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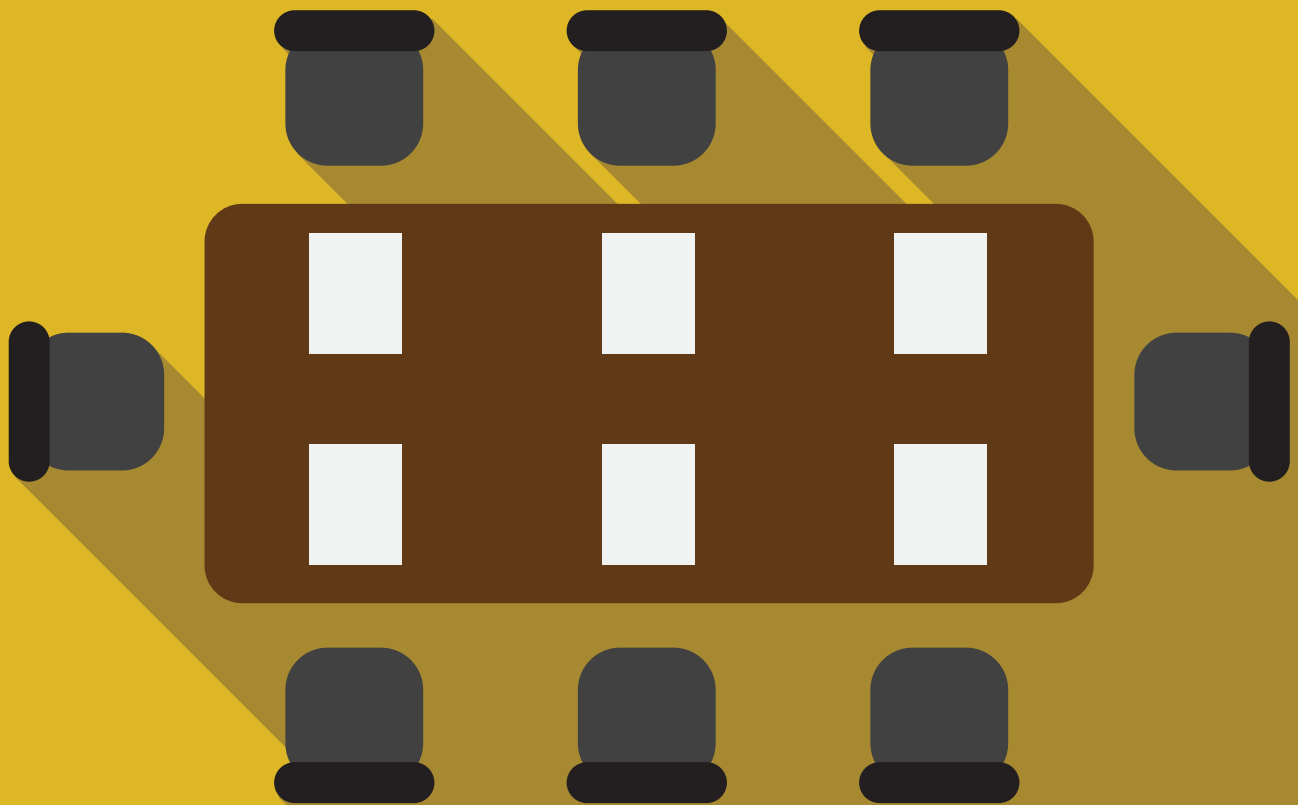
A Personal Mission Leads
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State Bar of Georgia Young Lawyers Division

THE YLD REVIEW

Volume 59, Issue 1, October 2017

Working for the Profession and the Public



Reducing Personal
Liability While Serving
on Nonprofit Boards | **3**

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nleet@grsmb.com

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will@hollandroddenbery.com

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jennifer@mocklaw.com

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ShaMiracle S. Rankin, Atlanta
srankin@thecplawgroup.com

NEWSLETTER CO-EDITOR

Heather Riggs, Atlanta
heather.riggs@atlantalegalmarketing.com



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From the President

Take It Personally



Nicole C. Leet

“Take it personally” is not the sort of advice that is given very often, especially in the practice of law. And yet, as YLD president, I want to encourage all young lawyers to do exactly that. Certainly, I do not mean for you to take the rhetoric, puffery or bombastic arguments of your opposing counsel personally. I do not intend for you to internalize critiques from your managing partner or comments from your administrative assistant. No, I am encouraging you to take the practice of law and the important role that you play in it personally.

Lawyers are keenly aware that their clients take their own legal matters personally. We are most often involved in troubled, highly stressful parts of our clients' lives and livelihood. Whether the client is a multi-national corporation or a single parent, constant communication is required to convince them that their issue is as important to us as it is to them. What is increasingly clear is that the more personal and personalized our client communications become, the more satisfied the client will be. A more satisfied client yields a more effective lawyer-client relationship, and even creates the potential for repeat business.

While we understand the value of personalizing our client relationships, we do not always take the time to personalize our relationships with other lawyers. It is impossible to practice law in a vacuum; other lawyers will always be an essential element of the practice. Yet, it has become easier and easier to disengage. Phone calls and lunch meetings have been replaced by emails and text messages. The first time some lawyers meet or even speak is at a court ordered hearing, mediation or trial. While there are definite efficiency advantages to advancing technology, the advancements quickly turn into disadvantages by making it too easy to be removed and remote. While the law has a reputation for being cold and hard, it is

the human element that makes its practice possible. Human to human interaction is the key to maintaining the very professionalism upon which lawyers pride themselves.

My advice to “take it personally” applies to your interactions with clients as much as it does to how you interact with your colleagues. It may seem old fashioned in this day of quick electronic access, but actually calling opposing counsel to introduce yourself prior to working together is one way to personalize a new case. Meeting in person for early planning conferences, rather than handling the preparations via email, allows you to put a face with the name on the documents. It allows you to meet your colleague in person and build a relationship with them.

Not surprisingly, creating such a relationship by speaking or meeting beforehand can eliminate numerous potential issues that may arise during the matter you are working on together. It does not take much to incorrectly impugn negative motives or contrary tone in an email or letter from a faceless, voiceless opposing side. It takes equally little to impulsively reply with the same level of perceived nastiness in response. A phone call or in-person meeting provides an opportunity to discuss those issues, whereas other more impersonal means of communication may be inflammatory, even if not intended.

The advice to take it personally also applies to our profession outside of day to day practice—like involvement in the YLD. Take involvement personally! Reach out to a colleague, law school classmate or friend and invite them to attend an event or meeting with you. The YLD has so many different committees, activities, projects and events that simply choosing what to attend can seem overwhelming. Attending YLD programming by yourself may sound downright intimidating. I know because I have been there. My own involvement flourished thanks to a friend who reached out to personally invite me to attend a meeting, and that made all the difference. I felt a connection and began to develop even more personal connections through the YLD as

I attended more events. And my network kept growing, because then I personally reached out and invited a classmate or colleague to an event and became the initial personal contact for them.

Without the personal connections I have made through the YLD, with lawyers in so many different practice areas throughout the state, I would not have had the support I needed to be the leader I am today. Lawyers need each other to practice law and we need each other to be a support network, to help us grow, balance us and continue to advance the rule of law. While this is especially true as a young lawyer, it remains true throughout your legal career.

All lawyers have at least one thing in common: a shared interest in the law. We have all been through law school and are

uniquely able to commiserate over common problems lawyers face. Most of us get excited to talk about the law, how it is applied, recent news or cases, or potential theories (much to the consternation of non-lawyer companions). This mutual interest is the glue that holds our profession together, but it takes personal connections to maintain that connection. Here, at the beginning of the Bar year, I encourage each and every one of you to take your practice personally. Personalize your next client correspondence. Take the extra step to speak with or meet the attorney you work with on the next matter. Reach out to personally invite someone to a YLD event and go together. Those contacts and the network you form will not only serve you well in the years to come, but they will continue to link our Bar and profession together. YLD

Reducing Personal Liability While Serving on Nonprofit Boards



Mitchell B. Snyder

Many young lawyers across the state of Georgia have a truly altruistic attitude towards giving time and talent to our communities by actively engaging in volunteer work at nonprofit corporations. As lawyers, most of us understand and tirelessly embrace the importance of civic, community and charitable corporations, and many of us serve on local boards of these organizations. Often these hours are some of the most rewarding and fulfilling in a career. However, it is vital that young lawyers recognize and minimize the potential risks associated with serving nonprofit corporations. More often than not, I think you will conclude, a few protective measures will insure that the benefits of serving far outweigh any potential liability.

The Law of Georgia¹

In Georgia, directors or officers of a nonprofit corporation generally owe the same fiduciary duties as they would in a for-profit corporation, but this duty is owed to the corporation and its mission instead of stockholders.² These duties include the duties of care and loyalty, among others. When serving on a board of directors, be careful to act prudently and protect the organization's assets. For example, you have a duty to investigate potential misuse of the organization's funds or any other potentially improper actions engaged in by other board members or employees.³ Furthermore, you must act in the organization's best interest, even to the detriment of your own, and must avoid any conflicts of interest or self-dealing. You must also act with the ordinary care of a prudent person in a like position.

Another potential risk is liability for torts allegedly committed during the scope of your work for a charitable organization. Georgia law does provide some protection against

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From the Editors

Building New Relationships

**ShaMiracle Rankin
& Heather Riggs**



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Personally, we have both always treasured our involvement in the YLD, so forgive our shock if we hear that a Georgia young lawyer has not considered getting involved themselves! Sure, there are a wide variety of benefits to active participation in the Division, like fascinating CLE programming, the chance to satisfy our love for pro bono work and even the opportunity for occasional travel by way of meeting attendance. But what keeps the two of us dedicated to being a part of this organization are the relationships we have made over the years.

We are certain that our careers and our lives have been tremendously enhanced by the other young lawyers we have been privileged to meet from all corners of our state and in every imaginable practice setting. Whether they have gone on to become opposing counsel in a case, turned into referral sources and clients, or remained firmly in the realm of friends, the relationships and the lawyers who form those relationships are unequivocally the greatest benefit of all.

We are accepting YLD President Nicole Leet's challenge to "take it personally" by making it our mission to include more young lawyer-driven content in the newsletter this year than ever before. So, consider this your personal invitation, from us to you, to take the next step toward YLD involvement. And do not forget: we are never tired of building those new relationships, and we cannot wait to build one with you this year. YLD

► NONPROFIT, FROM PAGE 3

tort claims for members, directors, trustees or board officers of charitable organizations, so long as the person was acting in good faith and within the scope of his or her official actions and duties.⁴ This immunity will generally prohibit ordinary negligence claims against board members who are acting for the organization. However, the immunity is not absolute. Neither actions taken in bad faith nor those taken outside the scope of official duties are entitled to statutory immunity.

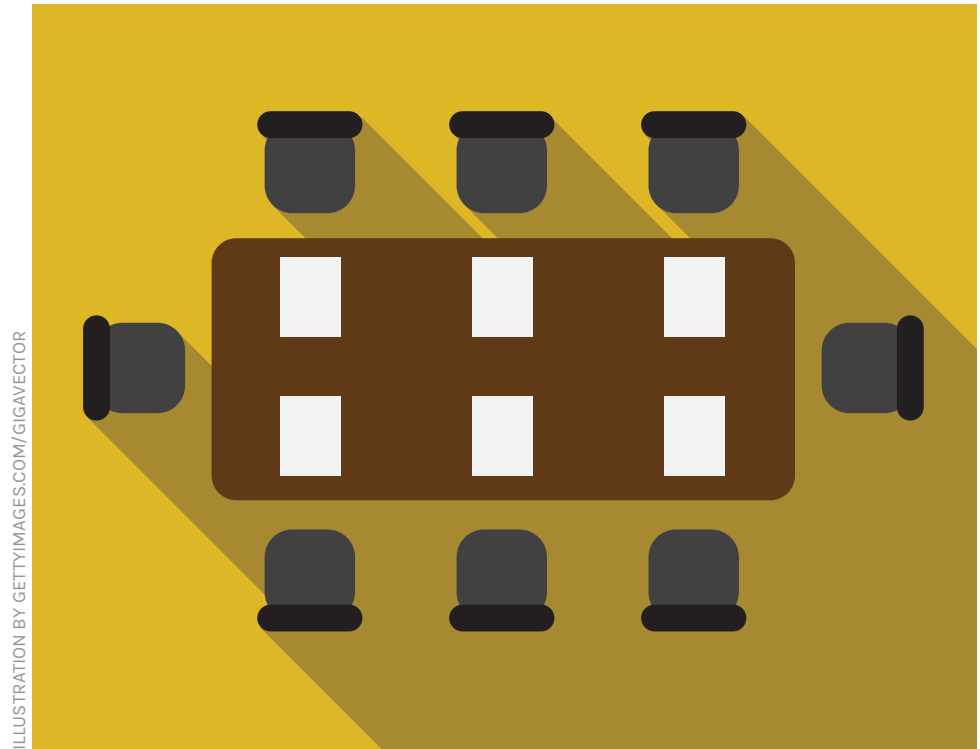
Steps to Take to Reduce Your Liability

1. Recognize and Avoid Conflicts of Interest

You should encourage the board or body of which you are a member to adopt a conflict of interest policy taking into consideration Georgia law.⁵ This policy should govern proposed transactions which may benefit a director financially or otherwise. Just as important, you should abide by these policies and principles. It is generally better that the non-profit organization not hire you or your law firm to engage in paid legal work. However, this is not always possible. Any potential conflict of interest should be disclosed prior to any vote, and you should abstain from voting on matters which involve a conflict. Otherwise, you subject yourself to claims that the action was taken in breach of your duty of loyalty to the organization and potentially in bad faith.

2. Consider Legal Ethics

Some of the most valuable contributions provided by young lawyers across the state of Georgia include free or reduced fee legal services. In fact, Rule 6.1 of the Georgia Rules of Professional Conduct specifically encourages such services to charitable organizations. However, when you offer legal advice or otherwise act as a lawyer for a nonprofit organization, there are a number of additional considerations. A few examples include ethical rules regarding conflict of interest as well as insuring that you maintain a level of competency which complies with Rule 1.1 of the Georgia Rules of Professional Conduct. Often lawyers who give free advice may be tempted or pressured to stray further from their practice areas or beyond a law-



yer's ability to provide competent representation. It is important to remember, even if you are providing the services for free, that you still have ethical duties to your client. Rule 1.1 does not indicate that the duties are reduced when providing free representation.

3. Obtain Directors and Officers Insurance

You should insist that the organization you serve obtain directors and officers insurance. Georgia law specifically contemplates and allows for a nonprofit corporation to purchase and maintain insurance on behalf of its directors and officers.⁶ This added layer of protection should cover negligence, errors, omissions, breaches of duties, or other wrongful acts. This insurance generally will not protect you against willful or criminal acts. You should carefully read the policy and review the covered acts. This insurance could protect you from having to finance your own legal defense to claims arising out of your actions as a director or officer of a nonprofit corporation.

Taking these steps will not insulate you from all potential claims. However, enacting these and other safety measures will reduce your liability and likely ease your

mind about serving on the boards of nonprofit corporations. *YLD*

Endnotes

1. It is likely that many actions taken by unpaid volunteers may also be protected under the Federal Volunteer Protection Act, 42 U.S.C.A. 14501 et. seq.. This Act provides a baseline and will pre-empt Georgia law to the extent that Georgia law is inconsistent with the Act. However, this Act does not apply to non-volunteers and is beyond the scope of this article. Also, this article is limited to nonprofit corporations and does not discuss or consider charitable trusts or other actions undertaken when acting as a trustee.
2. *Dunn v. Ceccarelli*, 227 Ga. App. 505, 507-508 (Ct. App. 1997), O.C.G.A. § 14-3-830, and 14-3-842.
3. *See, e.g., Harris v. Southern Christian Leadership Conference*, 313 Ga. App. 363 (Ct. App. 2011).
4. O.C.G.A. § 51-1-20(a).
5. O.C.G.A. § 14-3-860.
6. O.C.G.A. § 14-3-857.

When Preparation Meets Opportunity: Mecca Anderson's Personal Journey to a \$3.5 Million Verdict



**ShaMiracle
Rankin**

Obtaining a seven-figure verdict for an injured client is a goal that many attorneys aspire toward but rarely achieve. In August 2017, Mecca Anderson and her trial team at The Cochran Firm achieved this goal by obtaining a \$3.5 million verdict on behalf of their injured clients. The following interview contains nuggets of wisdom that can help trial attorneys—young and seasoned—as they prepare their next case for trial.

Mecca, tell us about your current role at The Cochran Firm?

I joined The Cochran Firm in March 2017 as an associate attorney. My job is to bring in, work up for trial and win catastrophic personal injury cases.

How long have you been a practicing attorney?

I began my legal career five years ago as a clerk for the Supreme Court of Georgia. I then worked as an attorney for my mentor and friend Darren Summerville at The Summerville Firm before joining The Cochran Firm—Atlanta this past March.

You and your trial partners, Omari Crawford and Peter Brogdon recently obtained a \$3.5 million verdict in DeKalb County. Tell us about the facts of your case.

In January 2012, our two clients, Ms. Canady and Ms. Johnson, went to Jay's Sports Bar and Lounge, LLC, a club in Stone Mountain, Ga., for drinks and dancing. Unbeknownst to the ladies, the club had a history of physical fights and subsequently adopted a policy that required security officers to identify combatants and escort them out of the club and into the hands of the DeKalb County Police who would ensure



(L-R) ShaMiracle Rankin sits down for an interview with Mecca Anderson.

they were escorted off the property. Ms. Canady and Ms. Johnson were shot because after an altercation in the club, the club violated its own security protocol in failing to detain the fight's instigator, and then compounded that error by forcing patrons outside. The combatant came back and shot up the front of the club striking Ms. Canady and Ms. Johnson.

How did you and your trial team prepare the case for trial?

There were lots of early mornings and late nights. We did not work this case up, we inherited it for trial. So initially we spent weeks and maybe even a month reading and re-reading the pleadings, filings and deposition transcripts until we knew this case inside and out. We then split the tasks and began our individual preparation. I was responsible for individual voir dire, drafting the voir dire questions, arguing our jury

strikes, drafting our jury charges, the direct examinations of our clients, a cross examination of one of the defendant's employees, a portion of the closing arguments, and since our trial was bifurcated, I also conducted the mini trial on attorney's fees. Once those responsibilities were assigned, I started in on the drafting tasks, focusing a lot of time and effort on the jury charges. Daily, we met as a team daily to discuss the case, assign tasks, make plans and decisions on witnesses, exhibits, demonstratives, strategy, etc., and to get advice and feedback from our senior attorneys and partners.

You mentioned that your trial team split the close and your job was to ask for the money. How did you come up with the verdict number that you asked the jury for? Perhaps most important, how did you keep calm in doing so?

We prepped the jury for delivering a large

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The Decrease in Bar Passage Rates Personally Affects Us All



**Eufemia
Cabrera-D'Amour**

In recent years, the bar exam passage rate for aspiring lawyers has dropped steadily across the country. According to Erica Moeser, the president of the National Conference of Bar Examiners (NCBE), the February 2017 bar examination marked the lowest average score on the Multi State Bar Exam (MBE) since it was first administered in 1972. This downward spiral regarding the average MBE scores, originated with the July 2014 bar examination, according to statistics compiled by the NCBE.

Georgia is no exception to this steady decline. According to the Supreme Court of Georgia's website, the following passage rates show how this decline has affected our beloved state:

- July 2014: 73.7 percent
- February 2015: 54.8 percent
- July 2015: 68.1 percent
- February 2016: 54.3 percent
- July 2016: 65.8 percent
- February 2017: 51.1 percent

So, what is causing this steep decline? Many attribute the decline in the bar passage rate to law school acceptance patterns. Since 2011, there has been a drop in the number of people applying to law school and because of a smaller applicant pool, law schools began accepting students with lower than usual LSAT scores and undergraduate GPAs.

Another proposed theory for this decline, is the change to the MBE format. In February 2015, the MBE changed its structure to include civil procedure, which creates yet another obstacle to overcome while preparing for the bar exam. Finally, others contribute the recent decline to the number of experimental questions included on the MBE. According to Moeser, the MBE test



**Jalyn
Parks**

score was formerly based on 190 questions; with 10 questions used for experimental purposes. In February 2017, however, the scored questions dropped to 175 questions with 25 questions used for experimental purposes. Thus, it is plausible that test takers have been successful with the test questions, but unfortunately, a larger percentage of the available questions do not contribute to their overall score.

There are countless reasons why any one person might find themselves retaking the bar exam. However, the glaring issue is that the number of repeat test takers is increasing. NCBE noted that 65.7 percent of the test takers were repeats during the February 2017 bar examination. Repeat test takers include those taking the bar exam in an additional jurisdiction, as well as those taking the exam again in the same jurisdiction where they had previously tested. What does this reflect overall? More often than we care to admit, an excessively growing number of people fail their first bar exam examination.

What does this trend mean for new attorneys? It means that it is time we get involved and encourage the success of future practitioners in the legal profession. The issue of declining bar exam passage rates cannot be solved without the increased involvement of practicing attorneys. It is not just the fault of law schools in developing its students, nor is it that the existing bar-prep programs are simply missing the mark. Truthfully, law schools are teaching the same material in the same ways that they have for years. Likewise, reputable bar-prep programs have employed instructors who regularly sit for the bar exam so they can recognize testing trends and pass this information on to test takers. The decline is



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multi-faceted and the solution requires a call to action for existing practitioners to reach back and lend a helping hand to the next generation of legal esquires.

If failing the bar exam is an acute reality but not an ultimate denial of licensure, why is there such a stigma attached to it? Why are people who have experienced the failure so ashamed of sharing their stories? What would happen if we encouraged an open, healthy dialogue for the sake of giving others hope? What if the individuals who fail their first bar examination knew they were in great company and still can become successful and reputable attorneys? What if they knew Hillary Clinton, Michelle Obama, President Franklin D. Roosevelt, Benjamin Cordozo and John F. Kennedy Jr. all failed their first bar exam examination as well?

When we failed the bar exam, we were inconsolable. In the midst of depression, there was one woman who shared her bar exam failure story. She was vulnerable about a tough moment in her life, for the sake of speaking life into others. Her words were enlightening and candid. She offered study tips and reminded us that despite the terror and embarrassment we felt, we were not alone. Within weeks, others began to emerge and confess that they too experienced the same fate. Everyone had a differ-

► SEE DECREASE, PAGE 8

Your Personal Invitation to Join the YLD Leadership Academy



**Ashley
Akins**



**Zack
Howard**



**Sarah
Yeager**

Have you ever thought: “I’d like to get involved in the YLD, but I just don’t know where to start?” Well, we have the perfect answer for you: join the YLD Leadership Academy! You will meet young lawyers from across the state and have numerous opportunities to get even more involved in the YLD. We have some great things in store for the class of 2018.

Session One

The year kicks off with Session One held at the Midyear Meeting at the Westin Atlanta Perimeter North. This meeting is held in conjunction with the State Bar of Georgia (the “Big Bar”) and includes the first official meeting of your new Leadership Academy classmates, aka your new best friends. This session will focus on how to become a leader in the YLD and the Big Bar.

Session Two

Session Two in February focuses on lawyers leading in state government. There is no better place to facilitate this discussion than the Capitol in Atlanta. You will attend the annual YLD Legislative Luncheon and also be sworn into the Supreme Court of Georgia and Court of Appeals.

Session Three

In March, we head to Music City, Nashville, Tenn., for Session Three. This meeting is held as part of the YLD Spring Meeting, so you will get to network and hang out with the rest of the YLD family. This session will focus on networking across state lines. In your free time, you can scout Music City for some great live music.



YLD Leadership and participants of the 2017 class pose with Gov. Nathan Deal at Session Two’s day at the Capitol.

PHOTO BY MARY MCAFEE

Session Four

In April, we move on to Savannah for Session Four and we will focus on pro bono work and community service. While in Savannah, we will meet and mingle with the local YLD Savannah affiliate.

Session Five

In May, we head to Macon for Session Five. During this session we will focus on professionalism and will also be sworn in to the U.S. District Court for the Middle District of Georgia.

Session Six

Then we finish off the year with a bang with the Session Six in Amelia Island, Fla.

This session includes our annual YLD Leadership Academy pool party and your graduation. Upon your graduation from the Academy, you will walk away with lots of new connections, friends and leadership opportunities.

In addition to all of the great programming we have in store for all of the sessions, you will also receive your CLE credits for the year. You will be sworn in to all of the courts of Georgia and you will get to participate in our annual Wills Clinic.

If you are still on the fence after reading about all of the exciting things we have in store, be sure to read the testimonials of YLD Leadership Academy Alumni on page 9. [YLD](#)

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► **DECREASE, FROM PAGE 6**

ent story, but the over-arching theme was consistent: “There is hope. You will pass!”

After emotions subsided and we did pass, we contemplated how the process could have gone differently if we had our “bar angel” during the study process instead of after. Could having this type of support offer hope and erase the negative stigma attached to bar exam failure? How do we create an open dialogue of sharing, inclusiveness and candor?

In “Daring Greatly,” author Brene Brown discusses the need for vulnerability in creating empathy and establishing meaningful connections. He notes that “[i]f we can share our story with someone who responds with empathy and understanding, shame can’t survive . . . Vulnerability sounds like truth and feels like courage. Truth and courage aren’t always comfortable, but they’re never

weakness.” An open dialogue about delayed bar passage will eventually help to eradicate the shame associated with failure.

As young attorneys, we need to make ourselves open to sharing the truth behind our own failures. For those of us who did not pass the first time, we should be willing to tell that story, dull the stigma and uplift repeat test takers. Simply, there is a shame that comes with taking the bar exam more than once and there should not be. We should also lend ourselves as mentors to our law schools so that we can offer guidance to some of the first-time bar exam takers. Studying for the bar is overwhelming but we have done it, and it is important to share strategies and coping mechanisms we used with those coming behind us. Here are just a few other ideas on how you can help:

- Teach a course at a law school

- Assist with an event at your alma mater
- Supervise an intern
- Share old study aids

The legal profession is not only special, it is necessary. Therefore, it is important that we lend ourselves to the success of this learned profession because failing the bar exam is heartbreaking. Undoubtedly, this will be hard for some practitioners. As lawyers, we are trained to be masters of logic and avoid emotion whenever possible. However, we all should argue that the risk of being truly authentic is outweighed by the light and encouragement one can offer a bar taker and future colleague. None of us made it down the road to esquire without someone’s kind words, an outline or note-cards. Pay it forward and the future of this great profession will thank you. YLD

JUDGING PANEL VOLUNTEERS NEEDED IN 2018

The members of the State Bar of Georgia have supported the Mock Trial program for 29 outstanding seasons. Three hours of your time is all we need for a successful 30th. CLE credit now available!

JUDGING PANEL VOLUNTEERS NEEDED FOR:

2018 REGIONALS (16 locations statewide—weekend of Jan. 27)

2018 DISTRICTS (Eight locations statewide—Feb. 17)

2018 STATE FINALS (Lawrenceville—March 3)

Information on volunteering is available on the Volunteer for the Program page at www.georgiamocktrial.org.

For more information about the program, contact HSMT State Coordinator Michael Nixon at 404-527-8779 / 800-334-6865 ext. 779 or email michaeln@gabar.org.

Check us out on Facebook [@GeorgiaMockTrial](https://www.facebook.com/GeorgiaMockTrial) and on Twitter [@GA_MockTrial](https://twitter.com/GA_MockTrial)!





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► **ACADEMY, FROM PAGE 7**

Leadership Academy Testimonials

“My experience in leadership academy resulted in fulfilling professional and personal relationships that continue to help me mature as an attorney and as a leader. During the program, I learned a tremendous amount about the State Bar and the resources available to attorneys. Most of all I enjoyed visiting different cities in the state and hearing from great attorneys and leaders. I frequently rely on the advice and guidance given during the program. Anyone who is interested in growing their practice, networking, improving their craft or giving back to the community should consider applying.”

Margaret Head, Class of 2014

“Leadership Academy is an incredible opportunity that gives you the tools and experience to grow both personally and professionally as a lawyer in the state of Georgia. As a part of the 2015 Leadership Academy Class, I had the chance to make new friends while eating beignets in New Orleans, shooting clays at the Greenbrier and beachcombing off Tybee Island. Since that time, I’ve run into classmates at calendar calls in four different counties, referred cases to friends from the program and had a classmate get hired through a connection made during Leadership Academy. I have every confidence that if you join the incoming class, you too will form the same quality bonds and greatly enjoy your experience.”

Bobo Mullens, Class of 2015

“The YLD Leadership Academy was designed to pinpoint and cultivate the future leaders of the Georgia Bar, and it does just that. Through my experience with the Leadership Academy, I built many valuable relationships—both personally and professionally—and refined my leadership and professionalism skills. I strongly encourage all aspiring leaders to apply and pursue this tremendous opportunity.”

Jake Evans, Class of 2014

“The Leadership Academy was a wonderful experience. I was able to meet and network with attorneys from across the state of Georgia. I would definitely recommend the Leadership Academy to all young attorneys.”

Terri Benton, Class of 2014

“Leadership Academy made me feel connected to other young attorneys throughout the state, and provided me with an opportunity to get to know people that I would not have met otherwise. One of my favorite memories of my year in Leadership Academy is the YLD 2015 Spring Meeting in New Orleans. We had a strong showing from our class, and it’s safe to say we all had a great time. I still stay in touch with many of my fellow graduates, and I am thankful for the experiences I had and the contacts I made in Leadership Academy.”

Heather Hammonds Lundy, Class of 2015

“The YLD Leadership Academy was well worth the time invested because I became a better equipped leader who was more aware of the active role the YLD plays within the State Bar of Georgia through quality programming. This amazing experience allowed me to connect with many attorneys from vast backgrounds and sectors, as well as judges from various courts. Through the YLD Leadership Academy, I was able to help first responders draft wills, which not only benefitted the first responders and their families, but I was fulfilled knowing that I helped people achieve their family’s objectives. Another experience that was memorable was white water rafting with my colleagues. Through this experience, we exhibited teamwork, trust and camaraderie. I recommend wholeheartedly applying to become a part of the YLD Leadership Academy family.”

Randi Warren, Class of 2017

A Personal Mission Leads to Expanding YLD Membership



**Heather
Riggs**

The YLD's leadership, whether officers, directors, district representatives, or committee chairs, has always served an unofficial purpose of driving membership in the division. While leading by example, being present at events, and evangelizing our features and benefits are vital pieces of that role, simply being an excellent ambassador does not complete the conversion process. In fact, more often than not, what young lawyers who are not otherwise involved with the YLD are really looking for is familiarity; they want to see themselves in us.

That connection over what we have in common can come in the form of shared interests and passions, similar backgrounds and work experience, or even our inherent traits. Those inherent traits, like race, gender and sexual orientation, are more than worthy of examination for the part they play in our membership equation, however, I believe they are better treated more fully in another article.

Given the ever changing landscape of the legal industry, the infusion of technology into the way attorneys operate, and the increasing commoditization of legal services across the nation it's more important than ever to have as wide a range of young lawyer leaders as possible, particularly when it comes to the context of our careers. Attracting and retaining new members from all points on the legal spectrum—large firms, solo and small firms, government, in house counsel, nonprofit, business and more—and providing them with a voice to help solve the challenges that we are all facing is the only way we can ever overcome those challenges.

Here is one instance: not-so-long-ago, companies like Legal Zoom and other unbundled legal service providers were a mere

annoyance. Now, as online alternatives become more pervasive and attention to the effect they have on the access to the justice gap grows, these companies have risen to truer competitors. Demonstrating and communicating our value proposition as practitioners is suddenly necessary, especially when considering the cost differential between online and traditional.

It is my firm belief that it will take lawyers in small firms, who feel the greatest pressure of a slowly shrinking market share, in nonprofit, who encounter community members who have difficulty affording the remedies they wish to pursue, in business who understand how law firms can pivot to accommodate changing needs and shifting options, and every type of lawyer in between to tackle this issue.

Indeed, there are many issues to tackle and the growing presence of Legal Zoom is barely the tip of the proverbial iceberg. The moral of the story, and of this article, is that the success of our problem-solving abilities is directly proportionate to the variety of ideas and innovation contributing to the conversation. The variety of ideas and innovation is inextricably linked to the diversity (in every sense of that multi-faced word) of the YLD's membership. The diversity of the YLD's membership is inseparable from the embodiment of collaboration and purpose in the division's leadership. We are the conduits for participation as much as we are for change.

I would be remiss if I did not acknowledge the fact that the Young Lawyers Division has always been on the forefront of inclusion, but just like many organizations that prioritize a come one, come all attitude, it will probably remain more of a journey than a destination for us. My charge to you is to make this a personal mission because the mission is actually personal. YLD

State Bar of Georgia Young Lawyers Division

Join a YLD Committee!

- Advocates for Students with Disabilities
- Appellate Admissions
- Community Service Projects
- Corporate Counsel
- Criminal Law
- Disaster Legal Assistance
- Estate & Elder Law
- Ethics & Professionalism
- Family Law
- High School Mock Trial
- Inclusion in the Profession
- Intellectual Property Law
- Intrastate Moot Court Competition
- Labor & Employment Law
- Law School Outreach
- Legal Food Frenzy
- Legislative Affairs
- Litigation
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verdict in voir dire. Every juror stated they felt comfortable awarding a large verdict but many stated that they would need assistance coming up with the amount. Our jury panel also expressed reservations about frivolous lawsuits and astronomical awards. With that in mind, we were determined to make our ask a reasonable one. We used the minimum wage, \$7.25 an hour, as the variable. We asked the jury to award each plaintiff \$7.25 an hour for every waking hour and multiplied that number by their remaining years to live per the mortality table, of which the judge took judicial notice. We asked the jury to add those numbers to three times their medical bills. Ultimately, the jury delivered precisely what we asked for.

Many find it impressive that three young lawyers, who have been actively litigating cases for less than two years, were able to persuade a jury to award millions. What affect, if any, did your years of practice have on the way you approached the trial?

This was my second trial. Last year, I was the lowly lawyer on a case that hit for \$20 million (50 percent apportionment) with superstars Jeff Shiver, Alan Hamilton and Darren Summerville on a premises liability case before Judge Hayward in Clayton

State Court. That trial taught me some important intangibles like trial moves fast and you must be prepared—prepared to make quick, important decisions, pivot from small defeats, rely on work completed months before and think several steps in advance. Furthermore, coming to litigation from the Supreme Court and an appellate practice, I have an end game approach. I see the end first and work my way back.

We have talked a great deal about your recent trial. I am sure our readers would like to learn about you, your inspirations and perhaps an unknown fact or two. Do you have a lawyer whose trial style you admire?

I have had the great fortune to work with and for some pretty amazing lawyers. That said, outside of my current firm, I most admire the trial style of attorney Keenan Nix. Whether speaking or silent, he absolutely commands the courtroom. He is ferocious but graceful. Ever the expert, but humble. I absolutely model my style, as well as my overall approach to the practice, after him.

What inspires you to get up and do what you do every day?

I have many inspirations. My daughter, Layla, is my No. 1 source of inspiration. I

want to pay her college tuition and basically just fund all her dreams. Beyond that, I love my firm. I feel valued, mentored and supported by my partners and colleagues. My colleague and mentor, Gary Andrews, patiently answers all my questions and offers sound guidance. It is a joy to come to the office every day. The trust my clients put in me is frighteningly inspirational and motivational. Ultimately, my biggest source of inspiration is my faith in God. For years I prayed that God would put me in a position to be a blessing to others. Any success I have ever achieved, or will ever achieve, is solely due to God. I am but a vessel and I am clear on that.

What might others be surprised to learn about you?

I read the entire Harry Potter series out loud to my daughter complete with voices and accents for every character. I have also watched the O. J. Simpson criminal trial in its entirety at least eight times on YouTube.

Describe yourself in one word.

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ShaMiracle Rankin, Editor
Heather Riggs, Editor
The YLD Review
104 Marietta St. NW, Suite 100
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