

The **a**FFILIATE

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Old Lessons, New Urgency: The Report of the ABA Commission on Billable Hours

By Ryan C. Reed

With an undeniable focus on confronting the familiar evils of the billable hour, the ABA Commission on Billable Hours recently released a 60-page report summarizing its findings, conclusions and recommendations. Chief among those conclusions: the emphasis on billable hours is having a “corrosive impact” on the profession. The report is available at www.abanet.org/careercounsel/billable.html.

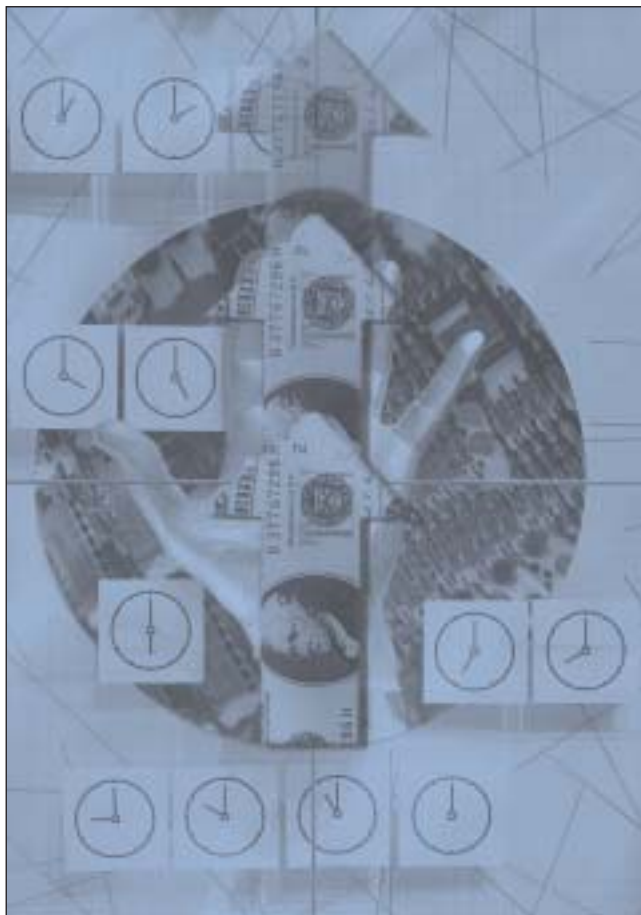
Commissioned by ABA Immediate Past President Robert E. Hirshon, the ABA Commission on Billable Hours was charged with investigating and reporting on the effect of the billable hour on the legal profession. Particular attention was devoted to the “unintended consequences” of the billable hour, such as the “negative effect not only on family and personal relationships, but on the public service role that lawyers traditionally have played in society.”



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The Commission concluded, in part, that “[n]o one expects hourly billing to go away.” Nevertheless, the report itself also provides new opportunities and guidance for understanding the reasons why the billable hour system is so entrenched, the threat to the well-being of the profession if change is not considered, and methods for pursuing alternative billing or working within the billable hour system.

After noting that the shift to hourly billing did not occur in earnest until the late 1960s, the



report also concedes that the billable hour system “has endured virulent criticism over the past two decades.” Although a number of factors suggest why the system

is so entrenched, the report detects more costs than benefits. Among them: a loss of available time for pro bono work or community service, a decline in the collegiality of law firm culture and an increase in associate departures.

The commission also presented alternative ideas on pricing and delivering legal services. In addition to fixed, flat and contingent fees, the report describes options such as discounting, blended billing rates, hybrid fees and other methods. The report goes on to provide alternative based fee budget models, along with a few snapshots of firms succeeding with alternative billing arrangements.

Of greatest interest (and importance) to young lawyers is the section of the report entitled “Working Within the Billable Hour System.” That chapter proposes that the billable hour environment can be better structured to “make living ‘within the billable

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Special thanks to the Business Law Section and to ABA President A.P. Carlton for their generous support of the first ever YLD, ABA Board of Governors and ABA Business Law Section social event. This spectacular event will take place during the 2003 Midyear Meeting on Friday, February 7, at the Experience Music Project in Seattle.

ABA/YLD Leaders Seize Opportunities to Build Relationships in International Legal Community

By Aaron T. Oliver

In recent months, our ABA/YLD leaders have had unique opportunities to attend and participate in prestigious conferences and ceremonies in London, England, Paris, France, and Lisbon, Portugal. In October and November 2002, ABA/YLD Chair Alan Olson was invited to attend the formal openings of the legal years in England and France with ABA President A.P. Carlton, Jr. These exclusive ceremonies included attorneys and representatives from around the world. While in London, Alan was also able to attend an “international weekend” for young lawyer leaders.

Alan discussed the significance of attending such events. “It is a great honor to be invited to such ceremonies. When elected to be a leader of the national voice of young lawyers, it is exciting to build relationships and fellowship with our counterparts in other countries,” he said. Alan further commented that it gives ABA/YLD leaders a chance to share ideas and to educate people about our organization and our American legal system.

ABA/YLD Chair-Elect Jonathan Cole had an equally exciting opportunity a few months ago. In late August, he attended the Annual Congress of the Association Internationale des Jeunes Avocats (AIJA) in Lisbon. The AIJA Congress, attended by 400 delegates from forty-four countries, is the largest worldwide association of young



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Alan Olson



Jonathan Cole

lawyers. The Annual Congress consisted of several days of CLE workshops, social events and a business meeting much like our ABA/YLD Assembly.

While at the conference, Jonathan had the unique opportunity of

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My Gift to You

By Sherri L. Jefferson

Reprinted from volume XVI, issue III, September 2002, of *DeNovo*, the official publication of the Washington State Bar Association, Young Lawyers Division.

Effective July 1, 2002, I had to make the very heart wrenching decision to resign my position as President of the Washington State Bar Association Young Lawyers Division (WYLD). On April 24, 2002, I was diagnosed with a brain tumor. As a result, I was unable to continue with my duties as president. The tumor is located in the right parietal lobe of my brain and is operable. The surgery is being performed by one of the best brain surgeons in the country, Dr. Keith Black, head neurosurgeon at Cedars Sinai Medical Center in Los Angeles. I should make a full recovery.

I share this very personal information with you because I want to share with you some things that I have learned going through this process. Rather than feel sorry for myself, I chose to learn some things about myself. Many of you who are far smarter than I probably figured these things out a long time ago. Unfortunately, it took a MRI showing a tumor the size of an apple in the lining of my brain to wake me up.

Here is a short chronology of how I came to learn some important truths. I do not refer to them as "lessons," but as "gifts." On Wednesday, April 24, 2002, at approximately 8:30 a.m., my neurologist informed me that the MRI results from the previous week revealed that I have a very large brain tumor in my right parietal lobe. It has probably been there for at least eight years and is so large that she cannot believe that my motor skills had not been affected. Because of the size of the tumor, surgical removal was the only treatment option available to me. I was obviously a bit shocked. I asked a few questions—not many. I did ask the important questions: what was my long-term prognosis, how long would the recovery period be, and just how much hair would have to be shaved. I then drove to the office—I had a 9:30 a.m. conference call with opposing counsel, and I did not want to be late.

From the car, I called my parents in California and told them the news. We were all in shock and the conversation was very short. I shed a few tears, but it had not really hit me yet. I arrived in my office about 9:15 a.m. The first person that I saw was my boss. I decided it might be prudent to tell my boss of just over six months that I had just been diagnosed with a brain tumor. She immediately assigned someone to cover my conference call, took me in her office and held me in her arms while we sobbed uncontrollably for about twenty minutes. I also confided the news in a few co-workers with whom I have become close and throughout the day they periodically visited my office to show their support and concern. Then the calls began. This was probably the most difficult part—I had to call friends who had been awaiting the results of the MRI and tell them the news. I never imagined how difficult it would be to tell people that I love and that love me that I have a brain tumor. I was not always as gentle or tactful as I could have been. Sometimes I blurted it out and left the listener in shock and sometimes in tears. Thankfully, I got better at it as time progressed.

After that first day, things accelerated pretty quickly. My sister and my mother flew to Seattle from Los Angeles two days later to be with me. We consulted with a neurologist in Seattle but ultimately chose Dr. Black. The only hitch was that he was unavailable to perform the surgery until July 11. We decided he was worth the wait.

So now I had two and a half months to

wait before what we have now come to refer as "the Apple" would be removed from my head. I was put on several different medications and continued to work every day. I was scheduled to attend several bar association-related meetings, two weddings and had planned a ten-day vacation in Italy in June. I was determined to continue my life as before, without interruption, until the surgery. I refused to feel sorry for myself, not because I am such a tough cookie, but because I thought if I stopped to start questioning "why me," I would be unable to function until the surgery. I had to go to work every day; I had to continue with my routine and to honor my personal and professional obligations to the extent possible. I decided that humor was the best way to deal with the situation. My sister, friends, my co-workers and I made jokes about the Apple in my head—I won't tell you the nickname my younger sister and several of my friends tried to give me. I ultimately was only able to attend two bar association meetings, one wedding, and, over my parents' objections (but with my doctor's blessing), I traveled to Italy.

The word of my diagnosis spread like wildfire. I received countless phone calls, e-mails and cards from people all over the country, some of whom I had not spoken to in weeks,



Sherri L. Jefferson

months, even years. The outpouring of love and support continually brought tears to my eyes. I had no idea how many people cared so much and were so willing to express it. Almost every day since the diagnosis, people have reached out to me and moved me by their show of genuine compassion and caring. Some of these people have known me for years; some have known me for less than two months, but all immediately reached out to me without hesitation.

I have learned many things, two of which I will share with you here. First, I have learned that in my quest to succeed as a young lawyer, to distinguish myself in my profession and in my community, I almost lost sight of something very important—my friends and my family. I have worked long hours and weekends logging hour upon hour of billable and nonbillable time. Over the last several years, I have traveled extensively because of my involvement in the American Bar Association (ABA), the National Bar Association (NBA), the Loren Miller Bar Association (LMBA) and the WYLD. There have been months where I was on the road three out of four weekends. I took for granted that my family would always be there, so I did not need to visit them more than once a

year, and they only live 900 miles away! I could fit my friends in when I had the time, when I was in town—they would understand how busy I was. Instead of making friends and family a priority, I fit them in my schedule, rather than making time for them. I obviously do not regret the time that I spent developing my legal career. I can honestly say that I thoroughly enjoy my job and look forward to arriving at the office every day. I work for a great company and with wonderful people. Did I mention that the CEO of Starbucks called me personally at home to express to me how everyone at Starbucks was praying for me during this time, how much I mean to the company and how they are looking forward to my return?—Wow!

Similarly, I do not regret my involvement in any of the bar associations. I have forged lifelong friendships with people all over the country. These friends have sent cards and letters on an almost daily basis and several are flying from to Los Angeles to see me during my recovery. But when the neurologist said I had a brain tumor, my mother—who wants me to call her once a week, but I call when I get around to it—dropped everything and took the first plane she could catch to Seattle. After the surgery was scheduled and it was decided that the surgery and recuperation would be done in Los Angeles, my parents completely refurbished my old bedroom, had a private line and cable installed in the bedroom and bought me a television and DVD player—to make sure that I did not want for anything during my recovery (if they keep doing things like that they may never get rid of me). And my mother has committed herself to nursing me back to health for the next six to eight weeks. My brother—with whom I speak only when I am in Los Angeles—dropped everything to travel to Seattle to help me return to Los Angeles when my brain started swelling after my return from Italy and I became so ill from medications to control the swelling that I could barely walk. My best friend Shauna left her husband at home in Houston, Texas, with a baby and a toddler so that she could be at the hospital during the surgery. These are just some of the remarkable people that I have been "penciling in." These people turned their lives inside out, upside down and sideways without hesitation, without a second thought, simply because they love me. I did not ask them to do these things; I didn't have too. That speaks volumes about them, not me. Given the negligible amount of attention that I have given to them, they would have had every right to put more of the burden on me to reach out to them. But, because they are such amazing people, they did not. There was no resentment; there were no second thoughts, just travel arrangements.

I learned that I have not always been a good steward of the love and support of my family and friends. I have either taken for granted that it would always be there but have not done much to nurture it, or have failed to recognize it for what it is. I recognize it now and plan to do my best to nurture it. Phone calls to my mom will no longer be an afterthought, my brother and I have

talked more in the last few weeks than we have in the last few years and we plan to continue what we have started. (My sister Traci and I already speak several times a week). And I am taking more time to nurture those friendships, without which the last two and a half months would have been unbearable. Without the dinners, the late night phone calls, the kind words, cards, deeds and jokes, I would not have been able to make it through the months of waiting. While they did not save my life in the way of Dr. Black, these people saved my spirit, which is just as important.

I have also learned that as we go through life, we touch people in ways we do not realize, recognize, or even intend and they touch us in the same way. One morning in late May or early June, I was driving to work on one of those rare sunny Seattle days and I was suddenly struck by how fortunate I truly am. And I smiled. It struck me that I have so many amazing people in my life who have shown me more love and support than I ever thought possible. Yet, I complain about the little things. So life is not perfect, I do not have everything that I want. But I

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In addition to conveying information to bar leaders around the country as to events, meetings, subgrants and other resources offered through the Young Lawyers Division, *The Affiliate* seeks to inspire new projects through feature articles highlighting individual affiliate projects and persons involved in public service and membership support.

For information about services and resources available to affiliates through the Young Lawyers Division, contact Ann Fiegen, YLD assistant staff director, at 312/988-5614.

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Spotlight on YLD Leaders:

Enjoy Everything Life Has to Offer: An Interview with Affiliate Assistance Team Director Joe Dent

By David Bryce Barber



Joe Dent

Joe Dent is a good friend. Only a good friend, the reader should understand, could describe him with such a mixed-bag of compliments. We share status as youngest children, “first lawyer in the family” and many other things in common. Never, however, have I participated in more heated arguments with anyone, even as we had to take breathing breaks from laughter.

Seeming opposites exist in harmony in Joe’s life. Over a recent Kentucky Derby weekend, Joe worried my wife, Shelley, by keeping me out too late, yet won praise after his departure for being that breed of house guest who actually brings a gift, sends a thank you note and even makes his bed before he heads to the airport. For some reason, it seems likely that his upcoming wedding is likely to change only one part of that equation. Joe is as likely to discuss the merits of the finest Scotch whisky as to enthusiastically debate the virtues of north Georgia’s apple-moonshine—with one of the elite American judges of the annual International Wine and Spirits competition.

Warren Zevon songs notwithstanding, Joe is remembered often for his exhortation, “You can sleep when you’re dead!” One suspects that this has been part of his philosophy since his youth in Ft. Valley, Georgia, through his law school days at the University of Georgia, and it certainly carries on in his practice and impressive history of bar work. Joe was persuaded by a group of attorneys to consider law over his previous choice of aeronautical engineering at a fateful wedding reception, and later chose an Albany, Georgia firm because it offered an alternative to the “big city” practice in Atlanta.

Joe’s latest position in the ABA/YLD is director of the Affiliate Assistance Team, arguably the chief “problem solving” branch of our Division, which provides affiliates with an opportunity to tap into the experience of the YLD in addressing local issues. Joe discussed his view of problem solving in the practice of law, and many other topics, when we spoke recently.

The Affiliate: What does it take for you to head home from the office saying, “I had a good day practicing law today”?

Dent: Usually, when I can say I solved a problem for a client, regardless of the area of practice. When I have assisted with solving a client’s problem in a way that he or she is happy with the outcome, I feel I have done my job, and can go home saying that I’ve had a good day.

The Affiliate: What kinds of things might you change about the practice of law to decrease the bad days?

Dent: Generally, I have a bad day when I have an uncooperative lawyer on the other side. Lawyers ought to realize they need to advocate their client’s position, but it’s not necessarily about beating the other side down, or pulling one over on someone. Even though they are in an adversarial position, if lawyers would remember it’s about trying to solve a problem, and doing so amicably, then we’d all have more good days than bad days.

The Affiliate: Are lawyers bad at public relations, and should we be concerned about it?

Dent: We do need better public relations. We can’t rely on others like the media to publicize the good work the bar does, including the young lawyers. We have to bear in mind that the media has a goal, and that’s to sell advertising. To sell that they have to have consumers, and it seems that the bad things that some lawyers are involved in—some of the crazier cases or crazier verdicts—that are not the norm of the practice are what the general public hears and reads about.

They don’t hear and read as much about all of the good work that we do through the public service projects. We publicize it to ourselves, but that’s not something that the general public necessarily sees. So, I do think it is incumbent upon us to “toot our own horn,” so to speak, if nobody else is.

The Affiliate: How can we keep administration or “the business of law” from getting in the way of the potential of our law practices and bar associations?

Dent: From the law firm standpoint, we can try to teach law students more of the business of the practice of law. When people get out of law school, myself included, they are green as to how the practice of law operates. From the internal standpoint of law firms, for new lawyers to get involved in public service, it takes a commitment from the partners and the senior people to recognize the need for that, not only for a healthy balance and quality of life, but also for the profession. Senior lawyers need to let new lawyers know there’s more out there than the billable hour.



The Affiliate: How do we get young lawyers who are not involved in the bar to see the light without putting them off with our evangelism?

Dent: It needs to come from people they can identify with, for one, such as other associates. It also wouldn’t hurt if they heard it early on from someone who is in charge of their paycheck.

When I was president of the Georgia Young Lawyers’ Division, I would ask people to give me one meeting, and if they would come to one meeting, I’d guarantee them that they’d get hooked and want to come to other meetings. The meetings were more informative—we didn’t save the world in one weekend—but it gave people the information they needed to know what kind of good the organization did. They needed to hear “testimonials” from others who were involved, who had been active and still had a very successful practice, and to know how involvement in a service organization has side benefits for the business. I think it certainly does, and those just out of law school may not know that.

The Affiliate: Should the bar be involved in politics and

should outside political agendas be involved in the bar?

Dent: I think the bar should be in politics to the extent it is germane to the practice of law, but not randomly involved in the making of laws that don’t affect the practice of law, the profession or the administration of justice. As far as outside political influences, they may not understand lawyers’ issues as we do, and the more the bar is involved in outside politics, the more danger there is for outside politics to get involved in the bar.

The Affiliate: Other than the fact that Uga, the University of Georgia’s mascot, embodies the spirit that inspires countless Bulldog football fans, are there any other similarities between the two of you?

Dent: I think Uga is probably stockier than I am on the 2-scale model. I don’t know the personality of Uga VI [the current incarnation], but Uga V and I had a similar personality. You may recall an incident when he snapped at an Auburn player when he was being taunted in, I believe, 1998. I probably would have done the same thing.

The Affiliate: How does someone who espouses a “sleep when you’re dead” philosophy recharge his batteries?

Dent: When I can I’ll sleep in. I sometimes take a mid-afternoon “regrouper,” about twenty minutes or something like that, but I just think, while you can, go. You can recharge when you get a chance.

I try to have fun at everything I do, from the evening parties, to the work that we do in between the bar meetings, to my practice. I try to make it enjoyable.

The Affiliate: Imagine it’s the end of your career and you are the subject of a Dean Martin style roast. What kinds of things would you hope to hear?

Dent: He worked hard, he played hard, and he went out of his way to enjoy everything life has to offer.

Also, he was always impressed when anyone used large words like refrigerator and mayonnaise. 

Informally Yours: Joe Dent

What’s the best movie you ever saw at a drive-in?
Return of the Living Dead.

Favorite flavor of ice cream?

Pralines ‘n’ cream, or that turtle flavor with all the chunks of caramel and vanilla.

How did YLD TIPS Committee Chair David Faulkner end up wearing a ragged old Georgia hat in one of the most popular Alabama barbecue restaurants after a recent Alabama football game?

I was sitting in the stadium next to Mr. Faulkner at the Georgia/Alabama game, and we had a friendly bet that the fan of the losing team had to wear the hat of the winning team the rest of the evening. He graciously paid his debt. It was great because the hat had a herringbone pattern like the hats Bear Bryant wore.

Would you rather win \$100 in the lottery or a \$10 golf bet with a friend?

The \$10 golf bet with a friend, because the bragging rights are included.

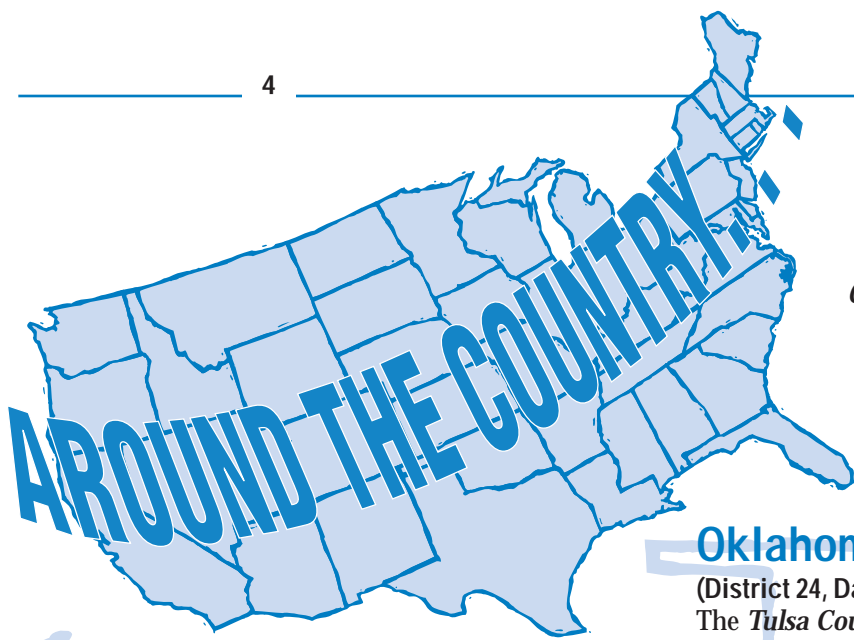
You get to pick one of these partners for a round of golf at Pebble Beach: Tiger Woods, Jack Nicklaus, Vince Dooley, or Bill Murray. Who would it be?

Bill Murray. He’d be fun and wouldn’t be too serious about his golf game, and it would be an overall enjoyable day.

Other than stocking up on drinkable yogurts, is there anything else we need to start keeping in our fridge for your late-night Derby appetite?
Pickled okra is always good as a late-night snack.



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Compiled by Marcia Facey

Michigan

(District 20, Kathryn Day, (248) 539-8988)

In September 2002, the *Michigan Young Lawyers Section* (YLS) co-sponsored a Habitat for Humanity home build. Despite the sore muscles, it was an enjoyable and inspiring experience for all volunteering young lawyers. In October 2002, the YLS co-sponsored a tele-seminar entitled "The Anatomy of Fee Agreements," which was very well received. In December, the YLS hosted holiday dinners at homeless shelters in four different areas of the state. The new year will find the YLS expanding its successful and original "Imprint Mentoring" program to a third area of the state. "Imprint" is a program that pairs high school youths with volunteer young attorneys. January also marked the beginning of the YLS' successful "Peer Mediation" program. This program, which will run through the end of the school year, will be conducted at a local high school.

Oklahoma/Arkansas

(District 24, David Sterling, (501) 374-7100)

The *Tulsa County Bar Association Young Lawyers Division* (TCBA/YLD) focused its efforts this fall on membership services. To that end, the TCBA/YLD sponsored a successful "Barristers Bowling League" for all members, hosted monthly young lawyer social events and sponsored and organized the annual TCBA Holiday Party in early December.

TCBA/YLD will direct its efforts in the new year toward community service projects. January begins with the TCBA/YLD "Blood Drive," followed by a "New Lawyers Courthouse Tour and Reception." The new year marks the Tulsa County Bar Association's 100th year. In connection with the Centennial Celebration, TCBA/YLD will be working on the "Rebuilding Tulsa Together" project, along with assisting the TCBA Centennial Committee with the annual "Law Fair" held in conjunction with Law Week in May. TCBA/YLD will also fill the spring and summer with membership services, including two softball leagues and a basketball league. In addition, TCBA/YLD members will lend their services to the annual Law Day Golf Tournament. All in all, TCBA/YLD is looking forward to great Centennial Celebration.

Arizona/New Mexico

(District 23, Jeffrey H. Jacobson, (520) 620-7300)

Halloween 2002 just wasn't the same for one Tucson neighborhood as twenty-five *Pima County Bar Association Young Lawyers*, dressed for the evening, trick-or-treated their way to 432 pounds of canned food for the Tucson Community Food Bank.

Also in October, "Lawyers for Literacy" kicked-off its twelfth year of tutoring fourth and fifth grade students throughout Tucson. The project's eighty-nine tutors are working one-on-one with students at nine middle schools through May 2003.

In November, the YLD hosted its annual "Judicial Reception" at the Arizona Inn. This year's reception, which was particularly special for the YLD, celebrated retiring Arizona Supreme Court Justice Stanley Feldman's work on behalf of young lawyers and the legal community.

South/Central Texas

(District 25, Daniel L. Hargrove, (210) 710-2867)

The *Austin Young Lawyers Association* (AYLA) busily concluded another successful year with several of its most notable service projects benefiting the bar, its members and the larger community. Through its "Holiday Baskets" project, AYLA members delivered groceries to over seventy-five needy families to help get them through the holiday season. At "Christmas for Kids," AYLA members provided holiday toys to needy children at a special holiday celebration. In addition, AYLA members had the opportunity to ring in the holidays with local judges at its fourth annual "Evening with the Judiciary" judicial reception.

AYLA has even bigger plans for the New Year. In January, the ABA award-winning "Lawyers as Leaders" volunteerism initiative hosted its second annual "Docket Call for the Community" networking reception for lawyers and nonprofit groups. "Lawyers as Leaders" has continued to expand its offerings of free CLE courses on legal issues affecting nonprofits. Other key service initiatives in the works include the launch of a new Texas Young Lawyers Association program, "It Could Be You," aimed at encouraging youth to report crime, a moot court tournament, and "College for a Day," in which AYLA partners with the University of Texas to provide local at-risk youth a first-hand experience with college life.

The *Houston Young Lawyers Association* (HYLA) recently received the "Decade of Service" Award from the Aspiring Youth Program at Aspiring Youth's annual "Reaching for the Stars" gala. This award recognized HYLA's contribution to Aspiring Youth's after school programs for at-risk youth.

HYLA contributes in other areas as well. This December HYLA was busy with its popular "Adopt an Angel" program. Through this program, Houston lawyers purchased holiday presents for children at two local elementary schools. Every child in these schools received presents from his or her wish list. Young lawyers donated their time buying, collecting, wrapping and distributing these presents for "Santa Day" at each school.

HYLA's Animal Welfare Committee has also stayed incredibly busy through programs like pet photos with Santa, the SPCA mobile adoptions, and other volunteer work throughout the year.

The HYLA Special Olympics Committee will host the 13th "Annual Special Olympics Auction and Party" in downtown Houston on February 13, 2003. The following week, HYLA's Minority Affairs Committee will host two panel discussions on the legal alternatives and the nuts and bolts of establishing a law practice. In November, HYLA held a panel discussion featuring general counsels from seven companies, including Waste Management and the Houston Rockets. The Minority Affairs and the corporate counsel events were made possible through grants from the Texas Young Lawyers Association.

The *San Antonio Young Lawyers Association* (SAYLA) remains busy as it eases into the holiday season. Denise Rios, Holland & Knight, is busy building a social host committee for the 2004 ABA Midyear Meeting in San Antonio. She is also chair of SAYLA's upcoming and award-winning "Call-A-Lawyer" program. SAYLA has continued its successful program of sending young lawyers to area schools to teach students about the law. In addition, holiday and benevolent projects are also being implemented.

The *Fort Bend Young Lawyers Association* (FBYLA) has planned a judicial reception for January 23, 2003. This event provides an opportunity to meet the judiciary in an informal setting and learn more about practicing in Fort Bend County, Texas. By January, we will have two new judges, so great opportunity exists there. This is FBYLA's inaugural judicial reception.

— Get the Word Out! —

Interested in comparing notes? Getting the word out? Giving some credit where credit is due? Send us your news, notes and stories of good work for inclusion in the "Around the Country . . ." feature in *The Affiliate*. Please provide names and give specifics about your activities. Photos are welcome. Send your contributions to Marcia Facey, Assistant Editor, Quarles & Brady LLP, 411 East Wisconsin Avenue, Milwaukee, WI 53202-4497, (414) 277-5539, Fax: (414) 978-8939, m2f@quarles.com.

Alabama/Georgia

(District 12, Leigh H. Martin, (404) 321-1700)

FEMA has declared a natural disaster for twenty-nine counties in Alabama as a result of severe thunderstorms and tornadoes that hit the region on November 5, 2002. *Alabama Young Lawyers Division* affiliates are working to provide pro bono legal services to victims of this disaster.

Members of the Community Service Committee of the *State Bar of Georgia Young Lawyers Division* participated in a volunteer project at the gift-sorting center for the Fulton County Department of Family and Children Services in Atlanta. Along with sorting gifts, YLD members also purchased gifts to donate to children in foster care. The *Atlanta Council of Younger Lawyers* also participated in donating gifts.

The Georgia YLD and the Atlanta Council of Younger Lawyers jointly sponsored an event, in conjunction with the state bar's midyear meeting in Atlanta, held on Friday, January 10, 2003, from 9:00 a.m. to noon, at the Atlanta History Center. The Georgia YLD's Community Service Committee also held a drive to collect clothing and cell phones for local social service agencies in conjunction with the midyear meeting.

Kansas/Missouri

(District 22, Paul Davis, (785) 234-5696)

On November 18, 2002, the *Kansas Bar Association Young Lawyers Section* launched the Kansas High School Mock Trial Tournament website. Eric Kraft, KBA/YLS 2002-03 Mock Trial Tournament coordinator, has spearheaded the effort to make the Mock Trial Tournament information available on the Internet. High school coaches, attorneys acting as judges and attorneys acting as team counselors can access case materials, competition rules, as well as download a registration form from the new website. The website describes several of the objectives of the Mock Trial project, including furthering the "understanding of court procedures and the legal system" and "improving basic proficiency and basic skills, including listening, speaking, reading and reasoning."

This is the first year that the Mock Trial materials have been available on the Internet. "Our goal in placing the information on the Internet is to allow high schools to have access to case materials in plenty of time to prepare for the tournament as well as to simplify the method of registration," says Kraft. "Having the information on the Internet in a downloadable format will also save the Kansas Bar Association the expense of photocopying the materials, rules and registration forms, as well as the expense of mailing them to over 200 high schools throughout Kansas," Kraft adds.

The website will soon allow schools to post questions regarding the case materials and trial procedures to a bulletin board. Kraft and members of his Mock Trial Committee will then be able to answer those questions on the bulletin board, thus allowing other schools to reap the benefits of the information provided by the committee.

The KBA/YLS Kansas High School Mock Trial Tournament website can be found at www.ksbar.org/calendar02/high_school_mock_trial.shtml.

Alaska/Hawaii

(District 33, Krista S. Stearns, (907) 272-8401)

For the past six years the *Young Lawyers Division of the Anchorage Bar Association* in Alaska has hosted a "Christmas Party and Professional Clothing Drive" for the homeless youth in its community. Each year the young lawyers work with staff at the Covenant House shelter to hold a celebration at the shelter in early December that includes providing and decorating a Christmas tree, having a Menorah ceremony, eating pizza and treats, making crafts, having a poem writing contest, participating in other games, a white elephant exchange and the sharing of conversation and love. The Anchorage Young Lawyers purchased Christmas gifts for the residents of the shelter, which were handed out by the shelter staff on Christmas morning. During the month of December, the Anchorage Young Lawyers organized a professional clothing drive at local law firms, where boxes were dropped off for a two-week period, and the clothing is used by homeless youth for job interviews throughout the year. For more information, contact Kara Nyquist, president of the Anchorage Young Lawyers Division, at knyquist@bhb.com.

Freedom's Answer? Exercising the Right to Vote

By Christine LeBel

The ABA's Young Lawyers Division played a significant role in assuring record voter turnout in the 2002 mid-term elections. How? By teaming up with Freedom's Answer, a nonpartisan, nonprofit program aimed at high school students nationwide, the ABA assisted in involving young people in an unprecedented voter turnout effort. The result: An increase in non-election year voter turnout of more than 3 million votes over the prior record set in 1994, according to the Committee for the Study of the American Electorate (CSAE). CSAE reports that the total for the year 2002

exceeded 78.5 million. As noted by Freedom's Answer Executive Director, Doug Bailey, the YLD was instrumental in accomplishing this stunning increase: "The support of the ABA overall—and of the YLD in particular—was a big reason for this success." Now, Freedom's Answer and the ABA are turning their sights to 2004

with the aim of setting a record turnout for *any* election in American history.

Freedom's Answer was formed in response to the September 11, 2001, terror attacks, for a simple reason: the vitality of democracy requires an active electorate and who better to teach this principle than our nation's future, the youth. In recognition of the trend of declining registration and voting by young Americans, this national nonpartisan, nonprofit program sought to:

1. Educate and inspire students before they are old enough to vote;
2. Honor the servicemen and women overseas in the first national election since the September 11 tragedies; and
3. Produce a record mid-term election vote.

By engaging young people in the electoral process, Freedom's Answer hopes to turn today's students into tomorrow's voters by giving them a chance right now, before they reach voting age, to be involved in the process, to learn firsthand about the rights and responsibilities that

underlie the freedoms we enjoy and have their voices heard. Over 2,500 schools, representing every state in the nation, participated.

In the 2002 election, the students involved in Freedom's Answer focused on the following:

- Registering new voters, including their eighteen-year-old classmates;
- Collecting pledges to vote from eligible voters, while never advocating a certain candidate or position; and
- Serving as trained poll workers on Election Day in those states that allow it.

These activities were complemented by a Freedom's Answer curriculum prepared by various organizations, which teachers nationwide could download from the organization's website for use in their classrooms. The ABA/YLD assisted in these efforts by utilizing its national affiliate network to work

directly with schools, school officials and teachers to implement the project and to assist with coordination efforts in various states.

For the 2004 elections, Freedom's Answer hopes to double the number of participating schools to at least 5,000 while smashing all prior voter turnout records. Optional curriculum materials will continue to be provided to the participating schools and students will continue to participate as poll workers in states that allow them to do so. Youth-e-Vote (the parent nonprofit of Freedom's Answer) will provide students with the opportunity to cast unofficial electronic ballots of their own. Though fundraising was slow in the 2002 economy, resulting in the inability to complete certain projects such as a Classroom Video aimed at increasing participation, the group hopes to exceed its fundraising goals for the next election and beyond and to continue to build local support for its efforts. As before, the ABA/YLD will be there to help.

If you want to be there to help with this project, contact Alan Olson at (515) 255-5100 or e-mail ao@olsonandbeeboutlaw.com.



Christine Y. LeBel is the editor of *The Affiliate* and practices law with Bulkley Richardson & Gelinis LLP in Springfield, Massachusetts.

New ABA/YLD Staff Director Appointed

The ABA has announced the appointment of Ann Fiegen as staff director of the ABA Young Lawyers Division.

No stranger to YLD events and programs, Ann has served in various positions with several ABA entities during her thirteen year tenure with the ABA. She began her career with the YLD as program coordinator and most recently served as associate staff director under Bo Landrum.

Please join us in congratulating Ann on her new appointment. She can be reached at (312) 988-5614.

Winner's Circle

2002 Awards of Achievement

The Division II (local) first place winners for the 2002 Awards of Achievement (awarded in August 2002 at the ABA Annual Meeting in Washington, D.C.) were:

Division IIA—Young lawyer membership of 2,000 or more

Comprehensive Award:
Chicago Bar Association YLS

Best Project in Service to the Bar:

Chicago Bar Association YLS for "Partnership for Development"—a year long mentoring program for young lawyers created in conjunction with the Center for Disability and Elder Law and the Senior Lawyers Committee of the Chicago Bar Association. (Contact: Ruben Chapa, (312) 353-6993.)

Best Project in Service to the Public:

Chicago Bar Association YLS for "Access to Public Records (FOIA) Guide"—a project that consisted of drafting, publishing and disseminating a guide advising the public of their rights regarding access to federal and state public documents. (Contact: Ruben Chapa, (312) 353-6993.)

Division IIB—Young lawyer membership of more than 800, but less than 2,000

Comprehensive Award:
Dallas Association of Young Lawyers

Best Project in Service to the Bar:

Austin Young Lawyers Association for the "Lawyers as Leaders: AYLA Volunteerism."

Best Project in Service to the Public:

Dallas Association of Young Lawyers for "The Freedom Run and Music Festival"—a community building event organized in less than six weeks in response to the 9/11 terror attacks and consisting of performances by several singers followed by a 5K run by runners in red, white and blue carrying miniature American flags. (Contact: Rick Lambert, (214) 742-2121.)

Division IIC—Young lawyer membership of 800 or less

Comprehensive Award:
Fort Worth Tarrant County Young Lawyers

Best Project in Service to the Bar:

Fort Worth Tarrant County Young Lawyers Association for their judicial reception and membership drive, which allowed over one hundred lawyer attendees to meet and mingle with local area judges. (Contact: Gindi L. Eckel, (817) 877-2812.)

Best Project in Service to the Public:

Fort Worth Tarrant County Young Lawyers Association for several projects, including "Suit

Up for Success," which consisted of a "Save Those Suits" clothing drive at major downtown locations and an employment seminar to benefit low-income persons in the Fort Worth area. (Contact: Gindi L. Eckel, (817) 877-2812.)

Division IID—Affiliates in any category that have not submitted any applications for the five previous years

Best Project in Service to the Bar:
Fort Bend Young Lawyers Association for a variety of young lawyer CLE, including an ethics presentation by Jed Molleston of the Chief Disciplinary Counsel's Houston regional office. (Contact: FBYLA through Mary Reveles, (281) 341-4554.)

Minority Division

Best Project:
Houston Young Lawyers Association for "Teen Court"—a program that gives youthful offenders the chance to clear their records by agreeing to a sentence set by their peers—usually meted out in hours of community service. The program lessens the burden on the regular court system and provides teens with an opportunity to learn responsibility while participating directly in the judicial system. (Contact: Kim Diepraam, (713) 224-4952.)

Division II consists of local affiliates (as opposed to Division I, on which *The Affiliate* reported in the November/December issue, consisting of state bar association competitors). Congratulations outstanding affiliates! [a](#)

A Tip for Success: Where the Opportunities Are

By Karen J. Mathis

I'd like to share with you a tip for success.

One of the smartest decisions I made as a small firm practitioner was becoming involved in the ABA's General Practice, Solo and Small Firm Section. This dynamic Section (GPSolo, for short) is now the fastest growing Section in the ABA. And for good reason! GPSolo offers the tools you need to help you develop your practice and prosper in today's competitive legal market: award-winning, cutting-edge publications; products and services to help lawyers at every stage of their careers; practical and convenient CLE; and engaging and friendly conferences and social events. In addition, the Section provides great opportunities, especially for young lawyers like you, to hone leadership skills by becoming actively involved in all types of Section activities.

Award-Winning Publications—A Wealth of Information

Look to *GPSolo* magazine for the latest trends and legal developments. Special issues include the *Technology & Practice Guides*, loaded with essential software and technology reviews, and *Best of ABA Sections*, featuring articles selected for you from other top ABA publications. As a supplement to *GPSolo*, our recently developed *Technology eReport* gives you answers to your technology questions in a convenient format. In addition, our quick-read newsletter, *Solo*, provides practical answers to your practice questions.

Our latest newsletter, *GPSolo New Lawyer*, is especially written for you as you begin building your career and practicing law in the twenty-first century. This quarterly publication in a convenient e-format provides you with insight into what others are doing in their careers and how your colleagues are balancing work and home. Some other features of this unique publication include valuable practice tips; a bit of fun with legal trivia and vocabulary building; and the regular column, "Dear Mike," which gives you a chance to pose specific questions to a "virtual mentor."



Karen J. Mathis is Chair of the ABA General Practice, Solo and Small Firm Section and practices law with Hall & Mathis PC in Denver, Colorado.

Continue to Learn with Convenient GPSolo CLE

To stay competitive in today's economy, lawyers must stay on top of the latest in substantive areas of law. To help you, the Section has developed in-depth CLE on a variety of topics at its spring and fall meetings as well as at the ABA Annual Meeting. The popular "Solo and Small Firm Day" is a full-day specifically geared to practice issues unique to solo and small firm lawyers. Hundreds of lawyers have attended this unique program



and rave about its useful information!

Through a special arrangement with West Group (the GPSolo Section's primary sponsor) and its West Legal Ed Center, you now have access to the Section's most popular programs, including "Solo and Small Firm Day," online. This brand new benefit means that even if you can't attend an event in person, you'll be able to take advantage of the program in the convenience of your office or home. What an effective and low-cost way to earn CLE credit!

Advocating for the Solo and Small Firm Lawyer—A National Voice

It's vitally important for lawyers to stay abreast of the latest topics facing the profession. Whether the issue is multijurisdictional practice, changes in the Model Rules of Professional Conduct, the sale of your law practice, or multidisciplinary practice, the Section takes a practical, real-life approach to the political issues affecting the everyday practice of law. We'll keep you posted on the vital issues that affect your bottom line. And through its annual awards program, the Section does its part to spotlight solo and small firm lawyers for their contributions to the profession and the practice of law.

Get Connected—Networking Opportunities Abound

As a young lawyer, you know the importance of network-

ing and mentoring. Joining the GP Solo Section will give you access to seasoned professionals nationwide. The Section's popular spring and fall meetings provide ample opportunities for you to meet your senior colleagues in a collegial and stimulating environment and get the advice you need to operate a profitable practice. The Section also offers special-interest committees that provide specialized information you may not be able to find anywhere else.

Leadership Opportunities Abound

Within the GPSolo Section, you'll find plenty of opportunities for you to hone your leadership skills and give back to the profession by becoming active in the substantive and working committees of the Section. These friendly and dynamic committees provide you the opportunity to give your input on relevant topics and timely issues and contribute articles or suggestions to Section publications.

In its ongoing efforts to promote ethnic diversity within the ABA and the Section and to provide leadership opportunities, GPSolo has developed the Diversity Fellows Program. This highly regarded program offers lawyers of color funded positions to participate in the working leadership committees of the Section.

Savings That Exceed the Cost of Membership!

The Section is proud to be a leader in the ABA in providing additional Section member-only benefits. Among these benefits is a special discount on CaseSoft's litigation-specific software to help you develop litigation strategy and present the hardest-hitting case. The Section also offers discounts through our partnership with Alumni Computer Group, Inc., the Section's "Time Billing and Accounting" software sponsor. GPSolo members are eligible to receive a substantial discount on purchases of PCLaw, the completely integrated time billing, trust accounting, check writing, general ledger and calendaring system for law firms with 1-10 timekeepers.

Section members also receive member discounts on all GPSolo books. Full of great information and sample forms on disk, these publications provide essential tips for profitably managing your practice and serving your clients well. Some popular recent titles include: *The Attorney and Law Firm Guide to the Business of Law 2d ed.*; *Understanding Elder Law*; and *The Lawyer's Business Valuation Handbook: Understanding Financial Statements, Appraisal Reports and Expert Testimony*. For a comprehensive listing of books, visit our website at www.abanet.org/genpractice.

One of the great strengths of the Section is its diversity.

For more information on how the ABA GPSolo Section can help you thrive in your career, visit our website at www.abanet.org/genpractice or contact us at genpractice@abanet.org or (312) 988-5648.

Committee Corner

GP/Solo Lawyers Committee Makes Strides

By Darryl Keenan Segars

Susanna Brown is co-chair of the ABA/YLD's General Practice, Solo & Small Firm Committee. Ms. Brown is a partner with the law firm of Rouwenhorst & Brown in De Moines, Iowa, where

she practices medical malpractice litigation. Recently, Ms. Brown agreed to share her thoughts and insight on her leadership of the GP/Solo Committee with me. Here are some excerpts from our conversation:

The Affiliate: What programs/plans will your committee imple-

ment this year?

Brown: *First*, we are implementing a continuing legal education (CLE) program on "How to Establish and Maintain a Law Practice." The CLE, scheduled for the YLD Spring Conference in New Orleans, will focus on providing information on choosing legal structure, finance, accounting, office equipment, hiring and retaining support staff. My co-chair, Doug Lily, who presented a similar event for his state bar association in Connecticut, will be the key liaison for this event. Mr. Lily may be contacted directly regarding this event by email at dougllil@cox.net.

Second, we are planning a series of roundtable discussion groups to

provide some discourse on every day life and problems for solo, general and small firm practitioners with a representative from our committee chairing each discussion table. I will be heading this project personally and may be contacted regarding it at suebrown@qwest.net.

Third, we are compiling a resource guide for young lawyers in small/general practice, which will provide web site links, state contacts, special bar association discounts, books and periodicals and much more. This resource guide project will be headed by subcommittee member Henry Dewoskin, who may be contacted regarding the guide at hmdewoskin@cs.com.

The Affiliate: How do plans for your committee mesh with ABA/YLD Chair Allen Olson's theme for this bar year: balancing personal and professional responsibilities?

Brown: The GP, Solo & Small Firm Committee feels that the small practice, generally, has much to offer those looking for a better balance between work and life. The reason that most of us become involved in a solo or small firm is to have a life and a family. Each of the aforementioned programs or projects is designed to make the transition to small practice easier and to encourage more young lawyers to consider becoming a small or solo practitioner.



Darryl Keenan Segars is an assistant editor of *The Affiliate* and practices with Hatchett, DeWalt & Hatchett in the metropolitan Detroit area.

How to Plan and Present a YLD Regional Conference

By Gerald T. Giaimo

YLD regional conferences are recognized as a critical part of the YLD experience. National conferences bring together YLD leaders from across the country to serve our members and communities. Regional conferences bring the YLD experience to people who may not have the means or the interest in attending a national conference. They serve as a source for national conference programs and attendees and foster bar and community leadership and improve the operations of local affiliates. Regional conferences have become an important part of the YLD mission.

A regional conference is most valuable to the local affiliate and its leaders. The local affiliate must work diligently over a long period of time to run a successful conference. A diverse group of people must rise to personal and professional challenges. By the conclusion of the conference, local bar leaders will clearly see who will be the next generation of leaders. The next generation learns a great deal and emerges from the process better prepared for the future.

This article will discuss how to plan and present a YLD regional conference, using the experience of the March 2001 Northeast Regional Conference (NERC) in Mystic, Connecticut, as a model.

Identify Need/Background

Connecticut has been one of the most active state affiliates on the national level for many years. Recognizing the value of a regional conference, in 1999 our incoming chair decided that a Northeast Conference would be the focus of his tenure. Although Boston had hosted a National Conference, no regional conference in New England had been held for over twelve years. An appropriate model had to be built from the ground up.

Determine Project Goals and Design

Approximately eighteen months in advance the Chair assembled a small core group of YLD veterans to identify the goals and design of the project. The group met several times to review recently held programs and identify a theme for the event. Then important steps in the process were determined.

Identify a Small, Focused Core Group to Initiate the Project. The key to this step was to assemble a group with diverse experience and resources without letting it get so large that progress could not be made. The Chair's approach facilitated the process; he encouraged discussion but sought to bring each discussion to an agreeable conclusion and moved on. Consensus was not the goal, but rather a solid compromise that the group could rally behind. The group included the YLD Chair-Elect, Secretary, Treasurer, YLD District Representative, a past-Chair, several active, veteran YLD members and a few relatively new YLD members.

Prioritize. Recognizing that the conference must complement and not conflict with national and other regional events, the group first selected a date for the event and the general format (e.g., Friday evening welcome, Saturday programs). The Friday welcome session allowed people to travel and assemble and get to know one another. The Saturday program concluded by mid-afternoon. This allowed people to return home or to stay longer and enjoy local attractions. This led to site-selection, and for the Connecticut Bar, to the shoreline resort town of Mystic, Connecticut. This portion of the process provided a deadline and, although the conference was over a year away, a sense of urgency as well.

Project Goals/Topic Design. In addition to the standard YLD-oriented goal of a regional conference, the group wanted to be sure to give attendees meaningful, substantive information on both public service and member service programs. It was important to the group to have an equal balance of both program types.

To establish topics, the group brainstormed potential topics of interest to the YLD membership. This membership was defined broadly to include not only members of the YLD, but future members, law students, etc. Topics from other conferences and programs (e.g., National Conferences, local YLD presentations) were used to generate ideas. The topic generation phase lasted several months, and the core group membership grew as more and more resources became necessary.

Subcommittees. Before topic selection concluded, the group had

become large enough to require some formal delegation of responsibility. Following established models, the Chair divided the group into four subcommittees: Host, Publications, Publicity, and Finance. Each subcommittee had clearly defined responsibilities. The Host Committee was responsible for all aspects of the local accommodations and social activities. The Publications Committee was responsible for the written materials associated with the conference (other than publicity) and keeping the group on-track from a scheduling point of view. The Publicity Committee was responsible for getting the word out and ensuring attendance. Finally, the Finance Committee was responsible for fundraising and ensuring that bills were paid.

Progress Meetings. A calendar was established with dates by which certain planning goals were expected to be reached. Dates were set by working backwards from the program date and establishing both major and intermediate milestones. At each meeting of the subcommittees, these dates were reviewed to ensure that the conference was on track. As the conference neared, the subcommittees expanded by taking on additional members for specific tasks. By setting forth clear responsibilities with a set date for completion, the conference planning went relatively smoothly; much work was done well ahead of the actual conference. The subcommittees each did a great job: the conference was fun, well attended and within budget.

Use Communication Technology

In planning the regional conference, modern communication techniques—mainly e-mail—were used effectively to keep all interested members active in the conference planning process.

In preparing for the conference, members produced many documents including letters, press releases, presentation materials and program guides. By exchanging drafts of these documents as e-mail attachments before the monthly planning sessions, these meetings were more effective as people were familiar with each other's progress in advance. Then rather than relying on hand-outs at the planning session for calendar dates and assignments, this information was easily stored and retrieved in e-mail folders. Often, waiting for the monthly planning session to gather the planning group's input is not practical or even possible. For example, an unexpected decision was required when the hotel needed to set the final menu in advance of the conference. By sending an e-mail to a distribution list comprised of the members actively involved in the conference planning, a consensus quickly developed and a decision was made.

Exchanging e-mail via a distribution list of all planning members keeps everybody involved even if time constraints make it difficult for some to attend the monthly planning conferences. So long as the distribution list is not abused, it allows this type of group project to move forward with all

participants able to have meaningful participation.

E-mail combined with desktop publishing tools made it possible to assemble presentation materials more easily. These materials can be shared via e-mail for final comment prior to publication and then sent to a chosen coordinator responsible for assembling the documents in a form for final publication.

Commitment and Teamwork

Undertaking a regional conference would have been impossible without delegation and teamwork. The commitment demonstrated by the conference planning team was both unconditional and sustained. Eighteen monthly meetings were required to hammer out the substance, logistics, and details of the conference program. Not unlike other bar association projects, the quality of a program is often dictated by the quality of the people involved. Although that certainly held true for this conference, in assembling the conference team, a particular skill became paramount for handling the myriad tasks involved. In retrospect, the most effective team members were those able to communicate effectively. Communication with speakers, the conference location representatives, sponsors, and (most importantly) the ABA/YLD staff in Chicago, were the critical components to success. As time went on, the Chair's role became that of coordinator of these various branches of communication. Micro-management is not realistic, nor does it make sense when many talented and enthusiastic people are ready to help out.

Evaluation

Although no formal evaluation form was distributed, participants and attendees offered much positive feedback. Speakers were impressed by the relatively large turnout and the professional manner in which the event was conducted. Many attendees who were interested in the substantive presentations were excited by their high quality. An all-star cast was recruited from around the country to speak on hot topic issues in developing technology related law. Perhaps as important, the local affiliate volunteers took great pride in their successful event; Connecticut was proud to make this contribution to the YLD community.

Twenty dedicated young lawyers worked very hard to present an excellent regional conference focusing on technology-related legal issues. Over seventy participants came from throughout the United States. Each participant left with an extensive program guide of conference materials for future reference.

Additional information regarding the planning and implementation of a regional AOP can be found in the YLD Project Pamphlet *Regional Affiliate Outreach Projects: Coordinating a National/Regional AOP, Planning and Presenting a Regional AOP*. [a](#)

Did you know . . . ?

Mock Trial Resources

By Aaron T. Oliver

Q. My bar association would like to create a mock trial program for area or statewide schools. What resources are available through the American Bar Association (ABA)?

A. A wealth of mock trial information is available through the ABA Division of Public Education. The phone number for the Division is (312) 988-5735. The best way to view and obtain mock trial resources, however, is to access the Division's website at www.abanet.org/publiced. The most popular resource is a 49-page booklet entitled *Putting on Mock Trials*, which can be downloaded from the website. It was first published in 1985 and has been updated several times, as recently as 2002. The booklet includes comprehensive, practical information concerning the objectives of mock trial programs, how to prepare teams and conduct competitions, tips on practicing with teams, lesson plans, helpful hints for students, judging forms, how to select and prepare judges and several actual sample mock trials. The booklet also contains an excellent bibliography of other mock trial resources and websites.

Q. What other resources are available from the ABA for new or existing mock trial programs?

A. The ABA Division of Public Education also has a Mock Trial Store (available on its website or by calling 800-285-2221), in which attorneys, bar associations or schools can purchase mock trial materials. Actual mock trial booklets can be purchased for all age groups, kindergarten through 12th grade, including both classic civil and criminal trials. Each booklet contains all the necessary information (such as witness statements, exhibits, instructions) to put on a mock trial program or competition.

On its website, the ABA Division of Public Education also includes descriptions of how volunteer lawyers and judges have implemented mock trial programs throughout the country. There are also many links to other mock trial organizations, including national high school and college mock trial organizations.

Finally, the ABA Division of Public Education created the National Law-Related Resource Center (NLRC) to collect and disseminate information on law-related education programs and resources to school educators and attorneys. The NLRC's resources, which are available on the Division's website, include materials that could be helpful to a mock trial program by improving students' understanding about the law. [a](#)



Gerald T. Giaimo is Special Project Member Service co-coordinator and practices law with Tyler Cooper & Alcorn, LLP, in New Haven, Connecticut.

ABA/YLD and Louisiana State Bar Association Join Efforts to Offer Legal Assistance to Victims of Recent Storms

The Louisiana State Bar Association (LSBA) and the American Bar Association's Young Lawyers Division (ABA/YLD) have been working with the Federal Emergency Management Agency (FEMA) since October 7 to implement a disaster response and relief plan to provide assistance and information to those affected by Tropical Storm Isidore and Hurricane Lili. The LSBA's Young Lawyers Section, working in cooperation with the ABA/YLD, is providing storm victims free legal advice regarding nonfee-generating matters directly related to the natural disasters.

The ABA/YLD and LSBA established a toll free number, which was publicized throughout the state for disaster victims to call for legal assistance. This toll-free hotline, based at the Louisiana Bar Center in New Orleans, has been available for victims to begin the process of obtaining legal services, as well as referral services to appropriate local, state and federal agencies.

When a disaster victim calls the Disaster Legal Services Hotline, an intake worker, who assesses the legal issues that need to be addressed, is his initial contact. If the issue is one that can be handled by one of the volunteer attorneys, the caller's request for services is assigned to one of the project volunteers. A list of vol-



unteer attorneys is maintained at all times for use in the event that either the ABA/YLD or LSBA Disaster Relief Plan is activated. The intake worker e-mails the request to a volunteer lawyer who has indicated a familiarity with the area of law with which the caller needs assistance. The volunteer lawyer then contacts the flood victim to begin providing services.

Because volunteer attorneys only provide disaster legal services in non-fee-generating cases, all potentially

fee-generating cases are referred by the hotline to either: (1) an LSC-funded program, such as Capital Area Legal Services Corporation, New Orleans Legal Assistance Corporation, Legal Services of North Louisiana, Inc., Acadiana Legal Service Corporation, or Southeast Louisiana Legal Services Corporation or (2) the Louisiana Lawyer Referral and Information Service at (888) 503-LRIS (5747).

ABA/YLD and LSBA Disaster Legal Services have assisted callers with their legal needs in numerous areas, including federal disaster assistance rights, insurance law, real property, contracts, contractor repair problems, wills, landlord/tenant disputes, eviction/foreclosure, family law, employment law, housing questions, and corporate law.

The successful implementation of Disaster Legal Services project would not be possible without the generous gift of time and talent from the Disaster Relief Volunteer attorneys. The ABA/YLD and LSBA thank all the individuals who served their bar associations and communities by rendering disaster legal assistance.

Many local affiliates have programs in place, and those that don't can contact your district rep for more info. [a](#)

Old Lessons, New Urgency

continued from page 1

hour' more palatable." It squarely addresses the problems associated with mandatory hourly minimums, and the rising number of complaints about burnout or career dissatisfaction.

These same concerns spill over into areas like compensation and bonus calculations and accounting for pro bono and other community service work, two areas where statistics provide useful insight. Of the firms who responded to the subject surveys, 79 percent use billable hours to determine associate base compensation and 84 percent use billable hours to determine associate bonuses. On the pro bono front, only 32 percent of responding firms consider pro bono hours in determining associate salary and bonuses.

In addition to identifying some of the problems, the commission recommended a number of "best practices" designed "for avoiding some of the most damag-

ing aspects of billable hour requirements"

Among these suggestions are a weighted productivity scale combined with qualitative evaluation factors, ceilings on billable hours, credit or bonuses for pro bono hours, model citizen bonuses for distinguished service to the firm, and a quality focus clearly emphasizing the importance of quality over quantity.

One of the more engaging features of the report is the commission's "Model Firm Policy Regarding Billable Hours." In it, the commission addresses issues such as integrity and promptness of time records, expectations for hours under a "model diet" for a typical associate and the interplay of compensation and billable hours. The "model diet" proposes an annual total of 2,300 accounted hours, with only 1,900 devoted to billable client work and the other 400 made up of pro bono, client development and service to the profession, among others. The central tenet of the compensation policy is the principle that compensation never be tied to the billable hour "without flexibility

and without consideration of other factors"

Now that the report has been issued, the commission has morphed into the Ad Hoc Committee on Billable Hours, housed within the ABA Section of Business Law. The committee will continue the commission's work by continuing the effort to persuade lawyers to be open to new possibilities, and thereby to "help create a better future for our profession."

Young lawyer affiliate leaders can and should promote these same goals by furthering the publication of the report to their members and, more importantly, by accessing the online toolkit that the commission created to assist local bar associations and law firms (www.abanet.org/careercounsel/billable.html). The toolkit includes model programs and presentations, a series of talking points, a speakers' bureau and other resource materials. It also includes a web-based discussion board with an ongoing dialogue on the various issues related to the commission, the report and to billable hours. [a](#)

My Gift

continued from page 2

have everything that I need. And that is truly a blessing.

Two and half months is a long time to wait to have an "Apple" removed from your head, but it gave me time to gain perspective on life. That, in itself has made it all worthwhile. Were it not for this experience, I would not have come to recognize what a great life I have and how blessed I am to have so many wonderful people in it.

The surgery is scheduled for tomorrow, July 11, 2002, at noon and as I prepare to enter this new phase of the process, I have three goals: My first goal is to recover from the surgery by early September and return to my

job no later than September 16. My second goal, and I believe the more challenging, is to hold on to what I have learned about my friends, my family and myself as I have gone through this process. To find a way to balance the laudable goals of succeeding professionally while ensuring that I nurture my personal relationships.

And the third goal—one of my best friends from law school is getting married in Guadeloupe, Spain (near Madrid) on September 27 and I plan to dance at her wedding.

P.S. If the "Big Guy" is reading this—I would not mind if my next life lesson or "gift" does not come with an "Apple" attached to it.

* * *

As of November 2002, Sherri reports: *The surgery was*

100% successful; the surgeon was able to remove the entire tumor. My family and friends were (and are) amazing. They visited daily, sometimes several times a day. I received so many cards, letters and flowers that I think I set a new hospital record!! I still face six weeks of daily radiation treatments, which are scheduled to begin in December. I feel wonderful and very blessed. Every day I remind myself of the goals that I set—to be a better steward of the love of my friends and family and to never lose sight of what truly matters in life. It isn't always easy when life and work intrude, but it is important. And yes, I did dance at my best friend's wedding in Madrid. [a](#)

ABA/YLD Leaders

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addressing the AIJA Congress. This was certainly a special recognition of the international appreciation of the ABA/YLD because the only other speakers at the conference were AIJA officers. Jonathan spoke about the ABA/YLD's recent accomplishments, particularly in member and public service, and its ongoing initiatives. In summarizing his experience, Jonathan stated that "through AIJA, we are able to spread our message of making a difference in our communities on a much larger, international scale."

Jonathan also commented on the importance of our Division's relationship with AIJA. "Because the ABA/YLD is the largest bar organization of its kind, it is important to maintain a partnership with an organization such as AIJA, which is influential in international legal policy." In commenting on Jonathan's representation of the ABA/YLD at the AIJA Congress, Chair Alan Olson said, "Jonathan's unwavering commitment to the Division is further evidenced by being such a capable ambassador at this premier international conference."

Alan Olson's and Jonathan Cole's recent trips were also very helpful in furthering the ABA/YLD's longstanding tradition of hosting international guests at our conferences. In fact, Adi Seffer of Frankfurt,

Germany, the past president of AIJA, spoke at our Assembly in Washington, D.C., last August. Also, the ABA/YLD has invited several international guests to our Spring Conference, which will be held in New Orleans on May 15-18, 2003. This will include a unique special event that will compare and contrast the American and English legal systems. To make our international guests feel welcome, ABA/YLD officers encourage each of you to participate in the international guest program in New Orleans and to learn from these capable attorneys from other countries.

Good work to Alan and Jonathan for their dedicated and excellent representation of the ABA/YLD on an international level! [a](#)