

# YLD... In Brief

The Official Newsletter of the Young Lawyers Division of the State Bar of New Mexico

October 2000

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*Business Law*, Karen Kool  
*Commercial Litigation & Antitrust*,  
Jeanette B. Martinez  
*Criminal Law*, Yvette K. Gonzales  
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*Family Law*, Twila Larkin  
*Health Law*, Leslie Mansfield  
*Indian Law*, Cindy J. Lovato-Farmer  
*International & Immigration Law*,  
Beth Gillia  
*Natural Resources, Energy &  
Environmental Law*, Jeffrey H. Albright  
*Prosecutors*, Michael P. Fricke  
*Public Law*, vacant  
*Real Property, Probate & Trust*,  
Donald A. Walcott  
*Solo & Small Practitioners*, Tom Briones  
*Taxation*, Samuel E. Tuma  
*Trial Practice*, vacant

## YLD PROGRAM CHAIRS

*AIDS Law Panel*, Laurie Hedrich  
*Bar Exam Program*, Melanie Patten  
*Bridge the Gap*, Jeffrey Crowdsell  
and Gabrielle Valdez  
*Call-In Programs*, Trent Howell  
*FEMA*, Ann M. Utterback  
*Homeless Legal Clinic*, Sean Olivas  
*Law School Mock Interviews*,  
Jeff Albright  
*Today's Law School*,  
Bryan Biedscheid, Santa Fe  
Kim Middlebrooks, Albuquerque

## Message From the YLD Chair . . . YLD Members & Initiatives Get Noticed!



by  
Henry A.  
Alaniz

Greeting Young Lawyer Division (YLD) members! I have just returned from the State Bar Annual Convention in beautiful Ruidoso, and I want to provide an update on what is happening with the YLD.

### YLD BOARD NEWS . . .

First, I am pleased to announce that Bryan Biedscheid of Santa Fe has been elected YLD Chair-Elect. Bryan replaces Al Park, who resigned from the YLD Board to seek elected office. I am also pleased to announce that Dianna Luce of Hobbs was elected as YLD Vice Chair. Both Bryan and Dianna will serve until the end of December 2000.

There is an election underway to fill Position 4, Director-at-Large. Ballots were mailed the week of October 16,

and are due by November 10. Please take the time to cast your vote.

### STATE BAR ANNUAL AWARDS

The Annual Convention in Ruidoso was the forum for Annual Awards given by the State Bar, and I am delighted at the recognition given to YLD members and the YLD-FEMA Program to assist fire victims.

This year, Outstanding Contribution Awards, given to lawyers and judges who have made outstanding contributions of their time and talents to Bar activities during the past year, went to several YLD members.

**Kimberly A. Middlebrooks** was recognized for her extraordinary assistance with and contributions to planning and organizing the Young Lawyers Division's Today's Law School Program.

**Ann M. Utterback** was recognized for her extraordinary assistance to the Young Lawyers Division/Federal Emergency Management Agency Program during New Mexico's fire disaster last May, and for serving as editor of this YLD newsletter.

**Bryan P. Biedscheid** was recognized for his contributions to the YLD/FEMA Program during New Mexico's fire disaster last May, and for his continued contributions and service to YLD programs and the division in general.

**Sean Olivas** was recognized for his extraordinary assistance with and contributions to the YLD Homeless Legal Clinic.

### INSIDE THIS ISSUE . . .

Note from the Editor	2
Program Spotlight	3
Hot Tech Tips	4-5
YLD Calendar	5
ABA & Young Lawyers	6
Quadrant Report	6
Where to Find it	7
Programs and Contacts	8

Continued on page 2.

## Note from the Editor



by **Ann M. Utterback**, Editor of *In Brief* and Past Chair of the Young Lawyers Division

This issue of *In Brief* is probably one of our most informative. We begin a 4 part series on 50 Hot Technology Tips, we highlight YLD's Bridge the Gap

CLE program, one of our most successful and information-packed programs, and we tell what all our young attorneys can find in the State Bar's lending library. Further, we are in the elections process for next year and are able to tell the status of those elections as many of the seats are uncontested. We also begin a series of articles from New Mexico's own Nicole Schamban, who is NM YLD's representative to the ABA/YLD, on

what the ABA/YLD is doing. We hope that you will take advantage of all of the information contained in this issue, and especially sign up to take part in November's Bridge the Gap CLE, which is jam-packed with useful tips for young and even more experienced practitioners.

If you have any comments about *In Brief*, please contact me at [amulaw@aol.com](mailto:amulaw@aol.com) or 299-6481.

## Message from the Chair (continued from page 1)

**Laurie A. Hedrich** was recognized for her extraordinary assistance with and contributions to the YLD/AIDS Law Panel, for which she has served as chair. She has also been a project presenter at the American Bar Association Young Lawyers Division Affiliates Outreach Project in Washington, D.C. for this project.

This year's Outstanding Young Lawyer of the Year Award was presented to **Devon Fooks**. This award is given to attorneys who have, during the formative stages of their legal careers, by their ethical and personal conduct, exemplified for their fellow attorneys the epitome of professionalism. In addition to a commitment to clients' causes, this attorney has demonstrated a commitment to public service and in so doing has enhanced the image of the legal profession in the eyes of the public.

Devon Fooks has shown extraordinary commitment to clients' causes, working as a public defender since entering the practice of law in 1996. Fooks initially worked in the Bernalillo County Metropolitan Court Division, defending primarily individuals accused of domestic violence and driving while intoxicated. More recently, he has worked in the felony division unit. A native of Pennsylva-

nia, Fooks also holds a degree in English from Pennsylvania State University.

Finally, an Outstanding Program Award, designed to recognize programs of the State Bar that serve the mission of being a united, inclusive organization serving the legal profession and the public, was presented to the YLD FEMA Program.

As many of you are already aware, the Young Lawyers Division/Federal Emergency Management Agency teamed up as part of an agreement between the American Bar Association and the federal government to provide free legal information and assistance to victims of natural or other disasters. When President Clinton declared New Mexico in a state of emergency during the Cerro Grande Fire that devastated the community of Los Alamos, New Mexico's Young Lawyers Division went into action setting up call centers and staffing walk-in clinics where victims could seek free legal assistance.

It was a proud showing for the New Mexico YLD. Hats off to all!

*Henry Alaniz can be reached at 505-841-7067 or by email at [halaniz@da2nd.state.nm.us](mailto:halaniz@da2nd.state.nm.us).*

## 2001 YLD Elections Update:

Nominating Petitions that Resulted in Uncontested Races:

**Director at Large, Pos. 2:**  
**Paul Jones**

**Director at Large, Pos. 3:**  
**Danny Jarrett**

**Region 3 Director:**  
**Dianna Luce**

**Region 4 Director:**  
**David Overstreet**

**Region 5 Director:**  
**Trent Howell**

Only Contested Race is for Direction at Large, Pos. 4 between Melanie Patten and Kerrie L. Sanchez.

## Officer Changes for Remainder of 2000:

Due to Al Park's resignation as YLD Chair Elect, the following officers have been appointed for the remainder of 2000: Bryan Biedscheid, Chair Elect, Dianna Luce, Vice Chair.

# In the Spotlight: YLD's Bridge the Gap CLE November 3-4

by Ann M. Utterback

A recent pick for Outstanding Program of the State Bar in 1999, YLD's Bridge the Gap CLE, just improves each year. This year's program is co-chaired by Jeffrey Croasdell of Rodey, Dickason, Sloan, Akin & Robb and Gabrielle Valdez of Eaton, Martinez, Hart & Valdez, who have had their hands filled packing this two day program with great speakers, material and topics.

The sessions run two days long and include THE information you need to know for legal practice and procedure on the following areas: Law Office Management, Federal Practice, Discovery, ADR, Motions Practice in State Court, Civil Trial Practice, Domestic Relations, Civil Rights, Employment Law, Criminal Law, Intellectual Property, Real Estate, Personal Injury, Wills/Estates,



and Internet Research. All of the sessions are taught by those who are the top in their fields, with many of the sessions lead by prominent New

Mexico judges, such as the Honorable Richard L. Puglisi for Federal Practice, District Court Judge Robert Thompson for Civil Trial Practice, Court of Appeals Judge Wendy York for Motions Practice, and District Court Judge Anne Kass for Domestic Relations.

The CLE is worth attending just to get all of the useful written material that goes with the program. There are forms galore, such as sample sets of interrogatories and medical releases, and step by step guides to help you with many of the areas of your practice. The latest computer research tools will also be set out for you to use in a practical manner.

New attorneys (admitted after 1/97) are only charged \$149.00 for these two days of CLE that will satisfy all of your annual CLE requirements, which is a great bargain. YLD members: this is the CLE for you to attend this year!

## *Top Ten Things Learned at Bridge the Gap 1999*

- 1. Local Rules, Local Rules, Local Rules: Know them, use them.**
- 2. Know your judge: Talk to the judge's assistant and other people who practice before the judge and find out whether the judge has his/her own set of court rules.**
- 3. Use your uniform jury instructions at the beginning of a case to help you prepare your case.**
- 4. If in personal injury as a plaintiff's attorney, put photos of prior cases up in the office as a marketing tool to prompt questions about successful prior cases.**
- 5. Ask more experienced attorneys to review your cases-take them to lunch.**
- 6. Avoid bringing discovery disputes to judges.**
- 7. You can call the office of disciplinary counsel for help in a matter.**
- 8. Learn to set up a trust account properly.**
- 9. Read your Rules of Civil Procedure.**
- 10. Drop the areas of your practice that are taking all of your time and not bringing in money.**

# 50 Hot Technology Tips for Solo and Small Firm Practitioners

by Reid F. Trautz  
and Thomas Grella  
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*Editor's note: This is the first in a four part series on hot technology tips. The next three issues of In Brief will feature the remaining 40 tips.*

## ORGANIZE, STORE AND RETRIEVE INFORMATION

1. Use a PDA. Get a handheld device and use it on a daily basis, including regular synchronization with your office desktop. The price of these devices has greatly decreased over the past several months. Competition has produced Palm Pilot clones which have caused the plummet. They are tools which are much less expensive than laptops, but still contain many of the most useful features.
2. Organize your favorites. Whether you use Internet Explorer, Netscape Navigator or some other Internet web browser, organize your favorite sites. It is recommended that all sites be logically organized into specific categories. In my firm, we have a uniform site within every lawyers web browser that is updated periodically. Within this folder, there are sub-folders, such as: 1) Bar Association sites, 2) Lawyer Search sites, 3) Legal Engine sites, 4) General Search Engine sites, 5) Federal Government sites, 6) Federal Legal Refer-

ence sites, 7) State Government sites, 8) State Legal Reference sites, 9) Local Government sites, and others. As you discover new sites that can be used in your practice, they should then be saved within the specific appropriate folder.

3. Avoid "losing" documents in your computer or searching endlessly for similarly named documents. Use a document naming convention for your computer files. Create a standardized way to file documents and be sure to write down your rules and parameters. Then stick to the system.
4. Use highest speed CD library technology. Take full advantage of CD ROM library information by retiring any and all of your CD ROM towers. CD ROM towers remain very expensive and slow, as the user is required to wait for the CD to spin when information is requested. The speed is even slower when more than one user requires access to a CD ROM Tower connected to a network. Recently, there have been devices for sale which are promoted as special units created for the purpose of storage of information copied from multiple CD's. These units seem to be overpriced. Consider the purchase of large hard drives for installation in your computer. High speed hard drives (over twenty gigabytes in size) can now be purchased for less than five hundred dollars. A whole legal library can be stored on one hard drive, and actual access speed to information will be greatly increased.



5. Take advantage of lowest price information storage. Even with the price of hard drive storage decreasing, it is still a quite cumbersome process to transfer information from one hard drive to another, when storage space becomes depleted on an existing hard drive. If you begin to run out of storage space on your hard drives, consider copying old files and forms to inexpensive CD's, making use of CD Re-writeable technology. These relatively new devices are inexpensive. CD's are also very inexpensive. Storage on CD's does not take up a great amount of physical space. In addition, you will be able to free up great amounts of hard drive space.
6. On-line back-up and storage of your computer files, also known as



“electronic vaulting” has been approved by at least one state bar ethics panel. These services will provide you with automatic back-up of your computers for a monthly or annual fee. Be sure you investigate that your files will remain confidential while stored off-site-similar to the investigation done for paper documents stored off-site.

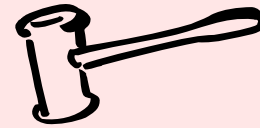
7. Hit SAVE often. Simply put, hit SAVE often, regardless of the word processing program you use. With all of the technological advances in computers, there is still a high likelihood that a computer with a Microsoft operating system will freeze up while you are drafting that all important brief. This seems to be especially true if the word processing program you are using is made by Corel. If you wait to save the file until you have typed up twenty pages, you are running the risk of having to type it all over again. Make an original save of the document early, and then hit FILE - SAVE often during the entry process.
8. “Connect” your Calendar and Contacts. The hottest site on the Internet is found at [www.anyday.com](http://www.anyday.com). The tool provided is an absolutely free calendar and contact located on the Internet. Access to your calendar and contact can only be made with a password. This site is different from others because it also provides, at no charge, a download of synchronization software. This software allows the calendar and contact list on the Internet to be quickly synchronized with your local calendar (it synchronizes with Outlook, Lotus Notes, Act, and various other calendar and contact software). Changes can be made within your own

computer (locally within your calendaring software) or on the Internet Calendar or contact list. Synchronization makes both calendars identical.

9. Consider use of Password Safe 1.7. This software product can be downloaded for free at [www.counterpane.com](http://www.counterpane.com). This will be a helpful product for your use in the event that you have many different passwords that you use in your computer system. This program makes it possible for you to only have to remember one password to obtain access to all of your passwords.
10. Create a “Library” subdirectory in your word processing directory. Use this to store finished briefs, memos and other reusable documents. When you are closing a client file, look through your computer directories for documents that may be suitable for another case in the future. File these documents in your L”Library” subdirectory by subject, not by client name, for easier retrieval in the future.

*This article was originally used in a presentation given by the authors at the Spring 2000 ABA/YLD Affiliate Outreach Program and is reprinted with express permission of the authors. Reid Trautz is with the District of Columbia Bar. Thomas Grella is a shareholder in a lawfirm in Asheville, North Carolina. All references to web sites or products are not endorsements or recommendations to purchase any of the products or services. Rather, they are examples of the types of information available in the marketplace to practicing lawyers to help them improve their practices and the delivery of legal services to their clients. All logos and trademarks are the property of the respective owners. The opinions expressed herein are solely those of the authors.*

## CALENDAR OF UPCOMING YLD EVENTS...



Nov. 1:

*Bar Journal* Articles Due

Nov. 3-4:

Bridge the Gap CLE

Nov. 3

New Admittee Reception

Dec. 2:

Statewide Call-In Program

Dec. 9:

YLD Board Meeting, Albq.

Jan. 1:

*In Brief* Articles Due for

January issue

With the new YLD leadership taking over in 2001, new chairs for various programs and new section liaisons to serve as YLD representatives on various sections of the State Bar may be needed. If you are interested in serving in either capacity, please contact Bryan Biedscheid, incoming Chair for 2001, at 982-1947 in Santa Fe.

# What Does the ABA Offer Young Lawyers?



*by H. Nicole Schamban  
District 23  
Representative  
to the ABA*

The ABA Young Lawyers Division, like the NM/YLD, promotes public service, bar leadership, member service, professional development, and continuing legal education. Each year, there are four major meetings open to all young lawyers: the annual meeting in August, the fall conference in October, the midyear meeting in February, and the spring conference in May.

All of the ABA/YLD's conferences include the programming outlined above. These conferences benefit not only the affiliate organizations as a whole, such as the NM/YLD, which can learn about and duplicate in New Mexico the programs spotlighted at the national meetings, but also benefit the individual young lawyers who attend. The fall conference this year is from October 19 to 21 in Scottsdale, Arizona. The midyear

meeting is February 15 to 18 in San Diego, California. The fall conference is May 10 to 13 in Anchorage, Alaska. The annual meeting is August 2 to 6 in Chicago, Illinois. The ABA/YLD offers limited reimbursement for travel expenses to these meetings.

***There are many ways  
for a young lawyer to  
become involved at  
the national level.  
Young lawyers can  
participate in one of  
the thirty ABA/YLD  
committees.***

Brian Melendez is the current Chair of the ABA/YLD. His administration has two focuses. The first involves law and the student citizen and helping today's youth learn about, understand, and appreciate their rights, responsibilities, and relationships in a democratic and diverse society. The second focus continues from

previous years and involves domestic violence and implementing programs to help combat the nation's leading cause of injury to women. Brian Melendez has implemented four special projects which revolve around his "law and the student citizen" and "combating domestic violence" themes, including a juvenile-justice program and a domestic violence prevention and education program.

There are many ways for a young lawyer to become involved at the national level. Young lawyers can participate in one of the thirty ABA/YLD committees, either as a general member or on an executive subcommittee. Each committee is organized around either a substantive area of law, a member service, or a public service. For a list of the committees and a summary of their current projects, you can visit the ABA/YLD's website at [www.abanet.org/yld/committees.html](http://www.abanet.org/yld/committees.html). The ABA/YLD is always looking for new lawyers to help with projects. If you are interested in working with a committee, there is room for you.

If you are interested in working on any of the special projects, you can contact Brett Kandt, [bkandt@govmail.state.nv.us](mailto:bkandt@govmail.state.nv.us), Julie Bretz, [jbretz@execpc.com](mailto:jbretz@execpc.com), or Katerina Eftimoff, [keftimoff@porterwright.com](mailto:keftimoff@porterwright.com), the project managers for the three special projects involving law and the student citizen. You can contact Tiffani Lee at [tlee@hklaw.com](mailto:tlee@hklaw.com) or Dan Wittenberg at [dwwittenberg@gordonrees.com](mailto:dwwittenberg@gordonrees.com) if you are interested in the domestic violence special project.

In addition, members of the ABA/YLD participate in public policy making, through debating and taking action on proposed resolutions involving issues such as multidisciplinary practice, health care reform, and professional responsibility or ethical requirements.

The ABA/YLD offers many rewarding opportunities for young lawyers, both personally and professionally. If you are interested in exploring how you can become active and participate in the ABA/YLD, please call or email me at [nschamban@narvaez-law.com](mailto:nschamban@narvaez-law.com).

## Report from Region 4



**REGION FOUR REPORT**  
*(Third, Sixth and Twelfth Judicial  
Districts and Sierra County)*  
*by David M. Overstreet  
Region 4 Director*

The Honorable Thomas G. Cornish is scheduled to host the next "Brown Bag Lunch" program in Region Four on November 2, 2000. The Brown Bag Lunch program continues to provide young lawyers with the opportunity to meet with each other and the judges informally and to learn valuable insights. Thanks to the Young Lawyers and Judges in Region Four for making this program a success.

# WHERE TO FIND IT: State Bar's Lending Library

by Ann M. Utterback

## WHAT IS IT?

The State Bar's Lending Library is filled with information that is useful to our young lawyers, which is the one of the reasons that the YLD has contributed generously to the program. The library is essentially a free resource, other than having to pay a minimal handling charge, that was created to provide the State Bar's members with information pertaining to the practice of law. Topics include: Client Education Materials, Client Relations, General, Solo and Small Firm Practice, Law Office Management, Law Office Marketing and Advertising, Law Practice, Legal Careers, Professionalism and Risk Management, and Technology. The library contains books, audio tapes, CD-ROMs, and video tapes.

## ITEMS TO BORROW . . .

Some examples of the video titles are "How to Manage Your Trust Account Using Quicken," and "Depositions I: Preparing the Expert Witness." There is a CD-ROM called "New Mexico Trial Lawyers Litigation Series 2000" and an audio tape of



"Litigating on a Budget." The main resources in the library are books, and with titles such as "Flying Solo: A Survival Guide for the Solo Lawyer" and "How to Draft Bills Clients Rush to Pay" and "Making Partner: A Guide for Law Firm Associates," there is something for every young lawyer.

## HOW TO USE IT . . .

To check out library materials (books and tapes), Bar members must only pay for a minimum handling fee of \$3 for one item or \$5 for 2-4 items. You get to keep the materials for 30 days. A more complete list of all titles contained

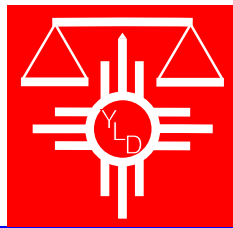
in the library with a brief description is on the State Bar's website, [www.nmbar.org](http://www.nmbar.org). You only need to fill out a simple form to receive your materials. Go on the State Bar's website for more information about the library or contact Jenny Oram of the State Bar at [joram@nmbar.org](mailto:joram@nmbar.org) or by phone at 505-797-6043.

## A FEW WORDS WITH A YLD USER

Melanie Patten, a young lawyer from Albuquerque, has used the Lending Library numerous times for reviewing books on subjects from survival skills useful to young lawyers to time management, so we decided to hear from her what she thinks about the resource. She tells us at *In Brief* she found the short books she has checked out to be extremely valuable to her work and very quick to read. Melanie was also very pleased with the service she received. When a book she tried to check out was not in, Jenny Oram of the State Bar remembered the book she wanted and sent it to Melanie once the book finally came in. She plans to definitely use the service again. So, take advantage of this incredible, cheap resource, like Melanie did, as it is so simple to do!

The YLD's Homeless Legal Clinic in Albuquerque (open Friday mornings) is looking for volunteers to staff the clinic, serve as "information referral sources" and become a part of the pro bono referral list.

Call Sean Olivas at 346-9140  
in Albuquerque if you are interested.



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## WHERE CAN I VOLUNTEER AND WHOM DO I CONTACT?

- **AIDS Law Panel** - Statewide referral panel consisting of volunteer attorneys who give legal information and advice to low-income persons who have the HIV virus. (Laurie Hedrich, 880-8699)
- **“Ask-a-Lawyer” Call-in Program** - Takes place in cities throughout New Mexico in which lawyers answer telephone calls from the public and provide legal information. (Trent Howell, 242-4466)
- **Bar Exam Program** - YLD and a member of the Board of Bar Examiners speak to persons taking the bar exam to provide information about what to expect. (Melanie Patten, 346-2700)
- **Bar Journal** - Places articles in the YLD section of the quarterly State Bar publication. (YLD Board of Editors: K.C. Maxwell, 842-9960; Gabe Parra, 883-2500; Nelse T. Schreck, 765-5900)
- **Bridge the Gap CLE Program** - Aids lawyers in their new profession. (Jeff Croasdell, 765-5900 and Gabrielle Valdez, 343-1776)
- **FEMA Program** - Volunteer attorneys to be contacted in case of a disaster. (Ann M. Utterback, 299-6481)
- **Homeless Legal Clinic** - On-site clinic located in Albuquerque that provides legal information and advice to homeless persons. (Sean Olivas, 346-9140)
- **Today’s Law School** - Monthly seminars in Albuquerque and Santa Fe that provide legal information on a variety of legal topics to the public (Kimberly Middlebrooks, Albuquerque 247-0751; Bryan Biedscheid, Santa Fe, 982-1947)
- **UNM Mock Interview Program** - Links law students with young lawyers who conduct mock interviews. (Jeff Albright, 247-2315)