

the ADVOCATE

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On the Cover



This issue's cover photo is part of the Idaho Historical Society's "Leading the Way: Idaho Women and the Vote Exhibit" and features the women of the Columbian Club in Boise circa 1920. These women's clubs were formed nationwide to help ensure representation from women in every state at the 1893 Columbian Exposition (World's Fair) in Chicago. Photo credit: Idaho State Archives, Columbian Club Group Portrait, MS356Bx14.

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So Long, 2020!

Lindsey M. Welfley

This year is coming to a close and with as much change as 2020 has brought, 2021 is certain to come with its own surprises. As we round out the final two months of this year, we invite you to reflect on the past several months – the ways in which you’ve changed (and perhaps improved) your methods of communicating and connecting with the people in your life has probably been the most drastic change. Here’s to going into 2021 with a few lessons and tricks up our sleeves!

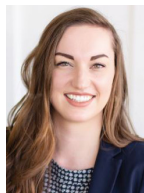
The November/December 2020 issue is co-sponsored by Idaho Women Lawyers and the Idaho Legal History Society and celebrates the 100th Anniversary of the ratification of the 19th Amendment. First, Kaleena Beck provides a timeline overview of women’s rights and the fight for equality over the years. Next, our Featured Article written by Debora Kristensen Grasham explores the efforts of Idaho’s earliest women lawyers in securing women’s suffrage in Idaho.

Following the Featured Article, author Emily James discusses the overall impact of women’s right to vote on a broader scale. Finally, co-authoring team Christopher Graham and Lucy Murphy draw on relevant, contemporary themes to write on women’s suffrage during the Pandemic of 1918.

In addition to these sponsored articles, this issue also contains an update on *State v. Clarke* written by Jessica Harrison. A little over one year ago, Jessica provided an initial overview of this decision and returns to provide an update on what has transpired in the criminal defense and appeals arenas since.

We hope you find something of interest in this issue and will join us in preparing to say “so long” to 2020!

Best,



Lindsey M. Welfley

Communications Director

Idaho State Bar & Idaho Law Foundation, Inc.

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Connections and Commitments

Kurt D. Holzer
Idaho State Bar Commissioner
Fourth District

"We all want to know and be known. That's why doing good is so powerful when the focus is first and foremost the people and not the project."

— Chris Marlow

As I am writing this the 2020 election is weeks away, COVID-19 cases are increasing, the political rhetoric is becoming louder, and the days are getting shorter.

To steal a line, *Winter is Coming*.

This is the time of year when your Bar Commissioners should be getting ready for what has traditionally been a high point for those serving – the Road Show. The Road Show is emblematic of the special place to practice that is Idaho. More

than anything, the Road Show is about making and maintaining connections.

It is a unique opportunity to travel the state and meet with colleagues in each district. It provides a chance to enjoy the company of other lawyers and recognize exemplars of professionalism along with those who "go beyond" in serving their community.

The Road Show gives Commissioners the ability to renew relationships with lawyers we worked or trained with in days gone by. And the chance to begin relationships with others we meet for the first time. It gives members of the various District Bars a chance to reconnect with fellow practitioners who they don't run across in the day-to-day of local practice.

But in this pandemic-impacted era, the traditional Road Show is another victim. As I write, Diane and her team are planning for pandemic-style events to make sure we keep a version of the tradition

going. But Road Show events pandemic-style will necessarily be smaller, in some cases remote, and offer less opportunity to make and renew connections.

The loss of the traditional Road Show is symbolic of all sorts of lost connections in this era.

And for each of us it can serve as a reminder that working to stay connected has to become a more important part of not just our everyday lives, but of our practices as well.

In all our practice areas the work can at times be intellectually satisfying and at times intellectually stultifying. It is almost always intellectually taxing. We should not lose sight of the fact that the emotional content of the work we do is often just as taxing.

It is a simple truth that in the law we often engage not with the beauty of human creation but rather with conflicts arising from things like misunderstanding, greed,

thinking errors, and worse. In our daily professional lives that can be troubling. And isolating.

I find that reflected in one of my personal weaknesses. I have the tendency to scamper willy-nilly down a rabbit hole of annoyance. The thing that sets me off most easily is when counsel, whether working with me or on the other side of a case, engages in behavior I perceive as conflicting with the idea that our basic endeavor in the law is solving problems for other people. It's a personal fault that I actively work against because it leads to an emotional disconnection from people with whom I believe I should endeavor to stay connected.

Not only are we facing the pandemic, but society is struggling with the issues arising from loneliness and seclusion for all. And during the winter months issues of mental health, isolation, and wellness can become more severe.

In this era of pandemic-enforced separation, the need to consciously work on staying connected is ever more important. This is true in both our personal and our professional lives. There is plenty of research showing that lack of human connection can be more harmful to one's health than obesity, smoking, and high blood pressure.

The antidote to this is to consciously engage in social connections.

As far as your personal life, have you called your mom, your kids, that old

friend, a professor you want to be in touch with to catch up? Have you let those who are important know that they are on your mind?

Be creative as we head into the winter months; if you are uncomfortable with meeting for lunch at a restaurant, invite a friend or colleague (or two) to join you for a Zoom lunch.

That's one part of staying connected. It's good for you and it's good for them.

Issues of isolation and stress are always part of our profession. Members of the judiciary in particular deal with isolation issues. And our profession certainly has its share of people vulnerable to substance abuse or other wellness concerns.

The Idaho State Bar's Lawyer Assistance Program (LAP) exists to provide support for lawyers and judges who experience emotional, mental health, and substance abuse issues. If you need it, use it.

The Idaho judges and attorneys who volunteer their time to the Idaho LAP to assist others are doing one other thing. They are committing to be part of something bigger than themselves.

That commitment to being part of something larger is another way to make sure you keep the connections.

As attorneys we certainly have access to the regular ways to make that commitment through our participation in religious, charitable, and community organizations. We also have unique ways of doing so.

For example, by financially supporting the Idaho Law Foundation's *Access to Justice* Campaign we know we are part of providing legal services to underserved community members in need. Similarly, by committing to be part of the Idaho Volunteer Lawyers Program we can be among those who provide a safety net for low-income individuals and families in Idaho who require civil legal services and cannot afford them.

Each one of these activities connects us to both people and to that ephemeral ideal we all work towards every day – justice.

In this unique era, be sure you practice some self-care. Stay connected. Also, keep your eyes open to the emotional well-being of your fellow practitioners. Reach out to any you see struggling. Hopefully, my fellow Commissioners and I will see many of you on your home turf during the 2021 Road Show.



Kurt D. Holzer has an affinity for blackberry jam and fresh tomatoes. For all of 2020's other problems, he is thankful it has delivered in spades on both those crops.

A graduate of the University of Utah College of Law, he currently works alongside his four partners named John as a plaintiff's trial attorney at Hepworth Holzer LLP in Boise.

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TERRY R. SPENCER (Suspension)

On September 30, 2020, the Idaho Supreme Court issued a Disciplinary Order suspending Utah attorney, Terry R. Spencer from practicing law in Idaho for a period of six months and one day. The Idaho Supreme Court's Order followed a stipulated resolution of an Idaho State Bar reciprocal disciplinary proceeding.

Mr. Spencer was admitted to practice law in Utah and Idaho. On February 12, 2020, the Utah court entered its final disciplinary order. The Utah disciplinary case involved two client matters. In the first client matter, the Utah court found that Mr. Spencer misrepresented the amount owed him by his client and attempted to

collect it from his client or from the sale of property awarded to her in her divorce action. However, a substantial portion of the amount he sought to collect from his client was not her obligation to pay because it was an obligation of another party to pay. The Utah court found Mr. Spencer violated Utah Rules of Professional Conduct 1.5(a) [Unreasonable fees] and 8.4(c) [Conduct involving dishonesty, fraud, deceit, or misrepresentation].

In the second client matter, the Utah court found that Mr. Spencer was counsel in two different district court cases and did not inform one district court judge about relevant orders that had been entered by a district court judge in a different district. The Utah court found the failure to mention the other order affected his cli-

ent's marital home and violated Utah Rule of Professional Conduct 8.4(c).

Mr. Spencer had not practiced in Idaho since his Idaho license became inactive on March 2, 2020. However, on May 19, 2020, his inactive license was canceled by the Idaho Supreme Court for MCLE noncompliance. The Disciplinary Order provides that Mr. Spencer's suspension is retroactive to May 19, 2020 and lasts until November 20, 2020. The Order also provides that Mr. Spencer's reinstatement to inactive status under I.B.C.R. 518(d) will occur once he provides confirmed notice of reinstatement or readmission in Utah.

Inquiries about this matter may be directed to: Bar Counsel, Idaho State Bar, P.O. Box 895, Boise, Idaho 83701, (208) 334-4500.



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2021 Annual Attorney Licensing

Diane K. Minnich
Executive Director, Idaho State Bar

The 2021 licensing packets will be mailed the week of November 23. Each of you received an email allowing you to select whether you want to receive a paper packet or complete the licensing online. If you plan to submit your licensing online and do not want a paper packet, please remember to submit your opt-out request by November 16. The online licensing portal will be opened in late November/early December.

The 2021 licensing deadline is February 1, 2021 and the late final deadline is March 1, 2021.

The license fee notice – Why should you review it?

In addition to the license fee information, the license fee notice includes attorney data from the Bar's records. Please review the information provided and make any changes so your information is accurate.

Do you have a trust account?

Active members must complete the Trust Account Certification form regardless of whether you are required to maintain a trust account. If you are an active member of the Idaho State Bar and your primary office is in Idaho you must certify each year that you maintain a separate client trust account for Idaho client funds or that you handle no client funds. When reporting trust accounts, please make sure the accounts are accurately reported.

MCLE

Each active member of the bar must complete 30 hours, including three hours of ethics, of MCLE credit every three years. If your MCLE reporting period ends in 2020, please remember live webcasts and live teleconferences qualify for live credit. You do not have to attend an event in-person to obtain live CLE credit. Search for live courses on our website and look for notices such as "Webcast," "Tele-

conference" or "Audio Stream." Extensions until March 1, 2021 are available. The extension fee is \$100 and can be submitted with your licensing.

Are you required to have malpractice coverage?

All active and house counsel members must complete the Professional Liability Insurance Coverage Certification. If you do not represent private clients, you must complete the form, indicating you do not represent private clients. If you represent private clients, you must complete the form and submit proof of current professional liability coverage if it is not already on file with the Idaho State Bar.

You have decided to resign from the Idaho State Bar

If you decide you do not plan to practice in Idaho, now or in the future, you can complete the Voluntary Resignation form. Please understand, if you resign and then

change your mind later, you must reapply for admission to the Idaho State Bar, which may include taking and passing the Idaho Bar Examination. If you are unsure of your future plans to practice law in Idaho, we recommend you transfer to inactive or senior status.

Practice Sections – Should you join?

The 22 Idaho State Bar Practice Sections offer you the opportunity to meet Bar members who practice in similar areas of practice, attend educational events, and provide a chance to participate in projects and activities. The license form includes Section registration information.

Donations to the Idaho Law Foundation

The license form offers you the oppor-

tunity to make a voluntary, tax-deductible contribution to the Idaho Law Foundation (ILF). ILF, through its programs, provides services and information to thousands of individuals, groups, and families in Idaho; including low income families needing legal assistance, justice professionals, community leaders, students, educators, law students, attorneys, judges, and the general public. For more information about ILF programs, visit www.idaholawfoundation.org.

Licensing questions

Detailed instructions and information are included in the licensing packet, on the online licensing portal, and on the Bar's website. If you have additional questions, please contact the Licensing or MCLE Department at 208-334-4500.

“Detailed instructions and information are included in the licensing packet, on the online licensing portal, and on the Bar’s website.”

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A History of Women's Fight for Equality

Kaleena M. Beck

This year marks the 100th anniversary of the passage of the 19th Amendment to the Constitution of the United States of America, the amendment that guaranteed and protected women's constitutional right to vote. With this monumental moment in history being celebrated, it is a good time to reflect on the personal and legal battles fought by women to obtain equal rights.

Women's Right to Vote¹

Prior to the American Revolution, property-owning women in some of the Northern colonies could vote. However, when these colonies became states, women were stripped of this right. By the mid-19th century, only white, adult men throughout the country could vote. It was not until 1920 that women uniformly achieved the right to vote due, in large part, to the courageous efforts demonstrated in the suffrage movement. While there are innumerable key moments that occurred during the women's suffrage movement, here are a few main events:

1777 - Most states pass laws which take away women's right to vote.

1807 - New Jersey becomes the last state to limit the right to vote to men.

1866 - The 14th Amendment is passed by Congress, with "citizens" and "voters" defined as "male" in the Constitution.

1869 - Wyoming territory is organized with a woman suffrage provision.

1870 - The 15th Amendment is passed, giving black men the right to vote. This reality was not realized for almost 100 years.

1871 - Victoria Woodhull addresses the House Judiciary Committee, advocating for women's rights to vote under the 14th Amendment. / The Anti-Suffrage Party is founded.

1872 - Susan B. Anthony casts her first vote for Ulysses S. Grant in the presidential election to test whether the 14th Amendment would be interpreted broadly to guarantee women the right to vote and is arrested and brought to trial in Rochester, New York. She is convicted of "unlawful voting." Fifteen other women are arrested for illegally voting.² / Sojourner Truth appears at a polling booth in Battle Creek, Michigan, demanding a ballot to vote; she is turned away.

1878 - A Woman Suffrage Amendment is proposed in the U.S. Congress. When the 19th Amendment passes 41 years later, it is worded exactly the same as this 1878 Amendment.

1887 - The first vote on women's suffrage is taken in the Senate and is defeated.

1890 - Wyoming is the first state admitted to the Union with a state constitution granting women suffrage. / The South Dakota campaign for women's suffrage loses.

1893 - Colorado adopts women's suffrage.

1894 - 600,000 signatures are presented to the New York State Constitutional Convention in a failed effort to bring a women's suffrage amendment to the voters.

1896 - Utah joins the Union with full suffrage for women. / Idaho adopts women's suffrage.

1910 - Washington State adopts women's suffrage.

1911 - The California suffrage campaign succeeds by a small margin.

1912 - Women's suffrage is supported for the first time at the national level by a major political party—Theodore Roosevelt's Bull Moose Party. / Oregon, Kansas, and Arizona adopt women's suffrage.

1914 - Nevada and Montana adopt women's suffrage.

1915 - Forty thousand march in a NYC suffrage parade.

1916 - Woodrow Wilson states that the Democratic Party platform will support suffrage.

1917 - New York women gain suffrage. / Arkansas women are allowed to vote in primary elections. / Jeannette Rankin of Montana, the first woman elected to Congress, is formally seated in the U.S. House of Representatives. / Alice Paul, leader of the National Woman's Party, was put in solitary confinement in the mental ward of the prison as a way to "break" her will and to undermine her credibility with the public.

1918 - Representative Rankin opens debate on a suffrage amendment in the House. The amendment passes but fails to win the required two-thirds majority in the Senate. / Michigan, South Dakota, and Oklahoma adopt women's suffrage. / President Wilson addresses the Senate about adopting women's suffrage at the end of World War I.

1919 - The Senate finally passes the 19th Amendment and the ratification process begins.

August 26, 1920 - Three-quarters of the state legislatures ratify the 19th Amendment. American women win full voting rights. / It wasn't until the 19th Amendment was passed by Congress on June 4, 1919 (and ratified on August 18, 1920) that women's right to vote was legally protected. A pertinent part of the amendment is detailed in the pull quote below.

1984 - The state of Mississippi belatedly ratifies the 19th Amendment, granting women the vote.

“The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of sex.”

Women's Rights

Women battled long and hard to obtain the right to vote. However, women were historically denied many more rights than just the right to vote. The following is a brief timeline of some landmark events outlining women's fight for equality:

Property Ownership *Women's right to own property was a process that took place over time, starting in the 1700s. By the 20th Century, women in the U.S. could be property owners, just as men were.*

1769 - The colonies adopt the English system decreeing women cannot own property in their own name or keep their own earnings.

1771 - New York passed the Act to Confirm Certain Conveyances and Directing the Manner of Proving Deeds to Be Recorded, which gave a woman some say in what her husband did with their assets.

1774 - Maryland passed a similar law which required a private interview between a judge and a married woman to confirm her approval of any trade or sale by her husband of her property. While a woman was not allowed to own property, she was allowed to prevent her husband from using hers in a way she found objectionable.

1782 - Maryland's law is put to the test in the 1782 case *Flannagan's Lessee v. Young*. It was used to invalidate a property transfer because no one had verified if the woman involved actually wanted the deal to go through.

1839 - Mississippi is the first state to grant women the right to hold property in their own names—with permission from their husbands.

1849 - California extends property rights to women.

1868 - Many early suffrage supporters, including Susan B. Anthony, remained single because in the mid-1800s, married women could not own property in their own rights and could not make legal contracts on their own behalf.

1872 - Abigail Scott Duniway convinces Oregon lawmakers to pass laws granting a married woman's rights, such as starting and operating her own business, controlling the money she earns, and the right to protect her property if her husband leaves.

1900 - Every state has passed legislation granting married women the right to keep their own wages and to own property in their own name. But women still faced gender bias when it came to financial matters.

1981 - In *Kirchberg v. Feenstra*, 450 U.S. 455 (1981), the Supreme Court overturns state laws designating a husband "head and master" with unilateral control of property owned jointly with his wife.

Work and Pay *Women have also had to fight to obtain equal rights to employment and pay. These battles continue today, but the following is a timeline of some major achievements in this area:*

1872 - Female federal employees (but not private sector workers) guaranteed equal pay for equal work under the law.

1932 - The National Recovery Act forbids more than one family member from holding a government job, resulting in many women losing their jobs

1963 - Congress passes the Equal Pay Act, promising equitable wages for the same work, regardless of the race, color, religion, national origin, or sex of the worker.

1964 - Title VII of the Civil Rights Act passes, prohibiting sex discrimination in employment. The Equal Employment Opportunity Commission is created.

1968 - President Lyndon B. Johnson signs an executive order prohibiting sex discrimination by government contractors and requiring affirmative action plans for hiring women.

1973 - The Supreme Court bans sex-segregated "help wanted" advertising.

1974 - In *Cleveland Board of Education v. LaFleur*, 414 U.S. 632 (1974) the Supreme Court rules it is illegal to force pregnant women to take maternity leave on the assumption they are incapable of working in their physical condition. / The Equal Credit Opportunity Act allows women to apply for credit.

1977 - A court recognizes sexual harassment in the workplace for the first time.

1978 - The Pregnancy Discrimination Act bans employment discrimination against pregnant women.

1980 - Sexual harassment is officially defined by the Equal Employment Opportunity Commission.

1986 - In *Meritor Savings Bank v. Vinson*, 477 U.S. 57 (1986), the Supreme Court held that a work environment can be declared hostile or abusive because of discrimination based on sex, an important tool in sexual harassment cases.

2009 - The Lily Ledbetter Fair Pay Restoration Act allows victims, usually women, of pay discrimination to file a complaint with the government against their employer within 180 days of their last paycheck.

2012 - The Paycheck Fairness Act, meant to fight gender discrimination in the workplace, fails in the Senate on a party-line vote. Two years later, Republicans twice filibuster the bill.

Sex, Pregnancy, and Contraceptive Rights *Another area of women's rights that has been, and continues to be, hotly contested centers around the rights associated with a women's body.*

1918 - Margaret Sanger, two years after opening a birth control clinic in Brooklyn, wins her suit in New York to allow doctors to advise their married patients about birth control for health purposes. The clinic, along with others, becomes Planned Parenthood in 1942.

1965 - In *Griswold v. Connecticut*, 381 U.S. 479 (1965), the Supreme Court establishes the right of married couples to use contraception.

1972 - In *Eisenstadt v. Baird*, 405 U.S. 438 (1972), the Supreme Court upholds the right to use birth control by unmarried couples.

1969 - California adopts the nation's first "no fault" divorce law, allowing divorce by mutual consent.

1973 - Supreme Court ruling *Roe v. Wade* makes abortion legal.

1993 - By the mid-1970s most states recognized marital rape, but it did not become criminalized in all 50 states until 1993.

2016 - In *Whole Woman's Health v. Hellerstedt*, 136 S. Ct. 2292, 2298, 195 L. Ed. 2d 665 (2016), as revised (June 27, 2016), the Supreme Court strikes down onerous abortion clinic regulations that were forcing women's clinics to close.



Background Image. Women marching for the Suffrage Parade in Lewiston, Idaho. Photo credit: Idaho State Archives, Suffrage Parade, 78-203-95.

Conclusion

As we reflect on the last 300 or so years of women's fight for equality, we should celebrate the last 100 years of women's right to vote and all other rights that have been obtained. Fights are still ongoing in many areas, but women are making huge strides. It is exciting to see how far we have come and how far our daughters will be able to go.

Kaleena M. Beck is an equity partner and co-founder of the law firm Madsen Beck PLLC. Kaleena has focused her practice exper-

Politics *Not only did women have to fight for their right to own property and vote, but there has been a long history of women being underrepresented as political leaders as well. However, this has slowly changed and evolved over time:*

1872 - Victoria Claflin Woodhull becomes the first female presidential candidate in the United States, nominated by the National Radical Reformers.

1887 - Susanna Medora Salter becomes the first woman elected mayor of an American town, in Argonia, Kansas.

1916 - Jeannette Rankin is the first woman to be elected to the U.S. House of Representatives.

1925 - Nellie Tayloe Ross is the first woman elected to serve as the governor of a state. She later becomes the first female director of the United States Mint.

1932 - Hattie Wyatt Caraway becomes the first woman elected to the U.S. Senate.

1933 - Frances Perkins becomes the first female cabinet member, appointed secretary of labor by President Franklin D. Roosevelt.

1981 - Sandra Day O'Connor becomes the first woman to serve on the United States Supreme Court.

1984 - Geraldine Ferraro becomes the first woman to be nominated vice president on a major party ticket.

1992 - Record numbers of women are elected to Congress, with four women winning Senate elections and two dozen women elected to first terms in the House.

1997 - Madeleine Albright become the first female secretary of state.

2007 - Nancy Pelosi becomes the first female speaker of the House.

2008 - Alaska Governor Sarah Palin becomes the first woman to run for vice president on the Republican ticket.

2016 - Hillary Clinton secures the Democratic presidential nomination, becoming the first U.S. woman to lead the ticket of a major party.

2017 - Congress has a record number of women, with 104 female House members and 21 female Senators.

2018 - Women make up approximately 20 percent of Congress. With these numbers came many firsts for women in Congress including: the first Muslim women, the youngest woman (29), and the first Native American women. Several states saw their firsts as well, such as the first black woman from Massachusetts, the first woman House members from Iowa, the first Latina Congress members from Texas, the first woman governor of Maine, the first woman elected governor of Iowa, the first woman senator from Tennessee, the first woman governor from South Dakota, and the first woman senator from Arizona.



tise on civil litigation, comprehensive estate planning and business succession, gun law and ATF compliance, and business entity formation and transactions. Kaleena is passionate about representing clients with contested and uncontested probate, guardianship and conservatorship proceedings, and trust administration.

Kaleena has a successful record and extensive law experience

Notable Firsts Finally, women have made their mark on history with some other notable firsts:

1809 - Mary Kies becomes the first woman to receive a patent, for a method of weaving straw with silk.

1869 - Arabella Mansfield is granted admission to practice law in Iowa, making her the first woman lawyer in the United States. Arabella did not attend law school, but “read the law” as an apprentice in her brother’s Washington law office. Although by Iowa law the bar exam was restricted to “males over 21,” Arabella took the exam in 1869, passing it with high scores.

1870 - Ada H. Kepley becomes the first woman in the United States to graduate with a law degree, from what is today Northwestern University School of Law.

1873 - In *Bradwell v. The State*, 83 U.S. 130 (1872), the Supreme Court rules that a state has the right to exclude a married woman from practicing law.

1953 - Jerrie Cobb is the first U.S. woman to undergo astronaut testing. NASA, however, cancels the women’s program in 1963.

1983 - Dr. Sally K. Ride becomes the first American woman to be sent into space.

1972 - Title IX of the Education Amendments prohibits sex discrimination in all aspects of education programs that receive federal support.

1974 - Housing discrimination on the basis of sex and credit discrimination against women is outlawed by Congress.

1975 - In *Taylor v. Louisiana*, 419 U.S. 522 (1975), the Supreme Court denies states the right to exclude women from juries.

2012 - During the London Olympics women can compete in boxing in the Olympics for the first time.

2013 - The ban against women in military combat positions is removed, overturning a 1994 Pentagon decision restricting women from combat roles.

“...and how far our daughters
will be able to go.”

covering a variety of clientele. She has helped numerous clients successfully navigate through the litigation process when legal matters arise. Prior to forming the law firm Madsen Beck PLLC, Kaleena represented clients as an associate attorney with a local law firm, where she honed her legal expertise.

Endnotes

1. All timelines have been developed using research gathered from the following sources: National Women’s History Museum, *Woman’s Suffrage Timeline*, <https://www.womenshistory.org/re->

[sources/timeline/womans-suffrage-timeline](https://www.womenshistory.org/re-sources/timeline/womans-suffrage-timeline).

Jone Johnson Lewis, *A Short History of Women’s Property Rights in the United States*, Thought Co. Publication (July 13, 2019), <https://www.thoughtco.com/property-rights-of-women-3529578>.

Susan Milligan, *Stepping Through History, A Timeline of Women’s Rights from 1769 to the 2017 Women’s March on Washington*, U.S. News Publication (January 20, 2017), <https://www.usnews.com/news/the-report/articles/2017-01-20/timeline-the-womens-rights-movement-in-the-us>.

The Pregnancy Discrimination Act of 1978, Approved October 31, 1978, available at <https://www.eeoc.gov/statutes/pregnancy-discrimination-act-1978>.

12 CFR Supplement I to Part 1013, available at <https://www.fdic.gov/regulations/laws/rules/6500-1200.html>.

Danielle Kurtzleben, *A List of Firsts for Women in This Year’s Midterm Elections*, NPR Publication (November 6, 2019), <https://www.npr.org/2018/11/06/664951794/a-list-of-firsts-for-women-in-this-years-midterm-elections>.

2. On August 18, 2020, President Donald Trump issued an Executive Grant of Clemency (Full Pardon) posthumously to Susan B. Anthony. Statement from the Press Secretary Regarding the Pardon of Susan B. Anthony, (August 18, 2020), <https://www.whitehouse.gov/briefings-statements/statement-press-secretary-regarding-pardon-susan-b-anthony/>.

In response, the National Susan B. Anthony Museum and House tweeted “Objection! Mr. President,” explaining Anthony wouldn’t want a pardon because she believed she didn’t do anything wrong, rejecting the pardon. “Objection!”, Susan B. Anthony museum rejects President Trump’s pardon of the suffragette leader, Savannah Behrmann, USA TODAY (August 20, 2020), <https://www.usatoday.com/story/news/politics/2020/08/20/susan-b-anthony-museum-rejects-president-trumps-pardon/3403405001/>

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Women voters cast ballots in 1917. Photo credit: Idaho Women 100 Project, Library of Congress.

Early Women Lawyers Who Helped Secure the Right to Vote in Idaho

Debora Kristensen Grasham

Women in Idaho have enjoyed the constitutional right to vote since 1896, long before the passage of the 19th Amendment to the United States Constitution in 1920, which guaranteed women the right to vote nationwide. Early historians claimed that the right to vote “was given to the women of Idaho with comparatively little urging on their part [. . .] The pioneer women had born an arduous part in the development of the Northwest. This the leading men not only chivalrously acknowledged, but they desired to have the further co-operation and interest of the women.”¹

More recent historians take issue with this account, noting “[t]he success of the women’s suffrage amendment in Idaho was more the result of efficient grassroots organizations and the vagaries of Idaho

politics than male beneficence or a spirit of western equality.”² Nonetheless, it is clear that Idaho suffragists succeeded relatively early compared to their contemporaries elsewhere.

How did Idaho succeed where other states had failed? Many point to suffragists’ successful efforts to de-politicize the campaign by securing support for the amendment from all political parties and separating the issues of temperance and suffrage. Others point to a handful of individuals who were particularly helpful in the campaign for suffrage.³

Such key personnel included nationally known suffragists from the National American Woman Suffrage Association (“NAWSA”), William Balderston, the editor of the *Boise Statesman*, and prominent men (or the wives of such men) whose work on the suffrage campaign is well

documented.⁴ They also included two of Idaho’s earliest women lawyers – Helen L. Young of Osburn and Kate E. Feltham of Caldwell – whose work is less well known. This article hopes to shed some light on the efforts of these pioneering women lawyers to secure women the right to vote in Idaho.

To begin, it is important to understand the state of political affairs in the territory of Idaho in the late 19th Century.

The right to vote in the Territory of Idaho

During its territorial days, Idaho’s first legislature limited the right to vote to white, male residents over 21 years of age.⁵ The requirement that voters must be white was removed in 1874⁶ after the passage of the 15th Amendment prohibiting the Unit-

ed States, or any state, from denying the right to vote “on account of race, color, or previous condition of servitude.” Around the same time, Idaho’s neighbors began extending suffrage to women: the Wyoming Territory did so in 1869, and Utah in 1870. Perhaps influenced by our neighbors, in January 1871, Dr. Joseph Williams Morgan introduced the first suffrage bill in the Idaho Legislature.⁷

The bill made it to third reading in the House, but was defeated on a roll call vote

Idaho Constitutional Convention consideration of Women’s Suffrage

On July 4, 1889, 72 delegates selected from the Territory’s 18 counties met in Boise to convene the Idaho Constitutional Convention. “Nearly half of the delegates sent to the convention were lawyers,” and all were men.¹⁴ William Claggett, the “Silver-Tongued Orator of the West” and likely the most well-known mining lawyer

vention and delegates were invited to an ice cream social.²⁰

The second woman to address the constitutional convention on suffrage was Abigail Scott Duniway, who presented a “striking contrast” to Skelton.²¹ Duniway was the publisher of *The New Northwest*, a weekly newspaper devoted to women’s rights, and a tireless advocate for women’s suffrage. “Between 1876 and 1895 she gave 140 public lectures, at the same time securing subscribers to her paper . . . and distributing literature. She traveled 12,000 miles by river, rail, stage and buckboard and canvassed many a mile on foot.”²²

Duniway’s speech at the convention, which lasted about an hour – nearly four times longer than Skelton’s – was “by many criteria the best oration of the entire convention.”²³ Unlike the WCTU, Duniway did not tie the issue of women’s suffrage with temperance. Representing NAWSA, which specifically refused to tie the two issues together, Duniway, instead, advocated for women’s suffrage as a matter of right as an American citizen.²⁴

Claggett and a majority of the members reportedly favored women’s suffrage, but eventually “yielded to the fears of the minority that it would endanger the acceptance of the constitution by the [male] voters.”²⁵ Thus, women were not given the right to vote when Idaho was admitted to the Union in 1890. Idaho constitutional scholar Dennis Colson notes, “[t]here were several controversies at the convention where the delegates were out of step with the voters of the day. Women’s suffrage was one of those.”²⁶

Efforts to amend the new constitution

Having failed to gain the right to vote at statehood, suffragists turned their attention to securing a constitutional amendment. This, of course, required a bill to be passed by two-thirds majority in both the House and Senate, and then approved by the people (male voters) of Idaho. The first attempt to pass such a bill, in 1893, lost by only one vote in the lower house. The vote was 23-12 (two-third majority needed), with one member absent.²⁷

Although there was “pronounced sentiment” in favor of women’s suffrage, there

“*The committee on ‘Election and the Right of Suffrage’ was chaired by James Beatty – who later served 17 years as Idaho’s first federal district judge.*”¹⁶

of 11-11.⁸ Years later, James H. Hawley, a legislator at the time and later prominent lawyer and Governor of Idaho, noted that if Dr. Morgan’s suffrage bill had passed the House, it “undoubtedly” would have received approval from the Senate and the Governor.⁹

Despite this initial setback, the territorial legislature did pass laws granting women increasing political power, particularly in the areas of schools and education. For instance, in 1879, a bill was passed that permitted unmarried women who were taxpayers to vote at school tax elections.¹⁰ And, in 1885, women were allowed to vote in all school elections and permitted to hold elected school offices.¹¹

That same year another women’s suffrage bill was introduced in the House but was defeated 7-15 with “very little notice in the press.”¹² In 1889, the territorial legislature endorsed the election of female county school superintendents.¹³ But, as Idaho approached statehood, women were otherwise prohibited from participating in elections at all levels of government.

in the territory, served as President of the Convention and wielded great influence.¹⁵

The committee on “Election and the Right of Suffrage” was chaired by James Beatty – who later served 17 years as Idaho’s first federal district judge.¹⁶ The committee took a conservative approach to women’s suffrage and recommended that the existing territorial privileges be extended to statehood but no further.¹⁷

Two women came to the convention to argue for full suffrage, albeit in different manners and for different reasons. The first was Henrietta Skelton, President of the Idaho chapter of the Women’s Christian Temperance Union (“WCTU”). The WCTU sought to join prohibition with the issue of suffrage because its members believed “that gaining the vote would allow them to better pursue their goals” of prohibition.¹⁸ Skelton made a “relatively short speech in support of the WCTU requests, and made it clear temperance was their real concern.”¹⁹ When she was done, Skelton presented a bouquet to the con-

had been little organized effort to secure the ballot for women up until this time.²⁸ Instead, the work turned to political parties and the “real campaign began at the time of the assembling of the Republican State Convention in 1894.”²⁹ Lead by William Borah, the Republican party adopted a resolution supporting women’s suffrage. The Populist party passed a similar resolution.³⁰ The election of 1894 placed Republicans in “overwhelming control” of the Legislature. Accordingly, in January 1895, the Idaho Senate voted 16-0 and the House 33-2 to include a woman suffrage amendment on the ballot for the November 1896 election.³¹

Duniway hoped to lead the campaign efforts in Idaho, but her husband’s failing health and efforts at the national level combined to keep her from doing so.³² Instead, Carrie Chapman Catt, NAWSA Organizing Committee Chair, directed Emma Smith DeVoe to go to Idaho in the summer of 1895 to garner support for the amendment. NAWSA sought to “maintain good relations” with WCTU (whom Duniway had rebuked at the Constitutional Convention) and not identify with any political party as they organized suffrage clubs across Idaho.³³ To that end, in 1895, the Idaho Equal Suffrage Association was organized and came to include approximately 1,000 women at a time when the adult female population was approximately 15,000.³⁴ Two of those women were Helen Young and Kate Feltham.

Helen Young: Idaho’s first woman admitted to the Bar

Helen Louise Nichols Young was born in 1862 in Lansing, Michigan.³⁵ After her mother married an attorney named Daniel Waldron, the family moved west in 1870, first to San Francisco and then to the mining towns of North Idaho. Waldron set up his law practice in Osburn and Young began studying law in his office as early as 1885. Young married Orville Young in 1887 and began teaching in the public schools of Shoshone County the next year.

Young’s first reported brush with Idaho’s legal system came in 1892, when a



collection action was brought against her husband. After the bank prevailed against Orville, it sought to collect on its judgment by attaching and ultimately selling Young’s separate property, two lode-mining claims in Shoshone County.

Young – likely with the help of her step-father – hired prominent North Idaho attorney Weldon Heyburn, chair of the standing committee on the judiciary at Idaho’s Constitutional Convention in 1889 and later United States Senator, to represent her in a quiet title action challenging the sale. Heyburn argued that the bank’s attachment and sale were improper, as the claims had been deeded as a gift to Young and were, therefore, her separate property “free from the control of her husband.” The Idaho Supreme Court agreed, and Young prevailed in her action.³⁶

Eight months later Heyburn and an equally prominent North Idaho attorney W.W. Woods – also a delegate to the Idaho Constitutional Convention in 1889 and later one of Idaho’s first district court judges³⁷ – sponsored Young in her application for admission to practice law before the Idaho Supreme Court. At the time of Young’s application, Idaho statutes limited the admission of attorneys in Idaho to “white males.”³⁸ Nonetheless, on October 26, 1895, the Idaho Supreme Court, comprised of Chief Justice John T. Morgan, himself a member of the Constitutional Convention, Justice Isaac Sullivan, and Justice Joseph W. Huston, granted Young’s application for admission, making her the first woman admitted to the Idaho Bar.³⁹

Months later, in the spring of 1896, two of NAWSA’s national organizers (Johns and DeVoe) came to Idaho to direct the state’s campaign. Given Young’s relative notoriety as a woman lawyer with prominent connections in the community, Johns recruited her to “take charge of north Idaho.”⁴⁰ Thereafter, Young was elected Vice President (as was Kate Feltham, *infra*) of the Idaho chapter of NAWSA and placed on its Press Committee.⁴¹ By all accounts, Young took her obligations seriously and “was active in 1896 as lecturer, state association officer, and press committee member.”⁴²

Kate Feltham: Idaho’s fifth woman admitted to the Bar

Kate E. Neville Feltham was born

in 1859 in Adams, New York.⁴³ After graduating high school, Feltham was a teacher in Ackley, Iowa. In 1893, she moved to Nampa, Idaho and, on September 21, 1893, she married Lot Feltham. Lot served as Caldwell city attorney from 1892 to 1895. During this time, Feltham taught English at the College of Idaho and became active in the Caldwell community. Clearly a smart and engaged woman, years later Feltham would study law in her husband’s office and become Idaho’s fifth woman admitted to the Idaho Bar.⁴⁴



Given her community involvement, Feltham was chosen to serve as the President of the Caldwell branch of the Idaho Equal Suffrage Association. In that capacity, she was invited to attend the first statewide meeting of suffrage delegates in Boise on November 20, 1895, to organize the Idaho Equal Suffrage Association.⁴⁵

Although one delegate from each county in Idaho was invited, only eight counties responded. Feltham later noted that it was “a very quiet convention” because the eight delegates were not well acquainted, and “consequently there was not the confidence necessary to make this first meeting a perfect success.”⁴⁶ Feltham also noted the hesitancy of some because “the fact that many of the Boise ladies who were interested in calling the first meeting, were wives of prominent Republicans caused political leaders of other parties to look upon the movement as a Republican scheme.”⁴⁷

Given this, some of the delegates worked to “counteract” such perception, which, according to Feltham, was “not well understood by the rest of the convention.”⁴⁸ Despite these challenges, the organization elected officers and, with the help of *Boise Statesman* editor William Balderston, was successful in adopting a model constitutional sent out by the NAWSA.⁴⁹ Feltham was elected to the Advisory Board.⁵⁰

Despite these early efforts and good intentions, “[l]ittle was accomplished” in the winter of 1895-96, causing the national office of NAWSA to send Johns to Idaho in May 1896 to reorganize the state and local clubs and lecture and secure pledges from political party leaders.⁵¹ Johns had the desired effect, and suffragists convened in

Boise on July 1, 1896, to “manage the final phase of the campaign.”⁵² It was at this convention that both Young and Feltham were elected Vice Presidents and thereafter set about to ensure passage of the suffrage amendment in November 1896, giving “much time to the final drive.”⁵³

The election of November 1896

“[T]he suffragists were generally confident on election day,” having canvassed the state, given innumerable lectures, distributed thousands of leaflets, published hundreds of editorials, and garnered the support of all four political parties and 62 of the 65 newspapers in the state. Even so, they performed “heroic work”⁵⁴ on election day, handing out thousands of leaflets carrying the message, “[v]ote for the woman suffrage amendment,” including a group of women in Silver City who “stood all day, ankle-deep in snow, distributing the [leaflets] and urging the voters to cast their ballots in favor of the amendment.”⁵⁵ Enterprising suffragists also served coffee and sandwiches at the polls “to give the ladies an easier opportunity of approaching the voters on the amendment question.”⁵⁶

The final tally was 12,126 for the amendment and 6,282 against.⁵⁷ To most people, this looked like a clear majority had passed the amendment. But the Board of Canvassers took a different approach. They held that the amendment had been defeated because 14,759 votes were needed to pass given that a total of 29,516 voters had voted in the election – which meant that more than one-third of the people who voted did not vote on the amendment. The Board argued that the Constitution required that an amendment receive approval by a majority of the electors, and 29,516 electors had voted. Accordingly, the Board declared that the amendment had been defeated.⁵⁸

It's not over: Election results challenged

Suffragists wasted little time in challenging the Board of Canvassers' decision. Kate Green, a suffragist from Nampa who had served on the statewide NAWSA Press Committee with Helen Young, served as the named plaintiff in an appeal of the

Board's decision filed with the Idaho Supreme Court. Green was represented by three of Idaho's most prominent attorneys at the time – James Hawley, William Borah, and Miles Tate – who volunteered their *pro bono* services.⁵⁹

After hearing two days of argument, the same three justices of the Idaho Supreme Court who had admitted Helen Young in 1895 when Idaho law limited the practice of law to “white males” (Chief Justice John Morgan, Justice Isaac Sullivan, and Justice Joseph Huston), ruled unanimously in favor of Green.⁶⁰ The Court found that the Idaho Constitution required that a majority of voters who actually voted on an issue be counted for purposes of passage of the amendment and that those who did not specifically vote on the amendment cannot be assumed to have opposed it.

The Court pondered, “[i]s it not more reasonable, as well as more righteous, to say that in a matter about which they manifest such indifference their silence should be taken as assent?”⁶¹ Accordingly, the Court held that the women's suffrage amendment was adopted “and has become a part of the constitution of the state of Idaho.”⁶²

At least one historian aptly observed that “[t]he remarkably quick and favorable decision by the supreme court justices may have been due in part to the fact that their wives were suffragists.”⁶³ Regardless, the Court's decision, dated December 24, 1896, was surely a welcomed Christmas present for the suffragists of Idaho.

Moving forward with voting rights secured

The total cost of the Idaho suffrage campaign was \$2,218.58, with \$980.29 raised outside of Idaho.⁶⁴ Clearly, the grassroots efforts of these minimally funded, yet well connected, suffragists paid off.

Both Young and Feltham continued to be actively involved in their communities and took advantage of their newly secured rights after passage of the suffrage amendment. Young returned to North Idaho and in 1900 was elected as County Superintendent of Public Instruction for Shoshone County.⁶⁵ The November 3, 1900, edition of *The Mullan Mirror*⁶⁶ reported on one of Young's campaign stops:

[T]he chairman introduced Miss Helen L. Young, a trim little lady, who in a few well chosen phrases pleaded as only a woman can plead for suffrage of her sex and liberal support of the ticket for the office of superintendent of schools. With gentlemanly instinct she was well received and retired wreathed in smiles dawned from a new hope.

Feltham returned to Caldwell where she was active in numerous community organizations and, after reading for the law in her husband's law office, was admitted to practice law on September 22, 1914, making her only the fifth woman admitted in Idaho.⁶⁷ Feltham practiced in Weiser for almost 30 years and shared an office with her husband (who she later divorced). In 1926, Feltham was elected to serve as prosecuting attorney for Washington County, the first woman to hold a prosecuting attorney position in Idaho.⁶⁸

While Young and Feltham's individual efforts and gender-barrier-breaking accomplishments provided much needed role models to women in the late 1800s⁶⁹ and early 1900s, their collective effort to gain women the right to vote in Idaho created vast opportunities for Idaho women for many generations to come, both in the legal field and elsewhere.



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Endnotes

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3. T.A. Larson, “The Woman's Rights Movement in Idaho,” 16 *Idaho Yesterdays* 2, 18–19 (Spring 1972).
4. *Id.*
5. An Act Relative to Elections, 1864 Idaho Sess. Laws 560.
6. An Act Relative to Elections, 1874-75 Idaho Sess. Laws 684.
7. DENNIS C. COLSON, IDAHO'S CONSTITUTION: THE TIE THAT BINDS

- 152 (SPEC. LEGIS. ED. 2003).
8. *Id.* "Not one of the eleven who voted for suffrage in 1871 was returned to the next legislature, and the subject lay dormant for many years." T.A. Larson, *supra* note iii, at 3–4.
9. T.A. Larson, *supra* note iii, at 3.
10. An Act to Establish a Public School System, 1879 Idaho Sess. Laws 21.
11. An Act to Amend an Act to Establish a Public School System, 1885 Idaho Sess. Laws 194.
12. T.A. Larson, *supra* note iii, at 5.
13. An Act to Remove the Disqualifications of Persons Elected to the Office of County Superintendent of Public Schools, 1889 Idaho Sess. Laws 13–14.
14. COLSON, *supra* note vii, at ix, 7 & 253–54 (Appendix A).
15. *Id.* at ix & 9.
16. *Id.* at ix & 257 (Appendix B).
17. *Id.* at 153.
18. Scofield & Aiken, *supra* note ii, at 34–35.
19. COLSON, *supra* note vii, at 153.
20. *Id.* at 154.
21. *Id.*
22. SUSAN B. ANTHONY & IDA H. HARPER, HISTORY OF WOMAN SUFFRAGE, VOL. 4: 1883-1900, CH. XXXVI: IDAHO, at 589 (Rochester, NY, 1902) [hereafter "ANTHONY HISTORY"].
23. COLSON, *supra* note vii, at 154.
24. Scofield & Aiken, *supra* note ii, at 35–37.
25. ANTHONY HISTORY at 589. See also T. A. Larson, *supra* note iii, at 7.
26. COLSON, *supra* note vii, at 157.
27. T.A. Larson, *supra* note iii, at 8.
28. Skelton, who had argued for suffrage at the Idaho Constitutional Convention, urged Idaho unions to form franchise departments, but "there was little interest among WCTU members for suffrage work." Scofield & Aiken, *supra* note ii, at 37.
29. ANTHONY HISTORY at 590.
30. *Id.*
31. Scofield & Aiken, *supra* note ii, at 37–38.
32. *Id.* at 38. See also T.A. Larson, *supra* note iii, at 9–10.
33. *Id.* at 38.
34. *Id.*
35. For a detailed history of the life of Helen L. Young, see DEBORA K KRISTENSEN, THE FIRST 50 WOMEN IN IDAHO LAW at 1–4 (Idaho State Bar, rev. ed. 2005).
36. See *Young v. First Nat'l Bank*, 4 Idaho 323, 39 P. 557 (1895).
37. Woods likely knew Young through his wife, Melvina "Mell" Woods, an active suffragist and early officer in Idaho's statewide suffrage movement. See T.A. Larson, *supra* note iii, at 10; Scofield & Aiken, *supra* note ii, at 41.
38. See *Application of Kaufmann*, 69 Idaho 297, 305, 206 P.2d 528, 532 (1949).
39. See KRISTENSEN, *supra* note xxxv, at 1–2. See also *Kaufmann*, 69 Idaho at 305, 206 P.2d at 532.
40. *Id.* at 2.
41. T.A. Larson, *supra* note iii, at 11.
42. *Id.* at 18.
43. For a detailed history of the life of Kate E. Neville Feltham, see KRISTENSEN, *supra* note xxxv, at 9–10.
44. See *infra*.
45. T.A. Larson, *supra* note iii, at 10.
46. *Id.* at 10–11.
47. *Id.* at 11.
48. *Id.*
49. *Id.* at 10.
50. *Id.*
51. *Id.* at 11.
52. *Id.*
53. *Id.* at 18.
54. ANTHONY HISTORY at 593.
55. *Id.*
56. T.A. Larson, *supra* note iii, at 14. The Boise suffrage club caused some trouble when they passed out 3,000 copies of the amendment near the polls on election day because some voters used that handout instead of the official ballot to vote. Votes on these copies were disqualified and not counted in the final tally. *Id.*
57. *Id.*
58. See *generally id.*
59. *Id.*
60. *Green v. State Bd. of Canvassers*, 5 Idaho 130, 47 P. 259 (1896).
61. *Id.* at ___, 47 P. at 260.
62. *Id.* Chief Justice Morgan wrote a lengthy concurrence analyzing the many authorities cited by the parties, concluding "[i]t is clear that the decided weight of authority in such cases is that the proposition is decided in the affirmative if it receives a majority of all the voters cast upon the question." *Id.* at ___, 47 P. at 263 (Morgan, C.J., concurring).
63. T.A. Larson, *supra* note iii, at 15.
64. *Id.* That amount equals approximately \$68,648.68 in 2020 dollars. See *generally* <https://www.in2013dollars.com/us/inflation/1896?amount=2218.58>.
65. KRISTENSEN, *supra* note xxxv, at 3.
66. A copy of this issue of *The Mullan Mirror* is available on microfilm at the Idaho State Archives.
67. Bertha Stull Green of Mountain Home was the second woman admitted to practice law in Idaho in 1904; Della M. Gregory Thomas of Shoshone was admitted in 1907 as the third woman attorney in Idaho; and Margaret Beall Connell of Utah was admitted in Idaho as its fourth women attorney in 1911. KRISTENSEN, *supra* note xxxv, at 5–8.
68. *Id.* at 9–10.
69. In 1898, the first general election after suffrage, women accounted for approximately forty percent (40%) of the vote. ANTHONY HISTORY at 594. In that election, three women were elected to the Idaho House of Representatives: Clara Campbell of Boise, Hattie Nobel of Idaho City, and Mary A. Wright of Rathdrum. KRISTENSEN, *supra* note xxxv, at 102 (Milestones for Women in Idaho Law). In addition, Permeal French was elected State Superintendent of Public Instruction in 1898. See MERLE WELLS & ARTHUR HART, IDAHO: GEM OF THE MOUNTAINS at 50 (1985).



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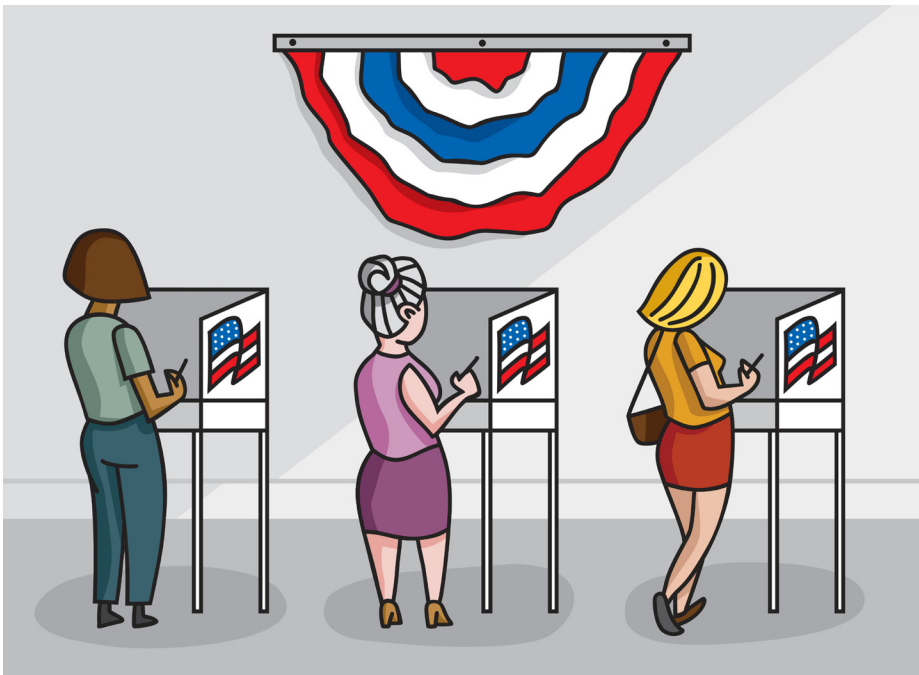
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A Woman's Vote: To Fear or Not to Fear

Emily R. James

The 100th Anniversary of the 19th Amendment could not have landed on a more momentous year. As a young woman, looking at the United States through a 2020 lens, the anniversary is not only a victory to be celebrated, but also a stark reminder that the United States Constitution did not originally include gender and race equality.

This anniversary reflects progress, but it also demonstrates the equality gap that existed at our nation's founding and the gap that remains today. In this presidential election year, the equality gap is seen in the efforts to encourage specific segments of voters, as well as efforts to create barriers and encourage others to remain at home and not vote.

Those familiar with campaign work know that there are two ways to win an election in a democracy: the most votes

or suppressing an opponent's supporters' votes.¹ There are several ways the latter can be accomplished, but making it illegal for an opponent's supporters to vote may be among the easiest. America's history is fraught with discriminatory laws that kept individuals from the ballot box. Even though there are numerous examples of those laws impacting the people's voice, this article will focus on the historical impact of the woman's vote and discuss how lessons learned from the women's suffrage movement can apply to today's voting landscape.

Voting rights are a clear demonstration of the ongoing fight for equal rights under the law for all. The right to vote was and continues to be about freedom. To many, the right to vote qualified you as a citizen with a voice the government recognized as valuable. A vote provides a voice to say what happens to you and this

country.² Susan B. Anthony captured this feeling in her speech titled "Is it a Crime to Vote," with a quote frequently attributed to Ben Franklin: "they who have no voice nor vote in the election of representatives, do not enjoy liberty; but are absolutely enslaved to those who have votes."³

The historical impact of the woman's vote

From the beginning, the Federal government has predominately left voting rights to be decided and regulated by the states.⁴ At first, that generally meant property owning, tax paying, white men were the only voices that mattered.⁵ However, there was one state that provided a great example of how impactful a woman's vote on the electorate can be. New Jersey extended the franchise to women during the formative years of our nation. From 1776

to 1807, many women did have the right to vote in the state of New Jersey.⁶ During those years, politicians saw the women's vote as equally up for grabs.⁷

At first, women in New Jersey had not voted for one party's candidate more than the other's.⁸ Then, at the beginning of the 19th Century, New Jersey Republicans realized the woman's vote was no longer a swing vote.⁹ Women were now overwhelmingly casting their vote for the Federalist party.¹⁰ Instead of offering up

with certain inalienable rights, that among these are life, liberty, and the pursuit of happiness."¹⁷ This Declaration described the tyranny of mankind over women and listed the denial of elective franchise as proof. Most significantly the Convention delegates agreed that women were autonomous individuals who deserved their own political identities.¹⁸

Throughout this time most states were expanding eligible voters by eliminating the land ownership and tax paying

"racist Southerners who argued that white women's votes could be used to neutralize those cast by African Americans."²² Other opponents to the women's vote argued that the movement would endanger Black enfranchisement.²³

In addition to Southern states seeing the potential power of the women's vote, the Western territories and states used a woman's right to vote to accomplish various other goals far before the 19th Amendment was passed.²⁴ The West was a world viewed more equipped for a man, however women and their voices were used and refused strategically throughout.²⁵ The Wyoming territory became the first to allow women's suffrage in 1869 and started a trailblazing path for progressive measures eventually becoming the "Equality State."²⁶

Although this was a victory, the motivation may not have been purely for equality. Men outnumbered women six-to-one in Wyoming, and by using the publicity of equality, the territory hoped to attract additional women to move out there and hopefully gain the necessary population to achieve statehood.²⁷ The Democratic party of Wyoming was also trying to use the movement for political gain by introducing the bill to gain support, and when that backfired Democrats tried to repeal.²⁸

The Western territories of Utah, Montana, and Washington were not far behind in passing similar legislation. But as these territories moved for statehood the women's vote was left behind. Keeping true to the equality name, Wyoming let those voices continue even after Congress threatened to keep it out of the Union unless the provision was rescinded.²⁹

It was not long after that the states of Utah, Colorado, Washington, and Idaho figured out the importance of the women's suffrage movement in their own agendas.³⁰ The Mormon community and anti-Mormon lawmakers each had agendas for the movement in Utah.³¹ Colorado, Washington, and Idaho used the movement to promote or oppose prohibition.³² Although opposing women's voting rights when Idaho became a state in 1890, by 1896 a shift in population from "bachelor miners, who vehemently opposed prohibition, to gentleman farmers, who favored banning booze" led to lawmakers needing the woman's vote to implement prohibition.³³ By joining the women's suffrage

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new ideas to win back the woman's vote, Republicans decided to take a woman's right to vote in New Jersey away.¹¹

In 1807, New Jersey Republicans rushed a bill through the state legislature, that "banned all women from the ballot box."¹² They justified this action, as so many politicians do when passing voting restrictions, on the basis of voter fraud.¹³ Author David Litt sums up this irony best, writing, "The idea that white men are New Jersey's anticorruption champions will be strange to anyone who has heard of New Jersey."¹⁴

So, despite Abigail Adams' famous reminder to her husband not to forget about the women during the Continental Congress, most states did, and the one that did not quickly changed.¹⁵ It was not until years later that the Women's Suffrage Movement began taking shape in the 1820's.¹⁶

By 1848, a group of activists gathered for the Seneca Falls Convention and in the Declaration of Sentiments proclaimed, "We hold these truths to be self-evident: that all men and women are created equal, that they are endowed by their creator

requirements for white men by 1850.¹⁹ Although this may have been promising and the Seneca Falls Convention had generated momentum for women's suffrage, much of that momentum was lost when the Civil War broke out. In that historical moment, the nation shifted its focus to the freedom of those held in captivity as slaves.

After the Civil War, the 15th Amendment, guaranteeing former slaves and non-whites the right to vote (in theory) was passed.²⁰ Our nation's history of its adoption of the 15th Amendment, and then subsequent denial of the franchise under it, speaks for itself and resonates to this day. Many suffragists opposed the 15th Amendment, not because they felt that the right to vote should be denied, but instead because the right to vote continued to leave out women.

Over the decades that followed the Civil War, the suffragist movement continued to gain support. For example, the impact a woman's vote had on an election was not lost on politicians fearing the African American's vote.²¹ Some suffragists even aligned themselves with

movement, Idaho women were instrumental in making Idaho a “dry” state.³⁴

History shows that the movement was supported for various reasons throughout the states, but it was not until 1920 that the United States Constitution recognized a woman’s right to vote on a federal level.³⁵ Even then, much like the 15th Amendment, the 19th Amendment did not lead to true equality in every state and for every woman, especially for women of color. It was not until the passage of the Voting Rights Act of 1965 that minority groups fully gained the right to vote in practice.³⁶ But as we see today, with gerrymandering, lack of access, felon restrictions, registration purges, citizenship requirements, and voter ID laws, the powerful few continue to suppress the many.³⁷

What’s next

So, what does this mean for voting in the future? Will women’s voices continue to grow? Will they be strategically suppressed? What power will the voices wield? In the more recent past, there has been a clear gender gap in voting. For example, according to exit polling in 1996, 54% of women voted for Bill Clinton, compared to 43% of men.

As women gained their independence and equality in the world, starting in the 1980s, voting signified that women are going to the polls at higher rates and also creating an electoral desire for the support of “suburban moms.”³⁸ Another recent behavior to note is that women are primarily voting along the Democratic party line.³⁹ Which begs the question, will this lead Republican politicians to try and gain women’s votes or try to put up barriers as parties once did?

Within recent elections we have witnessed the power of the “soccer mom,” “women who typically stay in the background of the political fray [that] can be fierce mama bears for causes that affect their families,” and pollsters are already debating the presence of “pandemic moms” within the current election cycle.⁴⁰ Exemplified recently with these “soccer mom” voters and historically with prohibition, women’s voices have power to affect history, and without their voices the elections would not be the same.

As powerful as a woman’s vote is, both examples seem only to show the power when it is needed or challenged. However, it is evident that when women want to be heard they find a way no matter how long the fight, and in the future, I anticipate that will be no different.

Without women, elections would not be the same. Women’s voices are a power that effectuates change. Recently, women have not just used their voices in the form of a vote but are also gaining in representation along the same political lines. For example, women represent one-in-five House and Senate members, but at a rate of three times higher in the Democratic Caucus.⁴¹

Only time will show if women continue to use their voice along one party line over the other. In any regard, these numbers are indicative of following history and prove the woman’s vote and voice is impactful. In the past when women wanted to be heard they found a way; the future will hopefully be no different.

Conclusion

Voting rights in the United States have come a long way. However, it is clear there is a long road ahead to true equality in voting. Reflecting on the past provides a sense of hope and resilience. As painful as the road to a voice and representation has been for many, the fight is always moving forward. Voting voices can be the key to liberty in this world.

Although voting rights have a history fraught with fights and suppression, we must remember the sacrifices others made along the way, and all the voices that have been forced into silence. I hope every voter will value and take advantage of their voice to truly establish a “government of the people, by the people, for the people.”⁴²

So as we celebrate how far we have come, we mustn’t forget that the voice of a vote is what controls this country and we cannot have true liberty for all unless all of the people can and do use that voice in voting and representation. Women fought for decades to be heard, and it may have taken nearly 100 years to get their foot in the door, but it happened.

With women continuing to push that door open wider and wider over the last 100 years, I hope that this history will signify the power and continue pushing

until there are not any more barriers. It is clear in historical and current representation and suppression that the power in a woman’s vote has been feared by many. So, as history marches on, a woman’s voice should only be feared by those trying to suppress it.



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“As painful as the road to a voice and representation has been for many, the fight is always moving forward.”

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Motor Corps and Canteen volunteers from the Detroit chapter of the American Red Cross, taking a break from delivering supplies to flu victims. Photo credit: Centers for Disease Control and Prevention, 1918 Pandemic Historical Image Gallery.

Women's Suffrage and the Pandemic of 1918

Christopher P. Graham
Lucy Murphy

"Everything conspires against women suffrage. Now it is the influenza."

— A suffragist
quoted in the *New Orleans Times-Picayune* in 1918

The COVID-19 pandemic, also known as the coronavirus, has caused tremendous upheaval in the daily lives of people in the United States and around the globe. Not since shortly after the turn of the century has the world seen a disease cause so much disruption, discord, and death. The pandemic of 1918, more commonly known as the "Spanish Flu pandemic," involved a novel strand of influenza. The Spanish Flu killed an estimated 50 million people worldwide—more than the 14th Century Black Plague.¹

In the United States alone, it killed an estimated 675,000 people.² And as COVID-19 has caused the cancellation of numerous events planned to celebrate the hundred year anniversary of the passage and ratification of the 19th Amendment to the United States Constitution, the current pandemic also reminds us that the pandemic of 1918 nearly derailed the women's suffrage movement.

Getting the 19th Amendment to a vote: The suffragist's pre-pandemic war efforts prove fruitful

When the U.S. Congress declared war against Germany in April of 1917, critics initially condemned the women's suffrage movement. The United States was at war, and anything that diverted attention away from the country's war effort was

deemed unpatriotic. As a result, a number of women, including many suffragists, swapped their right to vote efforts for those necessitated by the war.

In a recent book, Allison Lange, author and history professor at the Wentworth Institute of Technology, notes that tens of thousands of nurses served in the Army and Navy Nurse corps in the United States and on the front lines in Europe during the war.³ Millions more volunteered for the American Red Cross, the Salvation Army, and countless other organizations by helping to raise money, roll bandages, sew blankets, prepare meals, and provide other material support for U.S. soldiers. Women also entered the workforce in large numbers, taking up traditionally male jobs in offices, factories, and agriculture—marking a major shift from prior domestic employment.

Recognizing that their patriotic ef-

forts led to increased goodwill among the American public, some suffragists sought to relocate that goodwill back to the demand for the right to vote. For example, in a speech designed to be read as an open letter to Congress, prominent suffragist Carrie Chapman Catt noted that “[m]en and women are paying the frightful cost of war and bearing its sad and sickening sorrows together. Tomorrow they will share its rewards together in democracies which make no discriminations on account of sex.”⁴

Amendment to the U.S. Constitution by a vote of 274 to 136.⁷ On September 30, 1918, President Woodrow Wilson voiced his support for the amendment and explored the Democrat controlled Senate to deliver “justice to women.”⁸ The question was: did the suffragists have the votes they needed to pass the amendment? The following day, however, the suffragists had their answer as the amendment fell two votes short of the two-thirds present and voting required for passage, 53-31.⁹

The amendment failed for two primary

Champ Clark, a Democrat from Missouri, came down with the flu on October 7. The same day, Congress closed all of its public viewing galleries and by the middle of the month, nearly every lawmaker in Washington D.C. was either sick or taking care of someone who was sick. There was no action being taken on the amendment or any other legislation.¹²

Suffragists, already stung by the amendment’s defeat in the Senate, found themselves unable to pursue lobbying efforts in states where referendums on women’s voting rights would be held. For example, in Louisiana, “all was ready for beginning a whirlwind campaign on October 1, when suddenly just before that date the influenza epidemic broke out and no assembling of people was allowed.”¹³ In South Dakota, another referendum state, there were “plans developed for a renewed and revised campaign,” when the pandemic struck and cut off “all possibility of public speaking and even meetings in open air.”¹⁴

To make matters worse, the November mid-term elections were rapidly approaching, and suffragists wanted to step up their campaign efforts for pro-amendment candidates in those states whose Senators had voted against the amendment a month prior. But rallies, speeches, and other political activities were suspended because of the pandemic. A train tour of previously arrested suffrage protestors that was anticipated to draw large crowds along its route from Washington D.C. to Oregon was postponed.¹⁵ Catt was metaphorically “chained to her bed” with the flu. Things were so bad that in Wyoming in late October, “it was considered immoral for six women to meet in a parlor...” Instead, the “only way was to campaign by dodgers and street signs.”¹⁶

The fight lives on: Adaptation and resilience

Because they could not hold public gatherings, the suffragists instead focused their efforts in more personal ways, such as writing letters, making telephone calls, and taking out ads in the newspaper. More than a million pamphlets were printed for distribution by suffragist supporters to hang from door to door.¹⁷ Suffragists “emphasized their patriotism and quoted

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Other suffragists, such as Maud Younger of the National Women’s Party (“NWP”), however, took a more direct approach. Younger and other NWP suffragists embarked on a tireless lobbying campaign designed to gain the vote of those Senators, including Idaho’s William Borah, who had voted “no” on the national suffrage amendment bill in 1914.⁵ For instance, if a senator was known to arrive at his office at 7:30 a.m., Younger had a lobbyist waiting outside his office at 7:29. Some senators appreciated the NWP’s persistence and some did not. “Nagging!” Senator Irvine Lenroot of Wisconsin is said to have exclaimed after one such encounter. “If you women would only stop nagging!”¹⁶

Defeated but undeterred: The U.S. Senate narrowly rejects the 19th Amendment

The combined efforts of Catt, Younger, and many other suffragists paid dividends, however. On January 10, 1918, the U.S. House of Representatives passed the 19th

reasons. First, some senators, like Borah, were opposed on anti-federalist grounds. Although Borah supported women’s suffrage—in fact, women had been able to vote in Idaho since 1896—Borah insisted that the issue was best left to be resolved by the individual states.¹⁰ Second, other senators, in particular southern Democrats, opposed the amendment by employing a combination of racist and sexist ideology: women simply did not possess the emotional or intellectual capacity to make a rational decision when voting, and black women in particular posed a threat because they would undoubtedly vote Republican, the party of Abraham Lincoln.¹¹

The movement in peril: The pandemic hits Washington D.C. and the rest of the nation

Only a few days after the amendment’s defeat in the Senate, the pandemic of 1918 gripped Washington, D.C. The House majority leader, Claude Kitchin, a Democrat from North Carolina, fell ill on October 6. The speaker of the House,

the president saying that votes for women was a proper reward for their wartime sacrifice.”¹⁸

Again, the suffragists’ persistent and varied efforts paid dividends. Suffrage referendums in South Dakota, Michigan, and Oklahoma all passed by a wide margin.¹⁹ The November mid-term elections also notably resulted in the Democrats losing control of the Senate and included prominent wins by pro-suffrage candidates in Massachusetts and Delaware.²⁰

In Idaho, William Borah retained his seat in the Senate, but—fearing that his opposition to the suffrage amendment would cost him the election—allegedly did so only after striking a back room deal with NWP leader Alice Paul in which Borah agreed to vote in favor of the suffrage amendment if reelected.²¹ Borah would later renege on the supposed deal and vote against the amendment again in 1919.

Renewed enthusiasm: At long last, passage and ratification

As the pandemic began to wane, the 66th Congress convened on March 4, 1919, and soon took action on the suffrage amendment. The U.S. House of Representatives again approved the amendment on May 21, 1919. And on June 4, 1919, with the necessary votes finally in place, the Senate approved the national suffrage amendment with two votes to spare, 56 to 25.²² Illinois, Wisconsin, and Michigan quickly ratified the amendment, and other states soon followed. Idaho ratified the amendment on February 11, 1920.²³ On August 18, 1920, Tennessee became the 36th state to approve, and the 19th Amendment to the U.S. Constitution was fully ratified.²⁴

The pandemic of 1918 nearly upended the suffragists’ attempts to gain equal voting rights. One hundred years later, however, as COVID-19 continues to wreak havoc across the United States, the 19th Amendment’s passage and ratification reminds us of what can be accomplished with a mixture of determination, creativity, and perseverance.

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“The pandemic of 1918 nearly upended the suffragists’ attempts to gain equal voting rights.”



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An Update on *State v. Clarke* – Over One Year Later

Jessica A. Harrison

Approximately 18 months ago, the Idaho Supreme Court unanimously held in *State v. Clarke* that the Idaho Constitution prohibits warrantless arrests of misdemeanor offenses committed outside a police officer's presence.¹ Initially, little was known about the practical implications of the decision. Over the course of the past year, however, the Idaho criminal justice system has seen a number of issues arising from *Clarke* that the appellate courts need to address. This article touches on a few of those issues.

What amounts to an arrest?

The most critical question posed by *Clarke* is: what constitutes an arrest? Whether an arrest occurred did not seem to create much litigation statewide prior to *Clarke*. But once *Clarke* held that police officers must obtain a warrant to arrest

for misdemeanor crimes committed outside their presence, prosecutors began to argue that individuals were merely detained—not arrested—and thus, *Clarke* was inapplicable (and evidence obtained as a result of that “detention” was thus admissible in court).

For instance, in *State v. Blanchard*, police responded to a report of an erratic driver and located the suspect's vehicle parked in front of a residence.² The suspect, Ms. Blanchard, was inside the house when police arrived. After speaking with the suspect, police administered standard field sobriety tests, then informed the suspect she was under arrest. The suspect, only 16 years old, was told she had two options — 1) walk with the police to the patrol vehicle, or 2) be handcuffed and placed in the back of the patrol vehicle. The suspect chose to walk to the patrol vehicle and was transported to the police station for a blood draw. A couple hours later, she was

returned to her parents' home.

Despite being told she was under arrest, removed from her home and guardians, placed in the back of a patrol vehicle, and transported to the police station, an Ada County Magistrate Judge determined Ms. Blanchard was not arrested because the “detention” was temporary and she was not handcuffed. On interlocutory appeal, the Ada County District Court agreed and affirmed the magistrate's denial of the motion to suppress.³

According to the Ada County District Court, when an officer informs an individual that he/she is under arrest, that does not necessarily mean an arrest in fact occurred. Still, though, Ada County police officers are now using their words carefully when interacting with misdemeanor suspects. They will often now inform suspects that they are being detained, rather than arrested, to bolster a future argument that the encounter was

merely a detention and not an arrest.

On the other hand, a Canyon County Magistrate Judge granted a motion to suppress where police officers handcuffed a DUI suspect, placed the suspect in the back of a patrol vehicle, and transported the suspect to the police station for evidentiary testing—even though the officers informed the suspect that he was merely being detained and not arrested, and would not go to jail that night regardless of the outcome of the breath/

transported her to the police station. She then provided breath samples. Soon after, police learned the suspect had two prior DUI convictions and accordingly booked the suspect into jail for felony DUI.

In response to a *Clarke* motion to suppress, the State argued that *Clarke* was inapplicable because the police made a felony arrest. The State maintained that while the officer did not know of the suspect's prior DUI convictions when the arrest was made, the officer nevertheless

summarize, using Idaho's implied consent law to excuse illegal arrests is illogical.

The attenuation doctrine allows for the admission of evidence when the connection between unconstitutional police conduct and the evidence is remote or has been interrupted by some intervening circumstance, so that “the interest protected by the constitutional guarantee that has been violated would not be served by suppression of the evidence obtained.”⁸ In cases that trigger a *Clarke* issue, the constitutional guarantee that has been violated is the right to be protected from unreasonable seizures—specifically an illegal arrest. But Idaho's implied consent law applies to searches—not arrests.

These issues are just a few of many that Idaho courts are now tackling in the wake of *Clarke*. As cases make their way up to the Court of Appeals and the Idaho Supreme Court, practitioners, law enforcement, and defendants are hoping for clarity sooner rather than later. *Clarke* created a wave of litigation in just one year and more issues continue to arise as time passes.

“Another issue posed by *Clarke* is when police make warrantless arrests for crimes that initially appear to be misdemeanors, but later turn out to be felonies—i.e., DUI's.”

blood tests.⁴ The Canyon County District Court affirmed the Magistrate Court and issued a decision that runs in stark contrast to *Blanchard*.⁵ But what both these decisions suggest is that the language a police officer uses is not outcome determinative in analyzing whether an arrest occurred.

Misdemeanors that evolve into felonies

Another issue posed by *Clarke* is when police make warrantless arrests for crimes that initially appear to be misdemeanors, but later turn out to be felonies—i.e., DUI's. In Idaho, a second excessive DUI (.20% or above) within five years is a felony and a third DUI conviction within 10 years is a felony.

In *State v. Gibbens*, a concerned citizen called in a suspected drunk driver.⁶ Police located the suspect walking around a parking lot. The individual displayed signs of impairment, so police conducted standard field sobriety tests—which the suspect failed. Police informed the suspect she was under arrest, handcuffed her, and

had probable cause to arrest for felony DUI.

The Ada County District Court found this argument unavailing, holding that “the very notion that an officer can make a determination or conclusion regarding probable cause to arrest using facts not within that officer's knowledge is itself nonsensical. A person cannot make a decision using facts of which that person is not aware at the time they make that decision.”⁷ The district court thus granted the motion to suppress.

Implied consent to evidentiary testing

Additionally, Idaho's implied consent law (i.e., drivers impliedly consent to evidentiary testing by driving on Idaho's public roads) has made its way into some *Clarke* analyses. The State has relied on Idaho's implied consent law to demonstrate that defendants actually consent to evidentiary testing, and therefore even if an illegal arrest occurs, the illegal conduct is adequately attenuated from the evidence. This topic deserves a separate article but to



Jessica A. Harrison is an Ada County Deputy Public Defender, hailing from the University of Idaho College of Law and the University of San Diego. When she's not in remote court or writing suppression motions, she is likely chasing her toddler around, reading for book club, volunteering with Big Brothers Big Sisters, or trying new recipes.

Endnotes

1. *State v. Clarke*, 165 Idaho 393, 446 P.3d 451 (2019); see also *Idaho Supreme Court on Warrantless Misdemeanor Arrests*, Jessica A.H. Howell, 62 THE ADVOCATE 47 (2019).
2. *State v. Blanchard*, CR01-19-16424, Fourth Judicial District of the State of Idaho (Oct. 1, 2019).
3. *State v. Blanchard*, CR01-19-16424, Fourth Judicial District of the State of Idaho (June 24, 2020).
4. *State v. Hobbs*, CR14-19-19759, Third Judicial District of the State of Idaho (Dec. 30, 2019).
5. *State v. Hobbs*, CR14-19-19759, Third Judicial District of the State of Idaho (Aug. 20, 2020).
6. *State v. Gibbens*, CR01-19-27446, Fourth Judicial District of the State of Idaho (Jan. 7, 2020).
7. *Id.*
8. *Utah v. Strieff*, 136 S.Ct. 2056, 2061 (quoting *Hudson v. Michigan*, 547 U.S. 586, 593 (2006)).

Court Information

OFFICIAL NOTICE SUPREME COURT OF IDAHO

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Justices
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G. Richard Bevan
John R. Stegner
Gregory W. Moeller

Regular Fall Term for 2020

1st Amended May 20, 2020

Boise & Coeur d'Alene via Zoom August 17, 19, and 21
Pocatello September 9 and 10
Twin Falls September 11
Boise September 14 and 16
Boise November 2, 4, 6, 9, and 12
Boise December 7, 9 and 11

By Order of the Court
Melanie Gagnepain, Clerk

NOTE: The above is the official notice of the 2020 Fall Term for the Supreme Court of the State of Idaho, and should be preserved. A formal notice of the setting of oral argument in each case will be sent to counsel prior to each term.

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Molly J. Huskey

Judges
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Jessica M. Lorello
Amanda K. Brailsford

Regular Fall Term for 2020

5/19/20

Boise August 11, 13, 18, and 20
Boise September 1, 3, 15, and 17
Boise October 13, 15, 20, and 22
Boise November 5, 10, 17, and 19
Boise December 8

By Order of the Court
Melanie Gagnepain, Clerk

NOTE: The above is the official notice of the 2020 Fall Term for the Court of Appeals of the State of Idaho, and should be preserved. A formal notice of the setting of oral argument in each case will be sent to counsel prior to each term.

Idaho Supreme Court Oral Arguments for November 2020

9/17/20

November, 2020 via Zoom

Monday, November 2, 2020 – BOISE

8:50 a.m. *State v. Rebo* #46451
10:00 a.m. *Rouwenhorst v. Gem County* #47668
11:10 a.m. *Asher v. McMillian* #47684

Wednesday, November 4, 2020 – BOISE

8:50 a.m. *State v. Orozco* #47263
10:00 a.m. *Chernobieff v. Smith* #47337
11:10 a.m. *Frizzell v. DeYoung* #47543

Friday, November 6, 2020 – BOISE

8:50 a.m. *State v. Gorringer* #46554
10:00 a.m. *Weitz v. Weitz* #47483
11:10 a.m. *Tucker v. State* #46882

Monday, November 9, 2020 – BOISE

8:50 a.m. *Choice Feed v. Montierth* #46544
10:00 a.m. *State v. Huckabay* #48109
11:10 a.m. *Hilton v. Hilton* #47487

Thursday, November 12, 2020 – BOISE

8:50 a.m. *State v. Howard* #47367
10:00 a.m. *Bromund v. Bromund* #47602
11:10 a.m. *Abdullah v. State* #46497

Idaho Supreme Court Oral Arguments for December 2020

10/15/20

December, 2020 via Zoom

Monday, December 7, 2020 – BOISE

8:50 a.m. *Secol v. Fall River Medical* #47149
10:00 a.m. *State v. Cox* #46916
11:10 a.m. *State v. Maloney* #47365

Wednesday, December 9, 2020 – BOISE

8:50 a.m. *Latvala v. Green Enterprises* #47296
10:00 a.m. *Gem State Roofing v. United Comp.* #47484
11:10 a.m. *Gatsby v. Gatsby* #47710

Friday, December 11, 2020 – BOISE

8:50 a.m. *Elsaesser v. Gibson* #47687
10:00 a.m. *State v. Campbell* #47037
11:10 a.m. *Pizzuto v. State* #47709

Idaho Appeals Court Oral Arguments for November 2020

10/15/20

November, 2020 via Zoom

Tuesday, November 17, 2020 – BOISE

9:00 a.m. *State v. Richardson* #47371
1:30 p.m. *State v. Price* #47608

A photograph of three lawyers in a meeting. A man in a light blue shirt is in the foreground, looking down. A woman in a dark blue blazer is behind him, also looking down. A man in a dark blue sweater is standing behind them, looking on. The background is a blurred office setting.

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CIVIL APPEALS

Contract

1. Whether the trial court erred by entering judgment for plaintiff on its breach of contract claim when there was no meeting of the minds as to two material terms of the contract.

Tricore Investments v. Estate of Warren
Docket No. 46912
Supreme Court

2. Whether the trial court erred by finding that defendant intentionally and improperly interfered with a purchase and sale agreement, causing its breach without justification.

Tricore Investments v. Brinkmeyer
Docket No. 46913
Supreme Court

Jurisdiction

1. Whether the district court abused its discretion by dismissing plaintiff's complaint and setting aside a previously entered default judgment on the basis that it was void for lack of personal jurisdiction.

Brockett Co. v. Crain
Docket No. 47138
Supreme Court

License suspension

1. Whether the district court erred by reversing the hearing officer's decision upholding the administrative license suspension and finding the police officer did not have legal cause to arrest defendant for a misdemeanor DUI not committed in his presence.

Reagan v. ITD
Docket No. 47865
Supreme Court

Other

1. Whether the motion for contempt was sufficient on its face to give the contemnor notice of the orders allegedly violated.

Hall v. Chaves
Docket No. 47988
Court of Appeals

Standing

1. Whether plaintiffs lacked standing to challenge the constitutionality of city ordinances that approved tax increment funding for two urban renewal plans where the injury alleged was one suffered alike by all citizens and taxpayers of the jurisdiction.

Hoffman v. City of Boise
Docket No. 47590
Supreme Court

Substantive law

1. Whether I.C. § 5-230 unconstitutionally denies minors equal protection and access to courts because it only tolls the statute of limitations for bringing a claim for a maximum of six years, regardless of whether the minor reaches the age of majority during the tolling period.

Gomersall v. St. Luke's RMC
Docket No. 47664
Supreme Court

Summary judgment

1. Whether the district court erred by granting summary judgment and concluding as a matter of law that plaintiff's fraud claim must be dismissed because defendant did not intentionally mislead plaintiff about the position he was hired to perform.

Knudsen v. J.R. Simplot Co.
Docket No. 47020
Supreme Court

Wills

1. Whether the Will was ambiguous and whether extrinsic evidence regarding the decedent's intent on the disposition of his estate should have been allowed to resolve the ambiguity.

Arredondo v. Wall
Docket No. 47606
Court of Appeals

CRIMINAL APPEALS

Evidence

1. Whether an officer's pursuit of an individual to execute an arrest warrant qualifies as a "fresh pursuit" within the meaning of I.C. § 19-705.

State v. Clark
Docket No. 47210
Supreme Court

2. Whether the criminal complaints, court minutes and plea agreements introduced by the state to prove a felony DUI enhancement were sufficient to prove beyond a reasonable doubt that the defendant had pled guilty to two prior DUI's within ten years.

State v. Fitzsimmons
Docket No. 47623
Court of Appeals

3. Whether the state presented sufficient evidence to prove beyond a reasonable doubt the premeditation element of first-degree murder.

State v. Taylor
Docket No. 47260
Court of Appeals

4. Ineffective assistance of counsel

Whether defendant was deprived of his Sixth Amendment right to conflict-free counsel where counsel was prevented by his ethical obligations from cross-examining a former client about whether his testimony was influenced by his probationary status.

State v. Alvarado
Docket No. 47341
Supreme Court

Jurisdiction

1. Whether the district court lacked jurisdiction to order the Department of Correction to recalculate defendant's sentence.

State v. Allen
Docket No. 47925
Court of Appeals

Other

1. Whether the district court erred by denying defendant's motion to return a seized marijuana pipe and bong that defendant asserted he used for religious sacramental purposes.

State v. Heath
Docket No. 47334
Supreme Court

Probation

1. Whether the district court erred by denying defendant's motion to strike the condition of her probation that required her to submit to warrantless searches by law enforcement because the condition was not reasonably related to the goals of defendant's probation.

State v. Barham
Docket No. 47680
Court of Appeals

Procedure

1. Whether the district court abused its discretion by excluding defendant's proffered exhibit as a sanction for its nondisclosure without first weighing the potential for prejudice to the state against defendant's right to a fair trial.

State v. Barber
Docket No. 47557
Court of Appeals

2. Whether the magistrate court abused its discretion by permitting the named victim to remain in the courtroom during the testimony of another witness at the juvenile's adjudicatory hearing for battery.

State v. Doe
Docket No. 47738
Court of Appeals

**Search and seizure –
suppression of evidence**

1. Whether the district court erred by denying the motion to suppress and finding that the officer who observed defendant driving in the left-hand lane of the interstate at ten miles per hour below the posted speed limit had reasonable suspicion to believe defendant had committed a traffic violation.

State v. Jones
Docket No. 47468
Court of Appeals

2. Whether the hotel employee's act of opening the door to defendant's hotel room to show an officer a loaded syringe constituted a governmental search implicating the Fourth Amendment.

State v. Cox
Docket No. 47822
Court of Appeals

3. Whether the district court erred in concluding defendant's warrantless arrest for petit theft was not a valid citizen's arrest but was instead an unconstitutional arrest by an officer for a misdemeanor committed outside the officer's presence.

State v. Sutterfield
Docket No. 47331
Supreme Court

4. Whether the district court erred by denying the motion to suppress and finding the officer did not unlawfully extend the traffic stop by requesting a K-9 unit and acting as cover during the dog sniff.

State v. Ashbey
Docket No. 47251
Court of Appeals

Sentence review

1. Whether defendant failed to preserve his appellate challenge to the legality of his sentence by failing to raise the challenge to the district court by way of an I.C.R. 35(a) motion.

State v. Radford
Docket No. 47566
Court of Appeals

Summarized by:
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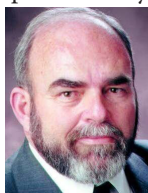
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Daniel L. Spickler 1948 – 2020

Daniel L. Spickler, 72, passed away Saturday, Sept. 12, 2020, with family by his side, at St. Joseph Regional Medical Center in Lewiston.



Dan was born Jan. 3, 1948, to Keith and Delores Spickler in Everett, WA. He grew up in Mukilteo, WA, and in his sophomore year of high school, he moved with his family to Slidell, LA, when his father was transferred by Boeing to work on the Saturn 5 project. He returned March of the same school year and graduated from Cascade High School in Everett in 1966. He married his first wife, Judith (Kooser), in November 1966 and they had two children, Kimberlee and Jason.

Dwain H. Stufflebeam 1932 – 2020

Dwain "Dewey" Hilliard Stufflebeam passed away on September 28, 2020, at Bingham Memorial Hospital after a long illness, surrounded by his family. Dwain was born on August 2, 1932, in Blackfoot, Idaho, to William Herman Stufflebeam and Ruth Hilliard Stufflebeam. In Junior High, his future wife, Joyce Lambert saw his name written on a chalkboard, and thought "Stufflebeam" was the funniest name she'd ever seen... but she married him anyway, on June 11, 1954! They were blessed with four children: Scott, Eric, Susan, and Quinn.



Dewey attended the University of Utah and later transferred to the University of Montana where he earned his law degree. Upon graduation, he served as an assistant Judge Advocate General (JAG) officer in the United States Air Force from 1956-1958 in Amarillo, TX, followed by many years as a Reservist.

Following his service in the Air Force, he returned to Blackfoot to take his position in the small family business, Bingham Title & Trust, established by his father in 1905. Over the years, he expanded the business, with its seven employees, to cover three states, 56 counties, and over 450 employees. It is now known as Title Financial Corporation. At the time of his death, he was serving as Chairman of the Board.

Dwain practiced law with his primary focus on real estate and business. His reputation was that he was an expert in real estate. Back when Dwain was practicing, practicing law did not allow you to take only the cases you wanted. Every attorney was assigned cases by the Court. In Dwain's case, he was assigned as counsel to defend clients on at least two murder trials. According to Dwight Baker, who worked with Dwain on one of those trials, Dwain was an excellent trial attorney.

Dwain was very active in serving in the community, participating in many organizations, and in many leadership roles. He also received numerous community awards.

Following in the footsteps of his father, Dwain was a horseman and cowboy at heart. He loved all things cowboy, especially running a cattle ranch. Flying airplanes was a great love of his. He also enjoyed snow skiing with his family, spending countless family weekends in Island Park, and hunting with his buddies.

joyed snow skiing with his family, spending countless family weekends in Island Park, and hunting with his buddies.

Dwain was preceded in death by his parents, William Herman Stufflebeam and Ruth Francis Hilliard Stufflebeam. He is survived by his wife, Joyce Lambert Stufflebeam, and their four children: Scott Dwain (Janet), Eric Lambert (Tanya), Laura Susan Fink (Kevin), and Quinn Hilliard (Christa). He has 12 grandchildren and 20 great-grandchildren.

Richard E. Hall 1944 – 2020

Richard E. Hall, 76, passed away at home surrounded by his loving family on Tuesday, October 6, 2020, after courageously facing treatment for pancreatic cancer over the last two and a half years. Rich was born on February 7, 1944 in Boise, Idaho, the youngest son of Perce and Orpha (Harris) Hall of Mountain Home, Idaho. He excelled both in the classroom and in extra-curricular activities, particularly baseball and basketball. Rich met his future wife Tonya (McMurtrey) during high school and they were married on December 28th, 1966 in Mountain Home.



After graduating from the University of Idaho with a Bachelor of Arts degree, *cum laude*, in 1966, Rich attended Harvard Law School where he obtained his Juris Doctorate in 1969. He was admitted to the Idaho State Bar in 1970 and the Washington State Bar in 2004. His distinguished

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50-year career as a civil defense attorney earned him numerous accolades, including the IADC Carl P. Burke Award (2020), Richard C. Fields Civility Award (2017), and Fellow of the International Academy of Trial Lawyers (2013). Rich earned the reputation as one of Idaho's legal legends and is widely recognized as one of the best civil defense attorneys in Idaho's history. His professional activities extended to serving on many boards of directors, most notably as Chairman of the Board for United Heritage Life Insurance Company from 2000-2016 and President of the Federation of Defense and Corporate Counsel Foundation (FDCC). Locally, Rich served as president of Hillcrest Country Club and Boise Southwest Rotary Club, and served on the board of the Idaho Shakespeare Festival.

For everything he accomplished professionally – and all the lives of clients, lawyers, judges, and jurors he impacted – Rich always felt the most important and fulfilling aspect of his life was his family. He was immensely proud of his four

daughters and followed theirs and their children's accomplishments closely. He never missed an opportunity to attend and support their music endeavors, theater performances, or soccer and basketball games.

Rich used his compassion and talents in a myriad of ways, especially through music. He sang lead vocals with "Mid-Life Crisis," a Beach Boys-inspired cover band made up of four lawyers and a pharmaceutical sales representative. While undergoing chemotherapy at MSTI, Rich sang for fellow patients and staff and was featured on Boise's KTVB news. His voice, musicianship, and humor helped launch him into remission from pancreatic cancer. Recognizing the opportunity, he performed a benefit concert at the Sapphire Room with local musicians including Kevin Kirk—singing the songs that he sang during those five hour chemo sessions and raising over \$40,000 for Pancreatic Cancer research at MSTI. A plaque at MSTI commemorates "The Drip Lounge,"

where he brought joy to so many people facing cancer. Even after Rich's recurrence of cancer in March of 2020, he performed again in a virtual benefit for COVID-19 for a combined total of \$70,000 for both MSTI and St. Luke's Health Care workers.

Rich is survived by his wife, Tonya; his brother, Dr. Stanton Harris Hall (Sharon); daughters, Christine Hall, Tara Hall, Mishi Stirling, and Erin Hall; sons-in-law, Brandon Stirling and Gabe Shuford; grandchildren, Max and Milo Reddy, Eloisa and Ben Harper, and Buzz and Stella Stirling; and numerous nieces and nephews.

Keeping track

Despite our best efforts, there are times when a member's death remains undocumented. Upon learning of a fellow attorney's death, please feel free to contact Lindsey Welfley with the information at lwelfley@isb.idaho.gov. This will allow us to honor the individual with details "In Memoriam."

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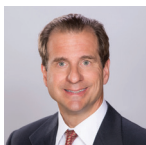
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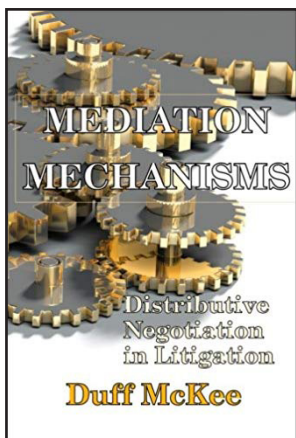
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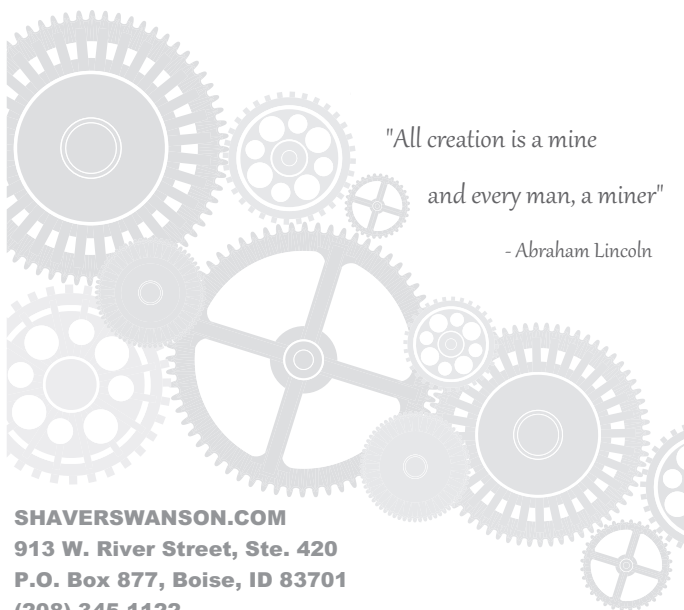
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Fall 2020 Admissions Ceremony

BOISE – The Idaho Supreme Court held six swearing-in ceremonies on October 2, 2020. A total of 85 attorneys were admitted to the Idaho State Bar. The Justices from the Supreme Court took turns presiding over the ceremonies. Precautions were taken to comply with federal and state COVID-19 health and safety guidelines. The Court worked with Idaho Public Television to post videos of the ceremonies on the Court's website.



Nikki O'Toole (left) and Patrick Ngalamulume (right) after being sworn in.



Madison Miller gives her mother, Delea Andrew, a big congratulatory hug outside the Idaho Supreme Court building. Due to COVID-19 restrictions, friends and family were not allowed in the building for the admissions ceremonies. Madison sat in her car and watched her mom being sworn in on Idaho Public Television.

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Kyle Grigsby joins Meuleman Law Group

BOISE – Meuleman Law Group is pleased to announce the addition of Kyle Grigsby as an associate attorney. Kyle primarily practices in real estate, construction, and business law.



Prior to becoming an attorney, Kyle was vice president of business development and human resources at one of the largest and highest-producing real estate teams in the country. Kyle applies his significant experience in business negotiations to advocate strongly and creatively for his clients. Beginning early in his legal career, Kyle has helped clients achieve wins in various litigation and zoning matters.

2020-2021 NCRA Sourcebook goes digital

RESTON, VA – The National Court Reporters Association (NCRA), the country's leading organization representing stenographic court reporters, captioners, and legal videographers, announced the launch of its first-ever digital *Sourcebook*, the number one publication attorneys, legal assistants, paralegals, and anyone else looking for the right court reporting, captioning, or legal videography professional can rely on to find the perfect match for their needs.

The 2020-2021 digital *NCRA Sourcebook* is new in format but still contains the robust content users have come to expect from it. In fact, the new digital version offers even more features to help enhance the user experience. The digital edition is also downloadable and available free to anyone who wants to access it. For more information, visit portal.ncra.org/Sourcebook.

Gravis Law, PLLC expands to the Sun Valley, Idaho area and welcomes Michael Pogue

KETCHUM – Gravis Law, PLLC is pleased to announce that Mike Pogue has joined the firm. Mike will continue his practice in the Sun Valley area and further extend his work in the Boise area where Gravis Law has an office at 1661 W. Shoreline, Boise, ID 83702.

Mike has practiced law for over 20 years and is licensed in Idaho and California. His practice includes commercial law and litigation, real estate, construction, and family law matters. Mike also has experience with counseling companies on technology agreements and intellectual property issues, including employee mobility and trade secrets.



As a result of joining Gravis Law, Mike Pogue is able to partner with a larger group of practitioners and utilize Gravis Law's team-based approach to continue to provide full-service legal services. Both Gravis Law and Mike are devoted to continuing to provide the highest level of professional advice and legal representation for businesses, governments, and individuals throughout the Sun Valley area.

Gravis Law specializes in providing accessible legal services with a team-based legal approach and is excited to join the Sun Valley community with an attorney as respected as Mike Pogue.

Hawley Troxell is proud to announce a new generation of attorneys have joined the firm

BOISE – Hawley Troxell is proud to announce a new generation of attorneys have joined the firm. Joining the firm are Fernando Aceves, Noah Bush, Amy Knight, Patrick Ngalamulume, and Nicole O'Toole.

Fernando Aceves, recently joined us from Michigan, is originally from Coeur d'Alene, and he and his family are happy to be returning to his home state. Fernando provides employee benefits and executive compensation counsel to publicly owned, nonprofit, private, and government employers. He will focus his practice on providing ERISA, IRC, DOL, PPACA, COBRA, and HIPAA compliance advice for qualified retirement plans and health and welfare plans. He will be working closely under the guidance and mentorship of partner, John C. Hughes. Fernando received his J.D. from Wayne State



University Law School in 2018.

Noah Bush is a litigation attorney. Prior to joining Hawley Troxell, Noah served as a judicial law clerk to the Honorable Chief Justice Roger S. Burdick of the Idaho Supreme Court. Noah received his J.D. from the University of Utah, S.J. Quinney College of Law, where he graduated with high honors, and served as associate editor on the Utah Law Review, as well served on the Utah Law Review's executive board. Noah received the CALI award for the highest grade in employment law, and outstanding academic achievement in evidence. While Noah has lived on three continents, he is a proud sixth-generation Idahoan.



Amy M. J. Knight is an associate attorney in the real estate and banking practice groups, and a recent graduate of Concordia University School of Law in Boise, receiving her J.D., *magna cum laude*, as a non-traditional student. While studying law and taking courses at night, Amy worked fulltime for the firm and, prior to 2018, in the in-house legal department of a local commercial real estate lender, earning CALI awards and Dean's List honors along the way. Amy has volunteered for many Treasure Valley charitable causes, including the Girl Scouts of Silver Sage Council, for which she led all of the troops in the Canyon County area. She, her husband, and her two daughters have made the Treasure Valley their home for two decades.



Patrick Ngalamulume is an associate attorney and recent graduate of the University of Idaho College of Law, where he received his J.D. in May 2020. Patrick was Vice President of the Black Law Student Association. During law school Patrick was also the Student Ambassador, promoting and representing the Boise



Law Campus to prospective students. He was also active with the Entrepreneurship Law Clinic (ELC) during his 2019–2020 academic year where he successfully assisted a client with trademark prosecution, which was then published with the United States Patent and Trademark Office. While in the ELC, Patrick worked on transactional legal matters and provided assistance to business owners and entrepreneurs in Idaho. Further, Patrick assisted a local nonprofit with drafting a website terms of service, release of liability, and confidentiality agreement. Patrick speaks several languages including English, Nyanja, and Swahili.

Nikki O'Toole is an associate attorney and recent graduate of the University of Idaho's College of Law, where she received her J.D. in May 2020. While in school, Nikki was a managing editor of the Idaho Critical Legal Studies Journal and a student attorney for University of Idaho's Federal Low-Income Tax Clinic, where she worked closely with clients in their disputes with the IRS. Before joining Hawley Troxell, Nikki worked as a legal intern for a local company's in-house council in the healthcare field. Nikki enjoys volunteering her legal skills and has volunteered as an intermediary with Idaho Trial Lawyer's Association, as well as the Intermountain Fair Housing Council where she assisted with legal research and drafting memoranda. She is also involved with the special needs community as a support broker and advocate for children in Medicaid's developmental disability program.



Lunch & Learn in November

STATEWIDE – In 2011, the Idaho Law Foundation's Continuing Legal Education Program launched the Mobile Monday CLE series. The goal of the series is to offer attorneys convenient programming and the opportunity to learn from distinguished Idaho practitioners, jurists, and guests. Each year, Mobile Monday sessions are offered in November from 12:30 to 1:30 p.m. MT (11:30 a.m. to 12:30 p.m. PT).

The classes are available via telephone or via your computer or other device. You

can be anywhere to attend – at home or, if you are lucky enough to be on a business trip this year, on the road.

Over the past nine years the Mobile Monday series has offered over 40 presentations covering diverse topics. Presenters have included judges and justices, law school deans, executives, and elected officials. At the end of each session presenters take time to answer questions from participants, tailoring the class to the people in attendance. The 2020 Mobile Monday is already underway and the series will continue to offer interesting topics from distinguished speakers that include:

Hindsight in 2020: IP Law Lessons Not to Learn the Hard Way presented by Elizabeth H. Schierman of TraskBritt, PC and Kammie Cuneo of Thomas P. Howard, LLC on November 16th.

The Show Must Go On: Resuming Jury Selection Post-Pandemic presented by Keith Pounds, Ph.D. of Litigation Insights on November 23rd; and

Assisting your Client with Business Succession Planning presented by Ammon Andelin and Justin Walker of Adalant Financial on November 30th.

Each session has been approved for 1.0 CLE credit. Attorneys interested in attending Mobile Monday sessions can attend individual sessions or purchase a packet for the full series at a discounted rate. Look for information on the 2020 Mobile Monday in the Weekly CLE Bulletin, in the E-Bulletin and on the Idaho State Bar Upcoming Course Calendar on our website.

Mock trial goes virtual

STATEWIDE – Across the nation, mock trial programs took a heartbreaking hit in 2020. Nearly every state, including Idaho, had to cancel at least part of their competition season. Soon thereafter, the national competition was canceled as well.

Like nearly everything in our lives right now, mock trial competitions can now be held virtually. The national mock trial board and state coordinators spent the summer developing processes, procedures, and rules that provide support for states to hold their competitions online. As of the beginning of October, over half the states have decided to conduct their competitions virtually for 2021. And by the end of October, the national mock tri-

al board will decide whether the national competition will also be held virtually in 2021.

Idaho is one of the states that decided to move to a virtual competition for the upcoming competition year. With the need to plan for spring competitions at a time when it is still unclear whether or not students will be able to attend school in person, Idaho's Law Related Education Program made the difficult decision to hold all 2021 mock trial events online.

Instead of holding regional competitions, Idaho's mock trial program will offer preliminary rounds. From February 1 to March 6, 2021 teams will have the opportunity to sign up to participate in two to four rounds of competition that will be held every Tuesday, Thursday, and Saturday. Any team who participates in at least two preliminary rounds will be eligible to participate in the state competition.

The state competition will be held from March 18 to 20. All teams will participate in four rounds of competition held on Thursday and Friday, March 18 and 19. The top two teams will compete for the state championship on Saturday, March 20.

Law Related Education staff and volunteers are hard at work adapting the national virtual mock trial guidelines for Idaho and putting the finishing touches on the 2021 mock trial case. Like all years, the program needs volunteers to help with the 2021 competition.

Competition staff is currently looking for judges, attorneys, and non-attorney community members to serve on volunteer jury panels. More information and a volunteer sign up form can be found at idahomocktrial.org.

Please consider helping to make this year's mock trial competition successful for Idaho high school students. For questions, contact Carey Shoufler at (208) 334-4500 or cshoufler@isb.idaho.gov.

Share your news Around the Bar

The Advocate is pleased to present your news briefs, announcements of honors, awards, career moves, etc. in the "Around the Bar" column. Please send submissions to Lindsey Welfley at lwelfley@isb.idaho.gov and include a digital photo. Thank you.

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November

- 16** *Hindsight in 2020: IP Law Lessons Not to Learn the Hard Way*
1.0 CLE credits
Live Teleseminar/Webinar



 = In Person

 = Live Webinar

- 17** *Ethics of Beginning and Ending Client Relationships*
1.0 Ethics credit
Live Audio Stream



 = Live Audio Stream

- 23** *The Show Must Go On: Resuming Jury Selection Post-Pandemic*
1.0 CLE credit
Live Teleseminar/Webinar



- 30** *Assisting Your Client with Business Succession Planning*
1.0 CLE credit
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December

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