THE GBA NEWS

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Marcus Allen Shields President of the Greensboro Bar Association

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You can contribute news or topics of interest to the GBA by contacting Editor Jonathan M. Parisi: jparisi@spanglerestateplanning.com

Message from the President

Dear Members.

We are off to a productive start to our 2022-2023 year. Thank you to Catherine Johnson from the Guilford County Family Justice Center for serving as an engaging and informative speaker at our first member meeting. Our Habitat for Humanity Build is off to wonderful start. If you have not signed up to volunteer on this year's Habitat for Humanity House Build and have the time, please do so. As we continue to fulfill our mission, I hope each of you will



Through our projects and initiatives, I hope that we can continue to improve the profession and our community.

consider joining or assisting a committee. The focus for this year is both community and wellness. Through our projects and initiatives, I hope that we can continue to improve the profession and our community. I look forward to seeing each of you at the October 2022 member meeting!

Marcus Allen Shields

President, Greensboro Bar Association 2022-2023

OCTOBER CALENDAR NOTES

October 1 Habitat House Workday,

7:45 AM, 1310 Pickard Street

October 8 October Habitat House Workday,

7:45 AM, 1310 Pickard Street

October 12 GBA Board Meeting,

4:00 PM, Zoom

October 19 YLS Board Meeting,

12:00 PM, Sigmon Klein, PLLC

October 20 Member Meeting,

5:30 PM, Starmount Forest Country Club

Register Online

October 20 Submission Deadline

for November Newsletter

October 26 Special Joint Meeting, Selection of

District Court Judicial Nominees, 3:30 PM, High Point Country Club

October 28 Swearing-In Ceremony,

3:00 PM, US District Court GSO

Anyone interested in participating with our Habitat House build should contact Jonathan M. Parisi at $\underline{JParisi@}$ $\underline{SpanglerEstatePlanning.com}$

Click to keep up with GBA Events Online
Click Here for Legal Community Events

Connect with us!



GBA Young Lawyers Section

Greensboro Bar Association

GBA MENTORING PROGRAM

GBA's Mentoring Program is back again this year! We will seek to match a less experienced attorney with a more experienced attorney to share experiences and encourage the development of skills necessary to succeed in practicing law. For additional information, see the Mentoring Program Fact Sheet and Registration Form.

Registration forms are due by October 31, 2022.

For more information, please contact Hillary Kies at hkies@turningpointlit.com.

Click to Download Mentoring Program Fact Sheet and Registration Form

Wellness Corner

BarCARES is a confidential, short-term intervention program provided cost-free to members of the 24th Judicial District Bar and other participating judicial district bars, voluntary bar associations and law schools. If you would like additional information about the program and/or its availability in your area, please contact the BarCARES coordinator at 919.929.1227 or 1.800.640.0735 or click on the icon below.

BarCARES®

NOTICE

Submissions for consideration for the Greensboro Bar Association Newsletter should be made to Jonathan M. Parisi at jparisi@spanglerestateplanning.com. All written submissions should be made in Word format and should be in complete and final form, and any photographs should be submitted in jpeg format. Any photographs submitted should contain a caption identifying the person or persons in the photograph and, where applicable, other information necessary to understand the context of the photograph. Submissions made in other formats, including e-mail text submissions, may not be considered for publication.





Camille Stell is President and CEO of Lawyers Mutual Consulting & Services. Continue this conversation by contacting Camille at camille@lawyersmutualnc.com or 800.662.8843.

LAW FIRM BUYING & SELLING TRENDS

The market for buying and selling law firms continues to grow.

Established firms and attorneys are looking for succession or sale due to attorney retirement, labor needs, and changing marketplace landscapes.

Next generation law firms are seeking growth through acquisition of key attorney brands, client bases, proven revenues, and geographic expansion. There is even room for new and recently licensed attorneys to buy law firms because retiring lawyers who want a plan may still want to work for several years so the opportunity for new lawyers to be mentored and trained by a seasoned lawyer is attractive. There are also more funding opportunities that make buying a firm a financial option for new lawyers.

Top Trends in 2022

Retirements Up. The increase in the number of lawyers deciding to retire will continue. The pandemic caused many Baby Boomers to rethink their plans providing an increase in inventory of available law firms.

Law firm purchases Increase during pandemic. Solo and small firm purchases continue to increase. The pandemic paused the buying and selling market for a few months in early 2020, but the marketplace has recovered, and sales continue to increase year-over-year.

Who's buying? Mid-size and larger firms are looking to purchase solo and small firm practices. Recruiting and retaining top talent is a challenge. Small firms with retiring partners have clients to be served, along with paralegals and associates who have the clients' trust.

Burnout is real. Big Law associates are burned out and looking for new opportunities. These associates have skills, mentoring, and expertise with sophisticated client matters. But perhaps they want to move closer to home, start a family, or control their destiny. Or maybe their hidden entrepreneurial spirit has kicked in. Big Law associates are exploring the path to ownership by purchasing a firm rather than building from the ground up.

Solos expanding ownership. Solo owners of small firms have decided to open the partnership opportunities. Lawyers who started their own firms and hired their lawyers as employees are thinking about their succession plans. They are looking to transition ownership internally and creating paths to partnership to allow for their eventual retirement.

Investment. While many partnerships continue to empty the coffers at year end, many are investing into the firm as a business. Leadership of small firms continues to demonstrate an increased rate of investment into the marketing, management, systems, and overall business model of their law firm.

Geographic relocation. Just like so many others over the last 24 months, attorneys are relocating, which opens more opportunities on both the selling and buying sides for law firm deals.

More funding available for law firm deals. Banks, private lenders, and others are becoming even more active and focused on providing funding for law firm buy-ins or acquisition and are working to craft better and more competitive lending platforms to do so.

Shorter time on the market. The length of time to sell a practice has shortened to an average of 18 months. To be on the safe side, if you are considering selling your law firm, you should contact a succession expert or law firm broker a few years in advance. But the typical solo or small firm practice stays on the market for an average of 18 months.

Lightning can strike twice. On average, it takes two offers before a firm deal closes.

But not for the reasons you'd think. The second offer is not necessarily better and often times is not as good as the first offer. But it can take awhile for the retiring lawyer to get serious about selling and to transition into Life after Law. The lesson here? Listen to the experts who are advising you on the sale of your practice.

Continued on page 5





Manisha P. Patel, Esq. is one of two North Carolina State Bar Councilors elected to represent the 24th Judicial District and founder of The Law Office of Manisha P.Patel, PLLC

Councilor's Corner

The NC State Bar Council met in July 2022 for the third quarterly meeting of this year. A synopsis of the action taken by the Council can be found here 3 were both adopted by the Council. An amendment to the Rules Governing the Paralegal Certification Program and an amendment to NC RPC Rule 1.19 (Sexual Relations with Clients Prohibited) were both adopted by the Council and submitted to the NC Supreme Court for approval.

The Council voted to publish for comments the <u>proposed rule amendments</u> regarding (1) discipline and disability rules, (2) administrative reinstatement, (3) trust accounting, (4) a technical correction to RPC Rule 4.1, and most notably (5) the sweeping proposed amendments to the rules governing the Continuing Legal Education (CLE) program.

Assistant Executive Director of the NC State Bar Peter Bolac presented these proposed changes to the CLE requirements on June 8, 2022 to the Greensboro Bar/24th JD. The original proposals were published in the Summer 2022 Journal and recently republished in the Fall 2022 Journal (beginning on page 14). A brief summary of the key changes are as follows:

- Increase in the reporting period (from one year to three years).
- Eliminate the requirement to file an annual report.
- Restructure of the CLE fees (eliminates the \$3.50 per credit hour and institute an annual CLE attendance fee).
- No "grace periods" for meeting the credit hour requirement.
- Carry-Ovcr Credit: currently, the proposed rule amendments allow up to only six hours of carryover but at the October 2022 Quarterly meeting, the CLE Board will propose the carry-over credit back to twelve hours.

- Improved enforcement of credit hour requirements.
- As part of the 36-hour requirement over three years, lawyers must complete at least:
 - » 6 Ethics hours (Professional Responsibility, Professionalism, or Social Responsibility)
 - » 1 Professional Well-Being and Impairment (PWI) hour
 - » 1 Technology Training hour
- On-Demand programs will be approved for three years and thereafter may be renewed annually as long as the program continues to meet accreditation standards.
- The designation of "Registered Sponsor" is eliminated. (Note: The Board is evaluating whether to propose a new "registered" or "accredited" sponsor status.
- The Substance Abuse and Mental Health program definition is modernized and is now called Professional Well-Being (PW).
- A new type of ethics program called "Social Responsibility" is created and is defined as "a program, directly related to the practice of law, devoted to education about diversity, inclusion, bias, or equal access to justice."
- Exemptions will be claimed during the annual membership dues renewal process.
- The CLE Board intends to maintain its historical funding in support of the Chief Justice's Commission on Professionalism (CJCP) and the Equal Access to Justice Commission (EAJC).

If you have concerns or comments and would like to submit them anonymously, please feel free to <u>complete this form</u> and I will submit them on your behalf.

The October 2022 Quarterly meeting of the NC State Bar will be held in Raleigh, NC from October 18-21, 2022 and the meeting schedule can be found <u>here</u>. Please feel free to reach out to me with any questions in the meantime!





Robert Trimble
is President of the
Greensboro Bar
Association's Young
Lawyers Section
and is an associate
attorney with
Sigmon Klein, PLLC.

Young Lawyers Section: Connections

Last month, the Young Lawyers Section held our summer social event at the Greensboro Grasshopper's game. Thank you to all Young Lawyers Section members and GBA members who were able to join us! The event was a success, and we look forward to doing it again in the future.

Swearing-In Ceremony:

Each year, the Young Lawyers Section sponsors a Fall Swearing-in Ceremony for the admission of newly licensed attorneys to the state and federal courts. This year, the Young Lawyers Section is hosting its Fall Swearing-in Ceremony on Friday, October 28, 2022, at 3:00 pm in Courtroom 3 of the United States District Court in downtown Greensboro.

We welcome the support and attendance of the members of the GBA at the Fall Swearing-in Ceremony to support our newly licensed attorneys. Friends and family are also invited to celebrate the occasion. Cell phones and cameras will be permitted at the event. If you are a newly licensed attorney, or you know a newly licensed attorney, please email Tyler Nullmeyer at to receive application materials.

Connect with YLS:

YLS is in the process of scheduling a social event for our members. An e-mail blast will be sent out in the coming weeks regarding this event. We hope you can join us!

Do you have an idea for a future YLS event, service project, and/or social activity? Please share by emailing Robert Trimble at robert@sklawnc.com.

Do you want more information about upcoming YLS events or to find out how you can get involved? Check us out and follow our <u>Facebook</u> page (Greensboro Bar Association's Young Lawyers Section).

If you would like to be added to the YLS email list, please email Robert Trimble at <u>robert@sklawnc.com</u>.

YLS would like to celebrate life's milestones with our members. Email <u>info@greensboroyls.org</u> to share personal and professional updates about yourself that you would like celebrated on the YLS Facebook page.

LAW FIRM BUYING & SELLING TRENDS Continued from page 3

Mergers are not always about the money. There is often a generational gap in law firm leadership and management. Many firms are turning to mergers to combine Boomer-led firms with Millennial-led firms to fill the void and create a strong continuation plan for both.

Conclusion

Download the *Buyer's & Seller's 2022 Legal Trends Report* prepared by the Law Practice Exchange to see a snapshot of the typical buyer and seller, top five practice areas sought by buyers, and typical financials of selling law firms. Visit <u>Annual Report - Law Practice Exchange (thelawpracticeexchange.com)</u>.

Join us on Friday, October 7 at noon for a 90-minute virtual Buyers & Sellers Academy. We will hear from a law firm buyer who not only bought a firm but changed

practice areas and moved to a new location for the opportunity. This event is not for CLE credit and is only available to Leading Law members. Visit <u>Leading Law (lawyersmutualconsulting.com)</u> to join the virtual community, then sign up for the event.

Camille Stell is the President of Lawyers Mutual Consulting & Services and co-author of Designing A Succession
Plan For Your Law Practice: A Step-by-Step Guide for
Preparing Your Firm for Maximum Value (available on
Amazon). Continue this conversation by contacting Camille
at camille@lawyersmutualconsulting.com or 919.447.3354.
Look for the next book in this series, "A Buyer's Guide for
Purchasing a Law Firm" to be published in late 2022.



RAISING THE WALLS FOR SOSA-RAMOS

On September 17th, an ambitious crew of our own Greensboro Bar Association members led the groundbreaking of the GBA's ninth Habitat for Humanity project. Following keynote speakers Judge Teresa H. Vincent, Judge Robby Hassell, and GBA President, Judge Marcus Shields, our fellow GBA members adjusted their hard hats and spent the day swinging hammers and ultimately raising the walls of what will soon be the dream home of David Sosa-Ramos and his family.

Since his diagnosis with Multiple Sclerosis in 2011, David Sosa-Ramos has encountered many challenges related to his health, including a lack of mobility around his own home. With difficulty maneuvering his wheelchair from room to room, day-to-day tasks have become much more of a hassle for him.

With the dedication of our members, GBA is proud to provide Mr. Sosa-Ramos, his wife, Martha, and his two grandchildren, Jani and Juan, with a living space that is handicapped accessible, completely ADA compliant, and large enough to provide each of them with their own space. Although wonderful progress is being made, there is much more to do, and we encourage our members to be a part of Mr. Sosa-Ramos's future by giving back through volunteer service.

Work begins at 7:45AM and concludes mid-afternoon. No prior experience or training is necessary, and lunch will be provided. Volunteers are still needed for the October 1 and October 8 workdays. Anyone interested in participating should contact Jonathan M. Parisi at JParisi@SpanglerEstatePlanning.com. We look forward to seeing you!













CHRISTY AND HUNTER RECEIVE GBA DISTINGUISHED SERVICE AWARD

The Greensboro Bar Association established the Distinguished Service Award in 1993 to annually recognize a lawyer for exhibiting a deep devotion to the legal profession and an enduring contribution to the administration of justice and the public good through unselfish service. It is the highest honor bestowed by our association.

We were fortunate to have two very deserving recipients in 2022, the Hon. Robert N. Hunter, Jr. and Barbara R. Christy.

They were honored at the member meeting on September 12 at Greensboro Country Club. Justice Robert Edmunds and Tom Watkins presented.

To read about our honorees please see <u>Barbara R. Christy</u> and <u>Robert N. Hunter, Jr.</u>



President Marcus Allen Shields, Tom Watkins, and Barbara R. Christy



Justice Robert Edmunds, Hon. Robert N. Hunter, Jr. and President Marcus Allen Shields

NC STATE BAR 24TH JD PROPOSAL COMMENTS FOR OCTOBER 2022 QUARTERLY COUNCIL MEETING

You can view the full comments in the NC State Bar's *Fall 2022 Journal*: https://www.ncbar.gov/media/730710/journal-27-3.pdf.

Be on the lookout for more information about the proposed changes throughout the quarter, including a proposed fee schedule. The proposed rules, along with your comments and any revisions proposed by the board, will be back before the State Bar Council in October.

Your comments and questions do matter! Please continue to send your comments and questions about the proposed rules to Peter Bolac, assistant executive director of the North Carolina State Bar and director of the Board of Continuing Legal Education, at Pbolac@ncbar.gov. Comments may also be sent to ethicscomments@ncbar.gov.



Download the PDF form to submit your comments



COURT APPOINTED ATTORNEYS NEEDED

There is a dire need for attorneys to apply and serve on the Guilford County court appointment lists. The Guilford County Appointment Plan can be located on the Indigent Defense Services ('IDS') website at https://www.ncids.org/wp-content/uploads/2019/01/18th-defender-district-10-20-1.pdf.

Attorneys are need for the following court appointment lists:

- LIST 1: Adult Misdemeanor Cases and Misdemeanor Probation Violations
- LIST 1A: Adult Misdemeanor Driving While Impaired (DWI) Cases
- LIST 2: Felonies F-I and Felony Probation Violations (Does NOT include Drug Trafficking Cases)
- LIST 3: Felonies A through E (Including All Drug Trafficking Offenses and Indecent Liberties)
- LIST 4A: Juvenile Class A1-3 Misdemeanors, Class H-I Felonies, Probation Violations, and Motions for Contempt
- LIST 4B: Juvenile Felonies A-G
- LIST 5A: Guardianship and Disabled Adults
- LIST 5B: Judicial Waiver

- LIST 5C: Civil Contempt
- LIST 5D: Civil Commitment
- LIST 6: Child Support Enforcement Actions
- LIST 7: Parent Representation

Lists 1-4B address cases where the Public Defender's office has a conflict or some other reason prevents the Public Defender's office from handling particular cases. Lists 5A and 5D are addressed with the Clerk of Court's office. The remaining lists primarily involve cases that are addressed in District Court. Additional details regarding the above-referenced lists can be found on pages 13-19 of the Guilford County Appointment Plan.

Court appointed attorneys are paid by IDS according to the State rate for each particular list.

If you have any questions or you are interested in applying for any of the above-referenced lists, please contact Assistant Public Defender, Alex Snow, at 336-412-7777 or alex.snow@nccourts.org. Thank you.

PUBLIC GUARDIAN APPOINTED ATTORNEYS NEEDED

The Guilford County Clerk of Court's office is in need of attorneys to sign up as Public Guardians for individuals determined to be incompetent. When an individual is adjudicated incompetent and that individual has assets, that individual is in need of a guardian for their estate. The role of the Public Guardian is to pay the bills/expenses for the incompetent individual and to account for any expenditures. A Public Guardian is only appointed when the incompetent individual has assets and no one

else qualifies or is identified to serve on behalf of the incompetent individual. A Public Guardian receives a fee and/or a percentage of the monies received through the estate of the incompetent individual.

If you are interested in serving as a Public Guardian, please contact Lisa Johnson-Tonkins, Elected Clerk of Court for Guilford County, at (336) 412-7301 or lisa.v.johnson-tonkins@nccourts.org. Thank you.





In Memoriam

HARRY HILLIARD CLENDENIN, III

January 6, 1945 - August 26, 2022

Harry Hilliard Clendenin, III, age 77, passed away peacefully surrounded by family on August 27, 2022.

Harry was born in Raleigh, North Carolina, and grew up in Greensboro. He was a graduate of Walter Hines Page Senior High School in Greensboro, and graduated from North Carolina State University with a degree in Economics, where he joined Kappa Alpha Order. At Wake Forest University Law School he was the Associate Editor of the Wake Forest Law Review, and graduated with a J.D. degree with Honors,

Harry was admitted to the North Carolina Bar in 1970 and practiced with the Greensboro firm of Smith, Moore, Smith, Schell and Hunter until 1975, when he became a partner in the firm of Clifford, Clendenin & O'Hale, LLP. For over forty-seven years, his practice was concentrated in the areas of workers' compensation and personal injury law. Harry was a certified mediator and served the public in this capacity for nearly twenty years.

Harry served as Chair, Vice-Chair, and Council Member of the Workers' Compensation Section of the North Carolina Bar Association. He previously served as Chair of the Section's Membership Committee, and was the primary author of the NCBA's original public service pamphlet titled "Workers' Compensation: What To Do In Case Of An On-The-Job Injury". He was also a former Council Member of the NCBA Litigation Section; served as Chair of that Section's Products Liability Committee; and served on the NCBA Task Force on Dispute Resolution. He was a former Chair of the NCBA Young Lawyers' Section.

Harry Clendenin was a Sustaining Member of the Workers' Compensation Section of the North Carolina Advocates for Justice; served as a member of the Workers' Compensation Section's Executive Committee; and was a former member of the NCAJ's Membership Committee. He was a former President of the Young Lawyers' Section of the Greensboro Bar Association, and former Co-Chair of the Membership and Professional Relations Committee of the Greensboro Bar Association.

Harry served as a Member of the Board of Directors of Kids' Chance of North Carolina, Inc., which awards scholarship funds to the children of catastrophically injured or deceased North Carolina workers. He also coached the Peaches 'N Cream girls' soccer team, and youth baseball teams at all age levels. He served as a Junior Varsity coach with the Page Pirates High School baseball program for many years.

Harry was preceded in death by his parents, Harry H. Clendenin, Jr. and Peggy Clendenin; his first wife, Katherine Poer Clendenin; and his daughter, Anne Rives Clendenin. Harry is survived by his second wife, Kelly Kiernan Clendenin; daughter, Katherine Clendenin Wagner (Rich); son, Harry H. Clendenin IV (Melissa); and grandchildren, Scott Reynolds, Matthew Reynolds, Claire Wagner, and Jackson Clendenin.



MANISHA P. PATEL TO SERVE AS NATIONAL CONFERENCE OF WOMEN'S BAR ASSOCIATIONS EXECUTIVE COMMITTEE

Attorney Manisha P. Patel was selected by membership as Secretary of the Executive Committee of the National Conference of Women's Bar Associations ("NCWBA"). Patel was selected for this leadership position, by membership, at the 2022 Annual Leadership Summit for NCWBA on August 5, 2022 in Chicago, IL in conjunction with the American Bar Association ("ABA") Annual Meeting. Patel was originally appointed to a three-year term for the NCWBA Board of Directors in 2021. Patel previously served as the President for NCWBA member, the North Carolina Association of Women Attorneys, for two terms in 2019 and 2020.

The NCWBA was founded at the 1981 ABA Annual Meeting. In 1991, the ABA House of Delegates recognized the NCWBA as an affiliate organization granting the NCWBA a seat in the ABA House of Delegates. NCWBA advocates for equality in the legal profession and in society by mobilizing and uniting women's bar associations to effect change in gender-based processes and laws by providing a national forum for exchanging ideas, best practices, and information vital to the organizational growth and success of women's bar organizations and the legal profession.

JOHNSON-PARRIS ELECTED VICE CHAIR OF THE AMERICAN BAR ASSOCIATION LAW PRACTICE DIVISION

Greensboro attorney Afi Johnson-Parris has been elected vice chair of the American Bar Association's (ABA) Law Practice Division for the 2022-2023 bar year. Johnson-Parris will become chair-elect in 2023 and then serve as chair of the Law Practice Division during the 2024-2025 bar year.

The Law Practice Division (LP) has over 24,000 members throughout the United States, its territories, and Canada. LP provides practical education and resources to aid lawyers in the business of practicing law with a focus on marketing, management, technology, and finance. With a focus on law practice management, LP publishes books, the webzine *Law Practice Today*, magazine *Law Practice*, and a series of programs and conferences, like the ABA TECHSHOW.

"It is an honor to be selected by my peers to fill such an important role," says Johnson-Parris. "The business of practicing of law is one thing that unites all lawyers, regardless of specialty, and I enjoy focusing on ways to help our profession be better at what we do for our clients."

As vice chair, Johnson-Parris will lead the Strategy and Planning Committee which oversees the development of the LP strategic plan and assists the Council with its implementation. Johnson-Parris' committee will also vet new programs and products created by the LP Delivery Boards and oversee the quarterly entity reports from all LP boards, committees, and interest groups.





NEW MEMBERS

Approved on September 14, 2022

Craig Matthew Principe U.S. Attorney's Office for the Middle District of N.C. Endorser: Ames C. Chamberlin

James R. Paul Carruthers & Roth, PA Endorser: Britton C. Lewis

Andrew Miles Brower

Law Firm Carolinas

Endorser: Emily J. Meister

John Scott Feder Higgins Benjamin, PLLC Endorser: Gilbert J. Andia, Jr.

Haley N. Mendola Elon University School of Law Endorser: Jenny A. Lane

Joseph Michael Newlon Brooks Pierce McLendon Humphrey & Leonard Endorser: John M. Cross, Jr.

Elizabeth DeFrance CWS Greensboro

Endorser: Katherine A. Reynolds

Jessica E. Lyles

Legal Aid of North Carolina Endorser: Letitia M. McGeough

 $\begin{array}{c} \text{Chase Coble} \\ \textit{Deuterman Law} \end{array}$

Endorser: Michele Cybulski

Brooke Taylor LaMachio The Carroll Companies Endorser: N. Adam Spivey

Eric L. Cunningham

Ellis & Winters LLP

Endorser: Sarah H. Roane

Mary Anne Garvey
Guilford County Magistrate's Office
Endorser: Sarah H. Roane

Huntleigh Frederick Gilbard Brotherton Ford Berry & Weaver, PLLC

Endorser: Steven P. Weaver

Alicia S. Mills

Elon University School of Law Endorser: Susan Liemer Robert Minarcin

Elon University School of Law Endorser: Susan Liemer

Thomas Elliott Mahon Aberle and Wall

Endorser: Julie C. Wall

Antigone Evangelos Feredinos

Nexsen Pruet

Endorser: M. Jay Devaney

Andrea Leslie-Fite

Guilford County Attorney's Office Endorser: Matthew L. Mason

Krista Contino Saumby *Elon University School of Law* Endorser: Haley N. Mendola





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