

THE LEXINGTON LAWYER



**A publication of the
Fayette County Bar Association
2022, Issue 1**

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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. Articles should not exceed 6 typewritten double-spaced pages.

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President's Message:

Chris Colson



Chris Colson
FCBA President

The FCBA welcomes its 2021 President, Christopher Colson. Christopher is Counsel at Fowler Bell, PLLC, and has a diverse practice spanning civil litigation to bankruptcy and trust and estates. He earned a Business Administration Degree in Finance from Transylvania University and graduated from the University of Kentucky College of Law in 2009.

He recently shared some information about himself, his career, and his thoughts as the FCBA President.

Where did you grow up?

I was born in Lexington, Ky, and graduated from Lafayette High School. I was raised by two amazing parents who set great examples of being respectful, kind, and generous. Over the years, more people than I can count that were seemingly strangers, upon hearing my name, have told me about the time that my parents helped them in a time of need. On one of those occasions, I was in a golf store buying a Father's Day present, and upon reading my name on my credit card, the cashier told me that he knew my parents, and they helped purchase a Christmas tree and presents for his family one year when they were in need. That interaction has always stayed with me and moves me to do the same for others.

Who is "we"? (family)

My wife, Kelly, and I are the proud parents of two wonderful children, Sienna (8) and Grady (5). They provide me with so much joy and so much laughter. I have a blast helping them learn new things and watching them play sports. They always keep me on my toes with questions like "What are black holes?" and the follow-up "What if a black hole was near Earth?" I have learned to temper my answers as Kelly became upset with me after that answer led her to lose some sleep due to nightmares! My son likes to play a game where you are stranded somewhere remote and surrounded by dinosaurs and only have a single item, such as a napkin, and you have to devise a way to survive. The scenarios only become more precarious as the game goes on. Kelly is the best partner that I could ask for in navigating life. She is naturally compassionate and caring and always puts others before herself. She is most certainly "my better half."

What has been the best and hardest part of practicing law for you?

The best part of practicing law is meeting and learning from so many wonderful people. I have been blessed to have so many people patiently teach me and impart knowledge so that I can be a little bit better as a lawyer and a person. One of the best lessons I have learned is from an attorney that has practiced for longer than I have been alive. "Teach me!" is the enthusiastic request that is asked, even to opposing counsel, when there is a new issue that she has not encountered.

The hardest part of practicing law is it never seems to be the same twice. It never fails that every case and issue is slightly different from the last. It causes you always to learn and adapt and often be outside your comfort zone, which can lead to a lot of stress and uncertainty. It forces you to be willing to say, "Teach me!"

What are your goals for the Fayette County Bar Association for the remainder of your term?

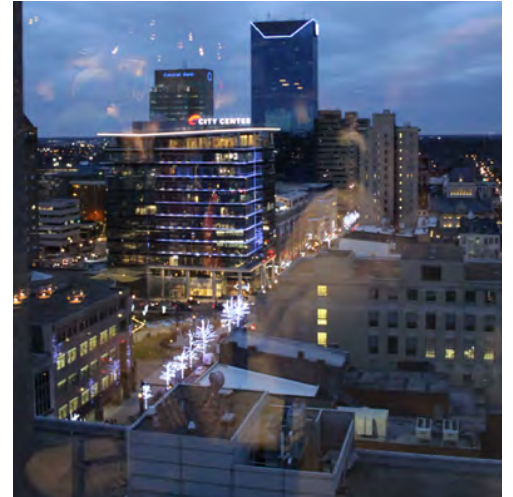
My goals have changed over the course of my term. The last couple of years has been hard. At times, we have had some hope that seems to continually be followed by more uncertainty. For that reason, I believe it is more important than ever to connect with friends and family to feel a sense of community and fellowship. The turnout that we had at the Holiday Party was wonderful, and it was great to connect with so many people that we may not have had a chance to see in some time. Therefore, my goal is to continue to provide opportunities for members to spend time in person together over the next several months.

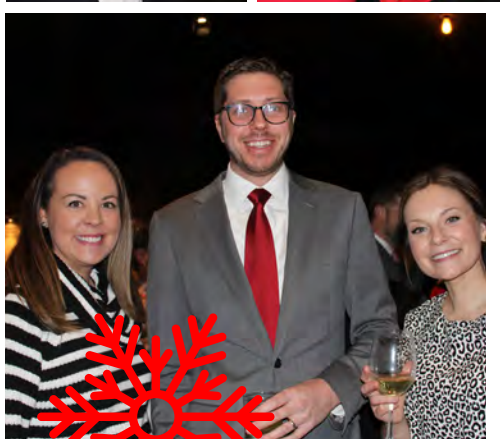
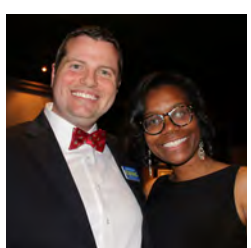
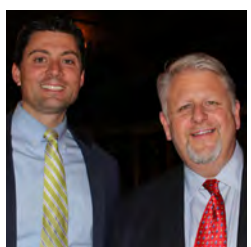
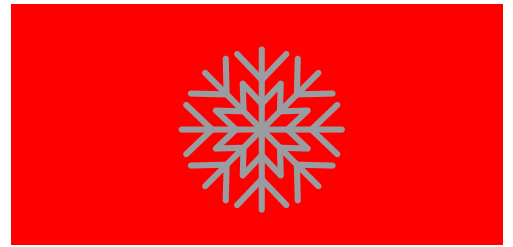
I would also like for the Association to assist our friends and colleagues that have been recently affected by the tornados in Western Kentucky. In the coming weeks, I hope that we can take time to listen to what their needs are and that we may be able to apply our talents and resources to help them put their lives back together.



The Colson Family

2021 FEBG Holiday Party





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Elect Ross Ewing Fayette Family Court
Denotra Gunther for District Judge

Take Care of Your Clients by Taking Care of Yourself



The Attorney Wellness Program (AWP)

The Attorney Wellness Program (AWP) was 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



Josh Fain,
Lexington Community Land
Trust, Executive Director

Tyler was born and raised in Lexington. He grew up in a predominantly white neighborhood near downtown. Even lifelong Lexingtonians are likely unfamiliar with a neighborhood until recently when the vacant and abandoned buildings of Tyler's youth were converted to trendy businesses.

Where there was once a dilapidated self-storage facility and crumbling warehouse space, now sit an ice cream shop, craft brewery, and pizza parlor. Where the motorcycle gang clubhouse once sat is now a live music venue with an arcade bar across the parking lot. The area has changed significantly in recent years, which is not too different from many areas in Lexington, particularly near downtown.

Although he was unaware of it as a boy, Tyler grew up in generational poverty. The very term he did not become aware of until much, much later in life. Generation after generation of his mother's side of the family were all born and raised in the same low-income neighborhood. Some still reside there today, although it is become increasingly difficult to do so as rents in the area continue to rise. His mother and father were only 21 and 18 years old, respectively, when he was born. They were still just kids themselves who had not experienced all the things that most get to experience. They did not wed until he was six years old. There was no grand ceremony or even honeymoon, simply a trip to the courthouse one weekday afternoon.

Tyler's parents, both high school dropouts, were very hard-working people. Despite their lack of formal education, they were both very intelligent. They knew that they wanted better for their son and knew that education was the way to achieve it. For these reasons, his expectations were always much different from the other kids that he grew up in his neighborhood, many of whom were cousins or cousins of cousins. For example, one of his cousins, who was three years older than him, was in 6th grade at the same time as him. Tyler went on to 7th grade, but his cousin remained in 6th for another year. He remained there until he was eventually old enough to formally drop out of school.

Tyler was often not allowed to associate with other members of his family/neighborhood. They often did drugs and were in and out of juvenile detention or jail/prison, depending upon their age. He could go to the little store in his neighborhood to buy a snack or pop but was not able to hang out in the back of the store as his parents knew that people sold drugs and gambled there. The kids in his neighborhood would often do whatever they could to get high. Due to it being so cheap, one of the most common ways was to use spray paint and a produce bag from the nearby Kroger. When you spray the paint into the bag and hold it to your face, you get high by huffing the fumes. The metallic-colored spray paints were the most effective. It became such a problem that the Dollar General that had recently opened stopped selling metallic spray paint to unaccompanied minors.

People often look down on poor people for their decisions and feel that these decisions are what led them to live in poverty. In my opinion, poor people do not make bad decisions at a higher rate than anyone else; they simply make tough decisions. They make decisions that those that do not have to make them should be thankful that they do not. Poor people must decide between saving for their children's college education or paying their rent. Between saving for retirement or paying the electric bill. Between saving for a rainy-day fund and putting food on the table to eat. People living in poverty do not have the luxury to plan for the future as they must focus on meeting their immediate basic necessities of life.

Tyler was the exception in his neighborhood. There was never a question of whether he would attend college; it was just a matter of where. As oftentimes in life, people meet the expectations set for them or come very close. Those with little to no expectations rarely exceed much more. He graduated high school without much fanfare. His father did manual labor for a successful businessman at his personal residence. The businessman and his wife were proud Transy alumni. With their support and assistance, Tyler attended Transylvania University for roughly the same amount of money as any other local college or university. Growing up poor meant that he never aspired to be in any particular profession but simply not to be poor

continues on page 8

Lexington, Born and Raised, continued

continued from page 7

anymore. He was always good with numbers, so he majored in accounting with a business minor. Early in his college education, this seemed to him to be the quickest route to a career as opposed to simply a job. As he neared graduation, though, he realized that he did not want to be a CPA and began to explore other options. Having obtained a quality education enabled him to have different options and the ability to pursue them. Transy offered a free LSAT prep course, so he decided to take it. He decided that if he did well on the LSAT, he would go to law school, but if he did not, he would enter the military like most of the men in his family had done.

Tyler did well enough on the LSAT to attend law school at the University of Kentucky. Knowing only that he did not want to be poor any longer and that he was always good with numbers, he took mainly business courses and assumed that he would end up practicing in the area of law. Upon graduation from law school, though, he was offered a job at a local nonprofit organization that assists low-income and other vulnerable populations. Public interest work was never what he envisioned himself doing, though. The organization assisted domestic violence victims, and as both of his grandmothers had been domestic violence survivors, it seemed like a good fit, and he accepted the position. Although he took an immense amount of pride in assisting DV victims, he found himself most drawn to the housing work. He became the organization's main housing attorney and primarily represented tenants in eviction matters and homeowners in foreclosure cases.

Growing up in generational poverty, Tyler saw the impact of instability in housing on a family. He knew that it led to instability in employment which led to further instability in housing. This instability led to poorer education opportunities for children and a lack of wealth accumulation for adults. This vicious cycle is what leads so many people to remain in poverty generation after generation. Tyler always knew that the root problem for the tenants and homeowners he represented was the lack of affordable housing in Lexington. When the opportunity to create affordable housing arose, he committed to it. He now serves as the Executive Director of the Lexington Community Land Trust.

If you have not gathered yet, this is the story of me, Joshua Tyler Fain. I tell you these things about myself for the sole reason of shedding light on who I am and why

I have devoted my entire professional career to helping the less fortunate. I am keenly aware that I would not be where I am today without assistance from others along my journey. More than anything, I would encourage you to find a local nonprofit organization that aligns with your values and get involved in any way you can. I am certainly partial to Legal Aid of the Bluegrass and the Lexington Community Land Trust, but there are countless nonprofits out there that all need your support now more than ever. Like small businesses across this country, nonprofits close their doors every day due to the COVID-19 crisis. These nonprofits desperately need your help in order to keep their doors open so that they can continue their mission of helping those in need. You can support them financially by making a donation, giving of your time and talents either by serving on boards or directly assisting with the organization's mission or simply educating yourself about what they do and who they help and sharing that information with others.

The Lexington Community Land Trust is a nonprofit affordable housing organization and Kentucky's first Community Land Trust (CLT). CLTs create permanently affordable homeownership opportunities for low-income buyers that remain affordable owner-after-owner. CLTs empower residents with community control of the land, ensuring strong communities and thriving neighborhoods. We strive to create permanently affordable housing, prevent forced displacement from the gentrification of neighborhoods, and create wealth through homeownership, particularly for minority buyers who have been denied this opportunity for generations due to redlining and other racist policies and regulations. We are currently focusing on rebuilding the Davis Bottom community that was displaced to make way for the Newtown Pike Extension but will be creating permanently affordable housing throughout all of Lexington in the near future.

Women Lawyers' Association Update

The FCBA Women Lawyers' Association had their Annual Holiday Luncheon and White Elephant Auction. All proceeds from the auction go to New Opportunity School for Women. At the end of the luncheon, the group had raised over \$5k.

Elizabeth Thompson from Stites & Harbison was named 2021 Woman of the Year. Congratulations, Liz!



2021 Women Lawyers' Association December 15, 2021 at Epping's



Our "elves" Judge Melissa Moore Murphy and Judge Lindsay Hughes Thurston.



Mary Patton models her white elephant auction item.



Elizabeth Thompson is awarded the Woman of the Year Award from the WLA.

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 or (502) 499-6880.

CENTRAL KENTUCKY LAWYER REFERRAL SERVICE



Attorneys made over \$200,000, in
2020 (in a pandemic), with
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2021 Law Day Summer Picnic

The 2021 Law Day Celebration awards ceremony and Summer Picnic were held May 1st at the Hilton Downtown Lexington.

Sponsors for the event included **Kentucky Court Reporters**, **Hamburg Vision Center**, and **Ross Ewing**.

Our Law Day Awards presentation at the Summer Picnic is not exactly what we had planned in our grand scheme of Bar events. Still, it turned out to be a fantastic opportunity to see our colleagues, enjoy lunch and enjoy the company of others.

There is a beautiful feeling that although we all have different roles and sometimes adversarial roles to each other, this is a time of unity and reflection that what we do matters. Moreover, it inspires us to strive to do our best in our various legal professions.

No Law Day Celebration is complete without the presentation of awards.

Deputy Clerk of the Year Award – **Marsha Estep**, Outstanding Young Lawyer Award – **Rebecca Sherman**, Outstanding Citizen-Lawyer Award- **Sarah Charles Wright**, and the Henry T. Duncan Award – **Bennett Clark**.



FCBA Past President Cassidy Rosenthal presents Rebecca Sherman with the Outstanding Young Lawyer Award.



The Outstanding Citizen-Lawyer Award was presented to Sarah Charles Wright by FCBA Past President Matthew Boyd.



The Duncan Award was presented to Bennett Clark by his son and FCBA Past President Edward Clark.



The Deputy Clerk of the Year Award was presented to Marsha Estep by Circuit Court Clerk Vince Riggs.

2020 Law Day

Law Day 2020 had to be rescheduled and held in May of 2021. It was held at the Circuit Courthouse Multi-Purpose Room and was streamed on Facebook Live. We are saddened that we could not invite our entire membership in person to see the awards presentation.

Past Presidents Amelia Adams (2019-2020) and Matt Boyd (2020-2021) were presented with julep cups for their service to the bar by current FCBA President Christopher Colson.



Special Service Award presented to Robert Pfeiffer by Shawn Hinds of Frederick Douglass High School. Mr. Pfeiffer BUILT a fully functional judicial bench with a witness stand for use in the high schools' Law Academy.



The Deputy Clerk of the Year Award was presented to Karen Markham by Circuit Court Clerk Vince Riggs.



Christine Stanley was presented with the Outstanding Young Lawyer Award by Courtney Han.



Larry Roberts presented Richard E. Vimont with the Outstanding Citizen-Lawyer Award.



The Henry T. Duncan Award was presented to Donald P. Moloney II by Andrew DeSimone.



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Judge Melissa Murphy Swearing In

Judge Melissa Moore Murphy was formally sworn into the Fayette County District Court Bench on October 1, 2021. Chief Justice John Minton administers the oath while her husband, Daniel Murphy, holds the bible.



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ATTENTION: “Young Lawyers”

Whether you just took the bar exam (congrats!) or have been practicing for less than 10 years (also, congrats!), I strongly encourage you to consider membership in the **Young Lawyers Section of the Fayette County Bar Association** (the “YLS”).

The YLS is an active organization which aims to support its members and the local community by offering an array of opportunities for relationship building, professional development, leadership, networking, and charitable service.

Over the last two years, and despite the challenges caused by COVID-19, the YLS has successfully organized and presented a number of events, including:

- FCBA/YLS Thanksgiving Basket Drive. Since 2019, this event has raised nearly \$23,000, providing meals to over 400 families in central Kentucky;
- Multiple CLE presentations, including a three-part CLE conversation series focused on racial equity;
- Happy hour networking events;
- New Attorney Swearing-In at the Fayette County Circuit Courthouse; and
- FCBA/YLS School Supply Drive benefitting Fayette County Public School students.

Membership in the YLS is open to all members of the FCBA that have practiced for less than 10 years, irrespective of age. Annual membership dues are just \$15. Among other benefits, all members of the YLS receive free or reduced entry to YLS CLE presentations, free food and drinks at YLS happy hour events, and access to numerous networking opportunities.

If you are interested in joining the YLS, or have any questions about the YLS, please feel free to reach out to me or the other board members of the YLS: Jessica Simon, Becka Sherman, Cassie Carter, and Chris Barber.

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Ross Ewing, Candidate for Family Court Judge 5th Division

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Feed the Frenzy, Crush Hunger!

Did you know there are 700,000 Kentuckians, including more than 200,000 children, who struggle with hunger every day? That means about one out of every six adults and one out of every five children in Kentucky lack enough food for a healthy, active lifestyle. Although Feeding Kentucky, as well as God's Pantry Food Bank here in Lexington, exist to provide food and quality services to those in need, its most recent data suggests that almost 40% of Kentucky's food banks do not have enough food to meet client needs. Additionally, client needs have increased dramatically due to the unemployment and underemployment caused by the ongoing COVID-19 pandemic. Our neighbors who rely on our local food banks need our help now more than ever before.

Because of this need, the KBA Young Lawyers Division (YLD) has again decided to partner with Feeding Kentucky and Attorney General Daniel Cameron in Kentucky's annual statewide hunger relief effort by the legal community: the Legal Food Frenzy!¹ The Food Frenzy is a food drive with a competitive twist. From February 7 through March 11, 2022, law firms, legal offices, and law schools across the state will engage in a friendly competition to raise food and money for Kentucky's regional food banks. The YLD's goal this year is to have at least 90 organizations compete to raise \$75,000.00 and 5,000 pounds of food donations to support Feeding Kentucky's food banks.

Both food donations and monetary donations will count towards the goal. Financial donations are particularly appreciated, as they allow food banks across the state like God's Pantry to use its buying power to purchase healthy, nutritious food at deeply discounted rates. For purposes of the competition, every dollar contributed will count as eight (!) pounds of food. In other words, every donation of ten dollars can purchase a pound of food for eighty different people. So even small donations are able to make a big difference. Are you able to contribute something – anything – to ensure that a child or elderly person in the Lexington community doesn't have to go hungry during these trying times?

The law firm or legal organization that collects the most total pounds of food will be awarded the prestigious Attorney General's Cup at the 2022 KBA Annual Convention. Also, again this year, the law firm that collects the most total pounds per attorney will win the Bar President's Award. Awards will also be given based on the leaders in the following categories:

- Solo law firm
- Small law firm
- Mid-sized law firm
- Large law firm
- Law School
- Corporate legal department
- Government entity
- KBA Supreme Court District

Also again this year, any individual donating over \$100.00 will be listed as a VIP on the website, in social media and in print at the award ceremony.

All winners will receive their awards during a special luncheon and reception at the Convention, as well as recognition for their achievement in the Bench & Bar. The support of attorneys across our community and Commonwealth has helped ensure that the food banks like God's Pantry are fully stocked. Once again, in 2022 those firms and offices that compete will help our food banks, and our neighbors, during an unprecedented time when every donation counts more than ever before.

Law firms, legal offices, and law schools can sign up now to compete at www.KyFoodFrenzy.com. Every law firm, legal office, and law school that competes in the Food Frenzy will designate a "Team Lead" at signup, who will be responsible for promoting the competition internally and challenging colleagues to raise as much food as possible.

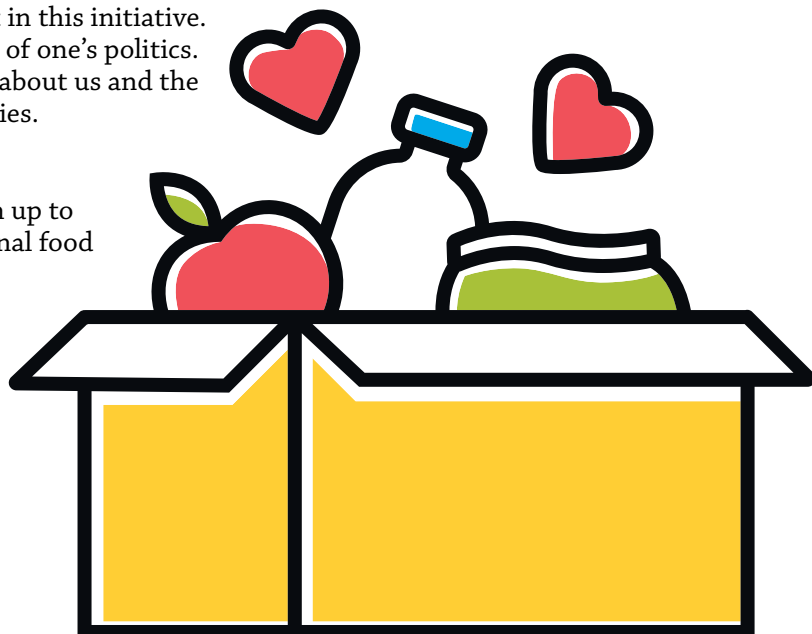
The YLD is hopeful that every member of the KBA will take part in this initiative. It is a nonpartisan effort that anyone can get behind, regardless of one's politics. And it reinforces the idea that lawyers, despite all the bad jokes about us and the negative press that we get, really are here to help our communities.

Key Deadlines:

- Now through February 6, 2022: Sign-up Phase. Firms will sign up to compete at KyFoodFrenzy.com and get connected to their regional food bank.
- February 7 – March 11, 2022: LEGAL FOOD FRENZY!

For more information and to sign up for the Legal Food Frenzy, visit www.kyfoodfrenzy.com. With your help, together this year we will #FeedTheFrenzy!

¹This is not to be confused with an Illegal Food Frenzy. That would be just silly.



Fayette Mental Health Court

Therapeutic Jurisprudence: The Local Solution to a Local Problem

In October of 2012, NAMI Lexington hosted a community forum that launched a stakeholder driven decriminalization workgroup. The workgroup was tasked with finding upstream crisis diversion for individuals with severe and chronic mental illness, many of whom were engaged in the criminal justice system. These individuals were identified as being at high risk for homelessness, co-occurring substance use disorder, victimization, and extremely high levels of recidivism – the frequent cycling from street to jail to hospital back to street - leading to increased police interactions and arrests. This decriminalization workgroup came to be known as the “Take Down the Wall” Committee. The committee, as convened and facilitated by NAMI Lexington, met for two years during which they collectively worked to develop both the establishment and regulatory operation of Fayette Mental Health Court (FMHC). NAMI Lexington remains the administrator and champion of the court to date.

The court was modeled on the premise of “therapeutic jurisprudence”, meaning that solutions could meet both the needs of the individual and the needs of the justice system. Interrupting the cycle of recidivism can be achieved by wrapping the individual in services and recovery skills training while being supported by the court and the court team and without impinging on the operation of the court nor interfering with the administration of justice. FMHC focuses on successful engagement in the first 30-60 day period post intercept, and its model of operation delivers on:

- A reduction of criminogenic activity
- Sustainable risk prevention in specific reference to homelessness post release
- Treatment for substance use disorder (SUD)
- Minimization of at-risk behaviors for recidivism

The FMHC program provides a vital link between the courts and the population it serves. NAMI Lexington and the Judge John Tackett oversee a team that includes:

- Program director / family member - Masters in Community Psychology
- Consultant – Access and Crisis Services - LCSW / Gaines Center Fellow
- Assistant Prosecutor from the County Attorney’s office
- Public defender from the Department of Public Advocates
- Psy.D. Clinical Psychologist/Forensic Evaluator from Eastern State Hospital
- Court Coordinator with BS in Criminal Justice and BS in Social Work
- Multiple Adult Peer Support Specialists who act as community navigators and provide support from their lived experience
- Numerous in-kind services provided by various community partner agencies

Community linkage facilitated by NAMI Lexington enables multi-agency communication which allows an individual to be “wrapped” in services rather than passed from agency to agency anonymously.

Participation in Fayette County Mental Health Court is voluntary, operating as a diversionary model to proposed sentencing. By maintaining the voluntary nature of participation, the participants are given sovereignty over their recovery process. In accepting responsibility, the onus is squarely on the participant to

remain engaged within a supportive and engaging environment or risk incarceration. To this end, the risk of manipulation to avoid incarceration is practically eliminated, maintaining the therapeutic goals of the program participants. Offenders with behavioral health concerns, like all human beings, are always changing their behaviors in response to environmental demands and through their own deliberate, autonomous, self-directed change. Such change is appropriately modeled for participants as a viable, long-term and ultimately sustainable alternative to incarceration and endless cycles of recidivism.

As of the end of September 2021, FMHC has received 301 referrals to the program. After assessment for eligibility and appropriateness for services, 146 were offered acceptance to the program. Some individuals refused the services, which are voluntary, leaving a total of 119 program participants to date, 43 of those have graduated from the program successfully and 17 are currently active. While in the program, 97% of clients are stably housed at 1 year of participation, 93% are engaging in the recommended treatments, 55% are maintaining sobriety, and 74% have been arrest-free, all at 1 year of participation.

At the introduction of COVID-19, FMHC transitioned to a hybrid model using social distancing and PPE to afford clients face-to-face support and access to no cost drug screening. Additionally, groups and staff contact began being offered using zoom capabilities. The introduction of additional funding related to the pandemic has also assisted in the implementation of an Aftercare Alumni Program, allowing graduates of the program access to on-going and incentivized support and skills groups, drug screening, and additional accountability measures to support their on-going recovery efforts.

As mental health needs grow in the Lexington Fayette Urban County, the FMHC plans to continue serving where these needs intersect the criminal justice system. The program is situated to expand services, nearly doubling capacity, and asks for the support and assistance from the legal system identifying potential clients, offering the diversion program where appropriate, and/or adding the program as part of sentencing to better equip defendants with skills to redirect from future criminal justice involvement.

Potential referrals can be flagged by law enforcement, prosecutors, defense attorneys, judges, and jail staff. Once a referral is identified, parties can notify FMHC staff for follow-up with legal counsel and the individual for eligibility evaluation and program information. Referrals, questions, comments, and additional information or court observation requests can be sent to the FMHC Coordinator, Jennifer Van Ort-Hazzard at jennifer@namilex.org, 859-489-4497, fax 859-201-0300.

FMHC has operated to date with one specific focus - bridging the gap between the criminal justice system and behavioral health affected offenders. We are learning as we evolve the therapeutic-jurisprudence model used to operate our court. The model we have adapted is based on learning that historical approaches are not working with our complex clients. Our clients have extremely high acuity in Complex PTSD (Trauma), Serious Mental Illness, and poly-substance use disorder. We have learned that we cannot incarcerate or punish our way out of this current crisis.

Names in the News

Britton Johnson, PLLC

Britton Johnson, PLLC proudly announces that **Tamara Combs** has been named a partner of the firm effective January 1, 2022. Tamara has been with the firm since 2016, focusing her practice on family law and domestic relations. Tamara was included on the Super Lawyers 'Rising Stars' list for 2022 (her fourth consecutive year) and on the Best Lawyers 'Ones to Watch' list for 2022 (her second time). This year, she is co-chairing the Family Law Biennial Institute of the University of Kentucky and the Domestic Relations Section of the Fayette County Bar Association. Tamara graduated with distinction from the University of Kansas School of Law and served as a Judicial Intern for Justice Mary C. Noble of the Kentucky Supreme Court prior to obtaining her law degree. Tamara received her Bachelor's Degree from Armstrong Atlantic State University and her Master's Degree from Clemson University.

Dentons Bingham Greenbaum

Brent Eisele joined Dentons Bingham Greenebaum in November of 2021 as Of Counsel, bringing more than 20 years of experience closing commercial and residential real estate transactions. Brent assists clients with real estate transactions, title matters and litigation involving real estate. His practice includes representing banks, developers, title insurance underwriters and property owners in closings, landlord tenant matters, loan disputes, title disputes and foreclosures. Brent also works with clients on business transactions and litigation.

Stites & Harbison

Governor Andy Beshear has appointed Stites & Harbison, PLLC attorney **Elizabeth Lee Thompson** as a member of the Northern Kentucky University Board of Regents. Thompson replaces William Scheben, whose term has expired. She will serve a six-year term. NKU is governed by an 11-member Board of Regents.

Thompson is a Member (Partner) based in Stites & Harbison's Lexington, Ky., office. She is the Creditors' Rights & Bankruptcy Service Group Leader. Her practice focuses on creditors' rights, bankruptcy, and business litigation. Thompson works with secured lenders to recover their loans and collateral through workout and forbearance, self-help remedies, state or federal court litigation, or bankruptcy proceedings. She assists secured and unsecured creditors, debtor in possession lenders, creditors' committees, sureties, suppliers, contractors, landlords, utilities, and purchasers of assets in complex commercial bankruptcies, including Chapter 11 and Chapter 12 cases nationally.

Stites & Harbison, PLLC announces the addition of four attorneys to the firm's Intellectual Property & Technology (IPT) Service Group. **Warren D. Schickli** and **Michael S. Hargis** join Stites & Harbison as Members (Partners) while **Trevor T. Graves** and **Patrick M. Torre** join the firm as Counsel. The attorneys join the firm from King & Schickli, PLLC, and will be based in Stites & Harbison's Lexington, Ky., office.

Governor Andy Beshear has appointed Stites & Harbison, PLLC attorney **Ashley Ward** as a member of the Eastern Kentucky University Board of Regents with a term expiring in June 2027. EKVU is governed by an 11-member Board of Regents.

Ward is a Member (Partner) based in Stites & Harbison's Lexington, Ky., office. He is co-chair of the firm's Torts & Insurance Practice Group. He has tried numerous jury trials to verdict. He focuses on product liability, personal injury, medical malpractice, telecommunications and contractual disputes. Ward is a Fellow in the American College of Trial Lawyers and has been recognized several times by Best Lawyers in America® as Lexington Area Lawyer of the Year for Appellate Practice.

OperaLex has elected Stites & Harbison, PLLC attorney **Jordan Gilliam** to its Board of Directors. He replaces another Stites & Harbison attorney, **Adam Smith**, whose term has expired. Gilliam will serve a one-year term. Gilliam is an attorney based in Stites & Harbison's Lexington, Ky., office. He is a member of the Real Estate & Banking Service Group. Gilliam assists clients with wide-ranging real estate needs, including land acquisition, zoning, development and leasing matters.

Walton Niehaus Law, PLLC

Don Walton and **Donnie Niehaus** are excited to announce the opening of their workers' compensation defense firm, Walton Niehaus Law, PLLC. Walton Niehaus Law has over 30 years of combined experience representing and advising insurance companies and employers in workers' compensation claims across Kentucky. The Walton Niehaus Law team takes a proactive and pragmatic approach to each case they handle. Over the course of their careers, they have successfully argued cases that have established precedent in the field of workers' compensation. Both of Walton Niehaus Law's attorneys have received the Martindale-Hubbell AV Preeminent Rating.

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