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A Planner and a Poet

**Susan Wheatley likes things organized—
in estate plans or stanzas**

BY JENNY BURMAN
PHOTOGRAPHY BY ROSS VAN PELT

SUSAN WHEATLEY DESCRIBES HERSELF as a planner. That's good, since she practices the ultimate kind of planning—helping clients get organized for the time when they're gone. She has been the estate planning and probate lawyer for many leading families in her hometown of Cincinnati.

But she also has a healthy respect for intuition and seizing the moment. Over coffee at a popular downtown lunch spot, Wheatley says she intended, as a second-year law student at Northwestern University, to remain in Chicago after graduation. She had interviewed for a summer associate's job only at Chicago firms and had several offers.

But Cincinnati-founded Taft Stettinius & Hollister was recruiting on campus, and she dropped by to say hello. "I told them I wasn't interested in a summer position because I couldn't afford to leave our apartment in Chicago and come back [to Cincinnati]," she says.

They called her for an interview anyway, which meant she could visit her family in Cincinnati. Wheatley and her husband, artist Anthony Becker, were living on a tight budget and didn't even own a car.

"I stayed the night with my parents and got to visit them and came for the interview, and I still remember everybody I saw that day," she says. "They were so funny and interesting. It was a quirky bunch: intellectual, funny, nice, down-to-earth."

She set aside her plans and took the summer job at Taft. She changed her mind about practicing in Chicago, which was home to Becker. When she suggested moving to Cincinnati, "He said, 'Sure, I'll do it,' and I was shocked."

Twenty-five-plus years later, Wheatley is still at Taft, now a partner and chair of the private-client group.

"[One thing] Taft offered me was a city I felt I could work with," she explains. "It was my hometown. It was a city that seemed manageable if you wanted to address problems, issues. And Chicago was going to take a long time for me to get into the deep knowledge of that city, and I would never be a native—not that you had to be, but it helps. So that was part of my thinking, too. But mostly it felt like home here."

"I looked out the window in the [firm's] library that summer, and I saw the hills and Mount Adams and the river, and I thought, 'This is my home, and I love my city.'"

She has an expansive view of her own now; her windows look out toward the Ohio River and down at the cornices of the storied Mercantile Library. To the northwest is Mount Adams with its historic houses. She points out a pair of gargoyles staring impishly from a Beaux-Arts building a few yards in the other direction. The office is bright, decorated with paintings by her husband and other artists she knows, along with photographs of her now grown children.





SUSAN E. WHEATLEY

- PRACTICE GROUP CHAIR/
PARTNER, TAFT STETTINIUS &
HOLLISTER; CINCINNATI
- ESTATE PLANNING & PROBATE
- OHIO SUPER LAWYERS: 2004–2016;
TOP 25 WOMEN CINCINNATI:
2007–2009, 2011; TOP 50 WOMEN
OHIO: 2004–2009, 2011

"She's terrifically smart," says Jack Donson, a partner at Taft who has worked with Wheatley on a number of major cases, including representing directors of the Southern Co. and Georgia Power in their efforts to build a nuclear facility. "She's a hard worker and she has good interpersonal skills and good writing skills."

Wheatley also dedicates a fair amount of time to her work on the board of the Ohio Justice and Policy Center, founded by civil rights attorney Al Gerhardstein.

OJPC addresses criminal justice reform on state and national levels, but Wheatley is particularly animated in describing its second-chance clinics, which help people convicted of crimes obtain expungements. "[It's getting] all those kinds of nitty-gritty details in place so that when they go back to school or community college, they can be on a track that gets them a license, for example, to have a trade or go into a field where they won't be blocked by some kind of a criminal record that could have been dealt with. Those things really catch my attention. The systemic issues."

Energetic and warm, Wheatley takes time to compose her answers, but is forthcoming with details about her career, which include a twist. Well into her tenure at Taft—after she was a partner—she switched from litigation to estate planning, more or less impulsively. She went with her gut.

"I got the idea one Friday morning in July in the late '90s. We had been slow in litigation. I was a young partner," she recalls. "We had gone to a two-tier partnership: equity and non-equity. It was urgent for me personally to become an equity partner. ... But litigation was slow. Litigation goes in peaks and valleys, and we were having a valley at the time, and I couldn't afford that.

"I thought, 'How in the world am I going to bring in [corporate] clients quickly enough as a young partner with this two-tier system?'" That's when the light bulb went on: time to do estate planning. "I knew instantly it was the right thing to do.

"I had bought a car impulsively about a year before that, so everyone thought I was very impulsive—'I'm just gonna do it!'" she recalls, laughing.

One of her colleagues called and urged her to do nothing until he spoke to her. On Monday morning, he grilled her: Would she regret it? Would she get bored? Would she miss trying cases?

Donson was supportive of her decision. "She's an excellent leader of that group," he says. "She has an excellent mix of lawyers in the estate planning group practice and has great morale within the group. She's really been able to organize that practice so we're able to deliver top-quality service at reasonable prices."

Wheatley especially enjoys the interpersonal aspect of her practice area.

"Estate planning is a very touching field," she says. "They're having to think about what will happen [after] their death. What will happen if they become incapacitated as they grow older and can't care for themselves? Who do they want to take care of them if they become frail or ill?"

In addition to being a lawyer, Wheatley is a published poet and served on the board of Mercantile Library, where in 2004 she founded The Walnut Street Poetry Society.

Wheatley says her practice area intersects with her work as a poet.

"They're really not that different," she says. "In estate planning, what we work with all day long is writing down what people would want to have happen with their things or for their families when they can't tell us that anymore. ... We're thinking into the future for that client about their own transience. ... Poetry, to me at least, is an intense way of managing a human awareness of our own transience in this world."

Poetry, like estate planning, can also be a way of managing human drama.

"We all have skeletons in the closets," Wheatley says. "We are used to that. We have it in our own families." A client might, for instance, "have a child they never told their spouse about. There are all kinds of things that come up. And that needs to be known so the client can work with their lawyer, and say, 'What if that child surfaces?' Or, 'I have a life insurance policy naming that child.' Or, guess what, that might turn up on your estate tax return, which would be signed by your executor, which would be your spouse, so let's figure through this now.

"Those kinds of situations are uncommon, at least in my practice, but that's an example of the kind of personal situation that can have a legal ramification—better to at least mention it ... because we can ease a lot things. Someone might have been worried about it for a lot of years and put off mentioning it because they thought it might be an unsolvable problem—and it's not."

Jim Brun, now a partner at Keating Muething & Klekamp in Cincinnati, worked with Wheatley in estate planning at Taft.

"She takes poetry very seriously," he says, "and she and I think the values that drove her to [poetry] also drove her to the estate planning practice: trying to understand and help people make sense of the human condition.

"In order to do that, you have to understand how people work." [EJL](#)

The Mojave Desert Cross

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BY SUSAN WHEATLEY

If you are not in a hurry
and it is November, warm, perfect
days in the desert,
you can take an early drive
from Death Valley

to the granite outcropping,
bleeding pink
in the rising sun,
where veterans of the Great War
that no one understood

raised a Roman cross
of white metal pipes
at a place neither public
nor private, not quite seen
or unseen,

but still at the center,
where crosses seem to reside,
their wingspans such
that they both lift
and, like this simple specimen,

cast shadows on the earth.

* The poem was inspired by a 2010 U.S. Supreme Court case involving crosses placed by a veterans' group on federal land: *Salazar, Secretary of the Interior v. Buono*