



The YLD Review

THE STATE BAR OF GEORGIA | LAWYERS SERVING THE PUBLIC AND THE JUSTICE SYSTEM

Volume 54, Issue 3 Young Lawyers Division Spring 2013

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YLD Donates More Than \$46,000 to GA CASA, Inc.

by Brantley Rowlen



(L-R) YLD officers Shiriki Cavitt, Jack Long, Sharri Edenfield, Darrell Sutton, Jen Blackburn and Jon Pannell take a break from dancing to Yacht Rock Schooner.

donations for the event. See page 4 for a list of all donors to the event.

Jennifer A. Blackburn was named the 2013 recipient of the Signature Service Award. The Signature Service Award recognizes an individual who has achieved a certain level of service, measured by his or her commitment to the YLD and to the mission embodied by the Signature Fundraiser's beneficiary organization.

The theme of this year's fundraiser, was a Masquerade Ball. The evening began with a reception for the Host Committee and sponsors, who were soon joined by more than 200 attendees donning black tie and masquerade attire. Guests enjoyed an open bar, heavy hors d'oeuvres and live music courtesy of Yacht Rock Schooner. The night also featured a silent auction and live auction officiated by Hon. **Dax E. Lopez**. Items ranged from sports tickets and memorabilia to artwork, recreation, travel and dining certificates. A great evening was had by all!

To learn how you can help Georgia Court Appointed Special Advocates, please visit www.gacasa.org. (Photos from the event can be found at zachporter.com. Click on Galleries, Corporate Events and then YLD Annual Fundraiser 2013.)

On Saturday, March 2, 2013, the YLD held its 7th annual Signature Fundraiser at the Capital City Country Club in Brookhaven. More than \$46,000 was donated to Georgia Court Appointed Special Advocates, Inc. (CASA), a nonprofit organization that establishes and supports affiliate programs across the state that recruit, screen, train and supervise CASA volunteers. This program helps ensure a qualified, compassionate volunteer advocates for Georgia's children who have been placed by the courts into the foster care system due to abuse and/or neglect. The outstanding level of service provided by Georgia CASA and the continued success of this special event would not be possible without the philanthropy of many, including the generous support of law firms, legal industry vendors and in-kind donations from members of the Bar. A special thank you goes out to event co-chairs **Jessica Cabral Odom, Karen Kurtz and Sarah White**. Additionally, **Rachael Zichella and Betty Davis** were instrumental in soliciting



Ken and Julia Neighbors enjoy their time at the Masquerade Ball.



Attorneys from Diamond Level Sponsor King & Spalding show their support for Georgia CASA.

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From the Captain

Smooth Sailing for the YLD

by Jon Pannell

It has been a busy first three months of 2013 as your YLD president! The YLD winter meeting, held in conjunction with the State Bar Midyear meeting at the St. Regis Hotel in Buckhead, was a great success. We had more than 140 young lawyers register for our general session and attendees heard from several guest speakers including Attorney General **Sam Olens** and the new Mock Trial Coordinator for the State Bar, **Michael Nixon**. After our general session, the YLD co-hosted a reception with the Big Bar for our meeting attendees and the attendees of the State Bar's legislative forum. Seeing our elected officials, state bar leaders and YLD members all enjoying the evening together was something to be proud of!

In mid-January, I had the opportunity to participate in the State Bar Programs Committee meeting to review current programs of the Bar and recommend their funding for the 2013-14 Bar year to the Finance Committee. There are many great programs which have to be reviewed on an annual basis and I commend the members of the Bar who volunteer their time to review our Bar programming. It is also comforting to know that the YLD is well-represented on the Programs Committee and Finance Committee and these younger lawyers are looking out for our interests!

In mid-February, I had the opportunity to represent the YLD at the annual ICLE Caribbean Seminar in Aruba and speak on one of the panels. This year the Caribbean Seminar celebrated its 23rd year under the leadership of Past YLD President **Stan Brading** and Past State Bar President **Bob Brinson**. Stan began the program when he was president of the YLD in 1990 as a fun way to gain continuing legal education credit with friends in a tropical destination. I encourage all of you reading this column, YLD members and former YLD members alike, to consider attending the Caribbean Seminar next year. It truly is a great way to earn

continuing legal education credit while also getting to know fellow lawyers in a picturesque locale.

On Feb. 21, the Leadership Academy had their second session of the year, spending the morning at the State Capitol and the afternoon at the Court of Appeals of Georgia and Supreme Court of Georgia. In between, the Leadership Academy joined the YLD Legislative Affairs Committee for the 25th annual Legislative Luncheon honoring our lawyer-legislators serving in the General Assembly. For the second year in a row, Gov. **Nathan Deal** was the keynote speaker for the luncheon and updated the YLD on his initiatives this year under the Gold Dome including his legislation to update the Juvenile Code. During his remarks, Deal thanked the YLD for our leadership in initiating the proposed changes to the Juvenile Code. A big thank you goes to **David Werner**, **Jennifer Little**, **Ivy Cadle** and **Adriana Sola Capifali** for their hard work in planning the Legislative Luncheon and the program for the Leadership Academy.

Finally, I had the honor of attending the YLD's annual Signature Fundraiser on March 2, in Atlanta at the Capital City Country Club in Brookhaven. I am happy to report that the YLD raised more than \$46,000 for Georgia Court Appointed Special Advocates, Inc. (CASA), this year's beneficiary of the Signature Fundraiser. During the event, I had the privilege of presenting the YLD Signature Service Award to **Jen Blackburn** for her tireless efforts on behalf of the YLD for numerous pro bono projects.

There is a lot to be proud of as your YLD president. Thank you to our membership for all that you do on behalf of the YLD and for making my job easy! Your efforts make all lawyers, both young and "old," look good! I hope to see you at the YLD Spring Meeting in St. Simons Island in April and at the State Bar's Annual Meeting in Hilton Head Island in June.

Call to Service: AVL F

A Lesson from My First Two Years of Practice: A Dishonest Client is Not Necessarily an Undeserving Client

by Lindsey Siegel, Atlanta Volunteer Lawyers Foundation, Staff Attorney



A few months ago, a client lied to me when she was on the verge of losing her housing. Luckily, she admitted the truth relatively early in my representation of her, and we were able to explain her actions honestly and still prevent her from becoming homeless. Though the vast majority of my clients are honest, in the past year I have had more than one client be less than honest or fail to give me key information during an interview. When I discovered the dishonesty, my first reaction was to question everything she had told me and, occasionally, to lose enthusiasm in representing her. Since then I've instead tried to better understand why clients are sometimes dishonest, how it impacts my work and how best to handle these sensitive situations in the future.

It can be difficult to navigate the various ethical issues that arise when representing a client who has been dishonest about some fact, especially when that fact is central to the case. If I come to believe prior to a hearing that a client has lied to me, I worry about proffering false testimony. Of course, if I insist that the client admit the truth under oath, we may lose the case. Withdrawing from the case is another option, though it is unappealing to leave a client unrepresented (as they almost always will remain so) when the stakes are so high. Though I memorized the rules of professional conduct in preparation for my practice of law, implementing them with real clients who need assistance has been much more challenging than I would have imagined.

At AVL F, the vast majority of our clients have very few resources, despite working or looking for work to support their families. Often their basic needs—safety, housing, food—are not being met, and they are doing what they can to survive. I have learned that sometimes a client is going to say what she thinks we want to hear in order to obtain assistance. Other clients believe we will judge them if they admit to making certain decisions; and past experiences with government or social service agencies may have taught them this lesson. My clients' past experiences and economic realities have influenced my impression of their occasional dishonesty.

Practicing this type of law involves recognizing that our clients aren't perfect, just as we are not perfect in our representation of them. The best we can do is try to discover the truth, recognize the potential complications in our representation and understand the barriers our clients face. And if we imagine stepping into their shoes, we may wonder what we would do in a similarly desperate situation and better understand the rationale for their decisions.

Judge's Chambers

To Preserve the Rule of Law

by Justice Keith R. Blackwell



These days, many of our most fundamental institutions seem to have lost the confidence of the People, and the courts and the bar are no exceptions. According to a 2012 Gallup survey, only 37 percent of the public reported significant confidence in the U.S. Supreme Court, and a smaller segment, 29 percent, expressed such confidence in the criminal justice system. As for lawyers as a profession, another 2012 Gallup survey found that only 19 percent of the public rated the “honesty and ethical standards” of lawyers as “high” or “very high.” We can take some comfort, I suppose, in the survey finding that lawyers are considered more honest and ethical than insurance salesmen, HMO managers, advertising executives, car salesmen and members of Congress. But the loss of the confidence of the People, as shown by these surveys, is a very real problem for our courts and our profession and, as a result, for our shared commitment to the rule of law.

The rule of law, after all, depends in large measure on an independent judiciary and bar for its sustenance. In a sense, sustaining the rule of law is a responsibility of every official and citizen, but courts and lawyers, I believe, have been specially appointed to that task. Throughout the history of our Republic, we find countless instances in which our government has undertaken to limit or diminish the most fundamental liberties of the People—always, it is said, for the collective good, most often at the instance of officials who are well intentioned, and commonly with the backing of popular sentiment in the moment—by legislation or executive action that violates our constitution. And throughout our history, an independent judiciary and bar together have stood as an indispensable bulwark, a last line of defense for the liberties of the People against such limitation and diminution.

When courts and lawyers must stand their posts against measures that have the support of a great many of the People, their stand, of course, often proves to be an unpopular one. But our judicial system is, by its nature and design, the weakest of the coequal branches of government, and for that reason, it has the least capacity in many respects to weather the storm that follows such an unpopular stand. As Alexander Hamilton put it in Federalist No. 78,

[t]he executive not only dispenses the honours, but holds the sword of the community; the legislature not only commands the purse, but prescribes the rules by which the duties and rights of every citizen are to be regulated; the judiciary, on the contrary, has no influence over either the sword or the purse; no direction either of the strength or of the wealth of the society; and can take no active resolution whatever. It may truly be said to have neither force nor will, but merely judgment; and must ultimately depend upon the aid of the executive arm even for the efficacy of its judgments.

Our judiciary long has weathered these storms because its judgment traditionally has had the confidence of the People. Even when the public has not liked the judgment of the judiciary, the public has respected it.

The loss of confidence in our courts, and the loss of trust in our lawyers, threatens to undermine the respect for the judgment of the judiciary. That, in turn, threatens our shared commitment to the rule of law, an idea that, as I said before, we are specially appointed as judges and lawyers to sustain. For this reason, we owe it not only to ourselves, but, more importantly, to the Republic, to restore and preserve public confidence in our work. And that endeavor requires each of us to do his part. As judges, we must carry on with humility, sobriety and dignity, we must always take care to limit the judicial power to its proper scope, and we must make every effort to avoid the appearances of bias and caprice. As lawyers, we must exercise the privileges and powers of the office of attorney responsibly, with a due regard for the adversaries of our clients and third parties alike, and with the courtesy and respect due our brothers and sisters of the bar. And we all must endeavor to live our lives—not only as judges and lawyers, but as ordinary citizens—in a manner that reflects well upon our profession, keeping in mind that the People always are watching. The stakes are too high to do otherwise, for upon our efforts, the rule of law depends.

9th Annual YLD Ethics and Professionalism Award

Do you know a young lawyer who exhibits exceptional fairness, integrity and diligence? Have you encountered a young lawyer who displayed professionalism in a difficult situation? Consider nominating that lawyer for the 9th annual YLD Ethics & Professionalism Award.

For the past eight years, the YLD has recognized individuals who exhibited such qualities. Although judges and senior partners have submitted recommendations, exceptional displays of ethics and professionalism often come to the YLD's attention only through nominations by their peers.

The YLD has seen many diverse nominees ranging from public interest litigators to in-house corporate lawyers, and the YLD would like to continue the tradition across a variety of fields and locations. Past award recipients include **Ivy Cadle**, **Carl Varnedoe**, **Paul Fancher**, **David Mincey III**, **Andrew Goldner**, **Christopher Cohilas**, **Douglas Chandler** and **Tyronia “Ty” Smith**.

The nomination form will be posted to georgiayld.org and distributed by email. Please submit all nominations to **Genie Iredale**, giredale@fellab.com and **Steven Moulds**, steven.moulds@hklaw.com, by Friday, April 19, 2013.

The YLD Wants You for Executive Council

Interested in service as a representative on the YLD Executive Council? Now is the time to throw your hat in the ring! Elections for representatives will occur at the YLD Annual Meeting, which will be held at the Marriott Resort & Spa in Hilton Head Island, S.C., on June 21.

The Executive Council is comprised of 10 representatives from each of Georgia's federal judicial districts (Northern, Middle and Southern), two representatives from outside Georgia and 12 members-at-large. Representatives participate in the YLD's five annual membership meetings, provide input and perspective with respect to YLD activities and are appointed to serve on various YLD committees.

If you are interested in standing for election to the YLD Executive Council, please send a biography or resume to **Mary McAfee**, YLD director, at marym@gabar.org or fax to 404-287-4990 by June 3. For more information about the elections, contact Mary McAfee or YLD President-Elect **Darrell Sutton** at dls@sutton-law-group.com.



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Karen Kurtz, Jessica Cabral Odom and Sarah White

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Midyear Meetings

Never Fear, ABA Midyear is Here!

by Heather Hale

Dallas, Texas: a place where everything is indeed bigger, including this year's ABA Midyear Meeting. Even more so than at previous ABA meetings, I felt that at this meeting I was very well received. And by that I mean there must have been at least a dozen receptions jam-packed into my much-too-short three days in the Lone Star state. Aside from a great deal of networking, some real progress for the future of the legal profession was made Feb. 6 - 11 at the beautiful Hilton Anatole.

Not only a YLD event, the ABA Midyear hosted lawyers from across the nation. I must say the YLD events were the highlight for me. On Saturday morning, prior to Assembly, the YLD hosted a Diversity Dialogue. Surrounded by the smell of our coffee and bacon we participated in roundtable group discussions on mentorship in its various incarnations and how diversity plays a role in those relationships. Our thoughts and suggestions were recorded for the benefit of the ABA's Diversity Committee who will take them into account when forming policy.

At the ABA Assembly, we discussed three important issues in the form of resolutions. First, we examined the implications of permitting a foreign attorney to practice in the United States as in-house counsel or on a pro hac vice basis. Second, we considered enacting a uniform standard for the jury questioning process during criminal or civil trials. Lastly, we determined to divide the current Secretary-Treasurer Counsel position into two separate roles. All three motions ultimately passed, but not before some friendly, albeit passionate debate, and several close margin votes. Additionally, the award for National Outstanding Young Lawyer, an honor I hope to attain one day, was given to a deserving gentleman from North Carolina. There were also CLEs on topics that ran the gamut from cloud computing to human trafficking.

I received so much at the ABA Midyear Meeting and I am certain that the hard work of the Georgia delegation, the great work of the YLD and the tireless work of the American Bar Association will be very well-received by all of you.

State Bar Midyear Meeting

by Martina Palatto

This year's YLD Midyear Meeting was held at the St. Regis Hotel in Atlanta on Jan. 11, in conjunction with the State Bar's meeting. The YLD's involvement began with the first Leadership Academy program of the year, which was held at the Bar Center where participants received words of advice from **Bill Barwick**, a partner at Duane Morris LLP and past president of the YLD and State Bar of Georgia, and had the opportunity to tour the State Bar facilities.

The YLD held its General Session meeting Friday afternoon thanks to the generous support of the following sponsors: Discovery Litigation, Brantley Rowlen for YLD Secretary, Jennifer Campbell Mock for YLD Secretary and SEA Limited. The General Session was attended by more than 100 young lawyers from across the state. At the conclusion of the session, there was a reception that was co-hosted by the State Bar's Legislative Affairs Committee. This provided the unique opportunity to mingle with many members of the committee, elected officials and members of the Bar. Several members of the YLD also attended the Board of Governors dinner held that evening.

During the Midyear Meeting, the YLD conducted a service project collecting gently worn suits and used cell phones to be donated to the Atlanta Union Mission and other local charities. Thanks to everyone who donated to this cause and attended the Midyear Meeting.

Committee Updates

Community Service Projects Committee

by *Sumeet Shah*



YLD Community Service Projects Committee members at Children's Healthcare of Atlanta. (L-R) Seth Sabbath, Jessica Sabbath, Jessica Robinson, Sumeet Shah, Amy Oraefo, Lindsey Walker, Deepa Subramanian, Ecleynne Mercy, Judith Dickerson and Nicholas Bedford.

Playing the Wii, making arts and crafts, shooting hoops and playing mini-golf with children—all of these activities were involved when the Community Service Projects Committee made its annual trip to visit children at the Scottish Rite campus of Children's Healthcare of Atlanta on Jan. 6. The Zone, as it is fondly termed, is complete with a movie theatre screen, Nintendo Wiis, TVs, a foosball table, mini-golf, a basketball hoop and much more. As always, the volunteers had a great time with the many patients and their families who came out to enjoy the "tailgate" stocked with pizza and soft drinks, the NFL playoffs, arts and crafts, and a much needed break from the reality of a hospital room. Some patients are in the hospital for days, weeks and even months, and to be able to provide this experience for the patients, siblings and parents really makes a difference in their lives and experience at a hospital. Since the NFL playoffs were going on, volunteers and children decorated plastic party cups and face masks with their favorite NFL team logos. The children and volunteers also danced the afternoon away by playing dancing games on the Wii, watched football with them and donated a Wii game to The Zone on behalf of the YLD. A good time was had by all and we look forward to going back again next year!

Legal Food Frenzy: Local Attorneys Lead Fight Against Hunger in Legal Community

by *Lisa Robinson & Jessica Nix*

Lisa Robinson and **Jessica Nix** have been named co-chairpersons for the 2nd annual Legal Food Frenzy by the Young Lawyers Division of the State Bar of Georgia. Robinson and Nix will be recruiting firms throughout the city to compete to raise food and funds throughout the State of Georgia during a two-week competition in April. "This is a friendly competition between law firms, corporate law offices and legal organizations to help families who need food assistance in our region" said Nix. Last year there were more than 200 firms in 50 cities competing statewide and the Food Frenzy raised the equivalent of 612,000 pounds of food, and this year we aim to raise even more.

This competition is a joint effort by the Young Lawyers Division, the Attorney General's Office and the Georgia Food Bank Association. One individual who raises the largest amount of food in pounds will receive the highly coveted "Attorney General's Cup" from Georgia's Attorney General **Sam Olens**. Awards will also be given in the following categories: Sole Proprietor, Small Firm, Medium Firm, Large Firm, Legal Organization and Corporate Law Firm divisions. Any firm in the state can win since the awards are based on a per person average (pounds raised divided by the number of employees in the firm). For more information and to register your firm, go to www.galegalfoodfrenzy.org. The competition will run from April 22 - May 3.

"The Legal Food Frenzy is a great opportunity for Georgia lawyers to challenge each other outside the courtroom for a noble cause—reducing hunger in Georgia," said Olens. He went on to explain, "I was thrilled by the tremendous response to last year's competition and look forward to an even more successful drive this year. I encourage each and every lawyer in Georgia to join us in lending a helping hand to our less fortunate neighbors."

Litigation Committee

by *Knox Withers & John Hadden*

On Jan. 30, the YLD Litigation Committee hosted its monthly meeting at the Bar Center. The guest speaker was Justice **Keith Blackwell** of the Supreme Court of Georgia. Blackwell shared stories from his experiences on both the Court of Appeals and the Supreme Court of Georgia. He also provided helpful advice regarding the inner workings of both courts.

In addition, the Litigation Committee hosted the first installment of its annual three-part War Stories Speaker Series on Feb. 27. Athens attorney **Ed Tolley** was the featured speaker. On March 27, the Litigation Committee hosted its second "War Stories" luncheon of the year. Nationally renowned attorney **Bobby Lee Cook** addressed the group. Cook shared personal stories and discussed the evolution of the legal profession during his more than 60 years of practice. As expected, this event was one of the most well-attended War Stories luncheons in the five-year history of the series. Representative **Ed Lindsey** (R-Atlanta) will join us in April to conclude the series.



Bobby Lee Cook pictured with Litigation Committee members at a monthly committee luncheon. (L-R) Kevin Patrick, Ryals Stone, Bobby Lee Cook and John Hadden.

Minorities in the Profession Committee

by *Shalamar Parham & Yennifer Delgado*

On Jan. 29, the Minorities in the Profession Committee (MIPC) met at the State Bar to engage in a dialogue led by guest speakers, **Damon Elmore** (YLD president, 2005-06), **Royce Bluit** and **Terance Madden**, to discuss "Navigating the Profession." The discussion centered around the struggles and experiences of young lawyers attempting to obtain employment, deciding what type of law is the best fit, knowing when is the time to transition from your current position and how to transition from one practice area to another.

On Feb. 20 and 25, MIPC hosted the annual law school panels at Emory University School of Law and Atlanta's John Marshall Law School. MIPC hosts law school panels to provide an opportunity for law students to interact with practicing attorneys and to ask questions in a comfortable setting. This year the panelists candidly shared their advice and observations with the law students and gave advice that will help the law students obtain employment after the bar.

The committee members also took time to network and mingle with each other and the members of the Solo/Small Firm Committee at a joint happy hour at Marlow's Tavern in Midtown. The happy hour was sponsored by Fusion CPA and US Image Design.

If you would like to get involved with MIPC, please contact co-chairs **Shalamar Parham** at sparham@parhamlaw.net or **Yennifer Delgado** at delgado@hplawgroup.com.

Affiliate YLD Updates

Albany

by Amy Purvis

Members of the Albany area YLD started the year off with a bang, volunteering at various events around the community. The Albany area YLD also hosted its annual Christmas Party in December and donated toys to the Toys for Tots Foundation. The numerous toys and monetary gifts were donated to families in need in South Georgia and surely made a positive impact on the recipients during the holiday season.

Lauren M. Brock, past president of the Albany area YLD, coordinated the Region one High School Mock Trial tournament, which was held on Feb. 9, at the Dougherty County Courthouse in Albany. Teams from seven area high schools competed and Lowndes High School from Valdosta was named the competition's winner. Members of YLD played a vital role in judging the mock trial competition and enjoyed the opportunity to meet with the high school students and discuss life as a lawyer. Albany area YLD's February After Hours event, held on Feb. 26, was hosted by the law office of Gardner, Willis, Sweat & Handelman, LLP, and was attended by YLD members, as well as many members of the judiciary.

Glynn County

by Casey J. Viggiano

On Dec. 8, 2012, Glynn County YLD members volunteered at the third annual "Jingle All the Way" 5K Jingle Bell Fun Run, benefiting Glynn County's CASA (Court Appointed Special Advocates). The volunteers helped direct the runners along the course through Jekyll Island.



(L-R, back row) Christina Jones, Glenn Jones, Lacey Houghton, Brian Corry, Patrick Powell, (L-R, front row) Casey Viggiano and Melissa Cruthirds take time before the race to pose with Santa.

Savannah

by Heather Hammonds

Young lawyers in Savannah have enjoyed many fun events over the past few months. In October, the Savannah YLD held a happy hour and cornhole tournament at Bonna Bella Yacht Club, a seafood restaurant with plenty of outdoor space and marsh views. The competition was steep, and the lucky winners walked away with a gift certificate to Bonna Bella.

In early November, the Savannah YLD had its annual swearing-in ceremony for newly admitted attorneys in the Eastern Judicial Circuit. Superior Court Judge **Tim Walmsley** presided over the ceremony and welcomed the new attorneys to the legal profession. Also in November, Savannah YLD members showcased their vocal abilities at a karaoke happy hour event. What was lacked in natural talent was made up for in confidence and volume!

In December, Savannah YLD members donned tacky sweaters and gathered at President **Quentin Marlin**'s home for delicious food, cocktails and great company. Always one of the favorite events of the year, this Christmas party was no different.



Bryan Schivera shares his fashion secrets with Ronald McDonald during a break in meal preparation.

Savannah YLD Executive Board members had the opportunity to plan, shop for and cook a meal at the Savannah Ronald McDonald House in January. For those who may be unfamiliar with the mission of the Ronald McDonald House, it serves as a "home away from home" for families who have critically ill or injured children receiving treatment at Savannah area hospitals. The cost of the food was covered by generous donations from YLD members. Another favorite event—trivia night—took place in January. A large group of Savannah young lawyers gathered at Satisfied, a downtown eatery, for the tournament, which featured YLD members acting as emcees. Other events in 2013, included a happy hour on Feb. 22, at downtown establishment Sparetime and a happy hour after a State Bar YLD CLE event on March 7. An upcoming event to look out for is our annual happy hour following the Savannah Bar Association's Annual Boat Ride in April. For more information about how to become involved with the Savannah Bar YLD, please email **Amanda Love** at alove@thebowmanlawoffice.com.

Annual Capitol Leadership Luncheon

by David Werner

On Feb. 21, the YLD held its 25th Annual Capitol Leadership Luncheon at the Sloppy Floyd Building in Atlanta. The event was co-hosted by the YLD Legislative Affairs Committee and the YLD Leadership Academy. The YLD Legislative Affairs Committee serves as the clearinghouse for YLD-initiated legislation and supports lawyers in the state legislature. The YLD Leadership Academy is a program for young lawyers who are interested in developing their leadership skills and learning more about the profession, the State Bar and community involvement. Throughout the luncheon, the Floyd Room was at capacity, with lawyer-legislators, judges, YLD members, Bar leaders and event sponsors.

Gov. **Nathan Deal**, a lawyer and former judge, was the keynote speaker for the second year. Deal thanked the YLD for its role in the Juvenile Code rewrite, which after a multiple-year journey has been incorporated by the Special Council on Criminal Justice Reform into part of HB 242. The bill passed unanimously through both the House and Senate. Additionally, he issued a call to service, encouraging all, but specifically young lawyers, to engage in the political process and seek public office and judicial openings.

Thank you to my co-chair on the Legislative Affairs Committee, **Jennifer Little**, as well as the co-chairs of the Leadership Academy, **Adriana Sola Capifali** and **Ivy Cadle**, for making the event such a huge success.

Past President's Pointers

by Betsy Hodges, President of the YLD, 1992-93



I am honored to have been asked to write this column for the YLD. To prepare, I reread all of the previous Past President's Pointers columns by **Bill Barwick**, **Damon Elmore**, **Amy Howell**, **Joshua Bell**, **Frank Jones** and **Stan Brading**. Of course, my column will not be as funny as Bill's and it won't have all those quotes like Stan's.

I note that I am not the first, but the second—**Donna Barwick** was the first—female president of the Younger Lawyers Section (YLS) (now YLD). I was, however, the first and only president to have all of the current officers of the YLS/YLD to be women: I was president, **Rachel Iverson** was president-elect, **Tina Shadix** was treasurer and **Nolie Motes** was secretary. (The only [residual] whiff of testosterone at the officer level that year was Immediate Past President **Leland Malchow**.)

In preparing this column, I also reread all of my president's columns, and it made me think: A lot of things have happened in the past 20+ years! My first child was born just before I was sworn in as president-elect. He is graduating from college this year and a number of his buddies are preparing to take the LSAT. WOW, didn't I just graduate from law school myself?!?! My daughter was born while I was president, and she is now a sophomore in college. In fact, many YLS, Big Bar Executive Committee and Board of Governors members remember me bringing my young children to Bar functions, and to this day ask after my "babies."

I encourage all young lawyers to get involved with the State Bar and local bar associations. In addition to my involvement with the YLS, I was also very active with the Atlanta Bar and the Atlanta Council of Younger Lawyers (ACYL). I have made lifelong friends due to this, and many of those friends are not only fellow lawyers but are now current and former members of the judiciary. Because of my activities with the State Bar, I know lawyers throughout Georgia in all sorts of different practice areas, which is great for referrals.

Thanks to the work of YLD Immediate Past President **Stephanie Joy Kirijan**, last year the YLD unveiled the YLD Presidents Boardroom at the Bar Center. The unveiling ceremony was a great event that brought together many past YLS and YLD presidents, plus several members of the Big Bar Executive Committee, as well as members of the Supreme Court of Georgia and Court of Appeals of Georgia. The event reminded me of the respect I always received as a young lawyer from the older members of the Bar. I was never treated as a "youngster" who didn't know as much as they did. It also taught me something that Joshua Bell emphasized in his column—all lawyers, young and old, should learn how to listen. Believe me, it meant a lot to me as a young lawyer that the older members of the Bar would listen to me. Indeed, I took that as a life lesson, and I applied that skill as an ACYL and YLS committee chair and officer. I listened to committee members and fellow officers. I realized that I did not have all the answers and together we came up with great ideas and projects. Lawyers are smart and they have good ideas. Young lawyers are, perhaps, even smarter because they have good, new ideas. They are also creative and have the requisite energy and enthusiasm needed to develop great and worthy projects.

My proudest accomplishment is having been in the right place at the right time and given the opportunity by YLS President **John Sammon** (1987-88) to co-chair the High School Mock Trial (HSMT) Committee. The next year, YLS President Donna Barwick made the HSMT an official committee of the YLS,

which I again co-chaired with **Warner Fox**. Today, the HSMT Committee is celebrating its 25th anniversary and is the YLD's largest committee. I continue to be actively involved in the committee by serving on the State Finals Planning Board. The HSMT Competition involves high school students and teachers, as well as, lawyers and judges from around Georgia. As Justice **George Carley** said at the dinner celebrating the 10th year of the committee's existence: "After only a decade of existence, the result of the efforts of those I have mentioned and others is readily apparent. Almost everyone involved in the program from the beginning can name several mock trial participants who have been astoundingly successful in their post-secondary academic studies and many who have already become outstanding young leaders in their profession or other vocation. Yes, we have produced a few lawyers, even some who originally intended to pursue a career other than the law. However, the goal of the program is not and never has been to recruit future members of the Bar. What the competition does do is give these young people an opportunity to learn about our system of justice, including its imperfections, as well as its virtues. It allows them to realize their own potential and to use their God-given talents to seek and attain their highest aspirations. And we learn from them as much as they learn from us."

Just recently, a partner in my firm told me that it was because of his participation in the Georgia HSMT Competition that he decided to become a lawyer. Like the HSMT Committee, each and every one of the YLD committees touches the lives of numerous lawyers and non-lawyers around the state. Unfortunately, the media often tends to be harsh and critical of lawyers and only showcases the bad apples without recognizing that the whole bunch of us is actually quite good. Participation in the YLD offers each and every young lawyer an opportunity to give back to his or her community and provide good works and services for the people of Georgia. Believe me, the rewards are worth the effort, so take the time and get involved with the YLD.

In closing, I would like to include some practical advice for lawyers of any age:

Everything you need to know about ethics and professionalism, you learned in kindergarten: don't lie, don't cheat, don't steal, play nice and treat others the same way you want them to treat you.

Hon. **Jackson Bedford** put it another way:

Treat every person you meet as a prospective juror.

A few more pointers that may seem obvious to some are apparently not obvious to all: return your clients' calls promptly, return your opposing counsels' calls promptly, don't procrastinate, calendar due dates and deadlines and stay organized. Finally, I can't emphasize enough that if you make a mistake, 'fess up—that's why you have malpractice insurance. If you make a mistake, don't try to cover it up—that's why the State Bar has the General Counsel's Office. And, believe me, after working in the General Counsel's Office, having served on the Investigative and Review Panels of the State Disciplinary Board and having represented lawyers charged with disciplinary complaints, you do *not* want a disciplinary complaint filed against you, even if it lacks merit. But if a complaint is filed against you, do *not* ignore it, and seek the advice of another lawyer, whether it is your partner, associate or another colleague.

Now, get back to work!



(L-R) Justice George H. Carley, Betsy Hodges, Philip Newton and Warner Fox receive Founder's Awards at the 10th Anniversary of the Georgia High School Mock Trial Competition.



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US Postage Paid
Atlanta, GA
Permit No. 1447



Editor's Block

Jennifer A. Blackburn

The YLD Under the Gold Dome

Ten people who speak make more noise than ten thousand who are silent.

—Napoleon Bonaparte

While we often focus on the important community service work carried out by the YLD, another critical element of such service that is frequently overlooked is our advocacy efforts. The YLD has long been involved in legislative affairs through members that practice in such areas, as well as young lawyers' grassroots efforts to advocate on behalf of a specific cause or group they believe in. This year, State Bar President **Robin Frazer Clark** has refocused the Bar's attention on advocacy by emphasizing the importance such efforts can have on the quality and climate of the practice of law in Georgia. With a newly formed legislative team that includes **Zach Johnson** as the head of Grassroots Advocacy, the Bar was front and

center on numerous issues debated under the Gold Dome. The YLD occupied a front row seat in many of those discussions, as well.

Such issues included criminal and juvenile justice reform that has always been near and dear to the YLD's heart and is an effort we continued to support as the Juvenile Justice Reform Bill worked its way through the General

Assembly. This crucial legislation, which passed both the House and Senate, will overhaul Georgia's current juvenile justice system by removing non-violent child offenders from detention centers and instead creating community-based programs to address the problems that lead youth to crime in the first place. The legislation also includes the creation of new drug and mental health courts and much-needed substance abuse and mental health treatment centers.

Because many YLD members are registered lobbyists in Georgia, ethics reform efforts have also been closely followed. Under the recently passed ethics reform legislation, lobbyists spending on individual members of the General Assembly is capped at \$75 per occurrence. The bill also restores rule-making power to the Georgia Campaign Finance and Government Transparency Commission (formerly the State Ethics Commission) and allows the Commission to investigate written complaints of candidates or elected officials not paying state or local taxes and remove them from office if found to be true. Finally, the legislation increases the reporting frequency of campaign contributions.

These legislative efforts are just a couple of examples of the bills passed by the General Assembly that affect—either directly or indirectly—the membership of the YLD. Under the Gold Dome is where the business of Georgia takes place. At the YLD's annual Capitol Leadership Luncheon in February, Gov. **Nathan Deal** encouraged young lawyers to get involved in public service by running for office, serving in an executive appointment or advocating for causes in which they believe. As lawyers we have the unique training and skill set that is critical to these legislative efforts. I strongly encourage you to answer the governor's call to service and get involved.