

The background of the entire cover is a stylized illustration of a diverse crowd of people. Each person is depicted from the chest up, wearing a white face mask. The individuals have various hair colors and styles, and are wearing clothing in a wide range of colors including blues, greens, yellows, oranges, and purples. The overall style is flat and modern.

# THE LEXINGTON LAWYER

**A publication of the  
Fayette County Bar Association  
2021, Issue 1**

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A publication of the Fayette County Bar Association

## The Lexington Lawyer Article Submission Guidelines

Unsolicited manuscripts are accepted on subjects of interest to the legal profession. Manuscripts should be submitted in MS Word or PDF as an attachment emailed to [info@fcba.com](mailto:info@fcba.com). Articles should not exceed 6 typewritten double-spaced pages.

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## Fayette County Bar Association

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## FCBA Staff



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Executive Director



**Andrea Adams,**  
CKLRS Coordinator



**Theresa Speaks,**  
Membership Coordinator

# Leading the Bar 2020-2021

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## President's Message: *Matt Boyd*



**Matthew Boyd**  
FCBA President

The practice of law is hard, even when we are not in a pandemic. As attorneys, we carry the burdens, fears, wants and desires of our clients, often in their worst circumstances. It seems weakness is taboo and showing it can be perceived as bad for business and reputation. It can be a profession of posturing and being adversarial toward our fellow attorney. Couple that with isolation, extreme change and uncertainty and the pressure can feel overwhelming. I know that's how I have felt. I know I've been in dark places, but for a few very special friends and colleagues, I may not be writing this message.

Sadly, we have lost several of our own in the last few months. Their loss and the pain it caused those suffering, felt like a call to action for the Board of the FCBA. Although we can only meet by Zoom, I saw our Board open up about the hardships of life, family, relationships and the practice of law. We resolved to reach out to those we haven't seen and heard from since the world closed last March. We challenged each other to focus on the humanity of our fellow attorneys, drop our guard and show our own frailty and weakness. I encourage all of our members to do the same. Reach out and check on those you haven't seen, send a handwritten letter, make that phone call. We have to look out for one another.

We want to do more than that. We want to offer assistance. Confidential and anonymous assistance. I am pleased to announce that we are now offering a Lawyer Assistance Program, independent of the KBA and available for all our members. As a member benefit, we are offering 5 free counseling sessions per year to our members. The details of the Program are on the following page. The goal is to offer every member an outlet when they are in crisis or someone to listen and offer counsel in times of need. I encourage you to utilize the program. It is my sincere hope that we can create a safety net for those in crisis and a place to help maintain mental wellness. While we vow to be good stewards of the Association's finances, we believe that if we save one life, it will be well worth any monetary expense.

As my term as President comes to an end, I want to thank each and everyone of you for the privilege of serving you. Although we didn't have a traditional year, to say the least, we worked hard to serve the membership and I am

grateful for resilience and fortitude of each member of the Board and the amazing staff led by our Executive Director, Dana Arnold. The state of our Association is strong and we care about you. Let us pray that this year brings back times of fellowship and fun together as we work back to some form of normalcy.

## FOUR REASONS TO RENEW YOUR FCBA MEMBERSHIP:

### ON-LINE PHOTO DIRECTORY

Access to our pictorial membership directory is available 24-7. As a member, you have the opportunity to upload your photo, update your bio and browse other member profiles at any time.

### COMMUNICATION

The Lexington Lawyer Magazine is published three times a year. Bi-weekly eNews updates with the ability to RSVP and pay securely online for our events and CLE's. You can find us online through our webpage, Facebook and Twitter.

### BUSINESS DEVELOPMENT OPPORTUNITIES

Attorneys on our public service Lawyer Referral Service (LRS) received over 1500 referrals as of fiscal year (May 1, 2019 - April 30, 2020). Our LRS is accredited by the ABA for Information and Referral Services.

### PERKS

We offer group rate health insurance for our members through a partnership with the LBA and Logan Lovelle Hunt. Our members receive deep discounts on CLE, and member benefits from Expedia, Office Depot, and Best Buy just to name a few.

# Take Care of Your Clients by Taking Care of Yourself



## The Attorney Wellness Program (AWP)

The Attorney Wellness Program (AWP) was originally designed as a safe harbor for attorneys to address normal life difficulties in a confidential and professional environment.

### WHY WAS THIS PROGRAM CREATED?

Being an attorney isn't easy. Difficulties with the current legal and learning delivery systems, maintaining a healthy work/life/family balance, and dealing with the normal stresses of everyday life can take their toll.

We serve many times as counselors to our clients who turn to us for guidance. Who do we turn to when we need to talk through an issue or get some coaching for how to handle stress in our life? Too often the answer is "no one," and that is regrettable because it is imperative that we be as healthy as possible in our role as advocates.

We deserve to function at our best in all areas of our life. By addressing areas of difficulty, we can decrease our stress levels and increase our levels of resilience.

Some examples of those difficulties include:

- Family issues
- Relationship problems
- Grief
- Work-related difficulties
- Alcohol/drug abuse
- Depression and anxiety
- Difficulty managing stress
- Mood swings
- Suicidal thoughts

### HOW AWP WORKS

We have contracted our program with The Woodland Group. The Woodland Group will provide counseling to active attorney members of the Fayette County Bar Association.

Non-emergency sessions will be scheduled during regular business hours. Emergency sessions can be scheduled on a 24-hour, 7 day-a-week basis.

Seven licensed psychologists make up the Woodland Group and have been vetted by the FCBA. Steven Smith, Ph.D. and Sandra Hough, Ph.D. are our program coordinators and will serve as points of contact to access AWP.

The Woodland Group will maintain a confidential file for each attorney, but no insurance will be billed and FCBA will not be given any information about those who utilize the program. As such, this program is completely confidential which is crucial to its success. FCBA will pay The Woodland Group a monthly bill based on the number of sessions provided. The Woodland Group will verify FCBA membership from the directory on the FCBA webpage.

### TO MAKE YOUR APPOINTMENT

- 1) Call the confidential hotline at 1-800-350-6438 and leave a message in either Dr. Smith's or Dr. Hough's voice mailbox.
- 2) They will call you back to schedule an appointment. It's that simple!

### AWP Benefits

- 5 free sessions each calendar year
- Complete confidentiality
- Easy access
- Convenient location (535 W. 2nd Street, Suite 207) 24/7 availability



## Pro Bono Program



**Wes Deskins,**  
Pro Bono Coordinator, LABG

Hello, FCBA members! My name is Wes Deskins, and I am the new Pro Bono Manager for Legal Aid of the Bluegrass. I am a graduate of the University of Kentucky and the UK College of Law, and I have spent the past 16 years working in various roles at the Kentucky Court of Appeals.

I am excited to take on this new challenge and – with your help – provide civil legal assistance to the thousands of limited-means residents in our area who so desperately need it.

After a difficult year in which LABG was limited in the amount of pro bono opportunities we could provide in 2021, we hope to resume some of our local in-person pro bono services. These include our pro se divorce clinics, where volunteers assist clients in a clinic setting with divorce pleadings, and wills clinics. Volunteers help vulnerable seniors draft wills, living wills, and powers of attorney. These clinics are wonderful opportunities for attorneys to provide needed legal services and, for newer attorneys, to gain subject-matter experience.

We are also reviewing all aspects of LABG's pro bono program and thinking of ways to expand its reach and to provide additional services to the limited-means community – including virtually. We also hope to make the volunteer experience a better one by expanding upon our training and educational materials so that every attorney who needs quality training before taking on a client will receive it. To that end, we look forward to resuming our Legal Aid University courses later this year. These classes provide attorneys with practical information and resources that will give them the skills to provide representation in areas such as domestic violence, expungements, and housing law.

In the meantime, thanks to the Together Lawyers Can pro bono collaboration between Kentucky's legal aid programs, you can sign up for free virtual CLE training designed to enable volunteers to assist Kentuckians in the areas most impacted by the COVID-19 pandemic. If you sign up to be a member of our TLC team at [www.togetherlawyerscan.org](http://www.togetherlawyerscan.org), you will have immediate access to CLE videos addressing landlord/tenant and unemployment insurance law, and you will be first in line for all future trainings in areas such as family

law and bankruptcy. This year, we anticipate that the number of individuals needing legal assistance in these areas because of the pandemic will be considerable, so the TLC initiative is a great way to utilize your legal skills in a uniquely meaningful way.

We are thankful for all local attorneys who have given so freely of their time and expertise in accepting pro bono clients, but the need for these services continues to be great, and new volunteers are always needed. We currently have a list of eligible clients needing representation in divorce cases, and we hope to connect all of them with a volunteer within the next few months. We are also looking for volunteers willing to help expand our pro bono reach to clients needing help in such areas as bankruptcy, expungements, and probate. Attorneys of all levels of experience are appreciated and welcome, and LABG staff members are always available to help with administrative and substantive questions.

If you would like to volunteer, please contact me at [wdeskins@lablaw.org](mailto:wdeskins@lablaw.org) or (859) 254-1141, and we can discuss available opportunities. You can also fill out a volunteer information sheet at <https://lablaw.org/attorney-information-sheet>. Any feedback and suggestions about our pro bono program, and LABG's community outreach in general, are also appreciated. Feel free to contact me or Jillian Beach, LABG's Communications and Community Engagement Manager, at [jbeach@lablaw.org](mailto:jbeach@lablaw.org). We look forward to hearing from you!



NEW FCBA Member Benefit

# Group Health Insurance

The FCBA has partnered with the Louisville Bar Association and Logan Lavelle Hunt to offer group health insurance as a member benefit. Logan Lavelle Hunt will once again be the agent for the insurance plan underwritten by Anthem.

Requirements to participate include:

- \*Firm membership in the FCBA with at least one attorney member
- \*Minimum of 2 eligible employees and/or owners (only one would need to participate)
- \*Qualified Standard Industrial Classification (SIC) Code related to the legal field
- \*Domiciled in Kentucky
- \*Pay at least 25% of the employees' single premium
- \*All employers in the FCBA health plan renew 1/1 each year

For more information or to see if this plan is right for you and your employees, please contact Leslie French at [lesliefrench@lhins.com](mailto:lesliefrench@lhins.com) or (502) 499-6880.





## Women Lawyers' Association Update



**Elizabeth Combs,**  
WLA President

The FCBA's Women Lawyers' Association ("WLA") is pleased to announce its new Officers for 2021: President Elizabeth Combs; Vice President Christine Stanley; Treasurer Anna Fletcher; Mentoring Chair, Hannah Jamison; Social Media Chair, Janet Luo; and Immediate Past President, Langdon Worley.

The WLA plans to host monthly meetings this year featuring various speakers and panels, as well as other activities, including our annual mentoring program with UK Law's Women's Law Caucus ("WLC"). Our meetings and events are currently being held virtually, but we are hopeful that we will be able to gather in person again soon!

So far this year, the WLA has hosted two meetings – "You in 2021: 5 Ways to Create a Better Year for Yourself" featuring Coach Colene Elridge in January; "Recognizing Mental Health Issues in Colleagues and Clients: A Lay-Person's Guide to Offering Help" featuring Sheila Donovan and Yvette Hourigan in February; and a virtual happy hour with the UK Law students.

We have some other great meetings in the works, but please let us know if you have any ideas or suggestions for topics or speakers to be featured throughout the year. Please also let us know if you are an FCBA member that may be interested in joining the WLA – we would be happy to have you join us!

Lastly, the WLA would like to thank FCBA Executive Director Dana Arnold and her staff for all of their help with our membership and programming!

### Central Kentucky Lawyer Referral Service Modest Means Panel



The Modest Means Referral Program helps low income individuals, who do not otherwise qualify for pro bono representation, find affordable legal counsel. Also complies with Supreme Court Rule 3.130.

Only for Domestic  
Relations Issues  
in Fayette County

Referrals Made at  
your Preferred  
Intervals

Free to Join the  
MMP Panel

Representation  
capped at 10  
Hours



For more information or to join the MMP call or email  
859.225.8644 or [info@fcba.com](mailto:info@fcba.com)

# CENTRAL KENTUCKY LAWYER REFERRAL SERVICE



Attorneys made over \$200,000, in  
2020 (in a pandemic), with  
referrals from CKLRS.

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## WHY JOIN THE CKLRS?

- Help serve the hundreds of people who call us every day seeking legal representation on novel and interesting legal issues.

- Receive referrals that are carefully screened.

- Grow your business and expand your client base by tapping into a new source of potential clients.

- WE WANT YOU TO SUCCEED!

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### Topics We've Covered

- Automobile Consumer Law
  - At Will Employment
  - Domestic Relations
- Courthouse Clerk Q&A
- ....and more!

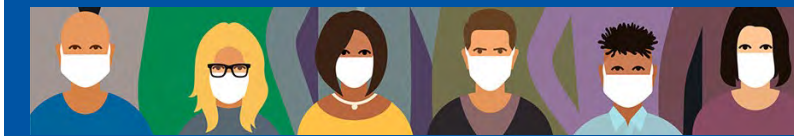
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## Bar Foundation News: *A Uniquely 2020 Holiday Party*

Several things were clear as the year 2020 started to wind down in late November. Among them was that our community of lawyers was entering the eighth month of working hard to continue to serve our clients' needs in entirely new, very creative, and often very trying ways with no end in sight. Many were work-weary and looking for an opportunity to join their colleagues to share experiences, lighten their loads, and just enjoy the camaraderie for which our local bar is so well known.

Typically, one of those opportunities is the exceedingly popular annual Fayette County Bar Association Holiday Party. However, the pandemic persisted, and, like the killjoy it has so consistently been, all things indicated that it would claim the Holiday Party. It also appeared that the Association's charitable arm, the Fayette County Bar Foundation, would have difficulty meeting its fundraising goals without a strong influx of support from our legal community. The Foundation needed help to continue awarding grants to law-related organizations that provide critical services to children, the elderly, and many others who face barriers to accessing our justice system as they navigate these unusually challenging times.

It was one of those rare moments when need and opportunity came together at just the right time. In a highly coordinated manner, the Boards of the Association and the Foundation joined forces and planned something special for both organizations, providing the much-needed social experience the Association normally affords members and giving an equally needed shot in the arm to the Foundation's fundraising efforts. The result was a virtual Holiday Party on the evening of December 22nd featuring uniquely 2020 components (i.e., a Zoom gathering with charcuterie boxes and beverages offered for curbside pick-up), grateful and inspiring commentary from Foundation grant recipients, a highly-coveted bourbon auction and raffle, and a mixology seminar by FCBA Secretary Craig McCloud focusing on the intricacies of cocktail making. By all accounts, the party was a smashing success. Dozens of lawyers and several members of the judiciary came together online for a couple of hours of genuine warmth, frivolity, and camaraderie, generously supplementing the Foundation's coffers and the spirits of all in attendance.

A great debt of gratitude is owed to, among others, the Boards for the Association and the Foundation, FCBA

Executive Director Dana Arnold and Lawyer Referral Service Coordinator Caitlin Collins, Matt Preston of the Lexington Bourbon Society, Dupree Catering, Southern Glazer's Wine and Spirits of Kentucky, Michter's Distillery, Wm. Tarr Distillery, Woodford Reserve Distillery, Four Roses Distillery, the Fister Group at Morgan Stanley, the Kentucky Distillers' Association, and the LEE Initiative and Makers Mark Distillery.

Here's to believing firmly that 2021 will see us return to the better aspects of our prior lives, that we will carry with us the better aspects of what we learned and developed in 2020, and that we will apply those experiences for the betterment of each other. Thanks to all who made this event a success! Because of your support, the Foundation raised over \$12,000 to support its annual grants program. In 2020, the Foundation awarded grants totaling \$35,570 to the following organizations and projects: CASA, Lex Children's Museum (Explorium), Children's Law Center Mediation Center of Kentucky, Maxwell St. Legal Clinic, Micah Legal Services, Inc., The Nest, Jr. Achievement (BizTown), Legal Aid of the Bluegrass.

As the pandemic continues to impact virtually every facet of life in 2021, we hope that you will consider the Foundation as you make your charitable commitments for the year and plan to become a Foundation Fellow. A Fellow's application and payment portal are available at [www.fcbf.net](http://www.fcbf.net). Your tax-deductible contribution of \$250 per year for four years will help the Foundation to continue to make a lasting positive impact on our central Kentucky community. Cheers!





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# More Great FCBA Member Benefits

## AFLAC

[www.aflac.com](http://www.aflac.com) 859-420-2663

**Tony Morris, Jr.**

[t\\_morris@us.aflac.com](mailto:t_morris@us.aflac.com)

AFLAC can provide you and your family with coverage and security to help maintain your everyday life in case of illness or injury. It pays cash benefits directly to you, unless otherwise assigned, to help with daily expenses when you're sick or hurt. These benefits are paid regardless of any other insurance you have.

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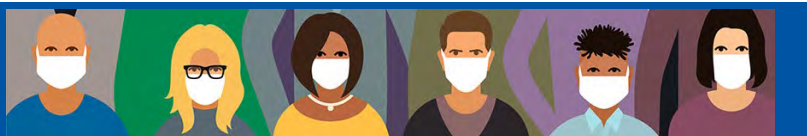
Savings instruments including Money Market accounts, CDs and IRAs, a full line of loans and more. Help your small business grow with a wide variety of lending products and financial packages.



## Meet Andrea Adams, CKLRS Coordinator

Andrea Adams joins the FCBA staff as the Central Kentucky Lawyer Referral Service Coordinator. Andrea received her undergraduate degree in Music Business from Eastern Kentucky University and received her Master's Degree in Music Performance (Trumpet) from ECU as well. She lives in Winchester with her dogs Emmy and Henri. To contact her, please call **225.9897** or email [\*\*andrea.adams@fcba.com\*\*](mailto:andrea.adams@fcba.com).





## Fowler Bell

Fowler Bell welcomes **Theresa Combs** to the firm. Theresa is Of Counsel in the firm's Education and Employment Groups. She has represented school districts, education cooperatives, and other businesses for 36 years.

**Aziza Ashy-Jones** joined Fowler Bell in May 2020 in the firm's workers' compensation group with a focus on representing employer and their insurers.

**Mary Porter McKee** joined Fowler Bell in September 2020, bringing the firm's Real Estate department to full force. Mary has a strong background in regulatory interpretation and compliance, commercial lending, commercial real estate development, business management, residential real estate, residential lending, and contract negotiation.

**Danielle Harlan** joined Fowler Bell in September of 2020. Danielle has worked in many practice areas, including transactions, labor and employment, civil rights, property, products liability, intellectual property, insurance defense, SEC, coal, and many more. Her focus area will be the firm's Creditors' Rights and Bankruptcy department and litigation.

## Gess Mattingly & Atchison

Gess Mattingly & Atchison PSC announces that **Stefan J. Bing** has been named a shareholder in the firm effective January 1, 2021. Mr. Bing focuses his practice on commercial, appellate, and construction litigation. He is a 2005 graduate of Case Western Reserve University and a 2012 graduate of the University of Kentucky College of Law.

## McBrayer

Cary Howard joins us as General Counsel and Ethics Counsel. He comes to us from Kinhead & Stilz with a background in legal ethics and professional responsibility, as well as estate planning and administration, business law, and commercial real estate. Besides his role as General Counsel, he will be advising the firm on legal ethics, professional responsibility, and compliance issues. Cary is a 2003 graduate of the University of Kentucky College of Law and a 2000 graduate of the University of Kentucky. He is a member of the LFUCG Ethics Commission, and his family is very active in Christ Church in Lexington.

## Stites & Harbison

Lawdragon has named Stites & Harbison, PLLC attorney **Chrisandrea Turner** to its inaugural 2020 Lawdragon 500 Leading U.S. Bankruptcy & Restructuring Lawyers. Turner is one of only seven Kentucky attorneys honored.

Founded in 2005, Lawdragon is a legal media company that provides online news and editorial features, including guides to the nation's leading lawyers.

Turner is a Member (Partner) of Stites & Harbison based in the Lexington office. She is a bankruptcy and creditors' rights litigator focusing on corporate bankruptcy and restructuring and adversary proceeding defense. Turner regularly represents lenders, trade creditors, lessors and lessees, sureties, and large creditors in Chapter 11 matters and complex bankruptcies around the country. Her litigation practice includes receiverships, preferential and fraudulent transfer defense in bankruptcies, nondischarge of debt adversaries, and foreclosure. Her discipline of practice touches areas beyond bankruptcy, including environmental actions, healthcare matters, and corporate transactions.

Leadership Lexington has selected Stites & Harbison, PLLC attorney **Megan George** as a member of the 2020-21 Leadership Lexington program. Through the eleven-month program, participants are provided with opportunities to gain a better understanding of Lexington and the challenges it faces by meeting with and learning from today's leaders.

George is an attorney with Stites & Harbison in the Construction Service Group based in the Lexington office. She counsels clients on diverse of construction matters and routinely drafts, negotiates, and reviews contracts for clients. She also frequently handles complex construction litigation and arbitration, advising clients in all stages of dispute resolution.

Stites & Harbison, PLLC announces the addition of **Megan Barker** to the firm. Megan is a member of the Health Care and Insurance Regulatory Service Group. She earned her J.D. from the University of Kentucky College of Law, cum laude, in 2020. In law school, Barker was managing editor of the Kentucky Law Journal, Volume 108. Barker was a member and chair of the Honor Council, a member and secretary of Street Law, a board member of Trial Advocacy, a member and secretary of the Women's Law Caucus, and an admissions ambassador



## Names in the News, continued

for UK Law. Prior to joining the firm, she was a Summer Associate for Stites & Harbison in 2018 and 2019. She also served as a senate intern for the Kentucky State Senate in the spring of 2016.

Stites & Harbison, PLLC announced **Dustyn Jones** has been promoted within the firm's Health Care Service Group and Insurance Regulatory Service Group. Jones devotes her practice to insurance product review and regulatory matters and healthcare transactions, contracts, reimbursement, and regulatory compliance.

### **Stoll Keenon Ogden**

Stoll Keenon Ogden PLLC (SKO) is pleased to welcome a new associate attorney, **Felisa Moore**, to the Lexington office.

Moore is a member of the Bankruptcy & Financial Restructuring and Business Litigation practice groups. She prides herself in taking time to listen to her clients and understand their needs in order to develop strategies aimed at solving their difficult financial and legal situations. Moore understands what is at stake for her clients, and she is dedicated to serving their unique challenges.

Prior to becoming part of the SKO team, Moore engaged in private law practice focused in bankruptcy, debtor/creditor relations, and other civil litigation matters. She has also served as a Judicial Law Clerk to the Honorable David L. Bunning, U.S. District Court for the Eastern District of Kentucky, and as a Judicial Extern to the Honorable Tracey N. Wise, Chief Judge of the U.S. Bankruptcy Court for the Eastern District of Kentucky.

After earning her bachelor's degree from the University of Kentucky, Moore earned her J.D. at the University of Kentucky J. David Rosenberg College of Law, where she was also elected to the Order of the Coif. During law school, she served as Senior Staff Editor of the Kentucky Law Journal.

### **Women Lawyers' Association – FCBA**

Each year, the WLA names a Woman of the Year- an accolade given to a woman who supports the women in our community, legal and beyond, who lifts up women and leads by her example, and who inspires others that the sky is truly the limit. This year, we were proud to present this award to Judge Melissa Moore Murphy - a proud WLA member, community activist, and district court Judge. Congratulations to Judge Murphy on being named WLA's Woman of the Year 2020.

## *In Memoriam*

*The Fayette County Bar Association celebrates the lives and legacies of our members who have passed since January 1, 2020.*



**Charles G. Williamson, Jr.** Jan. 29, 2020

**Joseph Benton Murphy** Feb. 4, 2020

**Brittany Douglas Buchanan** Feb. 10, 2020

**Spencer Douglas Noe** May 23, 2020

**William Homer McCann** June 11, 2020

**David Michael Andrews** June 18, 2020

**Don Collins Paris** Aug. 23, 2020

**Samuel E. Isaacs, II** Aug. 27, 2020

**W. Terry McBrayer** Oct. 11, 2020

**Calvin R. Fulkerson** Nov. 11, 2020

**Norrie Wake** Dec. 1, 2020

**Corey Tomas Fannin** Dec. 25, 2020

**Michael D. Hornback** Jan. 9, 2021

**Thomas "Tom" Howard Burnett** Feb. 9, 2021

**Frederick "Bo" Fugazzi, Jr.** Mar. 10, 2021

**Andrew Martin Stephens** Mar. 12, 2021

**Wayne P. Cook** Mar. 27, 2021

**Sydney Clay Kinhead Jr.** Mar. 29, 2021

**Stephen Milner** Mar. 31, 2021

**Foster Ockerman** April 21, 2021



Fayette County Bar Association

**Fayette County Bar Association**  
**219 N. Upper Street**  
**Lexington, KY 40507**



## Calendar of Events

### May 2021

- 11 Fayette Circuit Family Court Judges Panel
- 18 Annual Two-Hour Ethics CLE
- 31 Memorial Day - Courts and FCBA offices closed