



THE IOWA LAWYER

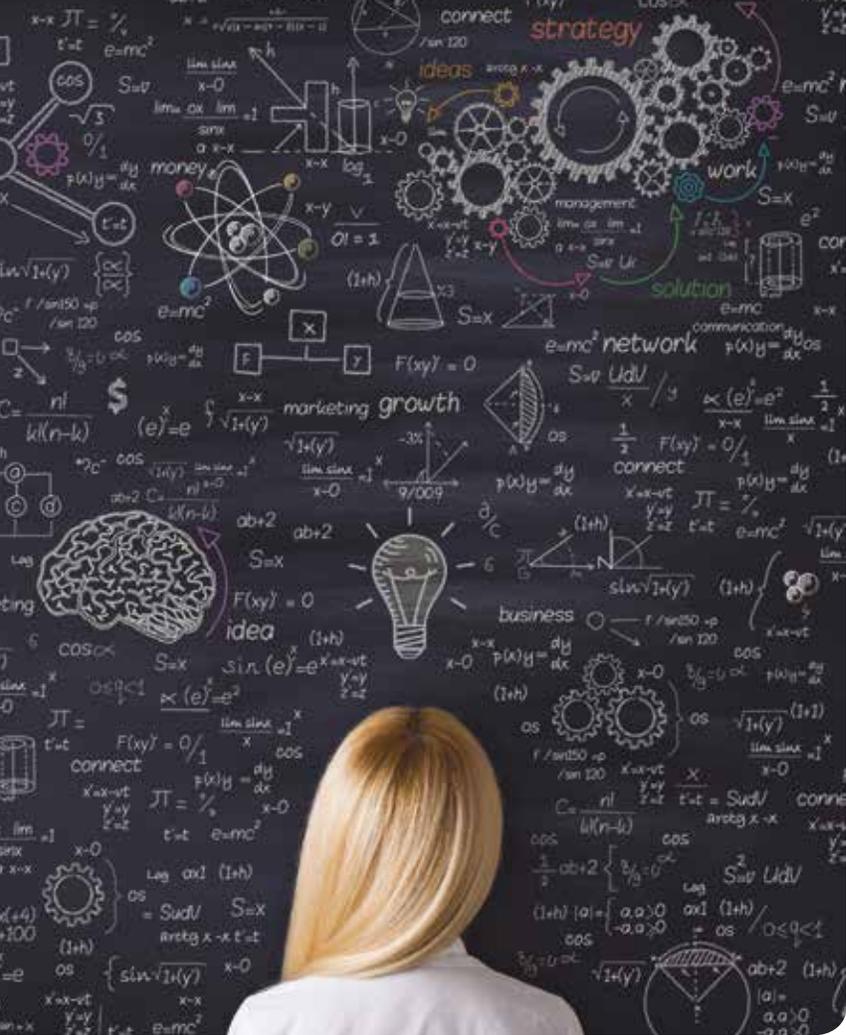
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REAPING = WHAT YOU = SOW

RURAL PRACTICE ATTORNEYS SAY THERE IS OPPORTUNITY EVEN IN IOWA'S SMALLEST TOWNS

PG. 6



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The official publication of The Iowa State Bar Association.

EDITORIAL TEAM

Editor-in-Chief
Melissa Higgins
515-697-7896
mhiggins@iowabar.org

General Inquiries
515-243-3179
isba@iowabar.org

Copy Editor
Steve Boeckman
515-697-7869
sboeckman@iowabar.org

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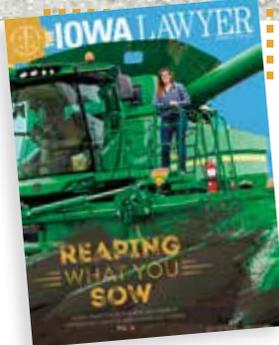
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ABOUT THE COVER

Attorney Abby Wessel is pictured on the combine of one of her clients in rural Reinbeck. Wessel maintains a general practice at Rickert & Wessel Law Office, P.C., and is one of nearly a dozen attorneys who share their perspectives on the current state of rural practice in Iowa in this issue of The Iowa Lawyer.

Photos courtesy: Allyson Schwab Photography

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CLIENT FILE RETENTION GUIDE NOW AVAILABLE AS RESOURCE FOR MEMBERS

What do I do with closed or dormant client files? How long do I have to keep them? Which contents belong to the client? These are questions lawyers may wonder about, but not know where to turn for guidance.

A new Client File Retention Guide, approved by the ISBA Board of Governors at its September meeting, is now available to help answer these questions. Drafted by the ISBA Client File Retention Committee, this document provides guidance related to confidentiality of files, sample language for providing notice to clients and detailed instructions for closing, transmitting or destroying a file. It also summarizes ethics responsibilities related to electronic correspondence and "cloud" storage of files. Additionally, a detailed appendix provides the recommended length of retention for each particular type of case.

To view the guide, visit iowabar.org and navigate to Member Benefits > Practice Tools > Client File Retention Guide.

NEW VIDEO HOW-TO LIBRARY AVAILABLE TO HELP YOUNG ATTORNEYS

The ISBA's Young Lawyers Division has debuted a new resource page on its website that includes numerous "how-to" videos on a variety of topics. These videos are geared toward teaching new attorneys basic practice tips.

Some of the videos currently posted include: how to do civil depositions, covering family law temporary hearings, limited scope representation, small claims in Iowa and basic garnishment procedures.

Visit iowabar.org/YLDResources to view the videos and other resources such as CLE presentations and articles of interest. The YLD also continues to offer the popular listserv "Ask an Advocate," which allows new attorneys to post questions anonymously and receive feedback.

More YLD how-to videos will continue to be posted as they are completed. If you are interested in appearing in a video, please contact ISBA Communications Director Melissa Higgins at mhiggins@iowabar.org.



The Iowa State Bar Association
 625 East Court Avenue, Des Moines, Iowa, 50309-1904
 Main: 515-243-3179 Fax: 515-243-2511
www.iowabar.org isba@iowabar.org



PRESIDENT	Willard "Bill" Boyd III	Des Moines	515-283-3172	wlb@nyemaster.com
PRESIDENT-ELECT	Jerry Schnurr III	Ft. Dodge	515-576-3977	jschnurr@frontier.com
VICE PRESIDENT	Anjela Shutts	Des Moines	515-288-6041	shutts@whitfieldlaw.com
SECRETARY	Dwight Dinkla	Des Moines	515-697-7867	ddinkla@iowabar.org
IMMEDIATE PAST PRESIDENT	Tom Lewis	W. Des Moines	515-274-1450	tom.lewis@brickgentrylaw.com
DISTRICT GOVERNORS				
DISTRICT 1A				
	Chris Even	Dyersville	563-875-9112	ceven@locherlaw.com
	Daniel Fretheim	Decorah	563-382-2959	fretheim@andersonlawdecorah.com
DISTRICT 1B				
	Shannon Simms	Waterloo	319-291-6161	simms@nfiowa.com
	Heather Prendergast	Waterloo	319-234-4600	heather@neialaw.com
DISTRICT 2A				
	Matthew F. Berry	Clear Lake	641-357-7296	berrylaw@ctel.com
	Megan Rosenberg	Hampton	641-456-2555	mrosenberg@hobsoncadylaw.com
DISTRICT 2B				
	Victoria Feilmeyer	Ames	515-239-5146	vfeilmeyer@city.ames.ia.us
	Bethany Currie	Marshalltown	641-421-0990	bethany.currie@iowacourts.gov
DISTRICT 3A				
	Jill Davis	Spencer	712-262-1150	jill@mbsdslaw.com
	John Flaten	Spirit Lake	712-336-1292	jflaten@spiritakelaw.com
DISTRICT 3B				
	Maura Sailer	Denison	712-263-4627	msailer@frontiernet.net
	James Daane	Sioux City	712-252-2424	jdaane@maynelaw.com
DISTRICT 4				
	Kathleen Kohorst	Harlan	712-755-3156	kate@harlannet.com
	Deborah Petersen	Council Bluffs	712-328-8808	deborah@petersenlawcb.com
DISTRICT 5A				
	Gilbert Caldwell III	Newton	641-792-4160	gcaldwell@caldwellandbrierly.com
DISTRICT 5B				
	Roberta Chambers	Corydon	641-870-0108	roberta.a.chambers@gmail.com
DISTRICT 5C				
	Henry Hamilton III	W. Des Moines	414-403-9082	Hhamil3@aol.com
	David Nelmark	Des Moines	515-244-6199	dnelmark@gislason.com
	Joseph Happe	Des Moines	515-288-2500	JoeHappe@davisbrownlaw.com
	Margaret A. Hanson	Des Moines	515-246-7957	maggiehanson@davisbrownlaw.com
	Bridget R. Penick	Des Moines	515-242-8902	bpenick@fredlaw.com
	Adam D. Zenor	Des Moines	515-245-8902	azenor@grefesidney.com
	Dawn Boucher	W. Des Moines	515-267-1174	dawnlarew@hotmail.com
	Kathleen Law	Des Moines	515-283-3116	kklaw@nyemaster.com
	Nathan Overberg	Des Moines	515-243-7611	noverberg@ahlerslaw.com
	Joe Moser	Des Moines	515-288-0145	jmoser@finleylaw.com
	Mary Zambreno	Des Moines	515-246-4512	mzambreno@dickinsonlaw.com
	William Miller	Des Moines	515-283-1000	miller.william@dorsey.com
DISTRICT 6				
	Erin R. Nathan	Cedar Rapids	319-896-4013	enathan@spmbllaw.com
	Melvin Shaw	Coralville	319-337-7429	law@melvinshaw.com
	Caitlin Slessor	Cedar Rapids	319-365-9461	cls@shuttleworthlaw.com
	Robert Fischer	Vinton	319-472-2353	rfischerlaw@qwestoffice.net
	Mark Parmenter	Cedar Rapids	319-365-1184	mparmenter@lwclawyers.com
DISTRICT 7				
	David J. Hellscher	Clinton	563-243-1243	dave.hellscher@clintonnational.net
	Christopher Surfs	Lowden	563-941-5301	cls@wbmlaw.com
	Ian J. Russell	Bettendorf	563-324-3246	irussell@l-wlaw.com
DISTRICT 8A				
	Rick Lynch	Bloomfield	641-664-1997	lynchlaw@netins.net
	Ryan J. Mitchell	Ottumwa	641-682-5447	ryan@ommglaw.com
DISTRICT 8B				
	Brian Helling	Burlington	319-754-6587	bhelling@seialaw.com
REPRESENTATIVES AND DELEGATES				
Iowa Judges Association Liaison				
	Cheryl Traum	Davenport	563-326-8777	cheryl.traum@iowacourts.gov
ABA Delegates				
	Alan Olson	Des Moines	515-271-9100	ao@olson-law.net
	David L. Brown	Des Moines	515-244-2141	dbrown@hmlawfirm.com
	Jane Lorentzen	Des Moines	515-244-0111	jlorentzen@hhlawpc.com
LEGISLATIVE COUNSEL TEAM				
	James Carney	Des Moines	515-282-6803	carney@carneyappleby.com
	Doug Struyk	Des Moines	515-282-6803	struyk@carneyappleby.com
	Jenny Dorman	Des Moines	515-282-6803	dorman@carneyappleby.com
ISBA YOUNG LAWYERS DIVISION OFFICERS				
	President Abhay Nadipuram	Des Moines	515-288-2500	abhaynadipuram@davisbrownlaw.com
	President-elect Torey Cuellar	Nevada	515-382-7255	toreycuellar@gmail.com
	Secretary Kristen Shaffer	Coralville	319-365-9461	kas@shuttleworthlaw.com
	Immediate Past President Margret E. White	Des Moines	515-244-4300	maggie.e.white@emcins.com

RURAL PRACTICE | CHALLENGES, REWARDS AND SOLUTIONS



This year, ISBA officers and staff have continued our travels around the state with Tables for 10 and visits with county bars. Some of our stops have been in smaller towns—most recently, the 101st meeting of the Old 18th Judicial Bar Association in George, where lawyers from a several-county region in the northwest part of Iowa convened. These get-togethers provide great opportunities to report on ISBA activities. More important, members are able to report on issues they face. We continue to hear about the challenges of private practice in the rural areas, chiefly recruiting and retaining younger lawyers in these communities.

Iowa is not the only state struggling with rural recruitment and retention issues. As reported in the 2019 Iowa Access to Justice Report, 20 percent of the U.S. population is rural, yet only two percent of the lawyers in the U.S. locate and practice in rural areas. The significant decline in lawyers who practice in small towns and counties is particularly acute in adjacent states: Nebraska has 12 counties with no lawyers; South Dakota also has entire counties with no lawyers. In both states, there are residents who are not within 100 miles of a lawyer. In some rural counties in Wisconsin, the lawyer-to-resident ratio is 1:4,452—that's quite a scarcity of lawyers.

Iowa has not reached that point—yet. Nevertheless, we now have fewer than 10 active lawyers in each of 24 Iowa counties. A 2017 check of ISBA members practicing in rural areas shows that about 450 lawyers (37 percent of our total in-state membership) are over 65 years of age. Such a statistic suggests that they could retire or reduce their workloads any time in the near future.

Declining rural population may make practice in a small town less

attractive to recent law school graduates. If you add in the high debt load many graduating lawyers accrue in the course of their current legal education and the lack of professional opportunities for spouses, then the prospects look challenging if not bleak for would-be newcomers to the practice of law outside urban areas. The smaller number of graduating law students accentuates the problem.

However, in our travels around the state, rural practitioners at all stages in their careers report lucrative and fulfilling professional and personal lives. Rural lawyers talk about having more business than they know what to do with, as well as being fully engaged in their communities through service on community boards and other activities. And while we have seen limited success in the recruitment of new law school graduates to rural areas, we have noted increasing numbers of lawyers who started their careers in larger cities and later decided to move to smaller towns where the challenges of working, raising children and being involved in communities are more manageable.

For the past several years, the ISBA has focused on the challenges facing our rural practitioners in recruiting and retaining lawyers in these areas. We have a Rural Practice Committee that has been responsible for the ISBA's efforts to place new lawyers in rural areas as older lawyers retire. The committee is chaired (and championed) by Phil Garland from Garner. Phil, the 2019 ISBA Award of Merit honoree, also co-chairs the Iowa Supreme Court's Access to Justice Commission's Rural Access Work Group, which has made a number of recommendations to address the shortage of lawyers in rural Iowa. Among the recommendations is seeking legislative approval for additional increases in the hourly rate for court-appointed

lawyers – an initiative the ISBA fully supports. This year, the Board of Governors formed a work group to promote possible solutions. Please let me know if you have any suggestions as we continue to promote ways to help keep our rural practices vibrant.

In this issue of The Iowa Lawyer, we put the focus on the rural practice of law – its rewards and challenges. We think you will find the stories that follow interesting and we hope you enjoy reading them.



Willard L. "Bill" Boyd III
Nyemaster Goode, P.C.
wlb@nyemaster.com, 515-283-3172

RECENT TRAVELS

- 1 The District 5B Bar meeting was held in Creston on Oct. 2, with ISBA President Bill Boyd, Executive Director Dwight Dinkla and Asst. Executive Director Harry Shipley as guests.
- 2 Boyd and other officers traveled to Lyon County as it hosted the Old 18th Judicial Bar Association Meeting in George on Oct. 9.
- 3 The ISBA hosted a luncheon meeting in Council Bluffs with local real estate attorneys, abstractors, representatives from Iowa Title Guaranty and lawyer-legislators on Sept. 25.



1



2



3

CITY MOUSE, = MEET = COUNTRY MOUSE

By Abby S. Wessel, Reinbeck



If you had told me 10 years ago that I would be practicing law in small town Reinbeck, Iowa, I would have been the first person to say you were crazy.

I am a city girl from Dubuque and only stepped on a farm a few times during my childhood. When I was younger, I had aspirations and hopes of moving to a large city and living downtown.

I attended a university in a suburb of Chicago and after four years I tired of the smog, the busy traffic and the crowds of people. I was torn between attending law school in Florida (a state I knew well) or Rhode Island (the unknown). I grew up on “Gilmore Girls” and the idea of living on the east coast thrilled my childhood-self. So, I took a chance.

I still remember driving into Bristol, the little seaport town I would call home for the next three years. Standing on the dock, with the sailboats at port, it was the ultimate charming, small New England town I had hoped for.

While in law school I earned an internship at the number one boxing promotions company in Rhode Island (as well as Massachusetts). I reviewed

about agreements, helped rewrite administrative code provisions, attended ringside boxing matches and rubbed elbows with the Rhode Island “mob.” I took any business law, tax law and contracts law class that was offered, thinking sports and entertainment law was my passion.

However, something was missing; at the time I just didn’t understand what it was. I graduated law school at the peak of the recession. Not being a native Rhode Islander, I knew, with only one law school, competition for any job opening would prove too difficult. So, I packed up and moved to Florida.

While studying for the bar in Florida, there was this constant feeling that something wasn’t right about my decision to move south. I missed my then boyfriend (now husband), I missed my parents and I deeply missed the connection of feeling like I was “home.”

Then, one evening I was out walking, “Franklin’s Tower” by the Grateful Dead played, and I knew it was time for the “four winds to blow me safely home.” I passed the Florida bar and the Honorable Lawrence Fautsch from Iowa performed my swearing-in ceremony as one of his

final acts before retirement. He was grateful for the experience, as it’s an honor reserved for the Iowa Supreme Court. However, in this case, the Florida Bar granted permission for any presiding judge in Iowa to perform the induction.

I sat for the February Iowa bar exam and hunted for a job like crazy. It was by sheer chance that my resumé ended up on a desk in front of Mike Rickert in Reinbeck. We scheduled an interview where he gave me the tour of the town and we ate lunch with his wife, Linda. The town was like any other in small town America, with one grocery store, one gas station and a city hall. However, it was unique in that it is home to Peterson Contractors, Inc. (“PCI”), Pioneer Seed and Lincoln Savings Bank.

Reinbeck is a small but prosperous town situated upon what is arguably the best farmland in the state. Mike offered me a position and I accepted. Although the starting pay was low compared to my other more urban options, and I, like many, had the looming cloud of student debt, something about the decision felt “right.” And I will never be more thankful to someone for giving a chance to a girl who had to Google where the town was located.

Starting in rural practice, I immediately joined the court-appointed public defender’s list to generate income for the firm. I quickly became the “go-to” mental health and substance abuse attorney in the county. I networked among my gym friends and acquaintances and became the city attorney for Reinbeck – a position I still enjoy and hold today. Not only was I building my own book of business, but practicing in such a small firm and community allowed me to receive a true one-on-one mentorship from Mike. For him, I became his retirement plan. He spent 46 years building a practice and Blair Hunter the 20 years prior. Therefore, my success was personal to him and



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his legacy. Not to say it's less personal for attorneys retiring in larger firms; however, there is more access and availability to existing and future lawyers to maintain the reputation of the retiring partner.

Mike introduced me to his clients, involved me on his cases, handed me files to work on and included me in his tax appointments. He taught me how to read abstracts and issue a title opinion, how to prepare tax returns and gather the proper information. He taught me how to probate an estate but most important how to meet with a grieving family and balance compassion with direction on how to move forward.

I found myself truly enjoying the areas of law practice that naturally find themselves entwined in the rural practice of law: estate planning, probate administration, income tax preparation, real estate, agricultural law and business law. After Mike retired, I was able to shift my primary focus to these areas and exclude other areas that I did not particularly enjoy or that presented situations too stressful for me and my time management.

When asked what life is like as a rural attorney, it's hard to put in words. In many ways it is the same as practicing in the city. Law is demanding and stressful in any setting, as is running a business. But rural practice is different. It affords me a work-life balance that can't be measured in dollars. The pace is slower and the clients are understanding of family emergencies and personal time. I work 8-5 daily, go to the gym and spend every night with my family. The routine varies in tax season, but for the most part, this is my consistent schedule.

On the other hand, I am a solo lawyer not only responsible for income generation, but also responsible for all aspects of the legal practice, from marketing, to overseeing management, to development. It can be time consuming and stressful.

Even with the demands, the clients are the single most rewarding aspect of the rural practice. I'll meet with clients at their homes; sometimes they feed me peach pie. I'll meet with them at hospitals and care centers, sometimes to alleviate the burden of travel and sometimes to finalize their affairs before they pass. They show me pictures from weddings or their new grandchild. They tell me about vacations, family and work stress. News travels fast and I may hear a client took ill or fell and I'll send flowers to brighten his or her day. I attend visitations and funerals. I am a confidant, sometimes a "therapist" and oftentimes the support after a loved one has passed.

One time, a client asked me to find her biological father because she trusted me. Not only was it gratifying that she trusted me with the task, but it was equally or more gratifying that I was able to find him.

Recently, another client brought me a pen from Alaska, because it's our joke to exchange pens. A client let me take his combine for a spin the other day. Then we chatted for a couple of hours, about life, his family and the future, with the beautiful Iowa cornfield and the John Deere green

combine in the background. We sat there with a cup of "joe," and I thought to myself: "How was I so lucky?" It's these relationships that makes the rural practice of law fun and exciting and most importantly, fulfilling.

And it's not only the clients, but my staff who are more like family members and who invest their time into my growth for which I am so grateful. Also, the attorneys in Grundy County are exceptional. I feel I am more collaborative than combative with my local comrades and I feel blessed to work among such talented people.

Do I sometimes wonder where my life would have been had I stayed in Rhode Island or Florida? Of course, I do! The allure of "Big Law," the romanticism of late nights, Chinese takeout and fancy clothes will always be a tug on my desire for city life. But rural practice has given me a sense of belonging, a place where I can feel the impact and connection to a community on a much deeper, individual level. It is here, as a rural practicing attorney in small town Iowa, that the four winds have blown me safely home.

Abby S. Wessel,
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THOUGHTS FROM A RURAL PRACTICE VETERAN

By Matt Berry, Clear Lake



MY EXPERIENCE

When I started a solo practice in 1981, my first file cabinet was a \$3 banker's box. I did not have any clients and did not need, nor could I afford, a legal-size filing cabinet. Today, 38 years later, I am amazed at how blessed I have been to practice in Clear Lake and the professional success achieved. Every day I come to work and learn something new. Taking care of clients, working with staff, being engaged with other attorneys and contacts with judges make practicing law interesting and enjoyable.

I have experienced working with multi-generational families to meet their legal needs. Buying real estate, forming new businesses, preparing their estate planning documents, handling their estates and giving advice has been immensely satisfying. You become a trusted advisor and friend to the family.

I've also had the opportunity to be involved in the community and use the skills I have learned as an attorney to help others. This has included being a judicial magistrate for six years, serving on the local park board, helping to extend a food kitchen to our community to feed the hungry, being on an economic development corporation to bring jobs, serving on the board for an organization that takes care of mentally challenged and disabled individuals and serving as a permanent deacon in the Roman Catholic Church. Each of these areas of service has allowed me to use my legal skills to serve and help others.

WHAT DOES THE FUTURE HOLD?

As the number of rural attorneys age, retire or decide to leave the practice of law, and new attorneys

are not replacing them, I find my workload has increased despite (at 64 years of age) trying to slow it down. Three years ago, I gave up preparing income tax returns. I thought I would have more free time. Instead, I have taken on more work and am working as hard now as I did at 45 years of age.

Will my clients be taken care of with competent legal representation when I finally retire? Since we are not getting as many lawyers to come to rural Iowa, do I try and hire an associate to take over the firm, merge with another local firm or try and have a law firm in a larger city set up a satellite office? Succession planning is something every rural law firm needs to consider.

I have seen a number of law firms in our area invest the time and effort to hire young attorneys who go elsewhere after they have practiced for several years. One recent trend has been for young attorneys to start in private practice, get trained and then go into governmental work which can provide a steadier salary, health insurance benefits, IPERS and potential student loan forgiveness.

POSSIBLE SOLUTIONS

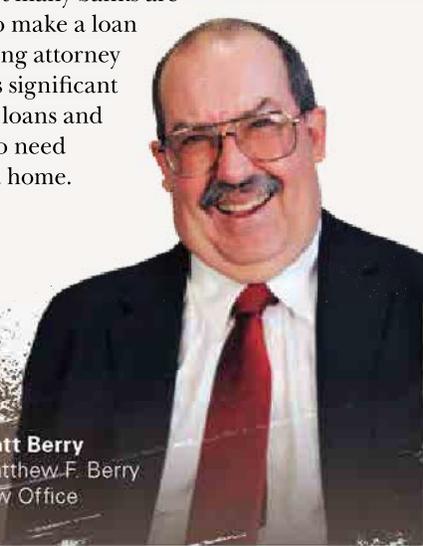
In my opinion, the student loan debt of young attorneys is the single largest factor why so few are selecting rural practice as their career path. The law schools have to figure out how to lower tuition or find other sources of funding instead of law students mortgaging their futures with large student loans.

One option would be for the Iowa Legislature to provide funding for young rural attorneys to establish their law practices and meet initial living expenses, like what has been done successfully in South Dakota. The Iowa Legislature also needs to appropriate more money to the

University of Iowa College of Law with the understanding that tuition will either be frozen or lowered.

The courts need to continue to implement the Access to Justice Commission reports and recommendations. The court needs to continue to enhance electronic filing and other electronic opportunities. Rural attorney do not need to spend unproductive time going to the courthouse many miles from their offices. Expanding video hearings like we have with telemedicine for doctors needs to be considered to cut down on travel time and expenses.

Established attorneys in rural Iowa also need to be willing to cut the pie so a younger attorney gets a bigger piece. As an older attorney who graduated with \$3,500 in student loans and started a solo practice with \$8,000 in his pocket, I am unable to understand the challenges of a young attorney who owes \$100,000 in student loans. Established attorneys need to understand we do not have any blue-sky value or goodwill value that will be paid by a young attorney for our practices when we retire. If older attorneys own the building they practice in and the equipment and furniture, they may need to be willing to carry a contract for sale. Not many banks are going to make a loan to a young attorney who has significant student loans and may also need to buy a home.



Matt Berry
Matthew F. Berry
Law Office

ADVICE FROM A SMALL TOWN PRACTITIONER

By Jonathan Law, Jefferson

Having grown up on a farm outside of the small town of Churdan, I have always felt more comfortable in a rural/small town environment. So, after a five-year stint in Des Moines after law school graduation, I joined a small firm in Jefferson and moved back to the farm.

The other attorneys in the firm primarily focused on real estate, probate and taxes. When potential clients called looking for a family law attorney or someone to help with their small claim, I took the call. I soon took the training and signed a contract with the State Public Defender's office to take appointments on juvenile cases. That led to my first real courtroom experiences, which has helped me greatly as I have since found myself in the courtroom on a variety of matters.

Like the other three attorneys in our firm, I do handle taxes, real estate and probate matters. As the saying goes, the only sure things in life are death and taxes, and these will always be areas of law in demand in rural areas. Despite what you may think, there is never a shortage of legal work to be done in my county with an approximate population of 9,000.

In 2016, I became the city attorney for four towns in my county and this year added another. Every incorporated municipality has legal issues, and this may be another avenue for a rural attorney to have clients that provide steady work, from drafting ordinances, to employment law, municipal infractions and a whole cornucopia of areas.

As with any urban area, there are a variety of small businesses that need legal help from time to time, and many seem to prefer local attorneys. I have business clients that require a variety of services from setting up their LLCs to collecting on unpaid invoices. Again, these clients can

provide a steady stream of work.

No matter what your practice area, there is probably a need for it in rural areas. I am fairly frequently asked about intellectual property or bankruptcies. For practice areas such as these, there is no one local that I can refer.

Going on five years in rural practice, I have found the following to be essential to a successful rural practice:

➔➔ **Get involved in your community.**

The people you meet at church, in a Rotary or Lions club, or at your child's activities are all potential clients. If they get to know the new attorney in town, they will feel more comfortable coming to that attorney when the need arises. Getting involved also helps maintain a good work/life balance. Join the local gym, golf league or softball team and make connections while staying healthy.

➔➔ **Get to know the other attorneys in the area.** If joining a firm, ask one of the partners to introduce you around to the other firms. Join the county bar association. The legal community is relatively small, especially in rural areas. You will largely be dealing with these local attorneys whether on the other side of the courtroom or the other side of a real estate transaction.

➔➔ **Ask for help.** This can be

in-person, on the phone or via listserv. There are many opportunities to seek out other attorneys as resources or for advice.

➔➔ **If at all interested in being a litigator, think about taking court-appointed cases.** In my rural area, there is a shortage of attorneys who take appointed cases, whether criminal, juvenile or mental health committal proceedings. It is a great way to gain courtroom experience while helping indigent clients and those most vulnerable in our society. Another benefit is interacting with judges, the county attorney's office, and other defense and juvenile attorneys.



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GOING BIG BY GOING HOME

By Brian Helling, Burlington



Not every small-town lawyer will be the next Atticus Finch fighting for justice in a film-worthy manner. But small-town lawyers have everyday opportunities to make a difference in the lives of those who matter most to them – their neighbors and friends. Practicing law in small-town Iowa has become, for me, a rewarding calling. As a young lawyer, returning home to start my career seemed like a good way to get some experience and learn the ropes of practicing law. Years later, I know that rural Iowa is as good a finish line as a launching point for

the lawyers who call it home, and I consider it a privilege to be among them.

For attorneys who are just starting out, small towns offer opportunities to dive right into real, meaningful practice. There are no years spent simply reviewing more seasoned lawyers' work or strictly doing research or drafting for senior partners. In many small firms, it doesn't take long for new grads to be known and valued professionals within the community and to build a client base of their own. In a similar vein, small-town lawyers have the opportunity to practice in different areas of law, which is intellectually stimulating and rewarding in itself.

While the opportunity to gain quick experience in a variety of areas may initially draw attorneys to rural areas, it's the relationships among colleagues, clients and the community that make their roots grow deep. Small-town firms feel more like family than super-charged centers of high-pressure transaction. Colleagues care about each other and each other's families. My kids grew up knowing – even looking up to – my partners as mentors and friends. As partners, we support one another's desire to maintain a work-life balance. We coach Little League, attend our kids' events and spend time with our grandkids without sacrificing our careers. Beyond the office, there is also a collegiality among the bar and a refreshing familiarity with judges and court staff who are generally eager to help young attorneys navigate the legal scene.

Rural lawyers also have meaningful relationships with their clients. We bump into our clients on the golf course, at the grocery store and during community events. We know them as people, not just clients, and often in that order. Perhaps the greatest

privilege of practicing for me has been helping friends and neighbors realize their dreams. What an honor it is to advise people I know through all phases of their lives – from forming a business when they're just starting out, to planning their estate and business succession and completing their tax returns along the way.

Relationships for the rural lawyer also extend deeply into the broader community. Since there aren't many lawyers in rural areas, they're a real community resource – people need and desire their expertise. As a result, even the freshest grads find plentiful opportunities to be part of the community through serving on boards and as leader-volunteers for charitable organizations and events. Serving the community is, of course, beneficial to the rural lawyer's career, but it's just as much a fulfilling piece of his or her overall purpose and lifestyle.

Practicing law in small-town Iowa is like coming home. The roots are deep, the relationships real and the opportunities ripe for the taking. As a graduating lawyer, I wondered if I should go big or go home to my humble hometown. Now I know that for me, going big was going home.

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EXAMINING THE REALITIES OF

VETERANS AND
NEWBIES SHARE
THEIR OBSERVATIONS

RURAL PRACTICE



Answers to a questionnaire emailed to senior and junior rural attorneys around the state of Iowa suggest there are a lot of benefits to rural practice. Of course, there are challenges, too.

Practitioners were asked questions in five categories: **benefits, challenges, need, criteria needed to succeed and the future of rural practice.** Following is a compilation of responses:

WHAT ARE THE MOST REWARDING BENEFITS OF RURAL PRACTICE?

“It has given me the opportunity to work in a variety of areas of law and has given me the opportunity to be in court regularly. There are wonderful mentors out there looking for young people to pass on their vast base of information and are willing to work closely with associates on gaining experience.” — Ashley Beisch

“Being my own boss and having control over my hours at work. Helping people solve their problems, and meeting people.” — Robert Fischer

“I love the personal contact with the clients; they see you as a member of their family. In a small town, everyone knows each other, and when you provide fine service your practice grows quickly.” — Kate Kohorst

“Being in a community that everyone knows you. Being able to practice in many areas. Being able to have jury trials often. Being able to make a good income. Having a safe community. Being a big fish in a small pond.” — Rick Lynch

“I find the ability to establish relationships with my clients to be one of the most rewarding benefits. Another rewarding experience is the guardian ad litem work that I do both in juvenile law and family law. I would also say that rural practice allows you the benefit of learning something new just about every day.” — Carrie Rodriguez

“It is very rewarding to have the opportunity to try my hand at many different areas of the law and legal issues. With this, I have the opportunity to define my practice by both what needs there are in the area as well as what I most enjoy doing and learning about. It is also very rewarding to have clients return to me with different, or sometimes interrelated, future legal issues, as well as refer their friends and acquaintances.” — Becky Wilson

“Practicing in rural communities is very enjoyable for so many reasons. Meeting new people and working with them—attorneys, clients, judges, etc. People are very willing to work with you and to reach resolutions, while still aptly advocating for their clients. You are in a unique position to help people in need. Flexible scheduling makes it much easier to spend time with your family.” — Mathew Zinkula

WHAT ARE THE BIGGEST CHALLENGES?

“The most challenging part of practicing in rural areas is the lack of funding for almost anything. Rural Iowa is slowly dying, and we see that a lot in our practices. I am lucky to have found a great firm with great mentors at a salary and benefits I can afford, but it's definitely tough when you leave law school with a lot of debt. It seems to make the most sense to go for a high-dollar, big-business job when you have those loan repayments each month. Bringing in new work to a firm when you aren't from the community is also difficult. It requires extra work to be seen in the community as a positive influence to bring in your own work to your practice.” — Ashley Beisch

“Dealing with technological changes in the profession. Lack of personal contact with judges and attorneys. Changing laws and rules. Increasing expenses and stagnant fees.” — Robert Fischer



ASHLEY BEISCH

Associate attorney, Wild, Baxter & Sand, Guthrie Center, since March 2016

Firm size: 4

Admitted to Iowa Bar:

September 2016



ROBERT FISCHER

Owner, Robert B. Fischer Law Firm, Vinton, since January 1985

Firm size: 1

Admitted to Iowa Bar:

January 1985



KATE KOHORST

Kohorst & Fischer Law Firm PLLC, Harlan, since 1981

Firm size: 2

Admitted to Iowa Bar:

June 1981



RICK LYNCH

Owner, Lynch Law Office/Davis County Attorney, Bloomfield, since 1992

Firm size: 3

Admitted to Iowa Bar:

August 1992



CARRIE RODRIGUEZ

Associate attorney, Garland & Rodriguez, Garner, since 2015

Firm size: 2

Admitted to Iowa Bar:

September 2015



BECKY WILSON

Associate attorney on partner track, Elwood, O'Donohoe, Braun & White, LLP, Charles City, since December 2017

Firm size: 6

Admitted to Iowa Bar:

August 2016



MATHEW ZINKULA

Associate attorney, Booth Law Firm, Osceola, since 2015

Firm size: 2

Admitted to Iowa Bar:

September 2015



“I think the most difficult thing is to get away from the practice. When I’m in the grocery store or at a local restaurant, it is not uncommon for a client (or someone not a current client) to waylay me in the produce section and ask about a will. Sometimes, I think I must have some sort of placard around my neck identifying me!” – *Kate Kohorst*

“Conflicts of interest because of knowing everyone.” – *Rick Lynch*

“When you work on different cases and practice in numerous areas of the law, it is challenging to feel like you are familiar and comfortable with the procedural aspects of the law.” – *Carrie Rodriguez*

“As I am sure is true of most if not all new attorneys, it is the learning curve. As a general practice attorney, I am tackling numerous areas of the law at the same time. The overall collegiality and helpfulness of the other members of the rural bar is very helpful but there is no replacement for the need for personal research and study.” – *Becky Wilson*

“I do not encounter many challenges that cannot be overcome. One of the biggest that is outside my control would be a general lack of attorneys in a given area. This can lead to one being bogged down with cases. Some communities simply do not have enough attorneys to cover large cases, such as a juvenile case with multiple kids and parents, or a case where many attorneys may have a conflict of interest. This is also something judges have expressed great frustration over.” – *Mathew Zinkula*

WHAT IS NEEDED TO IMPROVE RURAL PRACTICE?

“My practice is almost all made up of court-appointed work. Increasing the hourly rate would allow me to be a greater asset to my firm in bringing in money to pay attorneys, assistants, and other overhead costs of running a business. It may be possible, then, to hire another associate.” – *Ashley Beisch*

“The courts could assist rural practitioners by limiting court appointments to the local attorneys who are available.” – *Robert Fischer*

“I find it interesting that economic development groups see the need to bring manufacturing or medical services into a community, but do not see the need to promote young attorneys in the community. I think that need should be addressed, perhaps by a buy-down of student debt as the medical field does for those who practice in lower-income areas. The courts need to be careful about closing rural courthouses, so that rural practitioners are not forced to travel long distances to the courthouse. Just like losing a school, losing a courthouse has a direct economic impact on rural Iowans.” – *Kate Kohorst*

“Keep funding the court system and keep a clerk’s office in every county. Have court-appointed attorneys instead of state public defenders.” – *Rick Lynch*

“Improving rural practice is as simple as ensuring that there are enough attorneys to service rural areas. You have to give them (young attorneys) a reason to come and a reason to stay. But often they don’t stay. Why? More times than not, young attorneys want a little more excitement in their lives than good old rural life

can offer. However, if they had a financial reason to stay, it is more possible and likely that they would. Hence loan forgiveness programs or some sort of salary incentive program would help. Maybe a person could get “credit” for their court-appointed work and that could correlate to dollars forgiven on their loans or payments made. I have thought that if an attorney did at least a certain percentage of court-appointed work (30-50 percent), that should qualify them for loan forgiveness programs.” – *Carrie Rodriguez*

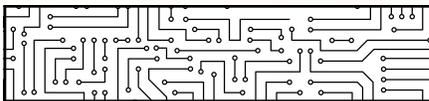
“Much work in rural Iowa can come in the form of court appointments, and it is a huge need from the courts. However, it is simply impractical to run a practice solely on court appointments due to the low rate of pay. It goes without saying, but a dramatic increase in pay is needed. Paying for travel time would make a huge difference, too. I, for one, would be willing to greatly expand my court-appointed practice if travel time were compensated. Emphasis from law schools would also help. Younger attorneys are desperately needed. As practitioners age out, there is little to fill the void that becomes bigger with each passing year.” – *Mathew Zinkula*

WHAT ATTRIBUTES ARE NEEDED TO SUCCEED?

“The desire to want to be a part of the community and spend time with local townspeople face-to-face is a major factor. The ability to speak in plain language and connect with clients is another.” – *Ashley Beisch*

“Being able to have a knowledge of a wide variety of practice areas and being able to manage people are crucial.” – *Robert Fischer*

“Attorneys need a commitment to stay and work in their communities. An attorney also needs to relish the personal relationships that are created in these small tight-knit communities. I also think it is important to recognize that you cannot handle everything that comes in the door. One needs good relationships with attorneys in other fields of the law to refer matters to. I think it is important for a new attorney to work with an established attorney in these small towns. There are lots of older practitioners who know they need to bring in someone



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younger in order to provide continuity of service. It takes some adjustment, but it is part of doing the right thing for the client.” – *Kate Kohorst*

“First and foremost, they need an able and willing mentor. The ability to appreciate learning and researching new areas of the law and having people skills is also helpful!” – *Carrie Rodriguez*

“An attorney usually needs to be able to do a wide-range of work. One must be a self-motivator and willing to branch out and learn new things. Working well with others is also key, as you typically have numerous interactions with the same people.”

– *Mathew Zinkula*

WHAT ARE THE OVERALL PROSPECTS FOR RURAL PRACTICE IN IOWA?

“I am certainly hopeful for the future of rural practice, but it’s a daunting task when you see practices closing regularly with no new businesses replacing them. There is ample opportunity for young attorneys to

get experience quickly and get into the courtroom, meeting judges and working with other attorneys and professionals. I am also hopeful there will be some incentive and help for young attorneys, like myself, who choose to take advantage of the opportunity to continue working in rural Iowa, which I have grown to love so much.”

– *Ashley Beisch*

“For anyone willing to move to a smaller town, deal with the lack of anonymity and, perhaps, the lack of a vibrant social life nearby, I think the future is very bright. It is a great feeling to end the day knowing that you helped people you care about and who care about you. Small towns are great places to raise families and great places to live.” – *Kate Kohorst*

“I believe that clients, especially older clients, want to stay close to home for a lawyer. There will always be older clients needing help from lawyers and if the lawyer is honest, involved in the community and a good lawyer, the sky is the limit.” – *Rick Lynch*

“It (rural practice) is dying off if we do not get more young attorneys to come out. People do without legal assistance because they cannot find someone willing to take on their cases. Attorneys are overloaded and the people needing legal assistance wind up doing without or hiring someone that will have to charge for driving time and mileage from Des Moines, Waterloo or other larger centers.”

– *Becky Wilson*

“This is a mixed answer. The overall future looks bleak at this point. There are simply too few attorneys in rural Iowa. However, because of this, the opportunity is fantastic if you are a young attorney. There are ample business opportunities for an attorney in rural Iowa, in a wide range of practice fields. The need is there, and a hole in the market is very present.” – *Mathew Zinkula*

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CULTIVATING RURAL PRACTICE

WORKING TOWARD UNDERSTANDING AND ADDRESSING PERCEPTIONS OF RURAL PRACTICE AT IOWA LAW

Just as America Needs Farmers, rural Americans need lawyers. Here at Iowa Law, we have known for some time that lawyers and law firms in rural Iowa—despite working diligently to attract and retain legal talent—recruit with mixed results. Therefore, we wanted to learn more from our Iowa Law students.

With input from members of the ISBA's Rural Practice Committee, as well as from several rural law firms, the Career Services Office at Iowa Law developed a 24-question survey that was distributed via email to all 1L, 2L and 3L students in our traditional J.D. program (approximately 413 students). We received 176 responses; of these, most were from 1L students (42 percent¹), followed by 2L students (33 percent) and 3L students (25 percent).

To begin, we wondered, what students consider "rural?" The majority of responding students believe towns with a population of 10,000 or fewer (e.g. Fairfield) are rural, while the remainder of respondents believe towns with a population of 20,000 or fewer (e.g. Newton) are rural.

THE GREAT UNKNOWN

The biggest takeaway? Students are unsure about rural practice. A substantial number of respondents indicate that they are "unsure" how rural practitioners' income compares

with urban lawyers. The results show that 46 percent of respondents indicate they are unsure whether earnings for new associates in rural practices can grow quickly in the first five years of practice. Furthermore, 34 percent are unsure how earnings compare for attorneys who have worked in rural practice for five years versus attorneys in urban practices, and 21 percent are unsure how rural and urban attorneys' earnings compare long-term.

Additionally, about a quarter of respondents indicate they are unsure as to whether there is enough work to maintain a full caseload in rural areas and whether there are enough job openings for young attorneys at rural practices.

STUDENT PRIORITIES

To best understand how rural practice might fit students' employment needs, we must understand what matters to new graduates. When asked to rank factors in order of importance, respondents most often chose salary as the most important factor, followed by work/life balance, mentorship from experienced attorneys, job prospects for significant other, cost of living in the area, flexible work schedule, opportunities for leadership in the community and short partnership track. While offered as an option, no respondents indicate that the opportunity to

mentor younger attorneys is the most important consideration in assessing post-graduate employment options.

Additionally, when asked whether the potential to have an ownership interest in a law firm outweighs a lower salary when choosing a first employer, 77 students (44 percent) indicate that the potential to have an ownership interest in a law firm does not outweigh a lower salary, and 24 students (14 percent) indicate that it does outweigh a lower salary when choosing a first employer. The rest were unsure.

STUDENT INTEREST

So, the big question remains: are students interested in rural practice? When asked if they would be interested in working in a rural practice setting for a paid summer employment position, 64 students (36 percent) indicate they would be interested, 72 students (41 percent) indicate they would not be interested and 40 students (23 percent) indicate they might be interested.

Answering that same question in the context of post-graduate employment, nearly one-fifth of the respondents would be interested in working in a rural practice as an associate attorney after graduating, 81 students (46 percent) indicate they would not be interested and 61 students (35 percent) might be interested.

Asked about their commitment to practicing in a rural area after graduation and admittance to the bar, six students (3 percent) indicate they are very committed and 15 students (9 percent) respond that they are somewhat committed. Twenty-one students (12 percent) indicate that they might consider rural practice later in their careers, and 71 students (40 percent) are not interested in rural practice. Sixty-three students (35 percent) are either unsure or want to learn more.

TAKING ACTION

The Career Services Office recognized that, with so many students who



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either are or might be interested in rural practice after graduating, we needed to do something to minimize student uncertainty about rural practice.

The first step to reducing uncertainty is education. To clear up some of the misconceptions that students have about rural practice, we added informational programming related to rural practice to our office's line-up of events. In the spring of 2019, we hosted a panel discussion about rural practice that included attorneys from Mt. Pleasant, West Liberty and Garner, as well as a representative from the ISBA's Rural Practice Committee. We also hosted a panel discussing and comparing the economics of law firms of varying sizes. This panel included attorneys from a 39-attorney law firm, a 13-attorney law firm and a four-attorney law firm. The discussion involved topics related to finding clients, billing and keeping the firm financially successful. We have similar programs planned for this 2019-2020 academic year, as well as added programs covering topics related to rural practice.

Additionally, Iowa Law piloted a Small Firm Placement Program for summer 2019 law clerk positions. We invited firms located within one hour of Iowa City (informed by the geographical preference students indicated in our survey) to participate in the pilot. The program offered firms additional advertising and provided students with another method of searching for small firms within our job posting database (by searching "Small Firm Practice," the participating firms automatically appeared). Two law firms and 10 law students applied to participate in the program. We also conducted targeted outreach to rural and small firms to encourage participation in our On-Campus Interview program.

Finally, in an effort to make small and rural opportunities easy to find and highlight the range and number of opportunities available, Iowa Law introduced a listserv focusing on small and rural opportunities. This is a compilation of job opportunities with brief descriptions that includes firms, government positions and other types

of positions in rural areas. Students are automatically added to the list (they have the option to opt-out at any time), and the list is sent directly to the student's university email inbox on a regular basis.

OUR INVITATION TO YOU

Let us know how we can help. Iowa Law hopes to educate students about great opportunities in rural practice and we welcome your input and participation. If your firm or employer is interested in hiring Iowa Law students for summer or post-graduate positions, contact us to discuss the best options for you. We are excited to hear from you.

FOOTNOTES

1. Percentages are rounded throughout the article and may not result in 100 percent when added.



Melissa Norman is a Career Advisor at The University of Iowa College of Law. She graduated from the University of Missouri Law School in 2015 and worked in government and private practice prior to joining Iowa Law in March 2018.

BY DEAN JERRY L. ANDERSON

CULTIVATING RURAL PRACTICE

RURAL PRACTICE PREPARATION AT DRAKE UNIVERSITY LAW SCHOOL

Drake Law aspires to become one of the best places in the nation to pursue a path to rural practice, while helping to solve the problem of rural access to justice. We have significant strength in that realm to build upon:

- Our nationally-recognized Agricultural Law Center provides relevant course-work, co-curricular activities like the Agricultural Law Journal and extra-curricular activities that will help prepare students for the issues they might face in a rural setting.

- Our clinical programs give students practical skills and knowledge in common types of rural practice: transactional work, criminal defense, family law and wills/probate. Additionally, law practice management skills are taught in both clinical programs and in a law course.

- Our Career Development Office (CDO) looks to identify those students who have an interest in practicing law outside of a metropolitan area and helps them develop a plan to prepare for that career and locate a suitable opportunity. In addition, the CDO plans programming to generate student interest in rural practice, by acquainting them with the opportunities and the benefits of practicing in a small town.

- Finally, our recently-developed Rural Access to Justice Initiative (RAJI) seeks to develop a smoother pathway to rural practice for our graduates, as described below.

These programs are helping create the next generation of rural lawyers, but we want to do even better going forward.

Our Rural Access to Justice Initiative is a good example. We launched RAJI last year as an "incubator" program, which places recent graduates in rural areas and assists them with start-up grants, free office space, on-site mentors and extended support and training from our Legal Clinic. We piloted the program in Oskaloosa last year and thank the local bar there for their support of these fledging lawyers.

In evaluating how to better prepare students for rural practice, we are considering a couple of additional initiatives under the RAJI umbrella:

► Rural clerkship program

We want to place students with rural practitioners for the summer, so that students can give work (and life) in a small town a "test run" while also giving their employers a chance



CONTINUED FROM PG. 15

to see whether they might want to offer a more permanent position. The summer format will give the student the opportunity to not only explore the attorney relationship but also the fit and comfort with the community and the local bar. Drake would match the students with participating rural practitioners and provide some incentives and support to generate student interest. If you would like to participate, please contact Professor Patricia Houlihan, who is directing the RAJI program, for information and updates.

► **Small firm clinic**

While our clinical programs cover many of the subjects practitioners in rural practices often encounter, students have time to participate in only one or two of those clinics during their law school career. We are considering creating a “small firm/solo practice” clinic, which would expose students to several different practice areas during the semester. This would be useful not only for rural practitioners, but also for urban lawyers in small firms with varied practices.

The Career Development Office is also exploring ways to enhance its support for students seeking a rural practice and would like to introduce more students to this opportunity.

“We continue to hear the value of the rural law practice in terms of opportunity for growth both financially and professionally through deep connections in the community, and we are excited to help students find a setting that works for them and that

also fits the needs of the community,” explained Kathryn Overberg of the Career Development Office.

The CDO intends to be involved in the ISBA’s efforts in this area, to discuss how to better identify opportunities and how to generate more student interest in them. Hosting brownbag sessions with rural lawyers will allow students to hear about the advantages of rural practice and how to prepare for that type of career. In their meetings with first-year students this year, the CDO is specifically asking about rural practice interest, so they can identify those candidates early and work to match them up with opportunities.

Drake’s Agricultural Law Center is also working to enhance programming in this area, including a track in the current Food and Agricultural Law Certificate targeted to law students interested in rural practice. The center’s new Director, Jennifer Zwagerman, plans to continue offering rural practice focused CLEs, while also developing a series of online and CLE programming designed to provide primers in agricultural and environmental issues for those who do not specialize in those areas, potentially valuable to those practicing in rural communities and general practice firms. The center is also exploring research projects connecting the importance of rural attorneys and access to justice to overall rural economic development. As a member of the Agricultural Law and Small/Solo Practice Section Councils and Rural Practice

Committee, Zwagerman and the center are committed to supporting rural practice and rural development.

Ultimately, Drake wants to reach undergraduates, to establish pipelines for those most likely to want to return to their small communities. We want them, at an early stage in their education, to consider becoming a rural lawyer and make sure they understand the pathway to that career.

We understand that the decline in rural lawyers is a larger social issue that we can’t solve on our own. But we do believe that, by working with the ISBA and local practitioners, we can make a difference. We also think that there are numerous others with a stake in this issue who should be asked for help: for example, the local businesses that use the services of small-town lawyers and the cities who depend on those lawyers to be leaders and anchors of their communities.

If we all work together, we can ensure that the rural lawyer will live on in Iowa and the rest of rural America.

DRAKE STAFF INVOLVED IN RURAL PRACTICE PREPARATION:



Jerry L. Anderson,
Dean of the Drake University Law School,
Jerry.anderson@drake.edu



Jennifer Zwagerman,
Assistant Professor of Law and Director of Drake Agricultural Law Program,
Jennifer.zwagerman@drake.edu



Kathryn Overberg,
Director of Career Development Office,
Kathryn.overberg@drake.edu



Patricia Houlihan,
Director of the Rural Access to Justice Initiative,
Patricia.houlihan@drake.edu

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Partner



CLE OPPORTUNITIES:

WINTER
2019



EARN YOUR CLE CREDIT WITH US

The ISBA is dedicated to meeting your CLE needs as 2019 winds down. With our upcoming schedule of live events and over a dozen on-demand courses available, look to the ISBA to satisfy your CLE requirements of 15 state hours and 3 ethics hours (required in 2019).

Courses are offered in a variety of formats to fit within your busy schedule and are catered to new and experienced attorneys across a wide range of practice areas. Whether attending a multi-day conference in-person or taking in a webinar from the comfort of your own choosing, **the ISBA has what you need.**

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UPCOMING CLE

NOVEMBER

NOV. 13
**The Future of
Child Welfare Law**
Live Webinar

NOV. 14
School's in Session
Live Webinar

NOV. 18
**Dealing with Digital
Assets: What Estate
Planners Need to Know**
Live Webinar

NOV. 19 
**Mediation Ethics:
Stories From the Trenches**
Live Webinar

NOV. 20
Trademark Law Update
Live Webinar

NOV. 21 
**Shifting Landscapes:
Adapting Your Firm to
Emerging Threats**
Live Webinar

NOV. 22 
**Labor and Employment
Law Seminar**
In-person or Live Webinar
All day program

DECEMBER

DEC. 2
**Effective Strategies to Deal
with High Conflict People**
Live Webinar

DEC. 4-6 
Bloethe Tax School
Des Moines
Marriott Downtown

DEC. 11 
**Ethics! Considerations
When Representing
Estate Planning Clients**
Live Webinar

DEC. 12 
**Ethical Considerations for
Tax Professionals in 2020**
Live Webinar

DEC. 13 
Federal Practice Seminar
Embassy Suites
Des Moines
All day program

DEC. 17 
**eCommerce and
IP Seminar**
In-person or Live Webinar
All day program

DEC. 18
**Defending Sex Crimes:
The Registry and Other
Considerations**
Live Webinar

DEC. 19 
**Be a Strong Voice for
Justice: Ethical Advocacy**
In-person or Live Webinar
Includes 3 ethics hours

DEC. 20 
**Ideas for Improving
Mental Health
Through Self-Care**
Live Webinar

DEC. 27 
**Conflicts of Interest,
Confidentiality and Other
Ethical Conundrums for
Government Attorneys**
In-person or Live Webinar

DEC. 30 
Lawyer Wellness
Live Webinar

DEC. 31 
**The Attorney-Client
Relationship: A Review of
the Rules and Cases**
In-person or Live Webinar

 Contains ethics credit

CLE HIGHLIGHTS

WINTER 2019

LABOR AND EMPLOYMENT LAW SEMINAR



Nov. 22

In-person (ISBA Building, Des Moines) or Live Webinar

In a constantly changing and competitive economy, employers today are faced with frequent labor and employment concerns that require knowledgeable counsel. The annual Labor and Employment Law Seminar is designed to provide the necessary information on hot topics in HR and employment law needed to provide proper instruction.

CLE CREDIT: 6.25 state hours which includes 1 ethics hour

BLOETHE TAX SCHOOL



Dec. 4 - 6

Des Moines Marriott Downtown, Des Moines

The Bloethe Tax School is the CLE for Iowa's tax professionals. The three-day event is a highlight of ISBA CLE programming and one attendees look forward to all year round. This year's topics include discussions on form 1040, section 199A, tax penalties and notices, retirement planning, guardianship and conservatorship updates, tax audits and more.

CLE CREDIT: 15.50 state hours which includes 2 ethics hours

FEDERAL PRACTICE SEMINAR



Dec. 13

Embassy Suites, Des Moines

A CLE designed for attorneys new to federal practice as well as experienced attorneys looking to brush up on federal practice basics. Attendees will network and learn from members of Iowa's federal judiciary during the exceptional judges' panels scheduled as well as the presentations focused on settlement ethics, judicial advocacy and leveraging new attorney talents.

CLE CREDIT: 6.25 state hours which includes 1 ethics

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BEHIND THE SCENES AT THE ATTORNEY DISCIPLINARY BOARD

Tara van Brederode provides a behind the scenes view of the attorney disciplinary board office and procedures.



MECHANIC'S LIENS FOR LENDERS

Stephen Marso, Whitfield & Eddy, PLC, covers important information about the mechanic's liens statute, case law and offers insightful tips.



WHEN TECHNICAL OBJECTIONS SHOULD CLOUD TITLE UNDER IOWA LAND TITLE STANDARD 1.1

Timothy Gartin, Hastings Gartin & Boettger LLP, addresses Title Standard 1.1 and examines what's at stake if it's not properly applied.



ONE OF THESE IS NOT CERTAIN: DEATH. TAXES. IDR PURGATORY.

Laurie Heron McCown and Brandon Gray of the Iowa Attorney General's Office discuss specific tax requirements related to closing an estate.

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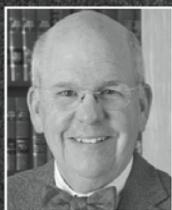
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APRIL 2019						
Su	Mo	Tu	We	Th	Fr	Sa
	1	2 AM	3	4	5 PM	6
7	8 PM	9	10	11	12	13
14	15	16	17 AM	18 AM	19 AM	20
21	22	23 AM	24 AM	25	26	27
28	29	30				

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For more information about NADN, please visit www.NADN.org/about

TRANSITIONS



ABEL

Charles J. Abel has joined Lamberti, Gocke, & Luetje, P.C. in Ankeny as an associate attorney. He received his J.D. from Southern Illinois University School of Law. Prior to joining the firm, he worked as a law clerk at the Malloy Law Firm, L.L.P. in West Des Moines, Hesse Martone, P.C. in St. Louis, and interned for the Honorable Judge Phillip Palmer of the First Circuit Court in Illinois.



HEFFERNAN

Elizabeth Heffernan and **Olivia Brooks** have joined Ahlers & Cooney, P.C. in Des Moines.

Heffernan joined the firm as a member of the public law practice area, focused in the areas of education law, litigation and employment law. Her practice will include drafting and negotiating contracts and policies and procedures to assist clients with maintaining legal compliance in their day-to-day operations.



BROOKS

Brooks has joined the firm as an associate attorney. She will be working with a broad base of clients, including privately held corporations of all sizes, insurance companies and individuals, as well as educational institutions and government agencies.



JOHNSON

Nils Johnson recently joined the Davis Brown Law Firm in Des Moines as an associate attorney in the litigation division. Johnson maintains a general litigation practice and assists clients with business litigation, commercial litigation, real property disputes, insurance defense, product liability and construction law. Most recently, he served as an assistant county attorney in the Madison County Attorney's Office in Winterset.



AZKALANY

Abdullah Azkhalany and **Stephen Welling** have joined Faegre Baker Daniels as associates in the firm's Des Moines office.

Azkhalany is a commercial litigator with a focus on clients in agribusiness. He received his J.D. from Drake University Law School in 2019.



WELLING

Welling provides legal counsel to companies as they seek to grow their businesses, execute strategies and advance their goals. He received his J.D. from the University of Iowa College of Law in 2019.



DEDONCKER

Megan R. DeDoncker has joined the firm of Elizabeth A. Rosenbaum, P.C., in Sioux City as an associate attorney. She received her J.D. from Drake University Law School. She will practice primarily in the area of family law.



HOWELLS

Amy W. Howells, Ryan C. Shellady and **Tess L. Pocock** have joined the BrownWinick Law Firm in Des Moines as associates.

Howells received her J.D. from Drake University Law School. Prior to joining BrownWinick, Howells held positions in various government and nonprofit agencies, including the Iowa Department of Public Health, the YMCA of Greater Des Moines and the American Red Cross and worked as a law clerk for the BrownWinick Law Firm in the summer of 2018.



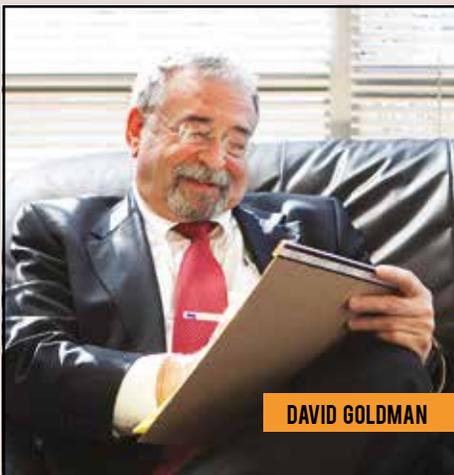
SHELLADY

Shellady received his J.D. from the University of Iowa College of Law. Shellady worked as a law clerk for the BrownWinick Law Firm in the summer of 2017. Prior to joining BrownWinick, he earned the Bergstrom Fellowship with the Child Advocacy Law Clinic at the University of Michigan Law School and volunteered as a law clerk with the Family Defense Center in Chicago, Illinois.



POCOCK

Pocock received her J.D. from Drake University Law School. Prior to joining BrownWinick, she was an extern with the Iowa Supreme Court, an intern with the Iowa Senate and a research assistant for Professor Bob Rigg. She also spent time in Boston, Massachusetts, where she interned with Harvard Law School's Food Law and Policy Clinic.



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References Available On Request



LARSON

Stephen B. Larson recently joined Simmons Perrine Moyer Bergman PLC in Cedar Rapids. Larson is an attorney with a general practice including business and corporate counseling, banking and finance law and estate planning. He earned his J.D. from Washington University School of Law in St. Louis, Missouri.



WEISER

Michelle Marcove Weiser has joined Pearson Bollman Law, PLLC in the firm's Bettendorf office. She received her J.D. from Washington University School of Law. Prior to joining Pearson Bollman Law, she worked for the Internal Revenue Service.



BABINAT

Adam J. Babinat has joined Redfern, Mason, Larsen & Moore, PLC in Cedar Falls, as an associate. Babinat is a graduate of Drake University Law School. He maintains a general practice, including real estate, business and corporate law, employment and labor law.



DONELS

Cara S. Donels and **Austin L. Goodnight** have joined Fredrikson & Byron's Des Moines office.

Donels is an associate in the employment & labor and litigation groups. Prior to practicing law, Donels worked for an aviation engineering firm as an extern in the contracts and legal departments.



GOODNIGHT

Goodnight is an associate in the mergers & acquisitions, corporate governance and private equity groups. Prior to practicing law, Goodnight worked in an information systems role at an international agricultural machinery company where he managed supply chain processes and built software tools.

Anna Mallen and **Bryn Hedlund** have joined Whitfield & Eddy Law in Des Moines.



MALLEN

Mallen is an associate attorney in the firm's litigation division. She works with clients on disputes in transactions and other matters. She received her J.D. from Drake University Law School in 2019.



HEDLUND

Hedlund is an associate attorney in the firm's litigation division working on general matters including personal injury, products liability, vaccine injury, and trucking and transportation. She received her J.D. from the University of Iowa College of Law in 2019.



LABRIE

Derek R. LaBrie and **Riley W. Coy** have joined Grefe & Sidney in Des Moines.

LaBrie received his J.D. from the University of Iowa College of Law. His practice focuses on business, insurance coverage and defense, trial, litigation, alternate dispute resolution and white-collar crime.

Coy received his J.D. from the University of Missouri Law School. His practice focuses on appellate, insurance coverage and defense, labor and employment, trial, litigation, alternate dispute resolution and white-collar crime.



COY

Loree A. Nelson has joined BrownWinick in Des Moines as a member. Loree received her J.D. from Drake University Law School. Loree has a general practice focusing on the areas of civil litigation and trial work. She has a general insurance defense practice which includes medical malpractice, professional licensing issues and personal injury matters.



NELSON

Joseph H. Lubben has joined Belin McCormick, P.C. as an associate attorney practicing primarily in litigation. Lubben received his J.D. from Northwestern Pritzker School of Law where he graduated cum laude and participated in the Bluhm Legal Clinic's Complex Litigation group.



LUBBEN

IN BRIEF

ISBA MAKES IT EASIER FOR ATTORNEYS TO DO LIMITED SCOPE REPRESENTATION

New forms are now available on IowaDocs to assist you with practicing Limited Scope Representation (LSR). Due to increasing client demand for LSR, the Access to Justice Commission recently released a tool kit to help attorneys navigate the rules for providing limited scope service, which includes written agreements and notices to protect the client and the attorney. The ISBA is now including both the tool kit and all related forms in the newest version of IowaDocs.

Forms include:

- **Limited Scope of Service Agreement**
- **Notice of Limited Appearance Pursuant to IRCP 1.404(3)**
- **Notice of Completion of Limited Appearance Pursuant to IRCP 1.404(4)**
- **Completion of Representation Letter**

To take advantage of these new forms, make sure you update your IowaDocs program today. The ISBA has also recently added information about Limited Scope legal services on its IowaFindALawyer.com website.

TAKE YOUR EFFICIENCY TO THE NEXT LEVEL WITH ISBA PRACTICE MANUALS

Visit the ISBA Store online to purchase your copies of the current selection of ISBA practice manuals. The manuals are prepared and edited by knowledgeable attorney-authors to give practicing Iowa lawyers as much assistance as possible. The manuals serve as practical guides and include reference materials, forms, checklists and other resources. Manuals currently available include:

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- **Business Law Manual**

Visit Iowabar.org/store for complete manual information (member log-in required).

BY HUGH GRADY

WHY WE NEED TO PRIORITIZE LAWYER WELLNESS

SOME HISTORY

Lawyer assistance programs were started in the late 70s and early 80s. Typically, such programs were founded by lawyers who were recovering alcoholics and their principal aim was to help other lawyers with alcohol issues. Programs typically expanded to other addictions as well as mental health issues. The volunteers and paid staff were often reactive to lawyers' issues rather than proactive. This was true in Iowa.

In 2015, the ABA Commission on Lawyers Assistance Programs and the Hazelden Betty Ford Foundation conducted a comprehensive study of lawyers which included both mental health and substance use issues. This study showed that lawyers reported high percentages of mental health concerns and substance abuse. These percentages among lawyers were higher than national averages and, in most cases, higher than other professions.

MEDIATOR TRAINING



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Former dean and adjunct professor, Drake University Law School, invites applications for:

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Mr. Calkins has conducted his 40 – hour course over 90 times throughout the Midwest. He has also trained law students throughout the nation and internationally in Australia, United Kingdom, India, Ukraine, UAE, Poland and Irish Republic.

The class includes mediator and advocacy training, with students doing two full mediations before being certified by the International Academy of Dispute Resolution.

For information, contact Susan Ewing at: amta@dwx.com.

The results, in part, found:

- **25 percent were at risk for alcohol use disorder**
- **17 percent were at risk for depression**
- **4 percent reported severe anxiety while 23 percent reported mild-to-moderate anxiety**
- **6 percent reported suicidal thoughts**

The study also had a surprising finding in that these issues affected younger lawyers more than others, and that these issues began in law school. The Iowa Lawyers Assistance Program (ILAP) keeps statistics and our conclusions find that the survey is accurate for law students and younger lawyers in Iowa.

Numbers like these reveal the extent of the problem. So, what are the solutions? The biggest areas of improvement, where ILAP can assist, are in reducing the stigma and by providing education.

REDUCING THE STIGMA

In August 2014, the National Task Force on Lawyer Well-Being submitted a report entitled *The Path to Well-Being: Practical Recommendations for Positive Change* (You can view it online: <https://www.americanbar.org/content/dam/aba/images/abanews/ThePathToLawyerWellBeingReportRevFINAL.pdf>). One of the recommendations was that assistance programs need to work toward removing the stigma associated with help-seeking behaviors.

There are many factors that hinder one seeking help, including not recognizing or ignoring symptoms. Lawyers are uniquely trained, beginning in law school, to use their minds to “think around” problems. Other barriers to help-seeking include not wanting others to find out they need help, concerns regarding privacy, shame and the attitude that “I can handle it myself.”

All of these barriers can be overcome. Confidential help is always available from the Iowa Lawyers Assistance Program and its many volunteers. Our volunteers, many of whom are members of the Lawyers Helping Lawyers Committee of The Iowa State Bar Association, have often experienced the same issues and problems.

In my own case, I mistakenly feared asking for help, which contributed to the severe consequence from my depression and alcohol and drug use. Please reach out and seek help if you need it. There is no shame in asking for help.

EDUCATION

The report also recommends all stakeholders should ensure that legal professionals receive training in identifying, addressing and supporting fellow professionals with mental health and substance use disorders. ILAP has the resources to facilitate this. We have a series of presentations which have been approved for ethics CLE credit. They include Power Points on impaired lawyers, depression and lawyer wellness.

Consider having us give these presentations at your law firm. It is worth your time. As the report states, lawyer well-being contributes to the success of law firms, solo practitioners and other entities and organizations. Lawyers' emotional and physical state affects their clients, the court and the profession.

ILAP's mission also now includes education on lawyer well-being so that we can be more proactive in order to prevent problems down the road. Some of the concepts we educate about include a discussion on what contributes to lawyer happiness.

WHAT CONTRIBUTES TO LAWYER HAPPINESS?

Is it the external factors (prestige, income, status, honors) or internal factors (integrity, connectedness, meaningful work) that make lawyers happy? Studies show that external factors have minimal impact on happiness in the long-term, but internal factors are critical. So how can you change your mindset?

Optimism is choosing how to think about why things happen. It is a tendency toward a positive explanatory style. It is how we explain the causes of bad events, which creates a habit of thought. How we explain adversity



25% WERE AT RISK FOR ALCOHOL USE DISORDER



17% WERE AT RISK FOR DEPRESSION



4% REPORTED SEVERE ANXIETY WHILE 23% REPORTED MILD-TO-MODERATE ANXIETY



6% REPORTED SUICIDAL THOUGHTS

makes us either prey to helplessness or mentally resilient. Practicing optimism is seeing the bright side. Done daily it increases engagement in life and decreases dysfunctional thinking. Pessimists benefited more and showed fewer depressive symptoms after learning optimism practices.

Connectedness aids relationships, provides social support and can lead to a feeling of belonging. We are hardwired to need relationships and belonging. It is critical to your brain's feeling of happiness. Physical touch releases oxytocin, which is a chemical in the brain that elevates good feelings. Positive people are more likely to be connected.

Physical wellness is a key to overall health and happiness. Get sound sleep, exercise and eat healthy. Chronic sleep deprivation is linked to deficits in reasoning, can be a cause of depression and is linked to a greater rate of burnout.

Resilience bolsters competence. It is the ability to respond to stress in a healthy, adaptive way such that personal goals are achieved at minimal psychological and physical cost. It is the ability to persist in the face of challenges and to bounce back from adversity and uncertainty. It speeds recovery after setbacks and losses. It helps diminish anxiety, depression and substance use.

Meaningfulness in one's work is valuable. It contributes to personal growth and greater good. It is a primary motivational force. It leads to greater emotional regulation, reduces risk of depression and anxiety and reduces substance abuse.

CONCLUSION

Too often ILAP is contacted when a lawyer is in legal or ethical trouble. Some of these issues include receiving one or more OWIs, being arrested

for possession of drugs, smelling of alcohol in the courtroom, being disciplined for lack of competence, failure to act with reasonable diligence or being arrested one or more times. We want to help you before you get into trouble, and we have a framework in place to get you that help.

PLEASE CONTACT ILAP FOR CONFIDENTIAL HELP

Office: (800) 243-1533 or (515) 277-3817

Cell: (515) 360-1668

Email: help@iowalap.org



Hugh Grady
Director, Iowa Lawyers Assistance Program

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Our CEO and CFO experience, together with the expertise of our staff, enable us to serve effectively as a court appointed receiver. As a result, we are often called upon by courts or creditors to receive, manage and preserve disputed property or business assets until litigation matters can be resolved.

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LETTER TO THE EDITOR

Dear Editor,

Thank you for publishing the recent article regarding Arabella Mansfield and the Mansfield Rule. As the father of a young woman considering law school, I read with pride the article about Arabella Mansfield's Legacy in The Iowa Lawyer (September 2019). We should all be proud of the Iowa Bar's legacy of promoting diversity in the legal profession. But, as a profession, we need to use this legacy to spur us on to do more. Bringing diverse persons into our profession makes our profession stronger.

The article mentioned that 44 law firms became "Mansfield Certified" in 2018, but it failed to list the two Iowa firms that committed to the Mansfield Rule. The Mansfield Rule Certification measures

whether law firms have affirmatively considered at least 30 percent women and attorneys of color for leadership and governance roles, equity partner promotions and senior lateral positions. The goal of the Mansfield Rule is to boost the representation of diverse lawyers in law firm leadership by broadening the pool of candidates considered for these opportunities. (<https://www.diversitylab.com/pilot-projects/mansfield-rule-certified-firms-2018/>). Two Iowa firms were part of the 44 law firms to become Mansfield Certified in 2018: Faegre Baker Daniels and Dorsey & Whitney.

I'm proud of my firm for making this commitment. Faegre Baker Daniels is

currently participating in Mansfield 3.0, which runs through mid-2020. Our firm was one of 44 firms to work with Diversity Lab to pilot the Mansfield Rule and one of 27 firms to earn Mansfield 1.0 Certification and Certification Plus in its inaugural year. The firm was one of 65 to pilot Mansfield 2.0 and one of 50 to earn Mansfield 2.0 Certification and Certification Plus.

Let's all work to give a professional chance to women, minority, LGBTQ+ and persons with disabilities. Bringing diversity to our profession makes us better. I would encourage other Iowa firms to consider Mansfield Certification.

Best Regards, **Andrew R. Anderson**
Partner, Faegre Baker Daniels LLP

IN MEMORIAM

James "Jim" O. Blomgren, 71, of Oskaloosa, died Sept. 25. Blomgren was born in 1947 in Oskaloosa and received his J.D. from the University of Virginia. He was a respected jurist and member of the Iowa legal community practicing first in Des Moines and then for over 20 years in Oskaloosa. His career achievements and honors were vast, but he was especially honored to be a member of the Iowa Academy of Trial Lawyers and the American Board of Trial Advocates. In 1998, he was appointed judge for the 8th Judicial District of Iowa by then Gov. Terry Brandstad. Blomgren was appointed to be the district's chief judge in 2001 and was reappointed every two years thereafter until his retirement from the bench in December 2012. To date, he has been the only judge from Mahaska County to serve as chief in the 8th District.

Ned Stockdale, 73, of Okoboji, died Sept. 27. Stockdale was born in Waterloo in 1946. He served in the U.S. Army, then received his J.D. from Drake University Law School. Stockdale practiced law in Des Moines at the Whitfield & Eddy Law Firm. He then practiced in Fort Dodge at the Blackburn, Stockdale & Brownlee Law Firm. In 1983, he moved to the Iowa Great Lakes Region and joined the Fitzgibbons Law firm in Estherville until his retirement in 2012.

Socrates George Pappajohn, 86, of Mason City, died Sept. 25. Pappajohn was born in Mason City in 1933. He served in the U.S. Air Force, then received his J.D. from the University of Iowa College of Law in 1958. A practicing attorney for nearly 60 years, Pappajohn began by establishing his own law office and serving as the assistant county attorney for Cerro Gordo County.

In 1962, he joined the firm that eventually became Pappajohn, Shriver, Eide and Nielsen P.C., where he practiced in trusts and estates and corporate law.

Carolyn Thompson, 49, of Brandon, South Dakota, died Sept. 28. Thompson was born in Parkston, South Dakota in 1969. She received her J.D. from the University of South Dakota School of Law. In 2003, she founded Thompson Law, PC. Her goal was always to listen to all people's stories, hear their desires and then help them find ways to be stewards and to leave a legacy. She also strove to make the workplace at Thompson Law one where all staff members knew they were valued as individuals.

Clemens Allen Erdahl II, 71, of Solon, died Oct. 2. Erdahl was born in Brooklyn in 1947. He received his J.D. from the University of Iowa College of Law. For more than 40 years, Clemens defended the rights of people from Eastern Iowa, spending time in state and federal appeals court, and even being admitted to argue before the Supreme Court of the United States. Clemens was a founding partner in the law firm Nidey Erdahl Pilkington Meier & Aruguas, PLC, where he continued to practice until his passing.



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Photo taken in the courtroom following Jim Blomgren's memorial service of all the judges, attorneys and court personnel in attendance.
Credit: Ken Allsup, Oskaloosa News

KUDOS

THE ISBA RECOGNIZES THE FOLLOWING INDIVIDUALS:

THE NEW MEMBERS OF THE IOWA ACADEMY OF TRIAL LAWYERS, WHO WILL RECEIVE THEIR MEMBERSHIP CERTIFICATES AT THE ANNUAL SEMINAR BANQUET ON FEB. 27, 2020:

Paul D. Gamez, Simmons Perrine Moyer Bergman
Heather A. Prendergast, Roberts Stevens & Prendergast
Mikkie R. Schiltz, Lane & Waterman LLP
Chad A. Swanson, Dutton Firm
Eashaan Vajpeyi, Ball Kirk Holm



Title Standards Committee member Mark Hanson (left) constructed the engraved box presented to Professor Patrick Bauer (middle), posing with Frank Feilmeyer (right), Chair of the Title Standards Committee.



JUDGE JULIE A. SCHUMACHER

The Hon. Julie A. Schumacher was sworn into the Iowa Court of Appeals on Thursday, Oct. 17. Judge Schumacher, from Schleswig, previously served as a district court judge in District 3B. Before that, she served as a prosecutor, assistant city attorney and began her career in private practice in Denison.



MATTHEW L. PRESTON

Matthew Preston, a partner with Brady Preston Gronlund, PC in Cedar Rapids, has become a Fellow of the American College of Trial Lawyers. He was inducted during the 2019 Annual meeting of the College in Vancouver, Canada. Fellowship in the college is extended by invitation only, following extensive peer review.



JEFFREY D. GOETZ

The American Board of Certification (ABC) Standards Committee has recertified Bradshaw Fowler Proctor & Fairgrave, P.C. bankruptcy attorney Jeffrey D. Goetz as a Consumer Bankruptcy Law Specialist. Coupled with a certification as a Business Bankruptcy Specialist, Goetz is one of fewer than 200 bankruptcy professionals in the country dual-certified in both business and consumer bankruptcy law.



CHIEF JUDGE THOMAS N. BOWER

The Iowa Court of Appeals has elected Judge Thomas N. Bower, Cedar Falls, as chief judge. Judge Bower has served on the court of appeals since 2012. He is the 10th chief judge since the state legislature established the Iowa Court of Appeals in 1976. He replaces Chief Judge Gayle Nelson Vogel, who recently retired.

PROFESSOR PATRICK BAUER

On Oct. 11, during the Iowa Real Property Law CLE in Cedar Rapids, the Title Standards Committee paid tribute to long-time academic advisor Professor Patrick Bauer of the University of Iowa College of Law.

Professor Bauer recently retired from the committee and from full-time teaching duties at Iowa Law. He advised the committee for about 30 years, providing the committee with valuable research and historical context of statutes and case law.

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Corporate/Transactional Attorney – Nyemaster Goode, P.C., Des Moines, IA – Seeking a corporate/transactional attorney with 3+ years of experience for its Des Moines office. The ideal candidate would possess outstanding academic credentials and work experience and would have a strong work ethic. The successful candidate will be involved in the firm’s corporate/transactional matters. Please send a cover letter and résumé by postal mail to David Bower, 700 Walnut Street, Suite 1600, Des Moines, IA 50309, by fax to (515) 283-3108 or by email to dbower@nyemaster.com. All inquiries will be held in confidence. Nyemaster Goode is an equal opportunity employer.

Associate Attorney for Personal Injury Firm – Warner & Zimmerle, Rock Island, IL – We are a two-attorney firm in the Quad Cities that handles plaintiffs’ personal injury and medical malpractice cases of nearly all sizes. We are looking for an associate to help us with our caseload. Your exact role would depend on your level of experience and comfort. If you want to go to court, you can do that. If you want to write briefs and answer discovery, you can do that. Whether you are brand new or a seasoned veteran, we may have a place for you! To apply, visit <https://careers.iowabar.org/jobs/12864746/associate-attorney-for-personal-injury-firm>

Litigation Attorney – Crary Huff Law Firm, Sioux City, IA – Crary Huff Law Firm is seeking an experienced litigation attorney for its offices located in Sioux City and Dakota Dunes, South Dakota. Candidates should have at least three years of practice, primarily in civil litigation. Excellent research and writing skills are required, and trial experience is preferred. Iowa bar admission required. All applications will be handled confidentially. Send resume and cover letter to Crary Huff Law Firm, Attention: Sabrina Saylor, Personnel Partner, PO Box 27, Sioux City, IA 51102 or ssaylor@craryhuff.com.

Associate Attorney – Confidential Employer, Urbandale, IA – Small Des Moines area general practice firm is seeking an associate attorney. To apply, visit <https://careers.iowabar.org/jobs/12895511/associate-attorney>

Litigation, Real Estate & Tax Attorneys – Bradley & Riley PC, multiple Iowa offices – Bradley & Riley PC, an AV-rated firm with offices in Cedar Rapids, Iowa City and Chicago is seeking candidates for the following positions:

Experienced tax attorney with a minimum of two years of experience in state and federal tax law for the Iowa offices. The ideal candidate will have a CPA or experience at a public accounting firm or law firm.

Experienced Real Estate Attorney for the Cedar Rapids office. The ideal candidate will have five years or more experience in real estate law, a strong attention to detail and excellent writing and communication skills.

Litigation Associate Attorney for the Iowa offices. The ideal candidate will have one-to-eight years or more experience in litigation, a strong attention to detail, and excellent research, writing and communication skills. Send cover letter, writing sample and resume in confidence to: Bradley & Riley PC, Attn: Kandi McElroy, 2007 1st Avenue SE, Cedar Rapids, IA 52402, or electronically to: kmcelroy@bradleyriley.com.

Patent Prosecution Coordinator – Iowa State University, Ames, IA – The ISU Research Foundation (ISURF) is seeking applications for a Patent Prosecution Coordinator who will be responsible for assisting ISURF’s In-house Counsel in the process of patenting Iowa State University inventions. The Patent Prosecution Coordinator will communicate with and gather information from and for inventors, attorneys, licensees and the U.S. Patent Office to ensure accuracy, review communications, be responsible for meeting deadlines, prepare reports relating to patent and/or disclosure activity, and review and verify attorney bills for accuracy of activity and assessment fees. Inquiries can be directed to the Office of Equal Opportunity, 3410 Beardshear Hall, 515 Morrill Road, 515 294-7612, email eooffice@iastate.edu.

Intake Paralegal – Iowa Legal Aid, Des Moines, IA – Iowa Legal Aid is seeking to fill an intake paralegal opening. This position can be located in Iowa Legal Aid’s regional office in Cedar

Rapids, Council Bluffs, Davenport, Dubuque, Mason City, Sioux City, Ottumwa or Waterloo. Although the position will focus primarily on intake, it may include other responsibilities based on need and capabilities. To apply, email letter of application (indicate geographic restrictions), resume, academic transcripts, and names, addresses and phone numbers of at least three professional references to Alex Kornya – akornya@iowalaw.org.

Assistant Attorney – University of Iowa Student Legal Services, Iowa City, IA – Student Legal Services, part of the Division of Student Life at the University of Iowa, is seeking an assistant attorney to assist the supervising attorney and director in providing legal services to University of Iowa students. The assisting attorney will also guide law students in their clinical work and ensure obligations to the judicial process. To learn more, please visit: <http://legal.studentlife.uiowa.edu>

Assistant Litigation Director – Iowa Legal Aid, Des Moines, IA – Iowa Legal Aid seeks an Assistant Litigation Director to help lead our program’s impact advocacy, and to ensure that we continue to provide the highest possible quality of civil legal services to low-income and other vulnerable individuals. The Assistant Litigation Director is an executive-level staff position, working directly under the supervision of the Litigation Director. This position can be located in any one of Iowa Legal Aid’s 10 regional offices. Submit a letter of application, resume, three professional references and a recent representative legal writing sample to Arlys Kness, Iowa Legal Aid, 1111 Ninth Street, Suite 230, Des Moines, IA 50314-2527; akness@iowalaw.org

Law Clerk 1 – State of Iowa Judicial Branch, Des Moines, IA – The Fifth Judicial District is seeking qualified applicants to fill three Law Clerk positions. This is intended to be a clerkship opportunity beginning immediately and ending July 2020. Depending on funding, availability and performance, this clerkship may be extended up to an additional year. Cover letter, resume, Iowa Judicial Branch Application for Employment, writing sample, transcripts and references can be emailed to: Jason.Taylor@iowacourts.gov

Judicial Education Specialist – State of Iowa Judicial Branch, Des Moines, IA – Iowa Judicial Branch is looking for an experienced Trainer/Educator to help employees cultivate their skills and knowledge. You will provide competency-based training in ways that motivate others. Cover letter, resume and Iowa Judicial Branch Application for Employment may be emailed to: SCAHR@iowacourts.gov. All application materials must be received by Monday, Nov. 25.

Staff Attorney, State Court Administration – State of Iowa Judicial Branch, Des Moines, IA – Iowa Judicial Branch is seeking a dynamic, well-qualified and highly-motivated individual to fill the position of State Court Administration

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Assistant County Attorney/Law Firm Associate – Wright County/Houser, Berkland & Simonson, Belmond, IA – The Wright County Attorney's Office, in conjunction with Houser, Berkland & Simonson law office, is accepting applications for a full-time attorney's position. The job includes a position as Assistant Wright County Attorney, and an associate position with Houser, Berkland & Simonson law office

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Please email kelly@weissfg.com for additional information or to request a rental application.

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f. Total Distribution (Sum of 1c. and 1e.)	6,183	6,147
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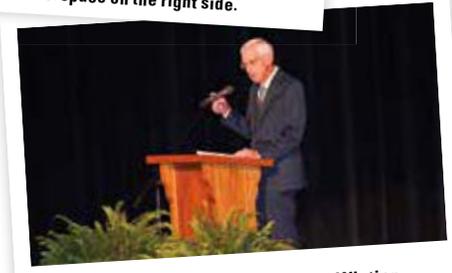
SPOTLIGHT ON SERVICE



Jim Roan



The Wieting Theatre in Toledo, shown after all renovations were complete, including the addition of the event space on the right side.



Roan pictured speaking at the Wieting Theatre dedication on Sept. 8.

Nobody said the work has to stop in retirement. It hasn't for Jim Roan, a retired attorney and member of The Iowa State Bar Association since 1957, who now dedicates his time to his community of Toledo.

Roan led the Toledo library renovation project in the early 2000s, but his most recent community service effort has been the restoration and expansion of a major town landmark – the Wieting Theatre and Opera House, built in 1912.

The project started in 2008, when the theatre guild was down to five members who struggled to keep it open. The guild president at that time went to Roan, a former general practitioner at Mickelson, Roan and Appelgate, to ask for help.

"We had dilapidated seating, no air conditioning, bathrooms that

were nowhere near ADA compliant and a projection system that would constantly break (from circa 1940)," said Michelle Evans, the treasurer for the Wieting Theatre. "Jim helped us get focused on bringing in new guild members who would be able to help oversee a fundraising project and ensuing renovation to completion."

Roan served as project manager, and under his direction the group raised \$1 million to start Phase I – upgrading the theatre with new digital projection, seating, air conditioning and restrooms. They also repaired the cosmetics inside the theatre and restored it to its original paint colors.

"Jim encouraged our guild to continue fundraising and we were able to pay off our loan in only three years, which was quite an accomplishment. As soon as we paid off the loan, we started

dreaming about Phase II and it was not long before Jim agreed to again be project manager," said Evans.

This phase involved backstage renovations – new rigging, curtains and lighting, then building an addition that housed a green room, set construction area, dressing room, kitchen and event space.

A dedication was held on Sept. 8, marking the completion of Phase II – nearly three million dollars and 10 years later.

"This is a magnificent addition to this community, which is facing challenges similar to most of Iowa's smaller communities," said Robert Downer, former ISBA President and a native of Toledo. He nominated Roan for this Spotlight on Service honor. "This renovated structure, with the addition of meeting facilities, will enhance the quality of life throughout Tama County."

The theatre now offers movie admission for as low as \$3 per ticket. The prices are kept low because most of the staff are volunteers, including Roan. He is now a regular volunteer helping sell tickets on movie nights.

"We would have never believed in ourselves enough to start these renovations without Jim's leadership, knowledge and his forever positive attitude," said Evans. "Our community is so blessed to have someone like him who has dedicated so much of his retirement years to making our towns of Tama and Toledo a better place to live."

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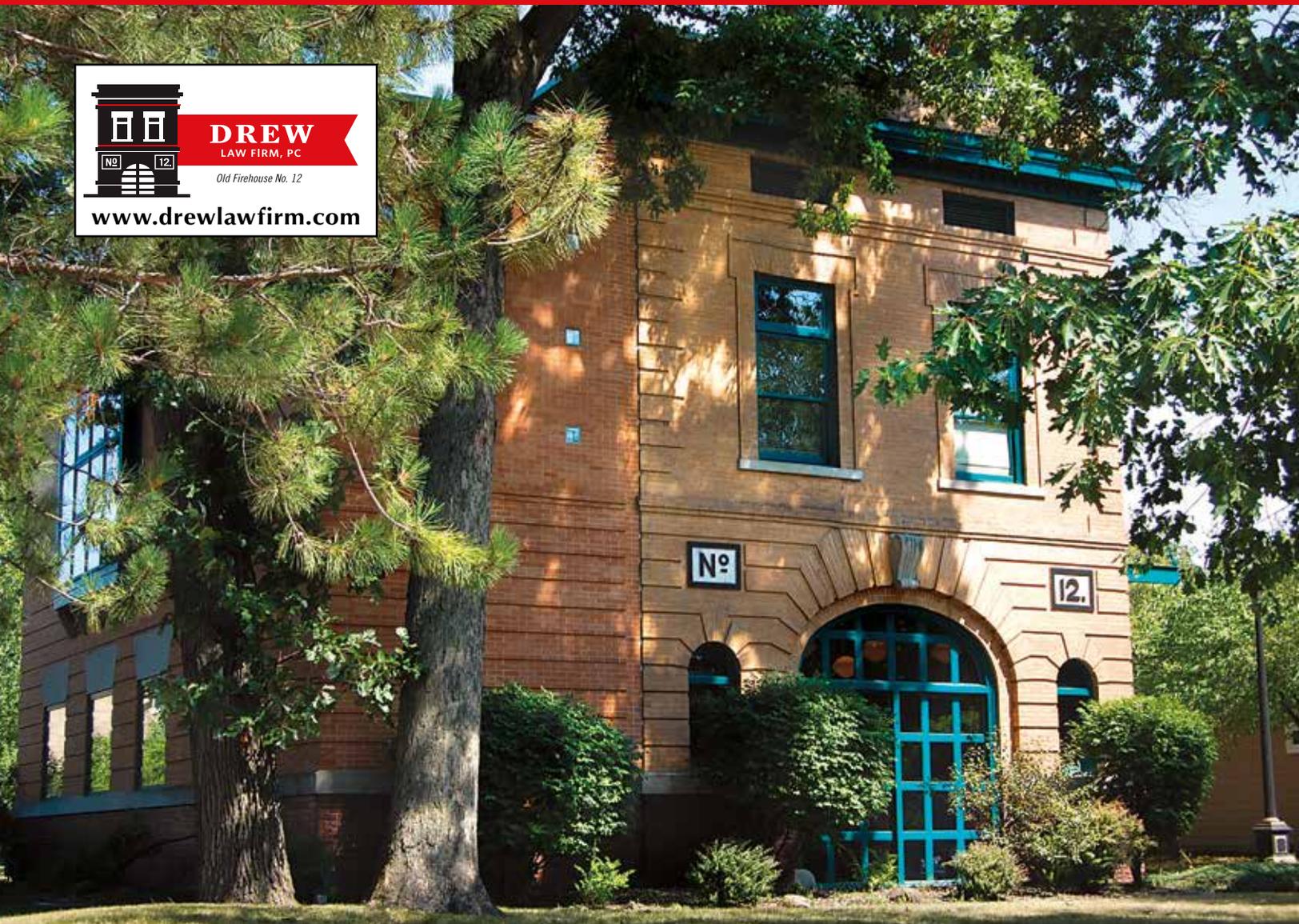
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