



The YLD Review

The State Bar of Georgia - Lawyers Serving the Public and the Justice System

Volume 49, Issue 2

Young Lawyers Division

Winter 2007

Fall meeting hits all the right notes in Nashville

By Curtis J. Romig

"Dawgs win! Dawgs win!" A fantastic YLD Fall Meeting in Nashville, Tenn., was capped off Saturday night by a dramatic 20-17 University of Georgia victory over Vanderbilt University. The YLD Fall Meeting, held on the weekend of October 12-14, at the historic Union Station Hotel in Nashville, packed a number of exciting and interesting events into the weekend, including a CLE program, a visit from the Chair of the ABA/YLD, a spirited and informative business meeting, a pre-game tailgate party and of course the closer than expected football game. As usual, the YLD members in attendance left the meeting energized to continue the great work of YLD members and committees.

The meeting began Friday afternoon with a one hour CLE titled "Legal Lessons Learned: Sports Law Agreements" presented by **Chris Whitson**, a partner at the Nashville law firm Sherrard & Roe PLC, and legal counsel for the Nashville Predators, an National Hockey League team. Whitson shared his top lessons learned about sports law and sports purchase-sale agreements (See Page 4).

After the CLE program, everyone met up at The Wildhorse Saloon for dinner and dancing. The food was excellent and while not all of the YLD members in attendance shared their line dancing ability with the group, everyone was entertained by the live music and dancing efforts of other patrons in attendance. The evening was capped off (for those brave souls who were still awake) by a late-night appearance by **Kanye West** at the Wildhorse Saloon, who was there as part of a fashion show.

The next morning, the Business Meeting was highlighted by an appearance and speech by **Justin Goldstein**, the Chair of the American Bar Association's YLD (see article below right). Goldstein spent the entire weekend getting to know the Georgia YLD, participating in all of the planned (and even some of the unplanned) activities. After Goldstein spoke, President-Elect **Josh Bell** made an impassioned plea to the YLD members to increase Georgia's presence at ABA/YLD meetings. Bell stressed the importance of Georgia having a seat at the table and a voice in the discussion among young lawyers at the national level. The YLD membership responded enthusiastically to his plea. We can expect a strong Georgia YLD presence at ABA/YLD events in the near future. If you are interested in participating, please look inside for more details.

The business meeting continued with updates and discussion of all of the major YLD committee activities, including the excellent work performed by the Family Law Committee at its fundraising event The Supreme Cork, the revival of the Women in the Profession Committee, Soiree de la Chance – the YLD's second annual Signature Fundraiser, and other committee activities.

All in all, the YLD Fall Meeting was a tremendous success. A special thank you to **Stephanie Kirijan** and **Jennifer Jordan**, both candidates for YLD Secretary and Northwestern Mutual Financial Network for sponsoring the meeting. Make plans to attend the Winter Meeting in Atlanta in January!



YLD Secretary Michael Geoffroy, Trinity Hundredmark, Scott Masterson, Whitney Mauk and YLD Newsletter Co-Editor Curtis Romig at the Fall Business Meeting in Nashville, Tenn.

ABA/YLD Chair speaks to Georgia YLD

By Curtis J. Romig

When **Justin Goldstein** became Chair of the American Bar Association's Young Lawyers Division, he promised to visit as many state and local bar YLD organizations as he could.

During the weekend of October 12-14, he made good on his promise to visit the Georgia YLD. Goldstein spent the entire weekend with members of the Georgia YLD during their fall meeting in Nashville, Tenn. During the business meeting on Saturday morning, Goldstein spoke at length about his passion for the ABA/YLD and the challenges young lawyers face. He said the ABA/YLD "is what you make of it." For Justin, the ABA/YLD has provided leadership, community service, networking and business opportunities.

Goldstein explained that he initially became involved in his local Allegheny County



YLD President-Elect Josh Bell thanks ABA/YLD Chair Justin Goldstein with UGA gear for attending and speaking during Saturday's general session.

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From the President

Working for the underdog

By Elena Kaplan

The other night, I watched “Legally Blonde, The Musical” on MTV. The plotline is somewhat different than the movie’s and it was interesting to note the differences. One that struck me in particular was the scene where Elle Woods (the smart, blonde female lead) helps Paulette Bonafonte (a beautician and confidante of Elle’s) reclaim her dog from her erstwhile ex. In the musical, after succeeding in this venture, Elle, who went to law school in pursuit of an MRS, realizes that helping the underdog is what studying the law is all about.

This is a realization that all of us come to at some point or another. I can distinctly remember the day that I came to this realization. I was walking down Connecticut Avenue in Washington, D.C. to go to the library. I was fighting to get a loan closed on a condo I planned to purchase and was off to do some research about the agency issuing the loan (it was a District of Columbia program for first time buyers). It was then that I came to the realization that lawyers did this type of thing and it would be great to have a career helping other people in this way.

Getting the opportunity to help others is also why I like working with the YLD. Through the YLD’s numerous committees, YLD members (and even non-members) are provided the opportunity to help others in a variety of ways. Other articles in this newsletter highlight many of these opportunities; but, I would like to recognize a few in particular:

- The YLD Family Law Committee recently held the second annual Supreme Cork silent auction and wine tasting to benefit The Bridge, a treatment center for abused and neglected youth, and raised almost \$20,000.
- The YLD Juvenile Law Committee is completing a

project to draft a model Juvenile Code, which will be used by JUST Georgia (www.justgeorgia.org) as the basis for drafting a rewrite of Georgia’s Juvenile Code. These efforts will hopefully result in passage of a revised code that will improve the juvenile justice system in Georgia.

- The YLD Community Service Projects Committee is sponsoring monthly events, including a letter writing campaign for our troops, sorting & wrapping Secret Santa gifts for children in foster care, and a suit and cell phone drive.
- The YLD Signature Fundraiser Committee is hard at work preparing for the Soiree de la Chance—an evening of luck to benefit H.E.R.O. for Children (www.heroforchildren.org), a local non-profit that works to improve the quality of life of children infected with HIV/AIDS. The event will take place on Friday, January 11, 2008.
- The YLD Elder Law Committee has recently updated its Senior Citizens Handbook, which is distributed statewide through the Georgia DHR Division of Aging Services.

In the “Legally Blonde” series, Elle goes on to graduate at the top of her class and fight for animal rights on Capitol Hill, all the while demonstrating Girl Power (the new feminism). At one point, a Congressman tells Elle that she cannot get people to care; her reply, “Watch me.” Elle, in an amusing way, reminds us of the importance of sticking to one’s principles and working to protect those who cannot protect themselves. The YLD works to promote the same goals, in a more serious, but still enjoyable way. I hope you will seize the opportunity presented by the YLD through its myriad of committees to follow Elle’s lead and, with irrepressible enthusiasm, work to help the underdog.

Community Service Committee off and running

By Shiriki Cavitt

The Community Service Committee has started its year off with many great projects. In September, several YLD volunteers staffed the concession tents at the PGA Tour Championship at East Lake Golf Club to benefit the Georgia Center for Children. The Committee also held its Fall Happy Hour at Marlow’s Tavern in Midtown on September 12. The event was a huge success with a wonderful turnout, and more than \$250 was raised to benefit H.E.R.O. for Children, an organization doing fantastic work for children with pediatric HIV/AIDS and the beneficiary of the YLD Signature Fundraiser on January 11. In the spirit of supporting our troops, a group of volunteers met on October 21 at Longhorn Steakhouse in Lindbergh City Center for a time of food, football, fellowship and a collaborative effort with the Q100.5 FM Bert Show to draft thank-you letters to all of the U.S. troops deployed overseas. The committee also supported the Code Red Atlanta Benefit Function on November 15 to benefit H.E.R.O. for Children.

Volunteers are needed for several of the Committee’s upcoming events, which include: (1) Gift Sorting/Wrapping for DFCS children; (2) the Suit and Cell Phone Drive to be held in conjunction with the Midyear meeting in January (start going through those closets and collecting suits!); and (3) Hawks Night with DFCS children. Please stay tuned for more information on the above activities!

As you can see, there are many exciting community service activities planned throughout the year and all YLD members are encouraged to

take part in some or all of them. Questions about the Community Service Committee should be directed to Committee Co-Chairs **Terri Gordon** at tngordon@co.dekalb.ga.us and **Shiriki Cavitt** at shiriki.cavitt@troutmansanders.com.



A group of YLD volunteers gathered at Longhorn Steakhouse to draft thank-you letters to all of the U.S. troops deployed overseas. From left, around the table: Caroline Philson, YLD Newsletter Co-Editor Stephanie Kirijan, Michelle Thomas, Terri Gordon, Tonya King, Lindsay McClelland and Shiriki Cavitt.

Georgia well represented at ABA/YLD Fall Conference in Charlotte

The ABA/YLD held its Fall Conference in Charlotte, N.C., on October 4-6. Georgia was well represented with a delegation of six (**Elena Kaplan**, YLD President; **Josh Bell**, YLD President-Elect; **Shiriki Cavitt**, **Cristen Freeman**, **Terri Gordon** and **James Freeman**, all YLD Board members).

YLD Council Meeting

The YLD Council meeting was held on October 4. In addition to hearing status reports from the officers and directors, the Council discussed several matters of particular note. First, the Council discussed the resignation of ABA/YLD Secretary-Treasurer **A.J. Shaeffer**, who has stepped down due to work-related time constraints. A special election for his replacement will be held at the Midyear Meeting Assembly. **Kelly-Ann Clarke** of Galveston, Texas, is running unopposed for this position. The Council appointed **Jay Ray**, ABA/YLD Immediate Past President, to fill the Secretary-Treasurer position until the Midyear Meeting election.



Josh Bell, YLD President-Elect; Sam Forehand, YLD member from North Carolina; and Aaron Farber, Missouri YLD President, at the ABA/YLD meeting in Charlotte, N.C.

Second, the Council discussed the positive reaction to this year's public service project, Wills for Heroes. The Young Lawyers

Division of the South Carolina Bar Association created the Wills For Heroes project in response to the events of September 11, 2001, to allow the legal community to show its appreciation for the efforts and sacrifices made by firefighters, police, sheriffs and their deputies, and emergency medical technicians ("first responders"). The purpose of Wills for Heroes is to provide simple wills, advanced medical directives, and powers of attorney, on a pro bono basis, to first responders. Twelve states have already implemented the program, and twenty-eight other states have requested information. The YLD has prepared informational packets for those affiliates interested in implementing Wills for Heroes (request packets at www.abanet.org/yld/wills/home.html).

Third, the Council discussed the need for obtaining updated information from all affiliates for its Affiliate Database. Updated contact information will ensure that affiliates receive the ABA/YLD publication *The Affiliate*, as well as announcements and materials from the YLD's Affiliate Assistance Team, which monitors best-practices among affiliates nationwide.

Conference Programming

The YLD held a full day of CLE programming on October 5. There were thirteen different CLE sessions on a wide range of topics. Following the CLE programming, the YLD held its dinner/dance at the Lowe's Motor Speedway.

The YLD's Bar Leadership Summit was held on October 6. The discussion topic for this Summit was the relationship between young lawyer groups and their larger state bar associations. This discussion was prompted, in part, by the California State Bar's recent effort to dissolve their Young Lawyer association. The general consensus among the bar leaders in attendance is that young lawyer groups need to do a better job of promoting their services and communicating with their counterparts in their large state bar associations, including maintaining close contact with former leaders of their young lawyer groups to prepare an annual report. **Brad Carr**, Director of Communications of the Alabama State Bar, shared "Ten Tips You Can Use" to prepare an annual report.

Midyear Meeting

The ABA/YLD's next conference will be in Los Angeles, Calif., on February 7-9, 2008, during the ABA's Midyear Meeting. Make reservations now at www.abanet.org. The ABA/YLD's designated hotel is the Beverly Hilton.

In advance of the Midyear Meeting, reports will be submitted to the ABA/YLD Council on behalf of the State Bar of Georgia's Young Lawyers Division recent happenings or plans for 2008. Local affiliate or YLD committee chairs should provide a brief summary by December 31. Georgia YLD affiliate chairs who are also ABA/YLD affiliates are eligible for ABA funding to send participants to ABA/YLD conferences.

If you would like to be included in the Georgia delegation to the Los Angeles Midyear Meeting in February, there are stipends available (\$200) through the Ross Adams Memorial Fund for Georgia YLD members to attend ABA meetings. For more information on ABA/YLD committee reports and meetings, contact **James Freeman** at jmfreeman@cox.net or **Josh Bell** at joshibell@kirbokendrick.com.

Women in the Profession Committee: Changing the face of the legal profession

By Jennifer Jordan

Consider this: Women make up over 50 percent of the student bodies at Georgia's law schools, yet women partners at firms throughout the state do not come close to that figure. And, while women are making strides with positions in the judiciary, they are no where close to parity with men. With this in mind, the YLD has made it a priority to renew the Women in the Profession Committee (WIPC) with the view that young women lawyers should be given the tools and the network opportunities to grow and succeed in their careers.

In order to make the WIPC work, we need a few good women. To get involved, please contact **Jennifer Auer Jordan** at jennifer@barneslawgroup.com. Lunch and Learn Meetings are scheduled for the first Tuesday of every month and will focus on expert advice, cutting edge data and emerging trends to assist YLD women in their careers and in achieving a work-life balance.

Future WIPC Events include sponsoring and volunteering for the Camp Kudzu Girls Empowerment Weekend on January 11-13; Bah-Humbug Happy Hour on January 9, in conjunction with other committees; monthly meetings on February 7, March 6, April 3; and a May CLE featuring YLD WIPC members.

Legislative Affairs Luncheon coming in February

By Ben Vinson



The YLD Legislative Affairs Committee will once again hold its annual luncheon in February. Come rub shoulders with legislators, appellate judges, and fellow YLD members. The actual date will be announced in the near future. This will be the second annual luncheon, held in place of the legislative breakfast hosted by the Committee for nearly 20 years.

Previous special guests included Speaker **Glenn Richardson**, Rep. **Rob Teilhet** (D-Smyrna), Sen. **David Adelman** (D-Decatur), Sen. **Kasim Reed** (D-Atlanta), Sen. **Preston Smith** (R-Rome), Supreme Court Justice **Carol Hunstein** and **Randy Evans** of McKenna, Long & Aldridge, LLP. The speakers this year will be equally as impressive. Get the inside scoop on issues of interest for the 2008 legislative session.

Tickets are \$25 per person. Firms can be sponsors and purchase a table of eight seats for \$150. For more information, contact **Ben Vinson** at bvinson@mckennalong.com or **Ashley Harris** at aharris2@wm.com.

Lessons learned about sports law

On Friday, October 12, **Chris Whitson** of Sherrard & Roe LLC shared his lessons learned practicing sports law. Whitson has been outside counsel to the Nashville Predators and was involved in the sale of the team. He told the YLD members in attendance:

1. Always be prepared for the downside. Deals go sour. Parties that were formerly allied often end up fighting over other issues. The lawyer must be prepared for these eventualities by documenting every action taken, obtaining conflict waivers, and taking other protective action. When asked to broker a deal regarding naming rights for Gaylord Arena, Whitson made sure to obtain waiver letters from Gaylord Entertainment. Later, when Gaylord Entertainment had a disagreement with the Predators over naming rights, Whitson was able to rely on those waivers when defending the agreement.

2. Take a very long-term view. Brokering deals for the purchase or sale of a professional sports team is a long process. During that process, the "players" in the deal may change as may the political administration in the team's home town. In addition, it takes time for a franchise to develop economically once in place in a city. It is important to have a big picture focus on what's best for the team and what benefits the team can provide to a town or region over the course of several years or decades.

3. Understand the economics of the industry. There are two facets to this lesson. First, while professional sports team venues often lose money, the influx of business due to the presence of such teams can be invaluable to a city or region. Understanding how sports teams affect the economy in a region is necessary so that a lawyer can address concerns over the financial impact of the arrival or departure of a team. Second, the lawyer must understand everything that a sports franchise is truly selling. In addition to the value of the team itself, deals involving sports teams also involve valuable intangible property. For example, in Nashville, the penalty box is sponsored by Jack-in-the-Box. Other sponsorship opportunities abound, and these are primarily where teams obtain their revenue.

4. Appreciate the difficulty of public-private partnerships. Even though teams are privately owned, members of the public view a sports team as "their" team. This can create publicity management issues. For example, teams often require concessions from city or county governments. Concession arrangements can be difficult to broker and can be used by political administrations in various ways, including as justification for an increase in tax rates or for additional taxes. The lawyer has to be prepared to address such issues appropriately and effectively to maintain public support while also getting the team the financial support it requires.

Music City Scenes: Fall 2007 YLD Meeting • Nashville, Tenn.



Rena Roper, Andrew Roper, Jordan Knight and Ann Knight at Friday's group dinner at the Wildhorse Saloon.



Dan Wright and Sherry Neal at Friday's group dinner at the Wildhorse Saloon.



YLD Secretary Michael Geoffroy, YLD Treasurer Amy Howell, and Sharri Edenfield at Saturday's tailgate at Bailey's.



Past YLD President Joe Dent, Jason Pedigo and Patrick Connell at Friday's group dinner at the Wildhorse Saloon.



Georgia Court of Appeals Judge John Ellington and YLD Newsletter Co-Editor Stephanie Kirijan at Saturday's tailgate at Bailey's.

ABA/YLD Chair speaks ...

Continued from page 1

YLD before working his way through Pennsylvania YLD to the ABA/YLD. Along the way, Goldstein has been fortunate to be involved in outstanding projects undertaken by his fellow younger lawyers, made great friends, and built a national network of lawyers.

Goldstein works for National City in Philadelphia, as a Vice President and Senior Fiduciary

Officer in the Settlement Consulting Services. Goldstein left Nashville (to visit another state YLD) with a new group of friends in the Georgia YLD, friends whom he strongly encouraged to become involved in bar activities at the local, state and national levels.



Justin Goldstein, ABA/YLD Chair and Damon Elmore, Past YLD President at Friday's group dinner at the Wildhorse Saloon.

Notification of Elections

YLD Officers - 2008-2009 Bar Year

In accordance with Article VII, Section 4 (a) of the YLD Bylaws, the following shall serve as Notification of Elections for YLD Officers for the 2008-2009 Bar Year. The positions of President-Elect, Treasurer and Secretary shall be filled by election by mail-out ballot.

You must be a YLD Member (as defined in the YLD Bylaws, but not an Honorary Members or Associate Member) at the time of the election to be eligible to serve as an Officer of the Young Lawyers Division. The President-Elect position may not be filled by a Resident of any one (1) Federal Judicial District for more than two (2) consecutive years.

There are two ways for a person to be nominated as a candidate for a YLD Officer position:

- (a) The Nominating Committee (listed below) shall nominate one or more candidates for each office at its meeting on January 11, 2007. You are invited to submit recommendations to members of the Nominating Committee prior to its meeting.
- (b) Nominations may be made in the form of a nominating petition signed by two YLD Members submitted to the Election Committee (listed below) no later than March 2, 2008. The nominating petition must be in the form prescribed in Article VII, Section 5(b) of the YLD Bylaws, which may be found at <http://www.gabar.org/public/pdf/yld/yldbylaws.pdf>.

The Election Commencement Date shall be April 1, 2008. Ballots will be mailed on this day to all YLD Members. Members may return these paper ballots or use the code number on the ballot to vote online. Ballots must be cast by 11:59 pm on May 1, 2008. It is anticipated that election results will be available on the State Bar of Georgia website on May 5, 2008.

Nominating Committee

Josh Bell, chair
Curtis Romig
Darrell Sutton
Jennifer Blackburn
Billy Merck
Patrick Connell
Helen Bacon
Jeff Rusbridge

Election Committee

Josh Bell, chair
Pete Werdesheim
Nicole Iannarone
Jay Crowe
Stephen Lowry
Ben Perkins
Andy Goldner
Charlene Swartz Marino

Members of these committees may be reached at their contact information found in the Bar Directory at http://www.gabar.org/directories/member_directory_search/.



Santa Volunteers from 2006 include (L-R): J. Henry Walker, R. Gary Spencer, Judge T. Jackson Bedford Jr. (seated), Christopher J. McFadden and Donald P. Edwards. Other Santa volunteers not pictured are: Michael J. Brewster and M. Gino Brogdon.

Bar members support Atlanta Santa Project

By Stefanie Aponte

The Atlanta Santa Project, co-sponsored by the Atlanta Bar Association and the Atlanta Bar Foundation and chaired by Chief Santa Bedford (Honorable T. Jackson Bedford Jr.) began in 1993. Over the last 15 years, volunteer judges and lawyers have made hundreds of appearances at numerous organizations.

During the December 2006 Holiday Season, volunteers visited more than 2,500 adults and children. Some of the organizations visited last year were Hughes Spalding Children's Hospital, Camp Second Chance, Georgia Regional Hospital, DFACS, The Giving Tree, Atlanta Special Citizens, Egleston Children's Hospital & the Rick McDevitt Youth Center to name a few.

As all of the volunteers know, the importance of the photographs taken at each event cannot be underestimated. One photo, a tangible remembrance for children and adults alike, does much to bring a touch of holiday joy to those who face difficult circumstances during what should be a joyful time of year. In that vein, the cost of providing those photos each year is substantial – an average of \$1 per picture. The Project's small budget is not nearly enough to cover the cost of film and most of the organizations visited face the same budget constraints.

Donations for film are still needed for the project and would be greatly appreciated. The type of film that is used is the Polaroid 600 film. Contact **Stefanie Aponte** at the Atlanta Bar Association for information about film donation at 404-832-6210 or saponte@atlantabar.org

The 2007 Atlanta Santa Project kicked off another wonderful holiday season on Saturday, December 1, at the Camp Second Chance (Children's Healthcare of Atlanta) holiday party. A record number of appearances for Santa and his elves were requested for the 2007 holiday season.

Corporate Counsel: A new committee for the new year

By Amber Pride

The YLD Corporate Counsel Committee invites any interested YLD members to join our ranks for the upcoming year. The committee was formed to serve the professional needs of younger attorneys who practice in the legal departments of corporations and other private sector organizations.

CLE programs will be offered each year covering topics of particular interest to in-house attorneys, including, but not limited to, corporate governance and compliance, ethics, diversity, technology solutions and partnerships with private law firms. In addition to providing a forum for corporate counsel to communicate with one another, the committee will sponsor networking events between members and business lawyers engaged in private practice.

Monthly lunch meetings will be held at the State Bar office and other locations to be determined. Those interested in becoming members of the Corporate Counsel committee can sign up via the YLD website at www.gabar.org/young_lawyers_division.



Please join

the Young Lawyers Division of the State Bar of Georgia for our Signature Fundraiser
“Soirée de la Chance,” an evening to benefit

H.E.R.O. for Children

www.heroforchildren.org

Friday, January 11, 2008 • 8 o'clock until midnight

Paris on Ponce's “Le Moulin Rouge” • 716 Ponce de Leon Place NE, Atlanta

Tickets \$125 per person • Black Tie Optional • Valet Provided • Silent Auction • Raffle
 “Fake” gambling • Food • Open Bar

Sponsored by:

Georgia Power • Stephanie Kirijan for YLD Secretary • The Barnes Law Group for Jennifer Auer
 Jordan for YLD Secretary • Michael Geoffroy for YLD Treasurer • Capstone Financial Partners
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For tickets or sponsorship info, contact:

Michelle Garner, Director of Meetings, State Bar of Georgia
 404-527-8790 or michelle@gabar.org

Jennifer Blackburn, Event Co-Chair
 404-885-3061 or Jennifer.blackburn@troutmansanders.com

Stephanie Kirijan, Event Co-Chair
 404-506-4113 or skirijan@southernco.com

Take your adversary to lunch

By T. Shayne Mayes

The State Bar's Professionalism Committee has adopted the successful "Take Your Adversary to Lunch" program pioneered by the Atlanta Bar Association's Litigation Committee almost 10 years ago. The program encourages all attorneys, both litigators and transactional lawyers, to improve civility and foster professionalism within the bar by taking their adversary to lunch during the month of February. So, please give an adversary a call, and offer to take them to lunch. It is always a good time to get to know an adversary and improve the relationship with him or her. There are numerous accounts of how this simple gesture of going to lunch with an adversary has settled cases "that will never settle," sealed a deal "that would never go through," and created lasting relationships that have benefited both attorneys and clients. Invite an adversary to lunch in February and throughout the year. For more information, contact **T. Shane Mayes** at tsmayes@mij.com.

A Recent YLD Example

Two young lawyers have set forth a fine example in how adversarial relationships can become friendships when handled appropriately: **Whitney D. Mauk**, who practices with Boyd Collar Knight, LLC, and **Trinity Hundredmark**, with Andersen, Tate & Carr, P.C., met almost two years ago while opposing counsel in a highly contentious case. Despite the animosity between their clients, Trinity and Whitney became professional and personal friends, and look forward to their next case together! They have each shared thoughts on practicing civility with opposing counsel:



Squaring off in the courtroom, but not at lunch: Trinity Hundredmark (L) and Whitney Mauk.

Whitney Mauk:

- It is a smaller town than you think, and you will practice with essentially the same people for the next 30 years. That's a long time to have an enemy.
- Your opposing counsel may one day be your judge—be civil to them. Your future clients will thank you.
- Prior positive, civil experiences with opposing counsel can prevent the "oh no!" reaction when you learn who is opposing counsel on a new case.
- Do not go to trial because of a conflict with opposing counsel. Go to trial because of the conflict between the parties.
- Word travels fast. Being nasty to opposing counsel in one case can ruin your reputation for your entire caseload.
- A positive relationship with opposing counsel encourages candor and civility--your client will benefit from both.
- In times of client conflicts, opposing counsel can be a great referral source.

Trinity Hundredmark:

- Remember that when dealing with opposing counsel you are dealing with a professional. Give them the benefit of the doubt until they prove otherwise.
- Try to make your first interaction with opposing counsel a pleasant one. Even though practicing law is adversarial in nature, that does not mean you cannot be nice or cordial. A little kindness can go a long way.
- Treat opposing counsel with respect, even when they do not seem to deserve it.
- Remember the Golden Rule: "do unto to others as you would have them do unto you." You will get a reputation for how you treat others.
- Do not be difficult for the sake of being difficult. If opposing counsel asks you for an extension or a continuance, and granting them one will not seriously disadvantage your client, give it to them. Soon enough, you will be asking them for a favor.
- Being aggressive is not always the best tactic. There is a time and place for argument, and often, it is not directly with opposing counsel.
- When a fight is necessary, be assertive and aggressive without resorting to personal attacks, especially if you are arguing in front of a judge.
- Sometimes being more open and honest with opposing counsel can lead to a quicker resolution. Playing "hide the ball" is not always the most effective way to resolve a case.



Supreme Cork subcommittee members (L-R) Leigh Cummings, Adam Katz, Whitney Mauk, Tracy Weiss, Katie Connell, Jon Rotenberg, Adrienne Hunter Strothers and John Lovett.



Supreme Cork subcommittee members Alyson Lembeck (L) and Pia Koslow.

Raise your glass to the Supreme Cork

By Whitney Mauk

On September 20, the YLD Family Law Committee held the second annual Supreme Cork fundraiser, which is a silent auction and wine tasting. The event was held at JCT Kitchen and benefited The Bridge, a residential treatment center for abused adolescents. The turnout was terrific, and included a significant portion of the Atlanta family law bar, as well as YLD President **Elena Kaplan** and members of the YLD from other committees.

Throughout the event, attendees received pours of three featured wines and sampled appetizers prepared by JCT Kitchen while catching up with colleagues. Additionally, the event featured several auction items on which people could bid, including music and sports memorabilia, tickets to sports and entertainment events, certificates to several restaurants around town, as well as spa and beauty gift cards. However, much like last year, the most popular items included artwork created by the children from The Bridge.

The net proceeds for The Bridge totaled close to \$20,000. Family Law Committee Chair **Leigh F. Cummings** was thrilled by the results of the Supreme Cork. "We are so grateful for the community's response to the Supreme Cork," she said. "Attendance, our sponsorships and the silent auction proceeds all increased this year. The Committee's tremendous efforts were met with great success. It was a wonderful event." The Family Law Committee looks forward to planning a very successful third annual Supreme Cork event next year.



Editor's Block

No choice but to take the long view

By Curtis J. Romig

"Take the long view." I have heard, thought or said those words at least once a day since graduating from law school more than nine years ago. After nine years, however, I am still not sure I truly understand their significance and wisdom. I am often close to grasping their meaning, but the understanding seems to slip away amid the emergencies, emails, telephone calls and filings that fill my days in the practice of law. As each deadline or event yields to the next, it is often hard to keep your eye on the more distant horizon. Yet I still keep trying to understand what it means to take the long view. I keep trying to understand, because I have no choice.

I have to take the long view because I am a young lawyer (okay, maybe a younger lawyer). I have been practicing law for almost a decade and will probably continue practicing law another two to three decades, notwithstanding my efforts to take all of the advice my financial planners offer. While the distance to that horizon is daunting, it also gives me a healthy dose of perspective. What I do today and each day is a just small part of the journey that will make up my career.

I have to take the long view because I will always be learning how to be the best lawyer that I can be. When I started practicing law, I was intimidated by how much about the law and the practice of law there was for me to learn. I have learned a lot in the last nine years and continue to learn more every day. So while I am still intimidated by the vast amount of legal knowledge and wisdom available to lawyers and their clients, I am comforted by how much I have already learned. Only by knowing that I will continue to learn about the law and the practice of law every day for the rest of my career and beyond can I deal with the scale of that knowledge.

I have to take the long view because my practice depends more and more upon my ability to teach new lawyers how to be the best lawyers they can be and how to enjoy the practice of law. Teaching takes time, so only by trying to take time each day to actually explain why I want something done a certain way or why I rewrote a particular section of a brief can I hope to help other, younger lawyers develop their legal skills. Since other lawyers have taken the long view of my legal career, I have no choice but to pay that patience forward.

I have to take the long view because clients want me to

do so, no matter how quickly they hope their problems can be resolved. Most clients want and expect their lawyers to think about how solving a particular problem can prevent or cause future similar problems. Taking the long view allows me to consider how the immediate goals of winning a case or resolving a dispute can impact my clients' business objectives. By doing that, I hope they will take the long view of me as their lawyer.

I have to take the long view because "winning the case" for a client almost always involves a series of small moves taken with the finish line in mind. Taking the long view in litigation (or in a transaction) means never losing sight of that finish line and always remembering that every move you make, every move, must bring you and your client closer to the finish line. Many moves seem appealing, even automatic, yet they do nothing to help your client achieve its goals. If I cannot figure out how a move advances the ball, I ask myself why I am making it.

I have to take the long view because I am still learning what it means to be professional. The stress of the daily grind creates plenty of opportunities not to be civil to adversaries, colleagues and support staff. Only by remembering what type of lawyer and person I want to be can I avoid these pitfalls. I now wait to respond to e-mails and letters until after thinking through how (and whether) this correspondence will help my clients achieve their objectives. I write and delete far more emails than I ever send.

Finally, I have to take the long view because trying to serve my community and my profession through the State Bar has become a long-term project of mine—one that I cannot accomplish simply by serving on a YLD Committee, attending YLD meetings, or writing this YLD Review article. In the long term, the State Bar can remain a positive and powerful influence on law and lawyers only through the involvement of its constituents. Investing time and energy in the YLD has been, for me, one of the best ways to take the long view of my profession.

Curtis J. Romig is a partner in Powell Goldstein LLP's Business Litigation and Arbitration practice group. He would be remiss if he did not attribute the inspiration for this column to John T. Marshall and C. Scott Greene, who have always taught him to take the long view.

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