

# THE QUARTERLY

A Publication of TBA Young Lawyers Division • Fall 1998



## TBA YLD Offers Seminar to Discuss 'The Next Step' What Do YOU Want To Do When You Grow Up?

Have you ever wondered, “What’s next?” After all, you worked so hard to excel at law school, or perhaps just to graduate. You devoted months of your life to studying for the bar exam while you sacrificed play time and family time. And now that you have worked a while, you are not sure if what you are doing is what you want to do for the rest of your life.

Or perhaps you have enjoyed every moment. You thrived on the challenges of law school, and cut your eye teeth on the bar examination. And now... you are ready for the partner’s desk or the judicial bench. Or now, you want to have it and do it your own way.

While the TBA YLD cannot guarantee to provide all the answers for you, it *is* providing a way for you to talk to some people who have networked their way to the next step. On Saturday, Jan. 16, in conjunction with the TBA Mid-Winter Meeting in Nashville, the TBA YLD will be presenting a panel discussion titled “Networking for the Next Step.”

Panelists include Judge Julia S. Gibbons, chief judge of the U.S. District Court, Western District of Tennessee, Memphis; Larry Brown, vice president of Legal Department, Federal Express Corporation, Memphis; Ricky Wilkins, partner at Burch, Porter & Johnson, Memphis; and Vance Cheek, partner at Cheek & Wheeler, Johnson City. Each of the panelists have had experience in networking for their next step or to position themselves for greater success. They have experienced

life with state and federal judiciary and board members of charitable and public service organizations. They have been, or currently are, sole practitioners, large firm practitioners, government attorneys and corporate counsel.

On television, networking is simply a matter of schmoozing at some dinner party. But in reality, networking is fraught with hidden perils because of the Code of Ethics and the need to maintain a current practice. After all, with so many opportunities to become involved in national, state and local bar associations, not to mention community activities, how do you network and still fulfill your responsibilities to your current practice as well as to your family and to yourself?

The TBA YLD may not have all the answers. But we know where to go with the questions.

### Getting There...

The Tennessee Bar Association’s Mid-Winter Meeting will be January 15-16 at the Loews Vanderbilt Plaza Hotel in Nashville.

For registration information please contact the TBA Headquarters at (800) 899-6993 or (615) 383-7421. You may also sign up at TennBar University at [www.tba.org/tennbaru](http://www.tba.org/tennbaru)

For hotel reservations, contact Loews Vanderbilt Plaza directly at (615) 320-1700.

## The Quarterly

*The Quarterly* is a publication of the Tennessee Bar Association Young Lawyers Division, 3622 West End Ave., Nashville, TN 37205; (615) 383-7421. *The Quarterly* is distributed quarterly for free to TBA members who are less than 36 years old or who have been admitted to practice in Tennessee three years or less.

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## TBA YLD Members Involved In ABA YLD Mediation Training

Two members of the Tennessee Bar Association Young Lawyers Division attended a week-long mediation training program hosted by the American Bar Association in Chicago over the summer. Knoxville attorney Bridget Bailey and Memphis attorney Paul Martin were in attendance. Bailey is the chair of the ABA YLD's Alternative Dispute Resolution committee that organized the training program. Martin was among 18 young lawyers from across the nation who were awarded scholarships from the ABA YLD to participate in the training.

"It was the first time the ABA YLD has held such an intensive mediation training program, and it proved to be a great success," Bailey says. "The ABA YLD received a great deal of interest in the program from a large number of its members from across the nation."

The program is designed to fulfill a large portion of the Rule 31 certification requirements for mediators in most states.

The program was conducted by representatives of JAMS/Endispute, a national firm specializing in mediation, based in Irvine, Calif. The course is an intensive program on instruction and training involving a great deal of role playing.

Participants take part in mock mediation sessions and rotate through the mediation roles such as mediator, opposing parties and attorneys.

"At first there was a good deal of reluctance from most participants in the role playing aspect of the program. However, everyone became quickly involved and the role playing aspect was one of the most beneficial portions of the program. Kimberly McCandless, the JAMS/Endispute representative, has a gift for teaching mediation and really was instrumental in

keeping the program fresh and interesting," Bailey says.

In regard to the role-playing element of the program, Martin says, "the entire program was the best CLE I have ever attended. Although I and most others had doubts about the role-playing, the mock mediation really was helpful in obtaining a good understanding of the differing roles and interests of everyone in a mediation session. I certainly left with a more in-depth understanding of the mediation process."

One of the goals of the mediation training is to enable mediators to convey to the parties involved a sense of fairness and completion. A goal of the mediation technique taught is to try to have everyone involved in the mediation believing they were treated fairly and to leave pleased with the process.

Participants who are awarded scholarships

*continued on page 5*

## Providing Membership Benefits is an Important Function of the TBA YLD

The TBA YLD has a long history of leading the way in public service. In fact, the YLD has often been cited as the public service branch of the Tennessee Bar Association. The numerous national awards and recognition that the YLD has received in recent years serves as a testament to the YLD's commitment to public service. While all of that is important, the YLD has placed a renewed

emphasis on its mission of meeting the needs of its members.

This year the TBA YLD is developing new member benefit projects while continuing successful public and bar service projects that have been done in the past.

For example, the TBA YLD is sponsoring a seminar at the Mid-Year Meeting entitled "Networking for the Next Step" (see cover article). The program is

scheduled for Saturday, Jan. 16, from 9 a.m. to noon. The seminar is designed to assist young lawyers in advancing their professional careers.

In addition, the TBA YLD is developing a membership directory that can be used by young lawyers across the state.

Also, the TBA YLD is preparing a web page that will not only provide information about the YLD's activities, but

will also be a valuable source of information for lawyers in all areas of practice.

The TBA YLD is continuing its publication of *The Quarterly* and other member publications such as the *Tennessee Ethics Handbook* and the *Tennessee Local*

**Glenn R. Walter**  
TBA YLD President



TBA YLD President Glenn Walter demonstrates the proper form for landing when flung from the raft while whitewater rafting. Several members of the TBA YLD board chose the whitewater rafting recreation option during the July Planning Retreat in Chattanooga.

*continued on page 4*

## President's Letter continued from page 3

### *Rules of Court.*

This year, the TBA YLD is expanding its CLE commitment. As a service to bar members, the TBA YLD is scheduling the December Ethics Forum in locations where lawyers traditionally have had to travel to a larger city to get their CLE credit. This should prove to be a benefit to lawyers across the state by making CLE more accessible.

Perhaps the most im-

portant thing the TBA YLD is doing this year in the area of membership service is circulating a survey of its members. The purpose of this survey is to identify how the TBA YLD can be even more responsive to the needs of its members.

I realize we are all busy and it is sometimes hard to find time to respond to surveys. However, please take a few minutes to complete the questionnaire on pages five and six of this issue of *The Quarterly*. The few minutes you take

to fill it out will provide the YLD with valuable information used to develop additional programming designed to meet the needs of our members. The questionnaire should be returned to Betsy Hilt at the Tennessee Bar Association at 3622 West End Avenue, Nashville, TN, 37205.

Thank you for your input in helping the TBA YLD meet the ever changing needs of young lawyers across the state.



The TBA YLD board gathered for the July Planning Retreat in Chattanooga. Pictured are, front row, Tracy Berry, Scott Carey, David Carter, Jay Johnson, Jonathan Cole, Jonathan Steen, Rusty Gra, and Marla Williams; second row, Vance Cheek, Jackie Dixon, Beth Dunning, Cecilia Barnes, Cindy Freeman, Julie Bennett, Cindy Richardson, Angelia Morie, Lisa Sherrill and Bridget Bailey; and third row, Betsy Hilt, Glenn Walter, Jeff Peterson, Jeff Reed, Chris Sockwell, Parke Morris, Jason Long, Bruce McMullen, Jason Scott and Jim Wheeler.

## 1998-99 TENNESSEE BAR ASSOCIATION YOUNG LAWYERS DIVISION MEMBER SURVEY

If you are currently a member of the TBA YLD, which of the following services is most beneficial to you?

- TBA YLD sponsored CLE seminars       The Quarterly       Tennessee Local Rules of Court  
 Tennessee Ethics Handbook       Other \_\_\_\_\_

Do you

- attend TBA YLD sponsored CLE seminars?  Yes  No
- use the Tennessee Ethics Handbook?  Yes  No
- read The Quarterly?  Yes  No
- use the Tennessee Local Rules of Court?  Yes  No

Do you have any comments on the above TBA YLD services/publications?

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What can the YLD do to better serve you? (check as many as apply)

- Provide more CLE within 30 miles of my hometown       Produce a CLE program on the topic of \_\_\_\_\_  
 Provide more social opportunities for me to network with other young lawyers       Provide mentoring  
 Produce a publication on the topic of \_\_\_\_\_  
 Other \_\_\_\_\_

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Do you participate in the High School Mock Trial or other law-related education programs of the TBA YLD?  Yes  No

If not, would you like information about how to get involved?  Yes  No

Are you interested in serving on one of the TBA YLD committees?  Yes  No

- If so, which one(s)?  Mock Trial       Youth Court       Youth Summit       Law Week Essay/Poster Contest  
 Tolerance Education       VoTennessee       Senior Law       CLE Programming       Mock Constitutional Convention  
 Publications       Membership       Disaster Relief       Web Page       The Quarterly Newsletter

# TBA YLD Survey

Name \_\_\_\_\_

Address \_\_\_\_\_

Telephone \_\_\_\_\_ Fax \_\_\_\_\_

E-mail Address \_\_\_\_\_ BPR # \_\_\_\_\_

Age \_\_\_\_\_ Firm Size \_\_\_\_\_ # Years in Practice \_\_\_\_\_

Area(s) of Practice \_\_\_\_\_

Professional Organization Memberships (include local or specialty bar associations) \_\_\_\_\_

If you consider yourself an "active" member of any of the above organizations, list which one(s) and your level of activity?

Please fax both sides of this page to Betsy Hilt at the TBA headquarters at (615) 297-8058, or mail this page to the address below. Thank you for participating in the TBA YLD Survey!

Place  
Postage  
Here

BETSY HILT  
TENNESSEE BAR ASSOCIATION  
3622 WEST END AVE.  
NASHVILLE, TN 37205

## ABA Mediation

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agree to provide four pro bono mediations through their local courts or legal aid organization in exchange for their training.

“The program is particularly beneficial in

that it serves a dual role of contributing to the skills of ABA members, yet also allows for public service through the pro bono mediation element,” Bailey adds.

Bailey’s work with the Alternative Dispute Resolution program has

received national recognition from the ABA YLD as she was named the “Star of the Quarter” for her work.

Bailey has begun work for another training program during this bar year, but the details have not yet been confirmed.

“I would highly recommend the program to any prospective mediator,” Martin says. “It far exceeded my expectations and definitely was one of the best instructional programs I have ever attended.”

For more information on this program, please contact Bridget Bailey at [bbailey@lkkwc.com](mailto:bbailey@lkkwc.com)



Jonathan and Michelle Steenopt to go downstream without the raft at the TBA YLD’s whitewater rafting outing on the Ocoee in July.

### ✓ I WOULD LIKE TO RECEIVE THE FOLLOWING TBA YLD PUBLICATIONS:

FOURTH EDITION OF THE <i>TENNESSEE ETHICS HANDBOOK</i>	# OF BOOKS ORDERED	_____ x \$19.95* =	\$ _____
<i>TENNESSEE LOCAL RULES OF COURT</i>	# OF BOOKS ORDERED	_____ x \$57.00* =	\$ _____
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## Knoxville Barristers Go to the Gibbons

“It’s a jungle out there” has taken on a new meaning for members of the Knoxville Barristers. The Knoxville Barristers have left behind the sharks and bears of the courtroom for the lions, tigers and bears of the Knoxville Zoo.

As part of an ongoing project for the last several months, the Knoxville Barristers have worked on a number of renovation projects for the Knoxville Zoo.

“The Knoxville Barristers had previously been involved with hands-on projects such as Habitat for Humanity, and we wanted to do a project to continue the interest of its younger members,” says Greg McMillan, co-chair of the Membership Committee. The Knoxville Zoo is celebrating its 50th anniversary and had a number of projects with which the Barristers could help.”

Pooling the help of approximately 30 Knoxville attorneys, the Barristers spent several days work-

ing on different projects for the zoo. The Barristers have worked to repair erosion in the red wolf exhibit, allowing the zoo to bring in another wolf. The Barristers have worked in site preparation and landscaping for the new gibbon exhibit and recreated the lion exhibit into a larger area. Knoxville Mayor Victor Ashe recently cut the ribbon for the opening of the gibbon exhibit.

But not all the Barristers work has been seen on the public side of the zoo. “A lot of people do not realize that there are a number of support facilities required by the animals in the zoo that the public does not see, McMillan says. “In addition to the public exhibits the Barristers have worked on, they have also done a good deal of work in the off-exhibit winter den building for the zoo’s bird collection. The building provides important protection from the colder temperatures of winter for several of

the zoo’s birds,” McMillan says. “The winter den building was in great need of renovation and remodeling, and we were able to help with it.”

“The zoo project has been great for the Barristers, as it has involved a large number of current and former members. It has been a volunteer project our members have enjoyed working with,” McMillan says.

It is not complete coincidence that McMillan has been so involved with the Barristers and the Knoxville Zoo’s projects. McMillan has the inside track into the affairs of the Knoxville Zoo as his wife, Greta McMillan, is the director of animal collections for the zoo.

“The Knoxville Zoo has a long tradition of working with a number of volunteer groups, and its involvement with the Knoxville Barristers has been particularly beneficial to the zoo,” she says. The Barristers have shown repeated interest

in several different zoo projects, and now have some level of experience with working in our facility and with our personnel. The Barristers have built a very positive relationship with us. Some projects in the zoo are not appropriate for all volunteer groups. Having worked with the Barristers on a number of projects, the zoo is comfortable with providing the Barristers the freedom a group needs to efficiently work on a project. The beauty of our relationship with the Barristers is that it was not a one-time effort. We're looking forward to their continued participation in a number of projects."

A number of additional zoo projects lay ahead for the Barristers. Several exhibits need to be winterized, and as Greta notes, "as the zoo continues to grow and develop, we'll have an endless number of projects for the Barrister volunteers."

## Other Projects

The Knoxville Barristers have had other

activities going on as well over the past months.

The Barristers will gather at the Bistro on Wednesday, Dec. 9, for its annual elections and a social gathering. Jim Cornelius will assume the presidency of the Barristers at that meeting.

The 1998 Legal Lives Program is winding down while the 1999 program is gearing up. Legal Lives is a law-related education program that brings law enforcement officers, probation and parole officers and attorneys into seventh grade classrooms

two times each week. The classes also take a field trip to the City-County Building in Knoxville. Volunteer attorneys participated in a training seminar on Oct. 12 prior to going into the classrooms.

The Barristers hosted an informal gathering for the new bar admittees on November 18 following the TBA YLD's Bridge The Gap seminar in Knoxville. The Barristers also invited the new admittees to the Golden Gavel celebration on November 20.



Part of the work done by the Knoxville Barristers at the Knoxville Zoo included mulching and cleaning the Bird Show Amphitheater.

## Nashville

The Nashville Bar Association Young Lawyers Division held its Annual Meeting on Thursday, Oct. 15, at the Merchants restaurant. The newly elected officers and directors are: president, Jeff Peterson; president-elect, Scott Carey; secretary, Beth Dunning; treasurer, Worrick Robinson; directors, Lisa Ramsay-Cole, Susan High-McAulley and Lela Hollabaugh.

The NBA YLD's Carbolic Smoke Ball was deemed a great success. The black-tie affair raised more than \$10,000 for the Court-Appointed Special Advocates.

## NET YLA

Members of the Northeast Tennessee Young Lawyers Association had dinner with TBA YLD board members when the state group held its fall board meeting at the MeadowView Conference Center in Kingsport. More than 40

people enjoyed a murder mystery dinner at Giuseppe's Restaurant, which gave the groups an opportunity to get to know each other.

NETYLA officers and directors were elected during the Annual Meeting in June. The new officers and board members are president, Vance Cheek; president-elect, Ken Bailey, secretary, Julie Bennett.

The NETYLA and TBA YLD had a presence at the Swearing In Ceremony in Jonesborough Nov. 19. Chief Justice Riley Anderson was kind enough to allow the Washington County Bar president and NETYLA president to address the new admittees.

Additionally, the Court emphasized the importance of Bar involvement in professional development.

December 10 is NETYLA's monthly membership meeting at the Sophisticated Otter. In late January, a tentative date is scheduled for a NETYLA sponsored seminar on Y2K compliance.

Mock Trial is in full swing, and schools are showing a high level of interest. This is a great indication of the kids' interest and enthusiasm for the entire mock trial program.

## Memphis

The Memphis Bar Association YLD Annual Meeting and Elections were held Thursday, Nov. 19, at The Rendezvous. Laura Fonville became president-elect and Leslie Coleman president.

The MBA YLD held its first River of Dreams 5K race to benefit the Make-A-Wish Foundation on August 7 at Jefferson Davis Park. More than 370 runners participated in the race, which raised nearly \$9,000 for the Foundation. While dozens of MBA YLD members served as volunteers, those who coordinated the event were Mike Evangelisti, Jason Massie, Lenore Warr and Dana Young.

Approximately 750 Memphis City School

students had the opportunity to hear the Tennessee Supreme Court “in action” during the Court’s two-day visit to Memphis last May for the SCALES (Supreme Court Advancing Legal Education for Students) Project. Memphis was the first large urban environment that the Court has visited for this project. Students from 16 area high schools heard oral arguments in one of three cases before the Court.

## Chattanooga

The servers at Phat Wraps restaurant in Chattanooga, were surprised by the size of the crowd. They worked hastily to serve food and drinks to a group of young lawyers and summer associates. As the evening progressed, they were running low on chilled bottles of a particularly popular frosty beverage. They made makeshift coolers out of buckets and sinks to chill more bottles.

That was the scene on July 1 at the Chattanooga

Bar Association Young Lawyers Division’s summer associate party. It was one of the largest crowds in recent memory for such a party. Summer associates from throughout the Chattanooga area attended and mingled with each other and young lawyers from the area. It was a tremendous success. Despite the size of the crowd, the servers at Phat Wraps managed to keep up with demand and served great food and beverages.

With an election only about one month away, a small group of candidates for judges and other posi-

tions, such as district attorney, attended the summer associates’ party to do some person-to-person campaigning. That campaigning made for some interesting conversations and ended up enhancing the event.

In September, the Chattanooga Young Lawyers Division presented another seminar in its brown bag lunch series. In October, it sponsored the local swearing-in ceremony and reception for the new attorneys. In December, it will be organizing its annual gift drive for needy children.



Bruce McMullen, Donita and Glenn Walter, Betsy and Mitchell Hilt and Cecilia Barnes bravely prepare for their whitewater rafting adventure down the Ocoee during the TBA YLD July Planning Retreat.

## Tennessee YLDs take ABA Honors

The Tennessee and Nashville bar associations' young lawyers divisions each received several American Bar Association Young Lawyers Division Awards of Achievement at the ABA annual meeting in Toronto.

The TBA YLD received a Service to the Bar Certificate of Performance for the "Welcome to the Bar" project. The TBA YLD's newsletter, *The Quarterly*, received second place in its division in the newsletter category.

The NBA YLD received special



recognition in the Service to the Public category for the Carbolic SmokeBall. They also received a Service to the Bar Certificate of Performance for the Mommy Lawyer Project, and a Certificate of Performance for its Comprehensive Application.

Finally, the NBA YLD's revamped newsletter received the first place award in its division in the newsletter category.

Congratulations to the volunteers who made those awards possible for the TBA and NBA YLD organizations!

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