



Volume XIV, Issue No. 1  
Winter 2006

# OWBA

## Network

NEWSLETTER OF THE  
OHIO WOMEN'S BAR ASSOCIATION

**Monique B. Lampke**  
*President*

**Susan E. Petersen**  
*Vice President*

**Michele A. Shuster**  
*Treasurer*

**Robin E. Harvey**  
*Secretary*

**Pamela D. Houston**  
*President-Elect*



Monique B. Lampke  
President

## Approaching 2006!

*President's Message*

As we approach 2006, you should note that we kick it off with a big celebration. On **Tuesday, January 10, 2006**, the OWBA will celebrate its *15th Anniversary* with a special dinner presentation by OWBA's 3 Founding Members: Justice Alice Robie Resnick, Judge Pat Hemann, and Pam Hultin. Please join us for this celebration as we honor our founding members and past presidents by focusing on the history and future of women attorneys in Ohio. The Columbus firm of Kegler, Brown, Hill and Ritter is hosting the event from 5:30 to 8:30 p.m. at 65 E. State Street and we are expecting over 100 people to attend. We already have 4 sponsors (and counting) lined up and we recently added a silent auction component. If you would like to sponsor, attend, or donate for our silent auction, please see the forms inside.

We are also kicking in gear for our Annual Meeting in the **Spring of 2006** in Columbus, Ohio. If you know of an attorney who is worthy of the Alice Robie Resnick Award of Distinction, or an employer that is worthy of the Family Friendly Award, please use the nomination forms and submit them to Violet Imre by January 31, 2006.

Our *Networking at Noon* Series is alive and well. Those held to date in Columbus, Cleveland, and Cincinnati have been very successful and events in the upcoming weeks include similar events in Youngstown, Toledo, and Dayton. We are already lining up programming for 2006, so I encourage you to attend these terrific networking events. I am also pleased to report that our website is getting a much needed makeover. Our membership is also continuing to increase and we are as diverse as ever.

Happy Holidays to all as we enter into 2006!



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# Save the Date!

## OWBA 2005-2006 EXECUTIVE COMMITTEE

President ..... Monique B. Lampke  
Columbus.....614-227-2058  
Vice President.....Susan E. Petersen  
Chardon .....440-285-3511  
Treasurer..... Michele A. Shuster  
Columbus.....614-462-5420  
Secretary ..... Robin E. Harvey  
Cincinnati .....513-929-3409  
President-Elect..... Pamela D. Houston  
Ashtabula.....440-998-6835  
Imm. Past President ..... Halle M. Hebert  
Akron.....330-762-7377  
Executive Director ..... I. Violet Imre  
North Royalton .....440-582-2769

## DISTRICT TRUSTEES

First.....Barbara Bison Jacobson  
Cincinnati .....513-723-4000  
Second .....Mary K.C. Soter  
Dayton .....937-278-8275  
Third .....Alice Robinson Bond  
Columbus.....614-466-4797  
Fourth .....Susan L. Davis  
Hillsboro.....937-393-4000  
Fifth .....Patricia A. Delaney  
Columbus.....614-645-1385  
Sixth..... Yolanda D. Gwinn  
Toledo.....419-259-6217  
Seventh ..... Gina A. Richardson  
Youngstown.....330-743-1171  
Ninth .....A. Elizabeth Cargle  
Akron.....330-375-1311  
Tenth..... Barbara A. Roubanes  
Columbus.....614-221-8113  
Eleventh..... Margaret S. Campbell  
Painesville .....440-350-3200  
Twelfth ..... Sen. Mag. Eva D. Kessler  
Hamilton.....513-785-5805

## TRUSTEES AT LARGE

Louise Jones  
(Dayton) 800-227-9597

Jennifer A. Corso  
(Cleveland) 216-642-3342

Laurie J. Avery  
(Toledo) 419-254-1311

Sheila Salem  
(Chardon) 400-285-2222

Denise A. Mueller  
(Toledo) 419-247-1642

## OWBA Calendar of Events

DATE	LOCATION	EVENT
Winter/Spring 2006	Cleveland	<i>Working Parent Forum and CLE at the Cleveland Forum with various CLE presenters, a networking lunch, and presentation from BlueSuitMom.com</i>
Tuesday <b>January 10, 2006</b> 5:30 to 8:30 p.m.	Columbus	<b>OWBA's 15th Year Crystal Jubilee Honoring Its Founding Members and Past Presidents: Celebrating The History and Future of Women Attorneys in Ohio.</b> See invite on <a href="#">Pages 4 and 5.</a>
Wednesday <b>January 11, 2006</b>	Cleveland	<b>OWBA/YWCA Women's Leadership Initiative Series Luncheon: Visibility: Creating Leadership Buzz.</b> For more information and to register, visit <a href="http://www.clevelandbar.org">www.clevelandbar.org</a> . See invite on <a href="#">Page 10.</a>
Thursday <b>January 12, 2006</b> 12:00 Noon	via Teleconference*	Full Board Meeting
Thursday <b>February 2, 2006</b>	Columbus	<i>Networking at Noon Series continues with Cindy Lazarus (CEO/President of YWCA Cols.); and Janet Jackson (CEO/President of United Way of Central Ohio).</i> See <a href="#">Next Page</a> for details and to register.
Wednesday <b>February 15, 2006</b>	Cleveland	<b>OWBA/YWCA Women's Leadership Initiative Series Luncheon. Rainmaking: The Art &amp; Science of New Business Development.</b> Visit <a href="http://www.clevelandbar.org">www.clevelandbar.org</a> for more information and to register.
Thursday <b>February 23, 2006</b>	Columbus	<b>Women's Networking Dinner/Wine Tasting.</b> See invite on <a href="#">Page 11.</a>



**Ohio Women's Bar Association**

*Advancing Leadership, Networking and Educational Opportunities for Women Attorneys*

**You are Invited to a *Networking at Noon* Series!**

**Date:** **Thursday, February 2, 2006**

**Speaker:** ***Cindy Lazarus***  
**CEO/President of YWCA Columbus**  
**(former Franklin County Court of Appeals Judge)**  
*and*  
***Janet Jackson***  
**CEO/President of the United Way of Central Ohio**  
**(former Columbus City Attorney)**

**Time:** **12:00 p.m. to 1:00 p.m.**

**Where:** **Porter, Wright, Morris & Arthur LLP**  
**41 South High Street, 29<sup>th</sup> Floor (29C)**

**Cost:** **\$5 for OWBA members\***  
**\$15 for non-OWBA members\***

Lunch is being provided by IKON Document Services. **Come learn about the importance of community service and non-traditional legal careers for attorneys from two terrific, well-known advocates and role models.** *First come, first served, as space is limited to the first 30 people.* Attorneys and law students are welcome.

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(cut along line and send in to the address below)

\_\_\_\_\_ **COUNT ME IN!** Yes, I will attend this *Networking at Noon* event on February 2, 2006.  
 \_\_\_\_\_ I am an OWBA Member. (The cost is \$5.)  
 \_\_\_\_\_ I am not an OWBA Member. (The cost is \$15.)

Name \_\_\_\_\_ Phone \_\_\_\_\_  
 Address \_\_\_\_\_ Email \_\_\_\_\_  
 City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Please make all checks payable to OWBA and send your form and check by **January 27, 2006** to:

**Monique B. Lampke, Esq.**  
**Porter, Wright, Morris & Arthur LLP**  
**41 South High Street, 29<sup>th</sup> Floor**  
**Columbus, Ohio 43215**  
**Phone (614) 227-2058**  
**mlampke@porterwright.com**



# Ohio Women's Bar Association

*Advancing Leadership, Networking and Educational Opportunities for Women Attorneys*

**You're Invited to OWBA's 15<sup>th</sup> Year Crystal Jubilee Honoring Its  
Founding Members and Past Presidents:  
*Celebrating The History And Future Of Women Attorneys In Ohio***

**With Keynote Addresses by OWBA's 3 Founding Members:  
*Justice Alice Robie Resnick (Ohio Supreme Court)*  
*Judge Patricia A. Hemann (USDC, Northern District of Ohio)*  
*Pamela Nagle Hultin (Smith & Hultin)***

**Tuesday, January 10, 2006**

**5:30 p.m. to 8:30 p.m.**

**Kegler, Brown, Hill & Ritter**

**65 E. State Street, Columbus, Ohio 43215**

**\$25 for OWBA members & \$50 for non-OWBA members**

**OWBA Event Chair**

*Michele Shuster*

**OWBA Host Committee**

*Pat Delaney  
Angie Courtwright  
Barbara Roubanes*

*Karen Held Phipps  
Beth Bolyard  
Monique Lampke*

**If you have questions, please contact Michele Shuster, Esq. at (614) 462-5420 or  
[mshuster@keglerbrown.com](mailto:mshuster@keglerbrown.com).**

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*(Cut along dotted line and detach)*

- COUNT ME IN! Yes, I will attend OWBA's Crystal Jubilee.
- I am an OWBA member! (The cost is \$25)
- I am not an OWBA member. (The cost is \$50)
- Sponsorships \$500.00 (Includes 4 tickets & program acknowledgement)

Name \_\_\_\_\_ Phone \_\_\_\_\_  
 Address \_\_\_\_\_ Email \_\_\_\_\_  
 City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Please make all checks payable to OWBA and send your form and check by **December 31, 2005** to:

**Violet Imre, c/o OWBA  
9705 State Rd., North Royalton, OH 44133  
Business Phone: (440) 582-2769  
Business E-mail: [VioletImre@aol.com](mailto:VioletImre@aol.com)**



## Silent Auction Form

### 15<sup>th</sup> Year Anniversary Jubilee - January 10, 2006

Be creative and represent your company by donating an item, service or get-away package for THE FUNDRAISER OF THE OHIO WOMEN'S BAR ASSOCIATION (beneficiary of fund to be announced). Items will be on display during the day to view AND BID ON! You may donate an offer from your company or purchase an item that will WOW the members (such as sports tickets or electronic equipment.) Donors will be recognized at the Jubilee.

Donated item/service	Description	Est. Value (\$45 min.)	Restrictions	Exp. Date

Enclosed   
  Will mail by January 6, 2006   
  Will be dropped off by January 6, 2006  
 Is it OK to combine your gift to make a package?   
 YES   
 NO

**Company Name** \_\_\_\_\_

**Contact Name** \_\_\_\_\_

**Address** \_\_\_\_\_

**City** \_\_\_\_\_ **State** \_\_\_\_\_ **Zip** \_\_\_\_\_

**Phone** \_\_\_\_\_

**Email** \_\_\_\_\_

**All donation forms** must be sent by **January 6, 2006** to Pat Delaney, Assistant City Attorney, Columbus City Attorney's Office. Fax 614-645-6949 or mail the form to Pat Delaney at Columbus City Attorney's Office, 90 West Broad Street, Room 200, Columbus, OH 43215.

**All auction items** must be received by **January 6, 2006**. Mail, ship or drop off auction items to Pat at the address above.

**All Silent Auction Proceeds to benefit OWBA's Law Student Scholarship Fund.**  
 Contact Pat Delaney with questions, 614-645-6933 or padelaney@columbus.gov

### The Crystal Jubilee will Honor OWBA's Founders and Past Presidents

*OWBA's Three Founders are:*

**Justice Alice Robie Resnick**, who is the fourth woman elected to statewide office in Ohio and the second woman elected to the Supreme Court of Ohio. She was first elected to the Supreme Court in 1988, and was re-elected in 1994;

**The Honorable Patricia A. Hemann**, who has been a Judge on the United State District Court, Northern District of Ohio since April of 1993; and

**Pamela Nagle Hultin**, who recently established the law firm of Smith&Hultin LLC in Chagrin Falls, with another founding member, Barbara J. Smith. Prior to that, she was a partner at the law firm of McCarthy, Lebit, Crystal and Liffman Co., L.P.A. in Cleveland.

\*A Complete List of Founding Members can be found at the beginning of your OWBA Membership Directory.

*We Honor our Past Presidents as well:*

Pamela Nagle Hultin (1992-93)  
 Mary Lynn Readey (1993-94)  
 Barbara J. Smith (1994-95)  
 Linde Hurst Webb (1995-96)  
 Laura A. Hauser (1996-97)  
 Kirsti Talikka Garlock (1997-98)

Jami S. Oliver (1999-2000)  
 Helen Mac Murray (2000-01)  
 Debra J. Horn (2001-02)  
 Suzanne M. Nigro (2002-03)  
 Michelle J. Sheehan (2003-04)  
 Halle M. Hebert (2004-05)

## **Nominations Requested for OWBA's 2006 Justice Alice Robie Resnick Award of Distinction**

The OWBA is requesting nominations for the Ninth Annual Alice Robie Resnick Award of Distinction to be presented at OWBA's Annual Meeting in **Spring of 2006**. This honor is OWBA's highest award for professional excellence and is bestowed annually on a deserving attorney who exhibits leadership in the areas of advancing the status and interests of women and in improving the legal profession in the State of Ohio.

Justice Resnick was the fourth woman elected to statewide office in Ohio and the second woman elected to the Supreme Court of Ohio. She was first elected to the Supreme Court in 1998 and is currently serving her third term. This award was named after her in recognition of her pioneering efforts to establish the Ohio Women's Bar Association.

Members are invited to submit nominations, which should include the nominee's full name and address; present position; professional and/or civic accomplishments; and the reasons why the individual meets the standards for the award. Nominations should be sent to Executive Director Violet Imre (either via Mail: OWBA, 9705 State Road, North Royalton, Ohio 44133; e-mail: [VioletImre@aol.com](mailto:VioletImre@aol.com); or fax: 440-582-2856) no later than **January 31, 2006**. The recipient of the Award will be announced in the Spring Newsletter and officially presented with the Award at the Annual Meeting.

Past Recipients of this prestigious award are:

1998	Justice Alice Robie Resnick	2002	Louise P. Dempsey
1999	Pamela Nagle Hultin	2003	Magistrate Vernelis K. Armstrong
2000	Magistrate Judge Patricia Hemann	2004	Sandra J. Anderson
2001	Barbara J. Smith	2005	Mary Ann (Mickey) Rabin

Nominate someone today and continue the tradition of honoring women of excellence!•

## **Fourth Annual FAMILY FRIENDLY AWARD Nominations Requested**

The OWBA is seeking nominations for its Fourth Annual FAMILY FRIENDLY AWARD. Many legal employers recognize that alternative work arrangements ("AWA") help retain the best talent in their offices. The OWBA will recognize the legal employer in Ohio who best exemplifies the commitment to work-life balance arrangements at its 2006 Annual Meeting. Do you work for such an employer? Take time to nominate them for the 2006 FAMILY FRIENDLY AWARD! Simply fill out the nomination form on the facing page and send it to Patricia Delaney by **January 31, 2006**.

The OWBA is at the forefront of a profession-wide effort to promote meaningful AWAs in both private and public practice. The FAMILY FRIENDLY AWARD honors those employers who assure that lawyers can take care of their families and still pursue a successful career. Spread the word about your employer's family friendly policies and practices – nominate them today! They'll appreciate the recognition.

Past recipients of the FAMILY FRIENDLY AWARD are:

2003	Reminger & Reminger
2004	Bricker & Eckler LLP
2005	Cuyahoga County Prosecutor William D. Mason; and Geauga County Prosecutor David P. Joyce

Any employer previously nominated can be nominated again! Remember the deadline for nominations is **January 31, 2006**. If you have questions, please contact Patricia Delaney, Esq., Chairperson of the Part-Time Employment Committee, at 614-645-6933 or [padelaney@columbus.gov](mailto:padelaney@columbus.gov).■

**OHIO WOMEN'S BAR ASSOCIATION  
NOMINATION FORM  
2006 FAMILY FRIENDLY EMPLOYER AWARD**

Your Name: \_\_\_\_\_

Daytime Telephone: \_\_\_\_\_

Name and address of the legal employer you wish to nominate:

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Please describe your relationship to this employer:

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If you are an employee of this employer, please describe your position with the employer and length of employment:

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Name and telephone number of a representative of the nominee who would be able to provide details about the nominee's employment policies and practices:

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Please explain in detail why you believe this employer is worthy of the recognition for its family friendly policies or practices. Please be specific as to any policies the employer established including, but not limited to, the following: part-time employment, part-time partnership, maternity/paternity/family leave, flexible work schedules, telecommuting and job sharing. Please feel free to attach additional comments and documentation.

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Please mail, fax or e-mail all nomination materials to: Patricia A. Delaney, 90 West Broad Street, Room 200, Columbus, Ohio 43215. Fax: 614-645-6949; E-mail: . Nominations must be received no later than **January 31, 2006**.

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## **The Crime Victim Compensation Program Can Help Your Clients**

*Submitted by Alice Robinson Bond, Deputy Ohio Attorney General and OWBA's Third District Trustee*

Every state in the nation has a compensation program to assist victims of violent crimes. Ohio's law is codified in Chapter 2743, specifically ORC 2743.41 through 2743.72.

The program, administered by the Ohio Attorney General's Office, can put back into the victim's pocket economic loss that the victim incurred as a result of crimes that pose a substantial threat of personal injury or death. This can help victims of violent crime, personal injury crashes that result from impaired drivers, child abuse victims, and victims of stalking behavior to name a few areas.

Although most victims of crime go to law enforcement, you may find these same citizens at your door, as tort plaintiffs, as domestic relations plaintiffs, or as civil protection order petitioners. As such, you can assist your clients in accessing the benefits available from the Crime Victim Compensation Program.

### Tort Plaintiffs

You may be involved with plaintiffs who are suing a OVI offender; pursuing a dram shop suit against the provider of alcohol to an offending driver who caused a crash involving your client; seeking compensation from a landlord who provided insufficient security or lighting in an assault or rape case; or any number of incidents where negligence attributed to the injury.

In each of these cases, your client may also be eligible for Crime Victim Compensation funds. The Program is a payer of last resort, such that if there are med-pays available that cover all of the economic loss, no benefits would be available, since those funds are 100% for medical expenses. As such, 100% of the loss would be covered by a collateral source. However, in most cases, med-pays do not cover all of the loss. It is important to note that, in non-med-pay cases, that is, in cases where the plaintiff receives a civil settlement or funds after a verdict, 100% of the money received does not count as a collateral source.

Instead, the Program looks at how much of a net verdict or settlement went into the victim's pocket. Then, the Program looks at that net verdict or settlement and determines what portion of it was to pay for economic losses, versus how much of the verdict or settlement went to pay for pain and suffering and other non-economic losses. For instance, if a victim receives a settlement of \$150,000, usually the attorney will receive one-third of that amount. The victim then nets \$100,000. Out of that \$100,000 we may determine that one-fifth of that amount was for reimbursement of economic loss, while four-fifths were for pain and suffering, loss of consortium, etc. As such, out of the \$150,000 settlement, only \$20,000 would be considered a collateral source. Oftentimes, a catastrophically injured victim has much more than \$20,000 in medical expenses, work loss, and other economic loss. So, the tort victim can recover both from the civil proceeding/insurance settlement, in addition to the Crime Victim Program. This possibility is often missed by tort attorneys, who may jump to the initial conclusion that since their client receives money from the offender or his insurance, that there is nothing to be gained by filing a crime victim compensation application.

### Domestic Relations Plaintiffs

Unfortunately, many domestic relations cases also have underlying domestic violence and child abuse components. Fortunately, the Crime Victim Program can aid these victims as well. Moving expenses, such as U-Haul vans and mileage expenses, are compensable to the victims. Additionally, expenses associated with separating a victim from an offender are compensable. This means that attorney fees related to custody and visitation in a child abuse situation are eligible for compensation. Fees associated with obtaining a temporary restraining order regarding a domestic violence victim's personal safety may also be covered.

While other attorney fees in a domestic relations case, such as expenses associated with marital assets and debts could not be covered, domestic relations attorneys are usually able to point out on their billing documents which services were related to services eligible for compensation. If not, domestic relations attorneys may be able to give an estimate of what percentage of their total legal services were related to areas that are subject to compen-



sation. The program then may pay the domestic relations attorney at their regular billing rate, up to \$150/hour and \$2,500. ORC 2743.51(F)(4). Many domestic relations attorneys are unaware that their clients have the ability to seek this assistance with their legal fees.

#### Domestic Violence or Menacing by Stalking Petitioners

In a similar fashion, when victims of domestic violence or menacing by stalking file for Civil Protection Orders or Stalking Protections Orders, they are doing so as a result of a crime. As such, attorney fees for representation of these categories of victims are also eligible for payment from the program. One caveat, of course, is that the crime victim must be otherwise eligible for compensation. Some things in the victim's past may make them ineligible. For instance, if the victim had a felony conviction; a misdemeanor domestic violence or child abuse conviction; or otherwise engaged in drug trafficking or violent felonious conduct within the past ten years, that victim is statutorily ineligible to receive a crime victim award. ORC 2743.60(E).

An additional eligibility requirement is that a victim must have reported the incident to law enforcement. If a client has not made such a report, the attorney would be well advised to have them make such a report if the victim wants expenses to be covered by the program, as the making of a report to law enforcement is mandatory. ORC 2743.60(A). While in general that report must be made within 72 hours of the crime, the timing of the report is not mandatory, if there is good cause for a delayed reporting. And in domestic violence cases, we will usually find that a delay is not disqualifying, if the victim explains the situation. The filing of the report itself, however, is mandatory.

This is an evolving field in the Crime Victim Compensation Program. Some local domestic violence shelters have begun making referrals to local attorneys for civil protection order representation, as the shelters learn that their clients can obtain payment for these services through the program. Some attorneys who receive these referrals have found that the demand is so high for their services, that CPO representations are now a majority portion of their caseload, and have had to bring new attorneys into their office to keep up with the demand.

#### Summary

In summary, there are often times when personal injury or domestic relations attorneys may have the opportunity to assist their clients in obtaining funds from the Ohio Crime Victim Compensation Program. The goal of the Crime Victim Section of the Ohio Attorney General's Office is to assist victims whenever possible, and to the extent possible under law. To find out more, please contact Alice Robinson-Bond, Deputy Attorney General, (614) 466-4797 or at [arobinson-bond@ag.state.oh.us](mailto:arobinson-bond@ag.state.oh.us).■



### **OWBA Needs Your Help to Revive a Worthwhile Project!**

OWBA has established a Committee whose purpose is to research the First 100 Women Attorneys admitted to practice in Ohio. The project was implemented a few years ago, but has not made much progress. This project entails several hurdles which must be overcome, but we are still seeking to create a publication based on these trailblazers who deserve special acknowledgment. But to get the project revived and quickly off the ground, we need your help! If you are still interested in the project, please send an e-mail to Violet Imre at [VioletImre@aol.com](mailto:VioletImre@aol.com) with your contact information, and you will be contacted. Also, let us know what aspect of the project interests you (ie. research, writing, editing, publication design, event planning, soliciting sponsors, etc.). If you have signed up in the past, and your contact information has changed, please provide us with the updated information so we may utilize your talents.■

# A Life Plan for Leadership

A four-part luncheon series for women attorneys hosted by:  
**Cleveland Bar Association ~ Women in Law Section**  
**Ohio Women's Bar Association**  
**YWCA Women's Leadership Initiative**

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## Part III: Visibility: Creating Leadership Buzz

January 11, 2005 ~ 12:00—1:30pm

Cleveland Bar Association ~ 2nd level of the Galleria

Too many women fall victim to the myth that if you work harder than anyone else, others will notice and reward your incredible dedication. The truth is, if you want to get ahead, you have to tell others about your successes. You have to strategically and intentionally talk about your accomplishments. You have to create leadership buzz, brag, promote your brand, toot your own horn and then get others to do the same for you when you're not in the room. Listen to these panelists explain how they got others talking about them and how they created their own leadership buzz with a style that fits them.

### Featured Speakers:

**Linda Bluso**, Partner-in-Charge of the Cleveland Office,  
*Brouse McDowell*

Ms. Bluso's practice focuses on representation of businesses and entrepreneurs in corporate, business and real estate matters. She also represents developers, landlords, tenants, buyers and sellers of real estate. A certified mediator, Ms. Bluso assists businesses in conflict and dispute resolution by providing mediation services. She holds a J.D. from Cleveland-Marshall College of Law and a B.A. *magna cum laude* from Cleveland State University.



**April Boise**, Partner, *Thompson Hine LLP*

Ms. Boise is a partner in the firm's Corporate Transactions & Securities practice group. Her practice covers corporate governance including Sarbanes-Oxley; mergers, acquisitions and joint ventures; securities offerings for public and private companies; and private equity and venture capital matters. Ms. Boise holds a J.D. from The University of Chicago Law School and a B.B.A., *magna cum laude* from the University of Michigan.

**Rita Brauneck**, Senior Vice President and Managing Director,  
*Lee Hecht Harrison*

Ms. Brauneck is an experienced business leader, both as an independent business owner and senior corporate executive. She is able to draw upon her broad repertoire of business experiences to coach and consult with senior executives and entrepreneurs to improve performance and business outcomes. She understands the language of business and the impact that individual leaders can have on their businesses. Ms. Brauneck holds an M.B.A. from the University of Michigan, and a B.A. *cum laude* from Lake Erie College.



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## Final Workshop in the Series:

February 15: Rainmaking: The Art & Science of New Business Development

Each workshop is \$25 for members of the YWCA, CBA or OWBA and \$40 for non-members

**Please Note: Previous parts of this series SOLD OUT—so register now!**

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to register visit: [www.clevelandbar.org](http://www.clevelandbar.org)

Please join us for a  
Women's Networking Dinner

Thursday, February 23, 2006  
6:00 p.m. - 7:30 p.m.



Spice - "Experience the Spice of Life"

**491 Park Street**

Wine Tasting & 3-Course Dinner



Cost: \$50 per/person

*Sponsored by:*



-----  
(cut along line and send in to the address below)

\_\_\_\_\_ COUNT ME IN! I will attend OWBA's Networking Dinner on  
February 23, 2006. Cost is \$50 per person.

Name \_\_\_\_\_ Phone \_\_\_\_\_  
Address \_\_\_\_\_ Email \_\_\_\_\_  
City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Please make all checks payable to OWBA  
and send your form and check by **January 14, 2006** to:

Michele Shuster, Esq.  
Kegler, Brown, Hill & Ritter LPA  
65 East State Street, Suite 1800  
Columbus, OH 43215  
Phone: 614-462-5420 Fax: 614-464-2634  
mshuster@keglerbrown.com

## Nina Totenberg's Commencement Address Mount Holyoke College - May 22, 2005

We hope you enjoy and are inspired by this Address as much as we were!



President Creighton, Trustees, faculty, parents, and most of all—graduates. Let me say how honored I am to be here today. I know how hard you graduates and your parents have worked to get to this day. I know how excited you are about the future ... and how scared. And it is really awfully nice of you to have invited me to share this very special time. I promise I shall not abuse the privilege. I'll be outta here in less than 12 minutes. Cross my heart.

I must tell you that commencement speeches are really the hardest to write because you'd all like some inspiration, but you don't want to be preached to. And most of all you don't want to be bored. So I have written a little ditty for the occasion. With a little license from Francine Deutsch, it's called, "Having It All."

I want the whole life experience in a ball.... I want it all.  
I want adventure, love, career, kids, short or tall, I want it all.

Don't tell me that I can't have my druther—  
I'll be a lawyer, doctor, historian, or other.  
And yes indeed, I'll also be a mother.

I'll be undeterred like Ruth Bader Ginsburg,  
To the gender bring honor  
like Sandra Day O'Connor.

Then too I want to indulge a little greed,  
play the market or own a steed.  
I want to be Donna Shalala, Donna Summers, Donna Reed.  
I want to be Margaret Sanger, Margaret Thatcher, Margaret Mead.  
I want to win goodwill like Holyoke's Penny Gill,  
be a titan like Joanne Creighton.  
I want to be Agatha Christie, Christie Brinkley, Tina Fey, and Josephine Tey.  
I want the esprit of Chris Benfey  
and to hold sway like Nicole Vaquet.

I want to be a hot date,  
eat chocolate without gaining weight,  
have a chichi pad  
AND be Secretary of State.

I want a 28-hour day, six figures of pay.  
I want forgiveness on loans  
and acute erogenous zones

I want to change my thesis topic  
and go to the tropics  
I want to run the marathon  
And sleep 'til one.  
I want to bleach my hair, invite guys to my lair,  
Find a great au pair,

Spend TONS on what I wear.

I want to fight the sludge, and be a judge,  
be a space guide  
like Doctor Sally Ride,

Command the literati like J. K. Rowling,  
and a NASA crew like Eileen Collins.  
I want to find cures for a virus, and manage the Pirates.  
create new equations, and lead the United Nations.

I want to be Sojourner Truth and Clare Booth Luce,  
Dolley Madison, and Dolly Parton,  
Condi Rice, and Clara Barton.

I want a great chip shot, drop shot, jump shot.  
I want a great mate, for whom I need not translate.  
I want to be a mind heavyweight and a body lightweight.

I want kids I adore  
but please, fewer than four.  
I want to manage my life  
without too much strife.

Of this country I am no longer content to be resident—  
don't you think it is time that a SHE  
was the President?

I want it all.

OK. That's the light part of the speech. I wish I could tell you that life will be as much fun as my ditty suggests. In truth, it is sometimes even better and sometimes a good deal worse. But you will have an enormous advantage in the good times and the bad. Look to your right and left, and you will SEE that advantage.... seated all around you today.

I love speaking at women's schools because I know what the friendships that you have made will mean to you in life. It's not that men aren't often wonderful friends, and I hope for each of you that your BEST friend will be your husband or significant other. But there is something very special about women friends ... an identity, a connection, even a salvation. Sometimes they will notice things about your life that you have not. They will remind you that your mate always gets cranky when you go away on business and warn you not to overreact. They will help you get through the loss of a parent or loved one. They will go shopping with you, laugh at a ridiculous-looking dress, and goop on new glamour with you at the makeup counter. They will make sure that you are not alone when loneliness is the enemy, and YOU will be able to do the same for them.

I, like you, have been blessed with wonderful women friends. They have given me more than good times. I remember one conversation with my friend Valerie, when we were both in our early thirties. By about five in the morning we had killed more than a bottle of wine and confessed to each other that we often felt like frauds. Yes, the world out THERE thought we were extremely competent professionals, but in our hearts, WE didn't believe that.

*Totenberg Continues on Next Page*

**Totenberg Continued from Page 13**

Val, an entrepreneur, confessed that she expected to wake up one morning and find that all her backers had decided she didn't merit their investment after all. And in my case, I confessed that every time I made a tough deadline, I thought to myself, "Phew, that's one more time I've scraped by and managed to conceal my gross inadequacies."

The two of us laughed uproariously at our insecurities, and somehow I was able to see that I wasn't a fraud—just human.

To this day, when I am crashing a deadline, I kind of laugh at myself ... except that now I say to myself, "you just think you won't make it, but you will."

Today, I am sure many of you may think secretly that you won't make it—but you will. And when life's hardships come upon you, your friends will help you make it. Only then will you understand the ultimate value of friendship.

When my late husband fell on the ice more than a decade ago, nobody could have known on that morning that it would take three brain operations and four months in the hospital before he could come home, frail and learning to walk again. Nobody would have known that less than a year later he would return to the hospital and spend seven months in intensive care, reeling from one crisis or another. Not even the doctors or nurses thought he could survive, and I really wondered at the time if I was capable of doing all the things for him that I needed to do. I managed in large part because of my dear family and friends. They sat with me in the hospital rooms. They went to doctors meetings with me. They took notes at meetings with social workers and then read them the riot act if promised services were not delivered. They slept in my bed with me to shoo away the heebie-jeebies, and they wined and dined me to keep my spirits up.

Perhaps no incident illustrates the value of friendship better than the events of April 1995. Shortly after the Oklahoma City bombing, I went to Oklahoma to do a story for Nightline. On the first day I was there, I returned to the hotel late in the evening to check on my husband by phone. The nurses in the ICU told me he was sinking fast, and that they really thought this time he might not have one more miraculous recovery in him.

It was late at night. There were no planes until morning, and so at about 5 a.m. I called Nightline's executive producer and told him I had to bail. Incredibly, he arranged a private plane to take me back to D.C. I had arranged to interview the lawyer for the accused bomber that morning on the drive back to Oklahoma City, and so I did that, then jumped to the airport where the plane was waiting. All the way home I cried, terrified that my husband would die alone.

I should have known better. My friend Cokie had heard what was going on and had hightailed it over to the hospital to sit by Floyd's bed until I got there. She held the fort down. And when I walked into that room, and he took one look at me, I literally saw the machines he was hooked up to turn around and start climbing back up. He made it, left the hospital a few months later, and lived another three years.

There is, of course, a lesson in all of this besides friendship. It is a lesson that involves a rather old fashioned word. Duty. A husband or wife's duty to care for each other and to support each other. And the duty of friendship and what that means. When you come to a crisis in life, I think you will find that doing your duty will serve you rather well, whether it is your crisis or someone else's. The path is clear, the choices few, and there are no regrets afterwards. Indeed, there may even be rewards. You are a better person ... for want of a better word, a deeper person ... and able to accept life's blessings too. Not long after my husband Floyd died in 1998, I met a wonderful man whose wife had died, also after a long and difficult illness.

We fell deliriously in love, and our friends, I think, rejoiced at our wedding every bit as much as we did, in part because they had shared in our grief and loss.

Before I sit down, I want to talk to you about one other thing. And that is your control of your own life. You will make many decisions in the coming years. Some of them will be good and some, candidly, will be god-awful.

What I think is important to remember is that life is not static. Yes, reality will press in on you. There will be enormous pressures on you, some that you impose on yourself and some from your family, to succeed. You may be the principal breadwinner of your family. But money is not everything, and no job need be forever.

My late husband Floyd changed careers at least three times. He enjoyed them all. He was hardly rich, but he had enough. My husband David is a trauma surgeon, a vice chairman of his department, and teacher, heading his hospital's residency program. It is not the same job he had in Boston when we met. But he picked up stakes, and for me, headed to D.C., taking the advice of a headhunter to design a job he would like. One of the many things I admire about him is that he is always willing to look at what he does with a fresh eye, to think about new training for himself, and to change the em-PHA-sis of what he is doing.

We both know that however much we love our jobs—and we do—and however hard we work—and we do—that life is ephemeral. In the end, there are times to say, “No—I am going home.”

And so, my dear young women, toss those mortarboards and move on. To paraphrase Auntie Mame: life is a banquet, and most poor suckers are too diet-conscious to enjoy it.

Just remember, you don't have to be a glutton.

You can have it all, within reason.

Congratulations to you all. Good luck. And Godspeed■



## **Hamilton County Networking at Noon a Well-Received Success!**

The Honorable Ethna Cooper, Hamilton County Court of Common Pleas, opened her courtroom for Cincinnati's OWBA *Networking at Noon* Luncheon on November 17, 2005. Attendees from a variety of specialties and practices were entertained by Judge Cooper's reports of her early legal career as well as reports on her three sons and husband Todd. The theme of three sons was repeated by several other attorneys in attendance. The sizable audience, from law students to seasoned attorneys, enjoyed Judge Cooper's words of wisdom and encouragement. The luncheon was sponsored by Record Express, LLC's CEO Nadine Albenze-Smith.

*Many thanks to Robin Harvey for putting this great event together! Look for more reports from our other Networking at Noon Events in the future.■*

## Avoid the Top Three Cover Letter Mistakes!

*Submitted by Deborah Walker, CCMC*

As a career coach and professional resume writer, I'm often asked "How important are cover letters to my job search?" My answer is, "It depends on how long you want to search for your next job." If you are in no hurry to get interviews, then don't worry about your cover letter.

The fact is I've never met a job searcher who wants to have a painfully slow job search. The whole point of sending out resumes is to get multiple interviews as quickly as possible. But many job seekers still unwittingly sabotage their efforts by using substandard cover letters. Instead of helping you, your cover letter may actually be hurting your job search.

For fast job search results, make sure to avoid these top three cover letter mistakes:

1. Not understanding the hiring motives of your audience
2. Repeating rather than introducing your resume
3. Overuse of the word "I"

### **1. Not understanding the hiring motives of your audience**

There are three basic audiences that a job seeker sends his/her resume to: executive decision-makers, resume screeners, and third-party recruiters. Each of these groups has its own hiring motives.

- Executive decision-makers are looking for candidates who will have a significant impact on bottom-line initiatives, such as time saved, income generated, revenue built, etc.
- Resume screeners are searching for candidates who directly match the lists of qualifications in the job description.
- Third-party recruiters are looking for selling points to help position you as a top candidate.

Knowing these hiring motives will help you craft your cover letter specifically to catch the attention of your particular hiring audience. By appealing directly to the reader, you are creating an immediate bond that will make you a stronger candidate.

### **2. Repeating rather than introducing your resume**

Repeating the exact same things you wrote in your resume is one of the most common cover letter mistakes. No one wants to read the same thing twice. By the time most people have finished writing their resume, they feel that they have run out of ideas and just cut and paste to create a cover letter.

Instead, the cover letter should be what sells the reader on your skills. Like the jacket-cover introduction to a good book, the cover letter should give the reader a taste of the great things to come and encourage them to read more.

If you don't have any idea what your top skills are and how they will help the company, neither will your reader. Take the time to craft the right words and statements to make your skills shine.

### **3. Overuse of the word "I"**

A cover letter that begins nearly every sentence with "I" is as boring as a conversation with someone who only talks about himself. That kind of person one avoids at all costs. Is that the way you want your reader to see you?

Focusing all the attention on yourself may seem like a good way to sell your skills. But it can also reflect lack of interest in the company, in the job, and in making a real contribution to that workplace. There's a good balance to be drawn between selling yourself and selling what you can do for the company.

Creating variety in the sentences of your cover letter is an easy way to show your interest without being self-centered. By shifting the emphasis to the recipient/company—and away from yourself—you can prove that your main interest is not just in winning the job but also in doing it effectively.

Try to rewrite sentences that start with "I," "me," or "my," to start with "You," or "Your." Show how you can make a difference for them.

A cover letter that is poorly written may cause your resume to be ignored. But a well-crafted cover letter



will invite and encourage the reader to take a closer look at your resume. You'll make a positive first impression before your resume is even opened. Rather than making your cover letter an afterthought, take the time to really consider the type of presentation your cover letter will make. If your resume isn't winning you job interviews, consider hiring a professional resume writer to help. It's true what they say: You never get a second chance to make a good first impression. ■

Deborah Walker, CCMC  
Career Coach ~ Resume Writer  
Find more job-search tips and resume samples at:  
[www.AlphaAdvantage.com](http://www.AlphaAdvantage.com)  
Email: [Deb@AlphaAdvantage.com](mailto:Deb@AlphaAdvantage.com)



## Tips To Reduce Stress and Save Time

Do you ever find yourself saying that you wished that there were 26 hours in a day? Do you feel stressed out every day? You are not alone. Between 25% - 40% of people working in the United States blame stress for job burnout. According to the Centers for Disease Control, approximately \$300 billion is spent annually in the United States on stress-related compensation claims, reduced productivity, absenteeism, health insurance costs, direct medical expenses and employee turnover. So, you can see, stress is becoming a factor that no longer can be ignored.

The promising fact is that YOU can do something about it! There are many simple things that you can implement into your daily lifestyle that can help you save time and ultimately reduce your stress level. Below are just a few things that you can do to save a few moments each day. These moments will eventually add up to minutes and hours that can be used to spend with your family, friends or just taking care of yourself.

- Do you hate wasting time while waiting in the doctor's office? When scheduling medical appointments, ask for the first appointment of the day or the first appointment after lunch. You should be able to get in without spending an eternity in the waiting room.
- Grocery shopping taking too much of your time?? Always make a list of what you need before you go to the grocery store. Keep a pad of paper and pen in the kitchen and write down items that you run out of or need. Remember...stay on the perimeter of the store where the healthier items are located.
- No time to shop for gift? When you are out and about doing your regular shopping, purchase gift certificates and keep them on hand for last minute gift giving ideas.
- Stop thinking that if you want something done right that you'll have to do it yourself. Almost every task can be delegated and, with a little training, can be completed successfully by someone other than you.

Remember, these tips are not rocket science. The key is to start slowly implementing these tips into your life and you will begin to find yourself with more time each day.

This article was written by Stacey Wilkoff, President of I'LL DO IT! Personal Concierge Services. Our goal at I'LL DO IT! is to help you create a more balanced, relaxed and productive life. We take the little things that you never seem to have time to get to – the little things that create stress and guilt – and do it for you. Check out our website at [www.illdoit.biz](http://www.illdoit.biz).

## Medical Malpractice Reforms

*Submitted by Jean Ann S. Sieler*

Since the 2003 Medical Malpractice Tort Reform took effect, two additional reforms have been instituted which affect physicians and lawyers in the medical malpractice arena. First, commencing July 1, 2005, all medical malpractice complaints must be accompanied by an affidavit of merit or a request for an extension of time to file one. Second, commencing September 13, 2004, medical malpractice experts must meet an additional requirement, each must practice in the same or a substantially similar specialty as the medical defendant. In addition, the Ohio Supreme Court decided Comer v. Risko (2005), 106 Ohio St. 3d 185, which clarified that hospitals cannot be sued for the conduct of non-employed physicians where the statute of limitations has run as to the independent contractor physicians. Lawyers and physicians need to be knowledgeable relative to the new reforms which are briefly described herein.

**Affidavit of Merit.** Ohio Civil Rule 10(D)(2), effective July 1, 2005, requires:

1. all complaints alleging a medical, dental, optometric, or chiropractic claim must be accompanied by an affidavit of merit relative to each defendant named, signed by an expert qualified pursuant to Ohio Evidence Rules 601(D) and 702;
2. affidavit must include statements that affiant:
  - a. has reviewed all available medical records,
  - b. is familiar with the standard of care,
  - c. believes defendant breached the standard of care, and
  - d. believes breach caused injury to plaintiff;
3. Plaintiff must either file the affidavit of merit with the complaint or a motion for extension of time to file the affidavit of merit;
4. affidavit is not admissible evidence or available for impeachment.

Unfortunately, neither Baldwin, Pages, nor West pocket parts include the revised Ohio Civil Rule 10 as of this writing. As a result, practitioners relying on the pocket part updates may be caught short. The updated rule is available through CaseMaker.

The Supreme Court's adoption of the rule requiring an affidavit of merit followed the General Assembly's request contained in Section 3 of Sub.H.B. 215, effective September 13, 2004.

**Expert Witness Requirements.** R.C. 2743.43(A)(3), effective September 13, 2004, requires:

1. in addition to current requirements, a medical witness is not competent to give expert testimony unless the witness practices in the same or a substantially similar specialty as the medical defendant;
2. that three-fourths of the expert's professional time be devoted to the active clinical practice of medicine or instruction at an accredited university;
3. provision does not apply to nurses, for or against whom physicians can still provide testimony.

Noteably, Ohio Evidence Rule 601(D) still requires that one-half of a medical expert's professional time be devoted to the active clinical practice of medicine, while R.C. 2743.43(A)(2) requires that three-fourths of the expert's professional time be so devoted. Until resolved, practitioners should probably follow the stricter requirement of the statute. In addition, each defendant's board certification and practice area must be determined so that experts practicing in a substantially similar specialty can be retained for review. While the "same specialty" requirement is not referenced in Ohio Civil Rule 10(D)(2) for the affidavit of merit, until clarified and for economic reasons, the research of defendant qualifications, fairly easily accomplished on-line, should probably proceed before expert retention where time allows.

**Comer v. Risko.** On September 14, 2005 the Ohio Supreme Court, in a 5-2 decision, overturned the Knox County Court of Appeals and held:

1. "agency by estoppel [Clark v. Southview] is a derivative claim of vicarious liability whereby the liability of the hospital must flow through the independent-contractor physician." (p. 191);
2. "there can be no viable claim for agency by estoppel if the statute of limitations against the independent-contractor physician has expired." (Id.);

3. "In the absence of the tortfeasor's primary liability, there is no liability that may flow through to the hospital on an agency theory." (*Id.*);
4. "If there is no liability assigned to the agent, it logically follows that there can be no liability imposed upon the principal for the agent's actions." (p. 189)

No longer can a hospital be sued without joining non-employed physicians or agents where the statute of limitations will run. While most hospitals employ the nursing staff, independent contracts with physicians, CRNA, and other specialty care providers is common. Where employment status is unclear, use of "John Doe" defendants with prompt discovery as to employment status is probably prudent.

Coming to grips with these provisions is essential for lawyers and physicians participating in the medical malpractice arena. Although the requirements flow from three separate sources (a court rule, a statute, and a supreme court ruling), incorporating these requirements is mandatory, via filing affidavits of merit (or motions to dismiss for failure to file); finding experts meeting the new qualification (and determining defendant qualifications); and protecting the statute of limitations as to non-employed medical care providers against whom claims must be brought (or filing motions for facilities pursued for vicarious liability). ■

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## Members in the News

OWBA's 1997-98 president Kirsti Talikka Garlock delivered her fourth child, Jack Edward Garlock on November 8, 2005. Everyone is doing well. Best Wishes to the entire family!



## OWBA/WLA Event Discussed "Keys to Success"

On November 15, 2005, the OWBA and WLA (Women's Law Association) teamed up to sponsor an event at the Capital University Law School. The first part of the event included a panel discussion on the challenges women face in the legal profession. The panel speakers included Beth Bolyard, Barbara Roubanes, Amy Thomas, Helen Mac Murray, and Lisa House. Ms. Thomas of Reminger & Reminger Co., LPA and Ms. MacMurray of Kegler, Brown, & Ritter are both partners in their respective law firms and, as such, were able to provide the audience with "keys to success" in the legal profession as a woman.

Ms. Roubanes discussed the same issues she faces as a solo practitioner. Ms. Bolyard and Ms. House discussed the challenges new associates face in the mid to large size law firms. The panel fielded many questions during and after the event. The panel was well attended. In fact, we were extended an offer to do another event in Spring 2006.

Following the panel discussion, the WLA hosted their annual mentorship event. Several of the panel speakers also offered to be mentors. The collaborative efforts of these two organizations is truly a sign that we, as women in the legal profession, are striving, more than ever, to work together as "women supporting women." ■

## OWBA Network

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