



Declaration of Candidacy

Candidates for election as Second Vice President, Secretary-Treasurer, or Director Elected Nationally must complete this form and submit it to the Chief Executive Officer 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.

Please also see the DRI Board of Director and Officer Competencies, attached.

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

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How long have you been a member of DRI?

27 years

Areas of practice: Medical, nursing and mental health liability, licensing and advice and counsel; Business and commercial disputes, litigation, advice and counsel; Insurance coverage

Please provide your employment history in chronological order beginning with the current position.

Bleeke Dillon Crandall, P.C., Indianapolis, IN, 2011-present, shareholder
Alford Bolin, Mobile, AL, 2011-2013, of counsel
Alford Clausen & McDonald, LLC, Mobile, AL 2004-2006, associate; 2006-2011, partner
Riley Bennett & Egloff, LLP, Indianapolis, IN, 1999-2004, associate
Smith & Linnemeir, Indianapolis, IN, 1998-1999, associate
Adams and Reese, Mobile, AL, 1996-1998, associate

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

Law Institute, 2019 to present:

2024: Large Program Study Sub-Committee
2021-present: Liaison to Young Lawyers Committee
2021-present: Liaison to Women In The Law Committee
2021: Liaison to Insurance Complex Coverage Seminar
2020: Re-Imagining Seminars and Education (RISE) Task Force, 2020
2019-2021: Liaison to Retail & Hospitality Committee

Medical Liability DRI for Life liaison, 2019 to 2025

Chair, Medical Liability and Health Care Law Committee, 2017 to 2019

Vice Chair, Medical Liability and Health Care Law Committee, 2015-2017

Program Co-Chair, Sexual Torts Seminar, 2013

Program Chair, Nursing Home/ALF Litigation Seminar (now known as Senior Living and Long-Term Care Litigation Seminar), 2011 and 2012

Medical Liability and Health Care Law Seminar steering committee member, 2005 to present

Senior Living Seminar and Long-Term Care Litigation steering committee member, 2004 to present

Presentations

Moderator, "Understanding the Distinctions Between Home Health, Palliative Care and Hospice and the Unique Challenges in Handling Claims," Senior Living and Long-Term Care Litigation Seminar, August 2023

Co-Presenter, "What To Do In The First 60 Days Of A Nursing Home Claim," webinar first presented March 2021

Panel presenter, "After Kevorkian: Assisted Suicide Is Alive and Growing," Nursing Home/ALF Litigation Seminar, September 2016

Speaker, "How to Navigate the Waters of Client Relationships," Young Lawyers Breakout presentation, Medical Liability and Health Care Law Seminar, March 2015

Panel moderator, "Bringing It All Back Home," Sexual Torts seminar, March 2013

Speaker, "Defending the Punitive Damages Claim," Nursing Home/ALF Litigation Seminar, 2010

Speaker, "Cutting Edge Long Term Care Motion Practice," Nursing Home/ALF Litigation 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

Honors

Richard H. Krochock Award, 2023

List any significant leadership commitment and involvement within the legal field other than DRI, including but not limited to other legal organizations.

National Foundation For Judicial Excellence Symposium steering committee, TAP co-chair, 2025

Sagamore Inn of Court, Indianapolis, IN:

Membership Chair, 2025 to present
Executive Committee, 2024 to present
Barrister, 2018 to present

International Association of Defense Counsel, Member, 2023 to present

"Are Healthcare Providers Fully Immunized From COVID-19 Liability?" panel presentation at Crittenden Medical Insurance Conference, Miami, FL, September 2021

"Thirst For Truth: Managing Dehydration Claims," panel presentation at LTC Insurance ExecuSummit, Uncasville, CT, June 2018

Indiana SuperLawyers, Medical Malpractice, 2018 to present

The CLM (Claims and Litigation Management Alliance), 2018 to present

"As The Boomers Age: Senior Living Liability Exposures Today," panel presentation at Professional Liability Underwriting Society International Symposium, Chicago, IL, November 2012

Defense Trial Counsel of Indiana, 2011 to present

"Issues From Left Field In Defending Nursing Home Claims," presented at Alabama Nursing Home Lawyers Association Annual Meeting, Orange Beach, AL, May 2010.

"Handling The Apex Deposition Request," co-authored with Paul V. Lagarde, *Federation of Defense and Corporate Counsel Quarterly*, Winter 2007

"Dispute Resolution Under the AIA Contract Scheme," CLE seminar presented in Mobile, AL, in May 2005 and March 2008, and in Birmingham, AL in September 2006, September 2007, and August 2010

Alabama Defense Lawyers Association, 2004 to present

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

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

Why do you wish to join the board of directors or become an officer and what skills, abilities and attributes identified in the Board of Director/Officer Competencies can you bring to the role?

I aspire to assist DRI in continuing to provide to its members the gifts and blessings I have enjoyed as an active member of the organization, namely: 1) A national network of trusted colleagues with whom to share business opportunities; 2) A forum for remaining at the forefront of developments in the law in my areas of experience and expertise; and 3) A community in which I can share professional and personal victories and vulnerabilities with my long-term friends.

With respect to the Board of Director Competencies:

Marketing/Branding

- I routinely engage on LinkedIn and Facebook to promote the programs for which I have been assigned as liaison for the Law Institute; programs presented by home committee, Medical Liability and Health Care Law; and the Annual Meeting.
- I am familiar with SEO strategies with my own law firm. We are small firm with four owners, which means the shareholders are cheek and jowl with online marketing efforts.
- I stand ready to actively participate in further marketing efforts, online and otherwise.

Management

- In my 19 years as a law firm partner, I have unfortunately had the experience of participating in law firm windup and closure, and the errors in financial management and business leadership that led up to closure.

That experience led me to understand the importance of insisting on transparency, establishment of realistic expectations, and redundant accountability mechanisms in any organization, for-profit or otherwise. On the other hand, for 14 years I have been a shareholder in a successful, thriving firm in which we maintain a close watch on finances and make business decisions based on realistic, if not conservative, projections and performance expectations.

- DRI is a "sophisticated" organization in the sense that we have three groups of management stakeholders: The DRI in-house staff, whose efforts are critical to the day-to-day execution and success of the work of the organization; the corporate leadership, in the form of the Board of Directors and the Executive Committee; and the lay volunteers who run our SLCs, SLDOs and regional groups. In my opinion, DRI's current and future success lies in promoting connection and collaboration between and among these three constituencies. I am committed to all efforts to foster that connection and collaboration.

Governance/Ability to Collaborate

- In addition to my long history of work with DRI, I have served as counsel for an education-based nonprofit organization in Indianapolis. The company has experienced a certain level of conflict between the founder-owners and the executive staff hired to direct the day-to-day activities, raise funds and maintain legal compliance. Assisting in negotiating those conflicts and working toward resolution has given me great insight into strategies to manage the potentially competing interests of executive leaders and day-to-day management.
- I served as Deacon of my church from 2008 to 2011. In my church, a Deacon is essentially a member of the board of director, with responsibility for tracking church membership, oversight of financial performance and hiring and firing of pastoral staff. We were required to engage, vet and ultimately hire a youth pastor, which involved broad engagement with the entire church community.
- I am a member of an MBE limited liability company that provides business and consulting service to largely minority-owned for-profit and nonprofit organizations in Indiana, Florida and elsewhere. My primary roles are ensuring corporate compliance and participating in strategy development.

All of these experiences have imparted me with intimate experience and familiarity with the challenges and conflicts associated with both for-profit and nonprofit corporate governance.

Influence

My work on the Law Institute has involved working with my assigned committees to achieve their goals within the framework of DRI's policies, expectations and budget. I cannot claim that I have been perfectly successful in aligning the preferences of my assigned committees and DRI, but I can confidently state that attempting to do so has always been my goal. This will continue to be a major focus for me as a National Director.

Reputation, Accountability, Communication Style

I defer to the Executive Committee, the Board of Directors, my fellow Law Institute members, my fellow Medical Liability committee members, and the DRI members with whom I have worked and befriended to comment on my reputation for integrity, my follow-through on assignments and responsibilities, and my ability to listen and effectively communicate.

Conflict Management

I strongly believe in the virtues of diplomacy and empathy. My goal in confronting all conflicts, personal and professional, is to isolate areas of fundamental disagreement/conflict while promoting areas of agreement and shared interest. As mentioned above, as a Law Institute liaison, my focus has been to accomplish my assigned committees' priorities within the framework of what is beneficial and feasible from the perspective of the broader organization. That works best when I am adequately knowledgeable about DRI expectations. In every circumstance, I am fully and happily supportive of DRI's decisions and plans, regardless of individual interests, including my own.

Team Orientation

DRI should be the ultimate team-oriented organization. I defer to the Executive Committee, the Board of Directors, my fellow Law Institute members, my fellow Medical Liability committee members, and the DRI membership to comment on my support for team-oriented solutions.

Innovative

I was appointed to the Law Institute in November 2019, about four months before the arrival of the global pandemic. Particularly in the wake of Covid-19, the Law Institute was required to lead and collaborate with the broader organization in developing innovative ways to present seminars and other educational offerings during the 16-month pause in in-person seminars. In anticipation of increased production of webinars and other on-line educational offerings, I participated in an LI subcommittee dedicated to developing best

practices for remote presentations. I was gratified that my Law Institute committee, Retail & Hospitality, presented the first entirely remote seminar over two weeks in the fall of 2020. I learned as much or more than the committee itself did in the process of planning for that seminar.

Currently my sense is that while innovation is still philosophically valued, as a practical matter there is a renewed organizational focus on shoring up fundamentals, at least with respect to seminar-planning. I fully support this focus, as innovations in educational presentation can only be successful where the fundamentals are strong.

Leadership Style

My favorite book on leadership is Leaders Eat Last by Simon Sinek. The general conceit of the book is that leaders only accept their portion of gifts and blessings from an organization after the lay workers do. The idea is that leaders' core purpose is to accommodate the successful delivery of the organizations' services to its members, and the leaders' reward is sharing in the successful delivery of core services alongside the members---after the members enjoy their share. I just love that.

Member Focused, Promoter

One of the best things that has happened to me in the course of my DRI involvement is serving as the Young Lawyers Law Institute liaison, and getting to talk with young lawyers about how important DRI has been for my professional development as well as my long-term friendships. It is a pleasure to talk about DRI membership and to promote DRI community and culture to young lawyers.

Visionary/Strategist

On one hand, I recognize that I have been around for a while, and when thinking about what is best for the organization and its members, I am naturally inclined to draw on positive experiences stretching back 20+ years.

On the other hand, I have had the unmitigated pleasure of serving for the last four years as the Law Institute liaison for the two most innovative, forward-thinking committees within our organization: Young Lawyers and Women In The Law. These two committees routinely push the envelope, in a positive way, in cutting-edge approaches to committee initiatives, seminars and other educational and networking offerings. Often, and for understandable reasons, the organization has to push back or reel in committees' enthusiasm. My goal as Law Institute liaison has consistently been to try to make sure that when that happens, there is at least an understanding between the organization and the committee that there has been a meaningful consideration and thought process on both

sides, and that there is complete alignment of intent, if not always of strategy, concerning what is reasonably achievable. Again, I cannot claim perfection in achieving that goal, but it remains my goal nonetheless. My hope is that as National Director, I can continue to pursue that goal more broadly and with more success.

Emotional Intelligence

I love working with lawyers. By definition, that means I love working with motivated, stubborn, hard-headed, confident colleagues who, notwithstanding my obvious brilliance, decline to routinely agree with every word I say. I do not respond well to ego-based reasoning, but I covet the opportunity to hear from collaborators who disagree with me and/or the received wisdom from the organization who can dispassionately support their disagreement with credible evidence. Sometimes the answer to those who disagree genuinely comes down to "Because DRI says so"; but where we are able to meaningfully discuss disagreements with transparent access to shared information, we can move forward constructively even though some of us might still believe, in our heart of hearts, that the decided course is wrong. When that happens to me, nothing gives me more pleasure than learning that in fact, I was wrong and the other person, or the organization, was right all along. We all have a shared mission, and when someone else's strategy was right, we should all claim victory for the resultant success.

Ability to Collaborate

I draw again on my experience both as a committee leader and on the Law Institute, both of which have required routine collaboration with staff and executive leadership.

Membership (Individual/Firm)

I consistently encourage DRI membership. I readily accept the expectation that I recruit five new members per year during my anticipated Board service.

Attend Board Meetings/Attend DRI Seminars

I have not missed an in-person Law Institute meeting, or any seminar held by my assigned Law Institute committees, over my six years on the LI. I have attended every Medical Liability seminar since 2005 other than meetings in 2019 and 2021, and I have attended every Senior Living and Long-Term Care Litigation seminar since 2004 other than the 2024 seminar. I missed that one because my mother died.

SLDOs/NDOs

I am a member of Defense Trial Counsel of Indiana, the Alabama Defense Lawyers Association, IADC and CLM. I am a former member of the Professional Liability Underwriting Society.

Sponsorship

I recognize the commitment of a National Director to serve as a seminar sponsor. My firm has previously sponsored the Annual Meeting and a number of seminars presented by the Medical Liability and Health Care Litigation committee.

Financial Support of DRI-Supported Entities

I have previously and continue to finally support the National Foundation of Judicial Excellence. I also serve on the 2005 NFJE symposium steering committee.

What suggestions would you make to move the organization forward?

I see the following as important areas of focus to move DRI forward:

1. Mitigating the perception that there is a division, informal or otherwise, between the "regional/SLDO side" and the "committee side" of the organization. I am an unabashed child of the "committee side," and confess that even today, after more than two decades in DRI, I have a limited knowledge about the "regional/SLDO side." As the Board is comprised of members from both sides, I think the Board can be instrumental in engaging in intramural communication regarding the functions and benefits of the other side, and developing a broader understanding of how DRI policy and leadership decisions are made between the two. At our best, the "two sides" of DRI will, as the Proverb says, be like iron sharpening iron.

2. Linking each of DRI's five-part mission statement to activities and strategies that are clearly defined and expressly communicated to membership, and providing ongoing opportunities for DRI members to participate in such activities, alongside committee and SLDO involvement.

3. Improving information flow and transparency among and between DRI in-house staff, DRI's corporate leadership, i.e. the Board of Directors and Executive Committee, and volunteer leaders of our SLCs, SLDOs and regional groups. As mentioned previously, I believe that the Board of Directors is perfectly positioned to assist with appropriate transparency and information flow.

Describe one transformational/defining experience in your professional life you have been involved with and what you learned from that experience.

As a trial lawyer, I always learn the most from my trial losses. A significant loss tests both my confidence in my trial skills and strategy and my personal sense of self-worth. In 2018, I was lead counsel in a somewhat complicated medical malpractice case in which we took a significant eight-figure verdict. For several days after the verdict was returned, I felt like I had let my client and my law partners down. I questioned whether I would ever be able to try another case in front of a jury. I questioned my entire set of career choices, and explored what alternatives might be available to me now that I demonstrated that I was a failure in the courtroom.

Then, as I was in the process of assisting the appellate team (who also lost) and I was required to shut down my pity party, I reconsidered the situation. This was a case in which we had assessed, from Day 1, no greater than a 20% chance of a defense verdict on the question of the medical provider's liability. The issue was complicated by a legal issue surrounding my client's legal responsibility for the provider, which was also an issue at trial. We had warned the client that the jury would struggle with that issue. There was one aspect of the damages analysis that I had not thoroughly considered early on, but I rectified that in my assessment nearly eight months out from trial. And, four days before the case went to the jury, in response to some of the expert testimony in the plaintiff's case, I had written a number down on a piece of paper and handed it to my partner. I asked her to keep it and to not look at it until the jury came back. The number that I wrote down on that piece of paper is the number that the jury returned.

From that experience, I learned that I wasn't wrong, I just didn't win. The client, or more accurately, the excess insurance carrier, chose to allow the case to go to the jury, not because they were misled by my analysis and recommendations, but because they rejected my evaluation. The trial loss was still painful. It is still painful now. But the entire experience taught me that I can be right, and I can lose, and I can survive to fight and lose, or win, another day.

About seven months later, I took another case to trial in the same court, and the jury returned a defense verdict. I was gratified for the win, but I learned more about myself, and about confidence and character, from that loss in 2018.

Describe the greatest challenges and opportunities that lie ahead for DRI over the next five+ years.

DRI's greatest challenge now and over the next several years is determining how to most effectively tailor and communicate the benefits of DRI membership and participation to two groups: new young lawyers, and mid-level lawyers who have had some level of involvement in the organization, but who for whatever reasons have allowed their membership to lapse.

Another obvious challenge is how (and whether) DRI maintains its historical role as an organization with a heavy focus on in-person events in a

profession and culture that are increasingly reliant on remote participation in professional activities. I am committed to the principle that being together, in person, is the best way to get to know each other, to learn each other's strengths, and to develop the kind of genuine personal and professional relationships that are at the core of DRI's successes. Having said that, we have to be realistic about the inroads that have been made post-Covid in favor of remote depositions, remote court appearances, and remote CLE opportunities. If DRI is going to continue to focus on in-person events---and I believe that it should---we need to develop convincing strategies to show our members and prospective members that in person is better, and articulate why.

Finally, I anticipate that DRI will face intensifying challenges to maintain its DEI commitments in a national culture in which opposition to DEI---or at least what some people claim to believe DEI means---is a major plank of the platform of the governing political party. While certain policy positions adopted by DRI have always had some political import, DRI is not a political organization, and should not be a political organization. On DEI, the politics has come to us uninvited. To withstand the pressure I expect that we have received and will continue to receive, our leaders, including National Directors, must be ready to explain what our DEI strategy is, to firmly articulate why our DEI strategy is a priority, and to withstand criticisms and challenges to our DEI strategy.

DRI strives to be governed by a diverse board of directors—in terms of race, ethnicity, age, gender, religion, sexual orientation, disability, location, and/or professional level, and other facts that enhance diversity and inclusion --- who can and will help advance DRI’s goals through the power of collaboration. In what ways have you demonstrated a commitment to Diversity, Equity and Inclusion in your work, and how will your DE&I experience inform your contributions as a Board member?

My best response to this question is to briefly provide some autobiographical background to explain how my life experience informs my personal DEI philosophy and goals, and my strong desire and efforts to support DRI's DEI goals.

I grew up in a small town in north Louisiana, in a fundamentally segregated culture. My family and friends were, generally, casually racist, not usually in an aggressive or outspoken way, but in an unspoken manner premised on the shared premise that our African American neighbors, who we saw and interacted with every day, were essentially different, less worthy, and untrustworthy.

The only aspect of our small-town life that was not segregated was our public school system. I was born just as the Brown II requirement of “all deliberate speed,” coupled with the appointment of less segregationist federal judges by LBJ

in the mid-60s, led to legitimate efforts --required by the federal courts---to desegregate public schools across the South.

Both of my parents were public school teachers who began working just as desegregation of schools took effect in north Louisiana. As a result, my parents, young themselves in their early 20s, began teaching classrooms full of young African American students, and interacting with their students' African American parents. My parents were not heroes, and in many ways they retained the prejudices with which they themselves were raised. But they were passionate about education, and they loved their students, irrespective of their background. They were able to experience their students, and their students' parents, not as "others," but as fellow citizens who wanted and deserved the same education that everybody did. My parents' passion, this commitment on their part, naturally influenced my own upbringing.

While I was very casually acquainted with a few black friends as a teenager, my social circle was in reality like me: middle-class white kids. But I wanted to learn and understand why the conflict between white and black in our country persisted well into (at that time) the 1980s, and on into the 1990s as I progressed to college and law school. This curiosity led me to explore a range of Black fiction as an English literature major in college---works by James Baldwin, Richard Wright, Claude McKay, James Toomer, Zora Neale Hurston, Alice Walker, Toni Morrison, and my personal favorite, the late great Gloria Naylor---and to consider how their varied and disparate views and questions about our national culture registered who we are as Americans, as whites, blacks and citizens of all manner of ethnic backgrounds.

In law school, this same curiosity led me to read works by Derrick Bell, Kimberle Crenshaw, and others whose thoughts would eventually become labeled "critical race theory." In my reading, these scholars were putting pieces of a puzzle together, not to prescribe any particular solutions, but to show us realities of our legal culture that reinforced historically racist structures that must at least be recognized if we are to move towards achieving the ideal of blind justice that our American legal culture has promised for almost 250 years.

I didn't quite have the smarts to become a constitutional lawyer or legal scholar, and I needed to pay back my student loans too much to become a criminal defense attorney or civil rights attorney. Nevertheless, I have always viewed the obligation to advocate for the law in a manner that supports and provides equal protection regardless of race, ethnic background, sex, or sexual orientation, and to identify and push back against inequitable systems and applications of the law, as part of my professional obligations.

What does that mean for me as a practical matter? As a middle-aged white guy who can pretty much go anywhere I want without being bothered, it primarily

means listening, engaging in the development of strategies to achieve a diversity of voices and backgrounds in leadership, and standing ready to serve as an ally. As the Law Institute Liaison for Women In The Law, it has meant participating in discussions, usually as the only cisgender male in the room, of challenges confronted by women in the law without defensiveness, with an open ear to how I can participate in improved communications and and solution-building, and being buoyed myself by our women colleagues' ability to share their vulnerabilities with an ultimate goal of shoring up their collective strengths. It means understanding that efforts to reach out to and increase the membership and involvement of non-whites and women in leadership positions in our organization are not part of a losing proposition for white men in a zero-sum game, but are instead part of a strategy to extend the gifts and benefits that DRI has to offer to the present and future makeup of our entire body of legal colleagues, our client base, and our jury pools.

To me, in sum, our DEI goals are worthwhile not simply because they assist our non-white/male members. They are worthwhile because they make the organization and the profession better, more perfect, more complete for all of us.

Is there anything else you would like to add that has not already been previously stated?

I am passionate about DRI, its mission, and the gifts and blessings I have enjoyed from my DRI involvement over the last two decades. I strongly believe that I can assist the organization, its leadership and its members as a National Director. Even if I am not selected, I will continue to work to advance DRI's mission, and to assist others in realizing all that I have enjoyed in my work with DRI.