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Solo, Small Firms and General Practice News

"What got you here – won't get you there"

The above title to the 2007 book about being successful in one's career, written by Marshall Goldsmith and Mark Reiter, certainly applies to lawyers. What you have done and how you have done it, to this point, to achieve success in your legal career does not guarantee success in the future. It brings to mind the '60s song "The Times They Are a-Changin," (by Bob Dylan for those in Generation Y). The coming years will continue to bring rapid and dramatic changes affecting the legal profession, so we as lawyers must adapt, adjust and change as well.

INSIDE

For me, beginning 40 years ago, the practice of law meant having an office with walls, a door, windows, carpet, a desk, chairs, a bookcase, books, a file cabinet, a telephone, a typewriter, a copy machine, and a secretary. The practice of law meant having in-person, face-to-face visits with clients and colleagues, drafting documents on paper and mailing them to clients, drafting pleadings, walking or mailing them to the courthouse for filing and making personal appearances in court. The practice of law also meant keeping time records on paper, billing at hourly rates and exchanging paid fees for multi-carbon receipts. Advertising was by word of mouth.

Clearly, that was the "old normal" practice of law. What caused the change that has now brought us to the "new normal"? Certainly technology, but also a shift from treating the practice of law as a business to treating it as a profession. Creative competition for clients has driven the shift. Many prospective clients cannot afford the cost of legal services. Many take advantage of the Internet and seek legal advice and guidance without the assistance of a lawyer. Lawyers are finding creative ways to offer more affordable, responsive and efficient legal services. There is a greater emphasis on promptly solving people's problems and enhancing the value of legal services. Technology based and creatively designed, a new model for the practice of law is emerging.

What is the "new normal" in our changing legal profession? In November 2014, I attended the Student to Lawyer Symposium sponsored by the Supreme Court of Ohio's Commission on Pro-

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fessionalism. The focus was on the "new normal" in the practice of law and how lawyers, law students, law firms and law schools need to adapt, adjust and function within it. Now on the bench and 14 years removed from the practice of law, I was amazed and fascinated by the presentations.

One young lawyer described his normal practice of law. There was no traditional law office. Work was done wherever he was located at a particular time. Being a transactional lawyer, not a litigator, he did not wear formal business attire. His "face to face" meetings with clients were generally over the Internet, Skype or FaceTime, not in person. Client files were stored in the "cloud." Paperless documents were created, edited and delivered to clients by electronic devices, programs and services. Overhead generally consisted of the cost of his electronic devices, Internet, Cloud practice management system software, legal research access and professional liability insurance. In other words, his practice was a "virtual law firm."

A what? What in the world of clouds is a virtual law firm? Of course, I turned to technology and found the Wikipedia definition of a virtual law firm: "A virtual law firm is a legal practice that does not have a bricks-and-mortar office, but operates from the homes or satellite offices of its lawyer, actually delivering services to clients at a distance using technological means of communication." Obviously, it is not my "old normal" law office and practice.

A virtual law firm has no traditional office, or if it does, it is limited in size, cost and utility. The foundation and function of the firm is based on technology. Meetings with clients and attorneys are conducted by video conference. Advertising is done by websites and social media. Documents are uploaded, downloaded, sent and received over the Internet. Files are stored in a secure, private cloud. Attorneys and clients can access files and documents through private portals. Phone, message and receptionist services are provided by entities such as RingCentral and Alice Receptionist. Case management, calendar, schedule, accounting and billing services are provided by law practice management software like Clio and Rocket Matter.

The virtual law firm has benefits. Client convenience and lawyer accessibility are enhanced without visits to an office. Travel time and expense are eliminated. Potential clients are not limited by geographic boundaries. Working with other attorneys is not limited by location boundaries. Communications are more prompt and efficient. The overhead of the firm is substantially reduced. Information can be managed and shared from remote locations. The lawyer can use a desktop/laptop computer, tablet, iPad or

iPhone to access and work in the virtual office. The flexibility of work hours and locations provide the lawyer with a better balanced lifestyle.

The "new normal" practice of law certainly includes the virtual law firm, or some form of it. Is it here now? Not in its entirety, but many of its characteristic services are being used. More lawyers are taking advantage of the benefits of technology and will transition into having a virtual law practice. Of course, the virtual law practice serves principally the non-litigator, the transactional lawyer, but it will find a way to serve litigation lawyers as well. Pre-recorded videotape trials, authorized by Sup.R. 13(B) and Civ.R. 40, are steps in that direction.

Whether it is a virtual law firm, a technology-based law firm, bundled (full service) or unbundled (limited scope) legal services or eLawyering, a cautionary reminder is necessary. Regardless of the form and substance of a lawyer's law practice, there must still be full and strict compliance with the Supreme Court Rules for the Government of the Bar and the Rules of Professional Conduct, especially those relating to confidentiality of information. If the client base extends beyond Ohio boundaries and legal work could be construed as being performed in another state, a lawyer may have to be a member of the bar of that state and fully comply with its rules and regulations as well.

Regardless of the "new normal," and the form of one's law practice, lawyers must still be professional and must still provide competent legal services. Technology provides assistance, more so every day, but it does not replace what lawyers do to meet the needs of their clients. Researching, understanding, analyzing, thinking and resolving are still human functions. In many respects, it is not easy to change, to leave the security and stability of the "old normal." But change is here with more to come. Lawyers must embrace the future and the "new normal" to experience continued success in their legal careers. Adapting and adjusting is essential because, as Ben Franklin once said, "When you're finished changing, you're finished."

By Judge Richard L. Collins, Jr.
Lake County Common Pleas Court

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A glimpse of the 2016 employee

When is a "newly created" job not new? When is employment like Enron accounting? Answer: When you take employment and you change its scope and category. On July 15, 2015, the Department of Labor (DOL) changed the definition of a contracted worker.

Since 2009, a priority of the federal government has been to increase employment by "creating" jobs. Investigators for OSHA[1], EEO[2] and Wage & Hour[3] have been increased with the obvious goal of enforcing safety, eliminating discrimination and reminding business that the 1938 Federal Labor Standards Act (FLSA) is still relevant. Enforcing the FLSA with emphasis on salaried vs. hourly requirements is expected to increase the number of hourly employees and find that companies have abused the salary "duties test" (violations are costly). The upcoming changes to the FLSA (no date set, but will occur) are long overdue, but the real push for the change is to "create" more hourly jobs. More hourly jobs mean more overtime, which could result in more hiring to eliminate the overtime. It worked in 1938, but in today's health-care-costs environment, overtime has become cheaper than hiring more employees. This will drastically change as the published increase from $26,650 to $50,440 for a minimum salary of an employee exempt from overtime goes into effect.[4] So the combination of increased minimum wages and the Affordable Care Act (ACA) can generate more hourly jobs with benefits shifted to the employee, thereby again inducing more employment to avoid overtime costs.

Now comes the revamping of the definition of a contracted worker. The prior test, of whether a worker was an employee or contracted worker, relied on the worker's support and reporting system. This began by asking, "Is the worker answerable to a supervisor and/or a timeline? Are tools and uniforms supplied by the company?" If the answer was "Yes," and the worker depended on the company for his/her direction, support and pay, then the worker was an employee.

This was a reasonable list that one could explain, comprehend, check off, administer and defend. All of this has changed as of July 15, 2015. First, there is no check off list. There is a list, but the company is required to conduct a "realities" test. There is no single factor that can be used as determinative. The company is to conduct a qualitative instead of a quantitative analysis for each worker that is being considered for contractor classification:

Six factors[5]

In conducting an economic realities test, an employer should look to six factors, the DOL noted:

1. The extent to which the work performed is an integral part of the employer's business.
2. The worker's opportunity for profit or loss depending on his or her managerial skill.
3. The extent of the relative investments of the employer and the worker.
4. Whether the work performed requires special skills and initiative.
5. The permanency of the relationship.
6. The degree of control exercised or retained by the employer.

"In undertaking this analysis, each factor is examined and analyzed in relation to one another, and no single factor is determinative," the DOL noted. "The 'control' factor, for example, should not be given undue weight."

"The factors should not be applied as a checklist, but rather the outcome must be determined by a qualitative rather than a quantitative analysis," the DOL stated.

"The subjective nature of such a test is a slippery slope and provides no practical, objective criteria on which businesses can rely," Disbrow said.

Under the department's analysis of the six factors, positions frequently considered as independent contractors—such as carpenters, construction workers, cable installers and electricians—aren't necessarily independent contractors if they don't satisfy the factors.

There are no other guidelines available when conducting this test; however, the company is liable if found to have made a mistake that

avoided the creation of an employee job position. There is a secondary aim and that is to collect the Social Security, payroll taxes, etc., as well as possible overtime payments that the employer has avoided paying.[6]

According to the DOL, it "has entered into partnerships with 26 States… to ensure (they) are using all of their resources to address this significant problem."[7] Ohio is presently not one of the 26 states, but is a predominant state of the 24 remaining states.

So how should a company evaluate these six "guidelines"? In one word—carefully. It is truly unfortunate that the government does not do a better job of explaining what the end results of a law should be and how a company can avoid the land mines to safely get to that desired result. As this is an extremely new directive, it has not been tested. Defending one's decisions can be as costly as the fines and extremely time-consuming. A small business could go bankrupt with just one relevant case.

If we look at all of the six guidelines, they lead us to an open position. If you take the person you are evaluating and place them in this open position, would he/she be fulfilling a vital job for your company? By "vital," I mean an ongoing, critical component of your business. Are you hiring a contracted worker rather than increasing your staff? This addresses numbers one and five of the guidelines. Is this skill something you require for limited periods or is it ongoing? This addresses numbers one, four and five. Who is making the decisions as the work progresses? This is reminiscent of the original check-off sheet and addresses number six.

Risk is the definition of investment in number three. Is the worker at a risk to lose his/her investment of time and expertise as much as the business is? Is the income of this person dependent on the work your company provides? By dependent is it more than 50 percent of their income? This addresses all six guidelines- or does it?

The DOL states that no signed contract and no incorporated business or license can be used as a defense. Picture an open employee position. Can this worker fill that position on an ongoing basis? If so, would he/she contribute to your bottom line? If you can answer yes to these two questions, then more than likely the person is an employee, no matter what the title or licensure.

The goal of all of these changes is basically to increase employment and provide a living wage. This idea is not bad and in fact is a desirable result. The reality is that none of these steps have moved from the 1938 definition of a job. We are presently in a work environment that has four to five different generations and work ethics mingled together. The Baby Boomers (ages 51-69) are delaying their exit as long as possible. Surprisingly, they are not the largest group of employees according to all projections. The largest group is the Millennials (ages 18-34), and they have a very unique concept of work. As Nicole Berberich, SHRM-CP (Society for Human Resource Management-Certified Professional) stated when she represented SHRM in front of the U.S. House Subcommittee on Worker Protections:

> "In light of the fact that the Millennial generation will make up the majority of the American workforce in the near future,

now is the time to seriously consider amending the FLSA to allow employers expanded workplace flexibility to attract and retain top talent. As I've laid out today, SHRM remains concerned about the challenges presented by the FLSA in terms of workplace flexibility, namely comp time and the biweekly workweek. SHRM is also concerned that upcoming changes to FLSA overtime regulations will further exacerbate an already complicated set of regulations for employers, particularly small employers and employers in industries where managers often conduct exempt and nonexempt work concurrently. Substantial changes to the overtime regulations could also further limit workplace flexibility for employees."[8]

This statement holds true for the contracted worker. Unemployment may be at 5.1 percent, but true unemployment is the older worker who was laid off and never found another job. That person has become the small business owner and often the contracted worker in today's work force. The culture and the reality of work have changed along with how we communicate and conduct business. Initiating a list of six guidelines and directing business owners to fit their workforce culture into those guidelines is 1938 thinking. Unfortunately, the small business owner is affected the most, along with the long-term unemployed. As long as the government can show positive (dollar) results, change is unlikely.[9]

Even unintentionally misclassifying employees as independent contractors may result in significant penalties and interest. For example: [10]

So ask yourself—who do you have working for you? How are they classified? If you're wrong, are you willing to pay the cost? Remember July 15, 2015, was the effective date.

By Kate Varholick, owner of Ask Kate-Human Resources. She applies her 30-plus years of HR experience counseling small businesses when there is no formal HR department. Follow her on www.askkatehumanresources.com and Google+.

Endnotes

1. www.leclairryan.com/files/Uploads/Documents/OSHA%20Combined%20slides%2004%2022%2010.pdf
2. www.troutmansanders.com/files/Publication/c24ae248-ff06-496a-9432-42b1dccaa9d5/Presentation/PublicationAttachment/9ae91d80-6c73-4570-b118-c0a5a20d95aa/TROUT%20ETL%20Newsltr_Sum10_press.pdf
3. www.dol.gov/opa/media/press/whd/whd20091452.htm
4. www.dol.gov/whd/overtime/NPRM2015/OT-NPRM.pdf
5. *DOL Narrows Independent Contractor Classification* By Allen Smith 7/16/2015 Permissions SHRM (Society for human Resource Management)
6. www.dol.gov/whd/regs/compliance/whdfs13.pdf
7. www.dol.gov/whd/workers/misclassification/
8. www.littler.com/publication-press/publication/dol-investigation-tactics-and-pending-proposed-rule-come-under-fire
9. www.dol.gov/whd/statistics/
10. www.netpolarity.com/fines-and-ramifications.html`

Violation	Potential fine
Incorrect filing penalties (W-2 or 1099 forms)	$50 for each form that you failed to file (W-2 or 1099). $50 per employer for failing to provide employee with a W-2 or 1099 form.
Failure to withhold income taxes	1.5 percent of the wages plus interest accruing daily, plus 40 percent of the FICA that the employee should have paid and 100 percent of the FICA employer should have paid.
Failure to pay taxes	0.5 percent of the unpaid tax liability for each month up to 25 percent of total tax liability.
Failure to obtain Social Security number	$50 for each failure to obtain Social Security number

Message from the chair

Fall is now upon us after the Sept. 25 Section Council meeting at OSBA Headquarters. As of today, Ohio State is undefeated while the Cincinnati Reds and Cleveland Indians are in "wait till next year" mode.

Good news is that the section membership has increased in all categories and the section treasury balance is within budget parameters with expenses as anticipated.

The Dec. 10-11, 2015, Technology and Practice Management Conference is in final planning stages with Chad Burton leading the content development. There will be three simultaneous tracks, new vendor exhibits and speaker-presenters from across the country. Our section will host the evening reception at the end of Day 1.

The section council will again offer a tuition discount for the first 100 section members who sign up to attend. Come join us for cutting-edge information and a great condensed learning opportunity on technology and management topics.

The next OSBA Annual Convention, now called the All-Ohio Legal Forum, to be held in Cincinnati on April 28-30, 2016, has two days of CLE co-sponsored by OBLIC, our section, the Young Lawyers Section and also the Senior Lawyers Section. The focused theme for the event is "Future Plan," following your legal practice from startup to closure with the intervening areas of practice addressed.

Last but not least, the section's online member community is building traffic as it is discovered and found to be useful for practice questions and obtaining guidance from other practitioners.

As a reminder, if you have an item for the section council agenda, please communicate it to me or other council members. The council will next meet on Thursday, Dec. 10, at the end of Day 1 of the Technology Conference.

By Theodore M. Mann Jr., chair of the OSBA Solo, Small Firms and General Practice Section.

About *Solo, Small Firms and General Practice News*

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The classic metaphyseal lesions myth in child abuse prosecutions:

Time for law enforcement to challenge the treating doctors before pursuing charges

Soon we will see the urban legend of radiographic evidence of child abuse proven just that—nothing but legend. Since 1946—and more so since 1986—the pediatric and radiological medical community has been taught and come to believe as gospel that certain fractures in children are pathognomonic of child abuse. Described as a bucket handle or corner fracture because of how they allegedly appear on x-ray films, pediatricians, radiologist, nurses, police officers, prosecutors, judges and social workers are taught that these fractures are highly specific of child abuse. These alleged fractures have become known as "classic metaphyseal legions" or "CML," a phrase coined by Dr. Paul Kleinman in his 1986 article "The Metaphyseal Lesion in Abused Infants: A Radiologic-histopathologic Study."[1]

For at least the past two decades though, this assumption has routinely been challenged. And with the advent of better and more available bone imaging tools, the evidence is proving that not only are these alleged fractures not evidence of abuse, but also they are not fractures at all.

Sadly though, the CML legend reigns the medical standard, so at best, the issue becomes a battle of experts. Unfortunately for the criminal defendant—often an honest loving parent—the cost to identify and acquire the various medical experts can amount to tens of thousands of dollars. A typical criminal defense lawyer may be undereducated on the topic and not know what medical evidence to have evaluated and by which medical specialty. These fracture cases involve in the least adult and pediatric genetics, pediatrics, radiology, bone specialists and histopathology—not to mention the lab testing and additional radiology that is necessary to design a sophisticated defense. Without that understanding, often the criminal defense lawyer may not request from the court funds for the appropriate expert consultants and witnesses.

The government, though, has the treating doctors as their experts at no cost to prosecute felonious assault and felony child endangering charges. This expert testimony generally goes unchallenged by the police investigators. Even worse, the parent will not have had the opportunity to review the medical records, identify experts and obtain medical expert reports until well after having been publically accused and charged criminally of abusing a child.

Even if criminal charges are not filed, the government typically petitions the court for a finding of abuse. Ohio Revised Code Section 2151.031 allows an inference that a child was abused where the parents cannot provide an explanation for the injuries.

A very typical child fracture case finds itself to the attention of law enforcement when parents self-report the child to a pediatrician or emergency department with some apparent injury or difficulty a child seems to be experiencing. The child generally has no external evidence of injury or abuse, e.g. no bruising, swelling or scrapes. There is almost always no witness to any actual abuse. With the routine examination or x-ray, multiple alleged fractures are identified and the child is immediately placed in protective care.

The parents are shocked and heartbroken to hear the diagnosis of multiple fractures. The shock is matched by their confusion. They are immediately subject to questioning by law enforcement. They often do not understand that the officers are investigating them as suspects of the alleged abuse. When the parents have no explanation for the alleged fractures, the investigators immediately presume abuse as there was no other reasonable explanation for the fractures offered by parents. Never, though, do the doctors, nurses or police officers explain that there is debate among medical professionals as to whether these bucket handle and corner fractures actually exist.

Ignore for the moment complications of growing young bones; the suspicion that healthy and happy parents would cause such abuse is unique to only these child fracture cases. It is sadly the heart of

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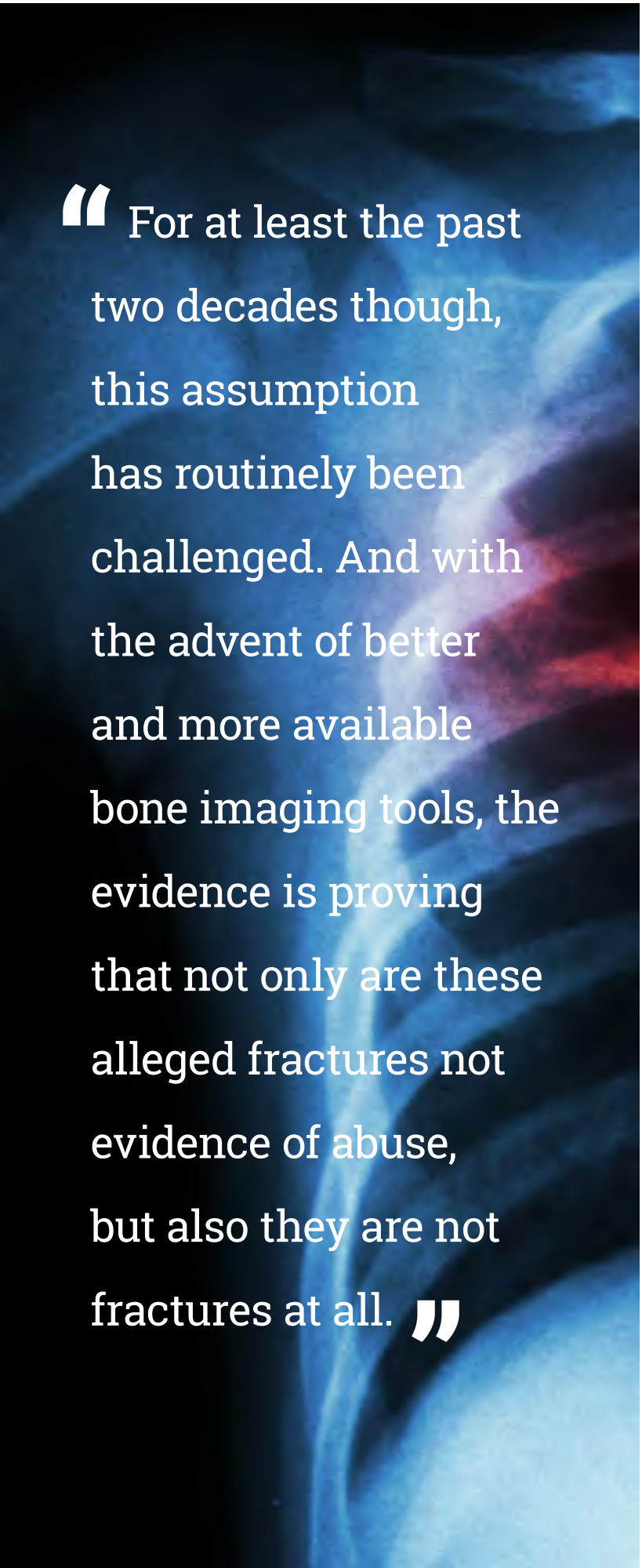

OSBA Legal Tech Conference 2015

It's more important than ever for solo and small firm attorneys to run an efficient business using the latest technology—it is now both a business and an ethical imperative. Creating a seamless client experience, managing matters appropriately and effectively growing your firm are serious considerations for any solo or small firm attorney, and the landscape of resources, tricks and tools are constantly evolving and improving. This year's Legal Technology and Practice Management Conference on Dec. 10-11 is focused on giving you and your firm the tools you need to build and grow a next-generation law firm.

OSBA Solo, Small Firms and General Practice Section members may attend for $100 off the full conference price—limited to the first 100 registrations. Contact OSBA Member Service at (800) 232-7124.

The Ohio State Bar Association has partnered with CuroLegal to put on a different kind of legal tech conference. The conference will include renowned industry experts from around the country, not only telling you how to build an efficient, modern firm, but actually showing you how. Plenary presentations on topics such as tech competency, marketing strategy, business plan development and firm workflow will be followed by hands-on workshops to actually implement what was learned, with on-site experts to assist. There is even a technology track focused entirely on teaching you how to use basic technology more efficiently. Attendees will leave with all of the tools they need to launch a successful new firm, or to improve the firm they already have.

This conference will also include the opportunity for free on-the-spot consultations so you can get answers to your firm's technology and operational questions. Come ready to discuss your concerns with Curo's practice management and technology experts!

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the problem with such cases. As Dr. James LeFanu wrote, "[t]he diagnosis of fractures must be highly improbable in the absence of the relevant clinical signs of injury. It seems highly improbable that a small baby who has allegedly been the victim of repetitive physical assault should nonetheless appear well with no physical stigma of injury such as bruises or soft tissue injury other than the presenting injury."[2] The finding of abuse in such cases is saying only that the parents are, in the words of Dr. Marvin Miller, "deceptive parents who have maliciously designed a way of repeatedly injuring the bones of their child without leaving any telltale traces of injury to the skin."[3]

Why, then, is this the accepted belief among doctors, nurses, social workers, prosecutors, police officers and judges? In 1995, Dr. Paul Kleinman conducted a study of just 31 deceased infants to in essence prove his 1986 findings. It appears though there is little more to support his findings other than this 1995 article "Inflicted Skeletal Injury: A Post-Mortem Radiologic-histopathological Study in 31 Infants."[4] Until recently, there was no comprehensive evaluation of any and all research supporting these CML assumptions.

In 2014, radiologist Dr. David Ayoub, pediatrician Dr. Charles Hyman, histopathologist Dr. Marta Cohen, and pediatric geneticist, Dr. Marin Miller, engaged in a study to "review the hypothesis that classic metaphyseal lesions represent traumatic changes in abused infants and compare these lesions with healing rickets."[5]

The authors researched the National Library of Medicine for articles addressing the subject of the CML. There were only nine studies in the peer reviewed literature on the subject—they were published between 1986 and 1998 by the same principal investigator, Dr. Paul Kleinman. This is the same Dr. Paul Kleinman who coined the phrase "classic metaphyseal lesion."

The review of Dr. Kleinman's research found that it suffered from a number of defects:

1. There was no control group that tested the prevalence of the metaphyseal lesion in non-abused children.
2. There was little evidence to confirm that there was actual abuse so as to confirm the CML finding was related to abuse. These were not "witnessed abuse" cases.
3. The findings have not been independently replicated in peer-reviewed literature. Pediatricians and radiologists are taught that these fractures are caused by violent whipping of the child. The CML is allegedly a fracture parallel to the chrondroosseous junction—where the bone meets the cartilage. Which is not consistent with the "violent shaking" as the infant is held by the trunk and extremities that Dr. Kleinman proposes to cause the parallel injury.
4. There is typically no evidence of bleeding in or near the fracture, which is an area that is extremely vascular because of its role: bone growth.
5. The radiographic depiction of these CMLs arguably resembles the irregular thickening of the perichondrial ring. That ring surrounds the end of growing bone to provide it protection and support. If the bone grows irregularly, this perichondrial ring can give the impression of a bucket or corner fracture where the diaphysis meets the metaphysis and epiphysis.
6. Last and most important, modern CT and MRI technology is now available to test current x-ray findings—but not available to test old x-ray findings. We cannot go back to old patients and conduct CT and MRI on the patient. When comparing suspicions of fractures based on x-rays to CT scans of the same bone, radiologists are learning that what was suspected as a fracture is instead a bone irregularity or the thickening of the perichondrial ring.

Remember that understanding the radiographic tools to diagnose these fractures is critical to understanding the reliability of the radiologist's findings. These are ultimately questions of the mineralization of the bone as mineralization is crucial to bone strength. It is well settled that there must be a loss of bone mineralization of some 20-30 percent before the demineralization can be detected on a simple x-ray. Hence, with the prevalence of these better imaging technologies, we have a new opportunity to test comparisons between x-ray findings and CT or MRI findings. We do, though, need a commitment to conduct this research and record the findings as doctors are treating suspicions of abuse in their day-to-day practices. Without that commitment, we risk losing critical evidence to support findings of past wrongful convictions for child abuse.

With that, Doctors Ayoub, Hyman, Cohen and Miller conclude

that the decades-old presumption that a CML is indicate of abuse "is poorly supported." They recommend that "until classic metaphyseal lesions are experimentally replicated and independently validated, their traumatic origin remains unsubstantiated." Interestingly, one frequent expert witness for the government reported to this writer the preliminary results of his recent study. He described his "witnessed abuse study"—meaning cases where injured children came to the clinic with actual witnesses of abuse. The radiological evaluation of these witnessed abuse patients in his study was not proving to show classic metaphyseal lesions in these patients.

This is nothing new in abuse medicine. The criminal justice system experienced the same medical presumptions with Shaken Baby Syndrome (SBS); parents were convicted and imprisoned only for the system to discover later the fallacy of the SBS diagnosis.

On a daily basis there are loving parents accused of injuring a child without any external evidence of injury or witness to abuse. Not only are families torn apart, but also the accused parent is convicted and imprisoned for considerable periods. As Doctors Ayoub, Hyman, Cohen and Miller suggest, we must remain suspicious of the suggestion that these lesions have a traumatic origin.

By Joseph R. Klammer, Esq.

Endnotes

1 AJR 196; 146:895-905.

2 LeFanu, James, M.D., *The Misdiagnosis of Metaphyseal Fractures: A Possible Cause of Wrongful Accusations of Child Abuse*, Nov. 25, 2009.

3 Miller, Marvin, MD, *The Lesson of Temporary Brittle Bone Disease: All Bones are Not Created Equal*, Bone 33 (2003) 466.

4 AJR 1995; 165:647-650.

5 Ayoub, et al. *A Critical Review of the Classic Metaphyseal Lesion: Traumatic or Metabolic*; AJR 202, January 2014.

Sept. 25, 2015, Section Council meeting summary

The Section Council held its fall meeting on Friday, Sept. 25, 2015, at the OSBA Headquarters in Columbus with 15 council members and guests participating by telephone and in person. The following actions were taken and topics discussed.

Membership report.

Section membership increased in all categories to a total of 2,104.

Treasury report.

The section treasury balance is $54,752 through Aug. 31, 2015, with expenses as budgeted.

2016 Annual Convention.

The 2016 Convention, now the All-Ohio Legal Forum, will be held in Cincinnati on April 28-29. The section will co-sponsor a two-day CLE with OBLIC, the Young Lawyers and Senior Lawyers Sections.

The Dec. 10-11, 2015, Technology Conference.

This two-day event in Columbus will accent technology and practice management in three tracks. A section member benefit of a registration discount has been approved for the first 100 registrants.

Next section council meeting.

The next council meeting is Thursday, Dec. 10, 2015, in Columbus.

Submitted by Theodore M. Mann, Jr., Secretary

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