



S T A R K C O U N T Y  
**BAR JOURNAL**

VOLUME 30 ■ NUMBER 9

SEPTEMBER 2024



# 2024 SUMMER OUTING ALLIANCE COUNTRY CLUB



## Join us on Thursday, September 19th

See page 3

### COMING EVENTS:

**Annual Memorial Service - McKinley Courtroom • October 31, 2024**

**SAM Center Thanksgiving Drive - Details to come**

**Holiday Party at Brookside Country Club • December 13, 2024**

# SCBA September 2024 Office Schedule

- Sept. 2<sup>nd</sup> OFFICE CLOSED IN OBSERVANCE OF LABOR DAY
- Sept. 4<sup>th</sup> 11:30 AM Family Law Committee Meeting at Bender's
- Sept. 5<sup>th</sup> 12:00 NOON Community Involvement Committee Meeting
- Sept. 9<sup>th</sup> 4:00 PM Disputed Fee Committee Meeting
- Sept. 10<sup>th</sup> 12:00 NOON Elder Law Committee Meeting
- Sept. 12<sup>th</sup> 12:00 NOON Finance Committee Meeting
- Sept. 17<sup>th</sup> 3:45 PM Grievance Committee Meeting
- Sept. 18<sup>th</sup> 4:00 PM Executive Committee Meeting
- Sept. 19<sup>th</sup> OFFICE CLOSED Summer Outing at Alliance Country Club
- Sept. 23<sup>rd</sup> 3:30 PM SCBA 125th Celebration Committee Meeting
- Sept. 26<sup>th</sup> 12:00 NOON Military & Veterans Affairs Committee Meeting

## Elder Law Committee Meeting

Tuesday, September 10, 2024 - 12:00 Noon  
DeAnn Williams, Executive Director at the Veterans Service Commission, will present "Veterans Benefits and Services".

## 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)

# 2024 CLE Seminars

Note: All seminars will be held in the SCBA Conference Room unless otherwise noted.

2024 Professional Conduct Video Replays offered on MULTIPLE DATES: Sept. 25, Oct. 9, Nov. 8 - See Pg. 5

- Sept. 17, 2024 The Tech Summertime Series  
Digital Forensics  
Webinar  
See Pg. 4
- Oct. 24, 2024 2024 Family Law Video Replay  
See Pg. 6
- Oct. 25, 2024 Coordinated Community Response To Elder/Disabled Abuse  
First Christian Church  
See Pg. 7
- Nov. 19, 2024 Tips from the Bench Seminar  
Stark County Office Building - Auditor's Hearing Room - Suite #210  
See Pg. 10
- Nov. 21, 2024 2024 Estate Planning and Elder Law Symposium Video Replay  
See Pgs. 8 & 9

## THE STARK COUNTY BAR ASSOCIATION



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

## The Bar Office E-Mail Addresses:

[Tina@StarkCtyBar.com](mailto:Tina@StarkCtyBar.com)

[SCBAReferral@StarkCtyBar.com](mailto:SCBAReferral@StarkCtyBar.com)

[CLE@StarkCtyBar.com](mailto:CLE@StarkCtyBar.com)

[SCBANotary@StarkCtyBar.com](mailto:SCBANotary@StarkCtyBar.com)

**Visit us at [www.StarkCtyBar.com](http://www.StarkCtyBar.com)**

# 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

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Tina McCort, Executive Director & Editor  
Chris Diaz, Bookkeeper & Editor

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

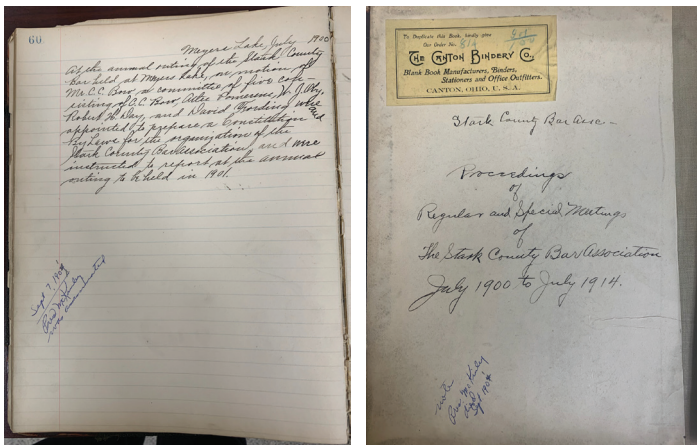
Opinions and positions expressed in the signed material are those of the author and may not necessarily reflect those of the Stark County Bar Association, its officers, staff or board of editors.



# From Our President 1900 - 2025

Very shortly our Stark County Bar Association will have been in existence for 125 years. It is not too early to begin the preparations for our quasiquicentennial anniversary. In fact, at the Bar Association, we began our planning meetings in the spring, and we now are fortunate to have our chairpeople. Tony Brown and Julie Jakmides have agreed to serve as chairs. We have a committee of people who have volunteered their time to serve as well. The committee welcomes anyone who would like to join.

You may wonder why I am devoting any time to this in the September newsletter, when we are still months away? Fortunately, members of this organization, who began it 125 years ago, began a minute book and documented the inception of the organization. The first formal meeting of the organization began as an “Annual Outing” in July 1900 at Meyers Lake. This became the beginning of the “Golf Outing”, “Summer Outing” as we now know it today.



This year’s Summer Outing is coming up on September 19th at Alliance Country Club. Hard to believe that is what began as the initial formal gathering of the Stark County Bar Association has carried on through time, year after year. Our social chairs, Judge Kristen Farmer and Judge Natalie Haupt, have been organizing the event and we hope you have the time to participate in golf and/or the dinner and social time that follows. You will find more information about it on page 3.

## COMMITTEE SPOTLIGHT

This month the spotlight is on the Community Involvement Committee.



**Angela T. Vagotis**  
*President, Stark County Bar Association*

“The Mission of the Community Involvement Committee is to provide opportunities for Bar Members to improve their community through public service, volunteerism, and pro bono legal representation.”

Andrea Scassa and Christy Pierson are the co-chairs of this committee. Their involvement began with *Law, Love and Chocolate*. Remember what a great event that was? No surprise that this wonderful committee came out of that event and was established in 2013. They have been the co-chairs since 2017 and their work has focused on seeking out volunteer opportunities for their committee members and for the entire bar membership. As Andrea said to me, they are not trying to be just a “drive” committee. Yes, they do events during the year such as the SAM Center Thanksgiving Drive, but that is not their focus. They spend a lot of time seeking out service projects that need volunteers to come to the site to perform the necessary tasks. For Andrea and Christy, the most rewarding part of their work with the committee is connecting to the community through their giving of time and their presence. The projects they have and continue to work on include: serving

*(continued on next page)*

**From Our President** *(continued from previous page)*

dinner at the Refuge of Hope, packing food and trucks at the Akron Canton Food Bank, securing donations for the SAM Center Thanksgiving Drive, seeking donations and purchasing and wrapping gifts for Community Christmas Adopt a Family, obtaining donations for the Winter/Spring School Drive and volunteering at the Family Military Center location of Pegasus Farm. As if this is not enough, the committee also conducts interviews for the 50 Year Member Spotlight that you see published in our newsletter and they facilitate nominations for the Ohio State Bar Foundation 40 & Under Service Award. Finally, they routinely judge posters and essays for Law Week, with the Law Day Committee. We are grateful to the members who serve on this committee and do participate and contribute to these programs and projects. They not only are involved, but also involve their families, spouses and children.

**COMMITTEE MEMBERS**

- |                                 |                       |
|---------------------------------|-----------------------|
| Andrea M. Scassa, Co-Chairman   |                       |
| Christy M. Pierson, Co-Chairman |                       |
| Stephan P. Babik                | Todd B. Kotler        |
| Andrea Bartos                   | Derek C. McClowry     |
| Jason N. Bing                   | Jamie R. Minor        |
| Aletha M. Carver                | Melissa V. Pitinii    |
| Cari Fusco Evans                | Ivan L. Redinger, Jr. |
| Honorable Frank Forchione       | Carole S. Stahler (A) |
| Honorable Natalie R. Haupt      | Sara E. Strattan      |
| Honorable Taryn L. Heath        | Andrea K. Ziarko      |
| Kelsey C. Kochman               |                       |

We also appreciate the membership who contribute to these projects. Remember, you don't have to be a committee member to become involved. Andrea and Christy welcome committee members but as with all committees, if you join, please be prepared to participate.



Clearly the dedication and hard work of the Community Involvement Committee is making a difference in our community. These attorneys and all the volunteers who participate as part of this committee, are the face of the Stark County Bar Association. They give of their time in the evenings and weekends. You are encouraged to reach out to this committee and see how you can contribute to their ongoing efforts.

Andrea and Christy, through their committee, remain willing to provide support/volunteers for any other Committee that may need help.



**SAVE  
THE DATE**

**DECEMBER 13TH, 2PM - 4PM**  
**JUDGE JIM D. JAMES**  
**RETIREMENT OPEN HOUSE**  
**STARK COUNTY FAMILY COURT**



**CHANGES OF ADDRESS**

**Thomas P. Coffee, Esq.**  
Roderick Linton Belfance LLP  
50 S. Main Street, 10th Floor  
Akron, OH 44308-1828  
Phone (330) 315-1124  
Email: [tcoffee@rlbllp.com](mailto:tcoffee@rlbllp.com)

**Magistrate Samantha Bloom**  
Medina County Domestic Relations Court  
225 East Washington Street  
Medina, OH 44256  
Phone (330) 764-8896  
Email: [sbloom@medinadr.org](mailto:sbloom@medinadr.org)



# Stark County Bar Association 2024 SUMMER OUTING



## ALLIANCE COUNTRY CLUB Thursday, September 19, 2024

- LUNCH:** 11:30 A.M. - 12:45 P.M.  
Lunch Buffet - \$15.00 Per Person
- GOLF:** 11:30 A.M. - Registration & Driving Range Open  
12:45 P.M. - Call to Carts  
1:00 P.M. - Shot Gun Start  
\$130.00 Per Person, includes lunch, golf & cart and dinner. Beverages will be available for purchase on course.
- SOCIAL/COCKTAILS:** 5:30 P.M. - Cash Bar Opens
- DINNER:** 6:00 P.M. - \$40.00 Per Person  
(Indicate if Vegetarian meal required)  
Awards/Raffle
- TENNIS:** Complimentary

**COME AND ENJOY PLAYING TENNIS OR GOLF  
AND STAY FOR LUNCH/DINNER.**



**REGISTRATION DEADLINE: September 12, 2024**

Stark County Bar Association  
400 Courtyard Centre Building  
116 Cleveland Ave., N.W  
Canton, Ohio 44702  
Ph: 330-453-0685  
[SCB@StarkCtyBar.com](mailto:SCB@StarkCtyBar.com)

- \$130.00 Golf Package  
 \$15.00 Lunch Only  
 \$40.00 Dinner Only  
 Tennis Only  
(Complimentary)

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

Golf Foursome

Player One: \_\_\_\_\_

Player Two: \_\_\_\_\_

Player Three: \_\_\_\_\_

Player Four:



The Stark County Bar Association Technology Committee Presents:

# THE TECH SUMMERTIME SERIES

The Stark County Bar Association Technology Committee's Tech Summertime Series is a series of three (3) continuing legal education sessions of one hour each. Each session will be to introduce and present ways and methods that attorneys are using technology to make their practices more efficient, more effective, and, generally, to make life in the profession better.

**SESSION THREE: Digital Forensics**

Damon Hacker, *ArcherHall*

**DATE/TIME: Tuesday, September 17, 2024 @ 12:00 Noon - 1:00 p.m.**

**LOCATION: Webinar**

**COST: \$30 Members  
\$25 /Associate Members  
\$55.00 Non-Members**



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.

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 has been submitted for 1 General CLE Credit Hour.





# 2024 PROFESSIONAL CONDUCT VIDEO REPLAYS

• SEE DATES BELOW •

Replays at SCBA Conference Room

A.M.

P.M.

8:45 A.M.

REGISTRATION - Coffee & water provided.

12:45 P.M.

## PROMOTING CONFIDENCE IN THE COURTS THROUGH ETHICS AND PROFESSIONALISM

9:00 A.M.

OVERVIEW OF PROCEDURE

1:00 P.M.

Richard A. Dove, Esq., *Director, Board of Professional Conduct  
Supreme Court of Ohio*

10:00 A.M.

BREAK

2:00 P.M.

10:15 A.M.

Justice Melody J. Stewart, *Ohio Supreme Court*

2:15 P.M.

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

11:45 A.M.

ADJOURN

3:45 P.M.



## 2024 Professional Conduct Video Replays

- Wednesday, September 25, 2024                      9:00 a.m. - 11:45 a.m.
- Wednesday, October 9, 2024                              1:00 p.m. - 3:45 p.m.
- Friday, November 8, 2024                                 9:00 a.m. - 11:45 a.m.

\*Members: \$75.00                  Associate Members: \$62.50                  Non-Members: \$137.50

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.  
Do you prefer to receive the seminar materials via Email or Hard Copy on the day of seminar? Circle one.

Please mail checks to: Stark County Bar Association  
116 Cleveland Avenue, N.W., Suite 400, Canton, OH 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.



**Stark County Bar Association**  
**2024 FAMILY LAW VIDEO REPLAY**  
 Thursday, October 24, 2024  
 SCBA Conference Room

- 8:45 A.M.            REGISTRATION - Water, coffee, and donuts provided.
- 9:00 A.M.            ELUDING ELECTRONIC EVIDENCE ERRORS WISELY  
 Honorable Kristin Farmer  
*Stark County Court of Common Pleas*
- 10:30 A.M.            BREAK
- 10:45 A.M.            THE WEAPONIZATION OF TECHNOLOGY IN DOMESTIC VIOLENCE CASES  
 Stephen Bradley  
*Professional Liaison, OurFamilyWizard*
- 12:15 P.M.            ADJOURN



**2024 Family Law Video Replay**  
**Thursday, October 24, 2024**

\*Members: \$90.00    Associate Members: \$75.00    Non-Members: \$165.00

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 seminar? Circle one.

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

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

Application will be submitted for 3.00 CLE Credit Hours.





**COURT OF COMMON PLEAS**

Judge Taryn L. Heath  
Judge Frank G. Forchione  
Judge Kristin G. Farmer

**PROBATE COURT**

Judge Dixie Park

**FAMILY COURT**

Judge Jim D. James  
Judge Rosemarie A. Hall

**STARK COUNTY PROSECUTOR**

Kyle Stone

**CANTON MUNICIPAL COURT**

Judge Mary A. Falvey  
Judge Kristen Guardado  
Judge Richard J. Kubilus  
Judge Curt Werren

**ALLIANCE MUNICIPAL COURT**

Judge Andrew L. Zumbar

**MASSILLON MUNICIPAL COURT**

Judge Edward J. Elum  
Judge Joel C. Fichter

**ALLIANCE LAW DIRECTOR**

Caitlyn Weyer

**CANTON LAW DIRECTOR**

Jason P. Reese

**MASSILLON LAW DIRECTOR**

Justin Richard

S.M.A.R.T.

STARK MULTI DISCIPLINARY ADVOCACY/PROTECTIVE RESOURCES TEAM  
STARK COUNTY BAR ASSOCIATION

Present

**COORDINATED COMMUNITY RESPONSE TO ELDER/DISABLED ABUSE**

FRIDAY, OCTOBER 25, 2024

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

- 8:15 A.M. **REGISTRATION - Continental Breakfast provided**
- 9:00 A.M. **HUMAN TRAFFICKING AND THE INVESTIGATIVE PROCESS**  
Suzanne Lewis-Johnson, CEO No More Trafficking
- 10:00 A.M. **BREAK**
- 10:15 A.M. **FIRST RESPONDER WELLNESS: AFTER THE CALL AND SAFETY IN THE FIELD**  
KEYNOTE: Steve Click, Director of First Responder Wellness, Ohio Department of Public Safety Law Enforcement Initiatives
- 11:45 A.M. **ADULT PROTECTIVE SERVICES IN STARK COUNTY**  
Susan Stroup, Chief Officer Social Services, Coleman Professional Services
- 12:30 P.M. **LUNCH**
- 1:15 P.M. **PANEL DISCUSSION**  
Steve Click, Stark County Prosecutor Kyle Stone, Chief Ronald Devies, Suzanne Lewis-Johnson, Susan Stroup, Terri Downin
- 2:30 P.M. **ADJOURN**



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

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

Address \_\_\_\_\_

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

RESERVATION DEADLINE: Friday, October 18, 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.



# Stark County Bar Association

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

Thursday, November 21, 2024 • SCBA Conference Room

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

- 8:15 A.M.      REGISTRATION: Coffee, water and donuts provided.
- 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 - On Your Own
- 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 VIDEO REPLAY

Thursday, November 21, 2024 - SCBA Conference Room

\*Members: \$187.50

Associate Members: \$156.25

Non-Members: \$343.75

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

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

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

Please mail your payment to this seminar 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.

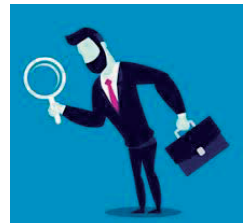
**\*PLEASE NOTE:** If you are currently a member of any local bar association, you may attend at our members' price.

**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.



## Continuing Legal Education Looking For Free CLE?



The Stark County Bar Association is in need of Moderators for CLE video replays at our office. We need attorneys throughout the year, especially during the month of December, who would be willing to serve in this capacity. **In order to qualify as a Moderator, the Supreme Court requires that an attorney must have experience in the area of law in which they will be serving as Moderator. The Moderator will attend the video replay free of charge and receive CLE credit for the program.** The Moderator must remain in the room with the attendees during the entire video.

If interested, please indicate the areas of law in which you would be willing to serve and mail the form to the Bar Office, 116 Cleveland Avenue, N.W., Suite 400, Canton, Ohio 44702 or Fax to: 330-453-0180. The completed form can also be scanned and emailed to: [CLE@starkctybar.com](mailto:CLE@starkctybar.com).

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

- Appellate Court
- Municipal Court
- Family Law

- Litigation
- Professional Conduct
- Real Estate

- Criminal Law
- Probate
- Other (s)



Stark County Bar Association  
**TIPS FROM THE BENCH SEMINAR**  
**Tuesday, November 19, 2024**

Stark County Office Building  
 110 Central Plaza South  
 Auditor's Hearing Room, Suite # 210  
 Canton, OH 44702

**NEW LAWYER TRAINING!!**  
**Non-new attorneys will receive 1.50 CLE General Credit Hours**

**Sponsored by the Young Lawyer's Committee of the Stark County Bar Association  
 and the Stark County Law Library**

Lunch Provided

- 11:30 A.M.      **TODAY'S RESOURCES AT THE LAW LIBRARY**  
 Lisa Murray, *Assistant Director of the Stark County Law Library*
- 12:00 NOON     **TIPS FROM THE BENCH**  
 Presented by the Honorable Kristen Donohue Guardado  
*The Canton Municipal Court*
- 1:00 P.M.      **ADJOURN**




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Attorney Members and Non-Members admitted to the Bar 5 years or less:	COMP.
Members/Assoc. Members/Non-Members:	\$30.00

Registration deadline is Monday, November 14, 2024

The boxed lunch options are as follows:

\_\_\_\_ Turkey Boxed Lunch    \_\_\_\_ Ham Boxed Lunch    \_\_\_\_ Herbivore (vegetarian) Boxed Lunch  
 \_\_\_\_ Grilled Chicken House Salad (Select either Ranch or Balsamic Vinaigrette Dressing)

\*All lunches come with chips, pickle, cookie, bottled water, and utensils.

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

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

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

Do you prefer to receive the seminar materials via Email or Hard Copy on the day of seminar? Circle one.

\* Seating is Limited\*

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

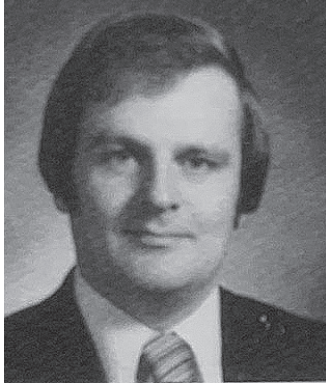
NO REFUNDS UNLESS RESERVATION CANCELLATION IS RECEIVED 24 HOURS IN ADVANCE OF SEMINAR.  
 Application will be submitted for 1.50 NLT/General CLE Credit Hours.



This year, we will take the opportunity to recognize local practitioners who are celebrating 50 years in the practice of law. Our next attorney to be recognized for a largely commendable 50 years of practice is Michael A. Thompson, Esq.

## 50TH Year Spotlight

### Michael A. Thompson, Esq.



#### **Where did you attend Law School?**

Case Western Reserve;  
Cleveland, Ohio

#### **Why did you decide to become a lawyer?**

Like many high school graduates, I started down one path (to be an electrical engineer), only to find out that wasn't for me! I then switched majors as a freshman

and decided to study Economics with a healthy dose of Accounting courses, thinking I would go into business upon graduating and pursue a graduate degree in something to assist my career path, perhaps an MBA. One of my fraternity brothers suggested law school as an alternative to business school. I had no idea what I would do as an attorney, and my knowledge of the legal profession was limited to what I had seen on television and movies. Nevertheless, in January of my junior year of college, I decided to go to law school. I chose law school over business school for one simple reason – law school was 3 years and I could get my MBA in 2 years or less if I decided I did not like law school.

#### **What area(s) have you practiced in over the years?**

Upon graduation from law school in 1974, I accepted a position with a small Canton law firm (Krugliak, Wilkins, Griffiths & Dougherty Co. LPA). I was hired to assist in litigation and spent the next 33 years doing virtually nothing but litigation, ultimately becoming the chairman of the section. I was able to represent clients in multiple litigation trials, literally from coast to coast, and I had the opportunity to work with other lawyers in cities like New York, Boston, Washington DC, Baltimore, Atlanta, Chicago, Los Angeles, Detroit, San Francisco, Miami, Philadelphia, and Pittsburgh. In March of 1976, the firm sent me to the City of Canton Law Department for one year to handle lawsuits. I worked 3 days/week in the Prosecutor's Office and spent the rest of my time working at the firm. In 2007, I decided to leave Krugliak and go into private business with a former client. Unfortunately (or, fortunately, as it turns out), that opportunity didn't work out and I returned to the practice of law as a solo

practitioner. I still handle quite a bit of litigation in various fields, but I also have the opportunity to work with clients in estate planning and business matters.

#### **What was it like practicing law when you started versus now?**

In 1974, there was no internet and computers were things that took up big rooms and only large companies had them. There was no ability to type documents, save them and later edit. Legal secretaries typed on typewriters with carbon copies, often made while they typed. The fax machine was just coming into vogue. The firm didn't have one at that time, but we soon got one after being chided by clients who wanted us to have their paperwork NOW. Back then, it was also not unusual to see fellow lawyers at lunchtime at restaurants sprinkled around town, which led to more interaction outside of the courthouse and a more personal rapport. There were a group of lawyers who played basketball in the winter at local elementary school gyms and played on a fumbleball team in the summer months.

#### **What has been the most fulfilling aspect of your career?**

My initial response would be "helping people." However, I think it is more than that. I think it is also trying to make a difference in my clients' lives and my community.

#### **What piece of advice would you give to new lawyers who are just entering the profession?**

I would suggest two things: (i) use your legal education and skills to give back to your community, and (ii) when in the heat of the battle of a legal dispute, show respect for your opposing counsel and work as amicably as you can with him or her. As to the first point, not only is this a tool to help others, but it also gets your name out to people who may benefit from your services in the future! On the second point, we all are zealous and want to win for our clients, but we will have other dealings with that attorney in the future and burning bridges only makes the next case tougher for you and your client!



## A Brief Encounter with Generative AI

Since its inception in 1952, generative AI has undergone an evolution and continues to captivate a global audience. The 2022 introduction of ChatGPT to the mainstream public demonstrated the capabilities of generative AI, offering a preview of its potential.<sup>1</sup> Generative AI is defined as a “deep-learning model that can generate high-quality text, images, and other content based on the data it was trained on.”<sup>2</sup> These models are trained with natural language processing.

Natural language processing or NLP enables computers to understand, process, and manipulate humane languages. NLP can assist with translation, interpretation, and recognition of patterns in human languages.<sup>3</sup> This makes AI accessible to a broader public as it does not require the user to input specialized script or code for an output coding and use of script is left to the developer. As seen with ChatGPT and Google Gemini, all a user is required to do is input a prompt and wait for the chatbot to respond.

While generative AI can be useful it should not be trusted without the user’s due diligence, excruciatingly so for those using it within their legal practice. Generative AI is subject to a few major drawbacks. One drawback in particular is generative AI’s ability to hallucinate. Hallucinating for AI is defined as a “phenomenon where in a large language model (LLM) perceives patterns of objects that are nonexistent or imperceptible to human observers, creating outputs that are nonsensical and inaccurate.”<sup>4</sup>

Initially the response appears normal and has proper citations, however upon further inspection the

information is extremely inaccurate. Notably, in *Park v. Kim, 2024 (2d Cir. Jan. 30, 2024)*, Attorney Lee presented a false statement due to her reliance on ChatGPT to identify decisions to use in a reply brief. Lee did not confirm the validity of the non-existent decision therefore rendering her conduct to fall below the basic obligations of counsel.<sup>5</sup>

When considering using generative AI it is crucial to fact check the sources provided by the LLM and reference the ABA Model of Rules and Professional Conduct. Attorney and AI machine learning practitioner Kassi Burns provides the following rules to use as a guideline:<sup>6</sup>

**Competence** - As seen in **ABA Model Rule 1.1** a lawyer must provide competent representation to their clients. This requires a thorough evaluation of materials created by generative AI.<sup>7</sup>

**Confidentiality** - **ABA Model Rule 1.6** requires that a lawyer must ensure that when using any AI program the terms and conditions discuss how the data being entered will be stored and used, along with the software provider’s access to the information.<sup>8</sup>

**Communication** - **ABA Model Rule 1.4(a)** entails that a lawyer must inform their client of their use of generative AI.<sup>9</sup>

**Responsibility** - **ABA Model Rule 5.1**<sup>10</sup> and **ABA Model Rule 5.3** requires clear communication regarding use of generative AI and a clear guideline of policies and procedures for generative AI use.<sup>11</sup>

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### Footnotes

<sup>1</sup>NTT DATA. “Generative AI Unveiled: Its Evolution, Capabilities, Limitations and Potential” *NTT DATA*. Accessed 15 Jul. 2024. Available at: <https://www.nttdata.com/global/en/insights/focus/generative-ai-unveiled>

<sup>2</sup>IBM. “What is generative AI?” *IBM*. 10 Apr. 2023. Accessed 22 Jul. 2024. Available at: <https://research.ibm.com/blog/what-is-generative-AI>

<sup>3</sup>IBM. “What is NLP (natural language processing)?” *IBM*. 6 Jun. 2024. Accessed 22 Jul. 2024. Available at: <https://www.ibm.com/topics/natural-language-processing>

<sup>4</sup>IBM. “What are AI hallucinations?” *IBM*. Accessed 22 Jul. 2024. Available at: <https://www.ibm.com/topics/ai-hallucinations>

<sup>5</sup>*Park v. Kim*, 91 F.4th 610 (2024) Accessed 23 Jul. 2024.

<sup>6</sup>Burns, Kassi. “Demystifying Generative AI” *Judges’ Journal*, 63(1) (2024), 13–18.

<sup>7</sup>ABA. “Rule 1.1: Competence” *ABA*. Accessed 23 Jul. 2024. Available at: [https://www.americanbar.org/groups/professional\\_responsibility/publications/model\\_rules\\_of\\_professional\\_conduct/rule\\_1\\_1\\_competence/](https://www.americanbar.org/groups/professional_responsibility/publications/model_rules_of_professional_conduct/rule_1_1_competence/)

<sup>8</sup>ABA. “Rule 1.6: Confidentiality of Information” *ABA*. Accessed 23 Jul. 2024. Available at: [https://www.americanbar.org/groups/professional\\_responsibility/publications/model\\_rules\\_of\\_professional\\_conduct/rule\\_1\\_6\\_confidentiality\\_of\\_information/](https://www.americanbar.org/groups/professional_responsibility/publications/model_rules_of_professional_conduct/rule_1_6_confidentiality_of_information/)

<sup>9</sup>ABA. “Rule 1.4: Communications” *ABA*. Accessed 23 Jul. 2024. Available at: [https://www.americanbar.org/groups/professional\\_responsibility/publications/model\\_rules\\_of\\_professional\\_conduct/rule\\_1\\_4\\_communications/](https://www.americanbar.org/groups/professional_responsibility/publications/model_rules_of_professional_conduct/rule_1_4_communications/)

<sup>10</sup>ABA. “Rule 5.1: Responsibilities of Partners, Managers, and Supervisory Lawyers” *ABA*. Accessed 23 Jul. 2024. Available at: [https://www.americanbar.org/groups/professional\\_responsibility/publications/model\\_rules\\_of\\_professional\\_conduct/rule\\_5\\_1\\_responsibilities\\_of\\_a\\_partner\\_or\\_supervisory\\_lawyer/](https://www.americanbar.org/groups/professional_responsibility/publications/model_rules_of_professional_conduct/rule_5_1_responsibilities_of_a_partner_or_supervisory_lawyer/)

<sup>11</sup>ABA. “Rule 5.3: Responsibilities Regarding Nonlawyer Assistance” *ABA*. Accessed 23 Jul. 2024. Available at: [https://www.americanbar.org/groups/professional\\_responsibility/publications/model\\_rules\\_of\\_professional\\_conduct/rule\\_5\\_3\\_responsibilities\\_regarding\\_nonlawyer\\_assistant/](https://www.americanbar.org/groups/professional_responsibility/publications/model_rules_of_professional_conduct/rule_5_3_responsibilities_regarding_nonlawyer_assistant/)

# Breaking the Silence: The Power of Recovery and Support in the Legal Profession

By **Laura Valentino, Clinical Director, Ohio Lawyers Assistance Program**

In her memoir *Girl Walks Out of a Bar*, attorney Lisa F. Smith shares a deeply personal and raw account of her struggles with alcohol and cocaine addiction. Smith's story is not just about addiction; it's about the fear of judgment and stigma that many professionals, especially in high-pressure fields like law, face when confronting substance use disorders (SUD) and mental health issues. Her journey from secrecy and shame to recovery and openness serves as a powerful testament to the importance of support and understanding in the workplace.

Smith's descent into addiction was marked by a profound fear of discovery. As her life spiraled out of control, she recognized the need for professional help. However, the thought of her law firm discovering her struggles filled her with dread. "As I passed off my immediate projects for coworkers to handle, I thanked God for the privacy laws that prevented the firm from questioning me about my health," Smith recalls. The fear of being seen as "weak, defective, and untrustworthy" overshadowed her need for help, reflecting a common concern among legal professionals.

This fear is not unfounded. The legal profession is known for its rigorous demands and high expectations, where any sign of vulnerability can be perceived as a career-ending flaw. Smith's reluctance to reveal her addiction was rooted in the stigma associated with substance use disorders within the legal community. "It wasn't just because I was ashamed, which I was," Smith explains, "it was also because of the stigma attached to substance abuse by lawyers. If they found out, overnight I'd go from being viewed as hardworking and smart to weak, defective, and untrustworthy."

During her recovery, Smith's therapist suggested that she consider being open about her struggles at work, emphasizing that addiction is a disease, not a personal failing. "You told me that you spend a significant amount of time at work. Don't you think it will be better if the people you're with every day know that you're in the earliest stages of recovery? There's nothing to be ashamed of," the therapist advised. However, Smith's response reflects the harsh reality many in her profession face: "Yea, I get that, but no. It's not OK in a big

law firm. We talk about alcoholics behind their backs. I know that sounds bad, but nobody cares that it's a disease. It's considered a weakness, and they always find a way to cut the weak from the herd. I'll come clean anywhere but at work."

But, years later, after achieving sobriety and beginning to write publicly about her addiction and recovery, Smith shared her story with her colleagues and realized that she had a strong support system in the legal field. "I trusted and respected them. I didn't want them to learn my story on the Internet. It was difficult to share, but the response I received was overwhelmingly positive. I am lucky to be in a compassionate and supportive environment," she reflects.

Smith's experience highlights the importance of workplace culture in supporting individuals who are struggling with SUD or mental health issues. The legal profession, like many others, is evolving to become more compassionate and supportive. There has been a growing recognition of the importance of mental health and well-being within the legal profession. Initiatives aimed at reducing stigma and promoting wellness are becoming more prevalent, signaling a positive shift in the industry, but we can always do more to help reduce the stigma.

As the Clinical Director at the Ohio Lawyers Assistance Program (OLAP), I have worked with many judges, magistrates, and lawyers who share Smith's fears. They are often afraid that their employers will find out about their SUD or mental health issues, fearing the professional consequences that might follow.

OLAP is a resource that supports attorneys, judges, and law students dealing with these issues. OLAP is 100% confidential, so you can ensure that no one else will know that you asked for help. If we ever get calls about certain OLAP clients, we tell them "We cannot confirm or deny knowing that individual." This confidentiality is also true for therapists.

However, one of the most critical messages I convey to OLAP clients is that recovery is possible, and it can

*(continued next page)*



be achieved privately. The most important thing to focus on is one’s recovery, not the potential judgments of others. There are numerous resources available that can help individuals recover while maintaining their privacy. For instance, therapists who offer weekend appointments, telehealth services, or sessions in another county provide a discreet way to seek help without the fear of being discovered by colleagues or employers.

Recovery is not a one-size-fits-all journey, and it’s crucial for each person to find the path that works best for them. Whether through in-person counseling, telehealth, or other forms of therapy, the key is to take that first step toward recovery. It’s important to remember that seeking help is not a sign of weakness; it’s a sign of strength and self-awareness. By prioritizing recovery, individuals can reclaim their lives and careers, proving that they are more than their struggles.

Substance use disorder is a disease, not a moral failing, and it should be treated as such. By fostering an environment of understanding and support, the legal community can begin to break down the barriers that prevent so many from seeking help. Colleagues and

employers can play a crucial role in this by encouraging openness and creating a culture where it’s safe to admit when one is struggling.

Ultimately, Lisa F. Smith’s memoir is not just a story of addiction; it’s a story of hope, resilience, and the power of support. Her journey reminds us that recovery is not just about getting better—it’s about reclaiming your life and proving that you are more than your struggles. By prioritizing recovery, seeking help, and challenging the stigma within the legal community, professionals can overcome these challenges and emerge stronger on the other side.

The path to recovery may be daunting, but it is not insurmountable. With the right support, legal professionals can navigate this challenging time while protecting their privacy and preserving their careers. Recovery is not a destination; it’s a journey—a journey that is worth every step. And as more individuals like Lisa F. Smith share their stories, the legal profession will continue to evolve, becoming a place where recovery is not just possible but embraced.

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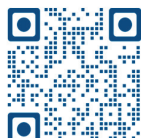
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