

# Dougherty Bar Bulletin

*A Publication of the Dougherty Circuit Bar Association*

John M. Stephenson, President  
Charles W. Lamb, Jr., President-Elect  
Sarah F. Kjellin, Secretary-Treasurer  
Gordon R. Zeese, Editor

Volume 29  
Issue 1  
September 2010



## State Bar President, Lester Tate, Speaks to Dougherty Bar

Cartersville attorney, Lester Tate, president of the State Bar of Georgia 2010-2011, explained that his two priorities are protecting the integrity of the legal system in Georgia and ensuring that the justice system is available to all Georgians. He urged the lawyers to be involved with their local legislators who are facing especially difficult legislative and budgetary choices this year.

He thanked the Dougherty Circuit Bar and C.B. King Bar Associations for helping to send local school children to the Bar Center in Atlanta to participate in the variety of law related educational opportunities available there. The State Bar was able to pay off the note for the purchase of the Bar Center this year, three years early, and the note was burned at the August meeting of the Board of Governors.

## New Dougherty Circuit Bar Officers

### President, John M. Stephenson



A native Albanian, John M. Stephenson is a *magna cum laude* graduate of Vanderbilt University, where he was elected to *Phi Beta Kappa*. He received his law degree from the University of Georgia in 1984, graduating *cum laude*. While attending law school, John was a staff member of The Georgia Law Review and worked part-time with the Athens firm now known as Cook, Noell, Tolley & Bates LLP. He joined Watson Spence LLP in 1984 and has been a partner since 1989. John served as secretary/treasurer of the Dougherty Circuit Bar Association in 1984-1985 and was active in the Younger Lawyers Division of the State Bar of Georgia, serving as an area represen-

tative and as a state-wide director. His practice concentrates on defense of governmental entities, defense of personal injury claims and general insurance law, and defense of local self-insured entities in workers' compensation matters.

John is a former president of the Southwest Georgia Easter Seal Society and a former director of the Georgia Easter Seal Society and has also served on the Boards of Goodwill Industries and The Albany Symphony Association. He was active in scouting, serving as a Webelos Den Leader for Pack 64, sponsored by Albany First Union Methodist Church, and as a Boy Scout Leader for Troup 15, sponsored by St. Paul Episcopal Church. He has served as a Trustee of Albany First United Methodist Church and currently serves as Chair of the FUMC Endowment. He is a past and current Trustee of Deerfield-Windsor School, and is an alumnus of Leadership Albany, Inc.

John is married to Judge Nancy S. Stephenson of the Dougherty County Probate Court, who is herself a past president of the Dougherty Circuit Bar Association. While he is confident Judge Stephenson wishes she received the same deference at home as she does in her chambers, he insists on holding the remote control at night since she gets to hold a gavel during the day. John and Nancy are the proud parents of two boys, Mark and Will Stephenson, both of whom are students at the University of Georgia.

## New Officers Con't.

### President-Elect Charles W. Lamb, Jr.



In June of 1989, after completing his freshman year at UGA, Charles sustained an incomplete spinal cord injury when he fractured two cervical vertebrae in a swimming pool diving accident. He was paralyzed from the chest down and was hospitalized for four months - initially at Phoebe Putney and then at Shepherd Center in Atlanta. After his hospitalization and several additional months of outpatient therapy, he regained the ability to walk, but he still had (and continues to have) sensory and physical limitations from the chest down. Despite his injury and subsequent disability, he went on to earn accounting and law degrees at UGA.

Originally from Albany, Charles returned to Southwest Georgia in 1998. He worked as a law clerk for Superior Court Judge Joe C. Bishop of the Pataula Judi-

cial Circuit and then in private practice here in Albany before opening the Lamb Law Firm in 2005. The primary focus of the Lamb Law Firm is helping individuals who have suffered serious personal injuries.

On the national level, Charles was a member of the ABA Commission on Mental & Physical Disability Law from 2002-2005 and was a Diversity Fellow with the ABA General Practice, Solo, & Small Firm Division from 2008-2009. At the state level, he currently serves as a member of the Georgia State Rehabilitation Council and as Chairman of the Appeals Committee of the Georgia Brain and Spinal Injury Trust Fund Commission. At the local level, he serves as a member of the Advisory Board of the Albany Advocacy Resource Center and as a member of the Executive Board of Leadership Albany.

Charles has been named one of Southwest Georgia's 40 Under 40 and Georgia Trend Magazine's 40 Under 40 and has been recognized for his advocacy on behalf of individuals with disabilities by the Georgia Bar Association (Justice Benham Award), Easter Seals Southern Georgia, the Dougherty Leadership Development Institute, and the Southwest Georgia Chapter of the Georgia Rehabilitation Association.

**Next Dougherty  
Bar Meeting  
October 24, 2010  
Hilton Garden Inn**

## Secretary-Treasurer

### Sarah F. Kjellin



Specializing in both state and federal civil litigation, Sarah Finney Kjellin joined Albany's Watson Spence, LLP firm in 2007 after her graduation from the Florida State University College of Law. While in law school, Sarah served as a legal extern to the President in the White House Office of Faith-Based and Community Initiatives and participated in a clinical with Florida Supreme Court Justice Raoul Cantero. She also graduated from Florida State University with a B.S. in Political Science, cum laude, in 2004 after competing as a member of the college's equestrian team. Sarah is a member of the Georgia and Florida bars. Since January 2009, Sarah has served as the President of the Albany Area Young Lawyers Division and as a member of the Dougherty County Bar Association Executive Committee, for which she is now serving as the Secretary/Treasurer. Sarah represents the Albany area at meetings of the Georgia Bar Young Lawyers Division and is Secretary

## New Officers Con't.

of its Family Law Committee. She is also a member of the Law Related Education and Legislative Affairs Committees of the YLD. In January 2010, Sarah was selected to participate in the Georgia Bar's Leadership Academy.

Sarah is a member of a number of community groups, including the Junior League and Emerge Albany, in which she serves as the Professional Development co-chair. Sarah also volunteers for the Flint Riverquarium as a scuba diver and attends Albany First United Methodist Church. Sarah was recently selected as one of Albany's top 40-under-40. Sarah and her husband Marc, a City of Albany police officer, enjoy scuba diving, camping, hiking and spending time with their dogs and horses.

## Board of Governors Report

By Gordon R. Zeese

The Board approved the recommendations of the Member Benefits Committee to:

1) allow BPC Financial to offer Long Term Care and Disability insurance coverages to State Bar members, and

2) to allow the Bar's contract with Lawriter for the Casemaker on line legal research service to expire and to enter into a contract with Fastcase for legal research service for the members.

Buck Ruffin, Treasurer, reported dues collection is 96%

completed. The Bar expects a surplus for the last year of some \$330,000.00.

The Georgia Younger Lawyers Division was recognized by the ABA with a first place award for service to the bar for its new pro bono internship program. YLD President Michael Geoffroy urged encouragement to younger lawyers to become active in the YLD and State Bar activities.

General Counsel Paula Frederick asked that lawyers consider and offer suggested changes to proposed Disciplinary Rule Changes, which have to be received by 9/21/10. See them at [www.gabar.org](http://www.gabar.org).

## Learning About Fastcase

On or about January 1, 2011, the State Bar will begin providing all State Bar members with on line legal research using Fastcase rather than Casemaker. This change was made after over a year of testing Fastcase side by side with Casemaker by the State Bar's Member Benefits Committee, a specially convened focus group, the State Bar's Law Practice Management department, and also after conferring with a number of the 20 State Bars who have been providing Fastcase as a legal research tool for their members for several years. Fastcase was generally found to be a more intuitive and flexible legal research tool to use, and it will save some \$50,000.00 per year in State Bar expenses.

Other State Bars which have switched from Casemaker to Fastcase have reported few problems

from their members making the transition. If you would like to learn about Fastcase in advance of the transition, you may log onto the Fastcase web site, [www.fastcase.com](http://www.fastcase.com). The site has video tutorials about Fastcase, frequently asked questions and answers about Fastcase, and downloadable instructions on using Fastcase. You can sign up there to watch free webinars on using Fastcase. The State Bar's Law Practice management staff will also be providing training on using Fastcase.

## Dougherty Bar Members Honored

At its August 25th meeting, awards were presented to Dougherty Circuit Bar members for their service to the bar and legal profession. Mr. Dick Hand, who recently retired from the District Attorney's Office, was honored for his service to the justice system and for some 60 years in the practice of law.



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## Honorees con't.



Heather Lanier, left above, was honored for her service as the Secretary-Treasurer of the Dougherty Circuit Bar Association from 2008 to 2010. Dougherty County Law Librarian, Laureen Adams, right above, was honored for her service as the Secretary-Treasurer of the Dougherty Circuit Bar Association from 2006 to 2008.

## Darton Paralegal Studies Program is Thriving

By Gina Trulock

Are you aware that Darton College has a paralegal program? Darton's paralegal program has been in existence for a number of years, but until the school year 2005 -2006, only a one-year certificate program was offered. In fall, 2005, Darton rolled out a two-year Associate of Applied Science Degree in Paralegal Studies. Today, the number of people enrolled in the paralegal studies program has

grown from a handful of participants to forty-six students.

Darton's program is available completely online, so the program draws students from all over Georgia and from a few other southeastern states. About one-half of the students enrolled in the Darton paralegal program are from Dougherty, Lee, and other nearby counties. A number of the students are already employed in the legal field, but quite a few are hoping to be employed as paralegals in law offices, judicial offices, and governmental offices that require employees with legal knowledge.

The American Bar Association defines a paralegal as someone "...qualified by education, training or work experience who is employed or retained by a lawyer, law office, corporation, or other entity and who performs specifically delegated substantive legal work for which a lawyer is responsible." The Darton paralegal program is designed to prepare graduates as exceptional paralegals. While enrolled in the program, students gain a broad knowledge of many areas of law and specific legal skills that will enhance their ability to practice as a paralegal.

In the Darton certificate program, students must take Introduction to the Paralegal Profession and Legal Research and Writing along with five other paralegal electives. Students enrolled in the Associate Degree Program are also

required to take Introduction to the Paralegal Profession and Legal Research and Writing. In addition, degree students must take The Understanding of Law, Litigation and Trial Practice, Real Estate Law, and Wills, Trusts and Estates. Three other paralegal electives must be taken by degree students. Students choose from the following paralegal electives: Family Law, Contract Law, Bankruptcy Law, Employment Law, and Criminal Law and Procedure. Both programs require students to take required courses from the core curriculum. Certificate students must have thirty hours to graduate and degree students are required to have sixty hours when they graduate.

If you have any questions regarding Darton's Paralegal Program or think you may be interested in employing a Darton paralegal graduate you may contact Gina Trulock, Darton Paralegal Coordinator, by e-mail at [georgina.trulock@darton.edu](mailto:georgina.trulock@darton.edu) .

## Trust Code Changes

Please be advised that the Revised Trust Code 2010 [S.B. 131] became effective on July 1, 2010. The one change which will likely be most important to a majority of you is that the Code Section for the fiduciary powers which may be incorporated by reference in a

will have been changed from O.C.G.A. §53-12-232 to O.C.G.A. §53-12-261.

New Code Section 53-12-263(d) provides that references to Section 108-1204 (Harrison) or former Code Sections 53-12-40 or 53-12-232, as existing under the applicable law at the time the will (or trust) was signed, shall remain effective as though those Sections had not been repealed. This means that wills which refer to those earlier Sections will be still be viewed as incorporating the provisions of those Sections, as such existed on the date the will (or trust) was signed.

This also means that any wills which your clients may have signed since July 1, 2010, may need to be revised, since those older Sections are no longer valid and existing, in their earlier form, as of July 1, 2010.

You should make the necessary changes in your will forms, and you should take appropriate action with regard to any wills which have been executed from July 1, 2010, until you make those changes.

## **Law Practice Management Tips Galore**

The State Bar of Georgia's Law Practice Management Department regularly publishes tips for improving you practice, and using your office equipment and software to your best advantage. Recent tips include: Microsoft Word 2007-reveal formatting, how to stay safe on public wifi, basic internal controls to deter employee theft, finding deals from local vendors, practicing active listening, marketing your firm's newsletter, and connect with potential clients through Twitter. Check out these and many more tips under the Law Practice Management section on the State Bar's web site, [www.gabar.org/programs/law\\_practice\\_management/tip\\_of\\_the\\_week](http://www.gabar.org/programs/law_practice_management/tip_of_the_week).