

The **BOYK** LAW REPORT

11 Offices >>> NW Ohio & SE Michigan

ATTORNEYS

Charles Boyk, Michael Bruno, Andrea Young, Zac Shaffer & Sam Bolotin, Fredric Boyk, Wes Merrillat, of counsel

CONTACT US TODAY!

MAIN OFFICE

1500 Timberwolf Dr.
Holland, OH 43528
(419) 241-1395 Main
(800) 637-8170 Toll-free
(419) 241-8731 Fax

BOWLING GREEN

121 E. Wooster St., Suite 100
Bowling Green, OH 43402

DOWNTOWN TOLEDO

405 Madison Ave., Suite 1200
Toledo, OH 43604

DEFIANCE

1012 Ralston Ave.
Defiance, OH 43512

FINDLAY

612 S. Main St., Suite 107
Findlay, OH 45840

FREMONT

219 S. Front St., Suite 105
Fremont, OH 43420

LIMA

114 N. West St., Suite 203
Lima, OH 45801

MAUMEE

1683 Lance Pointe Rd
Suite 104 B
Maumee, OH 43537

SWANTON

10725 Airport Hwy.
Swanton, OH 43558

WEST TOLEDO

7659 Kings Pointe Rd., Suite B
Toledo, OH 43617

WEST UNITY

123 E. Jackson St.
West Unity, OH 43570



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3 Best Trial Attorneys I Have Seen

- by **Chuck Boyk** (See Mike Bruno's 3 Best on back page)

I have been a practicing attorney in Ohio for 40 years. The criteria for this article is that I saw the attorney with my own eyes for a complete trial. Therefore, some great trial attorneys like Timmy Green, Jon Richardson, and Alan Konop are excluded because of that criteria. Further, the three are listed in chronological order of my seeing them in action.

horrible offers so we had no choice but to try our cases. John did not have good facts, but they were probably fantastic compared to his typical criminal defense trial. John's best attributes were his likability, courtroom presence, and common-sense approach. He scored his top points by destroying the defendant in cross-examination. Ultimately, we both received verdicts over the \$100,000 policy limits. He proved the point that an excellent criminal defense attorney can also try a fantastic civil case.

Alyssa Sterling - Alyssa is an Assistant U.S. Attorney in the Northern District of Ohio. I saw her in action during a RICO Drug Conspiracy case in front of Judge Zouhary. I was the second court-appointed attorney for my client because the first attorney resigned due to my client's attitude. Alyssa went out of her way to reach a fair plea agreement in a professional manner. When that was unsuccessful the case proceeded to trial. Alyssa had a great set of facts. Her problem was that her main witnesses were also cooperating snitch witnesses who were friends of my client. My problems were unflattering audio and video tapes, and the snitch witnesses. Alyssa did not just go through the motions. Her organizational skills, storytelling, and courtroom presence were first-rate, as she pieced together a complicated set of facts with multiple defendants. She was compliant with discovery. However, her strategy and use of evidence kept all the defense attorneys on their toes. The result was convictions against all the defendants. I was impressed because she kicked our butt and at the same time I respected her character in the way she tried the case.

There are many great trial attorneys in Northwest Ohio. It has been a pleasure watching them in action.

■ **Max Rayle** - Max was a Bowling Green attorney with a larger-than-life personality. When I saw him in action, he was defending a wrongful death case in front of Judge James Jensen in Lucas County. I was defending a co-defendant. Plaintiff's counsel was Jim Godbey who had an equally large personality similar to Max. Max owned the courtroom. The jury was enthralled by his every question. His cross-examination was fantastic. Max was the ultimate storyteller. He came across as credible, likable, and very entertaining. His battle with Jim Godbey came across like a heavyweight fight in both size and personality. The end result was a complete defense verdict on a young boy who died while crossing the street after being hit by Max's client's vehicle after my client the babysitter let go of the boy's hand. I was so impressed by Max that I chose him as my personal attorney after that case. Max was an absolute force as an attorney and an even better person. He died much too young.

■ **John Thebes** - John has a reputation as a top-notch criminal defense attorney. He usually gets the toughest cases with a horrible set of facts to argue. I saw him in action in a Wood County civil case in front of Judge Reeve Kelsey. We represented co-plaintiffs in a disputed liability motorcycle accident. Both of us had



How to Motivate Young Attorneys – Chuck Boyk

As a 66-year-old attorney with 40 years of experience in law, I am having difficulty figuring out how to motivate my young attorneys. I am pleased with my current “young” attorneys but encountered a steep learning curve over the last several years. When I was a young attorney, we were thrilled to have a chance to work and were happy to pay our dues. We understood that meant working long hours, starting out handling the lowest level cases and that getting an assignment at 4 pm on Friday to finish over the weekend was “an opportunity.” I also walked miles in the snow to school every day.

I “assumed” that young attorneys would want a path to reach their potential and achieve career goals. My initial plan was to hire young attorneys with a great work ethic, large lifetime goals, common sense, the ability to get along with people, and top-rate legal skills. We would work together to develop their 5-year plan to achieve their goals financially and with career advancement. We would offer hands-on mentorship so they would understand the thought

process on cases from intake to building a lifetime relationship with the client.

I found some young attorneys who liked that idea. But I found numerous other attorneys with different goals and my approach did not motivate them. After Covid, I found several attorneys who want to primarily work remotely. My experience is that mentoring and team building is best done with attorneys in the office. I noticed attorneys who thought a work-life balance of 40 hours included being out of the office at 4:59 pm and not checking emails on the weekends. I found some young attorneys are looking for a well-paying “job” and not a career. Working on the largest cases (except after 5 pm and on the weekends) was their preference. During interviews, the major questions were about remote work, the amount of PTO, not working after 5 pm and on weekends, and the initial starting salary. I found young

attorneys with 4 jobs in 5 years were the new norm, not the exception.

I am not putting down the whole “young generation.” Work-life balance makes sense. I work with young attorneys who are driven to reach their potential. They love zealously representing their clients. However, I am impressed with young attorneys and law clerks who understand that “delayed gratification” may be a better way to reach their long-term goals. Work hard today to make your future bright.



How to Motivate Young Attorneys – Zac Shaffer

I'm a “young attorney” with 5 years of experience, at a few firms. What motivates me and my peers differs from what worked on a younger attorney 20 years ago. While work-life balance and money are still the key motivators, my generation of attorneys started practicing in a world that had significantly changed, both personally and professionally.

First, most of us began practicing in the legal area post-COVID, or we had minimal experience in the legal community before the pandemic. Where remote work or Zoom hearings may have been the exception 10 years ago, we “young attorneys” were born into this. We laid the foundation of our legal careers working remotely, and as a result, consider working that way a mutual benefit because we can successfully further our practice and profession without the need to leave our house. Working late isn't a problem since we can work on our schedule without rearranging our lives.

Second, the world in general is not the same as it was for those practicing for 40 years. Our cost of living and debt are significantly higher. Most of us expect to be working until we physically can't any longer. Student debt is nearly 350% higher than it was 25 years ago. For most of us, rent and living expenses consume significant portions of our incomes, on top of what is owed in monthly student loan payments. Therefore, when we balance our financial, personal, and professional goals, we must consider the best career option to accommodate the variety of challenges our generation faces. “Delayed gratification” is not something we believed we could afford or wait for. But,

like every other profession, this isn't the same for all young professionals. Motivation for one, may look vastly different than motivation for the rest.

The biggest difference is that most of us haven't had the opportunity or haven't sincerely been required to address what our 5-year, or 10-year, plan is as we are focused on getting through the next year. When I first became a lawyer, there were no job opportunities. We had to take what we could find. But, when COVID struck, the entire atmosphere changed. Job demands were high and “young lawyers” could be selective. Motivation wasn't important as we felt we could dictate the terms of employment. For those who have or are starting a family, remote work with a good salary and benefits is gold. The same is true for those trying to develop their personal life after leaving it behind during law school.

Misconceptions and miscommunication impact both young and seasoned attorneys alike. Since the two generations have different experiences and challenges in life, the best way to find what motivates a young attorney is to establish earnest and honest communication with us during the interview process. Tell us what is expected and encourage young attorneys to explain their 5-year plan. Whether young or seasoned, every interviewee may tell you what you want to hear if they need a job. But, establishing what is expected and requiring us to look beyond our “quarter life crises” will be telling in what motivates each of us as individuals.

Should Attorneys Serve Jury Duty? – Mike Bruno

Jury duty. Those two words together signify something most people try to avoid, and I admit I've felt the same way, even though my business involves jurors. I have enough on my plate with my own cases, so why get involved in another lawyer's case?

So, for the first time in 20 years as a lawyer, whenever I would get a jury summons, I would check "exempt" and maintain my normal schedule. Then they took away the exemption for lawyers. I got summoned in 2004 and went to the courthouse, figuring my experience as a prosecutor and later handling civil cases (both sides) would disqualify me. Well, it didn't.

I got seated on a 12-member criminal jury, even though I knew the judge, both lawyers, and personally tried dozens of cases in the same tiny courtroom.

It was a drug possession case. A vial of cocaine was found in a car in the pouch behind the driver's seat. There were four occupants. Only the driver was on trial. Not the strongest case.

After hearing the evidence, closing arguments, and the trial court's instructions, I went into the jury room with the other 11 jurors. I tried to maintain a low profile. Because I was a lawyer, I'm sure many of my fellow jurors expected me to guide them to the correct verdict. I resisted. I declined to be foreman. Instead, I kept a low profile and allowed the other jurors to voice their opinions on the case.

During this process, some of my stereotypes were tested. I figured the pastor would be forgiving and vote for acquittal. Not at all. He voted guilty and I figured prison would reform a lost soul. I also learned that teachers don't always acquit, accountants don't always convict and people don't necessarily vote along racial lines.

Ohio law requires a unanimous verdict to convict. In the end, despite hours of deliberation, we couldn't get anywhere near a unanimous verdict, and the jury hung. My experience as a juror, though not successful in reaching a verdict, was nonetheless an important experience in my continuing evolution as a trial lawyer. I can now advise clients based on experience inside the courtroom and the jury room. Jury service is a civic responsibility. Everyone should be on a jury at least once.

Co-Counsel Opportunities

Whether you have an injury case that is outside your core practice area, a case you do not have time or the resources to pursue on your own, or a case outside your geographic area, our firm would love to talk with you about a referral or being associated as co-counsel.

We are proud to work with co-counsel throughout the country. And when those cases resolve, we are honored to pay significant referral and co-counsel fees.

For more information about Co-Counsel Opportunities, contact Charles E Boyk Law Offices, by phone at 419-241-1395, email at referceb@charlesboyk-law.com or visit our website, www.charlesboyk-law.com/referral

Boyk Law's Andrea Young Elected to Toledo Bar Association Board of Directors

Attorney Andrea Young was elected to the Toledo Bar Association's Board of Directors. The online election was conducted May 2-22, 2024. Active and retired members of the Toledo Bar Association received ballots via email and biographies of each candidate were posted on the Toledo Bar's website.

The Toledo Bar Association has over 1500 members, governed by an elected Board of 23 Trustees. Some of the Board members' responsibilities include leadership and advisement, formulation and oversight of policies and procedures, and strategic planning.

The mission of the TBA is to advance the highest standards of excellence for the legal profession and promote the rule of law. The organization preserves and promotes Toledo as a unique place to practice law in a culture of camaraderie, collegiality, competence, and mutual trust.

The Toledo Bar Association also sponsors more than 40 active committees on law reform, court administration, professional ethics, continuing legal education, and other issues.

Andrea Young attended the University of Toledo College of Law and was admitted to the bar in 2017. She has been an active member of the TBA for 7 years and served on the Young Lawyers Committee/ Social Engagement Committee and the Workers Compensation Committee. She will serve a 3-year term on the TBA Board of Directors.

Charles Boyk Law Offices congratulates the newest members of the 2024-2025 TBA Board of Directors:

President, Adam S. Nightingale
First Vice President – Craig M. Witherell
Second Vice President – Robert C. Tucker
Secretary – Kyle A. Silvers
Treasurer – Jeremiah P. O'Brien

Board of Directors

Rebecca Facey
Hon. Eric A. Marks
Andrea R. Young
Meira F. Zucker



Andrea R. Young

ABOUT THE CO-COUNSEL NEWSLETTER

Charles Boyk Law was founded more than 20 years ago with the intent of helping people in need. Behind a team of outstanding lawyers, professional support staff, and state-of-the-art technology, our firm has grown to become one of the leading personal injury law firms in NW Ohio and SE Michigan.

We consider it an honor to be contacted by attorneys, both locally and across the U.S., who are seeking co-counsel to help litigate complex personal injury cases. It is an even greater honor when those attorneys refer us a case involving their loved ones or friends.

Our co-counsel newsletter is tailored to attorneys. It highlights examples of cases we are handling and provides updates on litigation. If you have a personal injury case you are looking to refer, we invite you to consider our firm. Our team of attorneys and professional staff have the experience, knowledge and resources to provide your clients with the best representation and maximize the recovery.



CHARLES E. BOYK

LAW OFFICES, LLC



CHARLES E. BOYK LAW OFFICES, LLC

1500 Timberwolf Dr.
Holland, OH 43528

PH: 419.241.1395

TF: 800.637.8170

FX: 419.241.8731

www.charlesboyk-law.com



CharlesEBoykLawOffices



Charles E. Boyk



charlesboyklaw



www.youtube.com/ceboyk

Attorney Review - Kurt Bruderly



I have referred many individuals to Charles Boyk's office, specifically to attorney Andrea Young. I'm not sure I know of a more dedicated attorney. She's tenacious and one of the hardest workers I know. That is the reputation of all of the Charles Boyk Law offices. From the attorneys to the staff, I would trust them to properly evaluate my case and achieve the best results possible.

A Newsletter by Attorneys, For Attorneys

The BOYK LAW REPORT

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3 Best Trial Attorneys I Have Seen

- by Mike Bruno

I've been working in and around trial courts for 44 years. From 1980 to 1983, I sat in a courtroom every day as bailiff to a trial judge. In 1983, I became an attorney and took a job as a felony prosecutor. I left that job in 1989, and since then, have handled civil cases in state and federal courts. Of the many trials observed or participated in, here are my top three trial lawyers:

■ **Terry Jones** - During the early 1980s, no one tried as many cases as criminal defense lawyer Terry Jones. He was flamboyant and moody, but what separated Terry from the others was that he excelled in two areas of trial work. First, he had a fantastic memory in jury selection. He would stand up, without a simple note in front of him, and address each of the 12 jurors by

name. Talk about a good first impression. Secondly, he took shorthand of the testimony, which allowed him to effectively confront a prosecution witness with their exact testimony during his cross-examination. No one conducted a better cross-examination than Terry Jones.

■ **Ruth Anne Franks** - Before she became a judge, Ruth Anne Franks was a felony prosecutor. Although small physically, she was a giant when it came to getting convictions. Ruth Ann was best at relating to her trial jurors. She never exhibited any signs of being superior. Instead, she talked about herself in a folksy, homespun way that caused jurors to bond with her. She convinced jurors that she was no different from them. I never saw her lose a trial.



■ **Jamielle Jamra** - By the time I got to see Jamielle Jamra in court he was already in his mid-60s. He'd been primarily working as a defense lawyer in civil cases.

Always a gentleman, Jamielle came to the court well-prepared and conveyed the idea that he was honest and trustworthy, while never raising his voice. Trials can be unpredictable - stuff happens. Nothing seemed to phase Jamielle Jamra. It was as if he was meant to try cases.

New address or phone number? Help us stay current by letting us know! Call 419.241.1395 or e-mail marketing@charlesboyk-law.com