

**TENNESSEE BAR ASSOCIATION
YOUNG LAWYERS DIVISION**

**LONG RANGE PLAN
2007-2008**

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THE 2007-2008 LONG RANGE PLANNING COMMITTEE

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INTRODUCTION

The Tennessee Bar Association Young Lawyers Division (“TBA YLD”) first created a written Long Range Plan in 1991. Each year, the Plan is reviewed by the Long Range Planning Committee, which assesses the TBA YLD’s success in achieving its goals, and is revised every five years as required by the division’s bylaws. In 1997, the Plan underwent its first major overhaul, and a subsequent revision was completed during the 2002-2003 bar year.

The 2007-2008 Long Range Planning Committee has undertaken the task of revising the Plan devised by the 2002-2003 Committee. While the general focus of the TBA YLD has not significantly changed over the past five years, certain revisions to the organization’s existing goals were necessary to ensure that the TBA YLD prospers as it moves forward. It is the Committee’s hope and expectation that the goals and objectives of this Plan will allow the TBA YLD to continue to fulfill its mission of providing meaningful services to young lawyers as well as serving as the public service arm of the Tennessee Bar Association.

SUMMARY OF DIFFERENCES BETWEEN 2003 AND 2008 PLANS

The Committee believes it is important to compare the goals and objectives of the 2003 Plan with those contained in the 2008 Plan. This section sets forth a brief comparison of those goals.

Goal A: TO ASSIST YOUNG TENNESSEE LAWYERS IN ACHIEVING
MAXIMUM CAREER SATISFACTION, PROFESSIONAL
DEVELOPMENT AND PERSONAL FULFILLMENT

While promoting and encouraging balanced lives remains an important objective of the TBA YLD, the 2008 Plan places more focus on the issue of young lawyers living unfulfilled lives as a result of their career choice than did the 2003 Plan. The 2008 Plan also goes further in establishing a plan of action to achieve the goal of helping young lawyers find the appropriate balance between career and family. The most significant change from the 2003 Plan is the use of technology to achieve this objective.

Goal B: TO PROMOTE THE HIGHEST STANDARDS OF COMPETENCE
AND PROFESSIONALISM AND ETHICAL CONDUCT FOR YOUNG
LAWYERS

Professionalism and ethical conduct always will be of the utmost concern to lawyers, and the TBA YLD is committed to promoting the highest ethical standards for lawyers. The 2003 Plan focused on the use of CLEs and the *Tennessee Ethics Handbook* as the most important tools to be used in reaching this goal. The 2008 Plan, by contrast, seeks to specifically delineate ways this can be achieved: through the use of online resources previously unavailable, a specific plan for CLEs, and revision of the *Tennessee Ethics Handbook*.

Goal C: TO PROMOTE DIVERSITY IN THE PROFESSION AND IN THE
MEMBERSHIP AND LEADERSHIP OF THE TBA YLD

The most significant difference in the 2008 Plan is an increased focus on the promotion of diversity. While the 2003 Plan contained an excellent set of objectives for achieving a diverse organization, the 2008 Plan sets forth specific recommendations for achieving this goal. For example, it calls for the TBA YLD to adopt an Annual Diversity Report and to conduct an Annual Diversity Survey among the TBA YLD leadership and the membership in general. Information obtained through these efforts not only will provide a statistical analysis of the membership, but also will help the TBA YLD achieve the broader goal of actually becoming more diverse, rather than simply paying lip service to the ideal.

Goal D: TO ASSIST THE TENNESSEE BAR ASSOCIATION IN ITS EFFORTS TO SERVE AS THE VOICE OF THE LEGAL PROFESSION IN TENNESSEE

While the changes to implement this goal are not significant, the 2008 Plan does place greater emphasis on the importance of strengthening the TBA YLD's relationship with the Tennessee Bar Association. Achieving greater integration with the larger bar will allow the TBA YLD to better promote the bar's agenda and contribute to bar-wide activities. It also recognizes the fact that the YLD must maintain the support of the association if it is to remain active and relevant in the coming years.

Goal E: TO PROMOTE PUBLIC SERVICE AND INCREASE THE AVAILABILITY OF LEGAL SERVICES TO THE PUBLIC

The 2008 Plan is not dramatically different than the 2003 Plan from the standpoint of its objectives. Because public service is the most important function of the TBA YLD, the programs that have been implemented need additional emphasis. One new objective is the establishment of a uniform annual service project.

Goal F: TO IMPROVE THE MANAGEMENT AND EFFICIENCY OF THE TBA YLD

The 2003 Plan set forth many specific objectives to be achieved by the TBA YLD. The 2008 Plan takes a more general approach to this goal and its associated objectives. Both Plans, however, emphasize the importance of the TBA YLD's relationship with the ABA-YLD. A major concern that has arisen in the past several years is the issue of financing TBA YLD participation in ABA-YLD meetings and programming. The 2008 Plan places new focus on the implementation of sound reimbursement and funding policies. Maintaining a strong commitment to fiscal responsibility is essential for the YLD's future growth and active involvement in the ABA-YLD. The Plan also includes a number of new recommendations regarding the administrative operations of the YLD.

GOAL A

TO ASSIST YOUNG TENNESSEE LAWYERS IN ACHIEVING MAXIMUM CAREER SATISFACTION, PROFESSIONAL DEVELOPMENT AND PERSONAL FULFILLMENT

Objective

It is generally accepted that many young lawyers are unsatisfied with their careers in the legal profession. The TBA YLD believes that the practice of law can be a fulfilling experience for those who maintain a healthy balance between personal life and professional life. The programs offered by the TBA YLD are an integral part of maintaining this balance. Accordingly, the division believes that continuing to focus on assisting young Tennessee lawyers achieve maximum career satisfaction, professional development and personal fulfillment are a crucial and indispensable component of the Long Range Plan.

Plan of Action

1. To develop an atmosphere of fellowship, camaraderie, and collaboration so members may comfortably pursue candid advice from fellow members regarding career decisions, including the benefits and drawbacks of particular geographic regions of the state and/or particular areas of practice.
2. To develop programs and projects to assist young lawyers in building and managing their law practices while achieving balance with personal and family life.
3. To assess TBA YLD member interest in personal benefits programs, including group health, disability and life insurance, and retirement and investment planning; and to educate TBA YLD members about the personal benefits programs already offered by the TBA.
4. To assess the need for and/or to develop educational programming – whether for CLE credit or not – dedicated to professional development in areas of interest for young lawyers, including the balancing of personal and family life with the practice of law.
5. To continue to improve upon the development of a program providing mentors to law students and young lawyers, and to evaluate the need for a specific committee to handle this mentoring program.
6. To integrate technology and provide online tools and services to young lawyers, such as message boards, electronic forums, blogs, social networking, etc., to facilitate professional development and personal fulfillment.
7. To assess the need for specific programs that can foster an atmosphere of civility and professionalism, and promote the highest ethical standards among young lawyers.

8. To promote programs such as the Tennessee Lawyers Assistance Program, which help lawyers deal with the stress of the profession in healthy ways.

GOAL B

TO PROMOTE THE HIGHEST STANDARDS OF COMPETENCE AND PROFESSIONALISM AND ETHICAL CONDUCT FOR YOUNG LAWYERS

Objective

To develop programs, information, resources, and projects to help lawyers enhance their substantive legal knowledge; practice skills; and awareness of, knowledge of, and compliance with, the rules of ethical and professional responsibility.

Plan of Action

1. To develop and produce CLEs that provide young lawyers the opportunity to enhance their knowledge of substantive law, practice skills, and the rules of ethics and professional responsibility. Presently, the YLD produces four CLEs. The most ambitious is the “New Lawyer Experience,” which is designed to provide young lawyers with the knowledge and tools they need to successfully begin the practice of law in Tennessee. The CLE offers an overview of a range of practice areas and provides break out sessions for greater focus on litigation and corporate practices. The program is offered in Knoxville, Memphis and Nashville. (The other courses offered each year are Trial Practice, Transactional Practice and an Ethics Forum.)
 - a. An ongoing consideration with the New Lawyer Experience (or any other CLE produced by the YLD) is whether it addresses the breadth of practice areas in which young lawyers are engaged.
 - b. It also is important to determine whether the New Lawyer Experience is reaching all of the young lawyers in Tennessee and whether it should be offered in additional locations. District Representatives should disseminate information about this CLE to all young lawyers in their districts in order to generate feedback about the program’s structure. Young lawyers in districts where the program is not presented also should be given the opportunity for input. Finally, the CLE Committee should review the geographic location of young lawyers who attend the CLE to determine if there are locations that warrant their own program.
2. To continue using technology as a means for disseminating information to assist in enhancing young lawyers’ substantive legal knowledge, practice skills, and knowledge of ethics and professional responsibility rules.
 - a. Presently, the TBA and the TBA YLD offer a variety of online resources and web-based CLEs. This vehicle for delivering legal education will only become more important as new generations of law school graduates enter the profession.

The YLD should evaluate its course offerings to determine which of them are suitable for an online format, and should evaluate the need for new online courses.

- b. The TBA YLD should seek to implement an electronic forum among young lawyers. The forum would provide a mechanism for young lawyers to post questions regarding procedure, practice techniques, and broad substantive questions. Ideally it would serve as a starting point for young lawyers who are researching novel issues or looking for practical tips concerning procedure, practice, or professional responsibility issues. The forum should be supervised and moderated in similar fashion to the other TBA general and practice specific electronic forums. The YLD President might consider appointing a committee to assess the content of the forum, and whether practice-specific forums should be created. Any forum should be optional for all young lawyers and should offer each subscriber the opportunity to unsubscribe.
3. To develop and revise existing professional and ethics resources. The *Tennessee Ethics Handbook* continues to be an important resource for Tennessee attorneys, although it has not been updated since July 2001. To remain a useful tool, the handbook should be revised. The YLD should offer to help the TBA Ethics and Professionalism Committee with this task.
4. To enhance awareness of already-available online resources from the Board of Professional Responsibility (BPR). Currently, the BPR maintains a website (found at <http://www.tbpr.org/Attorneys/InformalEthicsInq.aspx>), which attorneys may use to pose informal ethics inquiries to a BPR staff attorney. There also is an anonymous hotline for this purpose. (The hotline can be accessed by calling 615-361-7500 ext. 200). The BPR website also provides links to Formal Ethics Opinions (found at <http://www.tbpr.org/Attorneys/EthicsOpinions/>) and the *Rules of Professional Responsibility* (found at <http://www.tbpr.org/Attorneys/Rule8.aspx>). The YLD should publish and achieve wide dissemination of this information.

GOAL C

TO PROMOTE DIVERSITY IN THE PROFESSION AND IN THE MEMBERSHIP AND LEADERSHIP OF THE TBA YLD

Objective

The TBA YLD recognizes the importance of diversity and its impact on the success of the division's overall mission. To that end, the TBA YLD should continually strive to maintain diversity – not only of race and gender, but also of religion, life experience, concentration and practice setting – in the membership and leadership of the TBA YLD, and in the profession as a whole.

Plan of Action

1. To maintain diversity—in a broad sense—in the membership, participation and leadership of the TBA YLD.
 - a. The TBA YLD has maintained a goal of diversity for quite a long time. The efforts in this area appear to have been successful on certain levels. For example, the leadership of the TBA YLD is comprised of significant numbers of women and African-Americans—two groups that historically have been under-represented in the legal profession in Tennessee. However, with the rising number of Latino/Hispanic members of society, as well as the overall diversification of race and religious backgrounds, the goal of diversity today becomes even more pressing than in times past.
 - b. In striving for diversity, the TBA YLD should seek to expand the traditional measures of diversity to include not only diversity of race and gender, but also of religious and ethnic background.
 - c. With the practice of law in Tennessee becoming increasingly specialized, the TBA YLD should seek to achieve diversity not only in geographic representation, but also in practice area. This will allow the varying viewpoints of practitioners in differing areas to be represented and incorporated into the activities and mission of the TBA YLD.
2. To establish a yearly reporting mechanism for the measurement and analysis of the TBA YLD's diversity efforts. In order to properly measure the TBA YLD's efforts to increase diversity, an annual reporting mechanism should be adopted. The following lays out the specifics of such a plan.
 - a. Each May, the Membership Committee Chair should provide the TBA YLD President-Elect an annual written report (“Annual Diversity Report”) detailing the breakdown (in numbers and percentages) of the TBA YLD leadership as to:

- A. Gender
 - B. Race
 - C. Religious Affiliation
 - D. Ethnic Background
 - E. Practice Areas (prior and current)
 - F. Geographic Location
 - G. Practice Setting (government, private practice, etc.)
 - H. Office Size (small office, medium office, large office, etc.)
 - I. Other Relevant Categories
- b. The data for the Annual Diversity Report should be taken from an annual survey distributed to TBA YLD leadership (“Annual Diversity Survey”).
- i. The Annual Diversity Survey should be drafted by the Membership Committee.
 - ii. The Annual Diversity Survey should include inquiries as to the following for each member of TBA YLD leadership:
 - A. Gender
 - B. Race
 - C. Religious Affiliation
 - D. Ethnic Background
 - E. Practice Area (prior and current)
 - F. Geographic Location
 - G. Practice Setting (government, private practice, etc.)
 - H. Office Size (small office, medium office, large office, etc.)
 - I. Other Relevant Inquiries
 - iii. Every member of the TBA YLD leadership should complete the Annual Diversity Survey. Each member should be strongly encouraged to provide complete responses, except when the member has a strong desire to refrain from answering a particular inquiry.
 - iv. The Annual Diversity Survey should be distributed to each member of TBA YLD leadership no later than October 1 of each year. Each member of TBA YLD leadership should return his or her completed survey to the Membership Committee Chair no later than December 1 of each year.
- c. The Membership Committee also should develop a survey for all Tennessee young lawyers (“Statewide Young Lawyer Survey”) that includes the same categories of inquiry as the Annual Diversity Survey.
- i. Once the Statewide Young Lawyer Survey is prepared, the Membership Committee should seek out usable data for distribution of the survey to each young lawyer in Tennessee to the greatest extent possible.

- ii. The Membership Committee should seek assistance from the TBA or TBA YLD in distributing the survey, whether via direct mail or electronic communication.
 - iii. The Statewide Young Lawyer Survey should be distributed no later than October 1 of each year, and should instruct recipients to return completed responses no later than December 1 of each year.
 - iv. The responses to the State Young Lawyer Survey should be summarized into usable data, similar to the Annual Diversity Report, and submitted to the President-Elect of the TBA YLD no later than February 1 of each year.
 - d. The Annual Diversity Report should serve as a guide for the TBA YLD leadership in making decisions that impact diversity. However, it should not be considered a mandate or other obligation in making those decisions.
- 3. To foster, achieve, and maintain strong relationships with the specialty bars in Tennessee.
 - a. In order to adequately achieve the diversity goals of the TBA YLD, the leadership of the TBA YLD should identify and connect with the numerous specialty bars within the state. These bars should include, but not be limited to, organizations for women lawyers, African-American lawyers, construction lawyers, etc.
 - b. In addition to the likelihood of increasing diversity of the TBA YLD leadership and membership, strong relationships with the specialty bars will provide resources for additional diversity among CLE presenters and other program speakers.
 - c. The responsibility for identifying and connecting with the specialty bars should be placed either in a dedicated position or with an appropriate committee of the TBA YLD. The person or committee responsible for identifying and connecting with the specialty bars should seek information regarding specialty bars from the TBA.
- 4. To encourage diversity in the enrollment and student bodies of the various law schools in Tennessee.
 - a. The success of the TBA YLD's diversity efforts are heavily impacted by the success of diversity efforts in the various law schools in Tennessee.
 - b. While the various law schools in Tennessee all have programs dedicated to diversity in enrollment, the TBA YLD would need to implement a law school diversity program should any one or more of these programs be discontinued by the law schools.

5. To assess and evaluate the prevalence of gender and racial bias in the profession.

GOAL D

TO ASSIST THE TENNESSEE BAR ASSOCIATION IN ITS EFFORTS TO SERVE AS THE VOICE OF THE LEGAL PROFESSION IN TENNESSEE

Objective

A primary function of the TBA YLD is to foster a positive relationship with other bar organizations and the public. The YLD's most important relationship, however, is its relationship with the Tennessee Bar Association. The YLD must work closely and fluidly within the framework of the larger organization. It cannot operate in a vacuum. Thus, it is critical that the YLD's relationship with the TBA be further strengthened over the next several years.

Plan of Action

1. To enhance the relationship between the TBA YLD and the Tennessee Bar Association by creating clear lines of communications between the YLD Executive Committee and the leaders of the TBA, including the Board of Governors.
2. To determine the primary legal services needed by the community at large and to determine specific ways the TBA and the TBA YLD can provide those services.
3. To work with the TBA to promote higher standards for admission to the practice of law, including determining what those standards should be.
4. To work with the TBA to improve the public's perception of lawyers.
5. To improve the ethical standards of lawyers by working with the TBA to implement programs designed for that purpose.
6. To determine various ways to utilize the media expertise of the TBA to publicize public service projects of the YLD.

GOAL E

TO PROMOTE PUBLIC SERVICE AND INCREASE THE AVAILABILITY OF LEGAL SERVICES TO THE PUBLIC

Objective

To promote and develop programs, information, resources, and projects to assist lawyers in providing legal services to the public. Often referred to by the senior bar as “the service arm of the bar,” the TBA YLD continues to have great success with its public service programs. Promoting those programs and increasing the availability of legal services to the public will continue to be a focus of the organization.

Plan of Action

1. To continue coordinating public service projects within and outside of the bar, including projects involving non law-related organizations.
2. To encourage attorneys to provide pro bono legal services and work on pro bono legal projects.
3. To encourage and increase participation in the Statewide Public Service Day so that a project is performed in each TBA YLD district every year.
4. To continue participation on the IOLTA Grant Review Committee, which makes recommendations to the Tennessee Bar Foundation concerning the distribution of funds.
5. To work with school systems across the state to provide more law-related education and resources for student development.
6. To work with school systems across the state to expand the annual mock trial competition to include more students and schools.
7. To continue providing educational publications so that the public will be better educated about the legal system, the law and the availability of legal resources.
8. To continue the TBA YLD’s efforts to educate the public on disaster relief preparedness, maintain the Disaster Legal Services Assistance Manual, and provide pro bono legal assistance in disaster situations.
9. To develop a signature annual TBA YLD public service project.

GOAL F

TO IMPROVE THE MANAGEMENT AND EFFICIENCY OF THE TBA YLD

Objective

In order for the TBA YLD to continue operating efficiently and effectively, it must be a good steward of the resources provided by the TBA. Indeed, financial responsibility is a critical element of the YLD's success. To that end, the YLD should implement safeguards that will allow it not only to survive over the next several years, but also thrive, while continuing to offer the many programs that have become hallmarks of the organization.

Plan of Action

1. To reduce costs by implementing systems that guarantee efficient use of resources provided by the TBA, and by exploring alternative sources of funding for YLD activities.
2. To make certain that the size of the YLD Board is reasonable, and that each funded member of the board is appointed tasks that allow their position to be fully utilized, thus minimizing the number of additional funded positions.
3. To review and revise the TBA YLD Bylaws in the 2010-2011 bar year to ensure that the organization runs at maximum efficiency, both from a financial and operational standpoint.
4. To ensure the YLD is well positioned to meet the needs of a new generation of young lawyers, the leadership should consider whether the division's mission statement should be updated.
5. To improve continuity of the Long Range Planning Committee, each year's committee chair should be vigilant to appoint necessary committee members and report to the YLD board as required by the division's bylaws.
6. To continue strengthening the TBA YLD's already strong relationship with the ABA-YLD. To achieve this objective, the YLD should encourage active participation in ABA-YLD projects and committees. Over the past several years, the TBA YLD has been at the forefront of the leadership of the ABA-YLD, and it should continue to take steps to maintain this presence. However, the YLD notes that rising costs associated with this involvement have the potential of tarnishing this reputation. Therefore, the YLD leadership should monitor these costs and consider safeguards to ensure funds are used wisely, including implementing a responsible reimbursement policy for attendance at ABA-YLD meetings.

7. To continue to establish procedures for the submission of projects appropriate for presentation at ABA-YLD conferences, and for submitting applications for awards of achievement and grants. The YLD should continue to attempt to submit one project each year. The President should consider appointing a committee of existing board members to handle this process.