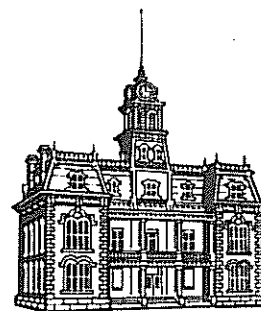


Medina County Bar Association

MARYANN LAPINA
Executive Secretary
93 Public Square
Medina, Ohio 44256
330-725-9794
330-225-7100
330-336-6657
Fax: 330-723-9608

May 16, 2011



Dear Colleagues,

I write just after **Law Day 2011** has concluded. Many thanks go out to **Aaron Harrison** for planning a wonderful program for us. 91 people attended the luncheon, making this the largest Law Day in recent years. I enjoyed meeting some of the Cloverleaf and Buckeye High School mock trial student participants and our Law Day \$2,500 scholarship winner, Shane Popson, of Highland High School. In the event that you did not have the opportunity to attend, I am attaching the program, which includes a reprint of Shane's essay. Thank you, as always, to **Judge Judy Cross**, for serving as reader and judge of the student essays submitted. Thank you also to **MaryAnn Lapina**, who steps up whenever we have an event of this sort to handle all sorts of details. And finally, thank you to everyone who attended, especially **Judges Whitmore, Carr and Dickinson** from our Court of Appeals, **Judges Kimbler and Lohn** from Common Pleas, and **Judges McIlvaine and Chase** from the Municipal Courts.

Our next Bar Association event is Wednesday, June 15th when we take on the Medina County Bankers once again for the annual **Bankers v. Barristers Blood Drive**. **Gillian Laribee-Reid** is our coordinator again this year, as she has been for many years in the past. Thank you to Gillian! The Barristers have not won the competition for many years but this is our year. Please mark your calendars to participate either as a donor or by spreading the word and asking others to donate blood on behalf of the Barristers. In addition to the best reward to helping others through donation of blood, each participant will receive an assortment of gifts and refreshments. Raffles will occur throughout the day and each donor for the Barristers will be entered in a special raffle. Donation sites are in Medina, Wadsworth and Brunswick and details are on the attached flyer.

Our second **Quarterly Luncheon** is scheduled for Friday, June 17, 2011 at Santo Suosso's restaurant, 3725 Medina Road, Medina, OH. Lunch begins at 11:45 a.m. The cost is \$16.00 per person. A flyer for your use in confirming your reservation is attached. Our speaker will be Attorney Carmen Roberto, President of the Ohio State Bar Association. Please plan to attend.

Probate & Juvenile Court Judge John J. Lohn has recently announced the launch of an online docket for certain probate cases. The website address is www.medinaprobate.org. The site is somewhat different than other probate courts' online dockets. It was built internally to the specifications of the Court and in so doing, and rather than purchasing a stock product, the Court saved in excess of \$20,000.

Case dockets and hearing schedules are now available online and searches can be conducted in various ways including by case name, docket number or attorney of record. A great way to check periodically and review the status of open cases! In addition to the new docket program, the Court has launched an updated cache of standard probate forms for our use. Nearly every standard probate form that we might need for routine cases is now available to download via Adobe Acrobat, complete and print, complete with the name of the Court and our Judge. I've used the new forms several times already. Easy, accurate and convenient. While you are browsing the Court's website, look for other additions, such as the current list of appraisers authorized to participate in probate cases.

Another new resource can be found on the Medina County Clerk of Court's website, www.co.medina.oh.us/clerk. **Clerk of Courts David Wadsworth** has downloaded the 2011 Medina County Directory of Public Officials published by the Medina County Commissioners. You can find it on his site at the Elected Officials tab. The Directory is 45 pages of contact information for the County government, all cities, villages and townships, all school districts, and selected state and federal offices, and our Ohio elected officials and United States Senators and Congressmen.

Congratulations to the following Medina County individuals who recently passed the Ohio Bar Examination: **Courtney Bailey, Jacqueline Carlson, Benjamin Chojnacki, William Hanek** and **Timothy Murray**. We are planning a social event for the Bar Association sometime in July where we can meet the five new attorneys in a casual and welcoming environment. Details to follow.

Welcome to new Medina County Bar Association members **Jessica Manners, James Bates, Gwen Perry, Rick Marco** and **Ken Marco**. We look forward to seeing you at upcoming Bar Association events this year.

Recent correspondence to the Bar Association has included a very kind letter from **Ohio Chief Justice Maureen O'Connor** (attached) as follow up to her visit with us in March. We have also received a report from the Ohio Criminal Sentencing Commission titled "Prison Crowding: The Long View, with Suggestions" which can be retrieved from MaryAnn Lapina at the Bar Association office and read at your leisure.

I close by noting once again the passing of two of our colleagues, Attorneys **William G. Batchelder, Jr.** and **Connie Gent Hendricks**. Both served our community with distinction. Memorial contributions may be made to Hospice of Medina County, 797 North Court Street, Medina, OH 44256 (Mr. Batchelder) or to Faith In Action, P.O. Box 153, 780 East Smith Road, Suite A, Medina, OH 44258-0153 (Ms. Hendricks).

Sincerely,


Janis Hutchins Zachman
President

Keynote Speaker – PROFESSOR SCOTT D. GERBER

Scott Douglas Gerber is Professor of Law at Ohio Northern University and Senior Research Scholar in Law and Politics at the Social Philosophy and Policy Center. He teaches constitutional law and American legal history.

He received both his Ph.D. and J.D. from the University of Virginia, and his B.A. from the College of William and Mary. Prior to becoming a law professor, he clerked for U.S. District Chief Judge Ernest C. Torres of the District of Rhode Island and practiced with the Boston-based law firm Bingham, Dana & Gould (now Bingham McCutchen). He is a member of the Massachusetts, Colorado and Virginia bars, as well as the U.S. Supreme Court bar. He is the 2002, 2009 and 2011 winner of the Fowler V. Harper Award for excellence in legal scholarship, and is currently serving in his second two year appointment on the Ohio Advisory Committee of the U.S. Commission on Civil Rights.

Dr. Gerber has written extensively on matters of law and history, presenting a unique perspective as a self-described “lawyer and political scientist who takes history seriously” rather than a traditional “historian.” Dr. Gerber’s publications include: A Distinct Judicial Power: The Origins of an Independent Judiciary, 1606-1787 (Oxford University Press, 2011); The Law Clerk: A Novel (Ohio Northern University Press, as distributed by Kent State University Press, 2007); The Declaration of Independence: Origins and Impact (CQ Press, 2002) (editor and contributor); The Ivory Tower: A Novel (University Press of the South, 2002); First Principles: The Jurisprudence of Clarence Thomas (New York University Press, 1999, expanded edition, 2002); Seniatur: The Supreme Court Before John Marshall (New York University Press, 1998) (editor and contributor); and, To Secure These Rights: The Declaration of Independence and Constitutional Interpretation (New York University Press, 1995).

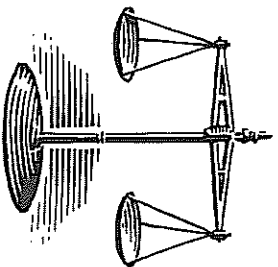
Medina County Bar Association Scholarship Essay

It is easy for someone to be a part of the crowd and follow majority beliefs. But what make President John Adams one of the greatest of the founding fathers in his strength to set aside biases, public opinions, and emotions when the future of a young United States was on the line. President Adams’ legacy of political sacrifice should be a corner stone of every modern and future legal professional.

Even though John Adams was the second president of the United States, he is famous because of his actions before he obtained the office. On March 5, 1770, British soldiers fired into a rowdy crowd in Boston, Massachusetts which left five colonists dead. Pro-Revolutionaries quickly propagated the event as the Boston Massacre. While the word “Massacre” may have not been the most accurate word to use, it helped light a fire in the heart of American colonists to break free of the British Crown. The British Soldiers were accused of murder and were soon put on trial in Boston where it was easy to find a lawyer to represent the prosecution, but nearly impossible to find any lawyer to defend the soldiers. Many lawyers believed that defending the soldiers would be the end of their careers thus they refused to represent them. It was this role of representing the soldiers justify that John Adams carried out honorably and successfully. Because of Adams’ arguments, the jury found six of the soldiers innocent. Two other soldiers were found guilty of firing into the crowd but Adams was able to reduce the death penalty to only the branding of the soldier’s thumb. John Adams success in this historic trial is truly an amazing feat considering the state of unrest and the pro-revolutionary movements in the colonies just six years before independence would be declared. His fair representation greatly supported the belief in the rights of the accused which would soon be found in the Bill of Rights and permanently engraved into American courts. It was Adams’ vision of the future of the colonies and his strength to stand against public opinion that has shaped the United States into the country it is today.

John Adams’ actions as president of the United States may be one of the most overlooked and unappreciated acts of patriotism in American history. During his presidency, the French monarchy was overthrown in a bloody revolution. The issue of which side to support during the revolution soon split the young United States. While John Adams was the president of this country, his party, the Federalists, was led by a powerful lawyer from New York City named Alexander Hamilton. Made up of men of wealth and position, the party opposed democracy and thus supported the French monarchy. They spread anti-French propaganda and soon relations between the United States and France fell apart and the two countries were brought to the brink of war. While the Federalists opposed the revolution, the Republican Party headed by Vice-President Thomas Jefferson supported the revolution because of France’s contribution during Americas own revolution. With political and public pressure mounting,

MEDINA COUNTY BAR ASSOCIATION



LAW DAY 2011

President Adams needed to take a stance on the issue. Then in an act of political suicide, Adams went against the stance of his party and decided to remain neutral in the revolution while trying to improve relations through negotiations. Even though this decision caused the Federalist to remove their support which cost Adams re-election, it was vital to the future of the United States because it was questionable whether the country could afford the price of another major war and it would have made Thomas Jefferson's purchase of the Louisiana Territory nearly impossible. He would later write, "There is one thing I would like to be remembered for more than anything else. I gave myself the task of making peace with France. And I succeeded." Again, President John Adams' vision and strength steered the United States towards a bright future.

There are many lessons that modern legal professionals can take from the examples of John Adams. First is that it is acceptable, if not necessary, for someone to oppose majority opinion. D.J. Tice of the Minneapolis Star Tribune said this about Mark Twain's famous novel The Adventures of Huckleberry Finn in his article "Huck Finn's lesson for all us moderns." "...some of the worst mistakes come when we're absolutely sure about something -- and everyone we know agrees with us." While the novel may have been written about a much different subject, this warning is important for legal professionals to remember. After the massacre, the majority of Boston would have been absolutely sure that the British soldiers should be executed. Yet it only took one man, John Adams, to prove the soldiers innocent in the middle of the most pro-revolutionary city in the United States. It is important for modern legal professionals to set aside public and even personal opinions when representing either side of a lawsuit and remember that just because everyone agrees on something doesn't mean that it is actually right. Second is the upholding the integrity of the Constitution and the court system is a legal professional's greatest priority. They should always keep in mind the famous quote of President John F. Kennedy. "Ask not what your country can do for you; ask what you can do for your country." It is their duty to ensure the integrity of the law before their own reputation and personal goals. The legacy of John Adams lives on today because of his actions in controversial times. His model of how to handle delicate situations should not only be applied to the legal profession, but to all professions.

Shane Popson is a senior at Highland High School and is active in National Honors Society, Football, Basketball, Habitat for Humanity and is a teen youth group facilitator at Holy Martyrs Church. Shane plans to attend The Ohio State University in the fall to study Engineering.

Lunch

Welcome – Janis Zachman, President, Medina County Bar Association

Recognition of NALS of Northeast Ohio Scholarship Winners – Judy Pluta, President, NALS of Northeast Ohio

Scholarship Winners – 1st Place Jocelyn Smith, Cloverleaf H.S.
2nd Place Dustin Likens, Wadsworth High School

Recognition of Community Legal Aid/ Volunteer Legal Services Attorney of the Year -- Jennifer van Dulmen, Managing Attorney, Community Legal Aid Services, Inc.

Medina County Attorney of the Year – Sandra Dembie

Introduction of Mock Trial Teams– Andrew Parker, Chair Mock Trial Competition Committee

Presentation of the Medina County Bar Association Scholarship Essay Contest Winner – Aaron Harrison

Scholarship Winner – Shane Popson, Highland High School

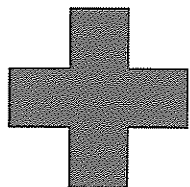
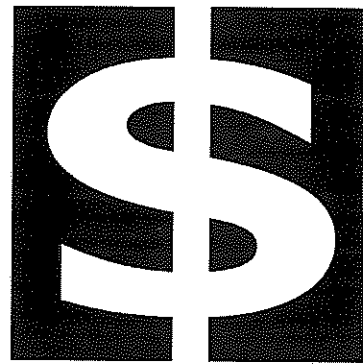
Introduction of Speaker

Keynote Speaker – Scott Douglas Gerber, Ohio Northern University School of Law

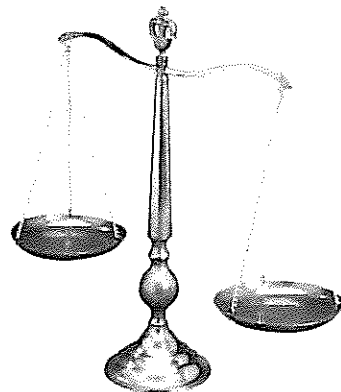
Closing Remarks – Aaron Harrison

Join us for Medina County's largest blood drive...

Bankers vs. Barristers Blood Drive Battle



**American
Red Cross**



redcrossblood.org | 1-800-RED CROSS | 1-800-733-2767

Wednesday, June 15, 2011
at the following locations:

Garfield Elementary School
234 South Broadway Street, Medina
8 AM to 6:30 PM

The Strand Theater
123 Broad Street, Wadsworth
8 AM to 2 PM

Brunswick Recreation Center
3637 Center Road, Brunswick
10 AM to 3 PM

All who come to donate will...

- ✓ Receive a free T-shirt and an emergency toolset from the Red Cross!
- ✓ Enjoy complimentary refreshments from local restaurants and have the chance to win raffle prizes throughout the day!

**Appointments are strongly encouraged for these blood drives. Please call
1-877-441-4565 to schedule.**

Sponsored By: ICANDI Graphics, Medina County Bar Association, FirstMerit Bank, N.A., Western Reserve Bank, First Federal of Lakewood, NALS of Northeast Ohio, Granite Luxuries, Buehler's Fresh Foods, Dominic's Pizzeria & Italian Restaurant of Medina, Gionino's Pizzeria Brunswick, Domino's Pizza Wadsworth and Dunkin' Donuts of Medina.

Individuals who are 17 years of age (16 with parental permission in some states), meet weight and height requirements (110 pounds or more, depending on their height) and are in generally good health may be eligible to donate blood. Please bring your Red Cross blood donor card or other form of positive ID when you come to donate.
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**MEDINA COUNTY BAR ASSOCIATION
QUARTERLY LUNCHEON MEETING**

Friday, June 17, 2011
11:45 A.M. - 1:00 P.M.

SANTO SUOSSO'S RESTAURANT
3725 Medina Road, Medina, OH

SPEAKER: Carmen Roberto, President, Ohio State Bar
Association

MENU: Chicken Mediterranean, Roasted Red-skin Potatoes, Fresh Garden Salad,
Italian Bread and Butter, Beverage. Vegetarian entrée available upon request.

COST: \$16.00 per person

Please return registration form and payment to MaryAnn Lapina, Executive
Secretary, 93 Public Square, Medina, OH 44256 by Wednesday, June 15, 2011.
Checks payable to **Medina County Bar Association**.

NAME(s): _____

Number Attending: _____ Number Vegetarian Meals Requested: _____

Total Amount Enclosed: \$ _____ Telephone Number: _____

The Supreme Court of Ohio

65 SOUTH FRONT STREET, COLUMBUS, OH 43215-3431

CHIEF JUSTICE
MAUREEN O'CONNOR

CHIEF JUSTICE
MAUREEN O'CONNOR

JUSTICES
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EVELYN LUNDBERG STRATTON
TERRENCE O'DONNELL
JUDITH ANN LANZINGER
ROBERT R. CUPP
YVETTE MCGEE BROWN

TELEPHONE 614.387.9060
FACSIMILE 614.387.9069
www.supremecourt.ohio.gov

March 28, 2011

Janis Hutchins Zachman, Esq.
President, Medina County Bar Association
93 Public Square
Medina, Ohio 44256

Dear Ms. Zachman:

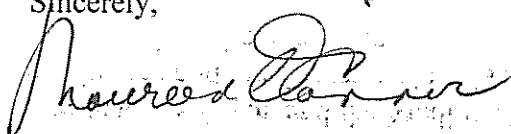
I write to thank you and the Medina County Bar Association for your hospitality in hosting me and the Supreme Court's administrative director, Steven Hollon last Friday for our informal conversation.

As you know, we are embarking on an ambitious program to visit all of Ohio's eighty-eight counties over the next six years to meet with bar leaders and the judges of the county. Our goal is to learn more about the concerns of leaders in the local judicial systems and gauge how we might be of assistance in meeting their needs to provide for a vibrant and efficient justice system within the county.

We found the attorneys and judges of Medina County to be engaged and concerned with the important issues of access to justice, fairness in the courts, and effective judicial administration. From our perspective, we left Medina feeling that if all our other visits are as successful as the one to your county, then we will have accomplished the goals of the program.

Thank you for your assistance.

Sincerely,



Maureen O'Connor
Chief Justice