



Bar Briefs E-Newsletter

28th Judicial District Bar

June 2007

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CALENDAR

6/13	Annual Meeting, Awards Presentation, & Monthly Bar Luncheon
July & August	No Monthly Luncheon Meetings
9/12	Next Monthly Luncheon Meeting

NOTICE OF JUNE 13th, 2007 Monthly Luncheon Meeting: ANNUAL MEETING for the Election of Officers and Executive Committee Members for 2007-2008; Centennial and Professionalism Award Presentations

All members are encouraged to attend the Annual Meeting of the 28th Judicial District Bar, scheduled for the June 13, 2007 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 2007/08. Pursuant to our bylaws, we have included the Nominating Committee's report of it's recommended candidates for these positions in the article below. Additional nominations may be made from the floor.

Recipients of the 2007 Centennial and Professionalism Awards will also be recognized at the June 13 meeting.

The luncheon will begin at 12:30. The vote will begin at 1:00. Lunch cost is \$10. Lunch registration is not required for members who wish to attend to vote.

If you plan to attend either the luncheon or vote, PLEASE RSVP BY MONDAY AM, June 11th, so that we can prepare to accommodate all who wish to attend. To RSVP, contact Meredith Gottschalk at meredith@ashevillebuncombela.net or 252-5733.

Monthly Luncheon Meetings are held the second Wednesday of each month, except in July, August, & December.

Nominating Committee Recommendations for 2007-2008 Officers and Executive Committee Members

The Nominating Committee has selected the following active members as candidates for the open positions of officers and members of the Executive Committee for FY 2007/08:

President Elect: **Patsy Brison**

Vice President: **Heidi Stewart**

Secretary: **Doug Tate**

Treasurer: **Victor Garlock**

Executive Committee: **Bill Christy and Jason Peltz**

Current President Elect **Calvin Hill** will automatically assume the position of President. Bill Whalen will assume the position of Immediate Past President, replacing Bob Deutsch, who is rotating off the Executive Committee after eight years of service. Secretary Carleton Metcalf and Treasurer Mary Euler are rotating off of the Executive Committee after serving the maximum 3 year term for those positions. Bill Christy and Jason Peltz are nominated to replace Patsy Brison and Chris Hess, who have completed their 3 year terms as members of the Executive Committee.

Pursuant to the bylaw revisions adopted May 2007, the Executive Committee has appointed **Peter Kanipe, Jerry Miller, and Judy Rudolph** to fill the three newly created member positions on the Executive Committee for FY 2007/08.

Carryover members of the Executive Committee for FY 2007/08 are: Bill Whalen (as Immediate Past President), Mae Creadick (2/3 yr/term), Shannon Lovins (3/3 yr/term), Cindy Holman (3/3 yr/term), and Cathie St. John-Ritzen (2/3 yr/term).

The Nominating Committee for FY 2006/07 was chaired by Immediate Past President Bob Deutsch, and included Kenny Hunt, Esther Manheimer, Jason Peltz, Louise Root, Gary Rowe, and Doug Tate.

May 9 Vote Approves Executive Committee Proposals

The Executive Committee proposals to amend our bylaws and to fund a new operating plan with a dues increase were approved at our district bar meeting on May 9th, passing by margins of 52 to 4 and 56 to 6, respectively.

Since the May 9 vote, a Hiring Search Committee (Calvin Hill, Heidi Stewart, and Bill Whalen) and an Office Search Committee (Cindy Holman, Shannon Lovins, and Cathie St. John-Ritzen) have been hard at work to find the right person and office space for our new district bar operations. We anticipate concluding those searches in the next few weeks, so that we can complete the transition to our new operations over the summer and be “up and running” in time to resume our monthly luncheon meetings and other activities in September.

A copy of the revised bylaws is enclosed.

Approval of the two proposals marks the culmination of months of work by the Executive Committee and other members this year to update and improve our district bar operations so that we can better serve the members and bar in the future and strengthen our bar’s traditions of collegiality, professionalism, and community service.

The Executive Committee is grateful for the strong vote in support of these proposals, and looks forward to moving forward with our new operations in the coming year.

Pro Bono News

James Ellis, Chair of the Pro Bono Committee

Great news! The Mountain Area Volunteer Lawyer Program (MAVLP) has been selected by the North Carolina Bar Association to receive the 2007 Chief Justice Award. The award will be presented during the President's Luncheon of the NCBA Annual Meeting in Asheville on Friday, June 22, 2007.

The Chief Justice Award is presented annually to recognize a bar group whose pro bono efforts have been exemplary.

MAVLP is made of private attorneys in Buncombe, Henderson, Madison, Polk, Rutherford, and Transylvania Counties who contribute volunteer pro bono service and financial and other support for Pisgah Legal Services in order to assist low income clients with legal problems affecting their basic needs. Buncombe County attorneys make up the vast majority of the MAVLP volunteers. Supporting attorneys are listed in the enclosed advertisement published in April.

This year will be the third time that members of the 28th Judicial District Bar have been honored through the Chief Justice Award. The award was presented to the 28th Judicial District Bar in 1995, and to the MAVLP in 1998.

PLS Director Jim Barrett submitted the enclosed "MAVLP Nomination for 2007 Chief Justice Award". Commenting on the award, Jim states,

"The people of WNC are fortunate to have such a compassionate and generous bar that strives to provide civil legal assistance to people who need attorneys to meet their basic needs. WNC attorneys are essential to the success of Pisgah Legal Services as the non-profit law firm utilizes attorney volunteers and dedicated staff to serve more of the 60,000+ very low-income people who are eligible for free legal assistance to secure decent and affordable housing, subsistence income, health care, and safety from domestic violence. Many non-lawyers and other funding sources contribute to PLS programs because they see how involved the attorneys are."

The success of the MAVLP comes from the commitment of our local attorneys who graciously donate their time and financial support to ensure that the low income residents of WNC will not be forced to go without legal representation. Legal services concerning the provision and maintenance of basic needs ensure that our justice system is applied more evenly to everyone. The treatment of the poorest residents of a society is a great measure of the success of that society.

Attorneys of WNC should be proud to be part of this program. Thank you to all the volunteer attorneys, everyone at Pisgah Legal Services, and the members of the pro bono committee who make this program possible.

The Pro Bono Committee consists of: James Ellis, Chair, and members Judge Gary Cash, Jim Barrett, Mike Ciochina, Dale Curriden, Walton Davis, Tikkun Gottschalk, Rod Kight, Sheila Lambert, Rendi Mann-Stadt, Bob Pitts, Jeff Owen, Cindy Strom, Doug Tate, Diane Walton, and Bill Whalen.

Bar Councilor News

Howard Gum

A synopsis of the most recent quarterly meeting of the State Bar is posted on the State Bar's web site www.ncbar.gov shortly after each quarterly meeting and you can access it there. Some of you may not be aware of this resource and I want to bring it to your attention.

If any of you have questions or concerns about matters relating to the NC State Bar, please feel free to contact me.

Regards, Howard L. Gum

(The full quarterly synopsis can be viewed in the “Quarterly Meeting Synopsis” attachment in the email version of the E-newsletter)

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IN MEMORIUM

Landon H. Roberts, December 2, 1921 - April 28, 2007

With the death of Landon H. Roberts on April 28, 2007, the 28th Judicial District Bar lost one of its most respected and beloved members, as all who knew him will attest.



Landon H. Roberts

Born in Marshall, Mr. Roberts graduated valedictorian from Marshall High School. He began his college education at Mars Hill College, transferring to the University of North Carolina at Chapel Hill, where he graduated and had completed one year of law school in 1942. Mr. Roberts served his country in World War II as a naval officer on patrol craft in the Pacific theater for four years, receiving the Appreciation of the President of the United States, signed by James Forrestal, Secretary of the Navy, on May 12, 1946. At the conclusion of the war, Mr. Roberts returned to law school at UNC-Chapel Hill in 1946, receiving his law degree in 1948.

Mr. Roberts began his legal career in Asheville with the firm of Smathers and Meekins. He soon established a reputation as a leading trial lawyer in Western North Carolina, respected by both his clients and adversaries. Through various incarnations, the firm became the present firm of Roberts & Stevens.

Mr. Roberts previously served on the Board of Governors of the NC Bar Association; as president of the Buncombe County Bar Association; as president of the Asheville Civitan Club; as chairman of the Buncombe County Democratic Party Precinct #17; on the Vestry of Trinity Episcopal Church; and as a trustee of St. Joseph's Hospital Foundation. He was a member of the North Carolina Board of Law Examiners; a permanent member of the Judicial Conference for the Fourth Circuit of the US Court of Appeals; a fellow of the American College of Trial Lawyers; and a charter member of the North Carolina Association of Defense Attorneys. In 2005, he was made a Justice Fund Honoree by the North Carolina Bar Association.

He was also a member of Trinity Episcopal Church, the Gleaners Sunday School class, Asheville Civitan Club, Zeb Vance Debating Society and the Country Club of Asheville.

Mr. Roberts is survived by his wife of 56 years, Jean Rankin Roberts, as well as two daughters, Anne Roberts and Kate Roberts Henry, and three grandchildren. His son, Landon H. Roberts Jr., preceded him in death. He is also survived by Doris Oates, his secretary of 59 years.

Attorneys Jim Williams and John Mason eulogized Mr. Roberts with eloquence and humor before the overflow crowd attending his memorial service at Trinity Episcopal Church on Wednesday, April 2, 2007.

Membership News

Share your news! Whether professional or personal, we want to share your significant news with other members of the bar. Contact Meredith at meredith@ashevillebuncombelaw.net or 252-5733.

ANNOUNCEMENTS:

Thomas C. Grella, Chair of the Management Committee of **McGuire, Wood & Bisette, PA** law firm of Asheville, NC, and Chair of the American Bar Association Law Practice Management Section was recently named a Fellow of the National Institute for Teaching Ethics and Professionalism. In connection with this fellowship, Grella recently attended the Institute's Fellow Workshop in Atlanta, GA. NITEP is a consortium of five nationally recognized university centers on ethics and professionalism, and is sponsored by the ABA Standing Committee on Professionalism and the Georgia Chief Justice's Commission on Professionalism. NIFTEP conducts annual workshops that bring together leading academics and practitioners involved in promoting the teaching of ethics and professionalism.

Patricia L. Arcuri, formerly with the law firm of **Cogburn & Brazil, P.A.**, is pleased to announce the formation of **Patricia L. Arcuri, PLLC** and the relocation of her law practice. Pat will be associated with the law firm of **Ball, Barden & Bell, P.A.** and can be reached at her new address of 18 North Spruce, P. O. Box 7157, Asheville, North Carolina 28801, phone: 828-252-0682, fax: 828-252-6774, email: arcuripllc@aol.com. Her practice will be limited to civil litigation and mediation services. Referrals are welcome.

ONGOING EVENTS:

The **Buncombe County Women Attorneys** meet socially for lunch on every THIRD Wednesday of the month from 12:30-1:30 at Cafe on the Square. If you would like to receive an email reminder, and other announcements to the group, please notify attorney Sheila Lambert at slattorney@aol.com

BIRTHS:

Mae Creadick and husband Nick Rogowski are pleased to announce the birth of their son Kaz Creadick Rogowski on March 17, 2007. Mae comments that " 'Kaz' is Polish for 'bringer of peace', which we could really use these days!"



Mae Creadick and baby Kaz

A Word of Farewell

Meredith Gottschalk, Administrative Assistant

I'll be leaving the position as the Bar's Administrative Assistant in July for the birth of mine and my husband Tikkun Gottschalk's second child. I've truly enjoyed the opportunity to work for the Bar and get to know some of you.

I'm struck by what an overwhelmingly positive impression about the local legal community I'll be taking with me. I'm thankful that my husband is practicing law in a legal community marked by such professionalism, collegiality, and altruistic concern for the community as a whole. Besides this, I've discovered you are a fun, interesting bunch with an amazing diversity of interests.

While I am somewhat torn about not remaining in the Bar's Administrative Assistant position, I am expecting our new baby to be A LOT cuter than anyone on the Executive Committee.

President's Message

President Bill Whalen

Congratulations! As noted above in the Pro Bono News section, it is a great pleasure to learn that our 28th Judicial District Bar has once again been recognized with the NCBA Chief Justice Award -- the third time in 12 years! As a long time staff attorney at PLS and member of the Pro Bono Committee, I see every day how your commitment to pro bono service and your contributions to MAVLP and PLS make a real difference in the lives of our less fortunate citizens. This award is a great honor, fully and justly earned. Kudos to each and every member who has contributed to this worthy cause!

Winning the Chief Justice Award is a great public honor for our bar, but I believe we can be equally proud of news that will not be known by many outside our membership: your approval of the Executive Committee's proposals to revise our bylaws and increase dues to fund our new operating plan. The strong vote in favor of those proposals, like the award selection, reflect this bar's real and enduring commitment to our unique traditions of collegiality, professionalism, and public service.

As a young(er) attorney joining the 28th Judicial District Bar in 1980, I recall bar leaders at the time extolling those traditions, but I really didn't appreciate the significance of their comments. As I near the end of my tenure as President 27 years later, I find myself extolling those same traditions, but now with a full appreciation that they are living and vital traditions, and not just platitudes.

That fuller appreciation of our bar and its traditions has been nurtured by my service on the Executive Committee, and particularly from the experience of serving as your President. Countless times over the past year, and in many different ways, you have shown me by your involvement and interest that most members care deeply about fostering collegiality and professionalism within our bar and contributing to the betterment of our community.

It has been a particularly challenging and busy year for our district bar, and I am most thankful for the commitment, countless hours of service, and endurance of the Executive Committee members and Doug Tate and Vic Garlock, who came on board mid-year as understudies for the positions of Secretary and Treasurer. Together with the outstanding help of our departing administrative assistant Meredith Gottschalk, I believe that this year's Executive Committee has accomplished what we set out to do: to do

no harm, to do the best we could to represent the interests of all members and our district bar, and to lay the foundation for a stronger and better district bar operation for the future.

Additionally, I want to again thank the many other members noted in prior editions of the Bar Brief E-Newsletter this year who have served on our standing committees, the Pro Bono Committee, and the several special committees formed to carry out our planning efforts and other activities, as well as the many other members who have shared their time and energy to help us better serve our district bar.

Special thanks are also due to Judge Gary Cash, Clerk of Court Bob Christy, Diane Kennedy, and Ellen Rose for their contributions to the success of the Courthouse Information Center, to Bob Deutsch for his continued leadership and kind donation of office space, and to the Van Winkle Firm for its continued generosity in donating the use of their facilities for committee meetings and CLE events presented by the Pro Bono Committee.

It has been an honor and pleasure to serve as President this year. I hope to see you at the June 13 luncheon to welcome incoming President Calvin Hill, elect the new Executive Committee members for the coming year, and to help honor this year's Centennial and Professionalism Award recipients.

I think you'll find, as I have, that it's a delicious lunch, and time well spent.

Best wishes and regards,

Bill Whalen