

MESSAGE FROM THE PRESIDENT:

THOMAS H. DAVIS, JR.



Davis

ACCORDING TO HOMER, when Odysseus departed Ithaca for the Trojan War, he left behind his beautiful wife Penelope and his young son Telemachus. Odysseus was concerned about his young son's safety and development. To provide for his education and training, Odysseus placed Telemachus in the hands of a trusted friend and advisor. That trusted friend's name was Mentor.

At the conclusion of the Trojan War, Odysseus undertook an arduous ten-year journey back to Ithaca to reclaim his wife, his family and his throne. Near the climax of his adventure, the Goddess Athena appeared to both Telemachus and Odysseus in the guise of Mentor.

As Mentor, she provided encouragement and practical counsel for their plot to destroy Penelope's suitors and to retake Ithaca.

As a result of Homer's powerful and timeless Odyssey, the term "Mentor" has come to mean an individual who shares wisdom and knowledge with a younger, less experienced colleague. In the legal profession, informal mentoring has long been the rule, with new, inexperienced attorneys learning by both watching and spending time with older colleagues in law firms, district attorney's offices, government offices and other places of legal employment. These ad hoc programs were never uniform in quality or duration but were exceedingly helpful to those who participated.

Research has shown mentoring leads to an increase in career success rates as well as career satisfaction. More importantly, mentoring benefits the entire legal profession by assisting young, inexperienced attorneys in developing good character, confidence and a deep appreciation of the responsibilities that come with practice of this wonderful profession. Mentoring has become so important to our profession that many state bars are considering mentoring programs as a licensing requirement for new attorneys. Further, a number of law schools throughout the nation are developing mentorship programs as a part of their law school curriculum.

While there is no mandatory mentorship program in North Carolina, the North Carolina Bar Association has developed a voluntary program for state-wide application. The NCBA's Mentorship Program is designed to accomplish three goals:

- (1) give experienced attorneys the opportunity to share their knowledge and experience with younger, less experienced colleagues;
- (2) allow younger, less experienced attorneys to receive the benefits of the knowledge held by their more experienced colleagues; and
- (3) develop professionalism and true "citizen lawyers."

If you are interested in becoming either a mentor or mentee under the NCBA's program, you can fill out the appropriate online application at

CONTINUED ON PAGE 2

Upcoming Events

WCBA FAMILY LAW CLE • August 28

Join us for this 3-hour CLE event that is becoming a tradition of our CLE offering. Topics include: Family Court Issues, a Legislative Update from Wake County Judges, and Mediation.

WCBA FAMILY PICNIC • September 6

Good weather is guaranteed at this fun, family-friendly event at Pullen Park beginning at 4 p.m.

Inside this Issue...

- 3 • JUST SAY NO: DEALING WITH TROUBLESOME CLIENTS
- 5 • 50 YEAR ATTORNEYS
- 5 • HISTORY COMMITTEE PROJECT
- 5 • RAISING OUR BAR
- 6 • JUSTICE CENTER PREVIEW
LUNCHEON PHOTO GALLERY
- 8 • LAW STUDENTS AWARDED SCHOLARSHIPS
- 9 • INTEREST IN LEADERSHIP FORM
- 10 • IS THAT MY NAPKIN?
- 12 • WELCOME NEW WCBA MEMBERS
- 12 • IN-KIND SPONSORSHIPS SOUGHT
- 13 • A WINDOW INTO THEIR TIMES
- 13 • YLD NEWS
- 14 • BRANCH AWARD APPLICATION
- 15 • WCBA MEMBER NEWS

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WAKE COUNTY BAR ASSOCIATION

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WAKE BAR FLYER

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Message from the President, continued

<http://www.ncbar.org/about/ncba-mentorship-program>. Mentors are not required to undergo any specialized training, but mentor CLE is available to attorneys who have committed to serve.

Locally, the Wake County Bar Association and the Tenth Judicial District Bar will directly benefit from a new mentorship program currently under development at the Campbell Law School. Campbell's program is intended to provide mentors for second and third year students at the University's Law School as well as for new admittees of the Tenth Judicial District. This program will be administered by Mentorship program director Zeke Bridges of Campbell Law School, with a pilot program scheduled to begin in early 2014.

Justice Oliver Wendell Holmes once observed that the law is a living organism. A living organism must properly reproduce itself to remain viable and relevant to the environment in which it lives. Citizen lawyers, professional attorneys who serve the citizens and communities in which they live, are not simply born but are created through education and by exposure to good examples of practice and professionalism. Exposing young practitioners to good practices and professionalism is best accomplished through the use of mentors.

I urge each of you who consider yourselves experienced attorneys to take up the cloak of Mentor and assist the newer attorneys in our bar. I also urge all new admittees, or those practitioners with limited experience, to take advantage of mentorship programs whether they are provided by Campbell University, the North Carolina Bar Association or your office or law firm. Working together, older, experienced attorneys can pass down their professional DNA to new practitioners who will, in turn, serve our community and protect our citizens in the future. **WBF**

Don't Forget: Thursday, July 25
WCBA Social at the Player's Retreat
5:30 - 7 p.m.



NEXT BAR FLYER DEADLINE: AUGUST 15, 2013

JUST SAY NO: DEALING WITH TROUBLESOME CLIENTS

BY TED SMYTH, IMMEDIATE PAST PRESIDENT, TENTH JUDICIAL DISTRICT BAR AND PROFESSIONALISM COMMITTEE

ONE OF THE MOST PROBLEMATIC AREAS of practicing law is the very practical area of selecting clients. The broad topic of client selection also includes withdrawing from representation. In February, the Tenth Judicial District Bar Breakfast Series was privileged to have a great panel present these topics.

Maria Lynch, Mark Scruggs and Leonor Hodge brought their perspectives and years of experience to highlight how to prevent and address problems in client selection. Their discussion is available in a highly recommended, one-hour video that is helpful to both existing firms and to new lawyers who are beginning to build a practice. Below are excerpts from their comments on this important topic:

MARIA LYNCH (PAST STATE BAR COUNCILOR FOR NINE YEARS; PAST CHAIR, TENTH JUDICIAL DISTRICT BAR GRIEVANCE COMMITTEE):

We are trained as lawyers to help people and to say “yes”. What you should really do [when confronting a person who does not look like a good client] is to say “no”.

If a client has gone through one or maybe two other lawyers before wanting to hire you, that is not always the mark of a bad client, but it certainly suggests an investigation should occur as to why they keep going through lawyers.

If I have the inner urge to yell at the prospective client during the initial meeting, I don't take their case. As a rule, I fire my clients who abuse my staff. Stalker clients are very bad; you do not want to represent somebody who can tell you where you were driving that day.

You should go back to your office and look at the files on your desk that you absolutely dread dealing with, take half of them and withdraw from those cases. There is a reason they are sitting on the desk, not being tended to.

Rule 1.16 of the Rules of Professional Conduct, lists all sorts of reasons to sever relations with clients. If it is a matter pending before the State court, the permission of the court would be needed through a motion as to any withdrawal. [Rule 16, General Rules of Practice for Superior and District Courts].

When I tell a client why I am withdrawing, I often tell them you need a lawyer who is committed to your matter, I just don't feel that I am committed the way that you would want me to be, and you should get another lawyer who can do that for you.

In sorting through Bar grievances, often the rule applies that “no good deed goes unpunished” involving an unhappy client, and often we see the best solution for the lawyer would have been to withdraw earlier rather than to try to dig deeper and deeper into an unhappy untenable situation.

MARK SCRUGGS (CLAIMS COUNSEL FOR LAWYERS MUTUAL LIABILITY INSURANCE COMPANY):

[I hear from lawyers], “I knew this was going to happen [the filing of a malpractice claim]. I knew this client was a problem the day they first walked in the office.” Advice – don't take that case if that's how you feel about it the day they walked in the office, or if the case doesn't feel right.

Red flags for not getting involved in a case:

- They are on their third or fourth lawyer – why is that?
- Taking a case at the eleventh hour when, for example, the statute of limitations is about to run.
- Clients with unreasonable expectations, such as with the thought that you can fix their domestic situation in representing them in their domestic matter.

Always memorialize your relationship with the client with a really good retainer agreement. It doesn't have to be a long written contract if you have an on-going relationship but, at least use an email setting forth the important details with repeat clients. If there are a lot of problems with the case, go ahead and list them right in the engagement letter, such as we are going to have a tough time winning on “x” issue.

Excessively hard-nosed fee negotiation right at the initial meeting can sometimes also be a signal of problems to come.

Suggest putting things in the fee agreement like a presumption that if the client doesn't complain about an invoice within 30 days of receipt, they agree there is no problem with the bill or a question of its reasonableness.

As an esteemed wise older lawyer once said, “unless I missed something, the practice of law is not involuntary servitude.” As noted by another lawyer, “The happiest day of my life is the day I learned I could fire clients.”

When you leave this breakfast, go back to the office and there is at least one file you would be better served to get out of right now. While you need to be careful about how you do it, if the file is that bad, withdraw from representation.

You cannot wait until the eleventh hour, such as the eve of trial, to decide to withdraw from the case, as the court may not let you do so. In any event, you may attract a malpractice claim. If you are going to withdraw, the best way to do so is to get the client to agree to the withdrawal, suggesting to them that it was not working for either you or them.

You need to be careful about withdrawing from a case involving a court filing. You do not want to enumerate all the reasons in your motion as to why you have to withdraw, as that may reveal client confidences. If possible, go into chambers with the judge if they want specifics about any reasons for withdrawing.

CONTINUED PG. 4

LEANOR HODGE (DEPUTY COUNSEL, NORTH CAROLINA STATE BAR):

When you are meeting with a client to decide whether to take a case, there are two things you can do in advance of the meeting to prepare – they are to know yourself and to know the law.

There are two things that you will need to do at the initial meeting with the client in deciding whether to take the case – “astuteness in the moment” - and they are knowing the issue that is presented in the case and knowing the client.

One red flag that should cause you to stop and think twice before taking a case is a client who wants to limit your representation to one small segment of the legal work that needs to be comprehensively done on a matter. Lawyers can get into trouble in this situation in several different ways:

Not having a written fee agreement that spells out the limited task.

An expectation by a client that you will advise them if the limited task they are hiring you to do will not be sufficient or will place them in a bad situation as to other areas where they will not be represented;

Bad recollections by the client of the scope of the original and agreed upon representation that got you hired in the first place.

Read:

- Rule of Professional Conduct 1.2 concerning limiting the scope of representation.
- Rule of Professional Conduct 1.3 as to diligence and attention to client needs.
- Rule of Professional Conduct 1.4 as to communication with clients.
- Rule of Professional Conduct 2.1 as to functioning as an advisor for a client.
- Rule of Professional Conduct 3.2 as to functioning as an advocate for a client.
- Rule of Professional Conduct 1.5 as to creating a good engagement agreement.

There are limitations to when you can withdraw, and depending on the situation, court approval may be necessary. You never want to leave the client in a bad situation because of your sudden eleventh-hour withdrawal. Even if the court allows the withdrawal, some clients still complain to the State Bar about the circumstances of the withdrawal.

Always specify in writing the scope and obligations of engagement with a client. Spell out any important issues.

Communication, communication, communication! A lot of grievances are generated because people do not return their clients' phone calls.

Some lawyers recommend homework lists with the lawyer laying out what he or she is responsible for doing, and what the client is responsible for doing. For example, the client may indicate they will find a doctor who will be able to address a key issue in a case. If that is on the client's homework list, they should be held to it.

In agreement with Maria Lynch, Rule of Professional Conduct

1.16 should be read on how to terminate a representation.

Don't forget, you can't charge the client for filing a motion to withdraw.

Read Rule of Professional Conduct 1.4(b) as to the need to give a client sufficient information to make informed decisions about the scope of the legal services he or she has retained you to provide.

QUESTION AND ANSWER SESSION

There was a spirited question and answer session for these great speakers. Some thoughts:

If a client wants a scorched earth representation with opposing counsel or parties and says that on the first meeting, that is a bad sign. “If you want that, you want a mouthpiece, and I am not a mouthpiece who will suspend my judgment for yours on how to handle the case.” Don't take the case. (Lynch)

Further, some of the same people who come to you to tell you how they want you to act when you represent them are the same people who come to the State Bar to tell the State Bar how they wanted their attorneys to act but they didn't follow their instructions. (Hodge)

What about someone contacting you about a client you declined to represent or withdrew from representing? Unless the client or potential client waived the privilege, you really cannot talk to the next lawyer about your thoughts on the matter, unless you have secured the consent of the client to talk to this new lawyer. It is a great idea to find out, and I don't mind talking about it, but you need the consent of the client before you can divulge things you learned from or about them. (Lynch)

Should you tell a client you think they are crazy or their case is lousy as part of your explanation as to why you are not taking it? Don't tell the client the case is bad, but you can point out weaknesses that you personally perceive in the case. Another lawyer may feel it is a good case and they may have a different perspective on it. You do not want to express an ultimate opinion about whether it should be pursued. (Scruggs)

Further, if you are telling a client that you spent some time with that you are not going to take their case, you are much better off doing it in writing rather than orally so that there is no ambiguity about it. The best way to do that is through certified mail. (Scruggs) Using a letter is the better practice. (Hodge)

I generally charge a pretty good hourly fee to initially meet with my clients to go over basic issues and decide whether I can take their case. Some of them are unhappy when I charge them this fee and at the end of the meeting, then tell them I cannot help them. In those instances, I would not charge them for that initial meeting. (Lynch)

You're entitled to a fee for such a meeting if you want to charge the client pursuant to Rule 1.5. (Hodge) Sometimes even if you can charge your fee, it's a good idea to not do it because that client will be unhappy and will probably be badmouthing you to everybody else they know when they walk out of your office. (Scruggs)

Borrow this video from the Bar! Contact Whitney von Haam at (919) 677-9903 or whitney@wakecountybar.org for arrangements to borrow the DVD. As always, thank you to Campbell Law School for hosting this event. **WBF**



At the July WCBA Luncheon, three members of the Tenth Judicial District Bar were recognized for their contributions in their 50 years of practicing law: from left, Gerald Bass, Sam Poole and Jack Safron. Other 50 year honorees, who were not in attendance: George Ragsdale and Charles Hensey. **WBF**

HISTORY COMMITTEE PROJECT

THE WAKE COUNTY BAR ASSOCIATION'S History Committee maintains a library of video and audiotaped interviews with prominent attorneys. The purpose of the library is to create an oral history of the evolution of the practice of law in Wake County. We are looking for a small but dedicated band of lawyers willing to continue the process of interviewing our senior lawyers and help determining the best means of storing and accessing this growing library. If you are interested, please contact Nick Fountain at JNF@youngmoorelaw.com or Nan Hannah at nehannah@vannattorneys.com. **WBF**

RAISING OUR BAR

A NEW SERVICE of the Tenth Judicial District Bar, Raising Our Bar, enables members and their staff to join a distribution list for helping our community in times of need with non-monetary aid. Raising Our Bar seeks to provide support in tangible ways, such as helping a member of our legal community find temporary housing in an area where he or she is undergoing medical care or helping care for a family pet if he or she is receiving medical care in a different area. If interested, please send an email to raisingourbar@wakecountybar.org to be added to the distribution list. **WBF**

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JUSTICE CENTER PREVIEW LUNCHEON PHOTO GALLERY

ON WEDNESDAY, MAY 22, a preview event for the lawyers of the Tenth Judicial District Bar was held at the new Wake County Justice Center. Special guests included the Wake County Commissioners, who were integral in the planning and development of the new building. More than 900 attorneys attended, which is the largest gathering of lawyers from the Tenth Judicial District Bar ever. Lunch was held in the atrium of the Justice Center, and tours were given by docents from the local Paralegal Association chapter. Those leading the effort were Courthouse Opening Event co-chairs, Judge Robert Rader and former chief judge of the Court of Appeals, Sid Eagles. Nan Hannah, with help from Donna Evans, a paralegal from Vann & Sheridan organized the tours and docent schedule. **WBF**



Above, docent Melodie K. Rinker shows Jim Conner the next stop on the self-guided courthouse tour. Below, a picture of the atrium, set up for lunch. Members ride up the escalator to the second floor - no elevator needed!



Top: Members of the WCBA planning committee, from left, Nan Hannah, President-elect Gray Styers, Executive Director Whitney von Haam, President Tom Davis, and committee co-chairs Sid Eagles and Judge Robert Rader. Middle: A view down the atrium during lunch. Bottom: A volunteer docent shows off the new Jury Lounge.

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Four Law Students Awarded Scholarships from WCBA Foundation

BY ALKA SRIVASTAVA, CHAIR, ENDOWMENT AWARD AND OVERSIGHT COMMITTEE

AT THE JUNE 4 LUNCHEON MEETING, four outstanding law students with impressive academic records were recognized as recipients of the Wake County Bar Association Memorial Scholarships. Each recipient was awarded a scholarship of \$4,000. The scholarship recipients were selected based on the following criteria: scholastic and service accomplishments, financial need, and connection to Wake County.

Jacob Davis is a rising third-year student at Campbell Law School. Wake County has been his home since the time he was born. Jacob made Dean's List at Campbell Law during several semesters. He was also awarded the book award for Torts. He also made Dean's List for multiple semesters during his undergraduate education at UNC- Chapel Hill. During law school, Jacob has been actively involved with the Christian Legal Society and he is also the 3L SBA Vice President.

Kristen DelForge is a rising third-year student at Elon Law School. She has resided in Wake County for most of her life. During the summer following her 1L year, Kristen completed an internship at the North Carolina Attorney General's office. She is currently doing an internship with the Guilford County District Attorney's office. Kristen has served as a volunteer coach of Elon University's Undergraduate Mock Trial team. She also volunteers with Legal Aid as well as the Guardian Ad Litem and Willis for Heros programs.

Christopher Grice is a rising second-year student at Duke Law School. Christopher completed his undergraduate degree in Elec-

trical and Computer engineering at North Carolina State University where he earned a 4.0 GPA. He is interested in exploring intellectual property law and intellectual property Litigation as a career goal. He is currently working as a summer clerk at the law firm of Coats & Bennett in Cary.

Adam Steele is a rising third-year student at Campbell Law School. Adam has resided in Wake County his entire life. He completed his undergraduate education at NC State, where he made Dean's List for multiple semesters. Adam won the write-on competition for the Campbell Law Observer for both becoming a writer and the editor-in-chief in the Fall. He is currently working at a summer clerk with Judge Steelman at the Court of Appeals. He has also worked at the Wake County Superior Court in Judge Ridgeway's chambers.



Committee chair Alka Srivastava (center) presented plaques to this year's recipients at the June WCBA luncheon.

The first memorial scholarship was awarded in 1989 following the death of Edwin S. Preston, Jr., former Chief Resident Superior Court Judge in Wake County. Since the first year of its inception, memorial scholarships have been awarded every year and awards totaling over \$130,000 have been presented to deserving law students. Money for the memorial scholarships comes from interest on the Wake County Bar Association endowment fund.

The endowment is funded by donations made in memory of or in honor of Wake County Bar Association members and other WCBA fundraising efforts. If you are interested in making a donation to the endowment fund or serving on the Endowment Scholarship Award and Oversight Committee, please contact Whitney von Haam by emailing her at whitney@wakecountybar.org. **WBF**

From left, 2013 WCBA Scholarship recipients Jacob Davis, Kristen DelForge, Christopher Grice and Adam Steele.



ARE YOU INTERESTED IN SERVING IN A LEADERSHIP POSITION?

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Please fill in the short questionnaire and return to the Nominations Committee:

Name:

Firm:

Type of Practice:

Phone number:

Email address:

How long have you been a member of the Tenth Judicial District Bar?

Are you currently a member of the WCBA?

Please list bar committees or other bar-related activities on which you have served.

Briefly describe why you would like to get involved in the leadership of the WCBA and Tenth Judicial District Bars.

Is there a leadership position of which you are particularly interested? If so, what?

Suggestions, if any, for improving our Tenth Judicial District Bar and WCBA.

We also have this form available to fill out on our website. Go to www.wakecountybar.org, and look for the news items about Interest in Serving a Leadership Position.

Please return form to Nominations Committee
c/o Tenth Judicial District and WCBA
PO Box 3686
Cary, NC 27519-3686
Whitney@wakecountybar.org

IS THAT MY NAPKIN? AN ETIQUETTE GUIDE



CAMILLE STELL is the Director of Client Services for Lawyers Mutual and has more than 20 years of experience in the legal field. Camille has learned many lessons in etiquette from reaching for the wrong napkin at networking events. Contact Camille at 800.662.8843 or Camille@lawyersmutualinc.com.

BY CAMILLE STELL

HAVE YOU EVER FOUND YOURSELF in a business or professional situation where you didn't know what to do? Should you drink from the glass on the left or right? Where do you wear your nametag? Etiquette rules are designed to make you feel more comfortable in professional situations. Here are a few tips that I've found useful.

PROFESSIONAL DRESS

Let's start with professional dress as this seems to be a concept people struggle with. Here are a few comments overheard recently about business attire.

- "I can't tell between who the lawyer is and who the client is. Stop dressing as though you are going to the club." Durham County judge at professionalism CLE at NC Bar Center.
- "I liked it when everyone wore a dark suit to court, it was just easier." Mecklenburg County judge at professionalism CLE.
- "I require women to wear hose and closed toe shoes in my courtroom." Mecklenburg County judge at professionalism CLE.
- "Lawyers don't wear leather dresses to work." Marketing director at large law firm.

If you aren't sure of the correct attire for the courtroom, ask a more senior lawyer or call the Trial Court Administrator to see if a particular judge has a dress code. If you are unsure of how to dress for a business casual work environment, ask someone more senior in your office or look for photos of business casual dress online.

There are some rules that never go out of style. Pay attention to details such as polished shoes, clean handbags and no torn or ragged hems on pants. Keep a suit or jacket at work for emergencies. Show no straps, no visible underwear and wear an appropriate skirt length.

NAMETAG

People are often confused about where to wear their nametag. The correct placement is to wear a nametag on your right side so the person you are shaking hands with has easy eye contact with you and a good view of your nametag.

INTRODUCTIONS

The proper way to introduce two people is to introduce the junior person to the senior person. For example, you would introduce your associate (junior) to your client (senior) by saying the client's name first. "Mary, I'd like to introduce our newest associate, Sue Smith. Sue will be working with us on your case." In a networking situation, include relevant details to explain your relationship and to move the conversation forward.

If you are in a situation where you cannot remember the person's name, it is okay to admit to the memory failure. It's embarrassing and none of us want to do this, but better to admit the lapse than fail to introduce people to each other. One of the most generous things you can do is to make sure that you automatically introduce yourself and even remind the person how you know each other, "I'm Camille Stell and we served together on a WCBA committee a few years ago, so good to see you."

NETWORKING

Attend a networking event with a plan – someone new to meet, to further a relationship or to set up a meeting with an attorney who could be a good mentor or referral source. The drink line is a great place to network, so put away your smart phone. Be prepared to answer the question, "What's new?" by coming up with your own or a firm success story. Know when to exit a conversation. There's no point in going to a networking event just to stand in the corner and talk to one person all night. Most cocktail conversations offer easy exits such as "I'm going to the bar", "I see someone across the room I haven't seen in a while" or "Let me introduce you to my friend." Avoid hanging out with your friends, try to meet new people.

Carry business cards and after an exchange make notes on the back for follow-up with your new connections.

BUSINESS DINING

As soon as you are seated, remove the napkin from your place setting and place it in your lap. If you excuse yourself from the table, loosely fold the napkin and place it beside your plate rather than leaving it in your chair.

Wait until everyone is served at your table before you begin to eat. Use the silverware farthest from your plate first. The salad fork will be to your far left, followed by dinner fork. Your dessert fork may be next to your dinner fork or may appear at the top of your dinner plate. Once used, your utensils should rest on the side of your plate rather than on the table. To signal that you are done with the food course, rest your fork, tines up and knife blade in, with the handles resting at five o'clock and tips pointing to ten o'clock on your plate. Unused silverware is left on the table.

Food is served from the left and dishes are removed from the right. Butter or other spreads should be transferred from the serving dish to your plate before spreading or eating. Pass the bread basket and other food from the left to the right. Your bread plate will be located to the left of your dinner plate and your glassware located to your right. It is considered rude to add salt and pepper before tasting your food. Cut only a bite or two of your food rather than cutting your entire steak. Do not push away dirty dishes or stack them. Leave

plates and glasses where they are for the waiter to remove.

Professional success depends not only on your courtroom skills, but the ease with which you can enjoy a client lunch or networking event. For more information on manners and etiquette, view websites such as Emily Post, The Original Tipping Page or read the Complete Guide to Executive Manners by Letitia Baldrige. **WBF**

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WELCOME NEW WCBA MEMBERS

19 NEW MEMBERS WERE APPROVED BY OUR BOARD OF DIRECTORS AT THE JUNE 2013 BOARD MEETING

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Wake Family Law Group

ANNE MANESS

MEREDITH SMITH

MELISSA WESTMORELAND

Brock & Scott PLLC

KARL GWALTNEY

Maginnis Law PLLC

JONATHAN MLINARCIK

Young Moore & Henderson PA

CHARLES TAYLOR

Stuart Law Firm PLLC

CARA WILLIAMS

Smith Debnam Narron Drake
Saintsing & Myers LLP

ALEXANDRA HAGERTY

ASHLEY OLDHAM

Sullivan & Tanner, PA

KIMBERLY TRUESDALE

Truesdale Law Firm, PLLC

WBF

2013 FAMILY PICNIC AT PULLEN PARK

All the good things that make
the WCBA Family Picnic fun:

- Wilber's BBQ - with hot dogs for the kids!
- Games
- Magician
- 2013 Wakie - the traditional stuffed animal
- Ice cream treats
- Rides on the Train and Carousel



FRIDAY, SEPTEMBER 7
SIGN UP ONLINE
DON'T MISS IT!

WE NEED YOUR HELP!

IN-KIND SPONSORSHIPS NEEDED FOR BAR AWARDS

BY DEBORAH L. HILDEBRAN-BACHOFEN, CO-CHAIR,
WAKE COUNTY BAR AWARDS PLANNING COMMITTEE

THE SIXTH ANNUAL BAR AWARDS SHOW will be held on November 14, 2013 at the Woman's Club. The Wake County Bar Awards shows have recognized magnificent achievements of lawyers in our bar in recent years, and this year's show will uphold the same high standards for entertainment. Remember this is our big fundraiser for Legal Aid, and as we have stated before "Legal Aid Needs Your Help So Bad It's Not Funny."

We are trying to build up our Silent Auction for this year's show. Please consider donating a product or service to be sold at the Silent Auction. If you have any products or services that you are willing to donate, please contact Lori Corlis at 919-787-8880 or email her at corlis@manningfulton.com. In-kind sponsors will be recognized in the show's playbill.

We will soon start soliciting firm sponsors for this year's event. If you are interested in being a firm sponsor of this event, please email Debbie Hildebran. hildebran@manningfulton.com or call her at 919-787-8880, extension 263.

More information about individual tickets will be forthcoming in email blasts and the WCBA luncheons. We want to continue the success of this fundraiser, and you do not want to miss this year's show. **WBF**

BarCARES

Did you know that BarCARES also has resources
for career counseling?

919.929.1227 or 1.800.640.0735

A WINDOW INTO THEIR TIMES

HISTORICAL NOTES FOR THE WAKE COUNTY BAR



Ellis Nassif

UNTIL RECENT TIMES, the typical Wake County lawyer was a generalist and a solo practitioner. We recall one of them from the chronicles of our oral history project.

Ellis Nassif, 1907-1998, was born in Lebanon and emigrated to the United States in 1913. He grew up in Wagram, N.C., entered Wake Forest College in 1925, and graduated from that college and Wake Forest Law School. Becoming a United States citizen, Nassif was admitted to the North Carolina Bar and practiced a few years in Smithfield.

In 1934, Nassif moved to Raleigh and set up a solo practice that continued – except for a break for military service in World War II – until Nassif retired in 1994. He defended many criminal cases but also handled numerous civil matters – whoever might walk in his door.

Over more than a half century of law practice, he learned enduring principles: know the cases thoroughly, know when to ask witnesses a question and when to stop, do not “over try” the case, and work hard for the client, however large or small the fee or whether there is a fee at all. In the smaller Wake County Bar of those days, he also spent a lot of time helping younger lawyers learn the ropes, and served as president of the Wake County Bar Association in 1961.

Raising his family in Wake Forest, Nassif also served as the town’s attorney from 1964 to 1991. He likewise became actively involved in local civic affairs and a regional leader in the Lion’s Club and the Boy Scouts. This sketch of a Wake County lawyer of an earlier generation will bring many others to mind. **WBF**

Sources: WCBA Oral History Project; Raleigh News & Observer, September 7, 1998.

YLD NEWS

2013 YLD OFFICERS

PRESIDENT: CHARLES HUNT

VICE PRESIDENT/SECRETARY: KATHLEEN PUTIRI

TREASURER: JAMES HASH

HEALING PLACE SEMINARS

The YLD’s Poverty Issues Committee provides legal seminars on landlord/tenant, criminal and family law at The Healing Place, a shelter that provides a detoxification and rehabilitation program for homeless men. This year’s seminars have been scheduled, and we are looking for volunteers to help on the dates below. In particular, we need traffic, criminal defense and tax expertise. All seminars are scheduled on Tuesdays from 4-5 p.m. at the Healing Place’s location, 1251 Goode Street, Raleigh (dates may have changed, so please update your calendars):

OCTOBER 22

DECEMBER 10

If you are able to provide assistance on any of the above dates, please let committee chair Meredith Cross (MeredithCross@gwhlaw.com) know, specifying your area of expertise and date(s) available.

UPCOMING SOCIAL

AUGUST 8 – YLD social @ 6 p.m. - Location TBD.

Please note that this is the second Thursday.

WCBA CLE EVENTS FOR THE REMAINDER OF 2013

THERE ARE STILL 11 REMAINING FREE HOURS OF CLE AVAILABLE FOR WCBA MEMBERS

August 28, 2013	Family Law Update	3.0 General
September 9, 2013	Landlord/Tenant and Medicaid Law: Tools to Help Those Most In Need	2.0 General
September 19, 2013	Matters Before the Clerk’s Office	1.0 General
October 1, 2013	Professionalism Roundtable	1.0 Ethics
October 1, 2013	Civil Law Update	2.0 General
October 16, 2013	Lawyers Support /BarCARES	1.0 Mental Health
December 3, 2013	NC Public Records	1.0 General

MORE DETAILS (IF AVAILABLE) AND REGISTRATION AVAILABLE AT OUR WEBSITE, WWW.WAKECOUNTYBAR.ORG, FOR EACH OF THESE PROGRAMS. BROUGHT TO YOU BY THE WCBA CLE COMMITTEE.

JOSEPH BRANCH PROFESSIONALISM AWARD

“It should be remembered that the practice of law is a profession and not a business. Law, like the ministry, medicine and teaching, must be service oriented rather than profit inspired. Integrity is an absolute: any compromise is unacceptable and civility is an essential with adversaries, clients, the Bench and Bar. The lack of civility renders the practitioner non-professional.”

With the above in mind, the Joseph Branch Professionalism Award Committee requests nominations for the 2013 Award. Those nominated should have 25 years of active practice in the law.

Nominee's Name: _____

Business Address: _____

General Description of Nominee's Practice: _____

Contributions, in General, to the Practice of Law: _____

Service to Clients: _____

Service to Community: _____

Service to Bar and Relationships with Lawyers: _____

Quality of Legal Product: _____

Reputation Among Peers: _____

Ethical Standards: _____

Role Model for Lawyers and Citizenship: _____

(Please use a separate sheet for additional comments)

Nominator's Name: _____

Address: _____

Telephone Number: _____

You may be contacted by a member of the Professionalism Award Committee. All communications will be kept confidential.

Professionalism Award Nomination
Either email to Whitney von Haam at whitney@wakecountybar.org
or send to: P. O. Box 3686
Cary, NC 27519-3686
Nominations Due by August 30, 2013

WCBA MEMBER NEWS



The courts officially opened for business on Tuesday, July 2 in the new Wake County Justice Center with the first case State v. Fitzgerald being heard at 7:45 a.m. in Courtroom 101. The defendant was represented by his attorney of record Robert L. McMillan, Jr who did an outstanding job as always. Mr. McMillan and his "legal team" with court officials pictured from left: Robert McMillan, Legal Assistant Henry Neese, Attorney Martha Walston, Assistant D.A. Rusty Jacobs, Attorney Steve Smith and in the back row, presiding Judge Robert Rader. WBF

JOHN HESTER has won the Lifetime Achievement Award at the Triangle Business Journal Corporate Counsel of the Year Award program. John was also a nominee for the Corporate Counsel of the Year Award.



In the inaugural year of the awards, the Lifetime Achievement Award was designed to recognize an individual for his body of work over a lifetime in the legal industry. John was recognized for his 40-year legal career. John was honored on April 25 along with all of the nominees.

Licensed in North Carolina in 1975, John worked in private practice, corporate law and public service before joining Lawyers Mutual as claims counsel in 1985. He was been with Lawyers Mutual – which was the first lawyer-owned legal malpractice insurance company in the country – ever since.

At Lawyers Mutual, he helped build a Claims Department that has won national acclaim for its personal, peer-based philosophy of handling malpractice claims.

The law firm of RAGSDALE, LIGGETT PLLC once again participated in the Susan G. Komen Triangle Race for the Cure. The firm's efforts raised \$3,600 to provide aid for breast cancer research and life-saving treatment for hundreds in our local community. The amount raised by the firm ranked it in the top 20 for team fundraising for this event. The firm provided a team of more than 30 enthusiastic members who participated in the race. WBF

2013 WCBA LUNCHEONS

August - No meeting

September - No meeting

**October 1 - Professionalism Roundtable,
North Raleigh Hilton**

**November 5 - Joseph Branch Award,
Woman's Club**

**December 3 - Tenth J.D. Bar Annual Meeting,
North Raleigh Hilton**

UPCOMING BREAKFAST DISCUSSIONS

July: No breakfast discussion

August: New Technology in the Law Firm

September: The Clerk of Court's Office: Matters Before the Clerk

October: BarCARES, Raising Our Bar and Other Lawyer Support

November: Retiring with Dignity

Breakfast Discussions are one-hour long programs that begin at 7:30 a.m. and are held at Campbell Law School, 225 Hillsborough Street, Raleigh.

