an unjustified use of force because the individual was simply a confused civilian.¹⁷ In such a case, putting aside the prospect of domestic prosecution, the shooter(s) would likely remain outside the province of direct participation, and thus, mercenarism, because the victim was not a belligerent.

Moreover, the elimination of a reasonably perceived threat based on self-defense in response to an impending illegal attack under international humanitarian law (IHL) would not be considered support to a party to the conflict — one never loses their right to self-defense. How irrational would it be if contractors acting in self-defense against an objective threat were to lose their protection as civilians under IHL? This would have the illogical consequence of legitimizing a previously attempted unlawful attack against the contractors. Accordingly, the use of necessary and proportionate force by contractors in situations of self-defense cannot be regarded as direct participation in hostilities.¹⁸

Therefore, even if a country arranges for foreign civilians to be employed in positions that may expose them to combat, these individuals would escape classification as a mercenary and remain civilians under IHL as long as they stick to what they're generally assigned to do — protective details.

Motivated by Private Gain and Promised Material Compensation Substantially in Excess of Combatants of Similar Ranks and Functions in the Armed Forces

Perhaps the most imprecise and problematic of all the requirements, this element attaches a motivational requirement (mercenaries must be "motivated to take part in hostilities essentially by the desire for private gain") that is both difficult to prove and easily rebuttable by personal testimony as to one's motivations. Indeed, as the United Kingdom's Diplock Committee stated in its 1976 report on the recruitment of mercenaries: Any definition of mercenaries which required positive proof of motivation would ... either be unworkable or so haphazard in its application as between comparable individuals as to be unacceptable. Mercenaries, we think, can only be defined by reference to what they do, and not by reference to why they do it.¹⁹ The Diplock Committee clearly knew what it was talking about because to truly determine the motivation of any fighter in combat is nearly impossible.

For instance, aside from contractors employed by firms like Xe that usually are involved in hostilities due to self-defense, there are also civilians that are recruited by people like Qaddafi, firms like EO, and then there are covert operations executed by countries, which support movements to bring about change in another country, like the situation in Syria. These types of hired guns satisfy the direct participation requirement rather easily because they will offensively target the enemy belligerents. However, and this is not an exhaustive list, but they may be motivated by religion, peers, idealistic views of the "enemy" and some may indeed be motivated by monetary gain. Aside from a straight confession from an individual that he/she is there for "private gain," it is extremely difficult to determine their motivation. The identification of someone's motivation gets even trickier when considering that private gain may be only one of many motivating factors. This is probably why intent, and not motivation, is usually an actual element in the general principles of domestic criminal law.

Additionally, the types of individuals that volunteer for this type of duty would likely advertise their services as highly specialized and professional, thus comparison costs are probably most appropriate between military Special Forces operators and these types of “hired guns.” Even if it were ascertainable how much they were being paid, imagine the difficulty of determining whether the individuals are being paid *substantially* in excess of the military counterparts in similar rank and function because it would be unclear whether outsourcing functions to such civilians actually saves money or costs more than the military doing the work itself.²⁰

CONCLUSION

What the mercenary definition under AP I reveals is that while civilians hired to support military efforts could possibly satisfy some elements of the definition of mercenary, the cumulative requirement of Article 47 means that it would be extremely challenging to prove that a civilian is acting as a mercenary under the most universally recognized standard under current international law. The industry, for the most part, operates outside the legally defined mercenary regime. In fact, commentators have noted that this is an extremely constricted definition of mercenaries, and it prompted one commentator to suggest that “any mercenary who cannot exclude himself from this definition deserves to be shot — and his lawyer with him.”²¹ Until the political will required by international law shifts in favor of a more robust effort against the use of mercenaries, regulation will remain ambiguous and subject to national interests.

1. Laura A. Dickinson, “Accountability of Private Security Contractors under International and Domestic Law” (Dec. 26, 2007), www.asil.org/insights071226.cfm#_edn.

2. David H. Chen, “Holding ‘Hired Guns’ Accountable: The Legal Status of Private Security Contractors in Iraq,” 32 *B.C. Int’l & Comp. L. Rev.* 101 (2009).

3. Ellen L. Frye, “Private Military Firms in the New World Order: How Redefining ‘Mercenary’ Can Tame the ‘Dogs of War,’” 73 *Fordham L. Rev.* 2607 (2005).

4. Kristen Fricchione, “Casualties in Evolving Warfare: Impact of Private Military Firms’ Proliferation on the International Community,” 23 *Wis. Int’l L.J.* 731, 767 (2005).

5. As one of the first military provider firms, Executive Outcomes built a niche in the market for military services. Founded by apartheid-era veterans of the South African Defense Force (SADF), EO publicly promoted the following services: strategic and tactical military advisory

services, training packages in land, sea and air warfare, peacekeeping services, advice on weapons selection and paramilitary services.

6. Fricchione, *supra* note 4 at 768.

7. Following its achievements in Angola, EO offered its services to the embattled government of Captain Valentine Strasser of Sierra Leone, then fighting the rebels of the Revolutionary United Front (RUF). The RUF was also eventually defeated in 1996 with the help of EO efforts.

8. *Id.* at 97.

9. E.L. Gaston, “Mercenarism 2.0? The Rise of the Modern Private Security Industry and Its Implications for International Humanitarian Law Enforcement,” 49 *Harv. Int’l L.J.* 221, 231 (2008).

10. Adam Ebrahim, “Going to War with the Army You Can Afford: The United States, International Law, and the Private Military Industry,” 28 *B.U. Int’l L.J.* 181, 202-203 (2010).

11. Ebrahim, *supra* note 10, at 208-209.

12. Scheimer, *supra* note 12, at 617.

13. Ebrahim, *supra* note 10, at 209 (to date, just 28 of the 194 U.N. member states have ratified the treaty, none of which can be considered a major military power).

14. The mentioned treaties certainly do not reflect an exhaustive list of attempts in the international community to regulate mercenaries. See ICRC, www.icrc.org/eng/assets/files/other/irrc_863_fallah.pdf (last visited Mar. 29, 2013) (Organization of African Unity (OAU) Convention for the Elimination of Mercenaries in Africa, O.A.U. Doc. CM/433/Rev.L, Annex 1(1972) (the first product of efforts to deal with mercenaries at a regional level, and the most significant difference between the OAU Convention and Protocol I is the aspect of criminalization)).

15. David Mortlock, “Definite Detention: The Scope of the President’s Authority to Detain Enemy Combatants,” 4 *Harv. L. & Pol’y Rev.* 375, 382 (2010).

16. Nils Melzer, ICRC, “Interpretive Guidance on the Notion of Direct Participation in Hostilities Under International Humanitarian Law” 46 (2009) available at www.icrc.org/eng/assets/files/other/irrc-002-0990.pdf (last visited March 29, 2013). All applications of these elements are beyond the scope of this paper.

17. The Rules of Engagement are beyond the scope of this article.

18. *Id.* at 61.

19. Katherine Fallah, “Corporate Actors: The Legal Status of Mercenaries in Armed Conflict” 606 (vol. 88, no. 863, Sep. 2006) (Additional Protocol I defines a combatant as a member of the armed forces of a party to the conflict (with the exception of medical and religious personnel), available at www.icrc.org/eng/assets/files/other/irrc_863_fallah.pdf (last visited Mar. 29, 2013)).

20. See generally Scheimer, *supra* note 12, at 627-628.

21. Won Kidane, “The Status Of Private Military Contractors Under International Humanitarian Law,” 38 *Denv. J. Int’l L. & Pol’y* 361, 388 (2010).

ABOUT THE AUTHOR



Major Amer Mahmud has served as a JAG with the U.S. Air Force for 10 years and has previously deployed in support of Operation Iraqi Freedom. He received his J.D. from OCU School of law in 2003, and in 2011 he received an LL.M. from the George Washington University School of Law in international and comparative law. Currently he’s assigned at the U.S. Air Force Academy where he teaches international law and the law of armed conflict.

Bar Members Celebrate Membership Anniversaries

The Oklahoma Bar Association applauds these members who in 2013 reach significant milestone anniversaries.

70
years

STEPHENS COUNTY

Harold T. Garvin
Duncan

60
years

BLAINE COUNTY

Thomas C. Morgan
Watonga

KAY COUNTY

Donald C. Welch
Ponca City

KINGFISHER COUNTY

Robert C. Lovell
Hennessey

OKLAHOMA COUNTY

James C. Daugherty
Oklahoma City

W. Samuel Dykeman
Oklahoma City

Jack L. Freeman
Edmond

James Hoffman Harrod
Edmond

Ben T. Lampkin Jr.
Edmond

Robert Eugene Lavender
Oklahoma City

W. Howard O'Bryan Jr.
Oklahoma City

Harley E. Venters
Oklahoma City

POTTAWATOMIE COUNTY

George Lindsay Peters
Shawnee

TULSA COUNTY

Carl D. Hall Jr.
Tulsa

Burford D. Monnet
Tulsa

Dan C. Thomas
Tulsa

Maynard I. Ungerman
Tulsa

Newell E. West
Tulsa

Ray H. Wilburn
Tulsa

WASHINGTON COUNTY

Denzil D. Garrison
Bartlesville

James H. Laughlin
Bartlesville

James A. Robertson
Bartlesville

John Floyd Yarbrough
Bartlesville

WASHITA COUNTY

Ronald L. Wesner
Cordell

OUT OF STATE

Louise Parker Bingham
Grandbury, TX

John W. Dierker
San Angelo, TX

Morris G. Gray
Colorado Springs, CO

Gene H. Sharp
Liberal, KS

50
years

ALFALFA COUNTY

Ronald R. Hadwiger
Cherokee

CADDO COUNTY

Justus Woody Hefley
Anadarko

CARTER COUNTY

William F. Parrish Jr.
Ardmore

CLEVELAND COUNTY

Samuel Houston Johnson
Norman

Marvin B. York
Norman

CUSTER COUNTY

Jack W. Dickey
Thomas

Denver W. Meacham II
Clinton

DEWEY COUNTY

Robert William Collier
Taloga

GARFIELD COUNTY

Norman A. Lamb
Enid

Richard Lloyd McKnight
Enid

GRADY COUNTY

Kerry W. Caywood
Chickasha

John Monroe Nelson
Chickasha

KAY COUNTY

Kenneth E. Holmes
Ponca City

LINCOLN COUNTY

Dan Alan Erwin
Chandler

MAYES COUNTY

Russell Grant Horner Jr.
Disney

MCCURTAIN COUNTY

Carl E. Leforce
Idabel

MURRAY COUNTY

Phil S. Hurst
Sulphur

MUSKOGEE COUNTY

Joe Robert Kennedy
Muskogee

OKLAHOMA COUNTY

James Luther Barrett
Edmond

Jap Worth Blankenship
Oklahoma City

James C. Chandler
Oklahoma City

Andrew M. Coats
Oklahoma City

Joseph Harold Crosby
Oklahoma City

Stanley Lloyd Cunningham
Oklahoma City

Larry D. Derryberry
Oklahoma City

David Rutledge Dickey
Oklahoma City

Allen D. Evans
Oklahoma City

J. C. Fishburn
Oklahoma City

Andrew Jordan Haswell Jr.
Oklahoma City

Lee Marks Holmes
Oklahoma City

James F. Howell
Midwest City

Don W. Kilpatrick
Edmond

Julian P. Kornfeld
Oklahoma City

John R. McCandless
Edmond

Tom J. McDaniel
Oklahoma City

Raymond E. Tompkins
Oklahoma City

Sam A. Townley
Oklahoma City

Brian Howard Upp
Oklahoma City

Robert Leyton Wheeler
Oklahoma City

David Kent Williams
Oklahoma City

OKMULGEE COUNTY

Kenneth D. Bacon
Okmulgee

PITTSBURG COUNTY

Paul Edward Harper
McAlester

POTTAWATOMIE COUNTY

Glenn Dale Carter
Tecumseh

ROGERS COUNTY

Bill Reed Scarth
Claremore

SEMINOLE COUNTY

Gordon R. Melson
Seminole

Frank Howell Seay
Seminole

Glenn J. Sharpe
Wewoka

STEPHENS COUNTY

Phillip Hugh Leonard
Duncan

TEXAS COUNTY

James L. Swartz
Guymon

TULSA COUNTY

George Carrasquillo
Tulsa

William Joseph Doyle III
Tulsa

James Leon Edgar
Tulsa

Herbert E. Elias
Tulsa

Howard Franklin Fine
Tulsa

Richard Warren Gable
Tulsa

A.T. Gibson
Tulsa

Scott L. Graham
Broken Arrow

James C.T. Hardwick
Tulsa

Richard L. Harris
Tulsa

Richard Charles Honn
Tulsa

Philip W. Kyle
Tulsa

Donald Clinton Lane
Tulsa

Robert E. Massa
Tulsa

Howard Ray Mefford
Tulsa

Donald E. Pray
Tulsa

Fred Rahal Jr.
Tulsa

Ronald G. Raynolds
Tulsa

Richard Dan Wagner
Broken Arrow

Joseph D. Westlake
Tulsa

Jack R. Winn
Tulsa

WASHINGTON COUNTY
John Mancil Fish Jr.
Bartlesville

WOODS COUNTY
Nelson E. Ralston
Alva

OUT OF STATE
Allen Edwin Amgott
Havertown, PA

Lowell L. Andrews
The Woodlands, TX

Burck Bailey
Santa Fe, NM

Kenneth M. Cyrus
Bonita Springs, FL

James Dean Hull
Spring Branch, TX

Norman Landa
Dallas, TX

Paula Alexander Latshaw
Addison, TX

Richard William Lowry
Brownsville, TX

Melvin G. Mahannah
Webster, TX

Robert D. McDonald
Bullard, TX

Edwin S. Nail
Kerrville, TX

William Wayne Nelson
The Woodlands, TX

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Legacy Drives Successful Year for High School Mock Trial Program

By Nicole M. Longwell

If you were to ask five of your fellow colleagues what motivated them to become a lawyer, at least one of them will tell you it was their participation in mock trial or a similar program in high school or college. In fact, many of the OBA Mock Trial Committee members are the product of the very program that they now serve. These illustrations demonstrate the very purpose of the Oklahoma High School Mock Trial program — to motivate today's youth, in the same fashion it motivated the youth of yesterday, and to instill in them an appreciation and, dare I say, a love for the law.

Over the years, through the dedication of the legal and teaching community, the mock trial program has motivated and guided many young people to successful careers in the law and other law-related fields. On this note, the High School Mock Trial Committee is pleased to announce the end of another successful year for the program.

This mock trial season the committee presented Oklahoma students with a complicated breach of contract and libel case against a college with a plot driven by the expulsion of an adjudicated minor involved in the killing of a negligent and

abusive mother. The case presented the students with some very challenging evidentiary issues, and as always, Oklahoma's youth rose to the occasion giving judges and attorneys statewide the difficult task of ultimately deciding our state champion.

WINNING TEAMS

Claiming the championship trophy for the second year in a row was Clinton High School's Gold Team. Clinton claimed a fourth-place trophy last year in New Mexico at the national competition, the highest ever finish for an Oklahoma team. In the final round of this year's state contest, Clinton defeated the tough and tenacious Jenks High School Purple Cobras.

Other top finishers were third place, Ada High School; fourth place, Broken Arrow Black Team; fifth place, McAlester High School; sixth place, Moore High School Blue Team; seventh place, Okarche High School; and eighth place, Southmoore High School Varsity Team. A total of 36 teams representing 30 schools across the state participated. Clinton High School will spend this month preparing for a new case as it advances to the national competition in Indianapolis, Ind. May 9-11.

Special thanks go to our esteemed judiciary and colleagues for their dedication to the program. Undoubtedly, the finalists were presented with a



Mock Trial Committee members are (from left, front row) Dan Couch, Erin Moore, Christine Cave, Joe Carson, (back row) Coordinator Judy Spencer, Jennifer Bruner, Melissa Peros, Nicole Longwell and Marsha Rogers

highly prestigious judiciary panel, which were Oklahoma Supreme Court Justices Douglas L. Combs and Noma Gurich, Oklahoma Court of Criminal Appeals Presiding Judge David Lewis, Magistrate Shon T. Erwin from the United States District Court for the Western District of Oklahoma, Retired Oklahoma Judge Edward C. Cunningham and Tulsa County Special Judge Carl Funderburk. The committee would also like to thank all of the volunteers who participated in this year's program as well as the Oklahoma Bar Association and Oklahoma Bar Foundation for their continued support of this program.

I would personally like to thank my fellow committee members Executive Vice Chairperson Melissa Peros, Immediate Past Chair Jennifer Bruner, Vice Chairperson/Trial Sites Marsha Rogers, Vice Chairperson/Case Development Christine Cave and fellow members Erin Moore, Julie Austin Dewberry, Tai Du, Dan Couch, Karolina Roberts, Joe Carson and Scott Inman, whose dedication to our cause exceeds all bounds. Finally, many special thanks to our very dedicated and lovely Mock Trial Coordinator Judy Spencer, without her the program would not be possible.

STUDENTS LEARN LIFE SKILLS

Judge Jill C. Weedon said of working with the winning Clinton team, "In the era of standardized testing, the Mock Trial Program is one of the few programs in education focusing on creativity and critical thinking. Mock trial students develop logic, public speaking, acting and language skills, not to mention learning the rules of evidence. These students know

how to present themselves, and they can think on their feet. The mock trial experience instills confidence and the ability to perform under pressure which will be lifelong assets."

Jenks attorney coach Mike Horn said, "It is a great honor and privilege to be a part of the Jenks High School mock trial program that had a team competing in the championship round. I was a member of the Jenks High School mock trial team in 1986. I learned quickly from that experience that I wanted to pursue a career in law. The program instills in the students self-confidence and self-discipline. They develop the ability to critically assess a problem and arrive at alternative viable solutions, an academic skill that is invaluable in the world today."

HELP RECRUIT NEW SCHOOLS

Now that the 2013 Oklahoma mock trial competition has come to an end, the Mock Trial Committee is seeking support from attorneys across the state to recruit additional schools to participate in the 2014 competition. If you know of a school or students interested in participating, if you would be interested in serving as an attorney coach — or if you'd like to join the Mock Trial Committee, please email mocktrial@okbar.org.

NEW INITIATIVE

In addition, the Mock Trial Committee is working on the development of instructional videos to provide guidance and assistance to students and schools who are just getting started or who have participated but now have new students involved. If you are interested in this program, email mocktrial@okbar.org.

Now is the time to get involved and to help grow the program and enrich the lives of Oklahoma students. Work starts soon to prepare for next year's program that begins in the fall.

Ms. Longwell practices in Tulsa and serves as the OBA/YLD Mock Trial Committee executive chair.

TRIAL SITE COORDINATORS

Nikki Baker
Susie Bolin*
Jennifer Bruner
Joe Carson
Deresa Clark*
Dan Couch
Tai Du
Robert Duncan III
Patrick Layden
Nicole Longwell
Regina Meyer
Anthony Moore
Erin Moore
Melissa Peros
Nathan Richter*
Karolina Roberts
Marsha Rogers
Corey Stone
Leah Terrill-Nessmith
Amanda Thrash

ATTORNEY COACHES

Clifton Baker
Jennifer Barrek
Jennifer Barrett
Cheryl Blake
Judge James Bland
Gary Briggs
Kevin Buchanan
Mary Bundren
Judge Daman Cantrell
Judge Martha Rupp Carter
Kristen Caruso
Clint Claypole
Mary Ann Coleman
Bret Converse
Travis Crocker
Jason Dennis
John Echols
Eddie Fouracre
Michael Furlong
Dennis Gay
Eric Grantham
Terry Holtz

Michael Horn
 Marie Johnson
 Chris Jones
 Steven Kuperman
 Greg Laird
 Blake Lawrence
 Mike Lee
 Jim Lemon
 Julie Lombardi
 Tim Maxey
 Tim Mills
 Jeff Mixon
 Heather Gibson Nance
 Sarah Powers
 R. Dean Rinehart
 Matt Roberts
 Douglas Sanders
 Paul Schulte
 Desmond Sides
 Russell Singleton
 Kimberly Slinkard
 Don L. Smitherman
 Frank Stout
 Julie Strong
 Chuck Sullivan
 Kyle Sweet
 Melissa Taylor
 Rex Thompson
 Jim Tillison
 Judge Jill Weedon
 Ginger Williamson
 Christy Wright

PRESIDING JUDGES AND SCORING PANELISTS

Stacy Acord
 Tom Askew
 Beverly Atteberry
 Joni Autrey
 Wayne Bailey
 Charles Barker
 Judge Thomas Bartheld
 Mindy Beare
 Matt Beese
 Kirsten Bernhardt
 Ron Boner
 Terra Bonnell
 William Bonney
 Susan Brandon
 Sam Bratton
 Meagan Brooking
 Teresa Brown
 Elisabeth Brown
 David Bryan
 Judge Kenneth Buettner
 Mary Bundren



Judging the final championship round were (from left) Judge Carl Funderburk, Judge Shon Erwin, Retired Judge Edward Cunningham, Judge David Lewis, Justice Noma Gurich and Justice Douglas Combs.

Dean Burris
 Jeff Byers
 Jennifer Castillo
 Christine Cave
 Jason Christopher*
 Gwen Clegg
 Lance Cook
 Jim Cosby
 Michael Coulson
 Jennifer Crabb
 Dan Crawford****
 Kevin Cunningham*
 Retired Judge Edward Cunningham***
 Erin Dailey
 Eric Davis
 Michael Denton**
 Judge Ken Dickerson**
 Tim Dowd
 Preston Draper*
 Robert Duncan
 Karen Ebmeier
 Josh Edwards***
 Kyle Endicott
 Linda Epperley
 Judge Shon Erwin***
 Penny Ezell
 Elizabeth Field
 Mike Fields
 Louis Flores
 Carl Folsom
 Marna Franklin
 Michele Freeman
 Melissa French
 Matt Frisby
 Natalie Fullbright
 Jodie Gage
 Robert Garcia
 Judge Goree
 Anthony Gorospe

Shannon Otteson Gosa
 Mark Graziano**
 Mark Green
 Justin Grose
 Allan Grubb
 David Guten*
 Gay Guthrie
 Deborah Hackler
 John Hadden
 Judge Sarah Hall
 Yvette Hart***
 Kari Hawthorne**
 Shannon Henson
 Frank Hinton
 Mark Hixon**
 Rock Hoffman
 Doug Horn
 Jim Hughes
 Lori Jackson
 Sara Schmook James
 Maci Jesse
 Jennifer Johnson
 Debbie Johnson
 Nick Johnson
 Angela Jones
 John Paul Jordan
 Mary Ann Karns
 David Keglovits
 Judge William Kellough
 Jana Knott
 Elizabeth Barnett LaBauve
 Tony Lacy
 Shelley Levisay
 Mike Lewis**
 Michael Lewis
 Niki Lindsey
 Keith Magill
 John Maley*
 China Matlock
 Kieran Maye**

Ash Mayfield
 Gaylene McCallum
 Hilary McKinney
 Gregory Meier
 Jennifer Miller
 Johathan Miller
 Judge Gary Miller**
 Anne Mize
 Kevin Morrison
 Thomas Mortenson
 Nason Morton
 Melody Nelson
 Sean Nelson
 Brenda Nipp
 Paul Northcutt
 Brandi Nowakowski
 Elizabeth Oglesby
 Jimmy Oliver
 Ivan Orndroff
 Susan Otto
 Jenna Owens*
 Jim Palinkas
 Christine Pappas
 John Parris
 Matt Patterson
 Melissa Peros
 Jim Cole Pettis
 Dustin Phillips

Jeremy Pittman
 Linda Pizzini
 Sonja Porter****
 Michael Porter**
 Janice Walters Purcell
 Ellen Quinton
 Lauren Ray
 Dale Rex
 Rob Ridenour
 Roger Rinehart
 Kendra Robben
 Ryan Roberts
 Chris Robinson
 Jacob Rowe
 Lara Russell
 Sierra Salton
 Mark Schwebke*****
 Carol Seacat
 Jason Seay
 Micah Sexton
 Matt Sheets
 Matt Shellenberger
 Craig Shew
 Ken Short
 James Sicking
 Vani Singhal
 Angela Smith
 David Smith

Ed Snow*
 Justin Stout
 Adam Strange
 Scott Sublett
 Kurt Sweeney
 Christopher Szlichta*
 Leslie Taylor*
 Scott Thomas
 Matt Thomas
 Carolyn Thompson*
 Cheryl Tripplet
 Roy Tucker
 Georgenia Van Tuyl
 Charles Watts
 Sharon Weaver
 Matt Welde
 Matt Wheatley
 Greg Wilson
 Chuck Wodstock
 Meredith Wolfe
 Ben Woss
 Tom Wright
 *served twice
 **served three times
 ***served four times
 ****served five times
 *****served six times
 *****served seven times

**NOTICE OF HEARING ON THE PETITION FOR REINSTATEMENT
 OF ANDREW TREVOR WHEELER, SCBD #5977
 TO MEMBERSHIP IN THE OKLAHOMA BAR ASSOCIATION**

Notice is hereby given pursuant to Rule 11.3(b), Rules Governing Disciplinary Proceedings, 5 O.S., Ch. 1, App. 1-A, that a hearing will be held to determine if Andrew Trevor Wheeler should be reinstated to active membership in the Oklahoma Bar Association.

Any person desiring to be heard in opposition to or in support of the petition may appear before the Professional Responsibility Tribunal at the Oklahoma Bar Center at 1901 North Lincoln Boulevard, Oklahoma City, Oklahoma, at 9:30 a.m. on **Thursday, May 30, 2013**. Any person wishing to appear should contact Gina Hendryx, General Counsel, Oklahoma Bar Association, P.O. Box 53036, Oklahoma City, Oklahoma 73152, telephone (405) 416-7007.

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Judicial Nominating Commission Elections: Nomination Period Opens

The selection of qualified persons for appointment to the judiciary is of the utmost importance to the administration of justice in this state. Since the adoption of Article 7-B to the Oklahoma Constitution in 1967, there has been significant improvement in the quality of the appointments to the bench. Originally, the Judicial Nominating Commission was involved in the nomination of justices of the Supreme Court and judges of the Court of Criminal Appeals. Since the adoption of the amendment, the Legislature added the requirement that vacancies in all judgeships, appellate and trial, be filled by appointment of the governor from nominees submitted by the Judicial Nominating Commission.

The commission is composed of 15 members. There are six non-lawyers appointed by the governor, six lawyers elected by members of the bar, and three at-large members, one selected by the Speaker of the House of Representatives; one selected by the President Pro Tempore of the Senate; and one selected by not less than eight members of the commission. All serve six-year terms, except the members at large who serve three-year

terms. Members may not succeed themselves on the commission.

The lawyers of this state play a very important role in the selection of judges since six of the members of the commission are lawyers elected by lawyers. The lawyer members are elected from each of the six congressional districts as they existed in 1967. (As you know, the congressional districts were redrawn in 2011.) Elections are held each odd numbered year for members from two districts.

2013 ELECTIONS

This year there will be elections for members in Districts 3 and 4. District 3 is composed of 22 south central and southeastern counties. District 4 is composed of 13 counties in the central and southwestern part of the state. (See the sidebar for the complete list.)

Lawyers desiring to be candidates for the Judicial Nominating Commission positions have until Friday, May 17, 2013, at 5 p.m. to submit their Nominating Petitions. Ballots will be mailed on June 7, 2013, and must be returned by June 21, 2013, at 5 p.m.

DISTRICT 3 COUNTIES

- Atoka
- Bryan
- Carter
- Choctaw
- Coal
- Cotton
- Garvin
- Haskell
- Hughes
- Jefferson
- Johnston
- Latimer
- LeFlore
- Love
- Marshall
- McCurtain
- Murray
- Pittsburg
- Pontotoc
- Pushmataha
- Seminole
- Stephens

DISTRICT 4 COUNTIES

- Caddo
- Cleveland
- Comanche
- Grady
- Greer
- Harmon
- Jackson
- Kiowa

continued on next page

- McClain
- Oklahoma (part)*
- Pottawatomie
- Tillman
- Washita

**Oklahoma County only includes selected cities: Choctaw, Harrah, Luther, Midwest City, Newalla, Nicoma Park and Spencer. District Number 4 shall include that portion of Oklahoma County described as State Senate District Number 42 and that portion of House District Number 96 not otherwise included in State Senate District Number 42, as now defined and described in Title 14, Oklahoma Statutes, Section 79 (as they existed in 1967).*

It is important to the administration of justice that the OBA members in the Third and Fourth Congressional Districts become informed on the candidates for the Judicial Nominating Commission and cast their vote. The framers of the constitutional amendment entrusted to the lawyers the responsibility of electing qualified people to serve on the commission. Hopefully, the lawyers in the Third and Fourth Congressional Districts will fulfill their responsibility by voting in the election for members of the Judicial Nominating Commission.

OBA PROCEDURES GOVERNING THE ELECTION OF LAWYER MEMBERS TO THE JUDICIAL NOMINATING COMMISSION

1. Article 7-B, Section 3, of the Oklahoma Constitution

requires elections be held in each odd numbered year by active members of the Oklahoma Bar Association to elect two members of the Judicial Nominating Commission for six-year terms from Congressional Districts as such districts existed at the date of adoption of Article 7-B of the Oklahoma Constitution (1967).

2. Ten (10) active members of the association, within the Congressional District from which a member of the commission is to be elected, shall file with the Executive Director a signed petition (which may be in parts) nominating a candidate for the commission; or, one or more County Bar Associations within said Congressional District may file with the Executive Director a nominating resolution nominating such a candidate for the commission.

3. Nominating petitions must be received at the Bar Center by 5 p.m. on the third Friday in May.

4. All candidates shall be advised of their nominations, and unless they indicate they do not desire to serve on the commission, their name shall be placed on the ballot.

5. If no candidates are nominated for any Congressional District, the Board of Governors shall select at least two candidates to stand for election to such office.

6. Under the supervision of the Executive Director, or his designee, ballots shall be mailed to every active member of the association in the respective Congressional District on the first Friday in June, and all ballots must be received at the Bar Center by

5 p.m. on the third Friday in June.

7. Under the supervision of the Executive Director, or his designee, the ballots shall be opened, tabulated and certified at 9 a.m. on the Monday following the third Friday of June.

8. Unless one candidate receives at least 40 percent of the votes cast, there shall be a runoff election between the two candidates receiving the highest number of votes.

9. In case a runoff election is necessary in any Congressional District, runoff ballots shall be mailed, under the supervision of the Executive Director, or his designee, to every active member of the association therein on the fourth Friday in June, and all runoff ballots must be received at the Bar Center by 5 p.m. on the third Friday in July.

10. Under the supervision of the Executive Director, or his designee, the runoff ballots shall be opened, tabulated and certified at 9 a.m. on the Monday following the third Friday in July.

11. Those elected shall be immediately notified, and their function certified to the Secretary of State by the President of the Oklahoma Bar Association, attested by the Executive Director.

12. The Executive Director, or his designee, shall take possession of and destroy any ballots printed and unused.

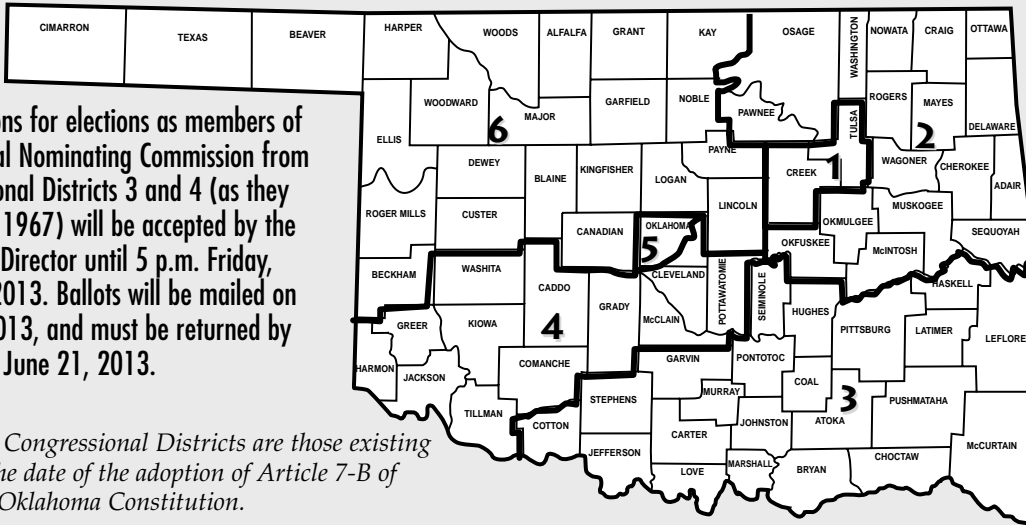
13. The election procedures, with the specific dates included, shall be published in the *Oklahoma Bar Journal* in the three issues immediately preceding the date for filing nominating resolutions.

NOTICE

JUDICIAL NOMINATING COMMISSION ELECTIONS CONGRESSIONAL DISTRICTS 3 AND 4

Nominations for elections as members of the Judicial Nominating Commission from Congressional Districts 3 and 4 (as they existed in 1967) will be accepted by the Executive Director until 5 p.m. Friday, May 17, 2013. Ballots will be mailed on June 7, 2013, and must be returned by 5 p.m. on June 21, 2013.

Note: The Congressional Districts are those existing at the date of the adoption of Article 7-B of the Oklahoma Constitution.



TOPIC AREAS

- Indian Child Welfare Act
- Violence Against Women Act
- Tribal Jurisdiction
- Tribal Financing & Economic Development
- The HEARTH Act
- Tribal Law and Order Act
- Traditional Law & Culture
- National Commission on Indian Trust Administration and Reform
- Ethics and Professional Responsibility

11th Annual Muscogee (Creek) Nation “Doing Business in Indian Country” Continuing Legal Education Seminar



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- Stacy Leeds
- Judith Royster
- G. William Rice
- Steve Hager
- Phillip Lujan
- Sarah Deer
- Gavin Clarkson
- Dawn Bigler
- Josephine Bigler
- Robert Yargee
- Chrissy Nimmo
- Jeff Davis
- Travis Pickens

✂ -----
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Address: _____
Phone: _____ Email: _____

*For More Information, Contact Christopher Azbell at the MCN District Court
cazbell@mcndistrictcourt.com or by phone at 918-758-1400.
Complete Conference Agenda Available at www.muscogeeecreektribalcourt.org*

Mail Completed Form and Payment to:
MCN District Court - 2013 CLE Registration
PO Box 652
Okmulgee, OK 74447

Legislative Monitoring Committee Provides April Update

By Duchess Bartmess

On a Saturday designated as OBA Legislative Reading Day before the session began, a group of volunteers designated over 340 House and Senate bills and joint resolutions to be reviewed and tracked by the Legislative Monitoring Committee as those measures progress through the session.

As of April 5, there are 115 measures that are still making their way through the system.

You are encouraged to look at the OBA website at www.okbar.org/s/bills/summaries for more detailed information on those measures as well as others which are not being reviewed by the Legislative Monitoring Committee at this time.

The committee reviews measures by subject area. The following is a list that provides numbers of measures in some of those special subject areas. From now until the end of session on May 31, it is very important that bar members who practice in these areas become aware of the changes that might be made by the Legislature during the session. Bar members are encouraged to take the time to review these measures.

CHILDREN & FAMILY LAW

HB 1259
HB 2166

CIVIL LAW & PROCEDURE

HB 1009
HB 1060
HB 1084
HB 1509



COMMERCIAL LAW, BUSINESS ENTITIES, INSURANCE & CONTRACTS

HB 1646
HB 1599
HB 1996
SB 817
SB 927

CONSTITUTIONAL LAW

SJR 21
SJR 22
SJR 25

COURTS, JUDICIARY & ATTORNEYS

HB 1304
HB 2182
SB 450
SB 820
SB1041

CRIMINAL LAW & PROCEDURE

HB 1050
HB 1328
HB 1423
HB 1449
HB 2182

GENERAL GOVERNMENT — LOCAL & STATE

HB 2025

PROBATE, GUARDIANSHIP & TRUSTS

HB 1547
SB 355

PUBLIC HEALTH, SAFETY & WELFARE

HB 1069
HB 1109
HB 1292

HB 1508

SB 725

SB 995

REAL PROPERTY, LANDLORD & TENANT

HB 1245

HB 1553

HB 1767

HB 1828

SB 1884

SB 708

REVENUE & TAX

SB 945

TRANSPORTATION & MOTOR VEHICLES

HB 1082

SB 582

SB 583

WORKERS' COMPENSATION

HB 2054

HB 2201

SB 250

SB 1062

The OBA website link not only provides the status and content of measures being considered by the Legislature, but also information on the history and the various amendments. Another option for the most current bill status is the Oklahoma State Legislature's website at www.oklegislature.gov.

Ms. Bartmess practices in Oklahoma City and chairs the Legislative Monitoring Committee. She may be reached at duchessb@swbell.net if you have questions or need assistance.

NOTICE OF JUDICIAL VACANCY

The Judicial Nominating Commission seeks applicants to fill the following judicial office:

**District Judge
Twenty-first Judicial District, Office 3
Cleveland County**

This vacancy is due to the retirement of the Honorable Tom A. Lucas, effective August 1, 2013.

To be appointed to the office of District Judge one must be a registered voter of the respective judicial district at the time (s)he takes the oath of office and assumes the duties of office. Additionally, prior to appointment, such appointee shall have had a minimum of four years experience as a licensed practicing attorney, or as a judge of a court of record, or both, within the State of Oklahoma.

Application forms can be obtained on line at www.oscn.net under the link to Judicial Nominating Commission, or by contacting Tammy Reaves, Administrative Office of the Courts, 2100 N. Lincoln, Suite 3, Oklahoma City, Oklahoma 73105, (405) 556-9862. Applications must be submitted to the Chairman of the Commission at the same address **no later than 5:00 p.m., Friday, May 3, 2013. If applications are mailed, they must be postmarked by midnight, May 3, 2013.**

Heather Burrage, Chairman
Oklahoma Judicial Nominating Commission

**Legal Aid Services of Oklahoma, Inc.
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Conference Center, OSU Tulsa, 700 North Greenwood, Room 150**

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AGENDA

8:30 a.m. Registration

9:00 - 9:50 "The Basic Points of Bankruptcy – Or Do I Really Need a Bankruptcy?"
Victor Hunt, Legal Aid Services

9:50-10:05 BREAK

10:05-10:55 "Counseling the Distressed Client"
Alissa Drescher, The Tristess Grief Center

10:55 - 11:10 BREAK

11:10 – 12:00 "How To Handle A Paternity Case"
Julie Goree, Legal Aid Services

12:00 – 1:15 LUNCH (provided by Legal Aid Services)

1:15 – 2:05 "Is A Living Will Really a Will?"
Bob Farris, Rogers & Bell

2:05 – 2:15 BREAK

2:15 – 3:15 "Foreclosure Basics"
Laura Frossard, Legal Aid Services

3:15 – 4:00 "Understanding the AG'S Foreclosure Program"
Julie Bays, Chief Assistant of the Public Protection Office in the Attorney General's Office

Diversity Awards: Call for Nominations

Deadline June 14

The Oklahoma Bar Association's Diversity Committee is now accepting nominations for its Second Annual Ada Lois Sipuel Fisher Diversity Awards. All nominations must be received by June 14, 2013. Nominations are being accepted in the following categories: members of the judiciary, licensed attorneys, and groups and entities that have championed the cause of diversity.

The Diversity Committee's award is named after Ada Lois Sipuel Fisher, to honor her courage and actions in championing the causes of diversity. She was the first African-American woman to attend an all-white law school, the University of Oklahoma College of Law.

The Diversity Committee will be paying tribute to the work and accomplishments of the award recipients at the Diversity Committee CLE and Awards Luncheon on Oct. 24, 2013.

This information regarding the selection criteria and nomination process may also be accessed at www.okbar.org. For additional information please contact Kara I. Smith at 405-923-8611.

SELECTION CRITERIA AND NOMINATION PROCESS

Three diversity awards will be given to a business, group or organization that has an office in the state of Oklahoma and has met one or more of the following criteria:

- Developed and implemented an effective equal opportunity program as demonstrated by the organization's commitment to the recruitment, retention and promotion of individuals of underrepresented populations regardless of race, ethnic origin, gender, religion, age, sexual orientation, disability, or any other prohibited basis of discrimination



Ada Lois Sipuel Fisher painting by Mitsuno Ishii Reedy

- Promoted diversity initiatives that establish and foster a more inclusive and equitable work environment
- Demonstrated continued corporate responsibility by devoting resources for the improvement of the community at large
- Exhibited insightful leadership to confront and resolve inequities through strategic decision-making, allocation of resources and establishment of priorities

Two more diversity awards will be given to licensed attorneys and an additional award will be given to a member of the Oklahoma

judiciary who has met one or more of the following criteria:

- Demonstrated dedication to raising issues of diversity and protecting civil and human rights
- Led the development of innovative or contemporary measures to fight discrimination and the effects
- Fostered positive communication and actively promoted inter-group relations among populations of different backgrounds
- Participated in a variety of corporate and community events that promoted mutual respect, acceptance, cooperation or tolerance and contributed to diversity awareness in the community and workplace

- Reached out to a diverse array of attorneys to understand firsthand the experiences of someone from a different background

NOMINATION SUBMISSION

- Include name, address and contact number of the nominee.
- Describe the nominee's contributions and accomplishments in the area of diversity.
- Identify the diversity award category (business/group/organization, licensed attorney or judiciary) in which the nominee is being nominated.

Submissions must be received by June 14, 2013. Submissions should not exceed five pages in length. Submit nominations to diversityawards@okbar.org.

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Law Day 2013

By John Morris Williams

“Realizing the Dream: Equality for All” is the theme for this year that stems from the 150th anniversary of the Emancipation Proclamation. Most believe that this document freed the slaves. Period, end of story. Actually, the document allowed African Americans to serve in the armed forces and only ordered the freedom of persons held in slavery in certain areas. The actual territories affected by the Executive Order were:

Arkansas, Texas, Louisiana, (except the parishes of St. Bernard, Plaquemines, Jefferson, St. John, St. Charles, St. James Ascension, Assumption, Terrebonne, Lafourche, St. Mary, St. Martin and Orleans, including the city of New Orleans) Mississippi, Alabama, Florida, Georgia, South Carolina, North Carolina and Virginia, (except the 48 counties designated as West Virginia, and also the counties of Berkeley, Accomac, Northampton, Elizabeth City, York, Princess Ann and Norfolk, including the cities of Norfolk and Portsmouth) , and which excepted parts, are for the present, left precisely as if this proclamation were not issued.

Generalizations and lack of historical accuracy not only



frustrate scholarly pursuits, they tend to advance the avoidance or ignoring of significant political and social reasoning upon which a particular law or governmental action was taken. 1863 was a long time ago. There are no witnesses left alive to give account of the events of the day. Thus, history and the retelling of the story is all we have. When the history is half told or distorted the truth is the casualty. We herald this document as significant; although not perfect, it did address and advance the needs of the day as best as the political and social conditions of the day allowed.

In 1967 the people of Oklahoma voted to amend our state constitution following the trial and conviction of members of our Supreme Court for corruption and bribery. There are few, if any, witnesses of the events of those times still living. Books have been written and the history has been recorded. Uninformed pundits have used generalization and half truths to justify later attacks on the reformed judiciary. The truth is that the amendments to our Constitution contained in Article 7 and Article 7A have served us well in keeping party politics and corruption out of the process.

CURRENT CHALLENGES

This year, and for the past several sessions, the Oklahoma Legislature has consistently proffered legislation to take the judicial selection process back to the system that allowed political dealing and corruption to be substituted for fair and impartial justice. Since 1967, the Oklahoma Bar Association has supported “in principle” the current system. Like the Emancipation Proclamation, the story is not simple and pure. The OBA in 1967 supported what was known as the “Missouri Plan.” The Missouri plan not only provided for the Judicial Nomination Commission to select appellate judges and justices, it also

allowed the JNC to select the district judges in Oklahoma and Tulsa County. That plan failed, and we now have what is known as a "modified Missouri Plan."

As the continual attacks on our judicial selection process continue, I believe it is the duty and obligation of each lawyer in the state of Oklahoma to read the current language of our state constitution and to learn the history and reasoning for the current language. Should the current suggested amendments go to a vote of the people, the OBA can serve as a point of information — but it may very well

be very limited in advocacy for or against any proposed constitutional changes. The job of informing and educating the public will primarily fall to political action committees and potential large financial influences from outside of our state.

In the end if the story is not told correctly, half truths and political rhetoric may determine the fate of our judiciary. Unlike the Emancipation Proclamation, the courts and our system of justice can leave no one out and cannot favor one group over another. I suggest that the amendments of our state constitution in 1967,

although not perfect, advanced "Realizing the Dream: Equality for All." We would never dream of going back to a world of injustice in 1863. Do we dare to try and go back to a world of 1967 and take a chance that we allow politics and corruption to erode the rule of law?



To contact Executive Director Williams, email him at johnw@okbar.org.



Save the Date

Day of Service

Sept. 20 and 21

County Bars are urged to plan community service projects in their areas for these dates. More details coming soon!

Ten Improved Fastcase Tools

By Jim Calloway

How long has it been since you last used Fastcase? Surprisingly, some Oklahoma lawyers still haven't tried it.

Certainly, many Oklahoma lawyers are using Fastcase. In 2012, there were 390,496 Fastcase transactions (search, view document or print) performed by our members with this Oklahoma Bar Association legal research member benefit. This was at no charge to the lawyers. OBA members can access Fastcase by logging in with your bar number and PIN at www.okbar.org.

I would never try to persuade a lawyer to change his or her research tool of choice, whether that is OSCN.net, Fastcase or a commercial legal research provider. These providers have moved far from their roots as law book publishers and now offer many tools in addition to legal research: research on individuals, trial exhibit organization tools, access to copyrighted secondary resources (treatises and law reviews) and many others.

But it makes good sense for a lawyer to be aware of all available tools, particularly if the tool is free (as in, paid for by your state bar association).

For example, perhaps you are in mediation or a court hearing, and someone mentions a

case citation that might impact one of your matters, can you quickly pull up the case on your smart phone or tablet, read it and then save it so you can easily find it again? Fastcase has iOS and Android apps to let you do just that. Did you know Fastcase now includes the U.S. Code and statutes for many states in addition to court opinions?

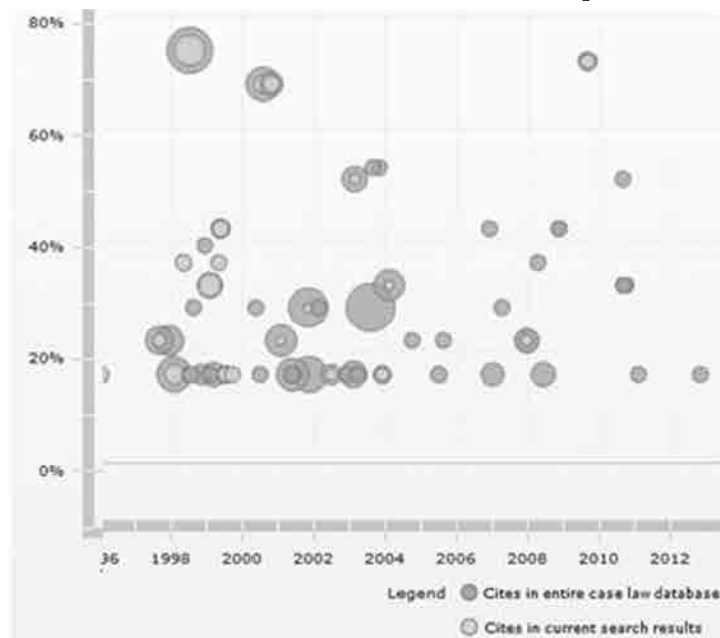
The Oklahoma Bar Association has been offering its members premium access to the Fastcase Legal Research as a free member benefit since 2007. But the service has grown



every year since then, including coverage of statutes in many states and a number of important new power tools for legal research. Whether you're a power user or use the service once in a blue moon, here are 10 "new" Fastcase tools that will help you work smarter.

1 Interactive Timeline

In addition to text-based search results, Fastcase now includes a power data



Fastcase interactive timeline showing use of the term "grandparent" in Oklahoma court opinions.

visualization tool that creates a visual map of search results. It allows you to see the most important cases at a glance. When you're looking at search results, just click the "Interactive Timeline" tab at the top.

2 Forecite

Forecite from Fastcase goes beyond your keyword search, using intelligent citation analysis to find cases you might otherwise miss. In a millisecond before displaying search results, Forecite automatically reads each case in the result list and builds a table of frequently cited cases. If seminal cases don't appear in the search result (which is more common than you'd expect), Forecite will suggest them for you. It's like having a safety net for your research.

3 PACER Searching

Searching federal dockets with PACER is slow and difficult, especially if you have to search multiple courts. So Fastcase has worked with Justia to build a tool that can search across all PACER sites at once. It's the depth of PACER with the power of Fastcase. You can also filter by state, court, date or type of suit. When you select a document you'd like to download, the tool takes you to the individual PACER site, where standard charges apply.

4 Mobile Sync

Many lawyers in the state use Fastcase's free iPhone, iPad and Android apps¹ for legal research on the go. Traditionally, research done on the phone stayed on the phone, and research on the desktop stayed on the desktop. With Fastcase Mobile Sync, you can take your desktop research, favorites and search history



on the road with you. You can also save cases from the iPhone or iPad and print them from Fastcase through the OBA. To sign up, simply log into Fastcase on the desktop and go to "Options," "Mobile Sync." Add the username and password from your mobile account, and Fastcase will automatically connect both accounts. If you registered for the app with the email address on file with the OBA, you're already synched!

5 Batch Printing/String Cites

Pulling up individual cases can be a hassle, even when you have the citation handy. Fastcase lets you pull up multiple cases at once, just by separating them with a comma. You can save them all to your print queue for later, print them individually, print the entire text of all the cases as one document, or simply print a list of the cases. Click the printer icon in search results, or when looking at a document, select "Add to my print queue." If you have never printed a case with Fastcase, the result in the two

column mode is beautiful. It will print as either a Word or PDF file.

6 Saving/Sharing Research

Every web address (or URL) in Fastcase is unique. That means that you can bookmark any page in Fastcase in your browser, and come back to it later. Sharing a case is fast and easy. Just email the URL to a colleague with Fastcase access. They can log into Fastcase, click the link, and see the case. Sharing search results is just as easy — simply add the URL of the results to your browser favorites. You can later log into the site and click the link in your browser. Fastcase updates the search, so your research will always stay up-to-date.

You can also use your individual Fastcase library. When you're looking at a document, just click "Save to My Favorites." To view the case later, go to "My Library," then "Favorite Documents." In addition to the 10 favorites in your library, the

1. **Times-Picayune, The (New Orleans, LA)** - December 10, 2003

Why John Breaux will stay, for now

Two years ago, when Sen. John Breaux toyed with the idea of being governor, he kept the political world guessing for six months before announcing to a crowded press conference that he would pass. That unofficially started the race for a cavalcade of candidates who were eager to go for it if he didn't. Now he's at it again, with the political world from here to Washington hanging on his word to come down Monday on whether he will stand for re-election in 2004. And...

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2. **The Advocate (Baton Rouge, La.)** - November 16, 1986

John Breaux's parents lead a quiet life

CROWLEY — U.S. Senator-elect John Breaux's mother, Katie, might be CIA material. The lady is not a blabber mouth. Nor does she carry grudges. On the Morning Advocate and Times-Picayune, neither of which endorsed her son in his race with U.S. Rep. Henson Moore: "We get the Advocate delivered. I go out and buy a Picayune every morning. I still like the papers. That's just the way the horses run." A few minutes later, Mrs....

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Example of results using newspaper search feature

last 10 documents you viewed are also saved under "My Library," "Recent Documents."

7 Newspaper Search

Fastcase doesn't include an internal newspaper database, but it has partnered with NewsLibrary.com to offer an archive of more than 274 million newspaper articles from papers around the country — including more than 60 Oklahoma newspapers. Search for free, view results and summaries for free, and purchase individual articles for \$3 each.

8 Legal Forms

Lawyers like to use forms as a starting place for document drafting. Fastcase has partnered with US Legal Forms to offer a comprehensive library of legal forms custom-

ized for each state. You can filter by topic or keyword search to find a form to use as a starting point. You can search for free, view results for free, and read a watermarked copy of the form for free. When you've decided that a form is right for your situation, you can download individual forms in editable Word format. Most cost between \$10 and \$50.

9 Annotated Statutes

Annotated statutes are a great way to shed more light on how courts have interpreted a code section. Fastcase has recently launched its annotated U.S. Code, and will release annotations for every state in summer of 2013. To view the annotated U.S. Code, simply search and view any section of the U.S. Code. At the bottom of

each section is a list of all citing cases. Unlike some other online annotated codes, with Fastcase you can sort the annotations by case name, decision date and number of times a case has been cited. Fastcase Annotated Statutes are a great guide to interpretation.

10 Case Summaries

As of March 2011, Fastcase includes case summaries for judicial opinions from all state supreme courts, the U.S. Supreme Court, and federal courts of appeal. Look in the header of new Supreme Court cases for editorial summaries from Fastcase.

Fastcase has grown and added many tools since the OBA added it as a member benefit in 2007.

You can access this free legal research anytime by visiting www.okbar.org and logging in next to the Fastcase logo. To view any of these new Fastcase features or others, visit www.fastcase.com/support for a schedule of free webinars, training videos, and user guides. You can also reach Fastcase toll free at 1-866-77-FASTCASE.

Mr. Calloway is director of the OBA Management Assistance Program. Need a quick answer to a tech problem or help resolving a management dilemma? Contact him at 405-416-7008, 800-522-8065 or jimc@okbar.org. It's a free member benefit!

1. www.fastcase.com/iPhone or www.fastcase.com/android.

Procedures for Out-of-State Attorney Registration

By Gina Hendryx

Have you been asked to serve as local counsel to an out-of-state attorney seeking *pro hac vice* admission in an Oklahoma state court proceeding? If so, you should be aware that the out-of-state attorney must first register before proceeding with a motion to admit the attorney into the case.

Pursuant to the *Rules Creating and Controlling the Oklahoma Bar Association*, 5 O.S. Ch. 1, App. 1, Art. II, 5, out-of-state attorneys wishing to appear in an Oklahoma court or tribunal must first register with the Oklahoma Bar Association. This rule applies to out-of-state counsel seeking admission to practice in Oklahoma for a specific matter. The rule states that an attorney may appear in an action or proceeding only upon:

1. registering with the OBA and
2. the approval of the court, arbitrator, mediator or administrative or governmental hearing officer where the action or proceeding is pending.

Upon receipt of the application, certificates of good standing and the fee payment, the OBA will review and issue a "Certificate of Compliance"

The procedure for registering is:

1. The out-of-state attorney submits to the OBA the original and one copy of a completed and signed application. The application form may be found at www.okbar.org/out_of_state/forms.htm.
2. Along with the completed form, the attorney shall submit current, original certificates of good standing from **each** state that he or she is licensed to practice. Certificates shall be from the licensing jurisdiction (state bar or state Supreme Court).
3. A non-refundable application fee of \$350 payable to the OBA is due at the time the application is submitted.

along with an approved copy of the application and certificate(s) of good standing. All out-of-state attorneys appearing before an Oklahoma tribunal must associate local counsel. Local counsel shall file a motion to admit or *pro hac vice* motion attaching the certificate of compliance and copies of the approved

application and certificate(s) of good standing as exhibits. Local counsel shall appear as attorney of record in the matter. It is then up to the presiding judge or officer whether to allow the out-of-state attorney to appear at hearings without the local counsel in attendance.

An Oklahoma court may temporarily admit an out-of-state attorney on a showing of good cause for noncompliance with the provisions of the rule. However, this temporary admission may be for no longer than 10 days, and the attorney must comply with the registration requirements.

An annual renewal fee of \$350 is payable to the OBA if the matter remains pending on the anniversary date of the verified application. Failure to renew will result in a \$100 late fee. Forms for renewal along with a full description of the requirements and text of the rule may be found at www.okbar.org/s/avc4p.

As the local counsel, you are required to enter an appearance in the proceeding so that service made be had upon you in all matters connected with the proceeding. The local counsel shall sign all plead-

ings, briefs and other documents — and be present at all hearings or other events in which personal presence of counsel is required unless the Oklahoma Court or tribunal waives these requirements.

The out-of-state attorney rules apply to matters pending before Oklahoma state

courts or tribunals. They do not apply to matters pending in the federal courts.

ONLINE REGISTRATION COMING

Work is underway to allow applicants the ability to register online and that capability should be possible by the end

of the year. If you have questions about this rule or need assistance in registering an out-of-state attorney, contact Manni Arzola at mannia@okbar.org or 405-416-7061.

Ms. Hendryx is OBA general counsel.

CHICKASAW BAR ASSOCIATION SPRING SEMINAR

April 26, 2013

Agenda

Mr. Dustin Rowe, Esq. – Chairperson Chickasaw Bar Association

8:30 a.m. Registration & Continental Breakfast

8:55 a.m. Welcome

- Hon. Barbara Smith – *Chief Justice, Chickasaw Nation Supreme Court*

9:00 a.m. Indian Child Welfare Act

- Mr. Steven Hagar, Esq. – *Oklahoma Indian Legal Services*

9:50 a.m. Break

10:00 a.m. VAWA and its impact on Oklahoma Tribal Courts

- Ms. Kelly Stoner, Esq. – *Native American Legal Resource Center, Oklahoma City University School of Law*

10:50 a.m. Break

11:00 a.m. Ethics

- Mr. Charlie Alden, Esq. – *Charles F. Alden III, PC*

11:55 p.m. Swearing in of New Members to the Chickasaw Bar Association

12:00 p.m. Lunch (Included in Registration)

1:00 p.m. Tee Time (Golfers will pay green fee on site)

The Chickasaw Nation Bar Association will host this year's Spring CLE, at the WinStar Golf Club in Thackerville, OK. The conference Registration is \$50.00, and the Green Fees are \$85.00. For more information please contact The Chickasaw Bar Association at 580-235-0279 or email Ginger.Sanders@chickasaw.net.

New Donor Levels Expand Donation Opportunities

By Susan B. Shields

As Law Day approaches each year, I find myself thinking about what it means to be a lawyer, and about the important contributions that lawyers make to our state and society. Law Day is particularly meaningful to me this year — during my term as president of the OBF — as our OBF Board of Trustees works to increase our endowment, benefiting the OBF grantees, while supporting OBA President Jim Stuart's theme of "Lawyers Giving Back."

The foundation appreciates the monetary contributions made by OBF Fellows, as well as the countless hours that Oklahoma attorneys donate to the OBF grantee organizations, transforming and improving the lives of Oklahoma's most needy in terms of legal services.

Oklahoma legal professionals also help teach students and others about the importance of the law and legal education through mock trial and similar programs supported by the OBF (congratulations again to the Clinton High School Gold Team, who claimed the Mock Trial Cham-

pionship for the second year in a row!).

Teen Court, Oklahoma Lawyers for Children, Tulsa Lawyers for Children, Legal Aid Services of Oklahoma and many other programs supported by the OBF provide counseling and support for victims of domestic violence, immigration counseling, taxpayer assistance and support for law-related education. Throughout all these organizations, lawyers are there to improve the lives of people in need and to promote justice and an appropriate legal outcome. We should all be proud of the contributions Oklahoma lawyers make to our state, and we should be especially

“The OBF would like to thank the Family Law Section for being a forerunner...”

pleased about the role that the Oklahoma Bar Foundation plays in supporting those efforts.

To increase funding, one of the new ventures kicked off by the OBF within the last several months has been implementing new organizational and non-individual donor levels for foundation contributors. The OBF

CATEGORIES OF NON-INDIVIDUAL DONORS TO OBF

Supporters — Organization and non-individual donors that have contributed between \$250 and \$999 to the foundation in a given year.

Partners — Organizations and non-individual donors that have contributed between \$1,000 and \$2,499 to the foundation in a given year.

Patrons — Organizations and non-individual donors that have contributed between \$2,500 or more to the foundation in a given year.

received inquiries from Oklahoma Bar Association sections and county bar associations, as well as other corporate and non-individual donors that were interested in supporting and participating in the work performed by the foundation. In response to this demand, new categories of giving have been developed for organizations and other non-individual

donors: Supporters, Partners and Patrons.

The OBF would like to thank the Family Law Section for being a forerunner and already agreeing to make a contribution at the Patron level. The OBF encourages other OBA sections, county bar associations and friends of the bar association to consider making a contribution. Every

dollar given helps to support Oklahomans in need of legal services, and we can all feel good, as a part of our Law Day celebrations, about the work being done by OBF grantee organizations and by the OBF Board of Trustees.

Ms. Shields is OBF president and can be reached at susan.shields@mcafeetaft.com.

Be sure to check out the new OBF website
www.okbarfoundation.org

- Learn more about the OBF
- Make a contribution
- Become a Fellow
- Make a Fellows payment
- Learn about membership benefits and more!



and connect with us through facebook!
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2013 Non-Individual Fellow Enrollment Form

Name: _____ County _____

Mailing & delivery address: _____

City/State/Zip: _____

Phone: _____ Email Address: _____

The Oklahoma Bar Foundation was able to assist 28 different programs or projects this past year with the help and generosity of our OBF Fellows — providing free legal assistance for the poor and elderly; safe haven for the abused; protection and legal assistance to children; law-related education programs; court technology projects; other activities that improve the quality of justice for all Oklahomans. These programs affected more than 90,000 lives last year alone. These legal services were multiplied through more than 3,000 pro bono volunteers. The Oklahoma bar legacy of help continues with **YOU!**

Amount	Category
\$ _____	Supporters - \$250-\$999 per year
\$ _____	Partners - \$1,000-\$2,499 per year
\$ _____	Patrons - \$2,500 or more per year

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Making a Public Service Career Affordable

By Laurie W. Jones

Most students attend law school because they want to make a difference in the lives of others, and they understand that a law degree will allow them to have more of an impact in their communities. And yet, the continually rising costs of undergraduate and graduate education, coupled with the persistently modest salaries in the public and non-profit sector, can dissuade motivated and committed law school graduates from public service.

Many law school graduates simply cannot afford to take the kinds of jobs they are passionate about in the kinds of organizations they care about.¹ Access to justice is lost when high student debt prevents lawyers from serving in governmental and non-profit organizations.

In 1993, less than one-third of all four-year college graduates left school with student debt; by 2004, that number was two-thirds.² Since 2008, student loan debt (undergraduate and graduate combined) has swelled by \$434 billion to a total outstanding student loan debt in the United States of somewhere between \$902 billion and \$1 trillion.³

In the last two years, student loans accounted for 91 percent of the increase in overall consumer credit. More than 80 percent of law students borrow for their law degree, with \$75,728 the average amount financed at a public institution and \$124,950 the average amount financed at a private institution for students graduating in 2011.⁴ As well as limiting employment opportunity, student debt can negatively impact an individual's ability to take on other consumer debt, and thus student debt places a drag on the national economy.

The College Cost Reduction and Access Act of 2007 is one of the most significant efforts in a generation to address student loan debt and public service. The act provides for income-based repayment, which can reduce monthly payments to help make educational debt manageable. Monthly payments are calculated on actual income rather than on amount owed. Thus, the graduate who begins work at the public defender's office with a salary of \$42,000 a year will have a monthly payment that is considerably less than a classmate who enters private practice with a salary of \$80,000, though both bor-

rowed \$100,000 during law school.

The act also offers loan forgiveness after ten years of public service employment. A law school graduate who makes 120 qualifying loan payments on Federal Direct loans while working full-time in a qualifying public service position will have his loan balance forgiven at the end of 10 years of service.

“In the last two years, student loans accounted for 91 percent of the increase in overall consumer credit.”

Other available debt relief programs to encourage public service include public interest scholarships, loan repayment assistance programs and post-graduate public interest fellowship programs. Loan repayment assistance programs may be available from a variety of sources,

including law schools, bar foundations, and state and federal governments.

A loan repayment assistance program (LRAP) provides financial aid to law school graduates typically working in the public interest or government sector. This aid usually takes the form of a new and forgivable loan to help them pay their annual educational debt. Upon completion of a required service obligation, the LRAP administrator forgives or cancels the new loan to program participants. Most LRAPS contain limits on the amount of income a recipient can earn while participating in the program.

South Dakota recently enacted legislation establishing an LRAP to improve access to justice in rural counties. On March 21, 2013, Gov. Dennis

Daugaard signed into law House Bill 1069, which is designed to provide legal service in rural counties and offers substantial tuition repayment for attorneys who agree to practice law in an eligible rural county for five years. The qualifying attorney is entitled to receive payments in five annual installments, each in an amount equal to 90 percent of resident tuition and fees at the University of South Dakota School of Law as determined on July 1, 2013. Interested counties apply to participate in the program, and funding is provided by the county, the state bar and the judicial system through legislative appropriations.

Law student debt, its impact on career choices, and the consequent scarcity of legal services are access to justice

issues. Solving these issues will take consideration, creativity, and will on the part of all stakeholders. It's one item on the Access to Justice Committee's agenda this year, and we welcome your ideas.

Ms. Jones is the OBA Access to Justice Committee chair and associate dean for admissions at Oklahoma City University School of Law. Contact her at ljones@okcu.edu.

1. In a study conducted in 2002, law school debt prevented 66 percent of student respondents from considering a public interest or government job. ABA Commission on Loan Repayment and Forgiveness, *Lifting the Burden: Law Student Debt as a Barrier to Public Service* (Chicago 2003).

2. The College Board, *Trends in Student Aid* (2004).

3. Federal Reserve Bank of New York, *Quarterly Report on Household Debt and Credit*, May, 2012. The Consumer Financial Protection Bureau estimated student debt at over \$1 trillion in 2012, of which \$848 billion was federal student loans.

4. American Bar Association Section of Legal Education and Admissions to the Bar, annual report for 2010-11.


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Perspective on Professionalism

By Joe Vorndran

I have recently had multiple conversations about the perceived deterioration of professionalism within our bar and thought that would be an excellent topic for this letter.

While attempting to work on a draft, I saw a commercial highlighting the fact that nearly every public space in the civilized world has a security camera monitoring our every move. The advertisement went on to talk about all of the crime and other bad behavior these cameras catch, that we the public then consume on the news or YouTube. The commercial then concludes with a series of short clips from these same cameras that capture the best in human behavior. As cheesy as it may sound, the commercial has inspired me to talk about the professionalism that is alive and well in our bar rather than focus on its supposed deterioration.

We often lose sight of the good in the face of the bad, and I am as guilty as any in that respect, but when I stop to really think about it, I experience professionalism in my practice every single day. Without it, many of us would find the stress and demands of this profession to be too much. The camaraderie that

exists among the majority of the bar is an important part of our individual successes and is a driving force in our system of justice.

Whether it is the extension of a deadline, candor between attorneys, a returned phone call, a timely response to a question, or a display of the professional trust that is imperative among us officers of the court, we experience professionalism every day.

Being a young lawyer is often a tricky balancing act. New spouses, young families and heavy workloads can make it difficult to manage each matter with the care and professionalism it warrants. When the stress of life detracts from our practice, it is often professionalism that is the first thing to suffer. I encourage lawyers of all ages to guard against this and remember we are always under surveillance and the world will likely see our actions.

Like the individuals in the commercial, our personal reputations and that of our profession are dependent upon how we choose to treat one another.

Mr. Vorndran is YLD chair and practices in Shawnee. He can be reached at joe@scdtlaw.com.

You're Invited

In the spirit of working together toward outstanding professionalism, the YLD would like to invite those who have recently passed the bar exam to a 'Welcome to the Bar' networking opportunity on April 25. One event will be held in Tulsa and the other in Oklahoma City.

Join us as we celebrate your admission to the bar!

The event details are as follows:

Tulsa

Thursday April 25, 2013
5:30 p.m.
McNellie's
409 East 1st Street

Oklahoma City

Thursday April 25, 2013
5:30 p.m.
McNellie's
1100 Classen Drive

Like OBA YLD on Facebook? It's a great way to connect with fellow YLD members and see what's happening! [facebook.com/obayld](https://www.facebook.com/obayld).



April

- 15 OBA Alternative Dispute Resolution Section meeting;** 4 p.m.; Oklahoma Bar Center, Oklahoma City and Tulsa County Bar Center; Contact Michael O'Neil 405-232-2020
- 16 OBA Civil Procedure and Evidence Code Committee meeting;** 3 p.m.; Oklahoma Bar Center, Oklahoma City and Tulsa County Bar Center; Contact James Milton 918-594-0523
- 17 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
- OBA Women in Law Committee meeting;** 4 p.m.; Oklahoma Bar Center, Oklahoma City and Tulsa County Bar Center, Tulsa; Contact Dierdre Dexter 918-584-1600
- 18 OBA Professionalism Committee meeting;** 1:30 p.m.; Oklahoma Bar Center, Oklahoma City and Tulsa County Bar Center, Tulsa; Contact Judge Richard Woolery 918-227-4080
- 19 Oklahoma Association of Black Lawyers meeting;** 12 p.m.; Oklahoma Bar Center, Oklahoma City; Contact Donna Watson 405-721-7776
- OBA Board of Governors meeting;** 1:30 p.m.; Oklahoma Bar Center, Oklahoma City; Contact John Morris Williams 405-416-7000
- OBA Rules of Professional Conduct Committee meeting;** 3 p.m.; Oklahoma Bar Center, Oklahoma City and Tulsa County Bar Center; Contact Paul Middleton 405-231-2622
- 20 OBA Title Exam Standards Committee meeting;** 9 a.m.; Stroud Conference Center, 218 W. Main St., Stroud; Contact Jeff Noble 405-942-4848
- OBA Young Lawyers Division meeting;** 10 a.m.; Oklahoma Bar Center, Oklahoma City; Contact Joe Vorndran 405-275-0843
- 22 OBA Juvenile Law Section meeting;** 3 p.m.; Oklahoma Bar Center, Oklahoma City and Tulsa County Bar Center, Tulsa; Contact Tsinena Thompson 405-232-4453
- 23 Board of Bar Examiners Admissions Ceremonies;** 9 a.m. and 10 a.m.; Oklahoma State Capitol Supreme Courtroom, Oklahoma City; Contact Oklahoma Board of Bar Examiners 405-416-7075

OBA Bench and Bar Committee meeting; 12 p.m. Oklahoma Bar Center, Oklahoma City and Tulsa County Bar Center, Tulsa; Contact Barbara Swinton 405-713-7109

OBA Member Services Committee meeting; 12 p.m.; Oklahoma Bar Center, Oklahoma City; Contact Sarah Schumacher 405-752-5565



- 25 Work/Life Balance Committee meeting;** 12 p.m.; Oklahoma Bar Center, Oklahoma City; Contact Sara Schumacher 405-752-5565
- 26 OBA Professional Responsibility Commission meeting;** 9:30 a.m.; Oklahoma Bar Center, Oklahoma City; Contact Dieadra Goss 405-416-7063
- Lawyers Helping Lawyers Assistance Program meeting;** 12 p.m.; Oklahoma Bar Center, Oklahoma City with teleconference; Contact O. Clifton Gooding 405-948-1978

May

- 2 OBA Ask A Lawyer and statewide observance of Law Day;** OETA Studios, Oklahoma City and Tulsa; Free legal advice 9 a.m. - 9 p.m.; TV show 7- 8 p.m.; Contact Richard Vreeland 405-360-6631
- OBA Lawyers Helping Lawyers discussion group meeting;** 7 p.m.; Office of Tom Cummings, 701 NW 13th St., Oklahoma City; RSVP to Kim Reber kimreber@cabainc.com
- OBA Lawyers Helping Lawyers discussion group meeting;** 7 p.m.; University of Tulsa College of Law, John Rogers Hall, 3120 E. 4th Pl., Rm. 206, Tulsa; RSVP to Kim Reber kimreber@cabainc.com



Edmond Attorney Joins Office of the General Counsel

The OBA Office of General Counsel welcomes a new assistant general counsel this month. Steve Sullins comes to the office after working for 17 years as the Oklahoma County Juvenile Court referee. Prior to that, he worked at Legal Aid Services of Oklahoma, spent several years in private practice and was also an assistant district attorney in Oklahoma County. He continues to work at the University of Central Oklahoma as an adjunct professor in the Sociology Department. In his free time, Steve likes to spend time with his wife, Gretchen, and four-year-old son, Connor. He also enjoys watching sports and helps out as an assistant coach for the Perry High School girls' tennis team. He is a 1986 graduate of the OCU College of Law.

Tulsa Lawyer Wins National 'Peeps in the Law' Contest

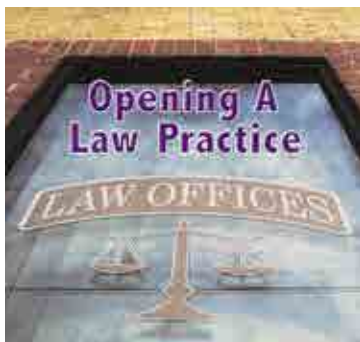
Paula J. Quillin's legal-themed diorama titled, "Oh the Peepanity!" earned grand prize honors in the *ABA Journal* Fifth Annual "Peeps in the Law Contest." You know what Peeps are, right? Those brightly colored marshmallow candies shaped into chicks, bunnies and other animals sold during the holidays. The victory was a landslide with 3,962 votes (58.34 percent of total votes). Second place earned a distant 33 percent of all votes.



Ms. Quillin, a partner with Franden Woodard Farris Quillin + Goodnight in Tulsa, came up with the concept for the diorama and still has glue on her hands from putting together the Hindenburg model. Helping her were her assistant Kim Stratton and the firm's research specialist Barbara Rush, who won the Peeps contest last year.

View all of this year's entries at www.okbar.org/s/peeps2013.

What They Don't Teach You in Law School: Setting up a Practice



"Opening Your Law Practice" will be held at the Oklahoma Bar Center on Tuesday, April 30, from 9 a.m. to 4:30 p.m. This is a semi-annual free seminar for lawyers setting up practice, including new lawyers, those returning to private practice or venturing out on their own. The program will address the nuts and bolts of setting up a law practice, including marketing, law office technology, client relations, professionalism, financial management, ethics and trust accounting, malpractice insurance and risk management. This informative seminar is free with pre-registration and lunch is provided by Oklahoma Attorneys Mutual Insurance Co. Speakers are OBA General Counsel Gina Hendryx; OBA Management Assistance Program Director Jim Calloway; Judge David B. Lewis, Oklahoma Court of Criminal Appeals;

Phil Fraim, president, Oklahoma Attorneys Mutual Insurance Co.; and Ted Blodgett, partner with Gray, Blodgett & Co., PLLC, Certified Public Accountants.

Great information is available for those setting out on their own or those who just want a refresher, although this seminar is not for MCLE credit. Please register by contacting Mark Schneidewent at 405-416-7026.bar.org or marks@okbar.org.

Lawyers Giving Back

• Law Firm Donates \$5,000 to Community's Schools

Edmond firm Evans & Davis is donating \$5,000 to the Edmond Public Schools Foundation for the 2012-2013 academic year. Foundation funds are typically used to fund items such as new technology, classroom curriculum, software and other educational aids. Firm partner Bryce Evans, who serves as foundation president, said, "Community involvement has always been a core value for our firm. At the root of our business is our dedication to serve our clients and the community — both with our time and finances. The foundation exemplifies our commitment to support public education."



• Oklahoma Lawyers Donate 1,400 Easter Hams to Oklahoma Families in Need



Four years ago, Noble McIntyre of McIntyre Law PC saw a pamphlet in his church about a program that helped provide disadvantaged families with a Thanksgiving meal. With a desire to help families in need and access to a listserv of like-minded lawyers, he started a chain of events that led to the formation of Lawyers Against Hunger. Since 2011, the Oklahoma-based non-profit organization has helped give away more than 10,000 holiday meals to Oklahomans in need through the efforts of more than 100 law firms and the Oklahoma Association for Justice. The organization's most recent event was held in March, when 1,400 hams were distributed to families in

the Oklahoma City metro area just in time for their Easter dinner.

OBA Member Resignations

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

Shevon Greene
OBA No. 21712
225 Chinook Circle
Placentia, CA 92870

Patrick Charles Jackson
OBA No. 4592
2615 S. 14th Street
Burlington, IA 52601

Suzanne McMains Koudelka
OBA No. 12141
1791 E. Fishermans Road
Camp Verde, AZ 86322

Scott Randal Markowitz
OBA No. 20764
400 Gray Avenue
Wildwood, FL 34785

Kelly Eugene Peterson
OBA No. 7079
312 Shasta Avenue
McAllen, TX 78504

Gary Clinton Pierson
OBA No. 10928
P.O. Box 25125
Oklahoma City, OK 73125

Lawyers Encouraged to Devote Time, Talent to Serving Communities in 2013

OBA President Jim Stuart is encouraging all Oklahoma lawyers and law firms to make giving back a top priority. During 2013, the *Oklahoma Bar Journal* is supporting this effort by spotlighting those lawyers and law firms who give of their time, talent and financial resources to make their communities a better place. Have a great story or photos to share? Email Lori Rasmussen at lorir@okbar.org.

OBA Member Reinstatements

The following OBA members suspended for nonpayment of dues or noncompliance with the rules for Mandatory Continuing Legal Education have complied with the requirements for reinstatement, and notice is hereby given of such reinstatement:

Michael Ronald Hooper
OBA No. 22358
P.O. Box 2134
Frisco, TX 75034

Mekalaradha Masilamani
OBA No. 18289
900 Long Ridge Road
Stamford, CT 06902

Kudos

James C. Milton will serve as a faculty member for the Rules of Trust Administration in Oklahoma seminar scheduled for April 24 in Oklahoma City.

Judge Megan L. Simpson of Harper County District Court and Judicial District One in Buffalo, Okla., completed "The Sentencing and Management of Sex Offenders: Central Regional Judicial Training" from March 19-20 with the National Judicial College in Dallas, Texas.

On The Move

Matthew D. Jankowski and **David B. Mahaffey** have been elected as new shareholders at Mahaffey & Gore, PC. Mr. Jankowski focuses primarily on title examination and transactional matters in the oil and gas industry. Mr. Mahaffey's practice focuses on the oil and gas industry, including title examination, probate, commercial transactions and property law.

Zachary J. Foster has joined Mahaffey & Gore, PC, as an associate. He holds bachelors' degrees in history and English from East Central

University and a J.D. from OCU where he graduated *cum laude*. His practice focuses on civil litigation, oil and gas litigation, oil and gas leasing, contract disputes and surface damages.

Mark Christiansen has joined McAfee & Taft and will co-lead the firm's Energy and Oil & Gas Group. His practice focuses on energy law, and his more than 30 years of experience includes litigation of energy industry lawsuits on the state, federal, and appellate levels; defense of statewide, multistate and nationwide class action lawsuits; and counseling clients on a wide variety of transactional, regulatory and operational matters. He holds a J.D. from OU and is a Eugene Kuntz Award winner, an honor he garnered in recognition of his contributions to natural resource law and policy.

Robinett Murphy & Shirer announces that **Adam L. Wilson** and **Jacob W. Aycock** have joined the firm as an associate and associate attorney, respectively. Mr. Wilson received his J.D. from OU in 2010 and his practice will focus on civil litigation. Mr. Aycock holds a B.A. in English and a M.B.A. from Christian Brothers University (Memphis, Tenn.) as well as a J.D. from the University Memphis Law School. His practice will focus on family and domestic matters.

John J. Carwile has joined McDonald, McCann, Metcalf, & Carwile, LLP. The firm changed its name to reflect Mr. Carwile's association with the firm. He has practiced law

in Tulsa for 28 years and his practice focuses on litigation of business disputes, bankruptcy, securities and construction as well as creditors' rights. He has experience in complex litigation and first-chair jury and non-jury trial experience. He is a fellow in the American College of Trial Lawyers. Mr. Carwile graduated from the United States Naval Academy and served on active duty in the Navy from 1976 to 1981. He is a graduate of Harvard Law School.

Johnson & Jones, PC, is pleased to announce that **Luke A. Bomer** has been elected as a shareholder with the firm. He has been an associate with the firm since 2007. Prior to that time, Mr. Bomer was an associate with another prominent Tulsa law firm. His practice includes general corporate law, merger and acquisitions, securities, real estate and tax-exempt organizations. He received his J.D. from TU in 2006 where he was an editor of the *Tulsa Law Review*. He also holds a B.S. in finance from TU.

Jones, Gotcher & Bogan, PC, announce shareholders **Tamera A. Childers** and **Adam J. Strange** have been named directors of the firm. Ms. Childers has been with the firm since 2005 and was named partner in 2012. Her focus is family law and she is a member of the Tulsa County Bar Association and a Fellow of the Oklahoma Bar Foundation. She holds a bachelor's degree from OSU and a J.D. with honors from TU. Mr. Strange joined the firm in 2004 and focuses on

commercial litigation, general civil litigation, banking law, commercial transactions, probate and construction law. He holds a B.A. from the University of Texas — Dallas and received his J.D. from OU in 2004. Mr. Strange is a member of the Tulsa County Bar Association and a Fellow of the American Bar Foundation.

Randall Long has been named a partner with Rhodes Hieronymus. His area of emphasis includes civil litigation, appellate practice, employment law and insurance defense. He earned his bachelor's degree in American Studies from OSU and his J.D. with highest honors from TU. He served as senior staff member to the Tulsa Law Review and is a member of Phi Delta Phi.

David J. Looby has joined Rubenstein & Pitts, PLLC as an of counsel. His practice focuses on representing individuals and privately held companies in areas such as tax planning; partnerships; estate planning; local, state, and federal taxation; tax structuring of business transactions; tax controversy and litigation; and all areas of federal and civil litigation. He received his undergraduate degree from Northern Illinois University and his J.D. from TU. He also holds a master of laws degree in taxation from the University of Florida. Prior to joining Rubenstein & Pitts, he was a founding partner and managing director of Cazes, Looby, Resides & Jarvis, PLLC and was also a founding and principal member of Looby & Associates, PLLC. He is a former member of Phillips Murrah's corporate, tax and transactional department.

At The Podium

Lyne Driver of the Floyd Law Firm, PC, in Norman recently presented a paper and speech "Build on America Bonds-Past, Present and Future" at a workshop of the American College of Bond Counsel in Palm Beach, Fla.

Kristin Straily and retired Judge **Wayne Henry** of the RGG law firm presented at the NALS conference in Tulsa in March. Ms. Straily presented "Social Security Disability — The Records That Win Your Case" and Judge Henry spoke on "SSA's Recommended Best Practices for Representatives."

UCO Professor Marty Ludlum recently spoke to the Southern Academy of Legal Studies in Business in San Antonio, Texas. His presentation was on the legal effects of marijuana legalization in Washington and Colorado.

John D. Rothman presented "Ethical Considerations of Full Settlement Authority in Mediation" on March 12, 2013 to the Oklahoma County Commercial Attorneys Association.

Frank B. Wolfe III of Hall Estill spoke on immigration law at the 10th Annual Fundamentals of Employment Law seminar in Tulsa on April 11, 2013.

James J. Proszek of Hall Estill will serve as a faculty member for the "Legal and Practical Issues on Easements" seminar in Tulsa in April.

Thomas A. Creekmore III of Hall Estill will present "Pre-Suit Collection Strategies" at the "Collection Law from Start to Finish" event on May 2 in Tulsa.

Jeffrey C. Rambach of Hall Estill will speak to the Tulsa Title and Probate Lawyers at the Summit Club on June 13, 2013. His topic will be "Estate Planning and Succession Planning for the Business Owner." Mr. Rambach will also make the same presentation to the Bank of Oklahoma/The Private Bank-Registered Investment Advisors on June 27 and to the Tulsa County Bar Association's Estate Planning, Probate and Elder Law Section as well as the Tax Law Section on July 15.

UCO Professor Mary Ludlum recently presented "Business Ethics in Finland" to the Federation of Business Disciplines in Albuquerque, N.M.

How to place an announcement: The *Oklahoma Bar Journal* welcomes short articles or news items about OBA members and upcoming meetings. 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. Sections, committees, and county bar associations are encouraged to submit short stories about upcoming or recent activities. Honors bestowed by other publications (e.g., *Super Lawyers*, *Best Lawyers*, etc.) will not be accepted as announcements (Oklahoma-based publications are the exception.) Information selected for publication is printed at no cost, subject to

editing, and printed as space permits.

Submit news items via email to:
Jarrod Beckstrom

Communications Dept.
Oklahoma Bar Association
405-416-7084
barbriefs@okbar.org

Articles for the May 18
Issue must be received by
April 22.

IN MEMORIAM

Richard O. Battles died on March 12, 2013. He enlisted in the Navy before he turned 18 and served for three years, two of which were in the South Pacific. Mr. Battles was selected to take part in the Navy's V-12 officer's college program, a military program to help future officers earn their undergraduate degrees.

Following his military service, he graduated from the OU College of Law in 1949 and passed the bar the same year. In the course of his professional career, Mr. Battles worked for St. Paul Insurance Companies and the National Trailer Convoy that was later acquired by PepsiCo. He also served as senior counsel for Frito-Lay, Inc., in Dallas.

Davis Sommers Carson of Tulsa passed away March 5, 2013. He was born in Louisville, Ky., on October 6, 1922 and graduated from the University of Kansas School of Law in 1950. He served in the Marine Corps and was a 33rd degree Mason. Mr. Carson also proudly competed in swimming in the Senior Olympics. Memorial contributions can be made to the Juvenile Diabetes Research Foundation at jdrf.org.

Kenneth R. Coe died March 14, 2013. He grad-

uated from OSU and served with distinction in the Air Force during the Vietnam War. He earned his J.D. from OU and was admitted to the bar in 1975. He practiced in Oklahoma City since 1975 as a personal injury lawyer, plaintiff's lawyer, and claimant's worker's compensation lawyer.

Marc F. Conley died March 13, 2013 in Tulsa. He practiced law in Tulsa for over 30 years, including more than 20 years running his own firm, Marc F. Conley, P.C. Mr. Conley was on the *Oklahoma Bar Journal* Board of Editors from 1996-1998 and was chairman of the Board of Editors from 1989-1993. During his service as chairman, he was awarded the Maurice Merrill Golden Quill Award for his 36-piece serial, "History — Made in Oklahoma," which was published as part of the OBA's 90th anniversary celebration. Memorial contributions can be made to the Joe Station Bark Park.

David Ward Taylor died Feb. 11, 2013. Born in Norman on April 16, 1949, he received his B.A. and his J.D. from OCU, passing the bar in 1974. He was a dedicated lawyer, Christian and father who was known for his rich singing voice and wry sense of humor. Later in life, he

attained a certificate in biblical studies from Biola University and was working on his master's of apologetics. Memorial contributions can be made to Youth With a Mission's David Taylor Memorial Fund.

James Wall Thompson of Miami died March 25, 2013. Born May 10, 1949, he graduated with a B.S. from OU and earned his J.D. from OCU in 1974. After completing his studies he joined his father's law practice, Thompson and Thompson. He represented First National Bank and Trust Company, becoming the third generation of Thompsons to do so. Mr. Thompson served as the Miami city attorney and was the city attorney for Quapaw and Welch at the time of his death. He was a lifelong member of the First United Methodist Church and was an active member of Masonic Lodge #140, the Adkar Shrine Temple, the Grand Lake Shrine Club, the Royal Order of Jesters Court 47 of Tulsa and the Tulsa Scottish Rite. He became a member of the Miami Rotary Club in 1975 and served as its president from 1992-1993. Memorial contributions can be made to the First United Methodist Church Memorial Fund or the Grand Lake Shrine Club's Transportation Fund.

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TULSA OFFICE SPACE with practicing attorneys, short walk to courthouse. Includes receptionist, phone, internet and access to conference room. Office 12' x 17'. Secretarial services and covered parking available. \$575 per month. Call Mark Lassiter 918-582-9339.

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POSITIONS AVAILABLE

THE OKLAHOMA TAX COMMISSION seeks an attorney for an opening in its Tulsa office. 0-5 years' experience preferred. Applicants must be licensed to practice law in Oklahoma and have knowledge of District Court procedures. The position will require District Court appearances. Applicants must have a current OK driver's license as the position requires some travel. Submit résumé and writing sample to Leisa Gebetsberger, Assistant General Counsel, 440 S. Houston, Suite 501-B, Tulsa, OK 74127. The OTC is an equal opportunity employer.

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THE PAWNEE NATION OF OKLAHOMA is accepting applications for the position of Prosecutor. For a complete job description, please visit the Pawnee Nation website at www.pawneenation.org. To apply, submit a cover letter and curriculum vitae to the Pawnee Nation of Oklahoma, Attn: Linda Jestes, Secretary, Pawnee Nation Business Council, PO Box 470, Pawnee, OK 74058. Applications may also be emailed to vwills@pawneenation.org. The deadline to apply is 5 p.m. on Monday, April 22, 2013.

OBA HEROES PROGRAM COORDINATOR

The Oklahoma Bar Association has an opening for coordinator of its Oklahoma Lawyers for America's Heroes program. Duties include working with veterans, enlisted, Guard and Reserve members to qualify them for free legal services then matching them with volunteer lawyers from across the state to assist them with their legal issues. Successful applicant must be proficient in the use of Excel, Word and working with databases, have strong organizational skills, good communication skills and have the ability to work with minimal supervision. This is a part-time position, about 20 hours/week at the Oklahoma Bar Center in Oklahoma City; working from home is not an option. Work schedule flexible. Preference given to persons with legal training and experience. Send resume to Heroes Coordinator Search, P.O. Box 53036, Oklahoma City, OK 73152 or by email to johnw@okbar.org.

Résumés due by April 25.



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National Anthem Renditions

By D. Sharon Gentry

As the NBA playoffs approach and baseball season gets underway, I am sure I join many Americans who are dreading having to sit through a variety of horrifying renditions of our national anthem. Before every significant sporting event, some pop star or local celebrity is asked to belt out the national anthem over the loud speakers in the arena or stadium.

The sad thing is that many of these people are terrible singers. So, obviously, a song that is as difficult to sing as "The Star-Spangled Banner" becomes a screeching mess. Often, in addition to the shrieking and shouting, the performer adds several warbling notes to each word that is held far too long. So, the audience hears something like, "oooooh-oooah saaaaaayyyyyy can you seeeeeeeee," with each word ranging up and down the scale. By the time the song is over, I hardly recognized the melody.

It is also amazing to me that the singer cannot remember the words to the song. I realize that the lyrics to the national anthem are old-fashioned and sound like words to a poem we had to learn in school. But, based on the crazy lyrics in the songs

recorded by the most popular singers today, surely they can remember a few lines of patriotic poetry.

Of course the most-abused line of the anthem is "o'er the land of the free, and the home of the brave." The word "free" is screeched out and held for



about ten seconds, so the audience can get the full effect. Then, "home of the brave" is hollered out with the inflection on the word "brave." The audience loves to cheer when singers belt out the word "free" at the top of

their lungs — even though the note is usually flatter than a pancake. And, due to the dragging out of every syllable, the tempo of the song is destroyed.

To be fair to the celebrities, not every rendition of the anthem is an assault on the ears. Last season, Kristin Chenoweth sang the national anthem at one of the Oklahoma City Thunder home games. She has a beautiful voice. She hit all the high notes perfectly, and the pace of the song was exactly as it was written. And, she knew the words.

Last fall I was at the Cotton Bowl game. The Gatlin Brothers performed the national anthem in three-part harmony. It was beautiful. No dragging out every syllable. No screeching or warbling. No lingering on the word "free" until our ears hurt. Just a straight forward performance of the song. I actually got chills.

Hopefully, it is just a fad to have our national anthem sung at the top of someone's lungs. But, until the fad passes, I guess I will just have to hit the "mute" button and enjoy a patriotic moment of silence instead.

Ms. Gentry practices in Oklahoma City.

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Cancellations will be accepted at any time prior to the seminar date; however, a \$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.

You will receive a link to download materials in advance of the seminar. If you would like a hard copy of the materials, there will be a \$25 charge. Printed materials will not be available the day of the seminar; however, you can order a copy to be mailed to you at a later date.



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