

2023 Annual Edition

Official Publication of the Hennepin County Bar Association

# HENNEPIN LAWYER



2022-23 HCBA President

**LANDON ASCHEMAN**



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— ANNIVERSARY —

# HENNEPIN LAWYER

Official Publication of the Hennepin County Bar Association



**Hennepin Lawyer**  
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Ascheman is passionate about giving back to the community, or as he likes to say, “leaving things better than you found them.”



## Meet HCBA President **LANDON ASCHEMAN**

**L**andon Ascheman isn't afraid to take the plunge, whether that's practicing criminal law as a solo attorney, giving back to the legal community, or jumping into Lake Superior for a swim. While a lawyer's career can be full of risks and unknown jumps, Ascheman wants to make sure every HCBA member can find their way in their legal career.

Helping others has always been a part of Ascheman's life. Prior to attending law school, Ascheman was an intelligence specialist for the U.S. Navy and the Minnesota Army National Guard, and he is a veteran of the War in Afghanistan. Ascheman graduated from William Mitchell College of Law in 2009, and he earned his undergraduate degree from Minnesota State University Moorhead. Before opening his own firm in 2009, he was a law clerk at the Hennepin County Attorney's Office.

As a criminal defense attorney, Ascheman is passionate about helping those in need. “I really enjoy the chance to help people, whether it's helping clients

try to clean up their record, so they can get a job, helping them share their side of the story to the court, or helping them get treatment and get their lives back on track,” he told the *Hennepin Lawyer* in 2019.

Ascheman is also passionate about giving back to the community, or as he likes to say, “leaving things better than you found them.” He serves as president of the Mitchell Hamline Alumni Association. He serves on Lawyers Professional Responsibility board, and works a volunteer attorney with Southern Minnesota Regional Legal Services, the Mitchell Hamline Self-Help Clinic, and works as a volunteer mediator.

Ascheman also knows how to navigate unfamiliar waters—literally. He's the first Minnesotan to complete an Ice Mile, where participants swim a mile in water temperatures of 41 degrees or less.

While finding your place in the law can be stressful, Ascheman encourages you to take the plunge. The HCBA will be here to support you.



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## 2022-2023 Executive Committee

Interested in volunteer leadership positions? Contact the HCBA.



CHIEF EXECUTIVE OFFICER  
**Cheryl Dalby**  
[cdalby@mnbars.org](mailto:cdalby@mnbars.org)



HCBA PRESIDENT  
**Landon Ascheman**  
*Ascheman Law*

### How and why did you get involved with the HCBA?

My first work with the HCBA was through our Misdemeanor Defense Program. It was a good opportunity for a fairly new attorney to spend more time at court, meet prosecutors and Judges, and help people that were at court without the support of an attorney.

### What's a great piece of advice you've received?

Always try to leave things better than you found them.

### How do you unwind and add balance to your week? When you aren't "lawyering" what are you up to?

Spending time with my wife Mara and our two little kids. There is always something to do, and something new to explore or learn.

### What's one thing your colleagues may not know about you?

I've swam 36 miles, in freezing water, during a lightning storm (just not at the same time) and someday hope to swim to Isle Royale.

### What is your favorite part about your job?

I really enjoy the chance to help people, whether it's helping clients try to clean up their record so they can get a job, helping them share their side of the story to the court, or helping them get treatment and get their lives back on track.



PRESIDENT-ELECT  
**Nicole Kettwick**  
*Brandt Kettwick Defense*

### How and why did you get involved with the HCBA?

I was working downtown Minneapolis and forgot my lunch. I received an email for a New Lawyer's Section meeting and noticed it had pizza. I went for the pizza but stayed for the community.

### Why did you become a lawyer?

I became a lawyer because I want to make the world a better place. I am lucky because my dad practiced law for forty some years which gave me quite a few advantages; one of them being I got to see what this job was like. Growing up, I always felt like his job made a true impact on individuals and I knew I wanted to do the same. I have had several opportunities to meet some of his former clients who told me how much my dad meant to them. I admired that and hoped I would have the same impact one day.

### What's a great piece of advice you've received?

Be yourself. When I see great lawyers I want to emulate I am tempted to try their styles but often, it doesn't fit with me. I feel like I hit my stride as an advocate when I feel comfortable and am myself.

### How do you unwind and add balance to your week? When you aren't "lawyering" what are you up to?

I have three kids who help me stay pretty busy. Outside of spending time with them, I love to play sports or do anything competitive. I used to play tennis and more recently started playing pickleball and I am hooked!



**TREASURER**  
**Michael Boulette**  
*Taft*

**How and why did you get involved with the HCBA?**

My very first boss encouraged me to get involved with the bar. I had no idea where to start so I showed up at a new lawyers meeting. None of it made any sense to me, but the people were nice, so I came back the next month, and the next. By the end of the bar year I got up the gumption to ask to be chair of a committee. It all just kind of snowballed from there.

**What's a great piece of advice you've received?**

"You're not that important." One of my early career mentors made sure to remind me of the importance of taking time away—even when it feels like you can't. When I would try to insist that I just couldn't do it, that there just wasn't the time, she'd make me say out loud, "I'm not that important." And it's really true. As advocates we all try to move the needle for our clients, but advocacy is only one (small) piece of the puzzle, and we shouldn't forget that.

**How do you unwind and add balance to your week?**

Unwind? I have three little kids. But when I'm not at the office or with them, I really value my meditation practice. I try to sit every day for half an hour or so, and attend silent meditation retreats when I can. I'm part of a local Sangha that's provided me so much support and really helped me keep up the practice.

**What's one thing your colleagues may not know about you?**

I'm an introvert. I love my colleagues. I love our legal community. I love my clients. And man, I really need to just sit quietly.



**SECRETARY**  
**Jessica Klander**  
*Bassford Remele*

**What is your favorite part about your job?**

I enjoy the academic and intellectual rigor of the job. I learn something new every day. As a litigator, every case and every day is different. I have also been really fortunate to practice at a firm with exceptional attorneys, staff, and clients. The people at my firm are more like family than colleagues and some of my closest friends are also my business partners. We celebrate the wins (both personal and professional) and we commiserate in the losses (both personal and professional). It's a really wonderful place to practice.

**What's a way you decompress outside of work?**

I am a mom to two girls, ages 7 and 5. They keep me very busy during my "non-working" hours. We spend a lot of time at our cabin, swimming, fishing, and wildflower picking. When we aren't outside, we like to have dance parties in our basement—complete with a disco ball and string lights. When I do have time to myself, I like to read fantasy/sci-fi novels and go running.

**What's one thing HCBA members might not know about you?**

My family has run the Prom's Cheese Curd stand at the Benton County Fair in Sauk Rapids, Minnesota since I was five years old. I have more memories serving cheese curds in the summers than almost anything else! In fact, I went back and worked one day at the cheese curd stand this summer. We have siblings, parents, grandparents, cousins, and friends who work in the stand each year.



**IMMEDIATE PAST-PRESIDENT**  
**Brandon Vaughn**  
*Robins Kaplan*

**Why did you become a lawyer?**

I became a lawyer because I wasn't a huge fan of science and didn't want to be a doctor. I thought I was a great debater and enjoyed acting so I thought being a trial lawyer would be a good fit. Little did I know I would end up spending most of my practice learning medicine to represent my clients (while avoiding going to medical school). I have always believed in being an advocate for those who don't have a voice for themselves or may not ordinarily have the opportunity to be heard, so practicing law has been a good fit.

**How do you unwind and add balance to your week? When you aren't "lawyering" what are you up to?**

I usually try to incorporate some type of athletic competition in my work week to give me something to look forward to. Whether that's a softball league or tournament, playing tennis, playing basketball, or some other competition. I find having activities during the week can help break up the work week. When I'm not participating in some sporting activity I enjoy visiting restaurants, breweries, distilleries, traveling, and watching sports live.

**What's one thing your colleagues may not know about you?**

Breakfast is my favorite meal. I can eat traditional breakfast options any time of the day.



**Read about New Lawyers Section Chair Nick Ryan on page 10.**



# HCBA Board of Directors Spotlight



**Melissa Krasnow**

*VLP Law Group*

**What's your favorite way to unwind outside of work?**

Spending time with family, walking, and reading (non-legal).

**What professional accomplishment are you most proud of?**

Helping clients anticipate, navigate, and manage risks, events, and crises, particularly when cyber events converge with current events and things are being done de novo (for example, in the wake of the COVID-19 pandemic and women's health developments).

**What's one non-legal thing you can talk about for hours?**

Current events.

**What's been the most valuable part of being an HCBA member?**

The connections you make with people and the opportunities to be involved.



**Toni Ojoyeyi**

*Messerli & Kramer*

**What's your favorite way to unwind outside of work?**

I love to practice yoga, play the piano, read and spend time with my loved ones.

**What's one non-legal thing you can talk about for hours?**

Community education classes! I think they're such an amazing resource and a wonderful way to learn at a shockingly low price. I've taken French classes, Spanish classes and oil painting with Minneapolis community ed and plan to take many more different courses in the future. From calligraphy to cooking classes, there's so many opportunities to expand your knowledge base. They even have courses on Microsoft Excel for people struggling with the platform. I love encouraging people to take community ed courses. I also always meet interesting people in the classes.



**Faris Rashid**

*Greene Espel*

**What's your favorite way to unwind outside of work?**

I love watching movies, especially in a theater. We have a seven-year-old son and a five-year-old daughter, and any time they want to see a movie—literally any movie—I will take them. We're usually there when the theater opens at 10 a.m. on Saturday, and we love talking about what we watched on the way home. I also enjoy biking, going out for dinner, and lying in our hammock (weather permitting).

**What professional accomplishment are you most proud of?**

I have won cases, delivered oral arguments that I thought went well, and written briefs that I'm proud of. But I think the thing that I take most pride in is more "squishy" than that. I genuinely feel proud when I'm a client's first call, which has been happening more as I progress in my career. When a company or person calls me to say, "this just happened" and asks for advice, I take that very seriously but also appreciate the trust that I have earned.

## 2022-2023 HCBA Board Members

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# 2022-2023

## Section Leadership

The Hennepin County Bar Association has 39 sections that are here to help you connect with colleagues, stay updated with developments in your area of law, and provide leadership opportunities to advance your career. Thank you to the volunteer members who are leading our sections this year. Interested in getting involved in your sections? Email [sections@mnbars.org](mailto:sections@mnbars.org).

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## GET TO KNOW

# NICK RYAN

## 2022-23 NEW LAWYERS CHAIR

### Can you introduce yourself and say a little bit about your practice?

I am from Winona, Minnesota, and I moved to the Twin Cities to attend the University of Minnesota. Following graduation and a year in the real world, I attended Mitchell Hamline School of Law. I currently live in Arden Hills with my amazing wife, Kate, our fantastic son, and two cats.

I am an associate attorney at the Law Office of Eric T. Cooperstein where we represent and consult with attorneys on legal ethics matters. We represent lawyers facing ethics complaints and potential public discipline. We also represent law students in character and fitness investigations before the Minnesota Board of Law Examiners.

## What's your pitch for a new lawyer to become more involved with the New Lawyers Section, and what's the best way for a new lawyer/ law student to get plugged in?

Practicing law at any stage is hard. In my experience—and I think this is true for a lot of new lawyers and law students—there is fear of not belonging, not fitting in, not knowing what it means to be a lawyer, or not knowing what it will take. The practice of law can also be isolating, and new lawyers can struggle to establish connections with other lawyers. The HCBA NLS is a great space to discuss these thoughts and to reaffirm that the practice of law is for you. The NLS is also a great place to establish connections and create extremely beneficial professional friendships.

To get involved, call me/text me: (612) 867-7069. Email me: [nmr@ethicsmaven.com](mailto:nmr@ethicsmaven.com). Come to an upcoming Section meeting, social, or CLE. We want everyone to get involved. I know that others on the HCBA NLS feel the same way and any of us are happy to just start with a conversation about what the NLS is, what we do, and what you could do as a member.

## What are some of the programs NLS members can look forward to in the new year?

This year the NLS is excited to continue our outreach to and involvement with the three local law schools. In the past couple years, our membership engagement committee has done amazing work establishing student organizations at each law school. And law students have been great about getting involved with the NLS and actively engaging in activities. This year as a section we also hope to be more active in the pro bono/community service arena.

## How did you first get involved with the HCBA, and subsequently, leadership?

On pretty much day one of my job in August of 2018. I am in a small firm, so early on my boss Eric Cooperstein, (a former HCBA president), strongly encouraged me to attend a NLS meeting. We knew that the HCBA would be a great way for me to have a peer group and a network that I was not going to automatically have because I am in a small office. As I mentioned previously, one of the most beneficial aspects of the NLS is the professional network you have by being involved with the section. I have greatly benefitted from the knowledge and advice that other NLS members have shared with me throughout my time in the section.



## What's some good advice you've received from more senior lawyers?

Three lessons come to mind: (1) Clients, and people in general, won't always remember the result, the process, or the legal technicalities, but they will remember how you treated them and how you made them feel. (2) You can be a great lawyer without being a (insert any number of not nice words). And (3) Be direct! As a new lawyer, giving hard news can be very difficult. Early on, I was not as direct as I have learned I need to be. While clients might not always like to hear what we have to say, being direct, fair, and to the point is better than trying to dance around a difficult conversation.

## What do you think more experienced practitioners can learn from the newest generation of lawyers?

New lawyers can be creative, especially when it comes to technology and trying new things. Hopefully, more experienced lawyers are interested in learning new, and more efficient ways to practice law. I also think that new lawyers can be more excited and passionate about the process of practicing, and hopefully that excitement and passion can remind more experienced lawyers how very cool it is that we get to do what we do.

## What's your favorite thing to do outside of work?

Being with my family and just exploring. I also love cycling and enjoy getting out on long bike rides.

## NICK'S FAVORITES

### Television Shows:

*The Office*; *Ted Lasso*; *Expedition Unknown*; and *Impractical Jokers*.

### Books:

*The Lincoln Highway* by Amor Towles; and *Wooden: A Lifetime of Observations and Reflections On and Off the Court* by John Wooden with Steve Jamison.

### Movie:

*It's a Wonderful Life*

### Local Restaurants:

The Finnish Bistro in St. Paul; The Original Mediterranean Grill in New Brighton; and Pho 400 in New Brighton.

### Places to go in the Twin Cities area:

Minnesota Zoo and Huntington Bank Stadium.



# — Signature Events —



The HCBA is your connection to the local legal community. Throughout the year, our signature events bring together lawyers, law students, the bench, and the greater community. In June, our annual meeting celebrated bar leaders and featured the passing of the presidential gavel from Brandon Vaughn to Landon Aschman. The event was followed by our Bar Benefit gala which raises funds for the Hennepin County Bar Foundation and VLN. In October, the Judges Social returned where over 180 members gathered at the Royal Sonesta for a night of fun and networking.







In September, the HCBF Charity Golf Classic brought members together for a day of golf, biking, and pickleball.





## MID-CAREER ATTORNEYS

# Navigating Speed Bumps and Finding Purpose

By Joan Bibelhausen

A popular 1977 cartoon from Sidney Harris shows two professors reviewing a chalkboard with complex math formulas on either side. In between is the phrase “Then a miracle occurs ...” The more senior professor counsels “I think you should be more explicit in step two.” As we review the research about our profession, we find early (defined as the first 8-10 years of practice and in some cases 30 years of age and under) and later career initiatives (the ABA automatically enrolls lawyers 62 and over in the Senior Lawyers Division and they get their own magazine) but very little discussion about Step 2. One might argue that this group is everything else, but that ignores unique challenges and opportunities. This article aims to provide some perspective, recognize challenges, and recommend strategies for the vast middle.

## Defining the Middle

What is mid-career? For the purposes of this article, we will divide it into three parts. In part one, you are becoming established and have developed confidence, but have many other opportunities to focus your interests, build your expertise, and plan your career advancement. Your professional relationships are deepening, and you are experiencing success for which you are directly responsible. If you are thinking of your legacy, it seems far away.

In part two, you are either stable or have made a significant transition, such as a judgeship. You begin to receive recognition and greater responsibility. You may realize that you have put work ahead of family and your own self-care and you may begin to question whether your work fits your values.

In part three, you may feel that you have proven yourself and yet opportunities for advancement or change may be surprisingly limited. A judicial position may be possible, you may be able to move firms if you have business, but a full transition may be less available. At the same



time, the security you have developed may allow you to focus on more outside of your job and you can gain a new level of satisfaction.

## What Does the Data Tell Us?

In the seminal study, *The Prevalence Of Substance Use and Other Mental Health Concerns Among American Attorneys*, data was displayed according to age. 20.6% of the attorneys reported drinking at a level that is consistent with problematic use. It has been heavily reported that the percentage of problematic use for those under 30 (32.3%) was significantly higher than the average. Seldom reported are the numbers for the next groups, those in mid-career: 31-40 = 25.1%, 41-50 = 19.1%, and 51-60 = 16.2%. While the rate of problematic use is lower for these age groups, it is still significantly higher than the US adult average which ranges between 6.4 and 8% depending on the year. The December 2020 article, *Stress and Resiliency in the US Judiciary*, reported that

9.5% of judges drink at problematic levels. This is lower than for lawyers in those age groups beyond 30, but still higher than average.

The results for anxiety and depression also showed the highest level for those 30 and younger, with decreasing numbers for each decade. The data for judges overall was consistent with lawyers in their middle career.

## Mid-Career Speed Bumps

Is that all there is? Law firms and other organizations typically have a strategic on-ramp for new attorneys, and a few will have off-ramp strategies for partners moving into retirement. While those in mid-career may be the most productive and stable, they feel most underutilized and unappreciated across all industries. In 2022, *People, Professionals, and Profit Centers: The Connection between Lawyer Well-Being and Employer Values*, authored by Patrick Krill and others, shows that people who

are appreciated for what they personally offer are happier and will stay in their law firm or other legal organization the longest. Those who feel appreciated only for cranking out billable hours are less satisfied and more likely to leave. Those who have no idea why they are valued are the least satisfied with their careers.

A feeling of displacement may arise when we are removed from a role in which we felt valued. If you're a parent, think of how you made sure your older child was not left out when the new baby arrived. In this way, law firms and other legal organizations are like families. There must be more of a role and a sense of being appreciated than simply as the older brother or sister who is supposed to know what to do and stay out of the way. This can stifle motivation and yet other obligations can feel limiting.

Most of the sandwich generation is in the mid-career stage. You are saving for college tuition while supporting and sometimes managing your parents' needs. The challenges of COVID added to the squeeze and gave rise to challenges for which we had no mentors. Loss of connections with remote work and loss of loved ones caused questioning of our identity and values.

We are working more hours, with more demands: a recipe for burnout. Late night activities coupled with early meetings mean less sleep, poor eating habits and lack of time for exercise. Time with family and friends is the easiest to eliminate. And sometimes another drink (or more) is easiest to add. Exhaustion, feeling less connected to and more cynical about our work, and our level of efficacy are all contributors to a feeling of burnout. Being overloaded at work is recognized as a critical contributor to burnout, and research by Christina Maslach shows that additional factors can be cumulative. Here are additional considerations. Do you feel a lack of control over the work you do? Are the rewards sufficient – monetarily or otherwise? Do you feel actively engaged in a community in your job? Is there fairness, either overall or involving you? Does your work (this changed for many during COVID) conflict with your values? All of these are additional predictors and put us at great risk for burnout. Each of these factors are recognized as commonly arising in mid-career.

As a profession that reacts (we don't have work until someone has a problem), it can be difficult to be proactive on our own behalf. Here are some ways to do just that.

## Recipes for Resilience

Eleanor Roosevelt said:

*Probably the happiest period in life most frequently is in middle age, when the eager passions of youth are cooled, and the infirmities of age not yet begun; as we see that the shadows, which are at morning and evening so large, almost entirely disappear at midday.*

These strategies for resilience, and others you can learn in LCL groups, programs, and elsewhere, provide a way to re-examine opportunities and options.

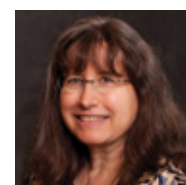
**Appreciate your grit.** While you may be experiencing stress, can you appreciate the challenges you have faced and dealt with. Grit is courage, resolve, and strength of character. We are problem solvers, and we sometimes don't appreciate all that we have tackled. Ask yourself where your character is strongest (the exercises at U Penn's Positive Psychology Center will help you define your strengths) and vow to exercise those muscles.

**Commit to learning.** If you feel you are a billing automaton, learning beyond what is absolutely necessary can seem like an overwhelming burden. When life expectancies were short, we became a master in one area. We live longer, and mastery in more than one area will engage curiosity and provide more opportunities for growth and change. Where can you stretch beyond your comfort zone? What do you want to be known for, your personal brand? As you develop your reputation and begin to think about your legacy, what will that be? It may change, and that's ok. Remembering that we are reactive, rather than proactive, a reminder may be necessary that you need to be the one in charge of your growth. What are your goals for a distinct period of time, how will you measure success, who will help you, and what will help you commit to this? This is self-care and you deserve it.

**Embrace a sense of purpose.** The Japanese term *ikigai* means "reason for being" and it encompasses all aspects of well-being: intellectual, occupational, spiritual, emotional, physical, social, and cultural. What is your reason for getting up each morning? That is your *ikigai*. This is an amalgamation of what you love, what you are good at, what you can be paid for, and what the world needs. Look for those opportunities in your work and in your learning. A counselor or coach can help you reframe.

**Make a change.** As reactors, we may struggle to find out way forward or out of a tough situation. You may see news of a colleague's career change and wonder "how did they do that?" Consider why you want a change. If you are simply getting away from something, you are less likely to make meaningful change. Your resume will cover what you really do not want to do, because that's what you think about. If you make a major change (and many do) are you ready for the intense on-boarding that will be necessary. Are you willing to build your reputation anew? These can be positive challenges, they can be scary, and they can be both. It is critical to have a forward goal rather than merely a desire to escape; this will impact the success of your transition. You may have had a future goal earlier in your career, such as a judgeship. What can you do now to make those dreams closer to reality? Viewing your current job, even if you wish to leave, as a steppingstone can make each day more meaningful and tolerable. If you have no choice because of changes beyond your control, these considerations will still provide a more positive outcome. In researching challenges and opportunities in midlife, the most common sources discussed mid-career job change. You will find many resources to help you consider and navigate change. LCL's Lawyers in Transition group may be helpful as well.

**Talk it out.** If you feel trapped, frustrated, exhausted or more, this is a good time to connect with a counselor to untangle the elements that are contributing to this. Therapy helps you to understand the sources of your feelings and begin to make decisions. The therapist may assess you for depression, anxiety, substance use concerns, or other issues that can be treated medically. Your stress is a predictor for all of these and more. LCL provides an initial four free counseling sessions and referrals to additional resources. You don't have to do this alone.



**Joan Bibelhausen** is executive director of Lawyers Concerned for Lawyers (LCL). LCL provides free and confidential, peer and professional support, including free counseling for any issue that causes stress or distress. Services are available to lawyers, judges, law students, law office staff, and immediate household family members. [www.mnlcl.org](http://www.mnlcl.org), [help@mncl.org](mailto:help@mncl.org), 651-646-5590. LCL is here to support you every step of the way.



# CAN I RETIRE YET?

*By Susan J. Mundahl*



**Personal and Practice Considerations for Attorneys**

**I**t is now Wednesday afternoon, the week after two divorce trials, and I am sitting at my desk with over 200 emails that need to be sifted through and answered. I was a single mom for most of my adult life. Now, my two children are grown, and I am lucky enough to have two grandchildren who are about to enter middle school. I am in year 34 of practice and year 11 of owning my own law firm. I am 67 years old. Thankfully, my law firm made it through the pandemic and business is picking up.

I just entered into partnership this year with one of my associates, and we recently hired another new associate. We always seem to be looking for another good paralegal. In addition to human resource issues, I am dealing with rising costs of everything, including marketing, utilities, supplies, and staff benefits. I've also had to invest in technology and marketing to transition my business to a post-pandemic world. There is an excellent book called *Minding Your Own Business*, in which the author, Ann Guinn, states that as a small law firm owner, I have to be an entrepreneur, administrator, marketing expert, and, finally, practice law.

So here I sit wondering: *Can I retire yet?*

There are myriad concerns that we baby boomers face as we figure out how to transition from working full-time as attorneys to the glorious promise of retirement and beyond. As I consider the next stage in my life, I've been asking myself questions about retiring.

### **Question 1:** Am I healthy enough to continue to work full-time days and handle the ongoing stress of a law practice?

My first consideration needs to be my health and well-being. An attorney recently opined that the law is the only profession other than professional boxing where one is up against a skilled opponent whose only job is to take you down. And I admit that after 34 years of practice, some days I feel very beat up by opposing counsel, judges, and even some of my own clients. Being in my sixties, my eyesight isn't as good, and neither is my hearing. While I'd like to live to 100, I really don't know if I will become disabled or when I will die. A colleague and family law attorney recently died of a heart attack at 65. It was very sudden. As we age, we need to consider whether it's time to slow down or retire from the practice of law. Our health and wellbeing may depend on it.

### **Question 2:** Can I afford to retire?

The next consideration is financial. Retiring is a real challenge for us boomers now, since a lot of us are still partially supporting our children and maybe even our parents. With the price of everything going up, the stock market going down, and interest rates for savings accounts at less than one percent, we need to ask, "Do I have enough money saved to retire?" I know a lot of folks on fixed retirement incomes, and many are concerned about the rent going up, along with all the other necessities of life, including groceries, gas, etc. They worry if they can afford to eat out, travel, or take vacations. If you don't know whether you can afford to retire, then now is the time to talk with a good financial advisor and start planning.

### **Question 3:** Who needs to know that I'm retiring, and how will they be affected by my plans?

I have several people to consider when I think about retirement. First is my family: are they ready or willing to have me around more often? Right now, I'm working five days a week, so I only have time to see my grown kids a few times a month. How will they feel if I want to chat or stop by every day? If I had a spouse, I would have to consider how they are going to handle retirement: mine and theirs. What are the two of us going to do all day with each other? And I have to think about my staff. How will my retirement affect them? Will some staff lose their jobs? And what about my clients? Are they going to want to have someone else take over their case? All the important people in your life need to be considered prior to making the decision to retire.

### **Question 4:** What do I do with my practice?

Do I sell it? Do I enter into an agreement with other attorneys for a long-term buy out? Do I simply close the doors and say good-bye? To entertain any of these options, you need to know what your practice is worth and if there is someone interested in taking over for you. You'll need to get a business valuation done and to talk with other attorneys about each of the above options. You also need to work on a succession plan now, just in case something happens when you least expect it. As attorneys, we have an ethical duty to see that our clients' needs are taken care of, even if we get sick or die. A good succession plan will help alleviate your concerns about what happens when you are finished practicing law.

### **Question 5:** Who am I if I'm not an attorney?

What do I do every day if I am not working? It can help to have other passions or interests that you plan to pursue once you retire. As a prelude to retirement, I moved into an age 60+ apartment community last January. There are always activities going on, like bridge, canasta, nickels, mahjong, pickle ball, table tennis, yoga, and swimming. Getting into such a community has helped me—and a lot of folks around my age—make the transition from working every day to playing and relaxing. But after a lifetime of service to others, what do I do next? I wonder, if I am no longer a part of the working world, why am I still here?

Everyone should be thinking about end-of-life issues. A lot of folks still have not gotten wills or health care directives set up. As we age, we need to start thinking about preparing for our probable infirmities, but it's also a time that we start thinking about our death. The bottom line is that our bodies don't live forever. As we think about retiring and the next phase of our lives, it's important to prepare. While this isn't an exhaustive list of questions, I hope it helps you think about the physical, mental, and financial plans you should be making.



**Susan J. Mundahl**, owner and president of Mundahl Law, is a family law attorney of over 34 years and an expert in divorce and child custody matters in the state of Minnesota. She has written over 200 blogs and recorded over 60 podcasts on these topics. Her passion, integrity, and personal experience guide her. Her motto is "Children are not a prize to be won."

# 1L Diversity Clerkship Program Marks 16 Years



Sometimes you just don't know what you want to do with your life. And that can be especially true for 1L law students. And for students from marginalized and underrepresented backgrounds, who have historically been excluded from the legal profession, finding a 1L clerkship can be especially intimidating. Fortunately, the HCBA 1L Diversity Clerkship program has been helping law students answer that question since its inception in 2005. The Clerkship Program places first-year law students from marginalized and underrepresented backgrounds with Minnesota legal employers for a full-time, paid summer associate experience. The summer of 2022 was the program's sixteenth year. More than 50 students applied to the program, and a record 21 students were placed. Students have the opportunity to interview with both public and private employers, which can open them up to career paths they may not have considered before. Twenty different legal employers took part in providing last summer's clerkships. These included large firms, small firms, public offices, and corporate counsel departments. The program was designed to be a win-win for both employers and students. Employers get introduced to a diverse talent pool, and law students get a supported introduction to professional settings. The students also get support and connection throughout the summer.

Alex Barkley, a student at the University of Minnesota Law School, clerked at the Minnesota Attorney General's Office. They appreciated the ability to work with many different areas. "It was very cool. I was in the employment and tort division, but also wherever people needed me. Medicare fraud, gender affirming health care," Barkley said. "It felt like I had my hands in a lot of very topical issues."

Ashley Lewis, a University of St. Thomas student, agreed that the program provided a good experience in a variety of areas. While clerkship at Siegel

Brill, she was able to work in areas including estate planning, personal injury, and real estate. "I know I want to be a criminal defense attorney, and I want to have my own law firm, so I want to know about all these different areas of law," she said.

Tomy Vettukallel, another student at St. Thomas, said that he also appreciated working in a variety of capacities with the Hennepin County Attorney's Office. "I have enjoyed working with the different attorneys in my division and the clerk community at the County Attorney's office. I had the opportunity to appear in front of judges, help attorneys prepare motions, and create memos to explain complex legal issues."

Coming out of the 1L year, many students can feel intimidated by their first non-academic legal experience. "A lot of people I know felt isolated during their 1L summer, especially coming from this insular camaraderie of 1L," said Barkley. "I think one of the great things about the HCBA Program is having this built-in support system."

Students routinely gathered to check in with each other and to meet with Erikka Ryan, the HCBA program administrator, to discuss any questions or issues they were facing. "Her offer to talk about whatever issues come up was really genuine. The idea of having someone to talk to who wasn't your boss was a really great resource," said Barkley.

Lewis agreed that the support from the program was invaluable. "The support from the program was something I wasn't expecting but to have it was really helpful," she said.

For more information on the 1L Diversity Clerkship Program, visit: [www.mnbar.org/1L-diversity-clerkship](http://www.mnbar.org/1L-diversity-clerkship)





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## Takeaways from “How to Tell a Story”

Whether you are giving a keynote address, opening a board presentation, engaging clients at a business dinner, or motivating people to support a cause, telling a story is a powerful tool. A new book by the directors of The Moth, a nonprofit dedicated to promoting the art of storytelling, describes the benefits of storytelling in almost any setting and gives tips for delivering an engaging and authentic tale.

A “story” is one’s true, lived experience, shared with others. The perspective is unique to the teller, although some events and emotions in the story may be universal.

Stories create a connection between the teller and the listener. These connections can span across cultures, generations, professions, and political views. Neuroscience has shown that when listening to an engaging story, the listener's brain activity actually begins to couple or align with the speaker. In other words, the brains are in sync. As a listener leans in to the story, a quiet bond is formed.

Hearing someone's story can foster empathy and help us see something from a new perspective. Stories can also push us to question our long-held beliefs about others. Stories put a human face on an event or situation. Stories also spark more impactful conversations.

Storytelling is a useful tactic to use when advocating for a cause or a change in policy. A story about a person who was helped by your firm or by a change in policy can illustrate the importance. Well-told stories have the power to drive change and shine a light on problems. Stories can also be used to communicate

complicated data or facts. According to The Moth, cognitive psychologists found that we are 22 times more likely to remember a fact when it is wrapped in a story. Stories show why data is important and put a human face on facts and figures. For example, if you are presenting financial information to ask for an increase in your department budget, consider starting the presentation with a story that illustrates the effect budget constraints had on a particular employee or case.

Stories can be used to communicate a company's culture, values, and mission: the "why" behind the work. Stories also help employees connect to each other beyond the resume and break out of their professional identities. For all of these purposes, The Moth provides corporate storytelling workshops to clients such as Deloitte, Google, Nike, and Spotify.

The Moth suggests that company leaders intentionally create space for employees to share personal stories. Some storytelling prompts at the office could include:

- Tell us about a time you stood up for what is right.
- Tell us about a hidden talent you have.
- What's the greatest challenge you've overcome?
- Tell us about a risk you wish you'd taken.
- What is an object you hold dear and how did you come to get it?
- Why did you decide to go to law school?
- If you could re-live one day of your life, what day would it be?
- Tell us about your favorite family ritual.
- What makes you laugh?
- What makes your heart sing?
- If you weren't a lawyer, what would you be?

If you don't have a prompt, it can be difficult to know what story to tell. The story doesn't need to be headline-worthy. A story could be about an ordinary event such as getting your first library card, moving to a new place, losing your luggage, dialing the wrong number, or saying yes to an invitation.

Think of moments from your life that would be among your “greatest hits.” Sift through your life experiences—the highs and the lows. Often a moment when something altered your course makes a good starting point, such as an unexpected event that interrupts your routine or breaks a pattern.

In order to be powerful, a story must involve “stakes.” There must be something the teller stands to gain or lose. What is on the line? A story typically involves a problem that must be solved or an obstacle that must be overcome. For example, in a story about time you lost your luggage, the stakes could be the fact that your luggage contained the only photo you have of your grandmother. Stakes give a story urgency and let the listener know why the situation is important to you.

The Moth suggests you “look for the ouch”—big mistakes, embarrassing moments, or unforeseen bumps in the road. The best stories often come from those events, rather than from your achievements and successes. The Moth also advises: “Preach from your scars, not your wounds.” In traumatic events, the teller should experience some healing before sharing a story. Distance from the event allows one time to process it.

Once you decide on the story, keep in mind that what you did about what happened is more important than what happened. Your problem or obstacle can give listeners context but it is not the story. How you handled it is the story.



## Delivering Your Story

A story is not merely a summary of what happened or a list of events. It involves action and reflection. A storyteller is like the driver of a car, taking the listener on a drive and describing everything along the way.

There are three key elements of a story: 1) scenes (action), 2) summaries (phrases that move the narrative along such as “Two weeks later...” or “After I took the Bar exam...”), and 3) reflections (your feelings and observations).

In setting the scene, show rather than tell. Vivid details bring a scene to life and make it rich and colorful. A detail such as a smell, a sound, or a thought that was going through your mind helps the listener experience the action. What was playing on the radio? Was it snowing?

## Engage the Listener on a Sensory Level

Our reflections can paint a picture for the listener. For example, instead of saying “It was raining,” you could say “Rain was dripping down

my face.” Instead of “My boss had charisma,” say “My boss walked down the hall greeting everyone with a smile.” Instead of “I was nervous for the job interview,” say “My heart was pounding as I walked into the job interview.”

Remember to stay in the action; don’t tell a story from hindsight. Describe the scene the way events unfolded for you at the time, as an active participant. And bring the listeners along. When preparing a story, *The Moth* advises the teller to memorize the first and last lines of the story. This acts as an anchor. However, the rest of the story should be rehearsed and familiar but not memorized. If you are merely reciting the story, you will lose connection with the listener.

## End on a High Note

All good things must end, and that includes stories. A good story has a succinct and powerful ending. The ending is often rooted in change, such as a transition from who you were at the beginning of the story and who you became by the end. How did the journey from A to B shape you? Keep the ending in your experience and how you felt. Resist the urge to tell the listener

how to feel or what the moral of the story is.

If you are advocating for a cause or an idea, this is the time to add a call to action such as “Please contribute to X” or “This is why I’m asking for your support for the X project.” Stories are a powerful tool for connecting with others, advocating for change, communicating data, and amplifying company culture. Stories celebrate the diversity and commonality of the human experience. Consider sharing a story in your next presentation or creating a space for employees to share theirs.

For more information about storytelling, visit [www.themoth.org](http://www.themoth.org).



**Lisa Buck** practiced corporate law in Minneapolis and was an adjunct professor at William Mitchell College of Law. When she isn’t writing for the *Hennepin Lawyer*, you can find her behind the lens at Lisa Buck Photography.



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# Uncertainty, Anxiety, and the Rewards of a Solo Practice

*By Cresston Gackle*





The thought of practicing law on one's own can seem foreboding. Most law students enter the field in search of financial certainty, often with eyes on a salaried job as an associate in an established law firm, preferably as prestigious and high-paying as possible. We are trained to be issue-spotters and problem-identifiers and we're expected to both recommend and take the safest path, not set out upon the less-traveled ones.

To many, uncertainty and fear are interchangeable synonyms. Why face the uncertainties of going without a salary and of trying to build a practice you don't know will succeed? It can strike many as foolhardy and unnecessary to take the risk of failure in the world of small business.

At first glance, solo practice is daunting. You take responsibility for finding clients, maintaining case files, and running a business. There's uncertainty about earning money and earning it consistently. But these uncertainties are far less abstract and unsolvable in practice than they may seem at a distance. We need to remember that as lawyers, our training is to identify and solve problems, not simply to fear and avoid them.

## Set a Budget for Business and Life

Starting a solo practice, as with starting any small business, does not mean risking it all. It means planning one's personal budget carefully over at least a 12-month period: what are my core costs for housing, medical care and insurance, and other necessities? Solo practice doesn't require a reduction in quality of life, but it does mean planning for the possibility of not earning consistent or significant money for several months. To approach this uncertainty, I ran budget analyses that included the potential of not making money beyond breaking even with business expenses for the first six months. Health insurance can easily cost over \$10,000 per year out-of-pocket on the open market and housing costs, whether in rent or mortgage, as well as debt, can and must be factored into budgeting before starting a solo law practice.

Recent analyses of law student debt data indicate that, on average, a law student graduates with over \$160,000 in debt.<sup>1</sup> Over half of those graduating with debt have equal or more debt than they did when they graduated.<sup>2</sup> Many law graduates are postponing buying homes and cars, having children, and choosing jobs that pay more instead of jobs they really want to do.<sup>3</sup> Law school debt and its consequences have fallen more heavily upon law students of color than their white peers.<sup>4</sup>

Finding paying clients and legal work is uncertain unless one is continuing with clients from a pre-existing firm. There are other avenues to find consistent work, however, and these depend on connections with other attorneys. When I began my practice, I was fortunate to have networked with established attorneys who were willing to entrust research and writing projects to me through independent contracts. Building a reputation of consistently and reliably doing the work is critical to maintaining those connections and continuing to receive legal work.

In budgeting for the business, it's most important to minimize upfront costs and avoid long-term contracts. There's no need for a fancy research package, use the local law library or the State Law Library for free or low-cost use of legal research resources. Fend off the constant attempts to tax your firm's budget by online legal referral services and instead invest your time in bar associations and networking with practitioners within your field. Establishing trusting and friendly connections with other attorneys, particularly within your legal area, can quickly lead to referrals from those attorneys for work they simply don't have time to take on. Networking, bar association involvement, and writing for bar association publications have easily led to more paying leads of potential clients than ads on social media. Investing your time is far more impactful than investing your money.

The biggest and most easily avoided overhead cost is maintenance of a separate physical office. In the days of the pandemic and since, I've found most clients have no expectation of ever meeting me in person, let alone dealing with the hassle of coming downtown and trying to find parking. Cutting out rent for a space that won't be used to its full potential is a great way to cut costs. Finally, value yourself and your time. Charge a reasonable billable rate and require reasonable upfront retainers for the work you do. If a client is unable to pay your rate or retainer, it may be best to refer them to another organization rather than undertake a matter on which you will be underpaid but still expected to provide competent and diligent representation.

## Make an Exit Plan

In my business plan, I acknowledged the possibility the whole solo practice thing wouldn't work out. I formulated a brief exit plan within my business plan with some ideas for what I would do if, after 12 months of trying solo practice, I found it unsustainable. Again, try approaching the uncertainty of what comes next not as a fear-inducing exercise, but instead an evaluation of new opportunities. For

me, that meant considering seeking salaried legal employment, going to graduate school, or leaving the legal profession to try something different.

There is a fear of failure built into our profession. We have been taught to constantly define success by the yardsticks others lay out for us and to seek one linear model of success by becoming a law firm associate. Starting a business and going out on one's own, we get the opportunity to define for ourselves what success is. Is it breaking even? Is it making a certain dollar amount or building a larger law firm? Is it that we tried at all? Being an attorney does not need to be just treading a well-worn path to financial security, but instead can be defining the value of a career for yourself. What do you want out of the law? What do you want out of your career? How do you want your career to fit into your life?

The natural reaction to uncertainty is fear, but the reasonable response to uncertainty is to see opportunity. Every day in solo practice brings opportunities to decide how we are going to do things better, more efficiently, and with more attention to what makes us happy. In the uncertainty of solo practice, I've found the opportunity to define my legal career on my own terms. I truly believe there is no more rewarding way to practice law.

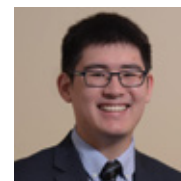
## Notes

<sup>1</sup> American Bar Association Young Lawyers Division. 2020 Law School Student Loan Debt Survey Report. American Bar Association and AccessLex Institute, 2020.

<sup>2</sup> *Id.* at 10.

<sup>3</sup> *Id.* at 13-17.

<sup>4</sup> *Id.* at 17-19. See also American Bar Association Young Lawyers Division. *Student Debt: The Holistic Impact on Today's Young Lawyer: Selected Findings from the 2021 American Bar Association (ABA) Young Lawyers Division Student Loan Survey*. Brandeis University, Heller School for Social Policy and Management, Institute on Assets and Social Policy. *Stalling Dreams: How Student Debt is Disrupting Life Chances and Widening the Racial Wealth Gap*. September 2019. Center for Responsible Lending. *Quicksand: Borrowers of Color & the Student Debt Crisis*, 2019.



**Cresston Gackle** is a solo practitioner of juvenile and family law and a part-time public defender of children in child protection and delinquency matters. Before entering solo practice, he was a law clerk in the Fourth Judicial District. Originally from Iowa, Gackle pursued his education at the University of Minnesota as an undergraduate and then as a law student. Pre-COVID-19 pandemic, Gackle was an avid fair and festival-goer and he now spends most of his leisure time learning and playing modern board games online.

# Profiles in Practice

*Since 2016, our annual Profiles in Practice series puts a spotlight on HCBA members from diverse backgrounds, highlighting their career journeys, experiences, and perspectives on life in the law. Check out the full profiles at [www.mnbar.org/thl](http://www.mnbar.org/thl)*



**Dee Baskin**  
Executive Director  
Loan Repayment  
Assistance Program of  
Minnesota

"I knew that I wanted to do public service. I was always just the person who volunteered for things. And even before I came to law school, I did an AmeriCorps Vista program," says Baskin. "I'm doing exactly what I thought I would be doing. Not necessarily as an executive director but working in public service. That's the stuff that gets me excited every day."



**Lauren Clements**  
Associate Attorney  
Littler

Lauren Clements wants to expand the diversity and inclusion discussion among lawyers. As a lawyer with a disability, she wondered how to make room for attorneys like her. "My perspectives and experiences as an individual with a disability were not part of any diversity and inclusion conversation," she wrote for the ABA website in October. She's become a fierce advocate for legal professionals with disabilities by helping start the Minnesota Disability Bar Association and serving as co-chair of her firm's Individuals with Disabilities Affinity Group.



**Isabella Salomão Nascimento**  
Associate Attorney  
*Ballard Spahr*

"The most surprising thing for me as a lawyer has always been the weight of the responsibility of the cases I work on. With media law cases, you can tell what implications the outcome would have on the landscape of media law nationwide. I feel very responsible for the implications of my work, because it can mean more or less access to information for the public."



**Calandra Revering**  
Attorney/Consultant  
*Revering Law and Consulting*

Revering focused on her goal to be an attorney. She saved her earned wages during college for law school applications and admission exams. Growing up, she watched shows like *Matlock*, "wondering why there were no Black attorneys," and eventually decided that she would be the Black attorney. She saw herself where others said that she did not belong.



**Jesse Dong**  
Managing Attorney  
*Hennepin County Public Defender's Office*

Dong's mercy and benevolence shine through. "We are all more than the worst thing that we have ever done," he quoted from Sister Helen Prejean. "And being a public defender is helping other people see that too, about your client." In Dong's view, public defenders can also fight inequity, systemic racism, and a complex system prone to simply churning through cases.



**Tom Pack**  
Shareholder  
*Greenberg Traurig*

Pack's first exposure to the legal system came at an early age when his father was injured in a workplace accident and had an arduous experience with the workers' compensation system. Seeing his father persevere through a legal fight and many subsequent years of education to create a stronger future for his family—rooted in his values as a citizen of the Cherokee Nation—was an example that fueled Pack's own educational journey.





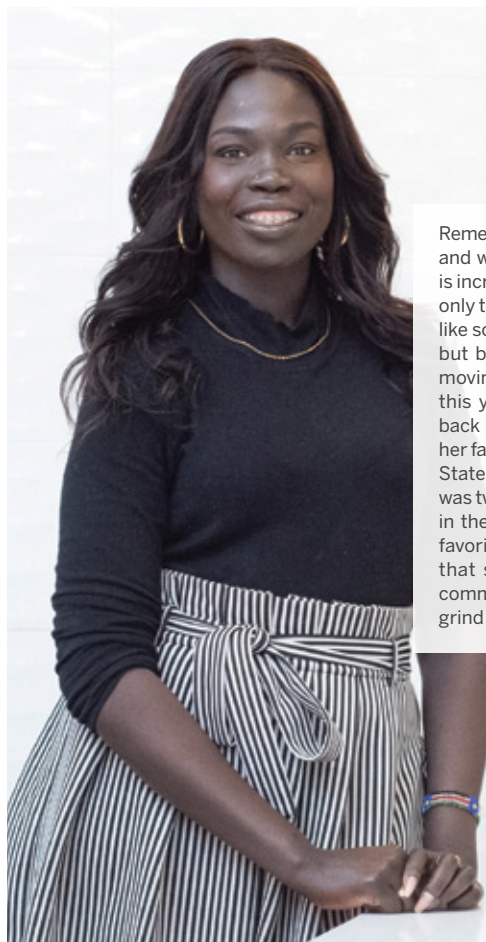
**Gloria Contreras Edin**  
Attorney/Owner  
*Contreras & Metelska*

"As an attorney, Contreras Edin's skilled and compassionate legal representation and advocacy are the cornerstones upon which her client-focused firm is built. She describes her firm, which specializes in Immigration Law, as "a collective of people who love what they do, are passionate about what they do, and care about their clients. Our staff has heart," she said.



**Nyajuok Deng**  
Technology & Data  
Associate  
*Fredrikson & Byron*

Remembering where she came from and why she chose to practice law is incredibly important to Deng, not only to combat imposter syndrome like so many other folks in the field, but because one factor in Deng's moving back to Minneapolis earlier this year was to be with and give back to her community. Deng and her family immigrated to the United States from South Sudan when she was two years old, originally settling in the Twin Cities area. One of her favorite parts of being a lawyer is that she can be a bridge for her community, which makes the daily grind much more fulfilling.



**Kevin Green**  
3L Law Student  
*University of St. Thomas  
School of Law*

"In what ways can I make it easier for our Black and brown and minoritized kids? Yes, it's still going to be hard, but there is someone out there who is making it easier for them and giving them a better level of access than we had 20 years ago or 30 years ago, and I would like that person to be me," he said. "I might be here today, but my thoughts are in tomorrow, as in 'How can we lead the future generation and make it a fairer playing ground so that more people from varying backgrounds can be successful?'"







# Make a Difference

*A Call from the Board of Directors*

## Commitment Details

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Choose between in-person and remote volunteering

Provide advice and limited services at housing court

CLE and Kick-off in January & a special recognition event in April

**Eviction numbers are expected to peak in the first three months of 2023. Make a difference by advising low-income tenants at eviction hearings during this time period.**

Metro housing courts have fallen behind on eviction hearings and plan to push through their backlogs in early 2023, creating an unprecedented need for legal assistance.

Make a commitment of ONE 4-hour shift a month for January, February and March. On-site, real time volunteer support provided.

**For more information and to sign up, email Kait at [housing@vlnmn.org](mailto:housing@vlnmn.org)**



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[www.mnlcl.org](http://www.mnlcl.org)

# Bite-Sized Ethics

Eric T. Cooperstein has been sharing his insights on legal ethics with the *Hennepin Lawyer* for the last few years. Here's some bite-sized wisdom from past columns.



## On finding new clients

Rule 1.18(a) of the Rules of Professional Conduct defines a “prospective client” as “a person who consults with a lawyer about the possibility of forming a client-lawyer relationship with respect to a matter.” That’s pretty broad. A “consultation” with a prospective client (PC) could occur anywhere, at any time. It could be in a Zoom breakout room or at a summer picnic. It doesn’t matter that the PC has not yet paid you any money or signed a retainer.

## On maintaining a trust account

Lawyers who delegate trust accounting to a staff member or even an outside bookkeeper should review the trust account reconciliation each month and check for uncleared checks, uncleared deposits, negative balances in a subsidiary ledger, and old subsidiary ledger balances. If your trust account makes a noise, turning up the radio is not going to make it better.

## On withdrawing from a client

A lawyer can withdraw if the client behaves offensively toward the opposing party or third parties ((b)(4)); if the client fails to cooperate with the lawyer, perhaps by failing to communicate with the lawyer or not providing information to allow the lawyer to respond to discovery ((b)(5)); or if the client treats the lawyer or their staff abusively ((b)(6)). Note that part 1.16(b)(5) is the only provision that requires the lawyer to give a client a prior warning that the lawyer will withdraw. The rule doesn’t say the warning has to be in writing, but I would not bet on the client’s willingness to confirm later that you warned them orally.

## On writing a withdrawal letter

When you have finished the letter, if time permits, do not send it right away. Come back to it a couple of hours later or the next day. You might also have a colleague review it for tone. With some planning and thoughtfulness, that letter may be your last contact with the client. You will be relieved when that letter goes out the door.

## On client confidentiality

When it comes to confidentiality, it's the small stuff that leads to discipline. It's the slip of the tongue, the boastful indiscretion, or confused loyalty that is all about being human but not at all about the hazards of technology. In one case, a lawyer's client in a personal-injury case backed out of a settlement and then fired the lawyer. The lawyer e-mailed the claims adjuster to convey what had happened. Reading between the lines, one suspects that the lawyer was

concerned about what the adjuster would think of the lawyer and whether it might affect the lawyer's future relationship with that adjuster. Part of the email stated, "I advised [client] that he already accepted [the settlement] and there's no rescinding his acceptance." That one sentence, devoid of any earth-shattering revelations, disclosed attorney-client privileged information and violated Rule 1.6, MRPC. The Minnesota Supreme Court affirmed the private admonition that had been issued to the lawyer.

## On dealing with bully clients

Some clients insist on controlling every situation, including your representation. Their techniques may include anger, persistent criticism, and threats. These behaviors are unlikely to change. There may have been a time when lawyers thought that their clients' threats, even when they implied violence, were just talk. That time is long past. Every threat of harm, to a lawyer, the lawyer's staff, or to other parties,

should be taken seriously and considered grounds for withdrawal. Lawyers should have zero tolerance for such client conduct. Threats to report a lawyer to the Office of Lawyers Professional Responsibility should be met with only one response: "It is certainly your right to file a complaint if you believe I have acted unethically." Do not let a client bully you into concessions over your case tactics or your fees.

*Don't miss our Ethics column, running throughout the year in the digital edition of the Hennepin Lawyer, emailed to HCBA members on Thursdays.*

**Eric T. Cooperstein**, the "Ethics Maven," defends lawyers and judges against ethics complaints, provides lawyers with advice and expert opinions, and represents lawyers in fee disputes and law firm break-ups.



## As Our Newest Attorney, Nick Carey Continues Long Tradition of Service

**Nick follows in the footsteps of five generations of Carey attorneys that started with great-great-grandfather James Patrick Carey in the late 1800s.**

**Nick's accomplishments feature:**

- Numerous recognitions for excellence during 12 years in the Minnesota National Guard as a member of the 1-125 Field Artillery Unit
- Experience on a wide range of cases, including motor vehicle accidents, workplace injuries, product liability, and other personal injury matters while clerking at **SiebenCarey**
- J.D., Mitchell Hamline School of Law; Bachelor's in Finance, Hamline University

— Personal Injury Law —  
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 — ANNIVERSARY —

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The HCBA annually gives out the Excellence Awards to honor individual members and organizations for contributions to the profession and the community.

This year's awards were given at the Bar Benefit in June.

Visit [www.hcba.org](http://www.hcba.org) to submit nominations for Excellence Awards.

"We are incredibly honored to receive the 2022 Excellence Award for Improving Access to Justice. Excellence for us means the full embodiment of access to justice for all. This is our mission and the true essence of why we exist as a court. We learned a lot during the pandemic about the needs of our court customers, justice partners and our staff, and how we can utilize our collective creativity, technology, and infrastructure to ensure that our courts remained in session and our community had access to the services we provide. Excellence for us is exploring and implementing innovative strategies that increases our capacity and flexibility to live and breathe our mission."

— MN Fourth Judicial District





### Brian Dillon & Amy Erickson

Providing Pro Bono Service

Dillon and Erickson have provided numerous pro bono hours to organizations helping to make sure Minnesota's election re-districting was equitable and just for historically disenfranchised groups. Their work involved engaging Minnesotans to respond to the census.



### Minnesota Fourth Judicial District

Improving Access to Justice

The COVID-19 pandemic and numerous high-profile cases presented unprecedented challenges for the Fourth Judicial District. Through diligent planning, technological adaptation, and community teamwork, the District remained steadfast in its ability to deliver justice, transparency, and safety. Award accepted by Fourth District Chief Judge Toddrick Barnette.



### Ayah Helmy

Advancing Diversity & Inclusion

Helmy has played a critical role in expanding the voices and scope of the *Hennepin Lawyer* publication. As committee chair, she welcomed a broader range of voices and expanded the coverage of justice-related issues. She also edited the *Hennepin Lawyer* issue published one year after the murder of George Floyd, which examined how that event affected our community.



### David Robbins

Providing Pro Bono Service

Robbins successfully represented a client pro bono in an appeal to the Minnesota Supreme Court (*State v. Sargent*). This decision had major implications regarding the Fourth Amendment of the U.S. Constitution and passengers in automobiles.



### Khuram Siddiqui

Advancing Diversity & Inclusion and Mentoring in the Profession

Siddiqui has been an invaluable mentor and guide to law students of color in the Twin Cities area. He keeps law students apprised of opportunities and helps prepare them for clerkship and internships. He also helps pre-law students study for the LSAT and provides them connections to help ease the transition to law school.



### Roxanne Thorelli

Providing Pro Bono Service

Thorelli has completed hundreds of hours of pro bono work for Volunteer Lawyers Network. She handles full representation unemployment compensation appeals cases. She also advises clients through the weekly Employment Phone Advice Panel, where she meticulously works to connect and follow up with clients. She also leads by example by encouraging pro bono efforts in her office.



# A TRUE MEASURE OF JUSTICE

HENNEPIN COUNTY BAR FOUNDATION



In 2022, the HCBF awarded grants to local nonprofits that work to provide legal access and support to those in need. Because each organization is unique in the way they provide services, we would like to highlight the collective work of our grantees to show how your support of the foundation promotes access to justice for the people of Hennepin County.

**\$260,000**  
2022 GRANTS  
AWARDED

## HCBF PARTNER GRANT

**\$130,000**

### VOLUNTEER LAWYERS NETWORK

Each year, the HCBF gives a meaningful contribution to Volunteer Lawyers Network – the pro bono arm of the Hennepin County Bar Association. HCBF funding assists VLN in protecting and enforcing the legal rights of low-income Minnesotans.



VLN CONNECTED

**532**  
PRO BONO  
VOLUNTEERS

VLN DELIVERED

**5,926**  
LEGAL  
SERVICES

VLN ASSISTED

**5,038**  
LOW-INCOME  
MINNESOTANS

## FELLOWS

Making a Difference  
in Hennepin County



GAVE

**\$22,875**

Established by the HCBF board of directors in 2018, the Fellows Program is an honorary society of attorneys, judges, law faculty, and legal scholars who have committed to financially support the goals and objectives of the foundation. 60 Fellows brought in **\$22,875** this year that was given away in community grants. Thank you to our Fellows for this commitment to closing the justice gap in Hennepin County.

## HCBF OFFICERS

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Vanessa Rybicka

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## COMMUNITY GRANTS **\$130,000**

The Advocates for  
Human Rights  
**\$5,000**

Cancer Legal Care  
**\$5,000**

Children's Law Center  
of Minnesota  
**\$7,500**

Conflict Resolution Center  
**\$5,000**

CornerHouse  
**\$7,000**

Cornerstone  
**\$5,000**

Discapitados  
Abriendose Caminos  
**\$7,500**

Division of Indian Work  
**\$5,000**

HOME Line  
**\$5,000**

Immigrant Law Center  
of Minnesota  
**\$7,500**

Lawyers Concerned  
for Lawyers  
**\$5,000**

LegalCORPS  
**\$7,500**

Legal Rights  
Center  
**\$7,500**

Minnesota Assistance  
Council for Veterans  
**\$5,000**

Minnesota Elder  
Justice Center  
**\$5,000**

Minnesota Justice  
Foundation  
**\$5,000**

Missions Inc.  
Programs  
**\$5,000**

Rainbow Health  
**\$7,500**

Restorative Justice  
Community Action  
**\$5,000**

Seward Longfellow  
Restorative Justice  
**\$3,000**

Sojourner  
**\$5,000**

Standpoint  
**\$5,000**

Tubman  
**\$5,000**

## SERVING THE COMMUNITY

The Hennepin County Bar Foundation strives to meet a variety of unmet legal needs in Hennepin County and recognizes value in providing services for different communities. We work to choose grantees with a wide range of targeted services in order to diversify our support.

**17,088**



**WOMEN**

**12,659**



**PEOPLE  
OF COLOR**

**1,972**



**IMMIGRANTS**

**589**



**LGBTQ+**

**2,200**



**DISABLED**

**1,167**



**VETERANS**

**5,624**



**CHILDREN**

**743**



**YOUTH  
(ages 18-24)**

**787**



**HOMELESS**

Help fund legal  
services in our  
community, go to:

**MNBAR.ORG/  
HCBFDONATE**



# HOW TO FIND A MENTOR

## IDENTIFY WHY YOU WANT A MENTOR

1

- ☒ Job search help?
- ☒ Career guidance?
- ☒ Advice on casework?

### DO YOUR HOMEWORK BEFOREHAND

Read up about them, come prepared with questions. You should carry the conversation. Ask how they got to where they are, what challenges they faced, etc.

What can you offer in return for their advice? Can you volunteer on a project?

Ask for recommendations of others you should get to know. (They may even offer to connect you.)

Don't expect the mentor to solve your problems.

## FIND THE RIGHT MENTOR OR RESOURCE

Identify who has your "Dream Job."

2

**LAW SCHOOLS**  
Career office or mentoring program

**PERSONAL NETWORK**  
Office colleagues, law school friends, clerkship supervisors, law school professors, LinkedIn.

**BAR ASSOCIATIONS**  
Sections, online communities, networking events, MSBA Colleague Directory, and Affinity Bars.

## THE MEETING

4

Don't assume that this will be your mentor for life.

Offer to pay for the person's coffee!

Don't take more than 30 minutes of their time.

They probably won't find you a job, but they can guide you on the path.

For more resources, explore the new lawyers resources at: [mnbar.org](http://mnbar.org)

3

## THE ASK

### MET A POTENTIAL MENTOR?

Follow up right away with an email and connect on LinkedIn. Invite them to coffee or a Zoom meeting. Tell them why you admire their work/career and that you would like to pick their brain. Suggest a time to meet but be flexible and respect their schedule.

5

## THE FOLLOW-UP

### GIVE THANKS

Be specific about how their advice will help you.

### KEEP IN TOUCH

Wait at least a few months to invite them to another meeting, if there is more to discuss. Send periodic updates on how you are doing or if you hear about something they have done.



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# Make 2023 Your Year of Pro Bono

By Sarah Etheridge

For some attorneys, pro bono comes naturally. They easily interweave volunteer time with their weekly case commitments. For others, especially new legal professionals, pro bono work can be daunting. Navigating who, where, or how to help, trying to find work that resonates with their interests, or staying consistent in pro bono work can leave attorneys feeling stuck. But hope doesn't have to be lost. The new year brings new opportunities to start strong and make 2023 the year of pro bono.

So, what's holding you back? It may be pandemic burnout, or the change in structure of how our courts operate. The old pro bono model changed as drastically as the courts did with the onset of the pandemic. Whether you prefer to volunteer remotely or in person, litigate or just advise, changes bring new possibilities. There are many ways to engage in pro bono work, and we have suggestions to make pro bono an enjoyable part of your 2023 resolution.

## Pro bono is not a one size fits all volunteer opportunity

Success and consistency come when you feel the heart of your work, and sometimes it takes a few tries to find the thing that moves you enough to make it a priority in your busy life.

Volunteer Lawyers Network (VLN) is an accessible way to get involved in volunteer work. By identifying their greatest needs for volunteers, they make it easy to find a place to start. Currently, VLN's greatest need for volunteers resides with their Housing Law Program and VLN's staff have worked diligently to provide attorneys with all the tools they need to get started. These resources are accessible on the volunteer page of their website as well as an easy way to sign up for a once-a-month shift.

If your passion is in helping people struggling with immigration concerns, the Immigrant Law Center of Minnesota (ILCM), offers several volunteer opportunities for legal professionals to work with low-income immigrants and refugees. Like housing matters with VLN, the



opportunities that legal professionals provide through their volunteer work at ILCM is life changing to clients. Visit ILCM's website to register for trainings and to download their Pro Bono Volunteer Form.

If you're not sure what sparks your passion, turning to [www.ProJusticeMN.org](http://www.ProJusticeMN.org) may be the perfect starting place. ProJustice provides a browsable directory of pro bono organizations from Cancer Legal Care to Mid-Minnesota Legal Aid (MMLA). There you can read about MMLA's opportunities to represent clients in hearings, develop legal fact sheets, or present information at community events. Their expansive list of ways to volunteer means you can find what fits best for you. The key is just to give it a try or try again if you are still searching for that right fit.

## Consider the full range of benefits pro bono brings

We know that passion doesn't alleviate the burnout felt nationwide as we navigate our current reality. Beyond helping to make a difference in the lives of Minnesotans, pro bono provides opportunities to build skills and build your community.

Joan Bibelhausen, executive director for Lawyers Concerned for Lawyers, is passionate about pro bono work and its connection to our well-being. "Giving people something challenging that they have control over can benefit our mental health. Having something that's different from our day jobs helps us refresh. Pro bono can be a place to stretch in different ways. For those considering career changes and advancements, volunteer opportunities can help you develop new skills in those areas of law."

It's clear that through pro bono work, attorneys can strengthen relationships with mentors, do work they're passionate about, build their professional and personal purpose, and increase resiliency for both client and attorney.

At the beginning of each year, we all have a chance to create a set of resolutions to set the tone for our next rotation around the sun. This year, as you sign up for that new gym membership, map out your plan for more recreational reading, plan that long-overdue reunion trip with friends, or whatever new goal comes to mind, why not also consider making this the year that you commit to being a positive change-maker in the lives of the residents of Minnesota. Make 2023 your year of pro bono. This time next year, you'll feel so glad about the commitment you made now to increase access to justice for those in need.



**Sarah Etheridge** is the HCBA access to justice administrative coordinator.

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The vision to see a path to victory, even where others cannot.  
The confidence to put that vision to the test, reflected in our  
willingness to take cases to trial and share the risk with our clients.  
And finally, the talent to achieve victory.

## REWRITING THE ODDS



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**KATHRYN BENNETT**  
CIVIL RIGHTS  
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**BRANDON VAUGHN**  
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PERSONAL INJURY



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## Special thanks to our annual sponsors

**The Hennepin County Bar Association** is a welcoming community of lawyers who advocate for the profession, foster access to justice, and provide members with support at every stage of their careers.

HCBA has been proudly serving the legal profession and the community since 1919. With over 7000 attorney and law school members, HCBA is the largest district bar association in Minnesota. HCBA brings the legal community together, providing CLE seminars and programming, professional resources,

and opportunities to connect, learn, grow, and give back. HCBA members can access free and discounted programs, events, and offerings throughout the year.

Thanks for being a part of the association. Your membership makes it happen. And thanks also to our annual HCBA sponsors listed below. Their financial support contributes significantly to the programming we provide for our members and we encourage you to support them this year.

