

28th Judicial District Bar

Buncombe County, NC



Bar Briefs E-Newsletter

May 2008

Would you like to get a professional photograph taken to update your website as well as our own? You will need to call the bar office at 252-5733 to make an appointment. We have a limited number of appointments starting at 11:30 and finishing at 2:30 pm on May 14th. Our bar's website address is www.ashevillebuncombelaw.net.

NOTICE OF May 14, 2008 Bar Lunch Meeting

The next monthly luncheon meeting of the 28th Judicial District Bar will convene at 12:30 p.m. on **Wednesday, May 14, 2008** at the YMI Cultural Center, 39 South Market St. Cost of the luncheon is \$10 for members and \$18 for guests. Please **RSVP** by **Monday, May 12, 2008** to greta@ashevillebuncombelaw.net. You may pay by cash or check at the door.

President's Message: Judge Calvin Hill



Judge Hill pictured left.

We have some very important events coming this month and I know they will all be well attended. The women attorneys have a big event that should get our support on Thursday night May 1st. See our website for details.

All of us know how important it is to get out and cast your vote for whomever your candidate of choice is. This year is particularly exciting with the opportunity for North Carolina to play a really significant role in terms of choosing the democratic nominee. we are still work-

ing on some sort of recognition for lawyers who have practiced in our bar for fifty years or more. If you have information with regard to lawyers who fall into this category please don't hesitate to notify Greta or myself. As always, thank you for your participation in the bar and it's activities.

Pro Bono Award Winners



Congratulations to Brad Stark, Susan Dotson-Smith & Cynthia Strom

(See page 6 for details.)

MAVL celebrates 25 years with a cake.



CALENDAR

5/01	Law Day, WOW Awards 6 p.m.
5/05	Executive Committee Meeting 12:30 pm
5/14	Bar Lunch & Meeting & Professional photos
5/15	Deadline for Award Nominations & News
6/02	Executive Committee Meeting 12:30 p.m.
6/06	Memorial Ceremony Buncombe County Courthouse - 5th floor 3 pm
6/11	Bar Lunch & Annual Meeting

Upcoming Events

Our next monthly luncheon meeting of the 28th Judicial District Bar will convene at 12:30 p.m. on **Wednesday, May 14, 2008** at the YMI Cultural Center, 39 South Market St. The cost of the luncheon is \$10 for members and \$18 for guests. A professional photographer will be at the YMI to take your picture. Please *call* the bar office to make your appointment **today**. The cost is \$10 for your photo on CD. We have two speakers for our May meeting, They are both candidates for the NC Supreme Court.

Suzanne Reynolds, a law professor at Wake Forest University School of Law, has taught and written about family law and other subjects for 26 years. Before teaching, she practiced civil litigation with the law firm of **Smith Moore Smith Schell and Hunter** in Greensboro, NC. A Lexington, NC, native, Suzanne received her B.A. from Meredith College, an M.A. in English and journalism from UNC-CH, and her J.D. from Wake Forest law school. While on the faculty at Wake Forest, she was a principal drafter of statutes that modernized the law of both alimony and of adoption, and she co-founded a domestic violence program that received national recognition by the ABA for providing legal assistance to the poor. She wrote the 3-volume treatise on North Carolina family law that has become the authoritative source for law students, lawyers, and judges. She was recognized by the **NC Association of Women Attorneys** in 1996 with the *Gwyneth B. Davis* award for Public Service and by Governor Hunt in 1998 with a *Distinguished Woman of the Year* award.

North Carolina Supreme Court **Justice Robert H. (Bob) Edmunds, Jr.**, has lived in Greensboro since 1957. After graduating with honors from Vassar College, he received his law degree from the University of North Carolina at Chapel Hill in 1975. Justice Edmunds began his law career as an Assistant District Attorney in Guilford County. He began as a traffic court prosecutor and worked his way up to become one of two members of the office's career criminal prosecution unit. In 1982, he was hired as an Assistant United States Attorney for the Middle District of North Carolina. In that position, he tried federal felonies and briefed and argued federal appeals. In 1986, he was appointed the United States Attorney for the Middle District of North Carolina by President Ronald Reagan. As the chief federal law enforcement official in the central portion of the state, he tried numerous complex criminal cases including international heroin smuggling and public corruption. Justice Edmunds entered private practice in 1993 when he joined the Greensboro firm of **Stern & Klepfer, LLP**, as a partner. His practice consisted mostly of criminal defense work, including capital defense, though he did represent some civil clients. Justice Edmunds demonstrated the skill and expertise to be Board Certified as a Specialist in State and Federal Criminal Law and as a Specialist in Criminal Appellate Practice. He has kept these certifications current while on the bench. Justice Edmunds was elected to the North Carolina Court of Appeals in 1998 and to the North Carolina Supreme Court in 2000.

CFP with the Community Foundation of WNC Hosts the 17th Annual Estate and Tax Seminar

The seminar will be on the "*Retirement Assets and Charitable Remainder Trusts: Planning Techniques and Recent Developments*" on **Thursday, May 1, 2008 from 2:00 p.m. – 5:15 pm** at Lioncrest on Biltmore Estate, Asheville. Registration is \$100/person by April 25; \$120 after, or at the door. For more information, visit www.cfwnc.org, call (828) 254-4960, or email aikman@cfwnc.org.

Women Attorney's Luncheon

Join the Buncombe County Women Attorneys on **May 21st** from 12:15 p.m. until 1:45 p.m. at Cafe On The Square. RSVP to **Sheila Lambert** at SLattorney@aol.com.

Upcoming Events

All members are encouraged to attend the Annual Meeting of the 28th Judicial District Bar, scheduled for the **June 11, 2008** monthly luncheon meeting, 12:30 P.M. at the YMI Cultural Center, 39 S. Market Street. The purpose of the Annual Meeting is to elect officers and Executive Committee members for FY 2008/09. Pursuant to our bylaws (see our [website](#) for a copy of the bylaws), we have included the Nominating Committee's report of its recommended candidates for these positions in the article below. Additional nominations may be made from the floor. Recipients of the 2008 Centennial and Professionalism Awards will also be recognized at the June 11 meeting.

NOMINATIONS INVITED FOR CENTENNIAL AND PROFESSIONALISM AWARDS

The Executive Committee invites your nomination of members of the 28th JDB to receive the 2008 Centennial and Professionalism Awards.

The North Carolina Bar Association Centennial Award honors an individual member of each Judicial District for outstanding service which benefits our local community. Examples of such service include: elected and/or appointed service to local government; civic involvement on boards of community agencies; involvement in public service projects; and volunteer involvement with schools, churches, or other nonprofit organizations. The award is named in honor of the Bar Association's Centennial (1899-1999).

The 28th JDB Professionalism Award was established by President **Roger Smith** in 2004 to annually recognize an individual member of our Bar whose consistently courteous, respectful, and professional conduct toward the Court, attorneys, clients, and other parties exemplifies the highest standards of professionalism.

The Centennial and Professionalism Awards are presented at our annual meeting, which this year is June 11, 2007. The deadline for submitting nominations is **Wednesday, May 15th.**

Nominations should be submitted to Greta Camp (greta@ashevillebuncombela.com). Please supply a statement about your nominee and why you recommend them for the award you are nominating them for, and your contact information. Supporting letters or other information are also welcome. Thank you for helping the Executive Committee to honor deserving members with these significant awards. Report of the Nominating Committee: Slate of Recommended Candidates for Election to the Executive Committee at the Annual Meeting on June 11, 2008

At the conclusion of the Nominating Committee's Open Meeting on April 17, 2007, the Committee adopted the following slate of recommended candidates for election by the membership at our Annual Meeting on June 11, 2008 to fill open positions on the 2008/09 Executive Committee:

President Elect: **Heidi Stewart**

Vice President: **Bill Christy**

Secretary: **Doug Tate**

Treasurer: **Vic Garlock**

Executive Committee member over 36 (3 year term): **Ingrid Friesen**

Executive Committee member over 36 (3 year term): **Cindy Holman**

Executive Committee member under 36 (3 year term): **Suzannah Plemmons**

Executive Committee member over 36 (2 year term, replacing **Bill Christy**): **Mike Drye**.

The Nominating Committee is grateful to the above members for their willingness to serve our district bar, and we are pleased to recommend this slate to the membership. We regret that we were not able to include all the members who volunteered to serve, and appreciate their interest in serving.

I especially appreciate the work and attention devoted to this task by the members of the Nominating Committee: **Scott Carter, Kenneth Hunt, Esther Manheimer, Suzannah Plemmons, Louise Root, and Gary Rowe.**

Respectfully Submitted,
Bill Whalen, Chair of the Nominating Committee

Membership News

Share your news! Whether professional or personal, we want to share your significant news with other members of the bar. Contact greta@ashevillebuncombela.com or 252-5733 by 3/15 for April news.

Welcome New Members

Kimberly A. Gossage, Jennifer C. Garrity, Aaron J. Terry

Please welcome **Ryan E. Gaylord**.

James W. Kilbourne, Jr., has recently joined **Dungan Law Firm, P.A.** Previously, he served as the tribal prosecutor for the Eastern Band of Cherokee Indians for the past 7 years. His new phone number is (828) 254-4778 ext 18 and his email is jkilbourne@dunganlaw.com

Please welcome to our bar **Julia Hooten** and **William Bulfer Teague of Campbell, Dennis & Gorham, LLP**.

Moves & Addresses Changes

Scott Jones is pleased to announce the opening of his new law firm at 21 Battery Park Avenue, Suite 201 in Asheville. He will continue to handle the same varied areas of civil litigation that he has handled over the past 16 years at **Long, Parker, Warren & Jones, P.A.** He will also continue to handle non-litigation matters for business clients as he has for the past 10 years. Please change Mr. Jones email address to scott@wscottjoneslaw.com.

Jason Wilson has recently opened a new office at: 22 South Pack Square, Suite 304 in Asheville after leaving Messer Law Firm. His practice is focused on criminal defense. Jason Wilson's new phone number is 828-350-3606 and his email address is wilsonlawoffice@bellsouth.net.

Items for Sale

Four Oak Barrister Bookshelves - Beautiful six-shelf solid oak bookshelves. Glass-fronted, top shelf has diamond panes. Each measures 7'1" tall, 31 1/2" wide, 11 3/4" deep. For pictures or more information, email Susan Russo at srusso70@yahoo.com or call (828) 301-9417. \$125 each, or \$400 for all four.

New Babies

Congratulations to **Erin Dunnuck** from the firm **Dungan Law Firm, P.A.** who has had a baby.



Rebecca Johnston Reinhardt of **Roberts & Stevens P.A.** and **Christopher B. Reinhardt** of **Bull & Reinhardt, PLLC** are proud to announce the birth of their daughter **Savannah Lynne Reinhardt** born March 5, 2008 at 12:52 A.M. weighing 8lbs 4oz with a full a head of hair. Everyone is doing well. Thank you all for your prayers and support.

Pictured Left Savannah & Rebecca Reinhardt

Membership News

News from your WNC Chapter of the North Carolina Association of Women Attorneys (NCAWA)

Women of Wisdom (WOW) is a Celebration of Women in the Law for Twenty Five Years or more! Please save the date and mark your calendar now! It will be on Thursday, **May 1, 2008**, 6:00 p.m. at the Coleman Place on 36 Montford Avenue, Asheville, NC. It is hosted by the WNC chapter of the North Carolina Association of Women Attorneys and sponsored by Merrill Lynch. *Would you like to be a sponsor?* We have various levels of sponsorship opportunities available. Please contact **Susan Dotson-Smith** (pictured on right with Sheila Lambert on left) by telephone at: (828) 350-8595 or by email: susan@dotsonsmithlaw.com.



A mid year state **NCAWA** reception will be held in Charlotte on **May 8, 2008**. Here's a chance to network with your colleagues across the state and make decisions on the direction of the state organization. Mark your calendars for the **NCAWA** Annual Conference being held in Asheville **October 2-4, 2008**, and **NCAWA's** 30th anniversary party, being hosted by Susan Dobson-Smith "Smitty", President of **NCAWA**.

State Bar Councilor

Howard L. Gum, State Bar Councilor sent a notice regarding a liability carrier warning of recent scams that target lawyers and law firms. There have been several reported instances of this type of scam in NC and across the country. The potential liability for lawyers and law firms falling victim to this type of scam is enormous! We sent a notice to all email members and if you would like a copy you can contact Howard directly at hgum@gumandhillier.com.

Positions Wanted

Part-time summer job with law firm or judge's office from 5-25 hours a week. Proficient at operating gizmos, transferring data between various forms of media, and programming your electronic gadgets. Savannah Camp can run errands on foot around town, file, and make copies. Please contact her by email at savyleec@yahoo.com or her cell phone at 231-8406.

Awards and Honors

April 9 Bar Lunch Celebrates Pro Bono Award Nominees, PLS and MAVL Anniversaries Pro Bono Award Nominees Light the Way for the 28th Judicial District Bar

Three Asheville attorneys, **Cynthia “Cindy” Strom**, **Susan “Smitty” Dotson-Smith** and **Brad Stark** (see picture on page 1), were recognized at the April 9, 2008, monthly meeting of the 28th Judicial District Bar for exemplary pro bono civil legal assistance to low-income residents. The three attorneys received outstanding certificate awards in recognition of their exemplary service and their nomination for the 2008 North Carolina Bar Association’s *William L. Thorp Pro Bono Service Award*. The three attorneys were recognized for their volunteer service through the Mountain Area Volunteer Lawyers Program (MAVLP), which is administered by Pisgah Legal Services.

The program was presented by 28th JDB President **Judge J. Calvin Hill**, Pro Bono Committee Chair, **James M. Ellis**, Mountain Area Volunteer Lawyers Program Attorney Administrator, **Jennifer Foster**, and MAVL Hotline TEAM Capitan **Shelia Lambert**.

Pro Bono Committee Chair **James Ellis** reported the state of the MAVL, conveying how, in 2007, PLS staff attorneys and MAVLP volunteers improved the lives of 9,000 low-income people meet basic needs. PLS referred 788 cases to MAVLP volunteers in 2007, and the volunteer lawyers donated 3,900 hours of service, which is modestly valued at more than \$435,000. **Jennifer Foster**, the new Attorney Administrator of the MAVL Program, shared her enthusiasm for her new position and commented upon how she repeatedly had volunteer lawyers relay how they enjoyed their pro bono work and found reward and satisfaction in their legal volunteerism.



Jennifer introduced Brad Stark’s MAVL client, Barbara Segraves (pictured in the middle with Jennifer Foster and **Bill Whalen**), who shared how when she had to be admitted to the hospital, her landlord, where she had lived for 12 years, broke into her apartment and removed all of her belongings. He took everything she owned except the bed and a few forks. Barbara called Pisgah and Brad, during his tenure at the **Van Winkle Law Firm**, graciously accepted her case for assessment through the MAVL program. Brad was able to settle the matter in mediation to avoid further stress and strain to the client, who did not want to go to trial due to her health. Barbara shared how Brad never judged her for her poverty or health concerns and treated her with the utmost respect and dignity as a pro bono client.

Shelia Lambert, longtime member of the Pro Bono Committee, spoke about active participation in the MAVL program and introduced this year’s pro bono awards recipients:

- **Cynthia Strom** of the Law Office of Cynthia A. Strom, PA, exceeded and surpassed all other MAVLP volunteers in 2007 by performing an amazing total of 644 pro bono hours over the course of assisting 51 disabled clients to obtain urgently needed Medicaid coverage for essential medical treatment and services. Cynthia has been on the pro bono panel since June of 1991, with a total of 84 cases. She is the Benefits Team Chair of the Pro Bono Committee of the 28th Judicial Bar.
- **Susan Dotson-Smith** began her long-time MAVL service in 1991, as both a MAVL volunteer and ‘Hotline’ panel member. She has volunteered on a total number of 57 cases for a total of 103 hours over her years of service. In 2007, she spent considerable time on both ‘Hotline’ volunteer service and MAVL pro bono referrals, which included saving a home and avoiding a judgment lien, totaling \$43,000.00, through a Chapter 7 bankruptcy, as well as taking on a motion to modify a guardianship. She contributed over forty hours of pro bono service in 2007 alone.
- **Brad Stark’s** pro bono ethic, developed in law school, led him to join the MAVL panel in August of 2006 as a member of the landlord-tenant TEAM. During his first year, Brad employed his exemplary dispute resolution skills to win the sensitive landlord-tenant conversion case of Ms. Segraves, after devoting 50 hours to cause.

Thank you to **Jennifer Foster** for submitting this article.

Awards and Honors

Bill Christy of **Stone & Christy, P.A.** has been certified by the North Carolina Dispute Resolution Commission to conduct mediated settlement conferences in Superior Court civil actions. Bill is available to mediate Superior Court cases throughout western North Carolina and can be reached by phone at (828)669-7642 ext 222, by fax at (828) 669-5678, by email at: bill@stoneandchristy.com or through the firm's website: www.stoneandchristy.com.

At its annual meeting in Cary on April 11, 2008, attorney **Bill Wolcott** was elected to serve a 3-year term on the Dispute Resolution Section Council of the N.C. Bar Association. Bill has served as a certified Superior Court mediator since 1994 and as a Clerk's Program mediator since 2006.



Patsy Brison of **Roberts & Stevens, P.A.**, has been certified by the North Carolina Dispute Resolution Commission to conduct mediated settlement conferences in Superior Court actions. Patsy can be reached by phone at (828) 252-6600, by FAX at (828) 258-6999 or by e-mail at pbrison@roberts-stevens.com.

Louise Root has been reappointed to the North Carolina State Bar's Workers' Compensation Law Specialty Committee for another term of three years in the position of Vice-Chair of the committee.

As indicated in last month's newsletter, your Bar is holding an event to honor the lives of lawyers who have passed on in recent years. We hope that all of you can attend. Below is a memorandum about it that has been posted in courthouse boxes, providing more information:

MEMORANDUM

TO: MEMBERS OF THE 28TH JUDICIAL BAR

FROM: HONORABLE DENNIS J. WINNER
SENIOR RESIDENT SUPERIOR COURT JUDGE
HONORABLE RONALD K. PAYNE
RESIDENT SUPERIOR COURT JUDGE

DATE: APRIL 4, 2008

It has been several years since we have had a formal ceremony honoring the deceased members of the practicing Bar of the 28th Judicial District.

THEREFORE, with the assistance of **Cindy Holman**, we are planning to have a formal ceremony on Friday, **June 6th, 2008** at 3:00 PM in the 5th Floor Courtroom to honor the members of our practicing bar who have passed away since the last formal ceremony.

We are sending you this notice at such an early stage so that everyone can plan to attend. We will also follow up with a reminder as the event approaches.

Justice 4 ALL Day



"The need for legal service to North Carolina residents is so huge and our response on that one day was incredibly impressive."

"We were all proud to be lawyers that day!"

Patsy Brison of Roberts & Stevens, P.A. pictured left at WLOS

Derrick Bailey pictured far right



The North Carolina Bar Association's inaugural statewide Public Service Day on April 4 was a resounding success in Asheville, as across the state at eight call centers. Members of the **28th Judicial District Bar and its Pro Bono Committee, Pisgah Legal Services** and the Mountain Area Volunteer Lawyers Program (MAVLP) were integral in ensuring the success of event by making special efforts to recruit volunteers and organize local efforts.

The Asheville call center was hosted by WLOS News 13, which provided live coverage throughout the day, and was staffed by 55 volunteers—mostly from the 28th Judicial District bar, Pisgah Legal Services, and LANC. Asheville volunteers banded together to field 829 calls on only eight phone lines, resulting in a rate of approximately 70 calls per hour!

Deidre J. Lewis, Assistant Director of Sections for the North Carolina Bar Association, reported that the total number of calls around the state was nearly 6,900 and that hundreds more went unanswered as the phones rang long after the volunteers logged off at 7 p.m. "Asheville was awesome and the total is extremely high considering that we only had 8 phone lines. . . . Thanks for your presence at the call center." North Carolina Bar Association President, **Janet Ward Black**, flew into the Asheville center in time for the evening news where she reported on the overwhelming statewide success of the call-in program and encouraged public participation. The campaign is only one piece of Janet Ward Black's statewide push towards making legal services available to all North Carolinians, focusing on those at or below the poverty level. The NCBA will achieve this initiative on four fronts including education, legislation, donation and public service.

David Wikerson of the **Van Winkle Law Firm** conveyed how much he enjoyed the event because he got a chance to meet and interact with other local attorneys, and noted that "it was simple to get started with no training necessary - just pickup the phone and answer questions." **Alan Coxie** (pictured right) of Asheville observed: "What struck me the most about volunteering for the 4/4 Justice For All event, was the tremendous amount of need, both fulfilled and unfulfilled, that occurred that day. Every call I answered involved a legitimate request for legal assistance. There was so much need for legal assistance out in the community that I believe we could have continued to answer the phones late into the night if allowed to do so."



Sharon Robertson chaired the Asheville call center, which was hosted by WLOS News 13. Eight phones were utilized throughout the day and 838 calls were fielded. The station provided its own direct toll-free number which was extremely helpful in support of the NCBA's statewide line. **Jack Connors** and **Rollin Tompkins** provided key support on behalf of WLOS. The Asheville call center had a total of 55 volunteers on April 4th that handled 829 calls. Deidre J. Lewis, Assistant Director of Sections for the North Carolina Bar Association reported that the total number of calls around the state was nearly 6,900. "Asheville was awesome and the total is extremely high considering that we only had 8 phone lines. That is close to 70 calls per hour. Thanks for your presence at the call center." Thank you **Jennifer Foster** for submitting this article and **Aleece Hiller** for pictures.

**Cindy Alleman
& Zac Lamb**



Alex Gnomes on phone

Bar Administrator's Letter to Members & Web Page Update



Dear Members:

April has been a spring full of emails, phone calls, and base balls. Thank you to HomeTrust Bank who not only sponsored a fun evening of family and friends at the Tourist games but donated \$1,000 to **Pisgah Legal Services**. (Pictured on right is **Tina Owen** and her son **Caleb** receiving the check at the game.)



Recognition of our most dedicated attorneys to Pro Bono service and celebration of MAVL's 25th anniversary was one of our highlights this month. Deliveries of new forms for our public information booth at the Buncombe County Courthouse, a new window for the booth, and goodies for volunteers at the Justice 4ALL Day at WLOS kept me running the bases. Thank you **Jennifer Foster**, **Alex Gnomes** and **James Ellis**.

The presentation on an electronic court calendar at our executive meeting, our developing website, and an excel spreadsheet that can tell me who has passed on have been just a few of the interesting challenges I have had to step up to the plate for. Thank you **Winn King** and **Totsie Marina**, our web designers and **Cindy Holman**. Cindy, you're an excel wizard! Thank you to **Mary Euler** from [McGuire, Wood & Bisette, P.A.](#) for sponsoring a delightful presentation on Feng Shui and lunch at the Women Attorney's meeting.

It is fascinating to witness how many of you participate in your bar and how you support one another. At our last bar meeting, our bar president **Judge Hill** mentioned that lawyer jokes are refuted in the acts of service and the important roles attorneys play in our society. Thank you to **Shannon Lovins** and **Judy Rudolph** who helped out at the April 9th bar luncheon by taking money and registering members for food and photograph sessions.

It's not too late to participate in your bar's membership directory on our website. If you have not logged in, let us know your areas of practice, uploaded your beatific, smiling face please, and call 252-5733 the bar office or send an email. Our contract with the lovely **Diane Hammar** of [Pictures By Diane](#) is for *May 14, 2008*, appointments our scheduled before and after our bar meeting. The cost is \$10 and **appointments are required**. The images are formatted in three sizes (one for newspaper, one for the web, and one for print and put on CD) to be picked up at the bar office or at our June meeting.

I am truly inspired by your generous efforts in giving back to your community. Your gentle corrections and helping out behind the scenes are truly appreciated.

As always, it is a pleasure to serve you.

Greta Camp, Bar Administrator

EXECUTIVE COMMITTEE BOARD

President: Judge Calvin Hill

President Elect: : Patsy Brison

Vice President: Heidi Stewart

Immediate Past President: Bill Whalen

Treasurer: Victor Garlock

Secretary: Doug Tate

Members at Large:

Jerry Miller, Judy Rudolph, Cathie St.John-Ritzen, Mae Creadick, Shannon Lovins, Jason Peltz, Bill Christy, Cynthia Harbin Holman, Howard Gum, James Ellis, Peter Kanipe