On several recent occasions while reading the news, I have stopped or at least paused midway through an article because I was so taken aback by the vitriolic comments attacking our courts and judiciary. Most, but not all, of these comments were directed toward our Kansas Supreme Court.

To be clear, this column is NOT intended to be either political or partisan. But I strongly believe that regardless of one’s political allegiances or partisan views, she or he should, at least publicly, maintain proper decorum when referring to public figures—whether they are in the executive, legislative or judicial branch. Debating positions and advocating viewpoints is absolutely fine and in fact is encouraged, but increasingly it seems the tenets of arguing a particular position go out the window and are replaced with caustic, emotionally charged allegations of court rulings made for judges’ or justices’ personal or political gain. I am dismayed—angered even—that so much of the discourse on our courts has degenerated into such mudslinging.

Granted, I suppose this is nothing new. If you were at the TBA’s annual meeting in April, you heard Judge Arnold-Burger’s eloquent remarks in accepting the Warren W. Shaw Distinguished Service award. She reminded us of another time in history when our courts were under attack. Following the U.S. Supreme Court’s unanimous decision in Brown vs. Board of Education. Judge Arnold-Burger recounted how President Eisenhower stood resolute in opposition to 100 federal legislators who signed the South Manifesto in March 1956, urging all states to ignore the Supreme Court’s mandate of school integration and contending that the court had no business butting into the legislature’s prerogative when it came to schools.

Judge Arnold-Burger also recollected that when Orville Faubus, the Governor of Arkansas, attempted to follow the Manifesto and called in the Arkansas National Guard to prevent nine school children from entering Central High School in Little Rock, President Eisenhower spoke on national television to explain why he was sending in federal troops to make sure the children could safely attend school.

Our personal opinions about the [Supreme Court] decision have no bearing on the matter of enforcement of its orders. The responsibility and authority of the Supreme Court to interpret the Constitution are very clear... The very basis of our individual rights and freedoms rests upon the certainty that the president and the executive branch of government will support and insure the carrying out of the decisions of the federal courts even when necessary with all the means at the president’s command. Unless the president did so, anarchy would result. There would be no security for any except that which each one of us could provide for himself. The interest of the nation in the proper fulfillment of the law’s requirements cannot yield to opposition and demonstrations by some few persons. Mob rule cannot be allowed to override the decisions of our courts.

So how does this relate to the TBA? Were you aware the TBA had a policy and procedure for responding to criticisms against judges and courts? In fact, we’ve had it for years but reading it now, it seems almost prophetic in light of what’s happening today.
Kayla Roehler is an Assistant District Attorney for Shawnee County, and she serves as the Second Chair attorney for Division 15. In that capacity, Kayla handles low level felonies, all drug felonies, and is responsible for the Drug Court Program in Shawnee County. Kayla first discovered her interest in working at the DA's office during her tour of Washburn School of Law: “I learned of the amazing internship that the Shawnee County DA’s Office offered and knew that I wanted to be in that program.” Kayla began at the Shawnee County DA’s office as an intern during her 2L summer and 3L school year, and she was hired to her current position at the end of her 3L internship.

Although she has lived in Topeka for most of her life, Kayla was born in Cumberland, Wisconsin, where her mother’s family settled after immigrating from Italy. Kayla’s maternal grandfather was actually the first member of his family to be born on U.S. soil. After she was born, Kayla and her family moved to Kansas when her father was stationed at Fort Riley. Once Kayla’s father was discharged, the family moved to Topeka. During her childhood, Kayla earned her silver award with the Girl Scouts and was the state champion for 10 year old girls in BMX racing.

As an undergraduate student, Kayla attended Kansas State University, where she majored in Elementary Education with an emphasis in Social Studies. The College of Education named Kayla one of its Outstanding Undergraduate Students in 2009. Kayla was also a member of the empower Cats, a student organization for students with disabilities and their advocates. As a panel representative for students with learning disabilities, Kayla spoke about the challenges of transitioning from high school to college as a student with disabilities. Additionally, Kayla helped found the Kansas State University chapter of Delta Alpha Pi International Honor Society, an honor society for students with disabilities.

Kayla is open about the challenges her learning disability has posed for her, both in school and since joining the work force. “I hope that by sharing my story I can encourage other young adults to pursue their dreams. I hope I can be a role model for them to look up to.”

After graduating from Kansas State and taking some time away from school, Kayla had the opportunity to watch her brother-in-law try a repossession case in Topeka. Although her brother warned her that it would be a boring case, she found the trial fascinating. The trial setting sparked Kayla’s interest in the law, and she decided to attend Washburn School of Law.

In law school, Kayla was the Barristers’ Ball chair, she worked in the VITA clinic, she was a member of the TBA and worked on the Law Day Committee. In addition to her previously mentioned internships, Kayla had the opportunity to work for the Honorable Stephen D. Hill during the summer of her 1L year. Kayla was the first student to ever win the Kansas Prosecutor Foundation scholarship in back-to-back years, and she graduated from Washburn with honors. She considers this distinction to be one of her proudest achievements: “As someone with a learning disability, I never thought I would ever be able to graduate with honors.”

Kayla chose to remain in Topeka after graduating from law school to obtain a better understanding of what the citizens of Shawnee County expect from their prosecutors. Kayla is active both in the TBA and in the Sam A. Crow Inn of Court. Practicing in Topeka is a source of satisfaction for Kayla, as she is able to see a wide diversity of cases. She has found that time management be one of the most valuable aspects of being a practicing attorney: “You may think you have a lot of time in between setting, but due to your case load, that time may just slip away before you get anything done you want to.”

Kayla’s advice to other young attorneys is simple: don’t be afraid to ask questions. “If you don’t know, admit it. Nothing is worse than giving the wrong information; you lose credibility if that happens too much. And don’t be afraid to admit when you are wrong and don’t be afraid to apologize. After all, we are all human, we all have emotions, and sometimes we forget that.”

When she is not in court, Kayla likes to run, crochet, and cross-stitch. She has participated in several marathons, including the Chicago Marathon, the Kansas City Marathon, and the Walt Disney World Marathon. The “best” run she has ever done is the Dopey Challenge, which involves running a 5K on Thursday, a 10K on Friday, a half marathon on Saturday, and a full marathon on Sunday. (Editor’s note: I am not Bashful about saying that the very idea of this makes me Grumpy, and trying to emulate Kayla would certainly lead to a trip to the Doc.)

Kayla’s husband, Brock, is currently studying for the bar exam. They have two Pekingese “fur babies,” ages 2 and 10. She admits that her secret dream is to play Belle at Disney World. Alas, even though she has perfected Belle’s signature, she is four inches too tall for the role. Disney World’s loss is Topeka’s gain.

The Women Attorneys Association of Topeka would like to congratulate.

LINDA ELROD for receiving WAAT’s 2016 Chief Justice Kay McFarland Award

THE HON. KAREN ARNOLD-BURGER for receiving TBA’s 2016 Warren W. Shaw Distinguished Service Award

SARAH MORSE for receiving TBA’s 2016 Outstanding Young Lawyer Award

THE HON. EVELYN Z. WILSON for receiving TBA’s 2016 Hon. E. Newton Vickers Professionalism Award

http://www.topekawomenattorneys.com
The Sam A. Crow American Inn of Court is accepting applications for new Barristers, Associates, and Pupils for the 2016-2017 Inn year, which will begin September, 2016.

The Inn consists of approximately 75 active members, divided into four categories: (1) Masters (state and federal judges and attorneys with more than 15 years experience); (2) Barristers (attorneys with at least 5 years of litigation experience); (3) Associates (lawyers with 0-5 years experience); (4) Pupils (third-year law students).

The Inn meets monthly for eight months each year, with an emphasis on excellence in litigation, lawyering, and legal ethics. The meetings ordinarily are on the first Thursday of the month and include dinner, a substantive demonstration concerning some aspect of litigation presented by a pupillage team of members, followed by critiques and comments by other members. Each meeting normally qualifies for 1.0 CLE credit. Nominal dues cover the costs of the monthly dinners and administrative costs, including national dues to the American Inns of Court Foundation. Ordinarily, a joint meeting is held with Inns in Lawrence, Wichita, and Kansas City.

If you are interested in joining the Sam A. Crow American Inn of Court, submit an application by August 15, 2016 to James M. Concannon, Administrator, Washburn Law School, 1700 College Avenue, Topeka, Kansas 66621. Copies of the application form may be requested from Donna Vilander, 670-1105 or by email at donna.vilander@washburn.edu.
In late 2013, we received news that my husband would be transferring duty stations to Fort Carson, Colorado. At that time, I was working full time as a legislative attorney at the Kansas Statehouse in Topeka. For all military families, a “PCS move” (Permanent Change of Station) is expected every two to three years. Our PCS orders came through just as I was establishing myself as a young attorney in Topeka, fresh out of KU School of Law’s LL.M program and after three years of the active practice of law.

The first response to PCS orders is, at least for our family, panic and prayer. My husband had submitted his “dream sheet” of requested duty stations, which listed his most highly regarded (and highly avoided) duty station assignments by ranking. The majority of military families that we are acquainted with organize their dream sheet of duty stations by weather and surrounding cities (making Fort Shafter, Hawaii a popular choice).

Our family organizes our dream sheet by my ability to become licensed to practice law. While most jurisdictions accommodate admission on motion of the court, obtaining admission in a new jurisdiction every 2-3 years because of a military relocation is a challenging, expensive, and time-consuming hurdle that often results in un- or under-employment. For a young attorney like me, admission to other states barriers are particularly difficult because “time in practice requirements” (typically 5 out of the last 7 years must have been spent actively practicing prior to admission). Hence, panic is my reaction to PCS orders—a fate solely within the hands of the United States Army—at the thought that I’ll probably have to take another bar exam, wait for results, and seek gainful employment all before the next PCS orders are issued by the Army again, 2-3 years later. In theory, over my husband’s possible 20-year career, this could translate to no less than six bar exams, in six different jurisdictions, assuming I have trouble falling within the admission on motion “active practice within last five of seven years” requirement. Hence: Panic.

Prayer is also on the table when PCS orders are issued. Prayers to any patron saint that will listen! My career cannot handle (much less obtain legal employment) the rural and remote regions of Kentucky, Louisiana, or Oklahoma. Our prayers were partly answered when we received orders to Fort Carson, Colorado, near beautiful Colorado Springs, and just an hour and a half south of Denver. I was unable to obtain law licensure in Colorado by admission on motion, so I remained in Topeka working under my Kansas law license when my husband moved to Fort Carson in late February of 2014. I’m just one of almost half of military spouse attorneys who have lived separately from their servicemember at some point in order to maintain a legal career. This self-imposed separation creates unnecessary stress for military families already distanced so often by deployments, training, and other military service obligations.

I recall working in my Topeka office in the summer of 2014 and realizing that the Colorado Supreme Court had recently adopted a military spouse attorney license rule allowing military spouse attorneys of active duty servicemembers stationed in the state to obtain full law licensure, based off of an active license in another jurisdiction, and lack of disciplinary history. I applied for admission based off of my Kansas law license and within months, became the second military spouse attorney licensed in the state of Colorado under this rule. Within six months of licensure, I obtained employment as a prosecutor in southern Colorado. The adoption of the rule by the Colorado Supreme Court has single-handedly allowed me to reunite with my husband (as we have lived apart the majority of our marriage) and continue my legal career despite the challenges created by the military lifestyle.

I envision the same law licensure success story for military spouse attorneys in Kansas. Currently, the Kansas Board of Law Examiners is reviewing a proposed Kansas Supreme Court Rule relating to the admission of military spouse attorneys, who are in Kansas due to their active duty servicemember spouse’s PCS orders to Fort Riley, Fort Leavenworth and McConnell Air Force Base. The proposed rule was filed with the Kansas Supreme Court in the summer of 2015 by the Military Spouse J.D. Network (MSJD.N). MSJD is a military spouse bar association that supports military spouses by advocating for licensing accommodations nationwide, educating the public about the challenges facing military families, encouraging employers to hire military spouses, and providing a support network for over 1,000 military spouse attorneys and their active duty and retired Air Force, Army, Coast Guard, Marine Corps, Navy, Reserve and National Guard spouses across the globe.

Today, young military spouse lawyers and seasoned military spouse lawyers alike are unable to obtain law licensure in Kansas unless they have been actively practicing the last five of the past seven years—which is a high ask after considering the military lifestyle. Military families are geographically insecure, moving every 2-3 years after PCS orders are issued, often including tours overseas. These PCS moves are based on the needs of the military and are mandatory for the servicemember. Although the military spouse and children can technically refuse to move with the servicemember to the new duty station, this causes obvious hardships on families already often separated by long-term deployments. When I stumbled out of the Kansas bar exam back in 2010, still confused by the rule against perpetuities essay question, I swore to myself that I wouldn’t subject myself to that level of confusion again. Obviously, this promise is completely incompatible with the demands of the military lifestyle, and as well as the legal profession, where PCS moves can take up to a year for application, character and fitness review, bar examination, and bar exam results processing.

The substance of the proposed rule currently before the Kansas Board of Law Examiners, will allow a spouse of a member of the United States Uniformed Services stationed within Kansas, who has been duly admitted to the practice of law under another jurisdiction and has not been dismissed from practice in that jurisdiction, to be admitted to practice in Kansas by admission on motion of the court, obtaining admission in a new jurisdiction to practice law under any other rule of the Supreme Court; or

(1) Has an active license to practice in at least one jurisdiction in the U.S.;
(2) Has never failed a Kansas bar examination;
(3) Presently meets the requirements of Rules 706 (educational qualifications) and 707 (character and fitness) to take the Kansas bar exam; and
(4) Has never received professional discipline of suspension, disbarment, or loss of license in any other jurisdiction;
(5) Is not currently the subject of a pending disciplinary investigation in any other jurisdiction;
(6) Is a person of good moral character and mentally and emotionally fit to engage in the active and continuous practice of law;
(7) Has not previously engaged in unauthorized practice of law in Kansas or any other jurisdiction;
(8) Is present in Kansas as a spouse of a servicemember, demonstrated by legal documentation, and a copy of the servicemember’s military orders reflecting a permanent change of station to a military installation in Kansas.

Licensure under the proposed rule would terminate if:

(1) The servicemember is no longer a member of the United States Uniformed Services;
(2) The military spouse is no longer married to the servicemember;
(3) The servicemember’s military orders reflect a permanent change of station to a military installation outside of Kansas;
(4) The military spouse attorney is admitted to the general practice of law under any other rule of the Supreme Court; or
(5) The military spouse attorney is suspended or disbarred in any jurisdiction of the United States, federal court or agency, or foreign nation before which the military spouse attorney has been admitted into practice.

The adoption of this military spouse law licensure rule in Kansas will be life-changing for military spouse attorneys at Fort Riley, Fort Leavenworth and McConnell Air Force Base. Military spouse attorneys located at these military installations with their servicemember spouse have essentially placed their legal career on hold—they are licensed to practice in other jurisdictions, ineligible for admission on motion in Kansas, and would, aside from their servicemember spouse’s military career, otherwise be ineligible.

PROPOSED KANSAS LICENSING RULE WILL EASE BURDEN ON KANSAS MILITARY FAMILIES

BY KATHERINE LEE GOYETTE, DEPUTY DISTRICT ATTORNEY, PUEBLO, CO
Career Opportunity
ASSOCIATE POSITION AVAILABLE

AV-rated Topeka law firm seeks an associate with experience and/or strong interest in estate planning, probate, trust administration and business transactions. Preferred candidates will be licensed Kansas attorneys with some experience and client base plus strong ties to Topeka. Apply in confidence and mail introductory letter, resume and writing samples to: Newbery, Ungerer & Hickert LLP, 2231 SW Wanamaker Rd., Ste 101, Topeka, KS 66614.

Long-term TBA member passes

William R. (Bill) Vincent, 70, died in Topeka May 26, 2016. He was born January 18, 1946, in Lakin, KS, the son of Todd and Florine Vincent. A graduate of Lakin High School, Bill continued his education at Kansas State University, where he was graduated with a degree in economics in 1968, and from the Washburn University School of Law in 1971. While in law school, Bill was editor of the Washburn Law Journal and was active in the Washburn chapter of Phi Alpha Delta Legal Fraternity. Upon graduation from law school, Bill served as an assistant Shawnee County district attorney, prosecuting numerous criminal cases before leaving that position to pursue the private practice of law, which culminated in his solo practice of William R. Vincent, PA. In addition to his law practice, Bill participated in numerous professional activities, including as a former president of the Topeka Lawyers Club, a membership he enjoyed throughout his career. Bill also served as a judge pro tem for Shawnee County Juvenile Court. On June 24, 1967, Bill married the love of his life, Sheryl L. Bostrom, the daughter of Lennus and Frances Bostrom, Lakin, a marriage lasting nearly 49 years. He was predeceased by both of his parents and father-in-law, Lennus Bostrom, and his beloved dog, Bronze. Besides Sheryl and Frances Bostrom, Bill is survived by brothers Thomas D. (Karen) Vincent, Lakin; David D. (Cathi) Vincent, Elizabeth, CO; and Robert E. (Tina) Vincent, Lakin; and nephews Jerry E. (Oranuch) Vincent, Chiang Mai, Thailand; Douglas T. (Traci) Vincent, Auburn; and Eric M. Vincent, Albuquerque, NM; and nieces, Jamie A. (Juergen) Schweizer, San Jose, CA; Tiana Stebens and Tiara Stebens, both of Lakin; and two grandnieces and four grandnephews. Besides his brothers and family, Bill loved golf, the law, his weekly visits to The Health Club, and the numerous instant friends he made who were drawn to what can only be described as his magnetic personality and generosity toward all who came in contact with him. The family wishes to express heartfelt thanks to nephew Doug Vincent for his many hours of constant care-giving and support in Bill’s time of need. Equally, the family thanks Dr. Camille Adeimy and the staff of Stormont-Vail Healthcare and Midland Care for all of their caring and thoughtful work during Bill’s final illness. Also, a special thank you to long time friend Ron Keefover for being with us throughout this journey. Cremation is planned. A date for a celebration of Bill’s life will be announced later. In lieu of flowers, donations may be made to Midland Care, 200 SW Frazier Circle, Topeka, KS 66606. To leave a message for the family online, visit www.DoveCremation.com. See more at: http://www.legacy.com/obituaries/cjonline/obituary.aspx?pid=180128202#sthash.q5x5z4N9.dpuf

Reprinted from the Topeka Capital-Journal.
The Topeka Bar Association holds a variety of events throughout the year for members to network, socialize and have a great time. Look forward to seeing you at these upcoming events.

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<tr>
<th>Date</th>
<th>Event</th>
<th>Description</th>
<th>Location</th>
<th>Time</th>
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<tr>
<td>SEPT 16</td>
<td>YLD ANNUAL GOLF TOURNAMENT</td>
<td>The TBA’s YLD sponsors an annual golf tournament as its main fundraiser.</td>
<td>Cypress Ridge Golf Course</td>
<td>12:00 PM</td>
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<tr>
<td>NOV 18</td>
<td>TURKEY SHOOT</td>
<td>We aren’t really shooting turkeys, we are just giving you a chance to win a frozen one. Come check it out to see for yourself.</td>
<td>Berryton Square</td>
<td>11:00 AM</td>
</tr>
<tr>
<td>DEC 1</td>
<td>HOLIDAY PARTY</td>
<td>The TBA holds an annual holiday party in December. This is a great event for networking, socializing, and a little time for fun during a busy time of year. Come celebrate the holidays with us!</td>
<td>Governor’s Row House</td>
<td>5:00 PM</td>
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</tbody>
</table>

Welcome New & Returning Members

Jennifer Cocking
Capitol Federal Savings
700 S. Kansas Avenue
Topeka, KS 66603
270-6096
jen.cocking@gmail.com

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TOPEKA, KS 66612
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F: (785) 233-1287
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Parrish HOTELS
The effectiveness of the administration of justice depends in large measure on public confidence in the Kansas judges and courts. Publicized criticism of judges, courts, or our justice system may erode public confidence and threaten the administration of justice when the criticism is inaccurate or unjust. Additionally, because of the restraints placed on judges arising from interpretations of the Code of Judicial Conduct’s prohibition on judicial comment about pending or impending proceedings, judges often do not respond to public criticism thereby leaving the impression that the criticism is just or accurate. Therefore, the cooperation of lawyers and the bar association is sometimes necessary to quickly and fairly respond to inaccurate or unjust criticism of judges and courts that may erode the public confidence in the judicial system.

My point in sharing this is to buttress my belief that we, as members of this esteemed bar association, have a duty to take a stand in these tumultuous times and to defend the judges and courts of our state. Notwithstanding that each of us may lean one direction or another politically, or that we might sometimes disagree with certain rulings of a given judge or court, we must, nonetheless, use our singular and collective voices to advocate for fair and impartial courts that remain unconstrained by political sway and public opinion. To quote President Eisenhower’s wisdom in an interview given nearly six decades ago:

"The great overwhelming mass of America believes that our courts and the respect for our courts must be sustained. The people that are defying the Courts are doing so under a very mistaken notion of what can happen, because if we can with impunity defy successfully the orders of the court in one regard, we can in all regards... Courts are our bulwarks, our shield against autocratic government."

As attacks on the courts and judiciary become even more pervasive, your TBA board will discuss what responses are appropriate under our policy. Meanwhile, I urge each of you, personally, to adhere to the TBA Standards of Professional Courtesy, one provision of which requires being “courteous, respectful, and civil when discussing opinions or decisions of the court, ever mindful that a position articulated by a judge is the result of that judge’s earnest effort to interpret the law and the facts correctly and that the public’s perception of the system is vital to the continued trust in our profession.”