

# L.A.W.S. LEDGER

May 22, 2019



“Play Ball!” – image by Angela Classen

## **NEXT MEETING: May 29, 2019**

The next meeting of the Legal Assistants of the Western Slope is scheduled for Wednesday, May 29, 2019, at 4:00 p.m. at the offices of Masters & Viner, Montrose, Colorado. Our guest speaker will be David Masters, who will discuss the topic of “Law of Baseball,” which will include recent historical litigation cases involving baseball (fan litigation, minor league players seeking living wages, player injury litigation, and umpire litigation) as well as touching on interesting but not commonly known/understood “rules” of baseball. Play ball, and plan to be part of our team!



If you plan to attend, please RSVP with Jennifer Hemond by phone (970-249-2622-) or e-mail (jlh@mastersviner.com) so we can have an accurate head count. Also, please invite a friend! Let’s spread the word about our great organization!

See you there!

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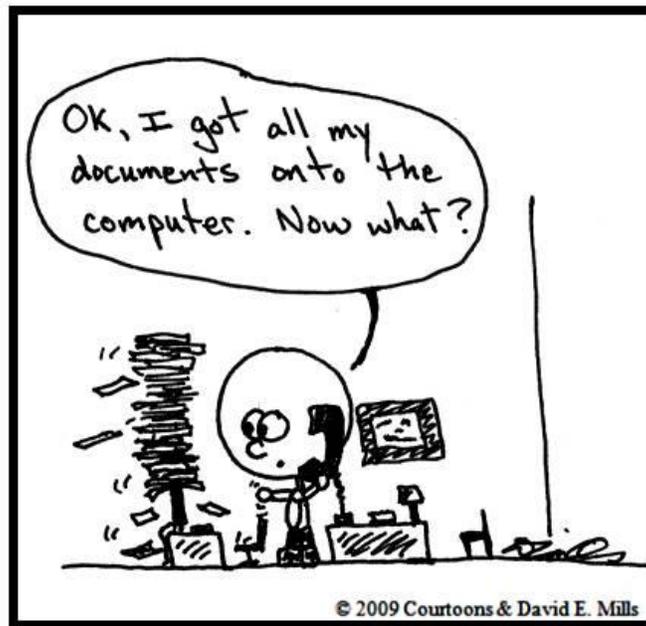
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## GOALS OF LEGAL ASSISTANTS OF THE WESTERN SLOPE

- To provide local access to continuing education
- To encourage a high order of ethical and professional attainment
- To promote the legal assistant profession
- To inform and educate the public and legal community about the effective utilization of legal assistants

## CALENDAR OF EVENTS

May 29, 2019 LAWS Second Meeting  
July 24, 2019 LAWS Third Meeting  
September 25, 2019 LAWS Fourth Meeting



The IT Department helps a partner with the new document management system.

**MESSAGE FROM THE PRESIDENT**

“GIT OUTTA HE-AH!”

Justice Sonia Sotomayor, New Yorker that she is, is, of course, a fan of the New York Yankees. Madam Justice has been known to sit in the “Judge’s Chamber” at Yankee Stadium, a special seating area where presumably sober fans (it’s a rebuttable presumption) don black robes and cheesy blond wigs to cheer on the popular outfielder Aaron Judge.

In 1902, a now mostly forgotten player for the Philadelphia Phillies named Pearce “What’s the Use?” Chiles was convicted on theft charges in Texas and sentenced to two years in the pokey. “What’s” decided to escape from the Huntsville, TX prison in which he was housed. Records are not clear, but “What’s” may have been the first player in the budding profession of Major League Baseball to require a good lawyer. Baseball players and lawyers have adored each other ever since.

Baseball is America’s pastime. Jurisprudence is as intricate to baseball as hot July afternoons, overpriced beer and hotdogs, and arguments with umpires. The relationship between the Boys of Summer and the Long Arm of the Law has, at times, been as contentious as a critical late September series between Justice Sotomayor’s Bronx Bombers and their hated rivals, the Boston Red Sox. MLB’s history with courts and lawyers is replete with bad boys who do stupid, bad boy things.

In the hilarious 1989 movie Major League, play by play man Harry Doyle (Bob Uecker) describes a pitch 12 feet off the plate as “just a bit outside.” Doyle explains that Cleveland Indians’ pitcher Ricky Vaughn (Charley Sheen) had pitched the previous season in the California Penal League.

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In 1919, eight members of the Chicago White Sox succumbed to the easy temptation of a gambler’s bribes, deliberately losing the World Series to the Cincinnati Reds. The ensuing result was the Black Sox scandal, a bruise on the game that has not completely healed 100 years later. US District Court Judge Kennesaw Mountain Landis of Illinois, a no-nonsense judge who had audaciously fined Standard Oil an unprecedented \$29 million, was appointed Commissioner of Baseball. Judge Landis demanded and was given virtually unlimited power to consolidate the two separately existing leagues, the American and the National, and to deal with not only the Black Sox scandal but with multiple less well-known incidents of players throwing games for profit and other corruptions. The term “in the best interests of baseball” was coined in the Landis era and is still the guiding principle today.

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Billy Martin, hired and fired five times as the manager of the Yankees, knew baseball talent when he saw it. That the talent was incarcerated in the Michigan Department of Corrections was kinda beside the point; you take good center fielders where you find ‘em.

In 1970, 21-year-old Ron LeFlore was doing a 5–15 stint at the State Prison of Southern Michigan for conviction of armed robbery. LeFlore, who grew up in the rough neighborhoods of intercity Detroit, had

decided it was a good idea to take a rifle and knock over a local tavern. A fellow convict saw LeFlore play in an inmates-only league and, through contact with people on the outside, managed to convince then Detroit Tigers Manager Martin to observe LeFlore. Billy Martin was enough impressed with Ron LeFlore to arrange for his day release and to pay him enough money to qualify for parole.

Ron LeFlore would play five years with the Detroit Tigers, later with the Montreal Expos and the Chicago White Sox. After his playing days, he would later work as an umpire in the minor leagues. In 1999, LeFlore barely avoided 45 days in the Wayne County, Michigan jail for charges of failure to pay child support.

Ron LeFlore was not the only Detroit Tiger who played in the penal league. Gates Brown was less well known than LeFlore, having played while a guest of the Ohio Department of Corrections. Brown's entire 13-year career was spent in Detroit.

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The famous tag line for the Black Sox scandal was the raggedy, doe-eyed kid's "Say it ain't so, Joe" to his hero, Shoeless Joe Jackson of the White Sox. The line is purely Hollywood. It is highly improbable that there was ever such a fan who said such a thing, but it remains stuck in the psyche of American baseball fans.

What is not Hollywood is that the tag line for those of us of a certain age was "Charlie Hustle," the great Pete Rose of the Big Red Machine, the Cincinnati Reds. Pete Rose didn't casually stroll to first base when he was walked, he hustled to first base. The Big Red Machine dominated baseball in the 1970s, surviving Nixon, Ford, Carter, KC and the Sunshine Band/disco, pet rocks, the Viet Nam war, "Have It Your Way," Lee Majors as The Six Million Dollar Man, and – this cannot be overstressed – leisure suits.

Pete Rose's skills as a baseball player were in many ways greater than any player who came before or after him. His abilities and, especially, his judgment in other matters was less acute. Besides being banned from baseball by the late commissioner Bart Giamatti for betting on games (he swore he never bet for or against the Reds), Charlie Hustle did a five-month term in federal prison for tax evasion.

(Commissioner Giamatti reinstated the banned Shoeless Joe Jackson posthumous in 1989, holding that Jackson was treated fairly by neither the press nor Commissioner Landis).

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Nobody will remember Tony La Russa as a player. His five or so years as an infielder in Atlanta, Kansas City, and with the Cubs netted an unremarkable lifetime batting average, not too many hits, and only seven RBIs. His defensive skills were unexceptional. Tony La Russa's 2014 induction into the Hall of Fame is due not to his stellar play on the field, but to his amongst-the- best-ever-in-the-history-of-the-game achievements as a manager. The Chicago White Sox, then three consecutive American League championships and a World Series victory with the Oakland Athletics, and three National League championships, including two World Series championships, with the St. Louis Cardinals.

Tony La Russa, the third winningest manager in the history of Major League Baseball, is also a licensed attorney in the State of Florida. Tony La Russa should have listened to his own legal advice. In 2007, he was arrested in Jupiter, FL on DUI charges. The cops found the manager sitting in his SUV, in the middle of a busy intersection, in the middle of the day, passed out. Get out of jail, but not free.

The list is a long one.

- Denny McLain was an All-Star pitcher for the Washington Senators, Oakland Athletics, Atlanta Braves and, most notably, Detroit Tigers. In 1968, McLain won 30 games, a feat no pitcher has matched since. Denny McLain was also a cocaine trafficker and an embezzler who spent time in federal prison.
- Gary Sheffield played for eight teams in a 21-year career in the majors. Sheffield was known for and coveted for his ability to play infield and outfield positions and for his searing bat. He is also known for getting into a fist fight, along with his uncle, Mets pitcher Dwight Gooden, with cops in Tampa, Florida; and for getting into a fist fight with a fan in Boston.
- In 2011, Mike Leake, the Cincinnati Reds' very promising young pitcher, was paid \$425,000. He was also busted for putting the fast fingers on \$60 worth of tee shirts from a Macy's department store.
- Rod Beck, who played mostly with the San Francisco Giants, drank and drugged himself to the point of being found dead in a mobile home, dressed in one of the uniforms he had worn as a member of the 1998 Chicago Cubs. He was 37.
- Darryl Strawberry was a great right fielder for the New York Mets in the early 1980s. Darryl Strawberry was also a drug user and a car thief.
- Barry Bonds, Mark McGwire, Roger Clemens, Ken Caminiti, the Giambi brothers, Gary Sheffield, Jose Canseco, Rafael Palmeiro and too many others either acknowledged or were credibly implicated in the use of performance-enhancing, though still illegal, steroids. Bonds was convicted and sentenced on obstruction of justice charges, though the conviction was overturned on appeal.
- Mickey Mantle was a drunk. He didn't drink alone. Dwight Gooden of the Mets, Steve Howe of the Yankees and Dodgers, Darryl Strawberry of the Mets, and even Babe Ruth were known to be heavy drinkers. Howe was banned from baseball for life in 1991 after testing positive for cocaine 7 times. More recently, even CC Sabathia, the towering left hander of the Yankees, checked himself into an alcohol rehab facility in 2015.
- Since the antics of "What's" Chiles in 1902, MLB players have been arrested, accused, tried, convicted, and sentenced for such societal proscriptions as cultivating marijuana, investment fraud, forgery, armed robbery, and, of course, tax evasion. Illicit substances, either for personal use or a big payday (or both) are common. One guy tried to bring a gun on an airplane. There have been attempted murders and at least one murder that was successful.

Major League Baseball has since the beginning been, well, in league with the friendly neighborhood attorneys. Where does the list stop?

The most disturbing of all major league players with legal problems may be Mel Hall and Chad Curtis. Hall, an outfielder for four MLB teams and two in Japan, never lived up to expectations as a player. While playing baseball, Mel Hall was a sexual predator with a thing for 12-year-old girls. He is currently doing 45 years in the Texas Department of Corrections. Curtis, a self-styled Bible thumper, was an outfielder for the Angels, Tigers, Dodgers, Indians, Yankees, and Rangers. He was tried and convicted in 2013 for sexually assaulting underage girls while working at a high school in Michigan. He is currently incarcerated in Michigan and is eligible for release next year.

~ Rob Jones, President

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**– SPEAKER BIO**

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Attorney David Masters has been practicing law in Colorado for 30 years. He is a Past President of the Colorado Bar Association, and the author of *The Lawyer’s Guide to Adobe Acrobat* (published by the American Bar Association). He has also published many articles and contributed to several other books, and is considered a pioneer in the paperless office and the use of information technology in the practice of law. He is long-time fan of the game of baseball, particularly the Colorado Rockies.

Also on hand as a guest facilitator will be Jay Hemond. Jay’s family has been involved with professional baseball dating back the 1880's. Jay has worked for the Florida Marlins, managed several professional independent league teams, and for the past ten years has managed collegiate-level summer league teams in Hannibal, Missouri; La Rochelle, France; and this summer, Salinas, Puerto Rico. He spent his childhood summers on the fields at Old Comiskey Park in Chicago, Illinois, where his father was the General Manager of the Chicago White Sox. He was also the baseball trainer and an extra in the movie *Field of Dreams*.

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**Note about educational articles:** In preparing this newsletter, I found out my go-to and approved source for articles (The Paralegal Mentor) has discontinued her blog and the wealthy bank of articles is no longer available. Therefore, there is no educational article in this edition. If anyone knows of a source that would be willing to let us use articles for no cost (giving them copyright credit, of course), please shoot me an e-mail so I can contact them. If any member would like to write an article, also let me know. It wouldn’t have to be an article containing legal research and cites; it could just be tips you use to make your work life easier, resources you go to a lot, etc.



Join us for the **2019 NALA Conference & Expo** - July 11-13! This year's conference will be held at the luxurious *Westin Kierland Resort & Spa* located in Phoenix/Scottsdale, Arizona. This 3-day educational event will provide attendees with superior networking opportunities, a chance to earn up to 13 CLE hours, and over 30 sessions developed to help elevate your paralegal and professional skills.

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#### Conference Registration Options\*

Type	Best Rate - Ends June 1	Standard Rate	Registration Link
Member	\$545	\$610	<a href="#">REGISTER</a>
Non-Member	\$600	\$665	
Student	\$209	\$309	
Day 1 (App not included)	\$89	\$109	
Conference Recording Packages available NOW. Click on Recorded Tab above.			

\*Cancellation policy - All cancellations received on or after June 11, 2019, will be assessed a \$100 processing fee.

For more detailed information about the conference or to register, click this link:  
<https://www.nala.org/conferences/nala-conference-expo>

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