

Andrea Davis

From: Stewart Clontz & David Larson [ncaj@ncaj.com]
Sent: Tuesday, February 22, 2011 11:44 AM
To: Andrea Davis
Subject: What's Up with Auto Torts Section?!?



AUTO TORTS Section Newsletter

February 2011

From the Communications Co-Chairs

Hello Auto Torts Section Members! The February issue of the Section e-newsletter includes information and events of interest to you -- a new NCAJ (free) listserv, *Interrogatories* and information on upcoming CLE, including Convention 2011.

If you would like to be an *Interrogatories* participant or contribute an article of interest in upcoming issues of the e-newsletter, please contact us directly at SClontz@Farrin.com or DLarson@lawmed.com and include SECTION NEWSLETTER in the header of the email.

Enjoy!

Stewart Clontz & David Larson
Communications Co-Chairs, Auto Torts Section

Interrogatories

Each month an Auto Torts Section member responds to a few questions regarding his/her practice and experience, growth and changes in the auto torts practice area. This month, the *Interrogatories* spotlight is focused on **Jeanne H. Washburn**, *Attorney at Law, Raleigh*. On behalf of all Section members, we thank **Jeanne** for her terrific contribution to this newsletter! Enjoy!-- **Stewart & David**

- 1) What was your first personal injury trial and how did it go?
- 2) What was your most memorable personal injury case and why?

My first jury trial was also the most memorable. It was actually not a personal injury case but rather damage to a horse during the course of a breeding procedure. For the sake of modesty, I will leave the facts at that. I was a first-year associate at *Cranfill, Sumner, and Hartzog*. Dan Hartzog and I tried that case for a week in Brunswick County. Sitting "second chair" with Dan was a great opportunity to see how things really got done.

- 3) What did you learn most from mentoring lawyers when you started?

I have been lucky enough to be mentored by some of the state's best trial lawyers and there's simply no educational substitute for being able to watch how a really good attorney handles things. In law school we are not taught how to talk effectively to a client, deal with opposing counsel, illicit favorable testimony from a, perhaps, reluctant medical provider, negotiate with opposing counsel or an insurance company, or recommend a settlement to a client.

- 4) What would you share with new lawyers now?

My advice to any new lawyer would be to find a way to associate with the best lawyer around and then watch and listen carefully so that you can learn. I have found that most good lawyers are willing to be helpful to those who show a genuine interest.

5) How has the insurance defense bar changed?

For the most part, I think that there remains an appropriate collegiality with defense bar. However, they are under pressure to bill a lot of hours and so sometimes it appears to me that they are either overworking the file or they have so many other files that they cannot pay the appropriate attention to every case, all the time.

6) Please comment on the current state of the auto injury practice in North Carolina?

The auto injury practice seems tougher to me than ever before. The jury awards are less generous and the administrative tasks associated with each case are more onerous. So, there are many challenges facing the tort lawyer these days but finding proper mentoring is one essential tool to overcoming those challenges.

Jeanne H. Washburn, a Campbell Law School graduate, has been practicing law for over 15 years and can be contacted at jwshbrn@aol.com or (919) 821-7555.

Introducing NCAJ's Veterans' Affairs Listserv – Join Today!

NCAJ has created a listserv especially for NCAJ members who do work in the Veterans' Affairs area. The Veterans' Affairs listserv is free of charge to NCAJ members and a membership list for those participating in the Veterans' Affairs listserv can be found on the Members' Homepage, members.ncaj.com. To participate, email AndreaD@ncaj.com to set-up your listserv account.

Awesome CLE Just for You – Save the Date!

Check out these upcoming informative & fun events that your Auto Torts Section leadership has planned for you!

SECTION-SPONSORED CLE - SAVE THE DATE!

April 8, 2011 - *Voir Dire Trial Skills: Putting Theory Into Practice, Embassy Suites, Cary*

May 13, 2011 - *Proving Economic Damages: Non-Traditional Wage Earners, Triad TBD*

Interested in Other CLE Topics? [Click here](#) for the full schedule of upcoming live educational seminars and video replays.

CONVENTION 2011 - SAVE THE DATE!

June 18-22, 2011

*Hilton Riverside
Wilmington*

Mark your calendar for **June 18-22** as NCAJ heads back to Wilmington for **Convention 2011!** This year, ALL events will take place under one roof at the Hilton Riverside in historic downtown Wilmington. Convention 2011 Program Co-Chairs, **Emily McNamara**, *Wilmington* and **Vernon Sumwalt**, *Charlotte* have planned a tremendous Convention for you!

Convention Highlights:

- *Keynote Speaker:* consumer advocate **Erin Brockovich**
- *Saturday's Luncheon Speaker:* North Carolina's own **Roger Smith**
- *Civil Masters in Advocacy Seminar:* Hone your skills at **Arguing Motions** (morning) and **An Introduction to Reptilian Trial Advocacy from the Founders** (afternoon)
- *Criminal Masters in Advocacy Seminar:* **Hit & Runs: Fast-Paced Multi-Subject Hot Button Topics for the Everyday Practitioner**
- *Summer Conference for Paralegals:* Get a full year's CPE credit!

Make your room reservation NOW! NCAJ has reserved room blocks at the following locations. *Be sure to mention the NC Advocates for Justice for discounted rates!*

- **Hilton Riverside** - \$159/night - 910.763.5900 (*Both river view and city view rooms available.*)
- **Best Western Coastline** - \$129/night - 910.763.2800 or 800.617.7732 (*All river view rooms, less than two blocks from the Hilton.*)
- **Riverview Suits** - \$159/night - 910.772.9988 (*One-bedroom condos, all river view, one-half block from Hilton.*)
- **Shell Island Resort** - \$199/night - 910.256.8696 or 800.689.6765 (*In Wrightsville Beach, oceanfront one-bedroom condos.*)

Wrightsville Beach is a 20-minute drive from downtown Wilmington. For those who wish to rent beach cottages, NCAJ recommends the following realtors:

- **Intracoastal Rental** - 800.533.1840 or 910.256.4503 - www.intracoastalrealty.com
- **Bryant Real Estate** - 800.322.3764 or 910.256.3764 - www.bryantrealestate.com

Stay tuned to your mailbox and email inbox for updates about Convention!

Add Another Section at Half-Price – Check It Out!

New to a Practice Area? Want to "Try Out" a Section? New to NCAJ and Haven't Joined a Section Yet? If your answer is "YES", NOW is a good time to add another Section to your membership - at half price of \$47.50!!

Join a Section and be included in a vibrant, statewide community of other NCAJ members who practice in the same area of law and who will provide you with professional support, expertise and idea exchange.

Take advantage of Section-specific resources: listserv, CLE, statewide socials and meetings, electronic newsletters, document banks or online trial notebooks, and much more!

NCAJ supports its members by providing a wide range of Sections - more than most TLAs in the nation: Auto Torts, Civil Rights, Commercial Litigation (free through June 2011), Consumer Areas of Practice, Criminal Defense, Disability Advocacy, Eminent Domain, Employment Law, Family Law, Juvenile Defense, Nursing Home Litigation, Products Liability, Professional Negligence, Small Office Practice, Workers Compensation.

NOTE: This offering only applies when you ADD a Section(s) to your membership and CANNOT be applied to your current Section membership(s).

[Click here](#) to join a Section(s) online using your credit card.

[Click here](#) for the form to join a Section(s) using a check.

Questions? Contact AndreaD@ncaj.com or (919) 836-4215.

Acquaint Your Colleagues with All that NCAJ Has to Offer...at Half-Price!

Pass along the good news to colleagues who are non-NCAJ-members: *NCAJ membership is now half-price!*

As you are aware, NCAJ has so much to offer your colleagues: Sections & Divisions specific to your practice area; CLEs provided statewide - live, video replay, webcast; Educational Achievement Program; legislative initiatives that positively impact you and your clients; "Trial Briefs" bi-monthly print journal, "Brief Notes" weekly e-newsletter; "e-Clips" daily news updates and other NCAJ publications; Amicus brief writing/filing/assistance; print and online membership directory listing, and much, much more!

[Click here](#) to print a Half Price Membership Application to pass along or let your colleagues know that they can enroll online at www.ncaj.com. Questions? Contact LisaW@ncaj.com or (919) 835-2807.

On-Point: Topics from the Section Listserv

If you do not participate in Section listserv, you are missing out on one of the most valuable (and free) benefits of being an Auto Torts Section member!

Below is a list of wide-ranging topics that have been recently discussed by Section members on the listserv that greatly benefited all members of the Section listserv.

- Legislative Action Needed By All Auto-Torts Members
- Contributions to the Legislative Effort
- Interesting Rawlings Letter
- 44-49 Applicability to Out-Of-State Providers
- Serving Dead Person
- Consensus on Maintaining A & Ps
- Toxicologist Needed
- Wage Garnishment Bill Pending in House
- Slip and Fall
- Arthroscopic Knee Surgery Negative
- Expert re Police Chase guidelines
- Motorcycle Damage expert
- Hospital Wants Full Payment after Refusing to Submit to Medicare
- BCBS Federal Benefit Plan
- Travelers – State of North Carolina Vehicles
- P.A. vs. M.D Testimony
- How to Handle Difficult Orthopaedic Surgeon
- Employee vs Independent Contractor
- "Health Claims History Form" Request
- ERISA lien in Minor Settlement
- How much Coverage do I have
- Contrib Question
- Case Valuation

So don't delay - make the most of your Section membership, email AndreaD@ncaj.com today to set-up your Section listserv account.

2010-11 Auto Torts Section Officers

Chair: [Don Higley](#) (Greenville)
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