

Baddour plans 'cool' term as NCAJ leader

By **DIANA SMITH, Staff Writer**
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Just call him the "Cool President." That's the title Goldsboro lawyer Philip Baddour Jr. hopes to earn during his term as the 2010-2011 president of the North Carolina Advocates for Justice.

Baddour took the helm of the 4,000-member trial lawyers' organization at its annual convention in Wilmington June 18-23. He replaces Winston-Salem attorney David Pishko.

Expanding the NCAJ's educational efforts is the primary project that Baddour has adopted for the year.

Toward that end, he's created a catch phrase he hopes will define how the NCAJ can stay true to its purpose: "Learning from each other, making the best even better, to increase our knowledge, to improve our skills and to instill our values."

"I do think that 'making the best even better' has a double meaning for me," Baddour said. "I believe our members are the best lawyers in the state at representing people who deserve justice. And organizationally, I really think that education is one of the best things we do. But it still means there's room to improve."

The NCAJ had its biggest year ever in the number of CLE programs offered in 2009, coming in third behind the N.C. Bar Association and the University of North Carolina Institute of Government, according to the NCAJ's annual report.

But if Baddour's going to "get cool," he knows he's going to have to up the ante. Part of doing that will mean going higher-tech, the former state legislator said.

Last month, Baddour asked Pishko to commission a group to brainstorm new ways that the NCAJ could broaden

its educational reach.

For example, "we're always interested in appellate opinions," Baddour told North Carolina Lawyers Weekly. "We've discussed the idea of having a member in the field review and report on the salient points of an opinion and do a quick synopsis on a YouTube-type video."

Initially, that suggestion gave Baddour pause.

"When [it] came up, I said, 'Why can't you just write that out and send it in an e-mail?'" he said. "I was told this would be much cooler."

Building the NCAJ's presence on social networking sites like Facebook and Twitter is another suggestion made by members.

Although Baddour does not use social media himself, he said the NCAJ needs to tap into "all the things the younger generations — and the not-so-young generations — want and expect."

The organization will also develop more regional CLEs so that members in the far corners of the state won't have to travel to Raleigh for continuing education.

Currently on tap are 60 live CLE programs, 24 webcasting programs and 350 video replays. The NCAJ also has 105 online CLE programs available.

"After all, education is one of the core missions we have," Baddour said.

Legislative agenda

An NCAJ member since 1970, Baddour said that he has watched the



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organization grow "building block by building block," not just in size but in the depth and breadth of its work.

The group's strong legislative presence has led the highly contentious attempt to repeal the state's contributory-negligence law and replace it with a comparative-fault statute.

The proposed Uniform Apportionment of Tort Responsibility Act passed the House and is currently pending in the Senate.

In terms of successes, Baddour praised the NCAJ's work in getting the General Assembly to increase the state's statute of repose from six years to 12 years.

"This comes up a lot in products liability cases," he said. "The product, such as an automobile, is manufactured and sold, but the defect might not be discovered for years."

Doubling the statute of repose gives the public a better chance of recovering in those types of cases, Baddour said.

"That was a big victory for us," he said.

The NCAJ has not yet outlined its legislative agenda for the coming year.

Indigent defense

Less complicated for the NCAJ is its support of upping the salaries for indigent defense attorneys in the state.

The General Assembly's current appropriations allow for attorneys in capital cases to receive \$95 per hour. In non-capital and non-criminal cases, lawyers are paid \$75 per hour.

"It is important to keep in mind that the attorneys pay all of their office overhead out of that hourly rate — rent, phones, library, insurance, etc., so the actual net pay to the lawyer is signifi-

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cantly below the gross hourly pay,” wrote Thomas Maher, executive director of Indigent Defense Services, in an e-mail to Lawyers Weekly.

Baddour said that needs to change.

“One of the barriers to justice is that if we don’t pay lawyers enough to represent people, then we can’t get good ones to do that,” he explained. “People are entitled to the right to counsel under the Constitution. It’s not fair to pay the people who represent them inadequately.”

U.S. Attorney General Eric Holder echoed the NCAJ’s sentiments on the need to improve the public defender system during a guest speech at the convention on June 19.

In his remarks, which are published on the U.S. Department of Justice website, Holder said that lack of funding and oversight for public defenders is a problem that plagues the entire country, including North Carolina.

The Justice Department launched a nationwide access-to-justice campaign in March intended on focusing on ways to remedy the issue, Holder said.

“I urge each of you — in fact, I’m counting on each of you — to bring more people into your discussions about our indigent defense crisis,” he said. “Don’t just turn to fellow attorneys and judges. Talk to local officials, state budget officers and business and community leaders. The right to counsel is the right of every citizen — and it must be the concern of every citizen and especially every person who works on behalf of the public good.”

Other convention highlights

The NCAJ presented several awards during its annual meeting June 20.

PRACTICE PROFILE

Name: Philip A. Baddour Jr.

Title: President, N.C. Advocates for Justice

Firm: Baddour, Parker & Hine

Location: Goldsboro

Practice areas: Personal injury, workers’ compensation, Social Security/disability, civil litigation.

Law school: University of North Carolina School of Law

Year graduated: 1967

Of note: Baddour is a former member of the N.C. House of Representatives, where he served as the majority leader for two terms. He has also served on the Commission for the Future of the Courts in North Carolina, N.C. Economic Development Board and N.C. Board of Transportation. He is a retired colonel with the N.C. National Guard, where he served as a staff judge advocate.

Greg Taylor, the Cary man wrongly convicted of murder 16 years ago and who was exonerated earlier this year, received the Kellie Crabtree Award along with his attorneys, former public defender Mike Klinkosum; Christine Mumma, executive director of the N.C. Actual Innocence Commission; and Raleigh defense lawyer Joe Cheshire V. The award honors clients and attorneys who make a difference in protecting people’s rights.

Former N.C. Supreme Court Chief Justice I. Beverly Lake Jr. also received a special award for his commitment to justice and as founder of the N.C. Actual Innocence Commission.

Besides Baddour, the NCAJ installed

its new officers to sit on the executive committee.

They are: Guy Crabtree, president-elect; David Pishko, immediate past president; Christopher Nichols, education vice president; James Coleman, legal affairs vice president; David Kirby, legislative vice president; David Teddy, membership vice president; Charles Monnett III, communications vice president; Janet Ward Black, past president appointed by president; Mark Sumwalt, past president appointed by president for fundraising and development; Gary Jackson, at large; Doug Abrams, Wade Byrd and Don Beskind, AAJ Governors; Peggy Abrams, PAC chair and Charles Blanchard, president emeritus.