



Bar Briefs

March 2012

Calendar:

- **Bar Luncheon Wed., March 14, 12:30 p.m. at The Venue, 21 N. Market St.**
- **Executive Committee meets Mon, April 2, 12:30 at Pisgah Legal**

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Justice Harry C. Martin Wins State's Highest Award

The North Carolina State Bar presented Justice Harry C. Martin with the John B. McMillan Distinguished Service Award at a gala event sponsored by his local friends and colleagues on March 2. Martin was nominated by the Cherokee Tribal Courts for the award, though his service to the state began long before he served as Chief Justice of the Cherokee Tribal Courts. Martin began his law career by graduating from Harvard Law School in 1948, and ultimately retired from the North Carolina Supreme Court as an Associate Justice in 1992. He served as the Chief Justice in the Cherokee Tribal Courts from 2000—2006, and is currently serving as a temporary Judge there. He was accompanied to the award presentation by his wife, Nancy, his son, Judge Matthew Martin, and several other members of his family.



Top left: Phil Smith, Jim Williams, Dennis Winner, and Justice Martin. Bottom left: Cherokee Chief Justice Bill Boyum, Judge Matthew Martin, Justice Martin and Nancy Martin. Center: NC State Bar Past President Tony di Santi presents award to Justice Martin. Right: 28th JDB President Douglas J. Tate and Justice Martin.

Details on Courthouse Renovation Outlined by Chief Architect

Architect Keith Hargrove is in the middle of the most complex project in his career, he told Bar members at the February luncheon. The Buncombe County Courthouse is being renovated in stages, and must comply with the requirements of LEED (Leadership in Energy and Environmental Design) as well as the National Register of Historic Places. The renovation began with the construction of a Life Safety Tower housing new elevators, restrooms and stairs. Upon completion, there will be a new four-story courts building, which will include

courtrooms, jury rooms, and attorney-client conference space.

“This will be one of the first buildings downtown to get LEED certification,” Hargrove told about 95 Bar members in attendance. Assistant County Manager Jon Creighton and Hargrove said plans call for the entire project to be completed by January 2014.



Pictured here: An artists' rendering of the plans for the new addition to the Buncombe County Courthouse, with the current courthouse on the right.



Keith Hargrove, Chief Architect.

President's Perspective



The summer of 1969 brought us the first man on the moon and Woodstock. Both were defining moments in our culture and our nation's history.

In 1969 I was six years old. My mom and dad tried to keep me up to watch Neil Armstrong's first steps on the moon. They ended up having to wake me up in the middle of the night to watch "one small step for man, one giant leap for mankind." I still remember watching a grainy black and white television picture of what was history.

I also remember watching the news about the Woodstock Music & Art Fair or "Woodstock." Much like I did not understand putting a man on the moon, I did not understand why Governor Nelson Rockefeller was calling out the New York National Guard or why the New York State Thruway was closed. Saugerties, New York where I lived was only a few miles from the town of Woodstock. The concert actually took place on Max Yasgur's farm in Bethel, New York some 43 miles away. My oldest brother swears he was there. He really does. He was 14 years old in 1969.

I do not remember where I was when President Kennedy was shot. I was about six months old. I do remember where I was when I heard that John Lennon was killed outside the Dakota Hotel in 1981. I remember which class I was in law school when the Challenger space craft exploded during takeoff. I guess we all have those moments in time when the clock and our lives seem frozen in time. Just as World War II defined a generation, these other events defined my generation and the generations that have come after.

At the end of March I will be 49 years old. Born in 1963, I am still part of the Baby Boom generation— as are my brothers and so are many of you who read this column. My dad is not quite part of the Greatest Generation, those men and women who are defined by their commitment and sacrifice during the Depression and World War II. Those who came after the Baby Boomer generation are known as Generation X. I was surprised recently to learn that there is a Generation Y and presumably there will be a Generation Z.

Presumably, as lawyers, we can work as long as we want. As long as we exhibit the same sharp mental acuity that allowed us to pass the bar exam and as long as we can still recall the statutes and the basic concepts of law, we can practice into our 80s or even our 90s if we like. I remember Walter McGuire, toward the end of his career, telling my firm that when he started practicing in the 1930s "all the law was in one book." He was right and he had the statute book to prove it. I remember saying of Mr. McGuire, "he probably forgot more law than I will ever know." Nevertheless, while we are defined by our generations, we will always need to deal with and communicate with the generations that come after us.

Our profession is based on the concept of "Stare Decisis." That is to "maintain what has been decided and do not alter that which has been established." I guess those who planned to go to the moon and "do the other things" or who planned three days of peace and music didn't follow the precedent and decided to do some things differently. While the law does not change much for the sake of consistency, generations are molded and influenced by the ever changing world we live in.

Our profession, like all other professions, must tackle the differences between the generations especially in the way we communicate with each other and with clients. I admit it. I do not understand the music the 20 year olds listen to. Not sure I want to.

However, being able to communicate with people of a certain generation and understanding why they act or communicate the way they do can be an invaluable tool for lawyers in the office or in the courtroom. Our March Bar meeting speaker will be focusing on those issues: what is the difference between the generations and how to communicate effectively with each generation.

Our March Bar meeting will also focus on a particular class within the generations. Last year Bar President Bill Christy began recognizing those attorneys that have been licensed for 25 and 50 or more years. It is my intention to continue that tradition. Those attorneys who have practiced for 50 or more years in Buncombe County established something special here in Buncombe County. These lawyers established a way of practicing law that needs to be maintained and not altered. They established the rules of professionalism that are unique to this Bar and this county.

The established mores of the past generation must be handed down to the next generation of lawyers. We hope that after listening to our March speaker, you won't scratch your head about why an old lawyer did something you did not understand. It could be because it's the right way to do it or that it is just the way it has always been done. We need to be able to communicate with each other to figure out which one it is. Regardless, for the sake of the profession, we all need to understand each other to continue what it means to be a lawyer in the 28th JDB. Otherwise, Jerry Rubin may have been right when he said "don't trust anyone over 30."

Douglas J. Tate, President

2011-2012 Executive Committee

President: Douglas J. Tate

President Elect: Ingrid Friesen

Immediate Past President: Bill Christy

Vice President: James Ellis

Treasurer: Ryan Beadle

Secretary: Mae Creadick

State Bar Councilor: Howard Gum

Pro Bono Chair: Tikkun Gottschalk

At-Large Members: Courtney Booth, Alan Coxie, Michael Drye, Jason Gast, Carol Goins, Eileen McMinn, Jason Peltz, Brad Stark and Holly Stiles

Eliada Begins School of Trade Arts for Foster Care Graduates

Attorney Mark Upright loves his job. As President/CEO of Eliada, he says, “I use everything I learned with my MBA and my law degree every day.” With more than 200 staff, a long list of educational and treatment programs for children, and 300 beautiful acres just outside Asheville, Upright has used all those skills since taking over the leadership reins at Eliada ten years ago. When he arrived, the organization was \$800k in debt, and now boasts \$11 million in assets. Students are involved in a 5k running program, a minibike and horseback riding trail, and intramural sports. The historic dairy barn, where orphans ran a dairy operation in the 1920’s, was converted this year to a world-class health and fitness center which includes a climbing wall, an exercise loft, and a weight room.

The newest program on Upright’s agenda is a post-secondary trade school for young men, called “The Eliada School of Trade Arts.” This program will provide Eliada foster care graduates with a post-secondary, residential option. The national statistics on foster care outcomes are dismal: 80% of our current prison population are former foster children; 66% of children leaving foster care have not finished high school by age 19; and 50% of kids leaving foster care are still unemployed after 18 months. “And we’ve seen particular problems with the young men,” Upright says. “It seems the young women have an easier time making it in the world, but the young men need the tools this program will offer.” The two-year trade school will offer culinary training at first, then HVAC, then construction management, and finally, in year five, a degree in facility management. Each student will work with an advisory to learn strategic planning for personal success, called “Castle Building.” But the key, Upright says, is to “instill and enthusiastic work ethic.” After an 18-month accreditation process, the program will be able to accept federal financial aid. Upright is very excited about the new program, stressing that it is a natural continuation the vision of the founder of Eliada, Dr. Lucius Compton. “His vision inspires me,” says Upright. “He wanted to help the last, the least, and the lost. I feel we are doing that every day.”



Mark Upright pictured with an Eliada student and his minibike.

Michelle Rippon Wins Fabulous Trip to Fiji With Local Raffle



If you won a \$10,000 trip anywhere in the world,* where would you go? I asked this question to several people and, of course, the answers were all different – Florence and Venice, Moscow, a cruise to Alaska. My thought was somewhere warm in December. Then I asked myself, “Where would you never go unless it was free because it would be just too extravagant to justify?” Well, I had always been attracted to the South Pacific. As a teenager I had read Michener’s Tales of the South Pacific, and I loved the musical. And on my list of favorites was Mutiny on the Bounty. So, Tahiti and the Society Islands it

was!! We (husband included) booked a cabin with a balcony on a small cruise ship, the Paul Gauguian. The ship anchored for a day in Raiatea, and Motu Mahana, two days in Moorea, and two days in Bora Bora, including New Year’s eve!



We snorkeled on the reefs and swam with the yellow finned sharks and huge sting rays – both very friendly. And yes, it was by far the best and most extravagant vacation ever! *My friend Joe Brumit sold me the winning ticket for the Pack Square fundraiser. Thanks Joe!



By Michelle Rippon

Member News

Ward and Smith, P.A. attorneys E. Bradley Evans, Rendi L. Mann-Stadt, and Michael L. Miller participated in the Appalachian Sustainable Agriculture Project ("ASAP") Business of Farming Conference on February 25 at Warren Wilson College. During informational sidewalk sessions, the attorneys coached local farmers on Intellectual Property, Business Succession Planning, and Labor and Employment matters. After the morning's activities, the attorneys enjoyed a lunch with the farmers made with local food.

Ward and Smith is no stranger to the business of agriculture. Throughout the firm's 100+ year history, we have advised farmers and their families throughout North Carolina and the United States. We currently represent clients ranging from small farm and horticultural operations, to livestock producers. Now, as agribusiness becomes an increasingly complex and varied industry, Ward and Smith's expansion into western North Carolina allows us to be engaged with the unique hyperlocal operations found there. We view ourselves as a partner in their growth and expansion. Our firm wholeheartedly supports the mission of ASAP, which is to help farms thrive, link farmers to markets and supporters, and build healthy communities through connections to local foods.



Events such as ASAP's Business of Farming Conference provide a vehicle for Ward and Smith attorneys to share their knowledge of legal matters that could affect farmers and their livelihoods.

Brad Evans serves as the Agribusiness Practice Group leader. He says: "Our firm has decades of experience and commitment to the agribusiness industry. Three years ago, we organized an Agribusiness Practice Group to reflect that experience and commitment. ASAP obviously is an outstanding resource for people in western North Carolina involved in agribusiness, so we are excited to have the opportunity to work with ASAP to do whatever we can to assist local farmers and promote agribusiness in the area."

After attending the event, Michael Miller characterized it as a great success: "ASAP did an outstanding job of assembling some great resources for those who attended. Everyone I talked to was very appreciative of the chance have buyers, lenders, marketing people, suppliers, and business attorneys in one room. Particularly for the smaller farm, this was very helpful. We certainly enjoyed our part, and the chance to be of help."

Ward and Smith, P.A. is pleased to announce that attorneys **M. Charles Cloninger, Rendi L. Mann-Stadt, Grant B. Osborne, and Hayley Roper Wells** joined the firm's Asheville office in January 2012.

Mr. Cloninger's practice primarily focuses on a wide range of construction law matters. He represents general contractors, subcontractors, suppliers, architects, engineers, developers, and owners; drafts contracts and subcontracts; and handles collections, lien filings, and bond claims. Mr. Cloninger regularly represents clients in state and federal courts and in arbitration. He earned his law degree from The University of North Carolina School of Law and his A.B. from The University of North Carolina at Chapel Hill, where he was a member of Phi Beta Kappa.

Ms. Mann-Stadt's practice experience encompasses various aspects of labor and employment law. She assists clients with employment discrimination and labor relations issues and has represented clients before administrative agencies and in state and federal courts. Ms. Mann-Stadt earned her law degree from the University of Illinois College of Law, her M.B.A. from the University of Louisville, and her B.S. from Boston College.

Mr. Osborne's practice primarily focuses on labor and employment law matters. He provides counsel to clients in the financial, construction, and non-profit sectors. Mr. Osborne represents clients in state and federal courts as well as before administrative agencies. He earned his law degree from Duke University School of Law and his B.A. from Duke University.

Ms. Wells' practice experience encompasses various aspects of labor and employment law. She regularly advises individual and corporate clients in matters of employment discrimination, harassment, wrongful discharge, and personnel policies and procedures. Ms. Wells earned her law degree, *cum laude*, from The University of Georgia School of Law where she was a member of the Editorial Board of the *Journal of International and Comparative Law*. She earned her M.B.A. from The University of Georgia, Terry College of Business, and her B.A., *cum laude*, from The University of Georgia.

The firm serves clients locally, regionally, nationally, and internationally from offices in Asheville, Greenville, New Bern, Raleigh, and Wilmington. For more information about Ward and Smith, please visit www.wardandsmith.com.

Member News

Super Lawyers in the 28th Judicial District Bar

As a testament to the skill and professionalism the 28th Judicial District Bar has always enjoyed, more than 50 Asheville attorneys were included in the North Carolina *Super Lawyers*TM in 2012, representing a significantly higher percentage than Super LawyersTM national inclusion average of 5%.

The firm of Gum, Hillier & McCroskey, P.A. is pleased to announce the inclusion of **Howard Gum, Dave Hillier and Patrick McCroskey** in the *Super Lawyers*TM 2012 list. **Howard Gum**, a specialist in family law, has been included in *Super Lawyers*TM prestigious Top 100 List for the second year in a row. Howard has been continuously included in *Super Lawyers*TM since it launched in North Carolina in 2006. **Dave Hillier**, a specialist in consumer bankruptcy law, was first listed in Super LawyersTM in 2011. **Patrick McCroskey**, also a specialist in family law, was honored in *Super Lawyers*TM Rising Stars List in 2009 and 2010. 2012 is his first appearance in the *Super Lawyers*TM main list. To find out more about the attorneys at Gum, Hillier & McCroskey, PA, visit their website at <http://gumandhillier.com>.

Kight Law is pleased to announce that **Rod Kight** has been honored in *Super Lawyers*TM Rising Stars Lists in 2012. To find out more about the Rod Kight, visit him on the web at <http://kightlaw.com>.

Constangy, Brooks & Smith, LLP, a national labor and employment law firm, announces that eight of its attorneys have been honored with inclusion in the 2012 *Super Lawyers*TM publication. In the Asheville office, **Jonathan Yarbrough** was named in the Employment & Labor category.

Ward and Smith, P.A. is pleased to announce the inclusion of 15 of its attorneys in *Super Lawyers*TM. In the Asheville office, **Michael L. Miller** was honored in the Estate Planning & Probate category. The firm serves clients locally, regionally, nationally, and internationally from offices in Asheville, Greenville, New Bern, Raleigh, and Wilmington. For more information about Ward and Smith, please visit www.wardandsmith.com.

The Asheville law firm of **McGuire, Wood & Bisette, P.A.** is pleased to announce that attorneys **Joseph P. McGuire** and **Douglas O. Thigpen** have been selected as 2012 *Super Lawyers*TM. Joseph McGuire is honored in the area of Business Litigation, and Douglas Thigpen in the area of Real Estate. For more information about McGuire, Wood & Bisette, P.A., please visit www.mwbavl.com.

In selecting attorneys for *Super Lawyers*TM, a rigorous, multiphase process is employed. 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*TM inducts only 5% of the attorneys in any given state.

The selection process, research, and balloting for *Super Lawyers* and *Rising Stars* is conducted by the publishers of *Law & Politics* magazine. *Super Lawyers* magazine is a listing of outstanding lawyers from more than 70 practice areas who have attained a high degree of peer recognition and professional achievement. Published in all 50 states, *Super Lawyers* magazine, featuring articles about attorneys named to the Super Lawyers list, is distributed to all attorneys in the state and region, the lead corporate counsel of Russell 3000 companies, and the ABA-approved law school libraries. The magazine also serves as a special supplement in leading newspapers and city and regional magazines across the country.

Member News

Northup McConnell & Sizemore has added two lawyers to the firm. **Julie Northup** has joined as Of Counsel. She moved here from Atlanta, having practiced there for a number of years representing both employees and employers in employment law matters. She is the past chair of the Labor and Employment Law Section of the state bar of Georgia.

Katie Bulfer has joined the firm as an associate, primarily doing work for which Ike Northup will take credit. Katie was admitted in 2006 and practiced with Manning, Fulton & Skinner in Raleigh before moving to Asheville. Katie will be working in the firm's insurance defense and intellectual property practice groups.



Buncombe County Commission Chairman, David Gantt, wearing a Mohawk wig and sunglasses, taking the Polar Bear Plunge on February 11, 2012, a snowy Saturday, in support of Asheville-Buncombe's Meals on Wheels.

The local chapter of the NCBA Young Lawyers Division, led by **Stephen L. Cash**, participated in the "Ask A Lawyer" program in early February. More than 100 people were assisted. Cash said, "Questions ranged from family law issues to estate planning to civil disputes to criminal issues. We had a great group of young lawyers volunteer and I think we were able to give good advice/information on almost all problems."

The event was targeted to low-income communities in the public library. Cash said, "I do want to emphasize the volunteers - **Shannon Barclay, Mary Robinson, Lindsay Thompson, John Veazy, and Brian Elston**, as well as paralegal Victoria Townley. These people did an amazing job and I think the entire 28th Bar would be proud not only that they volunteered their time, but of the quality of service they provided to WNC's public."

The Changing Face of Leadership: Our Backyard and Beyond

The NCBA Women in the Profession Committee is hosting a conference in Asheville on April 26-27, 2012, to provide an opportunity for primarily women lawyers to interact with female judicial representatives from all courts including the Fourth U.S. Circuit Court of Appeals and the state appellate courts.

Historic Gudger House For Sale: Pisgah Legal Services has historic Queen Anne Victorian building for sale along with adjacent .37 lot. Usable as office or converted to residential. \$450,000 Visit <http://www.pisgahlegal.org/historic-gudger-house-for-sale> for more information. Contact Pisgah Legal Services Executive Director Jim Barrett at 210-3408 for more information.

Kevin P. Kopp, Roberts & Stevens' attorney, has been re-appointed to the faculty of Western Carolina University for 2012 as an adjunct professor. Kopp teaches employment law to students in the Masters in Human Resources Program. His course examines the complex and constantly changing laws and significant court decisions affecting employment law, with a focus on the role of the human resources professional in being able to recognize and anticipate employment law problems.

Kopp is a partner at the law firm of Roberts & Stevens, in Asheville, practicing in the area of labor and employment law. Kopp has also been recognized by *North Carolina Super Lawyers* for the last three years as a Rising Star in the area labor and employment law.

For more information, please visit: www.roberts-stevens.com.



Member News

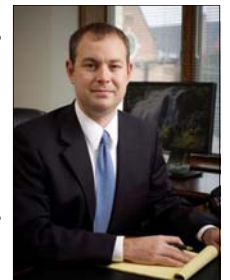
Adams, Hendon, Carson, Crow & Saenger, P.A., is pleased to announce that **John C. Hunter** and **Robert “Bo” C. Carpenter** have joined the firm.

Hunter has extensive experience in assisting businesses and individuals, with a focus on the areas of employment and environmental law, civil litigation and administrative practice. A Brevard native, he received his Bachelor of Arts degree from Wake Forest University in 1981 and his law degree from Wake Forest University in 1985. He has served as Legal Counsel to the Governor of North Carolina, and General Counsel to the North Carolina Department of Environment and Natural Resources. He moved to Asheville in 1996 and practiced with Biggers & Hunter, P.A. and Hunter & Carpenter, P.L.L.C. before joining Adams Hendon Carson Crow & Saenger, P.A. Hunter resides in Asheville with his wife, Sue, and their three children.

Carpenter concentrates his practice on civil litigation and employment law, including counseling clients regarding employment practices, preparing employment agreements, and crafting and updating employee handbooks and personnel policies. He is a native of Sylva. He received his Bachelor of Arts degree from Wake Forest University in 2001 and his law degree from Campbell University School of Law in 2007. He practiced with Hunter & Carpenter, PLLC, before joining Adams, Hendon, Carson, Crow & Saenger, P.A. Carpenter resides in Arden with his wife, Megan, and their daughter.



John C. Hunter



Robert “Bo” C. Carpenter

Three attorneys from **Roberts & Stevens** have been named to *Business North Carolina* magazine’s 2012 *Legal Elite*. **Gregory D. Hutchins** was named to the 2012 *Legal Elite* for Business Law. **Wyatt S. Stevens** was named to the 2012 *Legal Elite* for Litigation, and **William Clarke** was named to the Legal Elite Hall of Fame by achieving the most votes in the Environment Law Category.

The Asheville law firm of **McGuire, Wood & Bisette, P.A.** is pleased to announce that attorneys **Joseph P. McGuire** and **Susan Strayhorn Barbour** have been named to *Business North Carolina* magazine’s 2012 *Legal Elite* list of the top lawyers in North Carolina. McGuire is named in the Litigation category and Barbour in the Real Estate category.

National labor and employment law firm **Constangy, Brooks & Smith, LLP** announces that four of its attorneys have been selected to *Business North Carolina*’s 2012 Legal Elite. **Jonathan W. Yarbrough** was chosen from the Asheville office in the employment category. Yarbrough’s practice includes providing advice and counsel to employers on compliance with federal and state employment laws, including the Family and Medical Leave Act, the Americans with Disabilities Act, and wage and hour laws. He also assists federal contractors with affirmative action planning and compliance.

The *Legal Elite* recognizes the best lawyers in the state in specific practice areas as voted by their peers. Statewide, 650 lawyers, about 3% of NC lawyers, were selected by their peers in 14 business-related categories. The Legal Elite results are based on a survey sent to each of the more than 20,856 active members of the North Carolina State Bar living in North Carolina.



From left to right: Gregory D. Hutchins, Wyatt S. Stevens, William Clarke, Joseph P. McGuire, Susan Strayhorn Barbour, Jonathan Yarbrough

Member News

Contract Attorney Wanted

An Asheville firm is looking for an experienced trial lawyer to work with the firm on a contract basis or otherwise in taking depositions, etc., in several complex medical malpractice matters. If interested, please respond via e-mail to info@johnhensleylaw.com.

Executive Director Wanted

The YWCA of Asheville and Western North Carolina seeks an experienced and passionate Executive Director (ED) with a demonstrated commitment to organizational excellence to lead our organization and continue our exceptional history. The YWCA has served the community for over a century through our mission of eliminating racism and empowering women.

[Click here for more information about the ED position and how to apply.](#)

Litigation Attorney Wanted

An Asheville civil law firm seeks an experienced North Carolina licensed litigator for contract legal assistance in their downtown office. Two or more years experience preferred. Please send resume to: ourashevilleoffice@gmail.com

The Bidwell Law Firm seeks Legal Assistant, 32 to 40 hours per week. Experience a must! Pay dependant on same. Send resume to: Human Resources, 77 Central Avenue, Suite E, Asheville, NC 28801 or fax to (828) 252-0511.

Approximately 850 sq ft office space for lease adjacent to Grimes Teich Anderson's offices on College Street near the Beaucatcher Tunnel. Please contact Paula Cooper, broker, at (828) 775-1485 (mobile) or (828) 251-2900 (office). To find out more, click here: <http://asheville.craigslist.org/off/2829286271.html>

The Center for Cooperative Parenting announces a Civil Guardian ad Litem Training Program. This event will be held on Friday, May 18 at The Friday Center in Chapel Hill, from 8:00am to 5:00pm. 7.0 hours of Continuing Legal Education Credits are pending approval by NC State Bar. The cost of this Program is \$185. Includes Training Materials, Breakfast, Lunch & Snacks. Space is limited. Registrations handled on a first-come, first-served basis. Visit www.centerforcooperativeparenting.org for more information.

Pisgah Legal Services' consumer team, **Bill Whalen** and **Molly Maynard**, recently recorded a half hour interview for Buncombe County TV's public access channel.

Whalen and Maynard focused on encouraging homeowners in distress to reach out for attorney assistance, particularly when a foreclosure action is filed, and urged viewers who may not be eligible for PLS services to contact the North Carolina Bar Association Lawyer Referral Service (NCLRS) if they need help locating an attorney to assist them. Whalen and Maynard would like to encourage every attorney who represents borrowers facing foreclosure to sign up for the NCLRS before the interview hits the air.

Engineering Forensics Group is hosting a FREE CLE Workshop

**Portable GPS Units -
The Hidden Source of
Crash Data**

**EDR Update
New Vehicles Offered**



Many drivers now use portable GPS units for navigation to find addresses without the hassle of using printed maps. Many users of these devices do not know that these devices can store data as one is driving along which can be downloaded to show where the driver has been, what routes were utilized, his speed along various segments, and potentially may contain speed and direction during an impact. Many times the portable GPS unit is overlooked within crash vehicles or simply removed by the owners and reused if not damaged in the crash. These devices should be kept for potential evidence and downloaded for potential useful information to accident investigators, insurance claims agents, attorneys, etc.



The event data recorder most commonly referred to as the "black box" is installed in all vehicles that are equipped with an airbag. **Engineering Forensics Group Inc. (EFG)** has engineers and technicians who are trained and certified to retrieve information from vehicular Event Data Recorders (EDR), analyze the data and inform our clients as to the information which comes from these systems. Our engineers will provide the history of the "black box" and data that can be obtained to help you and your case!

NEW VEHICLES SUCH AS TOYOTA, LEXUS, SCION AND FIAT VEHICLES are now available!

Workshop Information

April 25, 2012
1:00 PM to 3:00 PM
(question and answer session at the end)

Cumby & Trull School of Real Estate
85 Tunnell Road, Suite 23A
Innsbruck Mall
Asheville, North Carolina 28805

Cost: FREE
Pending approval from the North Carolina State Bar Association

Registration Contact:
Vicki Whited
865-281-0068
knoxoffice@efgforensics.com
www.efgforensics.com



Don R. Moore, P.E., ACTAR



K. Scott Reiling, P.E., ACTAR

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**Bar Briefs is published
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Briefly... from the Bar Administrator

It is my distinct pleasure to attend the annual Bar Leadership Institute in late January each year, accompanying the President and President-Elect of the 28th JDB. At this meeting, which lasts only a day and a half, we hear from those in large and small mandatory bars across the state. We meet leaders who are new to their positions, and those who have served several years. Discussions on ethics, professionalism, and new programs are sometimes instructive and sometimes rote. A few bars are initiating programs for mentoring, and some are attempting to involve more of their members in pro bono service. Leaders discuss their concern for cash-strapped attorneys who are practicing outside their realm of expertise, and possibly opening themselves up to malpractice. They voice dismay at the psychological toll the practice of law takes on many in the profession. The network of support for our members, and attorneys across the state, is strengthened, as local bar leaders meet others and network to solve problems.

Lisa-Gaye Hall

McDevitt Chosen for National Pro Bono Task Force

John G. Levi, Chairman of the Legal Services Corporation (LSC), has announced the addition of five new members to the Board's Pro Bono Task Force, which is working hard to identify best practices and innovations to enhance the involvement of private, volunteer lawyers in civil legal assistance to low-income Americans.

The new Task Force members are Judge Diane P. Wood of the U.S. Court of Appeals for the Seventh Circuit; Deborah Leff, Deputy Counselor for Access to Justice at the U.S. Department of Justice; **Larry S. McDevitt**, Chair of the American Bar Association Standing Committee on Pro Bono and Public Service; Linda K. Rexer, Executive Director of the Michigan State Bar Foundation, and Angela C. Vigil, Partner at Baker & McKenzie LLP and the firm's Director of Pro Bono and Community Service for North America.

"We thank Judge Wood, Deborah Leff, Larry McDevitt, Linda Rexer and Angela Vigil for sharing their expertise and time with the Pro Bono Task Force. They will strengthen our relationships with the judiciary, the American Bar Association, and bar foundations, as well as permit us to draw on their experiences in expanding access to justice," Chairman Levi said.

The Pro Bono Task Force is led by Martha Minow, Vice Chair of the LSC Board and Dean of the Harvard Law School, and Harry Korrell III, a member of the LSC Board and a Partner in the Seattle office of Davis Wright Tremaine LLP.

McDevitt is a longtime leader in the North Carolina Bar Association, where he served as president, and in the American Bar Association, where he recently completed a term on the ABA Board of Governors. He helped found a regional legal services program in North Carolina, has served on the board of Legal Services of North Carolina, and is a past member of the ABA Standing Committee on Legal Aid and Indigent Defense. He currently serves as Chair of the North Carolina State Bar IOLTA Board. He is a member of The Van Winkle Law Firm in Asheville, N.C.

The Board's Pro Bono Task Force convened its inaugural meeting on August 1 at Harvard Law School. The Task Force has formed working groups, which have been meeting regularly, to identify best practices for enhancing pro bono services in rural and urban areas and through technology, to examine the obstacles that hamper or discourage pro bono services, and to formulate "big ideas" for pro bono services in the context of legal aid programs.

Established in 1974, LSC, an independent 501(c)(3) nonprofit corporation, receives an annual appropriation from Congress to promote equal access to justice and to provide for the delivery of high-quality civil legal assistance to low-income individuals and families. About 95 percent of the appropriation is distributed as grants to 136 independent nonprofit legal aid programs in every state, the District of Columbia and the U.S. territories.