



The YLD Review

THE STATE BAR OF GEORGIA | LAWYERS SERVING THE PUBLIC AND THE JUSTICE SYSTEM

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YLD Holds Record-Breaking Signature Fundraiser to Benefit PIIP

by Meredith Sutton



YLD Officers enjoying the evening at the Biltmore. (L-R) Jennifer Mock, secretary; Darrell Sutton, president; Sharri Edenfield, president-elect; Jack Long, treasurer; and newsletter co-editors, Crystal Conway and Will Davis.

On Saturday, Feb. 8, the YLD held its 8th annual Signature Fundraiser at the Biltmore in Midtown Atlanta. This year's goal was to raise funds to contribute to YLD President **Darrell Sutton's** effort to endow the YLD's Public Interest Internship Program (PIIP).

Under the leadership of fundraiser co-chairs **Jessica Sabbath** and **Meredith Sutton**, records were set in every category. The 289 lawyers, judges, businesspeople and guests helped raise more than \$90,000, nearly \$20,000 more than any prior Signature Fundraiser. More than \$66,000 will be donated to the PIIP endowment!

Launched during the 2009-10 Bar year, PIIP matches law students and unemployed or underemployed young lawyers with summer internships at Georgia's public interest legal organizations and provides the interns with a \$5,000 stipend to defray living expenses during the internship. Since its inception, 24 PIIP interns (out of 274 applicants) have provided legal services at Georgia Legal Services Program, Atlanta Legal Aid Society, U.S. Department of Housing & Urban Development, DeKalb County Public Defender's Office, DeKalb County Child Advocacy Center, Federal Defender Program, Gideon's Promise and Augusta District Attorney's Office.

While overall economic circumstances have certainly improved since the program was launched, the need for it is as great now as it was then. After all, lawyer unemployment claims rose again in 2013 and Supreme Court of Georgia **Chief Justice Hugh Thompson**, in his State of the Judiciary address, recognized the delivery of legal services to the millions of Georgians who cannot afford them as the

most significant problem currently facing Georgia's legal profession. PIIP addresses both of these issues by providing interns an opportunity to acquire the legal experience and skills that will help them become better lawyers and make them more attractive candidates for full-time legal employment. PIIP internships also provide hundreds of hours of legal services each summer to Georgians who otherwise would not be able to obtain them.

The fundraiser saw the return of the Black Tie & Blackjack theme. The evening began with a reception for the Host Committee and sponsors. Fulton County State Court Judge and bourbon aficionado **Wes Taylor** guided attendees through a bourbon tasting by providing useful tips to enjoy this complex alcohol. At the main event, guests enjoyed an open bar, heavy

hors d'oeuvres, and live music and dancing courtesy of Atlanta's very own DJ TJ. The night also included a silent auction featuring more than 50 items including: sports tickets and memorabilia; artwork; recreation events; travel and dining certificates; and jewelry. Attorney General **Sam Olens** auctioned an African photo safari, a weekend trip to The Cloister at Sea Island, and a professional photo shoot.

Pictures from Black Tie & Blackjack, taken by Zach Porter Photography, can be viewed at www.flickr.com/photos/yld. A special thanks goes to the members of the State Bar, their guests, local businesses and community members for helping make this year's Signature Fundraiser the most successful since its inception.



Signature Fundraiser Co-Chairs Meredith Sutton and Jessica Sabbath with YLD President Darrell Sutton.

Photos by Zach Porter Photography

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From the President

Service: Our Duty and Our Honor

by Darrell L. Sutton

For as long as I have been a young lawyer, the YLD has been known as “the service arm of the Bar.” Indeed, “to foster among YLD Members the principles of duty and service to the public” is the third of the YLD’s six stated purposes in Article I, Section 2 of its Bylaws. More than any of the other five, though, it is this purpose that is fulfilled everyday by the current crop of young lawyers. One needs to look no further than this issue of *The YLD Review* to see that.

Why are “duty and service to the public” so important that they’re a stated purpose of the YLD? Why do so many young lawyers devote time to organize a fundraiser when they have so little time to give? Why does the Leadership Academy devote a full session each year to service to the public? Why did two young lawyers on their own develop a program devoted to serving this state’s first responders by conducting clinics where wills and other estate planning documents are prepared for them? To paraphrase YLD Past President **Josh Bell**, they do so because it’s the only means we have to pay the debt we owe the public for the privilege of being a lawyer.

As lawyers we have been given an opportunity to succeed that few others have. Before we were lawyers we were given the opportunity to obtain a first-rate education. Once we became lawyers we were given the daily opportunity to influence justice with our every professional move, and be handsomely rewarded for it. How many other professionals find themselves regularly with another’s fate in their hands—whether the accused criminal or the victim of a crime, the injured plaintiff or the alleged tortfeasor?

But with every opportunity comes a corresponding obligation. In other words, nothing in life is free. We cannot continue to reap the benefits, financial and otherwise, our profession provides us without acting to fulfill the obligation that comes with it. How you fulfill this obligation is not important; that you do so is.

It is not lost on me that doing so is difficult, though. It requires that you make the hard choice to serve the public, the community and the Bar. This choice is hard because the benefit of service is not only uncertain, but is unquantifiable. And everyone knows that lawyers like certainty and tangible results. We want to know the answer to a question before we ask it.

We want to know how a provision will be construed before it is inserted into a contract.

The choice to serve is also hard because it requires time, of which there is a finite amount. In our business, time truly is money. So the choice to allocate an hour to a pro bono case means the choice to take that hour away from a paying case. The choice to spend a day volunteering for charity means making the corresponding choice to allocate that day to a non-revenue-generating pursuit. The choice to attend a Bar function means the choice to spend time with other lawyers in a context where money likely won’t be made.

When deciding whether to make this hard choice, remember that excellence, professionally and otherwise, can be achieved only by making the hard choice. While doing so might lead to monumental failure if you make the wrong choice, it will lead to roaring, lasting success if you make the right choice. It is no secret that the hard choice requires a willingness to take risk. You have to convince yourself to go after a result that is uncertain and far from guaranteed. And at the same time you have to ignore the easy choice, which is the pursuit of a result you feel reasonably confident will occur. To use a gambling analogy, only with high risk do you acquire high reward.

The only certain thing about the hard choice to serve a cause other than our practices is that the result of doing so is uncertain. But if there is a tangible result to be gained by doing it—and I truly believe there is—the only way you’ll find it is to take the risk and head down that uncertain path.

So start your journey down that uncertain path. Join the Community Service Projects Committee in one of its upcoming ventures. Volunteer to serve as an evaluator for the Georgia High School Mock Trial competition. Volunteer to participate in one of the YLD’s Wills Clinics. Go beyond the YLD and volunteer to take a case pro bono, either on your own or from Atlanta Legal Aid or Georgia Legal Services Program. Volunteer for a local charity. Organize a school supply drive for local schoolchildren.

No matter your chosen outlet for service, just find time to serve. It is vital because it positively impacts the Bar and everything beyond it.

YLD Spring Meeting Save the Date!

May 15-18

The Ballantyne Hotel & Lodge
Charlotte, N.C.

Events will include a Welcome Reception,
CLE, General Session, Group Dinner and
NASCAR All-Star Race!



Caselaw Update

Criminal Law

***Williams v. State*, No. S13G0178 and *Brown v. State*, No. S12G1287**

The Supreme Court of Georgia ruled on when and why a roadblock can be implemented. The decision to implement a roadblock must be made by a supervisor acting in advance as opposed to an officer in the field making a spontaneous decision. Also, a checkpoint program needs to have a primary purpose other than a general interest in crime control.

Family Law

***Smith v. Smith*, S13F0682**

The parties were divorced on March 2, 2012, by Final Judgment and Decree of Divorce. Later, Husband was found in contempt for his failure to pay Wife's health insurance premiums, to make mortgage payments on the marital home where Wife resided and to turn over personal property awarded to Wife. The facts at the hearing revealed that Husband claimed no knowledge of the whereabouts of the personal property and during the pendency of the divorce proceedings, he had removed at least one truckload of personal property from the home. Wife presented uncontested evidence establishing the fair market value of the missing property. As such, the lower court ordered Husband, inter alia, to pay to Wife the fair market value of the personal property.

On appeal, Husband argued that the trial court improperly modified the Final Judgment and Decree of Divorce by awarding Wife monetary compensation in lieu of the personal property originally awarded to her. The Supreme Court of Georgia denied Husband's appeal, reasoning that the nature of the relief ordered by the lower court did not modify the Decree of Divorce, but rather remedied the harm caused by Husband's contemptuous conduct. In making its ruling, the Court relied upon O.C.G.A. § 23-4-31.

Husband likewise complained that the Final Judgment and Decree of Divorce is void on its face, as it failed to award specific items of personal property to either party and to designate a date upon which Wife would take possession of the marital home. The Husband's argument was rejected on appeal, as the Court provided that "the failure to dispose of all marital property within a final judgment does not render [a] judgment itself void or unenforceable," and "[W]ife's right of possession of the home, became enforceable on the date [the Decree] was entered."

Finally, Husband argued that the lower court improperly denied his motions for new trial, to set aside and/or to correct the judgment in which he alleged newly discovered evidence of adultery. Again, the Supreme Court of Georgia denied Husband's claim, finding that he failed to show that "want of due diligence was not the reason the evidence was not acquired sooner," as is required by Georgia law.

Juvenile Law

***In the Interest of H.B., R.G., and D.G.*, 2013 WL 5364864**

In October 2012, DFCS (the Department) investigated an incidence of domestic violence between the mother and boyfriend that was witnessed by the children. The boyfriend was arrested after the mother called the police when he fled from the house. The police officer who spoke with the children said they were "shook up" from the incident. While investigating, a DFCS case worker found the boyfriend in the home alone after being released on bond. Taking the advice of her attorney, the mother declined to sign the safety plan prepared by the department. The juvenile court found that the children were "without proper parental care or control" and placed the children with other family members.

The Court of Appeals cited *In the Interest of H.S.*, 285 Ga.App 839, 841, 648 S.E.2d 143 (2007) to explain that there has to be proof by clear and convincing evidence that the parent is unfit in order for a child to be found deprived and for the parent to even temporarily lose custody. The unfitness of the parent can be intentional or unintentional misconduct that results in the abuse or neglect of the child. The clear and convincing evidence standard applies to help eliminate the risk that families will be disrupted based on a few exceptional occurrences.

The court explained that the mother was the victim of one incident of domestic violence, there was no evidence of violence toward the children and there was no evidence that the children suffered any emotional or physical harm from the one incident of domestic violence. Furthermore, there was no evidence that the children lacked adequate food, shelter or education.

The department argued that the children's deprivation was the result of the mother not meeting with the department and the mother letting the boyfriend return to her home. The Court of Appeals explained that the mother was not required to sign the safety plan with the department. Furthermore, the evidence failed to show how the children were in danger when the boyfriend was in the home by himself on one occasion.

Judge's Chambers:

Service? What's That?

by Hon. Toby Prodgers, State Court of Cobb County



What does the term "service" mean? It depends a lot on the context. For example, my Camry went in for service this week and had a very good experience—oil got changed, tires got rotated and wheels were aligned. Now it thinks it owns the roads. I try not to be late for the 11 a.m. service at church as it has a huge impact on my attitude for the week. And the restaurants around Marietta provide some of the best service anywhere. You end up with the energy to take on whatever is coming up next. But what about the notion of service within the legal profession? What is that all about?

Humans are all about conflict. Sometimes we pursue interests in common with others. Sometimes we don't. Most of the time our interests are adverse to those of our fellow humans. And we are also very passionate about our conflicting interests, so it can be frightening and disruptive when our competing interests collide. That's why we have rules. Rules like, you drive on that side of the road, and I'll drive on this side. But, as we know, it's much more complex than that. That's why we have lawyers. They help us understand the rules and navigate through our various crises in life. That is the service they provide.

Sometimes lawyers provide these critical services pro bono. Sometimes they charge for their services. They are services as profound as the service my car gets, or my pastor gives or the wait staff provides. When the lawyer stands up to speak in court, he or she is being stared at by the adversary lawyer, opposing party, 12 jurors, the witness and the judge. But most of all, the lawyer is being stared at by his or her client. The client is the most grateful or the most critical. It is in that context that the lawyer provides the services.

From the bench I can only imagine what the lawyer has had to deal with to bring a particular matter to court. Some lawyers are faced with extraordinary challenges in dealing with their own clients. Nevertheless, they stand up to the challenges, guide their clients through the maze of uncertainty and stress, and stand by them to the end, whether their clients are grateful or not, and whether their clients even understand the difficulty and dedication involved. After the lawyers have been knocked down, they get back up, and they go on to provide services to the next client. All the while, they are confronted with other conflicts like having a dozen different judges all demanding their presence in court at the same time.

Without lawyers, the rules would be meaningless. Without rules, we would have chaos. But with rules and lawyers we have the sense that we can safely go about our business and pursue opportunities knowing all the time that our adversary in life will try to get even with us at the courthouse, not at Kroger. We have the confidence to go about our lives and business safely, to take care of our families and to look to the future. That is the service that lawyers provide.

It is also noteworthy and not surprising that so many in the legal profession serve in other ways as well. They volunteer at homeless shelters, serve in food lines, coach in youth soccer leagues, help at the schools and assist the elderly. They donate their time and their money. That is a fundamental characteristic of the profession. The legal profession is all about service. That's what makes it great.

Committee Updates

Litigation

by Ryals Stone, Kevin Patrick, Brandon Smith and John Jett

The Litigation Committee is pleased to announce that it has finalized two of the speakers for the annual “War Stories” Lecture Series. On March 26, the committee will host **Adam Malone** of Malone Law. He and his father are renowned trial attorneys known for their consummate professionalism and have handled some of the highest profile cases in the state. For example, Malone successfully argued against capping non-economic damages in medical malpractice cases. On April 30, **Chief Justice Hugh Thompson** of the Supreme Court of Georgia will speak. He is a Milledgeville native and has served on the Court since 1994. The lectures will be held from 12–1:30 p.m. at the Bar Center and lunch will be provided. For more information on this series, please contact **Ryals Stone** at ryalsstone@booneandstone.com or **Kevin Patrick** at kpatrick@gmlj.com.

In addition, the Litigation Committee has planned a number of other exciting events. Everyone is invited to attend a reception, hosted in conjunction with the Family Law Committee, honoring the Fulton County Judiciary on May 1 at 5:30 p.m. at the Glenn Hotel. Please contact **John Jett** at jjett@kilpatricktownsend.com or **Brandon Smith** at bsmith@cssfirm.com for additional information.

Community Service Projects

by Nicholas Bedford

In January, the YLD Community Service Projects Committee conducted its annual Suit and Cell Phone Drive. The initiative kicked off with collections being taken at the State Bar Midyear Meeting and continued for two weeks following the meeting with donation sites set up around Atlanta. The drive was a great success, with more than 100 suits and dress shirts donated to the Atlanta Union Mission and My Sister’s House. The drive also received multiple cell phones and chargers.

The committee extends its sincere appreciation to all who donated to the drive. Specific recognition is given to the generous support of this year’s volunteers and collection sites: **Brandy Daswani** at Browning & Smith, LLC; **Deepa Subramanian** at Ogletree, Deakins, Nash, Smoak & Stewart, P.C.; **Mary McAfee** at the State Bar of Georgia; **Jen Blackburn** at Troutman Sanders, LLP; **Meredith Sutton** at Oldcastle, Inc.; and **Lindsay C. Verity** at Atlanta Legal Aid Society, Inc.

National Moot Court Competition, Region V

by April Holloway

The National Moot Court Competition, Region V, hosted preliminary rounds at the U.S. Bankruptcy Court on Nov. 15, thanks to the coordination and assistance from **Fred Childers**, chief deputy clerk; **Michael Smith**, chief deputy of information technology; and **Jennifer Jones**, human resources administrator. Schools from across the Southeast competed for the

honor of representing the Region in New York in the National Competition. After hosting teams in the preliminary rounds, six teams advanced to the quarter-finals.

The semi-finalists were the University of Georgia, Stetson University, the University of Miami and Emory University. After facing a tough judging panel consisting of **Soo Hong, Devin Franklin, Allen Wallace, Candis Jones, Grant Tall** and **Austin Gillis**, the University of Georgia and Emory advanced to the finals. The final round judges, composed of Hon. **Kimberly Esmond Adams**, Hon. **Angela Brown, Jacqueline Bunn, Will Warihay, Darrell Sutton** and **Katie Powers**, also presented a vigorous bench. The University of Georgia was named the overall winner and also won awards for Best Oralist and Best Petitioner’s Brief. Stetson won the award for Best Respondent’s Brief. Both the University of Georgia and Emory will represent Region V in New York.

The committee extends a heartfelt thanks to all volunteer judges and brief graders as well as to Attorney General **Sam Olens** for addressing the competitors. It additionally thanks the following sponsors: Moore Ingram Johnson & Steele, LLP; Bondurant Mixson & Elmore, LLP; and the American College of Trial Lawyers. Finally, the committee thanks **Bert Hummel** and **Cara Convery** for their dedication to this year’s competition.



Overall Winners from University of Georgia with National Moot Court co-chairs, (L-R) Bert Hummel, Emily Westberry, Steven Strasberg, Ben Thorpe and April Holloway.

Affiliate Updates

Augusta YLD

by Garon Muller

Young lawyers in Augusta have been quite busy in the past few months. In October, there was a happy hour at Edgar’s Grille where members heard from a representative of Nurse Consultants about the services they provide. In early November, the Augusta YLD held a happy hour at 5 O’Clock Bistro, joined by Elliot-Davis, a local accounting firm. Attendees enjoyed meeting local young professionals and building new relationships within the community. In December, the cold was braved for a good cause, taking part in the annual bell ringing for the Salvation Army. Members were stationed at businesses throughout Augusta and filled the air with that familiar Christmas sound. The 2014 Kick-Off was held at Teresa’s Mexican Restaurant in February where upcoming activities were planned.

Columbus YLD

By Matt Massey

On Feb. 19, members of the YLD Executive Committee visited the Columbus YLD affiliate at the Loft Columbus. Hon. **Frank Jordan** and **William Rumer** attended the event where members enjoyed meeting the Executive Committee members and learning about other YLD chapters around Georgia. This was the first outing since the holiday party in December. Admission to the December party required a toy for Santa’s Castle, a charity that provides toys at Christmas to military children in the Fort Benning area. The current officers are: **Matt Massey**, president; **Heather Garrett**, vice-president; **Shaun O’Hara**, treasurer; and **Megan Scheller**, secretary.

Savannah YLD

by *Lindsey Hobbs*



Savannah YLD President Blake Greco, shown here with his biggest cheerleader, daughter Sloan, is all business in his suit as he rappels down the Manger Building in downtown Savannah to raise money for the Boy Scouts of America.

Savannah young lawyers ended 2013 by raising money for two of Savannah's worthy causes. They competed to see which YLD Executive Board member would go "Over the Edge" by raising the most donations for the Boy Scouts of America Coastal Empire Council. The member who won would rappel down the Manger Building in Savannah on Dec. 13. YLD President **Blake Greco** earned the honor of representing the organization and went "Over the Edge" at the event. The YLD raised more than \$1,100 for the Boy Scouts as part of the fundraiser.

At the annual Tacky Sweater Christmas Party, young lawyers donned their favorite tacky Christmas attire and gathered to enjoy delicious food and great company. **Lindsey** and **Steven Hobbs** won the best couple's costume, while **Kate Lawson** won the best individual outfit. For the second year in a row, meals were prepared at the Ronald McDonald House for the families in residence. Money was raised for the charity at a trivia night in January.

The Savannah YLD hosted a happy hour after the Atlanta Bar Association and the State Bar of Georgia's ethics CLE at the State Bar Coastal Office on March 6. The group is in the process of finalizing the details for 2014 events, such as a Picnic in the Park later in the spring.

Glynn County YLD

by *Melissa Cruthirds*

Glynn County YLD and CASA make a great team! As a response to a need by Glynn County CASA, **Lacey Houghton**, secretary of the Glynn County YLD, organized a panel training and discussion on courtroom procedures for CASA volunteers, which was held on Nov. 4. The panel provided information to CASA volunteers on general courtroom etiquette, what to do if they receive a subpoena, preparing for and giving testimony, the rules of evidence and the difference between the various courts in Georgia.

An Invitation to Serve

by *Jake Evans*

In John F. Kennedy's 1961 inaugural address, he spoke the venerable words, "ask not what your country can do for you, ask what you can do for your country." The artful splendor of these words is equally intelligible as is their message. He challenged Americans to engage in civic action and public service to strengthen and unite the country during the Cold War. He knew that, during a time of such severe adversity, nothing could inspire and signal a formidable and reviving nation than a selfless nation.

Attorneys have skills that others, either through lack of opportunity or desire, do not. For this reason, lawyers are in a unique position to offer a type of assistance that is limited and most needed in times of severe predicament. Given this distinctive dynamic, an ethical imperative to serve the indigent exists.

No individual becomes an attorney without significant guidance and support from others. Lawyers should aim to repay this support by providing the most valuable skill set we possess, our legal knowledge, to those that cannot afford it.

Providing representation to the indigent can also be advantageous to our development as attorneys. Handling a pro bono case allows attorneys to cultivate substantive legal skills. Notably, young attorneys often do not have the opportunity to advance courtroom oral skills. For example, representing an indigent party in a criminal case potentially allows a young lawyer to have a jury trial. This experience is instrumental to a young attorney's development, enhancing the attorney's value and marketability to existing and potential clients.

Second, serving the indigent through pro bono work, also could enhance an attorney's personal life. Lawyers consistently top lists as the profession with the highest rate of depression. Many psychological studies have found that those engaging in altruistic activities live happier lives. This paradigm presents a perfect opportunity for the proverbial "win-win." Lawyers can enhance the lives of the indigent by providing legal representation while simultaneously enhancing their personal life by augmenting their sense of fulfillment and purpose.

Third, serving the indigent bolsters the integrity and reputation of the legal profession. Most cocktail parties are replete with jokes questioning the character of lawyers. Engaging in pro bono work at an individual level will result in a more respected profession at an aggregate level. A profession comprised of persons demonstrating their ethical ideals by action is a profession that receives warranted respect and admiration from others. Our action (or inaction), through pro bono work, will partly determine whether this reputation is maintained.

Lastly, serving the indigent can enhance an attorney's communication skills. Solely communicating with sophisticated clients hampers a lawyer by allowing them to convey legal knowledge in esoteric language. Representing an individual possessing little to no legal knowledge, however, forces an attorney to simply and coherently articulate the law. The ability to simplify complex ideas is a rare skill that is of paramount value to indigent and corporate clients alike.

Just as Kennedy inspired Americans to fulfill their civic duty by helping fellow Americans, I challenge you, as lawyers, to fulfill your ethical duty by helping those that cannot afford to help themselves. Emphatic "win-wins" come sparingly in life. But one has now come, and I invite you to take advantage of it.

Run for the YLD Executive Council

Now is the time to throw your hat in the ring! Elections for representatives will occur at the YLD Annual Meeting, which will be held at the Omni Amelia Island Plantation Resort, Amelia Island, Fla., on June 6.

The Executive Council is comprised of 10 representatives from each of Georgia's federal judicial districts (Northern, Middle and Southern), two representatives from outside Georgia and 12 members-at-large. Representatives participate in the YLD's five annual membership meetings, provide input and perspective with respect to YLD activities and are appointed to serve on various YLD committees.

If you are interested in standing for election to the YLD Executive Council, please send a biography or resume to **Mary McAfee**, YLD director, at marym@gabar.org or fax to 404-287-4990 by May 16. For more information about the elections, contact Mary McAfee or YLD President-Elect **Sharri Edenfield** at sharri@ecbcpc.com.

BLACK TIE & BLACK JACK

BENEFITTING YLD PUBLIC INTEREST INTERNSHIP PROGRAM FEBRUARY 8, 2014



Co-chairs:

Jessica Sabbath and Meredith Sutton

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Norman and Alex Barnett pause to say "Hi" to the camera!



YLD past presidents with current President Darrell Sutton. (L-R) Donna Barwick, Stephanie Kirijian, Darrell Sutton; Bill Barwick, Josh Bell, Damon Elmore, Joe Dent, Tina Roddenbery and Amy Howell.



Georgia Attorney General Sam Olens calls the live auction at the Signature Fundraiser.

Tips for Service

by Lyndosha Jamison

Mahatma Ghandi said it best, “The best way to find yourself is to lose yourself in the service of others.” Although easier said than done, it is important for each of us to discover the unique ways we were created to serve. Our profession demands a servant’s heart. We give our days, weeks and years to clients who entrust us with their deepest secrets, wildest dreams and most prized possessions.

November 2013 marked my one year anniversary as a practicing attorney. In an effort to ensure that I remained aware of my duty to serve, I examined my first year of practice for nuggets of wisdom. I realize that it is a privilege just to recognize these truths and use them as a guide on this beautiful journey through the practice of law. I hope that these lessons encourage you as you undertake an act of service as much as they have encouraged me!

Ten lessons learned in service from my first year of practice:

1. Be direct. You experience instability when you operate with ulterior motives. Serve with purpose.
2. There are multiple truths that you must consider in any given situation. Examine them ALL and then make a decision.
3. You can only control yourself. Don’t bother trying to control another person. You can only guide and influence others if they want to be led.
4. Think and decide before you act. And give the same response whether your client is paying or not.
5. Life is interdependent. Your decisions are not isolated. People depend on you.
6. Preserve your name and position for the future. Make decisions today that open up opportunities for tomorrow.
7. Engage in purposeful dialogue on social media.
8. The best way to keep things balanced is to plan! Don’t drop the ball just because something is pro bono.
9. Organization reduces stress!
10. The invisible gives birth to the physical (your thoughts produce your reality—be aware of them). Approach service with an open mind and heart.

Characteristics of a Professional in Service

by Tiffany Simmons

As I reflect on opportunities for service, I realize there is much more that goes into service than just undertaking some action. Recently, I’ve noticed that new attorneys struggle with professionalism, and I began to think about how this relates in service and what I did not know in my first year of practice. As a mentor told me, “Tiffany, the ‘real work’ starts after you pass the bar.” I received that pearl of wisdom a few years back, and by experience, I now know it is true. I motivate myself with this wise reminder when I’m having challenges as a young lawyer in the profession. New lawyers will quickly learn that what people think you do is different from what you actually do. Moreover, you will learn that what you thought about the profession is different than your current reality. As we welcome our newest members of the Bar, they may be employed or still looking for employment. Whatever the situation, now is a time to serve and put into action what some dream of becoming since childhood.

While figuring out what “real work” is differs by the attorney, what remains constant are the characteristics of a professional person. A professional lawyer is ethical, diligent, hardworking and willing to learn, whether paid or unpaid. As professional conduct is an important key in building a successful legal career and worth remembering during acts of service, I share with my friend, the new lawyer, a few things that I’ve learned over the years.

My Dearest Friend,

It is always good to be kind to everyone you encounter. You never know who that person is or what their story may be. Early is on time. Whether it is court, a meeting or the office, be on time. Be prepared and willing to work. Be an asset not a liability. You are new! Show what you have before you ask about what you can get. Be adaptable and willing to try. Ask questions and pay attention to details. Be open to change in the legal profession. Have reasonable expectations for where you are in the profession. Be a confident attorney and have confidence that you can succeed.

Be respectful to the court and your client, and respect judges’ decisions because people will remember your behavior. When leaving an employer, provide a two week notice. Keep your pro bono client apprised of your work. Each job is an opportunity to learn. Treat others how you want to be treated.

Take care of yourself mentally and physically. Be patient with yourself as you find your way as an attorney. You’ve come this far, don’t give up, and be persistent. If you do not know something, learn it. Keep asking until you get your YES. Be a self-motivated overachiever. Whether you work for yourself or another, be motivated to do your best. Professionalism and service are important parts of building relationships with clients and others within the legal community. In order to have career longevity, remember that every day is a new opportunity to serve, to practice and to develop. Try to practice all of these tips and make it a point to pass them on to another young professional that you meet.

*Your friend,
Tiffany*

10th Annual YLD Ethics and Professionalism Award

Do you know a young lawyer who exhibits exceptional fairness, integrity and diligence? Have you encountered a young lawyer who displayed professionalism in a difficult situation? Consider nominating that lawyer for the 10th annual YLD Ethics & Professionalism Award.

For the past nine years, the YLD has recognized individuals who exhibited such qualities. Although judges and senior partners have submitted recommendations, exceptional displays of ethics and professionalism often come to the YLD’s attention only through nominations by their peers.

The YLD has seen many diverse nominees ranging from public interest litigators to in-house corporate lawyers, and the YLD would like to continue the tradition across a variety of fields and locations. Past award recipients include: **Kimberlee Hillard, Ivy Cadle, Carl Varnedoe, Paul Fancher, David Mincey III, Andrew Goldner, Christopher Cohilas, Douglas Chandler** and **Tyronia “Ty” Smith**.

The nomination form will be posted to georgiayld.org and distributed by email. Please submit all nominations to **Kristy Offitt**, kristy.offitt@ogletreedeakins.com, and **Raj Shah**, rs@phrd.com, by Tuesday, April 15, 2014.



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Editor's Block

Crystal Conway

Many people who have not studied economics are not aware of the tertiary sector of the economy. This economic sector consists of industries where people offer their services as goods instead of producing goods, such as in manufacturing or agriculture. The tertiary sector, which should be noted as the largest sector of our economy, includes those careers that fall under the service industry. As purveyors of legal information or services, lawyers often do not realize that we fall into this category, and are listed alongside those in the hospitality and retail industries, among others. In short, we are meant to serve.

A quote by Hon. **Louis Brandies** reflecting on opportunities in the law states, "It is, as a rule, far more important how men pursue their occupation than what the occupation is which they select." While we

have every right to be compensated for our services, sometimes we should set aside our financial motivations and work unpaid for the greater good.

If we enlist ourselves into a pro bono or mentoring project, we are commended for being good people. And when our communities and society begin to see that we lawyers are, at our core, good people who are willing to serve, service become contagious and we become a part of the rising tide that lifts all boats. You see, service that is rendered without remuneration is important because it exposes our willingness to truly help.

So as spring begins, it offers not only a time of renewal in nature, but also a time for us to really dig into what we would like to accomplish in the current year. We will have many choices on what we each do with our time. I urge you to reevaluate how you are spending yours in pursuit of your occupation. If you are at a point where you are experiencing feelings of being overwhelmed, the inability to detach from the office or general dislike of how you spend your days, I suggest that you take time out to serve. You will be amazed by the feeling of achievement you get when you are able to positively impact someone's life by just doing a bit of legal work. Or if you are completely happy with where you are in your career, now is the perfect time to spread your happiness and give back. The point is to remember that you as a lawyer are a member of a very valuable industry that also includes the underlying responsibility to serve. If you are uncertain where to start, look no further than the State Bar. There are endless opportunities for pro bono projects, or committees that are in need of your ideas, so one shouldn't be timid in approaching the act of service. After all, service is our assigned industry. We, as lawyers—always known for blazing the path—should naturally be the industry leaders.

I do not know about everyone else, but I am ready for spring. As I write this column, I'm sitting on my couch after being snowed in for the second time in as many weeks. Events like this year's weather are thankfully so rare that we do not often need to worry, but when they do happen, many people are often caught off guard in their preparations. We all heard storm horror stories of 15-hour commute times, nights spent in cars and offices, and six-mile treks home. However, in light of the horrific situation, pictures began to emerge of residents stepping up to help others—offering couches, giving rides and providing food to complete strangers. Where so many things went wrong, people were willing to serve others, no questions asked. Just after the first snow melted, the spirit of giving and service continued. Marietta attorney **Justin O'Dell** took action and initiated "The 100 Challenge" which encouraged local law firms and businesses to give either \$100 or 100 pounds of food to non-profits that were depleted during the storm which I am sure came in handy when round two struck in February.

Justin's initiative reminded me that as young lawyers, we are the service arm of the State Bar of Georgia. I am continually impressed by the dedication of many YLD members who go above and beyond their regular professional duties. **Jessica Sabbath** and **Meredith Sutton** organized a fundraiser that raised more money than ever before to benefit PIIP. Through their hard work, new young lawyers will be able to serve public interest clients for years to come through groups like Atlanta Legal Aid Society and Georgia Legal Services Program. Attorney General **Sam Olens** has challenged the YLD to participate in this spring's annual Georgia Legal Food Frenzy to support Georgia's regional food banks. **Brandon Elijah** and **Katie Willett** implemented a first responder's wills clinic in Augusta that was incredibly well received, and plans are being made for a second clinic in the near future. In addition to these state YLD projects, local YLD affiliates and committees continue to offer service opportunities for members across Georgia.

Wherever you choose to serve your community, I hope that you are able to find an activity that suits your passions. It's often easy to get caught up in our hectic professional lives, but being a part of the State Bar and the YLD gives us wonderful opportunities to reach out and work with others from around Georgia. Consider gathering cans for the Food Frenzy or donating some hours on a Saturday to help a paramedic with a will—just choose a way to get involved and bring a friend. You won't regret it.



Editor's Block

Will Davis