Paper of Blue

With apologies to Willie Nelson

By James B. Croy

Sarah Murray sauntered out of the Craft Emporium store on Christmas Eve as if she owned the store, which, by having married well, she did. She was followed by nine-year-old Milton Murray III, known as Trey, and his grandfather, Milton Murray. Milton was the founder of Craft Emporium, although there was nothing about his unassuming mien which would alert someone to his ownership of the arts and crafts empire of over fifteen hundred Craft Emporium stores across the country.

As the three made their way to the waiting car, Trey stopped to stare at a man sitting behind a card table in front of one of the store’s display windows. The man was whispering something to the shoppers hurrying by him. On the table was a small selection of ribbons and wrapping paper—all of it blue.

“Look at him,” exclaimed Trey. “What’s he doing?”

Milton studied the man for a minute. “I would say he is trying to sell paper and ribbon, Trey.”

Sarah almost snorted her disgust. “You should have security make him move, Dad,” she almost demanded. “Why, I think he is selling our merchandise. In front of our store.”

As if on cue, the head of store security came out of the door and started to approach the man on sidewalk. The salesman knew what was coming, and waited for it with resignation. But with a barely perceptible flick of his hand, Milton sent the overly-eager employee back into the store.

“I think we can stand the competition,” he muttered. “But why’s he doing it, grandpa?” asked Trey. “Doesn’t he know it’s cheaper in the store?”

“He is doing what he can do,” Milton still watched the sidewalk salesman. “Just like the rest of us. He’s just trying to get by in tough times.”

Trey couldn’t take his eyes off of the middle-aged man shivering in his thin blue suit. “I want to buy some paper from him,” he announced.

“Don’t be foolish, Trey,” said Sarah. “We don’t need that paper. We have all the paper we could want. We can get it by security.”

RETURN TO SANTA FE

By Ryan Dean

They took my saddle in Houston, broke my leg in Santa Fe

– George Strait

In February, the Oklahoma County Bar Association’s 38th Annual Ski Seminar returns to Santa Fe, New Mexico. Hopefully, there will not be any broken legs, however there will be seven hours of approved CLE. The seminar will again take place at the Inn and Spa at Loretto; which, in addition to its stunning 13th century Pueblo architecture, provides a central location to explore all things Santa Fe. Several great restaurants, art galleries, and shops are within walking distance. The CLEs are set in a laid back environment, but are topical, informative and unique. Last year’s CLE included a rousing pep talk from 2016 OBA President Garvin A. Issacs. The seminar also provides a great atmosphere for networking and fellowship with members of the bar.

For more information contact Bentley Hedges Travel Service – Angie Hendricks (angie@bhtravel.com) or trip captains John Heatly (jheatly@fellerssnyder.com) and Justin Meek (jmeek@ntmdlaw.com).

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From the President

Happy Holidays and welcome to the giving season! Most of you are in the midst of holiday parties and shopping and planning your year-end giving. While you are thinking about giving, let’s talk about what you can do as a member of the OCBA.

Hopefully this month gives you joy and you are enjoying the festivities. But let’s take the time to think about those that are in need this season. How are you going to help those in need?

GIVING BACK:

We have discussed in past months opportunities to give to schools here in Oklahoma City and this month there is a new opportunity to contribute to the OKCPS Foundation through their program READOKC. The mission of READOKC is to create a culture of reading and literacy in OKC Public Schools. OKCPS is working to ensure every student will meet literacy and numeracy readiness criteria for successful transitions from pre-K to 6th grade. To support these literacy goals, OKCPS plans to partner with their community to ultimately launch a city-wide initiative to encourage a love of reading at all grades.

Developing a culture of reading will be challenging but there are specific tools coming to the school system to assist in increasing literacy in our community. Scholastic Education has partnered with OKCPS to provide reading resources to assist with reading level books for all ages. This helps promote an interest in learning for those with reading levels below where their age group might normally read. myON reader provides access to digital books and multimedia supports, including embedded dictionary, text highlighting and audio. Each student will have an individualized profile based on their interests and reading ability and will recommend books from their profile. This program has been described as “Netflix” for books.

Through a partnership with the Metropolitan Library System, all OKCPS students will have access to books in the metro libraries and through eBooks. In addition, all teachers will be able to select library resources to use in classrooms and help provide access to support materials for students in need.

How does this affect us as attorneys? The Foundation needs readers to volunteer. The YLD of OCBA has designed and built reading rooms in several schools in OKC and they are ready and waiting for volunteer readers from the school community. By way of example, Judge Parrish and her staff members took their lunch break on Fridays to go read to students in OKCPS. Won’t you take some time to consider the gift of reading to children in our community?

Thinking about your own practice or docket, how much more improved would our legal community be if your clients were all literate and could read and comprehend your communications with them. Many of us are lucky to not have a literacy problem with our clients, but more of you have experienced these problems and it will continue until we acknowledge we can and should do something to help with our community’s literacy issues.

PAYING IT FORWARD;

At a recent OCBA board meeting, we discussed the age of the active OCBA members and wondered who will lead when we are no longer active? The answer must come from you. What efforts have you made to encourage younger members of the bar to step into leadership roles? Who are you bringing up to be the next level of leadership in the County Bar?

Many young lawyers are waiting for the opportunity to be nominated to committees or to receive the “green light” from their firm that activity in the Oklahoma County Bar Association is not only encouraged but expected. Think about who may have encouraged you to participate when you were starting out in your legal career. For those who may not have a mentor in the county bar association, please don’t wait for us to know your interest level. Call the OCBA office and let us know where you have interests and we will get you plugged in!

I wish you a blessed holiday season and look forward to hearing your stories about the gifts you have given to our community and how you are paying it forward. For all of you who are already giving back – please go to the OCBA website and fill out the community service form so we can track the commitment our members have to the community. We are a profession of public servants and our community is a better place for our contributions. Thanks for all you do to make our City and County a better place to live!
Epidemic of Vets in Prison

By Judge Kevin McCray, Chair, OCBA Veterans’ Issues Committee

As much as you train and prepare you can never be ready for what really happens. You don’t hear it coming. “That’s what stuck in my mind the first time we came under attack,” recalls Steven Harris, an Avenger crew member deployed to Kandahar Air Force Base to protect a flight line under constant attack from the surrounding mountainous area.

“I thought it was an earthquake until I ran out of the HESCO [preventive barrier designed to safeguard personnel and equipment] and saw mushroom clouds.” Harris’s Humvee, equipped with eight stinger missiles and a .50 caliber gun, had been deployed 100 feet away and operated remotely. It was knocked on its side and the windows were blown out. The sound of shrapnel piercing metal was just like you hear in the movies, except you feel it. “You feel it hit. You feel it whiz by your head.” Then there is the confusion. Smoke… The sound of soldiers yelling all around you… Blurred vision… Chaos. “Trying to stay focused is impossible,” says Harris, “until it’s happened a few times, but then it becomes a constant reminder that this is a dangerous place and I may die out here at any time.”

Harris’s unit endured moderate to heavy enemy attacks for over 260 days straight.

The rockets fired from the mountains left such a minimal heat signature that there was not much his crew could do about it, except send the Blackhaws out to carve up the mountainside. Harris remembers being informed that “the Afghans hired during the day to tend the garden we had planted were the same people firing on us from the mountains at night.”

Routine helps distract from the constant tension and anxiety, but it’s always there under the surface and you see it in everyone. Beyond the rocket propelled grenades and missile attacks, there are camel spiders and mountain lions, being away from family, and living in a tent city engulfed by the smell of burn pits. “Some guys would finish their 24 hour shift and then wait in line for hours to talk to their wife and kids for just a few minutes,” Harris recalls. “After a while, people get so worn out that they would just give up and stop following orders or taking the time to perform essential tasks.” That’s what happened with some of the crew members in Harris’s unit, which ultimately affected his own performance. First came the write ups, then the extra work duties, the sleep deprivation, and finally reductions in rank. Harris’s plan to make a career of the service and retire came to an abrupt end at Fort Bragg a little over nine months after being deployed.

Harris was devastated. He believed the Army just wanted to focus on the negative and discount everything he had done to become one of the youngest Crew Chiefs in his unit. To him, it seemed as though they just wanted him out. He became paranoid and lost, as his life plan was destroyed. Plagued by images of limbless torsos and sounds of explosions, it was difficult for Harris to sleep. He was constantly distracted and became increasingly disconnected from civilian life. That’s when he began to abuse drugs.

Harris’s story is neither unusual nor unique. It’s just one of hundreds of thousands of similar tales depicting the physical and mental wounds soldiers and sailors bring home from war. Over five and a half million Veterans served during the Gulf War period, 1.7 million of which were sent to Iraq and Afghanistan. Of those Veterans, over 300,000 have been diagnosed with post-traumatic stress disorder (“PTSD”), and that number continues to grow. The depression and anxiety

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BLUE from FRONT

free in the store.”

“Blue,” Milton was talking to himself more than his daughter-in-law and grandson.

“What do you mean, grandpa?”

“Blue wasn’t selling, so we marked it down. It’s all he can afford.” He put his arm around his grandson. “He bought it in the store and is trying to sell it right outside the store. That is either sheer desperation or amazing hope.” His mind flew back to forty-three years ago, when he had started out with not much more than this fellow with the wrinkled shirt had now. How tough it had been to try to make enough to feed his family.

“I am going to buy some paper from him.”

Trey was adamant. “After all, Grandpa, you say that if our customers are happy, we are happy. And Grandpa, he doesn’t look very happy, and he is our customer. So doesn’t that mean we aren’t happy, either?”

Hearing his own words come back at him from his nine-year-old grandson cut the magnate to the quick. He reached for his wallet and found a couple of twenties and handed them to his grandson. “Remember, Trey, buy it because we need it, not because of accomplishment. “I only bought what I needed, kind of.” He dumped his purchases in the car.

Milton was writing on the back of one of his business cards. “Here, Trey. Take this to the man.” He gave the boy a few more words of instruction and Trey was running back to the man at the card table.

Trey shoved the card into the hand of the confused man and said, “My grandpa said to tell you this is from one entrepreneur to another.” He grinned sheepishly.

“I messed that up, didn’t I?”

At first the the man had no idea what Trey meant, but as he first gawked at the name embossed on the card, and then turned it over to read the message on the back, he realized that the strange code was a boy’s interpretation of ‘entrepreneur.’ On the back of the card Milton had written, “My office. 12/26. 8:00 a.m. SHARP. Ironed shirt.”

The man’s face exploded into a beaming smile of gratitude and hope.

“Why is he so happy, grandpa?” asked Trey as they joined Sarah in the limo.

“Oh, I don’t know,” Milton smiled. “I just wished him a merry Christmas.”

As they drove past the card table, Trey opened the limo window. The salesman no longer whispered his spiel. Instead, he cried out to those passing, “Pretty paper, pretty ribbons of blue. Wrap your presents for your darling from you…” And the limo rounded the corner.
December 2, 1941

Seventy-Five Years Ago
[Excerpted from: Gurney v. Ferguson, 1941 OK 397, 122 P.2d 1002.]

The question is whether article 11, ch. 34, S. L. 1939, is constitutional. The same provides:

“That whenever any school board shall, pursuant to this section or to any law of the state of Oklahoma, provide for transportation of pupils attending any public schools, all children attending any private or parochial school under the compulsory school attendance laws of this state shall, where said private or parochial school is along or near the route designated by said board, be entitled equally to the same rights, benefits and privileges as to transportation that are so provided for by such district school board.”

It is here sought to compel the school district officials, in conformity with said act, and by use of the public school bus service as the expense of the public school funds, to transport certain pupils on its way to and from a certain admitted parochial school for the purpose of attending such school.

We examine the law to determine whether the trial court erred in its conclusions that the legislative act is invalid under section 5, art. 2, of the Oklahoma Constitution.

Such constitutional provision is quoted as follows:

“No public money or property shall ever be appropriated, applied, donated, or used, directly or indirectly, for the use, benefit, or support of any sect, church, denomination, or system of religion, or for the use, benefit or support of any priest, preacher, minister, or other religious teacher or dignitary, or sectarian institution as such.”

Plaintiffs in error base a goodly portion of their argument upon the premise that the above-quoted provision of our Constitution says nothing about schools. The suggestion is made that therein lies a material distinction between such provision of our Constitution and certain constitutional provisions of other states which have there been considered in connection with similar questions. The net result of the suggestion would seem to be that the term “sectarian institution” does not include a sectarian parochial school, leading to the ultimate result that our said constitutional provision did not inhibit the use of public funds directly for the maintenance of such a school.

We would not be inclined to accept that premise even if compelled to rely solely upon the phraseology of this particular provision. It seems to us that it would be commonly understood that the term “sectarian institution” includes a school or institution of learning which is owned

An Olio of Court Thinking

By Jim Croy

December 19, 1916

One Hundred Years Ago

This suit was instituted by the plaintiffs against the defendants to recover the value of a certain sample trunk and its contents. The plaintiff's evidence showed that he was a traveling salesman, and that the goods lost were samples which he carried for the purpose of show and display. His trunk was placed in the sample room of the hotel by a baggageman employed by him, and after it had remained there for a considerable period of time finally was found to be missing, and it was presumed that the same had been stolen.

There was evidence tending to show that it was customary for commercial travelers to have their sample trunks placed in the sample room of the hotel, that the sample trunk followed this custom during five or six years previous to the loss of his trunk, and that he knew of no other place provided for sample trunks. There was also evidence that the proprietor of the hotel had a room in the third story where property placed there was locked up and stored. There was evidence that the proprietor of one of the bags and baggage lines in Clinton, where the hotel was located, was paid a weekly stipend to solicit guests for the hotel, and that he commonly placed their baggage, without special instruction, as he knew what to do with it. There was no proof, however, that this particular baggageman handled the trunk for plaintiff when last placed in the sample room, plaintiff's testimony only going so far as to establish that he usually employed such baggageman.

The proposition, introduced as a witness by plaintiff, testified positively that she did not know that the trunk was placed in the sample room. The only evidence tending to show knowledge was testimony that on one occasion some months previous to the loss one of the hotel clerks saw the trunk in the sample room and examined a part of its contents and that it had been the custom of plaintiff and other traveling men for years past to place their trunks in this same room. The last time it was placed there it remained some sixty days; the plaintiff Abercrombie being in and out of the hotel visiting his customers in the surrounding country. On December 12th he saw and opened the trunk in the sample room. From that time until December 14th he was registered at the hotel, but was away for several meals. On December 14th he looked for his trunk and found it gone. When he visited the sample room on December 12th he found the trunk locked up and left it. By traveling. Proof was that the custom of the hotel was to leave this room unlocked, except when it was being used by some particular salesman, in which case the key was delivered to the salesman during his occupancy of the sample room.

To this evidence the trial court sustained a demurrer, and the correctness of his ruling is before us for review.

The liability of an innkeeper under the common law has been sufficiently determined in the decision of Williams v. Norvell-Shippeh Hardware Co., 29 Okla. 331, 116 P. 786, 35 L. R. A. (N. S.) 350, Ann. Cas. 1913 A, 448, a case almost identical upon the facts. It was there said:

“Where property is brought to a hotel for the purpose of sale or show, such as the goods of commercial travelers, the law does not hold an innkeeper to his strict liability, but only, to the exercise of ordinary care and answerable for negligence.”

That case, however, arose in the Indian Territory, and liability was governed by the rules of the common law only. Our statute (sec. 1113, Rev. Laws 1910) provides in part: “An innkeeper or keeper of a boarding house is liable for all losses of, or injuries to, personal property placed by his guests or boarders under his care, unless occasioned by an irresistible superhuman cause, by a public enemy, by the negligence of the owner, or by the act of someone whom he brought into the inn or boarding house.”

We think section 1113 must be construed as extending rather than restricting the common-law doctrine. The liability of the innkeeper is extended to all personal property of the guest, whereas at common law it did not extend to goods carried for purposes of sale, nor, as held by many courts, to large sums of money or articles of great value not necessary for the traveler's convenience and comfort. So, too, the liability of an innkeeper is extended to the property of regular boarders, and a boarding house keeper is held to the same rules as an innkeeper. Where, therefore, every other provision of the section amplifies and extends rather than restricts the common law, we feel justified in inferring that the intention of the legislature in the particular clause in question is limited to not restrictive rather than the other hand. sec. 1114 clearly limits the harsh liability imposed by the preceding section. It provides for exemption from liability for articles of great value and small compass not required for present use, if a safe be provided, notice given, and the guest fail to deposit such articles especially with the landlord, but this also, by strong implication at least, recognizes the existence of liability unless there be a compliance with the statute. Huckins Hotel Co. v. Hooper, supra.

Viewing the statute as we do, as not restrictive of the common law, we turn to the principle of that law to determine the innkeeper's liability here. At common law notice to the innkeeper that the goods of the guest were brought within the inn was not necessary before the innkeeper's liability attached, nor was it necessary that complete domination over the property be given the innkeeper. If they were under his general control, though retained in his room by the guest, it was sufficient. So, too, if the goods of the guest were deposited in the usual and ordinary place for receiving them, and especially if that place were within the inn or appurtenant to it, the liability at once attached.

. . . . [Omitting consideration of all other considerations.] as we must upon demurrer to the evidence, it seems that a case was proven. Plaintiff was a guest; he caused his trunk to be deposited within the hotel, the only place where such a trunk could be placed, during an experience of five or six years in stopping there, knew to be provided for such trunks. It was shown that this was the room ordinarily used by traveling men for their sample trunks. Although there was no proof that the landlady knew his trunk was in the room upon the particular occasion involved, inasmuch as the testimony showed it had previously been placed there, as many as 20 times, it is fairly inferable that she knew that it was customary to do so. In fact, this was the only "sample" room provided, and she herself testified that she permitted and authorized its use by traveling men. The room is shown not to have been in the exclusive possession of the plaintiff, Abercrombie.

If he was guilty of negligence which would preclude his recovery, that was a question for the jury. Upon the whole we are of opinion that the testimony was sufficient to sustain a verdict against a demurrer, and that the evidence, to authorize the submission of the cause to the jury, and that the trial court was in error in refusing so to do.

The occasion of its being last placed in the hotel delivered to the particular baggageman shown to have been so employed or to any of his agents. It then remains to determine whether placing the trunk in the sample room under the circumstances indicated above amounts to placing it under the innkeeper's care. We regard the expression in the statute "placed under the care" as not intended to modify the rules of the common law in regard to the time at which, and the circumstances under which, the liability of the innkeeper attaches to the goods of his guest.

We think section 1113 must be construed as extending rather than restricting the common-law doctrine. The liability of the innkeeper is extended to all personal property of the guest, whereas at common law it did not extend to goods carried for purposes of sale, nor, as held by many courts, to large sums of money or articles of great value not necessary for the traveler's convenience and comfort. So, too,
and controlled by a church and which is avowedly maintained and conducted so that the children of parents of that particular faith would be taught in that school the religious tenets of the church.

When the interpretation suggested by plaintiffs in error leads to the result that the framers of our Constitution did not intend to prohibit the direct expenditure of public funds in support of sectarian schools, then the complete error of that contention is demonstrated. It is provided in section 5, art. 1, of the Constitution that the schools which the state is authorized and directed to establish and maintain shall be “free from sectarian control.” We feel there is no doubt that section 5, art. 2, supra, prohibits the use of public money or property for sectarian or parochial schools.

It is urged that the present legislative act does not result in the use of public funds for the benefit or support of such sectarian institution or school “as such”; that such benefit as flows from these acts accrues to the benefit of the individual child or to a group of children as distinguished from the school as an organization. That argument is not impressive. A similar argument was said to be “utterly without substance” in the Judd Case, 279 N. Y. 200, 15 N. E. 2d 576. It is true this use of public money and property aids the child, but it is no less true that practically every proper expenditure for school purposes aids the child. We are convinced that this expenditure, in its broad and true sense, and as commonly understood, is an expenditure in furtherance of the constitutional duty or function of maintaining schools as organizations or institutions. The state has no authority to maintain a sectarian school. Surely the expenditure of public funds for the erection of school buildings, the payment of teachers, and for other proper related purposes is expenditure made for schools as such. Yet the same argument is equally applicable to those expenditures as to the present one.

If the cost of the school bus and the maintenance and operation thereof was not in aid of the public schools, then expenditures therefor out of the school funds would be unauthorized and illegal. Yet, we assume it is now acquiesced in by all that such expenditures are properly in aid of the public schools and are authorized and legal expenditures. If the maintenance and operation of the bus and the transportation of pupils is in aid of the public schools, then it would seem necessarily to follow that when pupils of a parochial school are transported such service would likewise be in aid of that school.

The expenditure of the public funds for the benefit and support of such sectarian school is not in aid of children attending school. Thus refuting any argument that such transportation is for the benefit of children generally and not for schools or that such transportation is furnished in regulating traffic within the police power, or primarily in promoting the health and safety of the children of the state. In Consolidated School Dist. v. Wright, 128 Okla. 193, 261 P. 953, it was held that transportation of pupils is an act done in carrying into effect the educational program contemplated by the Constitution and statutes.

The appropriation and directed use of public funds in transportation of public school children is openly in direct aid to public schools “as such.” When such aid is purported to be extended to a sectarian school, there is, in our judgment, a clear violation of the above-quoted provisions of our Constitution. It is our duty only to read the applicable provisions of the Constitution and analyze them and apply to the question here the intent and purpose disclosed by the expressions in the Constitution. That document embraces the fundamental and basic law of the state, and courts are bound to read it in a manner like every other law, as bound to follow it. “It is not the province of the courts to circumscribe it because of private notions of justice or because of personal inclination,” as was said in the Judd Case, supra.


Plaintiff sued the defendant for damages for personal injuries allegedly sustained by her in a collision at the Y-shaped intersection of U.S. Highway 77 and State Highway 59 just south of Wayne, Oklahoma, between a Chevrolet sedan being driven by plaintiff’s husband, in which she was a passenger, and a Falcon station wagon being driven by the defendant. Immediately prior to the collision, the Embry car was proceeding southward, and the defendant’s car was proceeding northward on U.S. 77, and the collision occurred as the Embry car was making a left-hand turn into the northerly arm of the “Y” to proceed eastward on State 59. The case was tried to a jury which returned a verdict in favor of the defendant, and we have found none, wherein that was allowed. Although the cases are not in point on the facts in that the plaintiff herein is not contending that the prospective juror involved should have not been excused, this court has held, insofar as jurors are concerned, that all that a party to an action is entitled to is to have his or her case tried by a fair and impartial jury composed of competent, disinterested jurors. . . . Even in a criminal prosecution, that is all that the accused is entitled to insofar as jurors are concerned. Constitution, Art. 2, Sec. 20. . . . Plaintiff herein does not contend that the jury as finally selected was not a fair and impartial jury composed of competent, disinterested jurors. Even if erroneous, the trial court’s original inaction, and subsequent action, complained of by the plaintiff, was not prejudicial error.


Appellant Carla Jean Taylor (Wife) seeks review of the Trial Court’s order enforcing an antenuptial agreement between Wife and Appellee Robert R. Taylor (Husband). Herein, Wife challenges the validity of the antenuptial agreement, arguing (1) that she signed same under duress, and (2) that Husband failed to make full disclosure of the nature and extent of his assets prior to execution.

Husband was a person of property, Wife was not. Husband and Wife entered into the antenuptial agreement in 1978, and married in December of that year. The antenuptial agreement essentially provided

See OIL, PAGE 7
Six Area Firms Honored for Dedication to Deprived Children

Oklahoma Lawyers for Children awards winners in inaugural “Do or Donate Challenge”

By Matt Epting
OLFC Director of Development

Oklahoma Lawyers for Children recognized six local law firms for their attorneys’ extraordinary commitment to serving abused and neglected children.

The top prizes in the inaugural “Do or Donate Challenge” went to the central Oklahoma firms with the highest percentage of attorneys who either donated to OLFC or volunteered with the nonprofit. Phillips Murrah won the large firm category, Andrews Davis placed first for medium-sized firms, and there was a four-way tie for small firms: Smith Simmons; Cheek Law Firm; Calvert Law Firm; and McAlister, McAlister, Baker & Nicklas shared the prize.

“Since our founding nearly 20 years ago, we have been blessed to work with many generous and committed partners in the legal community,” said OLFC President & CEO Tsinena Thompson. “We were so thrilled by the response for the first year of this friendly competition.”

The six winning firms were recognized and presented with plaques at the organization’s seventh annual gala, the Venetian Ball, on October 28 at the Oklahoma City Golf & Country Club.

Oklahoma Lawyers for Children relies almost entirely on individual volunteers and donors in order to provide critical legal services to abused and neglected children in Oklahoma County. The second annual competition will commence on January 1, 2017 and is open to all law firms in central Oklahoma with five or more attorneys.

Since 1997, Oklahoma Lawyers for Children has returned hope and color to the lives of Oklahoma’s deprived children through pro bono legal representation. More than 1,000 volunteer attorneys and 500 non-lawyer volunteers fight to protect the rights of abused, neglected and deprived children at emergency hearings held 5 days a week, 52 weeks per year, through in-depth representation of deprived children, attorney guardian ad litem services, and more. OLFC has provided in-depth legal representation to thousands of deprived children, and its volunteers save the State of Oklahoma over $4.1 million annually through its services.

OKLAHOMA COUNTY BAR ASSOCIATION
COMMUNITY SERVICE REPORT

Name:_____________________________________________________
Address: ___________________________________________________
E-Mail: ___________________________Phone #:__________________

AGENCY/ORGANIZATION THAT YOU ARE INVOLVED WITH:

WHAT ACTIVITY/SERVICE DO/DID YOU PROVIDE AND HOW LONG:
(i.e, Board Member, Volunteer, Mentor, etc.)

IS THIS AN ONGOING PROJECT OR A ONE-TIME ENDEAVOR?
PLEASE EXPLAIN:

________________________________________________________________________
________________________________________________________________________
________________________________________________________________________
________________________________________________________________________

Please return this form to the OCBA Office
debbie@okcbar.org OR Fax # 232-2010
that property brought into the marriage by each party retained its separate character, that Wife would receive no alimony in the event of divorce, that earnings and accumulations acquired by the joint efforts of the parties during the marriage would be owned in common, and that each party would pay his/her own attorney fees. 

Ten years later, Husband petitioned for divorce. Wife answered, requesting alimony, attorney fees, and a division of marital property. The Trial Court found the antenuptial agreement valid and enforceable, and denied Wife’s claims for support alimony, attorney fees, and division of property. Wife now appeals as aforesaid.

Antenuptial agreements by which a couple may alter the incidents of marriage which might otherwise attach are recognized in Oklahoma by both statute and case law. However, in considering the validity of antenuptial agreements, certain tests peculiar thereto apply:

1. Is fair and reasonable provision made for the party opposing the contract?

2. If not, was a full, fair and frank disclosure of the other spouse’s worth made before execution of the contract?

3. If neither of the above, did the party opposing the contract in fact have a generally accurate knowledge of the other’s worth?


In the instant case, we cannot say the antenuptial agreement made fair and reasonable provision for Wife; in fact, the agreement makes no provision for Wife whatsoever. The record indicates Wife brought little or no property to the marriage, while Husband brought a net estate worth approximately $120,000.00 (representing the value of certain improvements to Husband’s home in which the parties lived and for which improvements Wife paid), and a small amount of money Wife saved during the marriage. On the other hand, Husband received all other property, a net estate which had nearly doubled in value during the marriage.

However, inadequacy of provision for Wife does not, in and of itself, vitiate an antenuptial agreement. As noted, if, at the time of execution of the antenuptial agreement, Wife received a full disclosure of Husband’s assets, or had a generally accurate knowledge of Husband’s worth, Wife will be bound by the terms of the agreement. As the record herein reveals, Wife knew (prior to the marriage) that Husband owned a cattle business, real property, a service station, and stocks. Wife assisted Husband in business and personal matters prior to the marriage, and was conversant with general business practices, having worked over the years in a variety of business related positions. Under these circumstances, we cannot say Wife lacked sufficient awareness of the nature and extent, generally or specifically, of Husband’s assets at the time of execution of the antenuptial agreement so as to render the terms thereof unenforceable under Burgess.

Neither do we accept Wife’s assertion that she signed the antenuptial agreement under duress. Wife bears the burden of proof of such claim by satisfactory testimony. In support of this contention, Wife relies on her testimony adduced below that Husband refused to marry Wife if Wife refused to sign the agreement which, according to Wife, would have resulted in Wife being turned out on the street, homeless and without means.

However, the evidence also reveals Wife was in the possession of the agreement for some three months prior to signing thereof, and that she otherwise executed the agreement freely and voluntarily. Further, both parties had been previously married, and Wife was well aware of Husband’s (and apparently expensive) recent divorce and his attendant fear of repeating that experience. Under these facts, we cannot say the Trial Court erred in finding Wife failed to satisfactorily demonstrate the claimed duress.

Therefore, and insofar as the antenuptial agreement appears otherwise valid and
Bass Law Named in “Best Law Firms” in 2017

Bass Law has been named a Tier 1 firm in Oklahoma City for Business Organizations (including LLCs and Partnerships), Litigation – Trusts & Estates, and Trusts & Estates Law by U.S. News – Best Lawyers® “Best Law Firms” in 2017.

Firms included in the 2017 “Best Law Firms” list are recognized for professional excellence with consistently impressive ratings from clients and peers. Achieving a tiered ranking signals a unique combination of quality law practice and breadth of legal expertise.

Crowe & Dunlevy welcomes two to OKC office

Crowe & Dunlevy recently announced two attorneys have joined the firm in their Oklahoma City office. Associates Maggie J. Dowdy and Gaylan Towle will provide legal counsel to clients in areas of litigation, energy, criminal defense and labor and employment.

Dowdy recently joined the firm after serving as a summer associate. She currently serves in Crowe & Dunlevy’s Litigation & Trial, Energy, Environment & Natural Resources and Criminal Defense, Compliance & Investigations Practice Groups. Prior to joining the firm, she worked as a judicial extern to Judge Robert E. Bacharach. She graduated with highest honors from the University of Oklahoma College of Law after completing a bachelor’s degree in early childhood education at the University of Oklahoma.

A former two-time summer associate, Towle recently joined the firm’s Labor & Employment Practice Group, focusing on commercial litigation, including matters related to employment discrimination and wrongful discharge, collective bargaining and workers’ compensation. He graduated summa cum laude from Oklahoma State University with a bachelor’s degree in business administration before attending Oklahoma City University School of Law, where he graduated magna cum laude. There, he was a member of the law review, Phi Delta Phi Legal Honor Society and William J. Holloway American Inn of Court. He also received the Ernest L. Wilkinson Award for Excellence in American Indian Law.

Phillips Murrah welcomes two new oil and gas attorneys

Phillips Murrah is proud to welcome Molly E. Tipton and C. Eric Davis as oil and gas attorneys in the law firm’s Oklahoma City offices.

Tipton represents both privately-owned and public companies in a wide variety of oil and gas matters, with a strong emphasis on oil and gas title examination.

In her practice, Molly has prepared numerous drilling, division order, and acquisition title opinions and conducted due diligence in the acquisition and divestiture of oil and gas properties.

Davis represents clients in a range of regulatory and energy matters in the Firm’s Clean Energy Practice Group and the Government Relations and Compliance Practice Group.

His governmental experience includes serving as an Assistant Attorney General for the State of Oklahoma. Davis was also an attorney for the Oklahoma Corporation Commission and the Oklahoma Tax Commission.

Crowe & Dunlevy appoints new chairs to firm’s diversity committee

Crowe & Dunlevy has appointed attorneys André B. Caldwell and Susan E. Huntsman as chair and co-chair respectively for the firm’s Diversity Committee. The committee was formed in 2000 to promote the strength that women, minority and LGBTQ lawyers add to the fabric of the firm and to the legal environment overall.

Caldwell serves in the Criminal Defense, Compliance & Investigations and Litigation & Trial Practice Groups in the firm’s Oklahoma City office. In addition to serving private and public companies and individuals, he previously worked in the U.S. Attorney’s Office.

Huntsman serves in the Appellate, Energy, Environment & Natural Resources and Indian Law & Gaming Practice Groups in the firm’s Tulsa office. She represents clients before state, federal and tribal trial courts, in addition to appellate tribunals, often focusing on natural resources issues and matters affecting those in Indian country.

Crowe & Dunlevy’s Diversity Committee was named recipient of the Oklahoma Bar Association’s 2016 Ada Lois Sipuel Fisher Diversity Award in recognition of their efforts in promoting diversity in Oklahoma. Committee members focus on how to best foster the recruiting, retention and professional development of attorneys, regardless of gender, race or sexual orientation.

OIL From Page 7

enforceable under Burgess, we find no error in the Trial Court’s refusal to award Wife alimony, attorney fees or a division of Husband’s separate property in accordance with the agreement. However, and insofar as the Trial Court construed the agreement to proscribe division and distribution of property accumulated by the joint industry of the parties during the marriage, we find the Trial Court erred.

In that regard, Title 43 O.S. Supp. 1989 § 121 specifically mandates equitable division of property jointly acquired by the parties during coverture regardless of which party retains title thereto. We read § 121 as establishing a just and proper public policy directing that upon divorce, the fruits of the joint efforts of the parties to the marriage be equitably divided between the contributors, and contracts in derogation of this public policy as expressed by our Legislature are not entitled to enforcement. Thus, insofar as the antenuptial agreement purports to divest Wife of a share of increased value of the marital estate attributable to the joint efforts of the parties, we hold the agreement unenforceable.

In the present case, and contrary to this public policy, the record indicates that the Trial Court apparently construed the agreement to proscribe Wife’s participation in any of the accumulated increase in the value of the estate attributable to the joint industry of the parties, including monies contributed by Wife to the joint estate which may have increased the net worth of Husband’s separate property. In that regard, the record demonstrates Husband’s net estate enjoyed a 100% increase in value during the marriage, with approximately one-half thereof attributable to the increase in value of the homestead. The record further reflects Wife worked during the marriage, nursed Husband during an illness, periodically loaned and/or gave Husband sums of money, maintained and refurbished the home, effected repairs thereon, and was periodically involved in assisting Husband in business matters, all of which arguably enhanced the value of Husband’s separate property, and to which enhancement Wife is entitled to an equitable share. We therefore find the Trial Court erred in refusing Wife a share of the enhanced value of the estate attributable to the joint efforts of the parties consistent with the public policy of this state as we have previously determined.
By Ryan Dean

In October, the Attorneys at Nelson, Terry, Morton, DeWitt & Paruolo set out to find worthy causes to which to contribute this holiday season. Ultimately, the firm decided to focus on organizations supporting children in the Oklahoma foster care system. Oklahoma has nearly 11,000 children in state custody. Of those, more than 60 percent are under the age of 12. Many of them removed from their families due to abuse, neglect, or abandonment. With the focus decided, the firm began the search for organizations supporting the cause.

Through research and word of mouth, Nelson Terry attorney Carolyn Smith and Oklahoma City University law student and Nelson Terry legal intern Shannon Bell learned of Together We Rise. Together We Rise is a California-based nonprofit organization with a mission to “transform the way youth navigate through the foster care system in America.” One of the services offered by Together We Rise is providing “Sweet Cases” to children entering the foster system. Many times, children in foster care carry their belongings in a plastic trash bag. A “Sweet Case” is a brand new duffel bag filled with essentials like a teddy bear, blanket, hygiene kit and much more. Nelson Terry purchased 100 “Sweet Cases” from Together We Rise to donate to a local charity focused on foster children in Oklahoma.

A friend told Nelson Terry’s Doug Terry about Citizens Caring for Children, an Oklahoma non-profit organization. Citizens Caring for Children is a non-profit organization which began in 1984 with the mission to “serve children in foster care, the most vulnerable children in the state, by providing clothing, personal hygiene products and continued support through mentorships focused on education to build for a brighter tomorrow.” The money provided to foster families by the state is only able to cover approximately 40% of what is needed to support a foster child. Citizens Caring for Children helps to fill that gap.

At Citizens Caring for Children, families are able to shop for new clothing four times a year for foster children ages birth to 18. On each visit, each child is able to shop for 2 pairs of pants, 2 shirts, 1 pair of pajamas, 1 pair of shoes, 3 pairs of underwear and socks, 1 hygiene kit, 2 books and 1 coat in the winter season. The shopping experience is completely free of charge and takes place in Citizens Caring for Children’s Resource Center which is designed to replicate a retail shopping experience. It allows children to use decision-making skills to select their clothing, build their own identity; and experience the confidence that comes with taking pride in their appearance. Citizens Caring for Children offers other programs throughout the year including its Back 2 School program with matches a personal shopper with foster child to pick out a back to school outfit, backpack and school supplies, as well as its Joy 4 Kids program which fills wish lists for more than a thousand children.

On November 30, 2016, the lawyers at Nelson Terry assembled their “Sweet Cases” and delivered them to Citizens Caring for Children’s Executive Director Lynne Roller and Board President, and Oklahoma County Bar Association Member Kevin Cunningham. The lawyers were able to tour Citizens Caring for Children’s warehouse and Resource Center. All plan to volunteer for the organization in the future.

For more information about Together We Rise visit their website www.togetherwerise.org. For more information about Citizens Caring for Children, including volunteer opportunities visit their website www.citizenscaringforchildren.org.
2016 OCBA HOLIDAY RECEPTION
OCBA Members Honored at OBA Annual Meeting

Alma Wilson Award – Brad Davenport

Trailblazer Award – Stanley L. Evans

Legal Aid Services of OK William G. Paul OK Justice Award – Steven L. Barghols

John E. Shipp Award for Ethics – Gary Derrick

Outstanding Young Lawyer Award, Leanne McGill

Hicks Epton Law Day Award, OCBA YLD Curtis Thomas

President's Award – Al Hoch

Earl Sneed Award – Miles Mitzner
Dear Roscoe: As we approach this most festive time of year, I wonder if you could give me some of your personal picks on Christmas movies involving the law. For some reason I feel “Miracle on 34th Street” didn’t cut this year. J. C. MWC, OK.

Dear J.C.: Really? That’s a story that never gets old for me, so long as we’re talking about the original and not the two remakes, particularly the musical one with David Hartman. “Involving the Law” could cover a lot of territory. Many modern Christmas tales seemed to have sprung from the mind of a deranged torts professor. Think about The Grinch, for example. Here we have a hypothesizing involving trespass, conversion, assault and battery, intentional infliction of emotional distress, and nuisance. Or consider Home Alone: Child abandonment, negligence, appropriate use of force, duty to retreat, and assumption of risk. By the way, if you’re cajoled into entering into the dwelling of another by the taunting of an annoyingly precocious minor, therein, does that make you a trespasser or an invitee? You see how these things can go?

OK, let’s make a more direct connection between Christmas and the legal profession. First on the list would have to be “The Amazing Mr. Blunden.” The eponymous character, a London Solicitor, appears just before Christmas and offers a widowed mother of two a job as caretaker of a decaying mansion. The children soon find the place is haunted by the ghosts of two children from the early 19th Century. The latter enlist the aid of their present-day counterparts to try and prevent their own murder and mistreatment by cruel guardians. The time traveling adventures and escapades are connected somewhat by the appearances of Mr. Blunden in his various guises. Love this flick, which actually does have seriously spooky vibe.

Next on my list would be “Bachelorette” starring Ginger Rogers, David Niven, and Charles Coburn. Never cared much for the more famous Fred and Ginger movies, but she does alright in this one. Of course, with David Niven and Charles Coburn in the cast, they could have made the film work even if the female lead were played by Roy Rogers. Anyway, On Christmas Eve, Rogers sees a woman abandoning an infant on the steps of a home for abandoned children. When she goes to check on the child, she is confronted by a nurse who believes that she is the child’s mother. Any amount of denials by Rogers is unsuccessful in dissuading the employees of the institution. When they find out that she had recently lost her job at a department store, they contact David Niven, the son of the owner, to ask that she be reinstated so that she can keep her baby. Niven agrees and pressures Rogers to keep the baby. Ultimately Rogers and Niven will fall in love; but, before our happy ending Niven’s father, Charles Coburn, comes to believe that Niven is the baby’s father. To watch these masters at work is a treat any time of year. Keep the movie in mind for any screwball comedy fans on your gift list.

“Holiday Affair” is another underrated Christmas flick. Robert Mitchum plays a veteran employed at a department store during the Christmas season. He accuses Janet Leigh of being a competitive shopper for a rival store. She buys a toy train which her little boy sees at home that evening. She has to explain to him that she bought it for work and it’s going back the next day. When she returns to the store, Mitchum refunds her money resulting in his firing.

On Christmas morning, Tommy discovers the train set outside the apartment door. When Connie [Leigh] realizes who it must have come from, she finds the almost-broke Mitchum in Central Park, gives him a tie and offers to reimburse him for the expensive present. He refuses her money, saying that he wants to encourage Tommy’s optimism. Connie then reveals she is marrying a lawyer named Carl Davis on New Year’s Day. Mitchum lets her know he thinks her decision is a mistake. Annoyed, Connie goes home. Eventually, Mitchum is charged with shoplifting and Connie persuades Carl to defend him. The trial, before a police lieutenant played by MASH’s Harry Morgan (Col. Potter) is a highlight of the film.

Okay, so ‘tis the season. Whatever else goes on in the work-a-day world we call reality, a like to try to make Roscoe’s face gaunt. His suit almost swallowed him. Tony’s wife Rose had prepared us some cannoli and some biscotti which she could make like nobody’s business. They filled the bottom tiers of a three-tiered tray topped off with some stuff Rey made called “Krack”. I’d had similar stuff called by other names over the years, but I could eat Rey’s by the bag-full. We also had an ample supply of both coffee and some type of rum/egg nog concoction of Father Auggie’s. He knew a lot about transforming other beverages besides water and wine. In fact, I’d go so far as to say that when he entered the seminary, the world lost one of its greatest mixologists.

Long about 4:00 Teddy Sarkarien strolled in. He seemed in a great and gregarious mood and treated the folks in the reception area to a hearty Ho-Ho-Ho. Actually, it sucked, unless Santa happened to have about a six pack a day smoking habit which he tried to dilute with gin. Ultimately, he wandered back to us. He wore an ill-fitting dress shirt, a yuletide sweater-vest the likely color of a yuletide sweater-vest the likely color of some type of rum/egg nog concoction of Father Auggie’s. He knew a lot about transforming other beverages besides water and wine. In fact, I’d go so far as to say that when he entered the seminary, the world lost one of its greatest mixologists.

“Hey, Merry Christmas guys, Fadduh,” he said.

“Teddy,” I said. “Just in time.” Teddy reached past me, took two cannoli off of the tray, and loaded them on to a paper plate as he moved around to an empty chair. He seemed to notice Ernie for the first time. “Ooh, Ernie man. You don’t look so good at all. I mean your eyes, man. Dey look all hollow like one of you (who have kept up with this column for a while now can well imagine, some years I seem to have more success at than others). At this particular time, the mood was good. No word from or about Koleka since the raid. Interpol did circulate several pictures of someone who may or may not be him attending Fidel’s funeral. Right now, however, I felt like a cancer patient in complete remission. Well, almost. I still had one outstanding bit of business which I hoped to conclude today.

I sat around the table in our little conference room in the presence of Tony Segar, Father Auggie, and my ace attorney Anthony Capone, Jr. Ernie Trani also joined us, but he still looked pretty bad. He had lost about 40 pounds, most of which he didn’t have to lose in the first place. His eyes looked hollow and his smoking habit which he tried to dilute with gin. Ultimately, he wandered back to us. He wore an ill-fitting dress shirt, a yuletide sweater-vest the likely color of a yuletide sweater-vest the likely color of some type of rum/egg nog concoction of Father Auggie’s. He knew a lot about transforming other beverages besides water and wine. In fact, I’d go so far as to say that when he entered the seminary, the world lost one of its greatest mixologists.

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caused by PTSD has resulted in an epidemic of suicides and criminal activity among American Veterans.

Every month, nearly 1,000 Veterans attempt suicide. Veteran suicides account for 20% of all those committed in the United States. The youngest vets, ages 17-24, have a four times higher rate of suicide than their civilian counterparts.

Forty percent of Veterans who suffer from PTSD have been accused of committing a violent crime following completion of their military service. Many soldiers, unable or unwilling to get treatment for psychological problems, self-medicate with alcohol and/or drugs. Pain reliever prescriptions issued to members of the military quadrupled between 2001 and 2009. Rates of drug abuse among Veterans saw a fivefold increase between 2002 and 2008.

The Bureau of Justice Statistics reported that in 2004, at the beginning of the war, Iraq and Afghanistan Veterans already comprised four percent of the total prison population. Many counties throughout the country reported a significant increase in the monthly percentage of Veteran arrests and bookings. It is currently estimated that nine percent of the national prison population is comprised of Veterans.

The rate of Veterans entering the criminal justice system is viewed as an epidemic. Attention to this epidemic resulted in the establishment of the first Veterans Treatment Court in 2008. These courts operate as a hybrid of mental health and drug courts. They partner with the VA and other veterans’ organizations to provide medical and mental health treatment, training and job placement services, as well as housing, transportation and other supportive services.

In 2009, the Texas Legislature authorized the creation of Veterans Treatment Courts, and other states followed suit. Currently, Texas has over 25 Veterans Courts around the state. California has approximately 35. As of 2014, there were several hundred Veterans Treatment Courts spread throughout the country in nearly every state.

In 2011, under the leadership of District Attorney David Prater and Public Defender Robert Ravitz, Oklahoma County established the “Veterans Diversion Program.” This Program is the only one of its kind in the nation.

“This is a program I was committed to create, if and when I became Oklahoma County District Attorney,” Prater said.

“Our Veterans sign the dotted line to put their lives in jeopardy to protect us, so I want to be a part of giving them a second chance.”

The Oklahoma County Veterans Diversion Program is a true diversion program. It operates independently of a judge and courtroom appearances, but has the full support of the County bench. And, despite falling outside the eligibility parameters for federal grants, the program has been going strong for over five years, with no operating budget. “This program is the heart and soul of so many people,” says Catherine Burton, who along with Christopher Gordon and Cindy Grant, oversees the program in Prater’s office. Nearly everyone who works in the program has other full time responsibilities. “We have people who literally answer texts or calls from our vets 24 hours a day,” Burton said. “They do this because they love and care about our participants, believe in the program, and feel a sense of pride and accomplishment in the Program’s success.”

Since the Program was established, there have been over 1,000 Veteran applicants. At the outset, the criminal defendant is identified as a Veteran either at a jail screening or is referred by private counsel or public defender. An application is then submitted with a copy of the defendant’s DD214, which is a Federal Government form that not only proves a defendant’s military service, but also identifies the potential needs of that Veteran based on where the Veteran served and what they encountered while in the service. The DD214 also shows discharge status, which factors into determination of eligibility. There is a serious vetting process, where applicants are denied if they are involved in a sex crime or other major violent crime.

“With some applicants, their service may be lacking in some way, or they lack a diagnosis which connects their crime to their service,” said Christopher Gordon.

“We use a probationary contract period to wash out anyone that isn’t willing to commit to the program,” During the probationary period, the applicant has a series of tasks that must be completed, including an offender screening conducted by Northcare, registering for eligibility at the VA as needed, and acquiring a color to begin their random drug and alcohol urinalysis.

Once an applicant successfully navigates the probationary period, the Veteran is offered a full contract. Although the average completion time is 18 months, the Veteran agrees to participate in the program for up to three years. They waive the statute of limitations for the referring of their charges in exchange for having them dismissed up front. There are four phases the participant must complete, each lasting a minimum of 16 weeks and specifically tailored to the needs of the individual. As of today, the program has 76 participating veterans, with 23 awaiting approval. It boasts 130 graduates with a 10% recidivism rate.

Harris, who has been diagnosed with PTSD related to his combat service, waited five months in the county jail to get into the program. “I was basically out of options when I first heard about the Veterans program,” he said. “My life was spiraling out of control. I kept abusing drugs and couldn’t hold onto a job.” Harris had been placed on an ankle monitor and given an opportunity to complete other programs, but continued to struggle not only to fulfill the obligations demanded of his probation, but also support himself with basic necessities of life. “I was looking at a 10 year sentence when Christopher Gordon came to the jail and interviewed me,” said Harris. That interview offered him the second chance he needed to begin turning his
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Events & Seminars

DECEMBER 20, 2016
CLE Breakfast Seminar, “The Non-Refundable Retainer; and Oxymoron,” Kieran Maye, 7:30 a.m., Bar Office
CLE Luncheon Seminar, Crimes & Immigration – Steve Langer, 12 Noon, Bar Office
CLE Evening Seminar, “Flashing Lights: Celebrities & the Art of the Deposition,” Scott Jones, 5:30 p.m., Bar Office

JANUARY 10, 2017

JANUARY 20, 2017
2017 Chili Cook-Off & Silent Auction 6 – 9 p.m., Anthem Brewery

FEBRUARY 15, 2017
OCBA Night at the Thunder, OKC Thunder v. NY Knicks 7 p.m., Chesapeake Energy Arena

FEBRUARY 24-28, 2017
Annual Ski Trip Seminar Santa Fe, New Mexico

MAY 1, 2017
Law Day Luncheon 12 Noon, Skirvin Hotel

JUNE 16, 2017
Annual Awards Luncheon 12 Noon, Jim Thorpe & OK Sports Museum

Book Notes

By Bill Gorden

The Medici
Paul Strathern Pegasus Books, 2016, Hardback, 431 pages, $28.95

This work sometimes reads like a novel, which is often high praise for a work of history. Part of the reason is the subject matter, for the lives of the Medici resemble a well done novel, sometimes veering toward a soap opera. Strathern follows the entire family, from Origins just outside Florence through the heydays in Florence, thence to Rome, thence to France. The time period stretches from Pre-Renaissance to the Baroque age. This is a lot for one book, but Strathern handles it easily. Each member of the family is dealt with on their own terms, warts and all. Some were great in a formal sense, such as Lorenzo the Magnificent, who was, well, magnificent. (Spoiler: he had warts too.) Some were commonplace and struggling with the wealth and fame accorded them. The last Medici ruler of Florence was ugly, fat and very strange. It is well to remember that the basis of the family wealth, indeed its first source of power, was banking. Only later did the family come to political power, and in its best days that power was exercised in a very low key manner. Lorenzo dressed in what would be called today upper middle class attire. Later, some of this was forgotten. Through most of the family’s “reign”, Florence was a Republic. At least on the surface it was a republic. Money talked. There is much more here, delightful and sad stories, and many coincidences that kept the Medici going, increased and then decreased their power. The greatest gift from this family came from their support of the arts, almost without question. They bankrolled Botticelli, Michelangelo, Ghiberti, Leonardo, and others, and almost all of them from some humble beginnings. All the above, and various philosophers and poets, including Machiavelli, graced the Medici table at Palazzo Medici at one time or another. To be a servant there at such a time! This book could be seen as a study of the Renaissance through one dominant family. In any event it is good reading.

VETS from PAGE 14

life around.

Much of the diversion program’s success is attributable to the effective management of resources available from a coalition of individuals and organizations committed to the goal of keeping Veterans out of prison. “We, in the District Attorney and Public Defender offices, have an ownership pride in the success of this Program,” says Burton, and she gratefully acknowledges the crucial participation and commitment of the Diversion Program’s network of treatment and resource providers. “We rely greatly on the Veterans Hospital Administration, Northcare Community Mental Health and Counseling Center, the Veterans Benefit Administration, Walking with Vets, Vets Corner, Veterans Families United, and dozens of other organizations and the many wonderful and generous attorney friends in our community.” Harris did not even know he was eligible for a number of services available through the VA and other organizations until he started participating in the program. “Because of this program, I went to school, got housing and employment,” said Harris. The Veterans Diversion Program taught him to live life on its own terms since and because of his service. “This program literally saved my life,” Harris states.

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IN THE DISTRICT COURT OF OKLAHOMA COUNTY
SEVENTH JUDICIAL DISTRICT
STATE OF OKLAHOMA

IN RE: JANUARY THROUGH JUNE 2017
SMALL CLAIMS ASSIGNMENT:
HEARING ON ASSETS DOCKET,
FORCIBLE ENTRY DOCKET,
CLAIMS FOR EXEMPTION,
CITY APPEALS

ADMINISTRATIVE ORDER

The following Judges are assigned dockets as indicated for 2017:

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<tr>
<td>June</td>
<td>Judge Croy</td>
<td>Judge Easter</td>
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IT IS SO ORDERED.

Dated this 5th day of December, 2016.

TIMOTHY R. HENDERSON
PRESIDING ADMINISTRATIVE JUDGE

Category: Small Claims
Oklahoma County Bar Association Young Lawyers Division

CHILI COOK-OFF & SILENT AUCTION 2017

Friday, January 20, 2017 from 6:00-8:30 p.m.
Anthem Brewing Company, 908 SW 4th St.

CHILI MAKING TEAMS OF 4 OR 5 ARE ENCOURAGED TO ENTER

CATEGORIES INCLUDE: TRADITIONAL, NON-TRADITIONAL, BEST OVERALL & BEST IN SHOW (most spirited)

CHILI EATERS ARE ALSO ENCOURAGED TO ATTEND & TASTE

JUDGING BEGINS AT 6 P.M. BY THE WORLD’S FAMOUS CHILI JUDGES FROM THE OKLAHOMA COUNTY COURTHOUSE

$15 PER PERSON INCLUDING CHILI TEAM MEMBERS & CHILI TASTERS
(No one under 21 years of age allowed)

WATER, SOFT DRINKS, VEGGIE PLATER & CHIPS & SALSA ARE ALL PROVIDED.

BEER WILL BE AVAILABLE FOR PURCHASE BY ANTHEM BREWERY!

To enter a team or purchase tickets, go to the website at www.okcbar.org and click on the events tab. You may also call the Bar Office at 236-8421.

*Proceeds benefiting the Regional Food Bank of Oklahoma*
By Michael W. Brewer

Tis the season! The end of 2016 is finally upon us. I say finally because I have memories of end of year 2014 great expectations for the year 2015. Then as the year 2015 drug along, I once again had great expectations of the year 2016. Then comes 2016 with all of its glory. After surveying the happenings of 2016, it seems to boil down to the Cubs win the World Series and look what comes with that. No, mullets are not back!

As I have continued writing these monthly articles, with some encouragement from others, for the OCBA and the Open and Obvious? blog, it now appears to me that good things come in triples or even triple doubles. For example, 1) Don’t kneel to Negan, 2) Don’t let a Lannister lord over you, and 3) You don’t really want to find out who Wyatt is. But there are better sets of three out there than that. As we bring 2016 to a close, we should set goals for 2017 to make ourselves better, the people around us better, and our profession better.

You can accomplish these goals in many ways, but I have a few suggestions. Get involved in OCBA and OBA Bar related activities. Our profession needs and requires a strong Bar. Not only can you keep yourself up to date on ever changing laws, regulations and ethical requirements but the social aspects of the Bar are also important. In a recent discussion I had with an opposing attorney I have known for around 25 years, he expressed to me gratitude for the situation that we were comfortable picking up the phone and calling each other to resolve questions and differences we had in ongoing cases rather than to resort to writing fax letters and nasty grams. It is a lot easier to do this when you actually know your opponent. Embrace technology in the practice of law, as it is even required by the new comments to our ethical code, but don’t forget the power of face to face meetings.

Give back to the community which we serve. Not only should our profession be devoted to the civil justice system but also to social justice. I cannot begin to list all the excellent charities and activities in and around the Oklahoma County/Oklahoma City metro area, but there are many worthy of your time and financial support. We choose 3-5 every year at this time to make special donations to as a Firm. Social justice is a very important aspect of our professional lives. If you cannot volunteer then provide financial support so that others can carry out justice for those who have fallen through the cracks of societal supports.

I have found that participation in Bar related education opportunities provided by the OCBA are meaningful in several ways. These opportunities range from talking with at-risk middle school kids about rights, laws and the civil justice system to presenting awards to Law Day essay contest winners in AP Government high school classes. The wide range of opportunities and lack of opportunities in our education system and the potential impact you can have goes from the impoverished with very few chances of success to those who have already planned out their educational and professional careers. It is both eye opening and rewarding. Find the opportunities and get involved. Again, I cannot list them all here but it is gratifying to observe the many examples of service from other members of our profession from different practice areas, different firm sizes and solo practitioners as they are involved in their own social justice projects and charitable giving. Unfortunately, most of these activities aren’t newsworthy so the public does not hear about them, but we as a profession should continue and advance our involvement.

Finally, concerning a lawyers place in society, remember your sworn oath as an attorney and the ethical code that controls our professional conduct. Of all of the citizens in the United States who should know the Rule of Law, the U.S. Constitution and fight to protect them, attorneys are the chosen few. We occupy a special position in the American system of justice and guard its foundation, the right to jury trial. This is no small or unimportant task. Consider these things as you determine your own triple double goals for 2017.

Be safe, enjoy the college football bowl season and Go Thunder!

I want to wish you a Merry Christmas! And a Happy and Peaceful New Year!

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