

SCOTT COUNTY BAR ASSOCIATION NEWSLETTER

OCTOBER 2008

MINUTES OF MEETING: Attached are the Minutes of the Regular Meeting of the Executive Council for the month of September 2008. These Minutes have yet to be approved by the Executive Council and will be submitted to the Executive Council at its next meeting.

CLE: See attached notification and registrations of the ongoing Patricia Rhodes Cepican CLE Series scheduled for November 11, 2008, and January 19, 2009. These seminars will be held on the 1st Floor, Wells Fargo Annex, 3rd & Harrison in Davenport. The agenda and registration form is attached. Any questions should be directed to H.J. Dane, 326-0006.

REAL ESTATE: Your Real Estate Committee has requested the seller's attorney to bring to closing the 1099 or the 1099 information for reporting. The closing agent is required to send this to the IRS.

CONGRATULATIONS: Congratulations to Paul L. Macek for being appointed as a District Court Judge and to Thomas H. Preacher for being appointed as an Associate Court Judge.

IOWA LAND RECORDS WORKSHOP: Please see the attached information on a workshop regarding the E-submission service. This is being presented by the Iowa Land Records staff and is going to be held in the Bi-Centennial Building on October 27, 2008. Anyone interested may contact Sue Brewer at 326-8624 or SBrewer@SCOTTCOUNTYIOWA.com

SOCIAL COMMITTEE: If anyone has any interest in a quarterly gathering at a local law office for a social event; a night out watching the Quad City Flames hockey team; the summer picnic; or the Night with the River Bandit baseball game, please contact Leddin at 441-1616.

MIDDLE SCHOOL MOCK TRIAL COMPETITION: The Mock Trial Committee of the SCBA will host the regional Middle School Mock Trial Competition on October 25, 2008, at the Scott County Courthouse. We are looking for area attorneys to assist in judging the competition. The tournament begins at 8 am and will consist of 3 rounds of competition. If interested in volunteering to judge one or more rounds of the Mock Trial Competition, please email Maggie Manternach at mmantern@hopkinsandhuebner.com

THANK YOU: The Pro Bono Project of the Scott County Bar Association and HELP Legal Assistance wishes to thank the following attorneys who have recently accepted Pro Bono Referrals:

Steve Berger	Jeff Cook	Trisha Fairfield
April Gutting (2)	Melissa Hancock	Hany Khoury
Dave Millage	Robert Phelps	Ian Russell
Breanne Schadt (3)	Wendy Weiskircher	Doug Wells
Stanly, Lande, Hunter (1)	Deere and Company (2)	Lane and Waterman (2)

NEW ADDRESS:

Matthew A. Leddin
5108 Jersey Ridge Road
Davenport, Iowa 52807
Telephone: 563/441-1616
Fax: 563/441-1622

State Public Defender Office
332 North Harrison Street, Suite 100
Davenport, Iowa 52801.
Telephone number is 563/323-3400
Fax is 563/323-3555

NEED HELP?: Problems with alcohol, drugs, stress or depression? Call Iowa Lawyers Assistance Program at 1-800-243-1533. All calls are confidential.

Any member having any comments may contact the President or an Executive Council member for comments on any matters. Further, any member may request a reservation at the monthly meeting for a presentation to the Executive Council by contacting the President.

SCOTT COUNTY BAR ASSOCIATION

MINUTES

REGULAR MEETING OF THE EXECUTIVE COUNCIL

September 30, 2008

Present: Larson, Dusthimer, Jones, Jacobs, DeLange, Gieck, Halligan, Thill, Jasper

The meeting of the Executive Council was held at the Front Street Brewery and was called to order at 12:05 p.m. by President DeLange.

Guests: Leddin, Ramirez

The minutes of the meeting of the Executive Council of August 26, 2008, were unanimously approved with the exception it was noted Berger was listed as a guest when in fact he is a member of the Executive Council.

Ramirez appeared and informed everyone the State Public Defender Office is now located at 332 North Harrison Street, Suite 100 in Davenport. The telephone number is 563-323-3400 and the fax is 563-323-3555. Currently the Public Defender is representing all but juvenile cases in Muscatine and just the Class A and B felonies in Scott County.

Leddin appeared on behalf of the Social Committee, which has been very active. It was approved to have the Committee formalize a request to have a gathering once a quarter at the office of one of the members. Apparently, Wells has agreed to host the first event. Our Association would pay for the beer and hors d'oeuvre. They are also to provide additional planning for a night with the Quad City Flames. A Judges reception is going to be held to honor all of the Judges and it is tentatively scheduled for November 19, 2008. It would be held at the Radisson in downtown Davenport from 4:00 p.m. to 7:00 p.m. DeLange is the lead person in planning the event and presenting it to the council. The Committee felt the summer picnic and the Night at the River Bandits were too close since they were within several days. It is suggested to have the event for the baseball game in June and then summer picnic in August when it might be warmer. It was suggested we utilize the Windsor Crest swimming pool area in northern Davenport; more information will be forthcoming.

Jacobs presented a written Treasurer's report. He received a bill from Computer Team that was for the last four years of service. These expenses are legitimate and it was unanimously agreed same should be paid.

The Real Estate Committee suggested the sellers of real estate need to provide a 1099 or the information for the 1099 for the closing agent.

Gieck reported the Young Lawyers Committee is going to host a reception for all new lawyers, Judges and some of the more experienced lawyers in town. It was moved, seconded and unanimously approved to expend up to \$300 for same.

Waterman reported over \$100,000 has been collected for lawyers affected by the flooding.

The meeting was adjourned at approximately 1:00 p.m.

Respectfully submitted,

Dennis D. Jasper

Secretary

DDJ/jg

Substitute Form 1099-S
Proceeds from Real Estate Transactions for the Tax Year: 2004

Settlement Agent/filer's Name and Address: _____

Filer's Federal Tax ID No. _____ File No. _____

Seller/Transferor's Name and Address: _____

Transferor's Federal Tax ID No. _____

1) Date of Closing _____

2) Gross Proceeds _____

3) Address or legal Description _____

4) "X" here if property or services received _____

5) Buyer's part of real estate tax _____

THIS IS IMPORTANT TAX INFORMATION AND IS BEING FURNISHED TO THE INTERNAL REVENUE SERVICE. IF YOU ARE REQUIRED TO FILE A RETURN, A NEGLIGENCE PENALTY OR OTHER SANCTION MAY BE IMPOSED ON YOU IF THIS ITEM IS REQUIRED TO BE REPORTED AND THE IRS DETERMINES THAT IT HAS NOT BEEN REPORTED.

YOU ARE REQUIRED BY LAW TO PROVIDE MERIDIAN TITLE COMPANY WITH YOUR CORRECT FEDERAL TAX IDENTIFICATION NUMBER. IF YOU DO NOT PROVIDE MERIDIAN TITLE COMPANY WITH YOUR CORRECT FEDERAL TAX IDENTIFICATION NUMBER, YOU MAY BE SUBJECT TO CIVIL OR CRIMINAL PENALTIES IMPOSED BY LAW.

Seller/Transferor

Date

Seller/Transferor

Date

Instructions for Transferor:

You MUST enter your Federal Tax Identification Number above. Sign and return a copy of this form immediately to Meridian Title Company.

For sales and exchanges of certain real estate, the person responsible for closing a real estate transaction must report the real estate proceeds to the Internal Revenue Service and must furnish this statement to you. To determine if you have to report the sale or exchange of your main home on your tax return, see the 2004 Schedule d (Form 1040) instructions. If the real estate was not your main home, report the transaction on Form 4797, Sales of business Property, Form 5252, Installment Sale Income, and/or Schedule D (Form 1040), Capital Gains and Losses.

You may be to recapture (pay back) all or part of a Federal mortgage if all of the following apply:

- You received a loan provided from the proceeds of a qualified mortgage bond or you received a mortgage credit certificate
- Your original mortgage loan was provided after 1990, and
- You sold or disposed of your home at a gain during the first 9 years after you received the Federal mortgage subsidy.

This will increase your tax. See Form 8828, Recapture of Federal Mortgage Subsidy, and Pub. 523, Selling your home

If you have already paid the real estate tax for the period that includes the sale date, subtract the amount in line 5 from the amount already paid to determine your deductible real estate tax. But if you have already deducted the real estate tax in a prior year, generally report this amount as income on the "Other Income" line of Form 1040. For more information, see Pub. 523.

IOWA LAND RECORDS WORKSHOP



Iowalandrecords.org Grows

The Iowa Land Records portal has now been operational for more than three years and the E-Submission service has been successfully processing documents for more than two years. Learn more about how to search for land records, and how to submit documents electronically to participating counties.

Who Should Attend?

Anyone who processes or submits real estate documents for recording, or anyone who needs access to information about recorded real estate records. These workshops will be helpful to financial institutions, attorneys, abstract and title professionals, news organizations, county officials and citizens.

Cost

There is no charge for the workshops.

Workshop Topics

ILR E-Submission Service

- o Registering To Be An Authorized Submitter
- o Entering Land Record Index Information
- o Scanning Documents In PDF Format
- o Submitting Documents For Recording
- o Setting Up an E-Submission Payment Account

ILR Land Record Search Review

- o Perform Land Record Searches
- o Save Search Criteria
- o View and Print Document Images
- o Effective Search Strategies

RSVP

Please register for the workshop by calling 888.790.2246 or sending an e-mail to lisa@clris.com. Advanced reservations will help ensure that there are sufficient materials and space.

Iowa Land Records Fall Workshop Schedule			
Date	City	Location	Time
September 17, 2008	Dubuque	Grand River Center – 500 Bell St. – 563.690.1349	1:00 PM -4:00 PM
September 24, 2008	Mason City	Holiday Inn – 2101 Fourth St. SW – 641.423.1640	1:00 PM -4:00 PM
October 1, 2008	Coralville	Marriott Conference Center – 300 E. 9 th St. – 319.688.4000	1:00 PM -4:00 PM
October 27, 2008	Davenport	County Admin. Center – 600 W. 4 th St. – 563.326.8611	1:00 PM -4:00 PM
October 29, 2008	Sioux City	Convention Center – 801 4 th St. – 800.593.2228	1:00 PM -4:00 PM
November 6, 2008	Des Moines/Johnston	Stoney Creek Inn – 5291 Stoney Creek Ct. – 515.334.9000	1:00 PM -4:00 PM