

March 2016 Meeting Minutes

Meeting called to order at: 6:03pm

Meeting Adjourned at: 7:10pm

Number of Members in Attendance: 68

Motion made and approved to accept Minutes from the February 2016 Meeting without a reading.

MEMBER LIST

At the end of 2015, we had 488 members. At the beginning of this meeting we 373 dues paying members for 2016. There are 108 more Members yet to renew or not renew for 2016. All have received personal emails about the fact that they are about to be removed as Members. We will have a more accurate final list by the end of this week.

WEB PAGE UPDATE

The webpage is and has been up and running. Not everyone has registered his or her information on the page. Please do so.

To register/update your webpage information you need to:

- 1) Go to westshorebarassociation.org**
- 2) Click on "Current Membership"**
- 3) Click on "Attorney Website Information Form" (fill in PDF and submit)**
- 4) Complete all fields (by tabbing), including "Areas of Practice"**
- 5) Once completed, click on "Submit by Email" in the upper right corner of the form or save the form to your computer and then send it as an attachment to an email to wsbarassociation@aol.com**

LISTSERV

If you are not receiving notifications, please let us know so we can pass your information onto the web designers. LISTSERV is a huge benefit of being a member of WSBA.

Some of you have had your personal emails hacked/phished. Some of those have resulted in some of your fellow members receiving unwanted emails. The best way to protect yourself and those on your personal disbursement lists is to change your password on your personal email

accounts. As of today, there have been no issues created by anyone hacking into LISTSERV. This is a personal email account issue.

CLE's

Our 2016 CLE's are being planned by our CLE committee. Our CLE Committee is made up of Members Joe Burke, Tim Clemens, Veronica Dever, Chris Murray, and Drue Skyard. The committee will be meeting soon to begin planning for our 2016 CLE's. More information will be communicated as the process continues.

All of our CLE's are held at Umerly Hall, which is across the parking lot from the Rocky River Court. Members are charged \$50 and non-members are charged \$75 for each CLE. Announcements will be posted on our web page, on the Rocky River Court's web page, and notices will be sent electronically.

Periodically, we also have opportunities to attend other CLE's. We will do our best to keep everyone informed when those opportunities arise.

2016 DUES

WE STILL HAVE 108 MEMBERS FROM 2015 THAT HAVE NOT RENEWED FOR 2016. As you may imagine, between Terri Lastovka, Tim Clemens and our IT guys, it takes several hours to maintain and update our Membership lists, LISTSERV and our Webpage. We are still accepting dues for 2016. To stay active and to have no interruption of your LISTSERV access, we need your 2016 dues by Friday March 4, 2016. Please write a check to WSBA for \$25 and submit same to Terri Lastovka along with your 2016 dues form. We have dues forms at the door this evening.

2015 MONTHLY GENERAL MEETING DATES

Tuesday April 5, 2016

Tuesday May 3, 2016

Tuesday June 7, 2016

Tuesday September 6, 2016

TBD Clam Bake/General Meeting

Tuesday November 1, 2016 (National General Elections November 8th)

Tuesday December 13, 2016 (Holiday Party)

TREASURER'S REPORT FROM TERRI LASTOVKA

Previous Balance January 31, 2016		\$11,062.21
Deposits		
02/02/16 Meeting (62) members)	\$620.00	
Dues collected	\$1,425.00	
Raffle Sales	\$70.00	
Total Deposits		\$2,115.00
Payments		
Beach Cliff for Meeting	(\$620.00)	
Supplies (Nametags)	(\$25.88)	
Raffle Winner- Member Ed Palm	(\$35.00)	
Total Payments		(\$680.88)
Net Increase (Decrease)		\$1,434.12
Balance as of February 29, 2016		\$12,496.33

Motion made and approved to accept the Treasurer's Report

SOCIAL COMMITTEE REPORT:

March 15th from 6:30-8:30 March Madness Brackets and Social event at Dave and Busters. Your hosts will be Nick Froning and Joe Jerome.

NEW LAWYER COMMITTEE REPORT:

The Discussion was regarding the Flat Fee Advisory Opinion. Nick Froning has some expertise in this area and can answer any additional questions you may have.

INTRODUCTION OF NEW MEMBERS:

New Members Judge Michael Astrab, Bob Austria, and Natalie Thomas introduced themselves. We were happy to welcome back Helen Rhynard who re-joined the WSBA.

CANDIDATES

Judges Michael Astrab and Francine Goldberg spoke to those in attendance at the meeting.

SPEAKER:

Ohio Supreme Court Justice Sharon Kennedy

The following Bio is from the Ohio Supreme Court webpage:

On November 4, 2014, Justice Sharon L. Kennedy was re-elected to a full term on the Supreme Court of Ohio in a decisive victory winning all 88 counties and garnering 73 percent of the vote. Justice Kennedy first joined the court in 2012, having been elected to fill an unexpired term.

Prior to her term on the Ohio Supreme Court, Justice Kennedy served at the Butler County Court of Common Pleas, Domestic Relations Division beginning in 1999. From 2005 until December of 2012, Justice Kennedy served as the administrative judge of that division. During her time as administrative judge, she improved the case management system to ensure the timely resolution of cases for families and children. Working with state legislators she championed a "common sense" family law initiative to reduce multiple-forum litigation for Butler County families.

When Butler County faced tough economic times, Justice Kennedy organized concerned elected officials in a county-wide Budget Work Group. Seeing the need to bring private sector financial know-how to the government, she worked to create the Advisory Committee to the Budget Work Group. Justice Kennedy served as the facilitator and led discussions between county officials and private sector leaders to analyze county finances, study and implement cost saving measures, and present business driven fiscal policy to the county commissioners.

In 1991, after obtaining her law degree from the University of Cincinnati College of Law, Justice Kennedy ran a small business of her own as a solo practitioner. While in private practice she served the legal needs of families, juveniles, and the less fortunate. As special counsel for Attorney General Betty D. Montgomery, Justice Kennedy fought on behalf of Ohio's taxpayers to collect monies due the State of Ohio. As a part-time magistrate in the Butler County Area Courts, Justice Kennedy presided over a wide array of civil litigation and assisted law enforcement officers and private citizens seeking the issuance of criminal warrants for arrest.

Justice Kennedy began her career in the justice system as a police officer at the Hamilton Police Department. She was assigned to a rotating shift, single-officer road patrol unit working to protect and serve the citizens of the City of Hamilton. From the routine, to the heart-pounding, to the heart-breaking, she has seen it all. During her time as an officer, Justice Kennedy also worked undercover operations, implemented crime prevention programs, and later, as a civil assistant, assisted in drafting police policy and procedure for the Accreditation Program.

Throughout her career Justice Kennedy has served on numerous boards, developed and facilitated programs to address the needs of young people, and worked with judges across the state. As a dedicated jurist she has received multiple awards of recognition including: The University of Cincinnati College of Law Nicholas Longworth, III Alumni Achievement Award, May 17, 2014; Northwest High School Distinguished Alumnus Award, April 25, 2014; named one of 13 professional women to watch by *The Cincinnati Enquirer*, March 17, 2013; Excellence in Public Service, June 2009; Judge of the Year, 2006; Above the Fold Award, 2002; and the Furtherance of Justice Award, 2001. Justice Kennedy was also featured in *Trends in the Judiciary: Interviews with Judges Across the Globe, Volume II*, published by CRC Press in February 2015.

Justice Kennedy spoke for several minutes. She began by speaking of the nobility and pride of our profession and thanked us for what we do.

She covered topics that included some of the mechanics when arguments are made in front of the Ohio Supreme Court as well as how decisions are made and authored.

She explained that Amicus Briefs are impactful on the issues being argued to the Ohio Supreme Court.

She was very candid and mindful of the demeanor of the Justices and how that may impact those arguing before the Court. She stressed that Attorneys need to stay on point when presenting. Even if flustered by questions from the Justices, Attorneys need to get back onto the points of their arguments as soon as possible.

The presenting Attorney must think in terms of what the Attorney wants the Supreme Court to write, “What is it that you, as the Attorney, want the Supreme Court’s Opinion to be.”

She explained that after a morning session of hearing oral arguments, the Justices break for lunch and then go into conference.

Tally bottles, like those used in Billiards, are used in determining which Justice will write the Majority Opinion. Those in the majority shake the tally bottle and pull out numbered “pills” to determine who will write the opinion. Drafts/Proposed Opinions are circulated among the Justices in the Majority and once everyone has made their comments, the final draft is written, approved and then published as the Court’s Opinion.

Justices sometimes may, have, and do, change their positions as the proposed opinions are written and circulated. Sometimes, members of the Majority become Dissenters or the Majority Opinion may change.

She spoke of several of her favorite cases. NEORSD v Bath Twp related to taxing storm water, a Munroe Falls case related to Home Rule and drilling. Whether tracking/requiring registration of Sexual offenders is Cruel and unusual punishment, addressing the jock tax (Cleveland Rule), which is a city income tax on professional athletes that played games (or were taxed simply because they were on a visiting team’s roster) in Cleveland, Public Records Laws including deciding that a call back to a victim or complainant from Police and/or EMS and/or Fire dispatchers is a public record.

She is impressed by the criminal defense lawyering that continues to occur as it relates to defining nuances of the OVI laws.

She also spoke of the increase in Oil and Gas drilling cases and the Dormant Mineral Act cases.

50/50

Winner of this evening’s 50/50 was Chris Kelly. He won \$72.

ADJOURNMENT