

## MAJOR COURTROOM VICTORIES

### 2018 Brings Vindication For Clients

In October, Chris Joseph and Dionne Scherff obtained an acquittal for their client charged with felony interference with law enforcement's investigation of a tragic death at Schlitterbahn Water Park in Kansas City.



Photo credit: KansasNewsService.org

In *State v. Zalsman*, it was alleged that the client lied to special agents with the Kansas Bureau of Investigation. As the first of several cases arising out of the widely publicized Schlitterbahn investigation,

*State v. Zalsman* was closely watched by Kansas news outlets. After a three-day trial, a Wyandotte County jury spent less than three hours deliberating before returning a not guilty verdict.

Jess Hoeme continued the trend in November with a trial victory in *State v. Bellendir*. The Barton County Sheriff was charged with mistreatment of a confined person based on allegations he struck a person in handcuffs after placing him under arrest for stealing the Sheriff's daughter's grill. The case, complicated by the defendant's public position within the community, lasted for more than a year. But the Barton County jury moved more quickly — announcing its not guilty verdict mere minutes after closing arguments.

Earlier in the year, Chris Joseph and Carrie Parker secured a new trial for a client serving multiple life sentences—a result years in the making. In 2011, the client was convicted of several off-grid crimes after trial counsel failed to exclude inadmissible and prejudicial evidence. In 2016, Joseph and Parker convinced the Shawnee County District Court the convictions were untenable. The State appealed, but the Kansas Court of Appeals agreed with Joseph and Parker. On February 2, 2018, in *Waisner v. State*, the appellate court affirmed the judgment vacating the client's convictions and remanded the case for a new trial.

### FIRM MEMBERS VOLUNTEER TO TRAIN CADETS AND FUTURE LAW ENFORCEMENT OFFICERS

For law enforcement officers, offering confident witness testimony under direct and cross-examination is just as key as making an arrest. This year, firm members Dionne Scherff, Lindsey Erickson and Jess Hoeme helped train Kansas officers and a Missouri high school class in the art of witness testimony.



At the Johnson County Sheriff's Office Police Academy, Scherff and Erickson served in two mock trials before Johnson County District Court Judge Timothy McCarthy. "It's a fantastic learning technique that gives these future deputies an understanding of what it's like to be the star witness," Scherff said.

Moot court training typically receives the highest ratings of the entire cadet curriculum, according to Capt. Mark Rokusek, Commander of the Detective Division and Adjunct Instructor. He adds, "We wouldn't be nearly as successful if we didn't have great defense attorneys, prosecutors and Judge McCarthy volunteering to assist."

At the Kansas Law Enforcement Training Center in Hutchinson, Kan., Hoeme conducted similar moot court sessions for recruits from across the state. "It's a privilege to be invited to teach at KLETC and a wonderful opportunity to build long-term relationships with those who will soon be serving in departments statewide," Hoeme said.

At the Cass Career Center in Harrisonville, Mo., a two-year program for high school students focuses on criminal justice and crime scene investigation. Lindsey Erickson spent several days there offering insights into the criminal justice system and assisting students in moot court scenarios. "It's gratifying to see how eager they are to learn about the Constitution and how it impacts American justice," she said. "These kids are our future community leaders, future law enforcement officers and, I hope, future lawyers."

### Firm Grows With Topeka and KC Metro Mergers

Continuing growth through mergers, the firm welcomed Ardith R. Smith-Woertz's Topeka family law practice in 2018. Smith-Woertz focuses on cases involving divorce, child support, child custody and residency, parenting, and paternity. As the year ended, a second merger with a Kansas City Metro family law practice was underway, to be announced in 2019.

"Ardith Smith-Woertz has been an outstanding family law practitioner for more than 30 years. We are immensely pleased to have her join us," said Julia Craft, chair of the family law division. "Her skill in dealing with domestic disputes earned her an appointment to the Family Law Advisory Committee of the Kansas Supreme Court Judicial Council. She's an excellent mediator and is on the list of Certified Mediators through the Kansas Office of Judicial Administration."



Ardith Smith-Woertz

"I've been a sole practitioner for the past 24 years, so my decision to merge with a larger firm was not made lightly," Smith-Woertz said. "Joseph, Hollander & Craft truly reflects the high standards and client service values I've had for my own practice."

A graduate of Washburn University School of Law, she has served as a Judge Pro Tem for Shawnee County's Third Judicial District. She is admitted to practice before the Prairie Band Potawatomi Nation Tribal Court, which handles civil, criminal, Indian child welfare, and juvenile matters for the sovereign nation.

Smith-Woertz serves on the Advisory Board for CASA of Shawnee County. She is an active member of the Topeka Bar Association and served as TBA President from April 2011 – March 2012.

### JULIA CRAFT HONORED BY WICHITA BUSINESS JOURNAL "WOMEN IN BUSINESS 2018"

This year, the Wichita Business Journal's annual "Women in Business" awards honored Julia Craft, chair of the firm's Family Law Division and manager of our Wichita office.

Craft, a former Sedgwick County Assistant District Attorney, launched her private practice in 1989 and built one of the area's leading family law practices. She merged with Joseph & Hollander in 2011. The firm was renamed Joseph, Hollander & Craft in 2012.



Julia Craft

Craft's practice covers all aspects of domestic law, including separation agreements and divorce; child custody, child support, parenting agreements and spousal support; and child-in-need-of-care and guardianships. The Family Law Division she has developed now includes seven attorneys, who handle cases statewide.

"I'm extremely honored to be recognized as one of the Wichita Business Journal's leading women in business," Craft said. "Women in business are entrepreneurial in spirit, and that drives success, no matter the industry or the challenges you face. I've been fortunate to have great mentors and advisors along the way, and I'm honored to pay that forward as a mentor to other young lawyers."



Craft also earned honors in 2016's inaugural issue of The National Law Journal's Divorce, Trusts and Estates Trailblazers magazine for her legal expertise and contributions to the field of family law.



### FIRM RECEIVES ADDITIONAL TIER 1 RECOGNITION FROM BEST LAW FIRMS 2019 FOR DUI / DWI DEFENSE

U.S. News & World Report and Best Lawyers in America® honored the firm's Topeka and Wichita offices with six separate Metropolitan Tier 1 rankings for 2019, including a first-time recognition in the area of DUI/DWI Defense.

- Criminal Defense** – General Practice (Topeka)
- Criminal Defense** – White-Collar (Topeka)
- DUI/DWI Defense** – (Wichita)
- Employment Law** – Management (Wichita)
- Labor Law** – Management (Wichita)
- Litigation** – Labor & Employment (Wichita)

## Two Additional Litigators Deepen Firm's Defense Practice

The talents of two new lawyers significantly deepened the firm's practice areas this year in the areas of medical malpractice, health and hospital law, and criminal defense.

Anne Kindling, a litigator and former risk management manager at Topeka's Stormont-Vail HealthCare, Inc. has joined our firm to counsel organizations and individual health care providers in all health care-related areas of the law, including medical malpractice defense, administrative and regulatory defense, regulatory compliance, medical staff relations, peer review and risk management. Her civil practice also includes insurance defense, business disputes and appellate advocacy. Based in Topeka, Kindling handles cases statewide.



Anne Kindling

"We are exceptionally pleased to have Anne Kindling join our firm," said Managing Member Chris Joseph. "Anne's an experienced litigator and holds the prestigious designation of Certified Professional in

Healthcare Risk Management (CPHRM). Her insight as a hospital manager offers clients statewide the benefit of both internal and external perspectives on all manner of health care compliance and business issues."

Kindling's professional career began in 1993 as a research attorney for Kansas Supreme Court Justice Bob Abbott. She entered private practice in 1996 and later became a partner in a major Topeka law firm representing health care providers throughout Kansas in defense of medical liability claims, as well as regulatory and health law areas. In 2007, Kindling left private practice to work in risk management at Stormont-Vail HealthCare, Inc., where she oversaw medical malpractice insurance and claims for the employed health care providers, and managed both risk and compliance matters.

Active in both the health care and legal communities, Kindling is a frequent lecturer on HIPAA, EMTALA, Advanced Directives, and medical-legal ethics.

Keith Edwards, formerly an Assistant District Defender in Topeka's Third Judicial District Public Defender's

Office, joined the firm to represent individuals charged with criminal offenses in municipal and state courts. Based in Wichita, he handles clients statewide.

"On our criminal defense team, we're also excited about the addition of Keith Edwards as another experienced courtroom litigator," Joseph said.



Keith Edwards

"At the Public Defender's Office, Keith handled more than 300 felony cases, giving him deep experience as lead counsel dealing with property and drug offenses," Joseph said. "He has served as co-counsel in high-level cases representing defendants against charges of murder and high-volume drug trafficking."

Edwards is a graduate of the National Criminal Defense College's Trial Practice Institute at the Mercer Law School in Macon, Georgia. He is a member of the Kansas Association of Criminal Defense Lawyers and the Wichita Bar Association.

## BELLQUIST LEADS TOPEKA BAR, EXPANDING MEMBER AND COMMUNITY SERVICES

Serving her term as President of the Topeka Bar Association from April 2018 to March 2019, Diane Bellquist is focused on opportunities where the Board and others can create value for members and serve the community at large.



Diane Bellquist

"I'm most proud of the TBA's role in the Clean Slate Expungement Project, where we assisted 200 area citizens seeking to expunge their criminal records," Bellquist said. "Co-Chairs of our Criminal Law Section worked with Washburn Tech, Washburn Law School, the Shawnee County DA's Office, court administration, the clerk's office, the Public Defender's Office, local judges and others. Volunteers worked tirelessly on this pro bono project, building stronger relationships both inside and outside the courtroom.

## Wesley Children's Hospital Added To Annual Giving List

In addition to devoting time in moot courts and classrooms to train the next generation of law enforcement officers, our firm devotes time and resources to support our community outside the courtroom.

Each year, our team members support organizations that provide year-round services for families with special needs. We also enjoy working with organizations to make the holidays a little happier for children and families. This year, our Santa's helpers added another group to the list: Wesley Children's Hospital.

And, as always, we make sure our furry, four-legged friends are being cared for, too.

We're honored to support these organizations and commend their staff and volunteers for the work they do on behalf of our community.



## Tenth Circuit Historical Society Preserves the Past, Embraces the Present with CLEs and Other Programs

The ongoing life of a court is relevant to more than just those who have their day there. From frontier justice to today's issues of electronic property rights, the history of the Tenth Circuit mirrors the struggles, tragedies, progress and good humor of the citizens of its six states.

Chris Joseph keeps this spirit alive as a newly elected Kansas State Vice President for the Society, working to engage lawyers and the public with CLEs and other programs that illustrate how our daily lives are impacted by legal history.

Supporting the Society's mission to offer CLEs and other programs that instill passion about the law, Joseph, along with Diane Bellquist, developed "The History of Professional Ethics," a free Kansas and Missouri CLE class presented in celebration of Kansas Day 2018. Joseph is now working on presentations for 2019, so if you have topic suggestions, contact him at [cjoseph@josephhollander.com](mailto:cjoseph@josephhollander.com).

While you're at it, check out the histories of notable jurists who have served the Tenth Circuit, as well as other interesting articles at [www.10thcircuithistory.org](http://www.10thcircuithistory.org).



Byron White Courthouse, August 1914

## ROSS HOLLANDER AND KRIS LAWLESS NAMED "LAWYERS OF THE YEAR" BY BEST LAWYERS

Numerous independent surveys of clients and legal peers are conducted each year by the respected peer-review research departments of Best Lawyers in America®, Super Lawyers and Chambers USA.

This year Best Lawyers bestowed "Lawyer of the Year" designations on Ross Hollander in Wichita and Kris Lawless in Topeka. In each market, only one lawyer per practice area receives this prestigious honor.

The Missouri & Kansas Super Lawyers list – which recognizes only the top 5 percent of lawyers in each state – brought honors to seven of our attorneys and designated Casey Meek and Carrie Parker among their "Rising Stars" of lawyers under 40.

The full list of honorees this year includes:

### Super Lawyers

Ross Hollander

Chris Joseph

Kris Lawless

Casey Meek  
2018 Rising Star

Carrie Parker  
2018 Rising Star

Dionne Scherff



Ross Hollander  
Labor & Employment Law

### Best Lawyers®

Ross Hollander

Wichita Lawyer of the Year  
Labor Law Management

Also recognized in  
Employment Law - Management  
Litigation - Labor and Employment

Kris Lawless

Topeka Lawyer of the Year  
Criminal Defense – White Collar

Also recognized in  
Criminal Defense: General Practice

Chris Joseph

Criminal Defense – General Practice

Casey Meek

Criminal Defense – General Practice



Ross Hollander



Chris Joseph



Kris Lawless



Casey Meek



Carrie Parker



Dionne Scherff