

# INVESTING IN THE FUTURE



**INDIANA BAR**  
FOUNDATION

**2010 ANNUAL REPORT**

# Letter from the President

***Investing in the future*** celebrates the history of the Foundation and articulates the essential role of attorneys in fulfilling the mission of the Foundation: Improving our profession, allowing access to justice for all, and providing civics and other law related education to Hoosier citizens. After all, it was not that long ago that the Fellows led the effort to purchase the Indiana Bar Center to meet the needs of our profession.

In the following pages, I hope you will be inspired by just a few examples of recent investments in our profession and our Foundation by Indiana attorneys. Tim Abeska, a board member, a Patron Fellow, a volunteer on many projects, and a professional we can all strive to emulate, has invested \$25,000 of his own resources in the Richard M. Givan Loan Repayment Assistance Program. Learn more about why Tim believes that supporting attorneys who work in legal aid is a good investment in equal access to justice for our society.

Likewise, the late, great Gale Phelps made an investment in the future many years ago by mentoring attorneys in the profession of family law. She also chose to leave the Foundation a legacy gift, a portion of her estate, to further our mission. I hope you enjoy learning more about Gale if you didn't know her, and if you did, I hope you enjoy the fond remembrances of her.

Attorneys making a difference to Hoosiers in need will be highlighted in the outstanding work of the Indiana Pro Bono Commission, and the role of Indiana courts in assisting those on the brink of foreclosure.

Although we can't predict the future, we can and should invest our resources – time and money – to create a better future for Hoosiers. As legal professionals, we can be proud of the award recipients profiled in this annual report -- people who provided service without the expectation of recognition. Through these and other actions of our professional members, the esteem for attorneys will only grow – now and in the future.

Sincerely,



Robert C. Beasley  
President



# ICLEF Donates \$100,000 to Foundation's Mission

Shelbyville attorney Mark W. McNeely presented a check for \$100,000 to the Indiana Bar Foundation Executive Director Charles R. Dunlap October 20 on behalf of the board he chairs, the Indiana Continuing Legal Education Forum (ICLEF). The donation is the largest in ICLEF's history.

"The attorneys on our board are proud to do their share to help the Foundation's mission," said Linda Meier, a Greenwood attorney and the immediate past president of ICLEF.

"The gift certainly took us by surprise," said Chuck Dunlap. "It is generous of ICLEF's board to provide an unrestricted gift. We are grateful our fellow bar organizations recognize our mission and support our work."

*Chuck Dunlap  
(Left)  
and  
Mark W.  
McNeely*



## Remembering Gale Phelps: The Heart of a Advocate ... A Spirit of Justice

By Charles R. Dunlap, J.D., Executive Director



Tom Fara  
and  
Gale  
Phelps  
former  
partners in  
the Phelps  
& Fara  
practice

*"You are not here merely to make a living. You are here to enable the world to live more amply, with greater vision, and with a finer spirit of hope and achievement. You are here to enrich the world. You impoverish yourself if you forget this errand."* **Woodrow Wilson, 28th President of the United States**

I don't know if Gale Phelps ever heard or read those words from Woodrow Wilson, but I do know in living her life she enriched our legal community with her professionalism, service to others and dedication to making the practice of family law an honorable occupation.

I first met Gale when she served on the committee to hire a new executive director. Once hired, I saw Gale frequently -- not only because she was president-elect of the Foundation, but because the offices of Phelps & Fara were in our building.

Active with the Foundation, Gale was also deeply involved with the Family and Juvenile Law Section of the ISBA, once serving as its chair. She was instrumental in creating the Family Law Specialist Certification status in Indiana, helping to set standards for those practicing Family Law.

I don't think there's much coincidence that the first topic addressed on the application for the Family Law Specialist Certification is that of "good character and reputation."

Bill Murphy, a forensic accountant who worked often with Gale, commented on her focus on the truth. She told him once, "It's easier to get another client than another reputation."

Gale had a reputation of being thoroughly prepared and adhering to her strong ethics, according to Tom Fara, her former partner in their Indianapolis law practice. Fara, now managing his family manufacturing business in LaPorte, continued: "Gale was a very competitive person and liked to have the upper hand. She did not like to lose and was always extremely prepared. Yet she had a strong sense of fairness. We had lengthy conversations around the intersection of fairness, ethics and the age-old questions of where the boundaries of advocacy versus justice were. She had a very high regard for the profession. She always balanced her need to win and still to stay within the rules. Her biggest turmoil was if someone questioned her ethics. Being an attorney was personal for her."



Murphy related a story about Gale's high ethical standards: "Once Gale had a document that she hadn't given him (from opposing counsel). She admitted - in court - that she made a mistake. How many attorneys would admit that? She never held anything back from opposing counsel even if it hurt her case."

... continued on Page 4

Gale was also well-known for her straightforward attitude with clients and colleagues.

Caroline Gilchrist, a trial attorney in Avon, Indiana, and friend of Gale's, explained. "Gale was frank and practical with clients," she said. "She would explain how it (a strategy or demand) could affect the client's relationship with their children and their family. One of the great things about her was there was no artifice."

Perhaps it was this straightforwardness and excellent reputation that landed Gale a famous client, musician John Mellencamp. Fara remembers how excited she was when Mellencamp hired her: "She believed all her hard work and dedication to the profession had paid off. She had finally made it. Mellencamp had contacted all the big-name family law practices. Gale met with him and he hired her."



*Jim Reed and Gale Phelps duking out an agreement.*

*Photo thanks to Melissa Avery.*



*Phelps, Michael Cheerva, Tom Fara, Melissa Avery (from left)*

*Photo thanks to Kati Phelps Rogers*

Not only was Gale dedicated to her clients, famous or not, but she was dedicated to elevating the standards of professionalism in family law. "Gale was very active in the state Bar with lectures and continuing legal education. She tried to involve herself in every aspect of the profession and gave back. She put a lot of effort into developing family law as a respected part of the profession," reflected Fara.

Maureen Gaddy, partner in Gaddy & Gaddy on Indianapolis' Westside and friend of Gale's, recalled Gale's dedication: "She believed in her clients. She believed in the court system. She

believed in making it work and in making it better for the public."

Even though Gale's death eight years ago left a void in the legal community, she has managed to continue to improve our profession. Recently the estate of Gale Phelps provided the Foundation with a generous bequest of \$30,000. To continue Gale's legacy, the Foundation's board of directors has placed her estate gift in the Richard M. Givan LRAP. The gift will double thanks to an Indiana Supreme Court matching donation. The Givan LRAP helps new attorneys working in legal aid or pro bono organizations to repay student loans while they are working in lower-salaried public service positions. As the majority of legal aid cases involve family law case-work, it seems a fitting tribute to Gale that her estate gift continues to help many less fortunate Hoosiers and attorneys striving to uphold the values Gale cherished in practicing law.

*The Indiana Supreme Court challenged the Foundation to raise \$175,000 in donations to the Richard M. Givan LRAP by November 1, 2011, to receive matching funds from the Court. If you would like to make a tax-deductible gift, or a multi-year pledge, to assist the matching fund goal, please contact Theresa Browning or Charles Dunlap at the Indiana Bar Foundation (317-269-2415).*

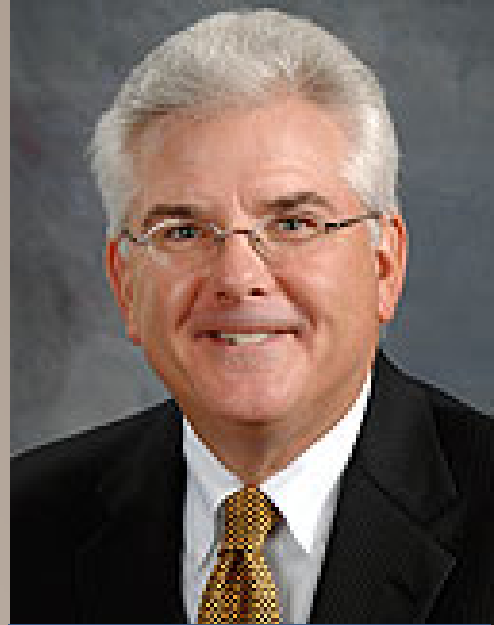
### **Wills Will Help!**

Wills, bequests, estate gifts and life insurance represent deferred gifts you might consider if you would like to support the Foundation but are unable to pledge current resources. These forms of deferred gifts render unexpected but welcome revenue for a non-profit seeking to fulfill its mission. Deferred gifts also allow you the opportunity to ensure the mission you support, the mission that supports your profession, and the mission that has ensured your lifetime of achievement, is recognized. You also have the opportunity to establish a legacy with your colleagues and those who follow you. Other attorneys will admire your forethought when they learn one of their own has chosen to recognize the Foundation's mission with a deferred gift. *For information on how you can support the Foundation, contact your personal attorney for advice or the Foundation for more information.*

## Justice For All

Admitted to practice in 1982, Timothy J. Abeska is approaching 30 years in his profession. An attorney who practices in business and construction litigation with Barnes & Thornburg LLP's South Bend office, Abeska has long supported access to justice programs including his local pro bono district, The Volunteer Lawyer Network, Inc., through gifts to the Indiana Bar Foundation.

"I know that we have hard-working full-time lawyers in local pro bono and legal aid services," said Abeska. "Financial support is as important if not more so than time to keep the office running."



*Tim Abeska*

### \$25,000 Gift Matched 1:1

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

*Tim Abeska*

Abeska demonstrated his support in 2010 in a big way with a \$25,000 leadership gift to the Foundation for the Richard M. Givan Loan Repayment Assistance Program (Givan LRAP). Abeska's gift propelled the fund forward with a five-year pledge that allows the Foundation to secure a 1:1 match from the Indiana Supreme Court. The Court's concern is the mounting debt new attorneys accumulate during law school. The Givan LRAP will ensure that new attorneys who want to practice in legal aid will not have undue financial pressure resulting from their choice of work.

The Court donated an initial \$25,000 gift to the Foundation to re-establish the LRAP, and the Foundation re-named the LRAP for Justice Richard Givan at the suggestion of his former law clerks as a lasting tribute. The Court agreed to match any new donations to the fund up to \$175,000 if they are raised before November 1, 2011.

"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 continues to contribute to his local pro bono district.

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

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## No Prosperity Without Giving Back

“I have been fortunate to achieve some professional success. You can’t prosper in a community without giving back to a community. You can’t prosper in a profession without giving back to a profession. That motivation, and basic Christian charity explains why I do what I do,” said Abeska. “In addition, Barnes & Thornburg has a long standing commitment to pro bono, which I fully support.”

Abeska’s giving is not limited solely to his financial resources. He serves on the Foundation’s Board of Directors and has raised funds from colleagues for local and state civic education programs. He also sits on the Board of the St. Joseph County Bar Foundation, has volunteered for the Robert A. Grant Inn of the Courts and for his local United Way. In addition to these volunteer efforts, Abeska also takes pro bono cases of his own.

“Historically I took more pro bono cases. I have one case now. It is harder now to take pro bono takes because so many of them are outside my area of practice, and it is hard to avoid conflicts of interest in a smaller community.”

“Our system of justice is the best there is – not perfect – but it beats any alternative. People encounter the judicial system and need lawyers to advocate for them. Those same people, often through no fault of the own, cannot afford an attorney.” The LRAP enables fellow Hoosiers to “get a fairer shake,” he reflected.

*If you would like to consider structuring a pledge to the Foundation that will double with the 1:1 match, please call Charles R. Dunlap, J.D. (317-269-7861 or [cdunlap@inbf.org](mailto:cdunlap@inbf.org)) to discuss your options.*



# LRAP

## Justice Richard M. Givan LRAP Helps Many Receive Quality Legal Advice

The motives for attending law school vary widely. Some think it is a path to financial freedom. Some crave public policy reform. Still others find civil legal aid work to be the passion that drives their desires.

The Indiana Supreme Court donated \$25,000 last year to boost efforts to help attorneys working with the underserved. Fifteen of the 24 applicants for LRAP grants in 2010 received awards ranging from \$1,000 to \$3,500. One applicant had more than \$189,000 in debt with a monthly payment of \$795 to repay a student loan. Awards were made based on the applicant's debt levels, their monthly payments toward retiring the debt and whether or not the applicant was receiving any additional LRAP funds.

The Court also challenged the Foundation to raise additional funds. A potential \$350,000 could be invested to help attorneys who aid the under-

### 1:1 Match Accelerates Aid

served statewide. The Givan LRAP helps attorneys working with legal aid or pro bono organizations who earn less than \$50,000 annually to afford to remain in legal aid and not be forced to seek private employment simply to repay their law school debt. According to one legal aid organization, attorneys there see approximately 1,000 clients annually (per attorney). That means several thousand Hoosiers are helped with guardianship, adoption, child support, or other mostly family law matters. These Hoosiers rarely have the means to afford private attorneys but nevertheless need legal representation.

**November 1, 2011**

**is the deadline the Indiana Supreme Court has given the Foundation to raise \$175,000 or lose matching funds from the Court.**

***Make your gift today to double its impact!***

**For more information: [www.inbf.org](http://www.inbf.org)**





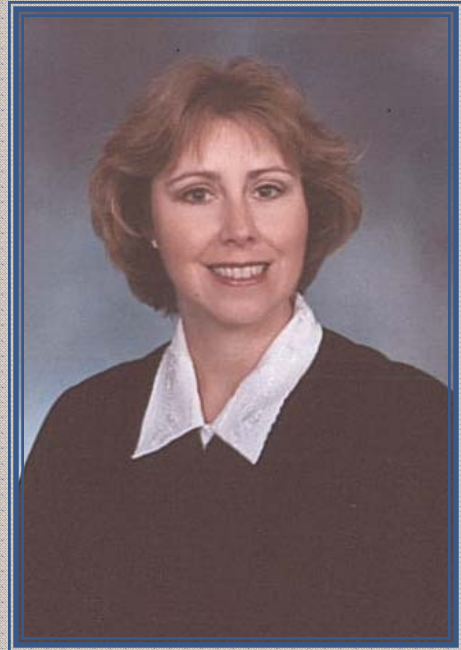
# Preserving Families, Averting Foreclosures

By Hon. Melissa S. May  
Indiana Court of Appeals  
Chair, Indiana Pro Bono Commission

Indiana continues to experience more foreclosures than many other states. In 2009, our legislature responded with Ind. Code § 32-30-10.5-10, which permits a homeowner to try to arrange a workout with the lender by means of a “settlement conference.”

The statute offers little guidance as to how a settlement conference is to be conducted. Many homeowners have not responded to the notice that they could request a settlement conference, and it has been difficult to arrange for lender representatives to discuss the workouts.

To address those concerns, the Mortgage Foreclosure Trial Court Assistance Project was initiated to help courts schedule and conduct the conferences. The project launched on a pilot basis in February 2010. Thirteen counties are now participating, and the project will be implemented statewide in 2011. The project utilizes court-appointed facilitators—attorneys trained in foreclosure issues—to reach out to foreclosed



## Indiana Mortgage Foreclosure Trial Court Assistance Project\*

2,290 telephone conferences scheduled  
1,123 telephone conferences held  
(The remaining 1,167 homeowners did not appear)  
943 settlement conferences requested  
753 settlement conferences held  
369 conferences resulted in workouts  
272 conferences resulted in no workout; the lender proceeded with foreclosure  
112 conferences are being followed up by the facilitator

\*Figures from six of the 13 pilot counties as of 12/31/10.

homeowners. Ind.

Code § 32-30-10.5-8 provides for the lender to notify the homeowner of the right to a settlement conference, but in many counties now participating, the notice is sent by the court to ensure it does not get lost in the volume of paperwork surrounding a foreclosure action. (*For a summary of the caseload, see article sidebar.*)

Forty-three homeowners were assisted at their settlement conferences by pro bono attorneys; another 25 were assisted by Indiana Foreclosure Prevention Network housing counselors.

It is estimated that each averted foreclosure saves local communities and stakeholders at least \$40,000.

Applying that estimate to the six counties from which figures are available, **the project has already preserved more than \$14.7 million of value** from March through December of 2010.

As this project is expanded statewide, Indiana will continue to be proactive in relieving its citizens from the burdens of foreclosure.

## Fort Wayne Attorney Ralph Adams Receives Randall T. Shepard Award

Realizing that a community's success can be measured by how it helps its most needy citizens, Ralph Adams embraces his role. The Indiana Pro Bono Commission recognized his service with the Randall T. Shepard Award for excellence in pro bono.

After 38 years of serving the people in Fort Wayne at Legal Services of Maumee Valley, both as staff attorney and executive director, Adams continues his legacy of service as the most prolific pro bono attorney with the Volunteer Lawyer Program (VLP) of Northeast Indiana. In the first



Chief Justice Randall Shepard congratulates award winner Ralph Adams

**“I can think of no other person who has contributed so much to the poor of Allen County.”**

*Cynthia Amber,  
Fort Wayne attorney*

seven months of 2010, he has been active in 140 new cases and has never turned down a VLP referral. He spearheaded the VLP's efforts to implement a “hotline” approach to serve clients within hours of the initial inquiries, reducing the effort required to locate clients and maximizing assistance.

“I can think of no other person who has contributed so much to the poor of Allen County,” said Fort Wayne attorney Cynthia Amber.

The Randall T. Shepard Award for excellence in pro bono is named in honor of the Chief Justice of Indiana and presented to honor his vision and leadership in pro bono. Created in 2002, the award recognizes extraordinary contributions that are made toward ensuring that legal services are available to persons who otherwise could not afford them. The award also serves to focus public awareness on the substantial voluntary services rendered annually by Indiana lawyers.

2011 Shepard Award  
Celebration

**October 21**

French Lick  
Springs Resort  
at ISBA  
Annual Meeting



## **Judge Gregory Donat Honored Nationally for Improving Access to Justice**

Tippecanoe Superior Court Judge Gregory J. Donat was named the 2010 recipient of the Kathleen M. Sampson Access to Justice Award by the American Judicature Society.

Judge Donat was recognized for “ensuring that pro bono and pro se efforts are integrated and that all stakeholders in the access to justice community work together to provide better legal help for the poor,” said Monica Fennell, Executive Director, Indiana Pro Bono Commission who nominated Judge Donat for the award.

# **Take the Pro Bono Pledge**

There is a continuing need for free legal representation for low-income Hoosiers. To volunteer for pro bono district programs, take the pro bono pledge on the Pro Bono Commission website

<http://www.in.gov/judiciary/probono/attorneys/pledge.html>.

Click on the areas of law and types of programs that interest you, and your information will be sent to the pro bono district in your area. You can make a difference in someone’s life today.

**Please take the pledge!**

## Pro Bono Service Awards

The economy increasingly challenges the pro bono network. Client need is increasing at a time when private attorneys have financial pressures in their own practices. The Foundation applauds the following attorneys, among the many who volunteer, for their time investments to generate professional good will and their altruistic nature in helping those with few alternatives for professional legal assistance.



### **Wendy Clar, Carmel**

Nominated for her dedication to help those who may otherwise go unrepresented, Ms. Clar has represented more pro bono clients in Hamilton County than any other attorney who volunteers with the Heartland Pro Bono Council, a remarkable feat for a solo practitioner. She also serves as a volunteer arbitrator in specifically screened family law cases.

### **Jean Blanton and Jennifer Elston, Evansville**

Nominated for co-counsel efforts on two pro bono family law appeals through the Volunteer Lawyer Program of Southwest Indiana, Inc., Ms. Elston and Ms. Blanton were undaunted by a limited time for preparation upon acceptance of the referral. The two worked endless hours to make sure the record and appellate brief was filed on time, well-researched and well-written. Their clients won both appeals.



*Jennifer Elston (left) and Jean Blanton, Ziemer Stayman Weitzel & Shoulders, LLP*



*Wishard Hospital's Anna Obergfell (left) and Deanna Wesley*

### **Baker & Daniels LLP and Wishard Health Services Medical-Legal Partnership Indianapolis**

Nominated for work on a holistic approach for a comprehensive care and advocacy platform, this partnership assisted patients in the EMBRACE clinic which provides end-of-life preparation for female cancer patients. The Medical-Legal Partnership is a collaboration with Wishard Health Services, the Indiana Health Advocacy Coalition, Neighborhood Christian Legal Clinic, Indiana Legal Services, and the Indianapolis Legal Aid Society, pooling resources provided by legal, medical, public health and social work professionals.



*Baker and Daniels' Kelly Witte*

## Indiana Pro Bono Commission Judicial Appointees

### District One

Hon. Elizabeth Tavitas  
Lake Superior Court, Civil 3  
Gary

### District Two

Hon. Jenny Pitts Manier  
St. Joseph Superior Court  
Mishawaka

### District Three

Hon. Daniel G. Heath  
Allen Superior Court  
Fort Wayne

### District Four

Hon. Rex W. Kepner  
Benton Circuit Court  
Fowler

### District Five

Hon. Robert R. McCallen, III  
Wabash Circuit Court  
Wabash

### District Six

Hon. Marianne L. Vorhees  
Delaware Circuit Court #1  
Muncie

### District Seven

Hon. Joseph D. Trout  
Clay Circuit Court  
Brazil

### District Eight

Hon. David A Shaheed  
Marion Superior Court,  
Civil Division #1  
Indianapolis

### District Nine

Hon. Darrin M. Dolehanty  
Wayne Superior Court 3  
Richmond

### District Ten

Hon. Mary Ellen Diekhoff  
Monroe Circuit Court #5  
Bloomington

### District Eleven

Hon. Judith Stewart  
Brown Circuit Court  
Nashville

### District Twelve

Hon. Alison Frazier  
Jefferson Superior Court  
Madison

### District Thirteen

Hon. Dean Sobecki  
Daviess Superior Court  
Washington

Hon. Wayne S. Trockman  
Vanderburgh Superior Court  
Evansville

### District Fourteen

Hon. Vicki Carmichael  
Clark Superior Court #1  
Jeffersonville

## District Pro Bono Plan Administrators

### District One

Judith H. Stanton, Esq.  
NWI Volunteer Attorneys, Inc.  
Hobart

### District Two

Mary Jo Anderson, Esq.  
The Volunteer Lawyer Network  
Inc.  
South Bend

### District Three

Terry McCaffery  
Volunteer Lawyer Program of  
Northeast Indiana  
Fort Wayne

### District Four

Timothy E. Peterson, Esq.  
Indiana Legal Services  
Lafayette

### District Five

Vicki Williams  
Indiana Legal Services  
Lafayette

### District Six

Christianne Brock, Esq.  
District 6 Access to Justice, Inc.  
New Castle

### District Seven

District 7 Pro Bono Organization  
Terre Haute

### District Eight

Laurie Beltz Boyd, Esq.  
Heartland Pro Bono Council  
Indianapolis

### District Nine

Shane Edington, Esq.  
District 9 Pro Bono Commission  
Richmond

### District Ten

Diane Walker, Esq.  
District 10 Pro Bono Project  
Bloomington

### District Eleven

Alaina Sullivan, Executive Director  
Legal Aid-District Eleven, Inc.  
Columbus

### District Twelve

Frank Cardis, Esq.  
Legal Volunteers of Southeast  
Indiana, Inc.  
Lawrenceburg

### District Thirteen

Beverly Corn, Esq.  
Scott Wylie, Esq.  
Volunteer Lawyer Program of  
Southwestern Indiana  
Evansville

### District Fourteen

Amy W. Roth  
Legal Volunteers, District 14  
New Albany

# Indiana Pro Bono Commission Members

**Hon. Melissa May, *Chair***

Indiana Court of  
Appeals, 4<sup>th</sup> District  
Indianapolis

**Hon. David Avery**

Allen Superior Court  
Fort Wayne

**Roderick Bohannon**

Indiana Legal Services  
Indianapolis

**Tim Cottingham**

Greater Hammond Community Services, Inc.  
Hammond

**Thomas Davis**

Frost Brown Todd LLC  
Indianapolis

**James Dimos**

Frost Brown Todd LLC  
Indianapolis

**Mary Fondrisi**

Smith, Carpenter, Thompson,  
Fondrisi & Cummins, LLC  
Jeffersonville

**Sue Ann Hartig**

Legal Aid Society of Evansville, Inc.  
Evansville

**Karen Heard**

Evansville

**Sarah Holterhoff**

Valparaiso University School of Law  
Valparaiso

**Dr. Michael Jenuwine**

Notre Dame Legal Aid Clinic  
South Bend

**Kimberly Kass**

Valparaiso University School of Law  
Valparaiso

**Jonna Kane MacDougall**

Indiana University School of Law—Indianapolis

**Novella Nedeff**

Indiana University School of Law—  
Indianapolis

**Thao Nguyen**

Plews Shadley Racher & Braun  
South Bend

**Carl R. Pebworth**

Baker & Daniels, LLP  
Indianapolis

**Stephen Rodriguez**

Indiana Legal Services  
Merrillville

**Edward Stachowicz**

Indiana Legal Services  
Lafayette

**Hon. Elizabeth Tavitias**

Lake Superior Court  
Gary

**Carwina Weng**

Indiana University Maurer School of Law  
Bloomington

**Michael Wright**

Wright, Shagley, Lowery, P.C.  
Terre Haute

**Monica Fennell, *Executive Director***

317-269-7862  
mfennell@inbf.org

# CIVICS

## Civics Students Lead by Example

By Andrew K. Homan, Director of Civic Education

There is a lack of consensus among the American people on a number of controversial topics. While disagreements over health care, immigration reform and government spending are strong, one area most people do agree on is that the way in which we are debating and discussing these issues as a nation yields too much anger and discontent.



To be optimistic about our future, we have to believe that this anger and discontent is the exception and not the rule. However, if you watch any of the 24/7 cable news outlets you can quickly get the impression that vitriolic disagreement is the fuel on which Congress operates.

Looking beyond sound bites will show that there are many reasons to be optimistic about the future of our civic discourse. In Indiana, students participate in *We the People: the Citizen and the Constitution*, created by Congress and administered by the Foundation. This program teaches students about the foundations of American government. The culminating event is the finals in which students from across the state discuss what they have learned.

As a judge in the last state finals, one thing that impressed me about the students was their ability to disagree civilly about nuances of the American system of government. In front of federal judges and college professors, these young scholars would discuss and disagree about many topics including what protections a political minority has against a majority, the differences in the views of the federalists and anti-federalists and how practical another American revolution would be.

Hearing students say, "I disagree with my colleague" may be one of the most refreshing statements that I heard during the state finals. The participants in this program will inevitably go on to have different careers and varying levels of participation in government. Whatever that participation looks like, we should take comfort in the fact that respectful disagreement is a basic part of their understanding of civic involvement. In fact, I think many adults could learn from their example.

I am proud to be joining the staff of the Indiana Bar Foundation to build upon the great success of *We the People* and other civic education programs.

If you would like to learn more about civic education in Indiana, please contact Andrew Homan at [ahoman@inbf.org](mailto:ahoman@inbf.org).

# From Civics Alum to Practicing Attorney

Indiana's brain drain — the void left when new college graduates leave the state — troubles business and civic leaders almost as much as taxes do.

One young professional who chose to remain in Indiana is Caryn Glawe. A Newburgh native who now resides in Indianapolis, she practices insurance regulatory and insolvency law at Baker & Daniels LLP. She is also a *We the People* alumna.

Caryn was a high school senior in 1997 when her team competed in the *We the People* finals in Washington, D. C., and finished fourth in the nation. Caryn pointed out that "Indiana has a history of getting to the top 10 in the national finals."

She explained that civic education "creates more engaged and informed citizens. Students articulate thoughts on political and societal issues, and there's a ripple effect as they discuss what they are learning with their parents and their peers"

*We the People's* semester-long curriculum culminates in a congressional-style hearing with students testifying before a panel of judges composed of attorneys, members of the judiciary and civic leaders who quiz them on contemporary and historical issues the students have researched.

"Students have to get comfortable being quizzed by the judges and defending their opinions," Caryn said. She credits *We the People* with giving her confidence in her ability to articulate ideas.

Caryn believes this program needs curious students but also dedicated teachers. She has high esteem for the teachers of the challenging curriculum. "They dedicate so much time outside of the classroom to their students and to learn about constitutional issues," she said.



Caryn Glawe

## **B&D Attorneys Help Munster Prepare for Nationals**

On April 8 the lawyers at Baker & Daniels hosted a practice session for Indiana's *We the People* state champions from Munster High School. Caryn, Nigel Stark, fellow B&D attorney and *We the People* alum, and Brita Horvath, B&D's Manager of Diversity and Pro Bono, coordinated the full-day dress rehearsal for nationals. Tom Froehle, Chief Executive Partner of B&D, welcomed the students and talked with them about the firm's commitment to civic involvement. B&D attorneys Scott Chinn, Dan Carmichael, Jon Laramore, Mark Sausser, Dustin DeNeal, Sarah Jenkins, Dan Lechleiter and Ike Willett served as judges alongside veteran *We the People* volunteers and as panelists for a discussion about their legal careers

"My teacher was one of the best," Caryn said of the late Stan Harris. "He and his wife welcomed us into their home every night as we were practicing for nationals."

Caryn, who volunteers as a judge for Indiana's *We the People* state competition, also recognized the large roster of volunteers at the local, district and state competitions.

"It's nerve-wracking to serve as a judge," Caryn added. "Most of us don't deal with constitutional theory every day in our law practices. It's exciting to engage on these issues with such intelligent students."

How might Indiana thrive if all the intelligent kids made a home here?



An  
Hour  
for  
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The ISBA sections donated more than \$30,000 to ensure the Munster High School team could travel to the nation's capitol for the 2010 competition.

## Two Visionary Law Firms Donate \$20,000

Two Indianapolis law firms donated signature gifts to ensure civic education programming remains strong in Indiana. **Barnes and Thornburg, LLP** and **Taft Stettinius & Hollister LLP** became charter visionary designees in the annual civic campaign *An Hour for Civics*. Those firms committed \$10,000 in cash gifts over five years and agreed to solicit individual attorneys to donate annually. The Foundation is grateful for the financial support of these law firms.

**BARNES &  
THORNBURG** LLP

Though the civic education programs receive private and federal grants as well as support from the ISBA, those gifts fall short of the actual costs of providing competitive civics contests in Indiana's nine congressional districts.

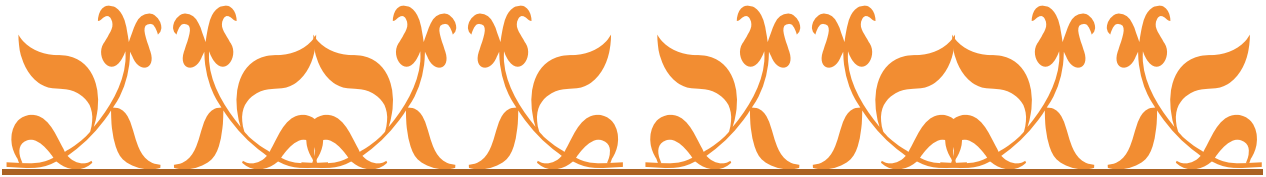
**Taft** /

Conducted every spring, the campaign known as *An Hour For Civics* ensures attorneys understand the important concepts taught by schools that participate in *We the People: The Citizen and the Constitution*. Fifth, eighth and 12th grade students from across Indiana compete in school and district competitions with the high school winner proceeding to Washington, D.C., for the national competition. In 2010, the ISBA sections contributed more than \$30,000 to ensure the Munster High School team could travel to the nation's capitol for the competition. Munster placed eighth nationally bringing Indiana incredible pride in the curriculum's process.

*There's still time if you want your firm to be recognized as a Visionary firm. Contact the Foundation at 317-269-7864 if you can help navigate your firm's charitable or marketing opportunities.*

**An Hour for Civics  
2011 Campaign**

**April 1- June 30**



## Indiana Youth Meet Top Government Officials

Two civic-minded high school students from Indiana will meet some of the highest level officials from all branches of the federal government through the U.S. Senate Youth Program, administered by the Foundation and funded by the Hearst Foundations. Florence Chen, Granger, and James Hitchcock, Evansville, will represent Indiana during Washington Week in April 2011. James maintains a 4.383 GPA at The Signature School. He is a National Merit Scholar and two-time Student Council President. Florence attends Penn High School and has a weighted GPA of 4.3182 for her seven advanced placement classes. She is also a National Merit Scholar finalist and a Presidential Scholars nominee. Chen and Hitchcock were selected by a panel of attorneys from among 10 finalists. The program is merit based and includes a \$5,000 college scholarship for each of the selected youth to pursue history or political science degrees. More than 4,700 youth have completed the program nationwide.



James Hitchcock, Evansville



Florence  
Chen,  
Granger



# Law Related Education Awards



## Bomberger Honored

Cathy Bomberger received the 2010 Liberty Bell Award from the ISBA's Young Lawyer's section at the ISBA annual meeting October 14, 2010. Co-nominated by Lake County Bar Association president Rich Wolter, the Foundation sought the honor for her when she retired as District 1 coordinator for *We the People*. She is the first double recipient of the award.

## Baker & Daniels LLP and Eli Lilly and Company Street Law Corporate Legal Diversity Pipeline Program Indianapolis

This program matches an urban school with volunteers from two corporate legal departments who teach students about civil law. Thirty attorneys volunteer and mentor students on a weekly basis. The collaboration with the Shortridge Law and Public Policy Magnet School also results in an end of semester conference at Lilly's corporate headquarters to fuel interest in the pursuit of legal careers and increase diversity in the legal profession.



Street Law Corporate Legal Diversity Pipeline Program  
Thomas Froehle, Baker & Daniels  
Chief Justice Randall Shepard  
Ponce Tidwell, Eli Lilly and Company (From left)



## Indiana Supreme Court, Courts in the Classroom

*My Place is in the Voting Booth:  
Hoosier Suffragette Helen M. Gougar*

Sarah Kidwell  
Chief Justice Randall Shepard  
Dr. Elizabeth Osborn  
(From left)

## Indiana Supreme Court Courts in the Classroom

*My Place is in the Voting Booth:  
Hoosier Suffragette Helen M. Gougar*  
Statewide

The project is about the life of the first woman admitted to the bar in Tippecanoe County, Helen M. Gougar, and her efforts to sue the county after being prevented from voting in a local election. The project familiarizes Hoosiers with this little-known suffragette who shared the same platform with leaders like Susan B. Anthony to promote women's rights, and her accomplishments both inside and outside the courtroom. The project, an interactive drama and supporting educational materials, was led by **Elizabeth Osborn, Ph.D.**, with the assistance of **Jennifer Adams**, a professor DePauw University.

## 43 New Fellows Inducted in 2010

The Fellows of the Indiana Bar Foundation have been significant leaders over the years – providing insight and support for the Foundation’s mission. The 2010 class was inducted July 17 at the annual dinner in French Lick by Justice Brent E. Dickson. Our congratulations and gratitude to 2010 Fellows for accepting the invitation to join this exclusive group of attorneys.

### **New Patron Fellows**

Robert C. Beasley, Paws, Inc., Albany  
Richard Komyatte, Komyatte & Casbon, P.C., Highland  
Darnail Lyles, Attorney and Counselor at Law, Gary  
Marianne Mitten Owen, Stuart & Branigin LLP, Lafayette  
Richard J. Thrapp, Ice Miller LLP, Indianapolis  
Jerome Withered, Withered Burns & Persin, LLP, Lafayette  
Michael A. Wukmer, Ice Miller LLP, Indianapolis

### **New Master Fellows**

George N. Bewley, Jr , Bewley & Koday, LLP, Fort Wayne  
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Eric M. Cavanaugh, Duke Energy Indiana, Inc., Plainfield  
Charles R. Dunlap, Indiana Bar Foundation, Indianapolis  
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John David Hoover, Hoover Hull LLP, Indianapolis  
Kenneth H. Inskeep, Barnes & Thornburg LLP, Indianapolis  
John V. Moriarty, Woodard Emhardt, Moriarty, McNett, & Henry LLP,  
Indianapolis  
Mark A. Warsco, Rothberg Logan & Warsco, LLP, Fort Wayne  
Russell T. Woodson, Evansville

*Membership in the Fellows is awarded by recommendation and approval in honor of demonstration of professional distinction. Many recognized leaders of the Indiana Bar are Fellows, including several trial and appellate court judges, as well as Supreme Court justices.*

## 2010 New Fellows

Bryan L. Bradley, Kenneth J. Allen & Associates, Valparaiso  
Ronald W. Buchmeier, Hopper Blackwell, P.C., Indianapolis  
David J. Carr, Ice Miller LLP, Indianapolis  
J. Murray Clark, Baker & Daniels, Indianapolis  
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Friday, July 15, 2011  
Fellows Dinner & Annual Meeting

*Recruiting for the 2011 class  
is underway.*

New Fellows Induction  
Guest Speaker  
**Stephen L. Ferguson, Chairman  
of the Board, Cook Group, Inc.**

*For information, contact  
Theresa Browning ([tbrowning@inbf.org](mailto:tbrowning@inbf.org))  
or 317-269-7864)*

# *Life Fellows: The Best of the Best*

*These Fellows completed their pledge commitments to the Foundation in 2010 thereby helping to ensure their investments in their profession begun many years ago. On behalf of current, former and future Fellows, we thank you for the commitment you made to your profession.*

## **Life Patron Fellows**

Richard P. Komyatte  
Hon. William C. Lee

## **Life Master Fellows**

Jessie A. Cook  
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Nancy G. Tinsley

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C. Daniel Yates

# Evansville Attorney is 2010 Legendary Lawyer



Known affectionately in his firm as “the titan of titles,” Charles E. Oswald, Jr., of Bamberger, Foreman, Oswald & Hahn can now claim another title: Legendary Lawyer.

“C. E. is an inspiration to everyone in our firm,” said Bamberger Managing Partner Terry Farmer. “He was a visionary 51 years ago when he helped found Bamberger. He just celebrated his 88<sup>th</sup> birthday and continues to be as dedicated to the firm as he was when it was first created. He comes into the office most every day and his knowledge and experience are

valuable assets to our 41 other attorneys.”

“I’m honored and humbled to receive this award from the Indiana Bar Foundation,” said C. E. Oswald. “Over the course of my career, I have had the pleasure of working with many, many legendary people—attorneys and support staff alike. I’ve always cherished being a part of this legal community, and it’s a privilege to be recognized among my peers.”

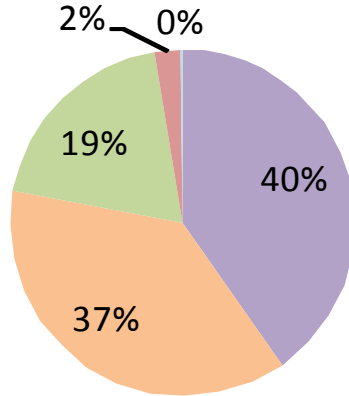
Oswald’s practice in real estate included minerals, leases, real estate development and related corporate and business law, as well as local taxation. This work earned him the nickname “titan of titles.” Examples of his numerous projects include real estate related to the construction of Terre Haute’s Honey Creek Mall; Indiana’s first covered mall—Washington Square Mall in Evansville; and the Welborn Clinic.

*“I’ve always cherished being a part of this legal community, and it’s a privilege to be recognized among my peers.”*

*C.E. Oswald, 2010  
Legendary Lawyer*

## Revenue

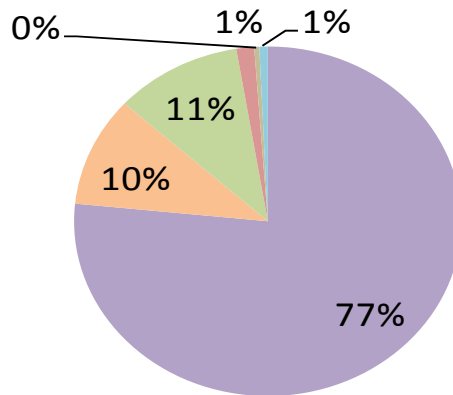
■ IOLTA Income   
 ■ Contributions   
 ■ Bar Center   
 ■ Investments   
 ■ Events



<span style="color: purple;">■</span> IOLTA Interest Income	\$664,333
<span style="color: orange;">■</span> Contributions	\$623,398
<span style="color: lightgreen;">■</span> Indiana Bar Center	\$319,715
<span style="color: lightcoral;">■</span> Investments	\$39,212
<span style="color: lightblue;">■</span> Events	\$5,010
<b>Revenue</b>	<b>\$1,651,688</b>

## Expenses

■ Program   
 ■ Admin   
 ■ Building   
 ■ Fundraising   
 ■ Events   
 ■ Other



<span style="color: purple;">■</span> Program	\$2,326,415
<span style="color: orange;">■</span> Administration	\$308,459
<span style="color: lightgreen;">■</span> Building	\$322,756
<span style="color: lightcoral;">■</span> Fundraising	\$45,276
<span style="color: olive;">■</span> Events	\$12,542
<span style="color: lightblue;">■</span> Other	\$21,551
<b>Expenses</b>	<b>\$ 3,036,999</b>

*The difference between total revenues and total expenses for FY2010 is due to significant decline in IOLTA revenue. Furthermore, grants for pro bono districts are paid out in the fiscal year following the one when funds are accrued. The FY2010 budget shows grants expenses for monies accrued in FY2009. These grants are reflected in the program area.*



## Financial Statement of Revenue for Fiscal year ended June 30, 2010

	<u>Year Ended June 30, 2010</u>			<u>Totals for the Year Ended</u>	
	<u>Unrestricted</u>	<u>Temporarily Restricted</u>	<u>Permanently Restricted</u>	<u>June 30, 2010</u>	<u>June 30, 2009</u>
<b>REVENUE:</b>					
Contributions:					
Fellows	\$ 69,200	\$ -	\$ -	\$ 69,200	\$ 68,950
Check off	62,255	-	-	62,255	72,115
Endowment	-	-	45,630	45,630	17,800
Civics	340,445	-	-	340,445	322,428
CLEO Summer Institute	-	-	-	-	130,000
Loan repayment assistance	-	25,000	-	25,000	-
Judges and lawyers' assistance	-	32,013	-	32,013	-
Other	15,131	3,900	-	19,031	11,186
	<u>487,031</u>	<u>60,913</u>	<u>45,630</u>	<u>593,574</u>	<u>622,479</u>
Total contributions					
Fellows dinner/reception	1,850	-	-	1,850	4,850
Laws of Aging	-	15,010	-	15,010	25,010
Legal needs study	-	14,814	-	14,814	-
Indiana Bar Center	319,715	-	-	319,715	328,329
Investments	-	-	7,015	7,015	64,650
IOLTA revenue	-	664,333	-	664,333	1,329,877
J. Philip & Barbara Burt	-	-	-	-	250
Legendary Lawyer luncheon	3,160	-	-	3,160	3,000
Realized loss on sale of investments	(3,407)	-	(2,129)	(5,536)	(71,723)
Unrealized gain (loss) on investments	26,509	-	11,224	37,733	(663)
	<u>834,858</u>	<u>755,070</u>	<u>61,740</u>	<u>1,651,668</u>	<u>2,306,059</u>
Total Revenue					
Net assets released from restrictions	<u>1,991,457</u>	<u>(1,981,511)</u>	<u>(9,946)</u>	<u>-</u>	<u>-</u>
Total revenue and net assets released from restrictions	<u>2,826,315</u>	<u>(1,226,441)</u>	<u>51,794</u>	<u>1,651,668</u>	<u>2,306,059</u>

## Financial Statement of Expenses for Fiscal year ended June 30, 2010

	<u>Year Ended June 30, 2010</u>			<u>Totals for the Year Ended</u>	
	<u>Unrestricted</u>	<u>Temporarily Restricted</u>	<u>Permanently Restricted</u>	<u>June 30, 2010</u>	<u>June 30, 2009</u>
<b><u>EXPENSE:</u></b>					
Program services:					
Grants and scholarships	\$ 33,804	\$ -	\$ -	\$ 33,804	\$ 76,591
IOLTA Pro Bono grants	1,621,199	-	-	1,621,199	1,712,556
CLEO administrative expenses	408	-	-	408	-
Civic expenses	442,449	-	-	442,449	440,684
IOLTA administrative expenses	<u>228,555</u>	<u>-</u>	<u>-</u>	<u>228,555</u>	<u>193,144</u>
Total program services	<u>2,326,415</u>	<u>-</u>	<u>-</u>	<u>2,326,415</u>	<u>2,422,975</u>
Other expense:					
Indiana Bar Center	322,756	-	-	322,756	291,779
Payroll	168,953	-	-	168,953	244,078
Professional services	26,256	-	-	26,256	18,319
Marketing and fundraising	45,276	-	-	45,276	40,502
Fellows dinner/reception	12,542	-	-	12,542	20,399
Office expense	37,625	-	-	37,625	48,155
Annual report	8,014	-	-	8,014	618
Trustee fees	7,331	-	-	7,331	3,382
Conferences, meals, and travel	17,440	-	-	17,440	34,986
Laws of Aging	42,840	-	-	42,840	-
Depreciation	16,703	-	-	16,703	16,462
Miscellaneous	<u>4,848</u>	<u>-</u>	<u>-</u>	<u>4,848</u>	<u>7,186</u>
Total other expense	<u>710,584</u>	<u>-</u>	<u>-</u>	<u>710,584</u>	<u>725,866</u>
Total Expense	<u>3,036,999</u>	<u>-</u>	<u>-</u>	<u>3,036,999</u>	<u>3,148,841</u>
<b><u>CHANGES IN NET ASSETS:</u></b>	(210,684)	(1,226,441)	51,794	(1,385,331)	(842,782)
Net assets, beginning of year	<u>1,417,977</u>	<u>3,461,212</u>	<u>101,341</u>	<u>4,980,530</u>	<u>5,823,312</u>
Net assets, end of year - Exhibit A	<u>\$ 1,207,293</u>	<u>\$ 2,234,771</u>	<u>\$ 153,135</u>	<u>\$ 3,595,199</u>	<u>\$ 4,980,530</u>

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