

THE SPECIALIST

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National Totals – Specialists by Practice Area

- 31,689 lawyers certified throughout the US.
- Increase in new applications—Construction Law, Civil Trial, Bankruptcy, Labor and Employment and Criminal Law.
- Civil Trial—24%
- Criminal—9%
- Family—9%
- Personal Injury Trial—8%
- Real Estate—7%
- Estate Planning—8%
- Bankruptcy—6%
- Tax—5%
- Workers Compensation—6%
- Civil Appellate—3%
- Labor 3%
- Natural Resources—1%
- Immigration—1%
- Business Litigation—1%
- Elder Law—1%
- Administrative—1%
- Other—5%

STATE BAR AWARDS HONORS TO SPECIALISTS

COMMENTS FROM THE ANNUAL SPECIALIST LUNCHEON IN APRIL 2006 —PRESENTED BY TED TEWKESBURY, BOARD CERTIFIED SPECIALIST IN COMMERCIAL REAL PROPERTY LAW AND MEMBER OF THE BOARD OF LEGAL SPECIALIZATION

For the first time in its 20 year history, the Board of Legal Specialization has established a way to recognize the excellent work of board certified specialists across the state. As you know, board certified specialists represent the best of the image that the legal profession strives to show the public. They are committed to excellence in their practice areas, they continue to educate themselves about the latest developments in their fields, they receive high praise from their peers, and they studied for, and passed, a rigorous examination, even after swearing to all of their friends and family members that if they passed the Bar Exam, they were done with tests forever!

The Board takes its goals of providing a service to the public and encouraging competency among the bar, very seriously. We are proud and honored when you all do such good work. When we established these awards, we looked through our own history and named the awards for three people who were instrumental in setting the standards for one of the top legal specialization programs in the country. Today, we are honoring three board certified specialists, who were nominated by their peers for the following awards:

The Howard L. Gum Service Award is given to a specialty committee member who consistently excels in completing committee tasks. The eight specialty committees are the life blood of the specialization program. They are responsible for evaluating every application for certification, including peer references, and writing and grading the examinations. The recipient of the Howard Gum award must be highly dedicated to legal specialization, donate his/her time to committee responsibilities, and respond to the needs of the State Bar staff and the Board, in exemplary fashion.

Howard Gum served as chair of the Family Law Specialty Committee from 1988 until 1995. He organized and oversaw the preparation and administration of the first examination in family law, and, during his six years as chair of the committee, established the highest standards of organization and fairness in the administration and grading of the specialty examinations and the peer review process. He helped to organize the informal association of family law specialists known as the “Family Law Roundtable” which still meets annually for professional development and camaraderie.

As a member of the Board of Legal Specialization from 1995 to 2001, Howard gave unselfishly of his time and talent, chaired numerous committees and review panels, helped to implement the board’s Professional Development Plan, heard complex appeals from denials of certification and recertification, and encouraged the creation of advanced CLE courses. Howard also served as chair of the board from 1999 to 2001. He utilized his organizational skills, his enthusiasm for specialization, and his great humor to lead and inspire the members of the board, to take the creation of the web site for specialization from an idea to a reality, and to weather the vicissitudes of shepherding the new specialty of workers compensation law through a two-year approval process, thus honestly earning the nickname “Hired Gum.”

Howard’s ability to be tactful while getting straight to the point, to disagree without being disagreeable, to bring intellectual insight to problems while maintaining a common-sense approach, to treat everyone with courtesy and generosity regardless of station, and his impassioned support for and dedication to the specialization program led us to establish this award in his honor.

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SPECIALIST AWARDS, CONTINUED

The Sara H. Davis Excellence Award - This award is presented to a certified specialist who exemplifies excellence in his/her daily work as an attorney and serves as a model for other lawyers. Special consideration was given for a long and consistent record of handling challenging matters successfully, for sharing knowledge and experience with other lawyers, for earning the respect and admiration of all others with whom the lawyer comes into contact in his/her daily work, and for high ethical standards.

Sara Davis was in the first class of applicants to become board certified in both business and consumer bankruptcy law in 1987. She joined the Board of Legal Specialization the following year and served two full terms, until 1994. Sara was appointed Chair of the Board in 1991, and served in this capacity for the next three years.

During Sara's tenure as Chair, she responded to the difficult challenges faced by the program with spirit, a level head and the firm resolve to persevere and improve the program. As chair, she faced numerous challenges including the successful defense of the program's requirements from a proposal to water down the standards for certification by eliminating the examination requirement; she helped to get the program on a firm financial footing after many years of debt to the State Bar; and she pioneered the recognition of ABA accredited certification programs by the State Bar. The members of the board were inspired by her enthusiasm for the program, her conviction that specialization is a benefit to the citizens of the state, and the fair and compassionate way in which she dealt with both proponents and opponents of specialization.

Since 1996, Sara has served as a State Bar Councilor, providing leadership not only to the board of legal specialization, but to the legal profession throughout the state. She is a frequent lecturer and speaker at bankruptcy institutes and seminars, consistently encouraging newer lawyers to raise their level of competency. It is this spirit of leadership by example and encouragement that led to the establishment of an award in her name.

The James E. Cross, Jr. Leadership Award

This award is presented to a certified specialist who has taken an active leadership role in his/her practice area through presentations at CLE seminars, scholarly writings, participation in ground-breaking cases, or service to an established professional organization.

Jim was among the first to become board certified in residential real property law. Soon after, he agreed to join the Board of Legal Specialization and spearheaded the expansion of the program. He served on the board from 1991 – 1997, assuming a leadership role as Chair for his last three years of service. Jim was known for giving of his time and talent unselfishly and unstintingly. During his service on the board, and under his guidance and direction, two new specialties were added, criminal law and immigration law.

At times Jim had his patience and commitment to the specialization program tested, perhaps most dramatically when the board's proposal to create a certification in personal injury law was defeated during a heated debate of the State Bar Council. But he has remained a staunch and passionate advocate of certifying lawyers as specialists in order to help consumers to identify qualified legal counsel. Jim's dedication and devotion to the specialization program were inspiring. Jim's visionary leadership and wise counsel led to the establishment of this award in his honor.

2006 Award Recipients

Howard L. Gum Service Award—**Christine L. Myatt**, a board certified specialist in Business and Consumer Bankruptcy Law, since 1990, practices in Greensboro.

Sara H. Davis Excellence Award—**Maria M. Lynch**, a board certified specialist in Estate Planning and Probate Law, Since 1997, practices in Raleigh.

James E. Cross, Jr., Leadership Award—**Joseph B. Cheshire V.**, a board certified specialist in State and Federal Criminal Law, since 1991, practices in Raleigh.

“Certification reflects to the general public and other attorneys that I'm committed to what I'm doing. It is a statement of election to intentionally limit my practice and become more proficient in an area of the law. “

Renny Deese, board certified specialist in family law since 1989

MAKING THE TIME TO MAKE A DIFFERENCE

By Kurt Stephenson
Advocacy Enhancement Specialist **The NC Guardian ad Litem (GAL) Program's** mission is to represent the best interests of children in cases of abuse or neglect throughout our state. This is accomplished through the tireless efforts of a statewide staff, attorney advocates, and more than 4,000 volunteers. Anyone in the local community can receive training and act as a Guardian ad Litem volunteer, performing investigations and meeting with children in order to report and make a recommendation to the court on the child's best interests to the court, but attorneys can play another critical role.

Attorneys in the private sector can offer their pro bono legal services to help the nearly 16,000 children served by our program. In fact, the greatest current need for is pro bono attorneys who will take appellate cases. The number of GAL appellate cases has grown dramatically from about 20 appeals filed by parents five years ago to more than 175 open appeals at any given time today.

Few of our dedicated pro bono attorneys have experience with juvenile law prior to volunteering with the program, but with our GAL Attorney Practice Manuals, DVD trainings, and free CLE trainings, attorneys are more than prepared to represent these children on appeal. In addition, these cases rarely require oral arguments, allowing North Carolina attorneys to volunteer their time no matter what the location of the client or the attorney. By assisting with appeals, pro bono attorneys are often able to ensure that children reach the safe and permanent home they deserve as

quickly as possible. So often, these children have endured abuse that it is simply unfathomable. One recent appeal was filed by a parent after a termination of parental rights. This parent abused the child with such force that the child spent 36 days in the hospital and endured 6 different surgeries by the age of 1 to correct the damage inflicted. In another recent case, the youngest children in the family were sent to daycare with bottles of formula containing maggots while their oldest sibling still suffers from the after effects of fetal alcohol syndrome. While these examples may seem extreme, they are unfortunately typical of the underlying circumstances of these appeals. They certainly reinforce the importance of strong appellate advocacy.

With more than 175 such appeals, and notice of new appeals each week, it is virtually impossible for our program to handle these matters while continuing to oversee an equally increasing number of trial court cases. It is only with the generous support of private sector attorneys that we will be able to provide these children with the representation they need, and we are constantly looking for individual attorneys and firms willing to take on appeals. If you or your firm is interested please contact NC GAL Pro Bono Project Administrator, Kurt Stephenson at 919-789-3633 or via email at kurt.d.stephenson@nccourts.gov.



By Celia Pistolis, Assistant Director of Advocacy and Compliance **Legal Aid of NC is now posting pro bono service opportunities on its website,**

www.legalaidnc.org, including contact information for its local PAI ("Private Attorney Involvement") coordinators. LANC's PAI coordinators can also notify you of appropriate cases for which your special expertise is needed. The first step is to fill out the sign-up form to let the local PAI coordinator know of your desire to be considered for certain types of cases. The sign-up form can be down-loaded from the website.

One of Legal Aid's programs, the Battered Immigrant Project (BIP) is seeking pro bono attorneys to assist immigrant women who have been physically abused by their partners.

Immigration specialists are needed to help file pro se petitions under the Violence Against Women Act (VAWA), U visa applications (visas available to victims of certain crimes, including domestic violence), and Petitions to Remove Conditions (based on waivers for physical abuse and extreme mental cruelty).

With your assistance, battered immigrant women and their children can become empowered to permanently leave their abusers, obtain employment authorization, and eventually become legal permanent residents. This is not only an opportunity to help battered women to break the cycle of violence, it is also a way for children to escape the violence in their homes. If you are interested in this opportunity and making a real difference in the lives of these families, please contact Roselle E. Margolis at 1-800-672-9304, extension 112.

Committee Chairs

James B. Angell—
Bankruptcy
 Raleigh

J. Matthew Martin—
Criminal
 Asheville

Larry H. Rocamora—
Estate Planning
 & *Probate*
 Durham

Jaye P. Meyer—*Family*
 Raleigh

Cynthia A. Aziz—
Immigration
 Charlotte

Douglas O. Thigpen—
Real Property
 Asheville

Charles T. Hall—
Social Security
Disability
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J. Griffin Morgan—
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The North
Carolina State Bar

**IN THIS
ISSUE—*

*VALUABLE
INFORMATION
ON THE
CONTINUING
LEGAL
EDUCATION
REQUIREMENTS
FOR BOARD
CERTIFIED
SPECIALISTS*

BANKRUPTCY AGREEMENT WITH ABC

Led by Terri Gardner, member of the NC Board of Legal Specialization and Jim Angell, Chair of the Bankruptcy Specialty Committee, the State Bar will partner with the American Board of Certification on the bankruptcy specialty. Our agreement allows an applicant to complete one exam to become certified as a specialist by both agencies. Applicants will continue to apply to both agencies, as well as to pay the fees associated with maintaining both certifications.

Specialists who are already certified by either ABC or the NC State Bar Board of Legal Specialization may become certified by the other agency without taking an additional examination by completing appropriate application forms by December 31, 2006. Please contact the specialization program at 919-828-4620 or visit our website at www.nclawsspecialists.org/becoming for more information.

BOARD ADOPTS LOGO

The Board of Legal Specialization is proud to announce the adoption of a logo for Board Certification. The logo has already been used on our new lapel pins, pencils and ink pens that were distributed at the Annual Specialists Luncheon in Charlotte in April. The logo (shown below) is available for down-loading at www.nclawsspecialists.org/mediakits.htm. The Board of Legal Specialization encourages use of the logo in your own publications, including letterhead and business cards. Please contact Denise Mullen at 919-828-4620 or dmullen@ncbar.com if you need assistance with the logo, or have any questions about its use.



BOARD CERTIFIED SPECIALIST
NORTH CAROLINA STATE BAR