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AUGUST 2014

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**Northern
Kentucky
Bar
Association**

PRESIDENT'S LETTER

Robert C. Ziegler

MAKING IT HAPPEN

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One of the events that I was most looking forward to this year as President of the Northern Kentucky Bar Association was participating in the naturalization ceremony at which immigrants become citizens of the United States. This ceremony is held several times a year in each state, and in Kentucky it rotates around our various federal courthouses. As a native born citizen, I had never attended this ceremony. More than forty individuals from more than twenty-five countries were in attendance on June 13, 2014 to swear their allegiance to the United States of America and thereby become full citizens of our great nation. These candidates were seeking, and will find, a country with a strong sense of unity, a desire for a democracy with a centralized government, and freedoms that are not afforded to them in their former homelands. The rush of excitement was evident immediately upon entering the courtroom, which was filled to capacity with family and friends, there to support and celebrate the occasion. Though excitement filled the room, the ceremony was a most solemn event conducted with the dignity and the seriousness that one would expect in a federal courtroom with the court in session.

The hearing was presided over by the Federal Magistrate Judge Candace Smith, and the motion to grant United States citizenship to the candidates present was brought before the court by the Assistant U.S. Attorney. After sustaining the motion, the Judge then administered the Oath of Allegiance to the United States, which was recited by each candidate. The candidates swear absolutely and entirely to renounce and abjure all allegiance and fidelity to any foreign prince, potentate, state or sovereignty; to support and defend the Constitution and laws of the United States against all enemies, and to bear arms and perform non combatant service in the Armed Forces of the United States when required by law. Though the oath must be recited by each candidate, a candidate may elect to modify the oath if they are unable or unwilling to prom-

ise to bear arms or perform noncombatant services because of religious beliefs; likewise a candidate may refuse to recite the words "so help me God" for this same reason. No one asked for an exception, but it was an instant reminder of the freedoms they will be receiving. The reciting of the oath by those assembled brought an instant pride to those of us present who may sometimes forget what it means to be loyal and dedicated to our country.

After the oath was administered, both I, as President of the Northern Kentucky Bar Association, and a representative of the Northern Kentucky Chamber of Commerce were asked to address these new citizens. As a representative of our Bar Association, I was honored to be given this opportunity and believed it to be important to emphasize to our newest citizens the importance of our legal system in protecting their newly acquired rights. I noted that, although our legal system is not perfect, it is the best system of justice existing in the world today. I advised them of the role of attorneys in the administration of our justice system, and discussed the goals of our Bar Association, which includes creating an association that brings together the attorneys in Northern Kentucky for the purpose of promoting the highest standards of professionalism for the betterment of all citizens of our community, dedicated to providing information and protection so that all people are afforded the right to have access to our system of justice.

With this year's Law Day theme focused on our right to vote as Americans, and witnessing the excitement and happiness that each candidate experienced as he or she became a citizen of our country, I was reminded



of all of our freedoms afforded to us as U.S. citizens. However, this also made me think how often we take these freedoms for granted, and the importance of being ever mindful and appreciative of the rights and privileges that we possess as citizens of our great country. It is these rights, privileges and freedoms

that millions of people strive to obtain each year by becoming U.S. citizens. For those fortunate enough to attain these rights through naturalization, their struggle to stand in that courtroom, raise their right hands and take the Oath of Allegiance to the United States will change their lives forever.

SALMON P. CHASE AMERICAN INN OF COURT

It's that time of year again. As another academic year for institutions of learning quickly approaches, so too does the 2014-15 year for the Chase Inn of Court. We hope you'll consider expanding your own "legal learning" by applying for membership in the Chase Inn.

The Chase Inn is a Chapter of the American Inns of Court, a national organization dedicated to raising lawyers and judges to higher levels of excellence, professionalism, and ethical awareness. Chapter Inns strive to do this by bringing together their members -- judges, lawyers, law professors, and law students -- on a regular basis for social interaction and program presentations to improve the skills, professionalism, and ethics of the bench and bar. Through the efforts of the outstanding leaders of our Inn, the Chase Inn of Court has been awarded the Achieving Excellence Platinum Designation by the American Inns of Court.

The Chase Inn will be meeting once a month starting in September 2014 and until May 2015 (except December). We encourage litigators, whatever their area of practice and whatever the stage of their legal career, to consider applying and enriching our Inn. Each monthly meeting consists of a social hour and dinner, followed by a program. Among its many benefits, Inn membership means that you belong to both the local and national organizations, and can receive up to eight hours of CLE credit for participation in the monthly meetings. Dues for the Inn range from \$100 to \$535, depending upon the number of years you've practiced law.

If the Chase Inn of Court interests you, please contact Debra Pleatman, our Membership Committee Chair, at Dpleatman@ZSLAW.COM. She can answer your questions and provide you with an Inn application. New membership applications will be accepted through the end of August 2014.

NKBA LEX LOCI 2014-2015 SUBMISSION DEADLINES

• **October 15, 2014**
for December 2014 edition

• **December 15, 2014**
for February 2015 edition

• **February 15, 2015**
for April 2015 edition

• **April 15, 2015**
for June 2015 edition

• **June 15, 2015**
for August 2015 edition

• **August 15, 2015**
for October 2015 edition

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BITCOIN: A PRIMER

Jessica Craven

PART TIME OPPORTUNITY

A small law practice in Kenton County is looking for a part time legal secretary or paralegal with the possibility of full time position in the future. This busy firm currently has a full time secretary, but is looking to supplement with a part time staff person due to the volume of work. Prior experience in the legal field and familiarity with dictation is a plus. Please send cover letter and resume to director@nkybar.com. In the subject line please title RESUME: DFL123.

By now, most people have heard of the term Bitcoin. However, not many understand exactly how Bitcoins work and the legal implications of using the Bitcoin system. It is this lawyer's humble opinion that all attorneys should have a basic understanding of the Bitcoin system, including the potential legal ramifications, in order to best serve their clients. This article is the "Cliff Notes" version of the Bitcoin network, a "Bitcoin for Dummies" if you will.

What is Bitcoin and how does it work?

According to <http://bitcoin.org/en/faq>, "Bitcoin is a consensus network that

enables a new payment system and a completely digital money. It is the first decentralized peer-to-peer payment network that is powered by its users with no central authority or middlemen. From a user perspective, Bitcoin is pretty much like cash for the Internet."

Bitcoins were created by a programmer or programmers using the pseudonym Satoshi Nakamoto. Bitcoins can be created through a process called "mining" or they may be purchased or traded for goods and services. Since their creation in 2009, bitcoins have become increasingly popular, and are now accepted at many popular online retailers, including Virgin Galactic, Wordpress, and Overstock.com. Bitcoins are stored in a "digital wallet" that exists either on the user's computer or in the cloud, and each transaction is recorded in a public log using only the buyer's and seller's wallet IDs. In order to receive Bitcoin, you need a Bitcoin "address," which is similar to an email address or bank account number. If someone knows your Bitcoin address they may send you Bitcoin, but they cannot take your Bitcoin or even find out your identity. Using the digital wallet, Bitcoin users may also send Bitcoin to others as long as they know the recipient's Bitcoin address. When you send Bitcoin, the wallet application deducts a transaction fee, usually about a half a cent per transaction. For most transactions, only a fraction of a Bitcoin is sent; as of July 10, 2014, one Bitcoin was worth about \$660.

Bitcoins are not backed by the FDIC, and can be lost. Most famously, Mt. Gox, one of Bitcoin's largest virtual exchanges, filed for bankruptcy in Japan and the United States. Bitcoin owners who had used Mt. Gox were left with little recourse. In addition to bankruptcy,



Bitcoin exchanges are also vulnerable to hacking. Bitcoinica, another virtual exchange, was reportedly hacked twice, and is now being sued by investors to recover approximately \$460,000 in lost deposits. Even illicit Bitcoin exchanges are not safe from hackers. In December 2013, the Sheep Marketplace, a drug bazaar, was compromised, with hackers stealing more than \$100 million.

Although volatile, the digital wallet and exchange technology provides a degree of anonymity not found with any other money system (other than cash). That anonymity is precisely what has led to a variety of legal issues. On the civil side, how does one report Bitcoin transactions on a tax return? Is this even required? On the criminal side, Bitcoins are being used in drug and money laundering transactions. Trace Meyer, an expert on Bitcoin taxation, has described digital currencies, such as the Bitcoin, as the "ultimate offshore bank account."

Civil and Tax Implications of Bitcoin

In an attempt to clarify these complex issues, the IRS issued Notice 2014-21, which applies to all virtual currency, including Bitcoin. First and foremost, Bitcoin transactions are taxable events and any income from Bitcoin transactions must be reported on the individual's income tax return. Virtual currency (Bitcoin) is treated as property for federal tax purposes. Virtual currency is not treated as currency. A taxpayer receives basis in the virtual currency equal to the fair market value of the virtual currency in U.S. dollars as of the date the currency is received, using the exchange rate established by market supply and demand.

So what does this mean? Suppose that I buy a Bitcoin on day 1 and it is worth \$7. On day 5, I use that same Bitcoin to buy a cup of coffee. That Bitcoin is now worth \$10. As a result, I have a capital gain of \$3. The coffee shop has income of \$10. Seems like a lot of work for a simple cup of joe, right?

As a practical matter, the IRS may not know about Bitcoin transactions unless one of the parties involved issues a Form 1099 reporting the transaction. With the anonymity of the Bitcoin system, it is unclear how the IRS would enforce the reporting and taxability of virtual currency transactions. However, as practitioners, it is wise to advise clients that all income is required to be reported on a tax return, regardless of whether the recipient receives a Form 1099 or other similar IRS reporting form.

What effect the new rules will have on the popularity of the Bitcoin remains to be seen. "The implications this decision will have on the Bitcoin ecosystem are far reaching, and will be burdensome for both individual users of Bitcoins, Bitcoin-focused business and for the general adoption of virtual currencies," said Charles Allen, chief executive officer of BitcoinShop Inc., an online marketplace. Others, however, believe that the new ruling gives the Bitcoin system a legitimacy that it didn't have before. Ajay Vinze, associate dean at Arizona State University's business school, believes that the ruling "puts Bitcoin on a track to becoming a true financial asset."

Money Laundering and Other Criminal Implications of Bitcoin

Virtual currency has had far-reaching implications in criminal law. Because of their anonymity, bitcoins are increasingly used for money laundering, firearm purchases, and drug transactions. Certain websites, known as "bit laundry" sites, allow users to exchange dirty Bitcoins for clean Bitcoins. The clean bitcoins are then exchanged for currency and deposited into federally regulated banking establishments.

In addition to "bit laundry" websites, other websites exist that permit users to buy firearms and drugs anonymously, accepting only Bitcoin as payment. These websites are accessible only through a "Tor browser," that hides the user's IP address, thereby preserving anonymity.

On October 2, 2013, the FBI shut down one such website called "The Silk Road" and charged its operator with drug trafficking conspiracy, computer-related fraud and conspiracy to launder money. The website was referred to as the "most sophisticated and extensive criminal marketplace on the Internet today" in the FBI's complaint. Although the Silk Road was shut down, it wasn't long before the Silk Road 2.0 and other similar websites were established to take its place.

In addition to the drug market, Bitcoins are increasingly being used as fodder for Ponzi schemes. On July 23, 2013, the Securities and Exchange Commission (SEC) alleged that Trenton Shavers, the founder and operator of Bitcoin Savings and Trust (BTCST), offered and sold Bitcoin-denominated investments which, the SEC alleged, was a sham transaction. Shavers raised at least 700,000 Bitcoins with a value of approximately \$4.5 million through BTCST. According to the SEC, BTCST used Bitcoin from new investors to make purported interest payments and cover investor withdrawals, as well as pay Shavers' own personal expenses. The SEC released an investor alert on "Ponzi Schemes Using Virtual Currencies."

Conclusion

In short, use of Bitcoin can have wide ranging legal effects, spanning from tax reporting obligations to their use in criminal affairs. As new issues emerge, the controversy surrounding the Bitcoin network will continue to fuel new regulations and guidance. As attorneys, we should be aware of the issues so that we can advise our clients accordingly.

Jessica Craven received her Juris Doctor from Salmon P. Chase College of Law and practices with the firm Gatherwright Freeman & Assoc., P.S.C. She focuses her practice primarily in the areas of tax controversy and business transactional law.

Have You Taken Care of Your "Old Dog" Case?

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The Northern Kentucky Bar Foundation (NKBF) is grateful to generous donors who help continue its mission "to promote the administration of justice, to educate the public about the importance of law in their daily lives, and to enhance the image of the legal profession in our local community."

Please consider contributing to the NKBF to help you meet your philanthropic goals through one of the following ways:

- Cash/Check
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- Memorials and Honor Gifts



**Northern
Kentucky
Bar
Foundation**

ATTORNEY PROFILE: PATRICIA TROMBETTA

Lindsay Rump

Feisty redhead, aggressive litigator, doting mother, loving wife, savvy business partner, cherished friend. These are not all words



Patricia Trombetta

you would typically use to describe the same person. But then again, there really is no one like Patricia Trombetta.

When I first started working with Smith, Rolfes and Skavdahl, I

was quite intimidated by the five foot one, petite lady in the office down the hall. She knew everything, her clients loved her and she was a force to be reckoned with in court. What I didn't know was that eight years later she was someone I would be proud to call a mentor, business partner, and a friend.

When I was first asked to write this article, I was full of ideas. When I sat down to write it, I was at a loss for words. How do you adequately describe someone who is so full of passion and life? My first thought was to go with her employment history, the cases she has won, the clients who love her and what a great business partner she is. But Pat is that and so much more. She is a mother, a wife, a friend, a volunteer, a mentor, a daughter, a sister, and the list goes on. Trying to condense such a strong personality into mere words is a definite challenge.

Pat was born in upstate New York (year not to be stated but I believe she is around 30 years old) and raised in Michigan. While attending Michigan State she met the love of her life, Kim Trombetta. They married in 1978, the day before she started law school. Pat graduated with honors from Michigan State and ultimately obtained her law degree from the University of Kentucky.

The Trombettas were living in Chicago after graduation so she took, and passed, the Illinois bar exam. On the day she got that wonderful news, Kim had some news of his own – he was being transferred to Ohio for a better job. At first, she was elated, and then deflated - when she realized she would have to take another bar exam! Never one to give up, Pat immediately found a job in Ohio and began studying for the bar exam. After passing yet again she worked in-house for JC Penney Casualty until she and Kim were again on the move to Maryland.

It was here that Pat took on her most challenging role yet – mother. Pat and Kim have two sons, Stephen and Nicholas, born in 1985 and 1988. For six years, Pat concentrated on her family, until they ultimately relocated back to Ohio. She then worked for R.L. Davis for several years before joining Smith, Rolfes and Skavdahl. She quickly rose up within the firm as being an attorney the firm and clients could rely on for working her cases aggressively and timely and producing high quality work.

In 2008 Pat was named a Partner in the firm and is actively involved in the firm's management and marketing. At this point in their careers most lawyers slow down, take some time off, sit back and relax and enjoy the accomplishments they have achieved throughout their practices. Not Pat.

A well-known attorney from Lexington recently asked me if I worked as hard, and as much, as Pat does. I told him three of me could not accomplish in one week what she accomplishes in one day. Pat is the last person to leave the office – after every phone call is returned, email is sent, and brief is written. It is then she will usually go home and review dictation, work on marketing or one of her many other projects.

Pat is actively involved with the Northern Kentucky Bar Association H.O.N.K. program, she is co-authoring a book on

women rainmakers for DRI, and she frequently gives speeches and writes articles on insurance law issues.

I may be making Pat sound like a superhero, but in all reality she does have weaknesses. Shoes. Handbags. Clothes. Shopping of any kind. A good bottle of red wine. I mean, even Superman had kryptonite! But in all reality Pat is one of the hardest working, honest people I know. She became a lawyer to fight for her clients and has a real passion for the law. Her ability to correctly cite every case published in the last ten years amazes me. She truly loves what she does and is the shining example of how we want our bar to be represented.

I would be remiss if I did not discuss Pat's proudest accomplishments. Of course she is an outstanding attorney who has been published in a number of magazines and newsletters, she has given numerous speeches, and been recognized for her legal acumen and professionalism. While raising their family, Pat and Kim moved across the country – a number of times. Pat never wavered taking each move in stride and continued to practice law, obtaining her license in Ohio, Illinois, Kentucky, West Virginia, and Washington D.C. and every Federal Court in between. But by far her greatest accomplishment, and what she is most proud of, is her family.

Pat and Kim's sons are extremely successful. Stephen is an engineer with

Microsoft, currently living in Seattle and Nicholas is an engineer, with his doctorate, working and living in Colorado. Kim is now a senior vice president at Huntington Bank. Pat and Kim have been married for more than 35 years and are still as much in love now as they were the day they met. Pat has an extremely close relationship with her sons – texting everyday – and her mother and brother who live out of state.

When I asked Kim to describe Pat as a mother, wife and attorney, his words did not surprise me. Kim said Pat made a huge sacrifice taking seven years away from her career to raise their sons. He is aware she gushes to everyone what a great guy he is – even though he doesn't necessarily agree. He also knows without a doubt she is the most hard working and honest attorney he has ever met. Anyone who has met Pat would absolutely agree. Within the first five minutes of meeting her you know about her wonderful husband, amazing kids and will be convinced she never sleeps until her cases are resolved.

Pat is a feisty redhead – do not get in her way when she is angry. Pat is an aggressive, methodical litigator. I am glad I work with her and not against her. She loves her boys more than life itself and will do anything for them. Kim is her world, her rock, her partner. She is an astute business woman, in a field, when she started, dominated by men. But above all, to me, she is a mentor, a leader, and luckily, a friend.

OPPORTUNITY

Small but exceptionally active Covington litigation practice seeks experienced administrative assistant for full-time position. Preferred candidate will have ability to multi-task, work independently or with minimal direction, and handle a high volume of telephone, calendaring, and file-related tasks. Job duties may include minimal bookkeeping and accounting tasks.

Areas of litigation practice include domestic/family law, injury claims, and commercial disputes, along with transactional work in bankruptcy and estate law. Knowledge of or experience in one or more areas is preferred, but not strictly required.

Salary and benefits are commensurate with experience and education, and competitive to Northern Kentucky market. Interested candidates should submit full resume with references and a cover letter detailing experiences of note in prior employment to director@nkybar.com, using the subject title "RESUME: AEJR248."

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Northern Kentucky Bar Association

And

Northern Kentucky Bar Association – Young Lawyers Section

ELDERCARE: FINANCIAL AWARENESS FOR SENIORS

Hon. Tracey N. Wise

MOM, DAD—You Did WHAT?????????

"Well, a really nice man stopped by after the storm and said my gutters should be replaced and he had a limited time discount..."

"Well, I got a new mortgage that I don't have to ever pay —now I have enough money to pay all my bills..."

"Well, she told me I won the lottery and all she needed was my bank information to send me the check..."

"Well, this insurance is required by the water company to insure my water line in case anything ever happens..."

"And besides, dear, I know how busy you are and I just didn't want to bother you..."

The ElderCare program, developed under the auspices of the Public Outreach Committee of the National Conference of Bankruptcy Judges, is designed to teach financial literacy to seniors. Loneliness and the need for conversation may result in seniors being more susceptible to financial abuse than other segments of the population. Until experiencing a life changing event (e.g., job loss or death of a spouse), many seniors may have had no experience with budgets or other financial matters.

The ElderCare program is loosely modeled after the highly successful C.A.R.E. program developed by retired Bankruptcy Judge John Ninfo. The teaching modules were developed by a sub-committee of professionals in the Eastern District of Kentucky and volunteer students from the University of Kentucky College of Law under my supervision and that of UK Law Professor Christopher W. Frost. One of the primary challenges was to develop materials that are "user friendly" for the aging population, a majority of whom are not tweeting, facebooking, or surfing the web.

The materials are organized into four financial literacy discussion/teaching modules and are posted on the Bankruptcy Court's website at: www.kyeb.uscourts.gov

Each module includes a Presenter Guide and Participant Materials. The categories are:

1. Your Money (Identity Theft, Lottery, Utility & Home Improvement Scams)

2. Your Home & Estate (Foreclosure scams, predatory lending, reverse mortgages, living trusts)

3. Your Credit (Credit counseling, Debt management, Debt settlement/consolidation and credit repair services)

4. Lifestyle Skills/Budgeting Basics

A "Resources Handout" providing local resource contact information is also posted for distribution.

The modules are in a modifiable format and can be tailored to fit the particular needs of your community. It is contemplated that the Participant Materials will be distributed to the senior audience at a presentation. Pragmatically, the materials: (1) define the financial issue; (2) provide simple ways to identify or spot the financial issue; and (3) describe what actions can or should be taken to protect against becoming a victim.

The Guides for presenters provide more detailed explanations and resources to facilitate preparing a presentation for a particular audience. The Guides have orange page numbers on the left margin with corresponding Participant Material page numbers in blue on the right margin. The Presenter Guides contain all of the Participant Materials and give suggestions on how to make an effective presentation. If a presenter doesn't feel well versed about a particular area in a module (e.g., "Your Home & Estate—Reverse Mortgages"), the Resources Handout can lead you to resources which can educate on these topics.

Each Module is designed to be presented in a one hour or less program and each is stand alone. The Lifestyles/Budgeting Basics is more of a hands-on workshop than a presentation.

A word of caution, prior versions of these materials were WAY too complex for the

senior presentations - thus, while we know there is a lot of additional information available on all of these topics, I urge you to use and test these materials before making substantial revisions.

I urge you to take a moment to review the ElderCare materials and consider your unique ability to contribute to the financial fitness of a senior.

Are you a potential presenter or can you identify potential presenters? Potential presenters could include colleagues, friends with aging parents, law firms, local bar associations, church friends, service clubs, bank officers, or anyone willing to learn who cares about seniors. You can host a "bring a beloved senior to learn" meeting. (As noted above, seniors can be lonely and love to go out!) Not much

is needed for a presentation: just a senior accessible meeting area (think library, church, health club or any place with easy access to restrooms and good acoustics).

Are you part of, or can you identify, potential audiences? Potential audiences include your middle age friends who are caring for their parents, senior bridge clubs, church groups, your parents' social circles, senior citizens centers, and senior groups at local banks. Brainstorm with your professional colleagues about groups to whom a presentation can be made.

The Court is forming a committee to implement the ElderCare program in Kentucky. The Committee's work will include developing an infrastructure for the program (website/calendar/interactive comment page), identifying and training presenters,

identifying audiences and the like. I will be working closely with Western District of Kentucky Bankruptcy Judge Alan Stout to oversee the work of the Committee. If you have an interest in serving on such a committee, please contact my law clerk, Janie Miller at 859-233-2465 Ext. 7133 or Jane_Miller@kyeb.uscourts.gov

Tracey N. Wise was appointed United States Bankruptcy Judge for the Eastern District of Kentucky on March 31, 2010 and elevated to Chief Judge on October 1, 2011. Judge Wise is a 1980 graduate of Indiana University (B.A., Phi Beta Kappa, Magna Cum Laude) and a 1983 graduate of the Indiana University School of Law (J.D., Order of the Coif) where she served as a Note Editor for the Indiana Law Journal (1982-1983). Judge Wise is a Fellow in the American College of Bankruptcy (12th Class - 2001), a member of the Public Outreach Committee of the National Conference of Bankruptcy Judges and has served as the bankruptcy representative on various U.S. District Court (EDKY) Committees, including its Scholarship, IT and Strategic Planning committees.

MARK YOUR CALENDAR

16th ANNUAL RED MASS CELEBRATION

Friday, September, 5 at 4:00 p.m.

Cathedral Basilica of the Assumption in Covington, Kentucky

Bishop Roger J. Foys of the Diocese of Covington will preside

Honorable Justice Michelle M. Keller of the Kentucky Supreme Court will deliver remarks

A reception will follow.

Each year in cities around the world, lawyers, judges, and lawmakers come together to pray for God's grace and wisdom to assist them in carrying out faithfully their professional duties. The service, known as the Red Mass, is well-attended by people of all faiths. We hope you will join us.



MARK YOUR CALENDAR

NKBA 30TH ANNIVERSARY GOLF OUTING



THURSDAY, SEPTEMBER 25, 2014

12:00 P.M. SHOTGUN START

\$125 NKBA Members \$175 Non-Members

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THE CHANGING NATURE OF THE JD

Jeffrey Standen



I attended law school long ago, when portable phones were the size of shoe boxes, ESPN had but one small station, and the Internet was beyond imagination. Back then, we went to law school to practice law. Although a small handful of my classmates had it in mind to pursue other interests, for the overwhelming majority, a starting job with a law firm was the primary goal. By the third year of law school, nearly every hallway conversation or social exchange involved endless discussion about who was hiring and when. We spoke of little else.

Of course, an intense focus on career prospects remains prevalent among today's students as well. Beginning positions that afford graduates an opportunity to practice law are coveted, both at NKU Chase and at law schools around the nation. Yet the interest of today's law students in career matters, although apparently matching the profession's long-standing preoccupation, obscures a discernable and growing change in the nature of that interest. To put it bluntly, comparatively fewer of these (mostly) young people today want to be us.

Many of them do, and they still pursue the traditional career. They dream of the practice of law, with its frequent intellectual challenges and unique opportunities to make important impacts in the lives of others. In this regard, these students today are indistinguishable from their predecessors. Yet for a growing minority, a career spent practicing law seems unappealing. I loved every day I practiced law, but admittedly the life of the lawyer, with its constant challenges and ubiquitous lifestyle demands, is not for everyone. Back when I was in school, law students who did not obtain a beginning law firm position were regarded with sympathy. Today, sometimes they are envied.

Why do people come to law school when they have no interest in practicing law? Here is the little secret that many law professors have been slow to learn: while we have been busy these past decades teaching curriculum designed to prepare bright, unshaped minds for the intellectu-

al rigors of law practice, our teaching (inadvertently, but happily) also produced a number of bright minds capable of handling problems and managing situations in fields far from legal practice. It's as if we taught someone to throw a baseball, only to find out that he or she could now also throw footballs, javelins, darts, golf clubs, tantrums, or whatever else might be convenient to throw. And the business market has taken our "products," if you will, and employed them in fields and industries that were not even in existence at the time those minds were shaped. Combine this market development with the fact that more and more of business and life is filtered through law and involves questions of legality and liability, and we have the perfect storm. The JD degree is valued today more widely than ever before. We see JD-credentialed executives working in all markets and industries (and even as university presidents). The JD is increasingly supplementing the MBA as the primary credentialing degree for executive-level employment throughout American and international industries. Nice!

Legal education is, and should be, a deeply conservative enterprise. It is an enormously difficult and intensive educational process to build a lawyer from scratch. In an age where the domestic educational system sometimes fails us, that task is more difficult than ever. (Just ask any veteran law professor.) Yet literally over one hundred and twenty years' experience at Chase confirms that we have a successful formula. We build great lawyers. We therefore should tinker with our curriculum only with careful intention after great deliberation. The Chase faculty has devised an impressive curriculum, and to witness firsthand the carefulness and intensity of this process is remarkable. This faculty takes its business very seriously, and I am personally grateful, as I have seen it otherwise. Today, we see a mad rush by certain law schools around the country to introduce "skills training" to their course offerings, trying to fit clinics and externship programs into their crowded semesters. Chase instead long ago began, in a measured and thoughtful manner, to in-

crease instruction in lawyer skills, not simply by appending clinics and externships to the course list, but also by integrating skills and practicum opportunities into our traditional, doctrinal classes. Many years ago, Chase justly earned its reputation as "The Lawyers' School."

As more of our graduates pursue non-legal, executive careers, Chase continues to innovate, once again in a deliberate manner, and once again ahead of the curve. Courses in pre-trial civil litigation and moot court experiences, for example, remain of high importance to students who intend to litigate. But they are less compelling (although not without value) to students who have no plans to practice law. For them, Chase's curriculum going forward has to include specific training in the skills and knowledge these JD-bearing graduates will need as they launch a start-up or enter positions in finance, banking, health care, real estate, insurance, media, or manufacturing. These students need training not just in the core law school subjects, but also in quantitative methods, leadership, and informatics. They need to be able to read balance sheets, understand financial accounting, and process basic statistical analysis; they should be ready to assume low-level yet significant duties in business processes, personnel administration, and company management; they need to be prepared to understand and take advantage of today's technological wonders as they seek cost-effective and productive solutions to business problems.

And Chase is ready for them. This fall, we will introduce our new academy, named in honor of Mr. Bruce Lunsford, an alumnus whose generous gift made this curriculum innovation possible. The

W. Bruce Lunsford Academy for Law, Business + Technology will feature instructional opportunities in quantitative methods, leadership, and informatics. This special program of instruction will broaden the skill set of these JD students, preparing them for career paths in new and emerging fields, as well as in industries that are just today awakening to the value of JD-trained executives in all departments and divisions. Once again, in my view, Chase's faculty has hit the nail on the head. We are introducing measured, prudent reforms to our classrooms. These curricular developments come at exactly the right time and in the right form.

My goal with the Lunsford Academy is to create a stimulating and highly useful program for a limited number of honors students. We will start it small and build from there. Judging by the number and quality of the entry-level applicants, we are off to a great start. Yet I have another, secret goal for the academy and its cutting-edge curriculum. I happen to think all JD-trained graduates, whether they choose to seek an executive career or a more traditional career as a practicing lawyer, could benefit from instruction in quantitative methods, leadership, and informatics. One day, and soon, I intend to afford all of our students ample opportunities to broaden their training and preparation in these areas. Indeed, working with the law faculty, we are taking steps to create sufficient seats in our classrooms to allow even current, upper-level students a chance to partake in this new curricula. Chase will remain "The Lawyers' School," even as we improve the preparation of every lawyer (or executive) we produce.

It has been said that armies prepare to fight the last war. At NKU Chase, we are not scrambling to begin a program to train "practice-ready lawyers"; we were there decades ago. Instead, I am proud to say that our faculty and administrators are constantly looking forward, and that we do so in a sensible, prudent manner to make realistic assessments of the needs of our students and the

demands of our markets. We improve our curriculum through a highly deliberative process. The pride our faculty takes in Chase's great history of producing outstanding and accomplished lawyers is genuine and deserved. It is that very same pride that has led Chase to respond to the changing nature of the JD degree. Our future graduates will be prepared for the dazzling and complex world they will enter, both as lawyers and as executives. Our job is to increase the value of every Chase degree.

Jeffrey A. Standen is the dean of NKU Chase College of Law and a professor of law. He has taught and published scholarly articles and books in the fields of sports law, gaming law, and criminal and civil remedies. Prior to joining Chase in 2013, Standen was the associate dean for Academic Affairs and Faculty Research and held the Van Winkle Melton Professorship in law at Willamette University College of Law. He has taught as a visiting professor and served as scholar-in-residence at the University of San Diego and University of Virginia, respectively.

Dean Standen is a graduate of Georgetown University, and before beginning his academic career, he practiced as an associate for four years with the litigation group of the Hunton & Williams law firm, and then served for one year as the Deputy General Counsel of the U.S. Sentencing Commission.

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MEMBERSHIP NEWS

NKBA



Kelly J. Brown is pleased to announce he opened the new office of Kelly J. Brown, P.S.C. His office is located at 1037 Madison Ave., Covington, Ky. 41011; Email: kjbrownlaw@outlook.com and telephone number (859) 261-1000.



Strauss Troy Attorney **Marty Butler** received Northern Kentucky University's (NKU) prestigious Lincoln Award for public service at an event in the NKU Student Union Ballroom.

Butler has served on the Northern Kentucky Board of Regents for 11 years, two

of those as chair. Additionally, he served as chair of the NKU Presidential Search Committee.



Barron Peck Benie & Schlemmer Co. LPA is pleased to announce that **Mary Burns** has joined the firm as a partner. Licensed in both Ohio and Kentucky, Mary practices law in the areas

of estate planning, trust and estate administration, and business transactions.

Prior to joining the firm, Mary was Trust Counsel and Vice President of Trust Services at Johnson Trust Company. After graduating from Chase College of Law at Northern Kentucky University, Mary practiced law in Covington, serving clients in both Ohio and Kentucky.

Tranter Law Offices including attorneys **Ed W. Tranter, W. Edwin Tranter III, Scott D. Tranter** and **Kelly McDaniel** has relocated to 20 North Grand Avenue, Suite #8, Ft. Thomas, KY 41075. The telephone number will remain the same (859) 781-5700; as well as the fax number (859) 781-6309.



Sophia R. Jannace, an attorney at **Keating Muething & Klekamp PLL** was recently admitted to practice law in the Commonwealth of Kentucky. She had previously been admitted to practice law in Ohio.

Jannace joined KMK Law in September 2013 where she practices in the firm's litigation group with a focus on commercial disputes. Jannace earned her J.D. from the University of Cincinnati College of Law in 2013, Order of the Coif. Jannace earned her B.A. from the University of Kentucky in 2008, *magna cum laude*.



Lawrence & Associates, LLC is pleased to announce that **Justin Lawrence** has been named one of the Top 40 Attorneys under 40 for the National Trial Lawyers and for the American

Society of Legal Advocates for 2014. Invitations to both groups are extended to young lawyers whose trial results, leadership, and other qualifications stand out amongst their peers. Justin practices in Florence, Kentucky and heads his firm's section for personal injury and admiralty.



Keating Muething & Klekamp PLL is pleased to announce the hiring of attorney **Amy Miller-Mitchell**, whose practice focuses on labor and employment law. She has experience representing clients in litigation involving civil rights, retaliation, wrongful termination, sexual harassment, wage and hour violations and unfair labor practice claims under Title VII, the Americans with Disabilities Act, the National Labor Relations Act, the Fair Labor Standards Act and various other state and federal laws. She also advises employers on developing policies and procedures, responding to administrative charges, dealing with employee separation matters, wage and hour issues, union avoidance and other related issues.

Miller-Mitchell earned her J.D. from Salmon P. Chase College of Law, Northern Kentucky University in 2005, Order of the Curia, Associate Editor *Northern Kentucky Law Review*. She earned her B.A. from Morehead State University in 2002, *magna cum laude*. Miller-Mitchell is admitted to practice law in Ohio and Kentucky.

Miller-Mitchell earned her J.D. from Salmon P. Chase College of Law, Northern Kentucky University in 2005, Order of the Curia, Associate Editor *Northern Kentucky Law Review*. She earned her B.A. from Morehead State University in 2002, *magna cum laude*. Miller-Mitchell is admitted to practice law in Ohio and Kentucky.



Keating Muething & Klekamp PLL partner **Michael J. Moeddel** has been named a winner of *The 2014 M&A Advisor* 40 Under 40 Recognition Awards in the Legal Advisor category. The awards

program recognizes leading professionals working in the areas of mergers and acquisitions, turnaround, and financing who have reached a significant level of success in the industry while still under the age of 40. Winners are chosen for their accomplishments and expertise from a pool of international nominees by an independent judging panel of distinguished business leaders.

Michael J. Moeddel is a partner with KMK Law's Business Representation & Transactions Group. He represents public and private companies in a general counsel capacity on a broad range of corporate legal matters, with a particular emphasis on mergers, acquisitions, joint ventures, capital market transactions and other complex business transactions.

Freund, Freeze & Arnold, A Legal Professional Association is improving the representation of its Kentucky clients by relocating its Northern Kentucky office to expanded space in Fort Mitchell, Kentucky. Located in the Chamber Office Park, near the crossroads of Buttermilk Pike and Dixie Highway, the expanded office will serve Freund, Freeze & Arnold's state-wide client base. The new office is located within a short drive to all Northern Kentucky courthouses, is convenient to the Cincinnati/Northern Kentucky International Airport (CVG) and just over an hour from Lexington and Louisville.

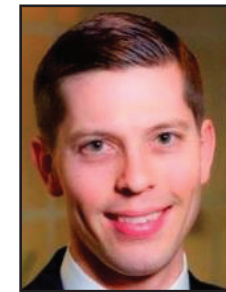
As of May 12, 2014, the new Northern Kentucky address is 2400 Chamber Center Drive, Suite 200, Ft. Mitchell, KY. All phone and fax numbers will remain unchanged.



Keating Muething & Klekamp PLL is pleased to announce the hiring of attorney **Keith Noel**. Keith spent the first 21 years of his career at KMK Law. After leaving KMK in 2009 to pursue other

opportunities, Noel has recently returned to KMK. For more than 25 years, he has concentrated his practice in the field of personal injury/wrongful death. Noel has served as primary legal counsel to several large companies, both

overseeing and directly handling the defense of their claims throughout the United States. A seasoned trial lawyer, he has tried scores of jury and bench trials. Noel earned his J.D. from the University of Cincinnati College of Law in 1988, Order of the Coif, Law Review. He earned his B.A. from the University of Kentucky in 1984, Phi Beta Kappa. Noel is admitted to practice law in Ohio and Kentucky.



Freund, Freeze & Arnold is pleased to announce that **Timothy B. Spille** has accepted a position on the Northern Kentucky University College of Informatics (COI) Alumni Council. Spille is a 1998

graduate of the Department of Communications, which is now known as the College of Informatics. The COI Alumni Council is the official governing body of the COI Alumni Association. The mission of the COI Alumni Association is to connect alumni, identify common foundations, create pride and communicate the power of informatics. This group will develop programming and engagement opportunities for COI alumni, faculty, students and staff.

Spille is a litigation, insurance coverage and small business lawyer representing clients in state and federal courts throughout Ohio and Kentucky.



R. David Weber recently joined **Benjamin, Yocum & Heather, LLC** as an Associate. Mr. Weber earned his J.D. from Salmon P. Chase College of Law, *cum laude*, in May 2013. In 2010,

he earned a Bachelor of Business Administration in Real Estate, *magna cum laude*, from the University of Cincinnati, Carl H. Lindner College of Business. Mr. Weber is licensed to practice law in Ohio and Kentucky. Mr. Weber will be working with the BYH Construction Law Group and also will be active in other areas of the practice including general civil litigation.

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In our series about healthy living, we are featuring the attorney couple, Jay Vaughn with Morgan & Morgan, P.A. in Newport, KY, and Farrah Vaughn with O'Connor Acciani & Levy in Cincinnati, Ohio. Jay and Farrah both graduated from Salmon P. Chase College of Law in 2002 and 2003, respectively. Jay focuses his practice on personal injury, car and truck collisions, wrongful death, and nursing home neglect. Farrah focuses her practice on supplemental security income and social security disability cases.

We decided to feature Jay and Farrah as they have made amazing transformations over the last three years through exercise and diet. "I had an epiphany one evening in February 2011 when our daughter, Hazel, was 6 months old. My clothes weren't fitting and I felt terrible. I was honestly concerned about not being healthy as my daughter grew up. I looked at Farrah and told her I had to make a change," says Jay Vaughn. Farrah had learned about a new gym in their Mainstrasse neighborhood called *CrossFit Covington* that was only a few blocks away, so the couple went down for a vis-

it. They met with the owner and decided to give it a try.

After six months, they saw improvement in their strength and stamina as well as some weight loss, but it wasn't until they made a lifestyle change with their diet that they noticed major changes. The results: Jay lost approximately 40 lbs., reducing his waist size from a 38 in. to 33 in. and Farrah lost approximately 45 lbs. reducing her waist from 33 in. to 28 in. The amazing thing is that despite this weight loss, both Jay and Farrah became stronger, building much more muscle than they had ever had. April 1, 2014 marked the 3-year anniversary of Jay and Farrah Vaughn's lifestyle change and there are no signs of them stopping, as Jay usually goes to CrossFit 3-4 times per week (mostly at 6:00 a.m. on M-W-F and either Saturday or Sunday) and Farrah goes 2-3 times per week (at 7:00 a.m. T-Th and Saturday).

The Workout

Jay and Farrah do a workout called CrossFit which is a program designed around constantly varied, challenging functional movements performed at high intensity. Each day the workout will test a different part of your functional strength or conditioning, not specializing in one particular thing, but rather with the goal of building a body capable of practically anything and everything. CrossFit incorporates exercises that directly relate to the tasks performed throughout your daily life. The intensity level is high, but this is relative to each individual – meaning that CrossFit encourages each person to perform to the best of his/her ability. CrossFit focuses on all aspects of fitness and strives for constant improvement in the following areas: cardiovascular/respiratory endurance, stamina, strength, flexibility, power, speed, agility, balance, coordination, and accuracy.

CrossFit workouts are conducted in a class environment consisting of anywhere from 5 to 25 people in any given class, depending on the gym. Most CrossFit classes start with a group dynamic warmup followed by a 10-15 min-

ute session for skill work or strength building/Olympic lifting. Then there will be a short but intense workout which can take anywhere from 5 to 20 minutes which, combines cardio, bodyweight exercises and lifting. The class will end with a cool down and stretching. "There is no question that CrossFit has been life-changing for us. Although it can be challenging, CrossFit does work. It's nice not having to figure out what your workout will be on a certain day. The trainers prepare the workouts and post them the night before, so when you walk into the gym the workout is already set for you," says Farrah Vaughn.

The Diet

For the most part, Jay and Farrah follow the Paleo diet, which consists of a food regimen of lean protein (grass-fed if possible), fruits, vegetables and healthy fats (nuts, avocados, certain oils, etc.) while trying to avoid dairy, processed foods, sugar, legumes and starches. Lean proteins support strong muscles, healthy bones and optimal immune function. Fruits and vegetables are rich in antioxidants, vitamins, minerals, and other nutrients that have been shown to decrease the likelihood of developing a number of degenerative diseases including cancer, diabetes and neurological decline. Research and studies show that diets rich in Monounsaturated and Omega-3 fats dramatically reduce the instances of obesity, cancer, diabetes, heart disease, and cognitive decline. The main focus of Paleo is eating whole foods that provide optimal, nutrient-dense fuel for your body and avoiding processed, refined, nutrient-poor factory foods. If you are interested in learning more about Paleo, you should read *The Paleo Solution* by Robb Wolf and *It Starts with Food* by Melissa and Dallas Hartwig.

The Gear

There really isn't any "required" gear for CrossFit. However, depending on your level of involvement and goals, there are definitely recommended items you should keep in your bag. These would include:

- CrossFit-type shoes that are light-



Jay – Before & After CrossFit



Jay in action doing a squat press

- weight, such as Reebok Nanos or Inov-8s
- Olympic lifting shoes such as Reebok CrossFit Lifters or Nike Romaleos
- Weightlifting belt for back support
- Wrist straps for overhead squats and snatches
- Gloves or hand grips for pullups, toes to bar, and other bar movements
- Jump rope
- Knee-high socks for deadlifts and rope climbs

Fitness Tip

Jay's philosophy is, "Whatever your exercise of choice is, whether it be CrossFit, P90X, free weights, running, yoga, Zumba, spinning, etc., you have to commit to a fitness routine and just keep moving. The stress of being an attorney is very high and at times we get bogged down with the problems of our clients. Fitness will give you that healthy release to work off the stress, while helping prolong your life. Unfortunately, many attorneys are so focused on their jobs and their cases that they forget to focus on themselves and their health."

IN MEMORIAM

The Northern Kentucky Bar Association honors attorneys and family members of attorneys from our legal community who have recently passed away.

Meredith Marie Jones
Daughter of attorney
Janie Ratliff Sweeney
Step-Daughter of
attorney Thomas Sweeney

Virginia Monfort-Leucht
Mother of attorney
Robert Monfort

John Lester Spalding
Attorney at Law

Betty Taylor
Mother of attorney Joe Taylor

Jeannine VanDerVeer
Wife of attorney
Stephen McMurtry
Mother of attorney
Todd McMurtry

*Contributions have been received in memory of this person to the Northern Kentucky Bar Foundation.

Please contact
Julie Jones at
(859) 781-1466 or at
juliejones.director@nkybar.com
if you are aware of a death
to be listed in an upcoming issue
of the NKBA *Lex Loci*.

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RICHARD "DICK" A. CULLISON'S CAREER CELEBRATION

Brenda Combs & Glenda Harrison

Richard A. Cullison, 30 year Executive Director of Legal Aid of the Bluegrass ("LABG"), is retiring this year. To honor him on Sunday, May 18, about 150 of Dick's family, friends, and colleagues gathered at Drees Pavilion in Devou Park. James R. Kruer, President of Legal Aid of the Bluegrass' Board of Directors, opened the ceremony saying: "Dick Cullison has provided the Kentucky legal community an extraordinary legacy based on over 30 years of tireless dedicated service to the cause of Justice for All. Dick's quiet, scholarly leadership has been a model for all to emulate and those underprivileged in the community have retired a noble champion. Those of us who have been honored to work with him are forever in his debt."

Palmer G. (Gene) Vance, II, the President of the Fayette County Bar Association, presented Dick with the "Justice James E. Keller Law Day Award" on behalf of the Bar Association. It was presented to Dick "For extraordinary service in providing legal services for the poor and disadvantaged."

Other speakers included Carl D. Melcher, long time Legal Aid attorney and former Deputy Director; Glenda Harrison, current Advocacy Director; and incoming Executive Director, Joshua B. Crabtree. According to Crabtree, "Dick Cullison is a giant in the legal community. Dick's expertise, compassion and relentless pursuit of civic empowerment and justice on behalf of countless Kentuckians will continue to have a great impact on our communities for generations."

Dick's son Andrew Cullison delivered an emotional talk about the caring role his father has played in his life, saying in high school he looked in the mirror and said, "Oh God, I am my father." Now after having his own two children, he said he looks in the mirror



Dick & his wife Veronica surrounded by family



LABG staff & long time volunteers celebrating Dick's retirement

and says, "Thank God, I am my father."

Dick's career spans four decades. He began his legal career in 1975 as a Chase Law School extern at LABG's predecessor, the Northern Kentucky Legal Aid Society. After graduation, he clerked for the late Robert O. Lukowsky, Justice of the Kentucky Supreme Court. In 1977, he returned to Legal Aid as a staff attorney. He became Litigation Director in 1980 and the Executive Director in 1984. Dick successfully brokered two mergers with legal aid programs in Morehead and Lexington. He has implemented numerous successful legal programs in housing law, elder law, consumer law, and family law.

With Dick's leadership, at least 20,000 vulnerable and poor Kentuckians in 40 counties have gotten access to legal services annually. Under his watch, Legal Aid of the Bluegrass has strived for and achieved excellence. The firm received

the national ABA Hodson award in 2005 given to only one public interest law firm annually for extraordinary service to the community.

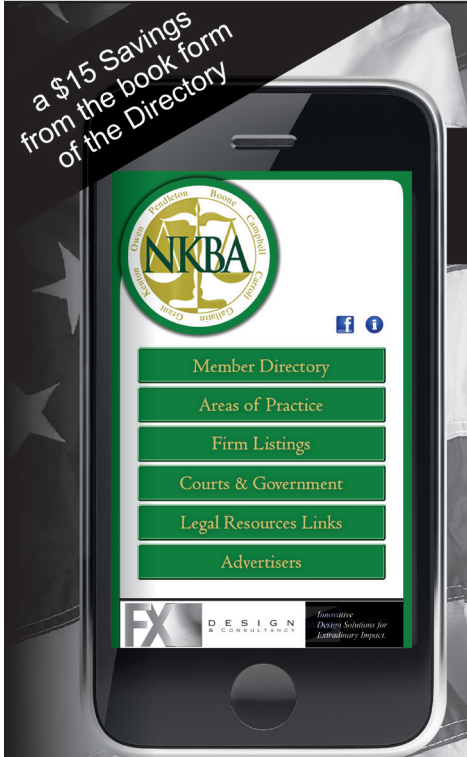
Dick is the recipient of numerous other individual awards, including the 2010 Salmon P. Chase College of Law "Exceptional Service" award; the Northern Kentucky Bar Association 2013 "Distinguished Lawyer of the Year" award; the 2014 Northern Kentucky Volunteer Lawyers' "Justice for All" award, and the Kentucky Bar Association's 2014 "Donated Legal Services" award.

Dick and his wife Veronica live in Fort Mitchell. They have a daughter Rachael, who teaches first grade at Beechwood, and a son Andy, who is the director of DePaul's Janet Prindle Institute for Ethics and an associate professor of philosophy. They have three grandsons and are expecting another grandchild in October.

WRITE ON

The NKBA Lex Loci committee is seeking substantive articles for future publications. For further information or to submit an article please contact juliejones.director@nkybar.com

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RESEARCHING KENTUCKY FORECLOSURE LAW

Carol Furnish¹



Foreclosure is a legal proceeding to end a borrower's title to and possession of a property when the borrower defaults on mortgage loan payments. In Kentucky, foreclosures are handled by the courts. This guide outlines the foreclosure procedures used in Kentucky and highlights the best resources for further research.

Kentucky - Background Information

Real Estate Foreclosure Under Kentucky Law by Thomas Keuler (last visited 6/10/2014), http://www.dklaw.com/Articles/PDF/TJK_Real_Estate_Foreclosure.pdf. This article outlines the general steps involved in a judicial foreclosure. The article describes the complaint, public notice, judicial proceedings, the judgment, and the sale. The article can be used as a general guide to those who are new to foreclosures or those who do not regularly practice in the area.

Housing Foreclosures in Kentucky by

the Kentucky Legislative Research Commission (2009), available at <http://www.lrc.ky.gov/lrcpubs/rr365.pdf>. The Kentucky General Assembly authorized a study of home foreclosures in Kentucky. The report describes the foreclosure process in Kentucky and compares the procedures with other states.

Remedies for Real Estate Mortgages in Default, by M. Deane Stewart.

Chap. 17 Kentucky Real Estate Law and Practice (4th ed. 2013).

The chapter discusses the remedies available to the mortgage lender and identifies the mix of statutes and procedural rules involved in the foreclosure process.

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Chase Law Library - KFK1312.A73.K4 2013.

Kentucky Homeownership Protection Center - <http://protectmykyhome.org/Pages/default.aspx>. In 2008, the Kentucky General Assembly authorized the Kentucky Housing Corporation to create the Kentucky Homeownership Protection Center (KHPC) as the central resource for counseling and financial information. The KHPC provides leads to credible financial counseling service providers, state financial assistance sources, the state unemployment bridge program, and Legal Aid services offered by the state. The Resources tab lists the consumer services offered by both state and federal agencies.

Kentucky Laws - Ky. Rev. Stat. Ann. (KRS)

Foreclosure laws are found primarily under KRS Chapter 426, Enforcement of Judgments. There are exceptions as related laws are found in other chapters of the KRS. For example, state protections for service members is located at KRS § 382.520, superiority of lien - additional loans under mortgage on real estate at KRS § 382.520, and special protections for foreclosures involving high-interest loans is located at KRS § 360.100.

Kentucky Cases

West's Kentucky Digest 2d. Volume 16 covers Mortgages.

Kentucky Form Books

Caldwell's Kentucky Form Book, Kevin P. Buckham, General Editor. Volumes 1 and 4 cover Kentucky Civil Procedure and Real Property. *Chase Law Library - KFK1268 .C3 2006.*

General Treatises & Handbooks - Foreclosures

Foreclosure Defense: A Practical Litigation Guide by Rebecca Taylor. American Bar Association (2011). *Chase Law Library - KF697.F6.T39 2011.*

Foreclosure Survival Guide: Keep Your House or Walk Away with Money in Your

Pocket by Stephen Elias. Nolo Press (4th ed. 2013). This Nolo Press guide is designed for consumers and offers general information.

Chase Law Library - KF697.F6.E43 2009.

Foreclosures: Defenses, Workouts, and Mortgage Servicing by John Rao.

National Consumer Law Center (4th ed. 2013).

Provides information on home foreclosures including free-standing homes, condos, and mobile homes. References state and federal laws and provides sample forms and pleading materials.

Hamilton County Law Library - KF1040.Z9.S542 2012.

Foreclosure, Chap. 7 Real Estate Finance Law by Grant S. Nelson and Dale A. Whitman.

Thomson/West (5th ed. 2007).

The practitioner treatise provides an overview of real estate finance, foreclosure and bankruptcy proceedings.

Chase Law Library - KF 695.Z9.B78 2009.

The Law of Distressed Real Estate: Foreclosure, Workouts, Procedures by Baxter Dunaway.

6 vol. looseleaf. Thomson/West.

Discusses the general principles of workouts and foreclosures and provides the foreclosure procedures for individual states.

Not available at local libraries but available via Westlaw subscribers.

Real Estate Transactions: Examples and Explanations by Barlow Burke.

Aspen Pub. (2011). Written for law students with step-by-step descriptions of real estate transactions followed by examples, questions, and complete answers. The text covers pre-foreclosure remedies, foreclosures, and real estate in trouble. *Chase Law Library - KF665.Z9.B865 2011.*

Conclusion

You can easily locate the Kentucky materials in the Chase collection. The guide lists additional foreclosure resources which are available locally or found on the web.

¹ Professor Carol Furnish, Northern Kentucky University, Chase Law Library.

KBA ETHICS HOTLINE CONTACTS

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PARALEGAL POSITION

Small but exceptionally active Covington litigation practice seeks experienced paralegal for full-time position. Preferred candidate will have ability to multi-task, work independently or with minimal direction, and provide support through all stages of litigation. Job duties may include direct client contact where needed, and drafting of correspondence, basic pleadings, and inter-office memoranda.

Areas of litigation practice include domestic/family law, consumer disputes, injury claims, and business disputes, along with transactional work in bankruptcy and estate law. Experience in one or more areas is highly preferred, but not strictly required.

Salary and benefits are commensurate with experience and education, and competitive to Northern Kentucky market. Interested candidates should submit full resume with references and a cover letter detailing experiences of note in prior employment to director@nkybar.com, using the subject title "RESUME: AEJR248."

#UCENEANDHEARD

Brooke Hiltz

As my last article noted, Cincinnati Law students are working in a multitude of settings, thanks in large part to many NKBA members. Their experiences are far reaching and inspiring. From local law firms to international human rights organizations, students are evolving into professionals as they learn the intricacies of practicing law in real-life environments. I want to share just a few of the comments we have received this summer:

This summer has been fantastic.... The people are great and the work has been interesting. I got lucky for sure. Rising 3L student at a NKY law firm.

I am currently working on a research project in Bogotá and am part of a team funded by Ford Foundation International. The organization gave me my own project which will hopefully be presented before a gathering of non-governmental organizations at the UN Framework Convention on Climate Change.... Rising 2L student working with a Columbian human rights organization.

My time thus far has shown me real-life application of material learned in class, for example seeing a case evolve from start to finish. Just within the past month, I have witnessed cases develop out of an officer's arrest, get indicted by the Grand Jury, and proceed to court. Rising 2L student working with a NKY Commonwealth Attorney's Office.

Not only are students working, they are also networking. A priority for the College's Center for Professional Development is to connect students to opportunities where they can meet and mingle with practitioners, both internal and external. Overall, the Center brought more than seventy practitioners to campus during the last school year to talk to students about careers and professional development. Simultaneously, we promote and encourage engagement with the Bar Associations on both sides of the river, participation in unique volunteer opportunities, and attendance at CLEs and other learning events. Already this summer, students have contributed to the work of the Avondale/Bond Hill Legal

Clinic, served as hearing and intake officers in Hamilton County's new Youth Court, and attended the OS-BA's *Leading with Style* - just to name a few.

The College values the role all of you play as our students work to ingratiate themselves into the broader legal community. As we all know, these experiences can be daunting. Taking the time to recognize a new face, include him/her in conversation, and facilitate introductions is invaluable to law students who take the time and make the effort to engage with the Bar. Please feel free to contact our office if there are events you want to ensure are being broadcast to our students. Multiple platforms are used to spread information at UC Law, but as many of you already know, President Santa Ono has fully propelled the University of Cincinnati into the 21st century and has everyone tweeting, texting, and posting about their experiences. Not to be left behind, the Center for Professional Development has begun and will continue promoting opportunities, sharing industry news, and highlighting student experiences on Twitter via @UCLawCPD. We encourage you to follow us and see where students are being #UCeneandheard!



NKBA HOSTS CHARITY SOCIAL FOR TRANSITIONS, INC. HEALTHY NEWBORN HOME

On Thursday June 5th the Northern Kentucky Bar Association hosted a charity social in collaboration with the Leadership Northern Kentucky Class of 2014. The event gathered more than 60 attendees in support of the Healthy Newborn Home, and brought in almost \$500 in monetary donations with additional donations of furniture. A special thank you to Mike Wong, owner of the Oriental Wok, for sponsoring a beautiful display of food that tasted as good as it looked.

Transitions, a non-profit organization, owns a building in Covington that has been converted into a Healthy Newborns Home. When women enroll in the Transitions' Women's Residential Addictions Program (WRAP), they go through 90 to 120 days of residential addiction treatment. The women in the Healthy Newborns Home are completing their addiction treatment at WRAP or are participating in WRAP's Aftercare Program. The home provides women with a safe, supportive learning environment so that they can continue in their sobriety and give birth to babies who are only minimally drug affected. Because of this, the babies can avoid spending time in the neonatal intensive care detox unit withdrawing from drugs, and they can go home with their mothers within the usual time frame. Additionally, these newborns have a decreased chance of having developmental challenges in the future.

Residents of the Healthy Newborns Home, who can stay for up to four months after giving birth, are held accountable as if they were at the WRAP House, which includes continued drug and alcohol testing and a curfew. In addition, they are assigned a case manager who will help them find employment, sign up for assisted / affordable housing, and further their education.

The Healthy Newborns Home provides for more opportunities for pregnant and addicted women to be admitted into the WRAP program.

Statistics:

• Between 2000 and 2009, the number of drug affected babies being born in Kentucky increased 2400%. In 2012 and 2013, the number of drug affected babies born in

Kentucky doubled from 730 to 1460.

- In the past two years, approximately 110 drug affected babies have been born in Northern Kentucky.
- It costs approximately \$14,000 to \$55,000 in medical costs alone to treat a drug affected baby compared to approximately \$4,000 for a healthy baby birth.
- Currently, about half of the babies in the Neonatal ICU at St. Elizabeth are drug affected.

Since its opening in December 2013, the Healthy Newborns Home has housed 7 pregnant and addicted women, and 4 healthy babies have come home from the hospital without being severely drug affected or in need of additional hospitalization. Currently, 5 women and 3 babies live at the house.

If you were unable to attend the charity social, but would still like to contribute to the Healthy Newborn Home, they are always accepting financial contributions; however other items they can greatly use are as follows:

High Priority Items (Items Can Be New or Gently Used)

- 12 Bassinets / Portable Cribs
- 12 Strollers / Baby Seat Combinations

Items (Items Can Be New or Gently Used)

- Baby Tylenol
- Diaper Cream
- Baby Bath Items
- Diapers (Sizes Newborn)
- Baby Laundry Detergent
- Onesies
- Baby Lotion
- Pacifiers
- Baby Soap
- Rectal Thermometers
- Baby Swings
- Towels
- Baby Toys
- Washcloths
- Ball Syringe
- Wipes
- Bedding (Baby & Adult Twin Size)
- Women's Lotions
- Blankets
- Women's Shampoo
- Books
(What to Expect Your First Year)
- Women's Shower Gels
- Bottles

Transitions, Inc. is a 501-(c) (3) non-profit charity (Tax ID: 61-0707125) www.transitionsky.org/healthynewborns

For a donation form please contact juliejones.director@nkybar.com She will provide the proper form stating this was possible through the NKBA/LNK event.

NKBA HOLIDAY GALA & Silent Auction

Friday, December 5, 2014

Festivities begin at 6:30 p.m.

Summit Hills Country Club
Edgewood, Kentucky

AWARDS LUNCHEON HONORS PRO BONO VOLUNTEERS

Richard Cullison

The Northern Kentucky Volunteer Lawyers held its annual pro bono luncheon Thursday, May 15 at Summit Hills Country Club. At this event, volunteers are honored for donating their time to help meet the civil legal needs of low income people in our community. The luncheon is sponsored by Lawyers Mutual Insurance of Kentucky.

Featured speaker Thomas L. Rouse, the mayor of Erlanger and the President of the Kentucky Bar Association, remarked that he regards pro bono lawyers as the best and the most ethical in the profession.

David L Drake received the Pro Bono Attorney of the Year award. He has been a pro bono attorney for more than 20 years and has never turned down a pro bono referral. During that time he has represented

more than 90 low income clients for free. The Honorable Michelle M. Keller, Justice of the Supreme Court of Kentucky, presented the award. She noted how extraordinary Drake's effort has been.

Edward G. Drennen, II, received the "Nick of Time Award" for his prompt acceptance of two cases for low income veterans of the US Armed Forces. Drennen was an infantry officer in the US Army prior to his entering NKU-Chase College of Law in 1972. Gerard St. Amand, formerly the Dean of NKU Chase College of Law and the Commandant of the Judge Advocate General's School, which trains military lawyers, presented the award. He noted how it has always been lawyers and soldiers who keep our country free.

Carl J. Melcher, former Legal Aid of the Bluegrass ("LABG") Deputy Director, has been volunteering two days per week since his retirement. His Special Recognition Award was presented by Glenda Harrison, LABG's Advocacy Director. She said, "Whenever I asked him to help me analyze a client's problem, he always came up with a good solution."

Emily Skidmore, who just graduated from NKU Chase College of Law, received the Public Interest Law Student Award for her volunteer work at LABG while she was a law student. Nancy Firak, Chase Professor, presented the award which is sponsored by the DBL law firm.

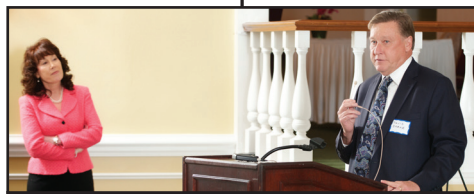
Debra Pleatman, the President of the Northern Kentucky Volunteer Lawyers, presented Dick Cullison, Executive Director of LABG, with the "Justice for All Award." Dick is retiring August 1, 2014 after a 37-year career with Legal Aid. He hopes to return each year after his retirement to pass this award on to a lawyer who has made a substantial effort to establish justice for all in our community.



Congratulations to those honored at the Pro Bono Luncheon - Carl Melcher, Emily Skidmore, David Drake and Dick Cullison



Awardee Carl Melcher, LABG Advocacy Director Glenda Harrison, LABG Business Director Brenda Combs, LABG Board Chair Jim Kruer and LABG Executive Director Dick Cullison



Justice Michelle M. Keller standing on the sidelines after presenting David Drake with Pro Bono Attorney of the Year Award



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Northern
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FAMILY LAW SEMINAR NOVEMBER 14, 2014

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THE LAW OFFICE OF J. EILEEN ZELL, PLLC

AGENDA

- 8:00 a.m. Registration and Continental Breakfast
- 8:30 – 9:30 a.m. **ETHICS:**
Unbundling Legal Services
- 9:30—10:30 a.m.
Update: Emergency Protective Orders & Domestic Violence Orders
Hon. Joseph Fischer
Hon. Cindy Millay
- 10:30 a.m. BREAK
- 10:45—11:45a.m.
Custody Evaluations & Understanding Psychological Tests
Jean Deters, Ph.D.
- 11:45 — 12:45 p.m.
LUNCH—Included with registration
- 12:45—1:45 pm
Case Law Update
Hon. Jan Shaw
- 1:45—2:45 p.m.
Business Valuation Mock-Up: Should You Ask for a Business Valuation or Not?
Hon. Anita Britton
- 2:45 p.m. BREAK
- 3:00 – 4:30p.m.
Judge's Panel: Submitted Questions on Procedural Issues
Boone Family Court
Campbell Family Court
Grant Family Court
Kenton Family Court
Pendleton Family Court

THANK YOU TO SECTION CO-CHAIRS

Acena Beck
Jennifer Overmann
Jan Shaw, Moderator

LOCATION The Gardens of Park Hills

1622 Dixie Highway
Park Hills, KY 41011

COST & MATERIAL TYPE
\$175 NKBA Members with flash drive
\$200 NKBA Members with paper packet
\$225 Non-Members with flash drive
\$250 Non-Members with paper packet

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ATTORNEY AUTHOR SPOTLIGHT

Real The Employee Handbook

*A Top Lawyer Reveals What You Need To Know
— And What Your Boss Won't Tell You*

**When does harrasment
become illegal?**

**What should I do if I receive
unfair discipline?**

**Can my boss ask for my
Facebook password?**

What should I put on my resume?

Am I really employed "at will?"

Randy Freking

Attorney Randy Freking is the author of *The Real Employee Handbook* (Amazon, 2012), a book designed to provide information to job applicants, current employees, and former employees about their rights in the workplace.



Randy is a lawyer with more than 30 years of experience counseling employees about every day issues that arise in American workplaces.

The book, which can be purchased through Amazon for a Kindle at \$12.95 or Paperback for \$16.03, is largely a collection of common questions and answers, ranging from the very basic to the more challenging.



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