YLD Begins 2014 Harvest Food Drive

By Clayton D. Ketter

The annual Harvest Food Drive is kicking off this month. For more than 20 years, the Oklahoma County Bar Association’s Young Lawyers Division has conducted its Harvest Food Drive benefitting the Regional Food Bank. The YLD’s goal every year is to donate at least $20,000.00 to the Regional Food Bank to help feed Oklahoma’s hungry. The Harvest Food Drive is the last and largest of three fundraising events aimed at raising money for the Regional Food Bank.

YLD board members will soon be contacting Oklahoma County law firms and lawyers in order to gather tax-deductible donations so that we can meet, and hopefully exceed, our goal. The YLD is aiming at having all donations in by mid-November, but will continue to accept donations through December.

Every dollar donated through the Harvest Food Drive truly counts. The Regional Food Bank, which has been providing much needed food to Oklahoma’s hungry since 1980, stretches every dollar to its limits, creating 5 meals for every dollar donated. Currently, the Regional Food Bank provides food for more than 90,000 Oklahomans every week, one-third of which are children. In Fiscal Year 2013, the Regional Food Bank distributed 47.9 million pounds of food to families, seniors and children struggling with hunger in our state. Such efforts, and your generous contribution, help ease the burden on the estimated 675,000 Oklahomans that are at risk of going hungry every day.

The Regional Food Bank will use your donations in one or more of its count-les hunger-relief programs. Programs include stocking the pantry shelves of middle and high schools as part of the School Pantry Program, which sets up pantries at 42 schools in 13 counties across Oklahoma. Each week, chronically hungry kids are able to take home shelf-stable food. Another program, the Food for Kids Backpack Program, provides chronically hungry children with backpacks filled with non-perishable food to eat on weekends and school holidays. The Food for Kids Backpack Program serves 477 elementary schools in 53 counties across central and western Oklahoma, and provides more than 15,000 backpacks to children each week. The Regional Food Bank also runs the Senior Home Deliveries Program and Senior Mobile Pantries Program, which identify and assist over 1,100 Oklahoma senior citizens who are at high risk of going hungry.

In addition to collecting donations, the Regional Food Bank also provides several fulfilling volunteer opportunities to assist them with tasks such as sorting and storing food. Last year, the Regional Food Bank welcomed thousands of volunteers who contributed more than $3 million in labor. If you would like to donate to the YLD’s Harvest Food Drive, please contact the Oklahoma County Bar Association at (405) 236-8421.

To learn more about the Oklahoma Regional Food Bank and volunteering opportunities, please visit their website at www.regionalfoodbank.org in order to help.
From the President

Aging Out
Challenges for Foster Children leaving DHS

By Judge Patricia Parrish
OCBA President

Young adults just turning 18 years old are usually ready to fly the nest, whether that nest is their parents’ home, a foster home or a group home. For foster children aging out in the DHS system, the transition from foster care to living on their own can be overwhelming and anxious.

I recently met a young man, Hugo, who grew up in the DHS foster care system. He bounced around between foster homes and readily admitted that he was not an easy child to handle. It seemed that in “a blink of an eye,” Hugo was eighteen and aged out of the system. He found himself homeless and “couch surfing” with friends for a while. Hugo now lives with his girlfriend and works at a restaurant. Initially, his only form of income was unemployment; however, he was able to trade his skateboard for a bicycle.

Helping our young adults understand and maintain an awareness that being on their own is not as easy as they think and is actually hard work is critical to a successful transition from childhood to adulthood. The excitement of being on their own must be balanced with responsibilities and financial obligations. Along with their newfound freedom comes employment, college or both, and financial obligations which many have never faced.

For instance, a young adult experiencing his or her own checking account for the first time may learn the hard way that a $5 hamburger costs $40 when the account has insufficient funds. For young adults between the ages of 18 and 21, DHS offers the Yes I Can Program. Yes I Can offers financial assistance, resources and case management to assist with education, career and independent living goals. DHS maintains the Independent Living website (OKIL.ou.edu) which contains a wealth of information for young adults who have aged out.

I asked what these young adults needed the most. I was told they need mentors who can assist them to succeed in life after foster care. Mentors who can teach everyday life skills, such as how to find a job or turn on utilities. But most importantly, they need someone like you to be in their corner.

If you would like to volunteer to participate in the Yes I Can Program, please go to the website at OKIL.ou.edu and send an e-mail to YesICan@okil.ou.edu indicating your eagerness to get involved.

International Lawyers

Crowe & Dunlevy law firm recently hosted a group of attorneys from Shenzhen, China as part of a four-week advanced training class for international lawyers through Oklahoma City University School of Law. Pictured left to right are Kevin Gordon, Crowe & Dunlevy president; William H. Hoch, Crowe & Dunlevy director; and Feng Haitao of China.
By Regan Beatty

Three afternoons each week, Monday, Wednesday, and Thursday, Oklahoma County family law judges hold a pro se docket. Pro se litigants appear before the judge with divorce documents they have prepared using a variety of sources: the Internet, paralegals, divorce “kits,” and form books. Often, the judges find that the documents are incorrect, do not follow the law, or do not adequately address all the necessary legal issues in the case. Until just a few years ago, these pro se parties were without assistance to fix their documents and complete their case. However, in 2011, a group of professors from Oklahoma City University School of Law, local attorneys, and judges came together to form a solution. Every Thursday afternoon between 1:30 p.m. and 4:00 p.m., law students, volunteer attorneys, and law school staff convene at the Oklahoma County Courthouse. At one o’clock, just prior to the pro se docket, these volunteers meet to discuss the procedures and issues for the day. Law students and attorneys then go to the Courtroom to accept client referrals from the Judge as the docket is called. A lawyer and a law student then work with the client to edit their documents or research the legal issues as requested by the Court. Upon resolution, the law student and attorney present the client to the Court to allow the case to be finalized.

The pro se docket project is a unique pro bono opportunity that allows law students to get actual courtroom experience while working alongside an experienced family law attorney. In addition, this unique pro bono experience provides invaluable networking opportunities for practitioners and students alike.

Each week, a volunteer from Oklahoma’s Department of Human Services Child Support Services assists the project with child support issues, and several experienced family law practitioners gather to provide assistance and mentoring. As attorneys and students, it is easy to overlook pro bono service; however, clients of the pro se docket project have time after time given thanks for the assistance, proving that an hour or two of pro bono assistance is worth far more to them than those missed hours may mean to the attorney or student.

Of course, a project of this magnitude exists only because of its volunteers. On September 6, 2014, Oklahoma City University School of Law will host a training session to prepare students and practicing attorneys as volunteers. The training session will include information presented by experienced local family law practitioners, attorneys from Legal Aid, and attorneys from Oklahoma Child Support Services. Basic information about divorce law, including jurisdiction, property division, alimony, child custody, and child support will be addressed. The procedural aspects of a waiver divorce will be discussed, as well as the requisite information to include in pleadings and orders. Sample forms for pleadings and orders will be available. In addition, because many pro se waiver divorces include an element of domestic violence, experienced lawyers for domestic violence victims will present information on how to screen and counsel clients on domestic violence issues and the ethical concerns in such cases. Licensed attorneys attending the training will be eligible for CLE credit.

For more information, please contact the OCU School of Law Pro Bono and Public Interest Law Coordinator, Regan Beatty.

Oklahoma County Bar Association www.okcbar.org • August 2014 • BRIEFCASE 3

By Allen Campbell and Collin Walke

Recently, Collin had a meeting in which one of the participants was explaining why a family member was attending law school. In short, being an attorney is now often the “default” profession for many college graduates. Perhaps this view of the legal profession is why so many attorneys rank job satisfaction low. After all, if someone majored in English and read Jane Austen or George Orwell, reading legal briefs and engaging in mind-boggling discovery disputes might be the exact opposite of fun.


Profession in Professionalism

Practicing Law: Noble or Default Profession? Remembering Merson & Campbell

By Allen Campbell and Collin Walke

Recently, Collin had a meeting in which one of the participants was explaining why a family member was attending law school. In short, being an attorney is now often the “default” profession for many college graduates. Perhaps this view of the legal profession is why so many attorneys rank job satisfaction low. After all, if someone majored in English and read Jane Austen or George Orwell, reading legal briefs and engaging in mind-boggling discovery disputes might be the exact opposite of fun.

The reality of the legal profession, however, is much different. The reality is that the legal profession is a time-honored tradition that is interwoven into the fabric of every part of American culture. Want to buy real estate? Need a title attorney. Dispute with your neighbor over a fence? Need a civil litigation attorney. Financial problems? Need a bankruptcy attorney. So many regulations and so many laws govern our everyday lives that life without attorneys would be impossible. Perhaps those that find themselves unhappy with the profession would benefit from the reality of the legal profession, however, is much different. The reality is that the legal profession is a time-honored tradition that is interwoven into the fabric of every part of American culture. Want to buy real estate? Need a title attorney. Dispute with your neighbor over a fence? Need a civil litigation attorney. Financial problems? Need a bankruptcy attorney. So many regulations and so many laws govern our everyday lives that life without attorneys would be impossible. Perhaps those that find themselves unhappy with the profession would benefit from being reminded why the legal profession is not simply a job, it is a calling. One way to do this is to reflect upon attorneys who came before us and the manner in which they preserved the privileges and responsibilities of our profession.

Allen is a second generation attorney. His father, Wayne Campbell, practiced law with Herman Merson in the firm of Merson & Campbell. Herman began practicing law in 1931, and Wayne in 1950. Their professional relationship began shortly after Wayne entered the profession and blossomed into a partnership that lasted more than forty (40) years. Herman and Wayne considered it an honor and privilege to be members of the bar and took their profession seriously.

In retrospect, Allen believes that the seriousness with which Herman and Wayne took the practice of law is directly attributable to their experiences during the Great Depression and their service to our country during World War II. Their moral compasses were shaped by these experiences. Having lived through hard times these men appreciated the opportunity the profession afforded them to help people. To them it was a noble profession. They championed with the minutia of their cases regardless of size and felt honored to be a part of something bigger than themselves. Of course they wanted to make money. But their fee was not the focus, it was the byproduct of an important job well done.

Allen describes Herman as a sage. Herman revered the law and read it voraciously. He could converse intelligently on almost any legal topic and, even when he did not know the answer, always seemed to know the right questions to ask.

According to Judge Walke (Collin’s father) Wayne was the kind of attorney that would duke it out with you in the courtroom, but hang up the gloves and shake your hand outside the courtroom. His often hard-nosed and competitive approach was tempered with decency, civility and a sense of fair play. He understood the difference between being a zealous advocate and being disrespectful. Allen’s partner Jim Kirk tried his first case against Wayne as a young lawyer. Jim describes Wayne as a fierce advocate for his client (whatever the cause) and a true friend outside the courtroom.

More importantly, both men practiced law with great integrity, decency, courtesy and compassion. They believed that an attorney’s adherence to these high standards of conduct was essential to the dignity and effective operation of our judicial system. Their word was truly their bond.

They also treasured their relationships with other lawyers. The round-table discussions that took place at the courthouse coffee shop every Friday after motion docket were a seldom-missed ritual where both

See PRACTICING LAW, PAGE 14
And the Court Said

A BRIEF CASE

August 18, 1914

One Hundred Years Ago

[Excerpted from, Shelton et al. v. School Board No. 22 Of City Of Tulsa, 1914 OK 375, 142 P. 1034.]

This case presents error from the district court of Tulsa county. From a judgment dissolving a temporary restraining order and denying a temporary injunction, the plaintiffs in error, who were plaintiffs below, bring the case here, in school district No. 22. City of Tulsa, an election was duly held on the 17th day of March, 1914, under the provisions of article 6, c. 219, Sess. Laws 1913, submitting to the qualified voters of the district the question of the issuance of the bonds of said district in the sum of $500,000 for the purchase of school sites and the erection and equipment of suitable school buildings, etc. cetera. At said election 2,769 votes were cast; 2,075 being for and 648 against the issuance of the bonds, and 44 invalidated ballots.

At said election 41 women voted (whether for or against the bond issue is not disclosed) and 116 men. Officers named in the election proclamation made return of the ballots cast in each of the several voting precincts, together with their certificates showing the number of votes cast in favor and against the bond issue, to the board of education of said district, which board canvassed said returns and declared the result as above set forth. Upon the filing of the petition in the court below, a temporary restraining order was issued. Thereafter upon the trial, the court sustained a demurrer to the evidence and denied the injunction.

It is contended, on the part of the plaintiffs in error, that the election so held is void for the reason that the election officers qualified to vote at such election under the law, were permitted to participate therein; and (2) that the returns of such election should have been made to the county election board, whose duty it was to canvass the returns of the ballots cast in each of the several voting precincts, together with their certificates of the returns of the several voting precincts, to the board of education of said district, which board canvassed said returns and declared the result as above set forth. Upon the filing of the petition in the court below, a temporary restraining order was issued. Thereafter upon the trial, the court sustained a demurrer to the evidence and denied the injunction.

“Until otherwise provided by law, all female citizens of this state, possessing qualifications of male electors, shall be qualified to vote at school district elections or meetings.”

Section 3, art. 3, provides: “The qualified electors of the state shall be male citizens of the United States, male citizens of the state, and male persons of Indian descent native of the United States, who are over the age of twenty-one years, who have resided in the state one year, in the county six months, who in the election precinct thirty days, next preceding the election at which any such elector offers to vote.”

The qualified electors of the state shall be male citizens of the United States, male citizens of the state, and male persons of Indian descent native of the United States, who are over the age of twenty-one years, who have resided in the state one year, in the county six months, who in the election precinct thirty days, next preceding the election at which any such elector offers to vote. See 4 BRIEFCASE, 1914 OK 375, 142 P. 1034.

Section 27 of said act provides: “That all elections hereafter held in cities of the first class in this state for the election of members of the board of education, treasurer of the board of education, and all elective school officers, the following persons shall be qualified and entitled to vote at such election and for the class of officers above named, to wit: All persons, male or female, over the age of twenty-one years, who possess the other qualifications prescribed by the Organic Act, and general election laws of the state of Oklahoma.”

Qualified electors, as defined by the Constitution of Oklahoma, are male and not female citizens. It is apparent that while under section 3, art. 3, of the Constitution, supra, it was intended to permit women who possessed all the qualifications of electors, except sex, to vote at school district elections and meetings, yet the power to restrict or entirely deprive them of such right was not permitted to the Legislature; and it is clear from the language used in section 21, art. 6, c. 219, Sess. Laws 1913, that in providing that only qualified electors should vote upon the question of the issuance of bonds, as in the instant case, the Legislature intended to take away from the female citizens of this state the privilege of participating in such elections. This intent is clearly manifested by the language of the section and article and chapter, wherein it is specifically provided that all persons, male and female, possessing the other qualifications provided in the Constitution and laws of the state, may vote at such elections. The evidence discloses that 41 women, who were not entitled to vote, actually voted at said election. It is urged by the plaintiffs in error that, because of the fact that this number of women voted at this election, the entire poll should be rejected and the election held invalid. This is not the law. * * *

In the case at bar, if the votes cast by those persons disqualified be eliminated, still the bond issue carried by a large majority of votes over the requisite number provided by law, and therefore it is not only not “impossible to ascertain the true vote” in this election, but it is clearly impossible not to do so.

Section 20, art. 6, c. 219, Sess. Laws 1913, provides: “It shall be the duty of the mayor of each city governed by this article, upon the request of the board of education, forthwith to call an election, to be conducted in all respects as are special elections for city officers in the same city, except that the returns shall be made to the board of education for the purpose of making the sense of such district upon the question of issuing such bonds. * * *

It will therefore be seen that the precinct election officers, in making their return of such election to the board of education, followed the provision of the statute, and that in this respect said election is valid. It follows therefore that the judgment of the district court of Tulsa county should be affirmed, and it is so ordered. (Reformatted for clarity.)

August 25, 1939

Seventy-Five Years Ago


The only errors that it is deemed necessary to consider are the 8th, 9th, and 11th assignments of error, which are as follows: (8) Because the court erred in overruling defendant’s objection to the introduction of evidence procured by the state’s witnesses and officers for the reason that said evidence was procured by said officers without legal search and seizure warrant, and without authority of law, and that the evidence offered by the state was procured by this unlawful and wrongful means, and that the same was incompetent and irrelevant to be used against the defendant in the trial of this case.

(9) Because the court erred in overruling defendant’s motion to quash the arrest, when in truth and in fact the evidence introduced upon the hearing thereof conclusively showed upon its face that said arrest was wholly illegal, unauthorized and void, and that no misdemeanor, especially the crime of illegal possession of liquor was committed or attempted to be committed in the presence of the arresting officer.

(11) Because the court erred in overruling plaintiff in error’s motion for a new trial, to which plaintiff in error duly excepted.

As shown by the record, F. A. Budd, who was a police officer of the city of Shawnee, made an affidavit to secure a search warrant, upon which affidavit a search warrant was issued, giving the name of John Doe as the occupant of the residence to be searched. The defendant’s home was searched, and nothing found.

On an adjoining piece of property, which they claim the defendant had the keys to, intoxicating liquor was found; and the officers claim they had a search warrant for that property also; yet they declined, and the court refused to request them, to produce the search warrant for the property where the whisky was found, leaving this court in doubt as to the officers having a second search warrant.

The defendant, when called upon to plead, filed a motion to suppress the evidence on the ground “that the evidence obtained by the county attorney’s office, and upon which the information filed herein is based, was obtained by an illegal and unreasonable search of the defendant’s private residence and home on the 25th day of June, 1937, pursuant to the filing of a pretended complaint for search and seizure by one F. A. Budd, chief of police of Shawnee, Okla., before M. M. Chapman, municipal judge of the city of Shawnee, Okla., and the issuance of a search warrant for that purpose and seizure by the said M. M. Chapman.”

The defendant insists the search warrant is void because the same does not show there was probable cause for issuing the same as required by the law; that the person making said affidavit or complaint has no personal knowledge of the existence of intoxicating liquor on said premises to be searched; and that the complaint shows on its face that the

Same is based on information and belief, and sets forth many more grounds for the suppression of the evidence on the ground that the search warrant was void, because the affidavit was not sufficient.

The records of this court have demonstrated many times that many sheriffs and police officers (also some county attorneys) do not comprehend the true purpose or requisite features of an affidavit for a search warrant. In this case the affidavit for the search warrant was submitted by F. A. Budd, chief of police of Shawnee, Okla.; but in the trial of the case Budd is not called as a witness. An examination of the affidavit made by the chief of police discloses a very peculiar state of facts, and clearly shows to this court that the chief of police, when he made the affidavit, was using an old-time blank that had long since been abandoned by most of the prosecutors in this state. As in the first paragraph of the affidavit, after reciting the different kinds of liquors that he claims was possessed by the defendant, he says that he possesses intoxicating liquors and “imitations thereof and substitutes therefor, which contain as much as one-half of one per cent. of alcohol, measured by volume and capable of being used as a beverage.” He carries this in each of the paragraphs of the affidavit, in which he attempts to charge this defendant with the possession of liquor.

This court thinks that the form of affidavit used by the chief of police was an old, antiquated affidavit, where some one decided that he was preparing an affidavit for a search warrant, and not what he would incorporate everything in it known to the laws of Oklahoma that a defendant might be charged with in the manufacture, possession, sale, or in any way, handling anything that might be used in the manufacture or sale of intoxicating liquors. The reason we say this, the record shows that this affidavit was made on the 26th day of June, 1937, and the people of this state amended the law defining intoxicating liquors and liquor, the manufacture or sale of liquor, liquors, alcoholic compounds, or substitutes containing more than 3.2 per cent. alcohol by weight, Session Laws of 1933, chapter 153, p. 338, 37 Okla. St. Ann. §§ 1, 31, 82, 151 et seq. The affidavit in this affidavit showed a want of knowledge of the law when he made the allegation against this defendant, charging him with possession of liquors, compounds, or substitutes containing more than one-half of one per cent. of alcohol.

As the party making the affidavit did not testify, there was no opportunity to test his knowledge of the truth of any of the statements in this affidavit; and, if in fact, he had testified, and followed the language of his affidavit, he would have been compelled to state that he had no personal knowledge whatever of any violation of the law by the defendant when he made the affidavit, as he gives as a basis for making the affidavit “that said premises so described were bear the general reputation of being a place where intoxicating liquors, to wit: whisky, wine, beer, are had, possessed and kept and received for the purpose of sale and are sold.” This statement shows conclusively that the affidavit had no knowledge of the

See OIO, PAGE 14
I was recently looking over a list of the most popular concert tours so far this year, as ranked by box office gross. I was struck by the thought that the more things change, the more things remain the same. The most popular artist? Bruce Springsteen, of course, by far (a third more gross office receipts than the artist in second place, Bruno Mars). Other artists, who were popular in the last millennium and who remain very popular today include Cher (third on the list), the Dave Matthews Band (5), Journey and Steve Miller (8), James Taylor (10) Motley Crue (11), the Backstreet Boys (16), Willie Nelson (18) and Ringo Starr (20). Where are the new artists? They may be in a garage somewhere, but they’re not breaking through into mainstream popularity (by this standard, anyway). There were only two artists or bands on this Top Twenty list that I’ve never heard of (someone named Romeo Santos and something called Widespread Panic), although I’ve never claimed to be the arbiter of what’s cool. I was also struck by the number of country music artists: the Zac Brown Band (4), Rascal Flatts (12), Brad Paisley (13), Tim McGraw (14), and the Florida Georgia Line (15). This “new” country music, of course, is very similar to what we once called rock. (See, e.g., the Eagles, the Allman Brothers, Lynyrd Skynyrd, etc.) “Old” country and western music (“hats” like George Strait and Alan Jackson) has given way to the new “bro” country music. I was also struck by the fact that there wasn’t one “rap” artist or band on that list, and for that we thank the Almighty and Merciful God. That’s a great Top Twenty list. Maybe I’m old school, to put it politely. But that list is a commentary on how much contemporary music has dried up, and reflects that Old School music remains great and timeless.

Cindy and Allen Welch: Cindy Welch is an attorney with Brad McClure and Associates. Allen Welch has been a Special Judge in Oklahoma County for nearly ten years. Allen and Cindy met at the Cleveland County courthouse, the month that Allen was admitted to the Bar. For Allen, it was love at first sight. For Cindy? Not so much - but Allen was very persistent. They have now been married twenty-six years. They have two beautiful daughters, Charlotte (a junior at OU), and Valerie (who will move to OU in two weeks). They wonder which will be the tougher experience, the first child moving out - or the last. They’ll soon find out.

Allen and Cindy both love music. They enjoy concerts. (The night before he took his LSAT, Allen - in a profound and disturbing example of his priorities - went to a Cars concert, and caught Ric Ocasek’s guitar pick. (He would not make that up. If he tells you about catching Bruce Springsteen’s guitar pick, or anything else about his close friendship with his dear friend Bruce Springsteen, he made that up.) Their favorite concert experiences include seeing Jimmy Buffet several times, and seeing Bruce Springsteen in concert twice. Their favorite local music venue is the Blue Door. They also listen to music in their cars, Cindy on the rare occasions when she’s not listening to NPR, Allen on the rare occasions when he’s not listening to sports talk radio. In addition to their playlists below, they also still get a thrill out of hearing the OU band on game days.

Allen:

<table>
<thead>
<tr>
<th>Song Title</th>
<th>Artist</th>
</tr>
</thead>
<tbody>
<tr>
<td>Thunder Road</td>
<td>Bruce Springsteen</td>
</tr>
<tr>
<td>Sympathy for the Devil</td>
<td>Rolling Stones</td>
</tr>
<tr>
<td>Let’s Stay Together</td>
<td>Al Green</td>
</tr>
<tr>
<td>How Do You Like Me Now</td>
<td>Toby Keith</td>
</tr>
<tr>
<td>Got to Give it Up</td>
<td>Marvin Gaye</td>
</tr>
<tr>
<td>I Wanna Dance with Somebody</td>
<td>Whitney Houston</td>
</tr>
</tbody>
</table>

Cindy:

<table>
<thead>
<tr>
<th>Song Title</th>
<th>Artist</th>
</tr>
</thead>
<tbody>
<tr>
<td>I Got a Gig Baby</td>
<td>Hayes Carll</td>
</tr>
<tr>
<td>Memphis in the Meantime</td>
<td>John Hiatt</td>
</tr>
<tr>
<td>Easy Silence</td>
<td>Dixie Chicks</td>
</tr>
<tr>
<td>Righteously</td>
<td>Lucinda Williams</td>
</tr>
<tr>
<td>Every Day I Write the Book</td>
<td>Elvis Costello</td>
</tr>
<tr>
<td>Over the Rainbow</td>
<td>Israel Kamaka Wiwo’le</td>
</tr>
<tr>
<td>(guilty pleasure, a/k/a sure to make her cry)</td>
<td></td>
</tr>
</tbody>
</table>
Picture Quiz

By Judge Vicki Robertson (Retired)

In 1971, the Oklahoma County Bar Association printed its first Pictorial Directory. Match the following pictures to the attorney: (Answers will be in next month’s Briefcase.)

1. A. Ed Abel
2. B. Peter Bradford
3. C. George Dahnke
4. D. Dave Edmonds
5. E. Herb Graves
6. F. Jim Howell
7. G. Ron Howland
8. H. Tim Leonard
9. I. Ken McKinney
10. J. Kent Meyers
11. K. John Norman
12. L. Bill Paul
13. M. David Pomeroy
14. N. Reid Robison
15. O. Bill Sullivan
16. P. Roland Tague
17. Q. Ralph Thompson
18. R. Rex Travis
19. S. Jerry Tubb
20. T. Harry Woods

“Prediction is very difficult, especially about the future.”
~ Niels Bohr, Danish Nobel winning Physicist (1885-1962)
(often erroneously attributed to Yogi Berra)
Ergo by Inwood Office Furniture

inwood

OFFICE
InVIRONMENTS
a new approach to the sit/stand work environment.

Abraham’s
Bail Bonds
Since 1959
City, State, Nationwide

405-528-8000
1221 N. Classen Blvd.
OKC

Store Hours: Mon.-Fri. 9:00 to 6:00 • Sat. 10:00 to 1:00

MUST BE PRESENT TO WIN A PAIR OF
LUCHESE CLASSIC BOOTS VALUED TO $825 • DRAWING AT 4:00 P.M.
SEPTEMBER 4, 2014 CUSTOM EVENT
WITH BRIAN EDEN FOR
LUCHESE
HAND-MADE CLASSIC BOOTS

www.teenahickscompany.com

210 Park Avenue, Suite 220 • Oklahoma City, OK 73102
(405) 235-4800
Visa, Mastercard, American Express & Discover

Call for reserved parking at East City Center Garage. Enter at the corner of Park and Harvey to use our reserved parking.

www.okcbar.org • August 2014 • BRIEFCASE 7
Legal Aid Lawyer Embodies Work/Life Balance

By Teresa A. Rendon

Last week as I passed by Lauren Truitt’s office at Legal Aid Services of Oklahoma, she was juggling her baby on one side and the telephone on the other. I thought, “What better example of work/life balance could there be?!?”

With her undergraduate degree in political science from Texas State University and her law degree from Oklahoma City University, Lauren worked for two years as Director of Judicial Services for the Iowa Tribe. Since 2013, Lauren has been the Veterans’ Legal Coordinator for Supportive Services for Veteran Families (SSVF), a special project within Legal Aid, in which she represents homeless veterans in Oklahoma City and Tulsa. VA disability and family law cases predominate in Truitt’s practice.

From her home in Carney, Lauren drives twelve miles to the daycare to drop off her three-year-old and fourteen-month-old daughters. Then Lauren alternates between driving to Oklahoma City one hour away and to Tulsa, a one-hour-twenty-minute drive. Drive time is often used for talking on the phone to the Veteran’s Administration about pending cases. Another car seat will have to be added to the car soon though, as the Truitt family is expecting their third child, a boy, in September. At the end of the work day, Mom arrives at daycare at 5:30 to pick up daughters Lane and Wylie. Then there’s dinner time, bath time, feeding the animals, and off to bed.

By nine o’clock, all may be quiet on the home front. Lauren is ready for dreamland, hoping to energize herself for the next day.

Living four miles from the nearest paved road, Lauren and her West Point graduate, disabled vet husband, Brian, enjoy a country life. Brian is the Fire Chief and Emergency Manager for the Iowa Tribe. The couple has five horses, five dogs, six chickens and a potbellied pig to tend and feed. Their vegetable garden is replete with peppers, tomatoes, strawberries, onions, among other things, supplying fresh produce for their supper table and those of their friends and neighbors. Husband Brian loves hunting and fishing and often takes the whole family along with him to fish. Little Lane, the three-year-old, is wild about fishing with Mom and Dad.

How is this hectic schedule working for Supermom and Attorney Truitt? She believes that key to it all is setting a good example for the children. Her husband encourages her positive attitude with the belief that there is always a way to get things done. Love of her profession and her family are what fuel Lauren Truitt’s fire.

For more reading on this issue, look for “Blowing Up the Barrier between Work & Family” at http://www.americanbar.org/publications/law_practice_magazine/2012/may_june_blowing...

Work Life Balance

Your “Exposures” to Adiposity Exposes You to Risk

By Warren E. Jones

Researchers at the Cooper Clinic in Dallas wanted to know whether multiple “exposures” to adiposity (fat tissue) had an impact on “all-cause” mortality. By exposure, I mean the three different ways that adiposity is “measured.”

One can be obese by Body Mass Index standards, and/or by body fat standards, and/or by waist circumference standards. So, one could have no “exposures,” or one exposure, or two, or all three.

Sorry, ladies, this particular study included only males. But wait! You have a husband, a son, a father, a brother, an uncle, a nephew? Apply it to him or them.

For BMI obesity, the cut point is 30 and above. For body fat obesity, the cut point is 25 percent and above. For waist circumference obesity, the cut point is 40.15 inches (102 centimeters) and above. Numbers below those are not “normal.” They are overweight, but the study only examined the impact on mortality of one or more measures of obesity, and not mere overweight.

Then the researchers added an interesting wrinkle. They further researched the impact of cardiorespiratory fitness WITHIN each of the three levels of obesity. That is, what was the impact of fitness on mortality among those with one, two, or all three exposures to obesity?

By the way, the study followed more than 36,000 men for more than fifteen years, so it’s a powerful study.

What were the findings? As you would probably expect, those men who were fit and NOT obese, under any of the three measures, were least likely to die during follow up. When compared against men who were “negative” (had no obesity measures among the three methods), a significant trend was found in rates of all cause mortality among men who were positive for one, two, and three adiposity exposures, with relatively greater risks of 5 percent, 37 percent, and 87 percent, respectively.

What was the impact of fitness? Men who were fit but who had one of the three obesity measures had a 45 percent reduced risk as against men who had one of the three obesity measures but were unfit. Men who were fit with two measures had a 60 percent lower risk vs. unfit with two. Men who were fit with three measures had a 35 percent lower risk vs. unfit with three.

By “fit” (as defined in this particular study), a 25 year old male would have to achieve (via a “stress-test” like assessment) a maximal oxygen uptake score (in milliliters of oxygen per kilogram of body weight per minute) of 37.8; a 35 year old of 36.2; a 45 year old of 34.6; a 55 year old of 31.4; and a 65 year old of 28.3. These are pretty low standards, i.e., they are below average, but they are the standards set by the researchers. As you’ve often seen me say, I suspect higher levels of fitness would be even more protective.

Yes, having all three of the obesity measures puts one at very high risk of mortality, more so than having only two or one or, certainly, none. If one has only one of the three or only two of the three, which ones were most predictive of early mortality? If you’re going to choose to have only one, don’t choose body fat or waist circumference. Choose BMI. If you’re going to choose to have two, select body fat and BMI; don’t choose waist circumference as one of the two.

Now, among you readers who have none of the three adiposity measures, you should know (I’m sorry to report) that mortality rates among study participants who had none of the three adiposity measures BUT who were unfit were similar to unfit men with all three adiposity exposures. So, while fatness is clearly a killer, so is being unfit.

An interesting (but not surprising) finding: the lower levels of adiposity and the higher levels of fitness were protective against cancer deaths in addition to being protective against cardiorespiratory and cardiovascular and cerebrovascular deaths.

By meeting the current public health guidelines of accumulating at least 150 minutes per week of moderate-intensity aerobic exercise, the modest level of fitness described in the study is probably attainable for most ambulatory men who are currently unfit.

Warren E. Jones, JD, HFS, CSCS, CEQ, is an American College of Sports Medicine (ACSM) Health Fitness Specialist, a National Strength and Conditioning Association Certified Strength and Conditioning Specialist, and a holder of an ACSM Certificate of Enhanced Qualification. His clients range from competitive athletes to the morbidly obese. He can be reached at wejones65@gmail.com or at 405-812-7612.
Local Rock Bands in the ’60s
(Or, Why They Call Me Mellow Yellow)

By Don Easter, in collaboration with Geary Walker

Everyone played in a rock band in the 1960s. Even those who couldn’t play an instrument or carry a tune would try to start a band. There were garage bands. Practicing in mom and dad’s garage was many times their only venue; and, there were those who actually made some money playing music. Of the latter kind, there were essentially three levels: the low level groups which played a few high school gigs; and the mid-level group which played lots of places, traveled, and usually got paid thereby making them famous on a local level. Then there were those who truly got lucky. Most of those were just one hit wonders, but some actually made the big time. The odds then were about the same as they are today for making it to the NBA from the local after-school pic-up basketball games.

Grant Perry and Dean Perry were musically inclined brothers from Midwest City. Grant played drums and Dean was a bass guitarist. They started a band called Squatty and the Bot-rys. Grant was not tall. I think that’s where the name came from. Among their members early on was one saxophonist named Don Easter. These guys could play anything heard on the local AM radio stations, WKY and KOMA. They had a theatrical side to them. They preceded the Kiss style theatrics, but definitely pushed the envelope for the era.

Bands like… Squatty and the Bot-rys, DeWayne and the Beldettas, Moby Dick and the Whalers, The Juveniles, Wes Reynolds and the House Rockers, The Candy Canes (all girl rock band), Buckwheat, Jim Edgar The Roadrunners (featuring Jan Lawhon), The Sidewinders (featuring retired OCPD officer Ron Owens on drums), and The Mo Jo Men (featuring Mark Gallimore, golf pro… would play at every VFW Hall, American Legion Hall, bowling alley, night club, bar, roller rink, high school auditorium or National Guard armory on Friday and Saturday nights, and even during the week during the summer months. The radio stations would announce where the bands were going to play, and those venues stretched up and down the Midwest from the Mississippi River to the Rocky Mountains. The bands would take their personal vehicles or buy/rent/borrow a van or panel truck to get themselves and their equipment from one destination to another.

These are some of the stories from Don Easter about those days and nights. We can’t confirm the truth of them all. Relax. Read. Let your hair down, and let your mind roll on.

During the summer months, the radio station of the era was playing music because when the fighters went on and on with the yell. About every table had a bottle of liquor on it. As the night progressed it really got to be fun. If we could get them to start yelling SUUUUUUUEEEEEE Pig, we could take a 15 minute break because they just went on and on with the yell.

The U of A students showed up in coats and ties and the girls were dressed up also. About every table had a bottle of liquor on it. As the night progressed it really got to be fun. If we could get them to start yelling SUUUUUUUEEEEEE Pig, we could take a 15 minute break because they just went on and on with the yell.

LouAnn’s Club in Dallas was the scene of great OU/Texas parties. It was a fairly large room with great crowds. They had a movie projector going during the dance on Saturday night. LouAnn’s Club in Dallas was the scene of great OU/Texas parties. It was a fairly large room with great crowds. They had a movie projector going during the dance on Saturday night. LouAnn’s Club in Dallas was the scene of great OU/Texas parties. It was a fairly large room with great crowds. They had a movie projector going during the dance on Saturday night. LouAnn’s Club in Dallas was the scene of great OU/Texas parties. It was a fairly large room with great crowds. They had a movie projector going during the dance on Saturday night. LouAnn’s Club in Dallas was the scene of great OU/Texas parties. It was a fairly large room with great crowds. They had a movie projector going during the dance on Saturday night. LouAnn’s Club in Dallas was the scene of great OU/Texas parties. It was a fairly large room with great crowds. They had a movie projector going during the dance on Saturday night. LouAnn’s Club in Dallas was the scene of great OU/Texas parties. It was a fairly large room with great crowds. They had a movie projector going during the dance on Saturday night. LouAnn’s Club in Dallas was the scene of great OU/Texas parties. It was a fairly large room with great crowds. They had a movie projector going during the dance on Saturday night. LouAnn’s Club in Dallas was the scene of great OU/Texas parties. It was a fairly large room with great crowds. They had a movie projector going during the dance on Saturday night.

Dayton Stratton was the owner of the Sundowner Club in Norman in the early sixties. I guess the OU kids went there to drink and party every weekend. When the Sundowner was destroyed by fire, Dayton moved to Fayetteville and opened a skating rink near the University of Arkansas campus. Every Friday and Saturday night, especially during football season, he brought in the top rock’n’roll bands from Oklahoma, Texas and Arkansas.

The U of A students showed up in coats and ties and the girls were dressed up also. About every table had a bottle of liquor on it. As the night progressed it really got to be fun. If we could get them to start yelling SUUUUUUUEEEEEE Pig, we could take a 15 minute break because they just went on and on with the yell.

The patrons at the Harrah Y enjoyed country music much more than rock music. You could tell by the number of objects thrown and the lack of money in the hat.

Squatty and the Bot-rys played one evening at the Sportsman’s Club on Northwest 39th. It was a college fraternity party with the requisite kegs of beer on hand. Right in the middle of our “Supremes” show, where we actually wore feather boas, dresses, long wigs and high heels (not the Beatles kind) the place got raried. We had to make a quick exit dressed in our Supreme outfits. We ended up at Beverly’s Pancake House at 23rd and Classen about midnight, much to the amusement of Beverly’s patrons.

Wedgewood Amusement Park was located in North West OKC. It was a competitor to Springlake Amusement Park at 36th and Eastern (now Martin Luther King Blvd.) on the East side. We played as the warm-up act to “The Greenmen.” They were a British rock group on tour promoting a new song.

Our stage was the roof of the Wedgewood snack bar. Large spot lights with different colored lenses were trained on our area. The Greenmen were delivered to stage by helicopter — to the delight of the crown and me.

It was quite a scene. It took about 15 minutes for the debris to clear the air before the music could begin. The crowd was literally blown away by their entrance.

(IIf you recall the name of a ’60s band, or you played in a ’60s band, or you have stories about a ’60s band - publishable stories - then forward your information to the editor)
Secure Your Own Mask First and Then Assist Others

By Rex Travis

We’ve all been on an airliner and had a flight attendant instruct us:

In the event of a loss of cabin pressure, an oxygen mask will deploy from above you. Pull the mask toward you, secure your mask, and breathe normally. If you are traveling with others who need assistance, please secure your own mask first and then assist others.

Why do they say that? Well, obviously, if we lose consciousness we will be unable to help children or others with us. This is good advice in the practice of law as well as when flying in airplanes.

Almost every week, we pick up our Bar Journals (or read it online, if you’re more tech-savvy) and read about one or more of our colleagues who are having severe disciplinary problems with the Bar Association. That’s kind of scary!

I have a theory about why lawyers get into that sort of problem. Practicing law is a high-pressure sort of job. We all seem to be trying to juggle family life, civic commitments, and a busy law practice. We are called upon daily in that practice to help our clients solve problems, which are often overwhelming. Except we don’t just have one set of problems to deal with. We have multiple problems for multiple clients, each day, each week, and each month.

If we are not very careful, we end up exhausting ourselves and our problem-solving skills helping clients and have no time or energy left to help us deal with our own family, emotional, financial or other problems. I’m persuaded that’s what happens to those colleagues whose names we see in the Bar Journal, preceded by the words “State Ex Rel Oklahoma Bar Association vs. .”

Often, the apparent issue in these discipline cases deals with substance abuse - alcohol or drugs. Sometimes there’s a diagnosis of depression or some other mental or emotional illness. But, these diagnoses don’t just spring up out of nowhere. They develop because the lawyer is expending all of his or her resources to help clients and not taking care of the lawyer.

What can we do to avoid this awful waste of human talent that comes from losing some of the best and the brightest among us to these demons? Well, there are some things we can do for ourselves, if we catch the problem at an early enough stage that we can still make rational judgments.

We have heard a lot in recent years about “work-life balance.” (I have a confession to make at this point: I am a raging workaholic. I wrote an article a few years ago about the importance of work-life balance. I thought my daughter would never quit laughing about that. However, I fight vigorously against the addiction.) We can, and should, all be mindful of the absolute necessity of taking enough time away from our resolution of the problems of others to take care of our own lives.

We all need to find things we like to do and make the time to do them. We need to spend time with spouse and family. And while we’re doing these fun things, we need to learn to stop worrying about what’s happening or not happening at the office.

We can all help one another by agreeing to extensions of time and continuances when a colleague says he or she needs to take a vacation. Shame on the lawyer who resists such a request (and on the judge who denies such an extension or continuance). But, there are times when help is beyond the capability of the lawyer himself or herself. What happens then? If the lawyer can be caught before the acts which so distress the Bar get too far along, there is a program available, at no cost to the lawyer, to provide help. It’s called Lawyers Helping Lawyers (LHL).

Most of us think of LHL, as something like AA for lawyers and associate it with substance abuse problems. And that is an important function of LHL. There are a number of very good lawyers who are recovering alcoholics or addicts who will go to great lengths to help a lawyer having a problem of that sort. This is called “peer support.” I commend it to you.

But LHL is much more than that. The OBA pays for counseling services for lawyers having problems coping with their high-pressure practices and lives. OBA has a contract with a company which provides that service to large employers. Just as that service would help an employee of a subscribing company, you can get an appointment to meet with a counselor and determine whether the services you need in coping are available free or at a reduced rate. All you have to do is call 1-800-364-7886 or visit the website: www.okbar.org/members/LawyersHelpingLawyers. LHL will pay for up to six counseling sessions free. If more sessions or in-patient treatment is needed and the lawyer can’t afford it, help is available from the Lawyers Helping Lawyers Foundation, Inc., www.lhlfoundation.org

I read a report of a bar disciplinary proceeding in the Bar Journal a year or so ago. A lawyer (a very good lawyer; I know him) had a problem with just apparently being overwhelmed. He was charged with neglect of his practice, a not unusual charge. The Supreme Court cut him some slack.

What impressed me so about the case was that the Supreme Court noted in their opinion that his colleagues in the rural county in which he practices had detected he was having problems with not showing up for docketed and not getting work done when he was supposed to. They got with him, talked to him, and got him into the program. Then they took over the cases for which he had been paid and finished the cases with no further fees paid.

The fact that his clients had not suffered unduly (as a result of this support from his colleagues) was apparently an important factor to the Supreme Court in imposing discipline which enabled the lawyer to keep his license and return to practice. I would submit that this case may have been one of the bar’s finest hours (to paraphrase Winston Churchill). Take care of yourself so you can take care of your clients and others. And, take care of other lawyers when you can.

“If the rich could hire someone else to die for them, the poor would make a wonderful living.”

~ Jewish proverb
Excerpts from OCBA News:

April, 1973, Part 3

The Bar Foundation
Reaches Out

By John Belt
President-Elect

The Oklahoma County Bar Foundation was formed four years ago to advance the science of jurisprudence, promote justice and to initiate and sponsor programs and projects which would tend to achieve these purposes. The lawyers and judges of the County built the Judges and Lawyers Conference Room which the Foundation holds and chairmans. Each year the Foundation gives an award to the members of the most outstanding high school debate team in the county speaking to subjects jurisprudential in nature.

During this four-year period, considerable study has been given to many avenues through which the Foundation could best serve in advancing the principles for which it was formed. This study has led to the development and implementation of a program which in all probability will do more toward enhancing the understanding which laymen have of our legal system and its lawyers than any program heretofore undertaken by our community of lawyers.

In September 1973, a survey course in law will be made a part of the curriculum offered at John Marshall High School in Oklahoma City. This is a pilot program which will serve to delineate problems and solutions in order that the course may be instituted in all county high schools in subsequent years.

It is not the objective of the course to make lawyers of the students but to give them an awareness of the fundamental principles upon which our laws are founded; create in them an understanding of the role of law in maintaining an orderly society; and familiarize them with those areas of the law with which they will most likely come in contact as young people and as adults.

On February 20, Robert J. Emery, Foundation president, arranged a meeting between the Foundation Steering Committee of the project and three representatives of the Oklahoma City school system. Present at the meeting were Robert J. Emery, John C. Andrews, Herman Merson, James Turner, and John L. Belt of the committee and Mervil Lunn, Herman Merson, James Turner, and John L. Belt of the committee and Mervil Lunn, assistant superintendent of instructional services, Jim Johnson, director of secondary education, and Jess Lindley, assistant superintendent if instruction, for the Oklahoma City public schools. At this meeting, it became immediately apparent to the committee that the school administration was not only interested in the project but found it to be very exciting, stimulating and one which they would be interested in implementing as quickly as possible. It was pointed out that the major administrative problem involved would be in determining which among those hundreds of students who would wish to enroll in the course would be allowed to take it.

Members of the Oklahoma County Bar Association will be selected to teach the course, based on a curriculum established by the school administration and the Foundation’s trustees with Jack Andrews carrying the major responsibility for curriculum development. It will be a semester course taught in 110-minute periods from 8:30 to 10:30 in the morning with two periods offered every other week and three periods offered in the alternative weeks. No member of the faculty will be asked to teach more than three 110-minute periods during a semester. A monitoring teacher will be appointed by the school administration to take roll, prepare and grade exams, aid and counsel with the faculty, and generally to handle other administrative responsibilities.

This is a very stimulating undertaking and will be of great value to the Bar and to our community. We must give our very best and therefore, if you are called upon to be a member of the faculty, respond quickly with an affirmative.

The Foundation will need some funds with which to aid in the administration of the course, duplicate and prepare curriculum and bibliography, etc. If you are interested in making a tax deductible contribution to the Foundation for the furtherance of its activities, make your check payable to the Oklahoma County Bar Foundation and forward it to the Association headquarters in the Mercantile Building.
By Roscoe X. Pound

Hey Judge Walke, it’s me, Rae. Cept this time I’m comin to you live, so to speak, on accounta I’m here at the shop messin wit some new voice recognition sawffweat dat my hunny Chips has been checkin out. Don’t worry, though cause I’m gonna go over it real caerful before I send it out, cawse I don’t want any mis-takes tha’ll make you think I don’t know good English, which I do. You got my udder columns as proof of that, right?

Now, in case you’re wonderin why Mistuh P went on his Shawk Week vaca-tion with all dat’s been goin’ on wit Penny and da Nazis and all dat, let me set your mind at ease. First, dese columns don’t necessarily reach you in real time so dat actually Ms. P. has had a chance to make a pretty good recovery. Also, Mistuh P. isn’t out on da ocean dis month. He’s out someweah round Chicagow on da trail of this Blum guy dey’re tryin to run down. Anywho, he’s out dare and here I am holdin down da shop is closed on accounta nobody’s out enuff. Anyways, so I gotta uphold de integri-ty uv dis column right? So let’s take a look at some of da questions Mistuh P was fiddlin wit befaw he left. OK, heaws one:

Dear Roscoe: Is civil death an anachronism? B.B. Bethany, OK
Dear B.B.: Ha. B.B. from Bethany. Sounds like a nickname Dubya woulda given somebody. Ya know, when I first looked at your question I thought hmmm: civil det, sounds interestin’. Den I got to lookin’ at Mr. P’s notes and I started thinkin’ Oh well, maybe not so funny. Hang on a sec. DA AC’s makin a funny nooise. OK, I’m back.

K, so civil det. It relates to the loss of civil rights followin’ a conviction for a felony. Accawdin’ to Mr. P, it was not a part of da common law oddly enough, cause my Uncle Danny in Pennsylvania said he lost all his rights when he got common law married to Aunt Thel. Where it exists at all, it exists by statute. And guess what? Oklahoma was one a da places wheah it existed Yay you! But ya got ridda it in 1976, at least as far as released prisoners go. Looks like ya still got it for folks in da joint.

Dang, if I can use one a your west-ernisms, that AC sounds like its woikin its ground noise. Sounds like dat train in Dumbo. Ain’t really keepin all dat cool noise. OK, I’m back.

So anyway, prolly less den a dozen states still got it. In some contexts it’s referred to as collateral consequences which attorneys must advise clients about when plea bawginin. Sometimes the consequences can be kinda hefty. For example, one a da rights most often fawrouruhs.  Finally, I said to myself, “That’s it. I’m back.”

McLaughlin v. City of Canton, 947 F. Supp. 934, 971 (S.D. Miss. 1995). You guys in Oklahoma also took da highroad in Davis v. Pulliam, 1971 OK 47, 484 P.2d 1306 where da plaintiff, an ex-con, had his hand mangled when da defendant negligently stawted up his car while da plaintiff was woikin onnit. So da defendant appeals the plaintiff’s voir-dict by sayin’, hey, dis guy’s a convicted muhderrer on parole so he shunt even be allowed to sue cause he’s civilly dead. Da Supreme Cawt said nope: dis guy still has the right to preserve life and limb and where so-cused civil det statutes collide with da open caves provision of da Constitution, da Constitution trumps. By da way, in Oklahoma convicted felons can vote in Oklahoma once they’ve completed dare sentence, so dat makes you guys kinda more civilized den Alabama I guess. I guess its just impawtaint to rechax-inate dat when you represent somebody in a criminal case, dere’s mawr at stake den just the immediate bawgawned fawr sen-tence. Dere’s an obligation to give da client enough infomation to take awl da consequences into considuhration.

OK, befawr I get to da next question, I’m gonna see about dis AC. It sounds like it’s abouta stroke out aw somethin and it ain’t one degree cooler since I cranked it up. Wha dafaq! Oh, no won-duh it’s woikin’ so hawd. Da back dawh’s wide o
Improve morale and give back to nature.
Let us host a corporate volunteer day for your team!

Veolia Water employees from Oklahoma City take a much deserved water break during a volunteer day at the Oxita Yanahl Preserve along the Blue River in southeastern Oklahoma. Pictured above are (L–R) Pat Corbett, Deean Henderson, Brad Brandon, Rick Opat, Cody Meyers, Ronnie Childress, Bill Roach, and Darian Tomkiewicz.

“...It’s always rewarding to volunteer — to put other interests ahead of your own. But it is especially rewarding to me when the work done will be for the benefit of many generations to come.

- Bill Roach, Veolia Water Area Manager

The Nature Conservancy protects over 90,000 acres in Oklahoma. With your team of volunteers, you can help us do even more!
Contact John Cougher at (405) 858-8557 or jcougher@tncc.org.
nature.org/oklahoma | facebook.com/nature.ok
PRACTICING LAW from PAGE 3

their skills and senses of humor were sharpened through the sharing of experiences and colleagues. They were also often able to resolve matters for their clients fairly and amicably because of the mutual respect, trust and ability to communicate fostered by these relationships.

We believe that the firm Merson & Campbell exemplified should be remembered in the hope that younger and disaffected attorneys might change their attitude toward the practice of law. In no particular order, those principles are:

1) Read the Lawyer’s Creed. The creed was not adopted by the Oklahoma Bar Association until November 17, 1943, but Herman and Wayne were living these credos decades before they were adopted.

2) Return all phone calls within twenty-four (24) hours. You will be surprised how much this improves your relationship with your clients and fellow bar members.

3) Protect your reputation. Be the kind of lawyer the public will admire and respect.

4) Prepare. The judge and your client know when you are prepared and when you are not. You owe a duty to the court and to everyone involved in a case to be prepared.

5) Do not isolate yourself. Foster relationships with other lawyers. You will learn from them.

6) Perhaps most importantly, mentor someone as you have these principles. As a young lawyer, Herman relied on others to teach him how to sharpen his skill set. In turn, when Wayne was a young lawyer, Herman taught Wayne the things that Wayne did not learn in law school. Mentoring provides insti-

At times, we all fall prey to being less ideal than actual bar members because our profession is contentious and adversarial. We all want to win and no one is perfect. But if we challenge and expect each other to rise to the level of ethics that our noble profession demands, it would change peoples’ attitudes about our profession and make those that came before us, like Herman and Wayne, proud.

August 9, 1989

Twenty-Five Years Ago


On September 27, 1981, at about 1:00 p.m., L.A., then twelve years of age, and her friend Steve Palmer, then fourteen, were playing on the grounds of the Woodland Hills Elementary School in Lawton, Oklahoma. Appellant approached them and said he was a security guard in charge of protecting the area from vandals. He then ordered the children to get down on their hands and knees. Palmer soon escaped and ran to a nearby house for help. When Palmer was gone, appellant ordered L.A. into his car and said he would drive her to her house. She showed him which street was hers and he bypassed it, eventually pulling onto Cache Road. Appellant continued to drive the direction of a wildlife refuge. He stopped the car several times, and at one point, tore off L.A.’s shirt and bra. Appellant eventually stopped on the side of the road and forced L.A. to orally sodomize him. He then carried L.A. into the grass, again forced her to commit oral sodomy, and finally raped her. Before leaving, appellant told L.A. that he would leave her bra and skirt by the side of the road. He also reminded her not to mention what she had done.

The evidence was in conflict on the issue of whether the manner of operation of SW Bell’s interstate services activities such that it might be maintained as an independent business, or an operation that SW Bell conve-

Ed note: There was only one reported case in August of 1964. Please find herein a paragraph excerpted from that case.

August 18, 1964

Fifty Years Ago

[Excerpted from Oklahoma Tax Com’n v. Southwestern Bell Tel. Co., 1946 OK 189, 396 P.2d 500.]

The evidence was in conflict on the issue of whether the manner of operation of SW Bell’s interstate services activities such that it might be maintained as an independent business, or an operation that SW Bell conve-

We find and appellant concedes in his brief that the approximately one hour of time which L.A. spent with appellant provided her with a sufficient opportunity to view him. She was also very attentive during this period, subsequently providing police with a detailed description of appellant as well as of his car and its contents. L.A.’s description of the criminal was given to police by Steve Palmer, the other witness to this crime. We cannot determine whether L.A. was unwavering in her identification of appellant at the preliminary hearing preceding the trial. A second affidavit filed and a second search warrant was issued for the property where it is alleged the whisky was found by the officers.

The next statement in his affidavit, used as a basis for his complaint, is “that numerous persons who reside in this community have been seen to enter said premises, if there was a search warrant for the location of the premise, it was his duty to arrest them at that time; but he does not say that he has seen these persons congregating there. In other words, the affidavit, through this paragraph of the affidavit which he gives as a basis for his complaint, not one single statement is made by the affiant upon his personal knowledge.

He was a police officer of the city of Shreveport, La., and he states the fact that the affi-

Now being considered. The court is in seri-

The court in this case has shown that the detached was arrested, taken to jail on Saturday afternoon or evening, and at that time there was nothing on file showing that a search warrant had been issued; but there was an affidavit and search warrant filed on June 28, 1937. * * *

This court has so many times held that an affidavit for a search warrant made on informa-

The affidavit in this case clearly shows it was made upon information and belief of the affiant who made the affidavit, or that he made it without considering the statements he was making; shows conclusively that it is not sufficient under the law upon which to predicate the issuance of a search warrant, as the affidavit clearly shows it was made on information and belief. If there was an affi-

The record in this case shows that the affiant clearly shows it was made on information and belief of the affiant who made the affidavit, or that he made it without considering the statements he was making; shows conclusively that it is not sufficient under the law upon which to predicate the issuance of a search warrant, as the affidavit clearly shows it was made on information and belief. If there was an affi-

At times, we all fall prey to being less ideal than actual bar members because our profession is contentious and adversarial. We all want to win and no one is perfect. But if we challenge and expect each other to rise to the level of ethics that our noble profession demands, it would change peoples’ attitudes about our profession and make those that came before us, like Herman and Wayne, proud.

At times, we all fall prey to being less ideal than actual bar members because our profession is contentious and adversarial. We all want to win and no one is perfect. But if we challenge and expect each other to rise to the level of ethics that our noble profession demands, it would change peoples’ attitudes about our profession and make those that came before us, like Herman and Wayne, proud.

At times, we all fall prey to being less ideal than actual bar members because our profession is contentious and adversarial. We all want to win and no one is perfect. But if we challenge and expect each other to rise to the level of ethics that our noble profession demands, it would change peoples’ attitudes about our profession and make those that came before us, like Herman and Wayne, proud.

At times, we all fall prey to being less ideal than actual bar members because our profession is contentious and adversarial. We all want to win and no one is perfect. But if we challenge and expect each other to rise to the level of ethics that our noble profession demands, it would change peoples’ attitudes about our profession and make those that came before us, like Herman and Wayne, proud.

At times, we all fall prey to being less ideal than actual bar members because our profession is contentious and adversarial. We all want to win and no one is perfect. But if we challenge and expect each other to rise to the level of ethics that our noble profession demands, it would change peoples’ attitudes about our profession and make those that came before us, like Herman and Wayne, proud.

At times, we all fall prey to being less ideal than actual bar members because our profession is contentious and adversarial. We all want to win and no one is perfect. But if we challenge and expect each other to rise to the level of ethics that our noble profession demands, it would change peoples’ attitudes about our profession and make those that came before us, like Herman and Wayne, proud.

At times, we all fall prey to being less ideal than actual bar members because our profession is contentious and adversarial. We all want to win and no one is perfect. But if we challenge and expect each other to rise to the level of ethics that our noble profession demands, it would change peoples’ attitudes about our profession and make those that came before us, like Herman and Wayne, proud.

At times, we all fall prey to being less ideal than actual bar members because our profession is contentious and adversarial. We all want to win and no one is perfect. But if we challenge and expect each other to rise to the level of ethics that our noble profession demands, it would change peoples’ attitudes about our profession and make those that came before us, like Herman and Wayne, proud.

At times, we all fall prey to being less ideal than actual bar members because our profession is contentious and adversarial. We all want to win and no one is perfect. But if we challenge and expect each other to rise to the level of ethics that our noble profession demands, it would change peoples’ attitudes about our profession and make those that came before us, like Herman and Wayne, proud.

At times, we all fall prey to being less ideal than actual bar members because our profession is contentious and adversarial. We all want to win and no one is perfect. But if we challenge and expect each other to rise to the level of ethics that our noble profession demands, it would change peoples’ attitudes about our profession and make those that came before us, like Herman and Wayne, proud.

At times, we all fall prey to being less ideal than actual bar members because our profession is contentious and adversarial. We all want to win and no one is perfect. But if we challenge and expect each other to rise to the level of ethics that our noble profession demands, it would change peoples’ attitudes about our profession and make those that came before us, like Herman and Wayne, proud.

At times, we all fall prey to being less ideal than actual bar members because our profession is contentious and adversarial. We all want to win and no one is perfect. But if we challenge and expect each other to rise to the level of ethics that our noble profession demands, it would change peoples’ attitudes about our profession and make those that came before us, like Herman and Wayne, proud.

At times, we all fall prey to being less ideal than actual bar members because our profession is contentious and adversarial. We all want to win and no one is perfect. But if we challenge and expect each other to rise to the level of ethics that our noble profession demands, it would change peoples’ attitudes about our profession and make those that came before us, like Herman and Wayne, proud.
Infantry Division that were the initial troops onto the east.

Frederick Morgan who was appointed as Chief Planner for the British. Specifically, by British Lt. Gen. Normandy as the invasion site was made by Berlin. Given the British (at least head-on challenge to the German army by est level for the push to win the war by a

assigned to the 1st Infantry Division half of the beach, being the area to Die) deals solely with the eastern

Omaha Beach in its entirety while assault went seriously awry. It held the most opportunity for comprising the D-Day Normandy Invasion? Because it was the five beaches (Omaha, Utah, Sword, Juno, and Gold) 1944, on Omaha Beach. Why Omaha Beach, simply one of the western half of Omaha Beach, it is well that Balkoski informs/reminds us how many men comprised these military units: a regiment was made up of approximately 3,100 men, a battalion 870 men.

Both books include several maps that would provide them “…with ring-side seats at the Greatest Show on Earth” –

though the British (at least Churchillian) preference for attacking “the soft underbelly” of Europe and waiting for the Soviet Union to decimate the Germans, it is surprising to learn that the selection of Normandy as the invasion site was made by the British. Specifically, by British Lt. Gen. Frederick Morgan who was appointed as Chief Planner for the invasion of northwest Europe in March of 1943.

Since we learn that it was the 16th Infantry Regiment (usually referred to simply as “the 16th Infantry”) of the 1st Infantry Division that were the initial troops onto the eastern half of four-miles-long Omaha Beach and the 116th Infantry Regiment (usually referred to as “the 116th Infantry”) of the 29th Infantry Division plus two Ranger battalions that were the initial troops onto the

Western half of Omaha Beach, it is well that Balkoski informs/reminds us how many men comprised these military units: a regiment was made up of approximately 3,100 men, a battalion

870 men.

Both books include several maps that

would provide them “…with ring-side seats at the Greatest Show on Earth” –

First, however, let us consider how the disaster of being pushed back into the sea was averted.

 referred to as “draws.” Three draws were located in the eastern sector: the Cabourg, the Colleville, and the St. Laurent, with the Colleville Draw playing the largest role in the ini-

tial invasion on the east, and with two draws in the western sector: the Vierville and the Les Moulins, with the Vierville Draw being the most ideal one for moving men and material, and, along with the Colleville Draw in the eastern sector, most fiercely defended.

Clearly, there would be no unhin-

dered walking up the draws on D-

Day. Instead, at low tide the first wave of troops crawled under fire several hundred yards up the beach to “…a sharply sloping embankment, six feet high at its peak, consisting of thousands of weather-beaten off-white stones roughly the size of apples,” This was the “shingle.” By lowering directly under the shingle the first wave of troops could avoid the enemy rifle and machine gun fire if they made it to the shingle, but would soon be subjected to deadly mortar shelling once the Germans got a fix on their location. Moreover, more Higgins boats began coming at 30 minute intervals and the shingle could not accommodate the arriving troops.

The common denominator between the 1st Division’s sector and the 29th Division’s sector was an officer who not only recognized that it was imperative for the troops to get off the beach as quickly as possible but who also had the leadership ability – and courage – to make it happen. In the 1st Division’s sector, that man was Col. George Taylor, Commander of the 16th Infantry. On the 29th Division’s sector, it was Brig. Gen. Norman Cota, second in command of the 29th Division, said to probably be the oldest soldier to land on Omaha Beach on the morning of D-Day.

Far in advance of the D-Day invasion, Colonel Taylor, said to resemble General Patton in his manner, had been obsessed with the thought that any man on Omaha Beach would be dead or about to die – so get off the beach! As he stormed up and down the beach ignoring a hail of machine gun fire, he shouted this and similar words at the troops, picking up members of his staff as well as troops along the way so as to lead an entourage to find a way off the beach. General Cota, almost a grandfatherly sort whose concern for his men was evident to them, was similarly (and only appar-

tently) oblivious to gunfire as he strode the western sector of the beach encouraging the troops to get moving. Of course, it was the heroics and ingenuity of several junior officers, NCos, and those lower in the ranks that ultimately succeed-

ed in getting past the beach by D-Day mid-afternoon. Their exploits are covered in detail in both books.

Both are highly recommended.

Before we judge appropriateness, then, of a solution, the question must always be asked, at each stage: “Then what happens?”

This is the rounded off message of this book. The oceans have been our dumping ground for years, whether garbage or coal

atoms, or heat, or scum on the ocean floor.

The main element to remember is that just because we do not see waste personally anymore, it continues to exist, whether as atoms, or heat, or scum on the ocean floor.

The common denominator between the 1st Division’s sector and the 29th Division’s sector was an officer who not only recognized that it was imperative for the troops to get off the beach as quickly as possible but who also had the leadership ability – and courage – to make it happen. In the 1st Division’s sector, that man was Col. George Taylor, Commander of the 16th Infantry. On the 29th Division’s sector, it was Brig. Gen. Norman Cota, second in command of the 29th Division, said to probably be the oldest soldier to land on Omaha Beach on the morning of D-Day.

Far in advance of the D-Day invasion, Colonel Taylor, said to resemble General Patton in his manner, had been obsessed with the thought that any man on Omaha Beach would be dead or about to die – so get off the beach! As he stormed up and down the beach ignoring a hail of machine gun fire, he shouted this and similar words at the troops, picking up members of his staff as well as troops along the way so as to lead an entourage to find a way off the beach. General Cota, almost a grandfatherly sort whose concern for his men was evident to them, was similarly (and only apparently) oblivious to gunfire as he strode the western sector of the beach encouraging the troops to get moving. Of course, it was the heroics and ingenuity of several junior officers, NCos, and those lower in the ranks that ultimately succeeded in getting past the beach by D-Day mid-afternoon. Their exploits are covered in detail in both books.

Both are highly recommended.

Before we judge appropriateness, then, of a solution, the question must always be asked, at each stage: “Then what happens?”

This is the rounded off message of this book. The oceans have been our dumping ground for years, whether garbage or coal atoms, or heat, or scum on the ocean floor.

The main element to remember is that just because we do not see waste personally anymore, it continues to exist, whether as atoms, or heat, or scum on the ocean floor.

The common denominator between the 1st Division’s sector and the 29th Division’s sector was an officer who not only recognized that it was imperative for the troops to get off the beach as quickly as possible but who also had the leadership ability – and courage – to make it happen. In the 1st Division’s sector, that man was Col. George Taylor, Commander of the 16th Infantry. On the 29th Division’s sector, it was Brig. Gen. Norman Cota, second in command of the 29th Division, said to probably be the oldest soldier to land on Omaha Beach on the morning of D-Day.

Far in advance of the D-Day invasion, Colonel Taylor, said to resemble General Patton in his manner, had been obsessed with the thought that any man on Omaha Beach would be dead or about to die – so get off the beach! As he stormed up and down the beach ignoring a hail of machine gun fire, he shouted this and similar words at the troops, picking up members of his staff as well as troops along the way so as to lead an entourage to find a way off the beach. General Cota, almost a grandfatherly sort whose concern for his men was evident to them, was similarly (and only apparently) oblivious to gunfire as he strode the western sector of the beach encouraging the troops to get moving. Of course, it was the heroics and ingenuity of several junior officers, NCos, and those lower in the ranks that ultimately succeeded in getting past the beach by D-Day mid-afternoon. Their exploits are covered in detail in both books.

Both are highly recommended.

Before we judge appropriateness, then, of a solution, the question must always be asked, at each stage: “Then what happens?”

This is the rounded off message of this book. The oceans have been our dumping ground for years, whether garbage or coal atoms, or heat, or scum on the ocean floor.

The main element to remember is that just because we do not see waste personally anymore, it continues to exist, whether as atoms, or heat, or scum on the ocean floor.

The common denominator between the 1st Division’s sector and the 29th Division’s sector was an officer who not only recognized that it was imperative for the troops to get off the beach as quickly as possible but who also had the leadership ability – and courage – to make it happen. In the 1st Division’s sector, that man was Col. George Taylor, Commander of the 16th Infantry. On the 29th Division’s sector, it was Brig. Gen. Norman Cota, second in command of the 29th Division, said to probably be the oldest soldier to land on Omaha Beach on the morning of D-Day.

Far in advance of the D-Day invasion, Colonel Taylor, said to resemble General Patton in his manner, had been obsessed with the thought that any man on Omaha Beach would be dead or about to die – so get off the beach! As he stormed up and down the beach ignoring a hail of machine gun fire, he shouted this and similar words at the troops, picking up members of his staff as well as troops along the way so as to lead an entourage to find a way off the beach. General Cota, almost a grandfatherly sort whose concern for his men was evident to them, was similarly (and only apparently) oblivious to gunfire as he strode the western sector of the beach encouraging the troops to get moving. Of course, it was the heroics and ingenuity of several junior officers, NCos, and those lower in the ranks that ultimately succeeded in getting past the beach by D-Day mid-afternoon. Their exploits are covered in detail in both books.

Both are highly recommended.
THE CORRECT WAY TO ACCEPT PAYMENTS!

Trust your credit card transactions to the only merchant account provider recommended by 39 state and 49 local bar associations!

- Separate earned and unearned fees
- 100% protection of your Trust or IOLTA account
- Complies with ABA & State Bar guidelines
- Safe, simple, and secure!

Reduce processing fees and avoid commingling funds through LawPay.

Process all major card brands through LawPay

866.376.0950
LawPay.com/okcba

AffiniPay is a registered ISO/MSP of BMO Harris Bank, N.A., Chicago, IL