

# THE SPECIALIST

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REMEMBER - CLE CREDITS ARE EVALUATED EVERY FIVE YEARS FOR RECERTIFICATION. MAKE SURE YOU HAVE ENOUGH CREDITS TO QUALIFY. VISIT THE WEBSITE AT

[nclawspecialists.gov](http://nclawspecialists.gov)

TO VIEW THE REQUIREMENTS.

***Psychometrics — What is it and how can it help specialization?***

The Board of Legal Specialization (BLS) has always been committed to ensuring that the specialization program provides lawyers and the public with information about specialists that is both valid and reliable. When the BLS approves a lawyer as a “board certified specialist” the statement is backed by a committee of seven specialist lawyers who have vetted each applicant. It is a task that both committee and board members take very seriously.

In 2008, the BLS took that commitment one step further by using psychometric analysis to review and improve the specialization exams.

**psy·cho·met·rics** (sī'kə-mēt'riks) n. The branch of psychology that deals with the design, administration, and interpretation of quantitative tests for the measurement of psychological variables such as intelligence, aptitude, and personality traits. (source—[www.dictionary.com](http://www.dictionary.com))

The Center for Educational Research and Evaluation at the University of North Carolina—Greensboro (CERE), helps many testing organizations, (including those who administer the CPA exams and the college entrance ACT exams) ensure that their tests meet scientific standards for reliability and validity.

Faculty members at CERE are now working with the BLS and the specialty committees to review our exams and make recommendations for improvement. Dr. Terry Ackerman, Chair of the Educational Research Methodology department and Deb Bartz, Director of the Center presented a workshop to committee members on how exams can be analyzed to determine if they are reliable and valid.

Exam reliability is defined as the degree to which a test consistently measures what it is designed to measure. For our exams, this is advanced knowledge in a particular field of the law. It can be measured by looking at questions in subject areas within the specialty. In family law, for example, the analysis would examine whether the applicant consistently scores correct or incorrect responses to questions covering one topic like alimony.

Exam validity looks at the degree to which the BLS can use the information from the exam to guide decisions about who should be certified. In the specialization program, this involves looking at the exam scores in relation to the other criteria we use to determine if an applicant is eligible to become a certified specialist, including substantial involve-

ment, peer review and meeting the continuing legal education requirements.

The workshop also provided valuable information to committee members about how to write good exam questions, including essay questions and objective questions like multiple choice and true/false. Writing good exam questions helps to provide the graders with better information about the applicant’s knowledge of the specialty area.

The BLS plans to continue working with CERE at UNC-G to continually improve our exams and the program.

NOMINATIONS ACCEPTED

**The Howard L. Gum Service Award**

This award is given to a specialty committee member who consistently excels in completing committee tasks. The recipient is highly dedicated to legal specialization, donates his/her time to committee responsibilities, and responds to the needs of the staff and the board, in exemplary fashion.

**The Sara H. Davis Excellence Award**

Nominations for this award are accepted only from other North Carolina certified specialists. The award is presented to a certified specialist who exemplifies excellence in his/her daily work as a lawyer and serves as a model for other lawyers. Special consideration is 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.

**The James E. Cross, Jr. Leadership Award**

Nominations for this award are accepted from members of the North Carolina State Bar who have worked closely with the nominee. The 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 groundbreaking cases, or service to an established professional organization.

Nominations are due by March 13, 2009. Forms are included in the newsletter and are also available online at [www.nclawspecialists.gov](http://www.nclawspecialists.gov). Awards winners will be announced at the annual specialists’ luncheon on April 3, 2009 in Greensboro.

**The North Carolina State Bar Board of Legal Specialization**

Michael E. Weddington  
(Chair), Raleigh

James B. Angell  
Raleigh

Dallas C. Clark Jr.  
Greenville

Carl W. Davis Jr.  
Raleigh

Dr. D. Allen Hayes  
Raleigh

Steven L. Jordan  
Raleigh

J. Matthew Martin  
Asheville

Edward P. Tewkesbury  
Greensboro

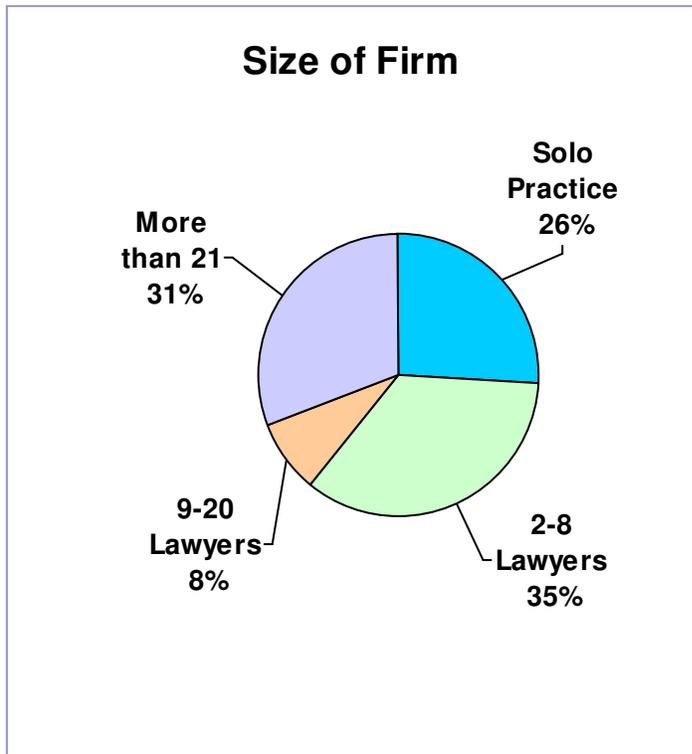
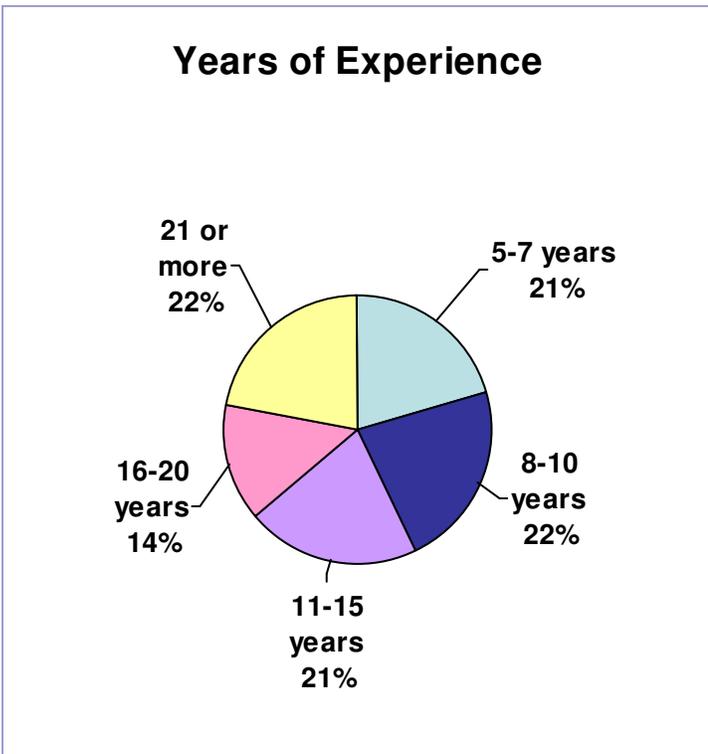
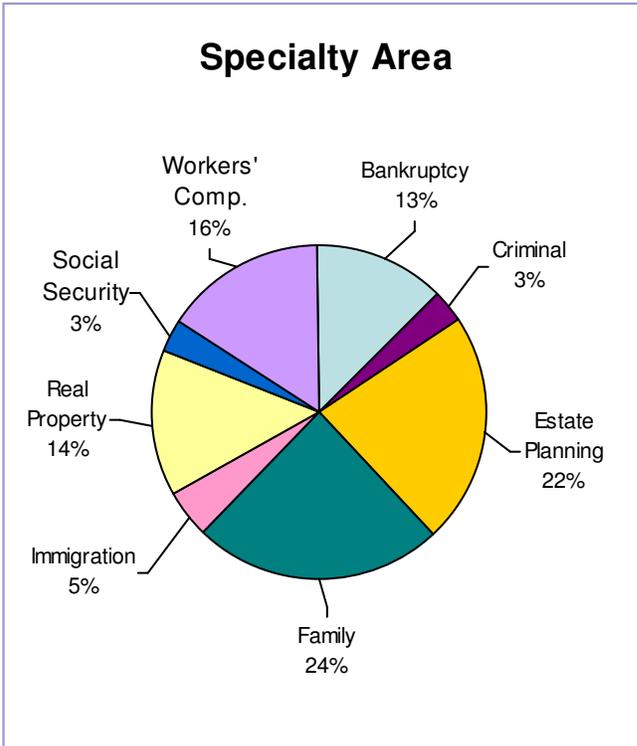
Jeri L. Whitfield  
Greensboro

**NC SPECIALIZATION  
APPLICANT PROFILE—  
2008 DATA**

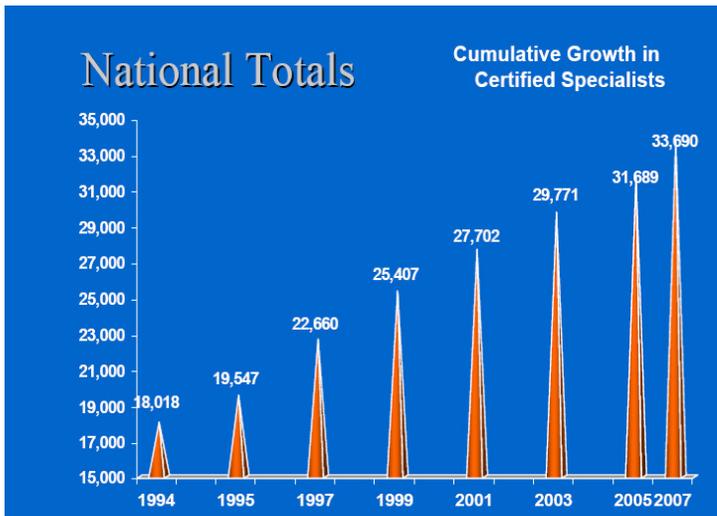
The applicants for specialization in 2008 represent a diverse group relative to chosen specialty area, geographic location, years of experience and the size of their law firm. More than 50% of applicants were from the larger metropolitan areas including Greensboro, Charlotte, the Triangle, and Winston-Salem. 25% were from smaller cities, towns and outlying areas including New Bern, Matthews, Mt. Airy, High Point, Lewisville and Jacksonville.

We saw a broad range of experience levels as well, with 43% of applicants having between five and ten years of experience contrasted with 22% who had more than twenty-one years of legal experience at the time of application.

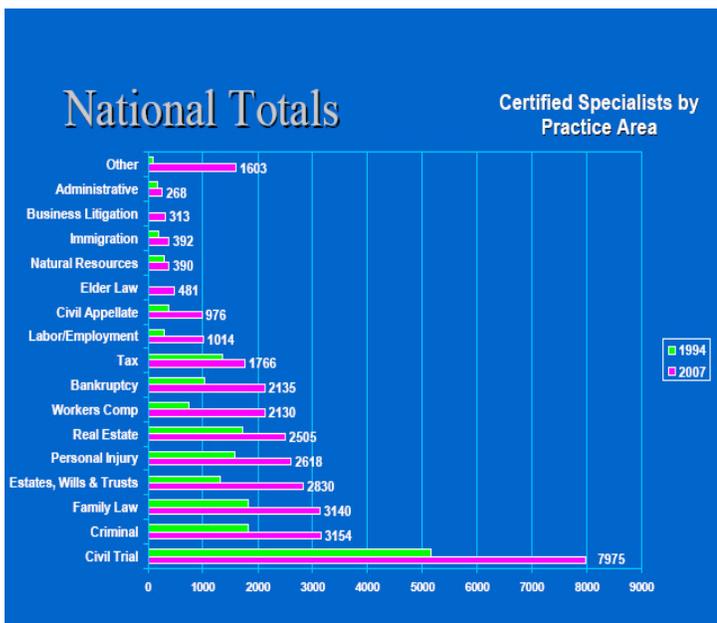
Like specialists in general, applicants, were from very diverse firms, with approximately 25% working in solo firms and 31% working in large firms of between 21 and 900 attorneys. We noted that more than 50% were from firms smaller than 8 lawyers. For a list of the newly certified specialists, please visit our website at [www.nclawspecialists.gov](http://www.nclawspecialists.gov).



# National Trends—Growth in Numbers and in Specialty Areas



- ## National Totals 47 Specialty Certification Fields in State and Private Programs
- |                         |                           |                            |
|-------------------------|---------------------------|----------------------------|
| Administrative          | Criminal Trial Advocacy   | Natural Resources          |
| Admiralty & Maritime    | DUI Defense               | Oil, Gas & Mineral         |
| Antitrust               | Elder Law                 | Personal Injury Trial      |
| Appellate Law           | Environmental Law         | Real Estate                |
| Aviation                | Estate Planning           | Residential Real Estate    |
| Bankruptcy              | Estates (Wills, Trusts)   | Social Security Disability |
| Business Bankruptcy     | Family Law                | State/Federal & Admin.     |
| Business Litigation     | Family Law Trial Advocacy | Tax                        |
| Child Welfare           | Farm & Ranch Real Estate  | Workers Comp               |
| City/County/Local Govt. | Federal Indian Law        |                            |
| Civil Appellate         | Franchise & Distribution  |                            |
| Civil Trial Advocacy    | Health Law                |                            |
| Commercial Real Estate  | Immigration               |                            |
| Construction Law        | Intellectual Property     |                            |
| Consumer                | International Law         |                            |
| Consumer Bankruptcy     | Juvenile Law              |                            |
| Creditors Rights        | Labor                     |                            |
| Criminal                | Legal Prof. Liability     |                            |
| Criminal Appellate      | Medical Prof. Liability   |                            |



The national statistics show a total of 47 specialty areas throughout the country noted above. In North Carolina, we currently offer eight of those and anticipate expanding to include elder law this year.

The largest areas nationally, shown in the chart to the left, match quite a few of our largest specialty areas, including criminal, family and estate planning. We are seeing cumulative growth in North Carolina, as well as throughout the country.

Nationally, the specialty areas with the highest growth in recent years include health law, elder law, worker’s compensation and labor/employment law. Slower growth patterns have been recognized in civil trial, personal injury, real property and tax law.

The national statistics will be updated in March at the ABA 2009 National Roundtable on Lawyer Specialty Certification in Savannah, GA. The roundtable is open to certified specialists who want to learn more about specialization. Continuing legal education credits are available. For more information please visit <http://www.abanet.org/legalservices/specialization/round.html>

### Committee Chairs

*John H. Small—Bankruptcy, Greensboro*

*Lisa S. Costner—Criminal, Winston-Salem*

*Kate Mewhinney—Elder Law (pending), Winston-Salem*

*Steven H. Garfinkel—Immigration, Charlotte*

*Sandra M. Clark—Estate Planning/Probate, Raleigh*

*Charles W. Coltrane—Family, Greensboro*

*Jeff Dunham — Real Property, Greensboro*

*Mason T. Hogan—Social Security Disability, Wilmington*

*Valerie A. Johnson—Workers’ Compensation Chapel Hill*



**The North Carolina State Bar**

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We're on the Web  
[nclawsspecialists.gov](http://nclawsspecialists.gov)



The North  
Carolina State Bar

**Exam Questions  
Needed—**

Involved in a recent case with an interesting fact pattern or one in which an appellate court addressed a question of first impression?

The State Bar specialty committees work very hard each spring to update the specialty examinations. They are always in need of new exam questions and would appreciate your input.

Please send any suggested exam questions or topics to the specialty committee chair (listed on page 3) or to the State Bar, fax number 919-719-9339, attention Denise Mullen or via email to [dmullen@ncbar.gov](mailto:dmullen@ncbar.gov). Make sure to include a model answer or the rule/statute citation. Thank you!

**Annual Luncheon and other program announcements**

**Annual Luncheon for Certified Specialists**—Mark your calendars now for the luncheon that recognizes the newly certified specialists and honors the recipients of the specialization program awards. (Read more about how to nominate a specialist for an award on page 1) The luncheon will be held on:

Friday, April 3, 2009  
Marriott-downtown  
Greensboro, NC  
Networking reception 11:45 am  
Lunch 12:00 pm

Please come to celebrate specialization and mingle with other specialists from across the state. RSVP to Joyce Lindsay at 919-828-4620 or email her at [jlindsay@ncbar.gov](mailto:jlindsay@ncbar.gov).

**Welcome to Lanice Heidbrink**

Lanice began working at the State Bar in January as Alice Mine's administrative assistant. She will be working closely with Joyce Lindsay throughout the year to learn about the specialization program. Lanice received her paralegal certificate at Meredith College and worked with Morris Manning and Martin in Durham as a residential real estate paralegal before joining the staff at the State Bar. Lanice grew up in Chicago and is a huge Cubs baseball fan. She also plays violin and loves to scrapbook. We are excited to welcome her to the program and hope you will also have a chance to welcome her.

**Specialist Logo**

Download the logo for use on your business cards, letterhead or corporate website: [www.nclawsspecialists.gov/mediakits.asp](http://www.nclawsspecialists.gov/mediakits.asp) Both high resolution (for publishing) and low resolution (for website work) are available.



**BOARD CERTIFIED SPECIALIST**  
NORTH CAROLINA STATE BAR