



Declaration of Candidacy

Candidates for election as Second Vice President or Director Elected Nationally must complete this form and submit it to the Executive Director at the principal headquarters of DRI by 5:00 PM (CDT) on July 1st of the year in which the election is held.

National Director Requirements - Directors Elected Nationally or by Region must be Individual Members of the Corporation admitted to the practice of law. Each such director must meet the following qualifications at the time of election: (a) The candidate shall have been a DRI member for a total of at least five (5) years, and (b) The candidate shall have been a member of at least one DRI substantive law committee for at least three (3) years, and (c) The candidate must have registered for and attended at least one (1) DRI Annual Meeting within the previous three (3) years, and, within the three (3) years prior to the final day of the Annual Meeting, the candidate must have 1) registered for and attended at least two (2) DRI seminars, or 2) registered for and attended one (1) DRI seminar and one (1) DRI Regional Meeting.

Position sought

Second Vice President* Secretary- Treasurer National Director

*If you have declared your candidacy for Second Vice President and are not the successful candidate, will you consider the Secretary - Treasurer Officer position?

Yes No

Name: **J. Richard Moore**

Firm/Company: **Bleeke Dillon Crandall, P.C.**

Address: **8470 Allison Pointe Boulevard, Suite 420, Indianapolis, IN 46250**

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E-mail: **richard@bleekedilloncrandall.com**

Born (location): **Ruston, LA**

Education:

J.D., Vanderbilt University, 1996

B.A., English literature and political philosophy, Louisiana State University 1993

Awards and achievements:

"As the Boomers Age: Senior Living Liability Exposures Today," panel presentation at the Professional Liability Underwriting Society (PLUS) International Symposium, 2012

"Issues from Left Field in Defending Nursing Home Cases," presented at the Alabama Nursing Home Lawyers Association Annual Meeting, 2010

Attendee, FDCC leadership boot camp, 2009

"Nursing Home Emergency Preparedness" and "Electronic Information and the Nursing Home," presented at Alabama Nursing Home Lawyers Association Annual Meeting, 2007;

"Handling the Apex Deposition Request," co-authored with Paul V. Lagarde, Esq., published in *FDCC Quarterly*, Winter 2007

Attendee, IADC trial academy, 2005

First Place, Harrison Legal Writing Award, Indiana State Bar Association, 2000, for "The Doomed Direct Action Rule," published in *Res Gestae*, March 2001

"Defending Against The Statements of Dead Witnesses," co-authored with Matthew Kincaid, Esq., *The Indiana Lawyer*, June 2000

Phi Beta Kappa, 1993

Areas of practice: **Medical Malpractice, Professional Liability, General Liability, Insurance Coverage**

Years as a defense attorney: **23**

Employment history:

Adams and Reese, Mobile, AL, 1996-1998, associate

Smith & Linnemeir, Indianapolis, IN, 1998-1999, associate

Riley Bennett & Egloff, LLP, 1999-2004, associate

Alford Clausen & McDonald, LLC, Mobile, AL 2004-2006, associate; 2006-2011, partner

Alford Bolin, 2011-2013, of counsel

Bleeke Dillon Crandall, P.C., 2011-present, partner

Noteworthy defense work:

***Glisson v. Correctional Medical Services*, United States District Court for the Southern District of Indiana, February 1, 2019. The case involved the death of a state prisoner 40 days after arrival in prison. Summary judgment had been granted by the trial court and upheld by a three-judge appellate panel, but was reversed by the Seventh Circuit Court of Appeals *en banc* in *Glisson v. Indiana Department of Corrections*, 849 F.3d 372 (2017). Plaintiff's trial counsel was Rick Friedman, author of *Rules of the Road: A Plaintiff Lawyer's Guide to Proving Liability*. After five days of trial, the jury returned a unanimous defense verdict.**

***Huffman v. Select Rehabilitation, et al.*, Superior Court of Allen County, Indiana. The case involved significant injury to a stroke patient with hemiparesis who was left unattended on a toilet at a nursing home and suffered a fall less than 16 hours after admission. My client was**

the patient's physical therapy provider, which had completed a partial assessment of the patient on the evening before her fall. My client was brought into the case by the nursing home, which contended that our assessment was insufficient and the fall was our fault, and had essentially offered nothing to settle. Trial was bifurcated, with the first phase to determine the nursing home's liability and damages, and the second phase to determine my client's portion of liability, if any. After five days, at the close of the evidence in the first phase, the case settled with the co-defendant nursing home paying more than 80% of the settlement.

Estate of Baker v. Dr. Nunley and Dr. Johnson, Circuit Court of Scott County, Indiana, November 19, 2015. The case involved the death of a patient from MRSA pneumonia after two visits to the emergency department within 36 hours of her death. After five days of trial, the jury returned a unanimous defense verdict.

I serve as Indiana panel counsel for HCR Manor Care, Infinity Healthcare Management, Brookdale Senior Services, Enlivant Senior Living, and Oasis Healthcare Management. I assist on the firm's Indiana panel counsel team for Signature Health Care and Envision Healthcare.

Professional affiliations: **Defense Trial Counsel of Indiana; Alabama Defense Lawyer Association (past member); Professional Liability Underwriting Society; American Institute of Architects (allied member); Sagamore Inn of Court**

DRI member since: **1998**

Please describe your previous involvement in DRI, including but not limited to, leadership positions held. Projects contributed to, Committee memberships, presentations given, and written materials authored. Special accomplishments should also be noted.

Leadership

Chair, Medical Liability and Health Care Law Committee, 2017 to present
Vice Chair, Medical Liability and Health Care Law Committee, 2015-2017
Program Co-Chair, Sexual Torts Seminar, 2013
Program Chair, Nursing Home/ALF Seminar, 2011 and 2012

Presentations

Panel presenter, "After Kevorkian: Assisted Suicide Is Alive and Growing," Nursing Home/ALF Seminar, 2016
Speaker, "How to Navigate the Waters of Client Relationships," Young Lawyers Breakout presentation, Medical Liability and Health Care Law Seminar, 2015
Panel moderator, "Bringing It All Back Home," Sexual Torts seminar, 2013
Speaker, "Defending the Punitive Damages Claim," Nursing Home/ALF Seminar, 2010
Speaker, "Cutting Edge Long Term Care Motion Practice," Nursing Home/ALF Seminar, 2007

Publications/Written Materials

"From The Chair," *For the Defense*, May 2019
"Letter From The Chair," *MedLaw Update*, December 2018

"Letter From The Chair," *MedLaw Update*, September 2018
"Letter From The Chair," *MedLaw Update*, August 2018
"From The Chair," *For The Defense*, May 2018
"Letter From The Chair," *Medlaw Update*, February 2018
"The National Practitioner Data Bank: How Reporting Requirements Impact Case Resolution," co-authored with J. Bart McNeil, Esq., *For the Defense*, June 2010
"Planning for Catastrophic Emergencies: What Can We Learn from Post-Katrina Government Investigations and Litigation?" *For the Defense*, June 2008

List any leadership roles in other defense organizations. **None at this time.**

Describe your goals if you are elected to the above position.

As set forth below concerning my view of DRI's role, I believe that the most significant benefits DRI provides to its members are solid, cutting-edge educational opportunities and resources, a national platform for business development, and personal and professional support and friendship among members. My goals as a Board member would involve identifying strategies to enhance and solidify these benefits for a current and future membership which is both increasingly diverse with respect to gender and cultural backgrounds, and which has a changing view of professional life.

Historically DRI membership has benefitted from law firms' inclusion of professional activity such as DRI involvement in evaluating associates for firm advancement. There are still many law firms who give weight to associates' and partners' DRI involvement. Increasingly, however, law firms' focus on the financial bottom line takes precedence over encouragement and support for DRI involvement.

On the other side of the coin, most young associates do not join a law firm in 2019 with the question of "what do I need to do to make partner." Rather, more often they are concerned with student loan debt and, at the risk of stereotyping millennial lawyers, how to get the biggest bang out of "going to work" for a certain number of hours a day while preserving a favorable worklife balance.

DRI cannot change these business and cultural dynamics, but DRI has and should continue to actively develop inclusive outreach strategies to all defense practitioners, identification of talented and committed leaders across an ever-increasing diversity of gender and cultural backgrounds, full engagement with changing media and communication technologies, and strong leadership support of the volunteer army who performs our organization's grunt work--writing articles, woodshedding membership, organizing seminars, identifying and preparing online program opportunities. That grunt work forges the bonds of reliance, trust and friendship that are at the core of DRI's success. Getting new members involved in that work, and enhancing our organization's appeal to future grunts, i.e. our future leaders, are my goals.

What do you believe is the most important issue confronting the defense bar?

The most important issue confronting the defense bar is the array of barriers to defense practitioners developing the full gamut of experience and skills that make the practice of law a fulfilling life choice. Although the dwindling opportunities for courtroom performance are included in that array, my point is not quite the same as the complaint that has been advanced (accurately) for at least as long as I have been in practice, which is that we don't get to try enough cases. It is also not simply that the practice of law has become "more of a business than a profession," although that dynamic is part of the issue too. I am also not just complaining that with the evolution from e-mail to instant messaging, many of us can accomplish a day's work from our darkened bathroom as easily as our office. Nor am I specifically bemoaning, 50 years on, the grind of the billable hour and its negative impact on thought and creativity.

All of these challenges, coupled with a skepticism on the part of millennials that one's work is particularly relevant to one's character or identity, conspire to rob defense practitioners of the joy of being an attorney. Analytical thinking, informed evaluation of risk and value, and persuasive communication are the best, most pleasurable parts of being a lawyer. Trial is certainly the most elevated plane in which we get to exercise these virtues, but it need not be the only one. It is increasingly easy for an associate (or a partner) to crank out a 2,000-hour billable year without being meaningfully challenged to pragmatically analyze, to genuinely evaluate, to effectively persuade.

We have to do the things we have to do to comply with court and client deadlines and to capture our time in the ways that our client have agreed to compensate. And we all want to make a good living. But when we as defense attorneys can make a living without developing and implementing the skills of analysis and persuasion---when the practice is no longer any fun---that presents an existential threat. This is what I see as the most important issue facing the defense bar at large.

Define the appropriate role for DRI as the national defense bar organization.

As mentioned above, in my view DRI serves three distinct, interrelated needs for defense lawyers.

First, at its most basic, DRI provides educational opportunities and resources for attorneys who are obligated to fulfill continuing education requirements and who benefit from the secondary research sources provided by DRI's publications and on-line programming.

Second, involvement in DRI provides enhanced networking opportunities among diverse attorneys from across the country and, increasingly, the globe. As DRI members get to know one another and learn each other's talents and specialties, we are able to comfortably share

client contacts with “non-competitors” in other jurisdictions, and to collaborate in business development opportunities in conjunction with DRI programs.

Third, and every bit as important as the first two, DRI fosters collegiality, friendship and personal support among its members. The practice of law is a notoriously stressful profession, and the defense attorneys who are most successful shoulder the heaviest responsibilities and professional challenges. DRI provides a haven for lawyers who are readily empathetic to the workday challenges we all face. For me, comradeship among my fellow DRI members has been of incalculable personal support in both the professional good times and in difficult moments.

Successfully serving these three interrelated needs, in my opinion, comprises DRI’s appropriate role as the national defense bar organization.

Hobbies and/or interests: **Running; popular music, singing and songwriting; U.S. political and cultural history**

Family: **Leigh Talbert Moore, author and freelance journalist, married 2002; daughter Catherine Grace Moore, 17; daughter Laura Carroll Moore, 16**
