



September 2009

Bar Briefs

Calendar:

- **Bar Luncheon**
Wednesday, Sept 16,
12:30 at The Venue
- **Sawbones vs. Jawbones Sunday, Sept 13, 3 p.m. at UNCA**
- **New Attorney Swearing-in Friday, Sept 25, 4 p.m. at Courthouse**

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President's Perspective



The smell of wood smoke, the snapping bite of a fresh apple, the sound of crickets, katydids and bullfrogs lulling you to sleep in the evening and crisp morning air, the majestic mountains that we love, worn down over the ages, and a sky so blue that we can

only be in North Carolina. It is September in the mountains and as I have heard said in a local church and I can only reclaim, "It's a great day to be alive in the Blue Ridge Mountains!" As we look back at the summer past and forward to the fall of this year, with a sigh of satisfaction, we relish the cool nights and mornings after enduring the heat of the summer.

Summer vacations are past and as the leaves on the trees begin to turn color and our children and grandchildren return to school, we, the Executive Committee

members, look forward to seeing our old friends and new at the September 16th monthly luncheon, which will be held at a new location, The Venue on Market Street. We also hope that you all will take the time to welcome newly licensed attorneys at our annual Swearing-in Ceremony, which is scheduled for 4 p.m. on Friday, the 25th of September. It looks as if it will be a busy fall, full of fun. We look forward to seeing each one of you in the near future!

Heidi Stewart

Sawbones vs. Jawbones basketball fundraiser promises fun

Doctors and lawyers are preparing for a rumble right here in WNC. This face off isn't what you might expect, however. Instead of being courtroom opponents, these MDs and JDs are athletic adversaries in the upcoming 2009 Sawbones vs. Jawbones basketball game. The September 13th match-up is truly a light-hearted, family-friendly fundraiser for the Bun-

combe County Medical Society Foundation, which funds programs such as Project Access. There will be pre-game festivities for the kids to enjoy including face-painting, basketball clinics and even some clowning fun. The other fanfare includes full concessions, a silent auction and t-shirt signing with the UNCA men's and women's basketball teams.

Sawbones vs. Jawbones

2009 is being held at the UNCA Justice Center, Sunday, September 13th at 3 p.m. with pre-game festivities starting at 1:30 p.m. Tickets are \$5 at the door. Proceeds from ticket sales and the silent auction will be used to benefit programs of the Buncombe County Medical Society Foundation.

A donation in support of Pisgah Legal Services capital campaign will be

presented at half-time in appreciation of the Jawbones team. Attorney Ed Bleyntat is heading up the recruitment efforts for Jawbones. For information about practices and the team, send an email to EDBLEYNAT@aol.com

For further information, please contact Alex Diez at alexdiez@bellsouth.net



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W. Louis Bissette, Jr., of the law firm McGuire, Wood & Bissette, PA has been selected one of the best lawyers in North Carolina by *Best Lawyers*, the oldest and most respected peer-review publication in the legal profession. This year the full list of winners from North Carolina appears in the May/June issue of *NC Magazine*, the official magazine of the North Carolina Chamber.

Bissette is President of McGuire, Wood & Bissette and possesses broad experience in business and real estate development, as well as mergers, acquisitions and wealth creation, with some of the region's biggest entities as clients. Under his leadership, the firm delivers comprehensive legal work for business, industry and families in the areas of business, corporations and securities, healthcare, litigation, estate planning, and real estate, among many others. Bissette has served as mayor of Asheville and provided leadership on the boards of countless non-profit and civic organizations.

Membership News

Chris Lyman and Rick Jackson Earn LEED® Accreditation

McGuire, Wood & Bissette attorneys Chris Lyman, Construction Law, and Rick Jackson, Zoning and Land Use Law, have been accredited as Leadership in Energy and Environmental Design LEED Accredited Professionals (LEED APs) by the United States Green Building Council (USBGC). Lyman and Jackson are the only LEED Accredited Professional attorneys in western North Carolina and two of only twenty in North Carolina. Only one law firm in North Carolina has more LEED AP attorneys than McGuire, Wood & Bissette.

The LEED Green Building Rating System is the widely accepted benchmark for the design, construction and operation of high-performance green buildings. With this accreditation, Lyman and Jackson join a select group of attorneys nationwide who have demonstrated a thorough understanding of green building practices and principles and the LEED Rating System. As LEED APs, Lyman and Jackson may advise clients on the regulatory requirements pertaining to green building and certification pursuant to the LEED Green Building Rating System and qualify LEED registered projects to earn one point toward certification, if a LEED AP is not otherwise on the design team. Utilizing the LEED accreditation, Lyman and Jackson provide comprehensive legal services that span the green building cycle, from zoning through construction.

Judge Gary S. Cash named Judge of the Year

Chief District Court Judge Gary Cash was honored as North Carolina Judge of the Year at the recent Advocates for Justice annual convention. Judge Cash was the only recipient of this prestigious Award.

Buncombe County Commission Chair David Gantt introduced Judge Cash, citing his numerous honors and his ability to educate, inform, and respect all parties who come before him. Gantt specifically noted Judge Cash's ability to differentiate bad actions, but not inherently bad people for misconduct that required judicial action.



John C. Hunter chosen as Legal Elite in employment law

John C. Hunter, of The John C. Hunter Law Firm PLLC, in Asheville has been chosen one of *Business North Carolina's* 2009 Legal Elite in the field of employment law.

The Legal Elite List is a peer review list sponsored by *Business North Carolina Magazine*. The magazine has compiled and published the list since 2002. Ballots are mailed the preceding summer to each of the 19,160 active members of the State Bar living in North Carolina. The ballots always ask the same question: "Of the Tar Heel lawyers whose work you have observed, whom would you rate the best in their fields?" Lawyers are not permitted to vote for themselves. They are allowed to vote for partners and associates in their own firms, but only if they also select lawyers from outside their firm in the same fields of practice. The later votes are given more weight in compiling the list.

Approximately 4% more ballots were returned in the 2008 voting than in the previous year. Lawyers who received the most votes constitute the 2009 Legal Elite. This year's list includes 621 lawyers from 14 fields of practice representing a little more than 3% of lawyers in the state. Mr. Hunter was one of only three lawyers in Western North Carolina to be so honored in the field of employment law.



While *Business North Carolina's Legal Elite* has become the model for other awards and lists, it remains unique as the only award that gives every active lawyer in the state the opportunity to participate. The John C. Hunter Law Firm is located in downtown Asheville. The firm serves businesses in North Carolina in the fields of employment and environmental law.

Howard Gum honored as Legal Elite in family law

Howard L. Gum, senior managing partner in the Asheville firm of Gum, Hillier & McCroskey, PA, has been chosen one of *Business North Carolina's* 2009 Legal Elite, to *Law & Politics' Super Lawyers North Carolina* and to *Best Lawyers 2009*.

The Legal Elite List is a peer review list sponsored by *Business North Carolina Magazine*. The magazine has compiled and published the list since 2002, however, family law was not added as a category until 2009. This year's list includes 621 lawyers from 14 fields of practice representing a little more than 3% of lawyers in the state. Mr. Gum was the only lawyer in Western North Carolina to be so honored in the field of family law. *Business North Carolina's Legal Elite* is unique as the only award that gives every active lawyer in the state the opportunity to participate in the statewide voting process.

Best Lawyers compiles lists of outstanding attorneys by conducting exhaustive peer-review surveys in which thousands of leading lawyers confidentially evaluate their professional peers. In the U.S., *Best Lawyers* publishes an annual referral guide, *The Best Lawyers in America*, which includes 39,766 attorneys in 80 specialties, covering all 50 states and the District of Columbia. Founded in 1981 and first published in 1983, *Best Lawyers* is the oldest lawyer-rating publication in the U.S., and the gold standard for accuracy and integrity. The current, 16th edition of *The Best Lawyers in America* (2010), is based on more than 2.8 million detailed evaluations of lawyers by other lawyers. Mr. Gum was first selected to this *Best Lawyer's* list in 1989. Of the more than 19,000 lawyers in the state, 19 family law attorneys appear on the *Best Lawyers* in North Carolina.

Mr. Gum's dedication and professionalism in the field of family law has also been recognized by the Peer Review group, Super Lawyers, as an outstanding lawyer in his field. In selecting attorneys for Super Lawyers, *Law & Politics* employs a rigorous, multi-phase process. Peer nominations and evaluations are combined with third party research. Each candidate is evaluated on 12 indicators of peer recognition and professional achievement. Selections are made on an annual, state-by-state basis. Super Lawyers inducts only 5% of the attorneys in any given state. Mr. Gum has been selected to Super Lawyers annually since 2006, its first year offering peer review recognition in North Carolina.

Mr. Gum is a fellow in the American Academy of Matrimonial Lawyers since 1992. He has been a member of North Carolina's Legal Specialization Committees in one form or another since its inception, guiding the state in establishing protocols for legal specialization in all areas of practice. He became certified as a Family Law Specialist in 1989, the first year that the North Carolina Board of Legal Specialization offered certification in Family Law. Mr. Gum also serves as the State Bar Councilor for the 28th Judicial District Bar. For more information about Mr. Gum or the firm's commitment to legal excellence, visit their website at <http://www.gumandhillier.com>.



2009-2010 Executive Committee

President: Heidi Stewart

President Elect: William Christy

Immediate Past Pres: Patsy Brison

Vice President: Doug Tate

Treasurer: Suzannah Plemmons

Secretary: Mae Creadick

State Bar Councilor: Howard Gum

Pro Bono Chair: James Ellis

At-Large Members: Michael Drye, Courtney Booth, Peter Kanipe, Jason Peltz, Tikkun Gottschalk, Cynthia Harbin Holman, Ingrid Friesen, Alan Coxie, Jason Gast

Michael Drye joins Academy of Superior Court Mediators

Michael W. Drye has been recently admitted as a member of the North Carolina Academy of Superior Court Mediators. Membership in the Academy is by invitation only and then subject to due diligence and peer review. There are currently approximately 84 members in the Academy. For more information and to access Mr. Drye, visit www.ncmediators.org/michael-drye.

www.ashevilleuncombelaw.net

28TH JUDICIAL DISTRICT BAR

64 Broadway
P.O. Box 7391
Asheville, North Carolina 28802

Phone: 828-252-5733
E-mail: admin@ashevilleuncombelaw.net



Briefly... from the Bar Administrator

Greetings from the Bar office at 64 Broadway! In the past month, I've been treated to a first-hand glimpse of the continuing legal education offered to attorneys, and it was impressive. At the "Surviving the Crash" seminar, presenter Dustin Cole offered suggestions for marketing, time management, more effective billing and presentation, and much more. More than 60 members of the 28th JDB attended the day-long session at the Venue on Market Street, and reviews were overwhelmingly positive. At a minimal cost of \$60, local attorneys gained credit towards their CLE quota and a new perspective on running an effective and profitable law office.

In just two weeks, the 28th will orient new attorneys to the practice of law in Buncombe County. The tips offered by Dustin Cole could save these law school graduates many hours of frustration and despair. Though many argue that the practice of law should not be viewed as a business, the fact remains that effective people skills and work habits can foster success. Given how friendly the members of the 28th have been to me, though, I have no doubt that the new attorneys will find plenty of willing mentors among the ranks.

Lisa-Gaye Hall

Divorce Mediation CLE

"Divorce Mediation Training for Professionals," a 40-hour seminar, will be held October 12-16, 2009 in Hendersonville. This multi-disciplinary course is certified by the NC Dispute Resolution Commission, approved for NC Continuing Legal Education credits, and is the only certified family mediation course held in western NC.

Barbara Ann Davis, a Collaborative attorney member of the 28th JDB, founding Exec. Director of The Mediation Center, certified trainer and certified Mediator, is co-teaching with Kathy Marth and Jan Woloson.

The seminar is offered through Atlanta Divorce Mediators. Registration: <http://mediationtraining.net/training/schedule.html>, or email Barbara directly with questions at bdavis@main.nc.us.

Pisgah Legal gaining ground

Pisgah Legal Services is making fast progress towards completing its capital campaign in time to meet a Sept. 30 deadline to secure \$750,000 in challenge grants and gifts. PLS raised over \$575,000 in August alone. PLS must raise an additional \$390,000 in pledges over five years by Sept. 30 to secure these challenge funds. Thank you to the many local attorneys who have supported this campaign. For more information, go to www.pisgahlegal.org.

National Pro Bono week Oct 26-30

The Mountain Area Volunteer Lawyer (MAVL)

Program and the Pro Bono Committee of the 28th JDB are extremely excited to announce our participation in the inaugural ABA National Pro Bono Celebration Week, October 26-30, 2009. This celebration week will feature events each day to highlight our exemplary culture of service, spotlighting our volunteers and seeking ways to encourage more attorneys to engage in pro bono service:

Monday 10/26: Official Kick-Off Event at Buncombe County Courthouse

Tuesday 10/27: Pro Bono "Stakeholders" Meeting

Wednesday 10/28: Rutherford County Service Event

Thursday 10/29: Thank You Halloween Party Featuring Attorney Musicians!

Friday 10/30: Two-Part

Innovative CLE: Pro Bono DV Training, and "Vicarious Trauma" Mental Health CLE for Attorneys: "When Caring Hurts: Avoiding Burnout When Working with Traumatized Clients."

