**Do You Know...**

A judge or lawyer who should be recognized for their dedication or willingness to go above and beyond in their everyday life to better the legal or local community? The Oklahoma County Bar Association is seeking nominations for the following awards to be presented at the Law Day Luncheon on May 1.

The **Journal Record Award** is presented by the Journal Record Publishing Company to an attorney or judge who has served both the community and legal community in a professional and outstanding way. Based on lifetime achievements, this award recipient is selected by the Law Day Committee and is one of the OCBA’s most prestigious awards. Letters of nomination for this award should be mailed to: OCBA, 119 N. Robinson, Suite 240, Oklahoma City, OK 73102, attn: Law Day Committee. The nomination deadline is April 1, 2019.

The **Liberty Bell Award** is presented at the Law Day Luncheon by the Young Lawyers Division. This award is given to a non-lawyer who has given her/his time to assist the legal community in Oklahoma County. Nominations for this award can be mailed to YLD Chair Benjamin Grubb, OCBA, 119 N. Robinson, Suite 240, Oklahoma City, OK 73102.

The **Howard K. Berry, Sr. Award** is selected by the Law Day Committee and is one of the OCBA’s most prestigious awards. Letters of nomination should be mailed to: OCBA, 119 N. Robinson, Suite 240, Oklahoma City, OK 73102, attn: Law Day Committee. The nomination deadline is April 1, 2019.

**Journal Record Leadership in Law Awards** are selected by the OCBA Awards Committee. The Awards Committee is looking for outstanding leaders in the legal community who unselfishly give their time and energy to improve the lives of fellow Oklahomans, in addition to juggling their busy legal careers. Only five recipients are selected each year. Letters of nomination should be mailed to: OCBA, 119 N. Robinson, Suite 240, Oklahoma City, OK 73102, attn: Awards Committee. The nomination deadline is April 1, 2019.

**Journal Record Leadership in Law Awards**

The winner of the Howard K. Berry, Sr. Award is given to an individual who resides in Oklahoma County or a charitable organization that is located in Oklahoma County to honor that individual's or organization’s outstanding achievement or contribution to Justice or the Justice System. The winner of the Award will be honored by the presentation and a cash award of $10,000 from the Oklahoma County Bar Foundation. The winner of the Howard K. Berry, Sr. Award is selected by the Board of the Oklahoma County Bar Foundation from the nominations received without any action on the part of the nominee to seek this award or enter the proceedings. One need not be an attorney or a member of the bar to make a nomination, but one must be a resident of Oklahoma County to make the nomination. The winner of the award need not be an attorney or employed in the legal profession or the Justice System, but the winner’s achievement or contribution must advance the charitable purposes of the Foundation to advance the cause of Justice, equal access to justice for all and/or the improvement of the Justice System. No nominee will be disqualified by having been previously nominated for any other award in recognition of their achievements.
**From the President**

Happy February!

By Judge Sheila Stinson

As we head into spring, and hopefully warmer weather, the Oklahoma County Bar is busy planning several activities and projects. The Young Lawyers Division just wrapped up their World Renowned Chili Cook-off. There was some amazing chili, superb fellowship, and a wonderful silent auction. But most importantly, the evening raised money for the YLD’s project of fighting hunger. Thank you to everyone who participated and attended and thank you to the YLD Board of Directors for another great event.

Our next event is the Ski Trip in Santa Fe. I know a fun time and great CLE will be had by all that attend. Also in March is the Bench and Bar Conference. I strongly encourage everyone to join us at Seagayah State Park on March 29 and 30. We moved from Quartz Mountain Park two years ago, and the new location is a beautiful, relaxing area with great places to hike or to just watch other people hike while you sit in a chair enjoying the lake. It is one of my favorite bar association events and if you have never attended before, please make this year your first. I started attending as a young attorney, and over the years I started bringing my husband, and now my children. With a great opportunity for CLE, networking, fellowship, relaxation and exploring some of Oklahoma’s beautiful landscape, it will again be an exciting and beneficial conference.

Recently my husband’s parents celebrated their 50th wedding anniversary. Happy Golden Anniversary to David and Becky! My parents are not far behind, having recently celebrated their 46th anniversary. Happy Golden Anniversary to David and Becky! My parents are not far behind, having recently celebrated their 46th anniversary. These two anniversaries lead to me contemplate how that relates to our careers. How many attorneys will celebrate 50 years with the same firm or employer? It is commonplace now for lawyers to change jobs several times in their career. In 2016, Forbes published an article addressing the benefits of changing a job every three to five years. However, one thing that stays consistent is that one of the places you can enjoy a lengthy tenure is at a bar association. You can join early in your career and still stay active, even after you may slow down in your practice. OCBA is a worthwhile group to join and merits staying. We have benefits and rewards for new lawyers, and we have benefits and fulfillment for attorneys toward the end of their career, and opportunities for service and learning to everyone in between.

So, what do anniversaries have to do with February? With the upcoming Ski Trip and the Bench and Bar Conference, these are the type of activities that can jumpstart your participation in the OCBA. The question I get asked most often during my presidency has been, “How can I get involved?” My response usually includes join a committee and come to the Bench and Bar Conference. If you’re looking to get active with the OCBA or to get more active in the OCBA, join us at Seagayah State Park!

In closing, each month I would like to quickly spotlight one of our committees. The first one is the Briefcase committee. These dedicated lawyers volunteer to publish this monthly newspaper. They all work hard to write and edit articles. They all do a great job. I also know they would welcome any submissions you may have for publication. So, whether you are a columnist, a journalist, or scholarly article author waiting for your chance, seize on this opportunity and forward any submissions to the editors. But primarily, thank you to the Briefcase Committee and especially the editors!

Oklahoma County Bar Auxiliary Fundraiser

Benefiting Children’s Nonprofit Organizations in Oklahoma County

TLC $20 Gift Cards – Never Expire!

Total Quantity _____ x $20 = _____ + $5 Shipping = TOTAL DUE: $ ______

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TO PLACE AN ORDER...

Email your order form to: becky.taylor527@gmail.com and mail your check to OCBA, c/o Becky Taylor, 745 NE 18th St, OKC, OK 73105

Orders due MONDAY, MARCH 25, 2019

QUESTIONS? Contact Tsinena Thompson, TThompson@OLFC.org (405) 232-4453

OR Janet Rayburn, janetrayburn@cox.net (405) 615-6045

The shepherd always tries to persuade the sheep that their interests and his own are the same.

—Stendal (Marie Henri Beyle), novelist (1783-1842)
DO YOU KNOW... from PAGE 1

Oglas of his, her or its achievement or contribution to Justice and/or the Justice System or the legal profession. The winner of the Award will not be required to render any substantial future services as a condition to receiving the prize of the Award. This award is made possible through a generous gift of Oklahoma County attorney, Howard K. Berry, Jr., to honor his father and

Id. at 12–13. The Court determined that the Texas state court’s ability to enforce its own jury verdicts was necessary not only “to vindicate and preserve the personal rights of competing litigants,” but also to “stand[] in aid of the authority of the judicial system, so that its orders and judgments are not rendered nugatory.” Id. at 13. Additionally, see: Shafizadeh v. Bowles, 476 F. Appx’71, 72–73 (6th Cir. 2012) (abstaining under Younger where a plaintiff sought “an injunction to direct the judge who presided over [his] divorce to remove himself from the case,” alleging that the judge was biased against him); and Strand v. Dawson, 468 F. App’x 910, 911 (10th Cir. 2012) (affirming district court’s dismissal on Younger grounds of suit against state court judge who “refused to recuse himself in a pending state court eviction action involving Plaintiff[s]).

At this point, I don’t think we need to discuss the merits.

Dear Roscoe: What do I need to show to make a case against a school district for willfully failing to take action against the bullies and neglecting a child’s disabled minor ward?

N.H., Del City, OK.

Dear N.H.: Happy to help you out. If you’re talking federal law we’re talking Title II of the Americans with Disabilities Act, prohibiting a public entity from excluding from participation in or denying benefits of its services to persons with disabilities and Section 504 of the Rehabilitation Act prohibits the same for entities receiving federal funds. In either case, the court will likely look to Davis v. Monroe County Board of Education, 526 U.S. 629 (1999) which laid down a five part test for liability: (1) the individual has a disability, (2) the individual was harassed because of this disability, (3) the harassment was sufficiently severe or pervasive that it altered the condition of the individual’s education and created an abusive educational environment, (4) the defendant board of education knew about the harassment, and (5) the defendant was deliberately indifferent to the harassment. It seems to me most cases get hung up on point 5. “Deliberate indifference” is a bear to prove. Boards of Education need not provide an environment that is bully-free. Many, if not most, have taken reasonable steps to prevent and protect students from bullying. Even if they have little effect, they are not likely to rise to the level of deliberate indifference. Good luck.

The near-death experience of last month put me on guard. The newspapers played up the case, sending the message that Hudson County comprised an assassin-free zone, at least as far as imported bulb worms. I placed my family on alert, and friends on both sides of the law boosted our security on an irregular basis. Just another day in the life for me. To my knowledge, no new takers accepted the contract since that time, although I took special note of suspicious cars, packages, and out-of-neighborhood joggers. It seems my defensive measures paid off, or maybe it was just the polar vortex. Unless the spring thaw uncovers a host of punk-cicles around the county, we’ll probably never know.

I had given up all expectations of running the business in anything close to a hands-on manner. Most of my time consisted of bouncing from my house to Sandy Kearny’s. While the season on me may have closed or, at least, stalled, open season remained in effect. I admit I’m no Tom Edison (who seems to have been pretty much of a dick, albeit a brilliant one) when it comes to electronics. But I appreciated the ingenuity of some of the underworld wonks involved in the harrowing ops. For example, Chips installed state-of-the-art home security in her home. She could use her cell to monitor the front door step of her home and five additional points around her yard. In addition, our mutual pal The Comptesse—a/k/a Aubrie-world-wide tip-top watchers, appeared to be the defense’s target audience.
Meet the Judges

Getting To Know New Special District Court Judge
Elizabeth (“Beth”) Hixon Kerr

With Travis Pickens

What did you grow up, and go to school?
I grew up in Dallas, Texas and went to college at Southern Methodist University.

What interested you in becoming a lawyer?
My great uncle, Aaron Wilson, was the City Attorney of Kansas City Missouri for many years. Uncle Aaron was a role model for me and I can remember that he stayed on as City Attorney, after announcing his retirement, to see the City through the Hyatt Crown Center hotel bridge collapse in the early 1980’s. Aaron was at the hotel when the bridge collapsed. He believed civic duty was greater than self.

How will your previous experience as a practicing lawyer and city judge help you as a Judge in Oklahoma County?
I was the Associate Municipal Judge for the City of Edmond for 8 years and then went to UCO for 10 years. The common bond between my prior positions is that I dealt with people who were not at all familiar with the law. At the municipal court, a lot of people were pro se and had never been in a court room before. At UCO, there were a variety of legal issues that faculty, staff and students may not have completely understood. In both circumstances, it was my job to try to explain the law (and possible consequences) in terms they could understand. It is also very important to me that though people may not like the legal outcome, they do believe that they are treated with respect by the court.

What will you expect of lawyers that come before you?
One word, honesty.

Tell us about your family.
Steve and I have been married 34 years and met at SMU. He is my rock. We have two sons, James and Wilson. James is a working actor in LA and Wilson is an economic developer for the City of Addison, Texas. Wilson is married to Devyn, who works for a nonprofit that offers speech therapy for Parkinson’s patients. She is beautiful inside and out. Steve and I are very lucky to have the three of them in our lives. We also share a house with three dogs and a cat, three of which are rescue animals.

Steve is also a lawyer. What has it been like to be a two lawyer household?
Well, Steve and I have not practiced very much together. What was nice, is that (until now) we were able to bounce legal issues off of each other and that was very helpful for both of us. We also understand what it is like to have a difficult day in the legal arena, which in a marriage between two lawyers is essential.

You and Steve have done an enormous amount of work through the Kerr Foundation and local charities. Why has that been important to you?
Steve is Vice President of the Kerr Foundation. Both of us have served on many boards throughout the years… it is a part of our DNA and our family’s DNA. We believe that lending time and talents to nonprofits is something that everyone is called to do, if they are able.

Favorite song: “Defying Gravity” from the musical Wicked
Favorite book: The Help by Kathryn Stockett
Favorite movie: The Philadelphia Story starring Katharine Hepburn, Cary Grant and Jimmy Stewart.

Best vacation: This past summer our family went to Cancun for my cousin’s wedding. Though I had never snorkeled before, the five of us went an hour and a half off land to snorkel with whale sharks; huge, docile and beautiful creatures. I will never forget that experience.

Hobbies: Yoga and going to musical theatre productions

Why being a lawyer is a blessing:
Being an attorney, I think, is one of the toughest professions out there. The blessing, at least for me personally, is when I truly know that I have helped make a difference in someone’s life. I have found that the “blessings” usually do not present themselves immediately. But when I have been told, years later, by a parent that I made an impact on their child while I served on the municipal bench… it brings tears to my eyes.

Meet Judge Heather Coyle

By Miles Pringle

On March 15, 2018 Heather Coyle, an experienced prosecutor with the Oklahoma District Attorney’s Office, announced her candidacy for Oklahoma County District Judge. It was a decision 20 years in the making. She believed that with her experience she could make a positive difference from the bench. This November she won her election and assumed her judicial duties on January 14th, 2019 with a ceremonial swearing-in on January 22nd.

A native Oklahoman, Judge Coyle attended the University of Oklahoma, receiving a Bachelor of Arts degree in political science, minoring in Spanish and History. Having assumed many leadership positions in college, she determined that her skills would be best cultivated by going to law school at the University of Oklahoma, becoming the first attorney in her family (although her sister soon followed her lead). During law school, she interned with the Oklahoma County District Attorney’s Office, where she would spend her entire career, until her recent election as a District Judge.

As a prosecutor, Judge Coyle obtained extensive jury trial experience prosecuting cases dealing with homicide, drugs, property damage, violent crimes, and domestic violence. She has also spent much of her career working on delayed or alternative sentencing programs, such as overseeing the Drug/DUI Court Program, heading the Mental Health Court, working on HERS, a female diversion program; the Northcare Day Reporting Program, and ReMerge, a highly successful female diversion program designed to transform pregnant women and mothers facing incarceration into productive citizens.

Judge Coyle is a mother of three and married to attorney Billy Coyle. She is also a leader in the Oklahoma City community, serving as a sustaining member of the Junior League of Oklahoma City, a Board member for the Horn Homestead, and a Master for the William J. Holloway American Inn of Court (she is currently the Inn’s Treasurer, as well). She is also a member of Christ the King Catholic Church, where her children attend school.

If Judge Coyle had a one-word philosophy, it would be “respectful.” As a Judge, she intends to be respectful to attorneys, parties, and their issues. In return, she expects attorneys to be respectful and prepared. She also expects attorneys and their clients to be truthful. We are looking forward to working with Judge Heather Coyle, and welcome her to the bench.
Meet Judge Natalie Mai

By Jeff Massey

On November 6, 2018, the Oklahoma County electorate chose Ms. Natalie Mai as one of the new District Court Judges. In a hotly contested race, Ms. Mai received over 60% of the total votes cast. A non-Oklahoma native, Judge Mai was elevated to this prestigious posting through years to determination and dedication.

Judge Mai came to the United States from Viet Nam when she was almost 11 years old. She assimilated quickly into her new nation, learning English and traditional American values. Her parents owned and operated a convenience store. While growing up, Natalie assisted in all aspects of the store, giving her a keen sense of an entrepreneurial spirit. Her hard work and academic success propelled her through school where she graduated valedictorian at West Moore High School.

She attended Cornell University where she worked her way through college with on-campus jobs and internships. While at Cornell she developed an interest in banking and finance. She graduated with a bachelor’s of science degree from Cornell, and then obtained her National Association of Securities Dealers Series 7, 66 and Group 1 licenses.

After working for half a decade in private banking in Houston, Ms. Mai yearned to come back to her family in Oklahoma. Natalie’s family encouraged her to continue her academic pursuits here in Oklahoma. Deciding upon a path toward the law, Ms. Mai enrolled in Oklahoma City University. While in school, she attended the Cornell Law School Paris Institute, operated her own retail business, and worked as an extern for the Hon. Honorable Niles Jackson in federal bankruptcy court.

During and after law school, Ms. Mai owned and operated several small businesses in retail and real estate. In her legal practice, Ms. Mai successfully served clients in the areas of tax, immigration, civil litigation and criminal defense. She is licensed in the federal Western District of Oklahoma. As a district judge assigned to oversee criminal felony cases, Natalie Mai is committed to be a compassionate, yet impartial, decision maker who will vigorously pursue justice.

Judge Mai is a 2012 graduate of the Oklahoma Bar Association Leadership Academy, a Legal Aid Volunteer and Oklahoma Lawyers for Children Volunteer Advocate.

Meet Judge April D. Collins, Special Judge

By C. Scott Jones

April D. Collins was sworn in as Special Judge on May 7, 2018. Collins, who filled the opening created when Judge Russell Hall retired, is assigned to the Sixth floor and handles a number of different types of claims. Her dockets include small claims, post-judgment enforcement, evictions, Department of Public Safety appeals, misdemeanor criminal jury trials, the cost docket, and assisting with traffic court.

Collins, who was born in Cleveland, Ohio, came to Oklahoma to attend college at Southern Nazarene University (“SNU”) in Bethany. She obtained her undergraduate degree from SNU in 1992 before earning her law degree from Oklahoma City University in 1995.

After law school, she worked as an Assistant District Attorney in Oklahoma County under District Attorney Bob Macy. After taking several years off to be home with her family, she was in private practice in the areas of estate planning, probate, and criminal defense. In 2016, she became a prosecutor for the City of Bethany and eventually became Deputy City Attorney for the City of Bethany in 2017 before being selected as special judge.

She said lawyers and litigants have been patient with her as she learns the different areas of law. “Small claims is like a bar exam question every day,” she said. “My goal is to know what the best decision should be, in addition to doing what the law says.” She has enjoyed working with pro se litigants, which she described as similar to teaching.

Judge Collins has been an adjunct professor at SNU since 2008, where she was also the co-founder and faculty advisor for the Law Club. She works with the youth at her church and is a member of the Downtown Exchange Club and Holloway Inn of Court. Judge Collins also helped start a legal clinic at the Reaching our City Mission, which was a satellite office for Legal Aid Services in Bethany.

In her free time, Judge Collins enjoys travel with her family and scuba diving. She lives in Bethany with her husband, David. They have two children.

Judge Collins is in Room 631 of the Oklahoma County Court House. The telephone number for her chambers is 713-1181. Kayla Darby is her bailiff and Aimée Drake is her assigned clerk.

Meet Judge Susan Stallings

By Joi Miskel

Judge Susan Stallings graduated from OU Law in 1991. During her long and esteemed career, she worked for the Muscogee (Creek) Nation in their Children & Family Services division, helping to protect Creek children and their cultural environment. In the Child Support Enforcement unit at DHS, she helped the most vulnerable citizens get the financial support they desperately needed. While at the Oklahoma Attorney General’s Office, she was an attorney in the Patient Abuse & Medicaid Fraud Unit, where she prosecuted those who abused, neglected, or financially exploited the elderly, along with those who cheated the Medicaid system. She was cross-designated as a Special Assistant U.S. Attorney in that role, as well. As an Assistant District Attorney, Judge Stallings was the Head of the Domestic Violence unit.

Judge Stallings believes she can now help people from the bench, having helped people as an advocate on the state, tribal, and federal levels. “I will bring diverse experience and an open mind,” she states. “People deserved to be heard and are entitled to a fair hearing no matter what their station in life is. Access to the courts - everyone should have it but not everyone can afford it. It’d like to see more self-help programs that are easy for the general public to understand and to navigate.”

Judge Stallings has been most influenced by her parents - “they taught me right from wrong, and to treat everyone fairly and with respect.” She also credits attorney Fern Smith in guiding her career. “When I started in the DA’s office right out of law school, Fern Smith taught me that we were to seek justice - not just convictions. I’ve never forgotten that.”

From the outset, Judge Stallings has declared that her courtroom does not belong to her, but to the people. She will strive to fairly adjudicate issues as quickly as possible because, “Justice delayed is justice denied.”

Meet the Judges

Here Comes The Judge: Meet Amy Palumbo

By Joi Miskel

Judge Amy Palumbo is a graduate of Oklahoma City University School of law with an undergraduate degree in Public Speaking from the University of Nebraska. She is both a former defense attorney, as well as a former prosecutor. When asked what she will bring to the bench that will contribute to our judicial system, she replied, “I bring a full spectrum of experience to the bench. I understand the difficulties and rewarding things each side faces. My first-hand knowledge trying cases as a prosecutor, and a criminal defense lawyer, will allow me to fully weigh what each side is presenting and make a fair ruling. I will use my experiences to promote a better working environment and encourage both sides to work together to resolve common issues.”

Judge Palumbo has not only brightened the bench, but also the courtroom. The windows are open, letting the natural light in, and illuminating the numerous plants that adorn the courtroom. Her chambers look like a page out of a decorating magazine, welcoming business to be conducted in a relaxed, yet efficient atmosphere.

Judge Palumbo would like issues resolved such as judicial reform, a new jail facility, better drug treatment, as well as the establishment of a misdemeanor drug court. She encourages attorneys before her to illuminate and humanize the side you are advocating for in a concise, thoughtful, and creative manner.

Above all, be prepared.

The people who have inspired Judge Palumbo are: “Historically, Jesus Christ and Alexander the Great. Professionally, Aubrey McClendon, Johnny Albert, Tim “Tarzan” Wilson, and Scott Rowland. Personally, I have been married to my best friend and favorite lawyer, Marco Palumbo, for 17 years.”

When asked what she would like for people to know, she responded with, “throughout history, people have suffered shocking atrocities, and it continues in parts of the world today. What they wouldn’t give for the freedoms and protections afforded us by our Constitution. It’s my duty and responsibility to uphold the law and apply it fairly and impartially. In my courtroom, you’ll be heard, get a fair trial, and be treated with dignity and respect. I think God and the voters of Oklahoma County for this opportunity.”

Meet Judge Bethany Collins

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Excerpts from OCBA News:

FEBRUARY 1979, PART 3

OCBA Committees Give Mid-Year Reports

With one-half of the 1978-1979 OCBA year almost over it is time to let you know what your association has been doing and what is ahead. Committee chairmen from ten committees have filed their reports.

LAW DAY

As requested in your memo of January 3, 1979, the following constitutes a report on the activities to date of the Law Day Committee and the Response Subcommittee of the Public Information Committee.

The Law Day Committee has met, as a whole, two times and sections of it have met on several other occasions. The Committee has contacted several proposed speakers for expressions of interest. In addition, the Committee is planning and developing programs and activities to be conducted both on Law Day and during that week. Final decisions have not been made as to the range of activities and programs to be undertaken.

The Response Subcommittee of the Public Information Committee was formed by President Turner to enable the Association to respond in a timely fashion to matters of public interest which affect the Bar. The Subcommittee has considered and acted upon two matters published in newspapers one an editorial and one a “Letter to the Editor.” In each instance it was decided that no benefit would be derived by the Association from a public response and none was made.

—Kenneth N. McKinney

WORKMAN’S COMP

I am pleased to announce that to date we have had two extremely successful meetings with a great deal of interest exhibited. It might be added that steps are being taken to hopefully coordinate some significant activities with the Talsa County Bar Association for this year and, hopefully, successive years.

We have looked into the matter of videotaping a mock trial of the various aspects of a Worker’s Comp Trial, applying the “new law” as it has become effective and is currently in effect. This tape is intended to be used for instructive purposes to members of our County Bar Association. Outside the County, it was generally agreed that a rental charge should be made for the tapes. The Chairman of this Committee would be granted the authority to coordinate tape rentals and sales. This is perhaps our biggest project and could possibly be the most time consuming.

It is hoped that better working relationships can be established between the medical profession and the practitioners of this county involved in the injury-type work of Workers’ Compensation. The membership agrees that this is a high priority item, although the actual mechanics of accomplishing our end are not completely ironed out.

This Committee will also be monitoring pre-filed bills in the Legislature concerning proposed new legislation which we anticipate will come this 1979 legislative session. After this committee has reviewed the bill, our conclusions shall be forwarded to the County Bar Response Committee to assist the County Bar Association in formulating a formal position concerning proposed Compensation legislation. With that in mind this Committee and the State Workers’ Compensation Committee will, hopefully, share ideas and this Committee might well serve as a resource for the State Committee in reviewing proposed legislation concerning the Workers’ Compensation Act.

This Committee will be reviewing and learning more concerning the rehabilitation provision of the new Comp statutes since an interest has been expressed in that area. This Committee shall continue with continuing legal education in one form or another in keeping the Bar informed of changes in Comp procedure and substantive law.

We anticipate a great deal of “political activity” in this field of the law again this year and your Chairman, also a member of the Oklahoma Trial Lawyers Association, will hopefully be able to keep the Bar advised of same.

—Joseph C. Riscone II

By Bill Gorden

How to Behave Badly in Elizabethan England

Ruth Goodman,Liveright, 2018, Hardcover, 314 pages, $28.95

For those whose fondest wish is to go back to the old, chivalrous knights-in-armor days, two words. Toiletpaper.

While the title of the reviewed book seems to promise a review of outlandish behavior, there is less to it than that. Behaving badly means contrary to the rules of the time, so our Twenty-first Century lens must be replaced. Slut or slutty in Elizabeth’s time meant slowly, often. “Dirty” meant, well, dirty, as in yucky. Threatening hand gestures were different, and depended on whether one was in cosmopolitan London or York. There were numerous of these. The author does not always go into enough detail to help us understand the behind the scenes meanings. Neither did Shakespeare in Romeo and Juliet.

Cross dressing, for whatever purpose, was lamented. This meant, however, women wearing pantaloons and perhaps smoking. Smoking was a brand new fad, remember, for all.

There was a wide array of bows and curtseys that might be expected. One could give offense by overdoing, as well as under-performing. There were many social land mines. Also, the English were under the gun to mimic the last style from Italy or France. Even the upper class could fall behind.

Often, these things led to duels. Duels among people of different classes, or the same class. They were seldom life threatening. Some even involved street gangs.

Many only had one set of clothes. One hat. (Yes, a hat) It was very uncouth ever, women wearing pantaloons and
to allow anyone especially a lady, to see the inside of your hat. Why? Well, people in a lot of classes did not bathe much either. You could doff your hat, just mind where you aimed it.

For those whose fondest wish is to go back to the old, chivalrous knights-in-armor days, two words. Toilet paper.

One last thing. Bodily fluids. Then, as now, keep them to yourself. Blood, Phlegm, urines ... just no. Not anywhere. This is the era of snuff, so this was harder than it seems. Thus, the invention of the handkerchief by the Elizabethans, which as any Gen X or Millenial will tell you today, is not suspenseful at all.

The Spy and the Traitor

Ben Macintyre, Crown, 2018, Hardcover, 358 pages, $28.00

There are different kinds of spy books. The Brits version is more mindfull, with tours of plot being more subtle. Violence is not frequent, but forceful when it happens. American spy writing is much more violent, and the focus is on building suspense, whether that means a subtle turn or a gut punch twist, often the latter.

Then there are the spy books that are factual or fact based. The books on real life spies such as Hansen, the Walkers, or Aldrich Ames are often more interesting than the fiction. There is less violence, and even less suspense building, as intelligence work is buried under so many layers of “normal”.

This book is about real life spying, but it is suspenseful all on its own. Colonel Oleg Aleksandrovich Gordievsky, fast rising KGB officer, becomes infatuated with things Western while posted to Denmark at the Soviet Embassy. He is recruited, and remains a spy for the British and a Traitor to the Russians, (hence the title), rising even to spy chief within the Russian embassy in London. His work went on for years, some of his information going directly to Margaret Thatcher, during crucial talks she had with Mr. Gorbachev. He was safe until the Americans felt the need to know his name and position. That is when Ames, a spy for the Russians in U.S. Counterintelligence, discovers the truth on Gordievsky.

Cut to the chase, and a harrowing escape. This is good stuff and real stuff, as well. It is a remarkably fast read.

Events & Seminars

March 3, 2019

OCBA Night At The Thunder

Thunder v. Grizzlies, 8:30 p.m.

Chesapeake Arena

March 29 – 31, 2019

2019 OCBA Bench & Bar Conference

Sequoyah State Lodge
This year, the residents of St. Edwards Redeemer Nursing Center received a special Christmas surprise as part of the Rockin’ Around The Christmas Tree celebration. When Judge Kendall Minmier learned about the OCBA Community Service Committee’s work with St. Edwards, she was moved to organize this effort. “During the OCBA meetings around the holidays, I learned about St. Edwards Redeemer Nursing Center from Judge Parrish as she explained that continued support was vital to its residents. Hearing stories about the people living there immediately struck a chord with me and compelled me to participate,” said Judge Kendall Minmier, Administrative Law Judge at the Oklahoma Corporation Commission. With the help of The Tawwater Law Firm and Corporation Commission employees in the Oil and Gas Division, every St. Edwards resident received a new, soft blanket. Judge Minmier’s participation on the Community Service Committee is greatly appreciated, and she encourages other OCBA members to participate in the events at St. Edwards throughout the year. “In our busy personal and professional lives, we sometimes forget that the simplest acts of kindness can make a world of difference to someone else. OCBA members should consider participating in various projects at St. Edwards throughout the year because the residents need assistance in very specific ways, but more than anything, enjoy the company and entertainment provided by visitors to the home. The donation of time, attention and care helps bring happiness to the residents and hopefully makes them feel connected to the world outside the home,” Minmier said.

Keep your eyes open for more opportunities to contribute to the OCBA Community Service Committee’s efforts at St. Edwards Redeemer Nursing Center.

OAMIC Introduces Employed Lawyer Policy

Considering Professional Liability coverage as an Employed Lawyer?

We now have a policy for you!

Coverage includes pro bono legal services with employer’s written permission

Exposure to regulatory compliance issues, HIPPA, & other areas makes this well worth the expense.
2019 OCBA Young Lawyers Division Chili Cook-Off A SUCCESS

By: Benjamin Grubb
OCBA YLD Chair

The OCBA YLD held its best-attended Chili Cook-Off in years on Friday, January 25, 2019 at Twisted Spike Brewery in Oklahoma City. The standing-room only crowd enjoyed tasting chili accompanied by Twisted Spike’s signature refreshments. Cook-Off Subcommittee Chairpersons Cody Cooper, Randy Gordon, Sarah Beth Hance and Amber Martin did a wonderful job of organizing teams and obtaining donations with the help of the YLD Board of Directors. Thank you to the chili teams and members of the bench and bar who attended.

The 2019 Winners in each category were:

- **Traditional:** Amber Martin, Bob & Leah Jackson, Sarah Hance, Cami Ruff & Kristin Meloni
- **Non-Traditional:** Morgen Potts, Cody Cooper, Travis Harrison, Kendra Norman & Molly Tipton
- **Hottest:** Jeff Ludlum, Andrea olden, A.J. Redding, Ashley Warshell & Elizabeth Rosales
- **Best in Show:** Misty Wallace, LaShounda Faye, Spencer Habluetzel, Sydney Kippenberger & Joel Hall
- **Best Overall:** OCU’s Katelyn King, Rachel Brown, Taylor Weder & Caron Turner

A special thanks to Chief Justice Noma Gurich of the Oklahoma Supreme Court, Judge Barbara Swinton of the Oklahoma Court of Civil Appeals, Oklahoma County Judges Don Andrews, Lisa Hammond, Tim Henderson, Richard Ogden, Sheila Stinson, Ken Stoner and Cindy Truong, as well as Twisted Spike Brewing Company for their support of the YLD’s continuing commitment to the Regional Food Bank of Oklahoma. We would also like to thank the following organizations for their generous donations: The Jones Assembly, Twisted Spike Brewery, C.K. & Company, Udander, Stella Nova, Park Avenue Salon, Cycle Bar, OKC Zoo, Mickey Mantle Steakhouse, Golftec, B.C. Clark, OK Shakespeare in the Park, Beau’s Wine Bin, Good Egg, On A Whim, Café Disco & Trader Joe’s.
Wyatt Swinford & Chili Judge Ken Stoner

Best "Hottest" Chili Team:
Ben Grubb presents to Jeff Ludlum & Randy Gordon

Chili Judges
Noma Gurich & Sheila Stinson

Chili Judges Lisa Hammond & Don Andrews

Best Traditional Chili Team:
Cami Ruff, Sarah Beth Hance, Amber Martin, Ben Grubb, Leah & Bob Jackson & Kristin Meloni
Volunteer Opportunities

The OCBA has many opportunities to volunteer with their Community Service Committee, Law Related Education Committee, Lawyers For Learning Committee and Voices for Children Committee. However, this new monthly column will list other opportunities for our members to help the community. If you know of something that should be listed here, please contact the Bar Office at 236-8421 and we will add it to this new monthly Briefcase column.

SUPPORT THE FOUNDATIONS FOR OKLAHOMA CITY PUBLIC SCHOOLS
WHEN YOU BUY A 2019 KEEP IT LOCAL CARD

For every card sold, $1 will be donated to benefit The Foundation for Oklahoma City Public Schools and The Foundation for Tulsa Schools.

2019 Keep It Local Cards to Benefit The Foundation for OKCPS

• 2019 Keep It Local cards are now available for purchase and will help support area schools.
• The cards, which provide discounts at more than 300 local businesses, are available online (keepitlocalok.com) and at participating locations for only $15.
• For a list of participating businesses, download the FREE Keep It Local OK app on the iTunes App Store or Google Play.

#KEEPITLOCALOK

The organization’s mission is to boost awareness of locally-owned businesses and strengthen the Oklahoma economy. Public schools are the heart of our cities and towns. Without strong schools, it’s almost impossible to have a thriving business community. Giving back to education elevates everyone who lives here.”  
—Bryce Bandy, co-founder of Keep It Local

2019 NONPROFIT PARTNER

For every card sold, $1 will be donated to benefit The Foundation for Oklahoma City Public Schools and The Foundation for Tulsa Schools.

CELL PHONE FORENSICS

Avansic can:

- Collect information and provide a report, consulting, and evidence storage
- Find call logs, text messages, videos and photos
- Assist with interpreting Mobility Usage Reports and device location

www.avansic.com
Men boast of their reason! And if they used it freely and applied it properly it might be justifiably considered that in their rational conduct men are guided by such reasons as are a shame and a contradiction to reason, it seems wasted on them. Indeed, the use which they make of it is so little or so wrong that it would be better for their reputation if they had no ability to reason at all. Though the many scarce use the reason at all, and none use it as much as they ought, yet every man thinks that he does use reason simply in order to justify his folly or wickedness. Prejudice or passion steps into its room and takes its name. Under the appearance of reason prejudice does things which reason abhors. Thus reason, as well as religion, is forced to furnish its enemies with arms against itself; and the abuse of it is worse and more dangerous than the absolute want of it, as an idiot is less terrible and less odious than a knave, and as a harmless pagan is a much more amiable character than an outrageous persecuting bigot. So that as no religion at all is wanted, yet as little of reason I have said, there is reason to suspect that any religion that is to say, any religion that prompts men to hurt one another so the absence or inactivity of the faculties is better than the quickness of faculties wickedly applied.

Of all the many false lights that mislead men from their reason prejudice is one of the foremost. The reasons promulged by it are no two things upon earth are more opposite to each other than reason and prejudice, yet they are often made to pass for each other. Some men will give you very good reasons for being in the wrong themselves. There are those who will also give you very good reasons why others should be considered to be in the right. In other words, the prejudices of some would be thought to be wisdom, and the wisdom of others is miscalled prejudice. The worst things that men do, if only called by a good name, will pass for the best. The best, blackened by an ill name will pass for the worst. Such is the force of prejudice in the world and so successfully does this enemy of reason mimic reason.

Prejudice is an obstinate and unreasonable attachment to an opinion, and is supported only by a willfulness to maintain it. It links the good with the bad and the bad with the good, and.Wrap your texts neatly. For example, if you have a long block of text, consider breaking it into smaller paragraphs.},

### Cato’s Letters: No. 49 - Of the Power of Prejudice

(By Thos. Gordon – October 21, 1721)

By Geary Walke

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Bar Observer

Holmes, Holmes & Neisent Welcomes Medicaid Attorney

The Elder Law and Special Needs Law firm of Holmes, Holmes & Neisent, PLLC, is proud to welcome Travis Smith to our office as an attorney. Smith has spent the last 19 years at the Department of Human Services, representing the agency in a wide variety of matters, primarily Medicaid Long-Term Care and Special Needs eligibility. He has litigated Medicaid issues in Oklahoma district and appellate courts, the Western District of Oklahoma, the Tenth Circuit, and the United States Supreme Court.

Smith has made 200 presentations to the public, including 70 for CLE credit – primarily Supplemental Security Income applications for applicants with mental health issues.

Smith received his Bachelor of Accountancy and JD from the University of Oklahoma. He has lived in the metro area with his wife since 1974.

Smith’s practice will focus on issues involving Medicaid eligibility for nursing home care and at home care, estate planning for beneficiaries with disabilities, and special needs trusts for Medicaid and/or SSI eligibility.

Phillips Murrah law firm names new Director and Shareholder

Phillips Murrah proudly announces the promotion of Zachary K. Bradi to a Director and Shareholder for the Firm. Zac’s selection brings the Firm’s total number of Directors to 37.

In his practice, Zac has prepared numerous drilling title opinions, division order title opinions and acquisition title opinions, and conducted due diligence in the acquisition and divestiture of oil and gas properties. His growing oil and gas transactional practice is focused around the preparation of various oil and gas agreements, instruments, and conveyances as well as the drafting of curative documentation to clarify records for his clients.

Born and raised in Oklahoma, Zac makes his home in Edmond, with his wife, Amy, and son, Jude. In his free time, he enjoys spending time with his family, watching sports, traveling, and golf.

He officially assumed his new role on Jan. 1, 2019.

GableGotwals Names New Shareholders for 2019

GableGotwals is pleased to announce that five associates have been promoted to Shareholder, effective January 1, 2019. The following talented group of lawyers practice in the Firm’s industry and practice areas, providing clients with excellent client service in litigation, regulatory, and transactional advice.

John M. “Jake” Kratitger offices in our Oklahoma City, OK office. His practice focuses on complex commercial litigation in both state and federal trial and appellate courts, with an emphasis on representing energy industry clients. Jake’s energy industry work involves lease cancellation and royalty underpayment claims; issues relating to environmental, mass and toxic tort liability; and purchase, sale, and other contract disputes. In addition to his representation of energy industry clients, Jake represents commercial real estate, insurance, utility, construction, and governmental entity clients. He received his J.D. at the University of Oklahoma College of Law in 2011 and B.A. in Political Science at the University of Oklahoma in 2008.

Jake is extremely active in the community, where he is a member of the Rotary Club of Oklahoma City and on the Board of the Oklahoma City Chapter of the Federal Bar Association.

Lewis T. LeNaire offices in our Oklahoma City, OK office. His practice focuses on representing energy industry clients in complex business litigation in state and federal courts, as well as mass and toxic tort claims. He has served as an advocate for the Oklahoma Water Resources Board and the Oklahoma Corporation Commission. Lewis’ work for energy companies frequently involves lease and royalty disputes, landowner relations, eminent domain, working interest owner disputes, environmental matters, as well as mass and toxic tort claims. He received his J.D. at the Oklahoma City University School of Law 2011, M.A. in English at the University of Central Oklahoma 2005, and B.A. in English at the University of Central Oklahoma 2001. Lewis is also active in community service, having served as Co-Chair for the United Way of Central Oklahoma’s Emerging Leaders and on the Board of Directors for United Way of Central Oklahoma. He also volunteers annually as a Day Chair for the Oklahoma City Arts Festival.

Craig M. Regens offices in our Oklahoma City, OK office. His practice focuses on bankruptcy and business litigation with particular emphasis in commercial energy and environmental disputes. Before joining the Firm, Craig served as a term and a career federal judicial law clerk for the Honorable Sarah A. Hall, Judge of the U.S. Bankruptcy Court for the Western District of Oklahoma. He also served as an Assistant Attorney General in the Litigation Section of the Oklahoma Attorney General’s Office. Craig received his J.D. at the University of Iowa College of Law in 2009, M.Sc. at the London School of Economics in 2003, and B.A. at the University of Oklahoma in 2002. Craig is on the Advisory Board of the YMCA Youth & Government, a nationwide program that gives young people the opportunity to immerse themselves in experiential civic engagement and practice democracy.

Tina N. Soin offices in our Tulsa, OK office. Her practice focuses on commercial real estate transactions, commercial finance, mergers and acquisitions, and other transactional matters. Tina received her J.D. at the University of Tulsa College of Law in 2011, MBA at the University of Toronto in 1999, and B.Comm. at the University of Toronto in 1993.

Paula M. Williams offices in our Oklahoma City, OK office. Her practice focuses on representing employers in a wide range of labor and employment law, including claims involving wage and hour disputes, family/medical leave, sexual harassment, retaliation, age, race, pregnancy and disability discrimination, and wrongful termination. In addition to litigating, Paula regularly advises employers regarding best employment practices and effective methods to avoid employment-related claims. She received her J.D. at the University of Oklahoma College of Law in 2011 and B.A. in Political Science at the University of Oklahoma in 2007. In her spare time, Paula enjoys chasing her three young sons and serving local ministries.

Conner & Winters Announces Leadership Team

Conner & Winters, LLP is pleased to announce the Firm’s newly-elected management team.

P. Scott Hathaway of Tulsa, Oklahoma, will continue in the role of President, and Jared D. Giddens, from Oklahoma City, will assume the position of Chairman. J. Ryan Sacra, of Tulsa, will serve as the Secretary and Chief Operating Officer, and Robert J. Melgaard, also of Tulsa, will become the Chief Financial Officer. Mark D. Berman, of Tulsa, Melodie Freeman-Burney, of Tulsa, Todd P. Lewis, of Fayetteville, Arkansas, and G. Daniel Miller, of Washington, DC, will also serve on the Executive Committee.

McAfee & Taft elects Joe Lewallen to 2019 board of directors

The shareholders of McAfee & Taft have elected Joe C. Lewallen, Jr., as the newest member of its board of directors. He joins Tim Bonhoff, Jennifer Calahan, Stephen Hetrick, Henry Hoss, and Michael Labrie, all of whom were re-elected for another one-year term – as well as managing director Michael Lauderdale on the seven-member board.

Lewallen is a veteran real estate and business attorney whose practice encompasses a broad range of complex business transactions with an emphasis on all aspects of commercial real estate development, including land acquisition, financing with debt and equity components, and development and construction of retail shopping centers, office buildings, hotels, and mixed-use projects.

His achievements have earned him inclusion in the Chambers USA Guide to America’s Leading Lawyers for Business, Oklahoma Super Lawyers, and The Best Lawyers in America.

Lewallen holds a bachelor’s degree in political science from Oklahoma State University and is a 1985 graduate of the University of Oklahoma College of Law.

Susan Shields elected as 2019 President–Elect of Oklahoma Bar Association

Susan B. Shields, a shareholder and tax and estate planning attorney with the law firm of McAfee & Taft, has been elected to serve as president-elect of the Oklahoma Bar Association. She will assume the role of president of the professional organization, which currently has more than 18,000 members, in 2020.

Shields previously served as vice president of the OBA in 2014 and on the OBA’s Board of Governors from 2010-2012. In 2015, she completed an eight-year term on the Oklahoma Bar Foundation’s Board of Trustees, which included a one-year term as its president in 2013.

Shields is an elected fellow of the American College of Trust and Estate Counsel and the recipient of numerous industry awards, including the Oklahoma Bar Association’s Earl Sheed Award in Law, Mona Salzer Award, Spotlight Award in 2011, and OBA President’s Award in 2014. The Oklahoma Bar Foundation has twice honored her with its President’s Award (2008 and 2012) and with its Roger Scott Memorial Award in 2014. In 2016, the Oklahoma County Bar Association presented her with The Journal Record Award for outstanding service to the legal profession.

Clifford Hudson joins Crowe & Dunleavy

Crowe & Dunleavy recently announced the addition of Clifford Hudson as of counsel in the firm’s Oklahoma City office where he serves as a member of the Corporate & Securities Practice Group.

Hudson’s nearly four decades of legal and business experience, most immediately serving as chairman of the board and CEO of Sonic Corp, provide him with a unique perspective with an array of business advisory counsel involving corporate governance, board consulting, business transactions and franchising operations, among other corporate matters.

Hudson also served as chairman of the board of directors of the Securities Investor Protection Corporation. He is a former trustee of the Ford Foundation in New York and is a past chairman of the board of trustees of the National Trust for Historic Preservation.

Hudson is a graduate of the George-town University Law Center where he served as an editor of the International Law Journal, a publication of the Association of Student International Law Societies, and was a member of the legal honor society Phi Delta Phi. He has been awarded with the Georgetown Alumni Association’s highest honor—the John Carroll Award. He received his bachelor’s degree from the University of Oklahoma and has been the recipient of many honors from the University, including the University’ s Regents Award and an honorary doctoral degree in humane letters.
Bar Observer

Drew Edmondson Returns to Riggs Abney

Attorney William Andrew “Drew” Edmondson has rejoined the Oklahoma-based law firm Riggs Abney. He will serve as an Of Counsel attorney in the firm’s litigation practice, providing strategic counsel on matters ranging from litigation to administrative law and government relations.

A public service advocate, Edmondson began private practice law after serving as Attorney General for sixteen years. During his tenure, he helped negotiate a record-breaking settlement with the tobacco industry and led the effort to establish the Oklahoma Tobacco Settlement Endowment Trust (TSET). Additionally, he negotiated an agreement to establish the Oklahoma Educational Technology Trust, which has funded more than $12 million in technology and training in Oklahoma public schools.

Many have celebrated Edmondson for his commitment to the law. He received the Kelly-Wyman Award as the outstanding legal career, Neville has always had a knack for being where the action is. Early in his career, he worked as a legislative assistant to U.S. Senator Henry Bellmon during the time of the Watergate hearings. Upon returning to Oklahoma in 1974, he served as an Assistant U.S. Attorney for the Western District of Oklahoma, where he prosecuted both civil and criminal cases.

Since entering private practice full-time in 1976, Neville has tried in excess of 200 cases at the trial and appellate levels – more than 150 of which have resulted in a verdict – and has developed a reputation for being one of the nation’s go-to lawyers for high-profile litigation, including bet-the-company and white collar criminal cases, as well as high-stakes litigation involving complex business, securities, banking, antitrust, and directors’ liability claims.

Fewer than five percent of all lawsuits filed ever go to trial, so someone with Neville’s extensive trial experience is invaluable. Over the years, Neville has represented celebrities such as Martha Stewart, Jerry Lee Lewis, Snoop Dog (then known as Snoop Doggy Dog), and Kenny Rogers, as well as individuals and corporate clients involved in a number of lawsuits that emanated from headline-making news, such as the collapse of Enron, the Tailhook scandal, and the crash of Delta Flight 191 at the Dallas-Fort Worth Airport in 1985.

Neville is an elected fellow of the American College of Trial Lawyers and has been perennially named to the Chambers USA Guide to America’s Leading Lawyers for Business, The Best Lawyers in America, and Benchmark Litigation. He also holds the distinction of being named to Oklahoma Super Lawyers’ list of “Top 10 Oklahoma Lawyers” every year since its inaugural publication and for being ranked the #1 lawyer in Oklahoma for eight years.
During January 2019, I set about drafting my 2018 Year In Review. This idea was not new to me, but I found inspiration from prize winning journalist Dave Barry’s annual Year In Review. Mr. Barry’s journalistic endeavors are good writing models and comedic entertainment. I tried over the past two years to use that as my example while including my own version of important local, state and national items, including those near and dear to the readers of the OCBA Briefcase. However, my reviews of the last couple of years sounded very much alike. I recounted month by month the events of the year and then attempted to direct the reader to hope that the next year would be better. This seemed like an exercise doomed to failure and invoked lots of negative thoughts. How could we be forward looking with hope for the next year based on the prior year occurrences?

After all, we are educated and trained in the practice of law, which gives us a worldly view on daily occurrences. A “worldly view” is to say that we are master cynics. But we are foolish to think that recent years, even the last ten years, are somehow different than all of those before. History, especially the history of the United States of America, is replete with political upheaval, social change, immigration issues, crime, poverty, greed, systemic education failures, and a steady march toward self-enlightenment, which implies that the people who came before us knew nothing.

Earthquakes, hurricanes, blizzards, droughts, floods, extreme cold, and extremely hot temperatures have always existed in different times and in different parts of our national geography. None of this is new, although it may be new to, or have gone previously unnoticed, by individuals. Basketball referees have been notoriously bad since the 1972 Olympics, but just when each game of the NBA season proves my point that they are the worst thing on the planet, along comes the NFL NFC Championship game referees. I mean, these people have one job. Injustice is not new, nor is it limited to any specific endeavor. Rather, it runs amack - but recounting those instances month by month does nothing to make 2019 look any shinier or brighter. Imagine a month by month narrative of 1968, no one would be saying it was the “Worst year on the planet” along with the horrific events listed just now.

So, what are we to do, just sit back and watch the action, drink our disgust, fan the fires, or play Fortnite. Although I have already called out our profession as cynics, I believe we, as attorneys, also have the tools to bring things back to balance through education of others on the foundational documents of our governmental experiment of a republic based on democracy.

Education of our friends, family, communities, and society in general on the U.S. Constitution, the Bill of Rights, other Amendments, and the laws interpreting all of those is needed. The Constitution was intended to curb the Executive Branch and Legislative Branch from enacting majority views that are inconsistent with the core foundations of the country, and likely should not change every year according to what people think of as “popular” for a specific year. Otherwise, they have no purpose. We live in a time when 40% of the people believe their agendas should be constitutionally protected, and another 40% disagree. This is not different than any other time in history, but what is different is that we have other branches of government attempting to change constitutional standards. I am not contending that the legal foundations of the U.S. republican democracy experiment are useless or not working, they are just a little tarnished and rusty. It takes some action and polish to shine them up and see them back to working order. My contention is that our profession can put a little sunshine into 2019 and further civil and social justice.

But, I am not looking for hope. I am looking for forward progress and a way for the people who are where we are because of the work and sacrifices of a mother, a father, grandparent, teacher, or mentor. Maybe it was a neighbor who took an interest in you or even a stranger. Most everyone I know is where they are as the result of other’s sacrifices. Think about your own past and your legacy. You can be that person who inspires a young person to get involved in debate, learn better writing skills, graduate high school, go to college, and possibly even become a lawyer or judge. Whatever your legacy be, let them tell others about it. Their story, which will hopefully inspire those that follow. Reason for hope for 2019 and beyond exists, but it takes some action on your part. Say “yes” when a volunteer opportunity arises and look for places to plug in at the OCBA.

Michael W. Brewer is an attorney, founder, and partner of Hilgen & Brewer, PC in Oklahoma City, Oklahoma. To contact Mike, email mbrewer@jbholc.com, call (405) 605-9000 or tweet him at @atzmikeb. For more information, please visit www.rbholc.com.


The Year In Review- 2018: Another One Bites the Dust

DEPUTY GENERAL COUNSEL III

The Oklahoma Health Care Authority (OHCA) is searching for a Deputy General Counsel III. The OHCA administers two health programs for the state including SoonerCare, Oklahoma’s Medicaid program, and Insure Oklahoma.

The ideal candidate will prosecute and defend administrative and judicial actions on behalf of OHCA. Candidate must be able to analyze, review, and research copyright and trademark issues and provide legal support for IT issues. This position is also responsible for reviewing and analyzing contracts.

Other duties include: coordinating referrals and investigative efforts; analyzing and determining impact of proposed legislation; addressing contract bid issues; attending to HIPAA and Open Records issues and acting as principal contact for legal advice and assistance to an administrative unit (e.g. Behavioral Health, Provider Services, etc.).

Requires a Bachelor’s degree AND 6+ years of experience practicing law. Must be an active member of the State Bar of Oklahoma. Other relevant legal and/or health care administration experience involving bankruptcy proceedings, health care insurance and/or state or federal health care experience preferred. Advanced education and computer research/case management software is desired.

APPLY ONLINE AT:
WWW.OKHCA.ORG

Oklahoma Health Care Authority

ASK-A-LAWYER
Volunteers Needed For 2019

Date Thursday, May 2, 2019
Place OETA, 7430 North Kelley Avenue, Oklahoma City, OK 73111
Phone 848-8501

Directions: OETA is behind Channel 9, off of Kelley, between Wilshire and NE 63rd (Go west off Kelley on NE 73rd, which is the parking lot of Channel 9)

1. I want to volunteer to answer phones on Thursday, May 2, 2019 during the OCBA’s Ask-A-Lawyer program with OETA. I would like my shift to be:
   - 8:45 a.m. – 11:00 a.m.  11:00 a.m. – 1:00 p.m.  1:00 p.m. – 3:00 p.m.
   - 3:00 p.m. – 5:00 p.m.  5:00 p.m. – 7:00 p.m.  7:00 p.m. – 9:00 p.m.

Name of Ask-A-Lawyer Volunteer:

Address
Phone
Fax
Email

Fill out this form and return it to the OCBA by Fax 405-232-2210, e-mail connie@okchar.org or call the bar office at 236-8421.

THANKS!!!
Many books have been written criticizing the Judiciary’s rejection of the Constitution as intended by its Framers and embracing instead a Darwinian “Living Constitution,” but William Graves’s Prudent Jurisprudence stands head and shoulders above the others.

This does not surprise me. Bill and I first became friends in the 1980s when he was a fiery young conservative legislator and I was a fledgling law professor; we recognized even then that we were kindred spirits, and our friendship has spanned more than three decades. During this time I have watched Bill’s career as a tireless legislator, fearless litigator, meticulous writer, and as a judge. As a trench warrior, he can be trusted to faithfully defend Christian liberty and limited government as guaranteed by the Constitution.

Prudent Jurisprudence stands out, first, because of Bill’s tireless research. With a jeweler’s precision, he carefully documents his assertions with meticulous footnotes from reliable sources. And he cites not only the common sources most conservative writers use; his research spans the breadth of early English jurists like Alfred, Bracton, Coke, and Blackstone, but also American sources like Chancellor Kent, Justice Story, and Justice Cooley, and legal giants like Professors Stone, but also American sources like Chancellor Kent, Justice Story, and Justice Cooley, and legal giants like Professors Fairman, Bickel, and Berger, as well as old landmark cases that most have overlooked or forgotten.

Bill’s work is outstanding, second, because he goes back to first principles. He recognizes that Darwinian evolution and the humanistic worldview it has produced is responsible to first principles. He recognizes that Darwinian evolution and the humanistic worldview it has produced is responsible to first principles. He recognizes that Darwinian evolution and the humanistic worldview it has produced is responsible to first principles. He recognizes that Darwinian evolution and the humanistic worldview it has produced is responsible to first principles.

And third, Bill goes beyond other critics by not only pinpointing the problem but also providing solutions, among them limiting the courts’ jurisdiction under the Exceptions Clause of Article III Section 2, impeaching judges who ignore their oaths to support and defend the Constitution, and providing that courts may invalidate statutes only by a super-majority rather than by a simple majority. Why? He asks, when we require that federal juries can convict a defendant of a crime only by a unanimous vote of the jury, do we nevertheless allow appellate courts by a bare 5-4 majority to override the will of the majority as expressed by Congress and state legislatures? Good question!

And finally, Prudent Jurisprudence stands out because Bill has not only researched and written it, he has lived it through his professional career. Bill is a Christian constitutionalist of unshakeable integrity. I can trust Bill’s scholarship because I know I can trust him.

Prudent Jurisprudence is a valuable resource for lawyers and judges who want to know how American jurisprudence went wrong and how we can make it right. A good lawyer, legislator, and judge has to be able to explain legal concepts to the general public, and Bill excels at doing that.

Buy this book, read it, and keep it as a reference! You’ll be glad you did.

John Eidsmoe is an attorney and professor of constitutional law at Oak Brook College of Law & Constitutional Policy. Colonel Eidsmoe is Chaplain in the Mississippi State Guard, and Senior Counsel of the Foundation for Moral Law. Colonel Eidsmoe is Chaplain in the Mississippi State Guard, and Senior Counsel of the Foundation for Moral Law. Colonel Eidsmoe is Chaplain in the Mississippi State Guard, and Senior Counsel of the Foundation for Moral Law. Colonel Eidsmoe is Chaplain in the Mississippi State Guard, and Senior Counsel of the Foundation for Moral Law. Colonel Eidsmoe is Chaplain in the Mississippi State Guard, and Senior Counsel of the Foundation for Moral Law.

The cover of Judge Bill Graves’ new book, 2nd edition, is pictured at left. The title Prudent Jurisprudence refers to the jurisprudence of the Constitution’s Framers. Discussed in the book is the Framers’ intent as to the Supreme Court, States’ sovereignty and judicial supremacy.

**DID YOU KNOW THAT**

- The Fourteenth Amendment was not constitutionally passed or ratified. The Bill of Rights is meant to restrict the Federal Government only, but not the States.
- There is no wall of separation as to church and state mentioned in the Constitution. The Framers never intended to separate God and the State.
- The Framers did not intend that the three branches of Government be co-equal.
- The Constitution’s Framers believed when a common law term is used in the Constitution, it carries with it the common law meaning. For nearly 150 years the U.S. Supreme Court adhered to this, but the modern Court does not.
- Substantive Due Process is a judicial fabrication.

**THE AUTHOR’S DRAWINGS**

The book also features sketches by the author of prominent Founding Fathers and other historical figures.

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