

By: Wynne Caffey-Knight  
Elmore, Stone & Caffey, PLLC



# EVEN THE CHOIR NEEDS TO PRACTICE

You do great works. You serve your clients. You serve your families. You serve your colleagues, neighbors, and so many people who do not have the privileges that accompany the practice of law. I am largely preaching to the choir by suggesting you enrich your professional and personal lives investing in service to others. Vickie Clarke reminded us last month at the annual Supreme Court Dinner that sometimes even the choir needs to practice. I will take it a step further. Not only do the choristers need to practice, sometimes they need to change the tune as well.

Now this is preaching to the choir at its best (or worst), because I am not particularly fond of change and tend to push back against it. But for all my resistance, once on the other side, I usually appreciate that there was growth in the process, with the potential for even more. Sometimes the very assessing or coming to terms with a change is transformative.

August brought a huge change to my family's life and our household. Maegan and Richmond moved to Nashville on the same Sunday afternoon. Wayne and I waved as they followed one another down the long driveway, around the bend, to the end of the hill, across the creek and up through the lower field. We called goodbye until we could no longer hear their tires crunching on the gravel or catch the colorful flashes of their cars through the trees. "Call us when you get there!" I sang out - my parents' voices echoing in my mind. I did not like this change one bit.

Since then, we have had many happy phone calls about their new experiences - Maegan absorbing the high-energy of the international music industry, and Richmond adjusting to the Socratic method at Belmont. Whole new worlds are opening up to them through these changes. On our end, the house is much quieter. We go to sleep earlier because we aren't listening for the late-night sounds of the dogs barking in greeting, the door creaking open or footsteps treading up the stairs. We sleep in peace because these changes have been good for them, and they are good for us.

As the seasons transition into autumn, big changes have come for our profession as well and more are in the air. Amendments to the Rules of Civil and Criminal Procedure, Rules of Evidence and Rules of Juvenile Practice and Procedure associated with the Tennessee Supreme Court's 2019 Rules Package take effect on October 1st. The Tennessee Supreme Court is now also considering a significant amendment to T. R. Civ. P. 26 regarding mandatory initial disclosures in most civil cases. The KBA Professionalism and Judicial Committees are digging deep to assist the Board of Governors in deciding whether to comment on this proposed change. But if this issue is important to you, I encourage you to accept the Court's invitation to weigh in by sharing your own comments before the December 13 deadline. Rumbblings continue across the state as trial courts consider the paradigm shift to electronic filing systems, which might or might not even be unified as between Circuit and Chancery Courts within the same judicial district.

The KBA will continue to watch those efforts as it does public scrutiny of our profession. The public does not always understand the ins and outs of trials and appeals, and especially sometimes not the outcomes. Judges are constrained from commenting publicly on their rulings and court proceedings. Continuing civic education remains one of the best ways to maintain the independence and integrity of the judiciary. Accordingly, to enrich your KBA experience and promote the

unbiased rule of law, the Board of Governors has approved a Power Point Presentation titled *Fair & Impartial Courts* to assist members in speaking to civic and community organizations about our profession. Members can access this free program through the KBA website.

Changes effecting significant impacts are not always as apparent as a change in the law or openly advocating for untainted justice. Every new client, every new colleague, and really every new encounter we experience is a change that presents an opportunity for growth. The KBA creates such opportunities. On October 2, the Interprofessional Relations Committee co-hosts a free *Professional Mixer* for members with the Tennessee Society of Certified Public Accounts to greet the University of Tennessee Lady Vols' newest addition, Coach Kellie Harper.

The next day, Janice Brown, founder of the Brown Law Group, will speak as the guest of the Diversity in the Profession Committee at our *Minority Law Student Reception* on October 3rd. All members are invited to hear her message on *Diversity & Inclusion: Theory Meets Reality* along with local judiciary and future lawyers from the University of Tennessee College of Law and the LMU School of Law.

The Barristers' *Lawyers Link Up Charity Golf Tournament* takes place on October 21st. Later in the week, the KBA and the Barristers are pulling out all the stops on October 24 with a free Member Appreciation & Welcome New Lawyers Celebration. Come enjoy the fellowship with members and their families as we welcome the newly-sworn-in attorneys.

The Professionalism Committee invites you to enjoy a change of scenery during the *Annual Hike* on November 9th at Fort Dickerson. As always, Co-Chairs and Co-Hosts Chancellor John Weaver and Garry Ferraris welcome everyone on this family-friendly event with an easy-to-walk trail, information about this historic fortress that lies just across the river from downtown, and the chance to informally break bread together in East Tennessee's Fall beauty.

We have seen a tremendous demographic change in our Bar since I began practicing law. Five generations of lawyers are now involved in the legal profession. The KBA embraces this depth. Attorneys licensed in any state, law professors and law students may join the KBA. Membership is free to law students and lawyers in their first year of practice. If you are not already a member, there is no time like the present. Joining the KBA is a change that will enrich your professional or student life. If you're already a member, remember the choir needs practice, too. Please stay involved with your Bar association, try a new committee or section, and take advantage of its ample offerings.

Among the best things about being a Tennessean, and especially a Tennessee lawyer, are the many ways we serve our fellows in the true volunteer spirit. I know you will continue to do great things in service to others. Now having preached about practicing and changing the tune, I depart slightly from the text to say that one thing will never change for me: Come what may, I am a Vol For Life!

