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# THE IOWA LAWYER

*ISBA's 125<sup>th</sup>  
president hails  
from long  
line of legal  
professionals*

## **ALSO IN THIS ISSUE**

- Chief justice responds
- Recent U.S. Supreme Court decision impacts class action
- Divorce and custody mediation
- Disciplinary actions

Meet ISBA's 125th president –

# As a fourth-generation lawyer, Robert V.P. Waterman, Jr., is proud to follow in the footsteps of his ancestors

By Steve Boeckman, Editor

Talk to The Iowa State Bar Association's 125th president and you realize quickly that history, especially as it relates to family, is very important to him.

Robert V.P. Waterman, Jr. (the V.P. stands for Van Patten — the last name of Bob's great uncle) is proud that his great grandfather, Justice Charles M. Waterman, joined the firm after retiring from the Iowa Supreme Court in 1902. At that time, the firm, originally established in 1854, changed its name to Lane & Waterman, and now claims to be the oldest continuous law partnership west of the Mississippi River. Bob is also proud that his grandfather, father, two uncles, a brother and three cousins all have practiced at the firm; and that his brother, Tom, has recently been appointed an Iowa Supreme Court justice.

He also is proud that he and wife, Kim,

were able to raise their two sons in the same Bettendorf home in which he grew up.

The two mottos he likes to live by — “the glass is half full”

and “always take the high road” — he learned from his dad.

And, he identifies the most influential people in his life as, “my parents, followed by a select number of trial lawyers I have worked with and against over the past 30 years.”

Evidence of his pride in family can even be seen on this month's cover. From the first discussion about the cover, he asked that it include photos of his great grandfather, grandfather, father, and brother, Justice Waterman.

With so many lawyers in his background, it's probably not surprising that the 55-year-old Bettendorf native would become an attorney. He acknowledges that his interest was fostered at an early age. That early interest was fueled by the experiences he had during the summer following his junior year at Northwestern



Bob stands in the yard behind his boyhood home located up the hill a few blocks from the Mississippi River in Bettendorf. He is proud that he and his wife, Kim, were able to raise their sons in the same home in which he grew up.



Family is very important to Bob. Here he holds a photo of his mother and five brothers and sisters.

University when he interned at the Public Defender's Office, Juvenile Division, for the city of San Francisco, Calif.

Frankly, he says, he never thought about being anything but a lawyer. Today, after 30 years of practice, Bob can look back and say that the choice he made to become an attorney has lived up to the advice he received from his father when he was a youth — to choose a career that he would enjoy. Practicing law has provided an opportunity for a challenging and fulfilling life, he says.

The experiences he has had as a civil litigator practicing primarily in the areas of professional malpractice, product liability and insurance coverage litigation in Iowa and Illinois, along with his larger multi-defendant hazardous waste and asbestos coverage cases pending in other states and a foray into a new practice area for him — defending patent infringement cases — will be put to use as he leads the 8,000-plus-member bar association. Through his work with lawyers outside of Iowa, he continues to learn more about problems, as well as possible solutions, facing other bar associations — an experience “I hope to draw on during

my year as ISBA president,” he says.

Bob was drawn to become an officer in the ISBA because “I’m a ‘joiner,’ one of those people who enjoys being involved in extra-work activities.” He also believes in the saying: “To whom much is given, much is required.”

“I’ve been given a lot in my lifetime, and believe I have a duty and obligation to give back,” he says.

His two years in the officer ranks leading up to the presidency have taught him a great deal, Bob says. As vice president under then President, Jane Lorentzen, he learned more about the issues facing the ISBA, how the association could better serve the members and the intricacies of establishing an outreach program designed to educate the public on Iowa’s fair and impartial courts in preparation for the judicial retention election in 2010.

As president-elect under Frank Carroll’s presidency, he was immersed in the efforts to educate the public about Iowa’s fair and impartial court system.



Bob gives the couple’s three Cavalier King Charles Spaniels a pat in the lobby of a Bettendorf nursing home before his wife, Kim, takes them around to see residents. Kim regularly visits nursing homes and hospitals with the dogs as part of a therapy program. All three of the dogs and Kim have been certified for dog therapy practice.



Generations of Watermans have worked in the Lane & Waterman firm. The firm’s current roster of attorneys, shown here in the firm’s main lobby, includes two of those generations.

While the outcome of that effort did not end up supporting Iowa’s courts as evidenced by the retention election, Bob sees opportunities for a different outcome in the 2012 election. In fact, it is one of the three areas he plans to focus on during his presidency.

His other two focus areas are improving member services through a preeminence project chaired by Past President Bill Scherle, and continuing the bar’s efforts to help solo and rural practitioners under the leadership of Phil Garland, co-chair with Drake Law School’s Dean Allan Vestal of the ISBA’s Rural Practice Committee.

In addition to the lessons he learned from serving under his predecessors and the observations he has made working on cases with lawyers in other states, the ISBA’s 125th president also credits the ABA-sponsored meetings and seminars that ISBA officers are encouraged to attend for giving him a broader perspective on bar association governance. These meetings provided opportunities to discuss issues facing bar

associations and solutions to those issues.

“I found the experience of attending these meetings to provide excellent training and a network of resources to draw upon as president,” he says.

This year’s incoming president says that he will “continue to follow a collaborative leadership style utilizing the structure of our administrative committee, section councils and committees to investigate and analyze issues and make recommendations. And where our board of governors will make the final decisions, I intend to encourage input and discussion as much as possible.”

That approach should assist the association as it addresses long-range issues over the next five to 10 years. Bob sees those issues as:

- How to best utilize senior or “masters” lawyers. These

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individuals have much to offer, including mentoring new lawyers, he says.

- Assisting retiring lawyers as they transition out of practice.
- Continuing to evaluate and implement changes to the section councils, committees and the size of the board of governors to maximize their effectiveness and value to members.
- Supporting Civics education in schools to help the public better understand Iowa's court system.

As for the family legacy, it appears that the fifth generation may be entering the profession soon. Bob's and Kim's son, David, just finished his first year of law school at UCLA and is interning this summer for Justice David Sills in the California Court of Appeals. Presumably he will return to Iowa to practice with the Lane & Waterman firm at some point.

Younger son, Michael, has taken a slightly different route — at least so far. He recently accepted a position with Barclays Capital, the investment banking division of Barclays Bank PLC in New York City after graduating from George Washington University in Washington, D.C. with a degree in Economics.

As for Kim, the former television advertising sales executive keeps busy with her dog therapy work. She visits local hospitals, nursing homes, schools and a hospice house with one or more of the couple's three Cavalier King Charles Spaniels. Kim and the dogs are all certified to provide dog therapy to organizations who request it.

## For the record: Fostering a dialogue

By Chief Justice Mark S. Cady,  
Iowa Supreme Court

In March, during one of my periodic meetings with Frank Carroll, Bob Waterman, Cynthia Moser and Dwight Dinkla, I expressed interest in receiving constructive input from ISBA members regarding the operation of the court system.

Why?

Knowing your opinions, concerns, and ideas will serve as a "reality check." It will help the judicial branch identify strengths and weaknesses in its operations, assess administrative decisions and develop solutions to problems. It will also help reveal information gaps and misconceptions that the judicial branch needs to address.

In late April, Dwight Dinkla gave me 17 pages of comments from lawyers. Some comments were taken from e-mails submitted to the bar office in response to my request for feedback. Other comments are the product of surveys taken by an ISBA task force studying ways to improve the court system. The comments covered a wide range of topics and a broad spectrum of concerns. I read every word.

Over the course of the next year or so, I will respond to these comments in a general way through a series of articles in *The Iowa Lawyer*, periodic video presentations on the ISBA website and telephone call-in conferences open to all ISBA members. In addition to responding to comments, I will use these forums to keep you apprised of current issues and actions affecting the administration of the courts and the practice of law.

At the same time, the other justices and I will continue to meet regularly with your officers and board of governors, as well as the officers and boards of other attorney associations. We will also continue to speak about the operation of the courts at CLE programs, county bar association meetings, district judges'



meetings and bench bar meetings.

Through all of these efforts, we hope to foster an open and on-going dialogue with Iowa lawyers and judges about the administration of justice. We hope this dialogue will increase understanding and appreciation of different points of view, trigger more collaboration between the bench and the bar and generate changes that will strengthen the delivery of justice in Iowa.

In this first article, I want to mention two very important judicial branch studies underway. The two committees studying the issues are comprised primarily of practicing attorneys.

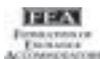
Since last September, the Civil Justice Reform Task Force has been examining Iowa's processes for resolving non-domestic civil cases. This 84-member task force is exploring ways to foster prompt, affordable and high-quality resolution of non-domestic civil cases. To accomplish this comprehensive study, the task force divided into five subcommittees charged with investigating and vetting ideas for potential improvements.

- The Specialty Courts and Rules Subcommittee is exploring whether specialty courts such as business courts or complex litigation courts warrant consideration for Iowa. Whether or not separate specialty courts are recommended, the subcommittee may consider whether such cases could be

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