



Dictum

The newsletter of the NJSBA Young Lawyers Division

Vol. 41, No. 1 — September 2016

Chair's Column

by Marisa B. Trofimov, Esq.

Welcome to the NJSBA Young Lawyers Division's (YLD's) 2016-2017 year. As you can see from this issue of *Dictum*, the YLD's emphasis this year is on job creation for young lawyers.

The YLD Executive Committee has created some great programming for the upcoming year, which is geared toward helping our unemployed and underemployed members get experience and jobs. We are also still trying to revamp our Mentorship Program to make it more useful to members, and we are certainly open to other ideas for events or programming that may help our members.

While some of the events have not been finalized, a small sampling of our upcoming activities is listed elsewhere in this issue of *Dictum*. I would encourage all of our members to sign up on the NJSBA website for alerts of new events, which are scheduled frequently throughout the year.

I also would encourage anyone who has other requests for programming or events, or who would like to get more involved, to contact me at MTrofimovesq@gmail.com. ■

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The opinions of the various authors contained within this issue should not be viewed as those of the Young Lawyers Division, Dictum, or the New Jersey State Bar Association.

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We welcome submissions,
including articles and news on any
relevant topic, such as practice tips,
work/life advice, and information
regarding upcoming meetings and
events. Please submit articles to
ces@lmlawyers.com with the subject
line YLD Dictum.

Practical Job Search Suggestions for Unemployed Attorneys

by Lucas A. Stelling

Like every other aspect of the legal profession, searching for a great job is challenging. I consider myself lucky in that I have been employed with the federal government for the past nine years in a job that I truly enjoy. But recently I was put to the task of brainstorming a few job search suggestions for a colleague, and then I was encouraged to share the list. So, to anyone who needs a list of tips or suggestions for a nascent or ongoing job search, here is that list:

- 1. Create a LinkedIn profile.** If you already have one, make sure that you show up in search results and that the information is accurate and up to date. Assume that any prospective employer will review the profile. It is also good to have a head shot-style photo with good lighting on your LinkedIn profile.
- 2. Create business cards for yourself.** It is simple to go online to Vistaprint or another online stationery source and print up a few hundred professional-quality business cards for under \$20.
- 3. Sign up for a continuing legal education (CLE) program** in an area of law that interests you at the New Jersey Institute for Continuing Legal Education (ICLE) in New Brunswick, or attend one put on by your local bar association. You need the CLE credits anyway. At the program introduce yourself to at least 10 people. Offer your business card to these people if they seem interested in talking to you. Ask for their card if you are interested in talking to them. It is okay to let people know you are looking for a job, and what type of law you are knowledgeable or interested in. If you get a card from someone, follow up with them in about a week. They probably won't have a job for you, but you'll be working on your skills and getting your name out there.
- 4. Identify attorneys you are acquainted with—** perhaps former classmates, family friends or attorneys who have offices in the location where you see yourself practicing. Offer to buy them a cup of coffee somewhere and ask if you can pick their brain for half an hour. If they say no, shrug it off.
- 5. Contact the career services center of your law school and ask for some help.** For example, find out whether there are any alumni in the area you may contact. Offer to go back and volunteer as a judge at mock trial or moot court, or any number of things along those lines.
- 6. Check Craigslist often.** Every week there are dozens of new jobs posted on Craigslist. Moreover, the employers posting vacancies on Craigslist usually want to hire someone within a matter of a few days or a week, rather than within several weeks or months. Be sure to select the correct geographical location for where you are, since long-distance hiring is not common with Craigslist vacancies.
- 7. Register to take the bar exam in another state.**
- 8. Go to open court wearing a suit or appropriate dress, and watch a trial or watch attorneys argue motions.** Be polite, look interested, and take notes. If you are impressed by one of the attorneys you see, and the opportunity arises, briefly introduce yourself and offer them a compliment.
- 9. Write a note or letter in an area of law that interests you and that is popular at the moment.** Submit it to a law blog, website, and/or local newspaper or periodical for publication. Online and print media sources are always looking for fresh content. It's a great way to get your name out there.
- 10. Lastly, please do not complain to other lawyers or professionals,** or anyone else who is not a direct family member, if you are having a difficult time. Understand that other lawyers and professionals are sympathetic to what you are going through; however, all people want lawyers who are confident, proactive, and capable. When someone complains, they do not exhibit confidence. In fact, when a struggling job searcher tells others how bad their situation is, two things happen: 1) people don't want to talk to the individual anymore, and 2) the struggling searcher starts to believe the situation is very bad and will stay that way. When in a

professional setting, please tell people what you are good at and what you like to do. It can be anything, although it is better if it law related. For example, you could say: I am good at preparing expungements. I like helping people get a second chance in life. I like to talk to people on the phone. I read the *Wall Street Journal* once a week. I know some Spanish. Unless someone inquires directly, do not tell people what is bad, what you don't like, or what you are not good at. So avoid talking about loans, debt, failed interviews, recruiters who won't call back, or a perceived lack of experience. In short, stay positive. ■

Lucas A. Stelling is a primary patent examiner at the United States Patent and Trademark Office headquartered in Alexandria, VA. He is a member of the bar in New Jersey and New York and earned his J.D. from The Catholic University of America, Columbus School of Law in Washington, DC. Prior to attending law school, he earned his B.S. in physics and chemistry at Rensselaer Polytechnic Institute in Troy, NY.

Save the Date

Sept. 6—YLD’s Annual Kick-Off & BBQ

Learn about the YLD’s mentoring program, community outreach, and exciting upcoming events at the Annual Kick-Off and BBQ on Sept. 6 at the New Jersey Law Center in New Brunswick. Meet the officers and members of the executive committee, join a committee and find out what the plans are for the coming year.

Sept. 14—Disconnect to Reconnect

Mindfulness has become a popular trend today. But what is mindfulness, and how can it help you in your practice? Join your colleagues for a fun, interactive networking event where you’ll learn how mindfulness practice can:

- enhance your quality of life
- help you reduce stress and work smarter and more efficiently
- help you respond, rather than react

Healthy food and non-alcoholic beverages will be served.

The event will be held at NJ Sharing Network, 691 Central Avenue, in New Providence.

Oct. 4—YLD Executive Committee Meeting

YLD executive committee meetings are open to all YLD members looking to get involved with the state bar. The meetings are held at the New Jersey Law Center in New Brunswick at 6:30 p.m. Dial-in information is available for those who cannot attend in person. Everyone typically goes to dinner together after the meeting.

Oct. 15—YLD’s Tailgate Party at the Far Hills Races

Please join us for the YLD’s annual Tailgate Party at the Far Hills Races. Here’s how it works: You purchase your own tickets to the races, then drive yourself there or hitch a ride on the YLD shuttle bus from the Law Center. The YLD supplies all the food and drinks for a good time at the races.

Oct. 29—2016 Young Lawyers Symposium

No war stories. No esoteric discussions. Just practical information that you can use immediately at this program held at the New Jersey Law Center in New Brunswick.

Nov. 1—YLD Executive Committee Meeting

Nov. 17—Job fair at the NJSBA Law Center

Jan. 3—YLD Executive Committee Meeting

Feb. 7—YLD Executive Committee Meeting

March 7—YLD Executive Committee Meeting

April 4—YLD Executive Committee Meeting

For more information on these and other NJSBA events, visit njsba.com.



NJSBA President Thomas Prol, a Trailblazer in Fighting for LGBT Rights, Offers Advice to Young Lawyers

by Katrina M. Homel, Esq.

At the New Jersey State Bar Association (NJSBA) Annual Meeting held this past May in Atlantic City, Thomas H. Prol, a partner at the Sparta law firm Laddey, Clark, & Ryan, LLP, became president for 2016-17. He is the first openly gay president of the state bar, and the third president from Sussex County, in its 117-year history.

Prol, who grew up and currently resides in Franklin Borough, practices municipal, environmental, and business law. He served on the YLD Executive Committee from 2003-2004. Prior to attending law school, he was a Peace Corps volunteer in Nepal.

Below, Prol discusses offers advice for young lawyers, his aspirations for this year, and how young lawyers can get involved in the NJSBA.

Katrina M. Homel [KMH]: What were the first steps in your career out of law school?

Thomas H. Prol [THP]: I signed on with a solo practitioner, Bill Fitzgibbons, in my hometown. My dad bumped into his receptionist in Walmart and, in one of those small-town stories that happen, she made the connection. Bill's law partner had passed away and I came along at the right time. I previously worked for the Environmental Protection Agency in waste enforcement, and one of Bill's big clients was the county landfill. That was work that I really had a skill set to do, so it was a good match.

Eventually, Bill went on to become the first assistant county prosecutor and I took over the practice. I then joined a firm to have more resources and work on larger projects, was in government for a couple of years, and returned to private practice at Laddey, Clark & Ryan, where I've been ever since.

KMH: Based on how you started, do you have any advice for recent law school graduates?

THP: The first thing when you get started is to believe that nothing is beyond you and nothing is beneath you. The first couple years of life after law school are going to be really difficult. The reason why

is that, much like playing the violin, you can only truly learn the law by actually practicing. Simply reading a book about how to play the violin won't get you to Carnegie Hall. As you learn by doing, you go through a crucible of a process, which I think in the end makes you a better attorney because you suffer a little.

I remember that during my first couple years, I didn't feel like I knew what I was doing and it was very upsetting. When you feel unsettled like that, the answer is to go out and do as much as you can. If you're not finding paying work, try to do the *pro bono* work and get the experience.

I can't underestimate the importance of preparation. If you walk in the room and people see that you are prepared, you are already ahead of about 80 percent of the people in the room.

KMH: In 2004, you were named New Jersey Young Lawyer of the Year. What were some of your greatest accomplishments as a young lawyer?

THP: What got me to the Young Lawyer of the Year Award was my serving as an advocate for LGBT equality. I think most people at that time, even in 2002-03, sensed that there was a fundamental wrong with how LGBT people were being treated in the state's law books.

I think the award was a recognition by my peers that they respected that someone was out there doing what lawyers do and doing it so passionately.

I have to say how inspiring it was to me to get that support in the Young Lawyer's Division at that time. It was not easy to be an out, gay attorney, and, though I didn't let on, it was intimidating and I worried about what impact it would have on my practice as I was getting off the ground and trying to make my way in a rural town.

I will tell you an interesting little story. Karol Corbin-Walker [the NJSBA president at that time] was handing me the award and the state bar photographer was taking pictures, and she turned to me and said, "I got this award 10 years ago." At that the moment I looked at her and thought, "I want your job."

KMH: What was the toughest lesson or a difficult lesson you learned as a young lawyer?

THP: That people lie, and lie so blatantly. In my encounters, particularly with politicians, but sometimes other attorneys and people in the world in general, people are not always honest and do not live up to their promises and commitments. I try to live my life openly and straightforwardly. I've been appalled at the level of dishonesty and lack of candor that goes on in the legislative process. I continue to believe in the principle that there is never a wrong time to do a right thing and never a right time to do a wrong thing.

KMH: You were on the founding board of the LGBT advocacy and education organization, Garden State Equality. Do you have advice for lawyers who want to pursue a passion outside of their practice?

THP: There is a core part of me, and almost anyone who is an attorney, that makes you want to advocate for something that you feel passionate about. That fed into my involvement with Garden State Equality. The *Star-Ledger* called it one of the most successful grassroots campaigns in New Jersey history. We passed 216 laws, and were the plaintiffs in the marriage equality case that brought marriage equality to New Jersey.

I think the lesson for young lawyers is that where you have a passion, where you see a need, you should go with that. That really informed who I was as a lawyer. I was demanding dignity for my community, and I saw it as my life's mission to make that happen.

KMH: How did you first become involved with the New Jersey State Bar Association?

THP: I responded to an ad in the NJSBA newspaper about forming a LGBT rights committee. After initial organizational work led by Danny Weiss, we went to the NJSBA president and Board of Trustees, and we were allowed to form the committee within the state bar. Felice Londa and I were co-chairs, and we later turned the LGBT Committee into an official section.

[Around the same time, Prol was asked to present a continuing legal education (CLE) program when another NJSBA member who was scheduled to speak passed away suddenly.] I think an integral part of being involved in the state bar is being involved in the CLEs and educating and mentoring others. You learn so much as you're preparing for a CLE, and I also think that you're paying it forward to people by helping to educate them. It reinforces your involvement with this incredible community of legal leaders, and drives you as you help people who need it.

KMH: What goals do you have in mind for the bar association this year?

THP: Our prime directive is the protection of judicial independence, and I continually recommit our organization to be the law firm for the Judiciary. After that, it is so critical that the state bar stands up and speaks out for the New Jersey attorneys. It is also important that we highlight positive messages and the good deeds we do as attorneys every single day to help make the work better, more just, and fairer—for example, what we do for lawyers in New Jersey in advocating on issues of equality and in our annual Lawyers Feeding NJ campaign. My vision this year includes working hard for the completion of the ratification of the Equal Rights Amendment to the U.S. Constitution, so the state bar leaders, staff and I have been doing a lot of work with that and developing programming.

I think that a community works best when it works together, and I look to create opportunity to help attorneys do better by themselves and by their clients, whether it is helping them be better business people, or helping educate them in different areas of the law, or being down in Trenton in the trenches lobbying and advocating on issues protecting them, or being involved in the courts on *amicus* activity.

KMH: How can young lawyers get involved in what is going on in the bar association this year?

THP: We have a Leadership Academy and I'd like to see more people apply to that. That is a group that we're looking to be future leaders of the bar. It is such an incredible experience because you get exposed to leaders from around the state—legislative leaders and Supreme Court justices—and it is one-on-one time. There are so many sections and committees at the state bar that people can be involved in. If someone wants to be involved in something, they can send me an email and just ask, whether it is practice-based or some kind of advocacy.

KMH: What would you like to see from the YLD in 2016-17?

THP: I would encourage members of the YLD to be involved in their community, but also to use the YLD as a vehicle for self-improvement—to become a better lawyer, to become a better advocate for your clients, and to grow your business.

KMH: Is there anything else that you would like the YLD to know about you?

THP: My involvement in the YLD and my community in the state bar is really what made me who I am—it changed the trajectory of my life and career. I was involved in the state bar as a way to help advocate for my people when I was fighting for issues like marriage equality and anti-bullying. But along the way of being involved in the state bar and working to make positive change in the world, the change happened to me. I am always grateful for what the NJSBA has done for me. I would encourage everyone to be involved and know, understand, and harness that life-changing power. ■

Katrina M. Homel, Esq. is an associate attorney in the Yardley, PA, office of Hill Wallack LLP. She is also an assistant editor of Dictum.

#NJSBAsummerfun

As young lawyers, we are all under a lot of pressure to build a reputation for being the go-to person for something. What that something is varies from person to person, but the way to develop a reputation for that something is fairly uniform: Get good at something, then get others to recognize your skill.

Twitter is a great reputation-building tool that more young lawyers should be taking advantage of for two big reasons.

First, it appears on the first page of Google search results. Where else can you get free search engine optimization (SEO) these days?

Because it appears so prominently, and the content people see when they click through to it is whatever you have been tweeting, it is one of the best vehicles you have for shaping your own online reputation.

The second reason you should be on Twitter is that legal reputation makers are on Twitter. The courts, the bar, firms, and reporters covering legal issues are all on Twitter. If you can engage them on the topic you are an expert in, you can easily gain a reputation for being a credible resource in your area of expertise.

If you aren't on Twitter yet, or you are but you want to make sure you are in the legal loop, you should check out the following accounts:

- <https://twitter.com/njcourts>
- <https://twitter.com/NJStateBar>
- <https://twitter.com/YLDNJSBA>
- <https://twitter.com/atlblog>
- <https://twitter.com/NJLJ>
- <https://twitter.com/SCOTUSblog>
- https://twitter.com/NJ_Reentry

Did we miss an account you think is a must-follow? Let us know! Send your thoughts on Twitter to *Dictum's* editor, Emily Kelchen, at ekelchen@civiljusticenj.org, or tweet @YLDNJSBA. ■

YLD Members Celebrate with NJ Reentry Corporation

This summer, members of the YLD were invited to a barbeque hosted by the New Jersey Reentry Corporation honoring the service and leadership of U.S. District Judge Madeline Cox Arleo, former Governor Brendan T. Byrne, and former Department of Community Affairs Commissioner Richard Constable.

Did you attend a cool legal or charitable event this summer? Let us know, and you may be featured in *Dictum* and on the YLD's social media accounts. Send an email with pictures and a summary of your activities to *Dictum's* editor, Emily Kelchen, at ekelchen@civiljusticenj.org. ■



The Rules They are a-Changin’

by Emily Kelchen, Esq.

On Sept. 1, New Jersey will become a Universal Bar Exam (UBE) state. You probably knew this was happening, but do you know how it happened? The answer is, through the Court’s rule-making process.

The Court actually has over 40 standing and special committees that help it develop and implement new policies and programs. Once a committee issues a report or recommendation, the Court accepts public comments on the proposal, and often holds a public hearing. The Court then decides whether a rule change is needed.

Young lawyers should keep an eye on the issues the Court is working on, and provide comments when appropriate, because the Court Rules govern our profession and shape the outcomes in many cases. The perspective of young lawyers is in no way less important than the insights experienced practitioners offer, so don’t hesitate to offer your two cents on issues you care about.

Right now, the Court is asking for public comments on the report of the Working Group on the Indiscriminate Shackling of Juveniles in Court and proposed new and revised forms relating to guardianship of incapacitated adults.

If these particular issues aren’t ones that concern you, consider checking out the list of committees on the Court’s website, and applying to serve on one that is of interest to you. The list can be found at: <http://www.judiciary.state.nj.us/sccms/onlinemembership/>. ■

Emily Kelchen, Esq. the editor of Dictum, is the director of public affairs at the New Jersey Civil Justice Institute.

NJSBA YLD Delegates Attend the Annual ABA Meeting in San Francisco, Aug. 4–6

Delegates from the NJSBA’s YLD recently attended the American Bar Association’s (ABA’s) Annual Meeting in San Francisco. At the meeting, they participated in two Assembly sessions and the elections for ABA YLD treasurer and the ABA House of Delegates.

The 2016 ABA YLD Fall Conference will be held in Detroit, Oct. 20–22, and the ABA Mid-Year Meeting will be in Miami from Feb. 2–4, 2017.

The ABA’s Public Service Project for this upcoming year will be titled “Access to Education,” focusing on low-income and/or high-immigrant communities across the country, and will include visiting schools to facilitate “Dare to Dream” goal-setting by the students, career days, and a soon-to-be-launched mobile app with information about various careers, higher education, vocational schools, programs, and much more.

Email Nicole O’Hara, district representative, at nohara@grossmcginley.com, to get involved. ■



The New Jersey delegates networked with other young lawyers from across the country.



Nicole O’Hara spoke at one of the meetings in San Francisco.

Do You Have Something to Say?

Do you have something to say that you think other members of the YLD should know about? Why not submit an article or announcement to the YLD's newsletter, *Dictum*?

In future editions of the newsletter we would like to publish articles on the following topics, among others:

- **Clerking:** How did you get your clerkship and how did you make it a success?
- ***Pro bono* experiences:** Do you have a story to share about your experiences?
- **E-filing**
- **Thoughts** on how bail reform will impact young lawyers (or their clients)
- **Are you going to the Mid-Year meeting in Amsterdam?** We want to know what your experiences are in relation to this event.

Submissions to *Dictum* should be 1,500 words or less, and concern something of interest to young lawyers. The deadline for the next edition of the newsletter is Oct. 14.

Please send anything you would like considered for publication to the *Dictum* editor, Emily Kelchen, at ekelchen@civiljusticenj.org. Please use *Dictum* in the subject line. ■