

An artifact from the I-35W bridge that collapsed sits in the Yost & Baill conference room. As lead subrogation attorney on the case, Baill was permitted to select a remnant from the site after the case was over. Baill selected this piece along with a local artist, who mounted it on a 400-pound piece of brass from the base of the bridge. Baill says that being involved in a case that helped so many innocent victims was a highlight of his career.

INTRODUCING  
**JEFF BAILL**  
2019-2020 HCBA PRESIDENT

*by Nicole M. Kustermann*

**H**aving celebrated its centennial this year, the Hennepin County Bar Association is entering its next century under the leadership of Jeff Baill, a consummate promoter of collaborative working relationships. Baill's belief that a small group of people can make a difference for many has guided and enhanced his career in the legal industry and beyond. Baill has practiced in the field of insurance subrogation since the day he became a lawyer, and, while accomplished as an attorney in that field, he is also devoted to his family and community, and to building associations that stretch well beyond himself.

## Camp Walden

Baill grew up as the youngest of three siblings in a modest, blue-collar home in suburban Detroit. Baill's dad was a truck driver and his mom stayed at home, caring for Jeff and his brother, Larry, and sister, Barbara. As described by his siblings, Baill was a smart kid, got good grades, and easily attracted others to him and his ideas. Larry and Barbara attended college at the University of Michigan and Jeff soon followed in their footsteps.

During college, Jeff spent summers at Camp Walden in Cheboygan, Michigan. Baill worked his way up to the position of kitchen manager, supervising a staff of 20 teenagers and ordering food for 600 campers. Baill believes that this experience provided his first dose of leadership. He remembers making a lot of mistakes, but also learning how to get things done. Jeff recognized at an early age that stepping up and taking charge could lead to good things for many.

## Public Utilities Commission

Jeff married Heidi Layne, his college sweetheart, the summer after they graduated. Jeff and Heidi moved to the Twin Cities to be closer to Baill's siblings. Chasing a childhood interest of becoming a lawyer so that he could "have control over his life," Baill entered law school at Hamline University. He attended school full-time and worked part-time jobs while Heidi worked as a teacher.

Baill recalls working at the Public Utilities Commission during his second year of law school. He worked with one of the commissioners to draft the "winter rule," which prohibited utility companies from turning heat off during winter months. During his third year of law school, Baill took his first legal job. He did everything but go to court for Ed Silberman, an attorney who shared an office with Baill's brother, who was a general practitioner at the time. Baill started in insurance subrogation—a niche area of insurance law that would come to define his career.

## Wasserman, Silberman and Baill

Upon graduating from law school, Baill was hired as the sole associate at Wasserman, Silberman and Baill, a firm that was formed in 1980. The firm eventually transitioned to Wasserman & Baill, and then to Yost & Baill. In the early years, the firm handled small auto and property subrogation cases primarily for one insurance company, with hopes that this would lead to defense work. When the insurance carrier stopped doing business in Minnesota, the firm took a chance by sending a letter to insurance companies in Minnesota, offering to handle subrogation claims on a contingency-fee basis. The firm now refers to that note as "The Great Letter" because it was the genesis of the firm's practice. Baill was surprised when a number of carriers began sending subrogation claims to the firm. Baill spent his early years as an attorney cutting his teeth in small claims court, meeting referees and judges, and, to his brother's surprise, winning difficult cases.

An example of Baill's visionary talent comes from the early years at Wasserman, Silberman and Baill, where he worked with his brother. Larry Baill credits his brother with convincing firm leadership to invest in (at the time) cutting-edge word processing technology. The investment paid off because it allowed the firm to create and utilize merged form documents, which allowed claims to be processed much more efficiently.



Jeff's entrepreneurial spirit showed at a young age when he convinced his mom to buy him junk food snacks, so he could sell them to his classmates.



While in college, Jeff and his future wife, Heidi, worked as volunteer ushers for when bands came to town. Often they were tasked with making sure concert goers didn't rush the stage. Jeff recalls that they once worked at a show for a young, up-and-comer named Bruce Springsteen.



Jeff is pictured here with his wife, Heidi, as well as (pictured left to right) his son and daughter-in-law, Andrew and Liz; and his daughter and son-in-law, Margot and Jeff.

## JEFF BAILL AT A GLANCE

### EDUCATION

1980 Hamline University Law School  
1977 University of Michigan

### BAR ADMISSION

Minnesota State Courts  
United States District Court,  
District of Minnesota  
United States Supreme Court

### EMPLOYMENT

1980 – Present: Yost & Baill

### PROFESSIONAL ACTIVITIES

**National Association of  
Subrogation Professionals**  
Founder, President, and 19 years  
on Board of Directors  
**Hennepin County Bar Association**  
Executive Committee Member  
**Hennepin County Bar Foundation**  
Board Member

### COMMUNITY

**Sabes Jewish Community Center**  
President  
**U.S. Tennis Association Northern**  
President  
**U.S. Tennis Association**  
Board Member

### HONORS

**National Association of Subrogation  
Professionals**  
Lifetime Achievement Award  
**National Creditors Bar Association**  
Don Kramer Award for  
“changing our industry and  
community forever”  
**USTA**  
2016 Volunteer Exceptional  
Service Award  
**USTA Northern**  
President’s Award  
**Super Lawyers**  
Multiple Year Designation

As a subrogation attorney, Baill has become a leader in the field. He was appointed as lead counsel for the subrogation interests arising out of the I-35W bridge collapse case. “Working on the 35W bridge case was a highlight of my career. I worked with the best and brightest attorneys in Minnesota while being involved in a case that strived to help so many innocent injured people,” said Baill.

He also represented the large subrogation claim in comedian Tracy Morgan’s bus accident case. Jeff regularly consults with insurance companies about best practices for running subrogation units. He has authored numerous articles and presented on a wide range of subrogation topics over the years.

## Jewish Community Center

As Baill’s career progressed, he began to get involved in activities outside of the office. In 1992, he and his wife led a mission trip to Israel sponsored by the Minneapolis Jewish Federation. Through the experience, Baill gained an appreciation of Jewish culture and the value of being a part of the Jewish community. As a new dad of two, Jeff wanted to provide his daughter Margot and son Andrew with a sense of belonging to the community. When he returned home from the trip, he began volunteering his time with the Jewish Community Center (JCC) and eventually was asked to help form the JCC Youth Basketball League. During Jeff’s time overseeing the program, it grew from 15 to 300 participating kids.

From there, Baill began serving on the board of the JCC. In 1995, he began a two-year term as president. Under his leadership, the JCC built a swimming pool and created its first-ever inclusion program for children with disabilities. During this time as board president, Baill learned extensively about committee structures and how organizations run.

## National Association of Subrogation Professionals

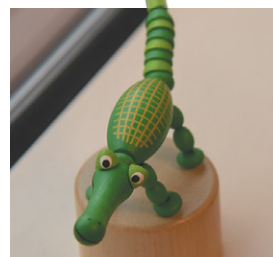
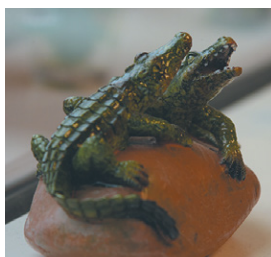
In the late nineties, Baill took a giant step forward in his legal and leadership journey. As a subrogation attorney, Baill often felt unwelcome

in the plaintiffs’ bar. Likewise, lawyers for plaintiffs did not feel comfortable around Baill and other subrogation attorneys because their clients were insurance companies—the very entities who were on the other side of most plaintiffs’ cases. In addition, Baill did not feel comfortable with the defense bar because he was not doing defense work.

Believing that he might not be alone in these feelings, Baill, his brother, and a few dozen other attorneys throughout the country met in Scottsdale, Arizona, to discuss the lack of educational resources available to subrogation attorneys. At this meeting, Baill proposed forming a trade association. Furthermore, as Larry Baill explains, his brother had great vision when he insisted that the group include not just attorneys, but the insurance company professionals and vendors who provide services to the industry. Baill’s idea was big. He recognized that the industry was going through an important change where insurance companies were moving from local operations centers to companies with more regional or national infrastructure. Providing opportunities for subrogation professionals to network with their national colleagues proved to be an invaluable resource for everyone involved. The National Association of Subrogation Professionals (NASP) was formed in 1998. Today, NASP has over 3,000 members and hosts two educational and networking conferences a year.

Baill has served on the board of directors of NASP, including as president and chair of numerous committees. His leadership and passion for the organization and what it was doing to bring people together was contagious. He did not sit idly by and let the organization become stagnant, but rather was a catalyst for nearly every initiative that moved the organization forward. To name a few, Baill was instrumental in creating industry benchmarking studies, creating a professional designation for subrogation professionals—the Certified Subrogation Recovery Professional (CSRFP), and creating the Executive Forum, a meeting of insurance company executives to discuss subrogation issues facing the industry. According to Ken Levine, former NASP board colleague, “Jeff is an optimistic, visionary leader.

You’ll find a number of toy alligators around Jeff’s office. He takes his role as a “subro-gator” seriously.





Jeff's love for tennis is on full display in his office.

He has a 'we can do that, and we should do that' attitude, while others sit around looking for reasons not to." NASP had an extremely positive impact on the growth and success of Yost & Baill and, at the same time, strengthened law firms, insurance companies, and other subrogation service providers throughout the country.

In 2017, Baill stepped away from NASP to make time for other things, including welcoming three grandsons to his family.

### United States Tennis Association

Another interest of Baill's that blossomed into a leadership position stems from his support of his son's tennis playing career in high school. Jeff was instrumental in convincing the Armstrong School Board to build new tennis courts while Andrew was playing. This experience led Baill to get involved in the northern section of the United States Tennis Association (USTA), where he would go on to become president. As president of the section, Baill participated in the Presidents Committee on the national level, and he was eventually chosen chair of the committee. From there, Baill spent four years on the national Learning and Leadership Development Committee, where he would be instrumental in creating a board orientation manual that would be used by section and district boards. Baill spent two years on the Nominating Committee, whose charge was to select future board members, and two years as vice-chair of the National Grievance Committee. In 2017, Baill was elected to serve on the National USTA Board of Directors and this year was elected for a second term. On the board, Baill has served on the Strategic Planning Committee and

the Audit Committee, as well as being the board liaison to five adult competition committees. According to Staciellen Mischel, the Associate General Counsel and Deputy Chief Legal Officer of the USTA, "Jeff has an innate way of cutting through all the *mashugana* [craziness] and getting to the point. He is able to sidestep the emotion of tough decisions, while still making people feel like their feelings matter."

When asked what he gets out of all of his volunteer service, Baill responded that he enjoys meeting new and interesting people and working with people to get things done.

### Hennepin County Bar Association

As HCBA president, Baill brings with him a fierce belief that associations can be difference makers in industry and in times of crisis. Baill's career in "disaster litigation" has provided a wide breadth of exposure to multiparty dispute resolution, which, in his mind, is always most successful through communication and collaboration. Baill's proudest contribution to the HCBA to date is his involvement in the idea and formation of the Law Firm Leadership program. This program has brought together three different cohorts of law firm leaders and prospective leaders to discuss issues and ideas for successful management of a law firm. This type of sharing amongst seeming competitors is the bedrock of Baill's visionary leadership. Baill is excited to share his experience and to work with other lawyers, on behalf of lawyers, to bring member value to HCBA members, to help build connections, and to make it easier to practice law with today's challenges.

Jeff takes a yearly trip to the U.S. Open Tennis tournament.



**"Jeff has an innate way of cutting through all the *mashugana* [craziness] and getting to the point. He is able to sidestep the emotion of tough decisions, while still making people feel like their feelings matter."**



### Nicole M. Kustermann

[nkustermann@yostbaill.com](mailto:nkustermann@yostbaill.com)

Ms. Kustermann is a partner at Yost & Baill, where she manages the national worker's compensation subrogation practice group for the firm. She is a former president and longtime volunteer of the National Association of Subrogation Professionals, serving several years as an editor of the nationally recognized trade publication, the *Subrogator* magazine. She is an honors graduate from William Mitchell College of Law. She also volunteers time as the board secretary for the Osseo Maple Grove Hockey Association.