GEAUGA COUNTY BAR ASSOCIATION VOLUME 43, ISSUE 2, DECEMBER, 2020

Ipso Jure

Cover: Judge Mary Jane Trapp, Suffragette
"We're clearly soldiers in petticoats. Fearless crusaders for women's votes. So, cast off the shackles of yesterday! Shoulder to shoulder into the fray! Our daughters' daughters will adore us And they'll sing in grateful chorus, "Well done! Well done! Well done, Sister Suffragette!"
as sung by Mrs. Banks in *Mary Poppins*

Inside this issue:

President's Page

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To say that my year as president of the Bar Association has been different would be an understatement. I am writing my first and last President's Report for 2020. Thank you, Kelly Slattery, for all of your hard work as last year's president. I wish all the best to Todd Hicks, the 2021 president. Who could have imagined how COVID-19 would turn 2020 upside down?

We have all had to adapt, and the Bar Association is no exception. I was very excited for my year as president, and while it didn't quite go as planned, we were able to get some things accomplished.

After suspending meetings for a few months, the Executive Committee was able to resume regular meetings, meeting in the Judge Stupica's courtroom, socially distanced and with masks, of course. Thank you, Judge Stupica! It was nice getting back to meeting and conducting the business of the Bar.

Similarly, the last regular meeting of the Bar was in February. Adapting to the COVID-19 environment that we all now live in, the Bar joined the new, and now ever-popular, world of Zoom meetings. We have attending court hearings, client meetings, and oral arguments by Zoom, nothing I think any of us would have predicted last year. I am proud to report that our Constitutional Committee did a wonderful job of drafting an amendment to the Bar's constitution, which allows for the use of virtual meetings to conduct the business of the Bar. That amendment was adopted, and just recently, our third general meeting of the Bar was held, with several members joining via Zoom. While there isn't anything quite like in-person meetings, if you are unable to make the meetings in person, please consider joining us in the future through Zoom.

We did have to take a year off from several of our annual events; however, I am happy to report that we were still able to do many. We received several entries for the Law Day essay contest and awarded the winners for that. We enjoyed a modified Secretaries Day with the ice cream truck on the Chardon square. While it was not quite the Legal Aid Clinic, we were able to support the Chagrin Falls Park with a very successful food drive.

Unfortunately, we won't be able to close the year with our annual dinner or annual holiday party at Heinen's…hopefully next year.

2020 has been an unprecedented year. We have had so many ups and downs. Not knowing what is coming around the corner, everyone has had to adjust. I have to say we have done a great job. I wish you all a happy, healthy, albeit different, 2020 holiday season. Let's see what 2021 brings!

100 Years of Constitutional Voting Rights for Women: The Geauga County Connection

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***With Research Assistance from* Zoe Jones,**

Summer Intern from Hawken School

I have often heard the description of the centennial celebration as the "100th anniversary of the day women were given the right to vote." American women have always had the right to vote. That fundamental right as a citizen is at the core of our social contract, our Constitution. But at our nation's founding, some people were not recognized as citizens. For most of our history, voting rights were exclusionary, not inclusionary. As a commentator on the recent PBS American Experience documentary, "The Vote," observed, "Women were not given anything, we took it."

It has been said that "when people have rights other people do not have, you have to convince them to share." For women, the struggle to convince took decades, and in fact for some, continues to this day.

The 16th Amendment that Finally Became the 19th Amendment

On January 10, 1878, Senate Resolution 12 was introduced seeking to enshrine in our Constitution the 16th Amendment, which would follow the amendment guaranteeing voting rights to American males of all races.

It read, "The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of sex. Congress shall have the power to enforce this article by appropriate legislation."

The Nineteenth Amendment to the United States Constitution was passed by Congress on June 4, 1919, ratified on August 18, 1920, and certified on August 26, 1920, thus, securing a woman's right to vote as a constitutional right.

The Historical Underpinnings of the Local Suffrage Movement

Locally, Lake Erie College, the daughter school of my alma mater, Mount Holyoke College, the first college for women, embarked on a year-long research project focusing on the contributions of the institution's graduates to the suffrage movement. The scholarship of

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the Lake Erie College professors and my own research about Justice Florence E. Allen prompted me to discover more about the history of, and Northeast Ohio's ties to, the suffrage movement.

While advocacy and debate over women's rights to vote and hold political office extend back into the early days of the republic (women in colonial New Jersey were able to vote from 1787 to 1807), the trailhead of the path to ratification of the Nineteenth Amendment began at the Seneca Falls, New York, Woman's Rights Convention in July of 1848.

As University of Akron Law Professor Tracy A. Thomas explains in her March, 2020 article for the Stanford Journal of Civil Rights & Civil Liberties (which I highly recommend for an in-depth analysis of the forces behind the movement), the "nearly-century long movement for suffrage, however, was never just about the vote. It originated as part of a comprehensive plan for women's equality as proclaimed at Seneca Falls in the women's Declaration of Sentiments (italics). [Elizabeth Cady] Stanton, the intellectual driver of the first women's rights movement, conceptualized the vote as only one of the needed rights of women to access the political process. The elective franchise was a key piece of reform to provide women access to the right to make the laws that governed them, but it was never the sole goal."

Ms. Stanton, who later would join forces with Susan B. Anthony to form the National Woman Suffrage Association (NWSA), presented her Declaration of Sentiments, delineating eighteen civil rights denied to women in four areas, which she described as "a fourfold bondage": state, family, industry, and church.

The intervening Civil War, followed by Reconstruction and the debates surrounding the passage of the Fourteenth and Fifteenth Amendments, both delayed and divided those fighting for women's suffrage and equality. Ms. Stanton and Ms. Anthony continued to push for more systemic reform through their advocacy for a federal constitutional amendment securing the vote for women, while Lucy Stone, educated at both Mount Holyoke Seminary and Oberlin College, and her husband, Henry Blackwell, formed the American Woman Suffrage Association (AWSA).

AWSA was focused first on (and I will use the historical term used by the AWSA) "Negro" suffrage and then women's suffrage, with some of the other reforms first articulated in the Declaration of Sentiments relegated to a lower priority.

After the ratification of the Fourteenth Amendment in 1868, Ms. Stanton's legal acumen pivoted her organization to argue that the "privileges and immunities" protected for all citizens by Article IV of the United States Constitution granted women the right to vote. Armed with this legal argument and a new NWSA platform called the "New Departure," Susan B. Anthony actually voted in 1872, but she was arrested and convicted for her crime of voting. This is the crime for which she was just pardoned.

The United States Supreme Court's decision in *Minor v. Happersett* then drove a stake through the heart of the New Departure, declaring that while women were national citizens, entitled to the protection of the privileges and immunities clause, voting was not a federal right of citizenship, but rather was determined by each individual state.

This led to the rise of grassroot women's suffrage organizations in the states, with Wyoming becoming the first state to grant women suffrage in 1869. One woman from Painesville, Ohio, who had travelled to the Wyoming Territory and witnessed the work of Ms. Stanton and Ms. Anthony would return to Painesville, bringing the message of women's suffrage and equal rights to our area.

Our Local Suffragists and Landmarks of the Movement

Lake Erie alumna, Frances Jennings Casement, travelled to the Wyoming Territory to spend time with her husband, Jack Casement, a railroad builder and territorial representative, and worked closely with Ms. Anthony and Ms. Stanton for women's rights in the territory.

She brought Susan B. Anthony to her home in Painesville and organized a speaking tour for her, which included stops at Lake Erie College, the Painesville Methodist Church, where almost 1,000 people attended, and the

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South Newbury Union Chapel in Newbury.

Frances Casement

Frances Jennings Casement was born in Painesville and founded the Painesville Equal Rights Association in 1883. Despite having a fear of public speaking, she used her gift for grassroots organizing and fundraising and grew the Equal Rights Association beyond Painesville. Unlike other local suffrage groups, her organization reached out to both the NWSA and AWSA for ideas and organizing techniques. She tripled the membership and established chapters in Mentor and Kirtland by holding "parlor talks" in members' homes. She wrote "there is a real need for a society in which women could come together and talk of the questions of the day and inform themselves upon those questions and do what they might for the education of themselves and their sisters....the time will soon come when men and women will stand as equals and have an equal voice in the government of our nation."

These talks were advertised in the society page of the Painesville Telegraph as educational gatherings to listen to lectures about a prominent resident's travels to Europe or Asia. After listening to the lectures, which Ms. Casement reportedly described as being "deadly dull," she would then pivot the discussion to women's suffrage, sometimes utilizing an article from the Woman's Journal as a starting point for discussion and debate.

She organized public rallies and delivered a lengthy speech to the Farmer's Institute in Lake County entitled "Why Farmers' Wives and All Other Women Should Have the Ballot," in which she observed, "if women are fit to rule in monarchies, it is difficult to say why they are not qualified to vote in a republic." During a rally at the Lake County Courthouse, she advocated for legislation allowing women to control their earnings or dowries and maintain custody of their children after a divorce. Ms. Casement became involved in the Ohio Woman Suffrage Association (OWSA), serving as its president from 1885 to 1888. When invited to speak at the AWSA Convention in Chicago in 1884, she called for unity between the rival suffrage organizations, which became a reality six years later when the NWSA and AWSA merged into one organization.

After leaving her position as president of the OWSA, she continued her involvement in women's and social justice issues until her death in 1928.

The South Newbury Union Chapel on State Route 44

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The Union Chapel was a mecca for free speech and a base for the suffrage and other social reform movements in Geauga County. Thanks to some amazing and dedicated trustees, it still stands today and is now a part of the Geauga Park District.

It was the home of the South Newbury Women's Suffrage and Political Club founded in 1874. It was also the center for two other social reform movements led by women—the dress reform movement (the campaign against corsets and for more practical and comfortable clothing) and the temperance movement. It is the site where nine women of South Newbury asserted their right to vote in 1871, a year before Susan B. Anthony was arrested for her attempt to cast a ballot. One of those women was Ruth Fisher Munn.

Ruth Fisher Munn

Born in 1809, she lived in Newbury on a plot of land next to Punderson Lake. Her parents married in Canton, Massachusetts, but early in Ruth's childhood, they moved to Geauga County, and in 1833, she married William Munn.

She was the first president of the South Newbury Women's Suffrage and Political Club. Founded in 1874, it was the second oldest suffrage organization in Ohio and one of the earliest in the nation.

Ms. Munn's contributions to women's dress reform and women's voting rights made a large impact here at home and beyond.

It was reported that Ms. Munn caused quite a stir when she appeared in trousers at a community picnic—not what we think of as pants but probably something more like the bloomer suit, named after another dress reform leader, Amelia Bloomer.

The Chapel's Legacy

The chapel was a home for the early suffragists in Lake and Geauga Counties and for all the suffragists, who stood on their shoulders.

Ms. Munn and her sisters were followed by Ms. Casement and her sisters, who were followed by two amazing lawyers hailing from Ashtabula County, Ellen Spencer Mussey, also educated at Lake Erie Seminary, who helped found the Washington College of Law (now American University)

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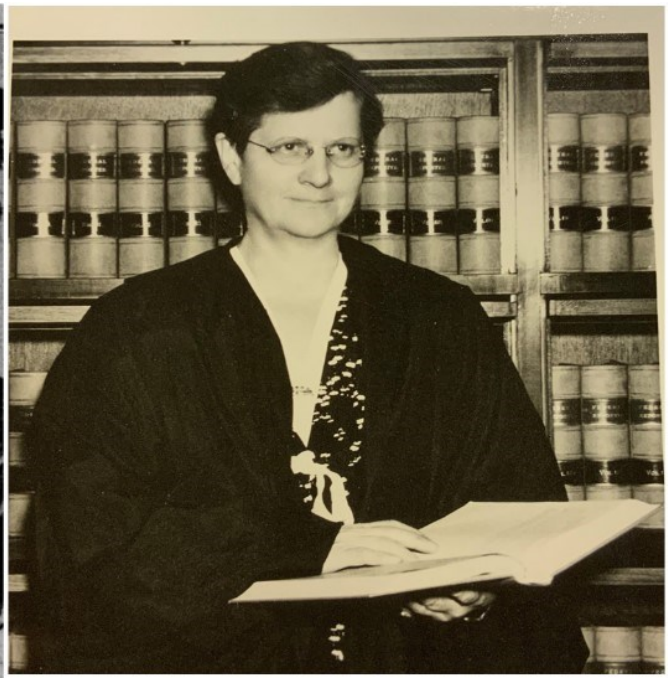
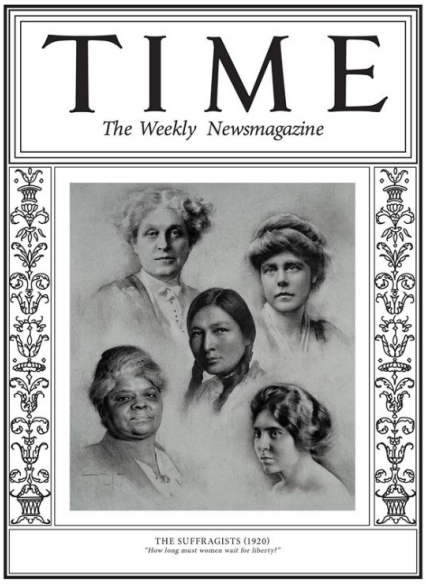
Women (from page 6)



and led the campaign for the passage of the Married Women's Property Act, and Justice Florence Ellinwood Allen, who became the first woman assistant prosecutor in Cuyahoga County, the first woman elected to judicial office in the United States, and the first woman state supreme court justice and federal circuit court judge in the Unites States.

These two women were advanced as possible nominees for the Supreme Court of the United States. Neither President Taft nor President Roosevelt selected them, and it was not until 1981 that we saw a woman on our highest court, Justice Sandra Day O'Connor.



The Legacy

We stand on the shoulders of these remarkable women, and we must never forget the thirty-three women of the National Woman's Party, led by Alice Paul, who were arrested when they picketed outside the White House, held in the Occoquan Workhouse, and beaten, force-fed, and tortured by their guards on the "Night of Terror," November 15, 1917.

Their convictions were overturned the next year, and the publicity about their treatment became the tipping point for Congressional action to pass the 19th Amendment.

To honor these women, we must all take a moment during the centennial celebration to recall their sacrifices and then make sure we take our daughters, granddaughters, and nieces to vote.

In the words of Frances Jennings Casement, "To change society, you must change government, and voting is the only way."

The "Change in Circumstances" Test: Bruns v. Green, Slip Opinion No. 2020-Ohio-4787, Supreme Court of Ohio, decided October 8, 2020

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Historically, in private custody matters between the parents of a minor child, the test to be applied by the trial court in deciding whether to order a change of custody based upon a prior custody order is the "best interest" test. That is, if a trial court had issued a court order awarding child custody to a parent, and if the other parent, at a later date, sought a change of that custody order, then the trial court need only find that a change of custody was in the best interest of the minor child.[1] Almost 30 years ago the Ohio legislature added a test, in addition to the "best interest" test, that a trial court must apply *before* deciding to modify a prior court order regarding child custody. That test is known as the "change in circumstances" test and is set forth in R.C. 3109.04(E)(1)(a), stating:

> *(a) The court shall not modify a prior decree allocating parental rights and responsibilities for the care of children unless it finds, based on facts that have arisen since the prior decree or that were unknown to the court at the time of the prior decree, that a change has occurred in the circumstances of the child, the child's residential parent, or either of the parents subject to a shared parenting decree, and that the modification is necessary to serve the best interest of the child. In applying these standards, the court shall retain the residential parent designated by the prior decree or the prior shared parenting decree, unless a modification is in the best interest of the child and one of the following applies:*
>
> *(i) The residential parent agrees to a change in the residential parent or both parents under a shared parenting decree agree to a change in the designation of residential parent.*
>
> *(ii) The child, with the consent of the residential parent or of both parents under a shared parenting decree, has been integrated into the family of the person seeking to become the residential parent.*
>
> *(iii) The harm likely to be caused by a change of environment is outweighed by the advantages of the change of environment to the child.* [the "no harm" test]

The "change in circumstances" test appears to be a higher standard (and different standard) than the historic "best interest" test and presumably for good reason. The Supreme Court of Ohio (the

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"Court") noted in *Davis v. Flickinger* (1997)[2], *The clear intent of that statute* [R.C. 3109.04] *is to spare children from a constant tug of war between their parents who would file a motion for change of custody each time the parent out of custody thought he or she could provide the children a "better" environment. The statute is an attempt to provide some stability to the custodial status of the children, even though the parent out of custody may be able to prove that he or she can provide a better environment.*

Assuming that there is no prior shared parenting decree, it should be noted that even if the trial court finds a "change in circumstances of the child" (as carefully defined in R.C. 3109.04(E)(1)(a)), then the trial court must also apply (i) the "best interest" test and (ii) the "no harm" test, which states, *the harm likely to be caused by a change of environment is outweighed by the advantages of the change of environment to the child*.

Thus, for example, if in the initial custody hearing the court has awarded child custody to the father (i.e. no shared parenting decree"), then in a subsequent child custody proceeding the mother, in order to obtain custody of their minor child, must prove to the trial court that:

1. There has been a "change in circumstance of the child,"

2. The change of custody is in the "best interest of the child," and

3. The harm likely to be caused by a change of environment is outweighed by the advantages of the change of environment to the child

However, if we change the example so that (i) during the initial custody hearing the parents agreed to a shared parenting plan that equally allocates the parental rights and responsibilities of the children between the parents (i.e. each parent is a co-equal residential parent), which plan the trial court approved and thus issued a shared parenting decree; and (ii) after the initial decree, one or both parents seek to be the sole residential parent, then the question of whether the trial court must apply the "change in circumstances" test becomes a bit complicated.

The Court addressed the issue in *Fisher v. Hasenjager* (2007).[3] The essential facts are that the mother and father entered into a shared parenting agreement in 2003, which the trial court approved and ordered. In 2005, both parents filed motions to be named the sole residential parent. The trial court decided to terminate the initial shared parenting decree, naming the mother as sole residential parent. The trial court only applied the "best interest" test before ordering a change of custody from shared parenting to sole residential parent. Apparently it is not clear whether the trial court's decision was a termination or a modification of the prior shared parenting decree. The father appealed the trial court's decision claiming that it was really based upon a modification rather than termination, and thus under R.C. 3109.04(E)(1)(a) the trial court should have first applied the "change in circumstances" test. The appellate court determined that the record supported the fact that the trial court was modifying its prior shared parenting decree. However, the appellate court upheld the trial court's decision, concluding that R.C. 3109.04(E)(2)(b) permits the trial court to modify a prior shared parenting decree and award sole custody to one of the parents solely on the basis of the "best interest" test, without having to first apply the "change in circumstances" test. In *Fisher,* the Court reversed the appellate court and held that a modification of a decree that designates a residential parent requires the application of the "change-in-circumstances" test, as required by R.C. 3109.04(E)(1)(a), even if the prior designation is a shared parenting decree.

In the recent case of *Bruns v. Green* (decided October 8, 2020),[4] the Court reached a different conclusion when the trial court changes custody by terminating a prior shared parenting decree rather than a modification of a prior shared parenting decree, which in either case results in ending co-equal residential parenting and the designation of the sole residential parent. The facts in *Bruns* are almost identical to *Fisher*.[5] The significant difference seems to be that in *Bruns*, the trial court was clearly terminating the shared parenting plan, whereas in *Fisher* that was not so clear, at least to the appellate court, and thus the appellate

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court determined that the trial court was modifying the prior shared parenting decree. In *Bruns*, the Court framed the issue on appeal stating, *Does the termination of a shared parenting plan and decree and subsequent modification of parental rights and responsibilities under R.C. 3109.04(E)(2) require first a finding of a change in circumstances under R.C. 3109.04(E)(1)(a)?* The Court focused upon R.C. 3109.04(E)(2)(c), which states the process for terminating a prior shared parenting decree.[6] The Court concluded its opinion with the following, *We find that under the plain language of R.C. 3109.04, a trial court is not required to find a change in circumstances, in addition to considering the best interest of the child, before terminating a shared-parenting plan and decree and designating one parent as the residential parent and legal custodian.*

Examining both *Fisher* and *Bruns*, it would appear that if a parent wants to change a prior shared parenting decree so that the parent has sole custody, then that parent may be better served to file a motion to terminate the prior shared parenting decree rather than a motion to modify. A motion to modify, under *Fisher*, requires the movant to first climb over the "change in circumstances" hurdle whereas a motion to terminate, under *Bruns*, only requires the movant to satisfy the "best interest" test. What seems most critical is the language of the trial court's decree rather than the motion. If the trial court does not make any finding regarding the "change of circumstances" test, but rather only makes a finding regarding the "best interest," then it would seem that the trial court's decree should be clear that the decision is one of termination of the prior shared parenting decree under R.C. 3109.04(E)(2)(c). Of course, the court's decision to terminate must be supported by the record.

The result of *Fisher* and *Bruns* poses a few interesting questions for attorneys. For example:

- What happens if one parent files a motion to modify and the other parent files a motion to terminate?
- As a follow up, does the parent who filed a motion to modify have to climb over the "change in circumstance" hurdle and the other parent, who filed a motion to terminate, does not?
- What happens if the trial court's order is not clear as to whether the decision is one of modification or termination?
- Can the trial court decide to terminate the prior shared parent decree, but designate the parent, who filed for a modification (which under *Fisher* requires that parent to satisfy the "change in circumstances" test), the residential parent without a finding of a "change in circumstances?"
- Even if the trial court need not apply the "change in circumstances" test, does the trial court need to apply both the "best interest" test and the "no harm" test (i.e. *The harm likely to be caused by a change of environment is outweighed by the advantages of the change of environment to the child.*)?
- If a parent files a motion to modify, but fails to present evidence of a "change in circumstances," may the court inquire during the hearing as to whether that parent intends to terminate the prior decree rather than modify it?
- If a parent files a motion to modify a prior shared parenting decree and satisfies the "change in circumstances" test, may the court, nonetheless, decide to terminate that decree and designate the other parent as residential parent solely applying the "best interest" test?
- Should the trial court's decree specifically state whether its decision is based upon R.C. 3109.04(E)(1)(a) (i.e. modification) or R.C. 3109.04(E)(2)(c) (i.e. termination)?
- Finally, if one or both parents file a motion to modify, may the trial court, on its own motion, decide to terminate the prior shared parenting decree and designate one parent as residential parent without applying the "change in circumstances" test?"[7]

Perhaps a motion to termi-

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nate a prior shared parenting decree is the best choice when sole custody is sought, and a motion to modify is only appropriate when the movant seeks to modify other terms of a prior shared parenting decree (e.g. child support, access to records, parenting time, etc.)

Justice Kennedy, in her concurring opinion in *Bruns*, may have the best answer for all concerned. In effect, Justice Kennedy said that the Court should have overruled *Fisher*. She makes a compelling argument that R.C. 3109.04 should not be construed and applied so that when a parent seeks to end co-equal shared parenting and obtain sole custody, the requirement to prove a "change in circumstances" depends upon whether that parent seeks modification or termination. In either case, the end result is that co-equal parenting is ended, and one parent is designated as the residential parent.

Endnotes

1. Currently, the factors that the trial court must consider in applying the "best interest" test are set forth in R.C. 3109.04(F).

2. *Davis v. Flickinger*, 77 Ohio St. 3d 415, 1997-Ohio-260

3. *Fisher v. Hasenjager*, 116 Ohio St. 3d 53, 2007-Ohio-5580.

4. *Bruns v. Green*, Slip Opinion No. 2020-Ohio-4787 (decided October 8, 2020)

5. In *Bruns*, both parties filed a motion requesting that the trial court terminate the shared parenting plan or in the alternative modify the shared parenting plan.

6. R.C. 3109.04(E)(2)(c) - *The court may terminate a prior final shared parenting decree that includes a shared parenting plan approved under division (D)(1)(a)(i) of this section upon the request of one or both of the parents or whenever it determines that shared parenting is not in the best interest of the children. The court may terminate a prior final shared parenting decree that includes a shared parenting plan approved under division (D)(1)(a)(ii) or (iii) of this section if it determines, upon its own motion or upon the request of one or both parents, that shared parenting is not in the best interest of the children. If modification of the terms of the plan for shared parenting approved by the court and incorporated by it into the final shared parenting decree is attempted under division (E)(2)(a) of this section and the court rejects the modifications, it may terminate the final shared parenting decree if it determines that shared parenting is not in the best interest of the children.*

7. Again, R.C. 3109.04(E)(2)(c) provides, *The court may terminate a prior final shared parenting decree that includes a shared parenting plan approved under division (D)(1)(a)(i) of this section upon the request of one or both of the parents <u>or whenever it determines that shared parenting is not in the best interest of the children</u>.*

Secretaries Ice Cream Social and G.C.B.A. Meeting

Need to Locate Someone for Legal Reasons? Call a Forensic Genealogist!

Katharine O'Connell

North Coast Genealogy, koc@northcoastgen.com

Estate Planning and Real Estate attorneys: have you encountered the following?

- Someone dies intestate and without issue, and you are asked by the court to distribute the estate, but there is no obituary and the only known family member won't call you back.
- A client leaves his estate to a charity and you are told to notify the next-of-kin but you have no idea who they are.
- Three siblings are due to inherit, but two of them say they haven't talked to their sister in 30 years and have no idea where she lives.
- A new client wants to sell her mother's house but needs to find her deceased brother's kids to clear the title, but no one knows their names.

These cases can be frustrating and time-consuming for you to resolve. Workflow is interrupted and often the cases are time sensitive. But there is an easy solution: call a forensic genealogist!

Forensic genealogists do family research for legal purposes. We find known or unknown beneficiaries when a person dies intestate or leaves a trust to their children's unnamed issue, locate family members to clear a real estate title, or determine who is in line to inherit shares of mineral rights. We also match DNA tests with family members to repatriate the remains of soldiers who died overseas, or in some states, use DNA to find the biological families of adoptees. Forensic genealogists routinely look at records over a hundred and fifty years into the past and trace families forward to the present day. Because our research is used for legal purposes, we have to meet a high standard of proof, providing firm evidence, supported by official government or legal documents, that demonstrate that the people we have located are indeed the individuals in question. Consequently, just as people hire a lawyer to draw up a will, it is a good idea to consult a professional genealogist when it is important that family research be accurate.

Forensic genealogists ensure accuracy by combining experience (knowing where to look for records) and corroborating relationships using more than one source. We routinely take on the kind of "puzzles" mentioned at the beginning of this article. By carefully combing through what **is** known, we can fill in the unknown with a fair degree of certainty and resolve a situation.

For example, finding women, who frequently change their names upon marriage, can be particularly complicated in probate cases. We are trained to determine which of the two people with the same name of the same age in the same town is the family member we are looking for.

Some of the most difficult cases for lawyers require locating people who lack assets and property, who can be hard to find. They don't leave wills, which might list heirs, because there is nothing to inherit. Property deeds, which would list home owners and spouses, are not available in such cases. People experiencing economic hardship frequently change addresses, and an eviction can mean that a person cannot get another lease or credit in their name, which means they may not appear in databases at all. Forensic genealogists know how to look at and compare entries in several different sources to locate those hard-to-find individuals.

Locating the children of unmarried couples can be especially difficult for lawyers, particularly when a substantial amount of time has passed since birth. The father might not be listed on the birth certificate, and the child is often given her mother's surname. If the father's family didn't know the mother's last name, or forgot

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Genealogy (from page 12)

it, it can be difficult to find the person in question. Forensic genealogists use many techniques, including DNA research, to find and prove family relationships that might otherwise be impossible to trace.

When databases and other sources fail researchers, family interviews become very important. Though we try not to disturb people and do our research without involving them, sometimes the only way to find someone is by talking with a family member. Forensic genealogists are trained to interview family members, which can be delicate task when families are estranged or there has been a death in the family. We carefully try to determine if a family member might remember where the person we were looking for went to high school or when they graduated, and we can find an alumni magazine or a yearbook that can help us track them down.

Increasingly, DNA testing can help with these tough cases. Finding a match, even at a one or two generation remove, can help narrow a search, though we still support our findings with traditional documentation. Researching social media can be helpful as well, as friend networks can reveal family members and relationships that we would otherwise not know about. A mother might have remarried, or a daughter changed her name, and social media will reveal that. A "Happy Birthday, Grandma" message can reveal a kinship connection that can help us locate a person in line to inherit in a probate case.

Being a forensic genealogist requires empathy and compassion. In looking at a family's records over a hundred years, we get a glimpse into their lives: their struggles, their celebrations and their tragedies. Children are born, graduate and marry, anniversaries bring families together, soldiers return from war. Babies die, teenagers die in accidents, marriages end in divorce. It is moving to see how people find a way forward, continuing on to live long lives. I honor their stories by making sure that no one gets left out, that everyone is on the family tree.

If you would like to learn more genealogy, check out the Genealogical Research Institute of Pittsburgh. They often hold free virtual lectures at www.gripitt.org.

Katharine O'Connell is the owner of North Coast Genealogy. She is a member of the American Association of Professional Genealogists and the Cleveland Metropolitan Bar Association. She has resolved more than 100 forensic genealogy cases in multiple states in the U.S. and abroad. She can be reached at 216-212-6564, koc@northcoastgen.com, or at www.northcoastgen.com.

Signs of the Times:

Judge Paschke leads her courtroom outside &

Who are these Masked Women?—Judge Trapp & Judge Stupica

Law Day 2020—Delayed But Not Denied

Judge Mary Jane Trapp

Ohio Court of Appeals, Eleventh District,

mjtrapp@11theappealohio.us

Only a pandemic could force the cancellation of a bar association's tradition—its Law Day Celebration. President Dwight Eisenhower established the first Law Day in 1958 to mark the nation's commitment to the rule of law, and every president since then has issued a Law Day proclamation on May 1 to celebrate this commitment.

The lawyers, judges, and law enforcement of Geauga County gather each year to celebrate Law Day, but with our inability to gather together in May, the Law Day Committee improvised and carried on with the highlights of the celebration-the Law Day Essay Contest and the Law Enforcement Officer of the Year Award.

The American Bar Association sets a theme for the year's celebration. In 2020, the theme was "Your Vote, Your Voice, Our Democracy: The 19th Amendment at 100."

In its announcement, the ABA explained its pick—"In 2019 -2020, the United States is commemorating the centennial of the transformative constitutional amendment that guaranteed the right of citizens to vote would not be denied or abridged by the United States or any state on account of sex. American women fought for, and won, the vote through their voice and action. The women's suffrage movement forever changed America, expanding representative democracy and inspiring other popular movements for constitutional change and reform. Yet, honest reflection on the suffrage movement reveals complexity and tensions over race and class that remain part of the ongoing story of the Nineteenth Amendment and its legacies."

We had a fantastic keynote speaker planned for the luncheon. The senior judge on the Eighth District Court of Appeals and first African-American woman to be elected to the Ohio Court of Appeals, Judge Patricia Ann Blackmon, planned to talk about her groundbreaking career and her experiences and those of her family with voting while growing up and going to school in the South. She has committed to speaking to our bar association in the future. I

(Continued on page 15)

Law Day (from page 14)

heard her speak on the topic at the Ohio Judicial Conference in September, and I look forward to welcoming her to Geauga County soon.

Not wanting to disappoint the high school students who look forward to the chance to become published authors and win cash awards for themselves and their teachers or advisors, courtesy of the Petersen & Petersen firm, we pressed on with the Law Day Essay Contest. The competition is open to all high school students who reside in Geauga County or attend a school located in Geauga County. The winners of the competition will receive an enhanced prize of $500, $300 and $200 prizes, respectively, and publication of their essay in *Ipso Jure*. Their teacher or home school advisor also will receive a $100 donation for school supplies.

In keeping with the Law Day theme, the students were asked to write an essay focusing on this question: Does voting inequality still exist in our democracy?

Out of a number of entries, I am pleased to announce this year's winners:

First place winner, Jacob Strano, is now a freshman at Liberty University. He is earning his degree 100% online. He earned his high school degree through the Buckeye On-Line School for Success, and his advisor last year was Jeannette Bailey of Middlefield. His major is Religion. Jacob plans to get a Master's of Divinity after his B.S. in Religion is completed and then work in ministry. In his free time, he enjoys playing guitar, coaching basketball, and hanging out with friends.

Second place winner, Frances Connors, is a junior at Hawken School. An interest in politics and policy making led her to join the debate team, and become an editor of the commentary section at her school newspaper. She is a member of the Hawken Admissions Red Key Leadership Council, and the Spanish Honors Society. Frances also plays varsity soccer and lacrosse for Hawken. She is interested in studying international relations or environmental science in college. Her advisers last year were Kim Samson and Chris Harrow.

Third place winner, Ryan Bass, is a senior at the Geauga iSTEM Early College High School. He takes classes at Lakeland Community College. Glee Slivka was his advisor last year. Ryan is a repeat contest winner. When he am not studying for school, he enjoys working at the Buckeye Chocolate Cafe, Chardon's local coffee shop. He also loves hikes in the woods and spending time with friends, preferably both at the same time. He is interested in social studies, including economics and plans to to study law in the future. He writes, "I enjoy a good deep conversation over dinner or coffee about politics, history and less explored ideas."

Their essays are published in this editiom of *Ipso Jure.* Their awards have been mailed to them, and I was able to Zoom into Ms. Connors' class at Hawken to make a virtual presentation. We hope to see all the students, with their parents and teachers next year.

On to Law Day 2020, Part Two. The committee felt strongly that we continue the Law Day tradition of honoring a member of law enforcement. This year's winner is Detective Donald Seamon of the Geauga County Sheriff's Office. Detective Seamon was to receive his award during the bar association's Annual Dinner on November 21st, but this has been postponed due to COVID-19. Read more about his career in an upcoming issue.

On a personal note, I so looked forward to a year-long celebration of the ratification of the 19th Amendment and featuring the accomplishment on Law Day. It was to be not only a celebration, but an educational moment and a moment to reflect on the privilege and responsibility that comes with the right to vote. My historical research took me on a quest to learn more about our local suffragists. Please take a moment to read my article about these amazing women in this edition, and I look forward to once again celebrating Law Day in person in 2021.

Finally, thank you to our Law Day Committee: Judge Terri Stupica, Judge Forrest Burt, Colleen Del Blaso, Robert Unholtz, Jim Gillette, Dennis Coyne, Steve Patton, Todd Petersen, Davida Dodson, Ann M. D'Amico, Laura Wellen, and President Susan Wieland, ex officio.

Law Day Student Essay 2020

Untitled

Jacob Strano

Buckeye On-Line School for Success, 1st Place Student Essay

The United States of America was built upon the guarantee of equal freedom to pursue "life, liberty, and the pursuit of happiness". Nonetheless, things have not always been perfect in this country. The U.S. has an unfortunate past of inequality that has marred its otherwise spectacular history. However, the U.S. government has made many attempts to establish greater equality, which it has succeeded in doing.

With the passage of the 19th Amendment in 1920, women were given the right to vote. It took women roughly 150 years to overcome stereotypes and societal inequalities and due to their hard work, they have helped America achieve greater equality. The passage of the 15th Amendment guaranteed that the right to vote would not be taken away based on race. This Amendment was specifically meant to guarantee African Americans the right to vote. However, some states still used poll taxes, literacy tests, and other measures to try and diminish the amount of African Americans that could register and vote. The Civil Rights Act of 1870 was passed to try and stop the states from subverting the authority of the 15th Amendment, but this Act ended up not being very effective, as the South soon plunged itself back into its old habits of racism and segregation. Jim Crow laws and certain Supreme Court rulings such as the "separate but equal" doctrine established in the Court case *Plessy v. Ferguson* gave Americans – but specifically, Southern whites – the opportunity put blacks into societal bondage, where they stayed for about a century.

However, in the middle of the 20th century, African Americans began to push for change, much as women had in the 18th and 19th centuries when they gained the right to vote. Rallying behind leaders such as Rosa Parks and Martin Luther King Jr., African Americans peacefully petitioned the American government to give them the equal rights they deserved. Because of the courageous actions of these men and women, the US government passed the Civil Rights Acts of 1957, 1960, and 1964, all meant to amend the generally ineffective Civil Rights Act of 1870, and the Voting Rights Act of 1965, which proved to make the biggest difference in the push for change. This act transferred the power of voting registration away from local and state governments and into the hands of the Federal government. This meant that states with a long history of voting discrimination could no longer use literacy tests and other measures to hinder African Americans from voting. Most importantly, the Voting Rights Act of 1965 allowed Federal examiners to oversee elections and voter registration in certain districts that were notorious for using unfair measures to prohibit voting equality and made these districts seek the approval of Federal officials if they wanted to change any aspects of their voting procedures. This was the greatest step the US government had ever taken to give equal voting rights to African Americans.

However, the great advancements in the pursuit of equal rights that were made in the 20th century did not all have a lasting effect. For example, a recent Supreme Court case - *Shelby County v. Holder* – abolished Section 5 of the Voting Rights Act of 1965, which was the section that established Federal control over voting and voter registration and placed Federal examiners over those districts that had a history of discrimination. This opens the door for

(Continued on page 19)

Law Day Student Essay 2020

Disenfranchisement of Felons: an Unjust, Additional Punishment

Frances Connors

Hawken School, 2nd Place Student Essay

During the Vietnam War, the United States government drafted a multitude of men from ages eighteen to twenty to risk their lives on a battlefield thousands of miles away from their homes. While serving time for their country, these men had no political voice to decide who would be in power and lead them in the war effort, until the US ratified the 26th amendment in 1971. The 26th amendment states that the right to vote shall not be denied for those over eighteen,[1] thus giving the right to vote to all those serving their country. While multiple Amendments in the US Constitution protect citizens' right to vote, many states have taken this right away from felons who have served time for their crimes, which minimizes the strength of our democracy.

Mass incarceration, which disproportionately affects minorities, has stripped away voting rights for millions of Americans, thus violating the Constitution and increasing voter inequality in the United States. The War on Drugs that President Nixon started in 1971 and other presidents continued led to an overpopulation of the prison system known as mass incarceration. Today, US prisons are overflowing with over 1.4 million prisoners, of which 33% are black and 23% are Hispanic, despite those races being 12% and 16% of the US population, respectively.[2] Voting laws differ among states, but save for Vermont and Maine, every state prohibits felons from voting while serving their term.[3] The greater problem lies in what happens to felons' voting rights after they complete the punishment for their crime and return to society. Around 5.8 million Americans, or three times the prison population, cannot vote, even though an overwhelming majority of this population consists of people out of prison who have served their term. African Americans have the highest rate of disenfranchisement due to these laws with 7.4% of African Americans disenfranchised compared with just 1.8% of the non-African American population.[4] Disenfranchisement of voters is at its worst in two states, Iowa and Kentucky, where felons lose their right to vote for life and one in five African Americans cannot vote.[5] Punishing felons with disenfranchisement is problematic because it violates the 15th Amendment, which prohibits states from abridging or denying citizens' right to vote "on account of race, color, and previous condition of servitude."[6] According to Garret Epps, a constitutional law professor at the University of Baltimore, the critical part of this amendment is the inability of states to deny voting rights based on "previous condition of servitude."[7] According to the 13th Amendment, servitude can only exist in the United States "as punishment for a crime."[8] The fact that when the 15th Amendment refers to servitude, it omits this clause from the 13th Amendment, suggests that being convicted of a crime is not within itself a reason to bar someone from voting.[9] Hence, any states that prohibit freed felons from voting are denying voting rights based on previous condition of servitude, so they are both violating the constitution and increasing voting inequality. Bobby Hoffman of the ACLU furthers that, "Voting is a fundamental right and the cornerstone of our democracy. Denying the right to vote to an entire class of citizens undermines our democracy."[10]

(Continued on page 19)

Law Day Student Essay 2020

Voter Equality

Ryan Bass

Geauga iSTEM Early College High School, 3rd Place Student Essay

The right to vote in your own country, decide elections and issues is a beautiful part of our one of a kind democracy. Some Americans have had a long history with the struggle for the right to vote, women and African-Americans had long fought for the right to cast their vote in their own country and it wasn't a short fight either, but it was a battle that was surely seen to the end with the glorious right of these groups to vote. Could it be that some groups are still denied this right in some way?

It's no secret that America has had to take measures to extend and protect the right to vote to all people since the country's declared independence in 1776. It wasn't until the 15th Amendment was passed in 1869 that allowed people to vote whether they were a slave or not, allowing many once enslaved African-American's the right to vote for the first time. Women also had been long denied the right to vote, until 100 years ago, in 1920, when the 19th Amendment granted this freedom to women. Despite the many suffrage movements and pushes to give this right to women, it wasn't until the 20th century that the Amendment was passed. Despite these amendments, there have also been measures to restrict groups from voting in the more recent past as well. Take the southern Jim Crow Laws, which blocked many African-Americans from voting, such as the poll tax, for example. The poll tax was in effect until the passage of the 24th Amendment, just 56 years ago! After all these efforts and amendments to bring voter equality to our Union does voter restriction still exist?

One way that voter inequality may still exist in our democracy is the inability of United States territories to vote in our general elections. At present, U.S. territories, such as Purto Rico, Guam, etc., around 4 million Americans (Ncsl), can vote in Presidential Primary elections but cannot participate in the general election of the U.S. President that would govern them. It would seem as though these territories do not have equal representation in our general elections. This isn't this first time something of this nature has occurred, it wasn't until the passage of the 23rd Amendment that the District of Columbia was given the right to vote in 1961. To be considered an American citizen and lack the ability to vote for your president would be disheartening, considering the many decisions that the executive branch that would affect daily life, not to mention the vast difference that these 4 million potential voters could have on our elections.

Currently, the Constitution makes no mention of territories in the Privileges and Immunities Clause of Article 4, it only says that states within the US apply to the clause that, "The Citizens of each State shall be entitled to all Privileges and Immunities of Citizens in the several States.", which would include voting. Furthermore, these territories are considered "unincorporated", meaning that even if the Privileges and Immunities Clause was extended to territories, it would not matter because of their unincorporated status, meaning only certain Constitutional laws apply to them.

The United States of America has worked tirelessly to extend voting rights to everyone regardless of race, condition of servitude, religion, sexuality and gender. From the 15th Amendment to the 24th, the battle for voting rights has given many voiceless Americans a chance to participate in our elections. Now one hurdle still lies in the way in my opinion, the constituents of the

(Continued on page 19)

1st Place (from page 16)

many new forms of voting discrimination to creep into American democracy.

There is no denying that the United States has a long, ugly history of racial discrimination that casts an ugly shadow on its past. However, there is also no denying that the US government has taken drastic measures to overcome these societal barriers to equality. There is still important work to be done if we are going to unlock the full potential of our democracy. We have the opportunity now to make a lasting change in American society, but the choice is personal. Will you do what it takes to pursue greater equality in American society?

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"Declaration of Independence: A Transcription." *National Archives*, hwww.archives.gov/founding-docs/declaration-transcript Accessed 28 March 2020.

"Voting and Election Laws." *USA.gov*, www.usa.gov/voting-laws#item-212489 Accessed 28 March 2020.

"Congress and the Voting Rights Act of 1965." *National Archives*, www.archives.gov/legislative/features/voting-rights-1965 Accessed 28 March 2020

Shelby County v. Holder. Brennan Center for Justice, 2018. www.brennancenter.org. Accessed 28 March 2020.

2nd Place (from page 17)

When states disenfranchise felons, they take away a right of citizenship from a large portion of the population primarily consisting of minorities, which attacks our democracy. The disenfranchisement of millions of felons in America threatens our country's democratic foundation and confirms the existence of extreme voting inequality.

The upcoming 2020 presidential election will determine who will lead the country through the coming aftermath of the Coronavirus Pandemic. The only way for our nation to fairly elect a president is to ensure every voice is heard, and no one is stopped from exercising his or her right of citizenship in the United States. Now is the time to end the unconstitutional disenfranchisement of millions of American felons, and with it, end voting inequality in our country.

Endnotes

1. U.S. Const. amend. XXVI § 1, cl. 1 (amended 1971).
2. John Gramlich, "The Gap between the Number of Blacks and Whites in Prison Is Shrinking," Pew Research Center, last modified April 30, 2019, 2020, https://www.pewresearch.org
3. Tom Murse, "Where Felons Can and Cannot Vote," ThoughtCo, last modified January 17, 2020, https://www.thoughtco.com.
4. Erin Kelley, "Racism and Felony Disenfranchisement: An Intertwined History," Brennan Center for Justice, accessed April 9, 2020, https://www.brennancenter.org
5. Kelley, "Racism and Felony," Brennan Center for Justice.
6. U.S. Const. amend. XV § 1, cl. 1 (amended 1865).
7. Garret Epps, "What Does The Constitution Actually Say About Voting Rights," The Atlantic, last modified August 19, 2013, https://www.theatlantic.com/national/archive.
8. U.S. Const. amend. XIII § 1, cl. 1 (amended 1865).
9. Epps, "What Does," The Atlantic.
10. Bobby Hoffman, "Voting Is a Right That Should Not Be Taken Away," American Civil Liberties Union, last modified April 17, 2019, https://www.aclu.org.

3rd Place (from page 18)

U.S. territories who, not because of race or gender cannot vote equally, but simply because of their geographic location. To alleviate this issue would be a great leap in the direction of total voter equality in the United States, bettering our already beautiful democracy.

References

Wolf, Mark, and Ncsl. "Statestats: Getting to Know America's Territories." *Statestats | Getting to Know America's Territories* , www.ncsl.org/bookstore/state-legislatures-magazine/statestats-getting-to-know-america-s-territories.aspx.

Cases of Interest

Edgar H. Boles
Dinn, Hochman, & Potter, LLC, eboles@dhplaw.com

Jallaq v. Jallaq, 2020-Ohio-5402 (10th Dist. 2020)

In a commercial case where Plaintiffs, minority members of LLC, alleged they were wrongfully denied distributions by majority members, Defendants' counsel filed a third-party complaint against Plaintiffs' counsel alleging discrimination under 42 U.S.C. 1981, state and federal racketeering violations, and aiding and abetting criminal acts based on allegations of hate against Arab and Arab-American people and their businesses. Defendants' counsel voluntarily dismissed this third-party complaint less than 2 weeks after it was filed.

The underlying case was settled and Plaintiff's counsel moved for sanctions under R.C. 2323.51 and Civ. R. 11 for frivolous conduct and maintaining claims without factual or legal basis. These motions were heard by a Magistrate who awarded attorney's fees. The award was sustained by the trial court judge and affirmed on appeal.111

An extraordinary case and circumstances. It presents difficult issues over the client's credibility. The appellate decision, however, notes Defendants' counsel admitted to filing the third-party action without her clients' express approval, but under circumstances where she felt it was warranted.

Fordely v. Fordely**,** 2020-Ohio-5380 (11th Dist. 2020)

A divorce action involving a prenuptial agreement. Husband and wife met in 1993 when she was a senior in high school, and he was a 30 year old who owned and operated 2 businesses. Upon graduating from high school in 1993, wife went to work for husband in his businesses, and by December 1993, wife was pregnant. Husband refused to marry without a prenuptial agreement.

In July, 1994, wife was 8 months pregnant. Husband had a prenuptial agreement drafted, and arranged for wife to consult with separate counsel who advised against her signing the prenuptial agreement. Wife signed a waiver and the prenuptial agreement. Two days later the parties were married. After 6 children and nearly 20 years or marriage, the husband filed for divorce in August, 2012, seeking enforcement of the prenuptial agreement. After an extensive evidentiary hearing the court ruled the prenuptial agreement unenforceable due to duress, coercion, and overreaching. The divorce action was then tried over 13 days in 2017.

The 11th District Court reversed the judgment and found that the prenuptial agreement should be enforced. Noting that it cannot weigh the evidence, the 11th District Court found the trial court's decision's specified insufficient evidence to establish duress, coercion or overreaching. The Appeals Court found that pregnancy is not duress. The Court noted that the wife consulted counsel and understood the agreement's terms, and signed a waiver.

The Appellate Court expressly noted on remand that spousal support may, nevertheless, be considered.

Judge Trapp wrote an extensive dissent, longer than the majority opinion, outlining Supreme Court authority on prenuptial agreements as set forth in *Gross*, *Juhasz*, *Fletcher*, and *Zimmie.* Judge Tripp argued that the majority opinion incorrectly shifted the burden of proof to the wife and also misapplied the law governing prenuptial agreements.

Donald J. Trump for President, Inc., et al., v. Kathy Boockvar, et al., 4:20-cv-02078 (U.S.D. Ct., M.D. Pa; 11/21/2020)

In his Decision granting Defendant's Civ. R. 12(b)(6) Motion to Dismiss, District Court Judge Matthew W. Brann, a registered Republican, noted "that Trump's attorney had haphazardly stitched his allegation together 'like a Frankenstein Monster' in an attempt to avoid unfavorable legal precedent." The Court further noted that ". . . Plaintiffs ask this Court to disenfranchise almost seven million [Pennsylvania] voters" with no legal basis nor evidence to do so. The opinion stated

(Continued on page 21)

Cases (from page 20)

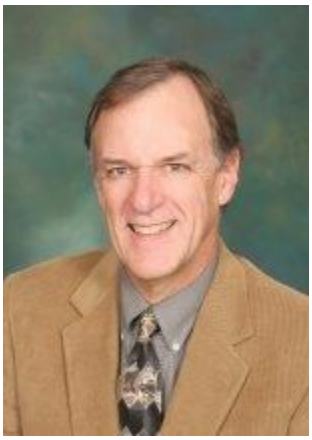
that ". . . this Court has been presented with strained legal arguments without merit and speculative accusations, unpled in the operative complaint and unsupported by evidence. In the United States of America, this cannot justify the disenfranchisement of a single voter, let alone all the voters of its sixth most populated state. Our people, laws, and institutions demand more. At bottom, Plaintiffs have failed to meet their burden to state a claim upon which relief may be granted. Therefore, I grant Defendants' motions and dismiss Plaintiffs' action with prejudice."

The Third Circuit decision, Case No. 20-3371, by three judges, two of whom are Republican appointees, the author being appointed by President Trump, affirmed and found the "relief sought—throwing out millions of votes—is unprecedented. Finally, the Second Amended Complaint seeks breathtaking relief: barring the Commonwealth from certifying its results or else declaring the election results defective and ordering the Pennsylvania General Assembly, not the voters, to choose Pennsylvania's presidential electors. It cites no authority for this drastic remedy." The decision noted both that there was no evidence of fraud and that "at oral argument in the District Court, the Campaign specifically disavowed any claim of fraud."

The ethics of the legal profession—to speak the truth—prevail in open court.

❁

We Want to Say Congratulations and Good Wishes to



Magistrate Bruce C. Smalheer

on His Retirement

We are saddened at the cancellation of the Annual Dinner and We are looking forward to the day that we can recognize it together!

(More to come in a future *Ipso Jure* edition)

Announcements

John A. Ralph Elected As Vice President Of The Ohio Bailiffs And Court Officers Association

Geauga County Probate/Juvenile Court Constable, John A. Ralph, has been elected by his peers to sit as Vice President of the Ohio Bailiffs and Court Officers Association (OBACOA). Since 1976 the OBACOA has been serving the judicial branch by regulating Court Security throughout the state of Ohio. The Association focuses on the professional development of its members through education, training, networking and representing the interests of court officers to the public. They currently have 173 active members. John has also been appointed by Chief Justice Maureen O'Connor of the Supreme Court of Ohio to sit on the Supreme Court's Advisory Committee on Court Security. The Advisory Committee provides ongoing advice to update court security protocols in Ohio.

Geauga County Judge Timothy J. Grendell Reappointed to National College of Probate Judges

Judge Timothy J. Grendell has been reelected to the Executive Board of the National College of Probate Judges (NCPJ) on November 12, 2020. Judge Grendell serves as the co-chair of the NCPJ Membership Committee, chair of the Public Relations/Newsletter Committee, and assistant editor for the NCPJ Journal.

Judge Grendell also serves as the second Vice President for the Ohio Probate Judges Association and previously served as President of the Ohio Juvenile Judges Association. Judge Grendell said, "It is an honor to be selected by my judicial peers and to work with other judges throughout the nation to advance innovation in our courts."

Changes all around...

From Judge Carolyn J. Paschke:

It is our pleasure to announce that the Geauga County Court of Common Pleas has hired Attorney Kevin Starrett to fill the Magistrate position being vacated by Magistrate Bruce Smalheer, who will be retiring in early December of this year. We are grateful to Bruce for his years of service to our Court , and we will miss his wisdom, experience, and sense of humor. We wish Bruce a relaxing retirement. We are looking forward to working with the new Magistrate Starrett.

From Schraff Thomas Law:

Schraff Thomas Law is pleased to announce a merger with Wm. Joseph Baker, Esq., and has added a Geauga County law office located at 175 Park Place, Chagrin Falls, OH 44022.

From Robert Zulandt:

Beginning December 1, 2020, Bob Zulandt's office will be located at 119 Main St. in Chardon, and the new mailing address will be P.O. Box 201, Chardon, Ohio 44024.

From the Ashtabula Bar Association:

If you are looking for a will from the late Attorney Robert McNair, his wills have been turned over to Attorney Robert Wynn. Mrs. Nancy McNair, Robert's wife, can be contacted at 440-576-1946/440-812-6044 for other practice items.

Announcements

LAURA WELLEN

PRACTICE AREAS:

Domestic Relations, Family Law

Collaborative Divorce

Parenting Coordination, Mediation

Juvenile Law

Child & Spousal Support

Thrasher, Dinsmore and Dolan is pleased to introduce Laura Wellen as our newest partner.

Laura, a family law practitioner for more than 10 years, currently assists and counsels clients in simple and complex family law cases, including divorce, property division, support concerns, and juvenile law. Focusing her work on families, Laura has sought out additional training which allows her to serve as a Parenting Coordinator, Mediator and Collaborative Divorce Attorney. As a result, she approaches each case with a deliberate goal to help families find a direct and fair resolution to their crisis, no matter the complexity.

Laura has presented for the Ohio State Bar Association and the Geauga County Bar Association, speaking on issues as far ranging as the nexus of family law and real property to family law as it relates to Adoption and Surrogacy. She is a member of various bar associations and the Cleveland Academy of Collaborative Professionals.

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For more information, call **216.255.5431** or email **LWellen@tddlaw.com.**

Geauga County Bar Association

Announcements

Website:
Check out the Geauga County Bar Association Website for updated meeting dates, deadlines, and other important information at
www.geaugabar.org

Or Call:
440-286-7160

Upcoming Executive Committee Meetings
2nd Wednesday of each month at 12:00 noon
Next Meeting:
December 9
at Chardon Municipal Court
R.S.V.P. to the G.C.B.A. Secretary

Upcoming General Meetings
4th Wednesday of each month at 12:00
Next Meeting:
December 16
at Chardon Municipal Court
**Note this is early!
R.S.V.P. to the G.C.B.A. Secretary

Upcoming Events:

Welcome, New Members:

James Eskridge,
Megargel Eskridge & Mullins, Co., L.P.A.
Paul Flannery,
Flannery Georgalis, LLC
Brenden Kelley,
Wuliger & Wuliger
Margaret Pauken,
Pauken Legal Services LLC
Justin Withrow,
Flannery Georgalis, LLC

We look forward to getting to know you at an upcoming meeting!

Congratulations to the Geauga County Bar Association Officers for 2021:

President: Todd Hicks

President-Elect: Brian Bly

Treasurer: Rebecca Castell

Secretary: Bridey Matheney

****We will hold a hybrid in-person/ virtual General Meeting on December 16, 2020, where the new officers will be sworn-in.**

Geauga County Bar Association

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Ipso Jure Deadlines:

Mark your calendars and turn in an article!

February 15, 2021

June 15, 2021

Quick Reminders

Next Executive Committee Meeting:

December 9 at 12:00 noon
At Chardon Municipal Court

Next General Meeting:

December 16 at 12:00 noon
Place: Chardon Municipal Court and via Zoom

We hope to see you at the Bar Association's next event!