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OPINION OTHER VIEWS

Do Debates Need Live Audiences?

BLOOMBERG VIEW: This year's presidential debates have succeeded far beyond expectations — for the networks. For the public,

No one wants to turn one of the fall season's biggest hits — a hybrid of drama, comedy and reality TV — into a national version of those local meetings commonly shown late at night on the publicaccess TV channel. But presidential debates should strive to inform more than entertain, and on that score they could stand some improvement.

To say this isn't to buy into the self-serving commentary of media critics like Ted Cruz. Nor is it necessary to concede to the comical demands made by several disgruntled Republican candidates after last week's CNBC debate. Making the debates better should be a bipartisan cause.

There is no shortage of suggestions, some more realistic than others. One that could make a big difference: Hold the debates in studios with no live audience. It would keep moderators and candidates alike from playing to the crowd, and it would increase the time candidates have to answer questions, while also removing incentives to dodge questions or score cheap points.

Regardless, any improvements should be judged according to a few guiding principles:

• A debate should be among candidates, not between a candidate and a moderator. There's nothing wrong with a pointed question, and follow-ups are always necessary, but moderators should at all times strive to stay in the background.

 The networks and the parties should err on the side of inclusion. It's fine for polling to determine eligibility, but once candidates are on the stage, the moderators should be responsible for upholding the principle of equal time as best they can.

• Politics is fair game. Candidates should be asked not only about their plans, but how they would get them done. Incredibly, given Washington's dysfunction and the difficulty that presidents have had enacting their agendas, such questions remain all too rare.

There will always be complaints that this question or that was unfair, and there's no way to completely eliminate grandstanding, from either the candidates or the moderators. Not that you'd want to: It's the possibility of tension that keeps people watching. It's up to the political parties and the news media — not to mention the candidates themselves — to ensure their audience finds the debates engaging and enlightening.

The View page provides a forum for open discussion of issues and interests affecting our readers. Initialed editorials represent the opinion of the writer, but not necessarily that of the PRESS & DAKOTAN. Bylined columns represent the view of the author. We welcome letters on current topics. Questions regarding the Views page should be directed to Kelly Hertz at kelly.hertz@yankton.net/.

IN HISTORY

By The Associated Press Today is Thursday, Nov. 5, the 309th day of 2015. There are 56 days left in the

Today's Highlight in History: On Nov. 5, 1940, President Franklin D. nted th term in office as he defeated Republican challenger Wendell L. Willkie.
On this date: In 1605, the "Gunpow-

der Plot" failed as Guy Fawkes was seized before he could blow up the English Par-

In 1781, the Continental Congress elected John Hanson of Maryland its chairman, giving him the title of "President of the United States in Congress Accordance of the United States in Congress In 1872, suffragist Susan B. Anthony

defied the law by attempting to cast a vote for President Ulvsses S. Grant. (Anthony was convicted by a judge and fined \$100, but she never paid the penalty.) In 1912, Democrat Woodrow Wilson

was elected president, defeating Progressive Party candidate Theodore Roosevelt incumbent Republican William Howard Taft and Socialist Eugene V. Debs. In 1935, Parker Brothers began marketing the board game "Monopoly."

In 1942, American showman George

M. Cohan died in New York at age 64 In 1968, Republican Richard M. Nixon won the presidency, defeating Democratic Vice President Hubert H. Humphrey and American Independent candidate George

In 1974, Democrat Ella T. Grasso was elected governor of Connecticut, becoming the first woman to win a gubernatorial

office without succeeding her husband.

In 1985, Spencer W. Kimball, president of The Church of Jesus Christ of Latter-day Saints, died at age 90; he was

succeeded by Ezra Taft Benson. In 1990, Rabbi Meir Kahane, the Brooklyn-born Israeli extremist, was shot to death at a New York hotel. (Egyptian

native El Sayyed Nosair was convicted of the slaying in federal court.) In 1994, former President Ronald Reagan disclosed he had Alzheimer's

In 2009, a shooting rampage at the Fort Hood Army post in Texas left 13 people dead; Maj. Nidal Hasan, an Army psychiatrist, was later convicted of murder and sentenced to death.

Ten years ago: Leaders from across the Americas ended their two-day summit in Argentina without agreeing on whether to restart talks on a free trade zone

stretching from Alaska to Chile, Pirates attacked a cruise ship off the coast of Somalia, but the ship changed course and sped away to escape. British author John Fowles died in Lyme Regis, Dorset, England, at age 79. Guitar master Link Wray

Five years ago: President Barack Obama and his wife, Michelle, boarded Air Force One to fly to Mumbai, India, the first stop of a 10-day tour through India, Indonesia, South Korea and Japan. A judge in Los Angeles sentenced Johannes Meh-serle, a white former transit officer, to two years in prison in the shooting death of Oscar Grant, an unarmed black man, on an Oakland train platform; the minimal sentence provoked angry protests. (Meh-serle ended up serving 11 months.) Cable channel MSNBC suspended host Keith Olbermann for two shows for making unapproved political donations. Actress Jill

approved political dorlations. Actress sin Clayburgh died in Lakeville, Connecticut, at age 66. Opera singer Shirley Verrett, 79, died in Ann Arbor, Michigan.

One year ago: A day after sweeping Republican election gains, President Ba-rack Obama and incoming Senate Majority Leader Mitch McConnell pledged to try to turn divided government into a force fo good rather than gridlock, yet warned of veto showdowns as well.

Today's Birthdays: Actor Chris Rob-inson is 77. Actress Elke Sommer is 75. Singer Art Garfunkel is 74. Actor-play-wright Sam Shepard is 72. Singer Peter Noone is 68. TV personality Kris Jenner is 60. Actor Nestor Serrano is 60. Actresscomedian Mo Gaffney is 57. Actor Robert Patrick is 57. Singer Bryan Adams is 56. Actress Tilda Swinton is 55. Actor Michael Gaston is 53. Actress Tatum O'Neal is 52. Actress Andrea McArdle is 52. Rock singer Angelo Moore (Fishbone) is 50. Actress Judy Reves is 48. Actor Seth Gilliam is 47 Rock musician Mark Hunter (James) is 47 Actor Sam Rockwell is 47. Country singers Heather and Jennifer Kinley (The Kinleys) are 45. Actor Corin Nemec is 44. Rock musician Jonny (cq) Greenwood (Ra-diohead) is 44. Country singer-musician Ryan Adams is 41. Actor Sam Page is 39. Actor Jeremy Lelliott is 33. Actress Annet Mahendru is 30. Rock musician Kevin

Jonas (The Jonas Brothers) is 28. Actor Landon Gimenez is 12.

Thought for Today: "Imagination is the only key to the future. Without it none exists — with it all things are possible." — Ida M. Tarbell, American journalist (1857-

FROM THE BIBLE

Do not be anxious about your life. Luke 12:22. Portals of Prayer, Concordia Publishing House, St. Louis.

LETTERS TO THE EDITOR

COLA Concerns

Vanessa Carlson, Wakonda I am writing to express my deep disappointment in the recent announcement that there will not be a cost of living (COLA) increase for Social Security beneficiaries next year. As health care costs continue to rise, the strain on seniors like me is becoming unmanageable especially as previous COLAs have failed to keep pace.

Though there is a growing movement in America to expand Social Security, next year's lack

of COLA demands immediate action. Seventy-nine percent of likely voters — Democrats, Republicans and Independents — support expanding Social Security benefits and paying for it by asking the wealthy to pay their fair share.

It is critical that Congress acts now to maintain dignity for seniors and people with disabilities by addressing the lack of a cost of living adjustment next year.

People like me are counting



Thomas E. Simmons

Attorney Nailed For Fraudulent Transfer

BY THOMAS E. SIMMONS

University of South Dakota

In a pithy order this summer, the Minnesota Supreme Court suspended attorney William Sheahan indefinitely from the practice of law for assisting a client with a fraudulent transfer of assets. Sheahan also made false statements and other missteps. Attorney Sheahan unconditionally admitted the attorney disciplinary board's allegations. The court allowed Sheahan the right to petition

Nationally known asset protection planning attorney Jay Adkisson, who writes for Forbes, noted the similarity of the Minnesota court's decision Thomas E. with a 2013 decision by the California State Bar Court. The California court's **SIMMONS** opinion begins: "James Gregory Morris is a seasoned trial attorney who practiced law for almost 25 years without discipline before his legal services crossed the ethical line at his peril.

for reinstatement after nine months.

Attorney Morris, it seems, had also engaged in fraudulent transfers. The scheme netted him a one-year suspension.

Micromark, a California corporation, had just one shareholder, Ha-Chun Ying Cheung, and a single asset, a commercial building. When the building caught fire, Micromark and its tenant became embroiled in litigation over the cause of the fire. The tenant sought at least \$1 million in damages to its business and inven-

For about a year, attorney Morris represented Micromark. Then Micromark replaced Morris with an attorney who could speak with Cheung in Chinese. Micromark soon fired the Chinese-speaking attorney and replaced him with another attorney. Then that attorney died and Micromark rehired Morris.

After reviewing the court file, Morris discovered that a lapse by one of the previous attorneys had resulted in a default judgment against Micromark. To Morris, it looked like it ment set aside.

Meanwhile, the court decided the judgment amount to be entered against Micromark: \$2.4 million. At the time, Morris did not know of the judgment amount.

Before filing a motion to set aside the default judgment, Morris and Ms. Cheung agreed to place two mortgages against Micromark's building totaling \$703,000. The first mortgage of half a million dollars would secure Morris right to attorney fees, although his unpaid fees

at the time were barely \$53,000. The second mortgage of \$203,000 represented loans Ms. Cheung claimed she had made to her company, although Morris failed to verify the amounts.

Morris managed to file the mort-gages (technically "deeds of trust" under California law) three weeks before the \$2.4 million judgment was recorded, giving Morris and Cheung encumbrances with priority over the

The property itself had a value of \$400,000.

When the mortgages came to light, Micromark's tenant filed a motion asserting that the mortgages amounted to fraudulent transfers. A fraudulent transfer is a conveyance intended to hinder, defraud or delay a creditor.

Morris argued that he didn't intend to defraud the tenant, he simply wanted to secure his ability to be paid for his legal services, and his client had agreed to grant him a mortgage against its property. Ms. Cheung argued that her loans to her company were genuine, and that she also had acted in good faith.

The court ultimately disciplined Morris both for the mortgage securing his own claim for fees (which was ten times more than necessary for that purpose) as well as Ms. Cheung's, even though hers did not necessarily exceed the amount of the loans she had advanced to her failing company. The court also set aside the mortgages themselves.

Morris, the court concluded, was guilty of moral turpitude, dishonesty, and corruption. Thwarting creditors is a dangerous business. Attorneys who assist their clients with fraudulent transfers should beware.

Thomas E. Simmons is an assistant professor at the University of South Dakota School of Law in Vermillion. Simmons' views are his own and not those of USD.

Channeling Cassandra

BY KATHLEEN PARKER

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 $\hbox{WASHINGTON} \ -- \ \hbox{As Republican presidential}$ candidates debate the debates, roiling and railing against the unfairness of it all, campaigns have been busy rebooting candidates and crafting fresh slogans.

But whether Jeb can fix it, or Trump can build it, or Ben can cure it matters little in the global scheme of things. For globally we must think forevermore, whether we want to or

Yet, to follow our presidential debates, you might think we're nominating a senior class officer. Doesn't Jeb Bush think fantasy football is really gambling? Really?

'Wait a second!" shouts Chris Christie from the far end of the dais. "We have \$19 trillion in debt. We have people out of work. We have ISIS and al-Qaeda attacking us. And we're talking about fantasy football?

Thank you, governor. Now it's off to the children's table for you. Truth, it seems, does not poll well. Or perhaps, truth has become too much to bear. Anyone paying attention to global trends might well prefer fantasy sports to gambling on whether 50 special ops sent to Syria get out alive.

But of presidents and pretenders, we should ask more.

I've been digesting a lot of truth myself the past couple of years, thanks to the tenaciously brilliant William "Van" Dusen Wishard, a retired trend analyst, global thinker and author — 'Between Two Ages: The 21st Century and the Crisis of Meaning" — who began writing and sending me materials that were vastly more interesting than what was going on in Washing-

Wishard's won't be a familiar name to most, but he was something of a prophet for an earlier generation of legislators, military generals and corporate leaders who were trying to make sense of the tectonic changes taking place under our feet and under our noses.

His erudite letters to me often read as the mythological Cassandra's might have. While Cassandra had the gift of prophecy but the curse of never being believed, Wishard is merely cursed with the power of prophecy. He worries that time is running out for us to identify and understand these trends and help shape them into a less-frightening future.

From the decline of Western civilization to

the rise of fanaticism, to the greatest religious metamorphosis in history, to a rapidly expanding information environment that confuses as much as it informs, Wishard says we're in the midst of a global crisis of identity, meaning and spiritual displacement.

Not to put too fine a point on it.

Obviously, existential angst isn't new. But in this century, we're experiencing an accelerated version of angst and anxiety owing to the pace of our lives and the blur of data daily feeding into our brains. It's downright hard to be hyperbolic these days when everything around us is an exaggerated expression of itself.

At 85, Wishard also worries that his own time is running out and warned me Tuesday that the day is coming when he'll have to sign off. This won't do, so I'm summoning him to visit my column now and then and help us navigate this brave, new world where everything that happens happens

Kathleen

PARKER

And what should we do about it? Wishard declaims any suggestion that he's an expert or that he has the answers. But he points to a variety of trends that should interest us all — from the crunch of time, to world-changing technologies, to the decline of Western civilization — and a post-human future that's just around the corner.

Try condensing that into a sound bite or a political slogan. How about: Time to get real. Individually, these trends are fascinating; collectively, they're slightly terrifying. For example, when human and artificial intelligence eventually merge (around 2030), might we eventually ask: What are humans for in a world of selfreplicating technological capability completely independent of human control?

Our immediate challenge is to recognize and address the reality that the West has lost its collective myth or story to live by. This, I suspect, is what people really mean when they say they want their country back.

This is also what our next president must address in a global context. Who are we? Do we have the courage to lead? Do we let the future happen, or do we help shape it? We don't need a great big beautiful wall. What we need is a great, big beautiful story, told by someone with the vision, imagination and wisdom to get the great big picture.

Kathleen Parker's email address is kathleenparker@washpost.com.

For now, things aren't looking so good.