



# STARK COUNTY BAR JOURNAL

VOLUME 30 ■ NUMBER 5

MAY 2024

## Past Presidents' Dinner Wednesday, April 3, 2024



Front L to R: J. Fred Stergios (1993-1994); William W. Emley, Sr. (2006-2007); Honorable C. Roland Centrone (2015-2016); Andrea M. Scassa (Current 2nd VP); Honorable Frank G. Forchione (Current President); Rosemary G. Rubin (1991-1992); Shawn O. Robertson (2009-2010); Ivan Redinger, Jr. (2020-2021); Angela T. Vagotis (Current 1st VP); Elizabeth A. Burick (1997-1998); Joseph Martuccio (2016-2017)

Back L to R: Honorable Chryssa N. Hartnett (2018-2019); Dennis J. Fox (1992-1993); Stephan P. Babik (2022-2023); Ralph F. Dublikar (2002-2003); Richard A. Nicodemo (2013-2014)

## 2024 Law Week Programs "Voices of Democracy"

WEDNESDAY, APRIL 24, 2024  
12:00 NOON – 1:00 P.M.  
TELEVISED ASK-A-LAWYER  
Massillon Municipal Court

MONDAY, APRIL 29, 2024  
1:00 P.M. – 4:00 P.M.  
OHIO JUSTICE BUS  
FREE LEGAL ADVICE  
Market Ave., South & 2nd Street

WEDNESDAY, MAY 1, 2024  
11:45 A.M. – 1:00 P.M.  
LAW DAY LUNCHEON  
Awards will be Presented to the  
ProBono and Liberty Bell Winners.  
Keynote Speaker will be Stark County  
Commissioner Richard Regula.

WEDNESDAY, MAY 1, 2024  
1:15 P.M. – 4:30 P.M.  
"LEGISLATIVE PROCESS AND THE  
IMPACT ON YOUR PRACTICE"  
CLE Seminar – 3.00 CLE Credit Hours

MONDAY, APRIL 29, 2024  
9:00 A.M. – 12:00 NOON  
MOOT COURT COMPETITION  
Fifth District Court of Appeals

TUESDAY, APRIL 30, 2024  
COURT OF APPEALS SESSIONS  
Canton South High School

THURSDAY, MAY 2, 2024  
8:30 A.M. – 12:00 NOON  
TOUR DE COURTS  
Downtown Canton

# SCBA May 2024 Office Schedule

April 29 <sup>th</sup> - May 3 <sup>rd</sup>	LAW WEEK
May 2 <sup>nd</sup> 12:00 NOON	Community Involvement Committee Meeting
May 8 <sup>th</sup> 11:30 AM	Family Law Committee Meeting
May 13 <sup>th</sup> 4:00 PM	Disputed Fee Committee Meeting
May 15 <sup>th</sup> 4:00 PM	Executive Committee Meeting
May 21 <sup>st</sup> 3:45 PM	Grievance Committee Meeting
May 23 <sup>rd</sup> 12:00 NOON	Military & Veterans Affairs Committee Meeting
May 27 <sup>th</sup>	Office Closed In Observance of Memorial Day
May 28 <sup>th</sup> 4:00 PM	Annual Election Ballot Counting

# 2024 CLE Seminars

May 1, 2024	2024 Law Day Seminar “Legislative Process and The Impact On Your Practice” Kent State University Stark Conference Center
May 16, 2024	2024 Estate Planning & Elder Law Symposium Kent State University Stark Conference Center See Pgs. 4 & 5
June 14, 2024	13th Annual “Justice For All: Protecting the Elderly And Disabled” First Christian Church See Pg. 7
June 18, 2024	2024 Professional Conduct Seminar SCBA Conference Room See Pg. 9

## NOTARY EDUCATION CLASS & TESTING

Classes and Testing offered every 2nd & 4th Tuesday  
Stark County Bar Association Office  
**\*By Appointment Only\***

1 Hour Renewal Education Class • 9:00 AM – 10:00 AM

3 Hour New Notary Public Education Class  
12:00 Noon – 3:00 PM

TESTING 3:00 PM - 4:00 PM

**Online classes and testing**  
available at our website: [www.StarkCtyBar.com](http://www.StarkCtyBar.com)



**Reminder: M - Z!**  
**Complete your CLE by Dec. 31, 2024**

THE STARK COUNTY BAR ASSOCIATION



## Installation of SCBA 2024-2025 Officers & Executive Committee

**June 18, 2024**

Details on Page 9.

## THE BAR JOURNAL

Official Publication of the Stark County Bar Association

**FOUNDED IN 1900**

Suite 400, Courtyard Centre  
116 Cleveland Ave., N.W. • Canton, Ohio 44702

Honorable Frank G. Forchione, Bar President  
Tina McCort, Executive Director & Editor  
Chris Diaz, Bookkeeper & Editor

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[www.StarkCtyBar.com](http://www.StarkCtyBar.com)

The Bar Journal is published monthly for all bar members. Free to members, \$20.00 per year to others.

All communications and editorial material should be directed to the Bar Association office by the fifteenth day of the month preceding publication.

Opinions and positions expressed in the signed material are those of the author and may not necessarily reflect those of the Stark County Bar Association, its officers, staff or board of editors.



## From Our President

# Voices of Democracy – “Checks and Balances”

*“The true principle of government is this – make the system compleat in its structure; give a perfect proportion and balance to its parts; and the powers you give it will never affect your security.”*

*Alexander Hamilton*

We invite everyone to join us on May 1, 2024 to celebrate Law Day with this year’s theme of “Voices of Democracy”. Although there may be so many other worthy individuals, there may be no better example of a person who fits this description than one of our captivating, historical figures and founding father, Alexander Hamilton. Hamilton fought in the American Revolutionary War, served as the first Secretary of the Treasury and helped draft the Constitution. It is said that George Washington’s favorite son was gifted, brilliant, but self-destructive. (Reader’s advice, “It’s never a good idea to publish the fact that you were having an extramarital affair.”)

I first became keenly aware of the visionary statesman, who’s portrait still remains on our \$10 bill, after reading Pulitzer Prize winning author, Ron Chernow’s lengthy biography of Hamilton. Ironically, Lin Manuel Miranda picked up the same book while on a beach vacation in New Mexico, which captured his interest and provided him the inspiration to script his Tony award winning blockbuster, hip hop musical “Hamilton”, that still commands the Broadway stage after close to ten years. (Obviously, Lin Miranda had much more imagination, talent and innovation that I did to turn this story into a billion dollar business venture, and perhaps the best musical of our generation.) My wife Rachel and I had heard about the show as it was being developed in a theater workshop and were fortunate to snag



**Honorable Frank Forchione**  
*President, Stark County Bar  
Association*

tickets a few weeks after it opened for face value.

Beginning in 1787, Alexander Hamilton published a series of eloquent political essays titled, “The Federalist”, anonymously under the name of “Publius” in various newspapers to convince the states to ratify the newly drafted United States Constitution. Hamilton called on the citizens to “deliberate on a new Constitution” and prove to the world that they were choosing a government based on “reflection and choice”, not “accident and force”.

The true genius of Hamilton was that he was convinced the new American government should be divided into three branches: the Executive Branch, Legislative Congress, and Judiciary Branch. While each branch was designed to hold unique features, they would use the separate powers in a manner to achieve a common goal – upholding our Constitution. Dividing the government into three segments provided checks and balances to prevent any

*(continued next page)*

one branch from becoming too dominant. He believed that these fundamental principles would allow America to succeed when previous republics had failed. These **checks and balances** reduced the risk of improper behavior and centralization of power.

In the end, we have Alexander Hamilton to thank as one of our leading voices in Democracy. Although we were not “in the room where it happens”, we can see the positive lasting effects of the system he created. For example, the system of checks and balances played a huge role during the administration of President Franklin D. Roosevelt, who was furious with his conservative Supreme Court after they struck down a number of “New Deal” proposals in an effort to lift the country out of the depression. Audaciously, President Roosevelt ordered Congress to allow him to appoint additional members to stack the Court with loyalists, who would override the existing members, which the Supreme Court quickly shot down. Additionally, in 1973, Congress, still feeling duped by President Lyndon Johnson after he pushed through his Gulf of Tonkin resolution, which led us into the Vietnam War, passed the War Powers Act, which limited the President’s ability to take our country into battle without the authorization of Congress. President Richard Nixon vetoed the Bill, claiming it was “illegal, unconstitutional and dangerous”, but Congress overrode his veto to pass the Bill into law, trying to maintain some level of control over a President’s ability to send our troops overseas in a conflict.

There is no question that Hamilton made a lasting impact on Democracy as he strove to limit access to the levels of power. Curiously, if you want to learn more about the great Alexander Hamilton and would like to skip Ron Chernow’s 852 page story, you can check the balance in your bank account and perhaps catch the show on Broadway or at Cleveland’s Playhouse Square. You’ll enjoy this excellent

combination of rap, history, humor, and musical theater. Another critical lesson that you will discover that is not outlined in our Constitution is that if someone calls you out on a duel, it may be wise to pass on that challenge, or in the alternative, “Don’t throw away your shot!”

- It’s great to see our Grievance Committee has been recertified by the Board of Professional Conduct. Chairperson Kris Bates Aylward and her committee do a wonderful job of screening through complaints filed in our Bar Association. After sitting through several meetings, their investigations are thorough, objective and fair. Their work gives the public confidence in the Stark County Bar.
- It was an incredible night at the Past Presidents’ dinner sharing stories and memories with over 20 leaders of our Bar Association. (See front page) I was touched by how much each President stated they enjoyed their year of service and were willing to share the moments they cherished the most. There’s no question that we are so fortunate to have had so many great leaders grabbing the reins!
- Our annual election for the Executive Committee will take place Tuesday, May 28th @ 4pm. Members will be casting their ballots using our new program “Election Buddy”. If you receive a hard copy of the Bar Journal, the bar office will automatically mail a paper ballot to you. Please watch your e-mail inbox for the opportunity to vote.



- Our social champions and chairwomen Judge Natalie Haupt and Judge Kristin Farmer made it very special at the Administrative Professionals Day Luncheon at Benders Restaurant. Our Administrative Assistants are the key to all our successes. It was an awesome way to thank them and give them the honor they deserve so much!

*(continued next page)*





- The Community Involvement Committee continues to make a strong impact on those who need assistance. Whether it's serving dinners at the Refuge of Hope or leading the drive to collect items that help the needs of students in Stark County, they are constantly casting a positive glow on our organization. We appreciate ALL their efforts!



**CONGRADULATIONS JUDGE FORCHIONE  
ON BEING HONORED WITH THE  
2024 AKRON LAW OUTSTANDING  
ALUMNI AWARD**



**STARK COUNTY BAR ASSOCIATION  
COMMUNITY INVOLVEMENT COMMITTEE  
ANNUAL SCHOOL DRIVE**



Canton Local Administrators and Community Involvement Committee Chairman, Christy Pier-son and Committee Member Jamie Minor.

**THANK YOU TO ALL THE SCBA MEMBERS THAT SUPPORTED THE SCHOOL DRIVE!!**



# Stark County Bar Association

## **2024 ESTATE PLANNING AND ELDER LAW SYMPOSIUM**

Thursday, May 16, 2024 • Kent State University Stark Conference Center

### **LIVE SEMINAR**

**Sponsored by: Judge Dixie Park and the Probate Practice and Elder Law Committees of the Stark County Bar Association**

- 8:00 A.M. REGISTRATION & CONTINENTAL BREAKFAST
- 8:30 A.M. LEGISLATIVE UPDATE  
Honorable Kelly Badnell, *Richland County Probate Court*
- 9:00 A.M. CASE LAW UPDATE  
Honorable Laura J. Gallagher, *Cuyahoga County Probate Court*
- 10:00 A.M. BREAK
- 10:15 A.M. SECURE ACT 2.0  
Edwin Morrow, Esq., *Sr. Vice President, Huntington National Bank*  
Brian C. Layman, Esq., *JD CPA M. Tax, Layman Law Group, LLC*
- 11:15 A.M. NURSING HOME OVERSIGHT: A BRIEF OVERVIEW OF THE STRENGTHS AND WEAKNESSES OF APS, THE LTC OMBUDSMAN, AND THE DEPT. OF HEALTH  
Blaine P. Brockman, Esq., *Darby Legal Assistance*
- 11:45 A.M. CREDITOR'S CLAIMS  
Matthew R. Hochstetler, Esq., *David J. Simmons & Associates, LLC*
- 12:00 NOON LUNCH PROVIDED
- 1:00 P.M. Presentation by Event Sponsor
- 1:05 P.M. NOTARY PUBLIC CHANGES/UPDATES  
Magistrate Stephan P. Babik, *Stark County Common Pleas Court*
- 1:35 P.M. SUCCESSION PLANNING  
Gretchen Koehler Mote, Esq., *Director of Loss Prevention, Ohio Bar Liability Insurance Co.*
- 2:35 P.M. BREAK
- 2:55 P.M. DEMENTIA AND RELATED DISORDERS: SYMPTOMS AND IMPORTANCE OF ASSESSING DECISION-MAKING CAPACITY  
Dr. Jennifer Drost, DO and MPH, *Medical Director, Geriatrics*
- 3:55 P.M. VIEW FROM THE BENCH  
Honorable Dixie Park, *Stark County Probate Court*
- 4:25 P.M. ADJOURN

# 2024 ESTATE PLANNING AND ELDER LAW SYMPOSIUM

## LIVE SEMINAR - KENT STATE UNIVERSITY STARK CONFERENCE CENTER

### Thursday, May 16, 2024

Registration Deadline: May 2, 2024

\*Members: \$245.00      Associate Members: \$181.00      Non-Members: \$400.00

Name: \_\_\_\_\_ Atty. Reg. No. \_\_\_\_\_

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

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

Please mail checks to: Stark County Bar Association

116 Cleveland Avenue, N.W., Suite 400, Canton, Ohio 44702-1728

**MATERIALS:** Handouts for this program will be provided to all attendees in electronic, rather than hard copy format. When you register, be sure to include your email address so that we can notify you when the electronic materials are available.

\*PLEASE NOTE: If you are currently a member of any local bar association, you may attend at our members' price.

NO REFUNDS UNLESS RESERVATION CANCELLATION IS RECEIVED 24 HOURS IN ADVANCE OF SEMINAR.

Application has been submitted for 6.25 CLE Credit Hours including 1.00 Professional Conduct Hour and 5.25 Certified Specialization Credit Hours in Elder Law and Estate Planning, Trust and Probate Law.



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## LAWYERS WANTED: Lawyers Do More Than Practice Law.

As mentioned in the February 2024 edition of the *Stark County Bar Journal*, our Bar Association is looking for lawyers involved in various arts and non-legal activities to put together an exhibition show in conjunction with our Bar Association's 125<sup>th</sup> year celebration next year. While Judge Forchione indicated in that prior Bar Journal article that visual artists and attorneys David Dingwell (photography) and Todd Bergert (painting) would be putting together the show, it is a significant undertaking which requires a number of individuals to participate in order to make it truly representative of our Bar. To help meet this perceived need, I volunteered to step forward and help since I have interest in a number of art fields and now that I am retired, I have the time to help. In order to successfully put together an exhibit dealing with the concept of lawyers doing more than practicing law, we need a broad based group of Stark County lawyers to participate in the project. Consequently, we are looking for a wide variety of talented lawyers who not

only paint, sketch, sculpt, or engage in photographic creation, but a number of individuals who may also be involved in acting, singing, writing, fabric arts, furniture or cabinet making, or for that matter any one of a number of other forms of artistic talent. As a consequence, would you please email me and indicate your willingness to participate in this project which is tentatively scheduled for May of 2025 to be held in the Stark County Courthouse. Please email me at [herblegal@aol.com](mailto:herblegal@aol.com) by August 31, 2024 with a statement of your willingness to participate. Please include a statement of your area of interest and a picture of your area of potential involvement so we may display and highlight your talents and expertise to the community. We would like to have a dozen individuals to participate in this project. We need you to help make this a success and to highlight our interests in the many activities which broaden our commitment to this community for our Bar's 125<sup>th</sup> year celebration. Please step up and join us. David L. Herbert at: [herblegal@aol.com](mailto:herblegal@aol.com)



# YOU ARE INVITED TO THE 13<sup>TH</sup> ANNUAL Honor Court Mentor Breakfast

May 24, 2024 at 9:00 a.m.

MAPS Air Museum  
2260 Intl. Pkwy • North Canton, OH 44720

**\$16.00/person** (includes hot breakfast)

Special Presentation by: **EN-RICH-MENT of Stark County**

Invocation: Rev. Dr. John Schluep of Warrior's Journey Home

Graduate Testimonial and Awards Ceremony

Vocalist: **Nashville Recording Artist Jill Jordan Burke**

**RSVP Michele Hammers at:**

[mmhammer@starkcountyohio.gov](mailto:mmhammer@starkcountyohio.gov) • 330.451.7789

Checks payable to: Mr. Mike's Catering  
payment due before May 20, 2024

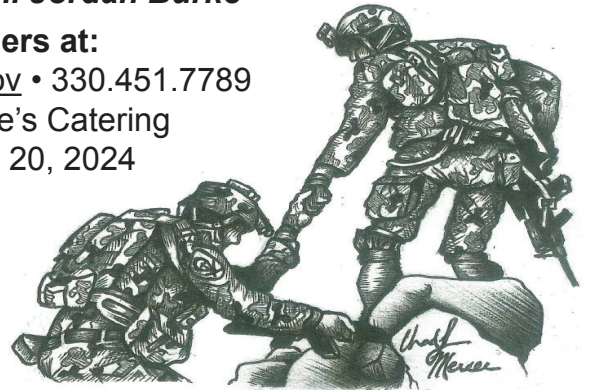
## Send payments:

Honor Court

115 Central Plaza, Suite 400

Canton, Oh 44702

(Attn: Michele Hammers)



Artwork donated by Chad Mercer—USMC Veteran

## NEW MEMBERS

**Charles R. Crouch, Esq.**  
Stark County Public Defender's Office  
201 Cleveland Ave., S.W.  
Suite #104  
Canton, OH 44702  
Phone: (330) 451-7230  
Email: [crcrouch@starkcountyohio.gov](mailto:crcrouch@starkcountyohio.gov)

**Michael D. Smith, Esq.**  
Stark County Public Defender's Office  
201 Cleveland Ave., S.W.  
Suite #104  
Canton, OH 44702  
Phone: (330) 451-7216  
Email: [mdsmith@starkcountyohio.gov](mailto:mdsmith@starkcountyohio.gov)

**Vincent V. Vigluicci, Esq.**  
Stark County Prosecutor's Office  
110 Central Plaza South  
Suite #510  
Canton, OH 44702  
Phone: (330) 451-7878  
Email: [vvigluicci@starkcountyohio.gov](mailto:vvigluicci@starkcountyohio.gov)

## CHANGES OF ADDRESS

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4277 Munson Street, N.W.  
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Email: [jharen@bdblaw.com](mailto:jharen@bdblaw.com)

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Canton, OH 44708  
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**Angela T. Vagotis, Esq.**  
800-6 Huntington Plaza  
220 Market Ave., South  
Canton, Ohio 44702  
Phone: (330) 456-4122  
Email: [avagotis@avagotislaw.com](mailto:avagotis@avagotislaw.com)





Stark County Bar Association  
and  
Stark County Probate Court - Judge Dixie Park  
and

Stark Multi Disciplinary Advocacy/Protective Resources Team (SMART)  
Present

# 13TH ANNUAL “JUSTICE FOR ALL: PROTECTING THE ELDERLY AND DISABLED”

Friday, June 14, 2024

First Christian Church • 6900 Market Avenue North, Canton, OH 44721

- 8:15 A.M. REGISTRATION & CONTINENTAL BREAKFAST
- 9:00 A.M. ADDRESSING THE LINES OF DEFENSE: PREVENTING ABUSE OF THE  
DISABLED  
Dr. Al Condeluci, Ph.D, *University of Pittsburgh’s School of Social Work*
- 10:30 A.M. BREAK
- 10:45 A.M. TRAUMA INFORMED RESPONSE TO ELDER ABUSE  
Kim Kehl, *Trauma Informed Care Coordinator, Ohio Dept. of Job and Family Services*
- 12:15 P.M. LUNCH
- 1:00 P.M. PANEL DISCUSSION  
TBA
- 2:30 P.M. ADJOURN



## “Justice for All: Protecting the Elderly and Disabled”

\*Members: \$135.00 Associate Members: \$112.50 Non-Members: \$247.50

Name: \_\_\_\_\_ Atty. Reg. No. \_\_\_\_\_

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

Email: \_\_\_\_\_

\*PLEASE NOTE: If you are currently a member of any local bar association, you may attend at our members’ price.

RESERVATION DEADLINE: JUNE 7, 2024

Please mail checks to: Stark County Bar Association  
116 Cleveland Avenue, N.W., Suite 400, Canton, Ohio 44702-1728

NO REFUNDS UNLESS RESERVATION CANCELLATION IS RECEIVED 24 HOURS IN ADVANCE OF SEMINAR.

Application will be submitted for 4.50 General CLE Credit Hours  
and 4.50 Credit Hours of Guardian Continuing Education by the Stark County Probate Court.

# 2024-2025 Nominees

*Officers & Executive Committee  
Annual Election • Tuesday, May 28, 2024*



PRESIDENT  
Angela T. Vagotis



FIRST VICE PRESIDENT  
Beverly Proctor-Donald



SECOND VICE PRESIDENT  
Andrea M. Scassa



SECRETARY  
Jonathan E. Morris



TREASURER  
Gust Callas

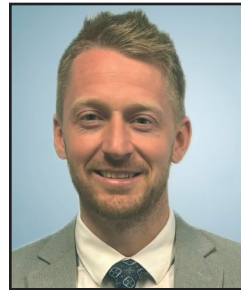
## Executive Committee



Taryn A. Douglas



Honorable Kristin G. Farmer



Evan J. Heck



Stacie L. Roth



Melissa S. Ulrich



Honorable Curt Werren



Caitlyn R. Weyer



# SCBA INSTALLATION LUNCHEON

*Bender's Restaurant &*

## 2024 PROFESSIONAL CONDUCT SEMINAR

*SCBA Conference Room*

**Thursday, June 20, 2024**

11:45 A.M.      INSTALLATION LUNCHEON  
Angela T. Vagotis, President-Elect, Officers and Newly Elected Executive Committee Members

1:00 P.M.      SEMINAR REGISTRATION – SCBA CONFERENCE ROOM

### PROMOTING CONFIDENCE IN THE COURTS THROUGH ETHICS AND PROFESSIONALISM

1:30 P.M.      OVERVIEW OF PROCEDURE  
Richard A. Dove, Esq., *Director, Board of Professional Conduct, Supreme Court of Ohio*

2:30 P.M.      BREAK

2:45 P.M.      Justice Melody J. Stewart, *Ohio Supreme Court*  
Justice Michael P. Donnelly, *Ohio Supreme Court*

*Seminar Moderator: Honorable Taryn L. Heath, Stark County Common Pleas Court, General Division*

Topics include: **Duty to Report**                      **Recusal - The Art of Self-Interrogation**  
**Transparency**    **Disciplinary Considerations**  
**Areas of Caution**    **Power of Dissent**  
**Professionalism and Civility – How to Respectfully Disagree**  
**Interacting with Self Represented**  
**Strategies for Insuring Gender Fairness in the Courtroom**  
**Maintaining Public Confidence in the Justice System**

4:15 P.M.      ADJOURN



Luncheon Only: \$25.00

Luncheon & Seminar: \*Members: \$100.00      Associate Members: \$87.50      Non-Members: \$162.50

\*\*\*Please make your lunch selection\*\*\*

Chicken Marsala       Scrod a la Foley       Marinated Sliced Sirloin

Name: \_\_\_\_\_ Atty. Reg. No. \_\_\_\_\_

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

Email: \_\_\_\_\_

**\*PLEASE NOTE:** If you are currently a member of any local bar association, you may attend at our members' price.  
Do you prefer to receive the seminar materials via Email or Hard Copy on the day of the seminar? Circle One.

**RESERVATION DEADLINE: JUNE 13, 2024**

Please mail checks to: Stark County Bar Association

116 Cleveland Avenue, N.W., Suite 400, Canton, Ohio 44702-1728

**NO REFUNDS UNLESS RESERVATION CANCELLATION IS RECEIVED 24 HOURS IN ADVANCE OF SEMINAR.**

Application will be submitted for 2.50 Professional Conduct CLE Credit Hours.



# Legal Avenues: Your Road to Solutions

Presented by

the Stark County  
Law Library

## Start Your Legal Research with the Law Library.

Are you unsure where to begin your legal research? Deciding where to start your legal research can be a daunting task. The Stark County Law Library has an abundance of resources available to assist you in navigating your reference research. Whether you are a visitor or a member, our resources are readily available.

Start your research journey with our ABA and Lexis eBook catalog. This online database contains over 300 Ohio and national titles and over 1300 titles within our entire collection. For members, these titles can be accessed anywhere from your personal device. Non-members can access these eBooks while visiting the library.

Below is a brief overview of our most popular research databases:

### VitalLaw (formerly Cheetah, CCH)

A comprehensive law & taxation database that contains government publications, interpretive and analytical material, practice tools, and current tax news. This is accessible remotely for members and in-person for non-members. It has extensive secondary sources for the following areas:

- Intellectual Property Law
- Elder Law and Estate Planning
- Labor, Employment, and Benefits Law

### Westlaw

Offers AI-driven, intelligent document analysis, and integrated litigation analytics in their research database. Westlaw is available for all patrons when visiting the Law Library. Members can request materials to be emailed to them. Westlaw includes:

- All state and federal cases and statutes,
- Estate planning resources
- Employment law resources
- Jury verdict analysis for personal injury cases
- KeyCite
- How-to guidance
- Practice notes
- Contracts & agreements
- Toolkits

### xisNexis

Provides access to full-text news, business, and legal applications, using a variety of flexible search options. xisNexis is available for all patrons when visiting the Law Library. Members can request for materials to be emailed to them. Contains all state and federal cases and statutes including topics such as:

- Ohio cases and statutes
- Ohio Practice Library
- Ohio Briefs
- Ohio Verdicts and Settlements
- Larson on Employment Discrimination

Visit the Stark County Law Library today to delve into our resources! Additionally, the Law Library offers other services to support your research needs. Such as providing personalized assistance in navigating Westlaw or our ABA and Lexis eBooks. Staff can assist with locating court opinions, statutes, regulations, legal forms, and other essential resources. Visit our member research page at [yurl.com/starklawresearch](http://www.starkcountyohio.gov/yurl.com/starklawresearch) to access our comprehensive list of databases.

If you need assistance contact us at (330) 451-7380, text (330) 676-6275, Webchat, or email us at [library@starkcountyohio.gov](mailto:library@starkcountyohio.gov).

By Kasey Brown  
Stark County Law Library  
[kcbrown@starkcountyohio.gov](mailto:kcbrown@starkcountyohio.gov)

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&  
WERNOW LPA**

PATENT, TRADEMARK, COPYRIGHT LAW  
& RELATED LITIGATION

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Canton, Ohio 44718

330.244.1174  
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Merle D. "Trace" Evans

Kimberly K. Wyss  
Jack B. Cooper  
Jenna M. McKean

Daniel D. Eisenbrei  
Brandon O. Trent

4684 Douglas Circle NW | Canton, OH 44718 | (330) 526-0770

# Coping with Aging Parents

By Scott R. Mote, Esq.

At the Ohio Lawyers Assistance Program, we help judges and lawyers cope with life's challenges. Whether you need help with a mental health issue, a substance abuse disorder, burnout, or stress, we can help. A common issue that I see at OLAP is lawyers who are burned out, not from practicing law, but from being the caretaker of an adult parent.

It is estimated that 53 million Americans, or nearly 20 percent of the general population, provide care for an older adult, or someone living with illness or disability.<sup>1</sup> Whether your parent lives at home or in an assisted living facility, being the caretaker and decision-maker for your parent's needs is a challenging and stressful situation, especially for a judge or a lawyer who has clients to care for as well. Paying your parent's bills, helping them bathe, cleaning their house, buying groceries, making their medical decisions, visiting them in their assisted living home—these activities all add up to a significant amount of time.

A survey from JAMA Intern Med determined that caregivers spend anywhere from 8.3 hours to 28.1 hours per week helping their parents.<sup>2</sup> This is a tremendous amount of time for legal professionals who work full-time, have a family to raise and households to run. The same study found that caregivers who provide substantial help with their parent's care are 1.8 times more likely to experience emotional difficulty. How do you manage your home life, your work life and your parent's life without getting depressed and burned out?

## Take care of yourself first

You know the drill. You must take care of yourself before you can take care of others. Being a caregiver is a stressful job that can take an emotional, physical and financial toll on you. Eat well, get enough sleep and exercise.

Make sure you set realistic boundaries. Determine exactly what you will provide for your parent, and stick to it. For example, if your parent still lives at

home, choose set days and times of when you will visit, pick a time where you will not accept phone calls. If your parent lives in an assisted living facility, make a visitation schedule so that the parent does not expect daily visits. It is very difficult to say no to your aging parent, but you must get in the habit of not doing everything he or she asks you to do. If so, you will get burned out and be at risk of depression or illness.

## Ask for help

Whether it be from a sibling, a spouse, significant other, or you need to hire an elder law attorney, ask for help. Asking for help is not a sign of weakness. There is only so much you can handle in one day. If you have a sibling, make a schedule where you take turns providing care. If you don't have any other family members, check with friends or members in your community who might be able to help.

Do not be afraid to tell your employer, colleagues, courts, opposing counsel, etc., that you are dealing with an aging parent if you need space/time. Just about all of us have to do this at some time.

## Determine if public benefits are available

Do your research on public benefits. There are many programs available, but you have to find them.

[Eldercare Locator](#) is a public service of the [U.S. Administration on Aging](#) that connects you to services for older adults and their families.

The [National Council on Aging](#) website locates benefit programs in your area.

The [Ohio Department on Aging](#) provides information on local/county aging offices, too.

Don't forget to check with [Medicare](#) and [Medicaid](#).

## Consider professional help

[Aging Life Care](#) or geriatric care management, is

*(continued next page)*

an association that works with families to help them plan for their parents' futures, including assessment, monitoring, education and coaching. They provide an Aging Life Care Professional, also known as a geriatric care manager, a health and human services specialist who acts as a guide and advocate for families who are caring for older relatives or disabled adults. The Aging Life Care Professional is educated and experienced in any of several fields related to aging life care/care management, including, but not limited to nursing, gerontology, social work, or psychology, with a specialized focus on issues related to aging and elder care.

If your aging parent is still living at home, you might need to hire a professional caregiver who can provide help while you are at work. [AARP](#), [Care.com](#), and [Caregiver.org](#) are just a few resources that help you find quality caregivers.

#### **Contact the Ohio Lawyers Assistance Program**

I have heard from many judges and lawyers who are struggling with the intricacies of caring for their elderly parents. Setting up schedules, doctor appointments, household chores, etc., definitely takes a toll on you, sometimes in ways that no one else can understand. As legal professionals, we often take on more than we can handle and many of us are perfectionists, so we are disappointed when our plans do not go as we like. This can lead to a tremendous amount of stress, which can lead to depression, mental health issues, substance abuse, etc. OLAP can help you cope when you feel like you just cannot do it, when you are overwhelmed, when you get depressed. Please call us and let us help.

Yes, all of these suggestions are easier said than done, but they are possible. You might get to the point where you shut down or get burned out. Ask for help. Whether it be through OLAP or a professional therapist, make sure you take the necessary steps to keep your health in check.

#### **Not sure if your elderly parent needs extra help? Look for these signs:**

- Harmful behaviors: Missed appointments, misuse of alcohol or medications, falling
- Neglected hygiene: Dirty clothes, body odor, dirty teeth and nails
- Poor eating habits
- Inappropriate behavior: Rage, paranoia, isolation, inappropriate remarks
- Personal injuries: Unexplained bruises
- Mishandled finances: Not paying bills on time or at all, misplacing money
- Neglected household
- Medication confusion: Not taking medications properly or forgetting to take or refill them

It is not easy for your parent to admit that they need assistance, or they might not even understand that they need extra help. If you notice any of these warning signs, it is most likely time to develop a plan of care for your aging parent.

By Scott R. Mote, Esq., Executive Director of the Ohio Lawyers Assistance Program.

#### **Endnotes**

1 <https://www.n4a.org/caregivers>

2 "A National Profile of Family and Unpaid Caregivers Who Assist Older Adults With Health Care Activities" by Jennifer L. Wolff, PhD; Brenda C. Spillman, PhD; Vicki A. Freedman, PhD; et al. *JAMA Intern Med.* 2016;176(3):372-379. doi:10.1001/jamainternmed.2015.7664.

*If you find that you are depressed, stressed, anxious, or overwhelmed, seek help. The Ohio Lawyers Assistance Program helps lawyers, judges and law students manage life's stresses. OLAP has saved lives, careers, marriages and families. All inquiries are confidential. (800) 348-4343 / [ohiolap.org](http://ohiolap.org)*





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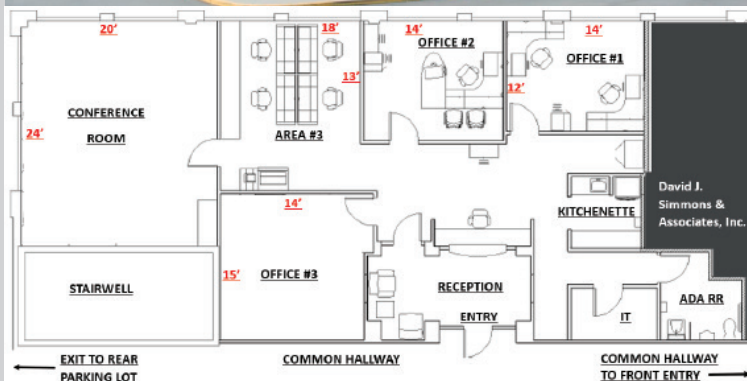
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