



IOWA  
DEFENSE  
COUNSEL  
ASSOCIATION

# 2021

## 57<sup>th</sup> IDCA Annual Meeting & Seminar



**In Person Event**

**September 16–17, 2021**

*Embassy Suites  
by Hilton Des Moines Downtown  
Des Moines, Iowa*

**Register Online: [www.iowadefensecounsel.org/AnnualMeeting2021](http://www.iowadefensecounsel.org/AnnualMeeting2021)**



# EVENT INFORMATION

## HOTEL INFORMATION

### Embassy Suites by Hilton Des Moines Downtown

101 East Locust Street  
Des Moines, IA 50309

### Group Room Block Ends on September 1, 2021

**RESERVE ONLINE:** [www.iowadefensecounsel.org/AnnualMeeting2021](http://www.iowadefensecounsel.org/AnnualMeeting2021) Click on the **Hotel** tab for the online registration portal.

**RESERVE BY PHONE:** 1-800-EMBASSY and ask for the IDCA Annual Meeting room rate.

## ROOM RATES

\$169/night plus tax. Rate includes a two-room suite and complimentary breakfast. Parking is additional. A city-owned parking lot is available across the street. Valet parking is \$25/day.

## HEALTH PRECAUTIONS

As IDCA prepares to meet in person, the health of attendees is the top priority. You can expect that IDCA will follow the Center for Disease Control's (CDC) most updated health protocols and will adhere to current regulations set forth by the City of Des Moines and the Embassy Suites. In turn, IDCA asks each attendee take personal responsibility to minimize the potential spread of communicable diseases at the event. This includes staying home if you develop a fever or have had exposure to any contagious illness, abiding by current CDC guidelines while attending the event, and contacting IDCA staff if you become ill during or within 14 days following the IDCA Annual Meeting & Seminar.

Due to the changing nature of the CDC guidelines, specific event protocols will be communicated closer to the event.

## NETWORKING EVENTS

### AWARDS & NETWORKING RECEPTION AT PRINCIPAL PARK

*Sponsored by Minnesota Lawyers Mutual Insurance Company*

Thursday, September 16

6:00–8:00 p.m.

*Included in Full and Thursday Only Registration options*

Celebrate this year's award recipients in a casual environment. Put on your I-Cubs fan gear and join us for food, drinks, awards, and networking at Principal Park. Rumor has it that Cubby Bear is making an appearance!

Transportation is on your own. Principal Park is 0.8 miles from the hotel and is a quick 12-minute walk by paved trail.

### FUN RUN AND WALK

Friday, September 17

6:00–6:45 a.m.

Meet in the hotel lobby and join colleagues for an early morning out along the Principal Riverwalk. Pick up the trail at the hotel and run or walk the 1.5-mile Riverwalk loop. This is a great way to connect and energize before the day ahead.

## CLE

Approved for 11.5 State CLE Hours (includes 1.0 Ethics Hours and 1.0 Wellness Hours). Activity Number 365699. CLE hours are posted to your IDCA account following the meeting and available at [www.iowadefensecounsel.org](http://www.iowadefensecounsel.org) when you log-in with your user credentials.

## AT-A-GLANCE AGENDA

### THURSDAY, SEPTEMBER 16, 2021

7:00 a.m.–5:00 p.m.	Registration and Exhibits Open
7:45–8:00 a.m.	Welcome & Opening Remarks
8:00–9:00 a.m.	Multi-Jurisdictional Practice and the Unauthorized Practice of Law (1.0 Ethics Hours)
9:00–10:15 a.m.	The Future of the Practice: How to Lead, Train and Mentor Post-COVID
10:15–10:30 a.m.	What's New with DRI
10:30–10:45 a.m.	Networking Break
10:45–11:45 a.m.	Iowa Business Specialty Court Update and Best Practices for Remote Proceedings
11:45 a.m.–12:00 p.m.	Annual Business Meeting & Installation of the Board of Directors
12:00–1:00 p.m.	Networking Lunch
1:00–1:45 p.m.	Iowa Court of Appeals: Civil Law Updates and Trends
1:45–2:30 p.m.	Case Law Updates
2:30–2:45 p.m.	Networking Break
2:45–3:30 p.m.	Litigation in the Time of COVID: Our Experiences
3:30–5:00 p.m.	Stopping the Proliferation of Nuclear Verdicts
6:00–8:00 p.m.	Awards & Networking Reception at Principal Park, <i>Sponsored by Minnesota Lawyers Mutual Insurance Company</i>

### FRIDAY, SEPTEMBER 17, 2021

6:00–6:45 a.m.	Fun Run and Walk
7:00 a.m.–1:15 p.m.	Registration and Exhibits Open
8:00–9:00 a.m.	Iowa Supreme Court: Civility in the Iowa Legal System (1.0 Ethics Hours)
9:00–10:00 a.m.	Evaluating Hail and Wind Damage
10:00–10:15 a.m.	Networking Break, <i>Sponsored by Skogen Engineering Group</i>
10:15–11:00 a.m.	Post House File 518: Recent Trends in Workers Compensation
11:00–11:15 a.m.	Recent Legislative Action Effects on Practice
11:15 a.m.–12:15 p.m.	Iowa State Bar Lawyers Assistance Program: Wellness (1.0 Wellness Hours)
12:15–1:00 p.m.	Moving Forward: Labor & Employment Trends and Predictions

# SPEAKER HIGHLIGHTS

## THURSDAY, SEPTEMBER 16, 2021

8:00–9:00 a.m.

### **Multi-Jurisdictional Practice and the Unauthorized Practice of Law**

*Todd Scott, Minnesota Lawyers Mutual Insurance Company, Minneapolis, MN*



Do you spend a significant amount of time practicing law from a second home in another jurisdiction? Do you or any of your colleagues have clients in states where you are not licensed to practice law? Because of COVID-19 are you temporarily relocated to another jurisdiction while providing legal services for your clients in your home state?

Find out about the basics—and the complexities—of ABA Model Rule 5.5 Unauthorized Practice of Law; Multijurisdictional Practice of Law. This program is for any lawyer who has ever handled client matters across state lines, or any firm that hires attorneys to work on behalf of their clients from other jurisdictions. The rules that regulate multijurisdictional practice and UPL are changing so catch up on what's new and how to steer clear of a multijurisdictional headache.

9:00–10:15 a.m.

### **The Future of the Practice: How to Lead, Train and Mentor Post-COVID**

*Frank Ramos, Clarke Silvergate, Miami, FL*



As we move beyond the pandemic in our lives and law firms, a new paradigm has evolved on the future of communications, interactions and the practice. Frank Ramos will discuss how the practice has changed and how lawyers can equip themselves in this new landscape to lead their firms and practice groups, and how to train and mentor their teams to best handle this brave new work post-COVID.

10:15–10:30 a.m.

### **What's New with DRI**

*Rebecca Nickelson, Sinars, Slowikowski Tomaska, St. Louis, MO, DRI Mid-Region Representative*  
*Kevin Reynolds, Whitfield & Eddy, PLC, Des Moines, IA, DRI State Representative*



Rebecca and Kevin will discuss and answer questions about what's new at DRI, the upcoming DRI annual meeting, review DRI member benefits, and share opportunities to serve on DRI substantive law committees.

10:45–11:45 a.m.

### **Iowa Business Specialty Court Update and Best Practices for Remote Proceedings**

*Judge Lawrence McLellan, District Court Judge, District 5C*

*Judge John Telleen, District Court Judge, District 7*

*Judge Sarah Crane, District Court Judge, District 5*



Have you considered utilizing the Iowa Business Court to litigate a business dispute? The panel of Business Court Judges will present an update on this Iowa Specialty Court, insight into the process, and best practices in cases before the Business Court.

1:00–1:45 p.m.

### **Iowa Court of Appeals: Civil Law Updates and Trends**

*Judge Sharon Greer, Iowa Court of Appeals*

*Judge David May, Iowa Court of Appeals*

*Judge Julie Schumacher, Iowa Court of Appeals*



A panel of Iowa Court of Appeals Judges will present a civil case law update along with a summary of their experiences during COVID and post-COVID. What practices that were adapted during COVID may be here to stay.

# SPEAKER HIGHLIGHTS

1:45–2:30 p.m.

## Case Law Updates

### Contract/Commercial Case Law

*Austin McMahon, Swisher & Cohrt, P.L.C., Waterloo, IA*

### Employment and Civil Procedure

*Crystal Pound, Simmons Perrine Moyer Bergman PLC, Cedar Rapids, IA*

### Tort Law and Negligence

*Spencer Vasey, Elverson Vasey Law Firm, Des Moines, IA*



An overview of recent Iowa appellate decisions addressing, impacting or affecting contract and commercial law, employment law and civil procedure, and tort law and negligence.

2:45–3:30 p.m.

## Litigation in the Time of COVID: Our Experiences

*Josh McIntyre, Lane & Waterman, LLP, Davenport, IA*

*Darin Harmon, Kintzinger Law Firm, Dubuque, IA*



This presentation will present a range of perspectives on handling litigation matters during the pandemic to continue to progress cases through the court system. The panel will share experiences in litigating cases through jury trial, bench trial, arbitration and mediation. Through these experiences the panel will share ideas on how to continue to

effectively administer justice in Iowa.

3:30–5:00 p.m.

## Stopping the Proliferation of Nuclear Verdicts

*Dr. William Kanasky, Courtroom Sciences, Chicago, IL*



The nuclear verdict continues to be the hottest topic of discussion in civil litigation for both the plaintiff and defense bars. There are several factors to blame, including: 1) juror psychosocial factors, 2) growing litigation funding for plaintiff attorneys, 3) slow development of young defense attorneys, 4) political influences, 5) growth of Reptile tactics, 6) distrust of corporations, and 7) generational

factors. This program will outline the influence of these factors on nuclear verdicts and provide practical solutions to avoid nuclear fallout for defendants.

## FRIDAY, SEPTEMBER 17, 2021

8:00–9:00 a.m.

## Iowa Supreme Court: Civility in the Iowa Legal System

*Chief Justice Christensen, Iowa Supreme Court, Des Moines, IA;*

*Justice McDermott, Iowa Supreme Court, Des Moines, IA*



Now more than ever, Iowa attorneys should focus on components of civility and professionalism as part of their ethical obligations. This panel will discuss their *Rhinehart* decision from January, 2021 and the importance of civility in our Iowa justice system.

# SPEAKER HIGHLIGHTS

9:00–10:00 a.m.

## **Evaluating Hail and Wind Damage**

*Peter Vaccaro, Rimkus Consulting, Omaha, NE, and Des Moines, IA*



This presentation participants with a working knowledge of the basic principles of wind and hail damage to residential and commercial roofing materials. Vaccaro will discuss site observation techniques and weather research to evaluate the presence and extent of wind and/or hail damage to a residential roof.

10:15–11:00 a.m.

## **Post House File 518: Recent Trends in Workers Compensation**

*Jean Dickson, Betty Neuman & McMahon, PLC, Davenport, IA*



In the summer of 2017, Gov. Branstad signed and approved House File 518 on March 30, 2017. The Amended Act took effect on July 1, 2017. The legislation was comprehensive and included many substantive changes to workers' compensation law. Substantive changes included but were not limited to shifting the burden of proof in intoxication cases, defining shoulder injuries as scheduled member claims, limiting body as a whole injuries to functional impairment in certain circumstances and eliminating commutations unless both parties consented. It has now been four years since the legislation passed. This presentation will discuss the trends and caselaw which has developed since that time.

11:00–11:15 a.m.

## **Recent Legislative Action Effects on Practice**

*Brad Epperly, Nyemaster Goode, P.C., Des Moines, IA, IDCA Lobbyist*



This session will address actions from the 2021 legislative session and what issues may be ahead in 2022.

11:15 a.m.–12:15 p.m.

## **Iowa State Bar Lawyers Assistance Program: Wellness**

*Hugh Grady, Iowa Lawyers Assistance Program, Des Moines, IA*



This presentation will address lawyer wellness, why it matters, and highlight the Iowa Lawyer's Assistance Program.

12:15–1:00 p.m.

## **Moving Forward: Labor & Employment Trends and Predictions**

*Katie Graham, Nyemaster Goode P.C., Des Moines, IA*



This presentation will cover current labor and employment issues, trends and verdicts as well as the most frequently asked employment questions in our post-pandemic world.

# REGISTRATION

Save money and register by September 1, 2021. Rates increase after this date.

## EVENT WEBSITE

[www.iowadefensecounsel.org/AnnualMeeting2021](http://www.iowadefensecounsel.org/AnnualMeeting2021)

Sponsored by Grinnell Mutual Reinsurance Company

IDCA has an event website allows you to register for the event and access to the agenda, session handouts, information about our sponsors, notification of any last-minute changes, and the ability to see who is registered (you must be logged into your IDCA account for the attendee list).

## HOW TO REGISTER

**REGISTRATION IS ONLINE ONLY:** [www.iowadefensecounsel.org/AnnualMeeting2021](http://www.iowadefensecounsel.org/AnnualMeeting2021)

Members must sign in to receive the IDCA member rate.

If you are not a member, you need to create an account before you can register. We invite you to take advantage of IDCA's first time member promotion. Join now and receive complimentary dues until December 2022 and the member rate to attend the IDCA Annual Meeting. ***This offer is for first-time members only.***

## REGISTRATION INCLUDES

Full Registration includes sessions, meals, breaks, and networking events listed for Thursday and Friday in the published Schedule of Events. Thursday Only and Friday Only Registration includes all published activities for those days only.

Materials are provided only on the event website. An email will be sent to all registered attendees once session handouts are available.

## REGISTRATION QUESTIONS

When you register, you are required to indicate if you are attending the Thursday Networking Lunch and Thursday Evening Receptions. While included in the Full and Thursday Only registration options, verifying your attendance allows IDCA to better plan.

You are provided an opportunity to indicate dietary restrictions and special requests during the registration process.

Finally, you will choose your seating comfort level. Red indicates 6 ft. seating preferred. Yellow indicates 3 ft. seating preferred. Green indicates historical seating. Choosing your comfort level allows IDCA to better plan.

## REGISTRATION ACKNOWLEDGEMENTS

All attendees are required to acknowledge an **IDCA Waiver and Release of Liability for Communicable Disease, IDCA Personal Accountability Statement, and IDCA Code of Conduct Policy Against Discrimination and Harassment for Members and Event Attendees.** The policies are available in full on the event registration page.

## REGISTRATION FEES

	Full Registration		Thursday Only		Friday Only	
	On/Before Sept. 1	After Sept. 1	On/Before Sept. 1	After Sept. 1	On/Before Sept. 1	After Sept. 1
Member	\$275	\$325	\$185	\$235	\$120	\$170
In Practice 4 Years or Less—Member	\$175	\$225	\$100	\$150	\$75	\$125
Non-Member*	\$475	\$525	\$285	\$335	\$240	\$290
In Practice 4 Year or Less—Non-Member*	\$275	\$325	\$200	\$250	\$150	\$200
Claims Professional**	\$100	\$150	\$100	\$150	\$100	\$150

\* Take advantage of IDCA's new member promotion. Join now and receive complimentary dues until December 2022 and the member rate to the IDCA Annual Meeting. First-time members only.

\*\* Claims Professionals Rate: Not receiving CLE

## CANCELLATION/REFUND POLICY

If written cancellation is received by September 3, 2021, a full refund less a \$50 processing fee will be issued. No refunds for cancellations after September 3, 2021; no refunds for no-shows.



1255 SW Prairie Trail Parkway  
Ankeny, IA 50023



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