

THE CITATION

A MONTHLY PUBLICATION OF THE SAVANNAH BAR ASSOCIATION

Mark Your Calendars:

- YLD CLE and Happy Hour:
March 7, 2013
- SBA Monthly Luncheon:
March 14, 2013, 12:00 p.m.
- SBA Boat Ride: April 12, 2013
- Savannah Law School Oral
Arguments: April 15–25,
2013
- CBLI Seminar: April 19, 2013

Don't Miss the Boat! Savannah Bar Association to Hold Annual Boat Ride on Friday, April 12, 2013!

The SBA will set sail on the Spirit of Harbour Town down the Savannah River to Daufuskie Island on **Friday, April 12, 2013**. The boat boards at 9:30 a.m. and leaves at 10:00 a.m. from the dock directly in front of Spanky's Restaurant on River Street. The boat is expected to return around 4:00/4:30 p.m. that afternoon.

The cost is \$12 in advance and \$15 the day of for SBA members, and \$16 in advance and \$20 the day of for guests. The deadline for the advance registration is Tuesday, April 9, 2013. Remember, you must have paid your 2012-2013 SBA dues in full in order to board the boat. A special thanks to the sponsors: Coastal Court Reporting and Video Services, Inc., Investors Title Insurance Company, Pro-Legal Copies, The Savannah Law School, and West, a Thomson Reuters Business.



CALL FOR JUDGES: Savannah Law School 1L Oral Arguments

Savannah Law School's inaugural class will participate in oral arguments **April 15th–25th**. These arguments represent the culmination of the first year legal writing experience and will also serve as a competition for membership on the moot court board. To make this experience as meaningful as possible, we are seeking practicing attorneys and judges from the local community to participate as judges for the oral argument rounds. All volunteer judges will be provided with a bench brief and score sheet, as well as sample questions for the advocates. We ask that anyone volunteering be prepared to dedicate a minimum of one hour, but we would of course welcome longer time commitments as well. The schedule is still being finalized, but we are collecting a roster of volunteers now. All those interested in participating as judges for the oral argument rounds, please contact **Elizabeth Megale, Associate Professor and Director of Legal Skills & Professionalism**, Savannah Law School, at emegale@savannahlawschool.org. Please remember to include your name, contact information, and best available times during the week and on the weekend.

Savannah Bar YLD Update

By Heather Hammonds

2013 is off to a great start for the Savannah Bar YLD. On January 19th, members of the Savannah YLD executive board had the opportunity to cook dinner at the Ronald McDonald House. Thanks in large part to the efforts of Chef **Colby Longley**, a great meal of pork tenderloin, squash casserole and salad was prepared for the families at Ronald McDonald House. The food for dinner was purchased with money generously donated at the YLD Christmas party. The YLD would like to thank **Lindsey Hobbs** for organizing this great event.

Also in January, YLD members gathered at Satisfied to compete against one another in trivia. YLD members **Jacob Masee** and **Thomas Gore** emceed the event, asking an assortment of challenging and off-the-wall questions.

The Savannah Bar YLD gathered at Sparetime for a happy hour on Friday, February 22nd. Members enjoyed great company and handcrafted cocktails.

On **March 7th**, the Savannah Bar YLD will be hosting a CLE happy hour event in conjunction with the State Bar of Georgia YLD. The CLE will take place at 5:00 p.m. at the Georgia Bar Coastal Office at 15 East Bay Street, with the happy hour afterwards being held at Tondee's Tavern. The topic of the CLE is "Ethical and Professional Concerns with the Use of Social Media." Panelists include **Judge Stephen Dillard** (Georgia Court of Appeals), **Randall Kessler, Esq.** (Kessler & Solomiany), **Bates Lovett, Esq.** (HunterMaclean), and **Kellyn McGee, Esq.** (Associate Professor at the Savannah Law School), with **Nicole Iannarone** (Assistant Clinical Professor at Georgia State University College of Law) serving as moderator.

For more information about upcoming events and how to become involved with the Savannah Bar YLD, please email **Amanda Love** at alove@thebowmanlawoffice.com.



Recorder's Court Announces Internet Payment Services

The Recorder's Court of Chatham County's mission is to administer justice with fairness, equality, and integrity, to resolve matters before the court in a timely manner, and to provide courteous and prompt service in a manner that inspires public trust and confidence. In an effort to carry out that mission and to increase the public's ease of access to the court, Recorder's Court now offers the convenience of online payment of traffic citations. The court's website, www.savannahga.gov/recorderscourt, has been designed to allow for the viewing and paying of these citations over the internet. The ability to pay online will hopefully decrease the inconvenience that accompanies a traffic citation, such as taking time out of one's work day to come to court simply to pay a fine. **Recorder's Court Chief Judge Tammy Stokes** hopes this process will make the task of clearing up a traffic citation just a little easier for the community.

In addition to the online payment section, the website also features other useful information, such as frequently asked questions and answers, a rescheduled case list that is updated daily, and several other helpful links. There is also a link that allows cases to be looked up by case number, by name of defendant or attorney, and by date.

All are encouraged to visit the website to learn about new developments in Recorder's Court. The Recorder's Court Judiciary and its staff hope that everyone will find the site to be easy to navigate, informative, and a time-saver!

Dealing With An Angrier Public?

By Wendy Williamson

Executive Director, The Mediation Center

In 2012, the Mediation Center mediators noticed an increase in abuse and harassment allegations in both civil and domestic cases. Additionally, more cases involved people passionately demanding a full recovery or people lacking resources with which to negotiate any settlement. We had our lowest settlement rate in recent memory. We would not be mediators if we did not thrive on solving tough problems and facing interesting and unusual circumstances. One thing most mediators have in common is that we are constantly chewing on the last case: why it did not settle, what we could have done differently, what will happen to these people when they go to court... but last year seemed extreme. That is why the article in the Fall 2012 ACResolution Magazine entitled “Dealing with an Angrier Public” caught my attention.

Lawrence Susskind and Patrick Field, professors at MIT/Harvard, published a book entitled Dealing with an Angry Public in 1996, in which they raised concerns about the distrustful attitudes of citizens toward government and corporations and the inability of these institutions to effectively respond to these public concerns. In their recent article published in the ACResolution Magazine, Susskind and Field noted that “Neither of us imagined in 1994 and 1995, when we wrote the book, how much angrier the public would become in the ensuing years. When we look at the broadest national canvas- American politics- it is practically impossible to find collaboration, civility, or a commitment to building consensus anywhere.... Citizens [are saying] ‘We are mad as hell and not going to take it anymore.’”

Lawyers are in the business of working between citizens and institutions. Every practice of law involves an institution and lawyers who are working within, against, in anticipation of or alongside that institution. Those institutions are often the most distrusted of all. Which institution is more distrusted: the government, the legal system, large corporations, the insurance industry, financial institutions? This might help explain why legal malpractice claims have increased since 2008. “Attorney malpractice claims are escalating in numbers and intensity, making us wonder if clients, anxiously looking to recoup the hefty sums of money lost because of the struggling economy, are recalling the literal interpretation of Shakespeare’s well-known verse.” ABA Journal, Posted Feb 17, 2009, by Rachel M. Zahorsky.

With awareness and self-reflection comes opportunity. If we are aware that we are dealing with an angrier public, we can minimize risk, serve our clients better and make real differences in the lives of our clients or the institutions we affect. A lawyer who fuels his client’s distrust and indignation is often burned by the resulting fire. Susskind and Field have six suggestions [in bold] for dealing with an angrier public which I have expanded upon for lawyers below:

Dealing With An Angrier Public? Continued....

#1 Acknowledge the concerns of the “other side.” From your first meeting with a client, help them to consider that there may be an “other side.” Be realistic in your evaluation. Do not set expectations so high that you are later viewed as the problem. Educate your client on the burdens and hurdles in their case. I rarely encounter liars but I often encounter humans whose perspective has reshaped history.

#2 Encourage joint fact finding. Be willing to listen to opposing attorneys and involve your client in answering tough questions with provable facts rather than emotion. Focus your client’s energy and attention on the task of gathering proof, organizing and supporting facts and contemplating solutions.

#3 Offer contingent commitments to minimize impacts if they do occur; promise to compensate unintended effects. What would happen to a lawyer’s conduct if the lawyer committed to compensate a client for collateral damage or excessive legal expenses? For example, would a lawyer advise a client differently in evaluating a settlement offer if the lawyer is committed to compensating the client who later loses at trial or whose legal fees ultimately exceed recovery? In other words, if a lawyer is committed to sharing in the risk of her own advice, would she give different advice?

#4 Accept Responsibility: admit mistakes and share power. Don’t be a know-it-all. Do your homework. Listen to your own client. Admit when you do not know the answer to a question. Involve your client in finding solutions. Spend more time talking about resolving the dispute than about defeating the other party. As Benjamin Franklin said: "After crosses and losses men grow humbler and wiser."

#5 Act in a trustworthy fashion at all times. No more needs to be said.

#6 Focus on building long-term relationships. I think this speaks to how we treat each other as lawyers. When I attend Savannah Bar functions, I am looking at a living history of which I am a part. I can look around and recall cases, mercies, aggravations, stories, good moments, bad moments and, most especially, friendships on which I have relied over and over again. Invest kindness and professionalism and you will reap great rewards that are beneficial to both you and your future clients.

The Savannah Bar Association Scholarships Available to Area Students

The Savannah Bar Association undertakes to award scholarships to deserving students each year. The guidelines for the scholarships are as follows:

The **Judge Eugene H. Gadsden Memorial Scholarship** was established by the Savannah Bar Association in tribute to the memory and legacy of Judge Gadsden as an outstanding community leader known for his character, integrity and compassion. His fairness, patience and wisdom served as an inspiration not only to all lawyers and judges but to the community at large. The purpose of the scholarship is to assist a graduating senior from a high school in Savannah in attending an accredited college or university. The award is based on merit and it provides an annual amount of \$1,000 for four years. The award may be used for tuition and fees, books, and other academic expenses. All applicants who have applied for or will be receiving other financial support must reveal that information and include it with the application. Applicants must meet entrance requirements of the institution and maintain grades in keeping with the standards of the Hope Scholarship.

The **Judge Phyllis Kravitch Scholarship** was established by her former law clerks in tribute to this outstanding community leader known for her character, integrity and compassion. The purpose of this scholarship is to assist a rising second or third year law school student from Chatham County in continuing his/her education at an accredited school of law. The scholarship award of \$1,000 will be given to one student based on merit for the second or third year of study in law school. A second year law student who receives an award may apply for an additional award for his/her third year. The award may be used for tuition and fees, books, and other academic expenses. All applicants who have applied for or will be receiving other financial support must reveal that information and include it with the application.

The scholarships are administered by The Savannah Community Foundation, Inc. Interested students should contact their counselors/financial aid offices for a timetable of the application process. Completed applications must be received by noon on March 29, 2013.

CBLI To Hold 21st Annual Bankruptcy Law and Trends Seminar

The Coastal Bankruptcy Law Institute announces its 21st Annual Bankruptcy Law and Trends of the Southern District of Georgia seminar to be held on Friday, April 19, 2013, at the Savannah International Trade & Convention Center on Hutchinson Island. This year's topics include: Chapter 13 Trustees' Update, Recent Appellate Decisions, Recent Decisions in the Southern District of Georgia, The United States Trustee's Role in Chapter 11 Accountability and Consumer Protection, and Ethics/Best Practices. Registration will begin at 8:30 a.m. and the seminar will begin promptly at 9:00 a.m. For more information and to register, visit www.bankruptcylawresearch.org/seminars.html.

Savannah Law School Hosts Southeast Regional Legal Writing Conference and Symposium



On **April 26th and 27th**, Savannah Law School will host the **2013 Southeast Legal Writing Conference**. Over 100 lawyers and academics are expected to attend.

The Conference will kick off on Friday at 1:30 p.m. with a symposium entitled “Legal Writing: A Doctrinal Course.” Prominent scholars in the field of legal writing will be presenting papers and discussing trends in the profession and best practices for developing the identity of the discipline. Space is limited, so please indicate whether you plan to attend the Symposium when you register. Friday’s events will conclude with a welcome reception at 6:00 p.m. hosted at the McNeil Metts Mansion across from Forsyth Park. Cocktails and hors d’oeuvres will be served. This event represents a unique opportunity to network with colleagues and expert legal writers.

Saturday will feature approximately 50 presentations by over 60 legal writing professors from around the world. Many of the presentations will provide practicing attorneys with concrete tools for improving their writing and navigating new e-filing rules and technology. They are certain to be dynamic, thought-provoking, and stimulating to both academics and practitioners. We have applied for CLE credit from the State Bar of Georgia.

Registration is \$50.00 and includes lunch on Saturday and drinks and snacks throughout both days of the conference. For additional information, please visit our website at www.savannahlawschool.org and click on the “Events” link at the bottom of the home page. A few sponsorship opportunities are still available for this significant event. For more details on how you or your firm can participate, please contact **Elizabeth Megale**, Associate Professor and Director of Legal Skills & Professionalism, Savannah Law School (emegale@savannahlawschool.org).

Savannah Law School Open House

This spring, Savannah Law School will host an Open Houses for prospective students on **May 11, 2013**. This Open House provides prospective students and their families the opportunity to tour our beautiful facilities across from Forsyth Park, meet some of our faculty and staff, learn about the history and mission of the law school, participate in a mock class, and hear about the Savannah Law School experience firsthand from current students. During the Open House, the application and admission process will be explained as well as the availability of scholarships and financial aid. This event is an exciting opportunities to share the history and charm of Savannah and its only law school with prospective students. All interested in attending should RSVP at www.savannahlawschool.org.

Announcements

Christopher Rouse and **Amy Lee Copeland** announce the opening of their new firm, **Rouse + Copeland LLC**, specializing in trials and appeals. The firm is located at 24 Drayton Street, 7th Floor, Savannah, GA 31401. (912) 544-0910.

Thomas M. Gore is pleased to announce the formation of the **Gore Law Firm** in Savannah. The Gore Law Firm will focus primarily on Family Law and Debtor's Bankruptcy. Honored as a 2012 Legal Elite by Georgia Trend Magazine in the area of Bankruptcy and Creditor's Rights, Mr. Gore is admitted to practice in all state courts of Georgia and South Carolina, the U.S. District Courts for the Southern and Northern Districts of Georgia, and the U.S. District Court for the District of South Carolina. Mr. Gore may be reached at (912) 335-3640 or via email at thomas@gore-law.com

Gray Pannell & Woodward LLP today announced that Savannah attorney **Paul H. Tietz** is joining the law firm in its Savannah office. Paul is a partner who practices principally in the areas of public finance and corporate finance. Paul has practiced in the area of public finance extensively since 1975 and has represented issuers, underwriters, lenders and trustees in a diversity of debt financings throughout the United States. His experience includes taxable and tax-exempt financing of hospitals and nursing homes, as well as other nonprofit and for-profit health care facilities. Born in Williston, North Dakota, Paul received his B.S. in economics with a major in finance from the Wharton School of the University of Pennsylvania. He received his law degree with distinction from Duke University School of Law.

Moore, Clarke, DuVall & Rodgers, PC is pleased to announce the opening of their new office on Telfair Square in Savannah at 114 Barnard Street, Suite 2B. Partner **M. Drew DeMott** moved to Savannah last year to open the office. **Leesa A. Bohler**, former Savannah Administrative Law Judge with the State Board of Workers' Compensation, and **James L. Coursey, Jr.**, former Senior Assistant United States Attorney for the Southern District of Georgia, are affiliated with the firm as counsel. Moore, Clarke, DuVall & Rodgers was founded in Albany, Georgia in 1994 and also

After completion of a six month special assignment in Jacksonville, Florida with **Allstate Dealer Services**, **Julie Culhane** announces her acceptance of permanent employment there. Julie began her new job on January 21, 2013 and is in the process of relocating to Jacksonville. Her new contact information is: Julie Dampier Culhane, Authorized House Counsel #97247, Allstate Dealer Services, 1776 American Heritage Life Drive, Jacksonville, FL 32224, (904) 992-6220. Julie.Culhane@Allstate.com.

Announcements

Jonathan Boone Phillips, son of Attorney **Bobby Phillips**, has been sworn in as an intern in the Chatham County District Attorney's Office. Boone is a third year law student with the Mississippi College of Law and is completing his course work while working in the District Attorney's Office. Under the Third Year Practice Act, Boone will be able to try cases and will graduate from law school in late May 2013

Brennan & Wasden LLP is seeking attorneys with 4+ years of experience to assist with its professional liability and business litigation practice groups. Those with deposition and courtroom experience will receive preference. Georgia Bar required. Please submit cover letter and resume to **Wiley Wasden III** at wwasden@brennanandwasden.com

Only \$650.00! Upstairs Commercial Condo, approximately 800 square feet, located on the Southside right off Abercorn (10500 Abercorn Street - Unit N). It is across from a bank and right above the ERA Kelly Fisher Real Estate Office. There is an office for a secretary, three other offices, storage closet, half bath, kitchenette, and a waiting area. Please feel free to call me to ask any questions you may have or to view. Contact Mike at (912) 272-0005.

HunterMaclean announces the launch of the **HunterMaclean Emergency Response Team (HMERT)**, providing 24/7 coordination to expedite responses to trucking accidents in Coastal Georgia. HMERT's hotline can assist carriers, insurers, or shippers in need of a quick response to an accident involving tractor trailers or intermodal transportation. With a single call, clients can obtain round-the-clock assistance from experienced transportation attorneys. For more information, please contact HMERT attorneys **Dennis B. Keene, David Sipple, Brad Harmon**, or **Colin McRae** for assistance, or call the special HMERT line at 1-855-753-5252.

Just as a reminder, The Citation is always seeking submissions for the newsletter. We encourage you to submit your professional and personal announcements; law-related advertisements; and other written submissions. Articles or announcements about particular philanthropies you are involved in are welcome. Suggestions about ways to improve are always welcome. And, of course, we love to receive photographs to share with our readers! Bear in mind that our readers include not only current SBA members, but also many judges and law school students as well. Please contact us at SavannahBarNewsletter@gmail.com with submissions or questions. Thanks!