



March 2015

Vol. 32, No. 3

THE DICTA

The Docket

March 17 (Tuesday)

DAYL Elder Law Committee Meeting
Noon, Belo Mansion

March 18 (Wednesday)

DAYL Lawyers Promoting Diversity Committee Meeting
Noon, Belo Mansion

March 19 (Thursday)

DAYL Animal Welfare Committee Meeting
Noon, Belo Mansion

March 19 (Thursday)

2014 Leadership Class Fund Raiser
5:00 p.m., Kendra Scott

March 20 (Friday)

DAYL My Other Hometown CLE
Noon, Belo Mansion

March 20 (Friday)

DAYL Lawyers Against Domestic Violence Committee Meeting
Noon, Belo Mansion

March 24 (Tuesday)

DAYL Breakfast with Business Peers
7:30 a.m., Belo Mansion

March 24 (Tuesday)

DAYL Law Student Assistance Committee Meeting
6:30 p.m., Capitol Pub

March 25 (Wednesday)

DAYL Equal Access to Justice Committee Meeting
Noon, Belo Mansion

March 25 (Wednesday)

DAYL CLE Avoiding Attorney Burn-Out
Noon, Belo Mansion

March 26 (Thursday)

DAYL Social
6:00 p.m., Woodfire Kirby's

March 27 (Friday)

DAYL CLE Committee Meeting
Noon, Belo Mansion

March 28 (Saturday)

DAYL Generation Generosity Service Event
1:00 p.m., North Texas Food Bank

March 30 (Monday)

DAYL Solo / Small Firm Committee Meeting
Noon, Belo Mansion

DAYL ONE TO WATCH

Stephanie Almeter has been selected as the March 2015 DAYL One to Watch! To find out why, visit www.dayl.com.

Next Social Stop: Woodfire Kirby's

Join DAYL at **Woodfire Kirby's** on **Thursday, March 26th** from **6:00 – 8:00 p.m.** for the DAYL March Social, sponsored by **Veritas Advisory Group**.

The Veritas team of MBAs, accountants, and engineering and construction practitioners specialize in damage calculations, forensic accounting, construction

and engineering disputes, business consulting, and surety bond claims. For more information, please visit their website: www.veritasag.com or contact: **Alan Nagorzanski, Bradford Bright, or Rodney Sowards**.

Entry to the March DAYL Social is \$3.00 for DAYL members and \$5.00 for non-members. Join us for drinks, pizzas, and complimentary valet on March 26th.

Avoiding Burnout as a Young Lawyer

The Dallas Association of Young Lawyers offers a panel presentation on **March 25, 2015** entitled "*Avoiding Burnout as a Young Lawyer*." The panel will include **Dr. Michael Gottlieb**, Ph.D. and Clinical Professor of Psychology at UT-Southwestern Medical Center in Dallas, **Bill Holston**, Executive Director of the Human Rights Initiative, and **Rhett Smith**, Licensed Marriage and Family Therapist.

Topics for discussion include the unique personal and professional challenges and

demands that young lawyers face, and how young lawyers can manage these demands to set themselves up for success. The panelists will discuss how young lawyers can organize their personal and professional lives to help serve their clients best, and manage stress, their expectations, and their obligations. Attendees will learn about beneficial cognitive habits to help manage stress, and best practices for having both a happy personal and professional life.

The program will be held at noon at the Belo Mansion and is open to all.

Breakfast with Business Peers

Join DAYL for the complimentary, first-ever **Breakfast with Business Peers** event to discuss the energy industry at the Belo Mansion on **Tuesday, March 24th** from **7:30 – 8:45 a.m.** Thanks to the generosity of the must-call expert witness and consulting services firm **Berkley Research Group** (www.thinkbrg.com) and a grant from the **Texas Young Lawyers Association**, DAYL is hosting three breakfasts in this series this year featuring industry-specific panelists and moderators to educate and

enlighten interested DAYL members.

Attendees on March 24 will learn about the energy industry from a panel featuring **Nathan Christensen** (Assistant General Counsel at Hunt Consolidated), **John Clark** (Senior Vice President at Energy Trust Partners) and **Kimberly Lacher** (President at Vendera Resources) and moderated by **Jonathan Childers** (Partner at Gruber Hurst Johansen Shank Hail).

Please join us for the free breakfast and stay to connect with young attorneys and professionals interested in the energy industry. RSVP to **Cherie Harris** (cherieh@dayl.com).

THE DICTA

Charles Gearing, Editor

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Copy Deadline for April Issue:

March 20, 2015

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From the President

Wisdom as Road to Wealth

Have you noticed how the best lawyers possess a mastery of the law and facts, but also argue with a smoothness that makes them appear polished and persuasive? While some of this is talent, no doubt, a good deal comes from *wisdom through experience*. And, in the law, wisdom, organization, and grace under pressure are roads to wealth.

In March, the DAYL offers two exceptional opportunities for you to become even more “wise,” which is essential for “wealth”: (1) **My Other Hometown**, and (2) **Breakfast with Business Peers**.

My Other Hometown

Many DAYL members practice throughout Texas (including making the Friday morning Southwest Airlines flight to Houston for hearings) and could benefit from additional familiarity with the best practices of the courts they visit. To address this, DAYL has partnered with the Houston Young Lawyers Association (“HYLA”) to present “**My Other Hometown**,” a program in which each young lawyer association holds a CLE for the other. The program is designed to make the civil district and federal courts of the visiting city the young lawyers’ “Other Hometown,” so the young lawyers will not feel “hometowned.”

Join us on **March 20, 2015 at noon** at the **Belo Mansion**, when a delegation of Houston young lawyers will present most effective practices for Houston civil district and federal courts, including key differences between Harris and Dallas County district courts. The presentation will highlight how to best obtain and defend against a temporary restraining order in Harris County District Courts, as well as unique practices, lo-



Jonathan Childers

cal rules quirks, and generally accepted protocols in Harris County.

But Houston young lawyers can’t have all of the fun! On **April 17, 2015 at noon**, a delegation of Dallas young lawyers comprised of **Sara Romine, Chris Simmons, Nnamdi Anozie** and yours truly, will travel to Houston and present on the same topic, but concerning Dallas’s civil district and federal courts. Each program will be webcast free of charge, so those who cannot attend in person can still participate.

Breakfast with Business Peers

“**Breakfast with Business Peers**” is a brand new educational networking series where young lawyers learn from their contemporaries in business. Many young lawyers have trouble discussing a potential client’s industry with the specificity needed to forge a meaningful relationship, to obtain business, and to fully understand the potential client’s issue. Through Breakfast with Business Peers, business peers in industries including energy, finance, and healthcare will demystify their industry for young lawyers and describe what they do and the drivers affecting their decision-making.

Join DAYL on **Tuesday, March 24, 2015, from 7:30 to 8:45 a.m.** at the **Belo Mansion**, for our *complimentary* first-ever **Breakfast with Business Peers**, which will feature the energy industry. The Breakfast with Business Peers Committee, comprised of **Jared Slade, Margaret Allen, Priya Bhaskar, and Chris Simmons**, has done a fantastic job. Attendees will learn about the energy industry from a distinguished panel of young, senior-level leaders in Energy.

Join us in becoming even more “wise” on our road to “wealth.”



**Dallas Association of Young Lawyers
Houston Young Lawyers Association**



**MY OTHER
HOMETOWN**

**MARCH
20
FRIDAY**

**12:00 PM - 1:00 PM
BELO MANSION
2101 Ross Avenue
Dallas Tx, 75201**

**HOUSTON LAWYERS ARE FLYING UP TO DALLAS
TO DISCUSS BEST PRACTICES IN**

HARRIS V. DALLAS COUNTIES

**FREE FOR DAYL MEMBERS
LUNCH AVAILABLE FOR PURCHASE
ONE HOUR CLE CREDIT
FREE WEBCAST BY ESQUIRE SOLUTIONS
HATS OFF TO TYLA FOR THE GENEROUS GRANT**

DON'T GET HOMETOWNED.

RSVP CHERIEH@DAYL.COM



VS



APRIL 4TH, 2015

7:00 PM

DALLAS MAVERICKS AFFILIATE VS
UTAH JAZZ AFFILIATE

JOIN THE DAYL & THE TEXAS LEGENDS
FOR A FUN NIGHT OUT!

- INCLUDES FOOD AND ALCOHOLIC BEVERAGES
- PRIVATE PLAZA FOR DAYL
- IN-GAME RECOGNITION FOR DAYL ON VIDEO BOARD

TICKETS ARE ONLY \$25!

SPONSORED BY: **BKM** SOWAN HORAN
WWR Wendy Ward Roberts & Associates, Inc.
Accountants • Consultants

**FOR TICKETS
VISIT: BIT.LY/DAYLNIGHT**

DR PEPPER ARENA | 2601 AVENUE OF THE STARS, FRISCO, TX

SAVE THE DATE

**DAYL Lawyers Promoting Diversity Committee
invites you to the *tenth anniversary* of**

Dinner & Dialogue

**“10 Years of Changing the Face of the
Modern Workplace”**

Thursday, July 16, 2015

6:00pm - 8:30pm | Belo Mansion

1.5 hours of ethics credit pending

Additional details and registration form coming soon.

Reduce Child Hunger at Crawfest: Claws for a Cause

by Amber Rogers

Did you know that 15.7 million children live in poverty in the United States? One in four children in Texas live in poverty. In Dallas, 38% of our children live in poverty. In Dallas Independent School District, 87% of the students are eligible for free or reduced price lunch. Many students, however, are not fed during the weekend or on school breaks. A chronically underfed student will perform 18% worse on standardized math tests, suffer from illness more often, and attend fewer days of school than classmates who received adequate nutrition. This is where the 2014 DAYL Leadership Class is stepping in and asking for your support.

The 2014 DAYL Leadership Class is supporting the North Texas Food Bank by hosting a fundraiser for its Food 4 Kids Program. The Food 4 Kids Program seeks to prevent child hunger by providing backpacks full of non-perishable, kid-friendly food for children in Dallas area schools to take home on Friday afternoons. In 2012 the

program grew to 330 schools and provided backpacks full of food each weekend during the school year to approximately 11,000 chronically hungry children in Dallas, Denton, Collin, and Rockwall counties.

Grab your bibs, sunglasses, and wet naps and come out to support the 2014 DAYL Leadership Class's project: **Crawfest: Claws for a Cause**. We will have music, beverages, and the best crawfish in town! Whether you call them mudbugs,

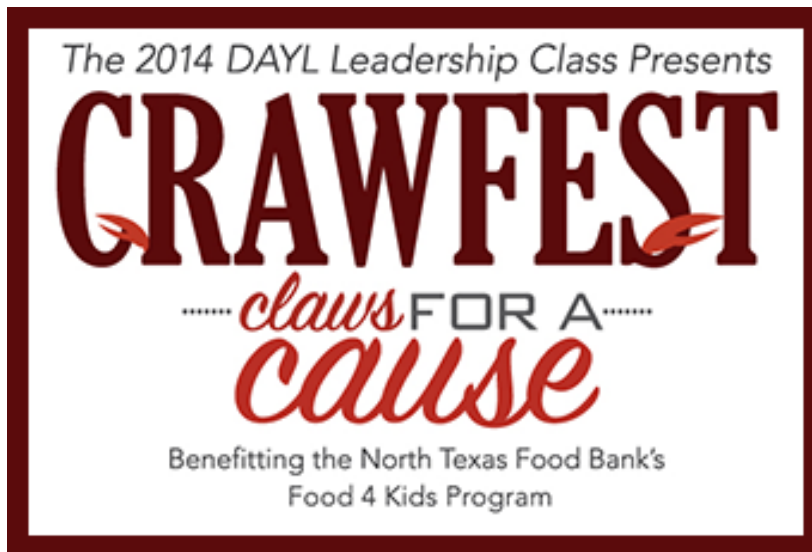
Corners Brewery, which is located at 423 Singleton Blvd., Dallas, Texas 75212.

Tickets are \$40. But do not miss the opportunity for discounted pre-sale tickets at \$35, which are available until March 25th. Tickets are also available at the door for \$45. Ticket price includes crawfish and Four Corners beer during the event! You can purchase tickets from any 2014 DAYL Leadership Class member or from the website located at <http://www.daylcrawfest.com>.

You can make an even bigger difference by being a sponsor! Sponsorship levels range from \$200 (Mud Bug level) to \$5,000 (King of the Crewe level), and come with goodies ranging from complimentary entry to a reserved table at the event and publicity for your organization. For information regarding exactly what is included in each level of sponsorship, please contact **Sally Pretorius** (sally@koonfuller.com) or **Rafael Rodriguez** (rcrodriguez@ghjhlaw.com), or

visit the website.

For more information, visit the website or email admin@daylcrawfest.com.



crawdads, or crawfish, we are cracking them open on **Saturday, April 25, 2015** from **3:00 p.m. to 6:00 p.m.** at **Four**

Resources are available to help young lawyers who may be struggling.

Whether it's addiction, depression, mental issues, trying to live up to expectations, or trying to balance it all, please call the Texas Lawyers Assistance Program if you or a friend need help: 1-800-343-8527

All calls are kept completely confidential and are private.

SAVE THE DATE

DAYL Trial Skills Boot Camp
Featuring many of Dallas's top trial lawyers who will break down the anatomy of a trial from Voir Dire, to Cross Examination, to Closing Arguments.

Saturday, June 6, 2015
9:00 a.m. - 4:00 p.m.
George Allen Courthouse

Happy hour to follow.



The 2013 DAYL Leadership Class recently presented a check for \$50,000 to Dallas Area Habitat for Humanity and Economic Partners Investing in Communities (EPIC), two groups dedicated to fighting blight in Dallas. The money was raised at the DAYL Charity Ball, hosted by the 2013 DAYL Leadership Class on November 15, 2014. The event was a tremendous success, with close to 500 attendees. The DAYL is excited to announce that it will host a second annual DAYL Charity Ball this year on November 14, 2015 and hopes to raise even more money to support the work of these great organizations.

*The 2014 DAYL Leadership Class
cordially invites you to a*

KENDRA GIVES BACK PARTY

a fun shopping event with 20% of sales benefiting

NORTH TEXAS FOOD BANK

enjoy bubbles & bites while you shop

Thursday, March 19, 2015
5:00 p.m. to 8:00 p.m.

Kendra Scott Dallas - West Village
2699 McKinney Avenue | Suite C305 | Dallas, TX 75204

**Interested in joining and
serving on a
DAYL Committee
this year?**

Visit www.dayl.com/committee-preference-form to
join one or more
committees.

Alternatively, you can
contact Cherie Harris
(cherieh@dayl.com) for
additional information
about DAYL or its
committees.

E-Discovery: What It Means to Us

by Marisa Jeffrey

It's no secret that the past ten years have seen an e-discovery explosion. The formulation of the federal rules on e-discovery in 2006 only papered the obvious: electronically stored information is the future of complex litigation. As e-discovery becomes commonplace, lawyers are responding.

The bottom line is that e-discovery is expensive. One document or communication may be forwarded, manipulated, redistributed and then sent to a listserv of possible custodians. The dynamic nature of the information causes a seemingly endless pool of documents to be potentially responsive to a request for production. Chasing down and reviewing all of these documents before putting them in the production line requires a vast amount of technical know-how and manpower that often sends discovery expenses through the roof. Studies estimate that document review accounts for 58-90% of litigation costs for Fortune 100 companies. As a result, today's business litigation client demands creative solutions to decrease the enormous cost associated with e-discovery.

Option One: Vendors

Virtually every large-scale case uses some form of artificial intelligence to cull a document set. Faced with thousands or even millions of responsive documents, keyword searches and predictive coding form the foundation of many e-discovery collections. Some vendors will go one step further and provide document review teams to complete the process. These teams are typically staffed by temp firms with thousands of lawyers on call at a low rate, with current pay averages around \$30/hour. With the litigation support industry worth well into the billions in its own right, one stop shop e-discovery vendors are becoming more and more common.

Option Two: Outsourcing

Not just outsourcing to a document

review vendor, but outsourcing outside of the United States. India is one of the most common destinations for legal outsourcing due to its large English-speaking population and low wages. Legal outsourcing to India alone is expected to be a \$4 billion industry by the end of this year. Several international firms have opened up satellite offices in India, solely for the purpose of document review, and the applicant pool to fill these jobs is almost endless. Nearly 70,000 lawyers graduate annually from 500 Indian law schools. The average salary hovers around \$10,000 a year as opposed to the six-figure number U.S. associates are accustomed to. But, there are quality control issues with sending the work abroad, as Indian lawyers are not bound by U.S. ethics codes and do not complete the same training as U.S. attorneys before they receive their degrees. International outsourcing is still an extremely attractive option, however, to escape the crippling price of completing the review with traditional associates within the U.S.

Option Three: Taking it In-House

Many large firms are creating entire practice groups geared towards meeting client demand for e-discovery service at a lower price, while keeping the profits in-house. Essentially, a firm will form a working document review group, usually comprised of staff attorneys, contract attorneys and project attorneys. Each title may carry a different connotation, but all have the same task: review the documents at a lower cost, with elite firm quality.

The firms that have embraced this model have not been disappointed. The money is coming in, and the clients are staying.

The Impact on Young Lawyers

What do these trends mean to today's young lawyer? What e-discovery giveth, e-discovery taketh away. While the scope of discovery (read: work for young lawyers) drastically increased with electronically stored information, the market has responded by lowering cost through unconventional document review sources. Our role is changing. There will always be a need for partner-track associates to draft briefing, take and defend depositions and second chair trials. However, the days of billing ten hours of document review at \$450/hour may be a thing of the past. Viable alternatives have grabbed clients' attention and made it impossible for firms to ignore.

That said, e-discovery is also creating new jobs for young lawyers, but they are different jobs. Traditional associate jobs may dwindle, but new jobs, like a project manager at an e-discovery vendor or a staff attorney at an in-house review center, are becoming more prevalent. One thing is certain: e-discovery prowess is already an extremely marketable skill and will most certainly become a required proficiency for the next generation of young lawyers.

Marisa Jeffrey is an associate at Amy Stewart PC, focusing on insurance coverage litigation for the corporate policyholder. Marisa can be reached at marisa@amystewartlaw.com, or via the firm's website - www.amystewartlaw.com.

DAYL's March Generation Generosity service event will take place at the North Texas Food Bank on Saturday, March 28 from 1:00 - 3:30 p.m.

If you are interested in joining other DAYL members at this fun event, contact Cherie Harris (cherieh@dayl.com).



DAYL's February Social at The Standard Pour was a bit. Over 160 people attended the event!



DAYL's Young In-House Lawyers Committee organized a great CLE, presented by Joshua Sandler, on how businesses can combat the adverse impact of negative social media commentary.



Congratulations to Justin Cohen from Thompson & Knight for winning the door prize at the February Social. A \$350 gift card to Nick and Sams, donated by our sponsors HC Legal Search.



DAYL's February Generation Generosity Service event was held at Operation Kindness on February 21, 2015.