



# THE ADVOCATE

THE NEWSLETTER OF THE POLK COUNTY BAR ASSOCIATION. • JANUARY 2004

## Speakers Bureau Concludes Another Successful Year

Two years ago the PCBA Public Relations Committee formed a Speakers Bureau to provide speakers for local schools, churches, nursing homes and civic groups. The Speakers Bureau maintains a list of attorneys and judges who are willing to speak on a wide variety of topics including family law, criminal law, trusts and estates, environmental law, etc. The group requesting a speaker specifies the topic of discussion and the PCBA arranges for the presentation. During the presentation, the lawyer or judge not only speaks about a substantive area of the law which is important to the audience, but also provides the audience with information about the good things lawyers do in our community. Through these efforts, it is hoped that the public's perceptions of the Bar and the legal system will be enhanced.

This year, the Speakers Bureau provided speakers for approximately twenty-five groups. The Speakers Bureau will continue its efforts in 2004. If you would like to volunteer for the Speakers Bureau, please contact Carol Burdette at the Polk County Bar Association Office at (515) 243-3904. If you have ideas for groups who could benefit from a presentation by a Polk County lawyer or judge, then please contact Public Relations Committee Chair Steve Serck at (515) 246-0333.



### What's Inside...

#### Wiggins Joins Supreme Court

2004 Polk County Judicial Assignments

#### Colloton Joins Eighth Circuit

Young Lawyers' Costume Ball Jan. 23

#### Judge Cohen Honored by Iowa Judges Association

Business Record Offers Advertising Opportunities

## Judge Cohen Honored by Iowa Judges Association

Des Moines, December 19, 2003—

At its business meeting in December, the Iowa Judges Association honored Associate Juvenile Judge Constance Cohen, Des Moines, Iowa, by awarding her the association's Award of Merit. The award is given to recognize a judge who has made extraordinary contributions to the Iowa Judges Association and who has been a role model to new judges. "Judge Cohen has the reputation as a hard-working, competent, and compassionate judge," said District Court Judge Dale Ruigh, who presented the award to Judge Cohen. "She is recognized as a national leader in juvenile court issues." Judge Cohen joined the bench in 1994.

In addition to her busy court schedule, she is actively involved in many local and national associations and programs. She is a member of the Blackstone Inn of Court as well as state and local bar associations. On the national level, Judge Cohen has been heavily involved in the National Council of Juvenile and Family Court Judges. She is currently a member of the Council's board of trustees. She has served as chair of the Council's Advisory Committee for the Permanency Planning Department, and a member of the Subcommittee on Health and Well Being of Infants, Toddlers, and Preschoolers in the Juvenile and Family Court. Judge Cohen chairs the Iowa Supreme Court Juvenile Court Officers Training Committee and is a member of the Court's Committee on State Court Improvement on Child Welfare Matters. She is also chair of the Juvenile Court Committee of the Iowa Judges Association. Judge Cohen always finds time for special law related projects.

Judge Cohen helped organize Adoption Saturday, an annual event at the Polk County Courthouse that promotes and celebrates adoptions. She has also been a speaker at the annual Polk County People's Law School. Judge Cohen also serves as a presenter for a monthly "brown bag" lunch program for juvenile court participants. Judge Cohen received both her undergraduate and law degrees from Drake University. Prior to her appointment to the bench she worked in the private practice of law, and served as an assistant county attorney and assistant attorney general. She served as executive director of the Iowa County Attorneys Association and the prosecuting Attorneys Training Coordinator.

Press Release from Iowa Judicial Branch

## Letter from Lois Leary, Clerk of Court for Polk County

### Greetings to Everyone:

As I am writing this, software is being installed at our offsite Records Department that will allow us to send electronic images of microfilm documents rather than reproducing paper copies. We are excited about this opportunity to provide better service. More information will be available in the near future.

On other technological notes, we are moving ahead with a new version (ICIS2) of our statewide computer system, as well as continuing work on EDMS (Electronic Data Management System). We are also investigating the costs and feasibility of implementing E-Juror. This product allows completion of jury questionnaires, notification, and reporting online.

Several weeks ago an article in The Iowa Lawyer stated Polk County handled 20 civil jury trials for the year 2001. That figure was incorrect due primarily to data entry coding problems. The correct number should have been 67. The problem has now been corrected and several cross check procedures are in place. FYI, we have had 72 civil jury trials through Nov 12, 2003.

*Lois Leary, Clerk of Court, Polk County*

---

## www.pcbaonline.org

Check out the Polk County Bar Association's Website at [www.pcbaonline.org](http://www.pcbaonline.org). Although still a work in progress and under construction, the website already offers several features. Members can update their information, find contact information for the Executive Director, Officers, Board of Directors, and Committee Chairs, and sign up for committees. Upcoming events are also listed. Click on the website and check it out. If you have suggestions regarding the website, pass them on to Carol Burdette, Executive Director, at [cburdett@dwx.com](mailto:cburdett@dwx.com).



### Contributors to Newsletter

Contributors to this newsletter include Judge Carla Schemmel, Lu Ann White, District Court Administrator Beth Baldwin, Clerk of Court Lois Leary, Polk County Bar President Susan Low, Tom Levis, Jennifer Lampe, Colin Witt, Emily Gould Chafa, Steve Serck, Jeff Clayton, Aaron Oliver, Polk County Bar Executive Director Carol Burdette, and The Business Record.

## The Des Moines Choral Society Presents "Heartland Heritage" With Valley and Waukee High School Choirs on February 29

The Des Moines Choral Society presents Heartland Heritage on Sunday, February 29, 2004, at 2:30 p.m., at First Baptist Church, 8250 NW 62nd Avenue, east of 86th Street, in Johnston. The Des Moines Choral Society performs with guest choirs, the Valley Singers from Valley High School and the A Cappella Choir from Waukee High School. The concert celebrates our history and heritage. Musical selections will include "Make our Garden Grow" by Leonard Bernstein, a number of spirituals arranged by Moses Hogan and others, folk songs, and interesting pieces by American composers.

Tickets for this concert are \$22 for preferred seating, \$12 for general seating and \$7 for students. For tickets, call the Des Moines Choral Society office at 273-5255, see any Choral Society member, or visit one of the retail ticket outlets to obtain tickets for this concert -- Barnes & Noble, Divine Treasures, Elegance by Kathy and Youngerman Music. Several local area attorneys are members of the Choral Society, including Emily Chafa, Lu Ann White, Deborah Svec-Carstens, Cecil Goettsch, and Jim Fowler.

For additional information about the Des Moines Choral Society and this concert, visit the Choral Society website at [www.dmchoral.org](http://www.dmchoral.org) or call (515) 273-5255.

## Important Notice to all Bar Members About Newsletter

The Polk County Bar Association plans to begin to send the newsletter out via e-mail. If the Bar has your e-mail address, you will receive the newsletter via e-mail, and not by mail, unless you notify Carol Burdette that you still want to receive the newsletter by mail. If the Bar has your e-mail address, and you still want to receive the newsletter by mail, please contact the office by October 31, 2003. E-mail Carol Burdette at [cburdett@dwx.com](mailto:cburdett@dwx.com) or call 243-3904. The newsletter will also be posted on the website at [www.pcbaonline.org](http://www.pcbaonline.org).

# 2004 Polk County Judicial Assignments

## DISTRICT COURT BENCH:

### **Criminal Bench:**

Don C. Nickerson	Criminal #1 Courtroom 204
Eliza J. Ovrom	Criminal Trial Courtroom 209A
Robert B. Hanson	Criminal Trial Courtroom 208
Richard G. Blane, III	Drug Docket Courtroom 207

### **Domestic Family Law Bench:**

Donna L. Paulsen	Courtroom 413
Scott D. Rosenberg	Courtroom 412

### **Juvenile Court Bench:**

DJ Stovall	Courtroom 202B
------------	----------------

### **General Trial Bench:**

Robert A. Hutchison	Jury Judge Courtroom 310
Robert J. Blink	Courtroom 314
Arthur E. Gamble	Chief Judge Courtroom 404
Michael D. Huppert	Courtroom 308
Joel D. Novak	Courtroom 307
Glenn E. Pille	Courtroom 302
Artis I. Reis	Courtroom 306
Karen A. Romano	Chambers 405
Carla T. Schemmel	Courtroom 313
Douglas F. Staskal	Courtroom 305

## DISTRICT ASSOCIATE COURT:

### **January 9 through June 25, 2004:**

William A. Price	Criminal #1 – Driver’s Court, Courtroom 202A
Carol L. Coppola	Criminal #2 – Indictables, Courtroom 211
James D. Birkenholz	Criminal #3 – Probation, Courtroom 109
Carol S. Egly	Criminal #4 – Jail Court
Louise M. Jacobs	Criminal #5 – Traffic/Simple Misd., Courtroom 102
Gregory D. Brandt	Small Claims #1 – Courtroom 108
Joe E. Smith	Small Claims #2 – Courtroom 113
Cynthia M. Moisan	Small Claims #3 – Courtroom 112
Odell G. McGhee	Juvenile #3 – Courtroom 210

### **June 25 through December 31, 2004:**

Carol S. Egly	Criminal #1 – Driver’s Court, Courtroom 202A
Gregory D. Brandt	Criminal #2 – Indictables, Courtroom 211
William A. Price	Criminal #3 – Probation, Courtroom 109
Cynthia M. Moisan	Criminal #4 – Jail Court
Joe E. Smith	Criminal #5 – Traffic/Simple Misd., Courtroom 102
James D. Birkenholz	Small Claims #1 – Courtroom 108
Carol L. Coppola	Small Claims #2 – Courtroom 113
Louise M. Jacobs	Small Claims #3 – Courtroom 112
Odell G. McGhee	Juvenile #3 – Courtroom 210

# Support Our Iowa Troops Drive

**A**ttorney P.J. Rundall and her husband, Tim Rundall, (owner of The Woodchip Shop) are sponsoring a **Support Our Iowa Troops Drive** to ship items to Iraq and Afghanistan that our troops need. The troops need a variety of items, which are outlined below. These items can be dropped off at The Woodchip Shop, 3825-6th Ave, Des Moines, IA 50313 daily from 10am-5pm or by appointment. Businesses are encouraged to donate several items if possible. Cash and checks are also welcome to buy needed items and to help with postage costs. Please make checks out to Woodchip – Troop Support. If there are any questions, please call The Woodchip Shop at 515-283-2171 during business hours.

Here is a list of items needed/wanted by Iowa Troops.

All items and cash donated will be to support Iowa Soldiers.

Iowa currently has 19 units at the front.

(Please note-the news has been reporting that soldiers need a lot of toiletries. Most of these are readily available to Iowa soldiers except for the items below).

## Food Related Items:

Chips Ahoy or other “individually wrapped” Cookies.  
Pasta and Pasta Sauce  
Canned Chef Boyardee Ravioli, Beefaroni, Spaghetti & Meatballs  
Spices  
Smoked Oysters and Sardines  
Beef Jerky & Slim Jims  
Canned Nuts  
Squeeze Butter  
Canned Chips like Pringles Potato Chips  
Licorice “individually wrapped”  
Microwave Popcorn  
Ramen Noodles  
Campbell’s Chunky Soups  
Macaroni & Cheese  
M&Ms  
Olives, Pickles, Peppers  
Pre-sweetened Powdered Drinks like Kool-Aid, Lemonade, Gatorade  
Packs of Gum, Trail Mix, Candy (nothing that melts)  
Lil Debbie Snacks, Brownies, Snack Cakes (Nothing with icing that melts)  
Cereal, Granola and Breakfast Bars  
Microwave Pasta (that does not require refrigeration)  
Microwavable plates and bowls  
Paper Plates  
Koozies to keep water bottles and cans cool

## Clothing Related:

Shoe Laces for gym shoes or boots  
Brown T-Shirts (Any Adult Size)  
Boot Socks  
Underwear (Any Adult Size)  
Sewing Kits

## Health Related:

Lysol Wipes/Wet Wipes (Lots of these)  
Multi-Vitamins  
Small Containers of Tylenol or Motrin  
Foot Powder (no aerosols)  
Athletes Foot Powder (no aerosols)  
Stress Relief Squeeze Balls  
Air Freshener/Stick-ups/Febreze  
Inflatable Seat Cushions

## Entertainment:

DVD’s/CD’s  
AA Batteries  
Newspapers  
Magazines (No Playboy or other magazines that can’t be viewed in mixed company)  
Sports Stuff – (Baseballs, Old Gloves, Footballs, Frisbees)  
Poker Chips  
Board Games  
Paperback Books  
Comic Books  
Crossword Puzzle Books

## Miscellaneous:

Canned Air to blow dust out of equipment  
Phone Cards

---

# Leisure Suits and Leg Warmers Costume Ball for Young Lawyers, Friday, January 23

## Attention all young Iowa lawyers:

Hopefully, you recently received a mailing announcing the second annual Leisure Suits & Leg Warmers Costume Ball on Friday, January 23, 2004 in Des Moines at the Holiday Inn on Fleur Drive.

Like all Young Lawyers Division activities, this event combines a worthwhile cause (raising money to support the Iowa State Bar Volunteer Lawyers Project) with fun (a costume ball with a ‘70s and ‘80s theme).

This event was a fantastic success last year when over 120 young lawyers donned their finest polyester and pastels and danced the night away to the soundtrack of our youth. We are hoping for an even greater turn out last year. In addition, rooms are available at a discount rate for our members, if you are interested in having fun but not worrying about getting home.

To register, go to [www.iowabar.org](http://www.iowabar.org) and find the registration form, or go to <http://www.iowabar.org> and register online.

This is the perfect excuse to get together with old law school classmates and other friends in the profession whom you don't see often enough. I encourage you to join with your fellow Iowa young lawyers next month and boogie away the winter blahs.

*Aaron Oliver*

President, Iowa State Bar Association Young Lawyers Division

## **Business Record Offers Law Firms New Advertising Opportunities to Law Firms in the Metro**

**W**ith Iowa's relatively recent rules changes on advertising, a number of local firms are starting to explore opportunities to market their services specifically to the local business community. The *Business Record's* Jaime Zweibohmer has met with several of the largest Des Moines firms to discuss targeted advertising in the business newspaper with an emphasis on branding business and professional services.

The concept of utilizing a business journal to position a law firm strategically for new business development is an established practice in many markets across the United States. For example, the Jaffe Rait firm consistently uses *Crain's Detroit Business Journal* to creatively congratulate clients on various achievements such as a successful IPO offering or completion of a complex development agreement. In Indianapolis, the Bingham McHale firm runs regular advertising to brand its areas of specialty in the *Indianapolis Business Journal*. In other markets such as Minneapolis and Baton Rouge, individual firms' on-going advertising is supplemented with an annual issue of "Super Lawyers" - a directory of top law firms. In many other markets, ads in the local business journal are regularly used to announce new attorneys joining the firm as a way of introducing them to the local business community.

According to Zweibohmer, every firm she has talked with has expressed strong reservation about general consumer advertising. However, after reviewing professional ad campaigns targeting the business community from these other markets, several are now discussing the timing and strategy for a similar approach in Des Moines.

Zweibohmer reports her contacts at other business journals indicate this targeted positioning strategy has been successful for their law firms. If you would like to review the Business Record proposal and see samples from these other markets, please contact Jaime Zweibohmer at 288-3336 ext. 212 or [jaimezweibohmer@bpcdm.com](mailto:jaimezweibohmer@bpcdm.com).

## **President's Letter**

**I**t is a great privilege to serve as Bar president and work with the many individuals whose great efforts make our Association so successful. I am proud of what we have already accomplished and what we will accomplish. Here are some highlights of some of our recent and upcoming activities.

Approximately 240 attended our annual General Practice CLE on November 21. The program was excellent. The Association has received official word approving the full requested credit of 7.5 hours of CLE, including 2 hours of ethics.

On November 6, we had an excellent turnout at our Fall Social held at Winston's. Those attorneys participating in the Partners Program at Drake invited their student partners. The Social provided an excellent opportunity for students to meet other lawyers and to witness the camaraderie of the Des Moines legal community. In December, the Family Law Committee hosted a social honoring those judges who have been serving and those who will begin serving on the family law bench.

The Public Relations Committee's goal is to ensure the positive image of lawyers and the Association. For the December 22 issue of the *Business Record*, we submitted an article highlighting the very substantial volunteer legal work provided by Polk County attorneys and the value of that work as a service to the individuals and community.

I serve on the ABA's Commission on State Court Funding. The group was charged by the ABA with producing a report in advance of the August 2004 ABA Annual Meeting in Atlanta. The Commission's goal is to provide helpful, practical recommendations that will ensure adequate funding of state courts. I am hopeful that through participating on the Commission, I will learn from others some of their more effective lessons on ensuring that local as well as state court funding needs are met. Meetings of the Commission are scheduled for February 7 and April 23.

The Bench-Bar Committee has volunteered to take on as its project the preparation of a pictorial directory that will include the lawyers of Polk County as well as the judges and court personnel. It has been about two decades since the last Polk County Bar Association pictorial directory and since 1995 that the judges' pictorial directory was published. To ensure their efforts are successful, it is important for us each - shy and vain alike - to participate.

Please feel free to communicate your suggestions or concerns.

Susan A. Low  
[salow@dmgov.org](mailto:salow@dmgov.org)

---

## **Jury Verdict Statistic Update**

Diane Cox is working arduously to update the popular Jury Verdict report that was begun by Ron Branam. This update is scheduled to be ready for a late March 2004 release. E-mail Diane Cox starting in April 2004 to request a copy of this at [diane.cox@jd.state.ia.us](mailto:diane.cox@jd.state.ia.us) or by telephone at (515) 286-3930.

# David Wiggins Becomes Newest Iowa Supreme Court Justice

by *The Honorable Carla Schemmel*

On Friday, November 7, 2003, David S. Wiggins took the oath to become the newest and first Jewish Justice of the Iowa Supreme Court. A large crowd of family, friends, and colleagues filled the Supreme Court chambers and other rooms of the Iowa Justice Building to witness the ceremony and attend the reception which was held in the atrium of the new building.

Justice Wiggins is a native of Illinois who came to Iowa to attend Drake University Law School. He has a bachelor's degree in philosophy from the University of Illinois, and graduated from Drake University Law School in 1976 with honors and Order of the Coif. He spent his legal career practicing with one firm in West Des Moines, Iowa, which was known as Wiggins, Anderson, and Tully when he left private practice.

During his years in practice, Justice Wiggins gave of his time as a member of various legal organizations, serving on various committees, and holding various offices. He has served as a member of the Board of Governors of the Iowa State Bar Association representing the attorneys in Polk County. He also served as President of the Iowa Trial Lawyers Association, and is a founding sponsor of the Civil Justice Foundation. He has been an advocate for the American Board of Trial Advocates, senior counsel for the American College of Barristers, and a master emeritus of the C. Edwin Moore American Inn of Court. In 1999, he received the Meritorious Achievement Award from the Iowa Trial Lawyers Association. He has also served on various judicial branch advisory groups including the Redistricting Commission, the Advisory Committee on the Rules of Civil Procedure, and the Special Committee on the Cost of Litigation. He served as Chairperson of the Judicial Qualification Commission at the time of his appointment to the bench. Justice Wiggins and his wife Marsha are the parents of three daughters; they live in West Des Moines.

Speakers at the investiture included Kevin Collins, President of the Iowa State Bar Association; and Fred Anderson, Rob Tully, and Bill Wimmer, longtime friends and colleagues of Justice Wiggins. Mr. Collins reviewed Justice Wiggins' years of participation in and service to the Iowa State Bar Association. Fred Anderson, who has practiced law with Justice Wiggins since they both graduated from Drake University Law School and began their legal careers at the firm of Williams, Hart, Lavorato & Kirtley, provided entertaining examples of Justice Wiggins' personality and character. Rob Tully, a longtime friend and most recent partner of Justice Wiggins, read a poem describing the newest Justice. Bill Wimmer, another longtime friend and colleague, provided personal examples of Justice Wiggins' service to the legal community in various capacities. Chief Justice Lavorato, who first hired Justice Wiggins as an associate at Williams, Hart, Lavorato & Kirtley, provided insight into Justice Wiggins' experience as a litigator, including that he lost the approximately first five cases the Chief assigned him for trial as a new lawyer. All these speakers were entertaining, but they also provided the audience with a sense of Justice Wiggins' background, and spoke with the hope and belief that the newest Justice will contribute toward furthering Iowa's strong judicial system.

Justice Wiggins' primary goals as the newest Justice of the Iowa Supreme Court are: "To do a good job and to be as fair as possible." Justice Wiggins also hopes that coming to the Supreme Court directly from practice will allow him to provide the Court with a sense of the positions of lawyers and their clients when cases are considered.

---

## Judge Colloton Begins Work on the Eighth Circuit

On Friday, December 5, 2003, the investiture ceremony for the Honorable Steven Michael Colloton to the Eighth Circuit Court of Appeals was held in the ceremonial courtroom of the United States District Court for the Southern District of Iowa. Chief Judge Loken of the Eighth Circuit oversaw the ceremony, and amongst many distinguished speakers and attendees was former Independent Counsel Kenneth W. Starr.

Judge Colloton graduated in 1988 from the Yale Law School. In 1988-1989, Judge Colloton served as a law clerk to Judge Laurence H. Silberman on the United States Court of Appeals for the District of Columbia Circuit. Judge Colloton then became a law clerk to Chief Justice William H. Rehnquist on the Supreme Court of the United States in 1989-1990. In

1990 and 1991, Judge Colloton was Special Assistant to the Assistant Attorney General in the Office of Legal Counsel of the United States Department of Justice. From 1991 to 1994, Judge Colloton was an Assistant United States Attorney in the Northern District of Iowa. Then, in 1994, Judge Colloton was appointed as Associate Independent Counsel by Kenneth Starr. In 1996, Judge Colloton returned and served as Assistant United States Attorney for the Northern District of Iowa until 1999, when he joined the Belin Law Firm. From 2001-2003, Judge Colloton served as the United States Attorney for the Southern District of Iowa.

Senator Charles Grassley sent Judge Colloton's name to President George W. Bush. The nomination was sent by President Bush to the Senate on February 12, 2003, and was confirmed by the Senate on September 4, 2003. Judge Colloton joins the Honorable Michael Melloy, Senior Judge George Fagg, and Senior Judge David Hansen as representatives on the Eighth Circuit Court of Appeals from the State of Iowa.

## Vignettes for Public Service Spots

The PCBA Public Relations Committee is putting together public service spots under the theme "I Should Have Talked to My Lawyer First." If you are a frustrated screenplay writer, this is your chance. The committee is looking for "mini screenplays" which quickly bring home the point that people should speak to their lawyers before entering into binding agreements and/or that they should speak to their lawyers when they are served with court papers.

Examples might be someone who signs a real estate contract with unfavorable terms before talking to their lawyer or someone who ignores suit papers and later finds that their wages have been garnished. It is contemplated that the vignettes will be filmed and shown at the State Fair and possibly on television. Please send your ideas and "mini screenplays" to Public Relations Committee Chair, Steve Serck, at (515) 246-0333, sserck@ahlerslaw.com.

### NOTICE

#### Change in Dallas County Civil Court Service

Effective January 1, 2004, Civil Court Service will no longer be held Friday afternoons.

Civil Court Service will be held each Tuesday on the following schedule:

#### **TUESDAY MORNING** (hearings set at 9:30 a.m.)

Domestic Relations, Domestic Abuse, Uniform Support, Child Support Recovery, Guardianships, Conservatorships, Adoptions, and Scheduling Conferences for the above cases.

#### **TUESDAY AFTERNOON** (hearings set at 1:30 p.m.)

Non-Domestic Relations Equity, Law, Small Claims Appeals, Probate, and Scheduling Conferences for the above cases.

**REMINDER:** Hearings lasting one-half hour or more are not to be set on court service. Contact Rural Case Coordinator Janis Haines in Court Administration at (515) 286-3856 or Dallas County Court Attendant Marsha McDermott in Adel at (515) 993-6876 to schedule a hearing date.

## Plans for New Polk County Bar Membership Directory Announced

From the Co-Chairs of the Bench-Bar Committee:

How many times have you communicated with another lawyer in Polk County and wondered what he or she looked like? How many times have you gone to the courthouse and wondered the name of the staff person who helped you? Your questions will soon be answered. The Polk County Bar Association will be publishing the first Polk County Bar Association Membership Directory in over 20 years.

In the next few weeks, each lawyer in Polk County will be sent a letter asking each lawyer to sit for a photograph to be included in the 2004 Membership Directory. In addition, all of the judges, county attorney personnel, court administration personnel, clerk personnel, court reporters, and court attendants will also be asked to sit for a photograph for this new membership directory.

If you are like most lawyers in Polk County, you have gotten better looking since the last membership directory was published. As such, you will not want to miss getting your picture re-taken for this historic directory. Please, when you receive your notice about scheduling your photograph, make sure you take the time to have your picture taken. The directory will have much more meaning if it includes the photographs of all the lawyers in Polk County.

We anticipate this membership directory will cost less than \$15. Despite its cost, we are convinced the directory will become one of your most important office tools. The greater the participation, the better the directory will be. Please plan on being a part of the 2004 Polk County Membership Directory.

*by Jennifer G. Lampe and Tom Levis*

## Important!! Required Electronic Filing in Northern District as of March 1

The Federal Court for the Northern District (Cedar Rapids and Sioux City) will require all filing and service of documents and receipt of documents to be by e-mail as of March 1. Training is provided in Cedar Rapids, or the Clerk's Office personnel may be willing to travel for training for groups of at least 12. There is also a tutorial on the Northern District website at [www.iand.uscourts.gov](http://www.iand.uscourts.gov).

# Law Day Committee Sponsors 3rd Annual Visual Arts and Poetry Competition to Celebrate the 50th Anniversary of *Brown v. Board of Education*

In 1958, President Eisenhower established Law Day (May 1) as an annual event to celebrate and strengthen the American heritage of liberty, justice and equality under the law. The Polk County Bar Association sponsors a student competition each year to celebrate Law Day in the Polk County area. For the third consecutive year, the PCBA Law Day Committee will sponsor a visual arts and poetry competition for 6th through 12th graders throughout the Polk County area.

The theme for this year's competition is "TO WIN EQUALITY BY LAW" in celebration of the fiftieth anniversary of the *Brown v. Board of Education* decision. Students will be asked to create artwork and/or a poem that illuminates the meaning of equality in our democracy and the role of law, advocates, and courts in establishing and protecting our rights. Law Day Committee members will also be available to speak to students about the Brown decision and its pivotal role in the civil rights movement and the march toward equality for all Americans.

The competition entry deadline will be March 31, 2004. Last year, the Committee received a variety of artwork and poetry from high school and middle school students from a number of public and parochial schools. The Committee hopes to receive more entries from more schools this year. Local attorneys who are also poets and artists will evaluate the artwork and poetry entries. The Committee plans to present awards to students and to the schools and teachers with the most significant student contributions at the PCBA Annual Meeting on Tuesday, May 11, 2004.

Attorneys are urged to encourage any and all middle school and high school students they know to enter this competition. The Committee intends to publish the winning poetry in upcoming issues of this newsletter and display the winning artwork in various public places in the Des Moines area. Emily Chafa and Kristin Collinson are Co-Chairs of the Law Day Committee. Please contact Emily Chafa at ebchafa@dmgov.org or 283-4530, or Kristin Collinson at 223-5038 ext. 214, or mackiekac@aol.com with any questions or concerns about the competition, or to volunteer to serve on the Law Day Committee.

## Iowa State Bar Examination Applicants February 2004

Pursuant to Supreme Court Rule 108, R. K. Richardson, Clerk of the Supreme Court, is notifying you that the following persons have filed an application to sit for the February 2004 Iowa Bar Examination. A report of any information you have reflecting adversely on the moral character of an applicant is required and reporting of same in writing should be transmitted to the Chairman of the Board of Law Examiners as soon as possible.

DeDe Ellen Abbott  
Desmund Douglas Adams  
Della M. Arriaga  
Philip Calvin Berger  
Aaron David Bernard  
Eric R. Bidwell  
Kevin Patrick Boot  
Tina Louise Butt  
Kerry Michelle Carskadon  
Scott Emil Creutzmann  
E. Jacob Cummings  
Katherine Anne Daman  
Patrick B. Dillon  
Jennifer Lynn Drake  
Marc Anthony Elcock  
Silvia Johanna Hansell  
Jason Alan Helm  
Amy Elizabeth Houston  
M. Keith Jackson  
Tyler J. Johnston  
Samantha Jean Kain  
Chad E. Learned  
Lisa Miller Mattson  
Jason E. McCollough  
Timothy Lee McNeill  
Peter McRoberts  
Steven Paul Melbostad  
Steve Ralph Newlander  
Rinky S. Parwani  
Whitney Poston Bogdanski  
Maud Poudat  
Tracie Lynn Rickers  
Robert Todd Roseberry  
Steven Paul Smith  
Stephanie Nhan Tran

# Attorneys Help the Community in Many Ways

In addition to all the volunteer and pro bono work attorneys do, and monetary charitable contributions they give, attorneys and their staffs also help the community in many ways during the holiday season and throughout the year.

The variety of types of help, and the volume of assistance, is heartening when attorneys are continually the brunt of bad jokes and bad press. Several attorney offices in Polk County participate in charitable projects. Here are some of the projects.

## **Davis, Brown, Koehn, Shors & Roberts, P.C.:**

Firmwide, individuals participated in providing individual gifts and toys for children at the Day Care for Exceptional Children, providing approximately 50 toys for their holiday party.

The Litigation and Business Division held a competition for Combat Hunger. Staff donations were divided equally between the two divisions.

The firm's holiday card was a watercolor painted by Dennis Adams, a member of VSA Iowa (formerly known as Very Special Arts Iowa). The firm made a donation both to the artist and to the group.

The associates again took on their annual project of assisting two local refugee families identified by Employee & Family Resources, Inc. This year, the firm was asked to assist two local families who are having a difficult time meeting their month-to-month expenses. The support provided includes traditional gifts (such as winter clothing or games for the children) as well as gift certificates for groceries and other day-to-day necessities. Participation by the associates is 100% and many of the shareholders also contribute to the effort. The combined contributions allow the firm to provide exceptional support to these families in need.

The firm was "wrapped" up in a sock and gloves drive for United Churches Shelter, as well as collecting toys, clothes, household products, etc. for a family one of the attorneys is involved with through Court Appointed Special Advocate (CASA).

## **Bankruptcy Clerk's Office:**

For a number of years, the Bankruptcy Clerk's Office has adopted a charity around the holidays. Everyone in the bankruptcy court is invited to contribute items. (Sometimes it is a home for disabled children, or a shelter for abused women and children, or a charity that provides items to individuals in need, or some other similar good cause.) Usually, a group from the Clerk's Office makes the delivery in person to the home, shelter, charity or other cause. This year the office collected toys for Toys for Tots.

## **Dickinson, Mackaman, Tyler & Hagen, P.C.:**

Starting in August 2000, the Dickinson firm adopted a girls group home run by Children and Families of Iowa.

Every Christmas since 2000, the firm has put together a nice holiday for the girls complete with presents, cards and much good cheer. The group home is a residential treatment facility for girls ages 13 to 18 with family and behavioral problems. In addition to the December holidays, the firm sponsors special events for the girls throughout the year, such as providing their Thanksgiving meal, celebrating birthdays with gifts, cards, and well-wishes, remembering Valentine's Day, and hosting back to school and other fun celebrations and events. This is truly a firm project and involves many staff and attorneys. The girls at the group home have been very appreciative and have sent the firm hand-made thank-you notes, invited the firm to open houses, and made the firm feel very appreciated. The firm feels blessed to have had this opportunity to bring joy to the girls, and is touched by how happy these gestures of caring make the girls. The firm feels rewarded by being able to have this connection with the girls and plans to continue the relationship with CFI's girls group home for as long as possible.

## **McKee, Voorhees & Sease:**

As a gift to the firm's top clients, the firm made a donation in their collective names to the Beacon of Life, a Des Moines-based transitional home for young women. The office members also have "adopted" a family of 5 and 5 young adults through the Iowa Homeless Youth Shelter, with all contributing to buying needed items and gifts. Additionally, toward the beginning of the year, the firm will likely resume the tradition of helping out once a month at a local soup kitchen.

## **Patterson, Lorentzen, Duffield, Timmons, Irish, Becker & Ordway, L.L.P.:**

The Patterson Firm had two projects. The first was a food drive for the Food Bank of Iowa. The National Guard collected the firm's donations of food and cash during Combat Hunger. The second project was an adopted family. The firm collected for a grandmother and three children, and was to deliver the gifts to the family itself. The people on the firm's charity "committee" have conducted a couple of fundraisers to support the projects, including a lunch cooked and served to the office for a donation. These projects are carried out completely by staff members, and the firm has been very supportive.

## **Wasker, Dorr, Wimmer & Marcouiller, P.C.:**

The office has adopted a five member family this year from the Department of Human Services. The firm has done this now for the past 4 years. The firm collects money from all who wish to participate in the office and then purchases needed items such as clothing and toys along with non-perishable food items. The firm then calls the family directly to make arrangements for delivery. This is a heart-warming and humbling experience for all who participate.

## **Iowa Utilities Board:**

The Iowa Utilities Board, in coordination with all agencies of state government, collected Toys for Tots. This is an activity by the entire office, not just the lawyers.

### **Polk County Women Attorneys:**

The Polk County Women Attorneys (PCWA) collected underwear for women who stay at the Family Violence Center shelter. This is a very needed item and one that is not generally thought of during the giving season. Women that leave their homes often must leave with only the clothes on their back and do not have a supply of underwear. Diapers and underwear for children are also needed.

PCWA also sponsored a basket auction this fall, raising over \$10,000 for the Young Women's Resource Center.

### **Nyemaster, Goode, Voigts, West, Hansell & O'Brien, P.C.:**

For the past four years, the secretaries, staff and attorneys at the Nyemaster Firm have sponsored the kindergartners and preschoolers at Capitol View School in Des Moines, with a large gift that is decided on by the staff at Capitol View School. Each year every student at Capitol View School receives a gift such as snow boots, a warm fleece blanket, last year a school sweatshirt, and this year a sleeping bag. There are many different organizations that help sponsor the many classes at Capitol View School but the Nyemaster firm has chosen to sponsor the kindergarten and preschool classrooms.

Besides sponsoring each kindergartner and preschooler with a large gift, the secretaries, staff members, and attorneys donate, purchase and make many other gifts to give to the students. Fabric and batting are donated so that nap pillows can be made for the children as well as toothbrushes, toothpaste, coloring books, crayons, candy, animal crackers, pens, pencils, stuffed animals, books, mittens, Christmas cups, berets, combs, stickers and toys. The goodies each child receives are placed in a large gift bag. The brown bags are donated by Hy-Vee and given to various children organizations to decorate and make into gift bags as part of their contribution to the holiday fun. Graham crackers and candy were donated this year so that the children could make gingerbread houses for their families.

As an extra bonus, the secretaries, staff and attorneys that are able to participate plan a Holiday Variety Show for the kindergartners and preschoolers to enjoy. Each member of the group takes a turn at entertaining the children. Santa, Mrs. Claus and the Elves are always there to hand out the goodie bags to the children. Sponge Bob Square Pants, Rudolph, Angels, Story Lady, Grinch and Cindy Lou Who are several of the characters that enjoy entertaining the kids with a song, holiday story and a holiday skit. After the Holiday Variety Show, the children are treated with cookies and juice.

The Holiday Variety Show may be the big project for the year, but throughout the rest of the year the secretaries, staff and attorneys donate money to be used for a fieldtrip to the Des Moines Blank Park Zoo. Also, school supplies are donated to the teachers as well as notebooks and pencils are donated to the children before they leave school for the summer to help them keep practicing their writing skills through the summer months. The kindergarten teachers depend upon the donations for various special projects, such as flower seeds to grow flowers for Mother's Day gifts and egg coloring kits so the children can color eggs and have an

egg hunt in the spring. Many special projects would not be available for the children without the generous giving of the secretaries, staff, and attorneys of the Nyemaster Firm.

### **Iowa Workforce Development**

The lawyers and staff at Iowa Workforce Development each holiday season sponsor several charities. They sponsor two needy families and get a list of all the members' needs--including shoe, socks, and clothing sizes so that the office can purchase get toys, food, shoes, and clothing for the families for the holiday. The office is also a collection site for Toys for Tots. The office also sponsors a Blood Drive for the Blood Center of Central Iowa.

The Workforce Development office also raised money throughout the year to give to the Food Bank of Iowa. The office has a big nut sale in the fall, and a big flower/candy/pastry sale in the spring, etc., and then donates the money at the end of the year.

### **Ahlers & Cooney, P.C.:**

With the coordinating efforts of Vicki Drake and Debbi Cornell of Ahlers & Cooney, P.C. of Des Moines and Orchard Place Adopt-A-Family, the Ahlers Firm made several young faces smile and gave hope this Christmas. Orchard Place is an outpatient/inpatient residential facility for behavioral children through 18 years of age.

### **Brown, Winick, Graves, Gross, Baskerville and Schoenebaum, L.L.C.:**

The staff sponsors an Adopt-A-Family drive each year. While the staff sponsors this drive, attorney participation is substantial. Firm member Jill Thompson Hansen remarks, "I think many people intend to find charitable opportunities, especially during the holidays, but don't know how to go about it. Our firm's Adopt A Family drive provides that opportunity, and allows us to combine our efforts in a way that truly makes a difference for a local family." This year the firm adopted three families with great success in meeting their needs and providing some dining and entertainment gift certificates. It is exciting when the firm can collect beyond what is on the recipient's Wish List. "We worked with the Good Samaritan Urban Ministries program this year and when we delivered the packages we realized we were a very small part of a huge endeavor," notes Angela Clark, one of the organizers of this year's drive. "Hundreds of gifts were contributed for families in the Des Moines area."

### **Hanson, Bjork & Russell, L.L.P.:**

The attorneys and staff again this year collected toys for Toys for Tots, and also collected donations and bought shoes or boots for some students at King Elementary through the "Shoes That Fit" program.

### **Hopkins & Huebner, P.C.:**

This year Hopkins & Huebner supported the Success Program of the Des Moines Public Schools. The firm collected warm coats, sweaters, shoes, and other winter items to be distributed to at-risk and in-need public school students and their families. The firm delivered donations to Sammi Nobels at Callanan Middle School and she distributed them to the families in need.

### **Dorsey & Whitney, L.L.P.:**

Dorsey and Whitney, L.L.P. adopted a family through the Moulton School SUCCESS/Way To Grow program. They sponsored a single mom, and 4 children. The family had been homeless and just moved into an apartment. The firm chose to help this family, because that is what the Christmas Season is all about. The firm also provided more information on this program below.

### **SUCCESS/Way to Grow Programs:**

There are many, many more such families waiting to be helped, not only at this time of year, but throughout the year. Many families involved with the SUCCESS/Way to Grow programs have endured great hardships, such as losing everything because of fire, having to flee because of physical danger, relocating from another area, or a variety of other extreme situations.

These two programs go hand in hand. The SUCCESS Program is a school-based youth services program offered year-round in Des Moines Public Schools and has been offered since 1990. The program is predicated on the belief that students are best served when their social, emotional, and behavioral needs are met as well as their academic needs. Too often, students fail in the classroom when these critical needs are not addressed. The program primarily serves the most vulnerable students and families. In 2002-2003 3,358 individuals were served: 47 percent are minority; 86 percent are low-income; and 61 percent benefit from the free/reduced-price meals. Typical student/family issues include homelessness, neglect and abuse, hunger, poor health, basic needs, substance abuse, and domestic violence. The program also offers after-school and summer programming activities in collaboration with community agencies.

The WAY TO GROW family development specialists focus on the most vulnerable young families who are pregnant or have children under the age of six. Services ensure that children are born healthy and receive the support necessary to prepare them to begin school ready to learn and to achieve success in the classroom. One of the main goals of the program is to help families develop social skills and self-confidence and to move from poverty to self-sufficiency. This program is available in 31 Des Moines Schools --15 elementary, 10 middle, and 5 high schools. The Case Manager for the Success/Way to Grow Program at Moulton Elementary is

Mara Van Ee  
1541 8th Street  
Des Moines, Ia

515 242-8218  
515 288-1346 (fax).

## **Notice:**

Court Administration numbers in the blue book are now located on Page 68 in the yellow Court and Government section versus the white pages as they had been in the past.

# **Notice of ABA Legal Opportunity Scholarship for 2004-2005 Academic Year**

The ABA offers a Legal Opportunity Scholarship to encourage racial and ethnic minority students to apply to law school and to provide financial assistance to these students. The Scholarship Fund will award \$5,000 of financial assistance annually to each scholarship recipient attending an ABA-accredited law school. An award made to an entering first-year student may be renewable for two additional years, resulting in financial assistance totaling \$15,000 during his or her time in law school.

For more information, contact Susan Low, or call the ABA at (312) 988-5104. Applications must be submitted by mail and postmarked no later than March 1, 2004.

Applications may be downloaded at [www.abanet.org/fje](http://www.abanet.org/fje).

---

## **Nominating Committee Appointed**

A Nominating Committee has been appointed consisting of the following immediate past presidents of the Polk County Bar Association: Paul Tyler, Chair, Miki McGovern, Brian Wirt, David Craig, Nan Horvat, and Tim Pearson. The Committee will provide nominations for the officers of the Association (president-elect, vice president, secretary and treasurer), the Board of Directors, representatives to the Board of Governors of the Iowa State Bar Association, members of the Ethics Committee, and library trustees. The Committee may also determine recipients of the Polk County Bar Association Award of Merit for any members who have made outstanding contributions to the Polk County Bar Association.

Any member may submit suggestions for the Committee's consideration. Any such suggestions should be made to Paul Tyler, 699 Walnut, Suite 1600, Des Moines, IA 50309 (Telephone 244-2600). Please make your suggestions to the Committee by March 1, 2004. The election will be held at the Annual Meeting of Members on May 11, 2004, at the Hotel Savery.

### **NEWS FOR NEWSLETTER WANTED**

Anyone wanting to submit news items for the PCBA Newsletter, or wanting to serve on the Newsletter Committee, should contact Newsletter Committee Co-Chairs, Hon. Bob Hanson (Robert.Hanson@jb.state.ia.us), Polk County Courthouse, (telephone 286-3846), or Lu Ann White (lawwhite@hbr-law.com) at Hanson, Bjork & Russell, L.L.P., 405 6th Ave., Suite 1300, Des Moines, Iowa 50309-2413 (telephone: 244-0177) (fax: 244-8258), or contact Carol Burdette (cburdett@dwx.com) at 243-3904.

# Judge Klotz to Speak at Bench Bar Luncheon in February

**From the Co-Chairs of the Bench Bar Committee:**

The Polk County Bar Association is delighted to announce that the Honorable Ruth B. Klotz will be our speaker for the February 10, 2004, Polk County Bar Association Bench Bar Luncheon to be held at the Savery Hotel. Judge Klotz has been the Polk County Associate Probate Judge for over 25 years. Without a doubt, Judge Klotz has touched the careers of nearly every lawyer in Polk County, Iowa. This is the first time we have been able to convince Judge Klotz to share her wisdom with us. This is a luncheon not to be missed. Cost is \$13 with reservations. To make a reservation, contact Carol Burdette at [cburdett@dwx.com](mailto:cburdett@dwx.com) or (515) 243-3904, or mail in this form with a check.

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Firm: \_\_\_\_\_

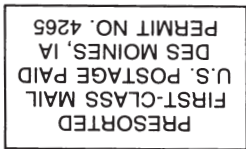
Phone number: \_\_\_\_\_ E-mail address: \_\_\_\_\_

**Return to:**

Carol Burdette, Polk County Bar Association , 521 E. Locust St., Suite 302, Des Moines, IA 50309-1939

or facsimile: 515/244-8845

or email: [cburdett@dwx.com](mailto:cburdett@dwx.com)



**Polk County Bar Association**  
512 E. Locust, Suite #302  
Des Moines, IA 50309-1939