

To: The Government and Public Sector (GPS) Section members

From: Mark Payne

Date: July 23, 2008

Subject: How the GPS can better serve you

Dear Colleagues,

I am writing to you to introduce myself to those of you fortunate enough to not know me and, more importantly, re-introduce you to the work of the GPS section of the North Carolina Bar Association (NCBA). I am asking for your help in finding ways the GPS can better serve your needs.

I am the section chair for this year; my other job is Johnston County Attorney. My contact information is listed above and I want all of you to feel free to contact me if there is any way I can help in either role. Fortunately, for all of us, I am following a long line of excellent section chairs who have helped you build the GPS section into a wonderful section and, I feel, a very helpful tool in improving our practice and service to our clients. I know how important it is to continue to improve the level of excellence provided by the section to date. It is important to remember that, more so than any other section, our clients are, in fact, all the citizens of North Carolina.

Our core services: We will continue to provide excellent CLE programs and an excellent newsletter. The next CLE, "A Day in the Life: a Potpourri for Public Lawyers" will be at the NCBA Bar Center on October 16, 2008. Topics include: selection and oversight of outside counsel; retaliations claims in employment law; government contract issues; and recent legislation on sovereign immunity and the public duty doctrine. See more about the conference at <https://www.ncbar.org/cle/programs/index.aspx?id=512GPS>. Our annual meeting in the Spring will be a joint conference with the Administrative Law section and will be held March 6, 2009. We will not underestimate the importance of quality CLE to you all. Please let me know of any suggestions on topics or other CLE-related issues. In addition, it is my hope to continue to be more active on working with the NCBA staff in advancing legislation important to our section members.

Membership: We also are working to expand our membership and, more importantly, address the issue of membership costs for attorneys employed by the government. The section has worked hard to get the approval from the NCBA leadership to allow positional memberships for governmental entities. I want to thank Ann Wall and David Kirkman in particular, but many members of our section were instrumental in making this happen. The next step is to convince eligible governmental entities to acquire memberships. This may mean a positional membership for legal counsel for a Council of State department, a licensing board, Federal agency or university. You are, of course, in the best position to advocate for your agency or office to make use of this significant benefit but I will meet with anyone to personally promote the advantages of

a positional membership to the entities and its counsel. Please forward this letter to the other members in your department, firm or agency who are not members if you think they may have an interest.

The President's 'Injustice Initiative': As you may know, the NCBA President, Charles Becton, has announced his hope for an association-wide initiative to fight injustice. For attorneys working in the public sector, this is part of the job description. However, we have been plagued by high profile instances of fraud, corruption or mismanagement in government. Although most of the examples we see on our daily newspaper or on the cover of this month's *Governing* magazine involve non-lawyers, it is still a problem for us all. I think we are in a position to help. One idea I want us to consider as a section is the preparation of rules and procedures for our respective clients to prevent fraud or malfeasance including appropriate responses for non-compliance. Please let me know what you think on this idea or any other ideas you have on this topic.

Requests for ideas: Please let me know any ideas you have on how the GPS section can help you in your practice, in your profession or your public service. For example, we all work in a law office, but it is a public one; it is one with its own unique demands. I would like to find ways to assist in providing law office management services which include consideration of your unique needs. I also encourage you to discuss your ideas with any GPS officer or council member. Be prepared to be asked to step up and help make it happen; we want everyone's involvement in the work of the section. The GPS officers, council members and meeting schedule can all be found on the NCBA's GPS webpage: <http://governmentpublicsector.ncbar.org/Default.aspx>

I look forward to working with all of you and appreciate the chance to do anything I can to help you in your good work.

cc:

Charles Becton

Allan Head

Lynda Imhoff