Political parties and views aside; this is a historical national election. And, it comes as OWBA celebrates its 25th anniversary. For the first time in the history of our country, a woman is at the top of the national ticket as a candidate for President of the United States and…she is an attorney. As women in the law, it’s incumbent upon each of us to take a moment to reflect upon this significant and historical development and celebrate it for all of its positivity - again, political views and parties aside.

Having a woman in the law at the top of a national ticket for President should also cause us to think strategically about the role each of us can play in the national, state, and local scene. For some of us, this may mean examining our current roles and contemplating a change. Either way, as women in the law we are uniquely positioned at this time to influence and engage relationships to help bring people together for an improved country and community. Between everyone’s talk and the volume of media coverage, we see daily evidence of a mandate to us to hear and appreciate views and differences that are not our own and then . . . to embrace, lead and bridge these differences, working together to get things done. It is my sincere hope that this election year will inspire each of you to engage with a renewed vigor such that when you reflect back on this period of time, you will remember not only this historical national development but your own personal/professional development and/or contributions in this moment, too.

Importantly, we enjoy the Constitutional right to voice and make impact with our individual right to vote. I encourage and challenge each and every one of you to get out and vote for every office at every level. After all, as Americans and women in the law, we have a great opportunity to influence the future of this country by exercising this right with the most powerful and sacred of mechanisms, the secret ballot. Please avail yourselves of it and see that your networks and circles of influence do, too. We owe it to our country and to each other.

As we recognize and celebrate progress, we also recognize that there is more to do. We must remain focused on recruitment and increased diversity in the profession and within the OWBA. There are nearly 8,000 women in the practice of law in Ohio, which accounts for a little over a third of the attorneys in the state. As we continue with critical conversations about where we need to focus and still need to go, we very much want and need to hear from you to work towards solutions and include others in these efforts. We must expand our lens and our horizons by being open to learning, experiencing and “hearing to understand” the journeys and perspectives of others while contributing our own. Women in partnerships across public and private sectors also need to know each other to work to get things done. Together, continued on page 2

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we can demonstrate that there is unity in diversity and collaboration.

In August, our dear friend Paulette Brown, President of the American Bar Association, concluded her duties after a year of great impact and we congratulate her. In September, we honored Former Ohio Attorney General Betty Montgomery with the Leading the Way Award presented by the OWBF Leadership Institute’s graduating class at the annual Leadership Institute luncheon. Betty has been a dedicated and committed friend and member of the OWBA who has indeed inspired us and answered our call at every juncture.

In early 2017, we will be honoring another leader in the profession with our Founder’s Award. We intend to come together to honor the recipient along with all of our Past Presidents, Leadership Institute Alumnae and sister bar associations. Please plan to join us.

As we chart our course from here, we are reminded of how very fortunate we are to live in a country where we as women can pursue an education, a career in law and make the difference each of us chooses to make. Others around the world are not nearly as fortunate. Each of you is out there doing this every day in your own way and we applaud and salute you! This time in history is as much about each of you and what you do as it is about accomplishments of others. As we enjoy the fall and holiday seasons, please make your own difference, lift each other up and congratulate one another. After all, no one knows better than we do the difference we can make individually and collectively.

You have my sincere best wishes for an outstanding remainder of the year.

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### OWBA Member Election Candidates

The OWBA would like to recognize its members participating as candidates in elections, provide moral support for the candidates and provide other members an opportunity to support those candidates in any way that they deem fit. Doing so recognizes candidates and fulfills the OWBA’s mission of promoting the leadership, advancement and interests of women attorneys and supports positive support and advocacy for the organization and all members.

Below is a list of known OWBA members who are candidates for an elected position:

<table>
<thead>
<tr>
<th>Name</th>
<th>Position Seeking</th>
<th>Election Day</th>
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<tbody>
<tr>
<td>Judge Laurel Beatty</td>
<td>Judge, Franklin County, Ohio Court of Common Pleas,</td>
<td>8-Nov-2016</td>
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<td>General Division</td>
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<tr>
<td>Connie Carr</td>
<td>Lorain county Commissioner</td>
<td>8-Nov-2016</td>
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<tr>
<td>Stephanie Hanna</td>
<td>Candidate for Judge in the Franklin County Court of</td>
<td>8-Nov-2016</td>
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<td></td>
<td>Common Pleas, General Division</td>
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<tr>
<td>Judge Lynne Callahan</td>
<td>Ninth District Court of Appeals</td>
<td>8-Nov-2016</td>
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<tr>
<td>Judge Kim A. Browne</td>
<td>Franklin County Domestic Relations &amp; Juvenile Court</td>
<td>8-Nov-2016</td>
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<tr>
<td>Valarie K. Gerlach</td>
<td>Fourth District Court of Appeals</td>
<td>8-Nov-2016</td>
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<tr>
<td>Judge Katarina Cook</td>
<td>Summit County Domestic Relations Court</td>
<td>8-Nov-2016</td>
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<tr>
<td>Christine E. Mayle</td>
<td>Sixth District Court of Appeals</td>
<td>8-Nov-2016</td>
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<tr>
<td>Valoria Hoover</td>
<td>Candidate for Franklin County Court of Common Pleas,</td>
<td>8-Nov-2016</td>
</tr>
<tr>
<td></td>
<td>General Division</td>
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### Previous recipients:
- Jeanette Knudsen – 2015
- Justice Judith Lanzinger – 2014
- Susan Jacobson – 2013
The Promise of Youth Courts

By Melissa Schuett

The presence of youth courts has exploded over the past two decades. In 2014, the Cincinnati Bar Association’s Cincinnati Academy of Leadership for Lawyers (CALL) launched one such court in coordination with Hamilton County Juvenile Court Judge John Williams. The program is locally driven; everyone pitches in. Local attorneys volunteer as the judge and bailiff, local law students volunteer as party advocates, and local high school students volunteer or are nominated to serve as jurors.

The process begins with a referral from the juvenile court. The respondents are first-time misdemeanor and status offenders between the ages of 13 and 17. First, the respondent must take responsibility for her conduct. Then, both the respondent and her parent or guardian must consent to have the case heard by the youth court. The respondent has the opportunity to speak to their defense advocate and the state advocate prior to the start of the hearing. During the hearing, the advocates present the pertinent facts, mitigation, and recommend an appropriate sanction. After the advocates finish, the respondent is given the chance to make a statement. Next, the jurors have the opportunity ask the respondent and her family or guardian questions. Then, they deliberate to determine the sanction they believe most adequately fits the youth, her situation, and the offense. Once the respondent completes the sanction – community service, a reflective essay, a written apology, restitution, etc. – the offense is removed from her record.

The hearings are held in the courtroom at the Hamilton County Juvenile Court Youth Center, which is a county detention facility where youth offenders are processed and housed. Participants must enter the secure facility through a metal detector and two secure doors monitored at all times by guards. As a result, the program has the combined effect of conveying the gravity of the situation with the hope of a second chance.

As a participant in the CALL Youth Court, first as a defense advocate and now as a judge, I have been struck the most by the thoughtfulness of both the respondents and the jurors involved. One of the primary goals of the youth court program is to use positive peer pressure to encourage young people to learn from their mistakes. This is their wake-up call. The respondent is not sentenced by a judge sitting atop the bench. Instead, it is a jury of their peers who diligently listen, ask questions, and personally convey to the respondent the sanction they must complete.

The respondent has an advocate and the opportunity to tell their side; they can talk about being bullied, peer pressure, or difficulties at home or school. Sometimes they simply articulate that they know they need to be better because they have a younger brother or sister or cousin who wants to be just like them. The program is also transformative for the teen jurors who are often interested in attending law school. Not only do the jurors have an opportunity to participate in the judicial system, they meet local law students and attorneys and a diverse group of teen leaders from around Hamilton County.

The program is meaningful and rewarding. My hope is that contributing to this program has and will help to change the trajectory of our young people’s lives.

If you are interesting in learning more about the program or getting involved, you can access the Cincinnati Bar Association website at www.cincybar.org or click here.

Melissa Schuett is currently a staff attorney to Judge Pat DeWine at the First District Court of Appeals. She earned her law degree from the University of Cincinnati, her Masters from Miami University, and her undergraduate degree from the University of Iowa. Melissa is also a candidate for the Board of Directors for the American Mock Trial Association, the national organization responsible for organizing undergraduate mock trial competitions across the county. She may be reached at mschuett@cms.hamilton-co.org.

Thacker Robinson Zinz Welcomes Lynn Rowe Larsen

Thacker Robinson Zinz LPA (TRZ) deepened its bench this week by welcoming business litigator Lynn Rowe Larsen as a Shareholder in the Cleveland office. Lynn has over 25 years of experience representing closely held companies and global corporations in a broad range of business disputes, including breach of contract, UCC commercial claims, licensing, sales commission claims, shareholder disputes, and real property claims. Lynn also has extensive experience in bankruptcy and creditors’ rights matters. She is a member of the Ohio Women’s Bar Association.
The U.S. Court of Appeals for the Sixth Circuit just issued an opinion that should have all litigators who practice in its courts revisiting their preferred form of protective order to ensure that it contemplates the proper standard and procedure for filing documents under seal. Often, litigants will agree in a stipulated protective order to seek leave to file under seal any documents that have been designated as “confidential” by the parties during the discovery process. Frequently, such motions for leave are granted as a matter of routine. According to the Sixth Circuit, however, stamping a document “confidential” or even “attorneys’ eyes only” during discovery, pursuant to a valid protective order, is insufficient to assure the sealing those same documents when the material is placed in the court record.

In finding that ‘every document that was sealed by the district court [in Michigan] was sealed improperly;” the Sixth Circuit reasoned that the district court relied upon ‘protective-order justifications, not sealing-order ones.’ Shane Grp., Inc. v. Blue Cross Blue Shield, Nos. 15-1544, 15-551, 1552, 2016 U.S. App. LEXIS 10264, at *13 (6th Cir. 2016) (emphasis added). In vacating each order of the district court that sealed documents, the Sixth Circuit held that “[t]he proponent of sealing . . . must ‘analyze in detail, document by document, the propriety of secrecy, providing reasons and legal citations.’” Id. at *12 (emphasis added). The trial court must do the same. Id. at *11 (“a district court that chooses to seal court records must set forth specific findings and conclusions ‘which justify non-disclosure to the public’”).

As a result of Shane Group, litigants must be prepared to: (1) revisit their protective orders to ensure that they contemplate the correct standard and procedure for filing under seal; (2) brief their motions for leave to file under seal with more robust explanations of why specific documents should be shielded from public view; and (3) advise clients that courts in the Sixth Circuit are undertaking a more deliberate approach to seal requests than what they may be used to seeing. Stamping a document “confidential” will not “seal” the fate of a document downstream.

“There is a Stark Difference” Between the Standard for Filing Under Seal and the Standard for Shielding Certain Documents During Discovery

Shane Group was an antitrust class action, in which Blue Cross Blue Shield of Michigan was accused of conditioning the reimbursement rates it would pay hospitals on the requirement that hospitals charge higher prices for medical care to other commercial health-insurers. Id. at *3-4. In other words, Blue Cross agreed to pay hospitals a higher percentage of its insured’s bills so long as the hospital charged other insurance companies more money for the same services. Such practices raised the overall cost of health care in violation of the Sherman Act. Id. at *4. The DOJ filed a complaint against Blue Cross, and shortly thereafter various individual and corporate plaintiffs filed a putative class action “against Blue Cross based upon the same price-fixing scheme.” Id. at *4. When class members received notice that a proposed settlement had been preliminarily approved by the trial court, they found “that most of the key documents were either heavily redacted or . . . completely sealed.” Id. at *8. In appealing the trial court’s approval of the settlement, the objecting class members argued successfully that their ability to assess the settlement’s fairness was “impaired.” Id.

On review of the record, the Sixth Circuit found that each document sealed by the trial court – including class certification briefing and all 90 exhibits, as well as Blue Cross’s Daubert motion and all 34 exhibits – was sealed improperly. Id. at *5-6, 15. The Court reasoned that “there is a stark difference between so-called ‘protective orders’ entered pursuant to the discovery provisions of Federal Rule of Civil Procedure 26, on the one hand, and orders to seal court
records, on the other.” Id. at *8. “Discovery concerns the parties’ exchange of information that might or might not be relevant to their case.” Id. (“Secrecy is fine at the discovery stage, before the material enters the judicial record.”). “At the adjudication stage, however, very different considerations apply,” and “[t]he line between these two stages, discovery and adjudicative, is crossed when the parties place material in the court record.” Id. at *9. “Unlike information merely exchanged between the parties, [t]he public has a strong interest in obtaining the information contained in the court record.” Id. at *9-10.

According to Shane Group, courts should not seal a document simply because one of the parties has chosen to designate it “confidential” during the discovery process. Indeed, the Court observed that, “typically,” very few categories of documents are shielded from disclosure: “[i]n civil litigation, only trade secrets, information covered by a recognized privilege (such as the attorney-client privilege), and information required by statute to be maintained in confidence (such as the name of a minor victim of a sexual assault), is typically enough to overcome the presumption of access.” Id. at *17 (internal quotation marks omitted). Accordingly, a litigant seeking to seal court records must first satisfy a “heavy” burden of proof:

The courts have long recognized . . . a strong presumption in favor of openness as to court records. The burden of overcoming that presumption is borne by the party that seeks to seal them. The burden is a heavy one: Only the most compelling reasons can justify non-disclosure of judicial records. Moreover, the greater the public interest in the litigation’s subject matter, the greater the showing necessary to overcome the presumption of access. For example, in class actions – where by definition some members of the public are also parties to the case – the standards for denying public access to the record should be applied . . . with particular strictness. And even where a party can show a compelling reason why certain documents or portions thereof should be sealed, the seal itself must be narrowly tailored to serve that reason. The proponent of sealing therefore must analyze in detail, document by document, the propriety of secrecy, providing reasons and legal citations. Id. at *10-11 (emphasis added) (internal citations and quotation marks omitted). Likewise, a court order sealing records “must set forth specific findings and conclusions which justify non-disclosure to the public.” Id. at *11 (emphasis added). Indeed, “a court’s failure to set forth those reasons – as to why the interests in support of nondisclosure are compelling, why the interests supporting access are less so, and why the seal itself is no broader than necessary – is itself grounds to vacate an order to seal.” Id. at *11-12.

In Shane Group, the above standards “went unmet” by both the litigants and the trial court, which was particularly problematic because “[a] class action based . . . [on] price-fixing to the detriment of millions of Michigan citizens, is a case in which the public has a keen and legitimate interest.” Id. at *1-2 (emphasis added). Furthermore, “class-action settlements affect not only the interests of the parties and counsel who negotiate them, but also the interests of unnamed class members who by definition are not present during the negotiations.” Id. at *21. Given the significance of the public’s interest in such litigation, “the parties’ asserted bases for sealing off . . . information were brief, perfunctory, and patently inadequate.” Id. at *13. For example, when plaintiffs sought to seal their brief in support of their Motion for Class Certification (including all 90 exhibits) — “arguably the most important filing in any putative class action” — “the Plaintiffs’ entire justification for filing these materials under seal was the following”: “The Class Certification Brief includes quotations, information, and references to multiple depositions and documents designated as confidential by Blue Cross or the third party entity that produced the document or deposition.” Id. When the trial court granted the motion to seal the class certification brief, Blue Cross thereafter filed its opposition under seal as well without even bothering to seek leave first. Id. at *14. The entire process was unsatisfactory to the Sixth Circuit: “The parties’ motions to seal the other filings and exhibits, and the court’s orders granting them, follow the same perfunctory pattern, usually with the same one-sentence justification.” Id. at *14. In vacating all seal orders, the Sixth Circuit did not mince words with respect to the failures of the parties and the trial court:
In sealing all these documents and exhibits, the parties and the district court plainly conflated the standards for entering a protective order under Rule 26 with the vastly more demanding standards for sealing off judicial records from public view. That Blue Cross presumed to decide for itself whether to file under seal its opposition to the class-certification motion is telling in that respect. So is the complete absence of any explanation, by the parties or the court, as to why the interests in favor of closure were compelling, or why those interests outweighed the public interest in access to court records—this, in a case of great importance to the public—or why the decision to seal off broad swaths of the court record was nonetheless narrowly tailored. One can only conclude that everyone in the district court was mistaken as to which standard to apply. But one point is unmistakable: on the showings set forth in this record, every document that was sealed in the district court was sealed improperly."

Id. at *14-15 (emphasis added).

http://www.lexis.com/research/xlink?app=00075&view=full&searchtype=le&search=2016-1+Trade+Cas.+%2525252525252528CCH%2525252525252522C659

Takeaways and Practice Tips
Given the stern and plainly-stated directive expressed in Shane Group, trial courts in the Sixth Circuit have no choice but to be more deliberate in their analyses of motions for leave to file under seal. While oftentimes standard forms of protective orders oblige opposing counsel to seek leave to file confidential information under seal, this approach is no longer sufficient. The logistical issues should be self-evident. If you want certain confidential documents to remain confidential in the record, then relying on opposing counsel to seek leave to file it under seal at the outset makes little sense when the burden to support sealing ultimately rests on you. Gone are the days where counsel can simply invoke the justification that a document or deposition was marked “confidential” during discovery pursuant to a protective order, and thus it should be treated as such in the judicial record. Further complicating the mechanics of filing under seal is the fact motions for summary judgment (for example) may involve the submission of many “confidential” documents produced in discovery. A party may know that the motion is coming, but not necessarily which of its confidential documents its opponent plans to introduce into the judicial record. At the end of the day, logistically, how do litigators protect their clients’ confidential documents post-Shane Group?

1. In all likelihood, the preferred form of protective order you used in the Sixth Circuit pre-Shane Group must be retooled. The protective order does not necessarily need to address how you file your own client’s confidential documents under seal, but it should contemplate some process for giving you the opportunity to protect your confidential documents that your opponent wishes to file. With the Shane Group decision in its infancy, no standard protocol has evolved yet in Sixth Circuit district courts. Accordingly, parties may need to be creative with the mechanics of how to give opponents the opportunity to move to seal their client’s confidential documents, at the same time accounting for strategic and other concerns.

a. For example, a stipulated protective order submitted to the trial court for approval might require the parties to give each other several days’ notice before “confidential” documents are to be used in a filing, so as to give other parties a chance to move to seal certain of those documents. To preserve filing deadlines, the protective order might contemplate a process for filing redacted papers while the court considers whether to permanently seal certain information. However, such a procedure could have strategic downsides. Notice requirements mandating disclosure of “each” document to be used might, for example, force parties to finalize papers before issues can be fully developed. This issue might prompt some litigants to over-disclose the universe of “confidential” documents it wishes to use, which could escalate costs needlessly as the party wishing to maintain confidentiality scurries to prepare more arguments than may be necessary.

b. Consider a possible alternative: a stipulated protective order under which the litigants agree that the party wishing to file “confidential” documents of the other party must first seek
“preliminary” leave to file such documents under seal. Upon the granting of such a motion and the filing of such documents under seal, the party wishing to permanently maintain the documents’ confidentiality in the judicial record must file a brief in support of their request within “X” days. Otherwise, the documents will be automatically unsealed after “Y” days. While this may be an appealing solution for litigants, the parties should be mindful that such an order may place additional burden on the trial court to seal/unseal records, automatically, and thus parties should try to incorporate provisions that will take as much burden off of the court as possible.

2. Do what you can up front to keep your clients’ most sensitive documents out of the discovery process if their relevance is questionable. Keep in mind that Fed. R. Civ. P. 26(b)(1) recently changed the scope of discoverable information, limiting disclosure to information that is “relevant to any party’s claim or defense” (subject to the weighing of multiple factors, including burden), as opposed to the old standard that allowed for the discovery of any information that could “lead to” the discovery of “admissible evidence.” Given Shane Group, litigants concerned about confidentiality should consider investing time early in the litigation to fight the necessary relevancy battles pursuant to Rule 26(b)(1) because, once a document is produced, no amount of confidentiality branding will guarantee that it stays out of the public domain.


4. Make sure your clients are in the know that branding their document as “confidential” in discovery might not be enough to keep it confidential in the court record. Shane Group is still young, but courts interpreting it so far are taking a deliberate approach to the sealing of court records. See, e.g., Kelley v. Apria Healthcare, Inc., No. 3:13-cv-096-PLR-HBG, 2016 U.S. Dist. LEXIS 84976, at *4 (E.D. Tenn. June 30, 2016) (“Because it remains unclear as to what documents should be publicly filed, sealed, and/or redacted, the Court DIRECTS the Defendant to analyze in detail, document by document, the propriety of secrecy, providing reasons and legal citations for each document it wishes to be filed under seal. The Defendant is ORDERED to refile its proposed filings within (14) days of filing the instant Order. Accordingly, the Defendant’s Motion for Leave to File Under Seal [Doc. 236] is HELD IN ABEYANCE.”) (emphasis in original); Graiser v. Visionworks of Am., Inc., No. 1:15-CV-2306, 2016 U.S. Dist. LEXIS 86622, at *3-4, 5 n.18 (N.D. Ohio July 5, 2016) (denying motion to file summary judgment motion under seal where defendant argued that sales figures were competitively sensitive, reasoning that defendant was unable to show that disclosure of sales data would harm its “competitive standing” and failed to “allege[] that the sales data is entitled to protection as a trade secret”). The latter case shows that, absent status as a trade secret or a showing of a demonstrable threat to “competitive standing,” not all business information can be shielded from disclosure. Even where a party seeks to protect a “legitimate” trade secret, some courts are requiring “at least” an affidavit that establishes trade secret status. Jordan, 2016 U.S. Dist. LEXIS 116358, at *4. Thus, some clients familiar with federal court litigation practice might be used to prior instances in which confidentiality branding “sealed” the fate of a document downstream, so to speak. Make sure your client is aware that the procedure is changing, briefing must be more robust, and, consequently, parties will necessarily need to be more selective with respect to pursuing confidentiality of certain documents in the record.
Not Just Any Road for Planning Today’s Estate

By Julie Firestone, Bouse McDowell

There’s an old saying, “If you don’t know where you’re going, any road will get you there.” As attorney advisors we specialize in helping our clients to not just take any road. When it comes to personal, business and estate planning, we have the opportunity and ability to give clients more than just a set of documents. We can help develop a plan, a solid plan that will benefit our client, as well as our client relationship.

Across disciplines and in the course of their work, attorneys get a glimpse at their clients’ personal and business situation. In past decades, if a client was receiving a large settlement or selling a business, the attorney knew her client had an “estate tax issue” and a referral was made to have wills and trusts drafted. The drafter, perhaps, was merely a source of legal documents, providing a one-size-fits-all trust plan that would, indeed, provide significant tax savings. In today’s climate of multi-million dollar exemptions ($5.45 million in 2016), estate taxes are less of a concern for some clients, possibly causing attorney advisers to think there is no need for that step. Meanwhile, portability and vanishing business valuation discounts have made taxes vastly more complicated for some clients. For still others, the concerns of taxes have been replaced by the dynamics of blended families, business succession, late in life marriages, disability, long life, and the possibility of postmortem litigation. As attorney advisors, we should resist the temptation to consider whether a client needs specific documents and, instead, help our clients develop a solid plan. A well-considered plan empowers a client to adapt with life’s inevitable changes, gives peace of mind from knowing appropriate action has been taken, and may smooth the bumps of some of these challenges.

The best place to start with the client is to get an idea of the client’s values. Learn the story. Find out what is important to your client. Family? Business? Religious or charitable causes? Spoken or not, these values will drive client decisions. Early identification guides the discussion and sets the framework for the plan. Consider that families with young children have different concerns than a family with independent adult children or no children at all, and still different than adult family members requiring lifetime care. A business owner is different from an employee or a retiree. Learning the story naturally transitions to the questions and conversations required to construct and implement a plan.

Next, guide your client toward identifying decision-makers and advisors. In our mobile society, many individuals and business owners struggle with true succession planning. Assuming family members will step in or step up is not enough. If your client is receiving a settlement, starting, or selling a business, suggest she start thinking about what individuals, advisors, or institutions will be able to help implement next steps. Who will make decisions if she is unable? For example, who can serve as a guardian for minor children? Who can write a personal check or run the business if your client is unable or must step away for a time? Who can step in and help if your client becomes disabled or upon her death? Having this conversation early helps the client identify holes in her network and gives her time to identify back-ups.

Every good plan requires a certain amount of due diligence. For a personal, business or estate plan, consider a client questionnaire as a place for listing assets and liabilities and identifying the decision makers discussed above. Support your client in assembling this information. It ensures you have enough background information to recommend the right tools and strategies. It also opens the door to a conversation about the more detailed or technical aspects of an individual’s or business owner’s situation. Does my client have enough wealth to achieve her estate planning goals? Is the client too cash poor to meet the capital requirements of her business? Will this negotiated settlement clearly be enough for my client to retire, or will she need help structuring her finances before she makes that decision?

Once you have identified your client’s universe of ‘owns and owes’, discuss her lifetime plan. This is an appropriate time to discuss particular documents, such as a General Durable Power of Attorney, Healthcare Power of Attorney, a Will or a Trust, and retirement elections. You may not specialize in these technical areas, but your current matter is likely a natural entrée to a discussion analyzing how it will affect your client’s current situation, her plan for retirement, as well as for her business or loved ones after her death. This may be an opportunity to mention the value of building her network of trusted advisers, such as a certified financial...
advisor or a CPA. A discussion on disability introduces the concept of agents, business successors, powers of attorney, as well as whether value could be added by talking to an insurance specialist. Clients who are focused on maintaining independence and control, in particular, will be interested in developing a plan that provides the best chances of maintaining those qualities during life. A high net worth or philanthropic client may benefit from a discussion on more technical aspects of lifetime planning such as gifting and funding revocable, irrevocable or charitable trusts. Business owners may steer toward topics of succession, source of retirement income and maximizing equity and business value. Experts abound for these areas, but as the attorney adviser you have the opportunity to connect your clients to those experts and ensure that the efforts of each dovetail into a cohesive plan.

Lastly, discuss with your client the idea of developing a plan of affairs for after death. Some aspects may be handled by a simple letter, such as wishes with respect to small personal items or for funeral or memorial services. Consider including in the discussion items that will be handled by other documents, such as prepaid funeral contracts, beneficiary designations and forms of title ownership. Discuss where legal documents would be appropriate, such as a will or a trust. From there, you can discuss the technical and practical aspects of an estate administration, such as why a client should have a will and the differences between probate and non-probate assets. For clients looking to protect wealth recipients from creditors or predators, or for clients who own businesses or have a particularly high net worth, it would be appropriate to discuss the benefits of having a trust in place. With the information you received on the client questionnaire, you have the opportunity to discuss the interaction of estate and income taxes. If taxes are beyond your expertise, refer your client to a specialist, but be sure that any advice given or technical strategies proposed mesh with the overall plan you have developed with your client.

As attorney advisors we interact with our clients in a variety of situations and often those situations give us unique access and opportunities to guide our clients in a mix of ways. You can help your client and cement the relationship by using these opportunities to develop a cohesive plan that will act as a road map, guiding your client toward her desired destination.

Julie Firestone is an attorney with Brouse McDowell focusing her practice on estate planning and business succession.

Allison M. McMeechan Named to Breckenridge Village Board of Directors

Reminger Co., LPA is pleased to announce that Allison McMeechan has been named to the Breckenridge Village Board of Directors.

Breckenridge Village is a not-for-profit continuing care retirement community in Willoughby, Ohio, and offers homes and apartment style independent senior living, assisted living, memory care, and nursing home care.

Allison focuses her legal practice on elder and special needs law, including estate and long term care planning, estate and trust administration, probate and guardianships. She serves as the Co-Chair of Reminger’s Elder Law & Special Needs practice group.

Allison has published articles and has spoken in the areas of probate, estate planning, government benefits, and special needs trusts. Her audiences include individuals, bar associations, nonprofit organizations, and other professional organizations.

Allison is an Accredited Attorney with the U.S. Department of Veterans Affairs. She is a member of the National Academy of Elder Law Attorneys National and Ohio Chapters, the Ohio State Bar Association’s Estate, Trust & Probate Law Section, and Elder & Special Needs Law Committee, and the Cleveland Metropolitan Bar Association’s Estate Planning, Probate & Trust Law Section. Allison is also a member of the Board of the Consortium Against Adult Abuse (C3A), the chair of the C3A’s Education Committee, Hospice of the Western Reserve’s Advisory Committee, the Board of Directors of the Cleveland-Akron Chapter of the Society of Financial Service Professionals, and the Board of Directors of Milestones Autism Resources.

Allison can be reached by emailing ammcmeechan@reminger.com or by calling (216) 430-2105.
2017 Diversity & Inclusion Fellowship Program Introduced by Taft

Up to 6 Diverse Law Students to be Awarded Financial Incentives Through Fellowship Program

Taft Stettinius & Hollister LLP is proud to introduce its first annual Taft Diversity & Inclusion Fellowship Program to up to six qualifying law students in 2017. This new program is a significant component of Taft’s commitment to fostering the development of future lawyers from diverse backgrounds. The program, intended for first and second year law students, will award funds to up to six highly motivated students who are members of historically underrepresented ethnic and/or racial minority groups.

Law students selected for Taft’s Diversity & Inclusion Fellowship Program will receive a paid 10-week summer associate position in one of Taft’s Midwest offices (Chicago, Ill.; Cincinnati, Cleveland, Columbus and Dayton, Ohio; and Indianapolis, Ind.) in the summer of 2017. Assuming satisfactory performance during the 1L summer fellowship, Taft fellows will be extended the option to return to Taft as a second-year summer associate and will be awarded a one-time signing bonus, payable upon acceptance of the offer.

Taft believes that people with diverse experiences produce creative thinking, multiple perspectives on issues and innovative problem-solving techniques in the practice of law. The firm is committed to fostering an inclusive culture across values differences including race, gender, ethnicity, sexual-orientation, sexual identity, religion, age, physical ability, and socioeconomic background among others.

“These differences strengthen our success through optimal representation of our client relationships and mutual respect within the firm,” said Adrian D. Thompson, Taft partner and Chief Diversity Officer.

How to Apply
Law students who meet the historically underrepresented ethnic and/or racial minority group selection criteria and have entered into a J.D. program at an ABA-accredited law school in the United States are eligible to apply for the 2017 Taft Diversity & Inclusion Fellowship Program. Application forms are available on Taft’s website, as stated below.

The Process
Taft will review the applications and select the recipients of the program. Applications must be submitted for evaluation each year, as the award is not renewable. Completed applications should be emailed to Lisa Watson, director of recruiting, development and administration, at lwatson@taftlaw.com. The deadline for applications is Feb. 10, 2017. Fellowship award winners will be notified after March 1, 2017. For more information, visit: http://www.taftlaw.com/careers/students/diversity-and-inclusion-fellowship.

Check Out the ‘Advice to My Younger Me’ Podcast

ADVICE TO MY YOUNGER ME is a podcast which draws on the wisdom of women who have gone before to help younger women achieve career success. In each episode of this podcast, host Sara Holtz and other experts and accomplished women share what they wish they’d known earlier in their careers. It discusses topics like negotiating on your own behalf, overcoming the impostor syndrome, communicating effectively, and dealing with bias in the workplace. The hope is that, armed with this information, other women can reach their career goals with fewer missteps along the way.

The ADVICE TO MY YOUNGER ME podcast grew out of Sara’s passion for helping women succeed in the workplace (and in life). Sara comes to this podcast after a very successful career – first as a business lawyer and senior executive at Fortune 500 companies and then, for the past 20 years, as a coach helping women lawyers achieve career success (www.clientfocus.net). She is the author of Bringin’ In the Rain: A Women Lawyer’s Guide to Business Development. She received the American Bar Association’s prestigious Margaret Brent Women Lawyers of Achievement Award in recognition of the impact that her work has had on helping other women succeed.

The podcast is available to download for free on iTunes and at the website www.tommyounger.me (where there are instructions on how to access it for Android users).
Upcoming Events

Public and Private Partnerships
A Statewide Professionalism CLE Event

**Wednesday, November 9, 2016**
12:00 – 12:30 PM
Check-In and Networking
12:30 – 4:15 PM
CLE Programming
4:15 – 5:30 PM
Networking Gathering
*(all locations except Cincinnati)*

3 Hours of CLE Including –
- Diversity & Inclusion – Identity, Authenticity and Leadership Struggles
- The Private/Public Sector Divide – Making Transitions & Bridging The Gap
- Staying Professional & Positive – Emotional Health and Well-Being for Lawyers

We will be live streaming the Columbus session to host sites in Cleveland (Cleveland Metro Bar Association) and Toledo (Shumaker Loop and Kendrick).

**Columbus – Ice Miller**

Panel 1 – “Diversity & Inclusion – Identity, Authenticity, and Leadership Issues”
- Rob Solomon (moderator), Assistant Vice Provost, Office of Diversity & Inclusion, The Ohio State University
- Tara Aschenbrand, Assistant General Counsel/Employment & Labor Counsel, OhioHealth
- Jennifer Adair, Manager of Diversity and Inclusion Initiatives, Office of the Ohio Attorney General
- Lisa Kathumbi, Partner, Bricker & Eckler, LLP

Panel 2 – “Private/Public Sector Partnerships – Making Transitions & Bridging the Gap”
- Sarah Morrison, Administrator/CEO, Ohio Bureau of Worker's Comp
- Susan DiMickele, General Counsel, National Church Residences
- Maria Armstrong, Partner & Chair of Regulated Industries Group, Bricker & Eckler, LLP
- Sarah Lynn – Senior Counsel, Ice Miller LLP

Panel 3 – “Staying Professional & Positive – Emotional Health & Wellbeing for Lawyers”
- Pat Snyder, I Can Fly, LLC

**Cincinnati – Taft Center**

Panel 1 – “Diversity & Inclusion – Identity, Authenticity, and Leadership Issues”
- Donyetta Bailey (moderator), Member, Employment & Civil Litigation, Bailey Law Office LLC
- Judge Timothy S. Black, United States District Court
- Staci Rucker, Assistant Dean for Academic Affairs, Student Affairs and Diversity, University of Cincinnati
- Adrienne Roach, Partner, Keating, Muething and Klekamp
- Sean Parker, RDS, Team Manager II Officer, Fifth Third Bank

Panel 2 – “Private/Public Sector Partnerships – Making Transitions & Bridging the Gap”
- Erica Faaborg (moderator), Assistant City Solicitor, City of Cincinnati Law Department
- Judge Marie Hoover, Fourth District Court of Appeals

Panel to be announced.

Only $10 for OWBA Members and Government Attorneys. If you are not a member, participation is $20, but the difference in the member and non-member rates will be applied with a membership application.

For more information and to register visit [www.owba.org](http://www.owba.org) or call (866) 932-6922.

**OWBA New Admittee Event for Dayton and Cincinnati**

We will be hosting a Southwest Ohio New Admittee Reception on December 8, 2016. This is a new event, which combines the Dayton- and Cincinnati-specific events in an effort to be more inclusive, increase networking opportunities, encourage more collaboration among the Districts, and increase membership.

Details: December 8, 2016
Kona Grill at Liberty Center
7524 Gibson St., Liberty Township, OH 45069

Visit [www.owba.org](http://www.owba.org) for the latest information.
Sustaining Members

Deborah Akers-Parry
Wolf and Akers LPA

Randal Sue Bloch
Wagner & Bloch

Magistrate Judge Stephanie Bowman
U. S. District Court
Southern District of Ohio

Angela Courtwright
Ice Miller LLP

Sherri Dahl, Esq.
Dahl Law LLC

Judge Patricia Delaney
5th District Court of Appeals

Jennifer Elleman
Lexis Nexis

Amanda Gatti
Reminger Co., LPA

Valerie Gerlach
Gerlach & Gerlach

Melissa Graham-Hurd
Melissa A. Graham-Hurd, Atty. at Law

Nita Hanson
Dinsmore & Shohl LLP

Kathleen Havener
The Havener Law Firm LLC

Claudia Herrington
JobsOhio

Valoria Hoover
Valoria Hoover Law Offices, LLC

Jennifer J. Jacquemain
Oldham Company, LLC

Lisa Kathumbi
Littler Mendelson

Magistrate Judge Karen L. Litkovitz
U.S. District Court, Southern District of Ohio

Helen Mac Murray
Mac Murray Petersen & Shuster

Catherine Martineau
MacMillan Sobanski & Todd, LLC

Amanda Martinsek
Ice Miller LLP

Marilyn McClure-Demers
Nationwide Insurance

Jean McQuillan
Case Western Reserve University School of Law

Stacey Meloun
Agee Clyer Mitchell & Portman

Susannah Muskovitz
Muskovitz & Lemmerbrock, LLC

Denise Platfoot Lacey
University of Dayton School of Law

Julie Rabin
Rabin & Rabin Co LPA

Amber Richter
The Matre Law Group

Kate Wexler
Brouse McDowell, LPA

Nancy Sabol
The Ohio Northern University Pettit College of Law

Laura Sanom
Faruki Ireland & Cox P.L.L.

Michele Shuster
Mac Murray Petersen & Shuster

Carrie Starts
Reminger Co., LPA

Patricia Walker
Walker & Jocke

Linde Webb
Lydy & Moan, LTD

Bonnie Thelen
Renner, Otto, Boisselle & Sklar, LLP

Andrea Salvino
The Ohio State University Moritz College of Law

Michelle Masotto
Nextant Aerospace

Daniella Vespoli
Jones Day

Molly Koenig
The Ohio State University’s Michael E. Moritz College of Law

Lauren Smith
University of Toledo College of Law

Mandy Willis
Fay Sharpe, LLC

Mengxue Xie
Case Western Reserve University School of Law

Hilary Borton
University of Dayton School of Law

Sarah Ingles
Capital University Law School

Marjorie Duffy
Jones Day

Jhannelle Harrison
The Ohio State University Moritz College of Law

Laura Hoffman
Cuyahoga County Prosecutor’s Office

Michelle Masotto
Nextant Aerospace

Bonnie Thelen
Renner, Otto, Boisselle & Sklar, LLP

Andrea Salvino
The Ohio State University Moritz College of Law

Molly Koenig
The Ohio State University’s Michael E. Moritz College of Law

Lauren Smith
University of Toledo College of Law

Mandy Willis
Fay Sharpe, LLC

Mengxue Xie
Case Western Reserve University School of Law

New OWBA Members
(as of July 1, 2016)
News

When now ABA Immediate Past President, Paulette Brown was in Columbus in May of 2016 she encouraged attendees of OWBA’s Annual Meeting to join her in ABA’s Day of Service during her keynote. On October 30, 2016, the ABA will make a special effort to recognize contributions made by lawyers across the country.

The Ohio Women’s Bar Association is encouraging members from throughout the state to participate in a way that supports their passions. For those wanting to celebrate the national Day of Service with a contribution supporting the OWBA, support Dress for Success.

Dress for Success promotes the economic independence of women in need by providing professional attire, a network of support, and the career development tools to help women thrive in work and in life.

Most of the apparel Dress for Success provides to their clients comes from other women in the community. To donate, you can plan a campaign at your company or firm or donate individually – a great opportunity for a fall cleaning of your closets. Or you may want to simply gather together a group of friends who want to make a difference.

Your donation drive can collect new or nearly-new suits, other business-appropriate apparel, shoes or even accessories like handbags and unused cosmetics or jewelry. Reach out to your local affiliate (https://www.dressforsuccess.org/affiliate-list/) to learn what the women Dress for Success serves need most right now. The affiliate also can provide information to help you plan your donation.

Your support will make a difference.

Follow us on Social Media

The OWBA and OWBF can be found on Facebook, Twitter and LinkedIn. Join our groups, like us and connect to us to share information and connect with women attorneys across Ohio.

http://www.facebook.com/OhioWomensBarAssociation

http://www.facebook.com/ohioWBF

http://www.twitter.com/OWBA

http://www.twitter.com/OhioWBF

http://www.linkedin.com/Group/OhioWomen’sBarAssociation