RAISING THE BAR 2018

Friday, September 28, 6-9 p.m.
Gaylord-Pickens Museum,
Home of the Oklahoma Hall of Fame
1400 Classen Drive

Instead of a formal sit-down dinner, we will have serving stations, bars and more of a reception style event. Seating will be available, but no reserved tables. Entertainment will be provided by the Elizabeth Speegle Band. Black tie optional is out — it will be “snappy casual” or “Friday Office casual.” There will be the usual change of OCBA President and Young Lawyer Chair, but no formal speeches, etc. To purchase tickets, go online to www.okcbar.org and click on the Events Tab or call the bar office at 236-8421.

Outgoing Members of the Board of Directors

Incoming Members of the Board of Directors

NEW LEADER
Judge Sheila Stinson lays out her goals.

Page 2

YLD BOWLING EVENT
Bowling event raises money for local food bank.

Pages 8-9

2018-19 OCBA President Judge Sheila Stinson and husband, Preston

Judge Trevor Pemberton, Rachel Morris, David Cheek, Judge Don Andrews, Steve Cortes, Chris Deason, Kelli Stump, Monica Ybarro & Benjamin Grubb

Bradley Davenport, Judge Cassandra Williams, Richard Rose, Raymond Zschiesche, David Cheek, Judge Barbara Swinton & Judge Don Andrews
From the President

A purpose-driven year

By Judge Sheila Stinson

September begins a new term for the Officers and Directors of the Oklahoma County Bar Association. I approach this year with excitement for our organization, with pride from all the good works of our legal community, respect for all the amazing leaders of this organization that have come before me, and hope for the opportunities that a new year brings. First, I want to thank David Cheek for his service as our President for 2017-2018 as well as all of the outgoing board members. They have handed over a strong and thriving association to our incoming officers and board, and for that I am appreciative. Also, I am thankful to have the amazing team of Debbie, Pam and Connie to guide and direct us for the upcoming year. As I begin my term as President, I want to share a little about my goals for the upcoming year and a little about me.

In the OCBA Bylaws, our first three purposes are 1. To protect the legal profession through Law Day, I hope you will participate. Other lawyers and judges in a more informal setting, or promoting giving back to our community, networking and socializing with each other. Whether that is through continuing legal education, my goal is to focus on those purposes, stated simply- to help our members and active participation in the Association, and promote the collegiality and civility of the legal profession. This year my goal is to focus on those purposes, stated simply- to help our members serve their clients, to serve the community and to serve each other. Whether that is through continuing legal education, giving back to our community, networking and socializing with other lawyers and judges in a more informal setting, or promoting the legal profession through Law Day, I hope you will participate.

I hope you will bring your ideas to strengthen our Association. And I hope you will join me in furthering the purpose of our Association.

A bit about me- I joined the OCBA within 6 months of becoming a new lawyer. A friend, Celeste Johnson, invited me to a Young Lawyers Division meeting. I kept coming because it seemed like a good place to meet other new lawyers and to help my community, and I have stayed.

I am a Special Judge in Oklahoma County on a Family and Domestic Docket. Prior to my appointment in July 2017, I was in private practice for 15 years in the areas of primarily civil litigation, real estate, insurance and estate law. Practicing in mid-sized firms for the first 12 years of my career, I then started my own firm for the last 3 years before taking the bench. As a proud Oklahoma Panhandlian (I don’t think that is actually a word), I grew up in Boise City. My parents still live there, and they have owned and operated the Boise City Body Shop and Wrecker Service for 35 years. I attended the University of Central Oklahoma with a B.A. in Criminal Justice and the University of Oklahoma College of Law.

This month, my husband, Preston, and I celebrate our 10th wedding anniversary. (That’s the tin or aluminium anniversary if you were wondering- so obviously the fanciest of all the anniversaries). We are the very proud and very tired parents of our two young sons and a new 10 week old Shih Tzu Chiweenie rescue, Herbie. In our spare time, we enjoy thinking about all the things you were wondering- so obviously the fanciest of all the anniversaries). We are the very proud and very tired parents of our two young sons and a new 10 week old Shih Tzu Chiweenie rescue, Herbie. In our spare time, we enjoy thinking about all the things we would accomplish if we weren’t so tired and had more spare time. We enjoy seeing our families and friends and traveling with the boys.

I look forward to a great year and I thank you for this opportunity to serve our Association and our legal community!

Events & Seminars

SEPTEMBER 28, 2018

Raising The Bar 2018 (formerly known as the Annual Dinner Dance)
Gaylord Pickens Museum

OCTOBER 18, 2018

OK Judicial Candidate Forum, 12 Noon,
Ron Norick Downtown Library Auditorium
Open to the Public

DECEMBER 6, 2018

OCBA Holiday Reception
Robinson Renaissance Food Court

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
Dear Roscoe:

I am a lawyer, but must confess ignorance about what may be a simple legal issue, if legal issue at all. The other day we, as a family, decided to see a movie. We talked about several movies and made our choice. As we left the auditorium, someone broached the idea of seeing another movie as well. I had misgivings but went along. The more I thought of it the worse I felt. I told my wife and kids that I would not do that again. They’ve been chiding me about being an eagle scout ever since. What is the legality of “theater hopping?”

D.S.

Dear D.S.: First, let me congratulate you on having thicker moral fiber than I do. I confess having succumbed to the temptation of theater hopping myself on occasion. The statute’s run since the last time I’d done it, but I fear the lack of reciprocation on my part says more about the state of movies over the last few years than it does my gleaming character. Bottom line: Better to be an Eagle Scout than a Jailbird.

In my younger days, I found various justifications: “When I was a kid we could spend all day at the movies;” “the movie I paid for sucked so I’m entitled to see another;” “What’s the harm?”; and the ever popular “The theaters expect you to movie hop.” That’s why they cost so much.

A movie ticket is in essence a legal license to be at the theater for the viewing of a particular movie. This license is what keeps the law from considering you a trespasser. So if you buy a ticket for one movie and then see another, you may not be stealing any money from the theater, but you are violating their consent and in doing so, you are trespassing. In Oklahoma City, that means you are a trespasser. In the “for-what-its-worth” department, the last horse thief to hang in Jollye Olde England, where it was in some parts an actual capital offense, occurred in 1811 in Scotland.

I noticed a fat guy in a white suit as I made my fourteenth and final lap around the quarter mile track. He stood out like a massive kangaroo pouch of my hoodie. It was more or less the same. I took pictures. He didn’t sight me through a rifle scope, but it felt more or less the same.

Dear D.S.: Did they really execute people for horse stealing back in the Old West?

B.P., OKC.

Dear B.P.: Well, it depends on which “they” you’re talking about. If you’re speaking of the government of the United States or any of the several States, not really. If you’re talking about mobocracy or “hemp law,” they occurred with uncomfortable frequency. It seems the Western States were loath to impose the death penalty for property offenses. Arizona and New Mexico, for example, under pressure from the railroads, made train robbery a capital crime around 1890, but rescinded it when juries refused to convict a train robber when he hadn’t killed anybody during the heist. The last semi-official hanging for horse stealing, to my knowledge, occurred in 1835 in North Carolina. Newspaper accounts seem to suggest the two prisoners were hung more for their overall character than the actual crime. Notwithstanding their disrepute, the execution drew some protestors, one bearing a petition saying: “No son of a woman should suffer the death penalty for the foal of an ass.” I can think of no real rebuttal to that. In the “for-what-its-worth” department, the last horse thief to hang in Jollye Olde England, where it was in some parts an actual capital offense, occurred in 1811 in Scotland.

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Cato’s Letters: No. 19
INTERMISSION: Review of History of Cato’s Letters The Honorable Leader

By Geary Walke

I cannot merely republish 144 of Cato’s Letters. That would result in readership declining from double digits to single digits. However, I thought it was important for the reader to gain a sense of the style of writing that Messrs. Trenchard and Gordon adopted while introducing their efforts to form public opinion. Readers will recall that The South Seas Company grew in the hands of a mob only by dying from smallpox. Eventually, South Sea Company directors were arrested and their estates forfeited. It was disclosed that over 400 members of the House of Commons and over 100 members of the House of Lords were all involved in the schemes leading to the bubble bursting.

The Chancellor of the Exchequer and several members of Parliament were expelled by 1721. The people denounced both of the King’s mistresses (the Countess of Darlington and the Duchess of Kendal) for being heavily involved in the South Seas schemes.

Eventually, Robert Walpole took the reins and began efforts to control the damage. He was made the new Chancellor of the Exchequer and divided the national debt created by the South Sea Company into three shares: One part to be made up by the Bank of England (a private enterprise, but controlled by the government), one to be made up by the British Treasury and the third as a Sinking Fund to be incrementally paid off over the years from new revenue. Real or not, the appearance of a remedy restored a healthy measure of stability to the economy. But, the people still felt betrayed and were eager for answers as to why they were forced to suffer financial loss as well as what to do to prevent another such calamitous adventure.

The next series of articles will be an effort to summarize a number of Cato’s Letters, while trying to capture the spirit and sentiment with particular quotes. Letter No. 19:

Appearances are often taken for things themselves, we mistake what we imagine for reality, and our delusions are taken as certain truth. Despite no foundation for reality, and our delusions are taken as certain truth.

A lawyer shall not prepare, cause to be prepared, use, or participate in the use of, any form of public communication that contains self-laudatory statements calculated to attract lay clients; . . .

Such self-laudation “. . .abounds among the unpolished, but nothing can stamp a man more sharply as ill-bred.” Can anyone conceive of a Lincoln or Schweitzer proclaiming greatness, or Einstein contending to be “No. 1?”

The Bar should be ever watchful of such conduct because it is demeaning to our profession and suggests that justice relates more to personality than truth.

Good lawyers don’t need to advertise or indulge in self-praise. They are found by reputations established through long labor, ability and integrity: traits which quietly strengthen our profession.

Note: In 1977 the U.S. Supreme Court declared lawyer advertising legal in Bates v. State Bar of Arizona as protected commercial speech under the First Amendment.

4 BRIEFCASE • September 2018
Pivot – formerly known as Youth Services of Oklahoma

Established in 1972 by a group of visionary leaders, Pivot’s original services included crisis intervention, individual and family counseling and referrals. In addition to our founding services, programs and services now include an emergency shelter for homeless or displaced youth, independent living services, education support and job assistance, life skills training and practice and mentoring, as well as prevention and intervention programs that are provided to youth and families.

Volunteer/Intern:

Volunteers are vital to Pivot. They are instrumental in helping us meet the needs of the teens in our community. Please consider becoming a volunteer for Pivot! We need volunteers in many different areas, including:

- An administrative whiz? Consider donating your time to help with administrative tasks like data entry.
- Are you a local chef or cook? Volunteer to lead a cooking class at Café 29, Pivot’s teaching kitchen.
- Motivated go-getter? Organize a fundraising event at your office, school, scout troop, civic group or place of worship to help collect donations that support our mission.
- Like to plan parties? Serve on our event planning committee.
- Want to volunteer, but don’t have a lot of time? Here are a few things you can do to help:
  - Like us on Facebook, follow us on Twitter, LinkedIn or Instagram.
  - Share our posts on your social media.
  - Out grocery shopping? Purchase a few items from our pantry wish list which include microwaveable meals, hygiene items, khaki’s and red or blue polo shirts in all men and women sizes.
  - Be a volunteer for special events.

For more information, please call or email us at 405.235.7537 or contact@pivotok.org.

2018 OCBA YLD Harvest Food Drive Kicks Off

By Benjamin Grubb, YLD Chair

The Oklahoma County Bar Association Young Lawyers Division’s annual Harvest Food Drive is officially underway. The Harvest Food Drive benefits the Oklahoma Regional Food Bank, to which the YLD has once again committed to donating at least $20,000.00 to help feed Oklahomans in need. This fall, YLD Directors will be contacting you or your firm requesting tax-deductible donations to the Harvest Food Drive. For nearly a quarter century, the YLD’s partnership with the Regional Food Bank has been made possible by generous donations from local attorneys, businesses, and law firms.

Oklahoma remains one of the hungriest states in America; over 650,000 Oklahomans are food insecure and nearly one in four children in Oklahoma struggles with hunger every day. 72% of the Oklahomans served by the Oklahoma Regional Food bank are faced with the choice between paying for utilities or food each month. The Oklahoma Food Banks annually distribute 68.6 million pounds of food, serving 160,000 people each week, including over 59,000 children. A donation of just one dollar provides 5 meals for those in need and 96 cents out of every dollar donated goes directly to relieving hunger. In addition to collecting donations, the Regional Food Bank also provides several fulfilling volunteer opportunities to assist with tasks such as sorting and storing food. Each year, the Regional Food Bank welcomes more than 44,000 volunteers who contribute more than 137,000 hours of service – saving the Regional Food Bank more than $2.4 million in labor volunteers.

The YLD is proud of its commitment to the Regional Food Bank. If you would like to donate to the YLD’s Harvest Food Drive, please contact the Oklahoma County Bar Association at (405) 236-8421. The YLD is working hard to receive all donations by early December, but will continue to accept donations through the holidays. To learn more about the Oklahoma Regional Food Bank and volunteering opportunities, please visit their website at www.regionalfoodbank.org.
by Bill Gorden

Russian Roulette

Michael Iskoff and David Corn, Twelve, 2018 Hardcover, 338 Pages, $30.00

This was published in March of this year. The day-to-day rush of events emanating from and around the White House with regard to the Russian influence on the 2016 election makes that seem like a long time ago. Consequently, this work may be good to have on the shelf. Iskoff is currently the chief investigative reporter for Yahoo!, having a track record with Washington Post, Newsweek, and NBC.

Some of you have already checked out of this Review, so I am not talking to you. For the rest, this book is a compendium of a massive set of evidentiary and descriptive materials. It can be gone over by a sceptic to parse the use of one phrase from one that could have been used, one is seeking bias. However, while a lot of it is quotations from news stories and the subjects of those stories, there is a large amount of material about the time before the elections, describing the interactions of Mr. Trump with his various business enterprises, and the Russians. These include Mr. Trump’s courting of Mr. Putin in attempting to do business in Russia. It is wise to look for bias in anything one hears or reads, (particularly, it seems, on the net), but it is necessary to have a fund of information available in order to understand the basis to live in a democracy. The reader will probably find things here that had been un-noticed.

What you will find here, however, is not a tome spreading the gasoline of conspiracy theories on these hot issues. It is rather, what is suggested above. It is a compendium of complicated and disputed facts. Connecting the dots here is scary, by any measure. Is everything in the book the subject of a vast conspiracy? Or do all those dots mean something else. Get the book for your shelf. There are several more being written for publication soon.

No one knows how many.

OCBA Bench & Bar Committee to Host Oklahoma County Judicial Candidate Forum

In an effort to inform voters, the Bench & Bar Committee will host a candidate forum for the four Oklahoma County Judicial Races to be held during the General Election on November 6. The forum will take place at the Ron Norick Downtown Library Auditorium, 303 Park Avenue, Oklahoma City, on October 18 at 12 Noon. Each candidate will be given time to discuss their qualifications for the position. The last ten minutes will be used for questions from the audience. There is no charge to attend and this event is open to the public.

by Bill Moyer

Our Father

Martin Sherman Amick

Paperback, 441 pages, $22.95

Martin Amick recently published a book entitled “Our Father”, which includes stirring tales, amusing anecdotes, historical tidbits and odd ramblings inspired by the lives of the Honorable John M. Amick and his ancestors.

Many will read this book will very likely relate to stories because they are similar to our (the reader) own experiences, especially so if you grew up in small town Oklahoma. Yes, it even reminds us about how to dispose of snakes in the closet. Wouldn’t those growing up today like to do that? Of course, they would have to know what a cistern is.

There are, however, stories and experiences that many will not have had, such as one about a friend, Kendall Batchelor, who deliberately ran headlong into a gaso-line-fed blaze to save downtown Jefferson from destruction by the fire he himself had accidentally started. Regrettably, in the Ardennes Forest in December of 1944, then Sergeant Kendall L. Batchelor was killed in action. Six years after saving downtown Jefferson, Oklahoma from destruction by fire, he fell during the Nazi’s last major offensive of World War II. Nineteen thousand American soldiers died in the Battle of the Bulge, the largest battle of the war, larger even than the Normandy Invasion. Only one of them was born in Jefferson.

Amick’s political life experiences are also outlined in this book. Of course there are a number of stories as a result of such experiences. He was involved in many high profile cases as both a District Attorney, and District Judge.

Martin Amick states: “From the humblest of beginnings, John Morgan Amick has truly achieved a happy and successful life. He has earned and enjoyed the love and respect of family, friends and professional colleagues, and has been a faithful husband, devoted father, successful lawyer, highly respected judge, law profes- sor, high school teacher, Sunday School teacher, band leader, actor and chorister, and is a friend and good neighbor to all who know him. He is, to the core, a good man, the product of that special plot of land which though remote and obscure was touched by God’s own hand, and by the hand of a pioneer woman whose love knew no bounds.”

Anyone reading his account should be inspired to be as good an attorney, or other professional, as possible.
Disruption in the Legal Field

By Miles Pringle

On July 31, 2018, LegalZoom.com Inc. announced that it received a $500 million investment from a group of investment firms. According to several reports, the deal valued LegalZoom at $2 billion, “indicating that the company is worth nearly five times what it was when European private equity company, Permira, paid $200 million for a controlling stake in 2014….” LegalZoom’s revenue from subscription services has grown from 30 percent of revenue to 50 percent since Permira’s involvement.¹ The reports of LegalZoom’s growth are impressive; however, the transaction also shows LegalZoom’s need for cash. According to its CEO John Suh, the primary purpose of the deal was to give existing investors some liquidity and bring in longer term investors.² Suh also mentioned the possibility of taking the company public at some point in the future.

In its announcement, LegalZoom touted many of its accomplishments. For example, LegalZoom has expanded into the U.K. where it now makes $20 million in revenue annually. The company is next looking to push into Australia and other parts of Europe. The LegalZoom transaction follows investment in other on-demand legal services providers. In January of this year, it was publicized that Internet Brands (which already owns interests in several other legal service companies) had acquired Avvo, an online legal referral and attorney rating service.³ Avvo boasts that its website experiences over 100 million annual visits, and that over 300,000 lawyers actively use its services.

So, what do some of these legal tech companies do? In general, LegalZoom offers its customers interactive legal documents through its automated process, and provides attorney referral services including prepaid legal services plans.⁴ Attorneys may join LegalZoom’s network to provide legal advice to LegalZoom customers, or join LegalZoom’s “Local Attorney Directory” to receive referrals from plan attorneys. LegalZoom is quick to point out that while it provides access to independent attorneys and self-help services, it is not a law firm or a substitute for an attorney or law firm and “cannot provide any kind of advice, explanation, opinion, or recommendation about possible legal rights, remedies, defenses, options, selection of forms or strategies.”

LegalZoom’s largest competitor appears to be Internet Brands’ Martindale Legal Marketing Network, which includes: Martindale-Hubbell, Lawyers.com, Avvo, Nolo and Ngage. Martindale-Hubbell offers online products and services such as professional profiles, law firm website development, marketing and Martindale-Hubbell Ratings & Reviews. Avvo and Lawyers.com provide attorney and law firm profiles targeted at consumers, and Avvo allows for ratings from prior clients and other attorneys. Nolo, along with its affiliates Divorce-net.com and AllLaw.com, is Internet Brands’ provider of form legal documents. Ngage is a chat box service that law firms can implement on their websites (a chat box is the pop up on a website asking you if you have any questions).

According to Thomson Reuters’ “2018 Report on

See DISRUPTION, PAGE 14
2018 “Striking Out Hunger” Bowling Tournament A Winner for Regional Food Bank

First Place Team –
Martin/Jackson
Kristin Meloni, Leah & Bob
Jackson, Jason Strasser &
Amber Martin

This year’s Striking Out Hunger Bowling Tournament fielded over 100 bowlers and 13 sponsors and was a big winner for the Regional Food Bank of Oklahoma. Held on August 16 at the Heritage Lanes Bowling Center, there was plenty of friendly competition and chatter. The Young Lawyers Division profited $4,000 in their Harvest Food Drive efforts. Event chairs Randy Gordon and Sarah Beth Hance are to be acknowledged for their tireless efforts in recruiting sponsorships and teams.

Martin/Jackson won first place in the tournament with team members Amber Martin, Jason Strasser, Bob & Leah Jackson and Kristin Meloni. Second place went to the team of Elias Books, which included Wyatt Swinford, Libby Brown, Jack Bomhoff, Jay Dobson and John Arrowood. Third place team was Crowe & Dunlevy Team #2 and members of the team were Zane Anderson, Evan Way, Tim Gallegly and Ryan Wilson. Dunlap Codding won the “Most Spirited Team” Award and Brian Peterson, PLLC won the “Best Dressed Team.” Winner of this year’s Strike Pot was Matt McCombs.

A special thanks to all of our sponsors: Cathcart Dooley, Chansolme Harroz & Schnebel, Crowe & Dunlevy, DeWitt Parulso & Meek, Miguel Garcia Law, PLLC, Hartzog Conger Cason & Neville, Johnson & Biscone, Martin Law Office, McAfee & Taft, NLLG, Phillips Murrah, RIMKUS, and Tomlinson McKinstry! We could not have done it without you!

Second Place Team –
Elias Books
Wyatt Swinford (center) congratulated by Ben Grubb & Randy Gordon

Third Place Team –
Crowe & Dunlevy #2
Ryan Wilson, Zane Anderson, Tim Gallegly & Evan Way
To us, it's personal.

Dobson Technologies gets it. When your network, Internet service, or phones are down, so is your business - and your productivity, and your plans for the day, and probably your revenue too. Keeping you up and running is why we get up every morning.

- Outsourced Managed IT Services Provider
- Fast, Reliable Fiber Optic Network
- VoIP Phone Solutions

At Dobson, our only business is caring for your business.

Dobson Technologies
Call us today for a free estimate!

dobson.net | 405-242-1000 | info@dobson.net
A young lawyer told an Oklahoma County judge last year that she was so nervous about her first trial the next week, set before Judge Croy. The Judge told her that Jim Croy was one of the smartest and funniest people he knew. “Well,” she said with perhaps a trace of skepticism, “you know him better than I do.”

Jim Croy is smart and funny, and he has enjoyed a fascinating life. He served in Army intelligence in Germany during the Cold War. He then served as a legislative assistant at the Oklahoma legislature, where his intelligence and writing ability impressed Senator James Howell, who encouraged him to go to law school. Senator Howell hired the young man when he passed the Bar Exam. Jim Croy worked in Senator Howell’s law office, until he was appointed to the bench.


Lady Gaga was born on March 28, 1986. Only a small fraction of Oklahoma County lawyers remember courthouse life B.C. (before Croy).

Supreme Court Justice Noma Gurich stated that, “There are many wonderful things about Judge Croy. He has been a true friend to me for many years. I will miss his companionship, his jokes, his observations, and his frankness. You can always count on Judge Croy telling you the truth.” Justice Gurich told Judge Croy “I am happy for you and wish you well in retirement. I know this is all about you, but what about me - what will I do without you.” Justice Gurich does not intend to let Judge Croy “fade into the sunset. I have his cell phone number. And I know where he lives. We will stay in touch.”

Judge Richard Kirby noted Judge Croy’s assistance to members of the judiciary across the state over the course of many years because of “the painstaking time he spends on his legislative work.” Judge Croy has tracked legislation and has freely shared his work with other jurists, work Judge Kirby describes as “as good as any paid lobbyist put together during my six years working for the Governor, and seven years as General Counsel at the Department of Corrections.”

David Howell recalled that “Judge Croy was one of my mentors and bosses when I worked in his law office during law school and as a young lawyer. My trips to the courthouse with him were not only informational and educational but highly enjoyable. He is very humorous and fun, as anyone who knows him knows. As a young lawyer, there were occasions when I asked him to sit second chair, as a jury trial approached. He never turned me down. He was of great assistance and also took the time to boost my confidence during trial. Whenever I had a legal question at the office he took the time to give me advice and suggest alternatives. It didn’t take me long to realize that Jim was my friend. He never treated me as only a boss or junior associate. Jim loved being a judge. He often told me ‘I can’t believe I get paid to do this.’ He gave me some really good advice when I became a part-time municipal judge such as “When you go out into the courtroom, you might think ‘I’m such a fraud,’ but don’t say that out loud.” He also told me that you are never smarter than you are when you are appointed or elected judge - it’s all downhill from there. Judge Croy has so many funny stories. He recently told one litigant, with his customary acerbic wit, ‘you have great difficulty in relating past events.’ The witness answered sincerely ‘Why, thank you.’ Judge Croy claims that when Judge Richard Ogden recently succeeded him as the Chair of the Judicial Legislative Committee, the Oklahoma Supreme Court gave Jim Croy a Certificate of Appreciation (which he appreciates), which also meant ‘and now get out.’ Jim wondered why retiring judges from Oklahoma County are given a little wooden box as a parting gift, but finally figured out the box was for his ashes, when he died. Regarding his retirement plans, Judge Croy says that his wife Margaret married him ‘for better or for worse,’ but not for lunch.”

Jim Croy is truly a Renaissance Man. He is an amazing guitar player, owns several guitars (including a 12-string) - and he has never had a guitar lesson. He speaks fluent Russian. He is quite a good actor, and he has a one-man show about his time in Army Intelligence on the East German border at the height of the Cold War. He often tells me what you did in Army Intelligence on the East German border at the height of the Cold War. He often tells me that the experience was only a boss or junior associate. Jim loved being a judge. He often told me ‘I can’t believe I get paid to do this.’ He gave me some really good advice when I became a part-time municipal judge such as “When you go out into the courtroom, you might think ‘I’m such a fraud,’ but don’t say that out loud.” He also told me that you are never smarter than you are when you are appointed or elected judge - it’s all downhill from there. Judge Croy has so many funny stories. He recently told one litigant, with his customary acerbic wit, ‘you have great difficulty in relating past events.’ The witness answered sincerely ‘Why, thank you.’ Judge Croy claims that when Judge Richard Ogden recently succeeded him as the Chair of the Judicial Legislative Committee, the Oklahoma Supreme Court gave Jim Croy a Certificate of Appreciation (which he appreciates), which also meant ‘and now get out.’ Jim wondered why retiring judges from Oklahoma County are given a little wooden box as a parting gift, but finally figured out the box was for his ashes, when he died. Regarding his retirement plans, Judge Croy says that his wife Margaret married him ‘for better or for worse,’ but not for lunch.”

Jim Croy is truly a Renaissance Man. He is an amazing guitar player, owns several guitars (including a 12-string) - and he has never had a guitar lesson. He speaks fluent Russian. When asked “exactly what did you do in Army Intelligence on the East German border at the height of the Cold War,” he answered, “You’ll never know.”

“You’ll never know.”

We’re all better for having known Judge Croy and wish him well in his well-deserved retirement but, as Justice Gurich said, “What about us.” Life at the courthouse won’t be the same, and that’s our loss.
Let me first confess freely that I am among the two-thirds of the Americans who believe that the current occupant of the White House does not encompass our finest ideals, our noblest goals, or our deepest reasoning. He is not first to drag the office of the presidency down, and he will not be the last. He has steadfast supporters, comprising about thirty-five percent of those polled on most subjects. However, the majority of those polled repeatedly say that what he does not bring to the oval office is dignity.

Historically, dignity in the presidency has often been measured by that which is written or uttered and then transcribed. This is because until the last century, there was no other way to capture the spoken word. Now, of course, technology has advanced so far that no gesture, or utterance, or facial expression, or garb escapes publicity. But that does not diminish the written word as an indication of dignity in office.

That said, one can ill-imagine the current occupant of that office twisting or uttering, “No government is perfect. One of the chief virtues of a democracy, however, is that its defects are always visible and under democratic processes can be pointed out and corrected.” Or, “I can imagine no greater disservice to the country than to establish a system of censorship that would deny to the people of a free republic like our own their indisputable right to criticize their own public officials.” Or, “For this is what America is all about. It is the uncrossed desert and the unclimbed ridge. It is the star that is not reached and the harvest that is sleeping in the unplowed ground.” Each of these quotes was spoken by a sitting president. But such loftiness as this is not for the forty-fifth occupant of the White House. Rather, he communicates—to the extent that such a system of internet shorthand thought can result in communication—via Twitter, sending tweets. Tweeting is to communication what a vending machine is to a feast. Both things get something inside the recipient, but what a vending machine is to a feast. Both systems of internet shorthand thought can communicate—to the extent that such a system can be reduced to a tweet: “Stopping at some woods on a winter’s eve. Frost found it necessary to use 434 characters, about 5,200 characters, and even Robert Poe’s time, he would have used it. But something in The Raven would have been lost in the process: “Some talking bird is driving me crazy, pecking at my door and then hiding when I go to see what is going on. BTW, I really miss Lenore.”

Possibly, in this age in which cursive writing is no longer taught in schools and young people cannot be bothered email because it takes too long, law schools might stop teaching the drudgery of legal writing, opting instead for legal analysis of 280 characters or less. And, ultimately, rulings and opinions would follow suit. The US Supreme Court, instead of pages and pages of trying to justify its opinions, would reduce the rulings to a couple of sentences. The 1973 ruling in Roe vs. Wade, contains almost 1,240 sentences, and close to 20,000 words. If the court tweeted, instead of going on and on trying to explain itself, there would have been a cleaner, if somewhat less nuanced, decision. Something like this: “Abortion is a fundamental right. There is a constitutional right of privacy under due process clause. States cannot outlaw ban abortion. Use a trimester sliding scale to determine if woman can have abortion, with woman’s interest most compelling in first trimester and state’s interest most compelling in last one.” There you go: all neat and tidy!
for a law firm in Houston, Texas before her Masters of Law in Taxation at New District of Oklahoma. She then received valuable experience service as a foreign ownership of real property, changes topics, including choice-of-entity in light of written and presented on a variety of tax Internal Revenue Service.

represented clients in disputes with the ties, including disregarded entities, limited - transactions, and tax planning. She has particular - free reorganizations, acquisitions and disposi - tions, and tax planning. She has particular experience working with flow-through enti - ties, including disregarded entities, limited liability companies, partnerships, and S corporations. Jessica has also successfully represented clients in disputes with the Internal Revenue Service.

Prior to entering private practice, Jessica gained valuable experience service as a judicial clerk for United States District Court Judge Robin Cauthorn in the Western District of Oklahoma. She then received her Masters of Law in Taxation at New York University School of Law and worked for a law firm in Houston, Texas before joining Phillips Murrah. Jessica is licensed in both Oklahoma and Texas. Jessica has written and presented on a variety of tax topics, including choice-of-entity in light of the 2017 tax reform, the tax implications of foreign ownership of real property, changes to the partnership audit procedures enacted in 2015, and defending against the trust fund recovery penalty. Jessica grew up in Killeen, Texas but now lives in Oklahoma City, Oklahoma. In her free time, she enjoys spending time with friends and family, traveling, and training for her next race.

Phillips Murrah welcomes two new attorneys to legal roster Phillips Murrah is proud to welcome Martin J. Lopez III and Travis E. Harrison to our Firm. Phillips Murrah welcomed Martin to the Firm’s Litigation Practice Group as an associate attorney where he represents individuals and both privately-held and public companies in a wide range of civil litigation matters. Martin attended the Oklahoma City University School of Law where he served as class president, also serving as the Student Bar Association President his third and final year. He was also a member of the Oklahoma City University Law Review. Additionally, Martin had the opportunity to work along - side university president Robert H. Henry, serving as his legal research assistant for two years.

While pursuing his law degree, Martin worked as a judicial intern for the Honorable Timothy D. DeGiusti of the United States District Court for the Western District of Oklahoma as well as for Justice Noma D. Gurich of the Oklahoma Supreme Court. Born and raised in Oklahoma City, Martin currently lives there with his wife and puppy. In his free time, he enjoys spending time with friends and family, watching Sooner sporting events, traveling, and fly fishing.

Travis has joined Phillips Murrah’s Transactional Practice Group as an associate - atory where he represents individuals and businesses in a broad range of transac - tional matters. Travis graduated cum laude from Oklahoma City University School of Law where he earned the CALI Award of Excellence, which is awarded to the stu - dent with the highest grade in the courses as determined by the professor for five of his courses (Contracts II, Legal Research and Writing II, Constitutional Law I, Oil and Gas Law, and Commercial Paper). He was also a member of the Oklahoma City University Law Review. While serv - ing as a member of the Law Review, he authored a Note titled Judicial Discretion on Outcome-Determinative Legislation After Bank Markazi v. Peterson, which was published in 2018.

Travis was born and raised in Oklahoma City, Oklahoma, where he current - ly resides. He enjoys traveling, reading, attending sporting events, and spending time with family and friends.

Jimmy K. Goodman elected secretary of American Bar Foundation Crowe & Dunlevy attorney will assist with funding and help supervise research for the ABF

Jimmy K. Goodman was recently elected as secretary of the American Bar Foundation (ABF). He has served as its treasurer for the past two years, as a member of its board of directors since 2006 and was chair of the Fellows of the ABF in 2008-2009. As secretary, Goodman will help to coordinate and super - vise several projects for the ABF, including funding and research. In addition, he will co-chair the 30th anniversary celebration of the ABF’s Summer Research Diversity Fellowship this fall in Chicago, Illinois.

Since 1973, Goodman has specialized in high-stakes business litigation, prod - uct claims and disputes involving tribal compacts, economic development, gaming enterprises and federal Indian law. He has tried cases before state, federal, bankrupt - cy and tribal courts representing individu - als, small businesses and Native American Nations along with Fortune 500 companies. His varied practice has recently become concentrated in mediation, Indian law and gaming, and litigation.

Goodman is a past president of Crowe & Dunlevy and has been president of the Oklahoma Bar Foundation and Oklahoma Bar Association, has represented Oklahoma American Bar Association (ABA) members in the ABA House of Delegates from 1995-2013, and served on the ABA Board of Governors from 2013-2016. He received his Juris Doctor from Stanford Law School and bachelor’s degree from the University of Oklahoma.

CATO, CONTINUED FROM PAGE 12 aggravating their crimes by an insolence which no public resentment can equal.

Rome created a college of magistrates to compile and establish a body of laws for the people to follow. However, these designing men extended their term under an excuse of finishing their job, but they never finished their job and dissolved their college and in defiance of the people who chose them, continued in power. Rome lost its constitu - tion and while all men complained no one offered solutions. Rome was invaded, but the people appeared to hate their own domestic traits more than they feared foreign invaders. Roman soldiers ran away and would not fight under detested leaders. Still, the corrupt traitors would not resign. They continued to misgovern and only serve their own corrupt interests.

Finally, the people rose up and cast the traitors into prison or exile. This changed the state of affairs and the spirit of the people of Rome. At long last they had an honest administration, and the governors whom they loved and trusted quickly beat the enemy out of the territories of Rome.
The Oklahoma Access to Justice Commission and Oklahoma Bar Association are offering bar members the chance to learn from renowned national leaders working to improve access to justice. The first Oklahoma Access to Justice Summit will be held in Oklahoma City on Thursday, Oct. 11, at the Oklahoma Bar Center. To show its commitment to this effort, the OBA is waiving fees and providing 6 hours of MCLE credit, plus lunch, at no cost.

Speakers will include:
• James J. Sandman, Legal Services Corporation President
• Katherine Altender, Self-Represented Litigation Network Executive Director
• Ryan Gentzler, Open Justice Oklahoma Director
• Jonathan Lippman, Latham & Watkins LLP, former Chief Judge of New York and Chief Judge of the New York Court of Appeals
• Douglas Combs, Oklahoma Supreme Court Chief Justice

The Oklahoma Access to Justice Commission was established in 2014 by order of the Oklahoma Supreme Court and charged with developing and implementing policies that expand access to and enhance the quality of justice in civil legal matters for low-income Oklahomans. Attendees will hear about the commission’s accomplishments.

Interesting information based on data from Oklahoma courts will be provided by Open Justice Oklahoma. The summit will provide training on Oklahoma District Court Rule 33 that clarifies how lawyers can provide limited legal services to those who cannot afford full services.

There is also a session on the new realities of eviction and how a single eviction can impact families for many years into the future.

For complete details and to register, go to tinyurl.com/justicesummit2018. Attendance will be limited. The Access to Justice Summit is being made possible through financial support from LegalShield, Tricia Everett and the Oklahoma Access to Justice Foundation.

The tweet has one advantage over the lengthy oratory: It reaches many people in a short period of time. Whether that is lengthy oratory: It reaches many people in a short period of time. Whether that is

Deputy General Counsel IV

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

The ideal candidate will provide legal advice to the agency and board, as well as represent OHCA in both administrative and judicial proceedings. Will provide legal advice in response to particular questions regarding program area in consultation with other attorneys in division; will coordinate referrals and investigative efforts with the Office of the Attorney General; represent the agency in state and federal litigation.

Other duties include: advise on law and regulation; act as a liaison to the Legislature on select issues; review record requests and board, as well as represent OHCA in both administrative and judicial proceedings. Will provide legal advice in response to particular questions regarding program area in consultation with other attorneys in division; will coordinate referrals and investigative efforts with the Office of the Attorney General; represent the agency in state and federal litigation.

Other duties include: advise on law and regulation; act as a liaison to the Legislature on select issues; review record requests and appear at legislative committees, as necessary.

Requires a Bachelor's degree AND 7+ years of experience practicing law. Must be an active member of the State Bar of Oklahoma. Other relevant senior level administration or legal experience preferred. Advanced education, additional certifications, and computer research/case management software is desired.

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DISRUPTION, CONTINUED FROM PAGE 7

the State of the Legal Market”.5 demand growth for law firm services is mostly flat. Nationally, there has been slight growth in demand for tax, corporate and patent litigation services, but a decline in bankruptcy, real estate, labor/employment and general litigation. The most alarming statistic is the decline in attorney productivity, which the report claims “is costing firms about $74,100 per lawyer per year.” Since 2008 the overall trend for law firm services demand is essentially flat or negative. The Report noted that this is especially concerning given the national economic strength in recent years and despite an overall increase in legal spending by corporate clients. What this suggests, the Report states, “is that law firms have been losing market share”. Law tech firms like LegalZoom and Nolo are not the only competition law firms. According to a 2017 Thomson Reuters report, “ALTERNATIVE LEGAL SERVICE PROVIDERS: Understanding the Growth and Benefits of These New Legal Providers”6 companies providing ancillary legal services, such as e-discovery and document review services, accounted for $6.2 billion. Accounting firms and contract lawyer services were also notable sources of competition for traditional law firms.

It should be noted that the American Bar Association has rendered its judgment on whether non-lawyer professionals, like accountants, should provide legal services. In 1998, the ABA established the Commission on Multidisciplinary Practice, which issued a report favoring the multi-purpose professional firms.7 The ABA House of Delegates rejected the Commission’s recommendations, instead adopting a resolution that “Jurisdictions should retain and enforce laws that generally bar the practice of law by entities other than law firms.”8

In order to maintain profitability, firms have employed various cost cutting methods such as “reductions in headcount, tightening of their equity partner ranks, reductions in expenses, and continuing (albeit modest) rate increases.”9 The 2018 Report concluded that successful law firms had fewer pre-bill write downs or discounted rates, suggesting that they had better initial client communications concerning bills. Additionally, the Report also concluded that successful law firms tended to invest in marketing/business development and technology.

The practice of law has always changed with the times. Word processors did away with typewriters and often typists. Online databases did away with physical law firm libraries. Emails efficiently replaced most facsimiles. What remained the same during prior disruptions is that it was lawyers providing legal services. This is not a totally negative observation regarding on-demand and alternative legal service providers. In many ways they are necessary because many citizens cannot afford an attorney to help them set up their small business or draft a will. It should also come as no surprise that as attorneys raise their hourly rates, companies will seek to cut costs. Nevertheless, there are two big concerns with the current disruptions to the legal field, the quality of services and the effect on lawyers. Generally, you get what you pay for. When a client engages an attorney, the attorney owes fiduciary duties to the client and usually has malpractice insurance. Big box legal form providers typically do not owe fiduciary duties to their customers, which is spelled out in their disclaimers. Recovery is generally limited to nominal amounts specified in a website’s terms of use.

Like previous evolutions, lawyers may need to adopt better technologies into their practices or find new ways of connecting with current and potential clients. That could mean joining one of the networks listed above, but it does not mean abandoning proven methods of client. Alternative legal service providers are not going away anytime soon, and lawyers need to adapt in order to compete.

(Endnotes)


9 See endnote v, at p. 11.
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