

**MEMORIAL RESOLUTION OF THE  
ALLEN COUNTY BAR ASSOCIATION**

**MAXWELL PAUL SMITH**

*WHEREAS, we are here to pay respects to the memory of our deceased colleague and friend, Maxwell Paul Smith, who was released from Alzheimer's disease at Canterbury Nursing Facility on April 6, 2006.*

*WHEREAS, Max was born in Elyria, Ohio on January 8, 1924, the son of Maxwell Peter Smith and Hilma Holmgren. Max graduated from Quincy High School and received a football scholarship to Valparaiso University, where he also lettered in tennis and was the captain of the varsity boxing team.*

*WHEREAS, Max's education at Valparaiso University was interrupted due to his service in the United States Army during World War II. Max served as a member of the Army Specialized Training Program, then as an infantryman on the front lines of combat, having landed in Normandy, France, the December after D-Day. After the war, Max attended classes at Valparaiso University and Nebraska University. Ultimately, Max completed law school at Valparaiso University in 1950, earning his LL.B degree. From 1949–1953, Max served as a 1<sup>st</sup> Lt. in the Judge Advocate General's Corps. In 1953, Max began his legal career in Allen County when he started in private practice with Paul Nieter, which eventually became the law firm of Nieter, Smith, Blume, Wyneken, Dixon & Levine. Later in his career, Max founded the law firm of M.P. Smith & Associates with his son, Mark Paul Smith. Max distinguished himself as a trial attorney and as a corporate attorney.*

*WHEREAS, Max married Vaunceil Hulda Tiarks in 1949. Max and Vaunceil had four children, Mark Smith, Terra Lindvall, Amy Szwabowicz, and Laura Eckstein. Max is survived by his wife, Vaunceil, his sister, Betty Lester, his four children, and his five beloved grandchildren.*

*WHEREAS, in 1982, Max authored an article entitled "Should an Indiana lawyer incorporate?," which was selected as the best article published in Res Gestae for the 1981-82 fiscal year.*

*WHEREAS, Max was an elder at First Presbyterian Church and chairman of its Trustee's Committee. Max also served on the Board of Directors of the Fort Wayne Ballet and the Samaritan Pastoral Counseling Center.*

*WHEREAS, Maxwell Paul Smith will be remembered by his family, friends, and colleagues as not only an outstanding lawyer, but also as a caring professional who counseled his family, friends, and clients to, "Look for the good in others."*

*NOW, THEREFORE, BE IT RESOLVED that the Allen County Bar Association gives public expression of sorrow upon this, the occasion of the remembrance of the life and death of Maxwell Paul Smith; and*

*BE IT FURTHER RESOLVED, that this Resolution be unanimously adopted by those present at this assembly upon this occasion; and*

*BE IT FURTHER, RESOLVED, that a copy of this Resolution be transmitted by the Office of the Allen County Bar Association to the members of the Smith family; and*

*BE IT FURTHER, RESOLVED, that this Resolution be spread of record in the permanent records of the Courts of Allen County, Indiana, to evidence the respect and admiration of the members of the Bench and Bar for their departed friend, Maxwell Paul Smith.*

*Dated this 8<sup>th</sup> day of June, 2006, at Fort Wayne, Allen County, Indiana.*

*THE ALLEN COUNTY BAR ASSOCIATION*

*By: \_\_\_\_\_  
Robert E. Moreland, President*

*By: \_\_\_\_\_  
The Honorable Stanley A. Levine  
Judge, Allen Superior Court*