

*Indiana Bar Foundation*  
**2012**  
ANNUAL REPORT

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## LEADERSHIP MESSAGE

Spring always brings Hoosiers out of our winter doldrums, doesn't it? A renewal is evident in the programming your Indiana Bar Foundation provided to attorneys and the public in 2012 as well.

It was a resoundingly positive year in spite of continuing financial challenges. In this annual report you will witness much progress at rebuilding revenues, services and programs. You will see attorneys recognized for outstanding

philanthropy, pro bono service and professionalism. The Foundation continues to serve the goals of the legal profession's various interests, especially as groups perform public service.

Be proud of what you and your colleagues have achieved. You have been a key stakeholder in ensuring the Foundation serves the profession's needs now and in the future.



J. Mark Robinson, President



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## CIVIC EDUCATION

### Civic Education Students Excel

Have you heard pre-teens squeal with delight upon winning a competition about the U.S. Constitution? If you attended the *We The People* State Finals in December 2012, you did.

Inspiring students and increasing support from new and existing partners strengthened civic education in 2012. Your help has extended the Foundation's influence and all Hoosiers will benefit as more young people become engaged citizens.



Cathedral High School students celebrate winning the 2012 *We The People* State Finals and their opportunity to compete at the national finals.

### Cathedral, Plainfield and Brown County to National Finals

**Cathedral High School**, Indianapolis, won the top spot in a third round of questions at the high school State Finals and will represent Indiana in the National Finals. **Plainfield High School's** team, which placed second, will attend the national competition as a wild card pick, a first for Indiana to send two teams to compete nationally. **Brown County Junior High School** will compete in the first national middle school competition (see cover photo).

One staffer compared the Brown County team to the Milan basketball team that the movie *Hoosiers* was based on. Their spirit is inspiring to all who encounter them. Their squeals when they won turned heads.

These teams have big shoes to fill. **Munster High School** placed fifth in the National Finals in Spring 2012. Indiana teams often

occupy a spot in the Top 10 nationally. Munster also won a new video competition with their student-produced entry titled *Investing in You*. The Foundation donated \$1,000 to the school for their use with program expenses such as teacher training, textbooks or other needs. See the Foundation's website [www.inbf.org/](http://www.inbf.org/) to view the two-minute video.

### Foundations and Community Groups Fuel Resurgence

Two foundations increased their financial support for *We The People* this year. We are grateful to the **Allen County Bar Foundation** and its members, and the trustees of the **Winchester Foundation**, for investing in their local *We The People* students, teachers and schools.

Long active in *We The People* district competition, members of the Allen County Bar increased their financial support in 2011 and 2012. Their donations rose 62 percent since 2010 to \$6,500. Members realized that with reductions in federal funding, the local educators that teach *We The People* in fifth, eighth and twelfth grades might have a tougher time using the curriculum. The Allen County Bar Foundation's board agreed to help with not only the district competition for schools, but also textbooks, lunches and transportation for students. There are 10 schools in the Greater Fort Wayne area using the curriculum, and that district's competition is one of the largest in the nation with 800 participating students. Allen County Bar Foundation was recognized with the **William Baker Award** at the State Finals for their commitment to civic education.

*"Have you heard pre-teens squeal with delight upon winning a competition about the U.S. Constitution? If you attended the We The People State Finals in December 2012, you did."*

**The Winchester Foundation** in East Central Indiana stepped up its support by 50 percent. The Winchester trustees have invested in *We The People* in Congressional District 6 since 2007. They recognized their support can go even further in lean times, an example we can all remember.

The Bar Foundation will be able to train 25 new teachers in 2013 and extend the impact of the *We The People* program by 10 percent annually thanks to a grant from the **National Society of Daughters of the American Revolution (NSDAR)**. As many as 600

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## CIVIC EDUCATION



*Julie Newhouse receives the William Baker Award from J. Mark Robinson for her help securing a \$10,000 grant from the National Society of Daughters of the American Revolution.*

new students annually will understand the founding principles of our government. The NSDAR awarded a \$10,000 matching grant to the Foundation to fund training for new teachers to learn and teach the challenging *We The People* curriculum. The **Rushville, Indiana, chapter** of the NSDAR and attorney **Julie Newhouse** were critical supporters of this grant. Newhouse, a former Bar Foundation president, was recognized with a William Baker Award at the State Finals for her help securing the grant from the NSDAR. The NSDAR is a nonprofit organization with a Congressional charter focused on historic preservation, education and patriotism.

### Hamilton, Shepard make the Case

#### *Civic Challenges, Solutions Offered*

With the publication of the 2011 Indiana Civic Health Index, the Foundation strategically placed its best spokespeople before key constituencies to make the case for civic education. Former Chief Justice Randall T. Shepard and former Congressman Lee Hamilton spoke before 200 members of the Rotary Club of Indianapolis in August. Students from Cathedral High School then demonstrated *We The People* testimony before a panel of judges that included the Honorable Larry McKinney, U.S. District Court (Southern District of Indiana), attorney Dane Starbuck, a Rotary member, and former Chief Justice Shepard.

### Hobart, Zionsville Youth Visit D.C.

Volunteers selected two high school candidates as delegates to the U.S. Senate Youth Program and to receive \$5,000 scholarships from the **William Randolph Hearst Foundation**. Matthew Binder, Hobart,

and Eric Chien, Zionsville, were two of 104 delegates who attended the 50th anniversary Washington Week last March. See the website [www.inbf.org](http://www.inbf.org) for details about this merit scholarship and the outstanding achievements of these young men.

The **Indiana Legislative Youth Advisory Council** is composed of 22 Hoosiers aged 16-22 who produce an annual report about the issues affecting youth for members of the Indiana General Assembly. The 2012 Council chose to write two reports – *double what is required by the legislation* – demonstrating their passion for *making youth voices heard*.

### An Hour for Civics Contributors

With special thanks to our Visionary Firms for their ongoing support of civic education: **Bamberger Foreman Oswald & Hahn, Barnes & Thornburg and Taft Law.**

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## PRO BONO

### Cy Pres Awards Help Hoosiers

For some time, we have reminded you that the low interest rates are yielding little in IOLTA revenue for your local pro bono districts. In 2012 several cy pres awards and one in particular proved a significant revenue source for the Foundation's mission to support legal assistance for the poor.

*Cooper v. Lifequotes of America, Inc.*, directed \$650,894 to Indiana for its share of a national settlement of an issue involving unsolicited faxes. Two-thirds of that settlement will be used in 2013 to provide grants to the 12 pro bono districts statewide. In 2014, \$158,394 will be used for grant-making to districts. The Foundation's board voted to allocate \$50,000 immediately to the endowment named for the late Chief Justice Richard M. Givan to provide school loan repayment assistance to aid attorneys working in nonprofit organizations. The settlement will help hundreds of Hoosiers now and in the future.

### Bill Aids Pro Bono Districts

House Bill 1049, passed in 2012, is predicted to shore up more funding for your local pro bono districts. Proposed by Sen. Brent Steele, a Bedford attorney who volunteers in his pro bono district, the bill added a \$1.00 fee on civil cases filed in Indiana. While estimates are just that, the bill is projected to generate \$450,000 annually for pro bono districts that the Foundation assists through the Indiana Pro Bono Commission. There is a sunset provision to revisit the bill in five years for its impact. The first revenues are expected in March 2013.

These revenues arrive at a critical time of increasing need for free legal services by Hoosiers. However they will only sustain

the 12 pro bono districts with grants of \$750,000 annually through 2016. By then, it is optimistically anticipated that interest rates may return IOLTA funding to a level



*Sen. Brent Steele and Rep. Ed Koch received the Randall T. Shepard Award for creating legislation to aid pro bono service.*

that will again support legal services for the poor as it was intended.

*"This legislation will help provide some stability for the providers at a time when there is so much demand for their assistance."*

*— Judge Martha Wentworth, chair of the Indiana Pro Bono Commission.*

The Indiana Pro Bono Commission honored two legislators with the Randall T. Shepard Award for their forward action on HB 1049. They are both Bedford attorneys: Sen. Steele and Rep. Eric Koch. Judge Martha Wentworth, chair of the Commission, said: "This legislation will help provide some stability

for the providers at a time when there is so much demand for their assistance."

### New Media for Pro Bono Service

*Delivered from your Desk or Phone*

Unfazed by financial challenges, the Commission launched a new pro bono service option for Hoosiers in 2012. Indiana Legal Answers [www.indianalegalanswers.org](http://www.indianalegalanswers.org) is a website that allows Hoosiers to post questions on legal matters confidentially for an attorney's response. Attorneys sign up online to accept three exchanges with an inquirer and may designate areas of expertise. The system is modeled on one the Tennessee Alliance for Legal Services developed, and that group offered their programming for Indiana's launch. **Barnes & Thornburg, LLP**, Indianapolis, donated the time and expertise of its information technology staff to load and test the programs for Indiana's use. Attorneys may favor this manner of offering pro bono service without having to leave their offices or hometowns.



*President J. Mark Robinson (right) presented the President's Award to Senators Richard Bray, Brent Steele, Dale Grooms and David Long (not shown) at the 2012 Fellow Dinner for their efforts to aid pro bono services.*

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## PRO BONO

### Honoring Pro Bono Service, Law-Related Education

Four honorees were recognized for pro bono work at the Randall T. Shepard Celebration:



#### **Bingham Greenebaum Doll LLP**

donated time on local, federal and international levels. One partner visited Mongolia to advise attorneys on how to defend the rights of journalists and advocate for a free press.

Phillip Fowler accepted on behalf of the firm.



#### **Kendall Millard,**

Barnes & Thornburg, LLP, handled 25+ pro bono cases since 2004 for clients seeking asylum including a Sierra Leone teen who witnessed his brother's murder.



#### **Mark Stuaan,**

Barnes & Thornburg, LLP, led or assisted other attorneys with 16 pro bono cases before the Seventh Circuit in the U.S. Court of Appeals.



#### **Judy Tyrrell,**

a solo practitioner, assisted a woman threatened by domestic violence fighting a Hague Convention petition.



#### **The American Civil Liberties Union of Indiana**

was the honoree in the law-related education category for their brown bag series on constitutional law and other issues. Shown is Jane Henegar of the ACLU of Indiana.

### Honoring Attorneys' Service, Philanthropy

J. Mark Robinson, the Indiana Bar Foundation's president, bestowed two awards October 26 to **Wyatt Tarrant & Combs, LLP**, and **Timothy J. Abeska, Barnes & Thornburg, LLP**, for their dedication to helping Hoosiers in time of need.

Robinson noted the exceptional contributions of both honorees to aid fellow Hoosiers in his awarding of the Foundation's highest honor: the President's Award. Attorneys from Wyatt Tarrant & Combs' Louisville and New Albany offices partnered with the ISBA and Indiana Legal Services' New Albany office. They provided legal assistance and advice to Hoosiers affected by the March 2, 2012, tornadoes that devastated



*From left, J. Mark Robinson, Foundation president, honored Timothy Abeska and Wyatt Tarrant & Combs, represented by John Woodard, with the President's Awards for their service to Hoosiers in need of legal assistance.*

Southern Indiana. The firm answered inquiries from an emergency service the ISBA organized.

"It felt good to help," said John Woodard, Wyatt, Tarrant & Combs. "We were rewarded by many heartfelt 'thank you's' from the people we served."

The second award was presented to Timothy J. Abeska, Barnes & Thornburg, South Bend office. Abeska was the largest donor to the Richard M. Givan Loan Repayment Assistance Program. His donations doubled to \$66,000 with a matching donation from the Indiana Supreme Court.

According to Abeska: "The LRAP allows lawyers who are burdened with student loan debt to more affordably handle it, and focus on their work that benefits the disadvantaged citizens among us. It helps countless people across the state." Abeska also donates to Indiana Legal Services and contributes to his local pro bono district. In addition, he solicited his colleagues to contribute to the LRAP and has continued to advocate for it and other Bar Foundation programs.

"I have an obligation to give back to the profession. The LRAP is one good way to give back," he said.



Steven Ancel (left) receives the 2012 Legendary Lawyer Award from Donald Lundberg, Foundation officer.

## 2012 Legendary Lawyer Steven Ancel Honored

### His Integrity, Collegiality Celebrated

Steven Ancel, Life Patron Fellow, was an accomplished commercial lawyer who practiced business law from his firm's Indianapolis offices for a half century. For the last 25 years he headed Indiana's largest firm specializing in distressed businesses, bankruptcy reorganizations and other financial workouts before retiring from Taft, Stettinius & Hollister LLP. (Read his full biography on the Foundation website.) Celebrating his career, the 150 guests enjoyed many memories like the following that his colleagues shared.

### Ronald Buchmeier, Fellow, Hopper Blackwell P.C.

"Steve was always at the 'top of the heap' when it came to practicing law in the bankruptcy field. In my first year of private practice, I attended a bankruptcy hearing in New Albany. As anyone who practiced before Judge Kearns knows, dozens of matters would all be scheduled for the same day and time in a case. The hearing could go on for hours. This case was no exception and as we approached the dinner hour, Judge Kearns took a recess for that purpose. Steve invited me to join him and others – and bought my dinner. It wasn't necessary but Steve's actions sure made a young lawyer feel a part of the legal

community. None of us should forget that part of the practice of law, since we are all in this together. Thank you, Steve, for showing me the way."

### David H. Kleiman, Benesch LLP

"I was privileged to practice law with Steve his entire career. We were opposite each other hundreds of times and were often on the same side. Steve was an excellent lawyer who got



James Strain, Linda Pence, Thomas O'Gara and David Kleiman (from left) enjoy the Legendary Lawyer celebration.

excellent results for his client. He knew how to practice law. He knew that in commercial disputes, finding a solution that was good for both parties was more important than just winning. Steve epitomized the statement 'his word is his bond.' You didn't need it in writing with Steve and you didn't need to watch your backside when you dealt with

Continued on page 8

- |                           |                          |
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## INTEGRITY & SERVICE

Steve. Congratulations Steve on your honor - you are truly a Legendary Lawyer.”

Our thanks to the Legendary Lawyer committee, chaired by Joseph O’Connor, Patron Fellow: Deborah Farmer Smith, Life Fellow, Kay Pechin, Life Fellow, Gregory Sobkowski, Life Fellow, and Thomas Yoder, Life Fellow. Thanks also to Taft Law LLP for hosting the celebration.

### NOMINATE YOUR LEGENDARY LAWYER

*Do you know a Fellow who has practiced 50+ years and deserves this recognition? Criteria and application are available online ([www.inbf.org](http://www.inbf.org)) or contact Theresa Browning 317-269-7864 or [tbrowning@inbf.org](mailto:tbrowning@inbf.org).*

### Advancing the Profession

The board knows its direction is sound when our partner organizations, supporters and donors invest in the Foundation’s mission, Our partners at the **Indiana State Bar Association (ISBA)** made a \$100,000 donation and extended a matching donation challenge of another \$100,000. Your donations met that challenge and ensured the mission had access to the most support obtainable to pursue the goals you endorse.

Project-centered funds established by Bar members supported initiatives to strengthen access to justice or improve understanding of the rule of law. These permanently endowed funds will yield interest that will support scholarships and other programming for many years.

Several projects and funds resulted when Chief Justice Randall Shepard retired from the Indiana Supreme Court in 2012. The **Randall T. Shepard Fund for Diversity in the Legal Profession** was one and ISBA members supported it generously at the Chief’s retirement celebration. (More about this Fund and its donors appears on page 9.)

The Chief Justice’s former clerks and staff raised funds to host a private retirement dinner and commissioned a portrait of the Chief Justice that is now displayed in the Statehouse.

The inaugural class of the **ISBA’s Leadership Development Academy** raised funds for a public art display in Evansville that will be dedicated to former Chief Justice Shepard. The Foundation is proud to assist them in that effort with administrative support.

**Indiana’s mock trial volunteers** established a fund for donations to the 2013 National High School Mock Trial Competition scheduled for Indianapolis. High school students from across the country will demonstrate their legal prowess. The Foundation is a resource for volunteers to accept credit card donations and ensure the funds are recorded appropriately as they attend to the many details of organizing a national competition.

Volunteers and donors stepped forward to help the Foundation take full advantage of a matching donation opportunity from the Indiana Supreme Court. As of December, the Foundation’s **Richard M. Givan LRAP** had accrued more than \$250,000. In 2013, funds will again be available for “scholarships” to attorneys working in nonprofits to assist them in repaying their college loans. We are grateful for the help of the Court in establishing this Fund and to the many contributors who made it a priority for their donations.

### HELPING YOU WITH YOUR GOALS

*The Foundation is here to help you too with your desire to improve the legal profession, strengthen access to justice or understanding of the rule of law. Read more about Funds your colleagues have established to honor their predecessors, trailblazers, parents or other loved ones. Call Charles R. Dunlap, J.D. (317-269-7861) if you want to discuss confidentially how to establish a fund to aid your interests.*



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*Donors and organizations have established endowed funds to ensure an individual or project's legacy persists.*

### Indiana Lawyers Alliance Law School Scholarship Fund

This Fund assists a law student with a scholarship that rotates among Indiana's ABA-accredited law schools annually. The ILA honors the ISBA's former companion organization.

### Jack Lyle Memorial Fund

Lyle, the former ISBA executive director, was a key supporter of the *We The People* program, which this Fund supports. Along with his wife Sandi, he was an early proponent of the Bar's support for civic education activities.

*Sandra J. Lyle in honor of Barbara Hunt Burner, Gertrude Clancy, Phil Cooper and Jack Lyle*

### Joseph T. Helling Scholarship Fund

Established by his children, the Fund assists an attorney who has practiced fewer than five years by underwriting his or her attendance at the ISBA's annual meeting. Mr. Helling, a former ISBA president, believed strongly in the collegial relationships formed at Bar events.

### Phelps & Fara Family Law Fund

Both Thomas Fara and the late Gale Phelps were active members in the ISBA Family Law section. Demonstrating a commitment to the professionalism of family law, the Phelps & Fara Fund assists a law student studying the field of family law.

*Thomas A. Fara*

### Randall T. Shepard Fund for Diversity in the Law Profession

The Fund benefits the Indiana Conference for Legal Education Opportunity (ICLEO) and the Indiana Supreme Court's Commission on Race and Gender Fairness. ICLEO was established to assist Indiana minority, low-income or educationally disadvantaged college students to pursue a law degree.

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### Richard M. Givan Loan Repayment Assistance Fund

Honoring the late Chief Justice, this Fund establishes scholarships for attorneys working in legal aid and pro bono organizations or other nonprofits. The goal is to ensure that pressure from education debt does not act as an obstacle to service for Hoosiers needing free legal assistance.

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### Hon. J. Terrence and Peggy Cody Loan Repayment Assistance Fund

This Fund enables graduating law students to pay for their law school loans and be employed at civil legal aid providers, county Department of Child Services offices and county Public Defender's offices throughout Indiana, with preference given to those employed or living in Floyd County, Indiana.

### Shirley Shideler Memorial Fund

Shideler became the first female partner of any major law firm in Indiana and was elected the first female president of the Indiana Bar Foundation. The Fund is dedicated to the greatest needs the Foundation may have ensuring the most flexibility to meet the mission.

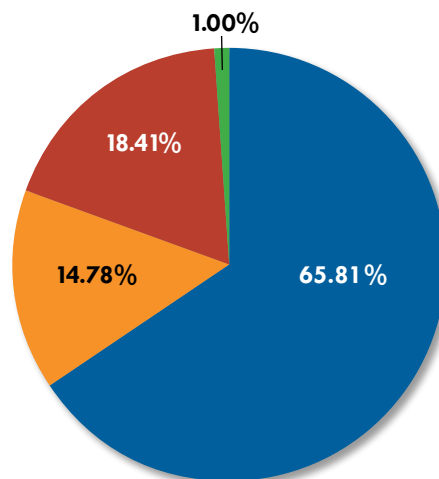
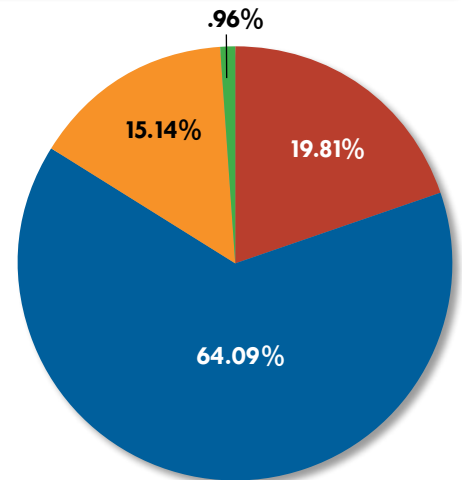
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*For more information on donating to these Funds or on establishing a Fund to fulfill your interests, contact the director of development or executive director for personal assistance. We are here to help you meet your goals.*

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<b>Contributions</b> .....	<b>1,230,486.00</b>
<b>Bar Center Income (rents)</b> .....	<b>290,624.00</b>
<b>Investment Income</b> .....	<b>18,470.00</b>
<b>Total Revenue</b> .....	<b>1,919,889.00</b>



### EXPENSE

<b>Programs</b> .....	<b>1,211,351.00</b>
<b>Administration</b> .....	<b>272,028.00</b>
<b>Bar Center</b> .....	<b>338,918.00</b>
<b>Depreciation and Other</b> .....	<b>18,351.00</b>
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Recognizing those Fellows who have completed their pledges to the mission of the Indiana Bar Foundation, we honor your dedication to the cause of strengthening access to justice and understanding of the rule of law.

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