

Message from the President: WCBA - A Community of Professionals

M. GRAY STYERS, JR.



WHY JOIN THE WAKE COUNTY BAR ASSOCIATION? You may be asked by new attorneys, as I often am, why they should join the Wake County Bar Association. How does it benefit them and their practice? Are the benefits worth the dues when we are all watching our expenditures?

The best, shortest answer, based upon my own experience, is “relationships – being a part of a community.”

If you want, and intend to be (and can make a living being), a solitary “lone wolf” attorney – if that is your goal – then you might find little value in joining a bar association. I believe, however, that those attorneys who build relationships and who work within the community of the practicing bar find the practice of law more fulfilling, are happier, are better able to represent their clients, and are more financially successful.

As young attorneys, we seek mentorship, guidance, and practical examples from more experienced attorneys. We look for continuing education, referral sources, forums for networking, and organized opportunities for public service and pro bono representation.

As more experienced attorneys, we seek the new ideas, fresh perspectives and high energy from our newer attorneys. We learn about new practice management tools and enjoy ways to give back to the profession that has given so much to us.

We break bread together at our monthly lunch meetings; eat BBQ together in May, oysters in November; and celebrate a family picnic at Pullen Park in early September. We dance and ring in the holidays in December, and the YLD members enjoy happy hours throughout the year. Through all of these events, we get to know better the other attorneys in Wake County. We learn whom we may want to associate with as co-counsel if we are slightly outside our comfort zone. We get to know our opposing counsel not only as adversaries, but as fellow professionals doing their best to represent their client with different interests than our own. We meet other transaction counsel with whom we will negotiate deals for the mutual benefits of our respective clients.

In our bar community, we can work together collectively to advance the goals of our profession more effectively than we can individually. We can sponsor and attend CLE classes, write articles and exchange ideas through our newsletter or blogs, promote professionalism, and engage in discussions and initiatives that improve our court systems and the administration of justice. As an association, we recognize and celebrate the successes of our members that advance these goals, honor and highlight the examples of those who exemplify the highest ideals of professionalism (such as with our Joseph Branch Award), and mourn the passing

CONTINUED ON PAGE 2

Upcoming Events

WCBA LUNCHEON • February 4

Dean of Campbell Law School J. Rich Leonard will update our Bar on new programs for Campbell and the state of law schools. Lunch begins at 12:15 p.m. at the Woman's Club of Raleigh.

WCBA YLD SOCIAL • February 6

Young Lawyers of the WCBA are invited to a social beginning at 6 p.m. on Thursday, Feb. 6 at The Big Easy, 222 Fayetteville St., Raleigh.

BREAKFAST DISCUSSION • February 19

One-hour CLE - It's Not Me, It's You: Dealing Gracefully with Challenging Clients and Difficult People. Wednesday, Feb. 19 at 7:30 a.m. at Campbell School of Law. One hour ethics credit.

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WAKE BAR FLYER

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Message from the President, continued

of those with whom we practiced when they are no longer with us (at our Memorial services).

We all know the line from John Donne's poem, "send not to know for whom the bells tolls; it tolls for thee," but I like even more the opening lines of the poem:

"No man is an island, entire of itself;
Every man is a piece of the continent, a part of the main.
If a clod be washed away by the sea,
Europe is the less, as well as if a promontory were.
As well as if a manor of thine own or thine friend's were . . .
For I am involved in mankind."

. . . For we are involved in the bar – a privileged few, officers of the court, with authority and responsibilities that accompany our licensure.

In this age of Facebook "friends," text-messaging conversations, and single-interest groups, it is easy to forget that we are not individual islands, but rather a piece of the continent. We are all part of a profession whose members, at our best, help maintain an orderly, civil society in which disputes are resolved by the rule of law, transactions are crafted to promote economic activity and provide security to commerce and property ownership, and fundamental rights of all are protected and defended. The Wake County Bar Association provides a framework for attorney interaction as we pursue these ideals that distinguish our profession from being simply a collection of technicians or tradesmen.

In our day-to-day routine – talking on the telephone, responding to e-mails, drafting documents, attending meetings and calendar calls, it is easy to lose sight of these ideals – the "big picture" of who we are as attorneys and professionals and of our role in society. The Bar Association, through its activities, its committees, and its programs, can help re-focus our attention on this larger picture.

That's why I believe all attorneys should be members of the Wake County Bar Association and why the small amount that we pay in dues is one of the best investments, in the long run, we can make in our careers.

If you agree, invite a new attorney – in your firm, in your building, or someone whom you just met at the courthouse – to one of our lunches or one of our social events. Share with them why you are a member, discuss the value of being part of our community, and encourage them to join our association. **WBF**

The Rule of Law, A Ruling Success...With Your Help

BY NICOLETTE FULTON

IT IS AGAIN TIME for the WCBA Annual Rule of Law Program, which is March 6 at Campbell Law School. Many of you have been vital to the success of the program in the past, and we hope you will be available to help this year's program be a success as well.

The Rule of Law, created by Justice Mark Martin of the N.C. Supreme Court and Orage Quarles, publisher of the Raleigh News and Observer, has taken off and become quite the success thanks to the outstanding volunteer spirit within the Wake County Bar Association. The program challenges high school students to explore the how the Rule of Law affects and enriches their lives and the lives of everyone in our community.

If you are interested in volunteering, please contact Nicolette Fulton at (919) 996-6560 or nicolette.fulton@raleighnc.gov. **WBF**

NEXT BAR FLYER DEADLINE: FEBRUARY 15, 2014

MENTORING: A GREAT TRADITION CONTINUES

BY ED GASKINS, JR. | EVERETT GASKINS HANCOCK, LLP
AND ZEKE BRIDGES, J.D. | DIRECTOR OF MENTORSHIP, CAMPBELL LAW SCHOOL

THE ORIGIN OF THE TERM MENTORING is attributed to Homer, the esteemed ancient Greek author and poet. In *The Odyssey*, Odysseus requests his friend Mentor to counsel his son Telemachus while he is away fighting the Trojan War.¹ As a result, “mentor” was adopted in the English language as a term meaning, “someone who imparts wisdom to and shares knowledge with a less experienced colleague.”²

Mentoring is one of the greatest traditions of our American legal system. Before the late 1800s, lawyers typically learned to practice law by “reading the law” as apprentices working directly with practicing attorneys. Thus every lawyer had a mentor, not only in the substance of the law, but also as to professional courtesies and local customs. Wake County maintained a similar tradition through the 1970s as our bar regularly ate together at the cafeteria located next to the courthouse. That was a natural setting for the more experienced lawyers to interact with and counsel their younger colleagues. As the number of lawyers increased with the growth of the county in the 80s and 90s, and as the focus on generating income and billing hours increased, mentoring declined. Now, at the dawn of the 21st century, we as a profession are realizing that mentoring is a key to preserving and restoring the profession not only in Wake County but throughout the country. Mentoring is consistent with a high level of professionalism such as historically existed throughout the nation, and most particularly in Wake County.

Dr. Lois J. Zachary, an authority on mentoring, observed that:

Mentoring is best described as a reciprocal and collaborative learning relationship between two (or more) individuals who share mutual responsibility and accountability for helping a mentee work toward achievement of clear and mutually defined learning goals. Learning is the fundamental process, purpose, and product of mentoring. Building, maintaining, and growing a relationship of mutual responsibility and accountability is vital to keeping the learning focused and on track.³

“Mentoring, at its fullest, is a self-directed learning relationship, driven by the learning needs of the mentee.”⁴ Dave Bateson, a practicing attorney and consultant, who has been nationally recognized for his work in mentoring in the legal profession says:

New lawyers need mentors who can help them take what they have learned in law school and put it into action. Additionally, there are some key aspects of our profession, like managing client relationships, that cannot be fully taught in a classroom. Finally, the transition from student to attorney can be a disorienting one for many new lawyers. Mentors not only help their mentees develop key professional skills, their support within the mentoring relationship builds confidence in the new lawyer and helps the new lawyer embrace the responsibilities of joining our profession.⁵

Campbell Law School and the WCBA are launching a collaborative mentoring opportunity for both third-year Campbell Law students and newly admitted Wake County attorneys. Discussions about such a program started approximately four years ago among several dedicated attorneys on the Wake County Professionalism Committee and the leadership at Campbell Law School. Today we share the fruits of those many discussions and hours of research and creative efforts with the birth of the Campbell Law Connections Mentor Program. “A program like Connections offers its participants the chance to not only develop the wide array of practical skills they need, but to really understand how to employ those skills in the highest professional manner.”⁶

We believe Connections to be the first joint formal mentoring program developed and implemented by a law school and a local bar. It is a natural partnership given the history and traditions of the Wake County Bar Association and Campbell Law’s focus on not only teaching the law, but how to practice it. More than 100 Wake County attorneys are participating as mentors in the pilot project which will commence in January 2014. The pilot will involve 40 third-year Campbell Law students and 10 newly admitted attorneys.

The program is expected to be fully implemented in the fall of 2014 to include the entire Campbell third-year class and as many newly admitted Wake County attorneys as wish to participate.

Connections is structured consistent with the available scholarship on mentor theory which identifies four functions of mentoring: career mentoring, psychosocial mentoring, role-modeling mentoring and professionalism mentoring.⁷ All four of these functions are necessary for well-rounded and successful mentorship relationships. Connections is designed to incorporate all four functions of mentoring.

1. Career mentoring function – directly assists a mentee’s career advancement. While Connections is not about obtaining mentees full-time legal employment (this is clearly and intentionally not one of Connections’ objectives), a good mentor will help mentees “learn the ropes” and prepare them for success within the profession.⁸ “These behaviors include coaching protégés [we prefer the term mentees vs. protégés when referring to students enrolled in Connections], sponsoring their advancement, increasing their positive exposure and visibility, and offering them protection and challenging assignments.”⁹ Within the career mentoring function, mentors should help mentees develop:

Networking skills, while marketing the mentee internally and externally at the mentor’s place of work; the ability to initiate and grow successful mentor relationships; career planning and implementation, including the practical knowledge of obtaining that first job and how recognition and advancement work within the legal profession; and teamwork skills with staff and other attorneys; and self-organization and time management.¹⁰

CONTINUED ON PAGE 4

MENTORING CONTINUED FROM PG. 3

2. Psychosocial mentoring function – directly assists a mentee’s development of their professional identity and professional and personal growth.¹¹

Professors Belle Rose Ragins and Kathy E. Kram, authors and nationally recognized experts on mentoring, write that:

“Psychosocial functions build on trust, intimacy, and interpersonal bonds in the [mentor/mentee] relationship and include behaviors that enhance the protégé’s [mentee] professional and personal growth, identity, self-worth, and self-efficacy. They include mentoring behaviors such as offering acceptance and confirmation and providing counseling, friendship, and role-modeling.”¹²

3. Role-modeling mentoring function – directly assists a mentee’s development of professional standards. “. . . [T]he central theme of the role modeling mentoring function is ensuring that the protégé [mentee] develops professional knowledge and skills that at least satisfy minimum professional standards and at best substantially exceed minimum standards.”¹³ A mentor, as a role model, greatly influences how a student learns the “relationship skills and applied knowledge necessary for professional competence.”¹⁴ Utilizing the role-modeling function, the mentor should assist the student through observation and discussion of the following skills:

Ability to acquire and retain clients; understanding and conducting litigation; counseling; negotiation; diagnosing and planning solutions to legal issues; instilling others’ confidence in the lawyer; and practice management.¹⁵

4. Professionalism mentoring function – directly assists a mentee “to internalize the principles of professionalism.”¹⁶ In a peer-review profession like the legal profession, it is beneficial to separate the role-modeling mentoring function from the professionalism mentoring function to emphasize the importance of the professionalism function.¹⁷

According to Neil Hamilton, Professor at the University of St. Thomas Law School, and Lisa Montpetit Brabbit, Assistant Dean and former director of the nationally recognized Mentor Externship Program at the University of St. Thomas Law School:

The peer-review professions are those occupations where there is an unwritten social contract whereby society grants to practitioners rights of autonomy and self-regulation in return for the profession’s commitment to the principles of professionalism, including effective peer review. Mentoring in many occupations will have a role modeling function but mentoring in a peer-review profession has a *unique additional obligation*.¹⁸

Scholarly research has shown that different mentoring functions predict different mentee outcomes.¹⁹ For instance, the career mentoring function positively impacts the mentee’s future career compensation and advancement, while the psychosocial mentoring function plays a larger role in the mentee’s satisfaction with the relationship.²⁰ Both ca-

reer and psychosocial mentoring functions help mentees with job and career satisfaction.²¹

Research and studies also prove that mentees should receive mentoring from a set or “constellation” of developmental relationships – in short, from more than one mentor.²² In addition, the composition and quality of a mentee’s entire constellation of mentors account for their long term career outcomes such as retention and promotion.²³

Many of us have heard or taken part in inspiring stories about great attorneys mentoring others. It is our hope Connections will provide a structured platform for you to mold, shape and influence the next generation of attorneys in a positive way, both personally and professionally. Like the mentors many of us have enjoyed, by mentoring you will be leaving a legacy of your own in the lives of your mentees. Please consider signing up today to be considered a mentor in Connections at www.law.campbell.edu/mentorpro. If you wish to learn more about Connections’ innovative and robust mentor program, please visit www.law.campbell.edu. **WBF**

END NOTES

1. HOMER, *THE ODYSSEY* bk. II, at 100 lines 255-68 (Robert Fagles trans., Penguin Books 1997) (8th Century B.C.).
2. *Someone who Imparts Wisdom and Shares Knowledge*, MENTOR USA NEWSLETTER (Mentor Foundation USA, Washington D.C.) Jan. 2012, <http://mentorfoundationusa.org/upload/Newsletters/PDF/MENTOR%20FOUNDATION%20USA%20-%20JANUARY%202012%20NEWSLETTER.pdf>.
3. LOIS J. ZACHARY, President and Director of the Center for Mentoring Excellence, *CREATING A MENTORING CULTURE: THE ORGANIZATION’S GUIDE 3* (Jossey-Bass: A Wiley Imprint, 2005).
4. *Id.*
5. DAVE BATESON, WWW.BATESONCONSULTINGLLC.COM (2013).
6. DAVE BATESON, WWW.BATESONCONSULTINGLLC.COM (2013).
7. KATHY E. KRAM, *MENTORING AT WORK: DEVELOPMENTAL RELATIONSHIPS IN ORGANIZATIONAL LIFE* (Scott, Foresman and Company, 1985); Neil Hamilton & Lisa Montpetit Brabbit, *Fostering Professionalism through Mentoring*, 57 *J. Legal Educ.* 102 (2007).
8. BELLE ROSE RAGINS & KATHY E. KRAM, *THE HANDBOOK OF MENTORING AT WORK: THEORY, RESEARCH, AND PRACTICE 5* (Sage Publications, Inc. 2007).
9. *Id.* at 5.
10. Hamilton et al., *supra* note vi, at 107-08.
11. RAGINS et al., *supra* note vii, at 5.
12. *Id.*
13. Hamilton et al., *supra* note vi, at 108-09.
14. *Id.* at 109.
15. *Id.*
16. *Id.*
17. *Id.*
18. *Id.* (emphasis added).
19. RAGINS et al., *supra* note vii, at 5.
20. Tammy D. Allen et al., *Career Benefits Associated with Mentoring for Protégés: A Meta-Analysis*, 89 *J. of Applied Psychology* 127, 132 (2004); Connie R. Wanberg et al., *Mentoring Research: A Review and Dynamic Process Model*, 22 *Research in Pers. & Human Res. Mgmt.* 39, 47 (2003).
21. Allen et al., *supra* note xix.
22. KRAM, *supra* note vi, at 181; Doug Ashworth, et al., *Using Multiple Mentors In Bar And Law Firm Mentoring Programs* (An Issues of Professionalism Series, Nelson Mullins Riley & Scarborough Center on Professionalism, 2009).
23. Monica C. Higgins et al., *Constellations and careers: toward understanding the effects of multiple developmental relationships*, 22 *J. Organiz. Behav.*, 223 (2001).

AN ALIEN¹ WALKS INTO A LAW OFFICE

BY ANN ROBERTSON, ROBERTSON IMMIGRATION LAW FIRM

IT HAPPENS EVERY DAY. The Pew Hispanic Center estimates that 7.3 per cent of North Carolina's residents were born outside the United States. One in every fourteen clients you see might be a foreigner.

Few legal rights are unaffected by a person's immigration status. A long term lawful resident of the U.S. can be deported for illegal possession of one valium pill. Most aliens are not entitled to food stamps, Medicaid or SSI. A surviving alien spouse is NOT exempt from federal estate tax. U.S. businesses may employ aliens, but only under strict rules. Divorce, adoption and family violence can all carry major immigration consequences.

There appears to be no area of law that is not affected by the immigration status of your client. Do you understand enough about immigration law to know what that status is? Do you know what that immigration status allows your client to do in the United States? How does that immigration status make a difference in what you can do for your client?

For answers to these questions, come to "How Immigration Law Impacts Your Area Practice," the WCBA's CLE program, which will be held immediately after the bar luncheon on Tuesday, February 4. This

two-hour CLE will provide you with a basic understanding of the importance of immigration law in your everyday practice.

Topics to be covered during this presentation include: (1) Immigration Law 101; (2) The Intersection of Immigration Law and Criminal Law; (3) The Intersection of Immigration Law and Family Law; (3) The Intersection of Immigration Law and Civil Litigation (personal injury, medical malpractice and workers compensation); (4) The Intersection of Immigration Law and Corporate/Employment Law.

For more information about the content of this CLE, contact Ann Robertson of Robertson Immigration Law Firm, the CLE coordinator, at annrobertson@robertsonimmigrationlaw.com. To sign up, please go to the WCBA website, www.wakecountybar.org and click on the calendar item for Feb. 4. **WBF**



END NOTES

1. "Alien" continues to be the term used by American immigration statutes to refer to a person who is not a citizen of the United States.



*"With admiration for the greatness of what you are building when no one sees."
Dedication to the unsung craftsmen who built the grand cathedrals of Europe.*

Representatives from every department in the Wake County Justice Center were recognized at the January WCBA luncheon for their herculean efforts to move from the Wake County Courthouse to the new Justice Center this past spring without missing a day of court. Examples of the size of the effort: Over one million criminal files and 7,700 deed books, which each contained 2,500 pages, were moved, and more than 465 personnel were relocated. Representatives came from the offices of the Sheriff, the Public Defender, the District Attorney, the Clerk of Court, the County Manager, the Register of Deeds, Wake County General Services, the Trial Court Administrator, as well as both the District and Superior Courts. **WBF**

2013 BAR AWARDS RAISE MORE THAN \$28,000 FOR LEGAL AID'S RALEIGH OFFICE

BY DEBORAH L. HILDEBRAN-BAHOFEN AND MATT CUNNINGHAM,
CO-CHAIRS, WAKE COUNTY BAR AWARDS PLANNING COMMITTEE

THE SIXTH ANNUAL BAR AWARDS show was held on November 14 at the Woman's Club. All monies raised from the event went to LANC. This year's show continued the success of this fundraiser by raising a record amount of more than \$28,000.

The committee worked diligently to plan the show and strove to increase last year's record-setting amount, while making it a fun and enjoyable evening. This year's show was "The Holiday Special," keeping with holiday theme as part of each musical number, which also served to lampoon favorite parts of our local bar membership. The event remains successful due to the talented musicians, singers, actors, host, script writers, producers and others involved in the production, but most importantly due to the support, attendance and sponsorships of the lawyers in Wake County.

A special thanks goes to all the performers and musicians who are as follows: Sean Cole, Benji Jones, Laura Jenkins, Rhonda Raney, Matthew S. Cunningham, Tim Carraway, W. John Cathcart, Jr., Mike Connell, Ben Fisher, and Charles Putterman. Gray Styers, our current WCBA and Tenth Judicial District President, was awarded the "Lawyer of the Year" award as our raffle winner.

There are so many people involved in the show, we do not have room to thank them all, but we will mention a few. Matt Cunningham was the writer and director. A special thanks goes to the Announcer Michael F. Easley, Jr.; Host John Mabe; Director Shannon Joseph; and the Performance Planning Subcommittee members. A very special thanks goes to Debra Griffiths, chair of the Facility Planning Subcommittee, and her assistant, Jeanette Hammond, who put in a herculean effort to decorate the facility to enhance the enjoyment of the audience, and to Theresa Rosenberg, Lori Corlis and the Legal Marketing Association who assisted in obtaining in-kind donations for the silent auction.

We would also like to thank all of the other committee mem-

bers who assisted with the show and facility clean-up, raffle and other activities needed to put on the show. We are especially thankful to our many monetary sponsors: Industry Sponsors which included Lawyers Mutual, SunTrust, Duke Energy; John F. Mitchell, attorney and CFP, Wealth Management Adviser with Northwestern Mutual and Practical Law; and Firm Sponsors which included Manning Ful-ton & Skinner PA; Cranfill Sumner & Hartzog, LLP; Everett Gaskins Hancock, LLP; Poyner Spruill LLP; Bailey & Dixon, LLP; Blanchard Miller Lewis & Isley PA; Cauley Pridgen, PA; Cheshire Parker

Schneider & Bryan, PLLC; The Jernigan Law Firm; K&L Gates, LLP; Kirby & Holt, LLP; Emmett Haywood of Nicholls & Crampton, PA; Senter Stephenson & Johnson, PA; Silverstein & Cook, PA; Smith, Anderson, Blount, Dorsett, Mitchell & Jernigan, LLP; Styers, Kemerait & Mitchell PLLC; Vitale Law Firm, PLLC; Williams Mullen Clark & Dobbins, PC; Wyrick Robbins Yates & Ponton, LLP; and Womble Carlyle Sandridge & Rice, LLP.

We also had great in-kind donors this year including Coca-Cola Bottling Co. of NC (special thanks to Trey Bailey), Robby Merritt of Merritt Videoworks and RA Jeffreys Distributing. Also, a huge thank you to those who contributed items

to our silent auction, including the Angus Barn, Capri Restaurant, DPAC, Irregardless Café, Charles Garrison of Stancil & Company, Harmony Farms, Kanki, Legal Cloud Technology, NC Museum of Art, Makena Skin Care, Quail Ridge Books & Music, Total Motion Physical Therapy, Traditional Jewelers, Sanderling Resort, 18 Seaboard, Wine & Design, as well as Heidi Bloom and Woofers Davidian.

LANC represents those low-income North Carolinians who are struggling in the current economic conditions. We all know that LANC has had some pretty tough times. We are grateful that the show provides an opportunity for the lawyers of the WCBA to support LANC and to have a lot of fun at the same time. If your name is not on the sponsor list this year, please consider supporting this event next year. **WBF**



ABOVE, PAST PRESIDENT JOHN SILVERSTEIN RECEIVES AN AWARD OF HONOR. RIGHT, IS THAT RUDOLPH SERVING AS COMIC RELIEF DURING THE HOLIDAY SEND UP?



FOR MORE PHOTOS FROM THE EVENT, SEE THE WAKE COUNTY BAR ASSOCIATION FACEBOOK PAGE.

Legal Aid of North Carolina, Inc.

Administrative Office

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George R. Hausen, Jr., Esq.
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January 2014

Dear Wake County Bar Association Members,

We would like to thank each of you and your law firms for putting together the 6th Annual Bar Awards. Every year this event has become even more engaging and successful. The level of talent and creativity our fellow Wake Bar members possess is extraordinary. We extend a special thank you to those who engineered and participated in the spirited and entertaining production, which surely required a good bit of work and planning.

The generosity of the Wake County Bar Association is humbling. \$28,000 makes a vast difference in our community and in the number of people our Raleigh office can serve. *The Wake Bar contribution is the single largest gift we receive from any bar association across the state.* We recognize that so many of you already contribute time or money to LANC either personally or through your firm. It is through such strong local support that Legal Aid is able to serve so many Wake County families.

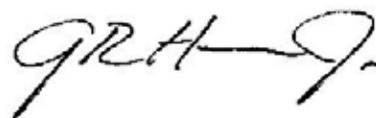
As you know, LANC is a non-profit law firm whose clients have a median household income of just \$12,000. Through our programs, women and children are protected from living with violence in the home; elderly persons are protected from homelessness; health care is provided to children in desperate need of medical attention; and financial stability is maintained for many families facing economic crises. Legal Aid attorneys in Wake County work daily to provide access to high-quality legal assistance to protect the basic needs of North Carolinians.

Thank you, again, for working hard to make Legal Aid of North Carolina and our clients a priority of the WCBA, and for your support of the *Access to Justice Campaign* in Wake County.

Sincerely,



Victor Boone
Senior Managing Attorney, Raleigh Office
Legal Aid of North Carolina, Inc.



George R. Hausen, Jr.
Executive Director
Legal Aid of North Carolina, Inc.



FREE CLE OPPORTUNITIES FOR WCBA MEMBERS

Tuesday, February 4

How Immigration Law Impacts Your Area of Practice

Time: 1:45 - 3:45 p.m.

Where: The Woman's Club

How much: Two hours general credit

Wednesday, February 19

It's Not Me, It's You: Dealing Gracefully with Challenging Clients and Difficult People

Time: 7:30 a.m. - 8:30 a.m.

Where: Campbell Law School

How much: One hour, ethics credit

February 28

The Healing Place for Substance Abuse and Mental Health Awareness

When: Thursday, February 27

Time: 4 - 5:30 p.m.

Where: The Healing Place, 1251 Goode Street, Raleigh

How much: 1.5 hours substance abuse

Each of these programs are available to both WCBA members and non-members. To sign up, simply go to the WCBA website at www.wakecountybar.org and go to the calendar. Click on the date for the program(s) in which you are interested. These CLEs are free for WCBA members, and non-members can attend for \$30/credit hour. **WBF**

YLD NEWS

2014 YLD OFFICERS

PRESIDENT: KATHLEEN PUTIRI

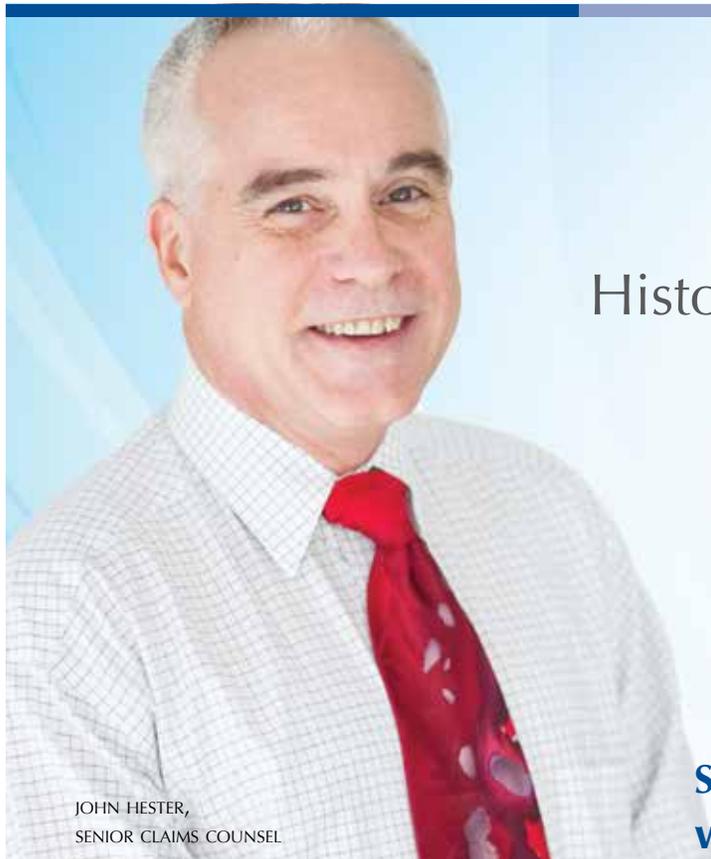
VICE PRESIDENT/SECRETARY: JAMES HASH

TREASURER: SAM FLEDER

UPCOMING SOCIAL

THURSDAY, FEB. 6 | 6 P.M.

The Big Easy, 222 Fayetteville Street, Raleigh



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GIVE YOUR CLIENTS WHAT THEY WANT

BY CAMILLE STELL

THE AGE OF THE INTERNET ALLOWS US ALL to become “do-it-yourselfers”. By doing research on WebMD, I can visit my doctor with diagnosis in hand and ask him to prescribe the perfect pill. In fact, the website’s tagline is “Better Information. Better Health.”

It should come as no surprise that this trend is impacting consumers of legal services as well.

There is a generation of individuals who have always had the ability to do a Google search to find any answer to any question.

So what can lawyers offer to clients that they cannot get from the Internet? Your ability to take their specific legal problem and work with them to find a tailored solution.

Your clients want personalized help. They want someone who will anticipate and lessen their legal problems. They want someone who is responsive, who works with them to identify what a “win” looks like for them. And the service needs to be delivered as quickly as possible at an affordable – and this is very important piece of the solution and predictable price.

Clients are more aggressive about speaking out for what they want than ever before. Many times, our clients may have been unhappy, but they were using the only lawyer in town or the only lawyer who specialized in the field in which they had legal needs. Today, there is seemingly a lawyer on every corner. More than ever, we need to hear our clients and be responsive to their needs. Here are a few tips:

1. Develop a rapport with your client. Understand what brings them to your office. People desire to be heard and understood. Even if you can’t get the financial result the client wanted, there is often some satisfaction for people who feel they have had their chance to speak out and be heard.

2. Develop a “partner” mentality. Not in the law firm setting sense of the word, but the idea that you are on the same team. As a consumer, I appreciate the services that I use when I’m made to feel as though I matter and that my ideas and input are important. If you are handling a case for a client, you want to know what their goals are and what they are trying to accomplish. How will they measure success in this case? If your client’s only measure of success is a six figure settlement and you know that you can’t accomplish that for them, you are setting up yourself and your client for failure. Involve the client early in the process and help them to set measures of success that are reasonable. This will help you secure an outcome that is good for the client and good for you in that you have a satisfied client.

3. Discuss methods and timing of communications with your client. Take your client’s lead and communicate as they desire or adjust their expectations to fit your office norms. If your office can be flexible and communicate as needed for each client, that’s great. Some clients will prefer phone calls with updates, followed by snail mail letters that outline the communication and gives them something to refer to. Others may want everything electronically. If you’ve decided that your procedures are important to how you practice, let the client know what to expect and let them know why. You may explain to them that it’s not that you don’t want to be responsive to their needs, but you have found that your method of communication fits your practice. The key is to have this conversation up front so there are no unmet expectations and to remember that documenting your client communications is good risk management advice.

4. Deliver bad news with honesty and directness. It’s like ripping off a Band-Aid, it’s going to hurt, but you can’t avoid the pain. In reviewing bar grievances and malpractice cases, you can often see the fork in the road – rather than deal with the bad news (we lost the case, we’re not going to get the settlement you want, I blew the deadline) the lawyer begins to avoid the client or worse, to cover-up the event with a lie. Constantly adjusting your client’s expectations throughout the proceedings helps ensure that the bad news you need to deliver doesn’t seem so shocking.

5. Are there any “red flags” you need to be aware of with this client? During a down economy, we need every client we can get, but avoiding some clients up front ends up saving you money, as well as heartache. Is this the client who isn’t interested in the money, but the “principle”? Or the client who has an unreasonable expectation about outcomes – whether financial or otherwise? Or the client who is searching for results you can’t provide – good health, a successful marriage, or fairness in the workplace?



CAMILLE STELL is the Director of Client Services for Lawyers Mutual. Selected as a Lawyers Weekly “Leaders in the Law” award recipient, Camille has more than 20 years of experience in the legal field, as a paralegal, legal recruiter and business developer. Contact Camille at 800.662.8843 or Camille@lawyersmutualinc.com.

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Leonard T. Jernigan, Jr.
Attorney at Law

Leonard T. Jernigan, Jr., attorney and adjunct professor of law at NCCU School of Law, is pleased to announce that his 2013-2014 supplement to Jernigan's *North Carolina Workers' Compensation: Law and Practice* (4th edition) is now available from West Publishing (1-800-344-5009).

- Board Certified Specialist in Workers' Compensation Law

- NFL and National Hockey League Workers' Compensation Panel Member

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A great day of golf was held on November 11 at the WCBA Golf Tournament at Brier Creek Country Club. Pictured above, Gary Rickner celebrating his ace on hole #4. The event is held annually and proceeds benefit the Wake County Bar Association Foundation's Scholarship Program.

CLIENTS CONTINUED FROM PG. 9

6. To make sure you are meeting your promises to your clients, end each conversation with these two questions: "What have I agreed to do, and when do you expect me to do it?" and "What have I promised (or predicted) will happen and when do you expect it to happen?" When the client leaves, put deadlines in your docket system to remind you that these tasks are due and respond to your client as promised.

7. To get an idea of how well your clients think you are doing your job, seek their feedback through a survey. This can be a questionnaire you send them in the mail with your final bill and disengagement letter or you can use a free electronic service such as surveymonkey.com. Keep in mind, its better not to ask your clients how you can improve service than to ask and not make changes. Use your client input to constantly refresh and fine tune your practice.

You can't Google good client service, you must experience it. Keep your practice vibrant by providing excellent client service. **WBF**

YLD: TAKE ADVANTAGE OF CONFERENCE OPPORTUNITIES

BY CHRISTOPHER J. ANGLIN, ANGLIN LAW FIRM, PLLC

ATTENDING PROFESSIONAL CONFERENCES in other states was something that I had avoided like the plague during my first two years as an attorney and was something I quickly came to regret after attending my first conference. As a solo practitioner, I would ultimately be responsible for any expenses associated with these conferences and this had been the primary reason I did not attend any until this Fall. However, after attending the American Bar Association Young Lawyer's Division Fall Conference at the Arizona Biltmore in Phoenix, my opinion about attending such conferences has changed completely. These conferences are especially important for young attorneys both in terms of professional and personal development. They offer an opportunity to meet other young attorneys from around the country and allow you to build relationships with them, which could literally last decades.

One thing to remember is that almost any conference for attorneys is likely to be hosted at held at a nice resort or hotel and you will most likely be able to get the rooms at a discounted rate. The accommodations at the Arizona Biltmore were spectacular and many of the attendees took advantage of both the pool and the spa that were at the hotel or stayed an extra day and went to see the Grand Canyon (after Jan Brewer worked out a deal with the federal government to reopen it). In retrospect, I wish that I would have stayed for an extra day or two and seen the sites around Phoenix or maybe even swung through Las Vegas on the way back to help support the local economy there.

Upon arrival at the conference, I noticed how invariably friendly everyone was and how well we all got along. Everyone wants to make a good first impression and put their best foot forward. There were several CLEs that I attended during the two days at the conference and these also had their value. The conference was capped off by a dinner and dance on the final night of the conference, which several hundred people attended, and it was very enjoyable. I mention these things just to highlight some of the activities that are available to you outside of the CLEs in most destination cities to encourage you to go.

The most important thing that I took away from the conference was the potential relationships that I have with people going forward. While on the face of it, knowing a young attorney from New York, California or Iowa may not have much value in it; however, when you delve deeper, it does. Currently, I probably get at a minimum five calls a month for cases that are in states outside of North Carolina and I am just a solo practitioner. In the last month, people have called me for cases in South Carolina, Arizona, Nevada and California, just to name a few. Before I attended this conference, I only knew attorneys who practiced in a limited number of states to whom I could refer. However, now I know people in many states to refer to. The hope is that by meeting attorneys from other states, they will be able to refer me cases that would be in North Carolina after we met at the conference. If I am getting multiple calls a month

for out-of-state cases, larger law firms are probably getting many more calls and may be able to refer me valuable cases in the future.

Beyond referrals, another reason to go to these conferences is for potential job opportunities. In an economy such as this, you never know where you might be able to find a position with a law firm in another state if one of their employees is impressed by your skills and personality. Just as an example, at my dinner table on Friday night, one of the other young attorneys at the table worked for a law firm in St. Thomas in the U.S. Virgin Islands. When he said where he was from, I jokingly asked him if they had openings. Thinking that I was being serious, he offered to go right over check with his boss, who was also attending the conference. I let him know I was joking but got his card just in case. Something just as simple as sitting next to someone at dinner could lead you to your next job.

While right now the other attorneys at the conference may not have a lot of authority, in the future they will. They will become partners in their law firms, in-house counsel at companies responsible for determining who outside counsel will be, members of the board of major businesses, etc. The possibilities for what they may become are endless. The relationships that can be developed through attending such conferences will pay off dividends in the future. A fellow conference attendee that you meet who becomes the in-house counsel for a major company may be able to hire your firm to do outside litigation five or ten years from now. As you grow in your role with your firm, you will be increasingly responsible for bringing in your own clients, which is not as easy as it sounds.

I know that conference attendance for young attorneys can be prohibitively expensive, but there are a number of ways that these expenses can be decreased. The ABA offers a number of ways to reduce your travel costs, including airfare and hotel expenses. One way is to apply to be an ABA Scholar or a Fellow. The information for applying is available on the ABA website. Also, there were a number of representatives there representing their local or state bar association, who also contributed to their travel expenses. If you are a District representative for the ABA YLD in your state or you are on the committee that plans the event, your expenses are also covered. There are any number of ways in which you can either have your expenses defrayed or completely covered. These opportunities are also available the other conferences hosted by other organizations each year. I would encourage younger attorneys to get involved in as many local and nationwide organizations as possible and to attend the conferences they can. The benefits of attending these can be felt for years to come. Please contact Chris Anglin at chris@anglinlawfirm.com if you have any questions. **WBF**

WELCOME NEW MEMBERS

84 NEW MEMBERS APPROVED BY THE BOARD OF DIRECTORS AT THE DECEMBER 2013 BOARD MEETING

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WCBA MEMBER NEWS

NANCY L. GRACE of Wake Family Law Group in Raleigh and past Board Member of the Wake County Bar Association was recently elected President for 2014 of the N.C. Chapter of the American Academy of Matrimonial Lawyers (AAML), an organization of the nation's pre-eminent family law attorneys. North Carolina has 36 active Fellows of the AAML. www.aaml.org.



CRANFILL SUMNER & HARTZOG LLP recently named three new partners to the firm: Dan M. Hartzog, Jr. and Jennifer Morris Jones of Raleigh and Jason Toups of Wilmington.

Hartzog has been practicing defense litigation at CSH since 2006. He has successfully handled matters in several areas, including a variety of employment disputes, defamation claims, municipal liability, constitutional challenges to zoning and land use ordinances, premises liability, and motor vehicle negligence claims. He is a graduate of Hampden Sydney College and the University of North Carolina at Chapel Hill School of Law.



Jennifer Morris Jones has been a member of CSH's Workers' Compensation Practice Group since joining the firm in 2006. She is a North Carolina Board Certified Workers' Compensation Specialist, and her niche is her Form 24 practice. This practice involves moving the Industrial Commission to terminate or suspend an employee's weekly temporary total disability (TTD benefits) on an expedited basis without prolonged litigation. She is a graduate of Salem College and Campbell Law School.



Jason Toups has been a member of CSH's Workers' Compensation Practice Group since joining the firm in 2007. Jason represents clients at all stages of litigation before the North Carolina Industrial Commission including subrogation and other related civil litigation. He is a graduate of Louisiana State University and the Walter F. George School of Law at Mercer University.



CRANFILL SUMNER & HARTZOG LLP (CSH) announced that 25 of its Raleigh attorneys have been selected as 2013 North Carolina's Top AV Rated Lawyers based on their AV Preeminent® rating by Martindale-Hubbell. The "Legal Leaders Presents North Carolina's Top Rated Lawyers of 2013" list was published by LexisNexis Martin-

dale-Hubbell in October 2013 and honors attorneys who maintain peer reviewed AV Preeminent® rating by Martindale-Hubbell.

The CSH attorneys and their practice areas included in the list are:

- Michael C. Allen (Medical Malpractice)
- P. Collins Barwick, III (Workers' Compensation)
- Jaye E. Bingham (Appellate Law, Medical Malpractice, Personal Injury)
- James B. Black, IV (Workers' Compensation)
- Richard T. Boyette (Business and Commercial, Professional Liability)
- Susan K. Burkhart (Insurance Law, Professional Liability)
- Buxton S. Copeland (Workers' Compensation)
- Paul L. Cranfill (Workers' Compensation)
- H. Lee Evans (General Practice, Insurance Law, Medical Malpractice)
- Beth R. Fleishman (Litigation, Medical Malpractice, Products Liability)
- W. Scott Fuller (Professional Liability, Workers' Compensation)
- Robert H. Griffin (Insurance Law, Personal Injury, Transportation)
- Dan M. Hartzog (Business and Commercial, General Practice)
- Ginger B. Hunsucker (Medical Malpractice)
- Kirk D. Kuhns (Workers' Compensation)
- J. Gregory Newton (Insurance Law, Workers' Compensation)
- C.D. Taylor Pace (Workers' Compensation)
- Amy L. Pfeiffer (Alternative Dispute Resolution, Workers' Compensation)
- David A. Rhoades (Workers' Compensation)
- Pankaj K. Shere (Business and Commercial, Intellectual Property, Products Liability)
- Theodore B. Smyth (Insurance Law, Litigation)
- Robert W. Sumner (Personal Injury)
- Robin H. Terry (Workers' Compensation)
- F. Marshall Wall (Business and Commercial, General Practice, Intellectual Property)
- David D. Ward (Medical Malpractice)

Additionally, four Cranfill Sumner & Hartzog LLP (CSH) attorneys in its Raleigh office were recognized by Business North Carolina magazine as part of the magazine's Legal Elite program. Business North Carolina magazine has honored North Carolina lawyers by publishing Business North Carolina's Legal Elite, a listing of the state's top lawyers in business related categories, since 2002.

The following attorneys were recognized as **BUSINESS NORTH CAROLINA'S LEGAL ELITE 2014** winners in the respective offices and practice areas:

- Dan M. Hartzog, Litigation
- Daniel G. Katzenbach, Construction
- F. Marshall Wall, Litigation
- Michelle D. Connell, Family Law

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