



THE LEXINGTON LAWYER

**A publication of the
Fayette County Bar Association
2022, Issue 2**

THE LEXINGTON LAWYER

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

Disclaimer of Liability

Statements or expressions of opinions in *The Lexington Lawyer* are those of the authors and not necessarily those of the Bar or editors. Due to the rapidly changing nature of the law, information contained in this publication may become outdated. As a result, lawyers using this material must research original sources of authority. In no event will the authors, the editors, the reviewers or the publisher be liable for any damages resulting from the use of this material. The publication of any articles or advertisements is not to be construed as an endorsement of the product or service offered unless the ad specifically states that there is such an endorsement or approval.

Fayette County Bar Association

219 N. Upper Street
Lexington, KY 40507
225-9897 - 225-9898 Fax
www.fcba.com
info@fcba.com

FCBA Staff



Dana Arnold,
Executive Director



Andrea Adams,
CKLRS Coordinator



Theresa Speaks,
Membership Coordinator

Leading the Bar 2022-2023

Officers

President

Steve Stadler
Fayette County Attorney's Office

President-Elect

Craig McCloud
McCloud Law Group

Treasurer

Elizabeth Combs
Wrigley Media Group

Secretary

Matt Parsons
Stoll Keenon Ogden PLLC

Immediate Past-President

Chris Colson
Fowler Bell PLLC

Board of Directors

Shannon Brooks
Department of Public Advocacy

Jamila Carter
Stoll Keenon Ogden PLLC

Alexander Garcia
Fayette County Public Schools

Kyle Melloan
Assistant U.S. Atty, Eastern District/Ky

Timothy Geertz
Law Offices of Timothy E. Geertz

Sarah Laren
Dentons Bingham Greenebaum LLP

Mary Patton
Bluegrass Elder Law, PLLC

Courtney Samford
Dinsmore & Shohl, LLP

Anita Britton, Senior Advisor
Britton Johnson PLLC

Cassandra Carter
Young Lawyers' Representative
Dinsmore & Shohl, LLP

Let the
CKLRS
send clients to you

CENTRAL KENTUCKY
LAWYER REFERRAL
SERVICE
CKLRS@FCBA.COM



President's Message: *Steve Stadler*



Steve Stadler
FCBA President

The FCBA welcomes its 2022 President, Steve Stadler. Steve is in civil litigation at the Fayette County Attorney's Office. He graduated from the University of Notre Dame with a B.B.A. in Marketing and received his J.D. from Cleveland-Marshall College of Law, Cleveland State University in 2007.

practicing law for me has been in service to the public. Validating a victim's story and protecting those most vulnerable in our community have given me the best moments of my legal career.

The hardest part of practicing law to me has been the unnecessary loss of our colleagues. Lawyers are nearly five times more likely than the general population to die by suicide, and we have experienced that in our legal community with tragic results. "

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

Increasing membership is one of the current goals for FCBA. Only about half of our licensed attorneys in Fayette County are members of FCBA. Please encourage those who are not members to join! I would be happy to speak with them about all the benefits we have to offer.

We want to continue to offer high-quality and relevant CLE opportunities locally for all members of the bar. Also, a personal goal of mine is to spread awareness of the FCBA Attorney Wellness Program (5 FREE completely confidential counseling sessions per calendar year). Of course, the holiday party is always a wonderful time to network with other attorneys. Encouraging civility, while maintaining zealous advocacy for our clients, should be the goal of our profession and your local bar association.

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 Newport, Rhode Island. My family moved to Lexington when I was two years old. I attended Christ the King and Lexington Catholic before going to the University of Notre Dame. After a few adventures, I realized that Lexington was always the place I considered "home" and returned in 2008.

Why law school?

I was working as a runner at Stoll Keenon and Park after leaving music school and realized that I was capable of doing the work. Reading through the briefs I was delivering, I found the application of the law to unique facts fascinating.

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

I love being in the courtroom, but the best part of

100% CLUB

Thank you to the following firms for being members of the 100% Club. These firms have committed to having EVERY member join our association. Call or email our office to make sure your firm is recognized.

Baldani Law Group
Barnett Benvenuti & Butler PLLC
Bluegrass Elderlaw, PLLC
Boehl, Stopher & Graves LLP
Britton Johnson PLLC
Casey, Bailey & Maines, PLLC
Clark Law Office, Inc.
Commonwealth Attorney's Office
Dentons Bingham Greenebaum LLP
Fayette County Attorney's Office
Fowler Bell PLLC
Gess Mattingly & Atchison, P.S.C.
Kentucky League of Cities
Kershaw and Baumgardner
Kessinger Law Group, PLLC

Kinkead & Stiltz, PLLC
Kriz, Jenkins, Prewitt & Jones, PSC
Landrum & Shouse LLP
Legal Aid of the Bluegrass
LFUCG-Dept. of Law
Littler Mendelson, PSC
Mattmiller Crosbie, PLLC
McBayer PLLC
Mehr, Fairbanks & Peterson Trial Lawyers
Miller Edwards Rambicure, PLLC
Miller, Griffin & Marks, PSC
Minner Vines Moncus Injury Lawyers
Moore Ingram Johnson & Steele, LLP
Morgan Pottinger McGarvey
O'Brien Batten and Kirtley, PLLC

Osborne Fletcher PLLC
Roark & Korus, PLLC
Rose Grascam Camenisch Mains, PLLC
Stites & Harbison, PLLC
Stoll Keenon Ogden PLLC
Sturgill, Turner, Barker & Moloney, PLLC
Walters Richardson, PLLC
Walther, Gay & Mack, PLC
Ward, Hocker & Thornton, PLLC
Williams Kilpatrick, PLLC
Wyatt, Tarrant & Combs, LLP



FCBA LAW



Steve Stadler (right) takes over as President of the Fayette County Bar Association from Chris Colson.

The 2022 Annual Law Day Celebration and Luncheon was held at the Hilton Downtown Lexington on May 2, 2022.

After two years, we were finally able to assemble. It was 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 toward 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.

Special Thanks to our 2022 Law Day Sponsors!

Platinum Sponsors:
Kentucky Court Reporters
Dentons
Michael T. Davis
Shannon Brooks
Jeffrey Taylor

Gold Sponsor:
Hargrove Firm

Silver Sponsors:
Hamburg Vision Center
Tiffany Yahr
Diane Minnifield



LAW DAY 2022

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



The **Special Service Award** is presented to **Judge Joe Bouvier** by Fayette District Court Chief Judge Bruce Bell.



The **Deputy Clerk of the Year Award** was presented to **Robert Justice** by Circuit Court Clerk Vince Riggs.



Sergeant Kevin Kidd was presented with the **Law Enforcement Award**.



T. Bruce Simpson presented the **Henry T. Duncan Award** to **William M. Lear Jr.**



Sam Reinhardt was presented with the **Outstanding Young Lawyer Award** by Amelia Adams.



Matt Boyd presented **Brad Clark** with the **Outstanding Citizen-Lawyer Award**.



The **Access to Justice Award** was presented by Legal Aid of the Bluegrass Executive Director, Josh Crabtree, to **Jim Sandman**, President Emeritus of the Legal Services Corporation.

Mr. Sandman is pictured with Pro Bono Board Member, Gene Vance.

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

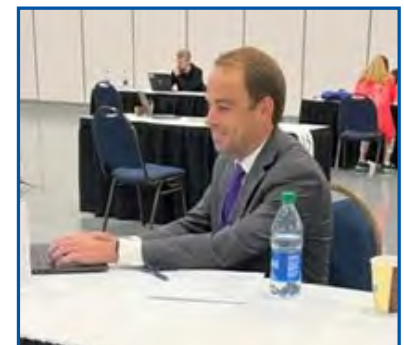
LFUCG “Clean Slate” Expungement Fair and Job Clinic

The LFUCT “Clean Slate” Expungement Fair and Job Clinic was held on Friday, April 29, 2022 at the Central Bank Center. FCBA YLS partnered with LFUCG, the Lexington Public Library and Legal Aid of the Bluegrass to make this event a huge success!

Well over 100 attendees that were seeking expungement and employment were helped at the clinic.

We would like to thank the FCBA attorneys that volunteered their time to the community!

Amelia Adams
Jamila Carter
Dominick Ellis
Felisa Moore
Sam Reinhardt
Kif Skidmore
Lilian Williams
Mary Ellen Wimberly
Ben Allen
LaToi Mayo
Chris Barber
Mary Fullington
Cassie Carter
August Johannsen
Sara Johnston
Amy Robinson
Courtney Samford
Rebecca Sherman
Drake Staples
Chrissie Turner
Joy Anna Anderson
Dean Capello
Sean Harrison
John Hayne
Scott Sullivan
Whitney Wallace Allen
Whitney Browning
Travis Bewley
Ches Clark
Chelsea Clem
Kieran Comer
Miranda Hellman



continues on page 8



National
Purchasing
Partners

Sign up. Sign in. *save.*

NPP is a B2B marketplace where association members save on products and services they use every day. Join for free today.

mynpp.com/fayette-county-bar-association



NPP members enjoy exclusive offers and negotiated pricing from brands like these:

verizon✓

Office DEPOT

priceline®

 **Staples**™



More Great FCBA Member Benefits

AFLAC

www.aflac.com 859-420-2663

Tony Morris, Jr.

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.

Liberty Mutual

www.libertymutual.com

859-223-1313

Joey Doom

Discounted rates on Auto, Home, and Renters Insurance. Call for a free quote.

Members Heritage Credit Union

www.membersheritage.org

859-455-7204

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.



HARGROVE FIRM

IS PLEASED TO INTRODUCE THE TRUST & ESTATE LITIGATION GROUP

Built upon founding partner Jamie Hargrove's nearly four decades of estate planning experience, a team of seasoned attorneys has united to resolve probate, trust, and fiduciary disputes under the leadership of Partner Megan Holt.



www.hargrovefirm.com

444 East Main Street | Suite 101

Lexington, Kentucky 40507 | (859) 231-3700

A Kentucky-Based National Practice in Over 40 States



Partner Megan Holt

Advertising Material.

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.



EXPERIENCED COURT REPORTERS AHEAD.

We took the lead during the pandemic
and handled over 70,000 online depositions.
Now we are here to help you get back on the road to in-person depositions.

Whether your next deposition is online or in-person,
we can ensure it's done professionally, accurately and safely.

COURT REPORTING | LEGAL VIDEOGRAPHY | 24 HOURS A DAY

175 EAST MAIN STREET, LEXINGTON, KY 40507

877-808-5856

KYREPORTING.COM



Tiffany Yahr for Fayette Family Court Judge, 6th Division

Tiffany is:



Experienced

In family law and focused on safe families and children



Dedicated

To working with community partners to ensure services to families who need it most



Passionate

About child welfare and providing equal access for all



2716 OLD ROSEBUD ROAD | SUITE 130 | LEXINGTON, KY
859.327.3701 | hamburgvisioncenter.com
@hamburgvisioncenter



Dr. Karen Santos-McCloud

Photo courtesy of Kanga Mauch

AS SEEN IN THE SCOUT GUIDE LEXINGTON, KY



FOR CIRCUIT COURT JUDGE

Vision

- ★ 35+ years of legal experience.
- ★ Pillar of the Lexington Community, Human Rights Activism, Youth Leadership, and more.

JUDGES DO MATTER
REPRESENTATION MATTERS

SUBSCRIBE YOUR SUPPORT
www.minnifield4judge.com

Paid for by the Minnifield 4 Judge Campaign Committee



elect to circuit court judge

DIANE MINNIFIELD

save the date

VOTE

MINNIFIELD 4 JUDGE | MAY 17



Your goals. Your vision. Your success. Our focus.

At Dentons, we are here to help you grow,
protect, operate and finance your organization.



**Kimberly
O'Donnell**



**Brian
Chellgren**



**Branden
Gross**



**Clay
Larkin**



**Jake
Michul**



**Chris
Van Bever**



**Robin
Thomerson**

Local. National. Global. Wherever you need us.

Grow | Protect | Operate | Finance

dentons.com

CENTRAL KENTUCKY LAWYER REFERRAL SERVICE



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

.....
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!

For more information email
info@fcba.com



Want even more exposure?
Request an interview with our
public service podcast, Lawgic!

Inquire at info@fcba.com

Topics We've Covered

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

Listen [here](#).



AN OFF THE RECORD LOW DOWN ON EVERYDAY LEGAL Q&A
Available on Apple Podcasts

New Legal Help Center in Fayette County



The public now has access to free legal information for those who want to handle certain legal matters on their own. The Fayette County Legal Help Center, the first of its kind in Kentucky, opened in March in the Robert F. Stephens Circuit Courthouse at 120 N. Limestone in Lexington. The center is in the Law Library in Room CB02A on the lower level.

The Legal Help Center offers information on a variety of legal topics, including divorce, expungement, child support and simple probate matters.

The Kentucky Access to Justice Commission launched the Legal Help Center in partnership with the Fayette County Office of Circuit Court Clerk, Fayette County Family Court judges, the Fayette County Law Library trustees, the Administrative Office of the Courts and Legal Aid of the Bluegrass. The Fayette County Bar Foundation provided funding to purchase computers and a printer for the center.

How Legal Help Center Works

The Legal Help Center is staffed with KAJC staff and volunteers from 11 a.m.-2 p.m. ET each Thursday. While volunteers do not provide legal advice, they do offer legal information, which includes helping patrons locate and fill in the correct legal forms on a variety of topics.

Many of the forms that patrons need can be completed through guided interviews. The guided interviews are user-friendly, with the patron simply answering a series of questions. Once the interview is complete, the program generates the required court documents. Guided interviews are available on these matters:

- Dissolution of marriage (no minor children)
- Motion to modify child support
- Petition for order of protection
- Small claims court complaint
- Petition for probate
- Petition for expungement (for misdemeanor, violation or traffic infraction conviction)
- Motion for waiver of court costs and fees

“We’re excited about the success of this pilot project,” KAJC Executive Director Glenda Harrison said. “Since it opened in March, the Fayette County Legal Help Center has helped over 100 patrons gain access to the courts. With an increase in self-represented litigants – people handling their own legal matters – KAJC will be looking at how we can expand this service in some form to different areas of the state.”

Want to Volunteer?

The Legal Help Center is seeking attorneys and law students to volunteer during the center’s hours of operation. Volunteers will be given an orientation on how the center operates and the scope of services provided. For more information, contact Glenda Harrison at glenda.harrison@kyaccesstojusticecommission.org.

Another Legal Resource: kyjustice.org

KAJC and Kentucky’s four [civil legal aid programs](http://kyjustice.org) launched another self-help legal resource in March when the revised website, kyjustice.org, went live. The site provides information on various civil legal topics, including family law matters, criminal expungement, housing and consumer issues. It also offers answers to common legal questions, a tool that screens for legal aid eligibility, and an interactive county-by-county resource map.

Mediation Methods

Did you know that there are three distinct styles of mediation? Don't worry if you didn't – most attorneys (and some mediators) don't know this either. Learning about the different styles of mediation can help you and your clients have better mediation experiences and results. Some mediators have been trained in only one style of mediation, while other mediators may have had training in two or all three styles of mediation and they may blend the styles depending upon the situation in each mediation. Asking a potential mediator about his or her training in these styles will help you find the right mediator for your client and case. So, what are the three styles of mediation? They are Facilitative, Evaluative and Transformative. Each of these mediation styles is explained below with a real mediation case example illustrating each style.

Facilitative Mediation

Most mediators begin a mediation by asking lots of questions and searching for interests underneath the positions taken by the parties. After this initial information gathering stage, a mediator (who's been trained in more than one style of mediation) will decide which mediation style would work best in the matter. If the mediator chooses to use the facilitative mediation style, he or she will purposely not make recommendations to the parties, nor give his or her opinion as to the outcome of the case. This mediation style is very "hands off" by the mediator. She or he is there to just facilitate the details of the settlement – not to entertain arguments about who would win if the matter would go to trial. Cases where the liability of one or more parties is clear or undeniable are good candidates for a facilitative mediation style. This mediation style is routinely taught in volunteer mediation programs where the volunteers are not necessarily attorneys, nor are they expected to have experience or expertise in the areas of the disputes.

Facilitative Mediation Style Example

Emma Employee v. Ricki Retail – In this wage and hour employment case, Emma Employee sued Ricki Retail for failing to provide meal breaks or pay for her overtime when she worked for this national, high-end woman's clothing store. At the mediation, Ricki Retail quickly admitted liability for violating the wage and hour rules. However, due to the 2008 economic crisis, the store did not have any cash to pay a settlement. What they did have was an enormous amount of inventory of couture woman's clothing. Unfortunately, Emma was not interested in closets full of clothing, she wanted cash.

The Ricki Retail stores already had multiple judgements entered against them all over the country and they did not want another one. Using the facilitative mediation style, the mediator helped the parties explore creative options for settlement. The end result was a settlement where Ricki Retail paid Emma with store gift cards worth \$60,000, which were transferrable, and Emma had permission to sell them for cash on E-bay or other online sites.

Evaluative Mediation

Attorneys are probably the most familiar with this mediation style since it is modeled on settlement conferences held by judges, and it carried over to court-referred mediations. In an evaluative mediation, the mediator will assist the parties in reaching resolution by pointing out the weaknesses of their cases and predicting what a judge or jury would likely do at trial. The mediator will usually be more concerned with the legal rights of the parties rather than their interests and needs. She or he will help the parties and attorneys weigh the costs versus benefits of pursuing a court-ordered resolution rather than settling in mediation. Because the mediator serves, in part, as an independent evaluator, there is an assumption that he or she has the subject-matter or legal expertise relevant to the dispute at hand. Most evaluative mediators have many years of experience in one or more areas of law which enables them to give a fair evaluation of the likely outcome of a case at trial.

The evaluative mediation style works well when the parties disagree about how the law applies to the facts of the case. Having a non-binding evaluation by the mediator (a mediator should never decide the outcome for the parties) can be quite useful in encouraging settlement. Moreover, this evaluative style can be helpful if you have a client who is resistant to hearing or believing that their case may not be as good as they think it is. Attorneys walk a fine line of supporting their clients' desire to "have their day in court" versus trying to properly advise their clients when they may lose at trial. Having your clients hear from an evaluative mediator with a substantial background in the specific area of law, can help you manage your clients' expectations and guide them into a beneficial settlement.

Evaluative Mediation Style Example

Elliot Easement Holder v. Harriet and Harry Homeowners – In this real estate case, Elliot purchased a land lot with the intention to build a house on it one day. His lot was in an urban neighborhood, located

Mediation Methods, continued

Continued from page 16

behind an existing house, with no direct access from the street. Elliot made sure he had an easement over this other property to be able to access his lot. After a few years, Elliot began the process of building a house on his property. However, the house in front of his lot had been sold to new owners, Harriot and Harry Homeowner. Harriot and Harry were not happy that Elliot was driving over their property to get to his lot - even though at mediation they admitted that they knew of the easement when they purchased their home. The mediator, who had litigated many real estate cases in the past, used an evaluative mediation style to tell Harriot and Harry that they would lose at trial since there was a valid, recorded easement on their property title. Their attorney had tried to tell them this over the past two years of litigation, but they just couldn't believe it. It took an enormous amount of effort by the mediator to get through to Harriot and Harry that they were fighting a losing battle. Then with a simple cost versus benefit analysis of how much they wanted to spend on a lost cause, the case finally settled.

Transformative Mediation

This style of mediation is based upon the values of “empowerment” of the parties and the “recognition” and hopefully “understanding” by each of the parties of the other parties’ needs, interests, values, and points of view. This “understanding” approach to mediation can be quite powerful in breaking impasses and moving closer to settlement. The potential for this mediation style is that the parties may be transformed during the mediation, improving their relationships and conflict resolution skills for the future. For these reasons, this style is particularly useful in situations where the parties would like their business, employment, or personal relationship to continue after the mediation.

The transformative mediation style has its origin in family law mediations since it is very helpful in highly emotionally charged disputes. It is effective in weeding through the parties’ emotions to discover the real issues in the dispute and it can open up potential avenues to settlement. Mediators have found this style to be very helpful in non-family law cases as well, so it is now being used more regularly in civil/commercial mediations.

Transformative Mediation Style Example

Tammy Tenant v. Lucy Landlord – In this landlord/tenant case, Lucy Landlord refused to give back Tammy’s security deposit for alleged damages done to the apartment she had rented from Lucy. Tammy

then sued Lucy to get her \$2,000 security deposit back and her attorney included claims for lack of heat and water on a few days during the tenancy and other habitability claims. At the mediation, the mediator tried to go through a cost versus benefit analysis with Lucy. Why wouldn’t she just give Tammy her security deposit back versus paying tens of thousands of dollars more in attorneys fees to fight the litigation? Lucy refused to even consider this. She was a stoic, elderly lady who mostly answered the mediator’s questions with only a word or two. Tammy’s claims of habitability were very weak, so the case really was just about the \$2,000 security deposit. The mediator then used the transformative mediation style with Lucy by asking her one very powerful question: “What about this is so important to you?” and the mediator waited for her to answer. After a while, tears started streaming down Lucy’s face. The mediator continued to wait and said nothing, since Lucy still had not said a word. Then Lucy said, “She’s keeping the children from me.” Lucy’s attorney was shocked to hear this since Lucy had never mentioned anything about this to her over the two years of litigation. Lucy then explained that Tammy had two young children who she loved to come visit and give gifts to, in a grandmother-like role. When Tammy moved out of the apartment, she ignored Lucy’s requests to see the children. Tammy was surprised to learn that this was the real issue. She offered an apology, Lucy returned the security deposit, and the case was settled.

Effectively Using Mediation Styles

Every dispute is unique based upon the facts, the applicable law, the personalities of the parties and attorneys involved, and their individual needs and interests in the matter before they will agree to a settlement. A mediator who has been trained in more than one style of mediation can switch or blend styles depending on who she or he is talking to, or if the circumstances change during the mediation. It’s not always about the money in a case. There usually are hidden, underlying issues at work and a good mediator will use their skills to uncover them, help the parties work through the issues by using different mediation styles, and get the parties to settlement.

*Kentucky Mediator **Elizabeth Link** uses all three mediation styles in her mediations. She is the CEO and Founder of the Center for Conflict Resolution and Leadership and an Adjunct Professor of Law at the UC Berkeley School of Law and the UC Hastings College of Law in San Francisco, where she teaches classes on mediation and negotiation.*

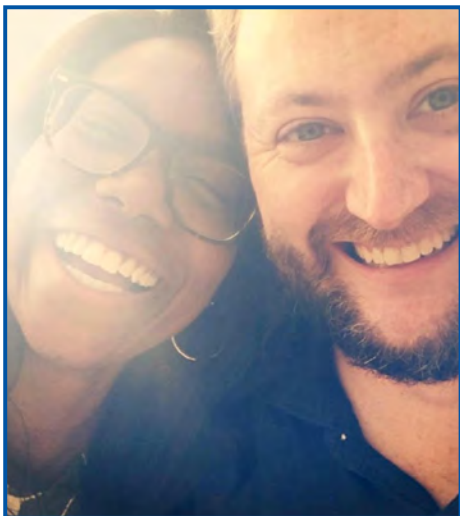


The Fayette County Bar Association, Women Lawyers' Association, was founded in 1991. Since its inception, the WLA has used its platform to cultivate relationships, fundraising efforts, volunteer opportunities and monthly social and CLE meetings. The WLA has seen 29 Presidents since 1991.

1991 Elizabeth Thompson
1992 Elizabeth Thompson
1993 Bonnie Kittinger
1994 Barbara Edelman
1995 Denise McClelland
1996 Rena Wiseeman
1997 Maryellen Mynear
1998 Theresa Gilbert
1999 Erin Brisbay McMahon
2000 Susan Kennedy
2001 Kathy Warnecke Ryan
2002 Mindy Barfield
2003 Mindy Barfield
2004 Melissa Wilson
2005 Wendy Bryant
2006 Kara Marino

2007 Whitney Mendiando
2008 Ellen Kennedy
2009 Allison Lundergran Grimes
2010 Allison Lundergran Grimes
2011 MacKenzie Walter
2012 Lauren Crosby
2013 Amelia Adams
2014 Adrienne Strong
2015 Haley McCauley
2016 Lauren Nichols
2017 Amanda Lockaby
2018 Kathryn Martin
2019 Mary Patton
2020 Langdon Worley
2021 Elizabeth Combs
2022 Christine Stanley

Earlier this year, we discovered that the current WLA President, Christine Stanley, is the first woman of color to lead the section. We are excited to have Christine as our leader and add her name to the WLA President's List.



Tell us a little bit about yourself.

Both of my parents were born in Haiti, but I am a first-generation American born and raised in New York City. English is my third language, after French and Haitian Creole. While growing up in New York, I attended St. Francis Preparatory High School in Fresh Meadows and then went on to attend Carnegie Mellon University in Pittsburgh, PA, where I received my Bachelor of Science in Technical Writing for Science and Medical Communications.

In 2009, I moved to Lexington to attend the University of Kentucky College of Law (the first person in my immediate family to attend law school) on a Provost Fellowship and I never left! I married Justin Stanley in 2017, and we have three fur children: Athena, Apollo and Starbuck.

Women Lawyers' Association, continued

Continued from page 18



What, or who inspired you to pursue law?

My mom! I was at a turning point in college where I did not want to be a doctor anymore and she suggested I go to law school. That year I was published in a journal, the Triple Helix, (international journal of science, society, and law) and I was hooked!

When did you know that you wanted to practice law?

In my third year in law school. I took Professor Connelly's lit skills class and she made me believe that I could be a litigator and taught/supported me in doing so. Her faith in me was so important because, at that time, everyone thought I should be something other than a litigator because my personality was not "aggressive."

What do you attribute to your success?

Super supportive family and friends!

What are your success habits?

I make time for travel: local, national, and international!

Whose career inspires you and why?

All the women attorneys that came before me. They allowed me to be here, so I am incredibly grateful to them!

If you were not practicing law, what career would you like to explore and why?

Wedding planning/event planning! I love to coordinate, find a good theme, make people happy, and have a good time!

What was the last good book you read? (Or podcast)

LOL, I haven't read a book for leisure in many years.

I know community involvement is one of your passions, so what advice would you have for anyone wanting to get more involved?

Find an area that you are passionate about and find people who are doing the work!

What is your motivation for helping others?

That's what makes the world go around; we've got to help each other! We can all make it!

What is your guilty pleasure?

Bravo, HGTV, and Magnolia Network!

In your opinion, what is the most important personality trait/strength someone needs to be successful in practicing law?

Humility

At what time of day does your best work get done?

Morning!! I love mornings!





KEEP JUDGE

JEFFREY

TAYLOR

FAYETTE CIRCUIT JUDGE

Vote to keep Judge Jeffrey Taylor on May 17, 2022! Judge Jeffrey Taylor has the trust, confidence, and endorsement of the Judicial Nomination Commission, the Governor, and more than 200 attorneys, including mediators and arbitrators.

WWW.JEFFREYTAYLORFORJUDGE.COM

Paid for by the Campaign Committee to Keep Judge Jeffrey Taylor

SHANNON BROOKS FOR DISTRICT JUDGE

SERVING THE COMMUNITY FIGHTING INJUSTICE

- 13 years serving Fayette County as a Public Defender
- Directing Attorney, 7 years, Department of Public Advocacy
- Board Member, Fayette County Bar Association
- Member, Kentucky Bar Association
- Member, National Association for Public Defense
- Member, American Bar Association

DEDICATION • FAIRNESS • COMPASSION

shannon

BROOKS

DISTRICT JUDGE

WWW.SHANNONBROOKSFORJUDGE.COM



Paid for by Campaign for Shannon Brooks for Judge



Dickinson Wright

Dickinson Wright is pleased to announce that **Andrew Dorisio** has been listed as a 2022 IP Star by Managing Intellectual Property.

Rose Grasch Camenisch Mains PLLC

Rose Grasch Camenisch Mains PLLC, is pleased to welcome **Howard Ball** and **Laura Shahan** as new associates.

Howard Ball will focus his practice on litigation and business transactions. Howard received his J.D. from the University of Kentucky College of Law, graduating cum laude. He received his B.S. in Economics and International Politics from Washington and Lee University.

Laura Shahan will focus her practice on business and commercial real estate transactions and estate planning. Laura received her J.D. from the University of Kentucky College of Law, serving as a member of the Moot Court National Competition Team. She received her B.A. from the University of Kentucky in International Studies and Spanish, graduating summa cum laude.

Stites & Harbison

At the Kentucky Bar Association's Bankruptcy Law Section annual meeting, Stites & Harbison, PLLC attorney **Chrisandrea Turner** was named Chair-Elect of the Bankruptcy Law Section. Turner will serve a one-year term.

The Lexington Forum has elected Stites & Harbison, PLLC attorney **Robin McGuffin** to its Board of Directors. She will serve a three-year term.

The American Bar Association (ABA) Forum on Construction Law has selected Stites & Harbison, PLLC attorney **Rebecca M.W. Sherman** for its 2022 Diversity Fellowship. Sherman is one of six nationwide honorees to receive the three-year fellowship.

The Patent Lawyer Magazine has named Stites & Harbison, PLLC to the **2022 Top 10 Patent Firms and IP Practices in North America – South list**. The editorial and research staff at The Patent Lawyer Magazine reviews law firms by country and jurisdiction based on a variety of criteria for the Top 10 lists. Examples of research criteria include recent legal achievements, recognition by third party rankings and honor directories, client testimonials, regular articles or presentations on timely topics and active participation in

intellectual property organizations.

Stites & Harbison, PLLC welcomes attorney **Shea Luna** to the firm's Lexington, Ky., office. She joins the Health Care Service Group as Counsel. Her practice focuses on data privacy and security, telehealth, state and federal healthcare regulatory compliance, licensing and certificates of need, reimbursement and billing, and hospital and ambulatory operations.

Stites & Harbison, PLLC welcomes attorney **Drake W. Staples** to the firm's Lexington, Ky., office. He joins the Construction Service Group. Staples represents the fifth attorney to join the firm's Lexington office in the last six months.

Stites & Harbison, PLLC welcomes attorney **Brady Dunnigan** to the firm's Lexington, Ky., office. He joins the Real Estate & Banking Service Group as a Member (Partner).

Commerce Lexington has appointed Stites & Harbison, PLLC attorney **Cassidy Rosenthal** as Chair-Elect of its Board of Directors for 2022. Her term as Chair will begin in 2023. Rosenthal previously served as a member of the Board of Directors and has been the organization's General Counsel since 2018. Rosenthal is the Lexington Office Executive Member and a Member (Partner) based in Stites & Harbison's Lexington, Ky., office. As a member of the Construction Service Group, her practice focuses on advising clients throughout all phases of construction projects including planning, contract drafting and negotiation, and project administration.

Stoll Keenon Ogden

Palmer Gene Vance II, an attorney with Stoll Keenon Ogden PLLC's Lexington, Kentucky office, became chair of the American Bar Association House of Delegates at the conclusion of the 2022 ABA Annual Meeting.

Vance is an experienced attorney with more than 30 years in the practice of law. Vance serves on the Board of Directors of SKO, where he focuses his practice on litigation including business and commercial, products liability, toxic tort, trucking and transportation, and insurance coverage matters.

As chair of the House of Delegates, the ABA's policymaking body, Vance will serve for two years in the second-highest office in the association. There are 596 delegates in the House, including representatives of state and local bar associations, substantive legal sections and

Continued on page 23

Mental Health Court Graduation

The Fayette Mental Health Court held its graduation celebration on Thursday, May 19, 2022. In the Fayette Circuit Courthouse. Judge John Tackett served as the master of ceremonies with remarks from Chief Justice John Minton, Mayor Linda Gorton, and Police Chief Lawrence Weathers.



Justice Minton with Judge Tackett.



Mayor Linda Gorton speaks at Mental Health Court graduation.



MCH graduates being recognized.

Names in the News, continued

Continued from page 22

divisions of the ABA, and affiliated organizations and conferences of the Judicial Division, as well as former ABA officers, members of the Board of Governors, at-large delegates, and state delegates. Action taken by the House of Delegates on specific issues becomes official policy of the ABA.

Vance has been a member of the ABA House of Delegates since 2001 and currently serves as the Kentucky state delegate. From 2010 – 2012, he served as chair of the House Committee on Rules & Calendar and has chaired or co-chaired three ABA presidential appointments advisory committees. In 2018 – 2019, he served as chair of the ABA Section of Litigation. From 2012 –2015, he served as chair of the Council of the ABA's charitable arm, the Fund for Justice and Education. He is a member of the board of directors and treasurer of the American Bar Endowment. He previously served on the board of American Bar Foundation.

Outside of the ABA, Vance is a member of the American Law Institute, Defense Research Institute, Kentucky Bar Association, Kentucky Defense Counsel, and Fayette County (Lexington) Bar Association. He is a longtime member and treasurer of the Board of Directors for Legal Aid of the Bluegrass and serves on the Legal Services Corporation Leaders Council.

Vance received his J.D. from the University of Kentucky J. David Rosenberg College of Law in 1990 and his B.A. from Transylvania University in Lexington, Kentucky. Vance was President of the FCBA 2013-2014.

Sturgill, Turner, Barker & Moloney, PLLC

Sturgill, Turner, Barker & Moloney, PLLC has welcomed two new attorneys to the firm. **Madeleine B. “Maddie” Loeffler** joined the Healthcare Law and Medical Malpractice Defense practice group. She works on insurance defense litigation and medical malpractice defense, including hospital, clinic and physician practices, and public entities including correctional institutions that provide healthcare services.

William D. Razor joined the Government and Municipal Law practice group. He brings a comprehensive legal background including insurance defense, healthcare law, and legal research work, with experience at a national civil defense firm in Louisville.

Judges Gunther, Devine and Taylor Swearing-In



Judge Denotra Gunther was sworn into the Fayette District Court Bench on January 11, 2022.



Judge Jeffrey Taylor was sworn-in as Judge for the Fayette Circuit Court on January 19, 2022.



Judge Carl Devine was sworn in as Fayette Circuit Court Judge on April 26, 2022.