



DBA Events

An Overview of the 17th Annual Bench Bar Conference

It was a beautiful late fall day in Dayton and we were stuck inside!

Happily, the 17th Annual Bench Bar Conference, which was held at the Mandalay in Dayton on November 20, 2009, was well worth the isolation from nature. This year's conference was co-chaired by the Honorable Judge Barbara Gorman and Larry Lasky, Esq. It provided 5.75 CLE credit hours tied to update on the recent changes in Federal and State bar procedures and activities. As unexciting as that might sound, the conference was well organized, interesting, and extremely well attended. In fact, there was mention that it was the best attended of the 17 conferences to-date. DBA staff did their usual excellent job in organizing and overseeing the meetings. The facilities were spacious and convenient for all.

As for the content, the day began with a plenary session on substance abuse. We all have heard that one many times before, but yet Megan Robinson of the OLAP did a superb job putting abuse issues in the context of the legal profession. Her use of stories made the concerns seem real to us, especially as we head into the hustle and pressures of the holiday season. Most interesting was her evaluation of the definition of abuse, which includes many facets we might not consider, such as caffeine, sex, and/or work addictions.

After the first break, participants were invited to attend one of four breakout sessions. This author chose to attend the corporate Counsel update on Federal Bankruptcy Code and Law. Others were given the option of Juvenile Court, Criminal Court of Common Pleas, or Federal Court Civil updates. What was nice in the day's agenda was the opportunity to mix State and Federal updates, providing all practitioners with the ability to cater their day to the updates that would serve them best.

Following that, in the second plenary session, Bill Butterfield gave an overview of the importance and burgeoning use of electronic discovery and storage. What was most impressive about this speech were the statistics as to the sheer volume of data a typical attorney needs to review in the progression of "typical" litigation – whatever that is. That information alone made a strong argument for using the modern technology for data discovery, searching, and storage – in lieu of paralegals, lost weekends of research, and banker's boxes.

Participants were given ample time at the breaks and fine lunch

to walk around and talk to the vendors at the conference. The DBA and their partner, the Dayton Chapter of the Association of Legal Administrators (ALA), did a fine job of making the vendors an important part of the proceedings, which made them happy and allowed participants time to frequent them effectively.

After lunch, participants were given the option to attend sectional updates on Federal Court Criminal, Probate Court, Corporate Counsel e-Discovery, or Common Pleas Civil. This author chose the latter, which featured an informative and timely demonstration of the new e-filing system to be used for all civil cases in Montgomery County Common Pleas Court starting January 1, 2010. Other divisions are coming on board soon as well, including Criminal, which is charted to start e-filing in the fall of 2010. The section was hosted by the Honorable Judge Michael Hall, along with Connie Villelli, Lynn Cooper, and Roxana Brun of his project team. They did a superb job giving a packed room of both attorneys and fellow judges a quick run-through of the filing process. The advantages of this new system are numerous and obvious – faster filing times, easier case tracking, less copying and mailing to satisfy Civ. R. 4 for service, etc. The group has done a great job of making this system available to us. Though not mandatory, Judge Hall and his staff strongly recommended that everyone take one of the many 90-minute training sessions available (see www.efiling.mcoho.org for dates and times). The Dayton Bar Association is also offering training that includes 3.0 hours of CLE credit on January 15, 2010 at the DBA Offices. Preregister online at www.daybar.org.

Following that, participants got to choose between Domestic Relations Court, Appellate Court, Corporate Counsel Immigration Issues, or Southern District Bankruptcy Court updates. This author chose the latter. This session was chaired by three icons in Dayton bankruptcy practice – the Honorable Judge Guy Humphrey, Chapter 13 staff attorney Scott Stout, and Chapter 7 trustee Don Harker. Although the material covered was a bit more fundamental than this author had hoped, the three provided a superb review of current bankruptcy procedure and answered all questions from the audience on current case law and options for processing bankruptcy petitions. One of the best facets of this discussion was the delineation between Chapter 13 and 7 strategies, especially for a non-bankruptcy attorney.

A Joyous View of the Holidays: The Annual DBA Holiday Luncheon

The Annual Dayton Bar Association Holiday Luncheon was held at the Wintergarden in Dayton, Ohio on Friday, December 4, 2009. What a nice way to start the "most wonderful time of the year"!



The event was well attended and featured a celebration of lawyers giving freely of their time and expertise. As usual, festivities started with a meet and greet around the punch bowls. The crowd became dense as friends and colleagues met and exchanged pleasantries. (Among those gathered were DBA 25-Year Honorees Vanessa Guenther, Joyce Dietering and Patricia Zimmer). Of special note to this author was the annual presentation of the old Rike's Department Store holiday

window displays, preserved and refurbished and reminding all of the days of holiday shopping downtown and the joyous hustle and bustle of the season.

As the participants sat and began eating, DBA President Thomas Whelley II, Esq. welcomed all and provided an introduction to the theme of the luncheon - the volunteerism and good works of so many Dayton area lawyers. The Dayton Bar Foundation was discussed and all were requested to give as they can. Then 34 25-year DBA members were honored, with those in attendance being called up for special recognition and gifts. Following that, James Kelleher paid special tribute to the Volunteer Lawyers Project (VLP) and its staff. Celebrating more than 20 years of honorable service, the VLP has served more than 22,000 clients through the service of 900-1,000 lawyers volunteering time and knowledge to help those in the seven-county Greater Dayton region who were in need. Jim gave special notice and praise to Jeff Senney for his work with the VLP, especially highlighting one family who allegedly owed the IRS more than \$150,000, Sebaly Shillito + Dyer for their pro bono efforts, and VLP Director Helenka Marculewicz, for her years of tireless and passionate work for and leadership of the VLP. (Pictured below: The standing ovation Helenka received in recognition and gratitude of her dedication and service.)

The Honorable Judge Walter Rice then, after comically chiding the DBA for not honoring DBA members who have been in practice for between 46 and 49 years (which included himself and two others in attendance), provided an introduction to and then showed a new video produced by the DBA honoring the Lawyers Giving Back to Their Community program. The Giving Back program includes "Wills for Heroes," the Law & Leadership Institute at the University of Dayton, and of course the VLP. It was touching to see a man of Judge Rice's service and experience speak eloquently of the pride he felt for the legal profession to which he has dedicated his career, due in large part to so many Greater Miami Valley attorneys who have given tirelessly for little or no compensation to the legal needs of non-profit organizations and the disadvantaged.

The luncheon ended on a note of charity and giving which was appropriate for the season. The Editorial Board of the DBA would like to wish all DBA members and their families a festive holiday season and a prolific 2010! ●

*By Mark J. Bamberger, Principal
Bar Briefs Editorial Board*



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