Giving Thanks

By Brandon Kemp

For thankfulness and gratitude, it hasn’t quite been a banner year in Oklahoma City. When 2016 began, oil was falling and construction projects were put on hold. As the year progressed, the Thunder finally managed to gel under Billy Donovan, only to miss the NBA Finals by one game. Then we hit the off-season. Let’s not start on politics.

But, as Robert Frost is quoted, “In three words I can sum up everything I’ve learned about life: it goes on.” Oil is trending up, there’s a new skyscraper rising at Sheridan and Hudson, and Russell Westbrook, on a contract extension, is leading the Thunder in what promises to be the team’s most thrilling season yet. For all the adversity 2016 has brought our city, there is so much more to be excited about and to be thankful for.

The same is true of our profession and our bar. There’s not one person reading this edition of the Briefcase that hasn’t been affected by the economic adversity that has hit our city. But, for whatever difficulties there have been in the business of law this year, the practice of law remains a joy, a privilege, and something to be thankful for. Every day, I am grateful to be part of a profession in which my job is to passionately represent deserving clients, negotiate deals, and make law.

In this regard, I am especially thankful to be a member of this bar. In my short career, I have found all the compliments given to the Oklahoma County bar to be true without exception. We have a bar with small-town courtesy and big-city talent. We have a bar that is always accommodating to its members, but never to the detriment of a client. We have a bar that gives its limited time to the underprivileged and at risk, or to the advancement of the profession and the law, despite the many obstacles at 23rd and Lincoln.

This year, when sitting down to Thanksgiving dinner with my family, I will surely consider these things. It is a blessing to be a part of a profession in which I have the means to both give back and support a family. I will be thankful that I have the chance to practice among this group of lawyers, with so many mentors and role models, close to my family and my hometown. And, I will also be reminded of my personal duty to help maintain the reputation of our bar. 2016 has had much to be thankful for. Let’s give thanks.
BRIEFCASE
October 2016
Briefcase is a monthly publication of the Oklahoma County Bar Association
119 North Robinson Ave., Oklahoma City, OK 73102
(405) 236-8421

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Journal Record Publishing produces the City, Oklahoma 73102.
Postmaster: Send address changes to OCBA
Creative Services
Publisher
Membership Services
Legal Placement Director
Executive Director
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For advertising information, call 278-2820.

Postmaster: Send address changes to OCBA
Briefcase, 119 North Robinson Ave., Oklahoma City, Oklahoma 73102.

Journal Record Publishing produces the Briefcase for the Oklahoma County Bar Association, which is solely responsible for its content.

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Oklahoma County Bar Association
Mission Statement
Volunteer lawyers and judges dedicated to serving the judicial system, their profession, and their community in order to foster the highest ideals of the legal profession, to better the quality of life in Oklahoma County, and to promote justice for all.

From the President

Lawyers Can and Do Make a Difference

By Barbara Swinton

Have you been keeping track of your community service? We are fast approaching the holiday season and as most of you know, there is much need in our community. Already doing your part? Let us know! Please take a minute to think about how and when you donate to a community need, and communicate this information to me or to the OCBA staff members. We want to let the community know that lawyers in Oklahoma County are making this a better place to live - one person or firm at a time. We will create a form for you to supply this information to us on the OCBA website to make this easier for you, but until it is posted, please email or text us the information.

No matter where your interests lie, we want to know, especially if you are involved with our new partner – Oklahoma City Public Schools Foundation.

Last month we let you know about Partners in Action, and this month I am excited to share another program with you, because it is easy to find what you care about with the program DonorsChoose.org. Take time in the next few days to visit the website, just follow the link to the Foundation on the OCBA website. Click on DonorsChoose and it will ask you for a zip code or city, depending in what area of Oklahoma County you want to be involved.

Next, the teachers seeking help with their need from the following: Math & Science, Music & The Arts, Literacy & Language, History & Civics, Special Needs, Applied Learning, Health & Sports, Food, Warmth & Care.

Here is an example from this week’s list of teachers seeking help. Their requests are so modest; most of us could help these teachers reach their goal this week!

Mrs. Futrell, Monroe Elementary School, Oklahoma City, OK Grades 3-5

Students are at the highest poverty level: 10 DONORS have given, $85 STILL NEEDED, $531 goal by December 2016. To Be or Not To Be (Reading Nonfiction)?

My students need entertaining history books that have plenty of illustrations, are quick reads, and do not shy away from the truth. I want my students to know that they are intelligent, creative people and that the learning is fun.

Our school is an urban school in Oklahoma and serves 480 students in Prekindergarten thru sixth grade. Most of the students come from lower socioeconomic families. We have a very diverse population of students, including the visually-impaired and hearing-impaired students in our district. The library is the heart of the school and our students love coming to the library to read, hear stories, and to learn.

My Project: Students need to learn about events that happened in the past, how those events shaped the future, and how we can prevent “history from repeating itself”. In addition, they need to learn about the real situations and conditions surrounding major events. For most students, reading and learning about history has been boring because we usually teach just the dates, events, and outcomes, while leaving out what it would be like to live through those situations.

Learning about history doesn’t have to be boring - it can be disconcerting, fun, and exciting! The “You Wouldn’t Want To Be” series of books captivate students by providing lighthearted, but factual descriptions of historical situations. After reading these books, students will know what life would be like if they could go back in time. As an extension of the reading, students will write a paper comparing two or more different historical events and decide which one they could have survived and why. Students can also create their own “You Wouldn’t Want To Be” books.

This is but one of TEN pages of projects to choose from in Oklahoma City alone. If you find, and I hope you will, a project you want to support, let us know so we can keep the Foundation aware of the donations from Oklahoma County Bar members.

Thank you for all you do for our community and remember how blessed we are to represent our wonderful profession. Let’s go make a difference this month!
By Miles Pringle

In October, the D.C. Circuit Court of Appeals ruled that the Consumer Financial Protection Bureau ("CFPB") was “unconstitutionally structured” because its head officer, Director Richard Cordray, could only be removed for cause, as opposed to at will by the President. PHH Corp. v. Consumer Fin. Prot. Bureau, No. 15-1177, 2016 U.S. App. LEXIS 18332 (D.C. Cir. Oct. 11, 2016). In reaching its decision, the Court provided a lengthy analysis of federal administrative agencies, which distinguished between executive agencies and independent agencies.

Executive agencies are ones which do not have a for-cause removal provision contained in their organizing statute(s), and, therefore “the President can supervise, direct, and remove at will the heads of those agencies.” Conversely, an agency is “independent” if the agency head(s) is removable by the President only for cause, and not at will. “Examples of independent agencies include well-known bodies such as the Federal Communications Commission, the Securities and Exchange Commission, the Federal Trade Commission, the National Labor Relations Board, and the Federal Energy Regulatory Commission.”

The D.C. Circuit Court of Appeals explained that independent agencies constitute “a headless fourth branch of the U.S. Government” and that their powers are significant. “They exercise enormous power over the economic and social life of the United States. Because of their massive power and the absence of Presidential supervision and direction, independent agencies pose a significant threat to individual liberty and to the constitutional system of separation of powers and checks and balances.”

As such, the Court opined that independent agencies must be headed by multi-member groups, whether a board or commission, and not a single individual. “[T]o help preserve individual liberty under Article II, the heads of executive agencies are accountable to and checked by the President, and the heads of independent agencies, although not accountable to or checked by the President, are at least accountable to and checked by their fellow commissioners or board members.”

The Court was limited in its opinion, and determined that the remainder of the CFPB’s organizing act, the Dodd-Frank Act of 2010, was constitutional. The Court, luckily for the CFPB, took the least intrusive action it could and simply severed the for-cause provision from the statute. Thus, “the CFPB now will operate as an executive agency. The President of the United States now has the power to supervise and direct the Director of the CFPB, and may remove the Director at will at any time.”

Oklahoma does not have this clear distinction regarding its government agencies. Some agencies are created by the Oklahoma Constitution, and headed by elected officials (e.g. Insurance Commission and Corporation Commission). Some agencies are comprised of boards appointed by the governor, but can only be removed for cause (e.g. Abstractors Board). Some agencies are comprised of office holders. For example, the Commissioners of the Land Office is comprised of the Governor, Lieutenant Governor, State Auditor, Superintendent of Public Instruction and the President of the Board of Agriculture.

Placing an interesting wrinkle into the removal of officials by the Governor for cause, officials seeking reinstatement may seek a writ of mandamus in Oklahoma District Court. However, the removed official has the burden of proof, and must demonstrate that the removal was not within statutory grounds. See e.g Chandler (U.S.A.), Inc. v. Tyree, 2004 OK 16, ¶ 27, 87 P.3d 598, 605; see also Hall v. Tirey, 1972 OK 118, 501 P.2d 496.

Administrative agencies have become a ubiquitous part of our modern society. In order to keep up with technological and other changes, governmental functions have become very complex. While most, if not all, officials at these agencies do their best not to abuse power(s) delegated to their agencies, it is important to properly fit agencies into our system of checks and balances.
An Olio of Court Thinking

By Jim Croy

November 7, 1916

One Hundred Years Ago


Plaintiff in error in this case, who will be referred to as defendant, was charged and convicted of murdering his wife, and was sentenced to life imprisonment.

The facts are among the most revolting in the annals of crime.

The defendant was born in the state of Kentucky, of worthy parents, and was reared in an atmosphere which should have produced a true and noble character, and we hesitated to believe he could be guilty of the crimes charged. But the record forces us to the conclusion that the jury made no mistake.

In early manhood the defendant courted and won a young woman of his native state, whom the record shows, though mistreated and deserted by him, was true to him to the day of her death. She was the mother of his child, a little girl, and the testimony is, that this wife not only loved but “idolized” him. In 1910 he virtually abandoned her and took up his abode in Sapulpa, and had her to remain at Tishomingo in the little home he had provided for her during the days he loved her. At first he visited her and her little child about every 60 days, but as time went by his visits grew farther and farther apart, until he got to making only about two visits a year. And only a few days before her death her weary submissive soul breathed its agony in a letter to him as follows:

“My dear husband we are disappointed to tears to-day, we looked for you so hard last night, and we did not even get a letter of explanation.

“It is just one month from the 1st of Aug. before Owen- dole starts to school, then if I look wholly to her interest as I have always done, I will be tied another 9 months. Are we to stay here alone, and you home one or twice in a whole twelve months?

“Of course if you will it, we will do it, but do wish some other arrangements could be made.

“Poor ‘Peter’ how he must have longed for his loved ones when he was exiled. We watch every ‘auto’ & train, but still we catch no glimpse of you. Perhaps as ‘Annie Lee’ in ‘Enoch Arden’ says, we cannot adjust our spyglass properly, so we wait a year? Then a month, and still you do not come. Now you can’t sit down this minute and write us a long letter all about, and come home as soon as you can leave without too great a loss.

“You never tell me anything about your affairs, but here it is. I have it studied out, I do not see any profit in what you are doing more than you could make here.

“I do not think I am asking too much of you, when I ask you to come home for a while.

“With oceans of love Ellie Borah.”

This letter was written the 3d day of August, 1913, and on the 28th day of August, 1913, the husband came home. But between the time the wife penned this letter and the homecoming of the husband the record shows he received eight most affectionate letters from another woman, whom he had promised to marry in September. In fact the first of these letters, this woman sent him a sample of the goods of which she expected to make her wedding dress. On August 10th, in a letter, the woman referred to as defendant, said, “I am going in there;” to which the defendant replied, “Do not go in there.” Wheeler said, “My God Let’s see if the child is 12, he courted this woman, and he denied knowing her. About 6 o’clock on the morning of the 30th the neighbors’ attention was attracted by human groans. They saw the defendant on the porch in night garments, wringing his hands and groaning: “Oh! Oh!” Before the flames reached him he turned and walked back into the house, and closed the door behind him. One after another of his neighbors arrived, but the defendant did not tell any one what the trouble was, or call upon any of them for help. Some of them rushed to the window of the wife’s bedchamber, and looking through the glass saw a fire slowly kindling near the bed. Soon the room was enveloped in flames. About that time a Mr. Wheeler came; and defendant was standing in the yard groaning. Wheeler asked him where his folks were, and the defendant pointed toward the house and said, “I reckon they are in there.” Wheeler said, “My God Let’s see if anybody is in that house.” The defendant replied, “Do not go in there.” Wheeler said, “I am going in there;” to which the defendant replied, “No, you can’t go in there.” One heard any screams or cries for help proceeding from the building, although the flames were scarcely noticeable when the first neighbors arrived. The voice of the wife and baby were silent. No call for help came from them, and the husband and father, though denying responsibility for their death, did not call for help for them, although he says he saw the child enveloped in flames, and admitted that he did not make any effort himself to rescue her family from the flames. The fire department was called by the neighbors, but the child was burned beyond recognition. The side on which the wife lay was badly burned, but not charred. There were no blisters upon that side, which the physicians testify showed that she was dead before the body was burned. Her mouth was open and her charred tongue was protruding from it. A neighbor asked defendant to go over to her house and pull out some cloven. He went, and before dressing stated that his hands were soiled, and asked for a pan of water in which to wash them. He left his night garments on the bed in the room where he dressed, and the arresting officer 30 minutes later examined them and testified they had the smell of coal oil upon them. A five gallon can was found in the room where the wife and child were burned. After the discovery of the letters from the woman he had promised to marry, an officer visited him at the jail and asked him if he knew this woman, and he denied knowing her. Yet, on the witness stand, when confronted by these letters, he admitted his relations with her, that he received the letters from her, had given her a $185 dress, a ring, and a $65 set of furs, and that he had expected to marry her in September. He also admitted that his affection for his wife had grown cold, that child, but that his affection for her had waned. There are many other incriminating circumstances, but these are the substantial facts upon which the jury found their verdict. And in our judgment they preclude every other reasonable hypothesis than that of the defendant’s guilt. But in addition to this there is the defendant’s own testimony condemns him.

His explanation of his unseemly relations with his fiancee is, that in 1910 he and his wife mutually agreed to a separation, and that they also had an agreement that when the child was 12 years old that he should obtain a divorce; that she reached her twelfth birthday on the 14th day of July, 1913, and that relying on this agreement, which was well understood between him and his wife, and in anticipation of the divorce proceeding, when the child was 12, he courted this woman, and expected to consummate that engagement by a wedding in September. The wife’s lips were sealed, but that letter of August 3d is a more complete refutation of his statement than if she had appeared in person and denied his statement from the witness stand. No one can gather from that letter that she anticipated a divorce proceeding, or that she even suspected that the time had come when she was to surrender her place as the wife of another woman. She was further from her mind as she penned the letter, than if she had appeared in person and denied her statement from the witness stand.

We have examined the record, including the instructions, in this case with the care that it’s importance deserves, and feel that the defendant was awarded a fair trial, and that the judgment should be affirmed.

November 12, 1914

Seventy-Five Years Ago


The defendant, F. L. Lewis, was charged in the district court of Muskogee county with the crime of forgery in the second degree, was tried, convicted and sentenced to serve a term of three years’ imprisonment in the State Penitentiary; and he has appealed to this court.

There are many assignments of error presented by the defendant in his brief. Assignment of error No. 10, as will be hereinafter discussed, will have to be sustained because of a grave infraction of the rules of procedure which appears to have prejudicially affected the substantial rights of the defendant.

Assignment of error No. 10 is as follows:

“The court erred in visiting the jury while said jury was in its room considering the verdict. Assignment of error No. 10, as will be hereinafter discussed, will have to be sustained because of a grave infraction of the rules of procedure which appears to have prejudicially affected the substantial rights of the defendant.

Assignment of error No. 11 is as follows:

“The court erred in permitting the jury to separate at the noon hour after the case had been finally submitted to said jury, and
after said jury had been deliberating and considering its verdict for some time. Said jury being permitted to separate by the court without the consent of the defendant or either of defendant’s attorneys.

These two assignments were discussed together by counsel for defendant in their brief; and, because the proof in connection with these two assignments was presented at the same time, we shall likewise discuss the two assignments together.

The record discloses the following:

“(Thereafter the hour of twelve o’clock noon, having arrived, the jury, is returned into Court in charge of their sworn bailiff, and the following proceedings were had and done, to wit:) The Court: Gentlemen of the Jury, have you agreed upon a verdict? A Juror: No, sir, we have not. The Court: Now, don’t tell me how you stand but the numerical ratio. A Juror: Ten to two. The Court: Do you think there is a possibility of agreeing upon a verdict? A Juror: I don’t know, there might be. The Court: Well, I am going to permit you to go and get your lunch. In the meantime don’t permit anybody to talk to you about the case or in your presence or hearing. If anyone approaches you and attempts to talk about the case tell them you are on the jury and you can’t talk to them and if they insist in it get their names and give them to the court and the court will take care of that. The court does not want any irregularity in this trial. So you may go now.

“(Whereupon the jury are permitted to separate and get their lunch, and thereafter retire to their juryroom to consider further of their verdict.)

“(Whereupon court took a recess until one o’clock p.m. at which time court reconvened in regular session, the plaintiff, State of Oklahoma, appearing by its counsel as heretofore, and the defendant present in his own proper person and by his attorney of record, whereupon the following proceedings were had, to wit:)

“Mr. Crump: Comes now the defendant and states and shows to the court that after the jury was permitted to separate during the noon hour and after the case had been finally submitted to the jury counsel for the defendant received information to the effect that the judge of this court who presided at all times during the trial of this case went to the jury room at some time before it was discharged for the noon recess and talked to at least some members of the jury, and that this was done without the knowledge or consent of the defendant or either one of his attorneys. We have no information as to what was said by the judge to the jurors, except the judge himself has stated to me, W. J. Crump, what he did state to the jury, and the defendant therefore asks now that the case be withdrawn from the jury and that the jury be discharged and a mistrial ordered.

“Now, may the record show that you did go to the jury room and talk to some of the jurors in the absence of counsel?

“The Court: The record may show in response to the motion of counsel for the defendant, I may say, that I, O. H. P. Brewer, judge of the district court, who presided at all times during the trial of the case now in question, advanced to the jury room at the noon hour, 12 o’clock and knocked on the door and one man came to the door after the door was opened by the bailiff and I inquired if the jury had reached an agreement, and was informed that they had not. I told them that the hour of noon had arrived but I would retire to my chambers and leave the matter with them a few minutes and if they could not agree then I suggested they should come down and report to the court and we would recess for the noon hour. About the hour of twelve-o’clock or fifteen the jury did report to the courtroom and made their report and they were recessed until the hour of one p.m. The motion of counsel for the defendant is heard and denied.”

After the jury had rendered their verdict finding the defendant guilty, the defendant, through his counsel, filed a motion for a new trial, setting up, among other things, these two assignments of error.

The county attorney, acting in accordance with the holdings of this court, in Sealy v. State, 59 Okla. Cr. 104, 56 P.2d 903, and other cases, in which we have held where the jury is permitted to separate after final submission of the case to them, that the defendant is entitled to the presumption that such separation is prejudicial to him, and the burden is on the state to make a showing that such action did not, in fact, prejudice the defendant; accordingly, the county attorney had each of the jurors sworn and questioned separately concerning their activities during the time they were separated. When the first juror was called as a witness and examined by the county attorney, counsel for the defense, after questioning the juror, Breedlove, concerning his actions during the noon hour while the jurors were permitted to separate, further sought to question the juror concerning the conver-

See OLIO, PAGE 14
Old News

Excerpts from OCBA News:
July 1975 Part 1
Back By Popular Demand
Retyped and Republished By Geary L. Walke

I was very sad when we wrapped up the last of our supply of Old News material in August. Then, Debbie Gorden informed me there was another trove of OCBA newspapers in her vault. Our last story ended in December, 1973. The new Old News materials begin in July 1975. Sometime in between is when they changed the name from the OCBA News to the OCBA Briefcase.

The Briefcase Editor in July, 1975 was John A. Claro, and his committee included Carolyn G. Hill, George D. Davis, Jr., Kurt F. Ockerhauser, Kenneth R. Webster, Carol Stevens, the Honorable Floyd Martin, Richard L. Bokannon, Irving L. Faught and Anthony F. McGuire.

John H. Halley, Jr. was the OCBA President in 1975.

The first article of this collection of old bar news was truly entitled, “Back By Popular Demand.” Despite the lack of demand, and lack of popularity as well, We Are Baaaackkk.

“Bardly, noun, a drinker who frequents bars.” From these humble beginnings in 1965 when four erstwhile musicians bonded together to form the legendary musical group fondly referred to as the Barflies. Their brand of music is a hybrid…cross between Slappy White and the Sons of the Pioneers—a nitty gritty Conway Twitty.

Current membership consists of Eddie Haynes on fiddle, D. C. Thomas on banjo, guitar by Pete Peterson and L. L. Patterson on bass fiddle. The group hasn’t performed recently but was quite active in the late 60s. In addition to performing all over the state at various nursing homes, hospitals and children’s homes, the group found an annual home at the Mountain View Folk Festival in Arkansas.

Their special mix of music and humor has been well received everywhere. One recent observer commented that seeing them again was like experiencing the return of winter to Dachau. Combine the wit of a Mark Twain and the sound of Robert Goulet and you have the Barflies. Marvel at their latest hit – Placekick Me, Jesus, Through the Goalposts of Life, laugh at their zany antics and funny stories, speculate on why they returned and gag on the food. Whatever you do, be sure not to miss the Barflies.

By Kurt F. Ockerhauser

Bar Observer

Brad Davenport from Andrews Davis
Law Firm honored with Alma Wilson Award

Brad Davenport was honored with the Alma Wilson Award for his dedication to the lives of Oklahoma children at the Annual Oklahoma Bar Association conference this year. Brad is an Of Counsel attorney with the firm and practices in the firm’s litigation department. His diverse practice includes: Business and Commercial Litigation, Oil and Gas Litigation, Insurance and Legal Malpractice Defense, Receivability and Asset Recovery and Collections. He also has experience assisting clients with the formation of corporations, limited liability companies, and completing Section 1031 like-kind property exchanges. He serves on the board of directors for Parent Promise, a non-profit center that works to prevent child abuse and neglect. Brad is also the President of the Downtown Exchange Club of Oklahoma City.

Crowe & Dunley adds three to OKC and Tulsa offices

Crowe & Dunley recently announced the addition of three attorneys to provide enhanced service and experience to its clients. Joshua D. Burns and Gregory S. Luster are in the firm’s Oklahoma City office, and Shawn M. Dellegar’s office is in Tulsa.

With nearly a decade of experience in complex commercial litigation, Burns is a member of the firm’s Banking & Financial Institutions, Bankruptcy & Creditor’s Rights, Energy, Environment & Natural Resources, Healthcare and Litigation & Trial Practice Groups.

Burns graduated cum laude from the University of Michigan Law School after earning a Bachelor of Arts in psychology from Yale University. He is an active member of the Energy Bar Association and volunteers for the National Inigrant Justice Center.

Dellegar serves in the firm’s Intellectual Property Practice Group. Throughout the last decade, he has advised companies on complex intellectual property matters, including patents, trademarks, copyrights, global intellectual property strategies, portfolio management and more. Before becoming an attorney, he worked for an oil and gas publishing company and a global technology support company.

Dellegar offers clients a unique perspective, stemming from his scientific research and technology backgrounds. Dellegar graduated with degrees in management information systems and chemistry from the University of Tulsa. He also graduated from the University of Tulsa College of Law, where he continues to serve on the alumni board and mentors students. He is an active member of and serves on the board of directors for the Intellectual Property Law Section of the Oklahoma Bar Association.

Luster is a member of the firm’s Corporate & Securities and Energy, Environment & Natural Resources Practice Groups. His practice includes mergers and acquisitions, real estate transactions, aircraft transactions, securities, oil and gas issues, environmental matters and more.

Luster graduated from the University of Oklahoma College of Law with distinction after obtaining a bachelor’s degree in political science from Oklahoma State University.

TU Law honors Henry Hoss with 2016 Outstanding Senior Alumni Award

Trial lawyer Henry Hoss was honored with the 2016 Outstanding Senior Alumni Award by the University of Tulsa College of Law Alumni Association at its annual lunch and awards ceremony on November 2. The event was held at the Sheraton Downtown Oklahoma City Hotel during the Oklahoma Bar Association’s annual meeting.

Since 2006, the award has been presented to alumni who have exemplified strong leadership within the practice of law throughout their careers, demonstrated remarkable professional achievement, personal integrity, and an ongoing commitment to the TU College of Law.

Hoss is a distinguished trial lawyer who has practiced primarily in the areas of construction litigation and commercial litigation for more than 30 years. Upon graduation from the TU College of Law in 1985, he joined McAfee & Taft, where he has developed extensive experience representing contractors, architects and owners in construction litigation, arbitration and mediation as well as contract negotiation; manufacturers in products liability disputes; and buyers and sellers in commercial litigation involving the purchase and sale of aircraft. He also previously served as leader of the firm’s Litigation Group.

Hoss’s achievements have earned him inclusion in The Best Lawyers in America and Oklahoma Super Lawyers. He is a member of the Oklahoma County Bar Association, Oklahoma Bar Association, and American Bar Association.
Oklahoma County Bar Auxiliary Annual Fundraiser
Benefiting Children’s Nonprofit Organizations in Oklahoma County

OCBA is offering beautiful live poinsettias and gift certificates from TLC. Decorate your home or office with our LOCALLY-GROWN, HAND-SELECTED PLANTS. Sleeved for protection, with an attractive foil pot cover and a card noting that the proceeds benefit Oklahoma County nonprofits serving children.

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

Annual Wreath of Hope Ceremony

The YWCA of Oklahoma City, the Oklahoma Office of the Attorney General, and the Oklahoma Department of Human Services held their Annual Wreath of Hope Ceremony on October 27 on the South Lawn of the State Capitol. Oklahoma is 4th in the nation for the number of women killed by men during domestic violence incidents. This ceremony is held each year in honor of the survivors overcoming abuse, the victims who need a voice, and the service providers who help them. Over 400 people were in attendance at this year’s ceremony.

Jan Peery, CEO, YWCA of Oklahoma City, greets the crowd at this year’s Wreath of Hope Ceremony.
Protective Effect...Even Among Young Women...of Exercise

By Warren E. Jones

By now you all must surely know about the protective effect of exercise against Coronary Heart Disease...among middle age and older men and women. My articles and the lay press have hit that topic with great frequency.

Do you suppose the same effect would occur among young women, average age of 36...long before clinical symptoms of heart disease typically manifest? The majority of studies have been conducted in middle-aged and older populations because cardiovascular disease morbidity and mortality rates are low in women younger than 55 years. Although coronary heart disease morbidity and mortality rates are low in younger women, coronary heart disease mortality rate among United States women age 25 to 54 has shown minimal improvement in the past two decades, in contrast to rates in older adults that have consistently declined. A potential explanation may be the increase in the prevalence of diabetes mellitus and obesity among younger women.

The newest issue of Circulation, as I type, addresses the issue, and a few others. That is, are the odds of CHD lessened...20 years later...among women aerobically exercising at, on average, age 36? And if so, does the type of aerobic exercise matter? And does the intensity? And does the frequency? And does the volume? And are there benefits at higher BMI’s? That is, are there benefits even at high BMI’s?

The short answers are, yes, aerobically exercising at a young age reduces the risk of CHD twenty years later. No, the type of aerobic exercise does not matter. No, the intensity does not matter (although, again, as so often appears in the literature, more intensity is more protective, but more moderate intensity and low intensity provide some protection). No, the frequency does not matter...as long as enough volume is achieved.

And yes, protective effects of the aerobic exercise are available among overweight and even the obese. As you might expect, though, the protective effect of the aerobic exercise is less than among normal weight women, probably as a product of the inflammatory nature of excess adiposity. The current levels of overweight in young and middle-aged United States women (58% for women 20 to 39, and 72% for women 40 to 59) can be reduced with moderate aerobic exercise. The researchers found little to no protective effect...against later in life CHD...among high school age and college age young women who, at those ages, were aerobically active. That is because exercise at those ages, while beneficial for many reasons, does not provide the acute protective effects of aerobic exercise on CHD. Exercise has acute effects on cardiovascular disease risk factors such as blood lipids, blood pressure, glucose control, and coronary artery calcium. But exercise at young ages is predictive of exercise in adulthood, so exercise among youth is recommended.

So, what to do? If you are a youngish female, whether trim or not, get moving. The protective effect of the exercise against CHD, and often CHD death before age 50, is yours with very little effort, very infrequently, and doing the exercise of your choice. Walking as slowly as just more than two miles per hour offered some protection, but the greatest protection was among the very brisk walkers, those walking faster than four miles per hour. The researchers called that speed "very brisk/striding."

Of course, women a little overweight will want to burn the cals, but they should know that even if they don’t shed the pounds, they will still reap benefits. And you trim ladies out there, you too will receive protection. Actually at rates even better than the overweight.

Many people, especially those who are really inactive, are completely intimidated about going to a gym or trying to run a marathon or something like that. You don’t have to go to the gym, and you don’t have to be doing anything that is strenuous. Just do the stuff that feels good, and get your heart rate up a little bit. More than a little bit is better, but a little bit is fine. It is a very good place to start.

Warren E. Jones, J.D., HFS, CSCS, CEQ, is an American College of Sports Medicine (ACSMA) 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

Marcy Price, President of the Oklahoma County Bar Auxiliary, receives the annual donation from the Oklahoma County Bar Association from President Barbara Swinton.
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The Young Lawyers Division created a special Reading Room at Adams Elementary as their main community service project for 2016. They took a blank canvas and created a place where the students can be mentored, read with their Lawyers for Learning partners and feel comfortable. Those of you who are Thunder fans can see that they used the various countries represented on the Thunder roster as their main theme.

YLD volunteers included: (sitting) Hayley Potts & Merideth Herald; (standing) Beth Price, Justin Meek, Lisa Black & Jacob Jean

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By Roscoe X. Pound

Dear Roscoe:

As an avid reader of your column, I seem to recall you writing years ago about the “Ghostbuster’s Rule” in this column. My question is, have ghosts entered the courtroom on any other occasions?

D.P., Oklahoma City

Dear D.P.: OK, “tis the season after all. At least, “tis as I write this column. To remind those gentle readers who joined the August OCBA since that piece ran, we previously discussed herein (as many of you still say, although I fervently wish you wouldn’t) the question relates to Stambovsy v. Ackley, 169 A.D.2d 254 (N.Y. App. Div. 1991). Ms. Ackley who, along with her family, experienced ghostly doings in her home, sold the residence to Mr. Stambovsy. Although she had reported this to neighbors, Readers’ Digest, and the local papers on numerous occasions, she allegedly failed to apprise Mr. Stambovsy at the time of sale. Stambovsy sued to rescind the contract, claiming that withholding information concerning the specters constituted a material misrepresentation. The trial court dismissed, taking an understandably skeptical view of the purported poltergeists. The appellate court, by a vote of 3-2, reversed. According to the majority, the contract was unenforceable to the extent it purported to bar the defendant from the premises.

Deitz tells us:

“Riding on any unruly unbidden guests. Shenanigans, has perhaps returned to ride given the absence of any further spooky renactments of debt. The debtor in the case stubbornly refused to admit, even under the sternest examination, that he had ever had a contract with the creditor or that he had borrowed any money from the man. The only witness to the transaction was the late Jan Tregeagle. At one point during the trial the debtor stated: “If Tregeagle ever saw the making of the debt, I wish to God he would come and declare it!” Tregeagle’s ghost immediately answered this informal “oral subpoena” and appeared in court. He testified that the debtor did owe the sum, and a judgment was entered for the creditor.

In the far more famous case of Scratch v. Stone, 1 S.V. Benet 1 (Spec.Emr.Ct.N.H.1840?) (J. Hathorne) involving the validity of a chattel mortgage on an intangible (the soul of the debtor), the ghosts served as judge and jury. After a preliminary ruling on the ability of the plaintiff, an alleged foreign prince, to sue in state court the trial proceeded to the merits of the case. The eminent senator, statesman and orator Daniel Webster argued the case for the defense and won on the grounds that the initial contract of debt was unconscionable.

Recovering English majors/teachers in the OCBA no doubt recognize the latter case as Stephen Vincent Benet’s wonderful short story The Devil and Daniel Webster. This tale served as precedent in United States ex rel. Mayo v. Satan and His Staff, 54 F.R.D. 282 (W.D.Pa. 1971).

Personally, my favorite appearance of “ghosts” in American law comes from Rd-Dr Corporation v. Smith, 89 F.Supp. 596 (N.D. Ga., 1950). At issue, an official Censor for the City of Atlanta barred the showing of a film called “Lost Boundaries” not because that picture is in any particular, “lewd, obscene, licentious or profane”, but because its exhibition “will adversely affect the peace, morals and good order of said City. The trial court, lamenting that the First Amendment had not yet extended to movies, nonetheless declared:

Furthermore 35 years of progress and development have resulted in the re-admeasurement against constitutional guaranties of many regulatory statutes, particularly those which impose any sort of “gag rule” and their consequent interment in the attic which contains the ghosts of those, who arrayed in the robe of Bigotry, armed with the spear of Intolerance and mounted on the steed of Hatred have through all the ages sought to patrol the highways of the mind.

We have still not fully exorcised these ghosts, and that’s what I find scary.

Joe Innocente and I reported to the 52nd Precinct House in the Bronx. A uniformed officer led us to a mustered room and left us in the care of an unsmiling sergeant. He checked Joe’s police credentials and my ID. Joe got to keep his sidearm. He demanded I hand over mine. I removed my holstered Mak 9, my sidearm du jour; slid it across the counter. He slid a receipt back to me as though it were an air hockey puck. I probably should have told him about the XD-S in my ankle holster but didn’t want to complicate his job. He then handed us each a Kevlav vest and a windbreaker with NYPD in bold golds across the back.

“Do we get to keep these?” I asked. He shot me a look which could have dropped a rogue elephant in mid-charge. Luckily I had thicker skin. He led us to an elevator, pushed the up button, and said “Two” to no one in particular. He then flashed us a smile and walked off without another word. The smile didn’t reach his eyes.

“Behave,” Joe said.

“Remember who’s driving,” I replied. A mountainous, helmeted fellow in police-military chic met us on the second floor. He politely greeted us and led us to an office. The old gang from our last meeting had gotten back together. Each wore a vest and windbreaker like mine. I thought it unfair however that they also had their weapons.

“OK,” an NYPD captain said. “Mr. Pound, you’ll be glad to hear that Ismail came through for us. We have contact.”

Kudos to you on your success in frustrating my local plans. Fortunately, I am able to occupy myself elsewhere, and this is as good a time as any to do so.

Dear Mr. Pound:

BTW: The officer whose uniform I borrowed can be found in Apartment 203.
The best argument against democracy is a five minute conversation with the average voter.

— Winston Churchill, statesman (1874-1965)
impartial trial.” In the instant case, the trial court had before it the evidence that there was a medical history of blackouts, dizziness, etc., even though defendant had been committed to Central State Hospital for observation and was declared sane under the criminal laws existing today.

Whether this was a genuine epileptic seizure, or an act by defendant to gain a mis-trial, this Court has no way of determining, other than the testimony of a physician who was present in the courtroom and described it as a Jacksonian type epileptic seizure. And, the further testimony of Dr. Huggins, that from the description of defendant’s actions given him by this physician; he fully agreed to the type seizure and prescribed the drug for defendant to ward off further re-occurrence.

This question is not for us to determine at this time. The trial court should have satisfied the record at the time as to what actually occurred. The jury could have been excused, and a physician called to determine if, in fact, the defendant suffered an epileptic seizure. For if he did, was he then in a state to help his attorney with his defense, and continue the trial? The record reflects that defendant sat quietly, as in a daze, for the remainder of the impeachment of the jury, and sat quietly throughout the trial, after the administration of the drug.

The jury should not have been recalled until it was determined that defendant was, at that time, able to continue to trial without the need for handcuffs.

This Court is not attempting to say that the reason defendant should not have been restrained when this incident occurred — only that the impeachment of the jury should not have continued with the defendant handcuffed.

The trial judge was meticulous in explaining into the record that he believed the defendant was not prejudiced by the handcuffs, in that the jury could not see them. However, there is nothing in the record to substantiate his view from any of the jurors. The trial judge had no control over this. The statute is explicit stating: “In no event.” It does not name the handcuffs as permisible if the jury cannot see the handcuffs, or if they are covered with a handc kerchief. It says “in no event”.

This Court will not make an exception to the statute. The manaceling of a person when upon trial for a criminal offense, whether bringing him into court (as in the French case, supra), while in the presence of the court or jury, or at any stage of the trial, cannot be too strongly condemned.

We are, therefore, of the opinion that this was reversible error.

November 19, 1991
Twenty-Five Years Ago

On October 29, 1984, Pepper O’Neal, then twelve years old, was taken with some of her classmates on a school-sponsored activity to Wynnewood, Oklahoma. The children were transported on a bus belonging to the Joy Department School District (district) and were under the supervision of a teacher employed by the district. While attempting to walk across State Highway 29, Pepper O’Neal was struck and injured by a truck driven by Ronald Teves. Pepper O’Neal, by and through her father as next friend, filed a lawsuit against the district alleging negligence for failure to properly supervise the child. Appellants did not name Teves as a party defendant. The district defended on the theories: 1) that the chief cause of Pepper O’Neal’s injuries was her own contributory negligence, and 2) that the accident was unavoidable and 3) that the injury was caused by the negligence of Teves.

To develop this last theory at trial, the district called Teves as a witness during presentation of its case-in-chief. During re-direct examination the following exchange took place:

By MS. LINDA A. ALEXANDER, ATTORNEY FOR DISTRICT
Q. Sir, you were going too fast that day, weren’t you?

By MR. McCOY: Objection, Your Honor. This is definitely outside the scope of cross-examination. I asked him nothing about speed. It’s outside the scope.

By THE COURT: Overruled.
Q. (By Ms. Alexander) You were going too fast that day, weren’t you?

A. (By the Witness) No.
Q. Sir, isn’t that what you were convicted of, sir?

By MR. McCOY: Objection, Your Honor. It’s irrelevant, immaterial to the issues in this case. Objection.

By MS. ALEXANDER: Your Honor, I think it’s absolutely relevant in this case. We have, and I will refrain from making a speech from the podium, Your Honor.

By THE COURT: Are you talking about a plea of guilt, or trial, or what?

By MS. ALEXANDER: Your Honor, I’m talking about a conviction, Your Honor.

By THE COURT: All right, overruled. You may proceed.
Q. (By Ms. Alexander) Weren’t you, sir?

A. (By the Witness) Yeah, I was.

By MS. ALEXANDER: Nothing further, Your Honor.

The cause was thereafter submitted to the jury who found unanimously in favor of the defendant district.

The above-quoted examination of the witness, Teves, and the trial court’s ruling on appellants’ objection constitute the sole issue to be decided on appeal.

The issue before us is this: May evidence be admitted over timely objection, of the conviction of a non-party witness for a traffic offense which arose from the same set of facts which underlie the civil action in which the witness has been called?

The rule in a majority of jurisdictions . . . is that evidence of such a criminal conviction cannot be admitted over a timely objection.

The line of authority which supports exclusion of evidence of criminal convictions from civil actions arising from the same facts is long and venerable, both in Oklahoma and in other jurisdictions. The well-settled reasoning for such exclusion was stated in the case of Laughlin v. Lamar, where this Court said: “The rule (against allowing evidence of a criminal conviction) is supported by great weight of authority based on various reasons, such a dissimilarity of the object of the actions, issues, procedure and parties to the actions.”

One illustrative dissimilarity between criminal and civil proceedings is the doctrine of contributory negligence. While the contributory acts of a victim are usually immaterial to the issue of criminal guilt, the contributory negligence of an injured party in a civil action is vital to the ultimate issue of a defendant’s liability.

While there are well-recognized exceptions to the above-cited rule, the facts of record in the case before us are such that these exceptions inapplicable. Absent some exception to the settled rule, evidence of a prior conviction for a minor offense may not be admitted into evidence in a subsequent civil action arising from the same facts and circumstances in the face of a timely objection.

The district argues that a reason does in fact exist here to not follow the general rule because here the person convicted of the offense was a witness under examination and was not a party to the proceedings. Since this precise situation has not been previously presented to the court the issue to be decided is one of first impression in Oklahoma.

Cases which have addressed the issue of admissibility of evidence of criminal conviction of a non-party are much less numerous than those involving a party. In Oklahoma, the case of Goodwin v. Continental Casualty Co. concerned whether evidence that a named beneficiary in an insurance policy had been convicted of causing the death of the insured could be admitted in an action on the policy. The conviction was held inadmissible, notwithstanding the statute which prevents a beneficiary from receiving the proceeds of his victim’s policy.

Similarly, the Supreme Court of Connecticut held it was not error to exclude evidence that a deceased testator had been convicted of drunken driving, where that evidence was offered in a will contest in an effort to prove testator’s susceptibility to undue influence.8 In each of these cases the appellate courts found the general rule should apply to evidence of convictions of non-parties with the same force and effect as it had been applied to parties. The courts’ reasoning was the same as that traditionally applied by courts considering evidence of a party’s conviction. Each court held that in the absence of some exception, the rule should be applied.

In an effort to provide such an exception in the instant case, the district points out that the evidence of Teves’ conviction was elicited only after he had denied “going too fast” during re-direct examination. Evidence of the conviction in this situation, it is suggested, was used solely to impeach the witness’ adverse testimony.

While other courts have spoken favorably of using evidence of conviction for impeachment purposes, we do not believe the circumstances here justify abandoning the general rules against admissibility. In the first place, the phrasing of the question, “you were going too fast that day, weren’t you?” is somewhat vague and the answer is not dependent on whether the witness was found guilty of the offense of speeding. “Too fast” has many meanings in many contexts and the witness’ negative reply could, in the context of a civil trial, be an expression of his opinion as to whether he was driving at a speed he considered not to be negligent under all the circumstances. In this instance the witness had not denied being convicted so the use of the conviction was not proper as impeachment.

Furthermore, the rule against admitting evidence of a conviction does not foreclose a party from impeaching a witness’ testimony by other means. In this case the district would have been free to offer on rebuttal any or all of the same evidence which had been presented at the criminal trial in order to persuade the jury here that Teves had, indeed, been going “too fast”. No irreparable damage to the district’s rights would have been caused by excluding Teves’ conviction.

No statutory or factually compelling reason has been shown which persuades us that evidence of the witness Teves’ conviction should not have been excluded.
By Bill Gorden

**The Extra**
A. B. Yehoshua

This book was reviewed by the New York Times, and the words slack, engaging, and frustrating were all used. Yet, on Amazon it has a four and a half star rating. How is this?

A work of fiction is embedded in the culture of its author, politically, philosophically, financially, and other ways. It is the same embedding as to its reader. Different nations, different theological backgrounds, different genders all make a difference. Here we have a book about a seemingly secular Jewish woman, clearly a feminist, but with some hesitation there, written by a man, older at that. The heroine is an artist, a harpist. The writer is likewise an artist. Heroine and author are both of Israeli descent, the harpist living, though, in Holland, with no real interest in going back home, (an ex –husband is part of the reason).

The harpist is called home when her father dies, and agrees to stick around until her mother decides whether she can make it in an assisted living atmosphere. The heroine is prevailed upon to do so because the apartment must be inhabited by someone until her mother decides, under Israeli law.

The divorce happened due to the heroine’s decision not to have children. Her family is still upset about this decision, brother, mother, Ex. There are heavy religious and nationalist overtones.

Think: substitute Holland for New York, and Alabama for Israel, and Fundamentalist Christianity for Orthodox Judaism, one could have written approximately the same story. However, it does not work that way. There are so many nuances to each philosophy and lifestyle, politics and gender, that the terms of the N.Y Times Review can still be apt.

This is a bit of a struggle to read, even if one is well versed in the Israeli outlook. One also gets the impression that the author, a long time best seller, may have struggled himself. The end is unsatisfying, though particularly here being of one gender or the other may be decisive.

Choose this with caution. It is well done, but the reader is bringing his/her own culture also.
By Michael W. Brewer

The original intent of this column has been focused on making legal practitioners aware of how changes in technology affect our profession and ethical responsibilities. I take a quick departure from that goal, but not really, to discuss a new TV series on CBS entitled “Bull.”

I am a fan of actor Michael Weatherly previously on “N.C.I.S.” and a fan of using courtroom science in appropriate litigation situations. However, I am not a fan of Bull.

My take away from the first episode was the mischaracterization and minimalizing of the lawyer’s role with the client and the clear trampling upon of our profession’s standing by the writers. The thought that your trial consultant’s input is more important to your client’s case than an attorney’s professional advice is a theme developed throughout each storyline thus far, and is typically overtly demonstrated by the character’s dialogue. The character, Dr. Jason Bull, apparently has the ability to replace or subjugate any lawyer his client has retained either previously or in the future. Additionally, attorney work product privilege and ethical consideration seem to have no bearing as Dr. Jason Bull can change sides in a case that he has been retained in after he decides which party is worthy of his efforts.

Next up on my criticism hit list is the entire premise of the show is off-putting. Apparently U.S. citizens who have been taught and told that one of the fundamental hallmarks of the American way that makes our country different is our civil justice system, have been duped. According to Bull’s storyline, we as citizens serving on juries, are nothing but puppets to be manipulated by Dr. Bull and his minions.

Regardless of the entertainment value, the show reminds viewers every week that when you are in a lawsuit, justice doesn’t matter, your lawyer doesn’t matter and jurors are to be manipulated such that justice prevails only to the manipulate, messes that are sold to the public new sages being viewing by this series.

Moreover, in a recent episode set in a fictitious Texas venue where stealing your opponent’s notes, strategy and playing every local good old boy trick in the book including getting the other side drunk before closing statements is just playing by the rules of the game. It is also ok to manipulate the courthouse elevators with jurors in them so as to demonstrate the points of your closing statement and the county wide weather warning system so that jurors will be forced to go in a basement where they can overhear rehearsed statements otherwise not admissible in court.

Sure, I am a believer in knowing your venue, effective voir dire, mock trials, focus groups, shadow jurors and creating juror profiles in appropriate cases. Who hasn’t been hometowned at some point in life? I even retain a high quality professional juror and trial consultant when case circumstances and a client’s budget will allow. But this show takes the good part of that technology, such as having data feedback that shows a juror’s bias to your position on an issue with red, yellow and green lights on multiple computer monitors and destroys it with a negative message that potentially impacts the public perception of our profession and the civil justice system. Do jurors now expect shenanigans and manipulation distracting even the trust of motives? For that reason, I call bull on Bull. Quickly back on point of our Open & Obvious intended purpose, note that the Oklahoma Rules of Professional Conduct were amended by SCBD 3490 effective immediately that, among other things, in the comment section to Rule 1.1 on Lawyer Competence at note 6 the language concerning maintaining competence includes the terms “including the benefits and risks associated with relevant technology.” So there you have it, get yourself competent.

Back to last month’s article on artificial intelligence, I was thereafter greeted in my inbox by several items I refer you to including “How AI Will Change the Practice of Law?” and “Robots in Law: How Artificial Intelligence is Transforming Legal Services” and “AI Predicts Outcome of Human Rights Cases.” Researchers claim an artificial intelligence computer system has correctly predicted the outcomes of hundreds of cases heard at the European Court of Human Rights to an accuracy of 79 percent. Have a Happy Thanksgiving!

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

1. www.cbs.com/shows/bull


3. Publishing date November 18, 2015 by Ark Group Publishing USA: www.ark-group.com

The Oklahoma County Bar Association’s

38TH ANNUAL SEMINAR 2017
FRIDAY, FEBRUARY 24 – TUESDAY, FEBRUARY 28

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<th>Superior King or Double Double</th>
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OKLAHOMA COUNTY BAR AUXILIARY

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The Oklahoma County Bar Auxiliary (OCBA) meets monthly for social and educational programs and to raise funds to support charitable organizations that serve the needs of our community. OCBA is open to attorneys, spouses of attorneys, law students, and anyone interested in the OCBA mission and programs.

MEMBERS:
OCBA members participate in monthly programs, social events and community service opportunities. Membership is $40 per year.

OCBA proudly begins our 54th year of service to the greater OKC community and local agencies. In 2016, OCBA had the honor of donating funds to Infant Crisis Services, Oklahoma Lawyers for Children, Legal Aid, Youth Services, CASA, ReMerge and to the Moore High School Mock Trial team for their national competition. Members also donated new books to John Rex Elementary.

PROGRAMS:
Members meet the second Thursday of the month, September through May, 11:00 a.m. to 1:00 p.m. in a variety of venues throughout the metro. Programs offer a combination of social, educational and community learning opportunities, including presentations and tours by non-profits that serve women, children and the legal community.

Evening programs with spouses and guests include an annual Chili Supper in the winter, a summer garden party and a fundraising social event in the fall and/or spring.

Volunteer opportunities include an annual Poinsettia Sale in December and quarterly community service activities.

CONTACT INFORMATION:
Marcy Price, President, price.marcy@gmail.com, 405-833-0983

Find us on Facebook at Oklahoma County Bar Auxiliary
# OKLAHOMA COUNTY BAR AUXILIARY

**Monthly Meetings 2016-17**  
**Thursdays 11:00 am - 1:00 pm**  
**Average lunch costs $15**

*Membership includes attorneys, spouses of attorneys, law students, as well as anyone interested in the OCBA mission and programs*

<table>
<thead>
<tr>
<th>Date</th>
<th>Event Details</th>
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<tbody>
<tr>
<td>October 13</td>
<td>Home of Kay Musser – Surprise program to be announced</td>
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<tr>
<td>October 20</td>
<td>Strebel Creek Winery (6:00 - 8:00 p.m.) – Evening Wine Tasting &amp; Cheese Social event</td>
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<td>November 10</td>
<td>Full Circle Bookstore – Book Recommendations - Jean Ann Robison</td>
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<tr>
<td>December 8</td>
<td>Home of Ginnie Tack – Christmas Holiday “Artful Auction”</td>
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<tr>
<td>January 12</td>
<td>Uptown Market – Upstairs Cooking Demo</td>
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<tr>
<td>TBD</td>
<td>Late January Social Evening Chili Cook-Off – Full Circle Bookstore</td>
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<tr>
<td>February 9</td>
<td>Skirvin Hotel – Red Earth (Tentative)</td>
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<tr>
<td>March 9</td>
<td>The Green’s – A Cabi Fashion Show - Rebecca Thompson</td>
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<tr>
<td>April 13</td>
<td>Paseo Grill – Clinical Nutritionist, Keith Bishop</td>
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<tr>
<td>May 11</td>
<td>Home of Ellen Morgan/Distribution of funds to Recipient organizations and Installation of Officers</td>
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*Annual Membership dues ($40.00 payable to OCBA)*  
*Mailed to Ellen Morgan, 6800 N. Country Club Drive, OKC 73116*  
*For more information, please contact Marcy Price, President, price.marcy@gmail.com*

*Find us on Facebook at Oklahoma County Bar Auxiliary*