

Professionalism Awards



Joel P. Hazel
Witherspoon Kelley
(Coeur d'Alene)

FIRST DISTRICT

Joel Hazel served on the Idaho State Bar Character and Fitness Committee from 2002-08, and then later the Professional Conduct Board from 2008-14. He also earned the Service Award in 2010. He currently serves as an ISB appointed Judicial Council Member.

Ideals

"It has always been modeled to me that you should extend professional courtesies so long as it does not prejudice your client. You will eventually need an extension or stipulation from opposing counsel. I endeavor to return phone calls, emails and respond to letters in a timely manner. There is no substitute for preparation and staying organized."

Inspirations

"My grandfather, Harry Hazel, was a lawyer and court commissioner in Yakima, Washington, for many years and was a true gentleman and

role model. I have been fortunate to have excellent mentors and role models in civility at both the Kootenai County Prosecutor's office and at Witherspoon Kelley."

Lessons and tips

"Don't accept every invitation to be contentious. Chest-thumping letters about whether to set a deposition on Tuesday or Wednesday or accusing opposing counsel of improper motives are almost never productive to the process or your client."



Anthony C. Anegon
Aherin, Rice & Anegon
(Lewiston)

SECOND DISTRICT

Tony Anegon's primary practice areas are worker's compensation, personal injury and criminal law.

Ideals

"I believe treating clients with respect and honesty is most important as it makes it easier to be an effective advocate for them. This attribute obviously applies to colleagues, judges, court staff and others involved in this profession, but it starts with your clients.

Every other good professional attribute one should have (including commitment, civility and fairness) flows from this."

Inspirations

"There was no particular one thing that was influential. Starting the practice of law in the Second Judicial District was certainly a major benefit to me early on as the local bench and bar were, and are, a welcoming, respectful and conscientious group making the practice much more enjoyable. I am not saying it isn't the same in other districts, but it has been a pleasure working here."

Lessons and tips

"Be committed to your clients. If you cannot be committed to clients in your representation of them, you will have problems. Be nice. You do not have to be a jerk to be an aggressive lawyer. You can be nice to all involved in our profession and still be a very effective advocate. Keep business and personal separate. This is sometimes hard to do, but taking things personally or making even implied personal attacks on colleagues is a bad way to be an advocate. Do not write and send letters or emails while angry. Reflect on what you have written before sending so you do not send something you will later regret."



William H. Wellman
Wellman Law Offices
(Nampa)

THIRD DISTRICT

Bill Wellman practices criminal defense, tort and family law in the solo practice he has built since 1980. He received the ISB Pro Bono Award in 1987 and he served as an ISB Commissioner including time as President.

Ideals

"History in the practice has taught me that competence, trustworthiness and dependability are critical to an attitude and reputation as a professional. I liken my practice to a first responder and in that sense, being able to correctly assess the matter at hand is imperative. I touch lots of files in my work as a defending attorney and child support attorney. I learned about being punctual from my dad. He had a regular routine each day. He was always up very early and on the job by 8 am. He also was a selfless person. He sacrificed much to raise his younger siblings in the depression and even late in life took

time for my grandmother almost every Sunday. By examples he set, I seem to get to court on time and expect that I will be prepared. Nothing less would be acceptable in our household.”

Inspirations

“I was the youngest in the family and my two brothers were natural role models. With very different personalities, they are now retired physicians. Jim was the one who taught me that adversity was only a minor bump in the road to success. He went through about 10 major surgeries before he was 15 in order to arrest a rare disease, scleroderma. Despite all of the long hospital stays he managed to be a stellar athlete and a college scholar at Marshall University and West Virginia University Medical School. He never gave up on his goal set at a very early age to be a doctor.”

Dave, on the other hand, is a brilliant thinker and communicator. He has opened my mind to consider changing my attitude towards doing things the way they have always been done.”

Lessons and tips

“Do not make promises about cases that you cannot deliver. Call clients back. It is a lot better to tell someone the work is not done rather than to leave them wondering what is going on.

Court clerks are your best friends, especially in small counties. As many lawyers have said before my time, ‘It takes years to build a good reputation and about five minutes or less to destroy one.’ Think carefully about the long term consequences of your conduct every day.”



James J. Davis

*James J. Davis Law Firm
(Boise)*

FOURTH DISTRICT

Jim Davis practices in areas of law associated with defense of local Idaho governments and their elected officials and employees in civil rights, employment, and tort litigation.

Ideals

“Integrity, compassion and humility. Integrity is pivotal. Our reputations are built on it. For me, integrity embodies most of the other attributes generally regarded as professional, e.g., hard work, competence, diligence, and good judgment. Also critical to a meaningful practice is compassion for others. Treating others with respect has its own personal rewards, while also fostering a constructive

environment in which to practice. Likewise important is humility. Understanding that each of us has worth provides balance in what can otherwise be a very self-serving, competitive profession.”

Inspirations

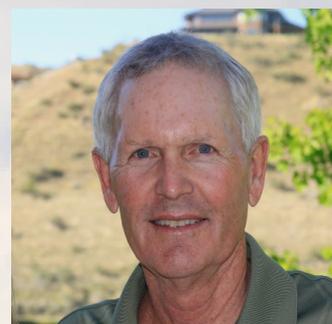
“The foundation for what inspired me to practice the way I do is the values my parents provided. They were innately good and decent people who instilled personal integrity, respect for others and social consciousness in their children.”

“In high school, I started running errands for the Boise law firm, then known as Eberle, Berlin, Kading, Turnbow & Gillespie, Chtd., where I eventually practiced law for over a decade. The many excellent lawyers in that firm were, and many remain, my role models and mentors. From them I learned how law should be practiced. In particular, I am grateful to Jim Gillespie for stressing the importance of character. I have also been very fortunate to observe the character and practice habits of so many other lawyers and judges for whom I have the utmost respect. I have attempted to emulate each of them.”

Lessons and tips

“To newer attorneys, observe and mirror the character and attributes

of attorneys and judges you admire. To all of us, this is trite, simple, but true: We reap what we sow. Integrity promotes trust; compassion promotes empathy; and humility promotes respect. Finally, since the nature of the work we do can be stressful, it has to be balanced with humor and fun. Find balance!”



Hugh V. Mossman

*Mossman Law Office, LLP
(Boise)*

FOURTH DISTRICT

Hugh Mossman practices in the worker’s compensation and Social Security disability areas. He served on the Professional Conduct Board from 1991-97.

Ideals

“Most important are integrity, honesty, common sense, and the ability to organize.”

Inspirations

“My father, also an attorney, was a wonderful inspiration both professionally and personally.”

Lessons and tips

“Try to maintain a proper balance with your profession, family and personal life.”

Professionalism Awards



Michael F. McCarthy
Idaho Legal Aid Services
(Twin Falls)

FIFTH DISTRICT

Michael McCarthy's practice focuses on advocating for low income persons, primarily in the areas of housing, social security disability, Medicaid, elder law and guardianship. He was recognized with the Idaho State Bar Service Award in 2009.

Ideals

"I try to focus on the interest of the client and judge every action I take in terms of whether it advances that cause. Being civil tends to advance that cause more than being a jerk."

Inspirations

"Atticus Finch in *To Kill A Mockingbird*. And a fear of living in my car."

Lessons and tips

"Remember what got you into the practice of law in the first place and if it's no longer enjoyable go for a long bike ride."



Reed W. Larsen
Cooper & Larsen
(Pocatello)

SIXTH DISTRICT

Reed Larsen practices general litigation, defense, injury and liability law. He was recognized in 2009 with an ISB Service Award, he served on the Access to Justice Idaho Committee and the Judicial Fairness Committee. He has also served a three-year term as an ISB Commissioner for the Idaho State Bar, including time as President.

Ideals

"I believe patience, perseverance and preparation are all important. I have done more with hard work than talent or intelligence. I enjoy helping people as a lawyer and feel we should always remember we are there to help people in difficult times."

Inspirations

"The people I have worked with as a lawyer have inspired me to practice the way I do. My partner Gary Cooper is always a great example of how a lawyer should practice law. I received

great training as a young lawyer from Bill Olson and others. I remember times when lawyers like Ken Lyon, Buck Hiller, and Ted Pike gave me help and advice that has lasted throughout my career. I will always be grateful for their advice and counsel."

Lessons and tips

"I hope that other attorneys view me as being accessible and a resource for mentoring. I also hope that other attorneys view me in a way that is approachable and helpful. In the end I enjoy being a lawyer and a service to my profession and community."



Royce B. Lee
Royce B. Lee Law Office
(Idaho Falls)

SEVENTH DISTRICT

A solo practitioner whose practice areas are as diverse as family law, real estate, business, estate planning and personal injury cases, **Royce Lee** earned the Pro Bono Award in 2000.

Ideals

"To properly understand and serve clients, we need to actively listen, not only to their words, but to the emotions be-

hind the words, and then to the ultimate message about the client's needs. Imagine yourself in the client's chair, with the client's problems and circumstances, and then focus on how to help that unique client. Always show respect to the opposing attorney and judge. It is the facts and the law of the case that will be the enemy or the friend for your client. Honesty with others is not just the best policy; it is the only policy for a professional."

Inspirations

"Since the first day of law school I have been impressed with the ability and opportunity the law has to protect individuals and improve our world. I try to do that one client at a time. My inspiration has come from watching other professional attorneys pour their heart and soul into serving clients, serving the legal system, and serving as leaders and volunteers in their communities."

Lessons and tips

"I have learned to keep learning about law and about life every day. Have a positive attitude about law practice and decide to enjoy each day that you have the opportunity to be a lawyer. Remember to reach out to the new generation of lawyers to give them the inspiration they will need. Focus on serving your clients' needs, not whether the client can, or is, paying your bill. Good service will always provide a proper income in the long run, better than good bill collecting."



David K. Robinson, Jr.
David K. Robinson, Jr.
Attorney At Law
(Coeur d'Alene)
FIRST DISTRICT

This 2015 pro bono award is given for **David Robinson's** work in a guardianship case that began in February 2010. Mr. Robinson represented a mother in a highly contentious and convoluted matter involving her minor child and another relative who was seeking guardianship. The case involved mountains of pleadings, numerous hearings, repeated efforts at mediation and a great number of witnesses and counselors, teachers, medical caregivers and special needs providers. Thanks to the amazing dedication of this volunteer, his client's objectives were ultimately achieved and mother and child are doing well. Mr. Robinson donated hundreds of hours of his time — conservatively valued at over \$50,000 — to provide access to the judicial process for this mother. A pro bono award may seem to be very small thanks for such an extraordinary effort, but the Bar and its members must recognize the necessity of a volunteer in these kinds of matters and thank Mr. Robinson as best we can.



Howard A. Funke
Howard Funke &
Associates, PC
(Coeur d'Alene)
FIRST DISTRICT

The primary reason for this nomination is the culture of pro bono that **Howard Funke** fosters within his firm. This is evidenced by the encouraging of associates to participate in Bar activities and in choosing pro-bono cases to appear in local courts on behalf of Idahoans who are financially disadvantaged.

Attorney Kinzo Mihara shared this remark, "I remember being assigned to interpret an out-of-state will when the elderly testatrix, who now resides in Idaho, had questions regarding the enforceability and recognition of her will. I know that the elderly lady was expecting to pay for the services rendered, but I also know that Howard knew her to be of limited means. After meeting with the client and answering her questions, I asked Mr. Funke on how I should bill the time spent on the matter – his answer: "pro bono."

Honestly, I cannot remember a single time when Mr. Funke has turned down a request from me or one of this firm's other attorneys when approached with a request to do pro-bono work. I do not know of many firms, small firms especially, where such dedication to pro-bono is fostered and encouraged."



Deborah L. McCormick
McCormick Law Office
(Moscow)
SECOND DISTRICT

Family law cases often involve difficult emotional issues that take considerable time to resolve. **Deborah McCormick** had already represented a mother for a couple of years in an ongoing pro bono custody case when, in May 2013, she agreed to take on representation of the same client who was then seeking termination of the father's parental rights. Ultimately the termination case was dismissed and the focus reverted back to the custody proceedings. However, having a court-appointed attorney for the incarcerated father in the termination case helped him understand what were and were not reasonable expectations on his part. That work, in turn, helped Ms. McCormick's client feel comfortable with dismissing the termination case. Ms. McCormick reported 33 hours donated to this particular phase of the custody dispute but, significantly, also observed that "things have gone smoothly since."



Reese E. Verner
(Nampa)
THIRD DISTRICT

The Idaho Volunteer Lawyers Program (IVLP) nominates **Reese Verner** for a “Lifetime Achievement Award” for his pro bono service. Mr. Verner claims that he retired this year. We cannot confirm that, but we do know that Mr. Verner served as pro bono counsel on 23 IVLP pro bono cases between 1995 and 2014. Most of these cases were guardianships and all were for low-income individuals in the Third Judicial District. Mary Hobson, who has recruited attorneys for pro bono cases for the past nine years commented, “Mr. Verner was always so gracious and always said ‘yes’ when we asked him to serve as pro bono counsel. He helped many families through the years and he will be sorely missed.”



Barbra Ferre
*Canyon County
Public Defender
(Nampa)*
THIRD DISTRICT

Barbra Ferre was a relatively new member of the Idaho Bar when she took on the representation of a rural Canyon County mother who was seeking modification of a custody order. The couple had two pre-teen children who were in the mother’s primary care but who spent most weekends with their father. Unfortunately, the abusive and irrational behavior that caused the initial breakup between the parents continued. One evening, while the children were visiting their father, Ms. Ferre’s client received a call from the police asking her to pick up the children because their father was being arrested and his new wife — who was the victim of the father’s latest abuse — did not want the children. A short time later the father was arrested on other charges when he attacked Ms. Ferre’s client’s new husband when he attempted to pick up the children. Ms. Ferre spent 60 hours on this pro bono project while managing to negotiate a settlement that achieved her client’s objectives in the modification case and added stability to the lives of these young children.

IVLP also wishes to recognize Kerry Michaelson who agreed to act as Ms. Ferre’s mentor on this matter.



Scott L. Rose
(Boise)
FOURTH DISTRICT

In May of 2014, **Scott Rose** took on three separate cases - custody, child support, and guardianship - for one pro bono client who was incarcerated in the South Boise Women’s Correctional Center. Mr. Rose donated more than 230 hours to these matters for a client whom few volunteers would consider, due to her criminal law and mental health issues. Since her legal problems concerning her children were civil in nature, without Mr. Rose she would have no ability to present her case in the administrative proceeding and in court matters. Mr. Rose was able to resolve her child support matter and her custody case. He remains attorney of record on the guardianship. Mr. Rose’s willingness to help this client and many others through some of the most difficult matters imaginable makes him more than deserving of the award, although he would be far too modest to admit it.



Theodore Steven "Ted" Tollefson
*Office of the
Attorney General
(Boise)*

FOURTH DISTRICT

In December 2013, **Ted Tollefson** agreed to assist a mother with a custody modification case concerning her daughter. The parents had been in a high-conflict custody battle over their now 12-year-old child since separating in 2003. Her own experience with the father had been both emotionally and sexually abusive. Although her daughter was now complaining of similar issues with the father, the mother was not able to obtain help for her and was gradually being isolated from the daughter and pushed out of decisions concerning her mental health care. When the mother finally obtained a protection order for the child, the father responded with yet another modification petition—this time for sole legal and physical custody. He was being represented by able and tenacious counsel. It was at this point that Mr. Tollefson stepped in. He expended over 150 hours in defending the protection order for the child on appeal, appearing in court numerous times and prepared the case for trial, including dealing with expert witnesses, home studies and various motions. Ultimately Mr. Tollefson managed to negotiate a settlement agreement that resolved the issues to the mother's satisfaction, all in a manner that protected the best interests of the child. The client described her reaction as "ecstatic."



Kersti H. Kennedy
*Stoel Rives, LLP
(Boise)*

FOURTH DISTRICT

Kersti Kennedy agreed to represent a mother in a custody case involving her two pre-teen children. The family history was a difficult one. The mother was the primary breadwinner, but the father was a poor stay-at-home dad. He often neglected to change diapers and failed to feed the children regularly. When the mother's 14-year-old niece came to live with them, the mother was relieved that someone she could trust would be looking out for the children while she worked. Unfortunately, she misjudged the situation. At first she only noticed behavior she considered "odd," but when she found the father and niece had been exchanging sexually explicit materials through texting, she contacted police. Eventually the father was convicted of lewd conduct with a person under age 16 and was sent to prison. His prison experience did not go well. He repeatedly committed acts that prevented his parole and in January 2014 was given another tentative parole date. It was at that point the mother decided she had to have a custody order that would protect her children, particularly the younger daughter. Ms. Kennedy agreed to help her. The father responded seeking a 50/50 arrangement that the mother found totally unacceptable. Through Ms. Kennedy's efforts, which included the donation of 45 hours of service in litigation and negotiations, the mother was able to obtain a custody order that achieved her objectives for protection of the children. Ms. Kennedy also agreed to continue to stay involved to help with any issues in enforcing the custody order. Ms. Kennedy reported to IVLP that "[mother] was a great pick for a client for me. I think she's on her way to really improving her life."



Joe R. Larson
(Boise)

FOURTH DISTRICT

Joe Larson was new to the Idaho Bar, but not to the practice of law. In September 2013, he agreed to assist a Boise man with an eviction that followed a bank foreclosure. The client was the homeowner but had not been able to stop the foreclosure and was now faced with having to move out of his home. Mr. Larson describes the client as “difficult” in that he had both physical and mental health issues and was “a very poor historian” (meaning he could not remember what had happened in the communications with the bank and that he had difficulty communicating with the bank and with Mr. Larson). From a legal perspective there would be no solution that offered the client the opportunity to stay in the home. What the client needed was time to figure out where he could go and obtain cash to be able to move. Mr. Larson was able to negotiate with the bank’s counsel to achieve those goals. More importantly, he was able to help the client work through the anger and frustration he had developed in the years that led up to this crisis. But it was still not an easy case. The bank’s counsel had agreed to pay a sum in cash to the client, but then retained half of the sum until the home was inspected and deemed to be in good shape. Mr. Larson received word that the house had not passed inspection. He was forced to round up the client and take him to the home to determine what was to be done. Then he tracked down helpers for the client to get the home in shape — he says he drew the line at actually doing the cleaning. The client ultimately received all the promised cash. At times the client was angry with Mr. Larson that he had not saved his home but after the matter was concluded, he realized he had been relieved of a burden that had been holding him back and he was most appreciative of Mr. Larson’s service.

IVLP would also like to acknowledge Sunrise Ayers of Idaho Legal Aid Services who acted as Mr. Larson’s mentor since post-foreclosure evictions were not part of his prior experience.



Kirstin K. Dutcher
Lawson Laski Clark & Puge,
PLLC
(Ketchum)

FIFTH DISTRICT

Kirstin Dutcher volunteered to represent a low-income mother from Hailey in a custody and paternity action. Her client was the defendant who was impregnated by a neighbor—a married man with several sets of children born out of wedlock. Ms. Dutcher found the background of the relationship very disturbing, to the point that she concluded that the neighbor was physically and verbally assaulting the client at the time she became pregnant. He was upset that the mother had put his name on the birth certificate and was asking for support, so he retaliated by filing a custody action seeking a 50/50 shared custody arrangement under which the child would spend six months with the father and six with the mother. The baby was only three weeks old at the time this action was filed. Ms. Dutcher reported to IVLP:

“[A]s a mother, I was shocked that he would request separating child from his mother during this very important time of attachment. The father was calling the police to take the baby away from her. The father and mother lived in government subsidized housing and his harassment made her feel very insecure and unsafe. I took the case knowing that the plaintiff was a litigious individual representing himself in many civil cases and taking a criminal case of statutory rape to trial.”

It was a hotly contested matter that involved questions of support, custody, and child safety and well-being. The child’s father was zealously

(cont.) represented by retained legal counsel who argued that a father can raise an infant and that there would be no emotional damage to the infant if it was taken away from his mother for long periods of time. The parties had a child evaluation conducted and several motions were heard in front of the court. Ultimately, Ms. Dutcher was able to negotiate a settlement agreement that accorded her client primary physical and residential custody and allowed supervised visits for the father following a graduated schedule. The planned schedule provided for the father's time with the child to increase in stages, assuming that he complied with the requirements of each successive stage of the plan. This arrangement served the best interest of the child without hindering his ability to attach to the primary parent. Ms. Dutcher also succeeded in negotiating a satisfactory child support arrangement on behalf of the mother. This kind of matter can be difficult and time-consuming, but is terribly important to the clients. Those who cannot afford to pay legal counsel often suffer, especially where the other parent is represented. Ms. Dutcher reported donating 84 hours on this case.



Kenneth E. Lyon
(Pocatello, ID)
SIXTH DISTRICT

In November 2014, **Kenneth Lyon** closed a bankruptcy case for a Pocatello man who had filed a Chapter 7 bankruptcy. He spent 12.75 hours on this project. Mr. Lyon also closed a bankruptcy for another Pocatello man in October 2014; he donated 10 hours on that case. A bit earlier in October 2014, he closed a bankruptcy file for a woman who lived in Pocatello. The client had decided not to pursue her case, so Mr. Lyon reported only 4 hours in connection with that matter. Handling three pro bono matters in a single year would easily qualify Mr. Lyon for a pro bono award. Although debtors often attempt to file without representation, many debtors (and not a few attorneys) find the federal bankruptcy court's terminology, procedures and rules overwhelming. Having an experienced attorney like Mr. Lyon determines whether a person will achieve the benefits of a bankruptcy discharge in many cases. Mr. Lyon deserves a pro bono award for his work in 2014, however, if we step back a bigger picture emerges. Since 1993, Mr. Lyon has worked with IVLP on 51 pro bono cases. He has one open now and his extraordinary generosity has made a huge difference in the lives of many people in his community.



Shane T. Reichert
Kumm & Reichert, PLLC
(Pocatello)
SIXTH DISTRICT

Shane Reichert graduated from Gonzaga University School of Law in 2006 and joined Kelly Kumm as a partner in 2013. At that time the firm became known as Kumm & Reichert, PLLC. Mr. Reichert focuses his practice on criminal defense, family law and personal injury; though he is extremely busy, he is always prepared and willing to fight hard for the children as a Court Appointed Special Advocate (CASA) volunteer. Mr. Reichert has taken more than one case at a time and volunteers ask to have Mr. Reichert represent them, as he has the reputation of being a wonderful pro bono attorney.



Stratton P. Laggis
Kumm & Reichert, PLLC
(Pocatello)

SIXTH DISTRICT

Stratton Laggis recently became an Idaho licensed attorney and is an associate attorney at Kumm & Reichert, PLLC, which houses the only actively practicing three-generation attorney family in Idaho. Upon graduation from the University of Idaho College of Law in December of 2013, Mr. Laggis jumped right into his commitment to volunteer. Individuals who he has represented through the Court Appointed Special Advocate (CASA) program have commented that he is very hands on and offers his expertise on how the volunteer approaches their investigation and writes their reports. Mr. Laggis took two cases right away and the volunteers really enjoy working with him.



Bryce C. Lloyd
Blaser, Olesen & Lloyd,
Chartered
(Blackfoot)

SEVENTH DISTRICT

Bryce Lloyd agreed to represent a father who had been his daughter's primary caregiver since the girl was removed from her mother's home by Child Protection Services five years previously. He had also been granted full custody by the court. However, the mother had recently filed for modification and Mr. Lloyd's client felt he was simply not able to effectively litigate the case without help. He was probably right. The case was a difficult and complex one that involved allegations of sexual abuse of the minor child and criminal charges against the mother, who had retained her own attorney. Mr. Lloyd generously donated considerable time as well as travel to see the matter through a contested proceeding that resulted in a court order in favor of his client, enabling him to retain custody and protect the child.



Charles E. Cather III
Moffatt Thomas
(Idaho Falls)

Guardianships for minor children can often be straight-forward matters where everyone agrees a guardian is needed and that the right person has agreed to take on the responsibility. The case that **Charles Cather** and **Benjamin Ritchie** undertook was no such matter. Their case involved a 14-year-old boy whose mother had passed away seven months prior. The boy's adult half-brother had moved back to Idaho to care for him and get him into counseling to cope with the loss of his mother. The boy had little relationship with his father (seeing him rarely prior to his mother's death), yet suddenly the father reappeared and pulled the child out of counseling, taking him on a "road trip" for roughly a month. When they returned to Idaho, the boy was able to escape and reunite with his half-brother. The father called the police, who were not convinced the boy should return to his father. Police urged the half-brother to file for guardianship, and he was able to do so with the help of Cather and Ritchie. The boy's father arduously opposed the guardianship, which involved two contested hearings and numerous witnesses. Eventually these generous volunteers prevailed and the brothers were united in a permanent guardianship under which the boy felt comfortable and secure.



Benjamin C. Ritchie
Moffatt Thomas
(Idaho Falls)

SEVENTH DISTRICT