

PRESIDENT'S MESSAGE

# It Takes a Village: We Must Empower the Collective

By Lisa Whittaker, Employment, Compliance, and Litigation Counsel, EXPRESS, LLC



*"Alone we can do so little; together we can do so much,"*  
Helen Keller

I am extremely honored to serve as the President of the OWBA for the 2019-2020 year. The continued success of the organization is only possible if we empower the collective – seasoned professionals, new attorneys, and many others throughout the state. Leading this organization will be no small feat, and I am truly honored to join the ranks of the many wonderful women who came before me. I would like to thank OWBA Past President Lisa Kathumbi for inviting me to join the OWBA Board, and Marilyn McClure-Demers for having more faith in me than I had in myself.

As I reflect on the planning of the 2019 Annual Meeting and Conference and the many hours of preparation, I feel pure joy. A special thank you to the Honorable Yvette McGee Brown for conducting the swearing-in ceremony this year. I am also incredibly thankful for the support of Immediate-Past President Tara Aschenbrand and the moderators, panelists, sponsors, attendees, and all others who volunteered their time to make the conference a success.

There were several moments during the conference that highlighted the importance of not traveling the

road alone. This year's keynote speaker, Stacy Siegal, EVP and General Counsel, American Eagle Outfitters, Inc. shared seven (7) steps to a successful life and career. Ms. Siegal's words were thought provoking, encouraging, and relatable. Ms. Siegal encouraged each of us to, (1) Take care of ourselves; (2) Network with everyone, not just attorneys; (3) Know that our career path may look like a jungle gym; (4) Stay positive and confident; (5) Love what you do; (6) Embrace your super powers; and (7) Give back to others. We appreciate Ms. Siegal taking time out of her busy schedule to support the OWBA!

The panel moderated by Barb Smoot with WELD entitled, "The Power of Connection: Forget a Mentor, Find a Sponsor" also touched on the importance of community. The panel featured pairs of attorneys – a Sponsor and a Sponsee. The Honorable R. Guy Cole (United States Court of Appeals for the Sixth Circuit) and Magistrate Kimberly Jolson (Joseph P. Kinneary U.S. Courthouse); Marilyn McClure-Demers (Nationwide Insurance) and Lisa Kathumbi (Bricker & Eckler); and John Stephen (Porter Wright Morris & Arthur) and Leigh Anne Benedic (Porter Wright Morris & Arthur) shared insights about how a mentoring relationship evolves into a sponsorship through trust, hard work, and a mutual desire for

advancement. Each panel member spoke about the importance of fostering relationships. The heartfelt discussion left the audience members in awe, questioning the status of their sponsorships and next steps.

In the coming months we look forward to continuing conversations about mental health, overall wellness, diversity, and many other hot topics! The OWBA and OWBF will host a newly-created joint celebration on Thursday, September 19, 2019, followed by the annual Leadership luncheon on Friday, September 19, 2019, followed by the OWBF's kick-off for the 2019-2020 Leadership Institute program.

Please enjoy the summer months with your family! We look forward to reconnecting in the fall! ■

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## 2019 Annual Meeting & Conference

On May 2-3, 2019 in Columbus, Ohio, OWBA and OWBF hosted the 2019 Annual Meeting & Conference at the Nationwide Hotel and Conference Center. This year's event was a success, providing all in attendance with the opportunity to participate in educational sessions, network with industry peers and be inspired by keynote speaker Stacy Siegal, EVP and General Counsel at American Eagle Outfitters, Inc.

Over the two-day conference, we had an amazing lineup of CLE sessions with topics including physical and mental wellness, sponsorship, initiatives to drive diversity forward, how women in the law are impacting the legal landscape, and more! Thank you to all of our moderators and panelists for presenting on these topics and providing invaluable knowledge to all of our attendees.

The fifth annual Government in Action Reception, an integral part of the Annual Meeting & Conference,

took place at the end of Thursday's CLE sessions. The Government in Action Reception was designed to honor a woman who has demonstrated strong leadership by promoting opportunities for the advancement of women and been influential in the public sector and in the community she serves. This year, we honored The Honorable Nancy Hardin Rogers. Dean Hardin Rogers shared her remarkable story with us, and was joined by Director Sheryl Creed Maxfield, Ohio Department of Commerce and Associate Dean Kathy Seward Northern, The Ohio State University Moritz College of Law, for a moderated conversation. Congratulations to Dean Hardin



*OWBF Law Student Scholarship recipient Hayley Mise poses with Perez & Morris LLC's Amanda Morris and Sarah Perez, who sponsored this year's scholarship.*

Rogers, and thank you to Director Creed Maxfield, Associate Dean Seward Northern, Judge Noceeba Southern, and the OWBA Government Subcommittee for hosting a wonderful reception.

The Annual Meeting Luncheon marks the start of a new year for both OWBA and OWBF, and serves as a time for reflection of the past year.

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*2019-20 OWBA President Lisa Whittaker welcomed all to the Annual Luncheon.*



*Stacy Siegal, American Eagle Outfitters, Inc., inspired all with seven steps to a successful career.*

*(Continued from page 2)*

We are very thankful for the service and dedication of the 2018-19 board members. 2018-19 was a special year of new initiatives, and our boards drove both associations into a brighter future, led by OWBA Past-President Tara Aschenbrand and OWBF Past-President Leslie Wargo. With

the installation of the newly elected 2019-20 officers, we are excited to welcome new OWBA President Lisa Whittaker and new OWBF President Yukiko Yee. We also had the opportunity to hear from keynote speaker Stacy Siegal, EVP and General Counsel at American Eagle Outfitters, Inc., who shared with us her inspirational story and lessons, for both business and life.

A sincere thank you to all of our sponsors for helping us host a successful event with exceptional CLEs and programming, and thank you to all who attended the 2019 OWBA-OWBF Annual Meeting & Conference.

Save the date for the 2020 OWBA-OWBF Annual Meeting & Conference on April 30 – May 1, 2020 at Nationwide Hotel & Conference Center! ■



2019-20 OWBA President Lisa Whittaker and 2019-20 OWBF President Yukiko Yee were installed into office at the Annual Luncheon.

## Member Benefit – Charity

*Are you using all of your OWBA member benefits?*

Give back to the community.

Throughout the year, OWBA offers various charity events to participate in, such as the Mid-Ohio Foodbank, YWCA and more.

View all OWBA member benefits at [www.owba.org/memberbenefits2](http://www.owba.org/memberbenefits2).



## Save the date for OWBA’s 2020 Annual Meeting & Conference

Save the date for OWBA’s 2020 Annual Meeting & Conference! Stay tuned at [www.owba.org/events](http://www.owba.org/events) for more information about educational sessions and the announcement of our keynote speaker. ■



2020

ANNUAL  
MEETING & CONFERENCE



April 30 – May 1, 2020 • NATIONWIDE HOTEL & CONFERENCE CENTER

## 2019 Diversity & Inclusion Award Recipients

Diversity and inclusion is a popular discussion topic, but putting it into practice is not always done. We are honored to recognize the accomplishments of individuals and organizations that not only put diversity and inclusion efforts into practice, but make it a priority in their personal and professional lives. Awards were presented at the 2019 Annual Meeting Luncheon on May 3, 2019.

### Diversity & Inclusion Sponsor Award

Congratulations Bill Nolan, Columbus Office Managing Partner of Barnes & Thornburg, on being awarded the Diversity & Inclusion Sponsor Award. This award is presented to a legal professional who has individually championed the careers of women attorneys and the topic of diversity and inclusion. Bill is known as an authentic leader around diversity and inclusion at Barnes & Thornburg and in his community. He is most recognized for his work around gender bias with the partnership between Barnes & Thornburg and The Women's Fund of Central Ohio. Bill is known for taking diversity and inclusion initiatives past a recruiting tool, and implements it in every workday by ensuring all client teams are diverse, and continuing to provide working parents with appropriately challenging assignments that benefit their work life, but also provides time for their personal life.

### Diversity & Inclusion Champion Award

It is our pleasure to recognize Littler Mendelson as our 2019 Diversity & Inclusion Champion Award

recipient. This award recognizes a company, firm or professional organization that has demonstrated leadership and sustained commitment to diversity and inclusion. Since their foundation, Littler believes that a culture prioritizing inclusivity leads to better outcomes – both for their firm and their clients. Littler has increased their number of women and diverse lawyers, and many have been promoted through leadership ranks. The 2018 Board of Directors consisted of seven female shareholders (an increase of two from 2017), two LGBTQ shareholders and three minority shareholders. In 2018, seven of the 15 shareholders promoted to equity shareholder were women. The firm also elevated 28 attorneys to non-equity shareholder, 15 of whom were women.

### Diversity & Inclusion Committee

The Ohio Women's Bar Association and Ohio Women's Bar Foundation strive to promote and lead the movement for diversity and inclusion of women attorneys. OWBA's

Diversity and Inclusion Committee adopted a mission and vision statement to highlight our efforts in advocacy.

#### Mission

*To promote greater inclusion in the OWBA and OWBF by increasing diversity of our boards, committees and membership, through recruitment, retention, leadership development and programming for women attorneys which focuses on issues unique to and which impact diverse women attorneys across all dimensions of diversity including race, ethnicity, religion, disability, veteran status and regardless of background and/or affiliation.*

#### Vision

*To be the most respected and impactful bar association advancing in promoting women attorneys with a focus on diverse women attorneys including women of color, in Ohio, leading the effort for a more inclusive association and practicing bar in the state of Ohio and nationwide. ■*

## Erin Rhinehart, Faruki PLL, Featured in "Women of GRIT"

Erin Rhinehart, partner at Faruki PLL, was featured in "Women of GRIT" by BBB's Women in Business Networking (WiBN) organization. Visit <http://owba.org/latestnews/7343275> to watch her video as she shares what GRIT means to her and how its changed her career.



## 2019 President's Choice and Family Friendly Award Recipients

The Ohio Women's Bar Association and Ohio Women's Bar Foundation were proud to announce the recipients of this year's President's Choice Award and Family Friendly Award, presented at the 2019 Annual Meeting Luncheon on May 3, 2019.

### President's Choice Award

Congratulations to Lindsey D'Andrea on being awarded the President's Choice Award. This award is presented to someone who exemplifies the spirit of leadership, dedication and passion for the profession and for the life-long friendships made through OWBA and OWBF. Congratulations and thank you to Lindsey for receiving this award and also organizing an immensely successful membership drive during the Annual Meeting & Conference.



### Family Friendly Award

Congratulations to Taft Stettinius & Hollister on being awarded the Family Friendly Award. This award is given to a legal employer in Ohio who best exemplifies the commitment to work-life balance arrangements and assures that lawyers can take care of their families while pursuing a successful career. Last August, Taft adopted two additional family-centered paid benefits:

Care@Work, a backup emergency child and adult care service, and Milk Stork, a breast milk storage and overnight shipping and delivery program. The introduction of these family-centered paid benefits supports an overall productive work-life balance and helps eliminate the stress of travel for new mothers. ■



# Limiting the Kinship Preference in Foster to Adopt Situations

By Ruth Kelly



An unknown author said that “family is a little world created by love.” Does this comport with the old adage that “blood is thicker than water?” Well, maybe not.

Any practitioner of adoption law can sadly tell the tale (and truth) as old as time: child gets removed from biological home. Child is placed with foster family. Child bonds with and flourishes under the care of foster family. Parental rights are terminated. Foster family desperately wants to adopt foster child. Eight, nine, 10 or more months, if not years, pass. An out of state relative who may or may not know the child, suddenly expresses interest in taking the child. Child is abruptly removed from the foster home and placed with relative. The DNA of the relative trumps all bonding, security, stability, progress and love the child has experienced. End of story, albeit a sad one.

The “kinship preference” gives relatives preference over all others for an out-of-home placement of a child

in the foster system. “Kinship” refers to relatives as well as family friends. States such as Ohio and Kentucky utilize this and recognize the importance of family bonds. Placing a child with kin should always be the first preference, assuming the kin are willing and qualified; however, most states allow for a lengthy, if not an indeterminate, amount of time in which kin may come forward while the child is in foster care.

Adoption and foster parent advocates nationwide are hailing new legislation passed in Georgia as groundbreaking and hoping such measures sweep the nation. The new law was signed into effect recently by Georgia Governor Brian Kemp. SB 167 effectively restricts the “kinship preference.” In other words, blood relatives need to speak up early if they want to take the child at issue. Specifically, “If a relative entitled to notice...fails, within six months from the date he or she receives the required notice, to demonstrate an interest in and willingness to provide a permanent home for the child, the court may excuse DFCS from considering such relative as a placement.”

In Arizona, similar legislation was passed, though specific only to drug exposed and drug dependent infants and up to age three. This legislation lets courts consider foster parents who have cared for an

infant or toddler for at least nine months as equals to the child’s family members when considering who may adopt the child. Critics argue that this time frame is not long enough for drug addicted parents to get their act together to parent. This argument then brings the “best interest” standard to mind when considering the issues of the passage of time, stability and bonding.

Georgia and Arizona are establishing that the “best interest” of a child is not always a kinship placement. Such legislation acknowledges that the removal of a child from a foster home where a bond has been established can be incredibly damaging to the child. Just when the child begins to feel stability and a sense of permanency, they are torn from the home. Again. Another bond destroyed.

Children who experience instability often suffer behaviorally, emotionally, cognitively, academically, and developmentally. By establishing stability as early as possible for a removed child, the hope is that a positive long-term outcome can be achieved. Time will tell whether this type of legislation that limits the kinship preference will have such an effect.

For additional information, click [here](#). ■

*Ruth Kelly is an attorney of counsel with Faruki PLL. She practices adoption law, representing both birth parents and adopting parents in private as well as county adoptions. She is also a foster parent.*



# Ohio Courts by the Numbers

By Beth Myers



I like statistics. I think you can glean a lot from them. They can challenge us to dig beyond the numbers, analyze what they mean, and discuss the ramifications. I

am currently researching historical statistics about women in our profession. More on that to come in a future issue...For now, I'd like to share with you some statistics from the Courts of Ohio.

There are 722 judges in Ohio – seven on the Supreme Court, 69 on the courts of appeals, 396 on common pleas courts, 214 on municipal courts, and 36 on county courts. Of these, 231 (or 32%) are women. Interestingly, the percentages are higher at the appellate level than at the trial court. Fifty-seven percent of our Supreme Court Justices are women, including the Chief Justice. On the courts of appeals, 42% are women. And at the trial court levels, 34% of common pleas judges and 29% of municipal court judges are women. Only 11% of county court judges are women. There are probably many reasons for this, and I invite you to think about it. I have some theories of my own, and perhaps we can discuss them later.

The Supreme Court of Ohio does an excellent job of collecting information about the courts and sharing that information with the public in a user-friendly form. Every year, the Court publishes an Ohio Courts Statistical Report and an Ohio Courts Statistical Summary. These can be found on the Court's website under Reports & Publications, Court

Services. In addition, the Supreme Court has real-time data available on its new Data Dashboards. The information is up-to-date, interactive, and allows data to be retrieved on a state-wide or court-wide basis. Information is also available by type of case. The link is <http://www.supremecourt.ohio.gov/JCS/courtSvc/dashboards/default.asp>. I encourage you to visit.

Here are a few statistics gathered from these resources that I hope you find interesting and that perhaps spark an interest to explore further:

- For the first time since 2007, total filings in Ohio increased in 2017 from the previous year
- Until 2017, the number of cases had been trending down every year
- 3,041,643 new cases were filed in all the courts of Ohio in 2017 (the high over a 10-year period was 3,834,842 cases filed in 2008)
- 1,828 cases were filed in the Supreme Court of Ohio in 2017 (the high over a 10-year period was 2,506 filed in 2008)
- 8,379 new cases were filed in the courts of appeals in 2017 (the high over a 10-year period was 11,362 filed in 2008)
- 642,318 new cases were filed in the courts of common pleas (all divisions) in 2017 (the high over a 10-year period was 862,173 filed in 2008)

- 2,288,077 new cases were filed in municipal and county courts in 2017 (the high over a 10-year period was 3,834,842 filed in 2008)
- 1,041 new cases were filed in the Court of Claims in 2017 (the high over a 10-year period was 1,215 filed in 2008)
- The slight increase in case filings between 2016 and 2017 is due to increased filings in the trial courts; the appellate level courts saw a decrease overall
- The number of trials in Ohio, both civil and criminal, has steadily been trending downward in the last 10 years
- In common pleas courts state-wide, there were 1,349 jury trials and 1,129 bench trials in 2018
- State-wide, the trial rate for civil cases in common pleas courts was 1.5% in 2009, and by 2018 it was down to 1%
- State-wide, the trial rate for criminal cases in common pleas courts was 3.6% in 2009, and by 2018 was down to 2.1%.

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In the general division of the courts of common pleas, total new filings for civil cases declined in 2018 from 2017, continuing the trend. And this is nearly half the number filed in 2009 (206,978 v. 113,250). Is this due to fewer foreclosure cases? An improving economy? Issues with respect to access to justice? Prohibitive costs of litigation? Probably all of the above and more.

On the criminal side, the number of felony cases in common pleas courts has remained about the same over the last decade, with a slight increase in the last few years. There were 86,118 new cases in 2009, 86,139 in 2017, and 90,337 in 2018. Perhaps this is not surprising.

State-wide, the number of probate court new filings has fluctuated up and down since 2009, with a slight increase last year (88,178 in 2009 v. 85,831 in 2018). Domestic relations cases have been trending downward (138,889 in 2009 v. 109,257 in 2018). This is particularly true of marriage terminations with children and support cases. Juvenile court filings have also been trending downward every year (314,142 in 2009 v. 224,706 in 2018). And in municipal courts, criminal cases have been trending down (641,225 in 2009 v. 566,417 in 2016 v. 562,684 in 2018), while civil cases trended back up some last year (549,821 in 2009 v. 339,871 in 2016 v. 394,212 in 2018).

As you might imagine, the number and types of cases filed in the general divisions of common pleas courts varies greatly across the state. We are a state of large, urban areas and lesser populated rural areas, and everything in between. I did a sampling of counties around the state to give

you an idea. The numbers below are for the general division of courts of common pleas for 2018:

- Hamilton County – 8,803 total incoming civil cases (550 per judge average); 7,748 total incoming criminal cases (484 per judge average)
- Franklin County – 12,814 total incoming civil cases (754 per judge average); 9,071 total incoming criminal cases (524 per judge average)
- Cuyahoga County – 20,832 total incoming civil cases (613 per judge average); 13,437 total incoming criminal cases (395 per judge average)
- Lucas County – 4,322 total incoming civil cases (432 per judge average); 2,109 total incoming criminal cases (211 per judge average)
- Vinton County – 43 total incoming civil cases (43 per judge average); 147 total incoming criminal cases (147 per judge average)
- Logan County – 358 total incoming civil cases (358 per judge average); 385 total incoming criminal cases (385 per judge average)
- Trumbull County – 2,402 total incoming civil cases (601 per judge average); 901 total incoming criminal cases (385 per judge average)
- Darke County – 260 total incoming civil cases (260 per judge average); 265 total incoming criminal cases (265 per judge average)
- Montgomery County – 6,509 total incoming civil cases (592 per judge average); 4,748 total incoming criminal cases (432 per judge average)

And what about disposition of all these cases? I am happy to report that in nearly all trial courts, no matter what type of case, overall, we are disposing of more cases than are coming in. The same is true at the appellate level. The Supreme Court also sets time guidelines for disposition depending on the type of case. Generally, the trial courts have well under 10% of their cases pending beyond these dates, often under 5% (examples of cases exceeding 10% in 2017 are: felony criminal cases; administrative appeals; complex litigation; domestic violence cases in domestic relations divisions; U.I.F.S.A. cases; abuse, neglect or dependency cases; permanent custody cases; unruly child cases). Most categories in municipal court are 3% or under.

So what do all these statistics mean? New case filings have trended downward over the last decade in almost all areas. The number of trials has also decreased. Overall, courts are doing a good job of managing the cases that come before them. The reasons for these trends are varied and complex. I encourage you to visit the Supreme Court of Ohio website for a more in- depth look and analysis of the data. <http://www.sconet.state.oh.us/> ■

*Judge Beth A. Myers is a judge on the First District Court of Appeals. Prior to that, she served on the Hamilton County Court of Common Pleas for 13 years and was a commercial docket judge in addition to her other duties. Prior to taking the bench, she was a partner at Frost Brown Todd where she practiced in the litigation department for 21 years. Judge Myers is a former President of the Cincinnati Bar Association and currently serves on the Board of the OWBA.*

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Tara Aschenbrand (18-19)

## News

# Leading With Style – Event Recap

*“Every day is a fashion show and the world is the runway.” - Coco Chanel.*

Leading with Style Cincinnati celebrated its 10th anniversary on May 23, 2019 at the Backstage Event Center. This year's fashion show showcased the latest trends, from morning



*Leading with Style Co-Chairs, Amy Ahn-Roll and Jenn Dollard-Smith, pose for a photo opp at the event.*



*Models strut their stuff on the runway showing the latest fashion trends*

athleisure to wear to the gym, to business-professional wear for a day in court, finishing with evening attire for a special date night, this year's fashion show had it all! A special thank you to Amy Ahn-Roll and Jennifer Dollard-Smith for making this event so memorable. Thank you to our event planning committee, our generous sponsors, vendors and those who donated to our raffle and silent auction!

***Cheers to 10 years! ■***

## Follow us on Social Media

The OWBA and OWBF can be found on Facebook, Twitter and LinkedIn. Join our groups, like us and connect to us to share information and connect with women attorneys across Ohio.

 <http://www.facebook.com/OhioWomensBarAssociation>

 <http://www.facebook.com/ohioWBF>

 <http://www.twitter.com/OWBA>

 <http://www.twitter.com/OhioWBF>

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