



# LINN COUNTY BAR ASSOCIATION

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## THE SCRIPTUM

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[www.linncobar.org](http://www.linncobar.org)

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### NOVEMBER BAR ASSOCIATION MEETING

The Linn County Bar Association's next meeting is November 15, 2012 at the new Federal Court House from 11:30-1:30. You must have a photo ID to enter. RSVP today because this meeting is limited to 150 attendees. RSVP requests were emailed to members by Rebekah Isbell, [risbell@lynchdallas.com](mailto:risbell@lynchdallas.com)

CLE Credit for the October bar meeting (speaker Judge Thad Collins) was approved for 0.5 CLE hours, Activity No. 96431.

### **DAVID ELDEKIN – CELEBRATION OF LIFE**

A celebration of the life of David M. Elderkin will be held at the Cedar Rapids Country Club on Tuesday, November 20, 2012 from 11:30 am to 2:00 pm. The event will follow a private interment. Friends, family and colleagues of Mr. Elderkin are invited to attend. Light refreshments will be served.

### **AMENDED SETTLEMENT CONFERENCE PROTOCOL**

The 6<sup>th</sup> Judicial District issued an Amended Settlement Conference Protocol Order on October 19, 2012. Pursuant to this Order, a copy of which is available on the Linn County Bar Association's website, parties interested in scheduling a settlement conference should contact the Court Administrator, NOT the Judge.

### **CLE OPPORTUNITIES**

Need CLE credits? Here are some opportunities for you:

**Iowa Legal Aid** is offering some opportunities to earn up to six CLE credit during the month of November, including an hour of Ethics. These CLE events will be made available over the web, so you can participate without having to travel away from your home or office. CLE events will be held the following dates:

- November 15, 2012 - "Johnson County Bar Association Seminar" (2 hours of CLE anticipated, including 1 hour of Ethics)
- November 30, 2012 - "A Little Bit of This and That: A Look at Some Things You Should Know When Practicing Civil Law" (4 hours of CLE anticipated)

For more information, and to register, visit [www.probono.net/iowa](http://www.probono.net/iowa)<<http://www.probono.net/iowa>>. Any questions about these CLEs may be directed to Kara Smith, [ksmith@iowalaw.org](mailto:ksmith@iowalaw.org)<<mailto:ksmith@iowalaw.org>> or 1-800-532-1275 Ext. 1676.

**The Iowa Women's Foundation** is sponsoring a CLE event on November 29, 2012 from 1-5 titled "The Use of Mediation in Conflict Resolution" featuring speakers Steve Sovern, Jacob Koller and Angela Onuwachi-Willig. This event is \$75 and offers 4 hours of CLE, including 1 hour of ethics. It will be at the Coralville Public Library.

To register, visit [www.iawf.org](http://www.iawf.org) or call (319) 337-4222 or (888) 488-IAWF. Mail checks to IWF, P.O. Box 3131, Iowa City, IA, 52244. For more information, contact Allison Werner Smith, (319) 337-9606 or [awsmith@hhbmlaw.com](mailto:awsmith@hhbmlaw.com).

### **LCBA CITIZENSHIP AWARD**

The Board of Governors is seeking nominations for the newly established LCBA Citizenship Award. Any member of the LCBA may nominate any other member of the LCBA for this annual award. The following criteria or guidelines, which are intended to recognize excellence in the widest range of civic contributions, will be utilized for determining the individual or individuals who will be selected for this award:

1. Active participation in civic organizations that provide services to others (not necessarily just to other lawyers) in the community, state and/or country;
2. Active participation in activities designed to further the interests of the Iowa bar (whether at the local, regional or state level);

3. Demonstrates a strength of character and ability to motivate others to action to benefit the community, state and/or country; and
4. Supports, promotes and “goes above and beyond” to further the interests of others in the local community.

Current members of the Board of Governors and officers of the LCBA are not eligible for this award.

Please submit your nominations for the LCBA Citizenship Award, which nominations should include a statement of the civic and other contributions made by the nominee, to Todd Anderson ([tanderson@elderkinpirnie.com](mailto:tanderson@elderkinpirnie.com)) by December 1, 2012. The Board of Governors will review the nominations and make a determination of the individual or individuals who will receive the LCBA Citizenship Award. A plaque will be presented to (and appropriate praise will be bestowed upon) the award recipient(s) at the Bench/Bar event in January.

### SAVE THE DATE – LAST CHANCE ETHICS SEMINAR DECEMBER 4

The LCBA will again be sponsoring the annual Last Chance for Ethics Seminar. will be held on **Tuesday, December 4** from 4:30 to 7:00 at Dublin City Pub (upper level), 415 1<sup>st</sup> St. SW, Cedar Rapids, and will provide one (1) hour of ethics. The seminar is free to all LCBA dues-paid members. The cost for non-members to attend is \$20. Heavy appetizers and soft drinks will be provided and there will be a cash bar following the seminar. A RSVP request will be sent to the membership in the near future with more details.

### SAVE THE DATE – BENCH-BAR EVENT JANUARY 24

Please plan on joining the Linn County Bar Association as we host our annual Bench Bar social event on Thursday, January 24 from 4:30-7:00 p.m. at the Cedar Rapids Art Museum. You are cordially invited to come and enjoy hors d'oeuvres and beverages as we honor our retiring Judges and 50 year members of the Bar.

### TRANSITIONS

**Lynch Dallas, P.C.** is pleased to announce that **Steven C. Leiding** and **Holly A. Grieder** have joined the firm as Associate Attorneys.

- Mr. Leiding received his Bachelor of Arts degree in 2002 from Denison University, with a major in Political Science, and his J.D. degree in 2006 from The Ohio State University Moritz College of Law. Before relocating to Cedar Rapids, Mr. Leiding practiced law for more than five years in Columbus, Ohio, representing both private and public sector clients. Mr. Leiding practices primarily in the areas of Labor and Employment Law, School Law, Insurance Defense, Real Estate Development and Condominium Law.
- Ms. Grieder received her Bachelor of Arts degree in 2009 from Coe College in Economics and History. She received her J.D. in 2012 from The University of Iowa College of Law. Ms. Grieder's practice includes the areas of Labor and Employment Law, School Law, Municipal Law, Insurance Defense and Family Law.

**Shuttleworth & Ingersoll, P.L.C.** is pleased to announce that **Scott M. Wadding** has joined the firm as an Associate Attorney. Mr. Wadding is a 2010 graduate of Drake University Law School, where he received his J.D. with honors. Mr. Wadding is also a 2006 graduate of the University of Northern Iowa where he received a B.A.. Prior to joining S&I, Mr. Wadding clerked for Justice Brent Appel of the Iowa Supreme Court from 2010 to 2012. He is admitted to practice in Iowa and is a member of the Linn County Bar Association, the Iowa State Bar Association and the American Bar Association. He has a general practice including but not limited to litigation.

**Nicholas J. Garlsich** and **Scott R. Willman** have joined **Crilley Law Office and Crilley Mediation Services**.

- Mr. Garlsich has joined Crilley as a General Practice Attorney and a Mediator. He is licensed to practice law in the State of Iowa and the State of Illinois. He graduated from Chicago-Kent College of Law in

Chicago, Illinois with a Juris Doctorate degree in December 2011. While at Chicago-Kent he received a certificate in Environmental and Energy Law. He was a Chicago-Kent Merit Scholar. In May 2009, he graduated from Drake University, Des Moines, Iowa cum laude. He holds a Bachelor of Arts Degree in Environmental Policy with a concentration in Law and Business. In August 2012 he trained as Mediator through an ACR nationally approved Mediation training program. He is a member of the Iowa Bar Association, the Linn County Bar Association (membership pending), and the Iowa Association of Mediators.

- Mr. Willman has joined Crilley as a General Practice Attorney and will be training as a Mediator. He is licensed to practice law in the State of Iowa. He graduated Cum Laude from Thomas M. Cooley Law School in Lansing, Michigan with a Juris Doctorate degree in September 2011. While in law school, he was a Certificate of Merit Recipient and was a Senior Associate Editor of the Thomas M. Cooley Law Review. In December 2006, he graduated from the University of Iowa, Iowa City, Iowa with a Bachelor of Arts in Economics. He was a law clerk at the Leff Law Firm, L.L.P. in Iowa City, Iowa and was a Student Attorney at the Thomas M. Cooley Access to Justice Clinic Grand Rapids, Michigan appearing before the 17th Circuit Court of Grand Rapids, Michigan on numerous occasions. He is a member of the Iowa Bar Association. Membership with the Linn County Bar Association is pending; Membership to the Johnson County Bar Association is being made.

*If you would like to announce your law firm comings and goings, new office locations, attorneys named to partnership, or whatever your “NEWS” is, please let us know and we will put it in TRANSITIONS section of the Scriptum. Submissions should be sent to [webmaster@linncobar.org](mailto:webmaster@linncobar.org).*

#### WANT ADS

If you would like to publicize open attorney positions or available law office space in your building, let us know and we will publish it here. Contact [webmaster@linncobar.org](mailto:webmaster@linncobar.org). We will run your “Want Ad” for three (3) consecutive Scriptum editions. If your space or employment needs are met during your three-month Ad run, though, please drop us a line so we know to delete your Want Ad from future issues.

Kirkwood Community College offers online Employers Services, available at no charge, 24 hours a day, 7 days a week. To learn more about this topic, call 398-5689 or go to [jobs@kirkwood.edu](mailto:jobs@kirkwood.edu).

#### PARALEGAL INTERNSHIPS WANTED

Are you interested in helping train and mentor future paralegals? The Paralegal Program at Kirkwood Community College continues to grow. Kirkwood paralegal students are required to intern in a legal environment as part of their education. You can help tomorrow’s paralegals gain valuable experience by agreeing to supervise a paralegal intern. The internship requires that the student complete 120 hours in a legal setting, and compensation is not required. If you are interested in mentoring a paralegal intern, please call Greg Clevenger at 398-5576.

#### MEDIATION TRAINING AVAILABLE

**40 Hour Family Mediator Training Course** (which includes Basic Mediation Training) will be offered by Crilley Mediation Services on **March 4, 2013 – March 8, 2013**. *For Collaborative Training only*, Participants can select to attend either March 4<sup>th</sup> or March 5<sup>th</sup> to fulfill the Collaborative Mediation Training requirement. The two days are not the same, but both days give important background and information that would be useful to the Collaborative Process. Please visit [www.CrilleyMediation.com](http://www.CrilleyMediation.com) for more information and to download the Registration Form for this training. This training is Nationally Approved and does qualify the Mediator for Roster Mediation. If you have any questions, please call Chris Crilley at (319) 363-5606.

## OFFICE SPACE FOR LEASE

Office space is available for lease at 1000 Collins Road NE, Cedar Rapids, IA 52402. This is beautifully finished office space in a prime location with free parking and easy access to I-380. Fully furnished “turn-key” facility for lawyer with access to computer, private network and secretarial area. For further information contact Susie Brooks or Michael Esker at Coldwell Banker Hedges Realty, 319-364-8121.

Dave Thinnies and Landon Dufoe have office space available. Phone lines, desk, conference room, receptionist, fax, copying and some secretarial available. Prefer established attorney in an office-sharing or association of sole practitioners arrangement. Short walk to State or Federal court. Referrals available. Stop by and view at 537 Higley Building or call Dave at 363-3185.

## COURT SCHEDULES & LCBA MEMBER CONTACT INFO ON LCBA WEBSITE

Did you know the Linn County Bar Association publishes each day’s court schedules for Linn County District Court, Associate Court and Small Claims/Traffic court? Head over to the LCBA website at [www.linncobar.org](http://www.linncobar.org) and click on “Court Schedules & Info” at the top. You can also see the judge assignments, local Orders and contact information for the court.

The website also has contact information for all LCBA members. You can view the member directory at [www.linncobar.org/directory/attorneys/index.html](http://www.linncobar.org/directory/attorneys/index.html). Let the LCBA webmaster know if any changes need to be made. If you have a new address, please notify the LCBA at P.O. Box 74127, Cedar Rapids, IA 52407-4127, or via email at [webmaster@linncobar.org](mailto:webmaster@linncobar.org).

## HOW TO JOIN THE LCBA and DUES INFORMATION

Membership in the LCBA is open to lawyers admitted to practice in Iowa and who live or work in Linn County. Click here for our [LCBA Membership Application form](#). Membership in the LCBA is free the first year of membership. Annual base membership dues for all others are as follows:

- Attorneys who have practiced for fewer than 5 years: \$95
- Attorneys who have practiced for 5-49 years: \$125
- Attorneys who have practice for 50 or more years: \$0
- Attorneys over age 65 but no longer in practice: \$75

\*\* Total dues amount to be remitted above does not include a voluntary \$100 contribution per member for law-related charitable contributions and endowments made on behalf of the LCBA.

## AMENDMENTS TO IOWA COURT RULES

Please click on this link for a list of recent Amendments and New Rules:

<http://www.iowacourts.gov/CourtRulesandForms/RecentAmendmentsNewRules/>

## USURY RATE

In accordance with the provisions of Section 535.2(3)(a), 2009 Iowa Code, the Superintendent of Banking has determined that the maximum lawful rate of interest provided for in said section shall be 3.75% for the month of November. Please note the exemption in subsection 2 of said Chapter 535.2. The usury rate is available at <http://www.treasurer.state.ia.us/rates/>

## RESTAURANT REVIEW

The first course was bruschetta with tomatoes. The bread was a large slice, perfectly toasted, covered with small tomato pieces, and then lightly drizzled with balsamic vinegar and virgin olive oil. A very good start. Then a crunchy lettuce salad with large tomato chunks and a very small dab of balsamic vinegar to give it a tart taste. Very good second course.

The third course was tortellini stuffed with pear, covered with a perfect white cream sauce, served over puréed pumpkin. This was a perfect dish. The combination of pear, pumpkin, cream sauce and tortellini was fantastic. In fact, I was hesitant to order this pasta dish but one of our guests urged me to try it and he was right.

Finally, I finished it off with the traditional tiramisu. Just right.

Instead of the traditional wine serving with this meal, I chose the fresh German beer on tap. It was light and mild. Just what I was looking for. I highly recommend this restaurant.

Oops, I forgot to give you the name and location. The name is **Osteria dell' Anima**. The location is S. Maria dell' Anima 8, Rome, Italy. The easiest way to find it is to go to the Piazza de Novona, then find the Fountain of Four Rivers and head toward the Church of St. Agnes. Before going in the Church of St Agnes, take a sharp right and go to the Church of Santa Maria dell Anima. But don't go in this church either as the restaurant is right across the street. Or in my case, I didn't have to follow directions as my wife has a good friend who is a Jesuit priest from Cedar Rapids. He took us to this fine restaurant. In fact the waiter knew him and gave us a nice discount on the price. Thanks again Father Ted Bohr. I love the Jesuits.

Gene the Critic-Restaurant Division

## BOOK REVIEW

“Killing Lincoln: The Shocking Assassination That Changed America Forever”

By Bill O’Reilly and Martin Dugard

“Killing Lincoln, the Shocking Assassination That Changed America Forever” by Bill O’Reilly and Martin Dugard is a short, concise recounting of the assassination of Abraham Lincoln and the simultaneous attempts that were made on Lincoln’s cabinet by John Wilkes Booth and his motley gang of conspirators. Few Americans realize that not only was Lincoln targeted by Booth and his henchmen, but Vice-President Andrew Johnson, Secretary of War William Stanton, Secretary of State William Seward, and General Ulysses Simpson Grant were also on the hit list.

Most Americans know that Booth shot Lincoln in Ford’s Theater. The book narrows and focuses on the daily actions and activities of Booth and Lincoln as the war winds down and they move toward their fateful encounter.

Booth was a some-time Confederate agent and staunch believer in slavery and white supremacy; however he never took up arms for the Southern cause. He was a noted Shakespearean actor who came to see himself as “Brutus” in Shakespeare’s “Julius Caesar”. Booth thought his assassination of Lincoln (of course claiming the starring role in the conspiracy), as well as successful murders of Lincoln’s cabinet and general-in-chief, would save the Confederacy and turn the tide for the South. It is interesting to read how dismayed Booth was by the reaction of the southern people to the killing of Lincoln. Lee had surrendered and they were ready for the war to end. Most strongly disapproved of the murder as a political act.

What makes the book interesting and highly readable is the meticulous research into the daily activities of Lincoln and Booth. There were some strange co-incidences. For example, both Lincoln’s oldest son, Robert Todd Lincoln and John Wilkes Booth were, unknowingly, seeing the same woman, a senator’s daughter. Lincoln’s guard left his post at the theater and went for a drink at the same bar where Booth was drinking to fortify his courage before the shooting. It is also astounding to read how little protection was provided for the President and senior officials.

The book is also written in short segments or “news-bites”. Chapters are 3-5 pages and focus on a specific topic. It is an easy book to pick up, read for 10-15 minutes, and put down. I read much of the book waiting to pick up children from various activities. You could read for 5-10 pages, digest the brief topics, put the book down, and

when you picked it up again, not need to re-read material to re-acquaint yourself with the storyline. I found myself thinking: just a change here or a re-schedule there (Lincoln didn't really want to go to the play, but went to indulge his wife) and history could have been radically different. (What if Seward had died-would the U.S. have purchased Alaska? How would that have affected the "Cold War" if Russia had retained Alaska? History can have weird ripples that can echo for centuries.)

Civil war buffs will enjoy the fact intensive research surrounding the assassination, history buffs will enjoy the meticulous information surrounding Booth and Lincoln's lives in the weeks surrounding the murder, and a casual reader will enjoy the tone and readability of the book. From a lawyer's standpoint, I was a little disappointed in the short-shrift given the trials of the conspirators. I would have liked to know more about the military tribunal that was used and the trial procedure, but there are other books out there that can answer these questions.

Tony Janney