The Young Lawyers Division participated in the State Bar of Georgia’s 2006 Midyear Meeting, held at the Renaissance Waverly Hotel at the Cobb Galleria, Jan. 5-7. Prior to the business meeting, a charity happy hour was held at Jock’s & Jill’s on Jan. 5 by the YLD’s Community Service Projects Committee to benefit the Georgia Innocence Project.

On Jan. 6, the YLD officers and directors gathered to hold the business meeting. The YLD offered two CLEs; the first was co-sponsored in conjunction with the Intellectual Property Law Section, and was titled “Seminar on the Basics of Intellectual Property Law,” and the second took place on Friday and was titled, “Family Law Basics for the New Lawyer.” During the meeting, the Community Service Projects Committee sponsored a suit and cell phone drive. This successful donation drive allowed Midyear Meeting participants to drop off gently used business suits for men and women and also cell phones, all of which were sorted and donated to local shelters.

Scholarships, Awards and Service Play Pivotal Role in YLD’s Midyear Meeting

During the Midyear Meeting, the YLD handed out several awards, including a scholarship by the Aspiring Youth Committee to Aisel Smith presented by Doug Kertscher (above). Several awards were presented to supporters of the YLD’s High School Mock Trial Program including to Fred Smith, executive director of the Georgia Civil Justice Foundation and State Bar President-elect Jay Cook by YLD President Damon Elmore (far left), and to the Criminal Law Section Chair Mike Cranford by Elmore and Stacy Rieke (left).
I am amazed at how far the YLD has come. I am not referring to the broad changes over the years from a section to a division; the growth and diversification of its membership; the evolution of its committees and their work, or; the impact of its mission on the success of many a young lawyer, no-not that stuff at all. My thoughts relate to this edition of The YLD Review alone.

You see, I have the opportunity of seeing the Review at all stages—from beginning to end. Much like building a house or waiting for a baby to be born, you get all “goopy” as each of the intricate parts come together. However, it is not until you’ve signed that 981st document at closing or, that baby girl makes her first cry, that you appreciate its full majesty and splendor.

Now, I “ain’t” comparing our newsletter to these life changing events, especially the latter but, take a read of this edition with me and watch it all come together for yourself. See how we highlight the events of the Midyear Meeting held in January. We are particularly proud of the recognition we were able to provide to several special friends and supporters of the YLD and its programs, in addition to the good work our Community Service Committee provided.

In a separate piece, we also focus on the success of the annual Legislative Affairs Breakfast. For years the YLD has held this symbolic “kick-off” to the legislative session. It has been a time to informally chat about the work to be accomplished during the session and gaze into the proverbial crystal ball of bills that are sure to come which may have an impact on our beloved profession. This year was no different.

Take note of the upcoming Spring Meeting in Las Vegas, Nev., and the call for entries for the Second Annual Young Lawyer Ethics and Professionalism Award. We step back a couple months and give you a report on the Judicial Liaison Committee’s annual breakfast meeting. Phyllis Holmen and David Gruskin provide the next installment of our “Lessons Learned” piece. Alice Mason shows us those situations when zealous advocacy is not enough. You get an update from our Litigation and Family Law Committees and the Health Law Partnership is spotlighted in our Lawyers’ Challenge for Children article. At the end, it is all wrapped up by our Editor’s Column.

You see—the foundation, frame, insulation, roof, siding, windows, doors and keys of your YLD all in one place. Enjoy!

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**YLD Review Shows State of Organization**

By Damon Elmore

The YLD’s annual Legislative Affairs Breakfast took place in the Empire Room of the Sloppy Floyd building on Jan. 6. Featured speakers included State Supreme Court Presiding Justice Carol Hunstein, Georgia GOP General Counsel Randy Evans, State Senator Preston Smith, State Senator David Adelman, and State Senator Kasim Reed.

Mr. Evans, a graduate of UGA School of Law, heads the governmental affairs practice group at McKenna Long Aldridge in Atlanta. Sen. Smith is a litigator in Rome, Ga., at the law firm of Cox, Byington, Corwin, Niedrach, Smith & Perkins. Justice Hunstein is the presiding justice of the Georgia Supreme Court, and a graduate of Stetson University College of Law.

Also present at the breakfast were a number of state appellate court judges and past State Bar President Doug Stewart. The speakers touched on a number of wide-ranging issues of interest to the legal profession, from changes to the Voter ID law to the administration of non-partisan state judicial elections. Special thanks to the committee co-chairs John Rogers and Jon Stewart.

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**Annual Legislative Affairs Breakfast a Success**

by Jon Stewart  
Legislative Affairs Committee Co-Chair

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**Young Lawyers Division**

2006 Spring Meeting  
April 20-23, 2006  
Las Vegas, Nev.

MGM Grand Hotel and Casino

Hotel Information: Room Rate – $179/night. 877-880-0880

Ask for State Bar YLD rate. (Group Code SBG002.)

**Hotel Cut-off Date is March 21.**

CLE to be offered on Friday, April 21:

“**What I Now Know: Legal Lessons Learned About the Bench, the Bar, and the Practice of Law**”

$90 includes lunch and 4 CLE credit hours, including 1 Professionalism credit hour

**Group Activities:**

Thursday, April 20 – Welcome cocktail reception. $45

Saturday, April 22 - YLD Business Meeting, “State of the YLD”  
No charge

Saturday, April 22 – Black tie gala dinner. $85

**Final Registration Deadline: March 21**

For a registration form or more information, contact Deidra Sanderson at deidra@gabar.org or 404.527.8778

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Lessons I’ve Learned. . . As a Lawyer and Beyond

Preparation is the Key. . .

by Phyllis J. Holmen
Georgia Legal Services Program

- Read the law; look it up; don’t rely on what someone else tells you it is or means.
- Proofread everything you write, including emails.
- Outline your written work before you start. They are right about the importance of topic sentences in every paragraph.
- Ask clearly and directly for what you want, whether it’s from a judge, a boss, a friend, or a loved one. Don’t expect them to “intuit” what you want.
- There’s no such thing as being too prepared.
- Offer to take on something new or something unfamiliar. You’ll learn something; you’ll increase your value to your employer; and if it’s public service, you’ll give something back.
- You always get back more than you put in, no matter how much you don’t want to do it.
- Figure out what’s important to you: follow your own star, live by your own values, adhere to your own rules.
- Spend more time listening than talking.
- What’s done is done. Don’t procrastinate. Do the hard part first.

Then, Do Something!

by David Gruskin
YLD Board of Directors

- Don’t wait too long to do what you really want to do. Time really does fly.
- Send thank-you notes, send sympathy cards, send get well cards. When you need one, you will be amazed at how important they are.
- Stay in touch with your friends and family, and tell your loved ones often that you love them.

Phyllis has devoted her legal career to providing civil legal services for the poor, going to work as a staff attorney with Georgia Legal Services Program in its Savannah office right out of law school. She currently serves as executive director of GLSP, a position she has held since June 1990. GLSP is a non-profit law firm that provides free civil legal services to low-income Georgians who live outside the metro Atlanta area, through 10 locations throughout the state. Approximately 1 million persons are potentially eligible for GLSP services. Phyllis is active with the State Bar of Georgia, serving on its Executive Committee as well as several State Bar committees including the Advisory Committee on Legislation, the Access to Justice Committee, and the Indigent Defense Committee.

David Gruskin is a principal with The Partners Group, a legal search/placement firm. A UGA Law graduate, he has practiced with firms in Savannah and Atlanta. He is president of the Atlanta Council of Younger Lawyers and is on the YLD Board. He may be reached for info at dgruskin@partners-group.com.
The YLD Community Service Projects Committee kicked off 2006 on a stellar note. On Jan. 7, the CSPC concluded the 2005-06 Suit & Cell Phone Drive at the Georgia Bar’s Midyear Meeting at the Renaissance Waverly Hotel in Cobb County.

Every year the CSC collects men’s and women’s professional attire and donates the clothing to local job training programs that help needy individuals transition into the workforce. This year, men’s attire was donated to WorkNet Services, a job training program run by the gracious Angela Scoggins of the Atlanta Union Mission. Women’s attire went to the Atlanta Day Shelter for Women and Children located on Ethel Street, which maintains a similar program.

In conjunction with the annual clothing drive, the YLD also collects cell phones (and their chargers) for donation to the Women’s Resource Center to End Domestic Violence. Any charged cell phone—activated or not—may be used to dial 911. The Women’s Resource Center, headquartered in downtown Decatur, distributes the deactivated cell phones to battered families so that they are never without the means to call for help.

The Suit & Cell Phone Drive is a major YLD undertaking. This year, more than 15 Atlanta-area law firms and companies volunteered to host collection boxes, and more than 20 volunteers assisted in collecting, sorting, and transporting donations. The YLD filled approximately 15 boxes and an entire U-Haul Econoline Van to the brim with everything from suits to suspenders to silk ties to shoes. In addition, the YLD donated approximately 60 cell phones, chargers, and related accessories to the Women’s Resource Center.

The Atlanta legal community’s generous outpouring of support for this drive truly inspired all involved. Event Chair Rachael Zichella and the CSPC cannot thank everyone enough for donating their time (we all know how valuable that is) and belongings to this year’s drive.

The Judicial Liaison Committee offers many opportunities throughout the year for young lawyers to meet and interact with judges on the trial court and appellate levels. The committee held one of its most popular events, a breakfast meeting/CLE, on Dec. 14 at the State Bar of Georgia Headquarters in downtown Atlanta. These breakfast meetings provide a unique opportunity for attendees to meet with a judge in a smaller, informal setting.

For the second year in a row, the Hon. John J. Ellington of the Court of Appeals of Georgia was the guest speaker. Judge Ellington spoke on professionalism and, as usual, entertained everyone with humorous anecdotes from his years on the bench and in practice. Everyone enjoyed hearing Judge Ellington speak and having the opportunity to speak with him individually afterwards. Judge Ellington has been a strong supporter of the Young Lawyers Division, and of the Judicial Liaison Committee in particular, and the committee hopes to make this an annual event!
When Zealous Advocacy Is Not Enough

by Alice Limehouse Mason
Ethics & Professionalism Committee

Oyalty and zealous advocacy. These principles form the core of the attorney-client relationship. We are ethically obligated to zealously advocate our clients’ positions, unless the client seeks to abuse the legal process. But what obligations do we have to people who are not our clients, when we know that their lives will be impacted by the positions our clients ask us to take? Lawyers who practice family law regularly confront these issues, especially in divorce cases involving children.

Too often, children are wrongly used as bargaining chips in divorce actions. Suppose one Parent files a Petition for Divorce and includes a prayer for sole legal custody of the children, with limited visitation for the Other Parent. Both parents are excellent caregivers and there are no legitimate complaints about either of the parent’s parenting abilities. Parent is really concerned about the amount of support that might have to be paid if the Other Parent has primary physical custody. The strategy chosen by Parent’s lawyer was to make a claim for custody, in the hope that Other Parent, faced with the prospect of losing daily access to the children, would quickly settle for less than Other Parent is legally entitled to receive.

Countless studies and sources have determined that this posturing is not emotionally healthy for the children involved. Further, the children continue to be hurt by the widening of the rift between their parents that inevitably results from using children in this way. Families do not disappear after a divorce with children; they simply take on a new form. Family law practitioners must always consider the long-term harm that can be caused while trying to “win” a case and must always balance the obligations to their client with the obligations they have to protect the best interests of the children.

To help family law attorneys analyze these issues, the American Academy of Matrimonial Lawyers has published Bounds of Advocacy, a set of standards of conduct. Bounds of Advocacy is available on the web at http://www.aaml.org/files/public/Bounds_of_Advocacy.htm. Section 6, titled “Children,” argues that as officers of the court, we have obligations to the children involved in addition to the obligations we have to our clients. Section 6 provides that “parents’ fiduciary obligations to their child provide a basis for the attorney’s consideration of the child’s best interests...Statutory and decisional law in most jurisdictions imposes a fiduciary duty on parents to act in their child’s best interests.”

Family law practitioners, therefore, have an ethical obligation to act in the best interests of any children involved in a divorce proceeding. In fulfilling this obligation, attorneys should understand that in most divorces, the divorcing parents do not cease to have a relationship once the judge has signed the Final Judgment and Decree. The parents instead are bound to one another for life through their children. Attorneys should avoid jeopardizing the parents’ working relationship, because it is in the best interests of the children for this relationship to be maintained.

Special thanks to the Honorable Jeanney M. Kutner, judicial officer of the Fulton County Superior Court, Family Division for the inspiration and information received from her article “Ethical Dilemmas in Family Law,” which appeared in the November 2005 issue of The Family Law Review, a publication of the Family Law Section of the State Bar of Georgia.
Left: Terri Gordon and Amy Howell at the YLD Holiday Party at the Four Seasons in Midtown Atlanta.

Below: Members of the YLD Litigation Committee and their guests enjoy the Litigation Committee’s Holiday Luncheon in December at Maggiano’s Little Italy Restaurant in Buckhead.

Above Left: Kelly Holloway and Kim Holt at a YLD Happy Hour in Athens.

Above Center: Curtis Romig, Bill Pinto and Brian Johnson at the 2005 YLD Holiday Party

Above Right: Thomas Hollingsworth and Spence Johnson at the Athens YLD Happy Hour.

Paul Greenspan, David Gruskin, Damon Elmore, Tom Trask, Michael Goldberg and Jonathan Martin at the 2005 YLD Holiday Party.

Thomas Hollingsworth, Josh Wages, David Dismuke and Matt Moseley
Lawyers’ Challenge for Children: Spotlighting the Health Law Partnership

By Lea Thompson
Juvenile Law Committee

A Section 8 landlord has repeatedly refused to clean up significant amounts of mold in his tenants’ apartment. The child living in the apartment is admitted to the ICU with a severe asthma attack. Where do his parents turn for help?

A mother flees domestic violence. As a result, she and her daughter are now homeless. The child is hospitalized due to lack of treatment for her juvenile diabetes. Who will assist this family?

The Health Law Partnership (HeLP) has addressed these legal issues and handled over 233 other cases since it became fully operational in September 2004. The only project of its kind in the South, and one of only a handful of such initiatives in the country, HeLP’s mission is to improve and maintain the health and well-being of Georgia’s low income children and their families. The project is an interdisciplinary initiative of the Atlanta Legal Aid Society, Children’s Healthcare of Atlanta, and Georgia State University College of Law, who have partnered in order to combine the health care expertise of hospital professionals with the legal expertise of attorneys. HeLP maintains offices both at Children’s at Egleston and Children’s at Scottish Rite, striving to address critical needs of children that impact their health once at home, such as special education, housing, and public benefits. In addition to its direct legal services work, the HeLP team, directed by lead attorney Sylvia Caley, also provides valuable in-service training for hospital professionals and conducts educational presentations for members of the Atlanta community.

Patients treated by Children’s Healthcare of Atlanta will return to homes across the state of Georgia. In order to ensure that the children served by HeLP maintain good health once they return home, volunteer attorneys are needed from every part of the state. For more information, or to volunteer, please contact Bridget Beier at (404) 785-5945.

This is the second in a continuing series dedicated to raising awareness of, and pro-bono support for, critical legal services programs for Georgia’s children and youth. The Lawyers’ Challenge for Children, an initiative of the YLD and the Juvenile Law Committee, has been created to highlight innovative programs that serve Georgia’s most vulnerable populations. The need for appropriate legal representation is particularly profound for children. Please look for ways to offer your support throughout the coming year. For more information about the Lawyers’ Challenge for Children Campaign, please e-mail Lea Thompson at lea@childwelfare.net.

YLD Litigation Committee Update

By Jeff Daxe
Litigation Committee Chair

The Litigation Committee now counts more than 165 members, and has been very busy over the past few months. In December, the committee hosted its first Annual Holiday Luncheon Honoring Legal Assistants and Clerks of Court. Approximately 80 attended the event, including clerks from state, superior, federal and appellate courts. In early January, the committee co-sponsored a social in conjunction with the Family Law Committee. More than 110 guests showed up at Fuego for that fantastic event. (See story below for more details.)

The Litigation Committee also has lots planned for the near future. We will be arranging two more social events; the first will be in March, and the second will take place in late May.

The Litigation Committee will also assist the Ethics and Professionalism Committee with their two hour CLE social providing an hour each of professionalism and ethics credits. In addition, we are working with the Macon YLD on a CLE social called “Cocktail Law.” Finally, we will be hosting an all day litigation CLE for younger lawyers. Our Spring CLE is typically in April, date and location to be determined.

Our membership sub-committee has been very active getting out the word of our committee to new Bar members. We are finishing up a printed referral directory for our committee membership, and we should also have our committee list serve up and running within two months.

Community service also plays a large role in this committee’s activities. In addition to annual Law Day activities, we have committed to two community service projects. The first is the March of Dimes Walk Across America, which will take place on April 1. The committee is also committed to sending a large contingent to assist with Service Juris. Service Juris is a Saturday morning activity involving legal volunteers from all over Atlanta. Our volunteers will be paired with others to form a team, which will be given a specific assignment. Service Juris will be take place on June 24.

Upcoming Committee events (not listed above):

- March 22, 2006 – Litigation Committee monthly meeting. Location and speaker TBD.
- May 24, 2006 – Litigation Committee monthly meeting. Location and speaker TBD.

Family Law and Litigation Committees Co-Host Happy Hour

By Pilar Prinz and Sarah Goldberg

The Family Law and Litigation Committees of the Young Lawyers Division co-hosted a happy hour on Jan. 12 at Fuego Spanish Grill, 1136 Crescent Avenue, in Atlanta.

Not only was it our first event of the new year, but as part of a new membership drive for both committees, more than 100 people attended the event, including Litigation Committee Co-Chairs Jeff Daxe and Scott Masterson and Family Law Committee Chair Jonathan Tuggle. Huseby, Inc. and Investigative Solutions, Inc. graciously sponsored the event. Corri Rene of Huseby, Inc. held a business card drawing, and the winner received a large bottle of Grey Goose vodka. The chefs at Fuego served their delicious sautéed almonds, beef empanadas, roasted potatoes, black bean hummus, and more. The wait staff was on hand with fresh mint mojitos, mango martinis, and other inventive concoctions from the bar.

This happy hour was a great opportunity for young lawyers of varying practices to meet and mingle, in addition to welcoming a number of newly admitted lawyers to join the committees and become involved in YLD. It was our biggest event by far, and both committees would like to thank all who attended for making it such a success.
Got Hobbies?

By Amy V. Howell

Recently, an acquaintance who works in market research asked me to complete a survey. At the time it seemed like a harmless act of goodwill for a friend, little did I know... The survey asked fairly standard questions: gender, occupation, level of completed education, household income. With each answer I felt a little more self-satisfaction until I came upon the most ominous of questions for a young lawyer. There in black print the survey asked me to list my hobbies. To add insult to injury there were even five slots for my potential hobbies. Pen suspended in air, mind frozen, my ego lost all its hot air.

Hobbies? Those would require free time, freedom of thought or a moment not haunted with a grueling legal task. Further, it is hard enough to make time for family and friends, much less some task done just for the sake of being done. Nevertheless, I was dismayed by my complete inability to think of anything other than “work” to list as a hobby. I ended up leaving the hobbies question blank, but restless with defeat I undertook several potential hobbies to make myself more well-rounded.

Shortly after this harrowing event, I spoke with a friend who became unemployed last year. She recalled the experience and her devastation when she lost the job that she thought gave her purpose in the universe. She described feeling lost when her BlackBerry fell silent, and there were no urgent matters to resolve. As a BlackBerry devotee who lives on the thrill of the next pressing legal matter, I could easily imagine myself lost without my current hobby of work. Now even more determined to find some other profound purpose for being, I frantically tried to acquire a hobby. I won’t bore you with the details, but the hobby search is an odd story for another occasion.

In short, I am no longer knitting, have ended my skateboarding career, and definitely haven’t tried any more clogging. Even though these hobbies weren’t a good fit, I did have an opportunity to figure out where all my time was going and what it is I really enjoy doing. Yes, I spend a good deal of time on work, but I realized that my YLD involvement has become my hobby of choice. While nursing my skateboarding wounds, I realized that I get satisfaction from the YLD charge of public service and service to the profession. The evening I spent at a Hawks game with Community Service Committee and kids in state foster care was a lot of fun. A lunch at Manual’s Tavern with the Juvenile Law Committee planning the Annual CLE and Child Advocate Awards was a mix of laughter and organizing. For me, being involved with the YLD is where I enjoy spending my time.

So, I have not yet discovered my profound purpose for being, but I do understand that hobbies don’t have to be purely for selfish motives to provide personal fulfillment. Like myself, there are many who entered the legal field to help others. Whatever tasks may fill our days, there is still satisfaction to be had when we return to this simple goal. The next time I get a survey I will fill every line with public service.

---

Bryan D. Scott, Editor
Amy V. Howell, Editor
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