



## *A Word From Our President....*

### Small but Mighty

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The Lake County Bar Association is a force to be reckoned with. While we are not the biggest bar association in the world, we do things that make a difference for the legal community both locally and nationally. Within our bar association, we have lawyers who do incredible work that does our profession proud.

One recent example occurred during the American Bar Association's National Pro Bono Celebration that occurred from October 25<sup>th</sup>-31<sup>st</sup>, 2015. During that week, over 900 events occurred in 45 states, Puerto Rico, as well as in Europe and Asia. The events included such things as clinics, CLE programs, pro bono award ceremonies, and fundraisers. Sponsoring organizations included bar associations, courts, legal aid and pro bono programs, law firms, and law schools.

Towards the end of the Pro Bono Celebration week, the ABA designates one day to be officially titled "And Justice for all: An ABA Day of Service". That day was October 30<sup>th</sup>, 2015, and in Lake County, the Lake County Bar Association, along with the Ashtabula and Geauga County Bar Associations, as well as the Judges of Lake, Geauga, and Ashtabula Counties, in conjunction with The Legal Aid Society of Cleveland, hosted a daylong CLE program at the Willoughby Municipal Courthouse for attorneys that volunteer or contribute to pro bono. Immediately following the CLE program, a fundraiser for Legal Aid was held at The Morehouse in Willoughby.

Lake County's efforts around the National Pro Bono Celebration and the ABA Day of Service did not go unnoticed. The ABA considered the Day of Service to be a competition, and awarded the Lake Bar Association second place among bar associations of less than 500 members, tied with the Washington Council of Lawyers out of Washington, D.C. This is an award of national significance and we should all be extremely proud for our bar association to be recognized among the national leaders in pro bono work.

However, events like this do not happen in a vacuum. We have pro bono leaders within our bar association that make events and awards like this happen, and the attorneys of the Lake County Bar Association do this work all year long. Ann Bergen has been a clear leader in this area for years, having served as President of the



**LCBA President  
Jason Wuliger**

Board of the Legal Aid Society of Cleveland in 2013, and she remains a vital component of our bar's pro bono efforts. Ann Porath, the Director of the Volunteer Lawyers Program at the Legal Aid Society, has dedicated her career to providing exemplary legal work to the underserved.

Also deserving of mention are Judge Falkowski and the Family Law Committee, led by Anna Parise and Darya Klammer, who host quarterly Family Law pro se clinics. Those clinics have attorney volunteers that make it all possible, and at last count number over sixty lawyers.

The event that occurred on the actual day of service also only happened because of the work of many. Judge Field, Judge Cannon, Matt Lallo, Randy Klammer, Mary Jane Trapp, and Betsy Rader work tirelessly to put it together. There is also unbelievable support from our entire judiciary that makes the event not only possible, but extremely valuable. Nineteen Judges participate as presenters representing Lake, Geauga, and Ashtabula counties, the Eleventh District Court of Appeals, the Ohio Supreme Court, and the US District Court of the Northern District of Ohio.

Finally, all of our events have two essential ingredients: the hard work of Ruth Ann Shultz and Carrie Harps. They are a critical part of everything the Lake County Bar Association does, and without them we would be hard pressed to put on events of the caliber to which we have become accustomed.

**PRESIDENT'S ARTICLE** (Continued from page 1)

Our bar association is filled with talented lawyers who do great work for their clients, but also look beyond their own practices to do important work for others and for the advancement of the profession. While we may be a "small" bar, I am incredibly proud of the big things we do.

**Judicial Poll**

By now, all bar association members should have received their judicial ballots in the mail. Please take a minute, fill it out, and return it to the bar association by February 5<sup>th</sup> at 3:00 PM. Remember that in order for your vote to be counted, you must a member of the Lake County Bar Association in good standing, and your 2016 dues must be fully paid.



**THE SUNNY SIDE ANNOUNCEMENTS**



Michael Lucas	2/3
Howard Rabb	2/3
Frank Manning	2/3
Joshua Morrow	2/8
Robert Moore	2/9
Robert DiCello	2/11
Neil Conway	2/15
Terrence O'Flaherty	2/16
Zachary Zele	2/16
Michele Raia	2/18
Kimberly Baranovich	2/19
Joseph R. Klammer	2/19
Anna Parise	2/20
Nicholas D'Angelo	2/23
Joseph Svete	2/25
Frank Brancatelli	2/26
Terry Donner	2/27
Robert Rosplock	3/1

**LAKE COUNTY BAR ASSOCIATION  
New Lawyer's Committee**

Being sworn in by the Ohio Supreme Court as a licensed Attorney is often referred to as one of the happiest days in a lawyer's life. There is the relief that school is over and a feeling of accomplishment with all we had done to get to this point. But only days later, reality sets in; I'm an Attorney without any clients, the legal job market is not the strongest, and I now owe more money in student loans that I have ever saved or even fathomed having for that matter. With this, the feeling of relief fades, and the question becomes, what next.

For me, what came next was a call from Randy Klammer who asked me to go to lunch with he and his wife Darya Klammer. At this lunch, these two attorneys helped me compile a check list of what any new lawyer might need to know to develop a practice here in Lake County. From applying for malpractice insurance, to explaining how court appointment lists work, the Klammer's patiently covered it all. They may not know it, but I will forever be grateful to them both.

I walked away from that lunch thinking about how I too could assist new lawyers who may feel just as lost in developing their practice as I had. And so, when the Membership Committee of the Bar Association asked me to head a New Lawyers Committee, I was elated at the prospect of not only assisting in the growth of the Bar Association's membership, but also knowing that maybe I too can make a new Attorney's transition into practice that much easier.

Recently, I met with our Bar President, Jason Wuliger, and we discussed a concern I had regarding the insurance requirements to sign up for the Bar Association's Lawyer Referral List. Previously, the referral list required Attorneys to have a higher amount of malpractice coverage than the minimum policy amount set by the Ohio Supreme Court. With the approval of the executive board and Mr. Wuliger's help, the Lawyer Referral list now requires the same minimum policy set by the Supreme Court. The change may be small,

but for new Attorneys beginning their practice, the savings in cost on malpractice insurance could mean the ability to purchase a new computer, an office copy machine, or cover rent for the initial months.

I truly think we are so lucky to have the Attorneys that we do in Lake County. It would be hard to attend a Bar function without being told by a more established Attorney to please call them if you need anything at all. The willingness to help offered by more seasoned Attorneys is probably one of the most valuable assets our professional community has. It is my hope that through the New Lawyer's Committee, I can continue to find ways to assist new lawyers that make it that much easier for them to establish themselves and their practice.

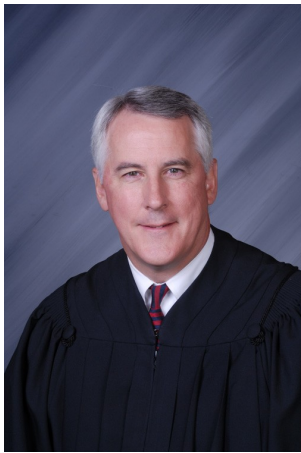
Respectfully,

John P. Rogers, Esq.  
*Nelson, Sweet & Hurley*

**LEGAL PROCESS &  
LOCATOR SERVICES**

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**8373 Mentor Avenue**  
**Mentor, Ohio**  
**(216) 255-3325**



**Judge Timothy P. Cannon**  
11th District Court of Appeals

**“We are prone to judge success by the index of our salaries or the size of our automobile rather than by the quality of our services and relationship to humanity.”**

*Martin Luther King, Jr.*

As Judge Cicconetti mentioned in this space a couple of months ago, the Legal Aid Society put on another great October seminar. Many thanks to the judges who participated and made the day thoughtful and informative for all.

As Chief Justice O'Connor was giving her remarks about the Access to Justice campaign, I realized how much has changed in the delivery of pro bono services since I started practicing law 35 years ago. At that time, pro bono was more of a concept than anything. There was no reporting mechanism and no credit of any kind other than fulfillment of a professional obligation. It is my impression that many, especially the attorneys who have been around for a while, do not realize there is now a definite structure in place and one can receive credit for performing pro bono service. To some, it may remain a mystery, but hopefully this article provides some direction about how to help with this vital service.

First, the Preamble to the Ohio Rules of Professional Conduct states, in part:

*“As an officer of the court, a lawyer not only represents clients but has a special responsibility for the quality of justice. \* \* \* A lawyer should be mindful of deficiencies in the administration of justice and of the fact that the poor, and sometimes persons who are not poor, cannot afford adequate legal assistance. Therefore, all lawyers should devote professional time and resources and use civic influence to ensure equal access to our system of justice for those who because of economic or social barriers cannot afford or secure legal counsel.”*

Even if it were not a requirement, providing needed advice to those who cannot afford it is both a good idea and the right thing to do. These are *real* clients with *real* needs. If you give good advice and provide good service to them, they will never forget it. (I guess they also may never forget it if you give them bad advice, but try to avoid that!) These clients have families, and their families have friends. You could easily have a large new clientele within a relatively short period of time if you so desire.

Whether you are a young lawyer building your practice or an “old-timer” winding down your practice, we are all faced with the reality that the need for more pro bono attorneys continues to grow. It is important to recognize that, in many respects, this need has never been greater. Legal aid programs rely heavily on interest rates generated from IOLTA accounts. According to Court News Ohio, in 2007 the accounts generated \$22.3 million for these programs.

Due primarily to the decline in interest rates, however, that number plummeted to \$2.6 million in 2014.

Sometimes the hardest thing to do with pro bono work is just getting started. A great place to start is the Legal Aid Society of Cleveland. They have four offices and serve clients in Cuyahoga, Lake, Ashtabula, Geauga, and Lorain counties. The link to the sign up is <https://lascclev.org/volunteer/overview/>. When you visit this site, I think you will be surprised at how specific you can be concerning the scope of work you are willing and able to do. You can choose from specified geographic areas as well as a wide variety of specified areas of practice. You can also designate what *type* of service you are willing to provide. This can range from the “brief advice clinic” to representation in litigation. You sign up only for services with which you feel comfortable.

In addition, as of 2014, attorneys are now eligible to receive CLE credit for pro bono service. See Gov. Bar R. Rule X, Section 5(H). Attorneys may earn up to six hours of CLE credit during their reporting biennium by performing certain types of pro bono legal service. To qualify for CLE credit, the pro bono legal services must be performed for a person of limited means or a charitable organization, AND the services must be assigned, verified, and reported to the CLE Commission on the attorney's behalf by an organization recognized by the Commission as providing pro bono programs or services in Ohio.

Processing the application for CLE credit could not be easier. The assigning organization, such as the Legal Aid Society of Cleveland, completes one part of the form. The attorney's portion of the form, Part I of Form 23, is on the Ohio Supreme Court website. The attorney should submit this form to the pro bono program for review and verification no later than December 31 of the calendar year in which the legal services were provided. The pro bono organization, after verification, completes Part II of Form 23 and submits a request for CLE credit on the attorney's behalf to the CLE Commission. For a list of organizations approved for CLE credit visit [www.supremecourt.ohio/gov/attyscs/CLE](http://www.supremecourt.ohio/gov/attyscs/CLE).

The calculation of CLE credit is as follows:

“Attorneys are eligible to receive one CLE credit hour for every six hours of pro bono legal services performed. Pro bono programs are responsible for verifying the number of pro bono hours their volunteer attorneys have worked and dividing the total number of hours by six before submitting the CLE credit hours to the Commission. An attorney must provide a minimum of six hours of pro bono legal services to be eligible to receive one hour of CLE credit. After the minimum one-hour threshold has been met, additional pro bono hours will be rounded to the nearest quarter hour. For example, if an attorney provides six hours of pro bono legal services, the attorney would receive one hour of CLE credit; if the attorney provides nine hours of pro bono legal services, the attorney would receive 1.5 hours of CLE credit; if the attorney provides ten hours of pro bono legal services, the attorney would receive 1.75 hours of CLE credit.”

*(Continued on page 10)*



**COURT OF APPEALS OF OHIO****ELEVENTH APPELLATE DISTRICT**

111 High Street, N.E., Warren, OH 44481

Telephone (330)675-2650 Facsimile: (330) 675-2655

ASHTABULA

GEAUGA

LAKE

PORTAGE

TRUMBULL

Diane V. Grendell, Judge

Timothy P. Cannon, Judge

Cynthia Westcott Rice, Judge

Thomas R. Wright, Judge

Colleen Mary O'Toole, Judge

**October 26, 2015 RELEASE****ASHTABULA**2015-A-0015STATE OF OHIO, Plaintiff-Appellee v. ANDRE MCGOWAN, Defendant-Appellant.

Judgment affirmed. See Opinion and Judgment Entry. [RICE] (CANNON) (GRENDLELL)

CRIMINAL LAW - two robberies; confession; kidnapping; relief from prejudicial joinder; separate trials; motion for mistrial; officer testimony; defendant implicated in separate robbery; no prejudice; sufficiency of the evidence; manifest weight of the evidence; merger; one robbery conviction; kidnapping; supported by sufficient, credible evidence.

**GEAUGA**2015-G-0033THE HUNTINGTON NATIONAL BANK, SUCCESSOR BY MERGER TO SKY BANK, SUCCESSOR BY MERGER TO METROPOLITAN BANK AND TRUST COMPANY, Plaintiff-Appellee v. GAIL R. SHULMAN, a.k.a. GAIL R. SCHULMAN, a.k.a. GAYLE SHULMAN, et al., Defendants, MARTIN L. SHULMAN, a.k.a. MARTIN L. SCHULMAN, a.k.a. MARTIN SHULMAN, a.k.a. MARTY SHULMAN, Defendant-Appellant.

Upon consideration and upon recommendation of the Administrative Counsel, appellant's motion is hereby granted, and this appeal is dismissed. See Judgment Entry. [CANNON] (RICE) (WRIGHT)

**LAKE**2014-L-077,2014-L-080, 2014-L-091, 2014-L-106 &2014-L-107WILLIAM FURBEE, Plaintiff-Appellee v. PATRICIA M. BITTNER, et al., Defendant-Appellant.

Judgment affirmed. See Opinion and Judgment Entry. [RICE] (GRENDLELL) (WRIGHT)

JUVENILE - agreed visitation order; move to different state; no discussion with father or court; mental illness; decline visitation; guardian ad litem; recommendation that mother retain custody; magistrate recommendation that father be granted custody; trial court adopts decision; termination of child support; manifest weight of the evidence; best interest; in camera interview; emergency relief; school enrollment; moot.

2014-L-101STATE OF OHIO, Plaintiff-Appellee v. JOSEPH T. GUZZI, Defendant-Appellant.

Judgment affirmed. O'Toole, J., dissents with a Dissenting Opinion. See Opinion and Judgment Entry. [WRIGHT] (RICE) (O'TOOLE)

CRIMINAL LAW - Denial of motion to suppress; Miranda rights; no custodial interrogation; totality of circumstances; defendant's statements were voluntary, not a result of police coercion or mis conduct.

2014-L-126IN THE MATTER OF: KEVIN EDGELL, Petitioner-Appellant and DAWN EDGELL, Petitioner-Appellee.

Judgment affirmed. See Opinion and Judgment Entry. [RICE] (GRENDLELL) (O'TOOLE)

DOMESTIC RELATIONS - CHILD SUPPORT - trial court did not abuse its discretion in finding father failed to establish inability to pay defense because he could have paid his ongoing child support obligation if he chose to do so; he failed to present the available documentation for his income; father maintained an expensive and lavish home and classic sports car, father kept his other

debts and his two mortgages) current; and father used the income from his solely-owned business to pay his business and personal expenses.

2015-L-011STATE OF OHIO, Plaintiff-Appellee v. DARTAVIA S. BECKS, Defendant-Appellant.

Judgment affirmed. See Opinion and Judgment Entry. [CANNON] (GRENDLELL) (RICE)

CRIMINAL - manifest weight of the evidence; credibility of witnesses; conflicting testimony.

2015-L-028JPMORGAN CHASE BANK, NATIONAL ASSOCIATION, SUCCESSOR BY MERGER TO CHASE HOME FINANCE LLC, Plaintiff-Appellee v. DARIO M. MUZINA, et al., Defendants, FELICIA MUZINA, Defendant-Appellant.

Judgment affirmed. O'Toole, J., concurs in judgment only. See Opinion and Judgment Entry. [RICE] (CANNON) (O'TOOLE)

REAL PROPERTY - mortgage foreclosure; trial court did not abuse its discretion in entering default judgment against mortgage debtor without oral hearing because mortgagee served debtor with motion for default, she never opposed the motion or requested an oral hearing on the motion; and the mortgagee's motion was supported by the undisputed affidavit of its vice-president demonstrating the debtor's obligation under the mortgage, her default, the bank's acceleration of the debt, and the amount owed; because appellant could have but failed to challenge bank's standing in the trial court and in a direct appeal of the court's foreclosure decree, appellant was barred by res judicata from raising it in her motion to vacate or on appeal of the trial court's denial of that motion.

2015-L-084JOHN L. TURNER, JR., Relator v. THE STATE OF OHIO, JUDGE EUGENE A. LUCCI, Respondent.

Petitions dismissed. See Per Curiam Opinion and Judgment Entry. (CANNON) (GRENDLELL) (RICE)

EXTRAORDINARY WRITS - mandamus; relator's two petitions for writ of mandamus must be dismissed where the captions do not state the petitions are brought on the relation of the state of Ohio, where the relator failed to file a proper affidavit of his prior civil actions and appeals, where the relator did not file a statement of inmate account certified by the institutional cashier, where the court has already ruled on the motion that is the subject of the petitions, and where the relator had an adequate remedy at law by way of appeal.

**PORTAGE**2014-P-0064DR. EUGENE NOVY, et al., Plaintiffs-Appellants v. JOSEPH FERRARA, JR., et al., Defendants-Appellees.

Judgment affirmed. Cannon, P.J., concurs with a Concurring Opinion. See Opinion and Judgment Entry. [GRENDLELL] (CANNON) (O'TOOLE)

CIVIL - motion for punitive damages and attorney's fees; punitive damages; nominal damages; res judicata; law of the case.

2015-P-0023STATE OF OHIO, Plaintiff-Appellant v. JILL R. WOOD, Defendant-Appellee.

Judgment affirmed. See Opinion and Judgment Entry. [CANNON] (RICE) (WRIGHT)

CRIMINAL - motion to suppress; probable cause; R.C. 4513.05.

2015-P-0041STATE OF OHIO, Plaintiff-Appellee v. KODY M. OSCO,

## COURT OF APPEALS OF OHIO RELEASE

Defendant-Appellant.

Appeal dismissed. See Judgment Entry. [WRIGHT] (CANNON) (RICE)

2015-P-0042 STATE OF OHIO, Plaintiff-Appellee v. KODY M. OSCO, Defendant-Appellant.

Appeal dismissed. See Judgment Entry. [WRIGHT] (CANNON) (RICE)

2015-P-0043 LORI A. LOUGH nka LORI A. LEWIS, Plaintiff-Appellant v. TODD E. LOUGH, Defendant-Appellee.

Upon recommendation of the Administrative Counsel, this appeal is hereby dismissed for appellant's failure to prosecute. See Judgment Entry. [CANNON] (RICE) (WRIGHT)

### **TRUMBULL**

2013-T-0062 STATE OF OHIO, Plaintiff-Appellee/Cross-Appellant v. JAMES LAMAR PATTERSON, Defendant-Appellant/Cross-Appellee.

Judgment affirmed in part, reversed in part, and remanded. Wright, J., concurs in part and dissents in part with a Concurring/Dissenting Opinion. O'Toole, J., concurs in part and dissents in part with a Concurring/Dissenting Opinion. See Opinion and Judgment Entry. [GRENDALL] (WRIGHT) (O'TOOLE)

CRIMINAL - Reckless Homicide; R.C. 2903.041; Corrupting Another with Drugs; R.C. 2925.02; Trafficking in Heroin; R.C. 2925.03; Tampering with Evidence; arraignment; Crim.R. 10(A) and (C); severance; Crim.R. 8(A) and 14; allied offenses of similar import; R.C. 2941.25; Involuntary Manslaughter; R.C. 2903.04; manifest weight of the evidence; sufficiency of the evidence; recklessness; R.C. 2901.22(C); felony sentencing; R.C. 2929.11 and 2929.12.

2014-T-0120 STATE OF OHIO, Plaintiff-Appellee v. MARK E. CARNES, Defendant-Appellant.

Judgment affirmed. O'Toole, J., dissents with a Dissenting Opinion. See Opinion and Judgment Entry. [CANNON] (WRIGHT) (O'TOOLE)

CRIMINAL LAW - SENTENCING - consecutive sentences; plain error; contrary to law; Crim.R. 52(B); R.C. 2953.08(G); R.C. 2929.14(C)(4); findings; transcript; sentencing entry; "not disproportionate."

2015-T-0040 SAMUEL PASKEY, Appellant v. OHIO DEPARTMENT OF INSURANCE, Appellee.

Judgment affirmed. See Opinion and Judgment Entry. [CANNON] (GRENDALL) (RICE)

ADMINISTRATIVE LAW - Ohio Department of Insurance; application to be licensed as insurance agent; good reputation and character; factual determination; superintendent of insurance; R.C. 3905.14; R.C. 3905.06; professional license revoked; permanent voluntary surrender of teaching license; permanent revocation of teaching license; resolution; R.C. 3319.311(F); OAC 3301-73-22(B).

### **November 2, 2015 RELEASE**

### **GEAUGA**

2015-G-0003 STATE OF OHIO, Plaintiff-Appellee v. TIMOTHY A. NORQUEST, Defendant-Appellant.

Judgment modified and affirmed as modified. See Opinion and Judgment Entry. [CANNON] (GRENDALL) (RICE)

CRIMINAL LAW - SENTENCING - OVI; R.C. 4511.19(A)(1)(a); repeat offender specification; R.C. 2941.1413(A); mandatory additional prison term; R.C. 4511.19(G); clearly and convincingly contrary to law; modified; R.C. 2929.11; R.C. 2929.12. CONSTITUTIONAL - plain error; penalty enhancement; Equal Protection Clause. INEFFECTIVE ASSISTANCE OF COUNSEL - no finding of prejudice.

### **LAKE**

2014-L-098 STATE OF OHIO, Plaintiff-Appellee v. DENNIS I. BAIRD, Defendant-Appellant.

Judgment affirmed. Rice, J., dissents with a Dissenting Opinion. See opinion

and Judgment Entry. [O'TOOLE] (RICE) (WRIGHT)  
CRIMINAL LAW - EVIDENCE - OVI; Evid.R. 403(A); the state must accept a defendant's stipulation regarding a prior conviction when the sole issue pertaining to the prior conviction is the defendant's legal status.

### **PORTAGE**

2015-P-0002 PEXCO, LLC, Plaintiff-Appellant v. NORTH COAST SCENIC, LLC, Defendant-Appellee.

Judgment affirmed. See Opinion and Judgment Entry. [CANNON] (RICE) (WRIGHT)

CIVIL - complaint on account; not registered to do business; lack of capacity; dismiss; no objection to magistrate's decision; no appeal; refiled; motion for summary judgment; prior judgment did not state without prejudice; Civ.R. 41(B)(3) and (4); second suit barred; res judicata.

2015-P-0026 BANK OF AMERICA, A NATIONAL BANKING ASSOCIATION, AS SUCCESSOR IN INTEREST BY MERGER TO MERRILL LYNCH CREDIT CORPORATION, Plaintiff v. LOUIS A. TELERICO, et al., Defendant-Appellant, STIFEL BANK & TRUST CO., et al., Defendant-Appellee.

Judgment affirmed. See Opinion and Judgment Entry. [GRENDALL] (WRIGHT) (O'TOOLE)

CIVIL - foreclosure; summary judgment; Civ.R. 56(C); arbitration; subject matter jurisdiction; R.C. 2305.01; sanctions; frivolous appeal; App.R. 23; Civ.R. 11; R.C. 2323.51.

2015-P-0037 STATE OF OHIO, Plaintiff-Appellee v. JAMES PAVISICH, Defendant-Appellant.

Appeal dismissed. O'Toole, J., dissents with a Dissenting Opinion. See Memorandum Opinion and Judgment Entry. [GRENDALL] (WRIGHT) (O'TOOLE)

APPELLATE REVIEW - App.R. 5(A); delayed appeal; reasons do not justify delay in filing notice of appeal.

### **TRUMBULL**

2014-T-0093 C. RICHARD SMITH, Plaintiff-Appellant v. OHIO EDISON COMPANY, Defendant-Appellee.

Judgment affirmed. See Opinion and Judgment Entry. [GRENDALL] (CANNON) (WRIGHT)

CIVIL - spoliation of evidence; res judicata/issue preclusion; collateral estoppel; motion to dismiss; Civ.R. 12; summary judgment; harmless error; Civ.R. 61.

2015-T-0011 NATASHA K. FRENCHKO, Petitioner-Appellee v. MICHELE N. FRENCHKO-NAGY, Respondent-Appellant.

Judgment affirmed. See Opinion and Judgment Entry. [GRENDALL] (CANNON) (RICE)

CIVIL - Civil Stalking Protection Order; R.C. 2903.214; Menacing by Stalking; R.C. 2903.211; manifest weight of the evidence; mental distress; reasonable person; subjective test; treatment sought for mental distress; pattern of conduct.

2015-T-0046 STATE OF OHIO ex rel. MICHAEL DEWINE, OHIO ATTORNEY GENERAL, Plaintiff v. RAAW, LLC, et al., Defendants-Appellees, EVERGREEN ENVIRONMENTAL CORP., Defendant-Appellant.

Appeal dismissed. See Memorandum Opinion and Judgment Entry. [WRIGHT] (CANNON) (O'TOOLE)

APPELLATE REVIEW - Trial court judgment can only be immediately reviewed by an appellate court if it constitutes a final order; R.C. 2505.02(B); deferring damages for a later determination is not a final appealable order; the mere inclusion of Civ.R. 54(B) language that there is not just cause for

## COURT OF APPEALS OF OHIO RELEASE

delay does not convert an entry into a final order.

2015-T-0062 &

2015-T-0063

IN THE MATTER OF: D.S., DEPENDENT CHILD

Judgment affirmed. See Opinion and Judgment Entry. [WRIGHT] (GRENDALL) (RICE)

TERMINATION OF PARENTAL RIGHTS - reasonable effort findings made in advance of permanent custody proceedings; R.C. 2151.49 is generally inapplicable to permanent custody determinations; reasonable efforts to reunify were made; parents' right to care and custody of child is subordinate to the best interest of the child; best interest factors support custody to agency; neither parent could offer child secure and stable home; trial court did not abuse its discretion in denying father's motion to continue based on father's incarceration.

**RELEASED OCTOBER 30, 2015**

2015-L-061 &

2015-L-062

IN THE MATTER OF: N.P. AND E.M., DEPENDENT CHILDREN.

Judgment reversed and remanded. O'Toole, J., concurs in judgment only with a Concurring Opinion. See Opinion and Judgment Entry. [CANNON] (GRENDALL) (O'TOOLE)

JUVENILE - termination of parental rights; maturity; child's wishes; guardian ad litem; independent counsel; dual appointment.

**November 9, 2015 R E L E A S E**

**ASHTABULA**

2014-A-0069

STATE OF OHIO, Plaintiff-Appellee v. KENNETH C. JAMESON, Defendant-Appellant.

Judgment reversed and remanded. See Opinion and Judgment Entry. [CANNON] (RICE) (O'TOOLE)

CRIMINAL LAW - SENTENCING - R.C. 2941.25; allied offenses of similar import; separate victims; separate and identifiable harm; merger is a legal analysis to be conducted by the court.

**GEAUGA**

2015-G-0009

STATE OF OHIO, Plaintiff-Appellee v. WALTER A. GAINER, Defendant-Appellant.

Appeal dismissed. See Judgment Entry. [CANNON] (RICE) (WRIGHT)

**LAKE**

2014-L-127

STATE OF OHIO, Plaintiff-Appellee v. VALAUGN D. GRIGGS, Defendant-Appellant.

Judgment affirmed. See Opinion and Judgment Entry. [GRENDALL] (RICE) (WRIGHT)

CRIMINAL - Robbery; manifest weight of the evidence; sufficiency of the evidence; witness identification; impeachment of testimony; witness credibility; circumstantial evidence; felony sentencing; consistency in sentencing; consecutive terms of imprisonment.

2014-L-137

GREEN TREE SERVICING LLC, Plaintiff-Appellee v. THOMAS BRANDT, et al., Defendant-Appellant.

Judgment affirmed. See Opinion and Judgment Entry. [GRENDALL] (RICE) (WRIGHT)

CIVIL - foreclosure; summary judgment; Civ.R. 56(C); indorsement.

2015-L-033 & 2015-L-034

STATE OF OHIO, Plaintiff-Appellee v. MARK J. STOUFFER, Defendant-Appellant.

Judgment affirmed. See Opinion and Judgment Entry. [CANNON] (RICE) (WRIGHT)

CRIMINAL LAW - SENTENCING - consecutive sentences; statutory findings; R.C. 2929.14(C)(4); mitigating factors; seriousness

and recidivism factors; R.C. 2929.11; R.C. 2929.12; R.C. 2929.13.

2015-L-042

STATE OF OHIO, Plaintiff-Appellee v. JOHN MARK AN DREWS, Defendant-Appellant.

Judgment affirmed. See Per Curiam Opinion and Judgment Entry. (GRENDALL) (RICE) (WRIGHT)

CRIMINAL - OVI; administrative license suspension; motion to reinstate driver's license; R.C. 4511.191(B)(1)(a); appeal of license suspension; R.C. 4511.197; untimely appeal; jurisdictional; civil proceeding.

2015-L-047

STATE OF OHIO, Plaintiff-Appellee v. DAVID V. ROCK, JR., Defendant-Appellant.

Judgment reversed and remanded. See Opinion and Judgment Entry. [CANNON] (RICE) (WRIGHT)

CRIMINAL LAW - R.C. 2941.1413 specification; OVI; consecutive sentences; R.C. 2929.14; required findings.

**PORTAGE**

2015-P-0067

STATE OF OHIO, Plaintiff-Appellee v. RODNEY JEWS, Defendant-Appellant.

Appeal dismissed. See Memorandum Opinion and Judgment Entry. [GRENDALL] (CANNON) (WRIGHT)

APPELLATE REVIEW - App.R. 5(A); delayed appeal; reason does not justify delay of almost four years before filing notice of appeal.

**TRUMBULL**

2015-T-0035

STATE OF OHIO, Plaintiff-Appellee v. GERALD LOFTON, Defendant-Appellant.

Judgment affirmed. See Opinion and Judgment Entry [GRENDALL] (CANNON) (WRIGHT)

CRIMINAL - void sentence; guilty plea; postconviction relief; R.C. 2953.21(A)(2); postsentence motion to withdraw guilty plea; Crim.R. 32.1.

2015-T-0094

STATE OF OHIO, ex rel. LANCE POUGH, Relator v. JUDGE W. WYATT McKAY, Respondent.

Appeal dismissed. O'Toole, J., dissents with a Dissenting Opinion. See Opinion and Judgment Entry. [GRENDALL] (WRIGHT) (O'TOOLE)

ORIGINAL ACTION - prohibition; motion to dismiss; total want of jurisdiction; adequate remedy in the ordinary course of law; speedy trial; traffic ticket; criminal complaint.

2015-T-0101

STATE OF OHIO, Plaintiff-Appellee v. ALAN M. FRANCIS, Defendant-Appellant.

Appeal dismissed. See Memorandum Opinion and Judgment Entry. [CANNON] (GRENDALL) (O'TOOLE)

APPELLATE REVIEW - App.R. 4(A); thirty-day rule; untimely appeal.

**November 16, 2015 R E L E A S E**

**GEAUGA**

2014-G-3245

STATE OF OHIO, Plaintiff-Appellee v. THOMAS A. SWIFT, Defendant-Appellant.

Judgment affirmed. See Opinion and Judgment Entry. [WRIGHT] (CANNON) (RICE)

CRIMINAL LAW - Guilty plea; motion to withdraw guilty plea; Crim.R. 32.1; res judicata; issues relating to plea that could have been reviewed in direct appeal; ineffective assistance of trial counsel; issues based upon evidence outside the record; grounds for petition for postconviction relief been reviewed in direct appeal; ineffective assistance of trial counsel; issues based upon evidence outside the record; grounds for petition for postconviction relief.

**LAKE**

2015-L-017

STATE OF OHIO, Plaintiff-Appellee v. DVONTE C. BELL, Defendant-Appellant.

## COURT OF APPEALS OF OHIO RELEASE

Judgment affirmed. See Opinion and Judgment Entry. [WRIGHT] (CANNON) (RICE)

CRIMINAL LAW- Misidentification argument based on alleged tainted witness was before jury; no state action caused alleged misidentification; witness properly identified defendant via photo lineup; state's closing arguments did not improperly invoke sympathy for victim and did not constitute plain error.

**RELEASED NOVEMBER 10, 2015**

2015-G-0028      IN THE MATTER OF: P.O., K.O., G.P., AND A.P., DEPENDENT CHILDREN.

Judgment affirmed in part, reversed in part, and remanded. O'Toole, J., dissents, Dissenting Opinion to follow. See Opinion and Judgment Entry. [RICE] (CANNON) (O'TOOLE)

JUVENILE - termination of parental rights; notice of hearing; service; personal jurisdiction; R.C. 2151.29; certified mail; regular mail; service sufficient; R.C. 2151.414; factors; abandoned; in custody of department for 12 or more months of a consecutive 22-month period; must consider every best interest factor; without discussion, judgment must be reversed; must be scrupulously observed; ineffective assistance of counsel; wishes of children; sufficient evidence in record; no deficient performance.

### NOMINATING COMMITTEE

#### **NOMINATIONS FOR EXECUTIVE BOARD TRUSTEE AND SECRETARY ARE BEING ACCEPTED**

The Nominating Committee of the Lake County Bar Association will be accepting names of interested applicants through February 12, 2016 for one trustee position and one board position. Any Lake County Bar Association member in good standing is eligible for office.

Interested members may contact Joseph R. Klammer, Nominating Committee Chairman and please submit a resume to the Bar Association office at [barassociation@lakecountyohio.gov](mailto:barassociation@lakecountyohio.gov).

## CONDOLENCES



*The Lake County Bar Association would like to send heartfelt condolences to member Patrick Murphy on the loss of his father, Thomas J. Murphy who passed away on January 16, 2016.*

*Also condolences go out to member Walt McNamara for the loss of his sister, Virginia Ginny" (McNamara) Aloisio, who passed away on January 17, 2016.*

*We also send heartfelt condolences to attorney Neil Wilson on the loss of his son, Neil "Willie" Caldwell Nelson, who passed away on January 19, 2016 at the young age of 29.*

*Heartfelt condolences are also sent to member Gary Okin on the loss of his father, Alvin H. Okin who has recently passed away.*

*Condolences also sent to member Robert Moore who's father, Robert Moore passed away on January 30, 2016.*

*Heartfelt condolences go out to the family and friends of Dan Saleski who passed away on January 30, 2016. Dan was Chief Probation Officer for Willoughby Municipal Court. He will be missed and remembered by many.*

*Condolences also sent to the family and friends of long-time LCBA member, David K. Siegel, who recently passed away.*

*Condolences also sent to the family and friends of long-time LCBA member, Theodore Dalheim who passed away on January 30, 2016.*

### **PUBLIC NOTICE APPOINTMENT OF TWO REPLACEMENT MAGISTRATE JUDGES UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF OHIO EASTERN DIVISION CLEVELAND, OHIO**

The Court is seeking applicants to fill the vacancies created upon the retirement of two United States Magistrate Judges for the Northern District of Ohio at Cleveland: Nancy A. Vecchiarelli, effective July 22, 2016, and Kenneth S. McHargh, effective September 30, 2016. The Judicial Conference of the United States has recently authorized the appointment of a replacement magistrate judge to fill the vacancy created upon the retirement of Magistrate Judge Vecchiarelli, and the Court is proceeding to advertise for the vacancy created upon the recently announced retirement of Magistrate Judge McHargh, while approval is being sought from the Judicial Conference of the United States to fill his vacancy.

A full public notice for the magistrate judge positions is available on the court's Internet website at ([www.ohnd.uscourts.gov](http://www.ohnd.uscourts.gov)). Interested persons may contact the Office of the Clerk for additional information. The application form is also available on the court's website ([www.ohnd.uscourts.gov](http://www.ohnd.uscourts.gov)).

Applications must be submitted only by applicants personally and **must be received by no later than 4:30 p.m. on Tuesday, February 16, 2016.**

All applications will be kept confidential, unless the applicant consents to disclosure, and all applications will be examined only by members of the Merit Selection Panel and the judges of the district court. The panel's deliberations will remain confidential.

## **CALENDAR OF EVENTS**

### **FEBRUARY**

- 6th Notary Test, 10:00 a.m. at Lakeland Community College - T-Bldg, Room 129  
10th ASH WEDNESDAY  
12th Executive Board Meeting, 12:00 noon at Skye Restaurant in Mentor, OH  
LINCOLN'S BIRTHDAY  
14th VALENTINE'S DAY  
15th PRESIDENT'S DAY - COURTHOUSE CLOSED  
16th Real Estate Committee Meeting, 8:00 a.m. at 41 E. Erie St. in Painesville, OH  
19th Grievance Committee Meeting, 12:30p.m. - Second Floor Courthouse West Annex  
Deadline for LAKE LEGAL VIEWS  
Regional Mock Trial Competition  
22nd WASHINGTON'S BIRTHDAY  
24th Lunch Forum - 11:00 a.m. at Hellriegel's Inn, Painesville, OH  
25th Probate Committee Meeting, 8:00 a.m. at Perkins in Painesville, OH

### **MARCH**

- 5th Notary Test, 10:00 a.m. at Lakeland Community College - T-Bldg, Room 129  
11th Executive Board Meeting, 12:00 noon at Skye Restaurant in Mentor, OH  
13th DAYLIGHT SAVINGS TIME BEGINS  
15th Real Estate Committee Meeting, 8:00 a.m. at 41 E. Erie St. in Painesville, OH  
17th ST. PATRICK'S DAY  
Grievance Committee Meeting, 8:00 a.m. - Second Floor Courthouse West Annex  
18th Family Law Seminar, 8:00 a.m. @ Quail Hollow Resort in Concord, OH  
Deadline for LAKE LEGAL VIEWS  
20th SPRING BEGINS  
25th GOOD FRIDAY  
PASSOVER  
27th EASTER  
30th Lunch Forum - 11:00 a.m. at Hellriegel's Inn, Painesville, OH  
31st Probate Committee Meeting, 8:00 a.m. at Perkins in Painesville, OH

Note: Calendar event dates, times & locations are subject to change. Check your email for updates!

## **SPECIAL INTEREST**

### **MOCK TRIAL REGIONAL COMPETITION**

Friday February 19, 2016  
Location TBD

### **LUNCH FORUM**

Wednesday, March 30, 2016  
"Professional Conduct"  
DVD Presentation  
Hellriegel's Inn  
1840 Mentor Avenue  
Painesville, OH 44077

## **SAVE THE DATE**

### **FAMILY LAW SEMINAR**

Friday March 18, 2016  
Quail Hollow Resort  
Flier enclosed

### **PROBATE SEMINAR**

Friday April 8, 2016  
Lake County Probate Courtroom  
Flier enclosed

### **LAW DAY BREAKFAST**

Friday April 29, 2016  
Theme: "Miranda: More Than Words"  
Details to follow!

## **LUNCH FORUM**

**SPONSORED BY THE LAKE COUNTY BAR ASSOCIATION**

**LUNCH FORUM  
1 FREE CLE**

**WEDNESDAY FEBRUARY 24, 2016**

**"PROFESSIONAL CONDUCT"  
DVD Presentation**

**HELLRIEGEL'S RESTAURANT  
1840 MENTOR AVENUE IN PAINESVILLE, OH 44077**

**COST OF BUFFET LUNCH IS \$20.00 FOR BAR MEMBERS  
\$35.00 FOR NON-MEMBERS**

**PLEASE NOTE: YOU MUST CALL THE BAR OFFICE AT (440) 350-5800 WITH YOUR RESERVATION  
BY FEBRUARY 19, 2016. HOWEVER, YOU MAY PAY AT THE DOOR FOR YOUR LUNCH.**

*This course has been approved by the Supreme Court of Ohio Commission on Continuing Legal Education for 1.00 total CLE hour(s), with 1.00 of attorney professional conduct instruction.*



## **EXECUTIVE BOARD MEETING MINUTES**

The December 11, 2015 -- Meeting was called to order by Jason Wuliger, President, at 12:13 p.m. at SKYE.

The following were in attendance, Jason Wuliger, President; Darya Klammer, Vice President; Anne M. Parise, Trustee; James P. Carrabine, Trustee; Laura Lynne Krider, District 18 Representative; Ruth Ann Shultz, Executive Director; John Rogers, Past-President; Michael Germano, Trustee; and Paul Malchesky, Secretary. Also special guests Noreen Goldstein, Past-President and Ann Bergen-Representing Grievance Committee.

President Wuliger addressed the November 13, 2015-meeting minutes. Ms. Klammer made the motion to approve the minutes and Ms. Parise second same. All approved same.

Mr. Dynes gave the Treasures' Report, pointing out that the Association is still struggling with income. Ms. Klammer made a motion to approve the Treasures' Report it was second by Ms. Krider. All approved same.

### **Old Business:**

**Website:** All still not well. President Wuliger struck out. President was unable to get a response from Eric Downing from Downing Media. It appears that the Association will be moving on. More to report next month.

**Membership Drive:** President Wuliger had no update beyond social gatherings will be planned.

### **New Business:**

**Lunch Forum Rates-Special Guest, Noreen Goldstein:** Noreen presented to the Committee the history of the Lunch Forum. Darya Klammer made a motion – To increase the Rate of the Lunch Forum to \$20 a member and \$35 a nonmember. Mr. Dynes second same. All approved same.

**Ann Bergen-Representing Grievance Committee:** Ann presented to the Committee that new changes to the 30 certified grievance committees throughout the State of Ohio, with Lake being one of them. Because of the new requirements the Ohio Supreme Court will be providing reimbursement funding for said committee expenses that are currently incurred by the Bar Association. The Committee will continue to look into this matter to defray our costs. More to come!

**Re-approve Howard Rabb as Attorney Representative to American Bankruptcy Court:** President Wuliger requested a motion after he suggested to re-approve Howard Rabb. Ms. Klammer made a motion to approve Howard Rabb to represent Lake County Bar on the Attorney Constituent Group (ACG) of the United States Bankruptcy Court for the Northern District of Ohio ending December 2017, it was second by Mr. Dynes. All approved same.

**Ms. Krider made a motion to adjourn and same was second by Ms. Klammer. All approved same.**

Meeting was adjourned at 12:52 p.m.

Respectfully,  
Paul R. Malchesky, Secretary

### **POSITION OPEN – ATTORNEY**

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**JUDGE'S COLUMN** (Continued from page 3)

Since 2007, the Ohio Supreme Court and the Ohio Legal Assistance Foundation have asked attorneys to voluntarily report the extent and nature of their pro bono work. There were about 81,000 hours of volunteer work performed by Ohio attorneys each year.

Using an average hourly rate of \$135, the Court valued pro bono services at \$10.9 million per year. These lawyers are giving valuable, life-changing legal representation to low-income and vulnerable Ohioans who otherwise might not have meaningful access to justice. As practicing attorneys, we should all make the effort to grow the number of volunteer hours delivered.

While the legal profession urges its members to engage in pro bono representation, this directive should not, unto itself, provide the only motivation. Instead, helping those who are less fortunate provides its own, self-fulfilling justification. Through pro bono activities, we cultivate a feeling for humanity, which, in the words of the philosopher John Stuart Mill, "tends to make [a person] feel it one of his natural wants that there should be harmony between his feelings and aims and those of his fellow creatures." By assisting those who cannot help themselves, the attorney both nurtures this harmony and promotes the greater social good. If you have not done so, make it a New Year's Resolution to become established with an assigning organization.

**2016 SPRING PROBATE COURT SEMINAR**

**"SALE OF REAL PROPERTY"**

**FRIDAY APRIL 8, 2016**

**LAKE COUNTY PROBATE COURT  
COURTHOUSE WEST ANNEX  
25 N. PARK PLACE  
PAINESVILLE, OH 44077**

**MEMBERS \$40.00  
NON-MEMBERS \$60.00**  
*(BEFORE 3/25/16 - prices increase \$25 thereafter)*

**Call the Bar Office at 440-350-5800 to register today!**

**Or send in the enclosed flier !**

*Application has been made to the Supreme Court Commission on Continuing Legal Education for 2.00 total CLE hour(s) instruction.*

**MOCK TRIAL NEWS RELEASE**

**For Immediate Release Lake District Competition Coordinator**



Painesville, Ohio (01/29/2016) - Mock Trial District Competitions were hosted in 27 counties throughout the state on Friday, January 29. More than 3,500 high school students from 200 schools occupied courtrooms to take part in the Ohio Center for Law-Related Education (OCLRE) 33<sup>rd</sup> Annual Ohio Mock Trial Competition.

Ten teams from the following eight schools participated in the Lake District Competition, hosted by the judges and lawyers of Lake County at the Lake County Court House: Andrews Osborne Academy (two teams), Gilmour Academy, Hawken School, Kirtland HS, Lake Catholic HS, Mentor HS (two teams), Notre Dame-Cathedral Latin HS, and Willoughby South HS.

Teams competed twice, once as plaintiff or defendant in the morning, and once in the afternoon representing the other party. The teams who won both trials will advance to Regional Competition on February 19. Those **three teams** advancing to the regionals are: Mentor HS-Team Snollygoster, Mentor HS-Team Bellytimber, and Notre Dame-Cathedral Latin HS. The outstanding attorneys are: Mentor - Emily Smith, Logan Leak, Lexy Mealey, and Josh Whitely; NDCL - Thomas Fogarty and Chris Jerme. The outstanding witnesses are: Mentor - Erin Gallagher, Sean Mullee, Andrew Moldovan, and Clintor Parr; NDCL - Briana Cowman and Antonia Mysyk.

The 2016 Ohio Mock Trial case focuses on Fourth Amendment protection against unreasonable searches and seizures as it applies to use of force by an officer to deter or eliminate threat of harm to the officer or the public. In this year's case, fictitious defendant Officer Green is charged with felonious assault after using deadly force against a juvenile accused of armed robbery .

Each Mock Trial team consists of five to eleven students who prepare both plaintiff and defense cases and participate in two trials against opposing teams. Students assume the roles of witnesses and attorneys to present both sides of an original case based on a constitutional issue. Seven judges and 13 attorneys volunteered their time and expertise to preside over and score the mock trials.

"In addition to teaching students how the U.S. Constitution is relevant to their lives," said OCLRE Executive Director Lisa Eschleman, "mock trial provides a wonderful opportunity for students to learn and practice analytic and research skills. Presenting a trial before a panel of judges and attorneys is an authentic and unique experience they will carry with them throughout their lives."

Mock Trial is Ohio's largest high school academic competition and among the largest high school Mock Trial programs in the nation. Teams that advance from Regional Competition will take part in the State Competition March 10-12 in Columbus at the Ohio Statehouse. The state champion will advance to the National High School Mock Trial Championship in Boise, Idaho, May 12-14.

OCLRE is a private non-profit, nonpartisan organization whose goal is to improve society by developing citizens empowered with an understanding of our democratic system. OCLRE is sponsored by the Supreme Court of Ohio, Ohio Attorney General's Office, Ohio State Bar Association, and the American Civil Liberties Union of Ohio Foundation. The Ohio Mock Trial program is made possible in part by a grant from the Ohio State Bar Foundation.

**CHAMBERS OF JUDGE EUGENE A. LUCCI**  
Court of Common Pleas Lake County, Ohio  
47 North Park Place  
Painesville, Ohio 44077

**FINANCIALS**

**LAKE COUNTY BAR ASSOCIATION  
FISCAL YTD Profit & Loss Statement  
June 1, 2015 thru December 31, 2015**

**INCOME**

401-Bar Roster	\$	100.00
402-Dues		31,175.00
404-Interest Income		1.58
405-Lake LV Ads		1,425.00
406-Contribution		7,500.00
407-Notary Fees		12,760.50
408-Referral Fees		460.00
409-Weekly Lunch		2,250.00
410-Miscellaneous Income		442.55
412-Golf Outing		19,042.00
413-Seminar		
414-Common Pleas Judges		9,205.00
418-Probate		2,440.00
421-Real Estate		1,530.00
424-Procrastinator's Seminar		2,685.00
441-GAL		<u>3,425.00</u>
Total 413-Seminar		19,325.00
416-Law Day		50.00
450-Annual Meeting (Annual Bar Association Meeting)		660.90
451-Misc Social Event Income (Admission,Sponsors)		<u>794.50</u>
<b>TOTAL INCOME</b>	<b>\$</b>	<b>95,987.03</b>

**EXPENSE**

601-Accounting Fees		1,225.00
604-Bank Charges		698.04
606-Courthouse Plaques		62.00
608-Flowers & Memorials		250.23
609-Golf Outings		17,728.61
610-Grievances		225.08
611-Employee Retirement		875.00
613-Insurance – Health		19,117.56
614-Misc Social Events (Retirement, Special Recognition)		2,105.80
616-Insurance-Other		623.00
622-Lunch Payments		2,009.36
624-Membership		125.00
625-Miscellaneous Expense		2,171.23
631-Office Expense		1,837.80
634-Office Supplies		946.16
637-Payroll Taxes		3,143.63
639-Postage Machine Rental & Ink (Postage Machine)		768.82
640-Postage		1,094.98
642-Seminars		
655-Family Law	239.96	
656-Procrastinator's Seminar	125.00	
657-Real Estate	158.59	
659-Probate	916.92	
660-Common Pleas Judges	6,163.60	
672-GAL	<u>319.45</u>	
Total 642-Seminars		7,923.52
643-Telephone		896.00
646-Travel Reimbursement		979.19
647-Rent		5,365.01
648-County Telephone		111.34
650-Wages		39,644.25
664-"Meet Your Judge"		25.00
679-Board Meeting Expense		123.40
680-Annual Meeting Expense		1,600.00

**TOTAL EXPENSES** **\$ 111,675.01**

**NET ORDINARY INCOME** **-15,687.98**

**OTHER INCOME/EXPENSE**

<b>OTHER INCOME</b>	
500-Bar Foundation (LCBF Membership Dues)	2,950.00
Total Other Income	<u>2,950.00</u>
Net Other Income	<u>2,950.00</u>

**NET INCOME** **\$ -12,737.98**

**BALANCE SHEET  
Fiscal YTD as of December 30, 2015**

**ASSETS**

Cash on Hand	\$ 78,919.36
Total Fixed Assets	0.00
Interest Receivable	<u>316.82</u>

**TOTAL ASSETS** **\$ 79,236.18**

**LIABILITIES & EQUITY**

Current Liabilities \$ 2,094.40

**EQUITY**

Retained Earnings	\$ 89,879.76
Net Income	<u>-12,737.98</u>
<b>TOTAL EQUITY</b>	<b>\$ 77,141.78</b>

**TOTAL LIABILITIES & EQUITY** **\$ 79,236.18**

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