

# Lake Legal Views



God Bless &  
Protect  
Our Troops

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Lake County Bar Association

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## President's Corner



**Joseph R. Klammer**  
Lake County Bar Association President

I say: The General Practice is Not Dead. I am ashamed to admit that for a fleeting moment in my own practice I came to the conclusion that the business of a general law practice was dead; that one could not expect to make a real living as a general practitioner. I was wrong and wrong on so many levels. Now, when a client asks me what type of law I practice, I'm not ashamed to explain that I can solve all types of problems - both legal and non-legal.

In my mind, the general practitioner - of course, a skilled and caring general practitioner - should be one of, if not the most, highly regarded of our profession. Truly unlike any other profession known to man, ours requires one to possess and strive to refine the skill to evaluate and understand risk; to mediate and negotiate compromise; to identify and coordinate outside resources; and, when necessary, to advocate in any adversarial context. Hence, friends and clients rely on us for advice on all sorts of non-legal problems, for instance, for advice on treatment for ill or drug addicted loved ones; for guidance on where to find funding for a child's college education; for a roadmap to find financing to grow a family business. For this reason, the general practice of law will endure. Without general practitioners, a truly precious community resource would be lost.

John DiJulius the Ohio based customer service consultant advises in his book *Secret Service* that "[p]eople don't care how much you know until they know how much you care." Therein is the key to making a real living as "general specialist." General practitioners have unique opportunities to meet with persons

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## Judge's Column

### PROBATE COURT OUTLOOK & OHIO SUPREME COURT RULE UPDATE (Gov. Bar XII)

My fellow lawyers. Another summer has passed, and fall is upon us. We at Probate Court are reviewing how we can serve the public, as well as the attorney's that practice in this court, more efficiently.

The court is currently working with CourtView Justice Solutions, our computer software provider, on several "eService" tools to help expedite transactions; such as, eNotification and alternative payment methods. The purpose of these changes is not only to make the probate process more efficient, but to also save money for our taxpayers and the lawyers filing in our court. In addition, we are also reevaluating our attorney fee schedule. It is my feeling that attorney fees should be increased.

I am greatly concerned about the misuse of Powers of Attorney, especially when given to those who are nonfamily members. The abuses that are being experienced by the elderly through instruments such as these are increasing. Let me share with you a recent case of four women accused of bilking half a million dollars from a Richmond Heights widow whose husband had been slain. They proceeded to steal funds utilizing a Power of Attorney obtained through persuasion. Be cautious when preparing Powers of Attorney and ask numerous questions. What is the purpose of this document and why? How well does your client know the individual they are giving this power to? Is their spouse and/or children a part of the discussion process? Remember, you are the first line to help prevent senior abuse.



**Judge Ted R. Klammer**  
Lake County Probate Court

Turning now to some items the Supreme Court has recently addressed.

The Supreme Court of Ohio enacted an amendment to the Rules for the Government of the Bar of Ohio (Gov. Bar R. XII) to Appear Pro Hac Vice before an Ohio Tribunal. The effective date for this amendment will be January 1, 2011. A review of this amendment makes it clear that the out of state attorney's have to meet a number of requirements.

A tribunal shall not grant permission to appear pro hac vice to an attorney who has taken and failed the Ohio bar examination, been denied admission without examination, or had an application for admission in Ohio denied on character and fitness grounds pursuant to Gov. Bar R. I within the last five years.

Prior to being granted permission to appear pro hac vice by a tribunal, the attorney shall have applied for registration with the Supreme Court Office of Attorney Services, paid an annual registration fee of \$100.00, and been issued a certificate of pro hac vice registration. The application for registration shall include the following information:

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from a broad demographic and to aid them with all sorts of life challenges. More to the point, they have a unique opportunity to learn about these persons and their families, as well as their problems - as opposed to just learning about their case. With this information we build relationships that will both better lives and build business.

In *Secret Service*, DiJulius describes his relationship with his life insurance advisor:

Larry knows the secret to making people want to do business with him. He talks about what interests them and about how to help them get what they want. He doesn't spend any time talking about what interests him or what he wants.

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Larry has just turned 75. What's the secret to his Success? He says, "If you have a client who needs a job, then help him with a resume and introduce him to your contacts. If you know someone who is looking for funds, then introduce him to potential investors. If you know someone who is looking for an employee, then help him find a key person. If you know someone who is looking for a loan, then fix him up with a banker.

**Be a resource for people. Learn to help people first, long before you ever ask for the sale."**<sup>1</sup>

This can be challenging and I most certainly failed at it more than most. It is non-billable time...for now. And, on the off chance making someone's life better or solving a stranger's problem does not lead to business - we still made someone's life better or solved a stranger's problem. That is after all, our mission. Long live the general practitioner.

<sup>1</sup>DiJulius, John *Secret Service: Hidden Systems that Deliver Unforgettable Customer Service*, p. 47-48 (2003)



## Judge's Column-----

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- (a) The attorney's residential address, office address, and the name and address of the attorney's firm or employer, if applicable;
- (b) The jurisdictions in which the attorney has ever been licensed to practice law, including the dates of admission to practice, resignation, or retirement, and any attorney registration numbers;
- (c) An affidavit stating that the attorney has never been disbarred and whether the attorney is currently under suspension or has resigned with discipline pending in any jurisdiction the attorney has ever been admitted;
- (d) A statement the attorney satisfies the requirements in Section 2(A)(1)-(2);
- (e) A statement that the attorney will comply with the applicable statutes, law and procedural rules of the State of Ohio, and the rules, policies, and procedures of the tribunal before which the attorney seeks to practice and will be familiar with and comply with the Ohio Rules of Professional Conduct and the Rules for Government of the Bar.

Let me share additional parts of the amendment:

The name and attorney registration number of an active Ohio attorney, in good standing, who has agreed to associate with the out-of-state attorney; <sup>2</sup>any party to a proceeding may object to the motion of an attorney in a manner and method prescribed by the tribunal.<sup>3</sup>

I believe that you will share my views that this amendment of Pro Hac Vice Admission is needed.

Take care of yourselves and your families.

<sup>1</sup> Cleveland Plain Dealer, August 16, 2010, 4 women accused of biking \$500,000 from Richmond Widow of slain man.

<sup>2</sup> Gov. Bar XII Sec. 6 (e)

<sup>3</sup> Gov. Bar XII Sec. 6 ©

Tribunal - Courts, legislative bodies, administrative agencies, and other adjudicatory bodies...

Binding legal judgement affection a party's interests

