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The secret of joy in work is contained in one word—excellence. To know how to do something well is to enjoy it. —Pearl Buck

Camille Stell,
CLAS

I don't drink coffee. That said, I do frequent Starbucks. My book club meets there. Starbucks sells yummy hot cider in the winter and excellent pound cake anytime. I've also bought CDs, mugs and gift cards there. That's not a bad shopping experience for a non-coffee drinker in a coffee shop.

There have been several books written about the Starbucks phenomenon. One of these, *The Starbucks Experience: 5 Principles for Turning Ordinary Into Extraordinary* by Joseph Michelli, explains the reason behind Starbucks' success using customer anecdotes, insider stories, and the occasional business strategy. The book is an interesting study, comparing a unique mindset this organization has over many businesses in our market today. For example, Starbucks offers benefits for part-time employees working as little as 20 hours a week, including adoption assistance, stock options,

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One For the Books

Merging the Mecklenburg Law Library and the Charlotte School of Law

BY ANTHONY AYCOCK

In 1989, when I was 15 years old, wearing a Members Only jacket and playing my Atari 2600, a group of Charlotte attorneys founded the Mecklenburg County Law & Government Library, Inc. Their purpose was to acquire the existing—but inadequate—Charlotte Law Library collection and expand it.

The mission was a success. Attorneys and corporations gave money; Mecklenburg County provided the space. The Public Library of Charlotte-Mecklenburg County (PLCMC) staffed the law library, increasing its service to thousands of non-lawyer patrons a year. The library also kept its dues-paying attorney members, whose contributions gave them check-out privileges and 24/7 access—and paid the library's bills.

Now the Mecklenburg Law Library is part of the Charlotte School of Law. The law school moved the library's 20,000+ volumes from their old site and merged them with the law school's own collection. The combined library now has about 45,000 volumes. It is open to the public Monday through Friday from 9:00 a.m. to 5:00 p.m., and memberships are available to Charlotte-area attorneys.

As a member of the Mecklenburg Law Library Board of Directors, I helped negotiate the merger. But why did the merger take place? Why did the law library move out of the old county courthouse, where it had been since 1989, to join the Charlotte School of Law?

A Library in Trouble

In 2002, the Mecklenburg Law Library was in a financial crisis. One reason was the 15%-per-year increase in the price of law books. Another reason was that, over the years, large law firms had canceled their memberships, preferring to develop their own electronic collections.

"Funding is dropping at the region's only public law library," noted Michele Wayman that year in *The Charlotte Observer*.

PLCMC considered taking over the law library's operation, but Bob Cannon, then-director of the public library system, decided against it. "I recommend we close it," he told PLCMC trustees in March of 2003.

Later that year, the public library withdrew its two staff members, leaving us, the law library's board of directors, to question the library's future. Closing seemed inevitable.

But the law library did not close. Two people—John Rudisill, president of the law library board, and Dr. Carol Jordan, director of the library at Queens University—stepped forward to lead the law library's comeback. They found money and volunteers to keep the doors open, albeit only two days a week. They applied for foundations grants and county funds. They also began looking for financial partners. When the law school arrived in Charlotte, we knew it would need a library, and so Dr. Jordan contacted the dean of the law school, Eugene Clark, about a possible partnership.

Dean Clark welcomed the opportunity. He saw it as one way to further the law school's mission of community service and creating practice-ready graduates. We discussed several partnership models with Dean Clark before deciding to transfer the law library collection to the law school campus.

Benefits of the Merger

"We are so pleased to have attained this partnership of our two libraries and to continue the Mecklenburg County Law Library's historic tradition of serving the public and the legal, governmental and social services communities," said

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tations.

Comments *from page 1*

and health insurance. It builds stores in such close proximity that they are oftentimes competing directly with one another. And it sells a product that until recently people just brewed at home or purchased in a drive-through window on their way to work.

To put perspective on Starbucks' success, author Joseph Michelli states, "If you had "invested \$10,000 in the Starbucks IPO on the Nasdaq in 1992, your investment would be worth approximately \$650,000 today."

If that weren't enough, Michelli tells us "Starbucks opens five new stores every day—365 days a year."

And through all this, it has become one of the "most admired" companies, according to *Forbes* magazine. It has a cult following of coffee drinking customers and its employees are motivated and loyal to the company, rather than suffering the growing pains one would imagine should accompany such incredible growth.

Why should law office management practitioners be interested in Starbucks? What can our law offices learn from a coffee shop? *The Starbucks Experience* outlines five "experiences" that Starbucks uses to motivate its company. These principles can be applied to any aspect of any company—including a law firm. They are:

1. Make it your own.
2. Everything matters.
3. Surprise and delight.

4. Embrace resistance.

5. Leave your mark.

When discussing the application of the principals in the Starbucks business, the first principle of "Make it your own" is described as follows: "be welcoming, be genuine, be considerate, be knowledgeable, and be involved" and stresses that these ideals aren't just for the retail-level employees but for every area of the company. What if you applied just this one idea to your law office? What if every employee—receptionist or partner—was welcoming, genuine, considerate, knowledgeable and involved with your clients? Would this principal of "make it your own" set you apart from other law firms? When looking at complaints and grievances filed with the N.C. State Bar, I'd say, yes, this principal could indeed set you apart from other law firms in your communities.

I'd also suggest that each of these principals applied to your law firm would leave your clients happier and more satisfied consumers following their experience with you.

Implementing these principals into your workplace could inspire you to look at your business in a different way. Attempting to "surprise and delight" your clients would not only improve your client relationships, but also would make your workplace one in which attorneys and staff would enjoy striving for excellence. And if this doesn't work, you might want to add pound cake along with the services you provide. □

UPCOMING CLE PROGRAMS

March 27

Basic Internet for Lawyers
9:00 AM
NC Bar Center, Cary
Credit Hours: 2.00

March 27

Conducting Legal Research
1:00 PM
NC Bar Center, Cary
Credit Hours: 2.00

April 20

2007 GP Small Firm & Solo Section
Annual Meeting
8:55 AM
NC Bar Center, Cary
Credit Hours: 6.00

May 22

Basic Internet for Lawyers
10:00 AM
NC Bar Center, Cary
Credit Hours: 2.00

**For more information or to register,
call (919) 677-8745 or (800) 228-3402
or visit www.ncbar.org/cle.**

Books from page 1

Amanda Vann, president of the Mecklenburg Law Library's Board of Directors, when the merger was announced in the fall of 2006. The move has several benefits for the Charlotte community:

♦ **A richer collection.** The print and electronic collection available to library members and the community will more than quadruple, as the law school plans to increase its collection to 100,000 volumes—the largest law library ever in Charlotte—by 2008.

♦ **Better services to attorneys and the public.** The law school library is now open five days a week to the general public, which is an improvement over the 2½ open days of the Mecklenburg Law Library. Also, patrons can now search the library's catalog online. (The former law library never had a catalog.)

♦ **Improved research assistance.** The law school has four professional librarians who have

experience with legal materials. This expertise will enhance patron access and use of the collection.

♦ **Fiscal responsiveness to community.** For 15 years, the Mecklenburg Law Library occupied space rent-free in the old county courthouse. This space is now available for more efficient use in the administration of justice for the county and its taxpayers.

Since the merger was completed in October of 2006, more than 100 law firms and solo practitioners have become members of the law school library. The library has also provided numerous people from the community with information on child support guidelines, inheritance law, worker's compensation, and other matters.

What began as a last-ditch effort to save a struggling institution has grown into a wonderful relationship between the legal community and the

city's first-ever law school. The future looks bright, according to Dean Clark of the Charlotte School of Law.

"This merger," he says, "is part of a long-term vision to build a world-class legal information and services infrastructure that will serve well our communities as Charlotte grows into a major international city." □

AYCOCK IS THE PUBLIC SERVICES LIBRARIAN AT THE CHARLOTTE SCHOOL OF LAW.

Editor's Note: Visit the following Web site to learn more about membership: www.charlottelaw.org/lawlibrary.



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NORTH CAROLINA
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CONTINUING LEGAL EDUCATION

A Cynical Old Attorney Re-Examines Pro Bono

BY HUGH D. COX

I thought pro bono died years ago. I knew of pro bono and I assumed that I was out of town and missed the funeral.

Many attorneys apparently did not know that pro bono was dead. An extensive survey by the ABA in 2004 (www.abanet.org/legal-services/probono/report.pdf) found that 66% of attorneys averaged 39 hours per year of “free” services to the “poor.” The survey showed that 46 percent of attorneys met the suggested 50 hours of pro bono per year.

Conversely, the ABA commissioned a 2002 study about adverse perceptions of attorneys (www.abanet.org/litigation/lawyers/public-perceptions.pdf) that found “Americans say that lawyers are greedy, manipulative, and corrupt. Personal experiences with lawyers substantiate these beliefs. Consumers tell stories of lawyers who misrepresent their qualifications, overpromise, are not upfront about their fees, charge too much for their services, take too long to resolve matters, and fail to return client phone calls.”

If attorneys are doing so much pro bono good, why does the public disrespect us? Perhaps the answer lies in how “we” define pro bono and how the public perceives pro bono.

The 2004 ABA survey about pro bono used the ABA’s Model Rule 6.1 as the basic definition of pro bono:

“A lawyer should aspire to render at least 50 hours of pro bono publico legal services per year. In fulfilling this responsibility, the lawyer should:

(a) provide a substantial majority of the 50 hours of legal services without fee or expectation of fee to:

(1) persons of limited means or
(2) charitable, religious, civic, community, governmental and educational organizations in matters which are designed primarily to address the needs of persons of limited means; and

(b) provide any additional services through:
(1) delivery of legal services at no fee or substantially reduced fee to individuals, groups or organizations seeking to secure or protect civil rights, civil liberties or public rights, or charitable, religious, civic, community, governmental and educational organizations in matters in furtherance of their organizational purposes, where the payment of standard legal fees would significantly deplete the organization’s economic resources or would be otherwise inappropriate;

(2) delivery of legal services at a substantially reduced fee to persons of limited means; or

(3) participation in activities for improving the law, the legal system or the legal profession.

In addition, a lawyer should voluntarily contribute financial support to organizations that provide legal services to persons of limited means.”

North Carolina’s Bar never adopted the ABA Rule and describes an attorney’s responsibilities in the Preamble to our Rules of Professional Conduct (www.ncbar.com/rules/rules.asp) as follows:

“[6] . . . A lawyer should be mindful of deficiencies in the administration of justice and of the fact that the poor, and . . .

[7] A lawyer should render public interest legal service and provide civic leadership . . .

[8] The legal profession is a group of people united in a learned calling for the public good. At their best, . . .

[9] The basic responsibility for providing legal services for those unable to pay ultimately rests upon the individual lawyer. Personal involvement in the problems of the disadvantaged can be one of the most rewarding experiences in the life of a lawyer. Every lawyer, regardless of professional prominence . . .

[10] Many of a lawyer’s professional responsibilities are prescribed in the Rules of Professional Conduct, as well as substantive and procedural law. However, a lawyer is also guided by personal conscience and the approbation of professional peers. A lawyer should strive to attain the highest level of skill, to improve the law and the legal profession, and to exemplify the legal profession’s ideals of public service.”

For a very broad definition of pro bono, attorneys could cite *Black’s Law Dictionary* (8th ed. 2004), which defines pro bono as follows:

pro bono (proh boh-noh), adv. & adj. [Latin pro bono publico “for the public good”] Being or involving uncompensated legal services performed esp. for the public good <took the case pro bono> <50 hours of pro bono work each year>.

“The bar in this country has a long-standing tradition of service pro bono publico—legal services ‘for the public good,’ provided at no cost or a reduced fee. This concept encompasses a wide range of activities, including law reform efforts, participation in bar associations and civic organizations, and individual or group representation. Clients who receive such assistance also span a broad range including: poor people, nonprofit organizations, ideological or political causes, and friends, relatives, or employees of the lawyer.” Deborah L. Rhode & Geoffrey C. Hazard,

Professional Responsibility 162 (2002).

For those cynics (like me) among attorneys who wish to portray themselves as pure and pious about pro bono, we can use *Black’s Law Dictionary* and claim unsuccessful contingency contract cases as pro bono, joining a civic organization as pro bono, and payment of political contributions as pro bono. In fact, I may have several hundred hours of pro bono each year using that criteria. I never knew I was so inclined to find time to participate in, or otherwise support, the provision of legal services to the disadvantaged. Anyone who signs a contingency contract is disadvantaged.

A recent issue of one of those “Super Lawyers” magazines arrived recently. The best, brightest and most respected attorneys among us consider volunteering as pro bono. One attorney identified did meet with persons seeking legal help. Is civic volunteerism, although certainly admirable, pro bono?

Volunteerism can be defined as pro bono by *Black’s Law Dictionary* and by the Preamble to the North Carolina Rules of Professional Conduct. In fact, legal services for the public good of friends, relatives, and employees or anyone else at no cost or reduced cost is pro bono. Participation in bar activities and civic organizations is pro bono. “Poor” people are mentioned but not mandatory for pro bono participation.

The issue arises as to whether there are attorneys (not including us cynics) who make an effort to practice pro bono for the public good and for the disadvantaged. The answer is yes.

Sometimes there are extraordinary pro bono efforts for the public good by unrecognized and heralded attorneys whose dedicated professionalism seems to meet most of the pro bono qualifications. A recent North Carolina case of such magnitude was **Donald J. PATRONELLI, v. Carrie PATRONELLI**, 2006 WL 703650 in the Tenth District (Wake County No. 01 CVD 1780).

Ms. Patronelli, as the dependent spouse, was not able to afford an attorney and litigate against Mr. Patronelli on “substantially even terms.” A pro bono attorney stepped forward to represent Ms. Patronelli, giving her access to the judicial system to vindicate her right to permanent alimony. While the pro bono attorney incurred approximately \$2,500 in expenses and fees, fees were not awarded by the Court on the ground that the attorney had performed the work pro bono. The North Carolina Court of Appeals affirmed. See **Patronelli v. Patronelli**, 623 S.E.2d 322, 323324 (N.C. Ct. App. 2006) (explaining that the sole basis for both trial

court's and appellate court's ruling was the pro bono status of Ms. Patronelli's counsel). (From Amici Curiae brief to the Court of Appeals)

These pro bono attorneys deserve recognition and honor. They are Celia Pistolis, Gregg E. McDougal, William D. Rowe, Kenneth L. Schorr, Michelle D. Reingold, N.C. Christine O'Connor Trotter, and Stella A. Boswell. Their Amici contentions appear below.

In 2005, the Legal Services Corporation (the independent corporation that distributes federal funds to legal services offices nationwide) issued a report concluding that at least eighty percent of the civil legal needs of low-income Americans are not being met. See "Documenting the Justice Gap in America, The Current Unmet Civil Needs of Low Income Americans," Legal Services Corporation (September 2005); www.lsc.gov.

At least some attorneys are more attracted to litigation on an initial pro bono basis due to the possibility that they will be able to recover shifted fees upon a successful outcome. Even if an attorney initially has no expectation that fees will be shifted, an award defraying fees and costs provides a direct financial incentive to re-invest time and effort in another pro bono matter. Many volunteer attorneys, moreover, do not retain shifted fees, but instead donate them back to the general fund of the referring organization. This is the approach recommended by the commentary to Model Rule of Professional Conduct 6.1.

Such attorneys should be our heroes no matter what the outcome of their case. Their practice of law had noble majesty. When these lawyers enter and leave courthouses, we should stand in respect as did courtroom spectators for Atticus Finch in *To Kill a Mocking Bird*. The public should know of their sacrifice and public service. Then we would not have to stress out over the names of our professional lawyer organizations just because simple labels now carry grim political consequences.

In spite of attorneys imagining that they represent the public good through pro bono, the public is not buying. Any effort to reduce public disrespect of attorneys will not be achieved by media hype, spin and eyewash. Neither will it be altered by changes in the Rules of Professional Conduct. Public perceptions of lawyers take decades to sink in. Disrespect must be eroded away.

Attorneys Alice Neece Moseley, Fred H. Moody Jr., and John H. Vernon III warned us that pro bono representation was important to the public in a 1997 *Wake Forest Law Review* article entitled, "An Overview of the Revised North Carolina Rules of Professional Conduct: An Examination of the Interests Promoted and Subordinated" (32 *Wake Forest L. Rev.* 939, 990-991) with the following:

G. Omission of Model Rule 6.1, Voluntary Pro

Bono Publico Service

If any of the Model Rules is intended to promote the interests of the general public, it is Model Rule 6.1 on voluntary pro bono publico service. Model Rule 6.1 is also one of the few Model Rules that is not included, in some form, in the Revised Rules.

By its own terms, Model Rule 6.1 sets forth a voluntary, aspirational standard, not an enforceable duty. Model Rule 6.1 states that "[a] lawyer should aspire to render at least (50) hours of pro bono publico legal services per year." The rule advances the traditional concept of pro bono service providing legal services to people of "limited means," or those who cannot afford to pay for legal representation. Although the Model Rule recognizes that a minor portion of the pro bono service might be devoted to free or reduced fee representation of organizations "seeking to secure or protect civil rights, civil liberties or public rights, or charitably religious, civic, community, governmental and educational organization[s]," the real emphasis of the rule is on the representation of the poor.

Despite the efforts of a number of prominent lawyers who appeared before the Rewrite Committee to encourage the adoption of Model Rule 6.1, the Rewrite Committee voted against the inclusion of the rule because "an aspirational rule should not be included in the mandatory Revised Rules of Professional Conduct." The stated reason for the decision to exclude the rule seems somewhat inconsistent when one considers that several of the other model Rules adopted by the Committee describe the lawyer's role or discretion, but do not set forth mandatory obligations. The Committee did agree to include a discussion of the obligation to provide pro bono representation in the Preamble to the Revised Rules. The discussion in the Preamble, however, is essentially the same as the discussion in the Preamble of the Repealed Rules. It draws little distinction between volunteering to serve on the board of a civic organization and the unpaid legal representation of those who cannot afford to pay."

How can attorneys change public disrespect?

Because I am an attorney at the bottom of the food chain representing the disabled, I have some short- and long-term suggestions:

♦I admit to looking at attorney firm Web sites trying to steal ideas for my Web site. Most pro bono representation advertising seems as fake as Nigerian e-mail letters. Most firms would be better off promoting "real" pro bono attorneys helping the disadvantaged outside their firm. It is too bad that most firms do not praise their local legal services attorneys on Web sites.

♦Referring a disadvantaged potential client to an attorney further down the food chain (like legal services) creates ill-will with both the potential client and the referral attorney. It is better to tell the

potential client that such attorneys are difficult to find and to admit that the firm does not take pro bono cases.

♦Attorneys who openly advertise the size of awards or settlements among potential clients harm the reputations of themselves and other attorneys—even if true. A member of the public, and especially a neoconservative, generally sees this tactic as worthy of lawyer-hating.

♦The State General Assembly could remove malpractice liability for pro bono attorneys much in the same way it removed malpractice liability for physicians. Then liability carriers could openly encourage attorneys to accept pro bono cases.

♦There should be some "unified" formal recognition of North Carolina attorneys who meet the ABA Rule 6.1 standard of 50 hours of pro bono for the disadvantaged.

♦The political climate in Washington should be ripe for removal of the restraints on legal services attorneys so that they could once again champion the disadvantaged against politically powerful corporations and entities.

♦Most importantly, attorneys must identify the enemies of pro bono and subject them to the same adverse publicity as these enemies heaped upon pro bono attorneys. Many of these enemies continue to be shielded by the Patriot Act that significantly altered governmental transparency, safety regulations, and rightful benefits to citizens. We are in a war with those fellow Americans who increasingly restrict access or delay access to the judicial system for the most disadvantaged.

♦There are pro bono causes aplenty to enhance our attorney reputation with the public. These causes include returning (1) war reservist and guard members fired from their jobs in violation of the Uniformed Services Employment and Reemployment Rights Act (USERRA—www.osc.gov/userra.htm), (2) military members in the war zones being denied the right to vote under Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA—www.fvap.gov), and (3) disabled military veterans denied rightful serviced connected benefits for years after being wounded (www.vetsprobono.org/ or www.vetadvocates.com/).

♦Our good efforts will take decades. If you disagree with me, you can meet me at the Veteran's Post bar for a beer so we can count the time as pro bono. □

COX IS A SINGLE PRACTITIONER IN GREENVILLE REPRESENTING MILITARY VETERANS FOR VA BENEFITS, SOCIAL SECURITY CLAIMANTS FOR DISABILITY BENEFITS, AND INJURED WORKERS FOR WORKERS' COMPENSATION AWARDS. THE OPINIONS STATED ARE HIS ALONE.

Ask the Risk Man

BY JAY REEVES

I recently became reacquainted with the magical doctrine of *nunc pro tunc*.

It happened in district traffic court, in a motion for appropriate relief that I was presenting to one of our local judges. My client wanted to reopen a 2002 speeding case and request a Prayer for Judgment Continued. The judge not only granted the motion but also, on its own motion, made the PJC retroactive to the date of the original plea.

Although I recalled *nunc pro tunc* from the mists of law school and on random occasions since, I felt marginally incompetent for not having asked for it on my own in the instant case. This wondrous principle can transform then into now, according to *Black's Law Dictionary*. Here, it would allow my client to regain her driver's license more quickly than if I'd shuffled out of court with a PJC from this date forward.

Instead of self-reporting my malpractice to Lawyers Mutual, I simply thanked the judge and headed back to the office where I added *nunc pro tunc* to the list of legal issues to consider and discuss with clients in traffic cases and other matters.

Which got me thinking about New Year's Resolutions.

Here we are at the start of March, two months into the calendar year, and all of our well-intended resolutions—to eat less, exercise more, learn to play the congas—have faded in the rearview mirror like yesterday's dreams.

Might as well wait until next Jan. 1 and start fresh, right?

Wrong. In baseball, it ain't over till it's over, and in the law, there is *nunc pro tunc*. Put the relation-back doctrine to work for you. More than 80 percent of the year remains, 300-plus days to go. That's a veritable lifetime in the legal world.

Following, for those who might be derelict or discouraged, are 2007 Risk Management Resolutions Redux (*nunc pro tunc*):

♦**March.** Begin spring cleaning by clearing off your desk. Arrange all files into four deadline-driven stacks: one month, one week, one day, and today. Roll up your sleeves and start with the "today" pile. Hold all calls until you have burrowed your way to the bottom. Tomorrow, tackle the next stack. Ask your staff to help. Delegate where appropriate.

♦**April.** Now that you're on top of your work,

close the office early and go fly a kite.

♦**May.** Review your Lawyers Mutual professional liability policy. Are your limits and deductible appropriate? Should any lawyers be added or deleted? If so, contact the underwriting department. Do you know of any "acts or omissions which could reasonably be expected to be the basis of a claim or suit?" If so, contact the claims department. While you're at it, express your appreciation for the policyholder divided recently approved by the board of directors.

♦**June.** Attend a summer bar convention. While you're there, take a CLE class or two. Make at least one new friend. Come home with at least one new idea to improve your practice. Bring your family with you. Dispatch your children to the vendor booths with instructions to collect as many pens, pencils, paperweights and peppermints as they can cram in the minivan.

♦**July.** Attend a local fireworks display. Dust off your old copy of the album "Born In The U.S.A." by Springsteen (vinyl record only) and give it a spin on your turntable. At midnight, put on the movie "Born On The Fourth of July" (VHS format only). If you even have your old stereo or videocassette player in this I-Pod era, ask yourself why.

♦**August.** In the dog days of this month, celebrate "drop-a-dog" day. On this special occasion, you and your staff get to drop dog cases. Let everyone participate. Each can select one case or client to fire, terminate, evict, sever, flush and boot. Be sure to follow Rule 1.16 to make sure that the client's discharge is done in a clean and ethical manner.

♦**September.** With school back in session, check and see how you're doing with CLE. You should have either completed your 2007 hours or be well on your way to doing so. Take an online course one evening or during lunch. Avoid an end-of-the-year course crunch.

♦**October.** As the colors in nature begin to turn, it might be a good time for an in-house refresher course on the all-important issue of client confidentiality. Make copies of Rule 1.8 and hold a staff meeting over lunch. Review the rule and discuss together.

♦**November.** Say a personal thank you to every person who helps your practice, beginning with your staff and extending to the postman, property manager, receptionist, beat cop, paramedic, custodian and cabana boy, as appropriate.

Then give thanks to those clients who didn't get the ax in August. Send them a personal note in appreciation of their business.

♦**December.** View three of the following movies: (1) "How The Grinch Stole Christmas" (both the animated and Jim Carrey versions are acceptable; back-to-back viewings are preferred); (2) "National Lampoon's Christmas Vacation"; (3) "Charlie Brown's Christmas"; (4) "It's a Wonderful Life"; and (5) "A Christmas Story."

Dear Risk Man

Dear Risk Man: Tell me about recent revisions to North Carolina's rules on client advertising and solicitations.

—Marketing in Mecklenburg

Dear Marketing: The North Carolina Supreme Court approved changes to Rule of Professional Conduct 7.3. Following are some of the revisions: the notice THIS IS AN ADVERTISEMENT FOR LEGAL SERVICES must now appear in capital letters; written communications must be mailed in an envelope; the notice must appear on the front of the envelope, in font as large as any other printing on the envelope; the front of the envelope must contain no printing other than the name of the lawyer or law firm and return address, the name and address of the recipient, and the advertising notice; the notice must also be printed at the beginning of the body of the letter in font as large or larger than the lawyer's or law firm's name in the letterhead or masthead.

Dear Risk Man: Last week my favorite television show, "Friday Night Lights," aired on Tuesday, and the movie "Never on Sunday" aired on Friday. Does this have any effect on the statute of limitations?

—Deep in Durham

Dear Deep: Not unless the cable hit "24" appears on Channel 24, and "The Nine" appears on channel 9. If that occurs, I suggest you call Lawyers Mutual immediately.

Risk List

All-time junk food Major League baseball team: Peach Pie O'Connor (1B), Cookie Rojas

See **RISK MAN** page 8

The new Liberty Garden

continues to serve as a restful spot for those attending meetings and CLE programs at the Bar Center. Recent large CLE program participants have used the garden during breaks and lunch hours since our beautiful North Carolina weather makes that possible nine months out of the year. It's becoming a popular cell phone zone with our members too!

New Liberty Funds are being added to the Wall of Honor along with bench naming opportunities along the walkways. A uniquely flexible naming component of the venue is the Lake View Plaza located at the end of the Liberty Garden walkway overlooking Lake Crabtree. The plaza consists of 200 concrete stone pavers that can be engraved with the name or name and city/town of an individual lawyer or law firm.

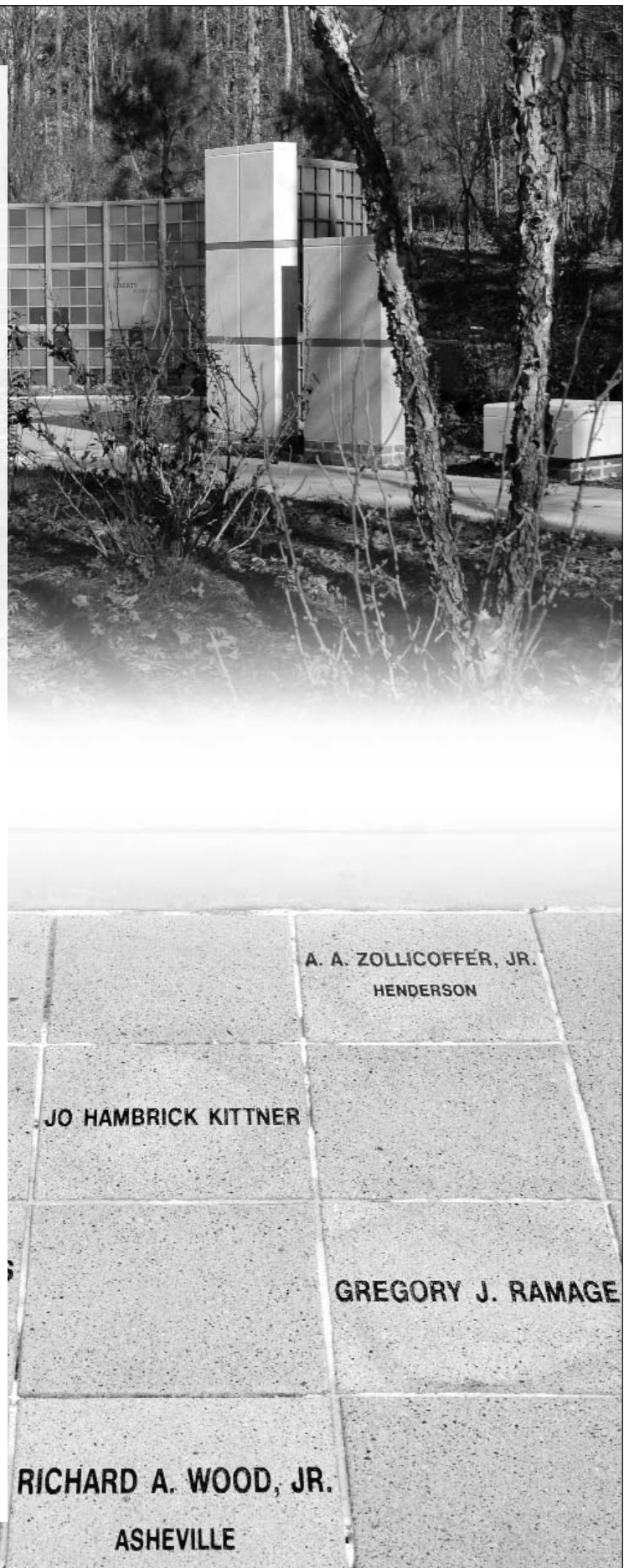
The Lake View Plaza concrete pavers offer an opportunity to honor or remember a friend, colleague, relative or law firm. Several recent paver gifts have recognized milestone birthdays of members.

Fully tax-deductible contributions entitle donors to a paver that will be a permanent part of the Bar Center. All concrete stone pavers will be 12" x 12" and are available from \$250 to \$1,500 in one total payment.

Orders will be processed once the order form and payment is received.

Visit the NCBA Web site's Foundation section for additional information or contact Tom Hull, director of development, via e-mail (thull@ncbar.org) or phone (800-662-7407 or 919-677-0561).

NORTH CAROLINA
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NORTH CAROLINA BAR CENTER
PO Box 3688
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Risk Man *from page 6*

(2B), Pie Traynor (3B), Candy Nelson (SS), Taffy Wright (OF), Lollypop Killefer (OF), Brownie Brown (OF), Pudge Rodriguez (C), Doughnut Bill Carrick (P), Pretzel Pezzulo (P).

MAN AT 1777 FORDHAM BOULEVARD,
SUITE 104, CHAPEL HILL, NC 27514;
PHONE (919) 932-1030; FAX (919) 969-
9668; JAY_REEVES@BELLSOUTH.NET.

Risk Rhetoric

“The hot dog and lemonade stands disappeared from the streets of Dayton. A lonesome quietness seemed to hover over the little Tennessee village. The only visitors to the courthouse were now and then some who had attended the trial and left some of their belongings in the courtroom. The Darrows left with friends for the Smoky Mountains to cool off and enjoy a rest. Bryan remained in Dayton, preparing for publication the closing speech to the jury which he had not been permitted to make in court, one of the most abstruse, confused and unintelligible documents of its times.” Source: “The Scopes Evolution Case,” by Irving Stone, in *Great Trials of Famous Lawyers* (1962). □

REEVES, THE RISK MAN, LIVES AND WORKS IN CHAPEL HILL, WHERE HIS LAW PRACTICE CONCENTRATES IN REPRESENTING LAWYERS AND OTHER PROFESSIONALS IN LICENSING AND DISCIPLINARY CASES, BOTH IN NORTH CAROLINA AND SOUTH CAROLINA. CONTACT THE RISK