

THE QUARTERLY



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NO RESPECT

by Jason Long

In the words of the immortal Rodney Dangerfield, “We don’t get no respect!” For years, lawyers have suffered the slings and arrows blithely associated with our noble profession. From Shakespeare, to Twain, to the common man on the street, people have forever enjoyed making sport of lawyers and generally condemning us as loathsome characters. While a certain amount of harassment should be tolerated and winked at as mere fun (My dad has a running list of lawyer jokes that he likes to bring out at family gatherings. This is particularly ironic as he is a traveling salesman and my mom is the quintessential farmer’s daughter), matters are getting out of hand. Did anyone notice the enthusiastic cheers in the theater during Jurassic Park when the dinosaur ate the lawyer? Did it strike anyone as odd that in the movie *Liar! Liar!* Jim Carey’s greatest dilemma was that he couldn’t practice law unless he was able to lie. It’s easy to dismiss these indiscretions. After all, it’s always been harmless fun and “everyone hates lawyers, until they need one.”

However, a new and disturbing trend has developed and I believe we, as a community, must take action. I first noticed it when NBC began airing the revival of its old gameshow, *Twenty-One*. In an effort to catch the rising tide of game show fever brought on by Regis Philbin, the network reintroduced the show that once sparked so much controversy, with a new twist: Audience members would vote to determine who would compete week after week. I watched the first few episodes out of curiosity and noticed that one of the potential contestants was an attorney from California. This fact was di-

vulged to the audience and, week after week, this poor schmuck had to stand there and watch while the audience voted for the other person to play. It got to be somewhat painful to watch. I wrote the matter off. I figured no one liked the guy because he was from California and I had no problem discriminating against Californians.

Then something happened this summer to convince me that the *Twenty-One* episode was not isolated. Rather, there is a vast conspiracy out there to systematically isolate and marginalize lawyers simply because of our profession. The watershed event was nearly imperceptible, occurring without notice or fanfare. Only someone with a trained eye, who spent too much time in front of the TV, would have understood the significance. Needless to say, I was the man for the job. This summer, Stacey was dumped from Survivor! I rest my case. Americans

Own A Piece of Our Profession

All TBA YLD members should have received the “Own A Piece of Our Profession” brochure about the Tennessee Bar Center Capital Campaign. Please remember to send in your pledge card. Pledges can be paid over five years. For more information, and to see photos of the work in progress, go to www.tba.org/barcenter/index.html. You may also call the TBA at (800) 899-6993 or (615) 383-7421 to request information.

The Quarterly

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are plotting against lawyers. For those of you who still don't get it, let me explain.

Survivor is a CBS game show in which 16 people are dropped on a deserted island in the South China Sea to see which of them "survives" to the end. The scene is not quite as grisly as you may imagine. The participants receive a care package of rice every couple of weeks, just in case they can't catch their own food. Additionally, there is a camera crew filming their every move (if someone gets into any real trouble, the crew could probably give them a ham sandwich or two). Finally, to "survive" as the last person on the island does not require that one ritualistically kill the other participants (although that would be a good show). This is not *Lord of the Flies*. Rather, every three days, the group meets together and votes one member off the island. Surviving this game requires political savvy. The sole survivor receives the grand prize of one million dollars.

I have to be honest here: I can't stand the premise of this show (it seems contrived and artificial), I can't stand any of the people left (my favorites have all been voted off), and I ought to have something better to do with my Wednesday evenings than watch this garbage (I say "ought to" because anyone who knows me knows the sad reality that a night watching bad TV is about as entertaining as my life gets). Still, despite these faults, I can't stop watching the show. I'm repulsed and fascinated at the same time.

Having strayed entirely from the original premise of this article, let me get back on track and explain the truly disturbing signal sent by the show *Survivor*. The first person voted off was Sonya, a 63 year old musician well-liked by everyone. However, Sonya was a physical liability to the group and, while music on the island was nice, her instrument of choice was a ukelele. There are only so many Don Ho tunes you can listen to while stranded on a deserted island (welcome to Dante's ninth

level of hell). Next up was B.B. Anderson. B.B. had an overbearing personality and you may also know that B.B. was one of the contractors responsible for the construction of Thompson Boling Arena. That fact alone justified his early exit from the island. The third person voted off? Stacey. Stacey is an intelligent, personable, athletic, hard worker. She combines strength and savvy to make her an outstanding competitor. Her only weakness? Stacey is a lawyer. I'm convinced this was her undoing. I am sure the other competitors viewed her presence as a bad joke (a lawyer, a priest and a rabbi are stranded on a deserted island...). Unlike the departure of several other competitors, no one shed a tear when Stacey left. Who wants a lawyer to win anyway?

Stacey's ouster, and the subsequent lack of public outcry, convinced me that not only do people dislike lawyers as a group, they will take every opportunity to hold our profession against us. Like an ugly form of racism or sexism, this lawyerism is a cancer

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Pay It Forward

While channel surfing recently*, I came across a show called *The List* on VH1 (I swear I'm not a regular viewer, there was a commercial break on PBS). This program features a group of celebrities seated in a semi-circle in front of a studio audience. Their task is to whittle down a list of names to formulate the "best" in a particular category. "Top lead singers of a rock band" was the topic this particular evening. I flipped back to the

McNeil/Lehrer hour (OK, maybe it was *Survivor*) in disgust after Roger Daltry was axed.

Even though inane (it's amazing what's on TV these days), this show did start me thinking about other lists in non-music related areas. Looking back at different eras always leads to some interesting comparisons. Could Roy Emerson really beat Pete Sampras if he had Pete's "graphite racket and fancy shoes?" A *Skins* game featuring Hogan, Palmer, Nicklaus,

and Woods in their prime would be a ratings bonanza.

Not only is it an interesting exercise to reflect on the past, but it can be constructive and inspiring as well. Shortly before I took over as TBA YLD President, I came across a list of former presidents of the organization.

The TBA YLD is not new. It dates back to the 1940s when it was founded by people like **Walter P. Armstrong, Jr., Cecil D. Brandstetter and Thomas R. Prewitt.**

Other luminaries from across the state who have lead this group include **John J.**

Thomason, Leo Bearman, Jr., William M. Leach, Jr., and Albert C. Harvey. Past presidents of the TBA such as **Howard H. Vogel, Pamela L. Reeves, and Randall D. Noel** served as president of the Young Lawyers Division

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TBA YLD Board Dinner at the 2000 Annual Convention in Destin, Florida. L to R: Jackie Dixon, Mitch Scott, Glenn Walter, Donita Walter, Scott Carey.



Scott Carey
TBA YLD President

President's Letter

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first. This list is impressive, but also daunting. These are some big shoes to fill. Overall, being part of an organization with such a long and rich tradition of leadership is heartening.

Striving for excellence was also stressed by another great leader, Martin Luther King, who said: "If a man is called to be a street sweeper, he should sweep streets even as Michelangelo painted, or Beethoven composed music or Shakespeare wrote poetry. He should sweep streets so well that all the hosts of heaven and earth will pause to say, here lived a great street sweeper who did his job well."

The leadership of TBA YLD 2000 is committed to promoting excellence and fulfillment in the practice of law. Some committees, like Mock Trial, Law Week, Public Service Day, Youth Summit and

Voter Awareness are designed to serve the public. Others, like Law School Mock Interviews, Alternative Legal Careers, CLE, and Disaster Relief, provide beneficial services to members of the bar.

Check out our website at www.tba.org for more information on all of our committees. Feel free to contact a committee chair or district representative in your area to learn how you can get involved.

Winston Churchill said that "you make a living by what you get, you make a life by what you give." That sentiment really captures the essence of bar

service. Five years from now you probably will not remember how many hours you billed or what your salary or bonus were this year, but I promise that you will remember the great feeling that you got by giving something back.

"To whom much is given, much is expected" is the longstanding TBA YLD motto. I hope you will consider making the practice of law more fulfilling by getting involved with the TBA YLD. You might find that one day you have made the list of people who have inspired someone.

*P.S. -- *After reading Jason Long's column and the President's Letter you may have concluded that young lawyers need to read more and watch TV less. --SDC*



TBA YLD Vice President Jonathan Steen leads a small group session during the TBA YLD Board Planning Meeting during the TBA Convention at the Sandestin Hilton in June.

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spreading throughout our society, infecting individuals who have no other reason to dislike us.

To combat this phenomenon we must rally together. We should take to the streets in protest. Let's demand that lawyers be added to the list of protected classes. Let the law be an instrument of good. And further, we should celebrate the victories we do achieve. That is why I propose that we declare September 14, National Curtis Day. Again, let me explain.

CBS has attempted to capitalize on the success of *Survivor* with another reality based game show titled *Big Brother*. Devoid of any new ideas, the two shows are essentially the same except that in *Big Brother* there is no cool jungle living aspect. Ten people are living in a house monitored by cameras and America is invited to watch. Unlike *Survivor*, I find this show truly repulsive and have only seen it once. But what I saw on that one episode restored my faith in humanity.

In *Big Brother* the roommates vote each week as to

which members of the house will be "marked." The marked residents are then made the subject of an on-line poll in which all of America is allowed to determine which of the marked residents are BANISHED from the house. That is the only good part about the show: residents aren't politely asked to leave or even told that they have lost the game, they are BANISHED.

In the episode I watched, Curtis (a 29-year-old New York attorney) was marked for BANISHMENT. His competition that night was Jordan, the resident exotic dancer. I could write an entire article on the wisdom of these people in choosing to BANISH the exotic dancer. That point aside, Curtis and Jordan

were presented to the American people who would decide their fate. On this night, however, the lawyers would get the last laugh. Curtis broke through the stereotypes. When conventional wisdom said Americans like strippers more than lawyers, Curtis bucked the odds. Jordan was BANISHED and Curtis lived to fight another day. (LAWYERS 1 : STRIPPERS 0).

A battle had been won. It was a small battle, to be sure, but in the never-ending fight for respect, each victory should be cherished. Bless you Curtis. My thoughts are with you.

Ed. Note: This article originally appeared in the Knoxville Bar Association's newsletter, DICTA



TBA Immediate Past President Randy Noel meets with TBA YLD Board Members Scott Carey, Jeff Peterson, Jonathan Steen and Nichole Soulé.

Knoxville

The Knoxville Bar Association and Knoxville Barristers participated in the Habitat for Humanity Easton Meadows project the week of Sept. 9 - 16. Barrister President-elect Sam Doak was co-chair of the project and Barrister's secretary/treasurer, Greg McMillan was a crew leader. All homes were completed Saturday, Sept. 16.

The KBA/Barristers interprofessional gold tournament was held Oct. 13. Jason Long served as chair.

The Knoxville Barristers Hunger & Poverty Relief Committee has been very active. We are currently soliciting funds for various organizations that assist the hungry and homeless. The project for September was a booth at the UT Law School homecoming celebration. The project currently participates in "Meals on Wheels" and delivers meals on Friday afternoons.

In October, the project will sort food at the Second Harvest Food Bank. In November, the project will be holding a coat drive. In December the project will be a fundraiser and may be selling Christmas cards to

area firms to raise money for the charitable organizations that assist the hungry and homeless.

The Knoxville Barristers also have a Volunteer Breakfast program where members cook and serve breakfast the third Thursday of every month at the Rescue Mission.

The Knoxville Barristers has tentative dates for the 2001 Community Law School - March 3 and March 10.

Chattanooga

When it comes to young lawyers, there has been no rest for the weary in Chattanooga. The Chattanooga Bar Association YLD has been busy this spring and summer. The YLD kicked off Law Week early this year with its annual Gold E. Locks trials for local elementary and middle school students. Trials were held at Calvin Donaldson Elementary School and Signal Mountain Middle School. The students enjoyed watching as our YLD members donned their "Bear" attire and taught them a little about our criminal judicial process. Chattanooga's Law Week events continued with a law luncheon to honor the

recipient of the first place scholarship award for the 2000 Law Week Essay Contest. This year's recipient was Linnea Duvall, a student at Girls Preparatory School in Chattanooga.

On May 18 the YLD sponsored "Soul Sounds 2000" at Rhythm & Brews. This is an annual fundraiser sponsored by the Chattanooga YLD to benefit Southeast Tennessee Legal Services and honor the Pro Bono Lawyer of the Year. Sandra Benton was named the 2000 Pro Bono Lawyer of the Year for all of her diligent work for Southeast Tennessee Legal Services. Lawyers, both young and more experienced, enjoyed the live band and silent auction at this event, while raising over \$7,300 for Southeast Tennessee Legal Services.

In June, the Chattanooga YLD welcomed the area summer clerks with a party in their honor at the Chattanooga Riverboat at Coolidge Park. All of those who attended this event appeared to enjoy the scenery of Chattanooga's newest park. We hope that some of our Summer Clerks will return to the area to become involved with the YLD.

The Chattanooga YLD

was proud to sponsor two Brown Bag Luncheons in July featuring Magistrate Bill Carter and our Federal Court librarian, Tom Vanderloo. Both Magistrate Carter and Mr. Vanderloo provided members of the Chattanooga Bar with valuable information concerning practice in our Federal Court system.

Recently, YLD members congregated at Chattanooga's newest downtown eatery, the "Tortilla Factory." This event was solely for food and fellowship and was enjoyed by all who braved the weather to make the event.

In addition to several more CLE events featuring some of our local judges throughout the fall, the Chattanooga YLD will sponsor the local wearing-in ceremony, admitting new colleagues to practice before the local courts. This event will be followed by a "Bridge the Gap" seminar and reception for the new lawyers and their friends and family at the Walden Club. We plan to wrap up Year 2000 with our Christmas party to collect toys for children sponsored by the

Chattanooga YLD through "Santa for all Seasons."

In addition to these annual events for the Chattanooga YLD, the Board of Governors is planning several more informal events to give our members the opportunity to meet each other outside of the courtroom or conference room. If you happen to be in Chattanooga, please check with the Chattanooga Bar Association YLD and join us for one of our upcoming events.

Nashville

Many of Nashville's finest attorneys kicked up their heels at the NBA's Young Lawyers' Third Annual Carbolic Smoke Ball. The Ball, June 3, at the Hermitage Hotel, showed the lighter side of Nashville's legal community as lawyers mixed and mingled with their colleagues and friends. The Ball raised more than \$16,000 for Court Appointed Special Advocates (CASA). This money will enable CASA to train more volunteers to help neglected and abused children.

The YLD 2000 Will Project, headed up by

Rocky McElhaney, has raised approximately \$2,200. The proceeds were donated to YMCA/YCAP, which works with at-risk youth to develop leadership and potential. Nashville School of Law students drafted 22 wills which were then reviewed by NBA YLD attorneys. Those having wills written donated \$99 to YCAP.

The NBA YLD hosted a family picnic at Edwin Warner Park on Friday, Sept. 8. Young lawyers and their families were treated to free barbeque and were entertained by a balloon artist/magician and a space walk.

The NBA YLD sponsored this free seminar and breakfast. Dr. Rod Kochtitsky discussed how to manage relational stress (i.e. dealing with that boss, client, and/or secretary who knows how to punch your buttons).

In October, Judge Barbara Haynes and her daughter Mandy Young led a panel discussion on the topic of balancing family and career. It was sponsored by the YLD Parent Committee.

News to Report?

The Quarterly needs articles and news items from across the state. Let us know what you are doing!

If you have something to submit contact Betsy Hilt at (800) 899-6993 or Nathan Rowell at (865) 637-1700.

Calendar

TBA YLD's 38th Annual Bridge The Gap Seminars

November 9

Tennessee Bar Center
Nashville

November 15

East Memphis Hilton
Memphis

November 10

UT Conference Center
Knoxville

TBA YLD 7th Annual Ethics Forums

December 6

UT Conference Center
Knoxville

December 12

Downtown Marriott
Chattanooga

Fogelman Executive Center
Memphis

December 13

Garden Plaza Hotel
Jackson

December 7

Tennessee Bar Center
Nashville

December 14

Centre at Millennium Park
Johnson City

LawTech Expo 2001 and Mid-Winter Meeting

January 20

BellSouth Auditorium and
Tennessee Bar Center,
Nashville

21st Annual Tennessee State Mock Trial Competition

March 16-17

Metro Davidson County
Courthouse and
Hilton Suites
Nashville

TBA YLD Public Service Day

April 28

Locations statewide

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